



TOWN OF PALM BEACH

Town Manager's Office

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS-SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

FEBRUARY 9, 2016

9:30 AM

Welcome!

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

I. CALL TO ORDER AND ROLL CALL

Mayor Gail L. Coniglio
Michael J. Pucillo, President
Richard M. Kleid, President Pro Tem
Danielle H. Moore
Penelope D. Townsend
Robert N. Wildrick

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. RECOGNITIONS

- A. Recognition of Penelope D. Townsend, Town Council, from February 2014 to February 2016.
Gail L. Coniglio, Mayor
- B. Recognition of Robert N. Wildrick for His Seven Years of Service on the Town Council, Including Two Years of Service as Town Council President Pro Tem and One Year of Service as Town Council President.
Gail L. Coniglio, Mayor

IV. SWEARING IN OF ELECTED OFFICIALS

- A. The Honorable Judge Lisa Small
 - 1. Richard M. Kleid
 - 2. Bobbie Lindsay

3. Margaret A. Zeidman

(Mayor Becomes the Presiding Officer)

V. ORGANIZATIONAL ITEMS

Page 11

- A.** A. Election of Town Council President
Pursuant to Section 3.01 of the Town Charter

(Town Council President Becomes the Presiding Officer)

- B. Election of Town Council President Pro Tem
Pursuant to Section 3.01 of the Town Charter

Thomas G. Bradford, Town Manager

VI. PRESENTATIONS

- A.** Report on the Town Square Dedication Ceremony and Related Matters
Bill Bone, Esquire, Centennial Commission President

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

X. APPROVAL OF AGENDA

XI. CONSENT AGENDA

A. MINUTES

- | | | |
|----|--|---------|
| 1. | <u>MINUTES: JANUARY 12, 2016</u>
Approval of the Minutes of the Regular Town Council Meeting
<i>Susan A. Owens, MMC, Town Clerk</i> | Page 15 |
| 2. | <u>MINUTES: JANUARY 12, 2016</u>
Approval of the Minutes of the Special Town Council Meeting/Closed
Door Session
<i>Susan A. Owens, MMC, Town Clerk</i> | Page 26 |
| 3. | <u>MINUTES: JANUARY 13, 2016</u>
Approval of the Minutes of the Local Planning Agency Meeting
<i>Susan A. Owens, MMC, Town Clerk</i> | Page 29 |
| 4. | <u>MINUTES: JANUARY 13, 2016</u>
Approval of the Minutes of the Regular Town Council Meeting
<i>Susan A. Owens, MMC, Town Clerk</i> | Page 32 |
| 5. | <u>MINUTES: JANUARY 15, 2016</u>
Approval of the Minutes of the Town Council Workshop Meeting
<i>Susan A. Owens, MMC, Town Clerk</i> | Page 50 |
| 6. | Approval of Major Matters Considered by the Architectural Commission at
its Meeting of January 27, 2016.
<i>John S. Page, Director of Planning, Zoning, and Building</i> | Page 55 |

1. RESOLUTION NO. 09-2016 A Resolution of the Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving an Interlocal Agreement Between Palm Beach County and The Town of Palm Beach for the Reimbursement of Emergency Medical Services (EMS) Grant Equipment and Authorizing the Application for Funds from the Palm Beach County EMS Program in the Amount of \$14,000 and Establishing a Budget of \$14,000 in Fiscal Year 2016 to be Used for the Purchase of Nine (9) Knox Medvault Systems and Eleven (11) Knox Key Secure Systems for the Improvement and Expansion of EMS Services for the Town; and Authorizing the Town Manager to Execute this Purchase on Behalf of the Town; Such Funds Shall Not Supplant Existing EMS Budget.

Kirk W. Blouin, Director of Public Safety

Page 82

2. RESOLUTION NO. 10-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Purchase of One (1) Ford F450 Type 1 Medium Duty Ambulance Spec #1 Purchase in Accordance With Florida Sheriff's Association Bid No. 15-11-0116 with NFPA Department Ambulance Required Equipment in the Amount of \$267,420.10 and Establishing a Total Budget of \$294,162.11.

Kirk W. Blouin, Director of Public Safety

Page 105

3. RESOLUTION NO. 11-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing a Contract Extension to Batallan Enterprises DBA Property Works, in the Amount of \$25,200 for the Maintenance of the Bed on the Southern Boulevard Traffic Circle and the Circular Beds on Royal Poinciana Way, and Establishing a Project Budget of \$30,240.

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

Page 112

4. RESOLUTION NO. 12-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Zimmerman Tree Service, for Palm Tree Trimming in the Amount of \$97,272 and Establishing a Project Budget of \$107,000.

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

Page 117

5. RESOLUTION NO. 13-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Richard Maxwell, Inc., DBA King Tree Service, for Consulting Arborist Services, in the Annual Amount of \$43,750 and Establishing an Annual Project Budget of \$48,125.

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

Page 124

6. RESOLUTION NO. 16-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2016-18 and Approving a Construction Contract to American Lighting and Signalization, Inc., for the Signalization and Mast Arm Improvements at the Sunrise Avenue and Sunset Avenue Intersections on North County Road, in the Amount of \$1,041,476, and Establishing a Construction Phase Budget of \$1,200,000.

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

7. RESOLUTION NO. 17-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Construction Phase Engineering Services to Mock, Roos and Associates, Inc., for the Lake Trail Pavement Improvements in the Amount of \$246,130 and Establishing a Construction Phase Engineering Services Budget of \$270,000 Including Contingency.

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

Page 142

8. RESOLUTION NO. 19-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Mock, Roos and Associates, Inc., for the Atlantic Avenue, Everglades Avenue, and Dunbar Road Drainage Improvements in the Amount of \$89,605 and Establishing a Design and Bid Phase Budget of \$100,000.

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

Page 152

9. RESOLUTION NO. 20-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Pre-Construction Management Services for the Nightingale Trail/La Puerta Way Undergrounding Project to Burkhardt Construction, Inc., in the Amount of \$20,680, and Establishing a Pre-Construction Phase Services Budget of \$30,000.

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

Page 160

10. RESOLUTION NO. 22-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Grant Writing and Administration Services Agreement to In Rem Solutions, Inc. at a Rate of \$150 Per Hour; and Authorizing the Town Manager to Execute Said Agreement on Behalf of the Town.

Jay Boodheshwar, Deputy Town Manager

Page 165

11. RESOLUTION NO. 24-2016: A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Supporting and Encouraging Development of the Chain of Lakes Blueway Trail Project Which Includes Improvements to the Chain of Lakes, the Ocean to Lake Trails Initiative and Development of a Boat Lift at the C51 Canal S155 Control Structure; Providing an Effective Date; and for Other Purposes.

Thomas G. Bradford, Town Manager

C. OTHER

Page 170

1. Rejection of Bid No. 2016-09 for Construction Contract for the Lake Trail Pavement Improvements - Accelerated Capital Improvement Program - Phase 2

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

2. Budget Calendar for FY17 Budget Process

Page 172

Jane Struder, Director of Finance

XII. BOARD/COMMISSION ANNUAL REPORT

- A.** Investment Advisory Committee Annual Presentation

Page 175

Michael F. Andrews, Ph.D., Chair

XIII. COMMITTEE REPORTS

- A.** Report of the Finance and Taxation Committee Meeting of January 4, 2016 Page 217
Michael J. Pucillo, Chair
- B.** Report of the Ordinances, Rules, & Standards Committee Meeting of January 7, 2016. Page 222
Danielle H. Moore, Co-Chair

XIV. PUBLIC HEARINGS

Page 227

- A.** RESOLUTION NO. 08-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating, Abandoning, and Rededicating a Portion of an Existing Public Utility Easement Within the Property Commonly Known as 250 Palmo Way, in the Town of Palm Beach, Florida.
H. Paul Brazil, P.E., Director of Public Works

XV. REGULAR AGENDA

- A. Old Business** Page 259

1. Proposed Townwide Underground Utilities Project
Thomas G. Bradford, Town Manager
 - a. Communications Update
Rick Asnani, Cornerstone Solutions, Inc.
 - b. Consideration of an Appeals Process for Assessments
 - c. RESOLUTION NO. 23-2016 - A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Rescinding Resolution No. 50-2015; Reestablishing the Underground Utilities Task Force; Memorializing the Citizens Oversight Function of the Underground Utilities Task Force During the Design and Construction Phases of the Proposed Project; Providing for an Eighth Seat on the Underground Utilities Task Force and Providing for Method of Appointment; Providing an Effective Date.
 - d. Appointment to Underground Utilities Task Force

B. New Business

1. 2016 Legislative Update
Gail L. Coniglio, Mayor
2. Consideration of Proposal by the Palm Beach Civic Association and Palm Beach Police Foundation to Underwrite a Compensation and Benefit Study for Town of Palm Beach Public Safety Personnel
J. Patterson Cooper and Ned Barnes, Palm Beach Civic Association and John Scarpa and Tim Moran, Palm Beach Police Foundation
3. Potential Landscape Maintenance Agreement Palm Beach Towers Condominium Association, Inc., 44 Cocoanut Row, Palm Beach
H. Paul Brazil, P.E., Director of Public Works

Page 271

4. Consideration of Approving Finance and Taxation Committee Review of Refunding of 2010 Revenue Bonds Series A and B for Annual Debt Service Savings Due to Recent Drop in Interest Rates

Jane Struder, Director of Finance

5. Coastal Update:
H. Paul Brazil, P.E., Director of Public Works

a. Shoreline Protection Update

b. RESOLUTION NO. 25-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Graham County Land Company, LLC, for the 2016 Dune Restoration Truck Haul Project, Per Bid No. 2016-02, in the Amount of \$522,802, and Establishing a Total Task Budget of \$575,000.

c. Authorization to Bid Dune Plantings for Mid-Town and Phipps Ocean Park Beach Nourishment Projects

6. Parking Control Efforts Related to Increased Construction Activity
Jay Boodheshwar, Deputy Town Manager

XVI. ORDINANCES

A. First Reading

1. ORDINANCE NO. 01-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 90 of the Town of Palm Beach Code of Ordinances, Titled "Public Improvements" by Amending Section 90-104 of the Town of Palm Beach Code of Ordinances Titled "Powers of the District" to Clarify the Palm Beach Municipal Services Special District's Authority With Regard to Ad Valorem Taxation; Amending Section 90-141, Titled "Taxing Power Not Pledged" to Provide That Assessments Imposed Pursuant to the Provisions of Chapter 90 to Fund Project Cost of Local Improvements May be Used by the Town to Pay and Secure General Obligation Bonds, Notes or Other Obligations of the Town Issued Under Chapter 166 of the Florida Statutes, the Florida Constitution, and Other Provisions of Florida Law to Fund Project Cost of Local Improvements; Providing for Codification; Providing for Full Force and Effect; and Providing an Effective Date.

John C. Randolph, Town Attorney and Richard Miller, Esquire

2. ORDINANCE NO. 02-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 102, Solid Waste; Article II Collection; Division 3, Rates, Charges, Billing Procedure; at Section 102-103 Collection of Delinquent Charges; and Section 102-105, Billing for Charges; Notice of Delinquency; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jane Struder, Director of Finance

3. ORDINANCE NO. 03-2016 An Ordinance of the Town Council, of the

Town of Palm Beach, Palm Beach County, Florida, Granting to Florida Public Utilities Company, its Successors and Assigns, a Non-Exclusive Franchise for a Period of 25 Years to Sell, Distribute, Transport, and Transmit Natural or Mixed Gas in the Town of Palm beach, Florida; Prescribing the Terms and Conditions Under Which Said Franchise May be Exercised; Making Findings; Providing Severability; Providing an Effective Date Upon Final Passage; and Repealing Prior Ordinances.
TIME CERTAIN: 11:00 A.M.

Thomas G. Bradford, Town Manager

XVII. ANY OTHER MATTERS

XVIII. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** No written materials received after 5:00 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 5:00 p.m. on Thursday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.
- Note 2:** The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.
- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- Note 6:** All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

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

PUBLIC HEARINGS:

Any citizen is entitled to be heard on an official agenda item under the section entitled "Public Hearings,"

subject to the three minute limitation.

**COMMUNICATIONS FROM
CITIZENS:**

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

OTHER AGENDA ITEMS:

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

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

**Town of Palm Beach
Meeting Schedule**

2/3/16

Tue 02/09/2016 09:30 AM	Town Council Meeting	Council Chambers
Wed 02/10/2016 09:30 AM	Town Council Meeting-Development Review	Council Chambers
Mon 02/15/2016 04:00 AM	PRESIDENTS' DAY	TOWN HALL CLOSED
Tue 02/16/2016 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
Wed 02/17/2016 09:30 AM	Landmarks Preservation Commission (LPC) Meeting	Council Chambers
Thu 02/18/2016 02:00 PM	Code Enforcement Board Meeting	Council Chambers
Fri 02/19/2016 02:30 PM	Investment Advisory Committee Meeting	Council Chambers
Wed 02/24/2016 09:00 AM	Architectural Commission Meeting (ARCOM)	Council Chambers
Thu 02/25/2016 09:00 AM	Shore Protection Board Meeting	Council Chambers
Tue 03/01/2016 09:00 AM	Underground Utilities Task Force Meeting	Council Chambers
Tue 03/01/2016 02:00 PM	Retirement Board of Trustees Special Meeting	Council Chambers
Wed 03/02/2016 09:00 AM	Recreation Advisory Commission Meeting	Council Chambers
Thu 03/03/2016 09:30 AM	Ordinances, Rules, and Standards Committee Meeting	Council Chambers

Mon 03/07/2016 09:00 AM	Retirement Board of Trustees Meeting	Council Chambers
-------------------------	--------------------------------------	------------------

Tue 03/08/2016 09:30 AM	Town Council Meeting	Council Chambers
-------------------------	----------------------	------------------

Wed 03/09/2016 09:30 AM	Town Council Meeting-Development Review	Council Chambers
-------------------------	---	------------------

Tue 03/15/2016 09:30 AM	Planning and Zoning Commission Meeting	Council Chambers
-------------------------	--	------------------

Wed 03/16/2016 09:30 AM	Landmarks Preservation Commission (LPC) Meeting	Council Chambers
-------------------------	---	------------------

Thu 03/17/2016 02:00 PM	Code Enforcement Board Meeting	Council Chambers
-------------------------	--------------------------------	------------------

Fri 03/18/2016 09:00 AM	Retirement Board	Council Chambers
-------------------------	------------------	------------------

Wed 03/23/2016 09:00 AM	Architectural Commission Meeting (ARCOM)	Council Chambers
-------------------------	--	------------------

Wed 03/30/2016 09:00 AM	Special Recreation Advisory Commission Meeting	Council Chambers
-------------------------	--	------------------

Tue 04/05/2016 09:00 AM	Underground Utilities Task Force Meeting	Council Chambers
-------------------------	--	------------------

Thu 04/07/2016 09:30 AM	Ordinances, Rules, and Standards Committee Meeting	Council Chambers
-------------------------	--	------------------

Tue 04/12/2016 09:30 AM	Town Council Meeting	Council Chambers
-------------------------	----------------------	------------------

Wed 04/13/2016 09:30 AM	Town Council Meeting-Development Review	Council Chambers
-------------------------	---	------------------

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Organizational Items

Agenda Title

A. Election of Town Council President

Pursuant to Section 3.01 of the Town Charter

(Town Council President Becomes the Presiding Officer)

B. Election of Town Council President Pro Tem

Pursuant to Section 3.01 of the Town Charter

Presenter

Thomas G. Bradford, Town Manager

Supporting Documents

- [Memorandum dated February 3, 2016, from Thomas G. Bradford, Town Manager](#)
- [Ballot for Town Council President](#)
- [Ballot for Town Council President Pro Tem](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Town Council

From: Thomas G. Bradford, Town Manager

Re: Election of Town Council President and Town Council President Pro Tem

Date: February 3, 2016

GENERAL INFORMATION

Attached are two ballots, one for election of the Town Council President and one for the election of the Town Council President Pro Tem. Currently Mr. Pucillo is the only elected official who has indicated that he wishes to be considered for election of Town Council President. Mr. Kleid and Ms. Moore are the two council members who have indicated they wish to be considered for election of Town Council President Pro Tem.

If any of you wish to have your name added or removed from either ballot, please advise Cheryl Kleen by 12:00 p.m. on Monday, February 7, 2016.

Attachments

TGB:cek

cc: Gail L. Coniglio, Mayor
Susan A. Owens, Town Clerk

BALLOT FOR APPOINTMENT OF **TOWN COUNCIL PRESIDENT**

TOWN COUNCIL MEETING FEBRUARY 9, 2016

Please circle one name from the name(s) appearing below of the Town Council members who have expressed interest in being selected as Town Council President.

Position to be filled - **Town Council President**

Michael J. Pucillo

Signature of Town Council Member: _____

BALLOT FOR APPOINTMENT OF **TOWN COUNCIL PRESIDENT PRO TEM**

TOWN COUNCIL MEETING FEBRUARY 9, 2016

Please circle one name from the list of names appearing below of the Town Council members who have expressed interest in being selected as Town Council President Pro Tem.

Position to be filled - **Town Council President Pro Tem**

Richard M. Kleid

Danielle Hickox Moore

Signature of Town Council Member: _____

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Minutes

Agenda Title

MINUTES: JANUARY 12, 2016

Approval of the Minutes of the Regular Town Council Meeting

Presenter

Susan A. Owens, MMC, Town Clerk

Supporting Documents

- [Minutes of the Town Council Meeting Held on January 12, 2016](#)

**MINUTES OF THE REGULAR TOWN COUNCIL MEETING
HELD ON TUESDAY, JANUARY 12, 2016**

I. CALL TO ORDER AND ROLL CALL

The regular Town Council meeting was called to order on Tuesday, January 12, 2016, at 9:30 a.m., in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Administrative Assistant Dominguez gave the invocation. Council President Pucillo led the Pledge of Allegiance.

III. RECOGNITIONS

A. Recognition of Richard Raffo, Shore Protection Board, from January 2013 to December 2015.

Mayor Coniglio recognized Richard Raffo for his service.

IV. PRESENTATIONS

A. Town Hall Square Fund Raising Update
Bill Bone, Esquire, Palm Beach Centennial Commission

Mr. Bone provided an update to the Town Council on the fundraising and planning efforts for the Town Hall Square Celebration.

Council Member Wildrick commented on the reason for this event and the need for the funds. He stated that this event is an example of what can happen when the Town works together as a team and makes compromises. He also added that he is proud of the Town's spirit of compromise regarding this project and congratulated Mr. Bone and the Commission for all of their hard work.

V. COMMENTS OF MAYOR GAIL L. CONIGLIO

1 Mayor Coniglio acknowledged the changing of the guard that will be taking place next
2 month and expressed her gratitude to Council Members Townsend and Wildrick for their
3 efforts and dedication to the Town Council.
4

5 **VI. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER**
6

7 Council President Pucillo echoed the Mayor's comments and complimented Council
8 Member Townsend for her time, effort, and dedication to the Council. He also thanked
9 Council Member Wildrick for his thoughtful consideration, deliberation, and for always
10 speaking his mind while listening to others.
11

12 Council President Pro Tem Kleid attested to Council Member Townsend's dedication and
13 preparation for all meetings. He also thanked Council Member Wildrick for his listening
14 skills, independent thought, and for agreeing to disagree.
15

16 **VII. COMMUNICATIONS FROM CITIZENS**
17

18 Patti Sans, President of the Greater South County Road Association, spoke regarding the
19 coquina style sidewalks that were placed around Town Hall Square and requested that the
20 Town Council add an item to the February agenda to examine the funds needed to be able
21 to add additional coquina sidewalks to South County Road from Peruvian Avenue to
22 Chilean Avenue and Brazilian Avenue to Royal Palm Way.
23

24 Jack McDonald, 44 Coconut Row, spoke regarding the 2012 pension changes being too
25 severe and requested revisions be made to the Town's pension plan and that a viable plan
26 to restore public safety be made.
27

28 Zach Shipley, 228 Seaspray Ave., spoke regarding the political action committee (PAC)
29 he was forming, "Palm Beach Residents for Undergrounding", to support the
30 undergrounding project.
31

32 Mayor Coniglio commented that the Town has appropriated the necessary funds for
33 educating town residents on undergrounding and asked Mr. Shipley to balance out his
34 group's efforts on undergrounding with what the Town is doing.
35

36 Mr. Shipley responded that the group will be complimenting the Town's efforts and
37 providing public education while advocating their position.
38

39 A discussion ensued about the coordination of educational efforts between the Town and
40 the PAC and PACs not being good for the Town.
41

42 Mr. Shipley responded that he intends to move forward with forming the PAC with
43 affection for the Town and the Council Members.
44

45 **VIII. APPROVAL OF AGENDA**
46

1 **Motion was made by Council Member Townsend, and seconded by Council**
2 **Member Moore, to approve the Agenda. On roll call, the motion carried**
3 **unanimously.**

4
5 **IX. CONSENT AGENDA**

6
7 **Motion was made by Council Member Moore, and seconded by Council Member**
8 **Townsend, to approve the Consent Agenda. On roll call, the motion carried**
9 **unanimously.**

10
11 **A. MINUTES**

- 12
13 1. MINUTES: DECEMBER 7, 2015
14 Approval of the Minutes of the Special Town Council Meeting
15 *Susan A. Owens, MMC, Town Clerk*
16
17 2. MINUTES: DECEMBER 8, 2015
18 Approval of the Minutes of the Regular Town Council Meeting
19 *Susan A. Owens, MMC, Town Clerk*
20
21 3. MINUTES: DECEMBER 9, 2015
22 Approval of the Minutes of the Local Planning Agency Meeting
23 *Susan A. Owens, MMC, Town Clerk*
24
25 4. MINUTES: DECEMBER 9, 2015
26 Approval of the Minutes of the Regular Town Council Meeting
27 *Susan A. Owens, MMC, Town Clerk*
28
29 5. MINUTES: DECEMBER 9, 2015
30 Approval of the Minutes of the Special Town Council Meeting
31 *Susan A. Owens, MMC, Town Clerk*
32
33 6. Approval of Major Matters Considered by the Architectural Commission at
34 its Meeting of December 10, 2015
35 *John S. Page, Director of Planning, Zoning & Building*

36
37 **B. RESOLUTIONS**

- 38
39 1. RESOLUTION NO. 01-2016 A Resolution of the Town Council of the
40 Town of Palm Beach, Palm Beach County, Florida, Approving an
41 Amendment to the Lease Agreement Dated July 15, 2014, Between the
42 Town and RG Towers, LLC for Use of a Portion of Town Property for a
43 Wireless Communications Tower and Authorizing the Town Manager to
44 Execute Same on Behalf of the Town.
45 *Jay Boodheshwar, Deputy Town Manager*
46

2. RESOLUTION NO. 02-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing an Increase to Purchase Order No. 160073 in the Amount of \$5,830 and Approving a Total Budget of \$37,390.90 to CDW-G.

Jay Boodheshwar, Deputy Town Manager

3. RESOLUTION NO. 03-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Hy-Byrd Inc, C.A.P. Government, Inc. and GFA International, Inc. as the Three Highest-Ranked Firms Responding to RFP No. 2015-09 for Plan Review and Inspection Services Based Upon Their Proposals and the Selection Committee's Recommendations Pertaining Thereto; Authorizing the Issuance of Purchase Orders for Same; and Authorizing the Town Manager to Execute Contracts on Behalf of the Town for Such Services Subject to the Town Attorney's Approval of the Contracts for Legal Form and Sufficiency.

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

4. RESOLUTION NO. 07-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Administrative Amendments to the Florida Building Code by Adding Preliminary Plan Review Fee Related to Construction Permits; Establishing the Fee in the Amount of \$1,500 and Providing an Effective Date.

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

C. OTHER

1. Authorization for the Ordinances, Rules, and Standards Committee to Review Designation of Mooring Areas within the Jurisdictional Boundaries of the Town

Jay Boodheshwar, Deputy Town Manager

X. BOARD/COMMISSION ANNUAL REPORT

- A. Recreation Advisory Commission Annual Presentation
Pamela McIver, Recreation Advisory Commission Chair

Chair McIver provided an overview of the Annual Report and acknowledged the Mandel Foundation for their generosity towards the development and improvement of the Recreation Center and Sea View Park.

It was the consensus of the Town Council to accept the Annual Report.

XI. COMMITTEE REPORTS

- 1 A. Report of the Finance and Taxation Committee Meeting of November 19, 2015.
2 *Michael J. Pucillo, Chair*

3
4 Committee Chair Pucillo provided an overview of the Report.

5
6 **Motion was made by Council President Pro Tem Kleid, and seconded by Council**
7 **Member Moore, to accept the Report of the Finance and Taxation Committee**
8 **meeting of November 19, 2015. On roll call, the motion carried unanimously.**
9

10 Committee Chair Pucillo provided a verbal report on the January 4, 2016, Finance
11 and Taxation Committee meeting and announced that the next Committee
12 meeting would be in late January or early February.
13

14 **Council Member Townsend requested that the actuary include an additional**
15 **column on his report showing the change in unfunded liabilities under the various**
16 **scenarios.**
17

18 Discussion ensued regarding the unfunded liabilities and the Retirement Board
19 needing to have a discussion on pensions and the defined contribution plans.
20

21 Wilbur Ross, 328 El Vedado, spoke regarding what needs to be done with the
22 defined contribution plans, the mortality tables being out of date, the Town
23 Council not being disciplined in the way they fund pensions to public safety
24 employees during bull markets, and raising salaries versus changing the defined
25 contribution plan.
26

27 Discussion ensued regarding the Retirement Board being involved in these
28 pension discussions and making sure that the Actuary's reports are provided to the
29 Board, clearly identifying the costs and transparently communicating them to the
30 public, the turnover report, and the mortality rate utilized by the Actuary.
31

32 **Mayor Coniglio requested that Staff provide the Actuary's Pension Study Report to**
33 **the Retirement Board of Trustees and that the Retirement Board be invited to the**
34 **next Finance and Taxation Committee meeting.**
35

- 36 B. Report of the Ordinances, Rules, and Standards Committee Meeting of December
37 7, 2015.
38 *Penelope D. Townsend, Chair*
39

40 Committee Chair Townsend provided an overview of the Report and spoke
41 regarding the possibility of a draft ordinance for drones being ready for first
42 reading in March.
43

44 It was noted that page 1, line 22, of the Report needed to be amended as follows:
45
46

“Lieutenant Caristo provided an overview of the need [for](#) drone regulations...”

Motion was made by Council President Pro Tem Kleid, and seconded by Council Moore, to accept the Report of the Ordinance, Rules, and Standards Committee meeting of December 7, 2015, as amended above. On roll call, the motion carried unanimously.

XII. REGULAR AGENDA

A. Old Business

1. Proposed Townwide Underground Utilities Project *Thomas G. Bradford, Town Manager*

a. Review of Proposed Assessment Methodology Changes

Town Manager Bradford provided an overview of the consultant’s proposed assessment methodology changes.

Discussion ensued about the factors involved in the equivalent benefit units (EBU) analysis and the proposed modifications.

Ira Smith, 3170 S Ocean Blvd., inquired about the \$5,080,000.00 updated assessment cost, the length of the assessment, and exempting properties with generators.

Allen Wyett, 1145 N. Lake Way, expressed his concerns regarding project aesthetics, possible landscape damage during installation, decreased property values, and the need to take more time to consider these consequences and educate residents on this project.

Director of Public Works Brazil and Town Manager Bradford provided a brief overview of where the transformer pads would be needed and how they can be screened from view.

Discussion ensued regarding aesthetics and plans for landscaping around the transformers.

Mr. Wyett invited the Town Council to join him tomorrow for a meeting near his property so he can show them that the described landscaping solution will not work for his property.

Discussion ensued regarding the base elevation requirements for the transformers, whether the transformers could be located on the side of a property instead, the safety and reliability of utilities

being paramount to Town residents, and the actual number of transformers needed being smaller than the estimate.

Lew Crampton, Citizens' Association of Palm Beach Chairman, stated that the Association is pleased with the subsequent methodology adjustments. He suggested that there is money in one of the bond issues for decorative lighting and that is a tangible benefit and that the Town Council appoint a South End resident to the Underground Utilities Task Force.

Pamela McIver, 695 Island Dr., commented on the aesthetic of the transformers on her street.

Anita Seltzer, 44 Cocanut Row, inquired about assessments for properties that have been already undergrounded, whether the existing poles would be removed from the Town, and whether already undergrounded properties have been identified.

Discussion ensued regarding the legality of exempting cabanas from assessment and the 40/30/30 EBU formula, moving forward with the project, getting information to the public, properties with generators, and utilizing utility taxes to help fund the project.

Tony Dowell, Underground Utilities Task Force Member, 101 East Inlet Dr., spoke in opposition to granting credits for properties with a generator.

Gerald Frank, 2784 South Ocean Blvd., inquired about the assessment fees for condominiums that have existing underground utilities.

Motion was made by Council President Pro Tem Kleid, and seconded by Council Member Moore, to approve the amended assessment methodology with the 40/30/30 safety/reliability/aesthetics EBU formula, to exempt cabanas, deeded parking spaces, and storage space from assessment, and to not grant credits to properties with a generator. On roll call, the motion carried unanimously.

A discussion ensued about the Underground Assessment Report being made available online and how it should be formatted.

It was the consensus of the Town Council that Mayor Coniglio and Council President Pucillo review the updated assessment methodology spreadsheet before it is published online.

Communications Consultant Rick Asnani, Cornerstone Solutions, provided an update on their educational efforts related to the

Town's undergrounding project.

Discussion ensued regarding the mailer and adding another member to the Underground Utilities Task Force.

Motion was made by Council Member Wildrick, and seconded by Council President Pro Tem Kleid, to add a member from the South End of Town to the Underground Utilities Task Force and to direct Staff to amend Resolution No. 50-2015 accordingly and bring it back before the Town Council for approval at the February 9, 2016, Town Council meeting. On roll call, the motion carried unanimously.

B. New Business

1. Consideration of Scheduling an Attorney/Client Session Immediately Following the Regular Town Council Meeting on Tuesday, January 12, 2016, in the Town Council Chambers, 360 South County Road, Palm Beach, Florida, to discuss the following matter: Jason E. Weeks vs Town of Palm Beach, Peter B. Elwell, Kirk Blouin, Darrel Donatto, Danielle Olson, Dan Szarszewski, Margaret Cooper, John Cuomo, Richard Ward, Mark Bradshaw, Danny Dunnam, James Duane, Peter Codispoti and Brian Fuller, Case No. 502015CA013586XXXXMB AH, Pending in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida Attorney/Client Session Attendees: Mayor Gail L. Coniglio, Town Council President Michael J. Pucillo, Town Council President Pro Tem Richard M. Kleid, Town Council Members Danielle Hickox Moore, Penelope D. Townsend, Robert N. Wildrick, Town Manager Thomas G. Bradford, Town Attorneys John C. Randolph, Robert W. Wilkins, and Pleasanton, Greenhill, Meek & Marsaa Court Reporters
John C. Randolph, Town Attorney

Motion was made by Council President Pro Tem Kleid, and seconded by Council Member Townsend, to approve the scheduling of the Attorney/Client Session regarding Jason E. Weeks vs Town of Palm Beach. On roll call, the motion carried unanimously.

2. Annual Evaluation of the Town Manager
Thomas G. Bradford, Town Manager

Town Manager Bradford requested a 2% merit increase based on the satisfactory report and comments that he received from the Town Council in his annual evaluation.

Motion was made by Council Member Moore, and seconded by Council Member Townsend, to approve a 2% merit increase for Town Manager Bradford. On roll call, the motion carried unanimously.

- 1 3. Appeal of Denial for Right of Way Permit for Palm Beach Country Club
2 Tree Trimming.
3 *H. Paul Brazil, P.E., Director of Public Works*

4
5 Director Brazil stated that the Country Club was notified that this item was
6 on the agenda; however, no representative was able to attend. He
7 provided an overview of his reasons for denial of the permit.

8
9 Discussion ensued regarding whether the work could be done with only
10 one road lane closure.

11
12 **Motion was made by Council Member Moore, and seconded by Council Member**
13 **Townsend, to deny the Palm Beach Country Club's appeal. On roll call, the motion**
14 **carried unanimously.**

- 15
16 4. Consideration of Approval of Actuarial Expenses for Pension Analysis
17 *Jane Struder, Director of Finance*

18
19 Director Struder provided an overview of the request.

20
21 Discussion ensued regarding the additional costs.

22
23 Human Resources Director Olson spoke regarding feedback she received
24 from some employees regarding potential issues with increasing their
25 contributions to their defined benefit pension plan and whether there were
26 turnover trends among the general employees similar to those in public
27 safety. She recommended getting additional analysis on the value of the
28 defined contribution plan, suggested soliciting information anonymously
29 from Town employees and bringing it to the next Finance and Taxation
30 Committee meeting, and that Town Council approve the expenses for the
31 pension calculator and wait to implement the potential impact study based
32 upon the results of the calculations.

33
34 **Motion was made by Council Member Wildrick, and seconded by Council Member**
35 **Townsend, to approve the request for a General Fund contingency allocation of**
36 **\$56,100 for actuarial expenses for pension analysis. On roll call, the motion carried**
37 **unanimously.**

- 38
39 5. Coastal Update
40 *H. Paul Brazil, P.E., Director of Public Works*

41
42 Director Brazil provided an update on the current shoreline conditions and
43 the various projects taking place at each Reach.

44
45 Discussion ensued regarding the power failures and future repairs for the
46 Sand Transfer Plant.

Mayor Coniglio thanked Burkhardt Construction for their work and successful management of traffic during the seawall replacement project.

Discussion ensued about Reach 4 experiencing escarpment, the amount of sand being pumped from Reach 6, seaweed removal, and allocating funding for beach clean-up in fiscal year 2017.

XIII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 32-2015 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 74, Parks and Recreation, at Article III, Boats and Boating, to Include New Sections 74-270, 74-271, 74-272 and 74-273 Relating to the Prohibition of Floating Structures; Providing for Definitions; Providing for Enforcement/Penalties; Providing for Inclusion in the Code Enforcement Citation Fine Ordinance of the Town of Palm Beach; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

Motion was made by Council Member Townsend, and seconded by Council Member Moore, to approve Ordinance No. 32-2015, on second and final reading. On roll call, the motion carried unanimously.

XIV. ANY OTHER MATTERS – None

XV. ADJOURNMENT

There being no further business, the January 12, 2016, regular Town Council meeting was adjourned at 1:25 p.m.

APPROVED:

Michael J. Pucillo
Town Council President

ATTEST:

Susan A. Owens, MPA, MMC
Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Minutes

Agenda Title

MINUTES: JANUARY 12, 2016

Approval of the Minutes of the Special Town Council Meeting/Closed
Door Session

Presenter

Susan A. Owens, MMC, Town Clerk

Supporting Documents

- [Minutes of the Town Council Meeting Held on January 12, 2016](#)

**MINUTES OF THE SPECIAL TOWN COUNCIL MEETING
HELD ON TUESDAY, JANUARY 12, 2016**

I. CALL TO ORDER AND ROLL CALL

The Special Town Council meeting was called to order at 1:27 p.m. on Tuesday, January 12, 2016, in the Town Council Chambers. All of the elected officials were found to be present.

II. APPROVAL OF AGENDA

Motion was made by Council Member Moore, and seconded by Council Member Townsend, to approve the agenda. On roll call, the motion carried unanimously.

III. Jason E. Weeks vs Town of Palm Beach, Peter B. Elwell, Kirk Blouin, Darrel Donatto, Danielle Olson, Dan Szarszewski, Margaret Cooper, John Cuomo, Richard Ward, Mark Bradshaw, Danny Dunnam, James Duane, Peter Codispoti and Brian Fuller, Case No. 502015CA013586XXXXMB AH, Pending in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida

F.S. 286.011(8) Allows the Mayor, Town Council, and the Town Manager to Meet in a Closed-Door Attorney/Client Session for the Purpose of Discussing Strategy Related to Litigation.

Town Council President Pucillo announced the following:

- a.) The Attorney/Client Closed-Door Session
- b.) The estimated time is thirty minutes
- c.) The names of the persons attending:
 - Gail L. Coniglio, Mayor
 - Michael J. Pucillo, Town Council President
 - Richard M. Kleid, President Pro Tem
 - Danielle H. Moore, Town Council Member
 - Penelope D. Townsend, Town Council Member
 - Robert N. Wildrick, Town Council Member
 - Thomas G. Bradford, Town Manager
 - John C. Randolph and Robert W. Wilkins, Town Attorneys
 - Pleasanton, Greenhill, Meek & Marsaa, Court Reporters

At 1:29 p.m., the persons attending the meeting (listed above) relocated from the Town Hall Council Chambers to the immediately adjacent conference room.

IV. RECONVENE SPECIAL TOWN COUNCIL MEETING IN THE TOWN HALL COUNCIL CHAMBERS

A.) Call to Order

The Special Town Council meeting was reconvened at 1:54 p.m., in the Town Council Chambers.

B.) Town Council President to Announce the Termination of the Attorney/Client Session

Town Council President Pucillo announced the termination of the Attorney/Client Session and that the Town Council provided advice to the Town Attorney.

V. ANY OTHER MATTERS – *None*

VI. ADJOURNMENT

There being no further business, the Special Town Council Meeting of Tuesday, January 12, 2016, was adjourned at 1:55 p.m.

APPROVED:

Michael J. Pucillo
Town Council President

ATTEST:

Susan A. Owens, MMC
Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Minutes

Agenda Title

MINUTES: JANUARY 13, 2016

Approval of the Minutes of the Local Planning Agency Meeting

Presenter

Susan A. Owens, MMC, Town Clerk

Supporting Documents

- [Local Planning Agency Meeting Held on January 13, 2016](#)

**MINUTES OF THE LOCAL PLANNING AGENCY MEETING
HELD ON WEDNESDAY, JANUARY 13, 2016**

I. CALL TO ORDER AND ROLL CALL

The Local Planning Agency meeting was called to order at 9:30 a.m. on Wednesday, January 13, 2016, in the Town Council Chambers. On roll call, all of the members were found to be present.

II. COMMUNICATIONS FROM CITIZENS – *None*

III. ORDINANCE NO. 31-2015 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning; Article I, In General; Section 134-2, Definitions And Rules Of Construction, So As To Amend The Definitions Of Sign Institutional, Sign Menu And Sign Official Traffic; Further Amending Chapter 134, At Article XI, Signs, So As To Amend And Restate Article XI In Its Entirety As Set Forth In Exhibit “A” Attached Hereto; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Local Planning Agency Recommendation to Town Council on Adoption of Ordinance No. 31-2015.

Deferred from the December 9, 2015, Town Council Meeting

Attorney Margaret Cooper spoke regarding previous signage-related litigation, the recent Supreme Court Case, and provided an overview of the ordinance, the sign categories, and Staff’s and the Planning and Zoning Commission’s recommendations regarding the allowable number of signs per property.

Discussion ensued regarding the purpose of double-sided signs, the legality of limiting the number of signs to two per property, timeframes for posting temporary signs, limiting the number of messages per side, whether corner lots could have additional signage on their second frontage, the Blackners’ opposition to the ordinance and their legal options, allowing three signs, future litigation, aesthetics, two signs not being legally adequate, other municipalities’ limiting the number of signs by linear feet, the Supreme Court decision, problems with unlimited signs, the defensibility of allowing three signs, the findings of purpose provision, safety, people being unhappy no matter how many signs

are allowed, average lot sizes in Town, distractions to traffic, the nature of the Town, double-sided signs allowing expression for multiple causes and ideas, and when the amended ordinance would come before the Town Council.

Motion was made by Agency Member Townsend, and seconded by Vice Chair Kleid, to increase the number of allowable double-sided temporary signs to three per property and to recommend Town Council approval of Ordinance No. 31-2015, as amended. On roll call, the motion carried unanimously.

IV. ADJOURNMENT

There being no further business, the Local Planning Agency meeting of Wednesday, January 13, 2016, was adjourned at 10:03 a.m.

APPROVED:

Michael J. Pucillo
Chair

ATTEST:

Susan A. Owens, MPA, MMC
Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Minutes

Agenda Title

MINUTES: JANUARY 13, 2016

Approval of the Minutes of the Regular Town Council Meeting

Presenter

Susan A. Owens, MMC, Town Clerk

Supporting Documents

- [Minutes of the Town Council Meeting Held on January 13, 2016](#)

**MINUTES OF THE REGULAR TOWN COUNCIL MEETING
HELD ON WEDNESDAY, JANUARY 13, 2016**

I. CALL TO ORDER AND ROLL CALL

The regular Town Council meeting was called to order on Wednesday, January 13, 2016, at 10:05 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

Office Manager Morakis gave the invocation. Council President Pucillo led the Pledge of Allegiance.

III. RECOGNITIONS – *None*

IV. COMMENTS OF MAYOR GAIL L. CONIGLIO – *None*

V. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER – *None*

VI. COMMUNICATIONS FROM CITIZENS – *None*

VII. APPROVAL OF AGENDA

The following changes were made to the agenda:

WITHDRAWN: Item No. IX.A.1.b., Special Exception #31-2015 with Site Plan Review, was withdrawn.

DEFERRED: Item No. IX.A.1.c., Site Plan Review #8-2015 with Variance, was deferred to the February 10, 2016, Town Council meeting.

Motion was made by Council President Pro Tem Kleid, and seconded by Council Member Townsend, to approve the agenda, as amended above. On roll call, the motion carried unanimously.

VIII. PUBLIC HEARINGS

Office Manager Morakis administered the oath to all those who would be providing testimony.

A. RESOLUTION NO. 04-2016 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 122 Kings Road Meets The Criteria Set Forth In Ordinance No. 2- 84, Also Known As Chapter 54, Article IV Of The Code of Ordinances of The Town Of Palm Beach; And Designating Said Property As A Town of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV of The Code of Ordinances Of The Town of Palm Beach.

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

Historical Preservation Consultant Murphy provided an overview of the Designation Report.

Motion was made by Council President Pro Tem Kleid, and seconded by Council Member Townsend, that the Designation Report of the property known as 122 Kings Road be accepted and made a part of the record. On roll call, the motion carried unanimously.

Discussion ensued regarding why this property had not been considered for landmarking prior.

Ted Cooney, Landmarks Preservation Commission Chair, stated that it had not been considered because it was a fragment.

Motion was made by Council Member Townsend, and seconded by Council Member Moore, that Resolution No. 04-2016 be adopted and designating the property at 122 Kings Road as a landmark of the Town of Palm Beach on the basis that it meets criteria as identified in the Designation Report of Section 54-161 of the Town of Palm Beach Code and Landmarks Preservation Ordinance No. 2-84. On roll call, the motion carried unanimously.

B. RESOLUTION NO. 05-2016 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 123 Kings Road Meets The Criteria Set Forth In Ordinance No. 2- 84, Also Known As Chapter 54, Article IV of The Code of Ordinances of The Town of Palm Beach; And Designating Said Property As A Town of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV of The Code of Ordinances of The Town of Palm Beach.

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

Historical Preservation Consultant Murphy provided an overview of the Designation Report.

Motion was made by Council Member Townsend, and seconded by Council Member Moore, that the Designation Report of the property known as 123 Kings Road be accepted and made a part of the record. On roll call, the motion carried unanimously.

Motion was made by Council Member Townsend, and seconded by Council Member Moore, that Resolution No. 05-2016 be adopted and designating the property at 123 Kings Road as a landmark of the Town of Palm Beach on the basis that it meets criteria as identified in the Designation Report of Section 54-161 of the Town of Palm Beach Code and Landmarks Preservation Ordinance No. 2-84. On roll call, the motion carried unanimously.

(Clerk's Note: The following two items were discussed concurrently and acted upon in one motion.)

C. APPLICATION TO RELOCATE PEDESTRIAN BEACH ACCESS EASEMENT WITHIN THE REPLAT OF THE BLOSSOM ESTATE SUBDIVISION The application of Blossom Way Holdings, LLC, a Delaware limited liability company, by and through its counsel, Maura Ziska, at Kochman & Ziska, PLC, owner of 20, 30, 40 and 50 Blossom Way, requesting the abandonment of an existing pedestrian access easement located on the north five feet of Lot 3, of REPLAT OF THE BLOSSOM ESTATE, commonly known as 30 Blossom Way and simultaneously dedicating a new beach access easement on north five feet of Lot 1, of REPLAT OF THE BLOSSOM ESTATE, commonly known as 50 Blossom Way. The Town Staff is proposing that said easement also provide access to the State of Florida and the Town of Palm Beach for sand and turtle nesting monitoring. [Maura Ziska, Esq.]

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

Director Page provided an overview of the applicant's request and stated that Staff recommends adding a condition of approval making the easement available to the Town and the State.

Zoning Administrator Castro provided additional Staff comments.

Attorney Ziska, on behalf of Blossom Way Holdings, stated her client's acceptance to the recommended condition of approval with the clarification that the access provided be for pedestrians only and that consent is obtained from the owners.

See next item for action.

D. RESOLUTION NO. 06-2016 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Providing For The Abandonment of The Existing Pedestrian Access Easement On The North Five Feet of Lot 3, And Dedicating A New Pedestrian Access Easement On The North Five Feet Of Lot 1,

Replat of The Blossom Estate As Recorded In Plat Book 54, Pages 127 And 128,
Palm Beach, Florida, At The Request of Blossom Way Holdings, LLC.
John S. Page, Director of Planning, Zoning and Building

Motion was made by Council Member Townsend, and seconded by Council Member Moore, to approve the relocation of the pedestrian access easement within the replat of the Blossom Estate Subdivision and approve Resolution No. 06-2016, both subject to conditions pertaining to Town and State pedestrian access for sand and turtle monitoring with consent from all subdivision owners. On roll call, the motion carried unanimously.

IX. DEVELOPMENT REVIEWS

A. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. Consideration of a Construction Management Agreement for Redevelopment of the Testa's site (Site Plan Review #13-2014 with Special Exceptions and Variances (Modified), 221 & 231 Royal Poinciana Way, 214 & 216 Sunset Avenue, all previously approved) [Attorney: Francis X. J. Lynch]
Deferred from the June 10, 2015, July 15, 2015, August 11, 2015, October 14, 2015, and December 9, 2015 Town Council Meetings
Request for Deferral to the February 10, 2016, Town Council Meeting Per Letter Dated December 23, 2015, from Francis X.J. Lynch
John S. Page, Director of Planning, Zoning, and Building

There were no ex-parte communications declared.

Attorney Lynch, on behalf of the applicant, requested an indefinite deferral and acknowledged that his client would be required to provide new notices to the surrounding properties.

Zoning Administrator Castro provided Staff's comments.

Discussion ensued regarding the applicant paying for a second notice, the amount of time that may be needed, legal notice requirements, and deferring the matter for one year.

Motion was made by Council Member Wildrick, and seconded by Council Member Townsend, to defer indefinitely until the related litigation is resolved, subject to the condition that the applicant pays to re-notice the surrounding properties. On roll call, the motion carried unanimously.

b. SPECIAL EXCEPTION #31-2015 WITH SITE PLAN REVIEW

The application of The Breakers Palm Beach, Inc.; relative to property commonly known as 1 South County Rd., described as lengthy legal description on file; located in the PUD-A Zoning District. The Applicant is requesting a Special Exception approval with site plan review approval for the following projects at the Breakers: Front Lawn Service Buildings: construction of two pavilions on the front lawn west of the hotel and south of the main entrance. The north pavilion (446 sq. ft. of air conditioned space) will house restrooms, while the south pavilion (710 sq. ft. of air conditioned space) will be used for the staging of food service for guests who are attending weddings and similar events that occur on that lawn and may occur on a more regular basis in the future. There will be no intensification of use because The Breakers requested that indoor space be reserved as back-up when outdoor space is in use in case of inclement weather. Ponce Loading Dock Expansion: enclosure of additional space between the Ponce Ballroom addition and the South Tower of the hotel. This space will provide services for events on the Ocean Lawn. It will include new food service equipment and a unisex bathroom. This enclosure will add 1,261 sq. ft. of air conditioned space. An awning will also be constructed over part of the remaining open corridor. Mediterranean Courtyard Service Elevator: addition of service elevator in the southeastern corner of the Mediterranean Courtyard to facilitate direct access for food service for events in the Courtyard. Currently, staff must negotiate multiple levels to get tables, food, etc. in and out of this area. Emergency generator: approval of a 900 KW generator in the new engine room on the north side of the hotel in lieu of the 600 KW generator which was approved in September of 2015. An engineering re-evaluation resulted in a recommendation for a larger generator. [Attorney: James M. Crowley, Esq.]

[Landmark Commission Recommendation: Deferred consideration of the variances related to the two proposed pavilions on the front lawn, west of the hotel and south of the main entrance, to the November 18th meeting. Carried 7-0]

Deferred from the December 9, 2015, Town Council Meeting
Request for Withdrawal Per Letter Dated December 7, 2015, from James M. Crowley, Esq.

*John S. Page, Director of Planning, Zoning & Building – **Item was Withdrawn***

c. SITE PLAN REVIEW #8-2015 WITH VARIANCE

The application of 201 Debra Lane, LLC (Juan M. Naveja Diebold, Manager); relative to property commonly known as 201 Debra Ln., described as lengthy legal description on file; located in the R-B

Zoning Districts. The Applicant seeks Site Plan approval to construct a 3,814 square foot two story home on a platted lot that is 98.55 feet deep in lieu of the 100 foot minimum required and 91.61 foot wide in lieu of the 100 foot minimum required. A variance is requested to permit installation of a pool in the street side yard with a setback of 6.25 feet in lieu of the 15 foot minimum required. [Attorney: M. Timothy Hanlon] [Architectural Commission Recommendation: Deferred the project to the requested deferral to the January 27th meeting. Carried 7-0] *Deferred from the December 9, 2015, Town Council Meeting* Request for Deferral to the February 10, 2016, Town Council Meeting Per Letter Dated January 4, 2016, from M. Timothy Hanlon.
John S. Page, Director of Planning, Zoning & Building – Item was Deferred to the February 10, 2016, Town Council meeting

- d. SPECIAL EXCEPTION #32-2015 WITH VARIANCE The application of Café Via Flora; relative to property commonly known as 240, 250 Worth Ave. and 256 Worth Ave., described as lengthy legal description on file; located in the C-WA Zoning District. The Applicant is requesting a Special Exception approval to modify a previously approved special exception for the restaurant by expanding the restaurant outdoor seating into the Via to the west. There are currently 36 outdoor seats of which only 24 are dedicated to the restaurant and 12 are dedicated to the public. The restaurant is requesting an additional ~~33~~16 outdoor seats to be added into the Via to the west of the restaurant for a total of 83 seats (of which 71 would be dedicated to the restaurant and 12 would be dedicated to the public). A variance is being requested to have zero (0) off-street parking spaces in lieu of the 11 off-street parking spaces that are required for the ~~33~~16 additional seats being requested. [Attorney: Maura Ziska, Esq.]
Deferred from the December 9, 2015, Town Council Meeting
John S. Page, Director of Planning, Zoning & Building

The following ex-parte communications were declared: Council President Pucillo, Council President Pro Tem Kleid, and Council Members Moore and Townsend spoke with Attorney Ziska, who advocated the position of her client.

Attorney Ziska, on behalf of Café Via Flora, provided an overview of the applicant's request and stated that the applicant has revised their request to only allow 16 additional outdoor seats.

Zoning Administrator Castro provided Staff's comments.

Discussion ensued regarding why the variance is needed, the

Zoning Code, parking, precedent, treating people fairly, moving some of the tables to the other via, only needing Town Council approval instead of a variance if the tables were moved, ramifications of approving the variance, parking not being available, approving only 16 seats, the original use of the space, and changing the Code.

Bob Moore, 318 Bunker Ranch Rd., West Palm Beach, spoke regarding the recent shared parking Code change and setting precedence. He spoke in opposition to the project without a subsequent consideration of a Code change.

Discussion continued regarding the shared parking provision not allowing for an intensification of use, conditioning approval on parking being available at a certain location, this request being de minimus, precedent, objections, having the Planning and Zoning Commission look at changes to the parking regulations, the legality of approving the variance, the applicant having already done everything it can to find parking, amending the declaration of use agreement, allowing the variance for the current owner only, adding additional parking in the Apollo Lot, this being a significant departure from the Code, and the Code preventing the applicant from finding approvable parking.

Motion was made by Council Member Moore, and seconded by Council Member Wildrick, that Special Exception #32-2015 shall be granted, for the current applicant's use only, based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met, subject to execution of an amended declaration of use agreement. On roll call, the motion carried 3-2, with Council President Pucillo and Council Member Townsend dissenting.

Motion was made by Council Member Moore, and seconded by Council Member Wildrick, that the variance related to Special Exception #32-2015 be granted, for the current applicant's use only, and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met, subject to the previous conditions of approval and execution of an amended declaration of use agreement. On roll call, the motion carried 3-2, with Council President Pucillo and Council Member Townsend dissenting.

2. New Business

- a. SITE PLAN REVIEW #1-2016 WITH SPECIAL EXCEPTION
The application of Cary Glickstein, Receiver; relative to property commonly known as 160 Royal Palm Way, described as lengthy legal description on file; located in the C-B Zoning District. The

Applicant is requesting Site Plan Review and Special Exception approval for modification to hotel approved plans to comport with previous approvals with exception of minor changes to improve service areas and access to those areas via stairs and elevators. The intent of the following proposed site plan changes is to address and secure the Town's approval for certain improvements that (A) are already partially constructed, (B) will improve the function of the hotel, but (C) will not increase the intensity of the use of the Property or require any additional variances of any nature: 1. Complete construction of Function Room and pool area consistent with plans previously approved by the Town. 2. Demolish partially constructed bathrooms on west side of Function Room and complete construction in area immediately adjacent to the southeast corner of the Function Room per plans previously approved by the Town. 3. Demolish partially constructed walkway, stairs and elevator in so far as it provides access to roof above Function Room; 4. Demolish approximately 1,140 square feet of office space in area previously approved as service corridor and laundry space. 5. Demolish partially constructed enclosures of portions of the basement garage on both east and west side of the Property, to restore 5 required off street parking spaces. 6. Completion of partially constructed stair and elevator from basement to third floor on North side of the hotel building and demolish partially constructed elevator extension to roof top. 7. Restore guest room area on third floor which was converted to private dining overlooking the second floor dining room. 8. Demolish partially constructed partial wall in the Function Room kitchen. 9. Construction of new access stairs from the basement kitchen area to the lobby dining room. 10. Construct new stairs, elevator and dining area on the second floor dining room. 11. Construct redesigned mezzanine dining room stairs. 12. Construct opening on the east side of the Function Room wall identified as the state. 13. No reduction of condo-hotel units. The condo-hotel units remain at 79 units. 14. Remove infill framing at exterior walkways on east elevation (installed subsequent to staff's identification of non-approved construction). [Attorney: Jacqueline S. Miller, Esq.]
John S. Page, Director of Planning, Zoning & Building

The following ex-parte communications were declared: Council President Pro Tem Kleid and Council Member Townsend spoke with the Attorney and the Architect, who advocated the position of their client. Mayor Coniglio spoke with Attorney Miller, who advocated the position of her client.

Attorney Miller, on behalf of Cary Glickstein, provided an overview of the applicant's request.

1 Zoning Administrator Castro provided Staff's comments and stated
2 that the declaration of use agreement would need to be amended.

3
4 Discussion ensued regarding the applicant being conscientious and
5 the applicant making changes to make the property more
6 marketable.

7
8 Alexander Domm, KKPB Financial LLC, first mortgage holder,
9 spoke regarding the foreclosure of the property, there being no
10 evidence that the applicant has the money to make the renovations,
11 KKPB possibly wanting to come back with a different set of plans
12 for the property, and in opposition to the project.

13
14 Council President Pucillo responded that the only issue before the
15 Town Council at this time is the special exception request and that
16 the Town Council cannot take Mr. Domm's position into account.

17
18 Mr. Domm stated that KKPB was at the October 13, 2015, Town
19 Council meeting to request an abatement of 90 days and inquired
20 as to what will happen to the fine if this item is approved.

21
22 Council President Pucillo responded that nothing before the Town
23 Council today is related to the fine.

24
25 John Eubanks, representing Thomas McCarthy, stated that the
26 applicant has done a great job revising the plans and inquired as to
27 whether the roof deck will remain a passive use.

28
29 Attorney Miller affirmed that the roof deck will be for passive use.

30
31 **Motion was made by Council Member Moore, and seconded by Council Member**
32 **Townsend, that Site Plan #1-2016 be approved based upon the finding that the**
33 **approval of the site plan will not adversely affect the public interest and that the**
34 **Council certifies that the specific zoning requirements governing the individual use**
35 **have been met and that satisfactory provision and arrangement has been made**
36 **concerning Section 134-329, items 1 through 11, subject to execution of an amended**
37 **declaration of use agreement. On roll call, the motion carried unanimously.**

38
39 Discussion ensued regarding whether or not the declaration of use
40 agreement should come back before the Town Council for
41 approval.

42
43 **It was the consensus of the Town Council that the declaration of use agreement did**
44 **not need to come back before them.**

45
46 **Motion was made by Council Member Moore, and seconded by Council Member**

Townsend, that the special exception related to Site Plan #1-2016 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met, subject to execution of an amended declaration of use agreement. On roll call, the motion carried unanimously.

Office Manager Morakis administered the oath to all those who had not been sworn in earlier and would be providing testimony.

b. SPECIAL EXCEPTION #02-2016 WITH SITE PLAN REVIEW

The application of Maura Ziska, Esq., Attorney in Fact; relative to property commonly known as 1021 No. Ocean Blvd., described as lengthy legal description on file; located in the R-A Zoning District. The Applicant is requesting a Special Exception with Site Plan Review approval to allow the construction of a new two-story residence consisting of a 8,202 sq. ft. non-habitable underground basement/garage, 14,061 sq. ft. first and second floor habitable space, and, 2,317 sq. ft. of outdoor covered areas for a total of 25,198 sq. ft. on a non-conforming lot which is 100 feet in width in lieu of the 125 foot minimum width required in the R-A Zoning District. The subject property is part of two platted lots. [Attorney: Maura Ziska, Esq.]

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

The following ex-parte communications were declared: All Town Council Members received correspondence in opposition to the project from various neighbors. Mayor Coniglio, Council President Pro Tem Kleid, and Council Members Moore, Townsend, and Wildrick spoke with Carter Pottash, who advocated against the project. Council President Pucillo, Council President Pro Tem Kleid, and Council Member Townsend spoke with Attorney Ziska, who advocated the position of her client. Mayor Coniglio spoke with Kathy Bleznak and Mary Hulitar, who advocated their positions.

Attorney Ziska provided an overview of her client's request and submitted Dr. Henry Fishkine's and David Chase's reports into the record.

Property owner Donald Burns spoke regarding his roots in the Town and presented letters of support for the record. He spoke regarding previous renovations on the property and the meeting he had with Staff in 2014, never having a disagreement with the neighbors in the past, and the multiple letters he wrote to the neighbors, which he submitted for the record. He then requested a deferral.

1 Attorney James Green, 222 Lakeview Ave., co-counsel with
2 Attorney Ziska, introduced Dr. Henry Fishkine.

3
4 Discussion ensued regarding the Architectural Commission
5 (ARCOM) typically looking at the items discussed today, the
6 applicant not having filed an ARCOM application, and having
7 ARCOM review the project before the Town Council.
8

9 Attorney Green stated that ARCOM does not consider certain
10 criteria and that he believes the applicant is entitled to an up or
11 down vote on the application for special exception and site plan
12 review.
13

14 Discussion ensued regarding Section 134.329 of the Town Code,
15 the applicant having tried to interact with his neighbors, addressing
16 the glare issue, having Attorney Green negotiate with the Town
17 Council, some of the issues not relating to ARCOM, compatibility
18 and design issues, and having the item go to ARCOM first.
19

20 Attorney Green called upon Dr. Fishkine, who provided an
21 overview of his background and stated that his report indicates that
22 there would be no adverse economic impact from this project.
23

24 Discussion ensued regarding Dr. Fishkine's report, the amount of
25 letters received, whether the matter could be referred to ARCOM,
26 and hearing the matter before making a decision whether to send it
27 to ARCOM.
28

29 Attorney John Eubanks, 605 N. Olive Ave., West Palm Beach,
30 representing eight of the fourteen homeowners in the notice area
31 cross-examined Mr. Fishkine.
32

33 Council President Pucillo announced that Mayor Coniglio has to
34 leave at 1:15p.m. and that if the meeting goes beyond that, then the
35 Town Council will be taking a lunch break.
36

37 Attorney Green called upon Architect David Eric Chase, who
38 provided an overview of his background and spoke regarding his
39 report and architectural compatibility.
40

41 Zoning Administrator Castro provided Staff's comments.
42

43 Discussion ensued regarding this application being essentially the
44 same as what was submitted over a year ago, and whether the plans
45 would be sufficient to submit to ARCOM.
46

1 Attorney Eubanks called upon Architect David Lawrence, 205
2 Worth Ave., who provided a presentation as to why the project
3 should not be approved.

4
5 Discussion ensued regarding objections from Attorney Green and
6 the rules of evidence.

7
8 Attorney Eubanks called upon Appraiser Wayne Lewis, Anderson
9 & Carr and West Palm Beach Special Magistrate, who provided
10 his background and provided testimony regarding the site.

11
12 Zoning Administrator Castro spoke regarding the railing and the
13 staircase.

14
15 Discussion ensued regarding these homes being some of the most
16 valuable in the world and any dilution of value being substantial.

17
18 Attorney Green cross-examined Appraiser Lewis.

19
20 Discussion ensued regarding where the generator could go.

21
22 Carter Pottash, 1029 N. Ocean Blvd., spoke in opposition to the
23 project.

24
25 John Oxley, 1045 N. Ocean Dr., spoke in opposition to the project.

26
27 Attorney Eubanks provided a summary of his case in opposition to
28 the project.

29
30 Attorney Green spoke regarding the height of Mr. Oxley's home
31 relative to the height of the proposed project.

32
33 Zoning Administrator Castro spoke regarding Section 134.754 of
34 the Town Code.

35
36 Attorney Green called upon Dr. Fishkine to comment on Appraiser
37 Lewis' testimony.

38
39 Attorney Green moved to exclude the letters of public record as
40 hearsay and on authentication grounds.

41
42 Town Attorney Randolph stated that hearsay evidence was
43 allowable in these proceedings, but cautioned the Town Council
44 not to rely solely on the hearsay evidence in their deliberations.

45
46 Landscape Architect Mario Nevera and Keith Williams, Nevera

Williams Designs, spoke regarding the best materials to use for the area chosen.

Responding to Council President Pucillo, Zoning Administrator Castro stated that the current plans would not be sufficient for ARCOM.

Discussion ensued regarding the plans not being complete enough for ARCOM, ARCOM having the technical experience to deal with these issues and allow the neighbors to work together, and reservations as to whether the project met the criteria necessary to be approved.

Motion was made by Council Member Wildrick that Special Exception #02-2016 shall be denied based upon the finding that such grant will adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have not been met and that the site plan related to Special Exception #02-2016 be denied based upon the finding that the approval of the site plan will adversely affect the public interest and that the Council certifies that the specific zoning requirements governing the individual use have not been met and that satisfactory provision and arrangement has not been made concerning Section 134-329, items 1 through 11.

Discussion ensued regarding there being a lot of unknowns about the project, the applicant's choice to come before the Town Council versus ARCOM, the better route having been going through ARCOM, and deferring the matter.

The above motion died for lack of a second.

Discussion ensued regarding when the Town Council is to consider applications and wanting ARCOM's input on this matter.

Council President Pucillo passed the gavel to Council President Pro Tem Kleid and made a motion to defer Special Exception #02-2016 with Site Plan Review to allow the Architectural Commission to consider the project first. The motion was seconded by Council Member Wildrick. On roll call, the motion carried unanimously.

(Clerk's Note: The following item was added to the agenda by Mayor Coniglio.)

- Extension of Rental of Holiday Lights on Royal Poinciana Way.

Director of Public Works Brazil spoke regarding a request from a business owner on Royal Poinciana Way wishing to donate funds to allow the holiday lights on the palm trees along Royal Poinciana Way to remain up

until April 15, 2016, similar to the arrangement the Town has with the Worth Avenue Association. He explained that this would be just for the tree trunks and that he needs Town Council approval to move forward with the request and accept the donation.

Motion was made by Council President Pro Tem Kleid, and seconded by Council Member Townsend, to approve the extension of the rental of the holiday lights on the palms along Royal Poinciana Way until April 15, 2016, subject to receipt of the proffered donation. On roll call, the motion carried unanimously.

c. VARIANCE #01-2016 The application of David and Kathleen Moran; relative to property commonly known as 265 Orange Grove Rd., described as lengthy legal description on file; located in the R-B Zoning District. A variance request to allow the construction of a 59 sq. ft. one story addition on the west side of the residence for a master bedroom bathroom with a west side yard setback of 6.1 feet in lieu of the 12.5 foot minimum required. [Attorney: Maura Ziska, Esq.]

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

The following ex-parte communications were declared: Council President Pro Tem Kleid and Council Members Moore and Townsend spoke with Attorney Ziska, who advocated the position of her clients.

Attorney Ziska, on behalf of David and Kathleen Moran, provided an overview of the applicants' request.

Zoning Administrator Castro provided Staff's comments.

Discussion ensued regarding the request being de minimus.

Motion was made by Council Member Moore, and seconded by Council Member Townsend, that Variance #01-2016 be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met. On roll call, the motion carried 4-0, with Council President Pro Tem Kleid absent.

d. VARIANCE #02-2016 The application of M. Timothy Hanlon, as Trustee of the 240 Banyan Land Trust; relative to property commonly known as 240 Banyan Rd., described as lengthy legal description on file; located in the R-A Zoning District. The Applicant is requesting a variance approval to allow the construction of a one-story Guest House containing approximately 875 sq. ft. with a front yard setback of 20 feet in lieu of the 35 feet minimum required. [Attorney: M. Timothy Hanlon, Esq.]

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

2
3 The following ex-parte communications were declared: Council
4 President Pucillo, Council President Pro Tem Kleid, and Council
5 Member Moore spoke with Attorney Hanlon, who advocated the
6 position of his client.

7
8 Attorney Hanlon provided an overview of his request.

9
10 Zoning Administrator Castro provided Staff's comments.

11
12 Discussion ensued regarding the hardship being based on
13 humanitarian purposes and the proposed floorplan not matching
14 what was presented.

15
16 Architect Mark Marsh, Bridges & Marsh, spoke regarding the
17 intend use for the guest house.

18
19 Zoning Administrator Castro provided additional Staff comments.

20
21 Architect Marsh stated that they would keep and even supplement
22 the existing buffers.

23
24 Discussion continued regarding Mr. Bell purchasing both
25 properties and creating a motor court with pillars, buffering the
26 pool area, and the line going into the road.

27
28 **Motion was made by Council Member Moore, and seconded by Council Member**
29 **Wildrick, that Variance #02-2016 be granted and find, in support thereof, that all of**
30 **the criteria applicable to this application as set forth in Section 134-201(a), items 1**
31 **through 7 have been met. On roll call, the motion carried 4-1, with Council**
32 **Member Townsend dissenting.**

33
34 **X. ORDINANCES**

35
36 **A. First Reading**

- 37
38 1. ORDINANCE NO. 31-2015 An Ordinance Of The Town Council Of The
39 Town Of Palm Beach, Palm Beach County, Florida, Amending The Town
40 Code Of Ordinances At Chapter 134, Zoning; Article I, In General; Section
41 134-2, Definitions And Rules Of Construction, So As To Amend The
42 Definitions Of *Sign Institutional, Sign Menu And Sign Official Traffic*;
43 Further Amending Chapter 134, At Article XI, Signs, So As To Amend
44 And Restate Article XI In Its Entirety As Set Forth In Exhibit "A" Attached
45 Hereto; Providing For Severability; Providing For Repeal Of Ordinances
46 In Conflict; Providing For Codification; Providing An Effective Date.

*Deferred from the December 9, 2015, Town Council Meeting
John S Page, Director of Planning, Zoning and Building*

Town Attorney Randolph stated that the Local Planning Agency recommended that this ordinance be amended to allow up to three signs.

Motion was made by Council President Pro Tem Kleid, and seconded by Council Member Townsend, to amend the ordinance to allow up to three signs per property and to approve Ordinance No. 31-2015, as amended, on first reading. On roll call, the motion carried unanimously.

XI. ANY OTHER MATTERS

- A. Chez L' Epicier Restaurant, 288 South County Road, Consideration of Town-Serving Documentation and Review of Valet Parking Operations, Exception No. 22-2014

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

Zoning Administrator Castro provided Staff comments.

Discussion ensued regarding how the restaurant determined which customers were residents.

Office Manager Morakis swore in those who would be providing testimony and had not been sworn in earlier.

Veronique Denault, Chez L' Epicier, spoke regarding the reservation system, organizing all concierge on the island, and receiving a lot of reservations from the Breakers.

Motion was made by Council President Pro Tem Kleid, and seconded by Council Member Townsend, to recognize Chez L' Epicier's compliance with town serving documentation and valet parking operations regulations. On roll call, the motion carried unanimously.

- B. SPECIAL EXCEPTION #01-2016 The application of Chez L'Epicier (Veronique Deneault); relative to property commonly known as 288 So. County Rd., described as lengthy legal description on file; located in the C-TS Zoning District. In October 2014, the Town Council granted Chez L'Epicier approval to operate a 4,454 square foot, 138 seat restaurant. The proposed hours of operation were approved to be: Dinner Wednesday through Sunday 3 p.m. to midnight; Brunch and Dinner Saturday and Sunday 10:30 a.m. to midnight; occasional special events may occur during the weekdays or on a Monday or Tuesday night, not to last past midnight. The Applicant is requesting a Special Exception approval to modify the Declaration of Use Agreement to serve dinner Monday and Tuesday, in addition to the previously approved hours. [Attorney: Maura Ziska, Esq.]

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

3 No ex parte communications were declared.

5 Zoning Administrator Castro recommended that approval of this item be
6 conditioned upon execution of an amended declaration of use agreement.

8 **Motion was made by Council President Pro Tem Kleid, and seconded by Council**
9 **Member Townsend, that Special Exception #01-2016 shall be granted based upon**
0 **the finding that such grant will not adversely affect the public interest and that the**
1 **applicable criteria set forth in Section 134-229 of the Town Code have been met,**
2 **subject to the execution of an amended declaration of use agreement. On roll call,**
3 **the motion carried unanimously.**

5 **XII. ADJOURNMENT**

7 Council Member Moore noted for the record that this would be Council Members
8 Townsend and Wildrick's last Town Council meeting and thanked them for their service.

0 There being no further business, the January 13, 2016, regular Town Council meeting
1 was adjourned at 1:54 p.m.

4 APPROVED:

Michael J. Pucillo
Town Council President

2 ATTEST:

6 Susan A. Owens, MPA, MMC
7 Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Minutes

Agenda Title

MINUTES: JANUARY 15, 2016

Approval of the Minutes of the Town Council Workshop Meeting

Presenter

Susan A. Owens, MMC, Town Clerk

Supporting Documents

- [Minutes of the Town Council Workshop Meeting Held on January 15, 2016](#)

**MINUTES OF THE TOWN COUNCIL WORKSHOP MEETING
HELD ON FRIDAY, JANUARY 15, 2016**

I. CALL TO ORDER AND ROLL CALL

The Town Council workshop meeting was called to order on Friday, January 15, 2016, at 10:08 a.m., in the Town Council Chambers. On roll call, all of the elected officials were found to be present, with the exception of Council Member Wildrick.

II. PLEDGE OF ALLEGIANCE

Council President Pucillo led the Pledge of Allegiance.

Council President Pucillo then acknowledged the Planning and Zoning Commission, Architectural Commission, and Landmarks Preservation Commission Members present and encouraged them to participate in the discussions. He announced that the Town Council has a meeting with the Palm Beach Civic Association at noon and that the workshop meeting will need to be wrapped up before then; however, the room will remain available afterwards should anyone wish to ask further questions of Mr. Gibbs.

III. APPROVAL OF AGENDA

Motion was made by Council Member Moore, and seconded by Council President Pro Tem Kleid, to approve the Agenda. On roll call, the motion carried 4-0, with Council Member Wildrick absent.

Council Member Townsend stressed the importance of Town rules and expectations and consistently applying them. She expressed her concerns regarding granting variances that would not withstand a legal challenge.

IV. COMMUNICATIONS FROM CITIZENS – *None*

V. PRESENTATION ON NEW TRENDS IN RETAIL PLANNING, DESIGN, MANAGEMENT AND OPERATIONS WITH EMPHASIS ON HOW SUCH TRENDS MAY AFFECT URBAN RETAIL IN TOWN OF PALM BEACH COMMERCIAL DISTRICTS.

Robert S. Gibbs, ACIP, ASLA, President, Gibbs Planning Group

1 A. Introduction of Mr. Gibbs

2
3 Town Manager Bradford spoke regarding the intent of the workshop meeting and
4 introduced Mr. Gibbs.

5
6 B. Presentation by Mr. Gibbs

7
8 Mr. Gibbs provided a presentation on the principles and trends for urban retail
9 planning, design, management, and operations.

10
11 C. Mayor and Town Council Comments and Questions

12
13 Discussion ensued regarding metered versus kiosk and paid versus free parking
14 on Worth Avenue.

15
16 Mr. Gibbs commented that the general rule of thumb is that you park one block
17 away from the store you are going to; however, that may not be the case in Palm
18 Beach because it's a destination. He added that parking meters would not look
19 nice along Worth Avenue, suggested that people read, *High Cost of Free Parking*
20 by Donald Schloop, and recommended paid parking on Worth Avenue.

21
22 D. Commission (ARCOM, Planning & Zoning, Landmarks Preservation)
23 Comments and Questions

24
25 Susan Watts, Planning and Zoning Commission Member, inquired as to how
26 employers can incentivize their employees to use paid parking and spoke
27 regarding giving residents discounted parking.

28
29 Carol Mack, Planning and Zoning Commission Member, spoke regarding the
30 issues for businesses along Royal Poinciana Way and potential rezoning of the
31 area, and asked what other communities have done.

32
33 Mr. Gibbs commented that there was plenty of anchored parking in that area and
34 that it has good elements for a shopping district once the construction is
35 completed. He added that community desires must be respected.

36
37 Michael Small, Architectural Commission Member, thanked the Mayor and Town
38 Council for having this discussion.

39
40 E. Public Comments and Questions

41
42 Sue Ellen Clarfeld, owner of Truffies, spoke regarding the issues stores along
43 South County Road are facing and how the Town does not fit the norm or the
44 trends presented by Mr. Gibbs.

45
46 Unidentified Speaker, spoke regarding how much the Town can invest in retail.

1 Mr. Gibbs commented that it is possible to maintain retail in a small season.

2
3 Leslie Evans, 135 Seminole Ave., spoke regarding parking difficulties, high rents,
4 and high taxes.

5
6 Mr. Gibbs stated that he could not comment on parking for the Town, spoke
7 regarding how the City of Birmingham handles parking, and stated that parking
8 issues have to be resolved due to their effect on shoppers. He added that he could
9 not comment on taxes.

10
11 John Corey, Palm Beach Walks, spoke regarding the speed of traffic making it
12 difficult for pedestrians to travel westward or eastward in the South County
13 Road/Town Hall Square District. He suggested lowering the speed limit and
14 having the shops plant some trees.

15
16 Council President Pucillo noted that South County Road is controlled by the
17 State.

18
19 Laurel Baker, Palm Beach Chamber of Commerce Executive Director, asked how
20 the business community and the Town can collectively work to bring new
21 businesses here so people can shop locally.

22
23 Mr. Gibbs commented that a proven methodology to determine market potential
24 and recruit appropriate businesses would be needed.

25
26 Discussion ensued regarding parking around Town Hall Square, using parking
27 meters versus the Parkmobile System, and paid parking.

28
29 **VI. ANY OTHER MATTERS – *None***

VII. ADJOURNMENT

There being no further business, the January 15, 2016, Town Council workshop meeting was adjourned at 11:42 a.m.

APPROVED:

Michael J. Pucillo
Town Council President

ATTEST:

Susan A. Owens, MPA, MMC
Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Commission at its Meeting of January 27, 2016.

Presenter

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

Supporting Documents

- [Memorandum Dated January 15, 2016 from John S. Page, Director of Planning, Zoning and Building](#)
- [Minutes of the Architectural Commission Meeting of January 27, 2016](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Approval of the Architectural Commission Meeting Minutes of January 27, 2016

Date: January 15, 2016

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of January 27, 2016.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items which were considered at the regularly scheduled meeting of January 27, 2016.

GENERAL INFORMATION

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

Attachment

JSP:dam



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL COMMISSION MEETING HELD ON WEDNESDAY, JANUARY 27, 2016

I. CALL TO ORDER

The regular meeting of the Architectural Commission was called order on Wednesday, January 27, 2016 at 9:00 a.m. Town Council Chambers at 360 South County Rd. in Palm Beach, FL.

II. ROLL CALL

Robert J. Vila, Chairman	PRESENT
Ann L. Vanneck, Vice Chairman	PRESENT
Kenn Karakul, Member	PRESENT
Richard Sammons, Member	PRESENT
Peter I. C. Knowles II, Member	PRESENT
Martin D. Gruss, Member	PRESENT
Robert N. Garrison, Member	PRESENT
Alexander C. Ives, Alternate Member	PRESENT
Michael B. Small, Alternate Member	PRESENT
Maisie Grace, Alternate Member	PRESENT

III. PLEDGE OF ALLEGIANCE

Chairman Vila led the Pledge of Allegiance.

IV. APPROVAL OF THE MINUTES FROM THE DECEMBER 10, 2016 MEETING

Motion made by Mr. Garrison and seconded by Mr. Karakul to approve the minutes of the December 10, 2016 meeting. Motion carried with all in favor.

V. APPROVAL OF THE AGENDA

The following change was made to the agenda:

REMOVED FROM THE AGENDA: Project No. B-095-2015, 108 El Mirasol be withdrawn from the agenda.

Motion made by Mrs. Vanneck and seconded by Mr. Karakul to approve the agenda as amended. Motion carried with all in favor.

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

Mrs. Roedel administered the oath at this time and throughout the meeting as necessary.

VII. PROJECT REVIEW

A. MAJOR PROJECTS-OLD BUSINESS:

B – 095 - 2015 New Residence

Address: 108 El Mirasol

Applicant: Andy and Neeta Khubani

Architect: Callori Architects/Michael T. Callori

Project Description: New two story Mediterranean style residence, pool, hardscape, landscape; one story garage. Building - White Stucco, Off White Cast Stone; Beige Trim; Roof - Peach Beige Palette.

At the September meeting a motion carried to defer this project to the October meeting. At the October meeting this project was deferred to the November meeting at the architect's request. At the November meeting this project was deferred to the January meeting at the architect's request.

Please note this item was removed from the agenda at the approval of the agenda.

B - 114 - 2015 New Residence

Address: 204 Via Del Mar

Applicant: Via Del Mar, LLC

Architect: Peter Papadopoulos/Smith and Moore Architects

Landscape: Keith Williams/Nievera Williams

Project Description: new two story Mediterranean Revival residence with detached pool cabana on vacant lot. Final landscape and hardscape.

At the October meeting this project was deferred to the December meeting at the architect's request. At the December meeting a motion carried to defer this project to the January meeting for further study.

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

Mr. Papadopoulos addressed the comments from the December meeting and reviewed the changes that were made to the plan.

Commissioner Comments: It was stated that the door and windows were out of scale. The Commissioners liked the changes but felt the East elevation needed more study.

Mr. Williams stated that all the Commission comments from the December meeting have been addressed.

Commission Comments: The Commission like the revised gate but questioned why the sides didn't line up. Mr. Williams said they can fix that. There was also some issues with the detail of the pier cap, which Mr. Williams said he will change.

Motion made by Mr. Karakul and seconded by Mr. Garrison to approve the Architecture and Landscaping as presented with the caveat they come back in February with different proportions and scale for the front door and the windows above the front door. Motion carried 6-1 with Mr. Sammons dissenting.

B - 116 - 2015 Addition/Modifications

Address: 425 & 431 Chilean Ave.

Applicant: Lorraine S. Charman

Architect: SKA Architects/Patrick Segraves

On the south side, remove bedroom and 1 balcony (27 sq. ft.) and enlarge front balcony at bedroom #2 and exercise room (95 sq. ft.). On the west side, remove west garage gate and close with 6 ft. wall, remove driveway and garage door and reduce area 45 sq. ft. Driveway area to become patio and landscaping. Curb cuts will be eliminated. Change windows in breakfast area, demolish existing pool and replace with new pool, replace and relocate windows on second floor in proposed bedroom 1, closet and bath 3. On the north side, convert family rooms to open loggia (675 sq. ft.). On the east side, remove existing pool, remove all windows on east wall of first floor. On the east side, remove existing pool, and remove all windows on east wall of first floor. Replace and relocate windows on proposed closet and add 262 sq. ft. addition to northeast corner, to enlarge living room.

At the November meeting a motion carried to defer this project to the December meeting to accommodate the notification process. At the December meeting a motion carried to approve both the architecture and landscaping as presented with the exception of the detailing on the front doors and the piers in the front which are to be restudied and brought back to the Commission in January.

Mr. Lindgren announced that there was a request received from the applicant to have these items deferred to the February meeting.

Motion made by Mrs. Vanneck and seconded by Mr. Garrison to defer this project to the February meeting. Motion carried with all in favor.

B-118-2015 Demolition and New Residence

ARCOM TO MAKE RECOMMENDATION RELATIVE TO VARIANCE(S)

Address: 222 Seaspray Ave.

Applicant: Denise and Robert Bendickson

Architect: Roger Hansrote

Project Description: Demolition of existing 2 story residence and carriage house. Construction of new 2 story British Colonial residence. The new residence will have a white stucco finish. The street view reveals an arched entry portico with pediment and brown shutters, doors and windows. The hip roof will have a flat white cement tile treatment.

At the November meeting a motion carried to defer the variances, architecture and landscaping to the January meeting.

Motion by Mrs. Vanneck and seconded by Mr. Garrison to defer this project to the February meeting, at the request of the owner's attorney.

B-122-2015 New Residence

Address: 201 Debra Lane

Applicant: 201 Debra Lane, LLC

Architect: Dailey Janssen Architects/ Roger P. Janssen

Attorney: Tim Hanlon

Landscape: Environmental Design Group/Dustin Mizell

Project Description: Construction of a new two story residence, pool, landscape and hardscape.

At the December meeting a motion carried to defer this project to the January meeting for restudy.

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

Mr. Hanlon gave the Commission a procedural update stating the location of the pool has been moved, therefore the variance request is no longer part of the application. They are here for architectural review only.

Ms. Grace asked that in light of the letter from the neighbor that is requesting deferral due to an alleged improper filing time, is it alright to proceed. Mr. Randolph stated that it is up to the Commission as to whether or not they think the change that was made as such that anyone that is objecting today would be prejudiced by the presentation. Mr. Randolph felt that Mr. Hanlon should explain the change that was made and the Commission should decide if a deferral should be granted.

Mr. Hanlon said the resubmittal was submitted on time, however Mr. Janssen noted that there was a typographical error made in one portion of the roof line.

Mr. Janssen showed the Commissioners the error on the roof line that was on the submittal.

Mr. John Dotterrer, 1470 North Ocean Blvd. stated that apparently there was a filing that very substantially changed the project from what was presented in December. Mr. Dotterrer contacted Mr. Lindgren on Thursday to get a copy of the revisions, unfortunately the file was too large to email. Mr. Dotterrer then came to Mr. Lindgren's office on Friday where he was able to get the plans on a disk. He was unable to get the plans printed until late Friday night. Because this submission is so different from the previous plan the neighbors are requesting a deferral. Mr. Dotterrer also stated he has six new letters of opposition that he would like to introduce into the record.

The Commissioners were not in favor of deferring the project.

Mr. Janssen presented the site plan and elevation and reviewed the major changes that were made.

Commission Comments: The Commission would have liked to see this project in 3D imagery to give them a better perspective on how the home is going to integrate into the property. It was also noted that the house, in relationship to the other houses in the area, is a lot bigger. The home seems to have an unreal scale to it. It was noted that the details for the project are over scaled. It was stated that the challenge for Architects working in the north end of Town is to find a compromise between what has always been there and what needs to be there for code requirements that still projects the sense of small neighborhoods.

Mr. Mizell presented the Landscape stating that his client is very sensitive to the neighbors and they have tried to put in an extensive buffer. He said there is a nice mixture of plant material and they are trying to nestle the home into the site.

Commission Comments: There were some concern about the Bamboo in the landscape. Mr. Mizell said the Bamboo was Angel Mist which is a midrange Bamboo and it doesn't spread. It was suggested that the lawn area be restudied, Mr. Mizell said they will restudy the lawn area and can use the area as a screen area.

Mr. John Dotterrer said if the project is going to be deferred he can wait and speak at the February meeting.

Dr. Dan Tucker, neighbor directly behind the proposed house, stated he had two concerns. The first that the area drains very poorly now and when building at that elevation and putting in a two story house with a fairly steep roof, there will be a greater water problem created. His second issue is the very large generator located behind the house which falls just beneath their bedroom and next to their living room area. He would like to see the generator moved.

Mr. Mizell responded that the drainage issue will be addressed by the Civil Engineer and the requirements that are stipulated by the South Florida Water Management District. Mr. Janssen said they can reduce the generator from a 60 to a 45.

Motion by Mrs. Vanneck and seconded by Mr. Gruss to defer this project to the February meeting. Motion carried with all in favor.

B. MAJOR PROJECTS-NEW BUSINESS

B-002-2016 Addition

Address: 1071 North Ocean Blvd.

Applicant: Maura A. Ziska, Esq. Kochman and Ziska, PA

Architect: Lang Design Group/John Lang

Project Description: Addition of driveway gates to previously approved hardscape and landscape plans.

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

Mr. Lang reviewed the new design for the gates.

Commissioner Comments: There was some concern with the lights on top of the piers. The Commission would prefer to see landscape lighting. It was suggested that some big trees are bought in to give the house some privacy.

Motion made by Mr. Gruss and seconded by Mr. Garrison to defer this project to the February meeting for further study of the gates. Motion carried with all in favor.

B-003-2016 New Guest House

Address: 175 Via Palma

Applicant: Mr. Jonathan Deitcher

Architect: MP Design & Architecture Inc.\Michael Perry

Project Description: New one story guest house.

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

Mr. Perry reviewed the history of the property, the site plan, the elevations and a 3D photo placing the proposed guest house in the current garden.

Commissioner Comments: There was a question regarding lighting on the plan. Mr. Perry stated they will be using landscape lighting.

Motion made by Mr. Garrison and seconded by Mr. Karakul to approve this project as presented with the caveat that the changes to the roof and rafter details are made and the scale of the stone on the back wall is reduced.

C. MINOR PROJECTS - OLD BUSINESS

A - 053 - 2015 Addition/Modification

Address: 100 El Bravo Way

Applicant: Ken Tropin as Trustee of the Kenneth G. Tropin Trust

Architect: Brooks & Falotico Associates, Inc. Chuck Willette

Project Description: Addition of office and side entry along with driveway and landscape alterations on El Bravo Way. Modifications to doors, hardscape and landscape, alterations along South Ocean Boulevard. Various additions and modifications in the courtyard and rear of the house below existing roof lines.

At the October meeting, a motion carried to defer this project to the November meeting. At the November meeting, a motion carried to approve the landscaping as presented, with the exception of the gate design and the relocation of the Venetian well head; these items were deferred to the December meeting. At the December meeting this project was deferred to the January meeting at the request of the owner's attorney.

Motion made by Mrs. Vanneck and seconded by Mr. Karakul to defer this project to the February meeting at the applicant's request. Motion carried with all in favor.

B-061-2015 Alterations

Address: 218 List Rd.

Applicant: Austin Willis

Architect: Michael J. Johnson/Yiannis Varnava

Project Description: Paint white, replace concrete tile roof with clay barrel tile and remove shutters.

At the December meeting a motion carried to approve the project as presented with the caveat that the roof material is brought back to the Commission in January for approval.

Call for disclosure of ex parte communication: None

Mr. Johnson turned the meeting over to Mr. Varnava who presented samples of the proposed tile to the Commissioners.

Motion made by Mrs. Vanneck and seconded by Mr. Garrison to approve the tile. Motion carried with all in favor.

D. MINOR PROJECTS-NEW BUSINESS

A-001-2016 Modification

Address: 152 Dolphin Rd.

Applicant: Dr. Josef Huawiss

Architect: Michael J. Johnson/Yiannis Varnava

Project Description: New design proposal for entry door.

Call for disclosure of ex parte communication: None

Mr. Johnson turned the presentation over to Mr. Varnava who reviewed the previously approved front entry door and stated that the owner would like to change the front entry door to bring more light into the home.

Commissioner Comments: The Commissioner felt that the change was not complimentary to the home.

Motion made by Mr. Karakul and seconded by Mrs. Vanneck to defer this project to the February meeting. Motion carried with all in favor.

B-002-2016 Additions

Address: 550 Island Dr.

Applicant: Cornie and Richard Thornburgh

Architect: KVL A Design, LLC/Steve Kvarnberg

Project Description: Driveway columns and lights added to front. Limestone border added to tabby driveway (stone border same as previously approved). Reconfigure equipment area, site wall extended and pool and a/c equipment shifted. Paved labyrinth in front deleted and area converted to lawn. Site coverage calculations adjusted to reflect net decrease of paved areas.

Call for disclosure of ex parte communication: Disclosure by Mr. Garrison and Mr. Vila

Mr. Kvarnberg presented the proposed landscape plan highlighting the changes.

Commissioner Comments: There was some concern with the lanterns on top of the columns. It was suggested to control the wattage used in the lanterns so the light isn't blinding.

Motion made by Mr. Karakul and seconded by Mr. Garrison to approve the project as presented with the caveat that the lanterns fit in lower to the columns and the wattage for the lights is capped to a soft light (15 watts maximum). This caveat can be approved by Staff. Motion carried 5-2 with Mr. Sammons and Mrs. Vanneck dissenting.

A-004-2016 Modification

Address: 264 Country Club Rd.

Applicant: 264 Country Club Rd., LLC

Architect: SKA Architect + Planner/Patrick W. Segraves

Project Description: Modification of previously approved north elevation (B-042-2013) Deletion of proposed transom window above entry door. Existing entry door is 8'-3" not 9'-0" as previously presented.

Call for disclosure of ex parte communication: Disclosure by Mr. Garrison

Mr. Segraves stated that when he presented the door in December, it was suggested that he use a 7' door with a transom, after doing the drawings he realized that only 6" of glass will fit into the transom.

Commissioner Comments: It was stated that the sidelights are way too wide.

Motion made by Mr. Garrison and seconded by Mr. Knowles to approve the project as presented with the caveat that the sidelights are reduced by 4". This caveat can be approved by Staff. Motion carried 6-1 with Mr. Sammons dissenting.

A-005-2016 Addition

Address: 243 Ocean Terrace

Applicant: Mr. and Mrs. Douglas Durst

Architect: Paradelo Burgess Design Studio/Andres Paradelo

Project Description: A hedge is being proposed along all 4 property lines to enclose from view any adjacent properties. A site/retaining wall along the entire property frontage is being proposed. The wall will match the height of the existing wall (not to exceed 4' in height from crown of road) located on the site of 1333 North Lake Way along Ocean Terrace.

Call for disclosure of ex parte communication: Disclosure by Mr. Garrison and Mrs. Vanneck.

Mr. Paradelo stated that his client recently acquired the property directly to the east of his current property. They are proposing to build a wall around the property to match the height of the existing wall.

Commissioner Comments: It was asked if drainage specs are required for this type of project. Mr. Lindgren stated that drainage may be something the engineer would require.

Motion by Mrs. Vanneck and seconded by Mr. Garrison to approve the project as presented. Motion carried with all in favor.

A-006-2016 Modifications/Additions

Address: 742 Slope Trail

Applicant: Mr. and Mrs. Marcelo Dorea

Architect: MP Design & Architecture/Michael Perry

Project Description: Alteration to previously approved facade. New window surrounds, new front door, removal of pilasters and frames at parapet wall and two oval windows at front elevation to replace previously approved small windows.

Call for disclosure of ex parte communication: Disclosure by Mr. Garrison, Mrs. Vanneck, Mr. Vila and Mr. Small.

Mr. Perry reviewed the previously approved plan and the proposed plan.

Commissioner Comments: The Commissioners were not in favor of the proposed plan and felt it is not complimentary to the previously approved plan and has no style.

At this time Mr. Perry asked to withdraw the project.

Motion by Mrs. Vanneck and seconded by Mr. Gruss to approve the withdrawal of this project per the applicant's request. Motion carried with all in favor.

A-007-2016 Hardscape/Landscape Improvements

Address: 662 Island Dr.

Applicant: Jeffrey Walker

Architect: Nievera and Williams/Jedidiah Hall

Project Description: Front entry hardscape and landscape improvements.

Call for disclosure of ex parte communication: Disclosure by Mr. Garrison and Mr. Vila.

Mr. Hall reviewed the plan and stated that currently the house is closed off and the frontage is thoroughly landscaped. The owner would like to open up the front of the house to make it more welcoming and give the frontage a more formal look.

Commissioner Comments: It was asked if it was possible to leave the landscaping as is and cut an opening to the front. It was mentioned that the landscape is suffering from lack of care, but the plant material is still go. It was stated that the whole feel of Everglades Island has always been about an informal alternative to living in a big formal house on County Rd. It seems that there is a transition going on with more and more large scale formal mansion architecture on the Island.

Motion made by Mrs. Vanneck and seconded by Mr. Garrison to defer this project to the February meeting for restudy and mitigation of some of the formality of the landscape.

VIII. OTHER BUSINESS

Mr. Vila mentioned that the landscape being done at 630 Island Dr. was not approved. Mr. Lindgren said he has contacted the architect regarding this issue and they have been put on notice.

Mr. Lindgren confirmed the meeting dates for November and December. The November meeting will be held on Wednesday, November 30 and the December meeting will be held on Wednesday, December 28.

IX. COMMUNICATIONS FROM CITIZENS (3 MINUTE LIMIT PLEASE):

X. COMMENTS OF THE ARCHITECTURAL COMMISSION AND DIRECTOR OF PLANNING, ZONING AND BUILDING DEPARTMENT:

Mr. Garrison brought up the generator location for the home at 201 Debra Lane. He said he spoke with the Zoning Administrator and was informed that moving the generator off the front of the road was against the Town Zoning Code. Mr. Garrison said he will continue to make it clear that he believes that the generator should be out front, he feels it is wrong to put it under someone's window because of the Zoning Code. The other Commissioners agreed with Mr. Garrison and felt the Zoning Code was inconsistent and inflexible.

Motion made by Mr. Sammons and seconded by Mrs. Vanneck that the Commission recognizes that there are certain situations, locations and redevelopment of property where it may make sense to give a variance to the location of equipment. Motion carried with all in favor.

Mr. Page commented that he understands the group's intention with the motion, but ultimately it will be the applicant or the owner's determination whether or not they want to proceed forward with a variance.

Mr. Garrison responded that the Commission is looking for some flexibility.

Ms. Grace stated that sometimes when modification are submitted, it's hard to see how it fits in with the property. She would like to see some requirement when modifications are submitted so the Commission would have an overall picture of how the change affects the larger scope of the project.

XI. ADJOURNMENT

Motion made by Mr. Sammons motion seconded by Mr. Garrison to adjourn the meeting at 12:12 p.m. Motion carried with all in favor.

The next meeting will be held on Wednesday, February 24, 2016 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

nar

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 09-2016 A Resolution of the Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving an Interlocal Agreement Between Palm Beach County and The Town of Palm Beach for the Reimbursement of Emergency Medical Services (EMS) Grant Equipment and Authorizing the Application for Funds from the Palm Beach County EMS Program in the Amount of \$14,000 and Establishing a Budget of \$14,000 in Fiscal Year 2016 to be Used for the Purchase of Nine (9) Knox Medvault Systems and Eleven (11) Knox Key Secure Systems for the Improvement and Expansion of EMS Services for the Town; and Authorizing the Town Manager to Execute this Purchase on Behalf of the Town; Such Funds Shall Not Supplant Existing EMS Budget.

Presenter

Kirk W. Blouin, Director of Public Safety

Supporting Documents

- [Memorandum Dated January 20, 2016, from Kirk W. Blouin, Director of Public Safety](#)
- [Resolution No. 09-2016](#)
- [Interlocal Agreement with Palm Beach County](#)
- [Knox Box Key Secure Quote](#)
- [Knox Box Medvault Quote](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Kirk W. Blouin, Director of Public Safety

Re: Palm Beach County Emergency Medical Service Grant Reimbursement
Resolution No: 09-2016

Date: January 20, 2016

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the Palm Beach County Emergency Medical Service grant request.

GENERAL INFORMATION

This grant program is administered under section 163.01, Florida Statutes. The Department of Health, Bureau of Emergency Medical Services (DOHEMS) is authorized by chapter 401, part II, Florida Statutes, to dispense grant funds. Forty five percent (45%) of these funds are made available to the 67 Boards of County Commissioners throughout the State to improve and expand pre-hospital Emergency Medical Services in their county.

The prehospital EMS projects may include, but not be limited to, increasing existing levels of EMS, evaluation, community education, injury-prevention programs, training in cardiopulmonary resuscitation and other lifesaving and first aid techniques.

The Residential Knox-Box is a high security key safe designed for single family homes and businesses that only local emergency responders can access. Fire Rescue responders can enter the home or business quickly, without forcing entry. The Knox Key Secure, which is located on each Fire Rescue vehicle, is utilized to store and track the movement of the Knox key. All activity that occurs in the Key Secure box is collected in an audit trail providing a time and date stamp and the user who removed the key.

The Knox MedVault, which is located on each advanced life support unit, is utilized to store and track the movement of controlled substance medications. All activity that occurs in the MedVault is collected in an audit trail providing a time and date stamp and the user who entered the safe.

Palm Beach Fire Rescue is requesting nine (9) Knox Medvault systems and (11) Knox Key Secure systems in the grant request. This project will allow Fire Rescue to be more efficient in the administrator functions to include unit downloads, audit trails, pin code and firmware updates

which delivers greater security to the residents and business owners located within the Town of Palm Beach. The County agrees to reimburse the Town from its 2015-2016 EMS state grant funds for the purchase, and the Town agrees to accept the said reimbursement under the terms and conditions of the EMS State grant.

FUNDING/FISCAL IMPACT

Fire-Rescue will use the Grant Equipment (001.40.417.526.60.64.09) to fund the project cost of the grant request. The Town of Palm Beach portion of the grant is \$0.00 with up to \$14,000.00 (100%) funding received from approved Palm Beach County Emergency Medical service grant reimbursement program.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

The resolution has been approved by the Town Attorney as to form and legal sufficiency.

JD

Attachments:

cc: Jane Struder, Director of Finance
Darrel Donatto, Deputy Fire Rescue Chief
Adis Pedraza, Purchasing Manager
John Randolph, Town Attorney

RESOLUTION NO. 09-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE TOWN OF PALM BEACH FOR THE REIMBURSEMENT OF EMERGENCY MEDICAL SERVICES (EMS) GRANT EQUIPMENT AND AUTHORIZING THE APPLICATION FOR FUNDS FROM THE PALM BEACH COUNTY EMS PROGRAM IN THE AMOUNT OF \$14,000 AND ESTABLISHING A BUDGET OF \$14,000 IN FISCAL YEAR 2016 TO BE USED FOR THE PURCHASE OF NINE (9) KNOX MEDVAULT SYSTEMS AND ELEVEN (11) KNOX KEY SECURE SYSTEMS FOR THE IMPROVEMENT AND EXPANSION OF EMS SERVICES FOR THE TOWN; AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THIS PURCHASE ON BEHALF OF THE TOWN; SUCH FUNDS SHALL NOT SUPPLANT EXISTING EMS BUDGET.

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies as defined therein to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, The Department of Health, Bureau of Emergency Medical Services (DOHEMS) is authorized by Chapter 401, Part II, Florida Statutes, to dispense grant funds. Forty-five percent (45%) of these funds are made available to the 67 Boards of County Commissioners (BCCs) throughout the State to improve and expand pre-hospital Emergency Medical Services (EMS) in their county; and

WHEREAS, DOHEMS County grants are only awarded to Boards of County Commissioners (BCC), however, each BCC is encouraged to assess its countywide EMS needs and establish priorities before submitting a grant application; and

WHEREAS, the COUNTY may reimburse and disburse the State trust funds to licensed emergency medical providers; and

WHEREAS, the COUNTY agrees to reimburse the TOWN from its FY2015-2016 EMS State grant funds for the purchase of nine (9) Knox Medvault systems and (11) Knox Key Secure systems ("EQUIPMENT" or "EMS equipment") and the Town agrees to accept said reimbursement under the terms and conditions of the EMS State grant and this Agreement.

WHEREAS, the total amount to be paid by the COUNTY from its FY2015-2016 EMS grant funds for the purchased EMS Equipment as reimbursement to the TOWN under this Agreement shall not exceed a total amount of fourteen thousand dollars (\$14,000).

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

Section 1. The Town Council of the Town of Palm Beach hereby approves the Interlocal Agreement between Palm Beach County and the Town of Palm Beach for the reimbursement of Emergency Medical Services grant equipment and authorizes the acceptance of the Palm Beach County Emergency Medical Service grant request for the purchase of nine (9) Knox Medvault systems and eleven (11) Knox Key Secure systems not to exceed a total amount of Fourteen thousand dollars (\$14,000).

Section 2. The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the purchase of said equipment to be used for the improvement and expansion of EMS services for the town.

PASSED AND ADOPTED in regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of February, 2016.

Gail L. Coniglio, Mayor

Town Council President

Town Council President Pro Tem

Town Council Member

ATTEST:

Town Council Member

Susan A. Owens, MMC, Town Clerk

Town Council Member

INTERLOCAL AGREEMENT BETWEEN
PALM BEACH COUNTY AND THE TOWN OF PALM BEACH FOR THE
REIMBURSEMENT OF EMERGENCY MEDICAL SERVICES GRANT EQUIPMENT

THIS INTERLOCAL AGREEMENT ("Interlocal Agreement" or "Agreement" or "contract") is made as of the ____ day of _____, 2016, by and between the Board of County Commissioners, Palm Beach County, a political subdivision of the State of Florida (herein referred to as COUNTY), and the TOWN of Palm Beach a municipal corporation of the State of Florida (herein referred to as the TOWN), each one constituting a public entity as defined in Part I of Chapter 163, Florida Statutes.

WITNESSETH

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969" authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Part I of Chapter 163, Florida Statutes, permits public agencies as defined therein to enter into interlocal agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, The Department of Health, Bureau of Emergency Medical Services (DOHEMS) is authorized by Chapter 401, Part II, Florida Statutes, to dispense grant funds. Forty-five percent (45%) of these funds are made available to the 67 Boards of County Commissioners (BCCs) throughout the State to improve and expand pre-hospital Emergency Medical Services (EMS) in their county; and

WHEREAS, DOHEMS County grants are only awarded to Boards of County Commissioners (BCC), however, each BCC is encouraged to assess its countywide EMS needs and establish priorities before submitting a grant application; and

WHEREAS, the COUNTY may reimburse and disburse the State trust funds to licensed emergency medical providers; and

WHEREAS, the COUNTY agrees to reimburse the TOWN from its FY2015-2016 EMS State grant funds for the purchase of **One (9) Knox Medvault System and Eleven (11) Knox Key Secure System** ("EQUIPMENT" or "EMS equipment") and the TOWN agrees to accept said reimbursement under the terms and conditions of the EMS State grant and this Agreement.

Now, therefore, in consideration of the mutual promises contained herein, COUNTY and TOWN agree as follows:

ARTICLE 1 – RECITALS

The above recitals are true, correct and incorporated herein.

ARTICLE 2 - REPRESENTATIVE/MONITORING POSITION

The COUNTY'S representative/Agreement monitor during the term of this Agreement shall be Sally Waite, whose telephone number is (561) 712-6484.

The TOWN'S representative/contact monitor during the term of the Agreement shall be James Duane, whose telephone number is (561) 838-5420.

ARTICLE 3 - PAYMENT TO TOWN

The total amount to be paid by the COUNTY from its FY2015-2016 EMS grant funds for the purchased EMS Equipment as reimbursement to the TOWN under this Agreement shall not exceed a total amount of fourteen thousand dollars (\$14,000.00).

The TOWN shall purchase the EQUIPMENT and submit the required documentation for reimbursement (referenced in Article - 4) to the COUNTY Representative at least ninety (90) days before the expiration of the FY2015-2016 EMS State Grant. Approved documentation will be processed by the County Finance Department for payment to the TOWN.

ARTICLE 4 - GRANT PROGRAM REQUIREMENTS

TOWN SHALL:

- A. Comply with general requirements, and conditions of the State EMS County Grant Program.
- B. Submit to the COUNTY Representative on or before September 30, 2016 copies of paid receipts, invoices, or other documentation acceptable to the Palm Beach County Finance Department to establish that the purchase of the EQUIPMENT was incurred by the TOWN.
- C. Immediately return the purchased EQUIPMENT to the COUNTY, should the TOWN cease to operate its pre-hospital emergency medical services during the life of the equipment.
- D. Submit a training report to the COUNTY'S Division of Emergency Management to include a sign in sheet, date, title and contact number of the persons trained for the EQUIPMENT within 90 days of the effective date of this Agreement. This report shall include all of the necessary training provided for the EQUIPMENT and will be the responsibility of the TOWN purchasing the EQUIPMENT to provide the training. TOWN'S failure to satisfactorily complete the training in the timeframe provided shall constitute a breach of contract. As such, COUNTY may terminate this Agreement and demand return of the EQUIPMENT.

ARTICLE 5 – LIABILITY/INDEMNIFICATION

Each party to this Agreement shall be liable for its own actions and negligence. To the extent permitted by law, and without waiving sovereign immunity beyond the limits set forth at Sec. 768.28, Florida Statutes, the TOWN agrees to indemnify, defend and hold harmless the COUNTY against any actions, claims or damages arising out of the TOWN'S use, care and maintenance of the EQUIPMENT.

ARTICLE 6 – FILING

A copy of this Interlocal Agreement will be filed with the Clerk of Circuit Court in and for Palm Beach County.

ARTICLE 7 - AVAILABILITY OF FUNDS

The COUNTY'S performance and obligation to pay under this Agreement is contingent upon annual appropriations from the FY2015-2016 EMS State grant funds. On-going costs for EMS, maintenance and replacement of the EQUIPMENT is the responsibility of the TOWN and will not be funded under this grant program. Such costs remain the responsibility of the TOWN. The COUNTY shall have no further obligation to the TOWN, or any other person or entity.

ARTICLE 8 – REMEDIES

This Interlocal Agreement shall be governed by the laws of the State of Florida. Any legal action necessary to enforce the Interlocal Agreement will be held in Palm Beach County. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity, by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

No provision of this Contract is intended to, or shall be construed to, create any third party beneficiary or to provide any rights to any person or entity not a party to this Contract, including but not limited to any citizen or employees of the COUNTY and/or the TOWN.

ARTICLE 9 – ARREARS

The TOWN shall not pledge the COUNTY'S credit or make it a guarantor of payment or surety for any Interlocal Agreement, debt, obligation, judgment, lien, or any form of indebtedness. The TOWN further warrants and represents that it has no obligation or indebtedness that would impair its ability to fulfill the terms of this Interlocal Agreement.

ARTICLE 10 - ACCESS AND AUDITS

The COUNTY shall have access to such books, records, and documents as required in this section for the purpose of inspection or audit during normal business hours, at the TOWN'S place of business.

Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. The Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of the TOWN, its officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud.

Failure to cooperate with the Inspector General or interfering with or impeding any investigation shall be in violation of Palm Beach County Code, Section 2-421 - 2-440, and punished pursuant to Section 125.69, Florida Statutes, in the same manner as a second degree misdemeanor.

ARTICLE 11 – NONDISCRIMINATION

The TOWN warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity and expression or genetic information.

TOWN has submitted to COUNTY a copy of its non-discrimination policy which is consistent with the above, as contained in Resolution R-2014-1421, as amended, or in the alternative, if TOWN does not have a written non-discrimination policy, it has acknowledged through a signed statement provided for COUNTY affirming their non-discrimination policy conforms to R-2014-1421, as amended.

ARTICLE 12- AUTHORITY TO PRACTICE

The TOWN hereby represents and warrants that it has and will continue to maintain all licenses and approvals required to conduct pre-hospital emergency medical services during the life of the equipment. Proof of such licenses and approvals shall be submitted to the COUNTY's representative upon request.

ARTICLE 13 – SEVERABILITY

If any term or provision of this Interlocal Agreement, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this Interlocal Agreement, or the application of such terms or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of this Interlocal Agreement shall be deemed valid and enforceable to the extent permitted by law.

ARTICLE 14 – NOTICE

All notices required in this Interlocal Agreement shall be sent by certified mail, return receipt requested, hand delivery or other delivery service requiring signed acceptance. If sent to the COUNTY, notices shall be addressed to:

Sally Waite, EMS Manager
20 South Military Trail

West Palm Beach, FL

With copy to:

Palm Beach County Attorney's Office
301 North Olive Ave. – 6th Floor
West Palm Beach, Florida 33405

If sent to the TOWN, notices shall be addressed to:

James Duane
360 North County Road
Palm Beach, FL 33480

ARTICLE 15 - ENTIRETY OF CONTRACTUAL AGREEMENT

The COUNTY and the TOWN agree that this Interlocal Agreement sets forth the entire Interlocal Agreement between the parties, and that there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in this Interlocal Agreement may be added to, modified, superseded or otherwise altered, except by written instrument executed by the parties hereto.

ARTICLE 16 - EXPIRATION OF INTERLOCAL AGREEMENT

This Interlocal Agreement shall automatically expire in five (5) years or upon the expiration of the life of the EQUIPMENT, whichever comes first, in accordance with the State EMS County Grant Program. At such time, the TOWN may dispose of said EQUIPMENT as surplus property with no further municipal purpose.

ARTICLE 17 - EFFECTIVE DATE

This Interlocal Agreement shall become effective when signed by both the COUNTY and the TOWN.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the Board of County Commissioners of Palm Beach County, Florida has made and executed this Interlocal Agreement on behalf of the COUNTY and TOWN has hereunto set its hand the day and year above written.

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

TOWN OF PALM BEACH

By: _____
Vincent J. Bonvento
Director of Public Safety

By: _____
Kirk W Blouin
Public Safety Director

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By _____
County Attorney

By _____
John C Randolph
Town Attorney

APPROVED AS TO TERMS
AND CONDITIONS

APPROVED AS TO TERMS
AND CONDITIONS

By _____
Division Director

By _____
Thomas G Bradford
Town Manager



Quotation

1601 W Deer Valley Road ☐ Phoenix, AZ 85027 • (800) 552-5669 • Fax (623) 687-2290
Visit us at.: www.knoxbox.com

Page.....: 1 of 2
Number.....: SQT000009382-3
Date.....: 1/19/2016
Quotation deadline.....: 7/19/2016
Payment Terms.....: Net 30
Quoted by:.....: Wendy Fecteau
Phone.....: (888) 342-3530
E-Mail.....: wfecteau@knoxbox.com
Your ref.: LEGACY TRADE IN

Palm Beach Town Fire/Rescue
ATTN: Tim Pompos
300 N COUNTY RD
PALM BEACH, FL 33480-3606

Dear Tim:

I am pleased to provide the following Knox product specification and cost proposal:

The prices listed on this quotation are based upon trading in the legacy product serial numbers listed below and are valid through the "Quotation deadline" date shown above. All shipping and handling fees are estimates based upon ground service to the address shown above. Knox will provide a firm cost for shipping and handling fees when order is placed.

If the quote is accepted, the obsolete products will need to be returned to Knox upon receipt of the replacement product. A prepaid return shipping label will be provided with the replacement product for this purpose. Additionally, the serial numbers listed below will be coded as non-serviceable in our system and no further support will be provided. If I can provide further information, please contact me at the phone number or email address listed above.

Legacy Serial #'s

KEYSECURE MASTER KEY RETENTION

KeySecure device provides self-contained retention of the Knox Master Key with release activated by authorized PIN code entry into unit keypad. The KeySecure unit is constructed of 1/4" plate steel with exterior dimensions of 4" H x 5" W x 4-5/8" D. Finish color: black with gray faceplate. Lock is UL listed with double-action rotating tumblers and hardened steel pins accessed by a bias cut key. Options include strobe light, mounting bracket, complete audit trail reporting capability and WiFi administration.

ADMINISTRATIVE SOFTWARE

Minimum System Requirements:

- Windows XP or higher operating system
- 32 bit or 64 bit OS
- CD ROM and 200 megabytes of free disk space
- Monitor, at least 1024x768 pixels or higher
- One USB serial port

Item number	Description	Quantity	Unit price	Amount
2660R3K1-4	KeySecure® 4 WiFi, W/ AUDIT TRAIL (16MB), RED STROBE, STANDARD WIFI, BACK ANTENNA, RUBBER DUCKY Master Lock: PS-31-0042-12-02 Repair Tech Lock: RTB01	11.00	495.00	5,445.00
9001	ADMINISTRATIVE SOFTWARE SOFTWARE DISC INCLUDES: KeySecure® license MedVault® license	1.00		0.00
Misc. charges		Amount		
Shipping & Handling		127.00		
Sales balance		Misc. charges		Sales tax
5,445.00		127.00		Total
		334.32		5,906.32 USD

All pricing is subject to change and is based on a quantity order to be shipped all at one time. Prices quoted are valid through the "Quotation deadline" date shown above. All shipping and handling fees are estimates based upon ground service to the address shown above. Knox will provide you a firm cost for shipping and handling fees when order is placed. Knox provides detailed installation instructions with each Knox product however; Knox is not responsible for actual installation.

SALES TAX DISCLAIMER: Knox is required to collect sales tax for purchases made in the following states: AZ, CA, CO, CT, FL,



1601 W Deer Valley Road □ Phoenix, AZ 85027 • (800) 552-5669 • Fax (623) 687-2290
Visit us at.: www.knoxbox.com

Quotation

Page: 2 of 2
Number.....: SQT000009382-3
Date: 1/19/2016
Quotation deadline: 7/19/2016
Payment Terms.....: Net 30
Quoted by:: Wendy Fecteau
Phone.....: (888) 342-3530
E-Mail: wfecteau@knoxbox.com
Your ref.: LEGACY TRADE IN

Palm Beach Town Fire/Rescue
ATTN: Tim Pompos
300 N COUNTY RD
PALM BEACH, FL 33480-3606

IL, IN, MA, MD, MI, TX and WA. Where applicable, Knox will charge sales tax unless you have a valid sales tax exemption certificate on file with Knox. If you are exempt from sales tax, you must provide us with a sales tax exempt certificate at the time the order is placed.

If I can provide further information, please contact me at the phone number or email address listed above.

Sincerely,

Wendy Fecteau
Account Manager



Quotation

1601 W Deer Valley Road □ Phoenix, AZ 85027 • (800) 552-5669 • Fax (623) 687-2290
Visit us at.: www.knoxbox.com

Page.....: 1 of 2
Number.....: SQT000009381-3
Date.....: 1/19/2016
Quotation deadline.....: 7/19/2016
Payment Terms.....: Net 30
Quoted by:.....: Wendy Fecteau
Phone.....: (888) 342-3530
E-Mail.....: wfecteau@knoxbox.com
Your ref.: Legacy Trade-in Promo

Palm Beach Town Fire/Rescue
ATTN: Tim Pompos
300 N COUNTY RD
PALM BEACH, FL 33480-3606

Dear Tim:

I am pleased to provide the following Knox product specification and cost proposal:

The prices listed on this quotation are based upon trading in the legacy product serial numbers listed below and are valid through the "Quotation deadline" date shown above. All shipping and handling fees are estimates based upon ground service to the address shown above. Knox will provide a firm cost for shipping and handling fees when order is placed.

If the quote is accepted, the obsolete products will need to be returned to Knox upon receipt of the replacement product. A prepaid return shipping label will be provided with the replacement product for this purpose. Additionally, the serial numbers listed below will be coded as non-serviceable in our system and no further support will be provided. If I can provide further information, please contact me at the phone number or email address listed above.

Legacy Serial #'s

KNOX MEDVAULT LOCKER

MedVault unit provides self-contained retention of controlled substances or other items activated by authorized PIN code entry into unit keypad with complete audit trail capability via USB port or optional WiFi administration. Virtual Interlock Validator confirms unit is closed and secured when reporting unit as locked. The MedVault unit is constructed of aluminum with exterior dimensions of 9-1/4" H x 12" W x 9" D. Finish: Powder coat. Finish color: Grey. Manual Key override lock is UL listed with double-action rotating tumblers and hardened steel pins accessed by a bias cut key. Lock has a 1/8" aluminum dust cover with tamper seal mounting capability. Options include surface or recess mount, LED light bar and WiFi administration.

ADMINISTRATIVE SOFTWARE

Minimum System Requirements:

- Windows XP or higher operating system
- 32 bit or 64 bit OS
- CD ROM and 200 megabytes of free disk space
- Monitor, at least 1024x768 pixels or higher
- One USB serial port

Item number	Description	Quantity	Unit price	Amount
5520H3S2K2R-7	MedVault® 2 WITH AUDIT TRAIL, STD DOOR, STANDARD WIFI, SURFACE MOUNT, LIGHT BAR, BACK ANTENNA JACK, ETHERNET, RUBBER DUCKY ANTENNA Master Lock: PS-98-0001-01-75 - EMS01 Repair Tech Lock: RTE01	4.00	800.00	3,200.00
5520H3R2K2R-7	MedVault® 2 WITH AUDIT TRAIL, STD DOOR, STANDARD WIFI, RECESS MOUNT, LIGHT BAR, BACK ANTENNA JACK, ETHERNET, RUBBER DUCKY ANTENNA Master Lock: PS-98-0001-01-75 - EMS01 Repair Tech Lock: RTE01	5.00	800.00	4,000.00
9001	ADMINISTRATIVE SOFTWARE UNIT PRICE INCLUDES: Administrative Software license.	1.00		0.00



Quotation

1601 W Deer Valley Road □ Phoenix, AZ 85027 • (800) 552-5669 • Fax (623) 687-2290
Visit us at.: www.knoxbox.com

Page: 2 of 2
Number.....: SQT000009381-3
Date: 1/19/2016
Quotation deadline: 7/19/2016
Payment Terms.....: Net 30
Quoted by:: Wendy Fecteau
Phone.....: (888) 342-3530
E-Mail: wfecteau@knoxbox.com
Your ref.: Legacy Trade-in Promo

Palm Beach Town Fire/Rescue
ATTN: Tim Pompos
300 N COUNTY RD
PALM BEACH, FL 33480-3606

SOFTWARE DISC INCLUDES:			
MedVault® license			
9805	MedVault® OVERRIDE KEY PS-98-0001-01-75 - EMS01	1.00	0.00
9804	REPAIR TECH KEY PS-98-0001-01-75 - RTE01	1.00	0.00
Misc. charges	Amount		
Shipping & Handling	360.00		
Sales balance	Misc. charges	Sales tax	Total
7,200.00	360.00	453.60	8,013.60 USD

All pricing is subject to change and is based on a quantity order to be shipped all at one time. Prices quoted are valid through the "Quotation deadline" date shown above. All shipping and handling fees are estimates based upon ground service to the address shown above. Knox will provide you a firm cost for shipping and handling fees when order is placed. Knox provides detailed installation instructions with each Knox product however; Knox is not responsible for actual installation.

SALES TAX DISCLAIMER: Knox is required to collect sales tax for purchases made in the following states: AZ, CA, CO, CT, FL, IL, IN, MA, MD, MI, TX and WA. Where applicable, Knox will charge sales tax unless you have a valid sales tax exemption certificate on file with Knox. If you are exempt from sales tax, you must provide us with a sales tax exempt certificate at the time the order is placed.

If I can provide further information, please contact me at the phone number or email address listed above.

Sincerely,

Wendy Fecteau
Account Manager

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 10-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Purchase of One (1) Ford F450 Type 1 Medium Duty Ambulance Spec #1 Purchase in Accordance With Florida Sheriff's Association Bid No. 15-11-0116 with NFPA Department Ambulance Required Equipment in the Amount of \$267,420.10 and Establishing a Total Budget of \$294,162.11.

Presenter

Kirk W. Blouin, Director of Public Safety

Supporting Documents

- [Memorandum Dated January 22, 2016, from Kirk W. Blouin, Director of Public Safety](#)
- [Resolution No. 10-2016](#)
- [Quote Dated 12/18/2015](#)
- [RFQ No. 32-2016](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Kirk W. Blouin, Director of Public Safety

Re: Request by the Fire-Rescue Department to Purchase One (1) Ford F450 Type 1, Medium Duty Ambulance
Resolution No. 10-2016

Date: January 22, 2016

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Resolution No. 10-2016 authorizing the purchase of one (1) Ford F450 type 1, Medium Duty Ambulance and associated equipment, from Quality Emergency Vehicles for the amount of \$267,420.10 in accordance with Florida Sheriff's Association bid #15-11-0116 (Specification #1), and establishing a total budget of \$294,162.11

GENERAL INFORMATION

The Department is recommending the purchase of one (1) Ford F450 type 1, Medium Duty Ambulance manufactured by Demers Ambulances, sold and distributed by Quality Emergency Vehicles. This apparatus is a replacement for the previous 2009 Horton Freightliner Ambulance, which suffered fire damage beyond repair on June 26, 2015.

FUNDING/FISCAL IMPACT

Funding for this replacement purchase has been appropriated from the Town's Equipment Replacement Fund. This purchase will utilize the State of Florida Sheriff's Association Specification #01 Type 1 Ambulance, Medium Duty 4x2. The specifications are similar to the Department's requirements and the process will expedite a critical need in a cost effective manner.

PURCHASING REVIEW

The item has been approved by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

The Town Attorney has reviewed Resolution No. 10-2016 and approves such as to legal form and sufficiency.

JD

cc: Jane Struder, Director of Finance
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 10-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE PURCHASE OF ONE (1) FORD F450 TYPE 1 MEDIUM DUTY AMBULANCE SPEC #1 PURCHASE IN ACCORDANCE WITH FLORIDA SHERIFF'S ASSOCIATION BID 15-11-0116 WITH NFPA DEPARTMENT AMBULANCE REQUIRED EQUIPMENT IN THE AMOUNT OF \$267,420.10 AND ESTABLISHING A TOTAL BUDGET OF \$294,162.11.

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

Section 1. The Florida Sheriffs Association Bid No. 15-11-0116 for the purchase of one (1) Ford F450 type 1 medium duty ambulances Spec#1 purchased with NFPA department required ambulance equipment for the lump sum bid amount of \$267,420.10 is hereby awarded, and establishing a total budget of \$294,162.11.

Section 2. The Town Manager is hereby authorized and directed to execute a contract on behalf of the Town of Palm Beach for the purchase on one (1) Ford F450 type 1 medium duty ambulance Spec#1 purchased with NFPA department required ambulance equipment in accordance with the terms set forth above.

Section 3. The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the purchase of one (1) Ford F450 type 1 medium duty ambulance Spec#1 purchased with NFPA department required ambulance equipment in accordance with the terms set forth above.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of February, 2016.

Gail L. Coniglio, Mayor

Town Council President

President Pro Tem

Town Council Member

ATTEST:

Town Council Member

Susan A. Owens, Town Clerk

Town Council Member



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegretti
Email : fred@qualityemergencyvehicles.com

MXP 170

FSA BID 15-11-0116 SPEC 1

Ambulance Type I (ALS specifications)

Buyer:

✉ Quality Emergency Vehicle
Town Of Palm Beach
300 North County Road
Palm Beach, FL 33480
For purchase thru FSA bid

**Shipping information**

✉



Stock #

TBD

FSA Bid Price

\$155,685

SPECIFICATION TOPICS**Exterior Configuration:**

- ▶ CHASSIS
- ▶ SUSPENSION
- ▶ MODULE SPECIFICATIONS
- ▶ MODULE CONFIGURATION
- ▶ LIGHTING
- ▶ EMERGENCY AND WORKING LIGHTS
- ▶ AUDIBLE WARNING SYSTEM
- ▶ VEHICLE FEATURES
- ▶ CONVENIENCE
- ▶ PAINT AND GRAPHICS

Interior Configuration:

- ▶ DRIVER'S COMPARTMENT
- ▶ CURB SIDE CONFIGURATION
- ▶ STREET SIDE CONFIGURATION
- ▶ FORWARD BULKHEAD
- ▶ ATTENDANT SEAT
- ▶ COT CONFIGURATION
- ▶ ACTION AREA CONTROL PANEL
- ▶ OXYGEN SYSTEM
- ▶ SUCTION SYSTEM
- ▶ ELECTRICAL SYSTEM
- ▶ COMMUNICATION SYSTEM
- ▶ CLIMATE CONTROL SYSTEM (HVAC)
- ▶ INTERIOR LIGHTING
- ▶ GRAB HANDLES AND GRAB RAILS
- ▶ FONCTIONNALITIES

Special Configuration :

- ▶ COMMENTS OR SPECIAL NOTES

EXTERIOR CONFIGURATION**CHASSIS**

11

Description	Unit price	Total price
1 Ford F450 4 x 4 Super duty Chassis cab 2016	\$49,175	\$49,175
o 6,7L POWER STROKE V8 Diesel Engine		
o Wheelbase 189" (4800 mm)		
o GVWR (Gross vehicle weight rating) 16,500 Lbs / 7,486 Kg		

SUSPENSION

12

Description	Unit price	Total price
Kelderman suspension with 4link system and electronic height control	\$6,970	\$0
1 LiquidSpring suspension	\$10,055	\$10,055

CHF17

SSA12

SSC11

New



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegratti
Email : fred@qualityemergencyvehicles.com

MODULE SPECIFICATIONS				13
Description		Unit price	Total price	
MDA13	Overall dimensions 170" [3810 mm] long x 95" [2413 mm] wide - Interior headroom 72" [1829 mm] Module structure - All aluminum module - Single piece aluminum floor sheet - High strength aluminum sections - Acid preparation on the exterior structures (enhance bonding) - High shear strength structural elastic adhesive assembly of the wall panels to the wall structure 12 rubber mount points on module to chassis for improved noise and vibration performance Door structure and accessories - Sweep out floor compartments - Single piece aluminum sheet - Drop skirt forward of the wheel well, on both curb side and street side - Stainless steel piano hinges - Two (2) double stage rotary latches "Trimark" powder coated door handles - Auxiliary emergency door release (2) - Drip rail over all doors - Door hold open device	STD		
		STD		
		STD		

MODULE CONFIGURATION				14
Description		Unit price	Total price	
	Streetside configuration - First door (S1) for main oxygen cylinder access - Second door (S2) for equipment storage ☐ One (1) full depth shelves ☐ Stair chair holder compartment door with one (1) half depth shelf in compartment ☒ Fire extinguisher (5 lbs) ABC with heavy duty bracket in electric compartment - Third door (S3) for equipment storage with interior/exterior access ☐ Two (2) full depth shelves ☐ Reinforcement for spare tire storage ☐ Stair chair holder on compartment door with two (2) half depth shelves - Third door (S3) with full height compartment for equipment storage - Three (3) full depth shelves - Reinforcement for spare tire storage with two (2) full depth shelves - Reinforcement and anchors for SCBA mounted in compartment with two (2) full depth shelves - Upper door (E) for electrical panel access Curbside configuration - First door (C1) with batteries and ALS compartment access - Second door (C2) for patient compartment access, with flush-mounted, automotive-style window - Second door (C2) for patient compartment access, with flush-mounted, automotive-style opening window - Third door (C3) backboard compartment - Three (3) adjustable Premium backboard dividers with straps - Stair chair location with two (2) shelves and one (1) full height divider - Flush-mounted, automotive-style window on curbside module Rear configuration - Two (2) patient compartment doors (R1 & R2), each with individual exterior door handle and window - Frameless rear flush mounted tinted windows - Frameless rear flush mounted tinted window with defrost Compartment lights - Regular intensity tube lights - High intensity tube lights	STD		
CMA11				
CMB11				
CMB12		STD		
CMB13		\$215	\$0	
CMB14		\$100	\$100	
CMC12		STD		
CMC13		STD		
CMC14		N/C		
CMC15		\$225	\$0	
CMC11 New		\$250	\$0	
CMC16 New		\$125	\$0	
CMC17 New		\$50	\$0	
CMC19 New		\$395	\$395	
CMD11				
CME11				
CMF11		STD		
CMF12 New		\$200	\$0	
CMG11				
CMG12		STD		
CMG13 New		\$200	\$200	
CMH11		\$670	\$0	
CMJ11		STD		
CMJ12		STD		
CMJ13		\$155	\$0	
CMJ11		STD		
CMJ12 New		\$155	\$155	



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegretti
Email : fred@qualityemergencyvehicles.com

LIGHTING		15	
	Description	Unit price	Total price
	Type of lights - Chrome bezel ☒ Whelen standard series ☒ Whelen M series (Pricing dependent upon selected options) Clearance lights - Seven (7) amber and seven (7) red LED marker lights - Two (2) rear mid height red LED marker lights Brake/tail/turning lights Front configuration ☒ Two (2) front amber LED arrows 600 series 6 X 4 - M6 series 6 X 4 Lower front configuration ☐ Clear halogen fog lights with covers ☐ Amber halogen fog lights with covers Module side lighting configuration ☐ Two (2) amber LED turning lights (intermediate side mounted) 700 series 7 X 3 - M7 series 7 X 3 ☒ Two (2) amber LED turning arrows direction lights (intermediate side mounted) 700 series 7 X 3 Rear Curb and Street side door mounted (S4 & C3) ☒ Two (2) additional red LED tail/turn lights 700 series 7 X 3 - M6 series 6 X 4 Rear configuration - Third upper LED brake light 600 series 6 X 4 - M6 series 6 X 4 ☒ Amber traffic advisor ☒ Red traffic advisor ☒ Two (2) red LED brake/tail lights, two (2) LED amber turn lights and two (2) LED reverse lights in rear step plate ☒ Four (4) red LED brake/tail lights and two (2) LED reverse lights in rear step plate - Two (2) LED amber arrows on module at mid height 900 series 7 X 9 - M9 series 10 X 6 ☒ Two (2) amber LED arrows, two (2) red LED brake lights and, two (2) LED reverse lights at mid height 600 series 6 X 4 - M6 series 6 X 4 ☒ Four (4) red LED brake/tail lights and two (2) LED reverse lights in rear step plate - Two (2) amber LED arrows, two (2) red LED brake lights and, two (2) LED reverse lights at mid height 600 series 6 X 4 - M6 series 6 X 4		
		STD	
ECA11		STD	
ECA12		STD	
ECB11		\$310	\$310
ECB14		\$400	\$0
ECB12		\$360	\$0
ECB13		\$360	\$0
ECC11		STD	
ECC14		\$205	\$0
ECC12		\$260	\$260
ECC13		\$260	\$260
ECC15		\$370	\$0
ECD11		STD	
ECD18		\$90	\$0
ECD12		\$930	\$930
ECD13		\$930	\$0
ECD14		STD	
ECD15		\$410	\$0
ECD19		\$625	\$0
ECD22		\$615	\$0
ECD23		\$1,400	\$0
ECD17		\$1,230	\$1,230
ECD21		\$1,920	\$0



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegretti
Email : fred@qualityemergencyvehicles.com

EMERGENCY AND WORKING LIGHTS			16
Description	Unit price	Total price	
Type of lights - Chrome bezel ☒ Whelen standard series ☒ Whelen M series (Pricing dependent upon selected options) Flash pattern - Light Package with triple flash light pattern Grille lights ☒ Two (2) red LED in grille 500 series 5 x 1 - M7 series 7 X 3 ☒ Two (2) red LED in grille and two (2) clear LED with WIG WAG flash pattern in grille 500 series 5 x 1 - M7 series 7 X 3 Front module lights ☐ Five (5) LED emergency lights on front of module with 2 red / 1 white / 2 red 900 series 7 X 9 - M9 series 10 X 6 ☐ Seven (7) LED 7x9 emergency lights on front of module with 3 red / 1 white / 3 red 900 series 7 X 9 - M9 series 10 X 6 ☐ Whelen 4500+ 76" flush mounted LED light bar, 3 red / 2 white / 3 red - Two (2) upper corner red LED lights (900 series) 900 series 7 X 9 - M9 series 10 X 6 ☐ Demers aerodynamic cab riser with 3 red / 2 white / 3 red (400 series) - Two (2) upper corner red LED lights 900 series 7 X 9 - M9 series 10 X 6 Intersection lights ☒ Two (2) red LED intersection lights 700 series 7 X 3 - M7 series 7 X 3 ☒ Two (2) clear/red LED intersection lights with turning priority 700 series 7 X 3 - M7 series 7 X 3 Curb and street side upper configuration - Four (4) red LED lateral emergency lights (two (2) on each side) 900 series 7 X 9 - M9 series 10 X 6 ☐ Two (2) additional red LED emergency lights center side mount (one (1) on each side) 900 series 7 X 9 - M9 series 10 X 6 - Four (4) lateral LED scene lights (two (2) on each side) 900 series 7 X 9 - M9 series 10 X 6 Curb and street side lower configuration - Two (2) red LED emergency lights intermediate side mount 700 series 7 X 3 - M7 series 7 X 3			
UTA12			
UTA18			
UTA14			
UTA19			
UTB16			
UTB19			
UTB17			
UTB20			
UTB13			
UTB15			
UTB18			
UTB11			
UTB15			
UTB18			
UTC11			
UTC13			
UTC12			
UTC14			
UTD11			
UTD18			
UTD13			
UTD19			
UTD17			
UTD20			
UTE11			
UTE12			



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegratti
Email : fred@qualityemergencyvehicles.com

• Rear module lights			
o Two (2) red LED rear emergency lights (rear corners)			
UTF11	o 900 series 7 X 9	STD	
UTF17	o M9 series 10 X 6	\$275	\$0
o Two (2) Rear amber LED lights			
UTF12	o 600 series 4 X 6	STD	
UTF18	o M6 series 6 X 4	\$225	\$0
o Two (2) rear loading LED lights			
UTF15	o 600 series 4 X 6	STD	
UTF19	o M6 series 6 X 4	\$225	\$0
	☐ Two (2) additional red LED lights at window height		
UTF16	o 900 series 7 X 9	\$500	\$500
UTF20	o M9 series 10 X 6	\$775	\$0
• Door module lights			
UTG11	☐ One red emergency LED light on each compartment and entry door panels (Total of eight (8))	STD	
UTG12	☒ Two red emergency LED lights on each compartment and entry door panels (Total of eight (16))	\$300	\$0

AUDIBLE WARNING SYSTEM			17
Description		Unit price	Total price
• Siren			
ASA11	o Siren amplifiers (100 watt) with 4 tones and Public address (P/A) microphone	STD	
• Speakers			
ASB11	o Two (2) bumper integrated speakers	STD	
• Back-up alarm			
ASC11	o Back up alarm (97db) with override switch	STD	
• Low frequency tone system			
ASD11	New ☐ Low frequency tone siren	\$905	\$0



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegretti
Email : fred@qualityemergencyvehicles.com

VEHICLE FEATURES				18
	Description	Unit price	Total price	
	• Steps			
EFA11	○ Anti-skid lateral steps angle to match module width includes: mud guards	STD		
EFA12	○ Rear retractable anti-skid step	STD		
	• Mirrors			
EFB11	○ OEM exterior mirrors	STD		
	• License plate			
EFC11	☒ Flush license plate location with LED light	STD		
EFC12	☒ Recessed chrome licence plate holder with LED light	\$95	\$95	
	• Fuel			
EFD11	☒ 1/4 fuel tank filled- up	STD		
EFD12	☒ Full fuel tank filled-up	PRICE UPON REQUEST	\$0	
	• Module protection			
EFE13	○ Fiberglass wheel trim	STD		
EFE14	○ Undercoating protection	STD		
EFE15	○ Rear mudguard	STD		
EFE12	○ Module front and corner stainless steel protection	STD		
	• Chassis protection			
EFE11	☒ Aluminum rub-rails on each side	\$260	\$260	
EFF11	☐ Chrome wheel simulator	\$360	\$0	
EFF12	<i>New</i> ☒ Ali Arc high polish finish front bumper	\$2,850	\$2,850	
EFF13	<i>New</i> ☐ Tow hooks (2) in rear step plate	\$775	\$0	

CONVENIENCE				19
	Description	Unit price	Total price	
CNA11	○ Anti-theft	STD		
CNA12	○ Eco Smart (Idle reduction system)	STD		
CNC13	○ Door unlock valet switch located in front grille	STD		
CNC15	○ Fast-idle	STD		
CNB11	☒ Back-up camera	\$520	\$520	
CNB12	☐ Interior camera	\$235	\$0	
CNC11	☐ Ultra sound whistle for animals (one on each side)	\$20	\$0	
CNC12	☐ Lug nut indicators	\$65	\$0	
CNC14	<i>New</i> ☐ Keyless entry touch pad (One on C2/ One on A1)	\$575	\$0	

PAINT AND GRAPHICS				21
	Description	Unit price	Total price	
	○ White "Tristar" exterior paint : High built polyurethane surface paint over epoxy primer and two (2) acid stab to prevent galvanic/corrosion and provide high adhesion for epoxy primer	STD		



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegratti
Email : fred@qualityemergencyvehicles.com

INTERIOR CONFIGURATION

DRIVER'S COMPARTMENT

22

	Description	Unit price	Total price
	• Front console		
CBA11	1 Head up console with switches and LED backlit pictograms	STD	
CBA14	8" color touch screen in floor mounted console	\$2,050	\$0
	o 12 V. DC Outlet (1)	STD	
	o "Door ajar" & "Compartment" indicator lights	STD	
	o Intercode patient indicator lights (Red/Yellow/Green)	STD	
	o Rear air conditioning/heating speed and temperature control with automatic mode	STD	
	o Digital chassis voltmeter and conversion amp meter & voltmeter	STD	
	o Auxiliary indicator light	STD	
	• Floor mounted console		
CBB11	Floor mounted console	STD	
	o OEM Electronic radio AM/FM/CD with digital clock relocated in floor mounted console includes 2 speakers		
	o OEM high capacity air conditioning/heating controls		
CBB15	o Cup holders		
	o Two spare location		
CBB14 New	o Driver and passenger side armrest		
CBB11	1 Deluxe floor mounted console	\$260	\$260
	o OEM Electronic radio AM/FM/CD with digital clock relocated in floor mounted console includes 2 speakers		
	o OEM high capacity air conditioning/heating controls		
CBB15	o Cup holders		
	o Compartment with armrest		
	o One (1) spare location		
	• Accessories		
CBB13	1 Compartment for flare and fire extinguisher (5lbs)	\$440	\$0
CBD11	1 Hand spotlight 400 000 CP with trigger type switch and ABS thermoformed bracket	\$95	\$95
	• Reading light		
CBC11	o Cab headliner with dual clear and red LED map lights	STD	



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegratti
Email : fred@qualityemergencyvehicles.com

CURB SIDE CONFIGURATION			23
	Description	Unit price	Total price
	Squad bench	STD	
CDE11	o Flip down trash container with hands free open device		
CDA17	o Seating for three (3) passenger, 2 pts safety belt		
CDA13	o Thermoformed full size molded backrest with lumbar support		
CDA11	Single full length molded cushion and thermoformed full size molded backrest with lumbar support	STD	
CDA12	Three (3) ergonomic, thermoformed molded seat cushion	\$90	\$0
CDA15	Three (3) thermoformed molded seat cushion with wheel and post cups for FW #107C stretcher	\$105	\$0
CDA16	Three (3) thermoformed molded seat cushion with wheel and post cups for FW #9 stretcher	\$105	\$0
	• <u>Accessories</u>		
CDF11	Safety net	\$260	\$0
	1 Mobility Package	\$3,280	\$3,280
CDB11	o Adjustable slide tracking system		
	• <u>Accessories</u>		
CDF11	1 Safety net	\$260	\$260
CDC11	• <u>Cabinet configuration</u>		
CCE11	o Flip down trash container with hands free open device		
	o Flip out writing panel		
	o Drawers (2)		
	• <u>Auxiliary cot and seating configuration</u>		
	☐ No auxiliary cot device	STD	
	o EVS thermoformed seat with 3 pts safety belt mounted swivel base (side, 45 and forward)		
CDB12	☐ Space reservation for backboard and FW#107C stretcher	\$615	\$0
	o EVS thermoformed flip down seat with 3 pts safety belt mounted swivel base (side, 45 and forward)		
	o Anchors and belts (3)		
	o Wheel and post cups		
CDB13	☐ Space reservation for backboard and FW#9 stretcher	\$615	\$0
	o EVS thermoformed flip down seat with 3 pts safety belt mounted swivel base (side, 45 and forward)		
	o Anchors and belts (3)		
	o Wheel and post cups		
	• <u>Cabinet counter top configuration</u>		
CDD11	1 Cardiac monitor tray, sliding and turning	\$515	\$515
CDD12	Cardiac monitor tray, sliding and turning, for "LIFEPAK 15"	\$1,015	\$0

STREET SIDE CONFIGURATION			24
	Description	Unit price	Total price
MCA12	☐ Medical cabinet with "CPR" seat configuration with S3 inside/outside access (CMC12)	STD	
	o Aluminium extrusion structure		
	o Main oxygen cylinder access door		
	o Drawers (2) with writing panel		
	o Seating for one EMT, safety belt and thermoformed full size molded backrest cushion with lumbar support		
	o Fiberglass and aluminum storage with LED strip lighting (2)		
	o Rear lower fiberglass storage (1) with LED strip lighting and interior/exterior access to S3 exterior compartment		
	o Clear LED reading lamps (2)		
MCB14	o Aluminium flip-up windows frames (3)		
	• <u>Cardiac monitor configuration</u>		
MCC11	Cardiac monitor tray, sliding and turning	\$515	\$0
MCC12	Cardiac monitor tray, sliding and turning, for "LIFEPAK 15"	\$1,015	\$0



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegetti
Email : fred@qualityemergencyvehicles.com

MCA11	1 Medical cabinet with "CPR" seat configuration with full height S3 compartment (CMC11) - Aluminium extrusion structure - Main oxygen cylinder access door - Drawers (2) with writing panel - Seating for two EMT, safety belt and thermoformed full size molded backrest cushion - Fiberglass and aluminum storage with LED strip lighting (2) - Clear LED reading lamp (1) - Aluminium flip-up windows frames (2)	\$250	\$250
MCB14			
MCA14	Medical cabinet with "CPR" forward facing captain seat configuration with S3 inside/outside access (CMC12) - Aluminium extrusion structure - Main oxygen cylinder access door - Drawers (2) with writing panel - Seating for one EMT, 3pts thermoformed seat - Fiberglass and aluminum storage with LED strip lighting (2) - Rear lower fiberglass storage (1) with LED strip lighting and interior/exterior access to S3 exterior compartment - Clear LED reading lamp (1) - Aluminium flip-up windows frames (3)	\$1,540	\$0
MCB14			
MCA13	Medical cabinet with "CPR" forward facing captain seat configuration with full height S3 compartment (CMC11) - Aluminium extrusion structure - Main oxygen cylinder access door - Drawers (2) with writing panel - Seating for one EMT, 3pts thermoformed seat - Fiberglass storage with LED strip lighting (2) - Clear LED reading lamp (1) - Aluminium flip-up windows frames (2)	\$1,750	\$0
MCB14			



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegetti
Email : fred@qualityemergencyvehicles.com

MCA16	☐ Full medical cabinet with S3 inside/outside access (CMC12)	\$260	\$0
	- Aluminium extrusion structure - Main oxygen cylinder access door - Fiberglass and aluminum storage with LED strip lighting (3) - Rear lower fiberglass storage (1) with LED strip lighting and interior/exterior access to S3 exterior compartment - Clear LED reading lamp (2)		
MCB14	- Aluminium flip-up windows frames (4) Cardiac monitor configuration		
MCC11	☐ Cardiac monitor tray, sliding and turning	\$515	\$0
MCC12	☐ Cardiac monitor tray, sliding and turning, for "LIFEPAK 15"	\$1,015	\$0
MCA15	☐ Full medical cabinet with full height S3 compartment (CMC11)	\$575	\$0
	- Aluminium extrusion structure - Main oxygen cylinder access door - Fiberglass and aluminum storage with LED strip lighting (3) - Clear LED reading lamp (2)		
MCB14	- Aluminium flip-up windows frames (3) Cardiac monitor configuration		
MCC11	☐ Cardiac monitor tray, sliding and turning	\$515	\$0
MCC12	☐ Cardiac monitor tray, sliding and turning, for "LIFEPAK 15"	\$1,015	\$0

FORWARD BULKHEAD		25	
Description	Unit price	Total price	
Cab to module configuration			
FBA11 ☐ 1 Crawl through with sliding door	STD		
FBA12 ☐ Pass-through sliding window (12" x 12")	N/C		
FBC11	STD		
ALS front corner cabinet configuration - Street side - Aluminum extruded door with see through windows and stainless steel handle - Three (3) fixed shelves - LED strip lighting			
FBB11	STD		
ALS front cabinet configuration - Curb side - Aluminium extrusion structure - LED strip lighting - Inside/outside access via curbside door - Four (4) aluminum extruded doors with see through windows and stainless steel handle - Two (2) adjustable shelves - One (1) fixed shelf - One lockable drawer with stainless steel handle			
FBB13	STD		
ALS upper front configuration - Lockable compartment above ALS front cabinet - One (1) aluminum extruded door with see through window and stainless steel lockable handle 12V and 110V outlets			
FBB14 ☐ Smithworks IV warmer	\$465	\$0	
FBB15 ☐ 1 Mermaid refrigerated compartment	\$3,435	\$3,435	

ATTENDANT SEAT		26	
Description	Unit price	Total price	
STA11 ☐ EVS certified thermoformed seat equipped with 3 point safety belt	STD		
STA12 ☐ 1 EVS certified thermoformed seat equipped with child safety device and 3 point safety belt	\$275	\$275	
STB11 ☐ Left armrest	\$105	\$0	
STB12 ☐ Right armrest	\$105	\$0	



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegretti
Email : fred@qualityemergencyvehicles.com

COT CONFIGURATION				27
	Description	Unit price	Total price	
	• Floor			
	◦ Flooring: 3/4 in. (19mm) exterior grade plywood			
CPA11	☐ Center mount cot configuration	STD		
CPB11	☒ Stryker rolling main cot fastener (cot not included)	STD		
CPB12	☒ Ferno main fastener	\$615	\$0	
CPB13	☒ Stryker power load system	\$22,250	\$22,250	
CPA13	☒ Center and left side mount cot configuration	\$260	\$0	
CPB11	☒ Stryker rolling main cot fastener (cot not included)	N/C		
CPB12	☒ Ferno main fastener	\$615	\$0	
CPA12	☒ Left side mount cot configuration	\$260	\$0	
CPB12	☒ Stryker rolling main cot fastener (cot not included)	N/C		
CPB13	☒ Ferno main fastener	\$615	\$0	

ACTION AREA CONTROL PANEL				28
	Description	Unit price	Total price	
	• <u>Action area console (ECC)</u>			
CRA11	☐ Switches with LED backlit pictogram	STD		
CRA12	☒ 6.5" color touch screen console	\$2,050	\$0	
	◦ Rear speaker volume control			
	◦ Temperature control with automatic setting			
	◦ Power inverter control panel (with power inverter option only)			
CRB11	☒ <u>Auxiliary control console on curb side for squad bench</u>			
	◦ Switches with LED backlit pictogram	\$615	\$0	
	◦ Lighting			
	◦ Exhaust fan			
	◦ Temperature control			
	◦ Intercode			
	• <u>Auxiliary control console on curb side for mobility seat</u>			
CRB11	☐ Switches with LED backlit pictogram	STD		
	◦ Lighting			
	◦ Exhaust fan			
	◦ Temperature control			
	◦ Intercode			
CRB12	☐ 6.5" color touch screen console	\$2,565	\$0	
	◦ Lighting			
	◦ Exhaust fan			
	◦ Temperature control			
	◦ Intercode			



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegretti
Email : fred@qualityemergencyvehicles.com



OXYGEN SYSTEM			29
	Description	Unit price	Total price
	• Main oxygen tank storage		
OXA11	☒ Universal vertical holder for main oxygen cylinder type "K" or "M" on street side G1 exterior compartment	STD	
OXA12	☒ Hydraulic holder for vertical oxygen cylinder type "K" or "M" on street side G1 exterior compartment	\$2,565	\$2,565
OXA13 New	☒ Dual universal vertical holder for main oxygen cylinder type "K" or "M" on street side G1 exterior compartment	\$410	\$0
	• Main oxygen control		
OXB11	☒ Manual oxygen regulator (50PSI)	\$240	\$0
OXB12	☒ Manual oxygen regulator with pressure sensor and digital read-out	\$840	\$840
OXB13	☒ Electronic control valve with manual by-pass	\$450	\$450
	• Oxygen outlets		
OXC11	☒ Quick connect style oxygen outlet	STD	
OXC12	☒ DISS style oxygen outlet	N/C	
OXE14	- Four (4) oxygen outlets - Two (2) in left wall, ECC - One (1) right wall		
OXD11	☒ Flow meter (0-15LPM)	\$80	\$80
	One (1) oxygen outlet on ceiling	STD	
OXD12	☒ Ceiling flow meter (0-25LPM)	\$155	\$155
	• Portable oxygen tank storage		
OXF11	☐ "D" Portable oxygen cylinder storage (2) located in side entry door	\$485	\$0
OXF12	☐ "E" Portable oxygen cylinder storage (2) located in side entry door	\$485	\$0

SUCTION SYSTEM			31
	Description	Unit price	Total price
SUD11	• Main suction pump and canister		
SUA11	Thomas suction pump	STD	
SUB11	Vacuum outlet	STD	
SUC11	Vacuum regulator with disposable canister (Rico RS-4X)	STD	
SUD12	☐ Auxiliary suction pump and canister with mobility package	\$1,025	\$0
SUA11	Thomas suction pump		
SUB11	Vacuum outlet		
SUC11	Vacuum regulator with disposable canister (Rico RS-4X)		



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegratti
Email : fred@qualityemergencyvehicles.com

ELECTRICAL SYSTEM				32
	Description	Unit price	Total price	
SEC11	- Dual alternators with 357-amp rating - Demers Electronic Management System (DEMS) - Multiplex system - Integrated AutoBoost system - Electric door lock on all module doors - Two (2) electric door lock/unlock switches located on side/rear right door			
SEA13	Batteries (4) : - Two (2) OEM - Two (2) conversion batteries			
SEA14	Four (4) 12V DC electrical outlets - Two (2) in ECC - One (1) in upper compartment - One (1) ALS cabinet - One (1) additional outlet on curb side with mobility package			
SEB15	Three (3) 120V AC hospital grade electrical outlets with indicator - One (1) GFCI in ECC - One (1) in upper compartment - One (1) ALS cabinet - One (1) additional outlet on curb side with mobility package			
SEB13	Shoreline : ☐ Yellow 15 amps Kusmaull Super Auto Eject with indicator	STD		
SEB14	☒ Yellow 20 amps Kusmaull Super Auto Eject with indicator	\$105	\$0	
SEB11	Inverter ☐ Power inverter (Xantrex Freedom HW 1000)	\$990	\$990	
COMMUNICATION SYSTEM				33
	Description	Unit price	Total price	
SCB11	Data recorder available signals through universal connector in electrical compartment <i>Ignition, left and right flasher, hood sw, rpm, vss, maintenance indicator, speed indicator, module doors signal, passenger and driver door signal, siren output, siren speakers, primary and secondary emergency lights, brake.</i>	STD		
SCA11	☐ No radio communication system wiring required ☒ Wiring preparation for two-way radio with (2) antenna cables	STD \$85	 \$425	
CLIMATE CONTROL SYSTEM (HVAC)				34
	Description	Unit price	Total price	
CVA11	Separate heater unit with invisible outlets	STD		
CVB11	Ducted air conditioning unit	STD		
CVC13	Exhaust fan for contaminated air (2)	STD		
INTERIOR LIGHTING				35
	Description	Unit price	Total price	
PLA11	Eight (8) LED dome lights with four intensity settings	STD		



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegretti
Email : fred@qualityemergencyvehicles.com

GRAB HANDLES AND GRAB RAILS				36
	Description	Unit price	Total price	
BSD11	☒ Chrome grab bar package	STD		
BSD12	☒ Yellow grab bar package	\$260	\$0	
BSB11	o Two (2) entry grab bar, 12"			
BSC11	o Two (2) rear door mounted grab bar, 16" x 16"			
BSC12	o One (1) curb side door mounted grab bar, 12"			
BSA11	o Two (2) ceiling mounted grab rail, 90"			

FINISH AND TRIM				37
	Description	Unit price	Total price	
	o Floor : Slip resistant, covering material; .098 in. (2.5mm) thickness rolled-up 3 in. (75mm)			
	• <u>Lon seal</u>			
FTA11	☒ Lon seal, Lon plate II, Gun metal	STD		
FTA12	☒ Lon seal, Lon plate II, Mica	\$105	\$0	
FTA13	☒ Lon seal, Lon coin II Flecks, Onyx	\$105	\$105	
FTA14	☒ Lon seal, Lon coin II Flecks, Moonstone	\$105	\$0	
	• <u>Altro</u>			
FTA15	☒ Altro, Designer, Midnight	\$105	\$0	
FTB11	o Ceiling : Light grey			
	o Walls : Light grey			
	o Furnitures: Light grey			
FTC11	o Upholstery: Cobalt Blue			
	Sun Yellow (Entrance head protectors)			
	o Lower section: Dark grey			

FONCTIONNALITIES				38
	Description	Unit price	Total price	
	• <u>Ceiling accessories</u>			
FCA13	o Four (4) recessed/flexible IV hooks in ceiling	STD		
FCA11	o Two (2) recessed radio speakers	STD		
	• <u>Upper front accessories</u>			
FCB11	☐ Driver intention lights over the front partition	\$225	\$0	
	• <u>Upper curb side accessories</u>			
FCC12	☒ Glove box (5) compartment	\$260	\$0	
FCC13	☒ Storage cabinet with LED strip lighting	\$650	\$650	
	• <u>Curb side accessories</u>			
FCC11	☐ Sharp container enclosed in backboard compartment	\$205	\$0	
	• <u>Street side accessories</u>			
FCD11	☒ Glove box (4) compartment	\$225	\$225	
FCD12	☒ Solid surface on medical cabinet counter top	\$575	\$575	
	• <u>Rear accessories</u>			
FCE11	o Digital clock over the rear door	STD		
FCE12	o Driver intention lights over the rear door	STD		
FCE13	☒ Rear step indicator over the rear door	\$175	\$0	



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegratti
Email : fred@qualityemergencyvehicles.com

SPECIAL CONFIGURATION**COMMENTS OR SPECIAL NOTES**

☒ Custom striping and identifications (Description needed below) Price on request \$3,005 \$3,005
See attached pictures. (The rear striping will be a different color)
Graphics as per attached photos - pricing include chevron and graphics on rear

☐ Custom radio communication installation (Description needed below) Price on request \$0 \$0

Exception of KKK-A-1822-F Change Notice 8 par. 3.11.6 SAE J3027 Ambulance Litter Integrity, Retention

Initials

- ☐ **Exception taken? Yes** I have read and understand the policy of my State on the KKK-F notice 8 requirement and release Demers from having to build my ambulance to these specific 3.11.6 SAE J3027 requirements. I also know and understand that taking exception will not preclude the operation of the ambulance in the State.
- ☒ **Exception taken? No** I have read and understand the policy of my State on the KKK-F notice 8 requirement and require my ambulance to include testing required to meet KKK-F notice 8 3.11.6 SAE J3027. A Stryker Powerload or Ferno Stat Track must be ordered. See cot section or Special notes for pricing details.

Exception of KKK-A-1822-F Change Notice 8 par. 3.11.4, 3.11.4.1 SAE J3026 Ambulance patient Compartment

Initials

- ☐ **Exception taken? Yes** I have read and understand the policy of my State on the KKK-F notice 8 requirement and release Demers from having to build my ambulance to these specific 3.11.6 SAE J3026 requirements. I also know and understand that taking exception will not preclude the operation of the ambulance in the State.
- ☒ **Exception taken? No** I have read and understand the policy of my State on the KKK-F notice 8 requirement and require my ambulance to include testing required to meet KKK-F notice 8 3.11.4, 3.11.4.1 SAE J3026. See Special notes for pricing details.

	Description	Unit price	Total price
1	☒ Change the Ford Chassis Ford F450 4 X 2 ILO Ford F450 4 X 4	-\$2,250.00	-\$2,250.00
2	☒ Federal Q2B install behind grill if possible	\$2,790.00	\$2,790.00
3	☒ 110v / 12v ac unit with auto eject	\$4,850.00	\$4,850.00
4	☒ A/C condenser on front of body over cab 60000 BTU	\$3,200.00	\$3,200.00
5	☒ Whelen 4500+ 90 inches" flush mounted LED light bar, 6 red / 5 white / Delete Opticom and add 1 more white (done)	\$4,050.00	\$4,050.00
6	☒ S2 as deep as possible(no draw under action area and move inverter and pump to top of o/2 compartment	NC	\$0.00
7	☒ 4 under body LED lights to come on with any door open	\$1,375.00	\$1,375.00
8	☒ Whelen 500 on inside of cab doors come when door opens	\$275.00	\$275.00
9	☒ Install customer supplied Knox box in the 45 degree cabinet in bulkhead in the radio compartment (see drawing)	\$350.00	\$350.00
10	☒ IV pole on rear counter	\$120.00	\$120.00
11	☒ Traffic advisor to be Whelen TAM 65 36"	\$720.00	\$720.00
12	☒ Supply and install Fire-com with 3 headsets (5100D, HM-10 Headset module single, 210 radio interface, MR-47X, Kenwood, wired headset over head radio transmit)	\$3,650.00	\$3,650.00
13	☒ 45 degree cabinet over counter at head of mobility seat (same as Okaloosa County)	\$1,450.00	\$1,450.00
14	☒ Upholstery is to be Black in module	NC	\$0.00



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegratti
Email : fred@qualityemergencyvehicles.com

15	1 Move air horn compressor to under body	NC	\$0.00
16	1 Add (2) Vulcan handlights 44451 w/ Chargers E504025 1 SL 40 flash lights (1 in cab and 1 in outside compartment)	\$675.00	\$675.00
17	4 3 10x10 # plate slots With # plates same color as ambulance	\$50.00	\$200.00
18	1 Dual Pneumatic Buell (2) Air Horns in or below Front Bumper with actuation foot switch preferred on each	\$2,350.00	\$2,350.00
19	1 6506 Stryter see attached quotation	\$16,245.10	\$16,245.10
20	1 Red paint with black roof paint code to come pitures sent Red #80 Black # 101	\$7,655.00	\$7,655.00
21	1 add 1 SCBA bracket are to be ZICO # ULLH-EZO-ES (Total of 3)	\$175.00	\$175.00
22	1 Delete 20 amp auto eject and use 1 30amp super auto eject to run a/c and shoreline .	\$545.00	\$545.00
23	1 Delete drawer in als cabinet (FB cabinet)	NC	\$0.00
24	1 Reinforce shelves in als cabinet (S1)	NC	\$0.00
25	1 Add standard tail/turn/backup lights back in to kick plate under rear doors.	option selected	\$0.00
26	1 Note that all intior vinyl is to be Black and Black flooring	NC	\$0.00
27	1 Wheels are to be standard Ford aluminum	STD	\$0.00



3 Area Development Dr., Plattsburgh, NY 12901
800.363.7591 fax: 450.467.6526

Tel.:

Date : 12/18/15
Contact : Fred Allegretti
Email : fred@qualityemergencyvehicles.com

BASE PRICE & STANDARD		\$155,685.00
OPTIONS		\$65,610.00
CUSTOM ITEMS		\$48,425.10
FREIGHT (to be evaluated case by case)		
CUSTOMS ADMINISTRATION FEE		
SUBTOTAL	USD	\$269,720.10
Ford Fin Discount (No active FIN)	negative value	-\$5,200.00
Preferred Customer Discount 3% on options	negative value	-\$2,000.00
Pre build & Inspection		\$4,900.00
Includes: Air Fare,Hotel and Meals		
TOTAL:	USD	\$267,420.10

**FOB 30 days or prompt payment act
FS 218.70**

Total Cost
USD \$267,420.10
Valid for 60 days only or till 02/29/2016

This quote is prepared in accordance to your specifications and will become an integral part of your contract.

The buyer acknowledges that by accepting this quote, he commits to take possession of the vehicle according to the delivery agreement between himself and Demers Ambulance USA Inc. (dba Demers Ambulances.) All sales have ex-works factory terms, are final, are payable upon delivery by certified cheque, pre-approved electronic bank transfer and/or by financing contract prepared and signed on the acceptance or delivery date whichever is sooner.

Title of the vehicle will be issued to the buyer once payment of the invoice has been received in full.

PROJECTED DELIVERY DATE

Date of final approbation

0

Buyer

The parties acknowledge that the Demers Ambulances employee, in performing his duties, is solely acting as an employee of Demers Ambulances and is not authorized to assume any liabilities, duties or obligations, enter into any transaction in the name of Demers Ambulances nor bind Demers Ambulances in any way. Any and all transactions entered into on behalf of Demers Ambulances shall be authorized by a director, officer or any other representative of Demers Ambulances at the head office of Demers Ambulance USA

Benoît Lafortune
Demers Ambulance USA Inc.

Date of final approbation



**TOWN OF PALM BEACH
REQUEST FOR QUOTATION
RFQ No. 32-2016**

F450 Demers Ambulance Type 1

INTENT AND SCOPE

It is the intent to obtain pricing, in accordance with the Florida Sheriff's Association's Bid No. 15-11-0116, which covers and includes all required equipment and freight, necessary for and reasonably incidental for full and complete execution of this purchase.

All terms, conditions and specifications of the Florida Sheriff's Association for Bid No. 15-11-0116 shall apply.

SCHEDULE OF BID ITEMS

The undersigned as bidder does declare that no other persons other than the bidder herein named has any interest in this bid or in the contract to be taken, and that it is made without any connection with any other person or persons making bid for the same article, and is in all respects fair and without collusion or fraud.

The undersigned further declares that he has carefully examined the specifications and is thoroughly familiar with its provisions and with the quality type and grade of materials called for therein.

The undersigned further declares that he proposes to furnish the equipment called for within the specified time for the following price:

1. TERMS		2. F.O.B.		3.SHIPMENT		4. QUOTATION VALID UNTIL	
Net 30		DESTINATION Town of Palm Beach		VIA Driven		60 Days form 1/15/2016	
Item	Description /Specifications	Qty	Unit	Unit Cost	Extended Cost		
1.	FSA BASE & STANDARD - SPECIFICATION #01 – TYPE I AMBULANCE 2 WHEEL DRIVE – 4 WHEEL DRIVE OPTIONAL (DUAL REAR WHEEL, CAB & CHASSIS) F450 4x4 with all standard equipment as specified by the manufacturer for this model and FSA's base specification requirements, included and made part of the FSA contract as awarded by specification, by zone.	1	EA	\$ 155,685.00	\$ 155,685.00		
2.	Options – reference quote herewith attached and made part of this RFQ	1	LS	\$ 65,610.00	\$ 65,610.00		
3.	Custom Items – reference quote herewith attached and made part of this RFQ	1	LS	\$ 48,425.10	\$ 48,425.10		
4.	Ford Fin Discount	1	EA	\$ -5,200.00	\$ -5,200.00		
5.	Preferred Customer Discount 3% on Options	1	EA	\$ -2,000.00	\$ -2,000.00		
6.	Pre-build & Inspection – includes Airfare, Hotel and Meals	1	LS	\$ 4,900.00	\$ 4,900.00		
	TOTAL				\$ 267,420.10		

Company Name: Quality Emergency Vehicle Authorized Signature: *Frank Allert*

Item	Description /Specifications	Qty	Unit	Unit Cost	Extended Cost
1	Additional Option: Performance Bond	1	EA	\$ <u>4,011.30</u>	\$ <u>4,011.30</u>

REMARKS: Performance bond is usually purchased only when vehicle is being prepaid or when there is a deposit taken.

The Proposer certifies that this proposal is submitted in accordance with the specification in its entirety and with full understanding of the conditions governing this RFQ. The undersigned representative submits this proposal and certifies that they are an authorized representative of the Proposer who may legally bind the Proposer.

Firm: Quality Emergency Vehicle

*Signature:  Name/Title: Fred Allegretti / President

Address: 890 S. Oak Crest Path Lecanto, Zip: 34461

Federal ID#: 272536970

Telephone Number: (352) 249-4766

Fax: (352) 249-4767

Date: 01/15/2016

*Failure to affix signature may result in disqualification of proposal.

Name of Bidder's Contact FRED ALLEGRETTI

Address: 890 S. OAK CREST PATH LECANTO, FL 34461

Phone Number: 352-249-4766 Fax Number: 352-249-4767

E Mail Address: fred@qualityemergencyvehicles.com

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 11-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing a Contract Extension to Batallan Enterprises DBA Property Works, in the Amount of \$25,200 for the Maintenance of the Bed on the Southern Boulevard Traffic Circle and the Circular Beds on Royal Poinciana Way, and Establishing a Project Budget of \$30,240.

Presenter

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

Supporting Documents

- [Memorandum dated January 13, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Resolution No. 11-2016](#)
- [Bid No. 2015-06 - Property Works](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Authorization for a Contract Extension to Batallan Enterprises dba Property Works for Traffic Circle and Circular Bed Maintenance
Resolution No. 11-2016

Date: January 13, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council approve Resolution No. 11-2016, authorizing the first twelve (12) month extension to Batallan Enterprises dba Property Works, for the maintenance of the beds on the Southern Boulevard traffic circle and the circular beds on Royal Poinciana Way in the amount of \$25,200, and establish an overall budget of \$30,240.

GENERAL INFORMATION

The Town maintains the decorative beds, designed by the Garden Club and their consultants, at the traffic circle on Southern Boulevard and in the medians on Royal Poinciana Way. Due to the similar style and similar maintenance requirements, both beds are maintained by a single vendor, Batallan Enterprises dba Property Works. The vendor is responsible for mowing, trimming, pruning, and pest control. Additionally, the vendor tests and maintains the irrigation system, keeping it in proper working order. The replacement of dead plants and installation of additional mulch on an as needed basis is provided with this service.

The Town issued Bid No. 2015-06 for the traffic circle and circular bed maintenance services. The lowest responsive bidder was Batallan Enterprises dba Property Works. The overall cost based on the bid quantities is \$25,200. A 20% contingency has been included in the overall budget for any plant replacements or repair costs.

The contract provides for the option of four (4) twelve-month renewals with all original terms, conditions and pricing. This is the first renewal for the contract.

FUNDING/FISCAL IMPACT

Sufficient funds are available in the Public Works Department FY2016 budget to complete this work.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachment

cc. Eric B. Brown, P.E., Assistant Director of Public Works
Brett Madison, Facilities Maintenance Division Manager
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 11-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING A CONTRACT EXTENSION TO BATALLAN ENTERPRISES DBA PROPERTY WORKS, IN THE AMOUNT OF \$25,200 FOR THE MAINTENANCE OF THE BED ON THE SOUTHERN BOULEVARD TRAFFIC CIRCLE AND THE CIRCULAR BEDS ON ROYAL POINCIANA WAY, AND ESTABLISHING A PROJECT BUDGET OF \$30,240.

* * * * *

WHEREAS, a contract was awarded on February 10, 2015, to Batallan Enterprises dba Property Works to provide maintenance of the bed on the Southern Boulevard traffic circle and the circular beds on Royal Poinciana Way; a copy of which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, vendor has agreed to an extension of the terms and conditions of the said contract, and Property Works acceptance of which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, Batallan Enterprises dba Property Works provided acceptable service under that contract; and

WHEREAS, that contract allows for four (4) twelve-month extensions.

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

Section 1. The first contract extension for a period of twelve (12) months, beginning March 1, 2016 and ending February 28, 2017, is hereby approved for Batallan Enterprises dba Property Works, in the amount of \$25,200 and establishes an overall project budget of \$30,240.

Section 2. The Town Manager is hereby authorized and directed to execute this contract extension on behalf of the Town of Palm Beach.

Section 3. The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the implementation of these services, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of February 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member



TOWN OF PALM BEACH

PURCHASING DIVISION

December 18, 2015

Property Works
1201 Roebuck Court
West Palm Beach, FL 33401
Fax No. (561) 805-8688

Ref: Bid No. 2015-06 – Maintenance of Beds at RPW and Southern Blvd
Year 2 of Contract – 1st Renewal

Dear Sirs:

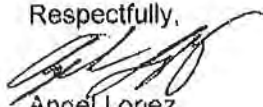
Our contract referenced above expires on February 29, 2016. As specified in the document, we have an option to renew the existing contract for another one year period if it is mutually agreeable to all parties.

Please advise by signature below, if a one year extension of our current contract at same terms, conditions, specifications and pricing stated in your bid dated November 19, 2014 would be acceptable.

Requirements of the Palm Beach County Inspector General's office are attached for your review and signature.

Please, complete and return this form to the Purchasing Division by no later than 2:00 PM January 6, 2016. Your response may be faxed to 561-835-4688 or emailed to alopez@townofpalmbeach.com.

Respectfully,


Angel Lopez
Public Works Buyer

_____ I hereby agree to a one year extension of the subject bid.

_____ I do not approve a one year extension of the subject bid for the following reasons:

 SIGNATURE

12-18-15 DATE

PRESTON SPAULS



ACKNOWLEDGMENT

The contractor is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of this contract, and in furtherance thereof may demand and obtain records and testimony from the contractor and its subcontractors and lower tier subcontractors. The contractor understands and agrees that in addition to all other remedies and consequences provided by law, the failure of the contractor or its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the municipality to be a material breach of this contract justifying its termination.

Company Name: PROPERMURSE

Authorized Signature: [Signature]

Title: ACCOUNT MANAGER

Date: 12-18-15

Bid/RFP No. 2015-06

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 12-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Zimmerman Tree Service, for Palm Tree Trimming in the Amount of \$97,272 and Establishing a Project Budget of \$107,000.

Presenter

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

Supporting Documents

- [Memorandum dated January 13, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Resolution No. 12-2016](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Authorization to Extend Contract for Palm Tree Trimming to Zimmerman Tree Service
Resolution No. 12-2016

Date: January 13, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council approve Resolution No. 12-2016, authorizing the first twelve month (12) extension to Zimmerman Tree Service, for the trimming of the Town's palm trees in the amount of \$97,272, and establish an overall budget of \$107,000.

GENERAL INFORMATION

The procedure for the trimming of the Town's palm trees was changed from once per year to twice per year in FY10. This change proved to be very successful. We have improved the aesthetics of the palm trees and improved safety by eliminating large coconuts falling from the palms during the winter/spring seasons, as well as during hurricane season.

The Town issued Bid No. 2015-01 for palm tree trimming services which includes a bi-annual trimming of the palms in October and April. The lowest responsive bidder was Zimmerman Tree Service. The overall cost based on the bid quantities is \$97,272. A 10% contingency has been included in the overall budget for unforeseen conditions or special trimmings.

The contract provides for the option of four (4) twelve-month renewals with all original terms, conditions and pricing. This is the first renewal for the contract.

FUNDING/FISCAL IMPACT

Sufficient funds are available in the Public Works Department FY2016 budget to complete this work.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachment

cc: Jane Struder, Director of Finance
Eric B. Brown, P.E., Assistant Director of Public Works
Brett Madison, Facilities Maintenance Division Manager
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 12-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CONTRACT EXTENSION TO ZIMMERMAN TREE SERVICE, FOR PALM TREE TRIMMING IN THE AMOUNT OF \$97,272 AND ESTABLISHING A PROJECT BUDGET OF \$107,000.

* * * * *

WHEREAS, a contract was awarded on February 10, 2015, to Zimmerman Tree Service to provide palm tree trimming services to the Town of Palm Beach; a copy of which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, vendor has agreed to an extension of the terms and conditions of the said contract, and Zimmerman Tree Service acceptance of which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, Zimmerman Tree Service has provided acceptable service under that contract; and

WHEREAS, that contract allows for four (4) twelve-month extensions.

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

Section 1. The first contract extension for a period of twelve (12) months, beginning March 1, 2016 and ending February 28, 2017, is hereby approved for Zimmerman Tree Service, in the amount of \$97,272 and establishes an overall project budget of \$107,000.

Section 2. The Town Manager is hereby authorized and directed to execute this contract extension on behalf of the Town of Palm Beach.

Section 3. The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the implementation of these services, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of February 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 13-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Richard Maxwell, Inc., DBA King Tree Service, for Consulting Arborist Services, in the Annual Amount of \$43,750 and Establishing an Annual Project Budget of \$48,125.

Presenter

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

Supporting Documents

- [Memorandum dated January 8, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Resolution No. 13-2016](#)
- [King Tree Service Contract Renewal](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Authorization for a Contract Extension to Richard Maxwell, Inc., DBA King Tree Service, for Consulting Arborist Services
Resolution No. 13-2016

Date: January 8, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council approve Resolution No. 13-2016 authorizing the second twelve (12) month extension to Richard Maxwell, Inc., dba King Tree Service, for Consulting Arborist Services, in the annual amount of \$43,750 and establishing an annual project budget of \$48,125.

GENERAL INFORMATION

The Town utilizes a consulting arborist to provide a monthly inspection of trees in Town rights-of-way and on Town property. The consultant additionally provides advice on different types of tree treatments, landscaping, fertilization and pest control at various Town sites on an as-needed basis. The consultant meets with Town staff to identify, discuss, develop and inspect the results of the treatment programs. The consultant also assists with the annual inspection of the Town's historic and specimen trees; and provides reports and advice on the proper care, maintenance and trimming of those trees.

The Town issued RFP #2013-17 for consulting arborist services. Richard Maxwell was awarded the contract on May 7, 2013, and has performed satisfactorily. The contract provides for the option of four (4) twelve (12) month renewals with all original terms, conditions, and pricing. This is the third renewal to this contract. The contractor has requested a CPI increase of 1.2% as detailed in the terms of his contract. This will increase his hourly rate from \$135 per hour to \$136.62 per hour.

FUNDING/FISCAL IMPACT

Sufficient funds are available in the Public Works Department operating budget to perform this service. The contract award amount is an estimate based upon the anticipated number of hours, at the proposed unit rate. A contingency amount (10%) is included in the overall budget, to allow for unforeseen tasks and emergency work. Subject to FY17 budget approval, the authorization to issue a purchase order for the work next fiscal year is also requested.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

This resolution has been reviewed by the Town Attorney and approved as to legal form and sufficiency.

Attachment

cc: Jane Struder, Director of Finance
Eric B. Brown, P.E., Assistant Director of Public Works
Brett Madison, Facilities Maintenance Division Manager
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 13-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CONTRACT EXTENSION TO RICHARD MAXWELL, INC., DBA KING TREE SERVICE, FOR CONSULTING ARBORIST SERVICES, IN THE ANNUAL AMOUNT OF \$43,750, AND ESTABLISHING AN ANNUAL PROJECT BUDGET OF \$48,125.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida as follows:

WHEREAS, a contract was awarded on May 17, 2013, to Richard Maxwell, Inc., dba King Tree Service to provide palm tree trimming services to the Town of Palm Beach; a copy of which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, vendor has agreed to an extension of the terms and conditions of the said contract, and Richard Maxwell, Inc., dba King Tree Service acceptance of which is on file with the Purchasing Division of the Town of Palm Beach; and

WHEREAS, Richard Maxwell, Inc., dba King Tree Service provided acceptable service under that contract; and

WHEREAS, that contract allows for four (4) twelve-month extensions.

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

Section 1: The Town Council of the Town of Palm Beach hereby approves a contract extension to Richard Maxwell, Inc., dba King Tree Service, in the annual amount of \$43,750, for consulting arborist services, and establishes an annual project budget of \$48,125. This contract extension is for a period of one (1) year.

Section 2: The Town Manager is hereby authorized and directed to execute this contract extension on behalf of the Town of Palm Beach and to issue a purchase order pro-rated for the remainder of FY2016 and for work in FY2017 (subject to budget approval).

Section 3: The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the implementation of this contract, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of February 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member



TOWN OF PALM BEACH

PURCHASING DIVISION

December 18, 2015

King Tree Service
P.O. Box 210847
Royal Palm Beach, FL 33421
Fax No. (561) 798-0445

Ref: RFP No. 2013-17 – Consulting Arborist
Year 4 of Contract – 3rd Renewal

Dear Sirs:

As specified in the RFP document, we have an option to renew the existing contract for another one year period if it is mutually agreeable to all parties.

Please advise by signature below, if a one year extension of our current contract at same terms, conditions, specifications and pricing stated in your bid dated April 3, 2013 would be acceptable.

Requirements of the Palm Beach County Inspector General's office are attached for your review and signature.

Please, complete and return this form to the Purchasing Division by no later than 2:00 PM December 30th, 2015. Your response may be faxed to 561-835-4688 or emailed to alopez@townofpalmbeach.com.

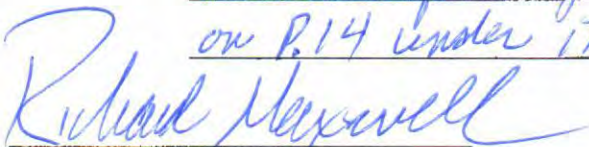
Respectfully,


Angel Lopez
Public Works Buyer

✓* I hereby agree to a one year extension of the subject bid. *see below **

 I do not approve a one year extension of the subject bid for the following reasons:

** I am requesting a CPI increase as detailed on P.14 under item 2-6 of the RFP (2013-17)*


SIGNATURE

1/4/16
DATE

RICHARD Maxwell, pres

ACKNOWLEDGMENT

The contractor is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of this contract, and in furtherance thereof may demand and obtain records and testimony from the contractor and its subcontractors and lower tier subcontractors. The contractor understands and agrees that in addition to all other remedies and consequences provided by law, the failure of the contractor or its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the municipality to be a material breach of this contract justifying its termination.

Company Name: King Tree Service
Authorized Signature: Richard Maxwell
Title: president
Date: 1/4/16
Bid/RFP No. 2013-17

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 16-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No. 2016-18 and Approving a Construction Contract to American Lighting and Signalization, Inc., for the Signalization and Mast Arm Improvements at the Sunrise Avenue and Sunset Avenue Intersections on North County Road, in the Amount of \$1,041,476, and Establishing a Construction Phase Budget of \$1,200,000.

Presenter

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

Supporting Documents

- [Memorandum dated January 13, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Resolution No. 16-2016](#)
- [Bid Tab Sheet](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Award Bid No. 2016-18 and Approve a Construction Contract for the Signalization and Mast Arm Improvements Project at the Sunrise Avenue and Sunset Avenue Intersections on North County Road
Accelerated Capital Improvement Program - Phase 2
Resolution No. 16-2016

DATE: January 13, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council approve Resolution No. 16-2016 awarding Bid No. 2016-18 and approving a construction contract to American Lighting and Signalization, Inc., for the Signalization and Mast Arm Improvements Project in the amount of \$1,041,476 and establishing a construction phase budget of \$1,200,000 including contingency.

In addition, staff recommends that Town Council grant a waiver to Sections 42-196 and 199 of the Town of Palm Beach Code of Ordinances to allow for extended work hours and night time work, as necessary and approved by Public Works.

In a companion request, staff would also like to include a waiver of the Town Code of Ordinances section 42-226 through 229 - Regulation of Noise.

GENERAL INFORMATION

The preliminary and final design, bid, and construction phases of the Signalization and Mast Arm Improvements is contained in the Accelerated Capital Improvement Program - Phase 2.

The Town operates and maintains the traffic signals within the Town. The majority of the traffic signal poles in the Town were installed in the early 1970's. These poles do not meet the current wind load standards. The wind load requirements have become more stringent since these poles were installed due to the impacts of Hurricanes Charlie, Francis, Jean, and Wilma. The new decorative mast arm and pole that will meet the current wind load requirements was presented and approved at the July 14, 2015 Town Council meeting. The mast arms and poles will also match those currently in the Town located at the Hammon Avenue, Worth Avenue, and Peruvian Avenue intersections on South County Road.

The Purchasing Division solicited bids for the Signalization and Mast Arm Improvements at the Sunrise Avenue and Sunset Avenue intersections on North County Road. The proposed work

includes replacing the existing mast arms, upgrading the signalization, upgrading curb ramps to current ADA standards, drainage improvements, and curb and sidewalk improvements between the two (2) intersections. The project will also include milling, resurfacing, striping of both the intersections of Sunrise Avenue and Sunset Avenue intersections, and along North County Road from just south of Sunset Avenue to just north of Sunrise Avenue.

The Town received four (4) bids on January 13, 2016. The lowest responsive bidder was American Lighting and Signalization, Inc., in the amount of \$1,041,476. Staff recommends awarding the contract to American Lighting and Signalization, Inc. for the bid amount of \$1,041,476 and establishing a construction phase budget of \$1,200,000 including contingency.

SPECIAL CONSIDERATIONS

The milling, resurfacing, striping, installation of the mast arms, drainage and concrete improvements will have varying degrees of impacts on the traffic. Those impacts on the traffic and local businesses will be minimized by performing some of these improvements during the night time hours.

Staff recommends a waiver to Section 42-196 and Section 42-199 of the Town Code of Ordinances allowing night time construction, as necessary, and approved by Public Works. The contractor, with the assistance of Public Works staff, will notify businesses and 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.

FUNDING/FISCAL IMPACT

Funding for this project is fully contained within the Town's Accelerated Capital Improvement Program, Phase 2.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Eric Brown, P.E., Assistant Director of Public Works
Jane Struder, Director of Finance
William K. Francis, P.E., Town Engineer
Michael Roach, P.E., Project Engineer
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 16-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED BID NO. 2016-18 AND APPROVING A CONSTRUCTION CONTRACT TO AMERICAN LIGHTING AND SIGNALIZATION, INC., FOR THE SIGNALIZATION AND MAST ARM IMPROVEMENTS AT THE SUNRISE AVENUE AND SUNSET AVENUE INTERSECTIONS ON NORTH COUNTY ROAD, IN THE AMOUNT OF \$1,041,476, AND ESTABLISHING A CONSTRUCTION PHASE BUDGET OF \$1,200,000.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida as follows:

Section 1. The Town Council of the Town of Palm Beach hereby awards Bid No. 2016-18 and approves a construction contract to American Lighting and Signalization, Inc., in the amount of \$1,041,476, for the Signalization and Mast Arm Improvements at the Sunrise Avenue and Sunset Avenue Intersections on North County Road, and establishes a construction phase budget of \$1,200,000 including contingency.

Section 2. The Town Manager is hereby authorized and directed to execute this contract on behalf of the Town of Palm Beach for this improvement.

Section 3. The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of February 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member



TOWN OF PALM BEACH
Bid No. 2016-18
Signalization and Mast Arm
Improvements
TABULATION
Due: 1/13/16 @ 2 p.m.

FDOT Item No.	Description	Qty	Unit	Vendor:			American Lighting and Signalization, Inc.			Bergerson Land Development, Inc			Horsepower Electric, Inc			Weekly Asphalt Paving, Inc.		
				Address:	Telephone:	Fax:	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total
630-2-11	Conduit, Underground, Open Trench	775	L.F.	11639 Davis Creek Road	904-886-4300		\$ 20.00	\$ 15,500.00	\$ 5.00	\$ 3,875.00	\$ 25.00	\$ 19,375.00	\$ 11.50	\$ 8,912.50				
632-7-1	Signal Cable	2	P.L.	Jacksonville, FL 32256	904-886-4300		\$ 4,000.00	\$ 8,000.00	\$ 7,170.00	\$ 14,340.00	\$ 15,000.00	\$ 30,000.00	\$ 4,475.00	\$ 8,950.00				
635-2-11	Pull & Junction Boxes (Pull Box)	29	EA				\$ 500.00	\$ 14,500.00	\$ 1,730.00	\$ 50,170.00	\$ 975.00	\$ 28,275.00	\$ 582.00	\$ 16,878.00				
639-3-12	Electrical Service Disconnect F&I on cabinet	1	EA				\$ 300.00	\$ 300.00	\$ 744.00	\$ 744.00	\$ 1,500.00	\$ 1,500.00	\$ 753.00	\$ 753.00				
641-2-42	Preset Concrete Pole F&I Service Pole	0	EA				\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -				
639-1-122	Power Service, Underground, Purchased by Contractor	1	EA				\$ 2,500.00	\$ 2,500.00	\$ 1,190.00	\$ 1,190.00	\$ 1,500.00	\$ 1,500.00	\$ 2,540.00	\$ 2,540.00				
646-1-11	Aluminum Signals Pole, Pedestrian, Relocate	11	EA				\$ 1,000.00	\$ 11,000.00	\$ 10,300.00	\$ 113,300.00	\$ 950.00	\$ 10,450.00	\$ 1,025.00	\$ 11,275.00				
646-1-12	Aluminum Signals Pole, Pedestrian Detector Post	5	EA				\$ 900.00	\$ 4,500.00	\$ 458.00	\$ 2,290.00	\$ 1,100.00	\$ 5,500.00	\$ 966.00	\$ 4,830.00				
649-31-110	Mast Arm Assembly (Double Arm 36"/36" w/o Luminaire)	1	EA				\$ 39,000.00	\$ 39,000.00	\$ 53,800.00	\$ 53,800.00	\$ 45,000.00	\$ 45,000.00	\$ 35,112.00	\$ 35,112.00				
649-31-111	Mast Arm Assembly (Double Arm 36"/46" w/o Luminaire)	1	EA				\$ 40,000.00	\$ 40,000.00	\$ 55,300.00	\$ 55,300.00	\$ 45,000.00	\$ 45,000.00	\$ 37,334.00	\$ 37,334.00				
649-31-101	Mast Arm Assembly (Single Arm 36" w/o Luminaire)	4	EA				\$ 33,000.00	\$ 132,000.00	\$ 54,000.00	\$ 216,000.00	\$ 40,000.00	\$ 160,000.00	\$ 24,920.00	\$ 99,680.00				
649-36-500	Mast Arm Remove Pole - Deep	6	EA				\$ 3,600.00	\$ 21,600.00	\$ 1,110.00	\$ 6,660.00	\$ 750.00	\$ 4,500.00	\$ 2,845.00	\$ 17,070.00				
650-1-39	Traffic Signal Head - 5 Heads Polycarbonate	1	AS				\$ 1,600.00	\$ 1,600.00	\$ 1,850.00	\$ 1,850.00	\$ 1,500.00	\$ 1,500.00	\$ 1,413.00	\$ 1,413.00				
650-1-34	Traffic Signal Head - 3 Heads Polycarbonate	15	AS				\$ 850.00	\$ 12,750.00	\$ 2,050.00	\$ 30,750.00	\$ 1,300.00	\$ 19,500.00	\$ 854.00	\$ 12,810.00				
653-191	Pedestrian Signal w/ Countdown	16	EA				\$ 500.00	\$ 8,000.00	\$ 683.00	\$ 10,928.00	\$ 1,000.00	\$ 16,000.00	\$ 995.00	\$ 15,920.00				
660-4-12	Vehicle Detector Assembly, Video	8	EA				\$ 1,000.00	\$ 8,000.00	\$ 1,710.00	\$ 13,680.00	\$ 1,000.00	\$ 8,000.00	\$ 5,712.00	\$ 45,696.00				
665-1-11	Pedestrian Detector F&I Standard	16	EA				\$ 150.00	\$ 2,400.00	\$ 1,150.00	\$ 18,400.00	\$ 250.00	\$ 4,000.00	\$ 220.00	\$ 3,520.00				
670-5-110	Traffic Controller Assembly	1	AS				\$ 22,000.00	\$ 22,000.00	\$ 25,400.00	\$ 25,400.00	\$ 26,000.00	\$ 26,000.00	\$ 20,810.00	\$ 20,810.00				
711-11-123	Thermoplastic, Standard, White, Solid, 12"	672	L.F.				\$ 2.00	\$ 1,344.00	\$ 1.90	\$ 1,276.80	\$ 3.50	\$ 2,352.00	\$ 1.50	\$ 1,008.00				
711-11-125	Thermoplastic, Standard, White, Solid, 24"	663	L.F.				\$ 4.00	\$ 2,652.00	\$ 4.40	\$ 2,917.20	\$ 7.00	\$ 4,641.00	\$ 3.35	\$ 2,221.05				
711-11-170	Thermoplastic, Standard, White, Arrow	7	EA				\$ 80.00	\$ 560.00	\$ 188.00	\$ 1,316.00	\$ 175.00	\$ 875.00	\$ 90.00	\$ 630.00				
711-15-111	Thermoplastic, Standard, White, Solid, 6"	350	L.F.				\$ 2.00	\$ 700.00	\$ 1.90	\$ 665.00	\$ 2.50	\$ 875.00	\$ 1.50	\$ 525.00				
711-15-211	Thermoplastic, Standard, Yellow, Solid, 6"	800	L.F.				\$ 2.00	\$ 1,600.00	\$ 1.55	\$ 1,240.00	\$ 2.50	\$ 2,000.00	\$ 1.50	\$ 1,200.00				
See Sht. SP-1-2 SP2-2	12 Gauge Copper Interconnect	1,000	L.F.				\$ 4.00	\$ 4,000.00	\$ 1.75	\$ 1,750.00	\$ 5.00	\$ 5,000.00	\$ 1.47	\$ 1,470.00				
See Sht. C-1.1	Utility Relocation (Gas)		Allowance					\$ 15,000.00		\$ 15,000.00		\$ 15,000.00		\$ 15,000.00				
0425-1201	Curb Inlet Type 9	3	EA				\$ 9,000.00	\$ 27,000.00	\$ 1,300.00	\$ 3,900.00	\$ 4,000.00	\$ 12,000.00	\$ 6,120.00	\$ 18,360.00				
0425-2-41	Storm Manhole (includes removal of existing structure)	2	EA				\$ 9,000.00	\$ 18,000.00	\$ 4,230.00	\$ 8,460.00	\$ 6,000.00	\$ 12,000.00	\$ 6,800.00	\$ 13,600.00				
0522-1	4" thick Concrete Sidewalk (includes demolition)	1,710	S.Y.				\$ 80.00	\$ 136,800.00	\$ 65.00	\$ 111,150.00	\$ 50.00	\$ 85,500.00	\$ 88.00	\$ 150,480.00				
0522-2	6" thick Concrete Driveways (includes demolition)	3	S.Y.				\$ 100.00	\$ 300.00	\$ 492.00	\$ 1,476.00	\$ 55.00	\$ 165.00	\$ 3,070.00	\$ 9,210.00				
1050-11424	12" DIP Storm Pipe	40	L.F.				\$ 200.00	\$ 8,000.00	\$ 113.00	\$ 4,520.00	\$ 150.00	\$ 6,000.00	\$ 194.00	\$ 7,760.00				
1050-11423	6" DIP Water Main Pipe (includes removal of existing pipe)(Storm Pipe)	15	L.F.				\$ 400.00	\$ 6,000.00	\$ 134.00	\$ 2,010.00	\$ 100.00	\$ 1,500.00	\$ 194.00	\$ 2,910.00				
1055-11414	6" DIP Fittings	4	EA				\$ 900.00	\$ 3,600.00	\$ 1,220.00	\$ 4,880.00	\$ 1,250.00	\$ 5,000.00	\$ 1,000.00	\$ 4,000.00				
0520-2-4	Type 'D' Curb (includes demolition)	1,320	L.F.				\$ 50.00	\$ 66,000.00	\$ 24.00	\$ 31,680.00	\$ 30.00	\$ 39,600.00	\$ 58.10	\$ 76,692.00				
0520-1-10	Type 'F' Curb & Gutter (includes demolition)	325	L.F.				\$ 50.00	\$ 16,250.00	\$ 28.00	\$ 9,100.00	\$ 35.00	\$ 11,375.00	\$ 58.10	\$ 18,882.50				
0527-2	Detachable Warning Device - Handicap Ramp	8	EA				\$ 500.00	\$ 4,000.00	\$ 350.00	\$ 2,800.00	\$ 250.00	\$ 2,000.00	\$ 820.00	\$ 6,560.00				
See Sht. C-1.1	Watermain Sampling Point	1	EA				\$ 3,000.00	\$ 3,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,200.00	\$ 1,200.00				
1644800	Relocate Existing Fire Hydrant Assembly	1	EA				\$ 12,000.00	\$ 12,000.00	\$ 3,360.00	\$ 3,360.00	\$ 20,000.00	\$ 20,000.00	\$ 3,500.00	\$ 3,500.00				
See Sht. C-1.1	Asphalt Mill and Overlay	5,420	S.Y.				\$ 21.00	\$ 113,820.00	\$ 12.30	\$ 66,666.00	\$ 20.00	\$ 108,400.00	\$ 10.50	\$ 56,910.00				
See Sht. C-1.1	Replace water meter boxes	21	EA				\$ 600.00	\$ 12,600.00	\$ 1,000.00	\$ 21,000.00	\$ 750.00	\$ 15,750.00	\$ 399.00	\$ 8,379.00				
See Sht. C-1.1	Install Sidewalk Vault Hatch	1	Lump Sum					\$ 3,000.00		\$ 10,000.00		\$ 2,500.00		\$ 3,200.00				
639-2-1	Electrical Service Wire	2,600	L.F.				\$ 1.00	\$ 2,600.00	\$ 3.55	\$ 9,230.00	\$ 9.00	\$ 23,400.00	\$ 3.98	\$ 10,348.00				
SUBTOTAL							\$	802,476.00	\$	934,074.00	\$	803,533.00	\$	757,549.05				



TOWN OF PALM BEACH
Bid No. 2016-18
Signalization and Mast Arm
Improvements
TABULATION
 Due: 1/13/16 @ 2 p.m.

Vendor:		Address:		Telephone:		Fax:		Contact:		Bergeron Land Development, Inc		Horsepower Electric, Inc		Weekly Asphalt Paving, Inc.	
11639 Davis Creek Road		19812 SW 69th Place		8105 W 20 Ave		20701 Stirling Road		Phil Karaganis		Fort Lauderdale, FL 33332		Hialeah, FL 33014		Pembroke Pines, FL 33332	
904-888-4300		954-880-6100		305-819-4060		954-880-8005		Chad Widup		954-880-6100		305-819-4060		954-880-8005	
904-888-4422		954-880-0666		305-819-4222		954-880-8671		Michael Martinez		954-880-8671		305-819-4222		954-880-8671	
Price per Unit		Price per Unit		Price per Unit		Price per Unit		Price per Unit		Price per Unit		Price per Unit		Price per Unit	
Total		Total		Total		Total		Total		Total		Total		Total	
102-1	Maintenance of Traffic	1	Lump Sum		\$	60,000.00			\$	14,100.00			\$	75,000.00	
101-1	Mobilization	1	Lump Sum		\$	130,000.00			\$	110,000.00			\$	82,000.00	
See Sht. C-1.1	Bonds/Insurance	1	Lump Sum		\$	8,000.00			\$	6,090.00			\$	15,000.00	
See Sht. C-1.1	Site Restoration	1	Lump Sum		\$	16,000.00			\$	28,100.00			\$	49,000.00	
Gen. Cont.	General Contingency	Allowance			\$	25,000.00			\$	25,000.00			\$	37,048.00	
TOTAL						1,041,476.00				\$ 1,117,364.00		\$ 1,049,533.00		\$ 922,182.05	
						Submitted Subtotal show \$806,476.00									
						Submitted Total show \$1,045,476.00									

Opened by: Ilyse Triestman
 Witnessed by: Dora Dixon

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 17-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Construction Phase Engineering Services to Mock, Roos and Associates, Inc., for the Lake Trail Pavement Improvements in the Amount of \$246,130 and Establishing a Construction Phase Engineering Services Budget of \$270,000 Including Contingency.

Presenter

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

Supporting Documents

- [Memorandum dated January 22, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Resolution No. 17-2016](#)
- [Mock Roos Proposal 01-21-2016](#)
- [Mock Roos Proposal 01-22-2016](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Approve a Purchase Order for Construction Phase Engineering Services for the Lake Trail Pavement Improvements
Resolution No. 17-2016

DATE: January 22, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council approve Resolution No. 17-2016, approving a purchase order for Construction Phase Engineering Services to Mock, Roos and Associates, Inc. (MRA), for the Lake Trail Pavement Improvements in the amount of \$246,130 and establishing a construction phase engineering services budget of \$270,000 including contingency.

GENERAL INFORMATION

The pedestrian pathway (bike path) on Lake Trail is located parallel to the seawall along the intracoastal waterway from Royal Palm Way to Reef Road. The approximate five (5) miles of asphalt pavement has had asphalt overlays and top coating applications applied to it throughout the years, along with other patch repairs. Lake Trail is in varying degrees of disrepair throughout the length of the trail. In addition to the bike path, the pathway access points from the adjacent residential streets are deteriorating as well. The improvements are scheduled to be completed in the 2016 construction season.

MRA's scope of work will include final design of the bike trail from Bradley Park to Flagler Bridge, bidding assistance, engineering plan updates, shop drawing reviews, site visits, maintaining daily reports, progress photos, review of contractor pay-applications and change orders, attending meetings, assisting Town staff with onsite observations, inspections, and permit certification.

Staff has reviewed the MRA proposals and recommends approving a purchase order for Construction Phase Engineering Services with MRA, in the combined amount of \$246,130. Staff also recommends a contingency of \$23,870 for a total Construction Phase Engineering Services budget of \$270,000.

FUNDING/FISCAL IMPACT

The majority of the overall funding for this project is within the Town's 307 "Pay As You Go" Capital Improvement Program Fund. The remainder of the funding is within the Town's Accelerated Capital Improvement Program - Phase 2 (ACIP2). The ACIP2 portion of the scope includes drainage improvements, curb and gutter, retaining walls, and general structural and non-structural safety enhancements that are appropriate to be funded by bond proceeds.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: William K. Francis, P.E., Town Engineer
Jane Struder, Finance Director
Patricia Strayer, P.E., Senior Project Engineer
Jeffrey Sanon, P.E., Project Engineer
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 17-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER FOR CONSTRUCTION PHASE ENGINEERING SERVICES TO MOCK, ROOS AND ASSOCIATES, INC., FOR THE LAKE TRAIL PAVEMENT IMPROVEMENTS IN THE AMOUNT OF \$246,130 AND ESTABLISHING A CONSTRUCTION PHASE ENGINEERING SERVICES BUDGET OF \$270,000 INCLUDING CONTINGENCY.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order to Mock, Roos and Associates, Inc. for Construction Phase Engineering Services in the amount of \$246,130, for the Lake Trail Pavement Improvements, and establishes a Construction Phase Engineering Services budget of \$270,000 including contingency.

Section 2. The Town Manager is hereby authorized and directed to execute this contract on behalf of the Town of Palm Beach for this improvement.

Section 3. The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of February 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member

MOCK • ROOS

ENGINEERS • SURVEYORS • PLANNERS

January 21, 2016
Revised January 22, 2016

Mr. Jeffrey Sanon, P.E.
Town of Palm Beach
P.O. Box 2029
Palm Beach, FL 33480-2029

Ref. No. B4036.10
Subject: Lake Trail Pavement Improvements
Pre-Construction and Construction Assistance Services

Dear Jeff:

We are submitting the attached *Proposal To Provide Lake Trail Pavement Improvements Pre-Construction and Construction Assistance Services*. Please review the attached documents and return one signed copy of the *Proposal* to our office as our authorization to proceed with the Scope of Services out-lined in the proposal.

We will provide the Scope of Services on an hourly basis, plus reimbursable expenses. We anticipate the total fee to provide the Scope of Services will be \$198,830.

If you have any questions please contact me at 683-3113, extension 293. Thank you for using Mock•Roos on this project. We look forward to working with you.

Sincerely,

MOCK, ROOS & ASSOCIATES, INC.

Garry G. Gruber, P.E.
Vice President

GGG:jeh
Enclosure
Copies: Bookkeeping

L:\mk\B4036.10\Scope of Services.doc

Mock, Roos & Associates, Inc.

5720 Corporate Way, West Palm Beach, Florida 33407-2066, (561) 683-3113, fax 478-7248

Proposal to Provide Lake Trail Pavement Improvements Pre-Construction and Construction Assistance Services

Services to be provided by: Mock•Roos

Services provided to (Client): Town of Palm Beach

Proposal Date: January 21, 2016
Revised January 22, 2016

Proposal Terms

A. Project Understanding:

The Town is moving forward with completing its Lake Trail Pavement Improvements project during the Town's active construction season from May 2016 to November 2016. The Town has elected to complete its project through an existing contract with one of its Construction Managers. It is anticipated that pre-construction activities beginning in February or March 2016.

Mock•Roos will perform services as outlined in **B. Scope of Services** below:

B. Scope of Services:

PRE-CONSTRUCTION ACTIVITIES

Task 1 – Attend and participate in team meetings with Town Staff and Construction Manager.

Task 2 – Coordinate with Construction Manager regarding project's technical aspects including costs, schedule, construction materials and systems, facility layouts, and value engineering related topics. Incorporate any changes to the contract documents.

Task 3 – Perform site visits with Town Staff and Construction Manager and review construction drawings.

Task 4 – Review and coordinate with the Town Staff and Construction Manager regarding bids received and final project costs. Provide recommendation of award.

Task 5 – Provide the Construction Manager with up to 4 sets of Conformed Contract Documents for the Contractor to review and for use during construction, 3 signed and sealed sets of Construction Drawings for the Contractor's Records, and provide one CD containing the Project AutoCAD (version 2016) drawings for the contractor's use preparing Record Drawings (one CD to the Town and 1 signed and sealed set of specifications and drawings to the Town).

Task 8 – Perform substantial completion walk-through(s) with the Contractor, Mock•Roos, and the Town for facilities completed during the construction season. Prepare and distribute the EJCDC “substantial completion statements” and associated punch lists.

Task 9 – Perform one “final completion walk-through” with the Contractor, Mock•Roos, and the Town for facilities completed during the construction season.

Task 10 – Coordinate construction project closeout with the Contractor and Town. Review and distribute closeout package provided by the Contractor, including test data, densities and submittals.

Task 11 – Review Contractor’s record drawing and O&M submittal to check for conformance with the Contract Documents and the design intent. Up to two reviews of the submittals are included.

Task 12 – Perform project management services of above scope of services.

C. Additional Services:

1. Any services not included in the Scope of Services will be considered Additional Services.
2. Additional Services can be provided upon Mock•Roos receiving a revised scope of services and approved change order from the Town.

D. Fees and Rates:

1. The total fee to provide the Scope of Services on an hourly basis with a not to exceed fee of \$198,830.
2. Mock•Roos can provide Additional Services at the Mock•Roos hourly rates in effect at that time, plus any reimbursable expenses, or for an agreed upon lump sum fee.

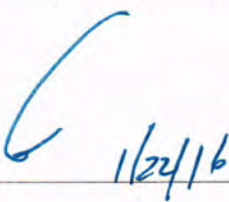
E. Conditions:

1. All terms become valid upon Mock•Roos receiving one complete copy of this proposal within 30 days of its date.
2. In case of discrepancies, the terms of this proposal supersede those of previous agreements.

F. Acceptance and Authorization to Proceed:

1. This proposal is acceptable and Mock•Roos has authorization to proceed with the Scope of Services. This authorization becomes valid upon Mock•Roos receiving a Purchase Order for these services.

MOCK•ROOS

Signed:  1/22/16

Name: Garry G. Gruber, P.E.

Title: Vice President

Date: January 21, 2016, Revised January 22, 2016

MOCK • ROOS
ENGINEERS • SURVEYORS • PLANNERS

January 22, 2016

Mr. Jeff Sanon, P.E.
Town of Palm Beach
P.O. Box 2029
Palm Beach, FL 33480-2029

Ref. No.: B4036.20
Subject: Lake Trail Extension to Flagler Bridge
Professional Design Phase Services

Dear Mr. Sanon:

We are submitting the attached *Proposal to Provide Design Phase Services for Lake Trail Extension to Flagler Bridge*. Please review the attached documents and return one signed copy of the *Proposal* to our office as our authorization to proceed with the Scope of Services outlined in the proposal.

We will provide the Scope of Services on an hourly basis, plus reimbursable expenses. We anticipate the total fee to provide the Scope of Services will be \$47,300.

If you have any questions please contact me at 683-3113, extension 293. Thank you for selecting Mock•Roos for this project. We look forward to working with you.

Sincerely,

MOCK, ROOS & ASSOCIATES, INC.

Garry G. Gruber, P.E.
Vice President

GGG:jeh
Enclosure
Copies: Bookkeeping

L:\mk\B4036.20\scope.doc

Mock, Roos & Associates, Inc.

5720 Corporate Way, West Palm Beach, Florida 33407-2066, (561) 683-3113, fax 478-7248

Proposal to Provide Design Phase Service for Lake Trail Extension to Flagler Bridge

Services to be provided by: Mock•Roos

Services provided to ("Town"): Town of Palm Beach

Proposal Date: January 22, 2016

Proposal Terms

A. Scope of Services

Mock•Roos will provide services as follows:

Task 1 – Conduct engineering field review(s) with Town staff to discuss existing conditions, potential improvements, design issues and alignment.

Task 2 – Prepare preliminary engineering plan for improvements that will identify the proposed alignment, typical section(s), proposed fountain siting and the anticipated limits of work. The preliminary plan will be reviewed with the Town Staff prior to commencement with contract plan preparation. The improvements will generally consist of the following:

- Installation of a meandering 12-foot wide asphalt pathway, adjacent to the existing seawall
- Minor landscape improvements adjacent pump station building
- Designated area with new fountain and bench
- Designated area with relocated existing fountain and bench
- Extension of water and power service the fountain areas

Task 3 – Provide the services of a surveying consultant to perform a limited topographic survey.

Task 4 – Prepare 60% Contract Documents of the proposed improvements project. Provide the Town with progress submittal for review and comments.

Task 5 – Prepare 90% Contract Documents of the proposed improvements project. Provide the Town with progress submittal for review and comments.

Task 6 – Prepare Engineer's Opinion of Probable Construction Costs (EOPCC) at each completion interval, including a final EOPCC when the Town is ready to bid the project.

Task 7 – Prepare a Sketch and Legal Description of the improvements for the Town's use to obtaining necessary easements within the park.

I:\mk\164036.20\scope.doc

Task 8 – Prepare final Documents with technical specifications for Town use. Provide one hard copy and electronic versions of the documents to the Town.

Task 9 – Perform project management services of above scope of services. Includes providing the services of an electrical, structural and landscape architectural subconsultants.

The following is not included in this proposal:

- Regulatory Agency Permitting
- Coordination with the Town's Building Department
- Coordination with the Town's Garden Club
- Coordination with utility companies
- Design of improvements to the adjacent seawall
- Design of retaining walls
- Construction phase services (covered under separate authorization)

B. Additional Services:

1. Any services not included in the Scope of Services will be considered Additional Services.
2. Additional Services can be provided upon Mock•Roos receiving a revised scope of services and approved change order from the Town.

C. Fees and Rates:

1. The total fee to provide the Scope of Services on an hourly basis with a not to exceed fee of \$47,300.
2. Mock•Roos can provide Additional Services at the Mock•Roos hourly rates in effect at that time, plus any reimbursable expenses, or for an agreed upon lump sum fee.

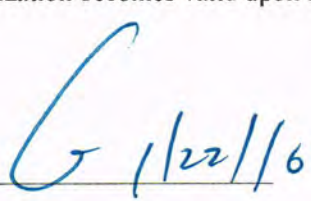
D. Conditions:

1. All terms become valid upon Mock•Roos receiving a Purchase Order from the Town.
2. In case of discrepancies, the terms of this proposal supersede those of previous agreements.

E. Acceptance and Authorization to Proceed:

1. This proposal is acceptable and Mock•Roos has authorization to proceed with the Scope of Services. This authorization becomes valid upon Mock•Roos receiving a Purchase Order for these services.

MOCK•ROOS

Signed:  1/22/16

Name: Garry G. Gruber, P.E.

Title: Vice President

Date: January 22, 2016

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 19-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Mock, Roos and Associates, Inc., for the Atlantic Avenue, Everglades Avenue, and Dunbar Road Drainage Improvements in the Amount of \$89,605 and Establishing a Design and Bid Phase Budget of \$100,000.

Presenter

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

Supporting Documents

- [Memorandum dated January 13, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Resolution No. 19-2016](#)
- [Mock Roos Proposal](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Approve a Purchase Order for Design and Bid Phase Engineering Services
Contract for the Atlantic Avenue, Everglades Avenue, and Dunbar Road Drainage
Improvements
Accelerated Capital Improvement Program - Phase 2
Resolution No. 19-2016

DATE: January 13, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council approve Resolution No. 19-2016 approving a purchase order to Mock, Roos and Associates, Inc. (MRA), for engineering design and bid phase services in the amount of \$89,605 for Atlantic Avenue, Everglades Avenue, and Dunbar Road Drainage Improvements and establishing an engineering design and bid phase services budget of \$100,000 including contingency.

GENERAL INFORMATION

In a continued effort to improve roadway drainage within the Town, Atlantic Avenue, Everglades Avenue, and Dunbar Road were the next set of streets to be selected to have their ponding and drainage issues corrected. While many of the streets throughout the island experience some flooding and ponding during rainfall, these streets were identified as having some of the more severe flooding issues during even moderate rainfall.

The proposed scope of the projects include installation of new drainage structures and pipe, reconstruction and regrading of the roads, addition of curb and gutter to ensure that water travels to existing drainage structures, milling, and resurfacing.

Town staff has secured a proposal from MRA for them to conduct field reviews of the drainage issues and standing water on the aforementioned streets. The Consultant will prepare plans, specifications, and a construction estimate to resolve the drainage and standing water issues.

We have negotiated a design and bid phase services contract with MRA in the amount of \$89,605 for the scope of services identified in their proposal. Staff recommends a total design and bid phase services budget of \$100,000 which includes \$10,395 in general contingency.

FUNDING/FISCAL IMPACT

Funding for this project is fully contained within the Town's Accelerated Capital Improvement Program - Phase 2.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Eric Brown, P.E., Assistant Director of Public Works
Jane Struder, Director of Finance
William K. Francis, P.E., Town Engineer
Patricia Strayer, P.E., Senior Project Engineer
Jeffrey Sanon, P.E., Project Engineer
Douglas Terry, Water Resources Division Manager
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 19-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER TO MOCK, ROOS AND ASSOCIATES, INC., FOR THE ATLANTIC AVENUE, EVEGLADES AVENUE, AND DUNBAR ROAD DRAINAGE IMPROVEMENTS IN THE AMOUNT OF \$89,605 AND ESTABLISHING A DESIGN AND BID PHASE BUDGET OF \$100,000.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida as follows:

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order to Mock, Roos and Associates, Inc. in the amount of \$89,605, for the Atlantic Avenue, Everglades Avenue, and Dunbar Road Drainage Improvements, and establishes a design and bid phase budget of \$100,000 including contingency.

Section 2. The Town Manager is hereby authorized and directed to execute this contract on behalf of the Town of Palm Beach for this improvement.

Section 3. The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of February 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member

MOCK • ROOS
ENGINEERS • SURVEYORS • PLANNERS

January 12, 2016

Mr. Jeff Sanon
Project Engineer
Town of Palm Beach
P.O. Box 2029
Palm Beach, FL 33480-2029

Ref. No.: B5056.00
Subject: Atlantic Avenue/Everglades Avenue/Dunbar Road Improvements
Professional Design Phase Services

Dear Mr. Sanon:

We are submitting the attached *Proposal to Provide Design Phase Services for Street Improvements of Atlantic Avenue, Everglades Avenue, and Dunbar Road*. Please review the attached documents and return one signed copy of the *Proposal* to our office as our authorization to proceed with the Scope of Services outlined in the proposal.

We will provide the Scope of Services on an hourly basis, plus reimbursable expenses. We anticipate the total fee to provide the Scope of Services will be \$89,605.

If you have any questions please contact me at 683-3113, extension 293. Thank you for selecting Mock•Roos for this project. We look forward to working with you.

Sincerely,

MOCK, ROOS & ASSOCIATES, INC.

Garry G. Gruber, P.E.
Vice President

GGG:jeh
Enclosure
Copies: Bookkeeping

L:\mk\B5056.00\hr01ggjh.docx.doc

Mock, Roos & Associates, Inc.

5720 Corporate Way, West Palm Beach, Florida 33407-2066, (561) 683-3113, fax 478-7248

Proposal to Provide Design for Improvements to Atlantic Avenue, Everglades Avenue and Dunbar Road

Services to be provided by: Mock•Roos

Services provided to ("Town"): Town of Palm Beach

Proposal Date: January 12, 2016

Proposal Terms

A. Scope of Service:

The project includes approximately 0.63 miles of roadway pavement, curbing and drainage improvements to the following three Town-owned streets:

1. Atlantic Avenue, from Bradley Place to S. Ocean Boulevard, pavement width about 27 feet wide, approximately 2000 feet long
2. Everglade Avenue, from Bradley Place to approximately 300 feet west of S. County Road, pavement width about 20 feet wide, approximately 750 feet long
3. Dunbar Road, from Bradley Place to approximately 300 feet west of S. County Road, , pavement width about 29 feet wide, approximately 750 feet

All three of the existing streets have 2 two-way travel lanes with street parking allowed. In many locations the existing pavement surface has significant variations in cross slopes and longitudinal sloping preventing proper surface draining of storm water runoff. Many sections of asphalt also show signs of pavement distress and cracking. The portions of "F" curbing and sidewalk that appear to be in acceptable condition will remain. Only those broken or improperly graded curbs and sidewalks will be designed for replacement. The condition of the base and sub-base is uncertain, as well as the presence of continuous cross slope and longitudinal slope, all of which should be determined as part of this street improvement project. For this purpose, a topographical survey and roadway cores will be obtained.

The Consultant will perform design phase services with the following primary objectives:

1. Determine the current drainage conditions along each street from surveys, to identify deficiencies in draining storm runoff from pavement and curbs.
2. Resurface or reconstruct the pavement between existing or newly constructed curbs to provide for a smooth, consistent cross slope to promote positive drainage off the pavement surface.

3. Re-set existing manhole covers and water valve box covers to match the newly constructed pavement surface.
4. Determine the depth of pavement rehabilitation required based on geotechnical data obtained under this project scope. This depth of rehabilitation may vary throughout the project limits, as required.
5. Evaluate and correct (where feasible) existing curb and sidewalk conditions within the project limits, those areas in conflict with ADA criteria.
6. Examine existing curbs to determine broken, non-conforming, or inappropriate curbing that should be replaced.
7. Install new drainage pipes and collection structures where appropriate to properly drain the roadways and right-of-way.
8. Correct any other components of the streets where appropriate.

Mock•Roos will provide services as follows:

1. Perform topographic field survey tasks:
 - a. Perform research and calculations to prepare the field control sheet to recover and/or re-establish the horizontal and vertical control for each street.
 - b. Recover and/or reset horizontal and vertical control. Elevations will be based upon National Geodetic Vertical Datum 1929.
 - c. Field locate, using conventional survey, roadway centerline and edge of pavement at 100-foot intervals, and at major ground elevation changes to depict existing ground profile at proposed project area. Cross-sections will generally consist of top or face of curb, edge of pavement, centerline, edge of pavement, top or face of curb and extend up to 10 feet beyond the existing right-of-way.
 - d. Obtain additional topo at select locations where excessive ponding of runoff may exist.
 - e. Prepare a topographic base drawing for use in preparing contract plans. This will be based on a topographic survey for each street, extending at least 200 feet beyond the project limits, showing all visible features such as signs, light poles, utilities, walks, edges of pavement, curbing, drainage structures, manhole covers, valve boxes, etc.
2. Conduct up to two (2) field reviews and note any areas that require special preparation prior to design and paving work. Incorporate all information from the field review to the base drawings. Perform site meeting with Town to review potential improvements.

3. Obtain up to 8 pavement cores to determine existing pavement, base and sub-grade materials, thickness, and condition. These will be obtained at locations agreed to by the Town and Engineer. Provide brief letter report documenting findings.
4. Prepare Preliminary Engineering Plan for improvements that will determine the proposed street improvement typical section(s), the limits of work, including curb repair or replacement, surface drainage improvements, underground pipeline repair, and other improvement items determined necessary. Coordination with utility companies, other design consultants, and the Town regarding potential impacts to other facilities will be performed as part of this task. The preliminary plan will be reviewed with the Town Engineer prior to commencement with Contract Plan preparation.
5. Prepare a Special Design Package to immediately address the current poor drainage conditions at 267 Atlantic Avenue. Preparation of these plans will be expedited following receipt of topographical survey. The primary objective will be to collect standing waters at driveways, possibly by installation of new drainage basins and pipes. Separate construction documents will be provided to the Town for issuance to a contractor. An estimate of construction cost will be provided.
6. Prepare Contract Documents for bidding and construction of the street improvement project. The documents will be prepared in one package to be bid and constructed as one single phase project. Construction plans will be prepared in conformance with FDOT, and Town of Palm Beach standards, as appropriate, and consist of the following:
 - a. Roadway typical sections and specifications for Milling and Re-surfacing, and/or pavement overlay, of each street, as appropriate. Depths to be determined by engineering and grading analysis
 - b. Installation of new curbing where necessary to maintain proper drainage flow
 - c. Adjustment of existing drainage structures, or installation of new basins with pipe, as determined necessary. The use of exfiltration trenches is unlikely. Soil exfiltration tests are not included in this scope of services
 - d. Associated details for pavement connections, concrete curbing and related appurtenances
 - e. General and specific Paving/Construction Notes to address contractor requirements, utility adjustments, coordination with utility companies, maintenance of traffic during construction, along with any conditions applicable to the performance of work
 - f. Pavement Marking Plans indicating specified paint/thermoplastic applications and reflective pavement markers, in accordance with MUTCD and local standards
7. Provide the Town with progress submittals at approximately 60% and 95% completion for review and comments.

8. Prepare estimates of milling, asphalt resurfacing, utility adjustments, pipeline repairs/replacements, concrete curb replacement, pavement markings, and all other applicable items of work for the project at each progress submittal. A final estimate will be provided at completion of the project when the Town is prepared to bid the project.
9. Prepare Bid Documents with technical specifications, as necessary, and Bid Form items, along with measurement and payment provisions for bidding by the Town. It is anticipated that the Town will advertise, distribute and receive construction bids for the project. One (1) electronic version of the Contract Bid Documents will be provided to the Town for bidding purposes.
10. Regulatory Agency Permitting will not be required, as the project is considered facility maintenance with no increase of impervious area created and no significant changes proposed to underground drainage or utility systems.
11. Provide overall management of the Project Team activities, including coordination of survey and geotechnical engineering during the course of the project. Mock Roos' Project Manager and Engineers will attend meetings with Town staff, utility companies, and other interested parties, to review progress and project issues as they arise. This Project Management task is primarily intended to cover activities occurring during Tasks 1 through 9 above.
12. Attend the Pre-Bid meeting for construction, assist Town staff in answering contractor questions, and provide written responses to questions, as determined necessary. A letter of recommendation for construction contract award will be prepared.
13. Coordination and/or design of the City of West Palm Beach watermain(s) within the project limits is not included in this scope of work and fee proposal.

B. Additional Services:

1. Any services not included in the Scope of Services will be considered Additional Services.
2. Additional Services can be provided upon Mock•Roos receiving a revised scope of services and approved change order from the Town.

C. Fees and Rates:

1. The total fee to provide the Scope of Services on an hourly basis with a not to exceed fee of \$89,605.
2. Mock•Roos can provide Additional Services at the Mock•Roos hourly rates in effect at that time, plus any reimbursable expenses, or for an agreed upon lump sum fee.

D. Conditions:

1. All terms become valid upon Mock•Roos receiving one complete copy of this proposal within 30 days of its date.
2. In case of discrepancies, the terms of this proposal supersede those of previous agreements.

E. Acceptance and Authorization to Proceed:

1. This proposal is acceptable and Mock•Roos has authorization to proceed with the Scope of Services. This authorization becomes valid upon Mock•Roos receiving a Purchase Order for these services.

MOCK•ROOS

Signed:



1/12/16

Name: Garry G. Gruber, P.E.

Title: Vice President

Date: January 12, 2016

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 20-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Pre-Construction Management Services for the Nightingale Trail/La Puerta Way Undergrounding Project to Burkhardt Construction, Inc., in the Amount of \$20,680, and Establishing a Pre-Construction Phase Services Budget of \$30,000.

Presenter

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

Supporting Documents

- [Memorandum dated January 27, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Resolution No. 20-2016](#)
- [Burkhardt Construction Proposal](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Approve a Purchase Order for Pre-Construction Management Services for the
Nightingale Trail/La Puerta Way Undergrounding Project
Assessment Program and Accelerated Capital Improvement Program - Phase 2
Resolution No. 20-2016

DATE: January 27, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council approve Resolution No. 20-2016, approving a purchase order for Pre-Construction Management Services to Burkhardt Construction, Inc. (BCI), for the Nightingale Trail/La Puerta Way Undergrounding Project in the amount of \$20,680 and establishing a pre-construction phase services budget of \$30,000 including contingency.

GENERAL INFORMATION

Staff secured Town Council approval at the May 2013 Town Council meeting to proceed with an underground (UG) utility assessment project to convert overhead utility services to underground services for all properties facing Nightingale Trail and La Puerta Way. Subsequently in May 2015, Town Council approved Kimley-Horn and Associates (KHA) to provide final design and construction phase engineering services. The design includes undergrounding of FPL, AT&T, and Comcast utilities, along with paving and drainage improvements to La Puerta Way. The plans and specifications are presently at 90% complete and construction is anticipated to begin in May 2016, subject to approval of the property owners in regard to the final estimated cost.

BCI's scope of work will include review and input of project cost and schedule, constructability review, development of subcontractors list and bidding sheets, and development of a Total Construction Cost for award and initiation of construction. BCI is one of two vendors awarded Construction Management Services as a result of RFQ 2015-39. BCI has extensive experience with undergrounding construction, along with their extensive experience within the Town and were deemed to be the more qualified of the two contractors to perform this work.

Staff has reviewed the BCI proposal and recommends approving a purchase order for Pre-Construction Management Services with BCI, in the amount of \$20,680. Staff also recommends a contingency of \$9,320 for a total pre-construction phase services budget of \$30,000.

FUNDING/FISCAL IMPACT

There is no direct cost to the Town by virtue of this request since it is intended to be an assessment project. The Town's reserves provide the advanced funding of this conversion work. When the work is completed, Town staff will finalize a Non-Ad Valorem assessment and that will be added to the tax rolls of the benefiting residents to reimburse 100% of the costs incurred by the Town for the undergrounding portion of the work. A small portion of the project, drainage improvements to La Puerta Way, will be funded out of the Accelerated Capital Improvement Program - Phase 2 Fund.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jane Struder, Director of Finance
William K. Francis, P.E., Town Engineer
Patricia Strayer, P.E., Senior Project Engineer
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 20-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER FOR PRE-CONSTRUCTION MANAGEMENT SERVICES FOR THE NIGHTINGALE TRAIL/LA PUERTA WAY UNDERGROUNDING PROJECT TO BURKHARDT CONSTRUCTION, INC., IN THE AMOUNT OF \$20,680, AND ESTABLISHING A PRE-CONSTRUCTION PHASE SERVICES BUDGET OF \$30,000.

* * * * *

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

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order for Pre-Construction Management Services for Nightingale Trail/La Puerta Way Undergrounding Project to Burkhardt Construction, Inc., in the amount of \$20,680, and establishes a pre-construction phase services budget of \$30,000.

Section 2. The Town Manager is hereby authorized to execute a purchase order on behalf of the Town of Palm Beach for this improvement, and is authorized to approve additional tasks, as necessary.

Section 3. The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on this 9th day of February 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member

Vincent G. Burkhardt
President



January 26, 2016

Town of Palm Beach
Public Works/Engineering Department
Attn: Mr. Paul Brazil, Director of Public Works
951 Old Okeechobee Road, Ste. "A"
West Palm Beach, FL 33401

**RE: Nightingale Trail and La Puerta Way Overhead Utility Undergrounding
Construction Manager Pre-construction Services**

Dear Mr. Brazil:

Burkhardt Construction, Inc. (BCI), acting as Construction Manager (CM) is pleased to provide this proposal to the Town of Palm Beach (Owner) for Pre-construction Services for Nightingale Trail and La Puerta Way Overhead Utility Undergrounding. It is our understanding that the scope consists of work along North Lake Way and North Ocean Boulevard encompassing La Puerta Way and Nightingale Trail. The work designed and to be constructed is generally described as traffic control, demolition, grading, earthwork, storm drainage, water, roadway and curb reconstruction, undergrounding of FPL, ATT and Comcast, private service undergrounding, property restoration, landscaping and irrigation along the aforementioned corridor. As CM, BCI shall function as an agent of the Owner, shall be paid a fixed fee for services performed and shall be an integral part of the design team. Pre-construction services will include:

- Review and input of project cost and schedule;
- Review of proposed construction documents;
- Project estimating; and
- The development of Total Construction Cost (TCC) for the construction of the facilities based on the design.

Pre-construction services shall be rendered and invoiced in the following format:

TASK I
PRE-CONSTRUCTION PROGRESS MEETINGS

The scope includes the CM to participate in team progress meetings, attended by the CM, Design Professionals, Owner and others as requested. It is anticipated that these meetings will be held at the Owner's office, Design team's office or location as designated by the Owner.

Due to the aggressive work schedule, pre-construction team meetings are to be held every week until completion of the plans/contract documents.

Estimated 3 meetings required.

Public meetings and presentations shall be as directed by the Owner and may be requested at 90% or 100% plan completion. The public outreach shall consist of the CM facilitating a meeting with the residents and public to discuss the project. The presentation shall include introduction of the project team, who & how to contact team individuals, discussion of the project sequences, project phasing/ schedule, pedestrian/traveling public access during construction and additional details as requested by the Owner.

No meetings anticipated

TASK I – TOTAL LUMP SUM FEE \$2,400.00

TASK II
PRE-CONSTRUCTION AND CONSTRUCTION PHASE SCHEDULING

Based on the provided information, CM will develop a master Pre-Construction phase bar chart schedule incorporating design development, permitting, plan review, guaranteed maximum price preparation, submittal review & approval, long lead item identification & procurement, informational meetings with the adjacent property owners along with construction phase sequencing.

TASK II – TOTAL LUMP SUM FEE \$1,060.00

TASK III
PLAN REVIEW/CONSTRUCTABILITY REVIEW

This scope includes review of the plans as provided by the Design Team. The review shall report to the Owner any design criteria which may present considerable constructability challenges. This scope also will assist the Design Team in any plan modifications and re-design.

This scope does not include a complete cost estimate.

TASK III – TOTAL LUMP SUM FEE \$1,920.00

TASK IV**TOTAL CONSTRUCTION COSTS (TCC) - 90% - 100% Plans**

BCI will prepare and submit a proposal of the total construction costs to the Owner after completion of the pre-construction services phase of the project. The TCC proposal will be prepared in accordance with the guidelines and delivered in the format specified by the Owner. The Owner, at its sole option and discretion, may specify different requirements for the TCC proposal. The TCC will be valid for 90 days after submission. BCI will submit the TCC proposal in a bound format which will include, but not be limited to the following:

- Cover sheet including project title and Owner project number;
- Summary sheet of TCC Proposal including subcontractor bids, allowances, contingencies, bonds, insurance, conditions and exclusions. This sheet will also contain contract time, construction start date, date of substantial completion, date of final completion, critical path schedule and proposed work hours
- Schedule of values
- Detailed summary of general conditions
- Allowance list statement amounts and uses
- Proposed subcontractor list
- Subcontractor bid sheets
- Plans, drawings and specifications specific to the TCC
- Any supporting documents referenced in the TCC

At such time as the TCC preparation process results in a mutually agreeable TCC value, the Owner will document its acceptance thereof in writing and both parties shall execute a contract amendment for the project that incorporates the TCC and its supporting documents into the contract. CM's scope of basic and additional services shall be detailed and subject to a final determination of the project scope and size and careful negotiation and coordination between BCI and the Owner.

TASK IV – TOTAL LUMP SUM FEE

\$15,300.00

TOTAL PRECONSTRUCTION SERVICES FEE ALL TASKS I THROUGH IV:

\$ 20,680.00

ALTERNATE TASK: NOT INCLUDED

All tasks and fees include supplies, presentation materials, equipment, personnel, travel and related costs associated with performing the services described.

Presentation and acceptance, by the Owner, of a mutually acceptable TCC shall conclude preconstruction services.

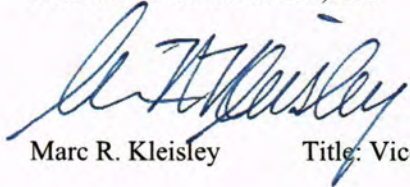
We have attached our current hourly rates for your use should additional pre-construction services be requested.

BURKHARDT
CONSTRUCTION, INC.

Thank you for the opportunity to submit this pre-construction services proposal for Undergrounding of franchise utilities along La Puerta Way and Nightingale Trail. If you have any questions on this proposal, please contact us at (561) 659-1400.

Submitted By:
Construction Manager

Burkhardt Construction, Inc.



Marc R. Kleisley Title: Vice President of Operations

Accepted by:
Owner

Town of Palm Beach

By: _____
Printed Name

Title: _____

Date: _____

Upon your acceptance of this letter agreement Burkhardt Construction, Inc. shall begin work immediately. Please return one original for our files.

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 22-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Grant Writing and Administration Services Agreement to In Rem Solutions, Inc. at a Rate of \$150 Per Hour; and Authorizing the Town Manager to Execute Said Agreement on Behalf of the Town.

Presenter

Jay Boodheshwar, Deputy Town Manager

Supporting Documents

- [Memorandum Dated February 1, 2016, from Jay Boodheshwar, Deputy Town Manager](#)
- [Resolution No. 22-2016](#)
- [Final Ranking for RFP No. 2016-08 - Grant Writing and Administration Services](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: RFP No. 2016-08 - Grant Writing and Administration Services
Resolution No. 22-2016

Date: February 1, 2016

STAFF RECOMMENDATION

Staff recommends Town Council adopt Resolution No. 22-2016, authorizing the Town Manager to enter into an agreement with In Rem Solutions, Inc. for grant writing and administration services.

GENERAL INFORMATION

The Town issued a request for proposal (RFP 2016-08 – Grant Writing and Administration Services) on November 15, 2015 and received responses from three (3) firms. The selection committee consisted of Jay Boodheshwar - Deputy Town Manager, John Page - Director of Planning, Zoning and Building, Beth Zickar - Direction of Recreation, Eric Brown - Assistant Director of Public Works, Jimmy Duane - Fire-Rescue EMS Division Chief, Nicholas Caristo - Police Lieutenant, and Amy Wood - Accounting Supervisor. Non-voting members included John Cmar - Purchasing Buyer and Ilyse Triestman, Assistant Purchasing Manager.

The Selection Committee met on January 7, 2016, to discuss and rank the proposals received from the three firms and decided to invite the top two ranked firms to interview with the committee, after evaluating each proposal. On January 26, 2016, the committee interviewed Guardian Community Resource Management, Inc. and In Rem Solutions, Inc. After thorough evaluation by the committee, In Rem Solutions, Inc. was ranked number one and therefore recommended as the firm the Town should contract with to provide grant writing and administration services.

FUNDING/FISCAL IMPACT

Staff is requesting an appropriation of \$25,000 from General Fund Contingency as seed money to facilitate an initial assessment, relative to funding needs and planned projects, research, and any initial grant writing services. The hourly rate for all related services provided by In Rem Solutions is \$150. Each grant writing project will have a mutually agreed upon pre-identified

“not to exceed” amount prior to moving forward, using the \$150/hr unit amount. In addition, we will focus on grants for planned projects that allow for administrative costs to be reimbursed.

PURCHASING REVIEW

The Purchasing Division has reviewed this item and approves as recommended.

TOWN ATTORNEY REVIEW

The Resolution is in a form previously approved by the Town Attorney for legal form and sufficiency.

Attachments

cc: Department Directors
Selection Committee Members
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 22-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING A GRANT WRITING AND ADMINISTRATION SERVICES AGREEMENT TO IN REM SOLUTIONS, INC. AT A RATE OF \$150 PER HOUR; AND AUTHORIZING THE TOWN MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE TOWN.

* * * * *

WHEREAS, the Selection Committee has recommended award for RFP 2016-08 – Grant Writing and Administration Services to In Rem Solutions, Inc. and

WHEREAS, the Town wishes to enter into an Agreement for Grant Writing and Administration Services with said firm as referenced herein.

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

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. RFP 2016-08 – Grant Writing and Administration Services is hereby awarded to In Rem Solutions, Inc.

Section 3. The Grant Writing and Administration Services with In Rem Solutions, Inc. in the amount of \$150 per hour is hereby approved and the Town Manager is authorized to execute the same on behalf of the Town.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of February 2016.

Gail L. Coniglio, Mayor

Town Council President

President Pro Tem

Town Council Member

ATTEST:

Town Council Member

Susan A. Owens, MMC, Town Clerk

Town Council Member



TOWN OF PALM BEACH

MEMORANDUM

DATE: January 26, 2016

TO: Jay Boodheshwar, Deputy Town Manager

FROM: Adis Pedraza, Purchasing Manager 

SUBJECT: Final Ranking – RFP No. 2016-08 – Grant Writing and Administration Services

The Town received proposals from three (3) respondents. On January 7, 2016, the Selection Committee met to consider the submittals. All members of the committee listed below were present:

Jay Boodheshwar – Deputy Town Manager
Amy Wood – Accounting Supervisor
Eric Brown – Assistant Public Works Director
Jimmy Duane – EMS Division Chief
Nick Caristo – Police Lieutenant
Beth Zickar – Recreation Director
John Page – PZB Director
Ilyse Triestman – Assistant Purchasing Manager (Non-Voting)
John Cmar – Purchasing Coordinator (Non-Voting)

The Committee agreed by consensus to shortlist two (2) firms – Guardian Community Resource Management, Inc. and In Rem Solutions, Inc. On January 26, 2016, the Selection Committee heard presentations and interviews by the shortlisted companies. All members of the Committee were present except for Eric Brown. After thorough consideration of the two (2) companies, the Selection Committee arrived at a final ranking as follows:

1. In Rem Solutions, Inc.
2. Guardian Community Resource Management, Inc.

It is the recommendation of the Selection Committee to award a contract to In Rem Solutions, Inc. for RFP No. 2016-08 – Grant Writing and Administration Services.

Cc: File: RFP No. 2016-08
John Randolph, Town Attorney
Selection Committee Members

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 24-2016: A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Supporting and Encouraging Development of the Chain of Lakes Blueway Trail Project Which Includes Improvements to the Chain of Lakes, the Ocean to Lake Trails Initiative and Development of a Boat Lift at the C51 Canal S155 Control Structure; Providing an Effective Date; and for Other Purposes.

Presenter

Thomas G. Bradford, Town Manager

Supporting Documents

- [Memorandum Dated February 3, 2016, from Thomas G. Bradford, Town Manager](#)
- [Resolution 24-2016](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

From: Thomas G. Bradford, Town Manager

Re: Consideration of Proposed Resolution No. 24 – 2016 Supporting and Encouraging
Development of the Chain of Lakes Blue Way Trail Project
Resolution No. 24-2016

Date: February 3, 2016

STAFF RECOMMENDATION

Staff recommends the Town Council give consideration to adoption of proposed Resolution No. 24 – 2016 which supports and encourages development of the Chain of Lakes Blue Way Trail project.

GENERAL INFORMATION

The Palm Beach County League of Cities and our neighbors in Delray Beach, Boynton Beach, Lantana, Lake Worth, Lake Clarke Shores, and West Palm Beach have asked for Town support of the Chain of Lakes Blue Way Trail. The Chain of Lakes Blue Way Trail is a plan to link local waterways by providing two – way access for small boats and non—motorized watercraft between the Chain of Lakes, Lake Worth Lagoon and the Intracoastal Waterway. It is felt that the linking of these local waterways will help drive the local economy in the Chain of Lakes area and create new job opportunities by expanding industries such as ecotourism, boat service, maintenance and repair, bait, tackle and fishing supplies. The connection of the local waterways would be accomplished through the installation of a boatlift and portage system on the C 51 canal located at the border of West Palm Beach and the City of Lake Worth. The construction of the boatlift would enable property owners on the mainland to use their small boats, kayaks, panel boards or canoes to experience more of Florida’s ecosystem, including the Lake Worth Lagoon.

TGB

ATTACHMENT

RESOLUTION NO. 24-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, SUPPORTING AND ENCOURAGING DEVELOPMENT OF THE CHAIN OF LAKES BLUEWAY TRAIL PROJECT WHICH INCLUDES IMPROVEMENTS TO THE CHAIN OF LAKES, THE OCEAN TO LAKE TRAILS INITIATIVE AND DEVELOPMENT OF A BOAT LIFT AT THE C51 CANAL S155 CONTROL STRUCTURE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Section 163.01, Florida Statutes, known as the "Florida Interlocal Cooperation Act of 1969," authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, the desire of our cities to develop recreational opportunities, encourage economic development, and create new jobs within their regional area while enhancing the environmental attributes of their communities should be commended; and

WHEREAS, the Treasure Coast Regional Planning Council (TCRPC) created *The Intracoastal Waterway Plan for Palm Beach County: Charting a Course for the Future* ('09 Charrette) for the Palm Beach County Metropolitan Planning Organization (MPO), published in January 2009; and

WHEREAS, the '09 Charrette participants identified six core public themes including increasing public access to the Intracoastal Waterway (ICW), protecting natural resources, expanding all forms of water based transportation, and promoting sustainable economics; and

WHEREAS, the MPO requested the '09 Charrette be updated by TCRPC and their report was published in January 2015 which documented that a connection to the ICW at the S155 Control Structure on the C51 Canal would have significant economic and recreational benefit; and

WHEREAS, the municipalities within the heart of Palm Beach County are working to stimulate economic development by creating opportunities for ecotourism and a new freshwater marine industry and are calling the initiative the Chain of Lakes Blueway Trail Project; and

WHEREAS, the C51 Canal is connected to a 26-mile chain of freshwater lakes (Pine Lake, Lake Clarke, Lake Osborne, Lake Eden and Lake Ida) and navigable canals within our regional area; and

WHEREAS, a connection between the ICW and the C51 Canal at the S155 Control Structure would provide for economic development, job creation and recreational enhancement. The connection has been referred to as the "Boat Lift" and is estimated to provide significant economic benefit to the regional area; and

WHEREAS, the Boat Lift provides for environmental enhancement to the waterways, safe and effective portage opportunities for non-motorized recreational watercraft, and small motorized boats to access the Lake Worth Lagoon; and

WHEREAS, the current President of the Palm Beach County (PBC) League of Cities has created an initiative called Ocean to Lake Trails, focused on enhancement of the land and water trail system from the Ocean to the Lake Okeechobee Trail System; and

WHEREAS, the PBC League of Cities Ocean to Lake Trails Committee has identified the Boat Lift and the associated improvements to the ICW and the C-51 as vital to that Ocean to Lake Trails initiative; and

WHEREAS, the Palm Beach County League of Cities recognizes a significant environmental resource in the canals and lakes that must be protected and improved; and

WHEREAS, the Palm Beach County League of Cities supports improvements to the C5I Canal that would enhance the recreational uses of the Lake Worth Lagoon, ICW, C51 Canal, and the Chain of Lakes and provide for new economic opportunities and job creation; and

WHEREAS, Palm Beach County Commissioner, Shelley Vana, hosted a regional visioning session, where redevelopment was the number one priority for this area of Palm Beach County; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH:

SECTION 1: The Town of Palm Beach fully acknowledges and supports the following:

- A. Recreational opportunities, economic development and environmental enhancement which occur within the Chain of Lakes Blueway Trail Project which are beneficial to the regional area and ultimately to all of Palm Beach County; and
- B. The efforts of Palm Beach County, Lake Clarke Shores, Greenacres, Palm Springs, West Palm Beach, Boynton Beach, Cloud Lake, and Glen Ridge to proceed with improvements to the chain of lakes, the Ocean to Lake Trails initiative and development of a boat lift at the C51 canal and the S155 control structure.

SECTION 2: The Town Council hereby requests that this resolution be sent directly to the Governor of Florida, and members of the Palm Beach County Legislative Delegation.

SECTION 3: This Resolution shall take effect immediately upon adoption by the Town Council of the Town of Palm Beach.

PASSED AND ADOPTED in a regular adjourned session assembled this 9th day of February, 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Consent - Other

Agenda Title

Rejection of Bid No. 2016-09 for Construction Contract for the Lake Trail Pavement Improvements - Accelerated Capital Improvement Program - Phase 2

Presenter

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

Supporting Documents

- [Memorandum dated January 19, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Rejection of Bid No. 2016-09 for Construction Contract for the Lake Trail
Pavement Improvements
Accelerated Capital Improvement Program - Phase 2

DATE: January 19, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council reject Bid No. 2016-09 from JMS Construction Services, Inc., for the Lake Trail Pavement Improvements, in the amount of \$1,141,863.

GENERAL INFORMATION

The Town advertised for the construction services for the Lake Trail Pavement Improvement Project December 6, 2015. The Town received one (1) bid at the January 13, 2016 bid opening. The single bid was received from JMS Construction Services, Inc., for the amount of \$1,141,863. Staff recommends that as there is no basis for price comparison, it is in the Town's best interest to reject this single bid received.

FUNDING/FISCAL IMPACT

There is no funding impact.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

cc: William K. Francis, P.E., Town Engineer
Patricia Strayer, P.E., Senior Project Engineer
Jeffrey Sanon, P.E., Project Engineer
Adis Pedraza, Purchasing Manager

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Consent - Other

Agenda Title

Budget Calendar for FY17 Budget Process

Presenter

Jane Struder, Director of Finance

Supporting Documents

- [Memorandum Dated January 29, 2016, from Jane Struder, Director of Finance](#)
- [FY17 Proposed Budget Calendar](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Jane Struder, Director of Finance

Re: Budget Calendar for FY17 Budget Process

Date: January 29, 2016

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the proposed FY17 budget calendar.

GENERAL INFORMATION

The attached budget calendar for FY17 includes all significant deadlines and meetings that are planned for the budget process. These include both State mandated actions (e.g. the special Town Council meeting in July and public hearings in September) and the Town's self-directed actions. Items requiring Town Council action are highlighted in blue and shown in red type on the calendar.

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

- **July 12, 2016** – Town Council meeting to review Town staff's proposed FY17 budget and Initial Resolutions Adopting Special Non-Ad Valorem Assessments. This is a change from past practice. We plan to incorporate the budget presentation into the agenda for the July Town Council meeting.
- **September 13, 2016 at 5:01pm** – First public hearing on tentative budget and proposed tax rate.
- **September 21, 2016 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 FY17 budget.

Attachment

jls

cc: Department Directors
Jay Boodheshwar, Deputy Town Manager
John C. Randolph, Town Attorney

FY2017 Proposed Budget Calendar

Task	Date	Task	Date
Finance to distribute FY17 Budget instructions	03/04/2016	Town Manager's Review of Town Manager, Risk Insurance, and Finance Budgets	05/26/2016
Town Council Meeting – Adoption of the Town Manager's Goals for FY17	03/08/2016	Property Appraiser Issues Preliminary Property Values	06/1/2016
Submit initial CIP Request forms to Public Works	03/18/2016	Final Budget Document Pages Returned to Finance	06/10/2016
Department's Budget Requests and Public Works CIP requests to Finance	04/15/2016	Town Manager's Additional Review of Department Budgets (As Needed) - Town Manager review of Revenue Estimates with Finance Director	June 2016
Town Manager's Review of Information Systems Budget	04/21/2016	Notice from Property Appraiser of Preliminary Certification of Taxable Value	07/01/2016
Town Manager's Review of Fire-Rescue Budget	04/22/2016	Distribution of Proposed FY17 Budget Document	Week of July 4
Town Manager's Review of Recreation Enterprise Fund Budget	04/28/2016	Town Council Meeting to Consider Proposed FY16 Budget and Initial Resolutions(s) Adopting Special Non-Ad Valorem Assessments	07/12/2016
Town Manager's Review of Police Budget	04/29/2016	Notice of Proposed Property Taxes is mailed from Palm Beach Property Appraiser	Week of August 15
Town Manager's Review of Planning, Zoning and Building Budget	05/6/2016	Town Council Meeting – First Public Hearing to Approve Tentative Budget and Proposed Tax Rate for FY17 and Final Resolution(s) Adopting Special Non-Ad Valorem Assessments	09/13/2016 5:01PM
Town Manager's Review of Public Works, Capital, and Coastal Budgets	05/12/2016GF 5/19/16-CIP/ Coastal	Town Council Meeting – Second Public Hearing to Adopt FY17 Budget and Tax Rate	09/21/2016 5:01PM
Town Manager's Review of Human Resources Budget (Health and OPEB)	05/20/2016	Resolution Adopting Final Millage Rate is Forwarded to Property Appraiser and Tax Collector and Certificate of Compliance sent to Department of Revenue	9/30/2016
January 2016	February 2016	March 2016	April 2016
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
July 2016	August 2016	September 2016	October 2016
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 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	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 30 31
June 2016	May 2016	November 2016	December 2016
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	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	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

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Board/Commission Annual Report

Agenda Title

Investment Advisory Committee Annual Presentation

Presenter

Michael F. Andrews, Ph.D., Chair

Supporting Documents

- [Memorandum Dated January 29, 2016, from Dr. Michael Andrews, Investment Advisory Commission Chair](#)
- [Investment Reports](#)



Town of Palm Beach Investment Advisory Committee

To: Mayor and Town Council

From: Dr. Michael Andrews, Chairman
Investment Advisory Committee

Date: January 29, 2016

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 the overseeing the investment of the Town's surplus funds and the OPEB trust investments.

Surplus Fund Investments

The Town's surplus funds are managed by PFM Asset Management and the Florida League of Cities Investment Trust. The blended return for the surplus investments including certificates of deposit for the year ending December 31, 2015 is 0.78%.

PFM Asset Management

The Town's total investment with PFM represents approximately 27.27% of the total core portfolio. A report is attached showing the details of the PFM portfolio as of December 31, 2015. PFM 1-5 Year Actively Managed Portfolio one year return as of December 31, 2015 is 1.05%.

The Committee allocated the bond proceeds from the 2013 Revenue Bonds to PFM for investment. As of December 31, 2015, approximately \$45.4 million is invested with PFM from the proceeds of the 2013 Revenue Bonds. The one year return as of December 31, 2015 is 0.52%.

Florida League of Cities Bond Funds

The Florida League of Cities Investment Trust has 48.8% of the Town investments. A total of (\$36.1 million) are with the Florida League of Cities Investment Trust 1 – 3 year (\$24.8 million) and intermediate bond funds (\$11.3 million) (FMIvT).

The FMIvT 1-3 year fund has returned .34% and the Intermediate fund returned 1.08% for the one year period ended December 31, 2015. Attached are reports with return information through December 31, 2015.

Certificate of Deposits

The Town has \$17.8 million in Certificate of Deposits representing 23.9% of the portfolio. The CD durations range from 6 months to 5 years, and the interest rates range from .41% to 1.86%.

Health Insurance (OPEB) Trust

The Committee oversees the investment of the assets of the Health Insurance (OPEB) Trust. The asset classes and policy target ranges for the Health Insurance Trust are shown below:

Return Enhancement	Asset Class		Target	Range	Benchmark
	Domestic Equity	<i>U.S. All Cap</i>	27.5	22.5-32.5	Russell 3000
	Non U.S. Equity	<i>International</i>	17.5	15-20*	MSCI AC World ex. US
	Alternative Strategies	<i>Directional Hedge</i>	10.0	7.5-10	HFRI FOF Strategic/
	* FL statutes limit investment in foreign securities (equity, fixed income, and other) to 25%. Unconstrained, the target allocation to equities would be 22.5% Domestic and 22.5% International				
Risk Reduction	Asset Class		Target	Range	Benchmark
	Alternative Strategies	<i>Absolute Return</i>	10.0	7.5-10	HFRI FOF Conservative
	Fixed Income	<i>Multi-Strategy</i>	10.0	7.5-10	Barclays Capital Aggregate
		<i>Convertibles</i>	10.0	7.5-10	BOA Conv. Bond US IG
	Real Assets	<i>Marketable Real Assets</i>	15.0	10-20	Custom Index

The market value of the portfolio as of December 31, 2015 was \$25,263,239. Prime Buchholz is the investment consultant for the OPEB Trust. The current money managers and investment benchmarks for the trust are as follows:

Manager

Fidelity Spartan Total Market Index
FMI Common Stock Fund
FPA Crescent Fund
Artisan International Institutional Fund
Dodge & Cox International Stock Fund
Forester Offshore, Ltd.

Investment Benchmark

Wilshire 5000 Index
Russell 2500 Index
S&P 500 Index
MSCI EAFE Net Index
MSCI AC World ex USA Net Index
HFRI Fund-of-Funds Strategic Index

Archstone Market Neutral, Ltd.	HFRI Fund-of-Funds Conservative Index
JP Morgan Core Bond Select Fund	Barclays Aggregate Index
Vanguard Short Term US Treasury Fund	Barclays US Treasury: 1-5 Year
Vanguard Inflation Protected Sec Fund	Barclays US Treasury 0-5 Year TIPS Index
Nuveen Gresham Diversified Comm Fund	Bloomberg Commodity Index
Van Eck Global Hard Assets I Fund	S&P North American Natural Resources
Government STIF 15	Citigroup Treasury Bill 3 Month Index

Attached is a summary of the investments in the Health Insurance (OPEB) Trust and the quarterly returns as of December 31, 2015. For the one year period ending December 31, 2015 the fund returned -4.5%. The fiscal year ended September 30, 2015 return was -6.3%.

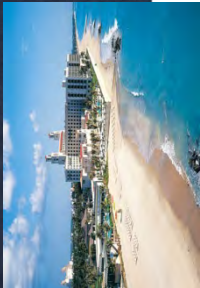
General Information

The current members of the Investment Advisory Committee include:

Name:	Term Expires
Dr. Michael Andrews, Chairman	May 2017
Bernard R. Panfel	May 2016
Kevin McClusky	May 2017
Chris Storkerson	May 2017
Barry Snyder	May 2016

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

The next meeting of the Committee is scheduled for Friday, February 19, 2016 at 2:30pm. The Florida League of Cities and Prime Buchholz will be in attendance to discuss the investment policies and performance through December 31, 2015. The Health Fund Actuary will present the annual update to the OPEB Trust Actuarial Report.



Town of Palm Beach, Florida



Investment Performance Review Quarter Ended December 31, 2015

Investment Advisors

Steven Alexander, CTP, CGFO, CPPT, Managing Director
Robert Cheddar, CFA, Chief Credit Officer, Managing Director
D. Scott Stichter, CFA, Senior Managing Consultant
Richard Pengelly, CFA, CTP, Senior Managing Consultant
Michael Stewart, Senior Analyst

PFM Asset Management LLC

One Keystone Plaza, Suite 300
North Front & Market Streets
Harrisburg, PA 17101-2044
717-232-2723 • 717-233-6073 fax

300 S. Orange Avenue, Suite 1170
Orlando, FL 32801
(407) 648-2208
(407) 648-1323 fax

Table of Contents

Tab I.

Section A Market Review

Tab II.

Section B Executive Summary
Section C 1-5 Year Investment Portfolio (Actively Managed) Performance
Section D Short Term and Bond Proceed Portfolios Performance
Section E Short Term Portfolio Performance
Section F 2013 Bond Fund Performance
Section G Asset Allocation Chart

Tab III.

December 31, 2015 PFM Month-End Statement
(PFM Month End Statement available online at www.pfm.com)

PFM Funds December 31, 2015 Month-End Statement
(PFM Funds Month end Statement available online at www.pfmfunds.com)

This material is based on information obtained from sources generally believed to be reliable and available to the public, however PFM Asset Management LLC cannot guarantee its accuracy, completeness or suitability. This material is for general information purposes only and is not intended to provide specific advice or recommendation. The information contained in this report is not an offer to purchase or sell any securities.

TAB I

Summary

- The Federal Open Market Committee (FOMC) increased the target federal funds rate by 25 basis points (bps) (0.25%) at its December meeting — its first rate hike since 2006. In doing so, the FOMC stressed its intention to normalize rates at a gradual pace.
- The year ended with strong job growth momentum as the economy added 292,000 new jobs in December. This brought the 2015 tally to 2.65 million new jobs in total — enough to shrink the unemployment rate to 5%. Wage inflation edged up modestly, suggesting a chance for future inflation.
- While the Federal Reserve (Fed) took the first step to normalize interest rates, other central banks have continued to implement accommodative monetary policies. The European Central Bank (ECB) extended its monetary easing policy through the first quarter of 2017 and cut its deposit rate further into negative territory (-0.3%). The Bank of Japan (BOJ) and People's Bank of China (PBOC) also remain accommodative.

Economic Snapshot

- U.S. gross domestic product (GDP) expanded at a 2% rate in the third quarter, down from the second quarter due to a reduction in inventory accumulation.
- In a year-end bipartisan negotiation, Congress passed a \$1.1 trillion spending and tax budget, which also lifted the 40-year ban on U.S. crude oil exports.
- Global commodity prices continued to fall, increasing concerns over global growth and the sustainability of producers within the energy sector. Headlining this rout were oil prices, which continued to slide, sinking to less than \$35 per barrel in December — the lowest level since February 2009.
- China continued to allow the yuan to weaken, ending the year at its lowest level versus the U.S. dollar in nearly six years. The Chinese economy continued to slow — stoking market concern over the world's second-largest economy — though it is expected to meet its major economic targets for the year.

Interest Rates

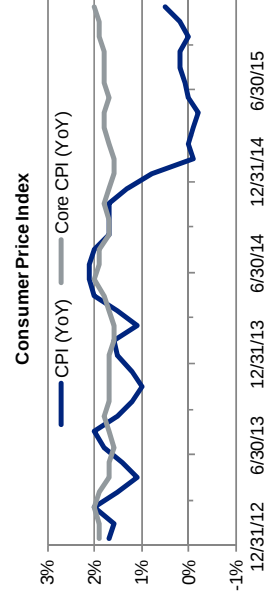
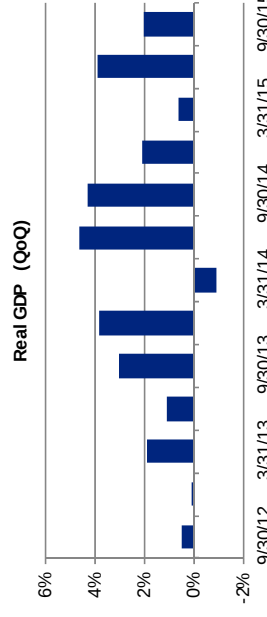
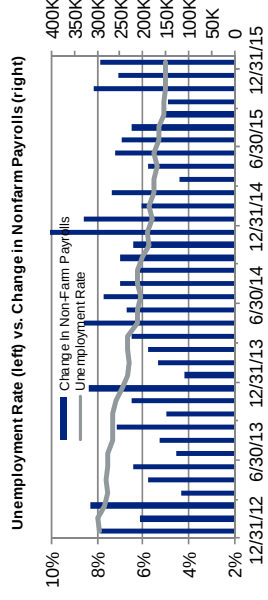
- The new target range for the federal funds rate, as established by the FOMC, is 25 to 50 bps, ending the FOMC's seven-year "zero interest rate policy."
- Interest rates across the curve moved up significantly throughout the quarter, with the 10-year rising approximately 23 bps to 2.27% and the two-year moving almost 42 bps to 1.05%.
- On the shorter end, 12-month Treasury bills ticked up approximately 30 bps to 0.60%.

Sector Performance

- U.S. Treasury benchmark returns were negative for all but the shortest maturities (six months and under), as rates rose across the curve. While the rate increase was less pronounced for longer maturities, their extended durations — and accompanying sensitivity to changes in rates — caused their performance to trail the greatest.
- Non-callable federal agency securities performed in line with comparable maturity Treasuries; callable securities modestly outperformed as their incremental yield helped as rates rose.
- Corporate yield spreads reversed the prior quarter's widening, which helped the sector to outperform government-related sectors; however, absolute return was still negative. A-rated issuers were the best-performing quality category.
- Mortgage-backed securities (MBS) were among the strongest-performing sectors in the fourth quarter, aided by slowly rising long-term rates, which helped to slow prepayments; this was particularly true for higher coupon issues. MBS joined municipals as the lone sectors to produce positive performance for the quarter.

Economic Snapshot

Labor Market		Latest	Sep 2015	Dec 2014
Unemployment Rate		Dec'15	5.0%	5.1%
Change In Non-Farm Payrolls		Dec'15	292,000	145,000
Average Hourly Earnings (YoY)		Dec'15	2.5%	2.3%
Personal Income (YoY)		Nov'15	4.4%	4.6%
Initial Jobless Claims (week)		1/1/16	277,000	276,000
				293,000
Growth				
Real GDP (QoQ SAAR)		2015Q3	2.0%	3.9% ¹
GDP Personal Consumption (QoQ SAAR)		2015Q3	3.0%	3.6% ¹
Retail Sales (YoY)		Nov'15	1.4%	2.2%
ISM Manufacturing Survey (month)		Dec'15	48.2	50.2
Existing Home Sales SAAR (month)		Nov'15	4.76 mil.	5.55 mil.
				5.07 mil.
Inflation / Prices				
Personal Consumption Expenditures (YoY)		Nov'15	0.4%	0.2%
Consumer Price Index (YoY)		Nov'15	0.5%	0.0%
Consumer Price Index Core (YoY)		Nov'15	2.0%	1.9%
Crude Oil Futures (WTI, per barrel)		Dec 31	\$37.04	\$45.09
Gold Futures (oz.)		Dec 31	\$1,060	\$1,116
				\$1,184

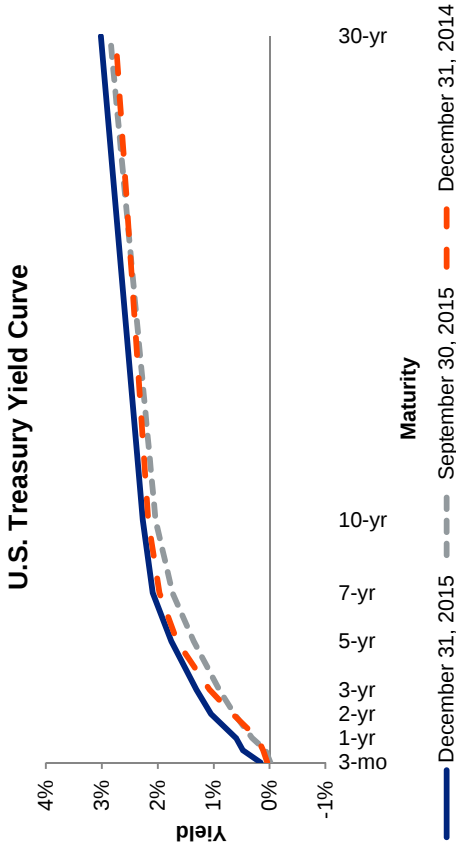
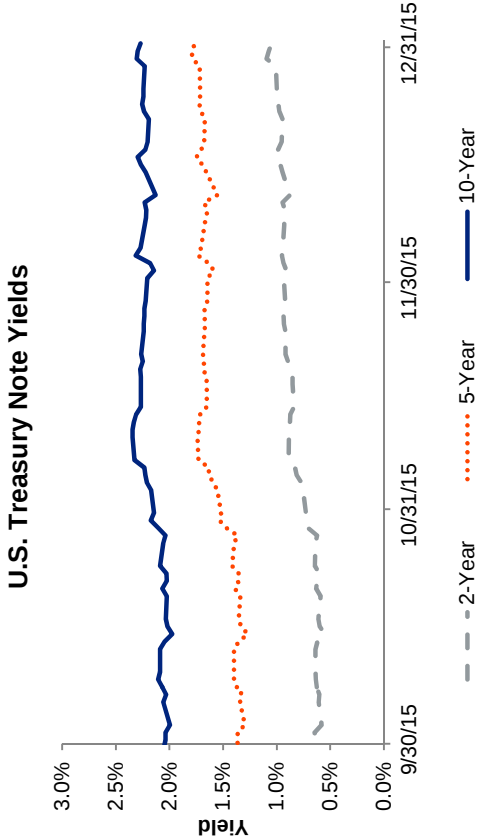


1. Data as of Second Quarter 2015 2. Data as of Third Quarter 2014

Note: YoY = year over year, QoQ = quarter over quarter, SAAR = seasonally adjusted annual rate, WTI = West Texas Intermediate crude oil

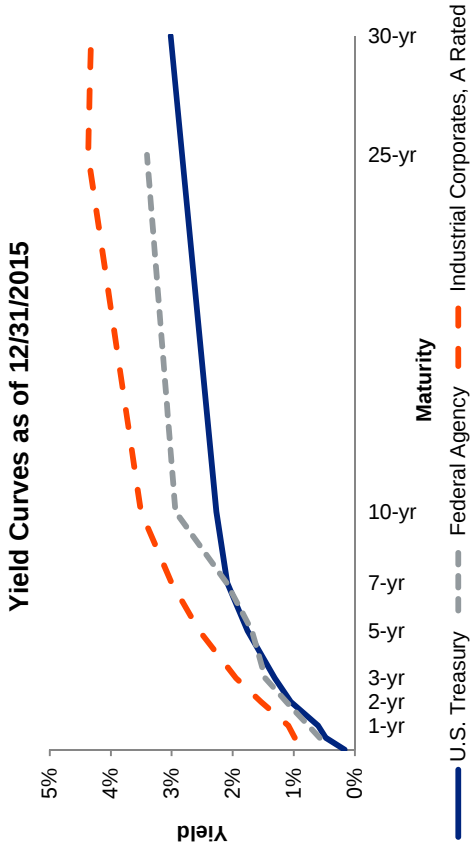
Source: Bloomberg

Investment Rate Overview



U.S. Treasury Yields

Maturity	12/31/15	9/30/15	Change over Quarter	12/31/14	Change over Year
3-month	0.17%	(0.02%)	0.19%	0.04%	0.13%
1-year	0.60%	0.31%	0.29%	0.22%	0.38%
2-year	1.05%	0.63%	0.42%	0.67%	0.38%
5-year	1.76%	1.36%	0.40%	1.65%	0.11%
10-year	2.27%	2.04%	0.23%	2.17%	0.10%
30-year	3.02%	2.85%	0.17%	2.75%	0.27%



Source: Bloomberg

BofA Merrill Lynch Index Returns

Returns for Periods ended 12/31/2015

As of 12/31/2015

	Duration	Yield	3 Month	1 Year	3 Years
1-3 Year Indices					
U.S. Treasury	1.87	1.06%	(0.44%)	0.54%	0.51%
Federal Agency	1.73	1.14%	(0.37%)	0.69%	0.61%
U.S. Corporates, A-AAA rated	1.90	1.82%	(0.05%)	1.16%	1.22%
Agency MBS (0 to 3 years)	1.89	1.46%	0.98%	1.68%	1.20%
Municipals	1.84	0.96%	(0.08%)	0.76%	0.85%
1-5 Year Indices					
U.S. Treasury	2.70	1.29%	(0.66%)	0.98%	0.67%
Federal Agency	2.20	1.31%	(0.49%)	0.97%	0.76%
U.S. Corporates, A-AAA rated	2.71	2.13%	(0.16%)	1.52%	1.59%
Agency MBS (0 to 5 years)	3.35	2.23%	0.16%	1.22%	1.69%
Municipals	2.52	1.15%	0.08%	1.20%	1.24%
Master Indices (Maturities 1 Year or Greater)					
U.S. Treasury	6.19	1.77%	(0.93%)	0.83%	1.09%
Federal Agency	3.75	1.69%	(0.65%)	0.99%	1.05%
U.S. Corporates, A-AAA rated	6.64	3.08%	(0.09%)	0.67%	1.97%
Agency MBS (0 to 30 years)	4.53	2.63%	(0.06%)	1.46%	2.00%
Municipals	6.74	2.34%	1.72%	3.55%	3.35%

Returns for periods greater than one year are annualized

Source: BofA Merrill Lynch Indices

Disclosures

The views expressed within this material constitute the perspective and judgment of PFM Asset Management LLC (PFMAM) at the time of distribution and are subject to change. Information is obtained from sources generally believed to be reliable and available to the public; however, PFMAM cannot guarantee its accuracy, completeness, or suitability. This material is for general information purposes only and is not intended to provide specific advice or recommendation. The information contained in this report is not an offer to purchase or sell any securities. PFMAM is registered with the Securities and Exchange Commission under the Investment Advisers Act of 1940. PFMAM's clients are state and local governments, non-profit corporations, pension funds, and similar institutional investors. www.pfm.com.

© 2015 PFM Asset Management LLC. Further distribution is not permitted without prior written consent.

TAB II

Executive Summary

PORTFOLIO STRATEGY

- The Town's 1-5 Year Investment and Bond Proceed Portfolios are of high credit quality and invested in U.S. Treasury, Federal Agency, high quality corporate, municipal securities, and money market mutual funds.
- PFM continued to actively manage the 1-5 Year Investment Portfolio during the fourth quarter and found value in the market, taking advantage of market inefficiencies or changes in economic outlook. As a result, the Portfolio realized \$2,652 in gains on sales (based on amortized cost) during the quarter. PFM is continually in the market monitoring for opportunities to add value to the Portfolio.
- The 1-5 Year Investment Portfolio's quarterly total return performance of -0.46% outperformed the benchmark performance of -0.65% by 0.19%. Over the past year, the Portfolio earned 1.05% versus 0.97% for the benchmark.
- The Short Term and Bond Proceeds Portfolios continue to provide the Town with favorable yield relative to the benchmark. At quarter end, the portfolios had a weighted average Yield to Maturity at Cost of 0.46%, exceeding the Yield to Maturity of its benchmark the S&P GIP Government 30 Day Index by 21 basis points (0.21%).
- PFMAM maintained a modestly defensive duration position for much of the quarter as rates trended higher. As rates approached the upper end of recent ranges ahead of the FOMC meeting, we extended portfolio durations from short of the benchmark's duration to a near-neutral position; this more closely aligned portfolio durations with the durations of their respective benchmarks.
- Ahead of the December FOMC meeting, market expectations were for an initial Fed Funds hike, supported by assurances that future policy changes would be gradual. Market reaction after the FOMC's announcement to raise the target range for the federal funds rate was relatively subdued, evidence that the action was in line with these expectations, a goal of the FOMC's effort to provide transparency to investors.
- Recent FOMC projections indicate that Committee members anticipate that three or four rate hikes may be appropriate in 2016 – projections that most market participants believe to be overstated. We believe that expectations for low inflation will limit this year's rate hikes to two or three, and that short term yields will trend only modestly higher in the near term. We expect long-term rates to remain within modest ranges, resulting in further flattening of the yield curve.
- We maintain the outlook that the economy will continue to expand at a moderate pace in the intermediate term. We will continue to monitor any spillover effect that modest global growth and muted inflation may have on the U.S. economy. These factors will help justify the FOMC's stated intention to remain patient in the pace at which it raises the federal funds rate.
- PFM will continue to navigate the market environment with a keen focus on relative value sector analysis, prudent duration management, and efficient yield curve placement. While producing strong investment returns remains a priority, it is secondary to maintaining safety and liquidity, particularly in the current environment where we expect yields to trend higher.

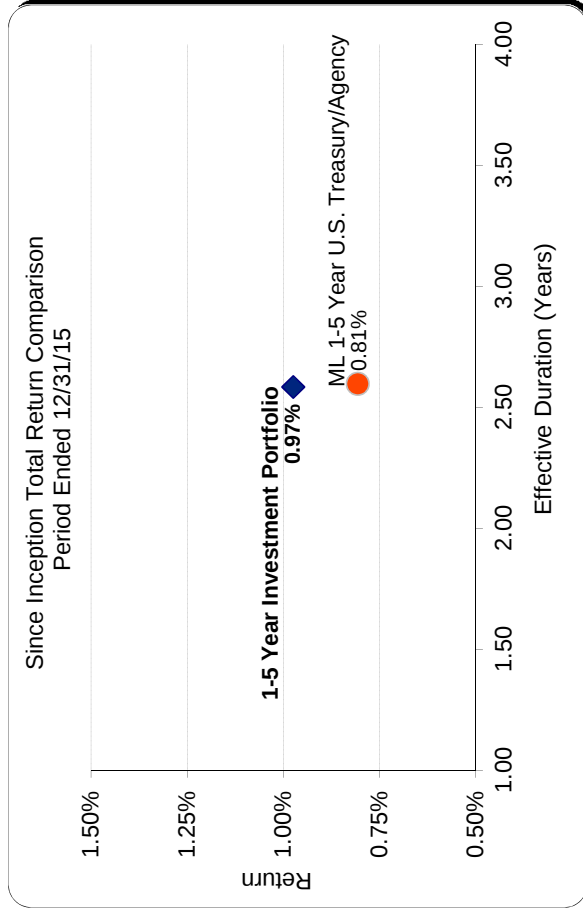
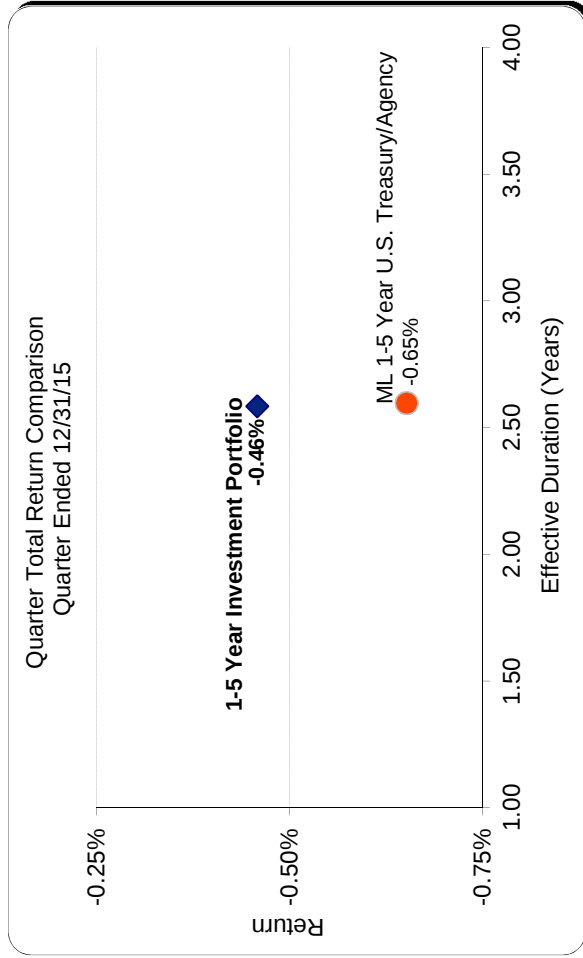
1-5 Year Investment Portfolio (Actively Managed) Performance - 4260

Total Portfolio Value¹	December 31, 2015	September 30, 2015
Market Value	\$18,231,646.16	\$18,315,556.76
Amortized Cost	\$18,273,868.99	\$18,213,600.11

Total Return^{2,3,4}	Quarterly Return December 31, 2015	Last 6 Months	Last 12 Months	Last 2 Years	Last 3 Years	Since Inception September 30, 2011
1-5 Year Investment Portfolio (Actively Managed)	-0.46%	0.21%	1.05%	1.13%	0.77%	0.97%
Merrill Lynch 1-5 Year U.S. Treasury/Agency Index	-0.65%	0.04%	0.97%	1.11%	0.68%	0.81%

Effective Duration (Years)^{4,5}	December 31, 2015	September 30, 2015
1-5 Year Investment Portfolio (Actively Managed)	2.58	2.52
Merrill Lynch 1-5 Year U.S. Treasury/Agency Index	2.60	2.59
Portfolio Duration % of Benchmark Duration	99%	97%

Yields	December 31, 2015	September 30, 2015
Yield at Market	1.39%	0.99%
Yield at Cost	1.31%	1.23%



Notes:

1. In order to comply with GASB accrual accounting reporting requirements; forward settling trades are included in the monthly balances. End of quarter trade-date market values of portfolio holdings, including accrued interest.
2. Performance on trade date basis, gross (i.e., before fees), is in accordance with The CFA Institute's Global Investment Performance Standards (GIPS). Quarterly returns are presented on an annualized basis. Returns presented for 12 months or longer are presented on an annual basis. Past performance is not indicative of future results.
3. Since inception the benchmark has been the Merrill Lynch 1-5 Year U.S. Treasury/Agency Note Index.
4. Merrill Lynch Indices provided by Bloomberg Financial Markets.
5. Includes money market fund/cash in performance and duration computations.

1-5 Year Investment Portfolio (Actively Managed) Composition and Credit Quality Characteristics

<u>Security Type¹</u>	<u>December 31, 2015</u>	<u>% of Portfolio</u>	<u>September 30, 2015</u>	<u>% of Portfolio</u>
U.S. Treasuries	\$9,695,226.72	53.2%	\$9,629,935.34	52.6%
Federal Agencies	3,875,615.12	21.3%	3,906,373.68	21.3%
Commercial Paper	0.00	0.0%	0.00	0.0%
Commercial Paper - TLGP	0.00	0.0%	0.00	0.0%
Certificates of Deposit	0.00	0.0%	0.00	0.0%
Bankers Acceptances	0.00	0.0%	0.00	0.0%
Repurchase Agreements	0.00	0.0%	0.00	0.0%
Municipal Obligations	897,904.58	4.9%	903,686.60	4.9%
Corporate Notes/Bonds	3,715,825.30	20.4%	3,828,258.87	20.9%
Corporate Notes - FDIC insured	0.00	0.0%	0.00	0.0%
Mortgage Backed	0.00	0.0%	0.00	0.0%
Money Market Fund - Goldman Sachs Fin. Sq. Government	47,074.44	0.3%	47,302.27	0.3%
Totals	\$18,231,646.16	100.0%	\$18,315,556.76	100.0%

Portfolio Composition as of 12/31/15

Security Type	Percentage
U.S. Treasuries	53.18%
Corporate Notes/Bonds	20.38%
Municipal Obligations	4.92%
Federal Agency Obligations	21.26%
Money Market Fund - Goldman Sachs Fin. Sq. Government	0.26%
Corporate Notes - FDIC insured	0.00%

Credit Quality Distribution² as of 12/31/15

Credit Rating	Percentage
AA+	77.27%
AA	4.92%
AA-	5.05%
A+	3.25%
A	7.35%
AAAm	0.26%

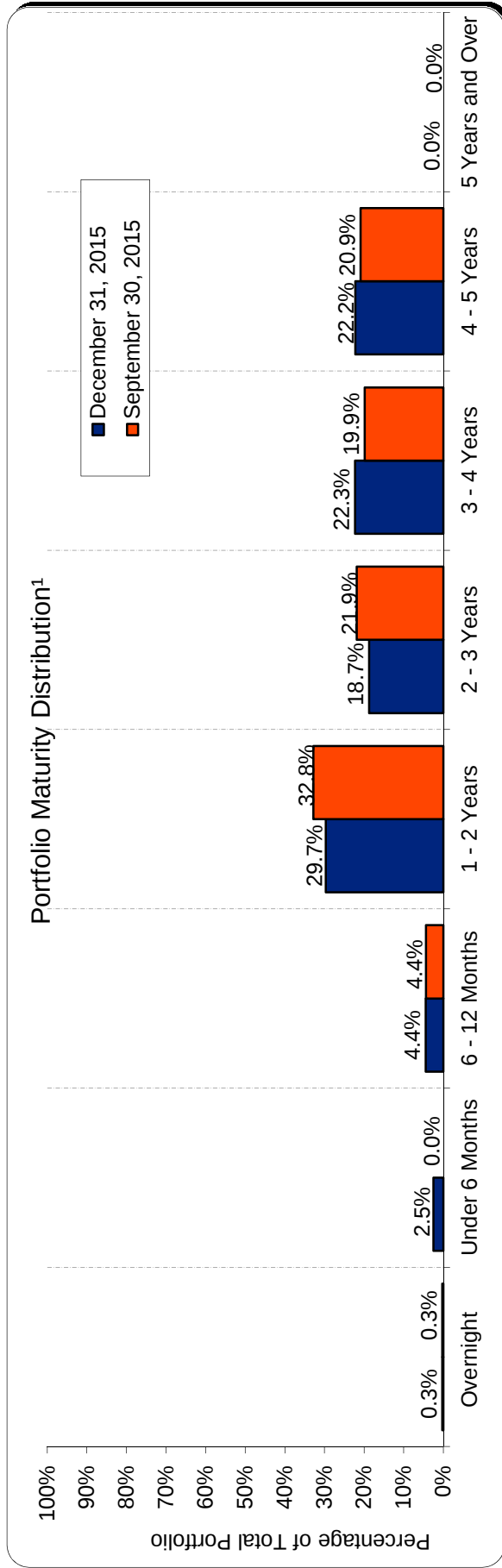
Notes:

1. End of quarter trade-date market values of portfolio holdings, including accrued interest.

2. Credit rating of securities held in portfolio, inclusive of money market fund/TLGP. Standard & Poor's is the source of the credit ratings.

1-5 Year Investment Portfolio (Actively Managed) Maturity Distribution

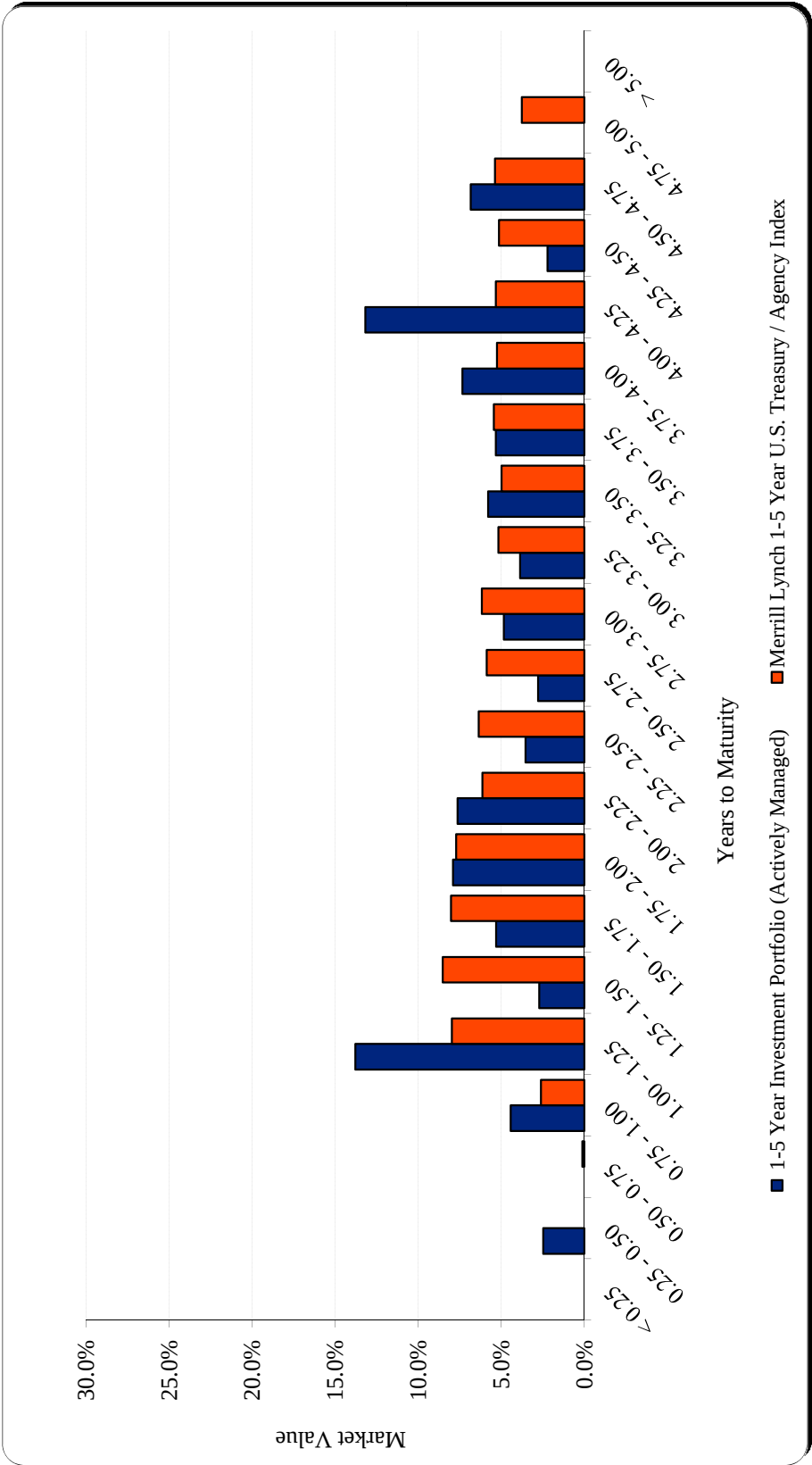
<u>Maturity Distribution¹</u>	<u>December 31, 2015</u>	<u>September 30, 2015</u>
Overnight (Money Market Fund)	\$47,074.44	47,302.27
Under 6 Months	450,380.25	0.00
6 - 12 Months	805,647.98	802,656.99
1 - 2 Years	5,406,731.97	6,004,695.06
2 - 3 Years	3,417,434.92	4,005,462.94
3 - 4 Years	4,058,050.64	3,636,415.14
4 - 5 Years	4,046,325.96	3,819,024.36
5 Years and Over	0.00	0.00
Totals	\$18,231,646.16	\$18,315,556.76



Notes:

1. Callable securities in portfolio are included in the maturity distribution analysis to their stated maturity date, although they may be called prior to maturity.

1-5 Year Investment Portfolio (Actively Managed) Maturity Distribution versus the Benchmark¹



Notes:
1. Due to the nature of the security, Mortgage-Backed Securities are represented based on their average life maturity rather than their final maturity.

Short Term and Bond Proceed Portfolios Statistics

<u>Account Name</u>	<u>Amortized Cost^{1,2,3} December 31, 2015</u>	<u>Amortized Cost^{1,2,3} September 30, 2015</u>	<u>Market Value^{1,2,3} December 31, 2015</u>	<u>Market Value^{1,2,3} September 30, 2015</u>	<u>Duration (Years)⁴ December 31, 2015</u>
2013 Bond Fund - 4265	27,086,511.75	33,124,954.27	27,061,069.11	33,194,458.39	0.92
Money Market Fund - PFM Funds Prime Series Excess Funds - 174	19,422.74	19,414.74	19,422.74	19,414.74	33 Days
Money Market Fund - PFM Funds Prime Series 2013 Bond Fund - 357	1,284,124.63	1,283,595.44	1,284,124.63	1,283,595.44	33 Days
Money Market Fund - Goldman Sachs Financial Squares Government Fund (TD Bank) - 2013 Bond Fund	9,583,208.26	7,420,745.06	9,583,208.26	7,420,745.06	55 Days
Total	\$37,973,267.38	\$41,848,709.51	\$37,947,824.74	\$41,918,213.63	

<u>Account Name</u>	<u>Yield to Maturity at Cost⁵ December 31, 2015</u>	<u>Yield to Maturity at Cost⁵ September 30, 2015</u>	<u>Yield to Maturity at Market December 31, 2015</u>	<u>Yield to Maturity at Market September 30, 2015</u>	<u>Duration (Years)⁴ September 30, 2015</u>
2013 Bond Fund - 4265	0.63%	0.56%	0.76%	0.40%	0.97
Money Market Fund - PFM Funds Prime Series Excess Funds - 174 ⁶	0.21%	0.11%	0.21%	0.11%	50 Days
Money Market Fund - PFM Funds Prime Series 2013 Bond Fund - 357	0.21%	0.11%	0.21%	0.11%	50 Days
Money Market Fund - Goldman Sachs Financial Squares Government Fund (TD Bank) - 2013 Bond Fund	0.03%	0.00%	0.03%	0.00%	51 Days
Weighted Average Yield	0.46%	0.45%	0.56%	0.32%	

BenchmarksS&P GIP Government 30 Day Index⁷

December 31, 2015
0.25%

September 30, 2015
0.16%

Notes:

1. End of quarter trade-date market values of portfolio holdings, including accrued interest.
2. In order to comply with GASB accrual accounting reporting requirements, forward settling trades are included in the monthly balances.
3. Includes any money market fund/cash balances held in custodian account.
4. Money Market Fund duration is based on weighted average duration in days.
5. Past performance is not indicative of future results.
6. Seven day yield as of quarter end. The yields shown above represent past performance. Past performance is no guarantee of future results and yields may vary. The current fund performance may be higher or lower than that cited. The current seven-day yield does not include realized gains and losses on the sale of securities. The yields shown above may reflect fee waivers by service providers that subsidize and reduce the total operating expenses of the Funds. Fund yields would be lower if there were no such waivers.
7. Monthly yields, source Bloomberg.

Short Term Portfolio Statistics

Account Name	Amortized Cost^{1,2,3} December 31, 2015	Amortized Cost^{1,2,3} September 30, 2015	Market Value^{1,2,3} December 31, 2015	Market Value^{1,2,3} September 30, 2015	Duration (Years)⁴ December 31, 2015
Short Term Fund - 4245	N/A	N/A	N/A	N/A	N/A
Money Market Fund - PFM Funds Prime Series Excess Funds - 174	19,422.74	19,414.74	19,422.74	19,414.74	33 Days
Money Market Fund - Goldman Sachs Financial Squares Government Fund (TD Bank)	N/A	N/A	N/A	N/A	N/A
Total	\$19,422.74	\$19,414.74	\$19,422.74	\$19,414.74	

Account Name	Yield to Maturity at Cost⁵ December 31, 2015	Yield to Maturity at Cost⁵ September 30, 2015	Yield to Maturity at Market December 31, 2015	Yield to Maturity at Market September 30, 2015	Duration (Years) September 30, 2015
Short Term Fund - 4245	N/A	N/A	N/A	N/A	N/A
Money Market Fund - PFM Funds Prime Series Excess Funds - 174 ⁶	0.21%	0.11%	0.21%	0.11%	50 Days
Money Market Fund - Goldman Sachs Financial Squares Government Fund (TD Bank)	N/A	N/A	N/A	N/A	N/A
Weighted Average Yield	0.21%	0.11%	0.21%	0.11%	

Benchmarks

S&P GIP Government 30 Day Index⁷

December 31, 2015	September 30, 2015
0.25%	0.16%

Notes:

1. End of quarter trade-date market values of portfolio holdings, including accrued interest.
2. In order to comply with GASB accrual accounting reporting requirements, forward settling trades are included in the monthly balances.
3. Excludes any money market fund/cash balances held in custodian account.
4. Money Market Fund duration is based on weighted average duration in days.
5. Past performance is not indicative of future results.
6. Seven day yield as of quarter end. The yields shown above represent past performance. Past performance is no guarantee of future results and yields may vary. The current fund performance may be higher or lower than that cited. The current seven-day yield does not include realized gains and losses on the sale of securities. The yields shown above may reflect fee waivers by service providers that subsidize and reduce the total operating expenses of the Funds. Fund yields would be lower if there were no such waivers.
7. Monthly yields, source Bloomberg.

Short Term Fund Portfolio Composition and Credit Quality Characteristics

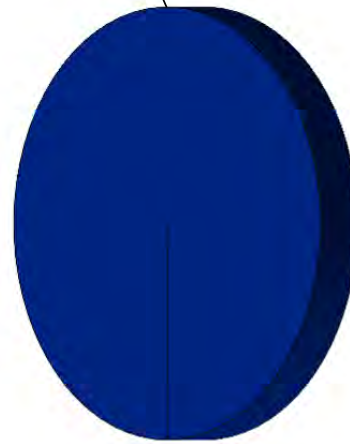
<u>Security Type¹</u>	<u>December 31, 2015</u>	<u>% of Portfolio</u>	<u>September 30, 2015</u>	<u>% of Portfolio</u>
U.S. Treasuries	\$0.00	0.0%	\$0.00	0.0%
Federal Agencies	0.00	0.0%	0.00	0.0%
Commercial Paper	0.00	0.0%	0.00	0.0%
Certificates of Deposit	0.00	0.0%	0.00	0.0%
Bankers Acceptances	0.00	0.0%	0.00	0.0%
Repurchase Agreements	0.00	0.0%	0.00	0.0%
Municipal Obligations	0.00	0.0%	0.00	0.0%
Corporate Notes/Bonds	0.00	0.0%	0.00	0.0%
Money Market Fund - Goldman Sachs Fin. Sq. Government	0.00	0.0%	0.00	0.0%
Money Market Fund - PFM Funds Prime Series	19,422.74	100.0%	19,414.74	100.00%
Totals	\$19,422.74	100.0%	\$19,414.74	100.0%

Portfolio Composition
as of 12/31/15



Credit Quality Distribution²
as of 12/31/15

AAAm
100%

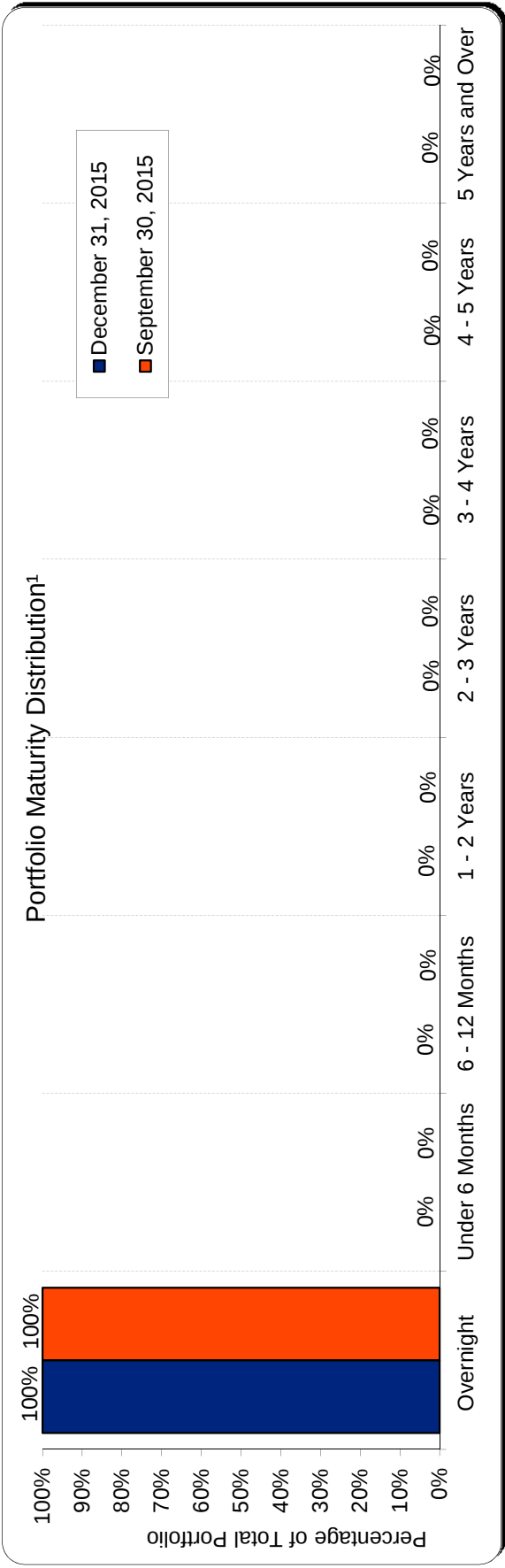


Notes:

1. End of quarter trade-date market values of portfolio holdings, including accrued interest.
2. Credit rating of securities held in portfolio, inclusive of money market fund/LGIP. Standard & Poor's is the source of the credit ratings.

Short Term Fund Portfolio Maturity Distribution

<u>Maturity Distribution¹</u>	<u>December 31, 2015</u>	<u>September 30, 2015</u>
Overnight (Money Market Fund)	\$19,422.74	\$19,414.74
Under 6 Months	0.00	0.00
6 - 12 Months	0.00	0.00
1 - 2 Years	0.00	0.00
2 - 3 Years	0.00	0.00
3 - 4 Years	0.00	0.00
4 - 5 Years	0.00	0.00
5 Years and Over	0.00	0.00
Totals	\$19,422.74	\$19,414.74



2013 Bond Fund Portfolio Statistics

<u>Account Name</u>	<u>Amortized Cost^{1,2,3} December 31, 2015</u>	<u>Amortized Cost^{1,2,3} September 30, 2015</u>	<u>Market Value^{1,2,3} December 31, 2015</u>	<u>Market Value^{1,2,3} September 30, 2015</u>	<u>Duration (Years)⁴ December 31, 2015</u>
2013 Bond Fund - 4265	\$27,086,511.75	\$33,124,954.27	\$27,061,069.11	\$33,194,458.39	0.92
Money Market Fund - PFM Funds Prime Series 2013 Bond Fund - 357	1,284,124.63	1,283,595.44	1,284,124.63	1,283,595.44	33 Days
Money Market Fund - Goldman Sachs Financial Squares Government Fund (TD Bank)	9,583,208.26	7,420,745.06	9,583,208.26	7,420,745.06	55 Days
Total	\$37,953,844.64	\$41,829,294.77	\$37,928,402.00	\$41,898,798.89	

<u>Account Name</u>	<u>Yield to Maturity at Cost⁵ December 31, 2015</u>	<u>Yield to Maturity at Cost⁵ September 30, 2015</u>	<u>Yield to Maturity at Market December 31, 2015</u>	<u>Yield to Maturity at Market September 30, 2015</u>	<u>Duration (Years) September 30, 2015</u>
2013 Bond Fund - 4265	0.63%	0.56%	0.76%	0.40%	0.97
Money Market Fund - PFM Funds Prime Series 2013 Bond Fund - 357 ⁶	0.21%	0.11%	0.21%	0.11%	50 Days
Money Market Fund - Goldman Sachs Financial Squares Government Fund (TD Bank)	0.03%	0.00%	0.03%	0.00%	51 Days
Weighted Average Yield	0.46%	0.45%	0.56%	0.32%	

Benchmarks

<u>S&P GIP Government 30 Day Index⁷</u>	<u>December 31, 2015</u>	<u>September 30, 2015</u>
	0.25%	0.16%

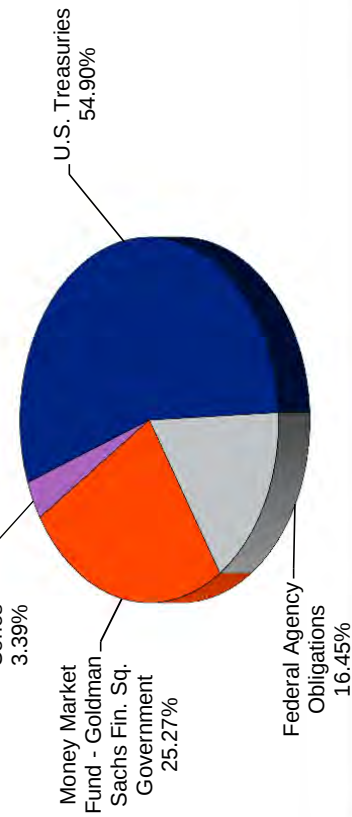
Notes:

1. End of quarter trade-date market values of portfolio holdings, including accrued interest.
2. In order to comply with GASB accrual accounting reporting requirements; forward settling trades are included in the monthly balances.
3. Excludes any money market fund/cash balances held in custodian account.
4. Money Market Fund duration is based on weighted average duration in days.
5. Past performance is not indicative of future results.
6. Seven day yield as of quarter end. The yields shown above represent past performance. Past performance is no guarantee of future results and yields may vary. The current fund performance may be higher or lower than that cited. The current seven-day yield does not include realized gains and losses on the sale of securities. The yields shown above may reflect fee waivers by service providers that subsidize and reduce the total operating expenses of the Funds. Fund yields would be lower if there were no such waivers.
7. Monthly returns, source Bloomberg.

2013 Bond Fund Portfolio Composition and Credit Quality Characteristics

Security Type ¹	December 31, 2015	% of Portfolio	September 30, 2015	% of Portfolio
U.S. Treasuries	\$20,822,528.83	54.9%	\$26,910,093.11	64.2%
Federal Agencies	6,238,540.28	16.4%	6,284,365.28	15.0%
Commercial Paper	0.00	0.0%	0.00	0.0%
Certificates of Deposit	0.00	0.0%	0.00	0.0%
Bankers Acceptances	0.00	0.0%	0.00	0.0%
Repurchase Agreements	0.00	0.0%	0.00	0.0%
Municipal Obligations	0.00	0.0%	0.00	0.0%
Corporate Notes/Bonds	0.00	0.0%	0.00	0.0%
Money Market Fund - Goldman Sachs Fin. Sq. Government	9,583,208.26	25.3%	7,420,745.06	17.7%
Money Market Fund - PFM Funds Prime Series	1,284,124.63	3.4%	1,283,595.44	3.1%
Totals	\$37,928,402.00	100.0%	\$41,898,798.89	100.0%

Money Market Fund - PFM Funds Prime Series
Portfolio Composition
as of 12/31/15



Credit Quality Distribution²
as of 12/31/15

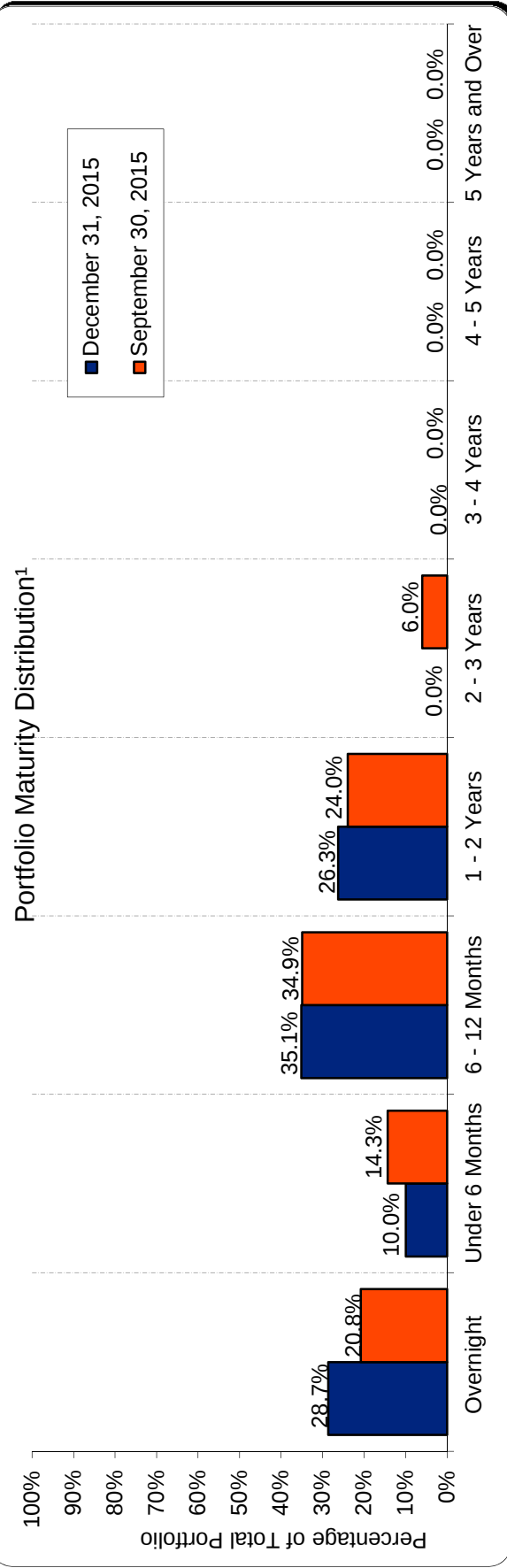


Notes:

1. End of quarter trade-date market values of portfolio holdings, including accrued interest.
2. Credit rating of securities held in portfolio, inclusive of money market fund/LGP. Standard & Poor's is the source of the credit ratings.

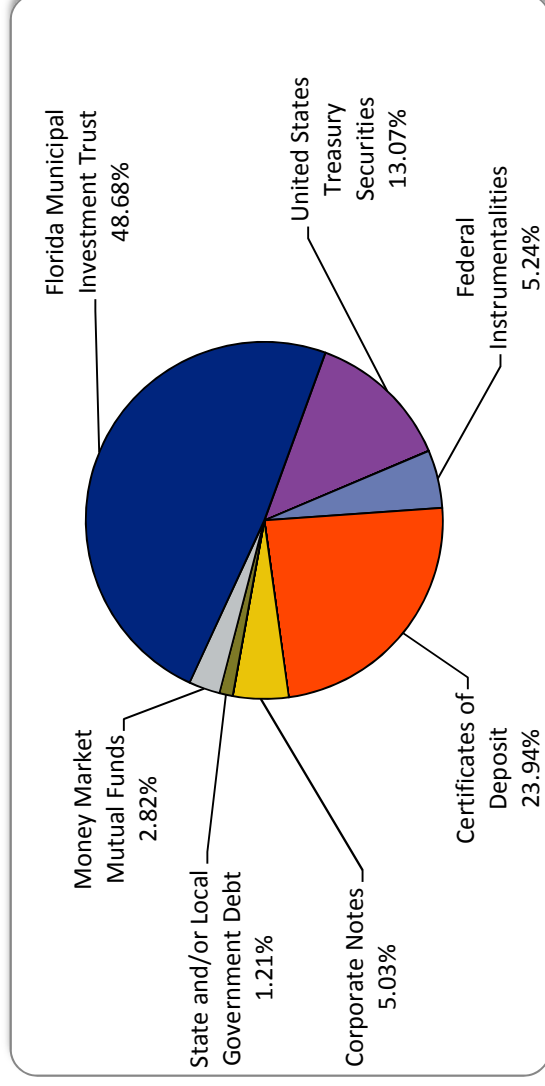
2013 Bond Fund Portfolio Maturity Distribution

<u>Maturity Distribution¹</u>	<u>December 31, 2015</u>	<u>September 30, 2015</u>
Overnight (Money Market Fund)	\$10,867,332.89	\$8,704,340.50
Under 6 Months	3,781,524.73	6,006,511.17
6 - 12 Months	13,311,575.13	14,630,879.76
1 - 2 Years	9,967,969.25	10,040,151.56
2 - 3 Years	0.00	2,516,915.90
3 - 4 Years	0.00	0.00
4 - 5 Years	0.00	0.00
5 Years and Over	0.00	0.00
Totals	\$37,928,402.00	\$41,898,798.89



Notes:

1. Callable securities in portfolio are included in the maturity distribution analysis to their stated maturity date, although they may be called prior to maturity.



Security Type ¹	Amortized Cost (Includes Interest)	Allocation Percentage	Notes	Permitted by Policy	In Compliance
Florida Prime (SBA)	-	0.00%		0%	YES
United States Treasury Securities	9,706,244.02	13.07%		100%	YES
United States Government Agency Securities	-	0.00%		50%	YES
Federal Instrumentalities	3,887,332.95	5.24%		80%	YES
Certificates of Deposit	17,775,855.00	23.94%	3	50%	YES
Repurchase Agreements	-	0.00%		50%	YES
Commercial Paper	-	0.00%		25%	YES
Corporate Notes	3,736,289.09	5.03%	2	25%	YES
Bankers' Acceptances	-	0.00%		35%	YES
State and/or Local Government Debt	896,928.49	1.21%		20%	YES
Money Market Mutual Funds	2,096,823.78	2.82%		50%	YES
Florida Municipal Investment Trust	36,137,073.00	48.68%	3,4	50%	YES

Notes:

1. End of month trade-date amortized cost of portfolio holdings, including accrued interest.
2. Maximum allocation in A rated securities is 10%. At month end there was 3.09% rated A by S&P and Moody's.
3. Managed by the Town.
4. Combined total for Florida Municipal Investment Trust cannot exceed 50%.

* Does not include bond proceeds

Individual Issuer Breakdown	Amortized Cost (Includes Interest)	Allocation Percentage	Notes	Permitted by Policy	In Compliance
Government National Mortgage Association (GNMA)	-	0.00%		25%	YES
Federal Farm Credit Bank (FFCB)	-	0.00%		30%	YES
Federal Home Loan Bank (FHLB)	450,756.81	0.61%		30%	YES
Federal National Mortgage Association (FNMA)	1,679,296.95	2.26%		30%	YES
Federal Home Loan Mortgage Corporation (FHLMC)	1,757,279.19	2.37%		30%	YES
General Electric Corporate Notes	516,838.85	0.70%		5%	YES
American Honda Corporate Notes	140,240.97	0.19%		5%	YES
Boeing Company Corporate Notes	220,174.63	0.30%		5%	YES
Toyota Corporate Notes	460,653.81	0.62%		5%	YES
Wells Fargo & Company Corporate Notes	455,354.15	0.61%		5%	YES
John Deere Corporate Notes	215,430.05	0.29%		5%	YES
Bank of New York Mellon Corporate Notes	458,080.96	0.62%		5%	YES
JP Morgan Corporate Notes	352,200.07	0.47%		5%	YES
Abbot Laboratories Corporate Notes	455,187.93	0.61%		5%	YES
Cisco Systems Corporate Notes	401,376.69	0.54%		5%	YES
New York University Corporate Notes	60,750.98	0.08%		5%	YES
New York City, New York Taxable G.O Bonds	446,363.13	0.60%		5%	YES
Regional Trans Authority, IL Taxable Revenue Bonds	450,565.36	0.61%		20%	YES
Money Market Fund - PFM Funds Prime Series #174	19,422.74	0.03%		25%	YES
Money Market Fund - Goldman Sachs Financial					
Squares Government Fund (TD Bank)	47,074.44	0.06%		25%	YES
Money Market Fund - Bank United			3	25%	YES
FMIVT 1-3	2,030,326.60	2.73%	3	50%	YES
FMIVT Intermediate	24,797,376.00	33.40%	3	50%	YES
Bank United CD's	11,339,697.00	15.28%	3	25%	YES
TD Bank CD's	10,054,420.83	13.54%	3	25%	YES
	7,721,635.70	10.40%	3	25%	YES

Notes:

1. End of month trade-date amortized cost of portfolio holdings, including accrued interest.

2. Maximum allocation in A rated securities is 10%. At month end there was 3.09% rated A by S&P and Moody's.

3. Managed by the Town.

4. Combined total for Florida Municipal Investment Trust cannot exceed 50%.

* Does not include bond proceeds

TAB III

Insert Month End Statement here to complete the report.

In consideration of the safety and security of our client's sensitive information, PFM Asset Management's compliance department does not allow the inclusion of month end statements in any electronic communication including this version of the quarterly performance report.

Statements are available online at **www.pfm.com** login and click on the link to "Monthly Statements" on the left side of the screen.

PFM Funds statements are available online at **www.pfmfunds.com**

The most current statements are always available to the client online, however they can only be accessed with the designated username and password.

Executive Summary

Town of Palm Beach Health Insurance Trust Preliminary as of December 31, 2015

Market Value	% of Portfolio		I Mo.	3 Mo.	Fiscal YTD	Calendar YTD	1 YR	2 YRS	3 YRS	5 YRS	Return Since	Inception Date
\$25,263,239	100.0	Total Fund	-2.4	1.5	1.5	-4.5	-4.5	-1.1	4.5	4.4	2.2	Jul-07
		Target Index	-2.0	1.9	1.9	-3.3	-3.3	-0.5	4.1	4.1	2.5	Jul-07
		Actual Index	-1.7	2.2	2.2	-2.6	-2.6	0.2	5.1	4.6	2.8	Jul-07
		Consumer Price Index	-0.3	-0.6	-0.6	0.7	0.7	0.7	1.0	1.5	1.5	Jul-07
\$12,717,384	50.3	Global Equity	-3.0	4.5	4.5	-3.5	-3.5	1.3	10.1	8.1	2.8	Jul-07
\$8,030,216	31.8	Domestic Equity	-2.7	5.0	5.0	-1.0	-1.0	4.7	13.2	10.4	3.9	Jul-07
		Russell 3000 Index	-2.1	6.3	6.3	0.5	0.5	6.3	14.7	12.2	6.0	
\$5,710,100	22.6	Fidelity Spartan Total Market Index Advisor Fund	-2.0	6.3	6.3	0.5	0.5	6.3	14.6	12.1	6.1	Jul-07
		Wilshire 5000 Index	-2.1	5.9	5.9	-0.2	-0.2	5.8	14.4	11.8	6.0	
\$1,142,677	4.5	FPA Crescent Fund	-1.9	2.8	2.8	-2.1	-2.1	2.2	8.4	NA	7.6	Apr-12
		S&P 500 Index	-1.6	7.0	7.0	1.4	1.4	7.4	15.1	12.6	12.8	
		60% Russell 2500 / 40% BC Global Credit	-2.7	1.7	1.7	-2.9	-2.9	1.1	7.5	7.6	7.5	
		HFRI Equity Hedge (Total) Index	-1.0	1.9	1.9	-0.8	-0.8	0.5	4.9	2.6	4.0	
\$1,177,439	4.7	FMI Common Stock Fund	-6.3	1.0	1.0	-6.8	-6.8	-0.4	9.4	NA	7.5	Apr-12
		Russell 2500 Index	-4.1	3.3	3.3	-2.9	-2.9	2.0	12.5	10.3	11.1	
\$4,687,167	18.6	International Equity	-3.5	3.7	3.7	-7.7	-7.7	-4.1	5.0	4.4	0.8	Jul-07
		MSCI AC World ex USA (Net)	-1.9	3.2	3.2	-5.7	-5.7	-4.8	1.5	1.1	-0.7	
		MSCI EAFE (Net)	-1.3	4.7	4.7	-0.8	-0.8	-2.9	5.0	3.6	-0.4	
\$2,395,325	9.5	Dodge & Cox International Stock Fund	-4.9	0.8	0.8	-11.4	-11.4	-5.8	3.9	2.6	0.2	Jul-07
		MSCI AC World ex USA (Net)	-1.9	3.2	3.2	-5.7	-5.7	-4.8	1.5	1.1	-0.7	
\$2,291,842	9.1	Artisan International Institutional Fund	-2.1	6.9	6.9	-3.6	-3.6	-2.2	6.3	NA	6.3	Jul-11
		MSCI EAFE (Net)	-1.3	4.7	4.7	-0.8	-0.8	-2.9	5.0	3.6	2.9	

Executive Summary

Town of Palm Beach Health Insurance Trust Preliminary as of December 31, 2015

Market Value	% of Portfolio		1 Mo.	3 Mo.	Fiscal YTD	Calendar YTD	1 YR	2 YRS	3 YRS	5 YRS	Return Since	Inception Date
\$4,841,037	19.2	Total Flexible Capital	-0.9	0.3	0.3	-3.0	-3.0	-0.5	3.8	3.5	2.9	Jul-07
		HFRI Fund of Funds Composite Index	-0.5	0.6	0.6	-0.3	-0.3	1.5	3.9	2.1	0.6	
\$2,128,034	8.4	Forester Offshore A2, Ltd.	-0.8	2.6	2.6	0.2	0.2	3.0	6.9	5.4	4.7	Jul-07
		HFRI FOF: Strategic Index	-0.4	1.1	1.1	-0.9	-0.9	1.1	4.1	2.1	0.4	
\$2,713,003	10.7	Archstone Absolute Return Strategies Fund, Ltd. Class A	-0.9	-1.5	-1.5	-5.3	-5.3	-3.0	1.5	2.2	1.5	Jul-07
		HFRI FOF: Conservative Index	-0.4	0.1	0.1	0.4	0.4	1.8	3.7	2.3	0.5	
\$5,210,332	20.6	Total Fixed Income	-0.3	-0.7	-0.7	0.6	0.6	1.8	0.8	2.0	3.0	Jul-07
		Fixed Income Composite Index	-0.2	-0.6	-0.6	0.7	0.7	2.1	1.1	1.7	3.5	
\$2,890,754	11.4	JP Morgan Core Bond Select Fund	-0.4	-0.9	-0.9	0.7	0.7	NA	NA	NA	0.7	Jan-15
		Barclays U.S. Aggregate	-0.3	-0.6	-0.6	0.5	0.5	3.2	1.4	3.2	0.5	
\$2,319,578	9.2	Vanguard Short Term US Treasury Admiral Fund	-0.2	-0.6	-0.6	0.6	0.6	0.7	0.5	NA	0.6	Dec-11
		Barclays U.S. Treasury: 1-5 Year	-0.1	-0.7	-0.7	0.9	0.9	1.0	0.6	1.2	0.7	
\$2,329,880	9.2	Total Real Assets	-6.5	-5.7	-5.7	-21.7	-21.7	-17.8	-13.0	-7.2	-7.9	Jul-07
		Real Assets Composite Index	-6.1	-3.1	-3.1	-17.4	-17.4	-14.0	-9.2	-4.8	-2.5	
\$766,041	3.0	Vanguard Short-Term Inflation Protected Securities Adm. Fund	-0.2	-0.4	-0.4	-0.2	-0.2	NA	NA	NA	-1.0	Mar-14
		Barclays U.S. Treasury: 0-5 Year TIPS Index	-0.3	-0.5	-0.5	-0.3	-0.3	-0.7	-1.0	0.8	-1.1	
\$456,169	1.8	Nuveen Gresham Diversified Commodities Fund	-3.5	-10.9	-10.9	-25.7	-25.7	NA	NA	NA	-25.7	Jan-15
		Bloomberg Commodity Index	-3.1	-10.5	-10.5	-24.7	-24.7	-20.9	-17.3	-13.5	-24.7	
\$1,107,670	4.4	Van Eck Global Hard Assets I Fund	-11.5	-6.8	-6.8	-33.2	-33.2	-26.5	-15.6	NA	-13.5	Apr-12
		S&P North American Natural Res Sector Index (TR)	-10.8	-1.8	-1.8	-24.3	-24.3	-17.3	-7.3	-5.5	-6.4	

Executive Summary

Town of Palm Beach Health Insurance Trust Preliminary as of December 31, 2015

Market Value	% of Portfolio	Total Liquid Capital	1 Mo.	3 Mo.	Fiscal YTD	Calendar YTD	1 YR	2 YRS	3 YRS	5 YRS	Return Since	Inception Date
\$164,606	0.7		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.5	Jul-07

\$164,606	0.7	Government Stif 15	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.5	Jul-07
		Citigroup 3 Month T-Bill	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.5	

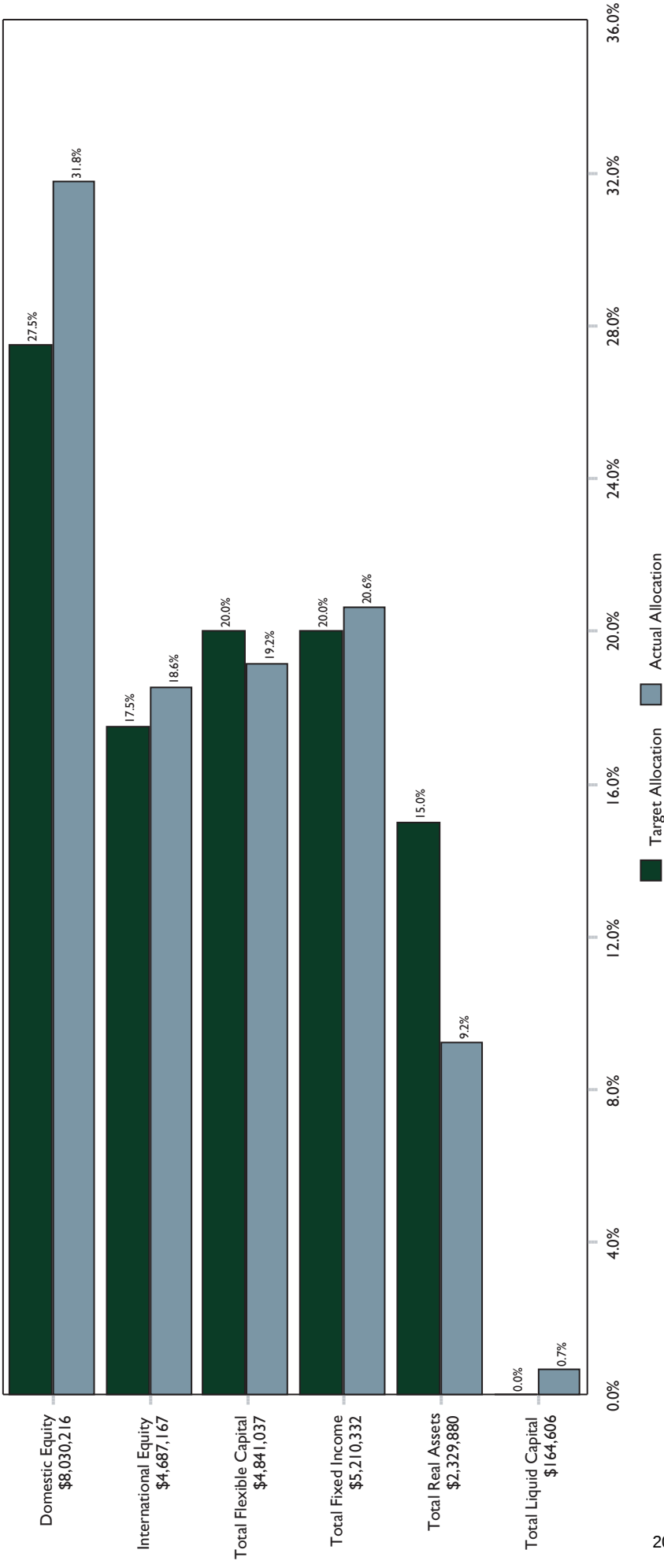
Please Note:

- Periods greater than one year are annualized
- Returns are net of investment management fees and gross of consulting fees unless otherwise stated
- Segment returns include performance of terminated managers unless otherwise stated
- Since inception returns are calculated from the first full month
- Actual Index calculated using manager allocations and index returns
- Performance and market values are subject to change based on statement availability from the investment manager/custodian
- Target Index (as of 9/01/2013): 27.5% Russell 3000 Index/ 17.5% MSCI ACWI ex USA/ 20% HFRI FOF Index/ 20% Fixed Income Composite Index/ 15% Real Assets Composite Index
- Target Index (as of 12/01/2011): 27.5% Russell 3000 Index/ 17.5% MSCI EAFE Net Index/ 20% HFRI FOF Index/ 20% Fixed Income Composite Index/ 15% Real Assets Composite Index
- Target Index reflects the policy limitations regarding international constraints
- Real Assets Composite Index reflects manager allocations and index returns. Components have changed over time
- Fixed Income Composite Index effective 12/01/2011: 50% Barclays U.S. Aggregate Index / 50% Barclays US Treasury: 1-5 Year Index
- Fixed Income Composite Index (prior to 11/30/2011): 50% Barclays Aggregate Index / 50% BOA Conv. Bond US Inv. Gr. Index
- Government Stif 15: Client specific cash performance not available. Citigroup Treasury Bill 3 Month Index is being reported
- Forester Offshore A2, Ltd. and Archstone Absolute Return Strategies Fund,Ltd. Class A: Market values estimated using preliminary manager reported performance

Asset Allocation - Current

As of December 31, 2015

	Asset Allocation (%)	Lower (%)	Target (%)	Upper (%)	Difference (%)
Total Fund	100.0	-	100.0	-	0.0
Domestic Equity	31.8	22.5	27.5	32.5	4.3
International Equity	18.6	15.0	17.5	20.0	1.1
Total Flexible Capital	19.2	15.0	20.0	25.0	-0.8
Total Fixed Income	20.6	15.0	20.0	25.0	0.6
Total Real Assets	9.2	10.0	15.0	20.0	-5.8
Total Liquid Capital	0.7	0.0	0.0	1.0	0.7



Town of Palm Beach

Investment Portfolio Performance

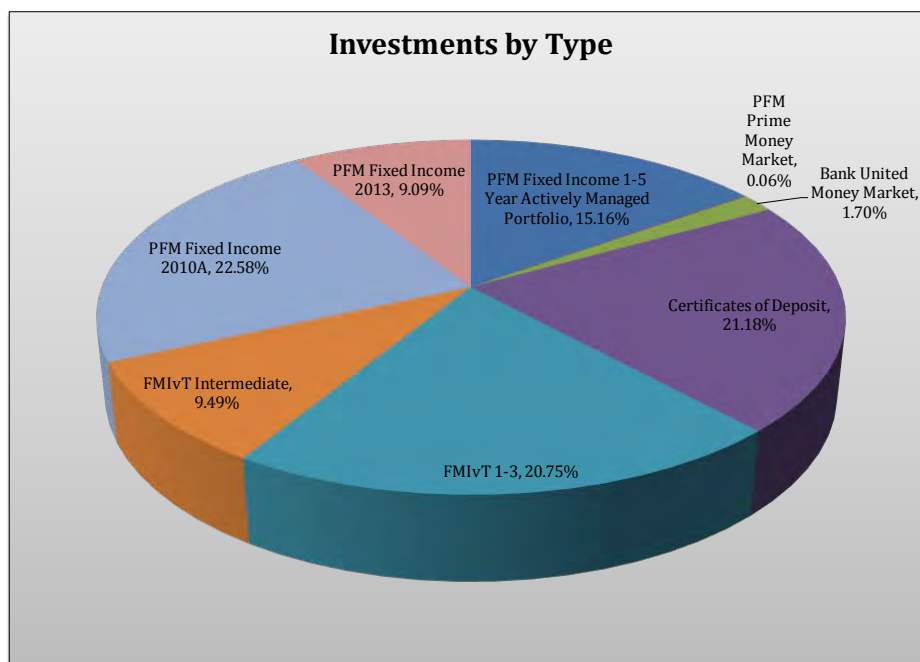


December 2015

Town of Palm Beach

Portfolio Return by Investment

Investment	December Balance	Return December-15	2016 Fiscal YTD (3 mo.)	2015 Fiscal YTD (3 mo.)	2015 Fiscal (12 mos.)
Core Investments					
PFM Fixed Income 1-5 Year Actively Managed Portfolio	\$ 18,113,164	\$ (15,350)	\$ (68,465)	\$ 75,449	\$ 351,462
PFM Fixed Income < 1 Year Short Term Portfolio	0	0	0	0	0
PFM Prime Money Market	67,003	3	8	1,502	3,235
Bank United Money Market	2,030,327	688	3,647	5,036	20,471
Certificates of Deposit	17,775,854	22,356	66,620	53,331	264,305
FMIvT 1-3	24,797,376	(17,237)	(67,693)	17,458	177,498
FMIvT Intermediate	11,339,697	(27,300)	(59,103)	121,409	302,439
Total Core Investments	\$ 74,123,421	\$ (36,840)	\$ (124,986)	\$ 274,185	\$ 1,119,410
Bond Funds					
PFM Fixed Income 2010A	\$ -	\$ -	\$ -	\$ -	\$ -
Certificates of Deposit	\$ 7,531,091	\$ -	\$ -	\$ -	\$ -
PFM Fixed Income 2013	26,988,507	(34,334)	(77,526)	60,672	287,044
PFM Prime Money Market - All Bonds	10,867,333	228	529	1,979	5,221
Total Bond Funds	\$ 45,386,931	\$ (34,106)	\$ (76,997)	\$ 62,651	\$ 292,265
Sub Total - Recurring	\$ 119,510,352	\$ (70,946)	\$ (201,983)	\$ 336,836	\$ 1,411,675
State Board of Administration	\$ -	\$ -	\$ -	\$ -	\$ 95,248
Total	\$ 119,510,352	\$ (70,946)	\$ (201,983)	\$ 336,836	\$ 1,506,923



Portfolio Total Return vs. Benchmark

Core Investments	Monthly December-15	2016 Fiscal YTD (3 mo.)	2015 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	-0.18%	-0.46%	0.43%	1.05%	0.77%	N/A
Merrill Lynch 1-5 Year U.S. Treasury/Agency Index	-0.15%	-0.65%	0.48%	0.97%	0.68%	N/A
Certificates of Deposit (a)	0.10%	0.30%	N/A	1.00%	N/A	N/A
Merrill Lynch 1 Year Treasury Index	0.01%	-0.17%	N/A	0.15%	N/A	N/A
FMivT 1-3	-0.07%	-0.30%	0.05%	0.34%	0.34%	0.55%
BOA Merrill Lynch 1-3 Year Govt Index	-0.10%	-0.43%	0.18%	0.56%	0.52%	0.73%
FMivT Intermediate	-0.27%	-0.55%	1.08%	1.08%	1.06%	2.23%
Barclays Int G/C ex BAA+ABS+MBS	-0.16%	-0.47%	1.28%	1.37%	1.41%	2.63%
Town's Long Term Core Investments Total Return Performance	-0.09%	-0.23%	0.27%	0.78%	0.64%	1.07%
Total Return Blended Benchmark Performance (b)	-0.09%	-0.43%	0.35%	0.63%	0.64%	1.13%
(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. This return may not be achieved if the CDs are not held to maturity due to penalty for early withdrawal.						
(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 October -2015	Annualized Fiscal YTD (1 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	N/A	0.17%	N/A
Cost S&P GIP Government 30 Day Index (c)	N/A	N/A	N/A	N/A	0.12%	N/A
(c) Short Term Benchmark changed to the Standard & Poor's LGIP30D represents Government Investment Pools Index.						

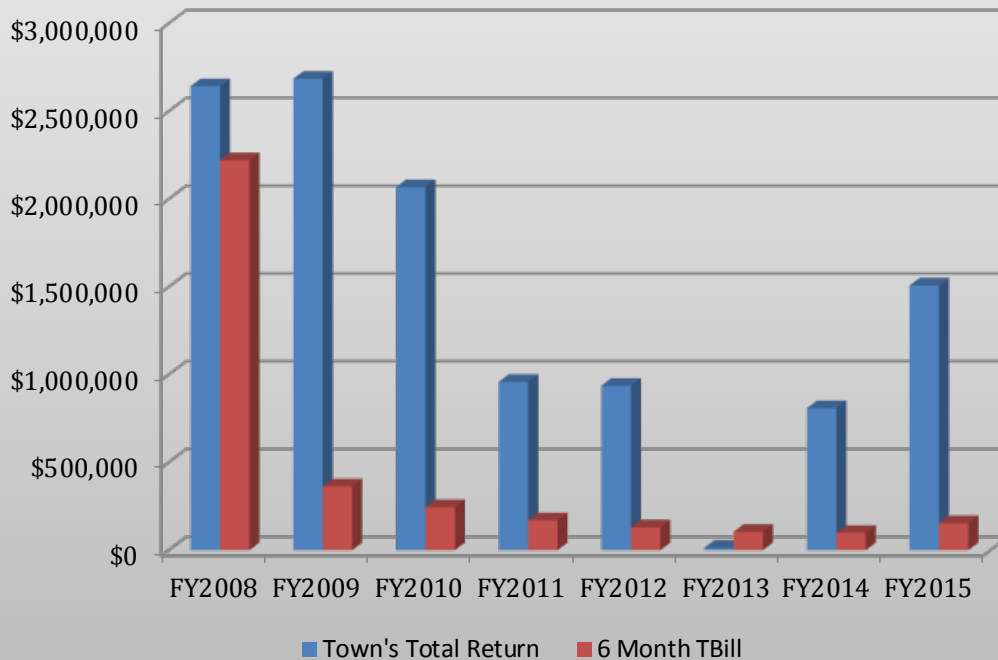
Bond Funds	Monthly December-15	2016 Fiscal YTD (3 mo.)	2015 Fiscal YTD (3 mo.)	1 Year	3 Years	5 Years
Bond Proceed Portfolios' Yield to Maturity at Cost Performance						
PFM Fixed Income 2010A - Yield to Maturity at Cost	N/A	N/A	N/A	N/A	N/A	N/A
Merrill Lynch 3 Month U.S. Treasury Bill Index - Yield to Maturity	N/A	N/A	0.02%	N/A	N/A	N/A
PFM Fixed Income 2013 - Yield to Maturity at Cost	0.63%	0.63%	0.41%	0.52%	N/A	N/A
Merrill Lynch 3 Month U.S. Treasury Bill Index - Yield to Maturity	0.07%	0.06%	0.02%	0.03%	N/A	N/A
Town's Bond Investments Yield to Maturity at Cost Performance	0.63%	0.63%	0.33%	0.52%	0.42%	
Blended Yield - ML 1 Year U.S. Treasury Index Benchmark	0.07%	0.06%	0.01%	0.03%	0.02%	

Money Market Fund Total Return Performance - As of 11/30/15						
PFM Prime Money Market (Short Term Portfolio and Bond Proceeds)	0.21%	0.16%	0.07%	0.11%	0.09%	0.12%
iMoneyNet Money Market Fund Index	0.11%	0.08%	0.02%	0.05%	0.03%	0.04%

Total Investment Return History

Fiscal Year	Town's Total Return	Estimated Return - 6 Month TBill	Difference
FY2008	\$ 2,642,478	\$ 2,219,743	\$ 422,735
FY2009	2,683,901	363,524	2,320,377
FY2010	2,067,072	244,917	1,822,155
FY2011	957,872	169,447	788,425
FY2012	935,823	129,485	806,338
FY2013	11,870	103,463	(91,593)
FY2014	807,906	98,048	709,858
FY2015	1,506,923	153,068	1,353,855
FY2016 to Date	(201,983)	64,801	(266,784)
Total	\$ 11,411,862	\$ 3,546,496	\$ 7,865,366

Town's Total Return History vs. 6 Month Treasury Bill

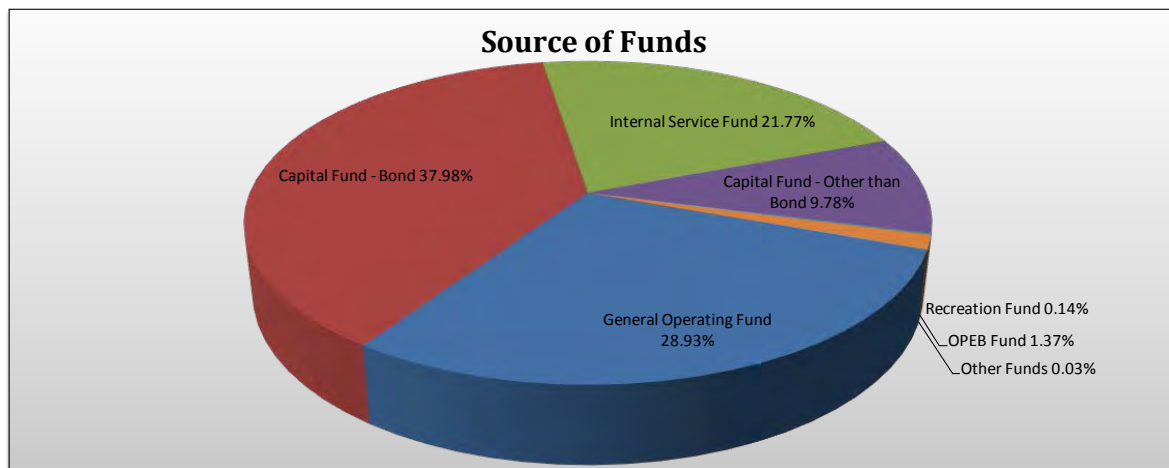


Town's FY2016 Monthly Investment Return vs. 6 Month Treasury Bill

Period	Investment Balance	Town's Monthly Total Return	6 Month T-Bill Rate	Estimated Return - 6 Month T-Bill	Difference
Oct-15	119,736,570	\$ (29,937)	0.22%	\$ 21,941	\$ (51,878)
Nov-15	119,608,425	(101,100)	0.43%	42,860	(143,960)
Dec-15	119,510,352	(70,946)	0.48%	47,804	(118,750)
Jan-16					-
Feb-16					-
Mar-16					-
Apr-16					-
May-16					-
Jun-16					-
Jul-16					-
Aug-16					-
Sep-16					-
Total		\$ (201,983)		\$ 112,605	\$ (314,588)

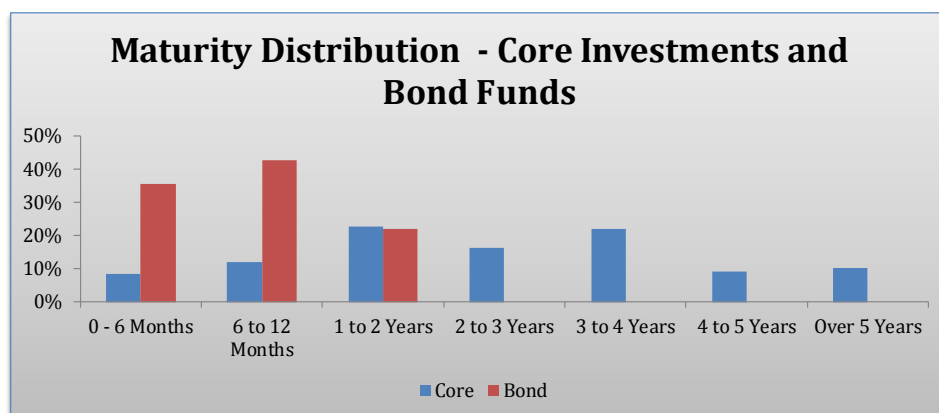
Portfolio Composition by Source of Funds

Source of Funds	Value	Distribution
General Operating Fund	\$ 34,578,368	28.93%
Capital Fund - Bond	45,386,931	37.98%
Internal Service Fund	26,012,858	21.77%
Capital Fund - Other than Bond	11,689,432	9.78%
Recreation Fund	163,843	0.14%
OPEB Fund	1,641,573	1.37%
Other Funds	37,347	0.03%
Total Portfolio	\$ 119,510,352	100.00%



Portfolio Distribution by Maturity

	PFM Investments	Money Market Accts.	FMIvT 1-3 Year	FMIvT Intermediate	Certificates of Deposit	Total
Core Investments						
0 - 6 Months	\$449,206	\$2,097,329	\$0	\$555,797	\$3,019,595	\$6,121,927
6 to 12 Months	804,223	-	1,695,349	466,855	7,034,624	8,671,884
1 to 2 Years	5,397,723	-	9,911,252	1,068,623	-	16,377,598
2 to 3 Years	3,410,709	-	5,544,028	2,854,919	-	11,809,656
3 to 4 Years	4,041,047	-	3,675,135	427,917	7,721,636	15,865,735
4 to 5 Years	4,010,255	-	1,651,204	862,532	-	6,523,991
Over 5 Years	-	-	2,320,408	5,103,053	-	7,423,461
Total Core Investments	\$18,113,164	\$2,097,329	\$24,797,376	\$11,339,697	\$17,775,855	\$74,123,421
Bond Funds						
0 - 6 Months	\$3,767,596	\$10,867,333	\$0	\$0	\$1,508,779	\$16,143,708
6 to 12 Months	13,270,249	-	-	-	6,022,312	19,292,561
1 to 2 Years	9,950,663	-	-	-	-	9,950,663
2 to 3 Years	-	-	-	-	-	-
3 to 4 Years	-	-	-	-	-	-
4 to 5 Years	-	-	-	-	-	-
Over 5 Years	-	-	-	-	-	-
Total Bond Funds	\$26,988,507	\$10,867,333	\$0	\$0	\$7,531,091	\$45,386,931

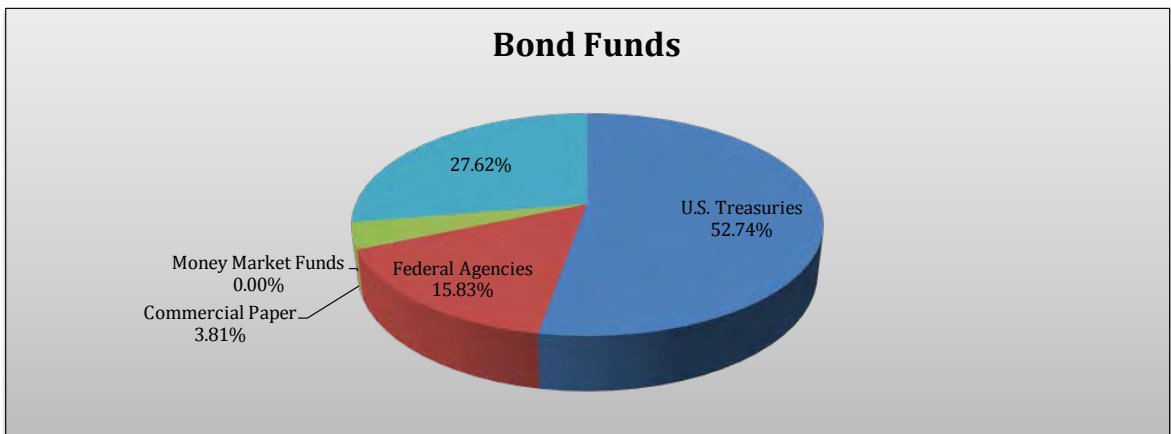
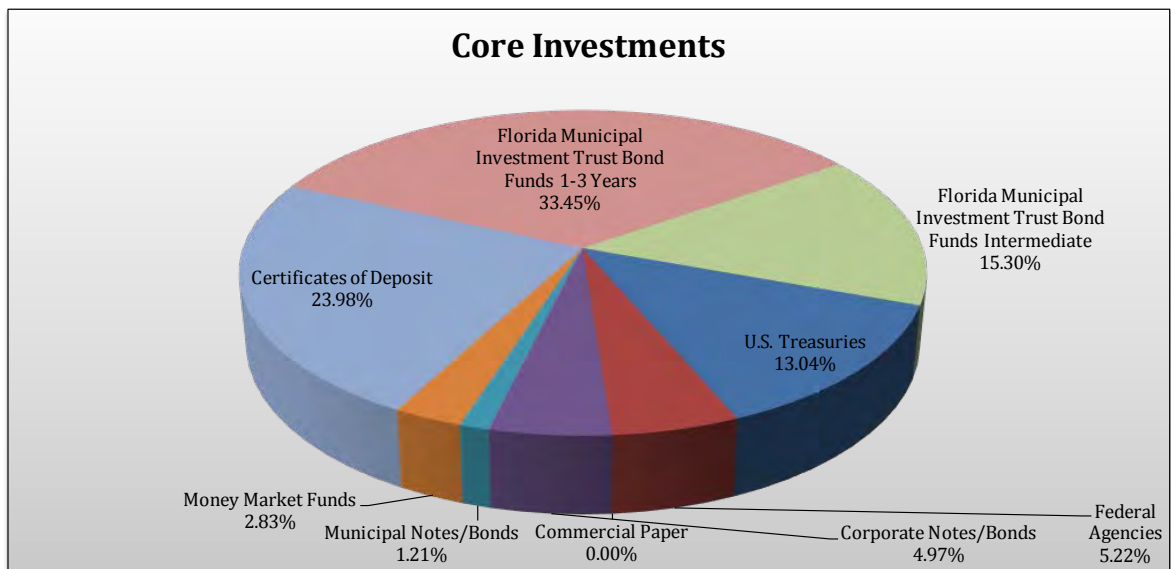


Core Investments - Weighted Average Duration Calculation				
Investment	Market Value	% of Portfolio	Duration (Yrs)	Weighted Avg. Duration (Yrs)
PFM Fixed Income 1-5 Year	\$ 18,113,164	24.44%	2.57	0.63
PFM Prime/TD Money Market	\$ 2,097,329	2.83%	0.13	0.00
Bank United Certificate of Deposit	\$ 10,054,219	13.56%	1.00	0.14
TD Bank Certificates of Deposit	\$ 7,721,636	10.42%	4.00	0.42
FMIvT 1-3	\$ 24,797,376	33.45%	1.35	0.45
FMIvT Intermediate	\$ 11,339,697	15.30%	3.26	0.50
Total	\$ 74,123,421	100.00%		

Portfolio Composition by Security Type

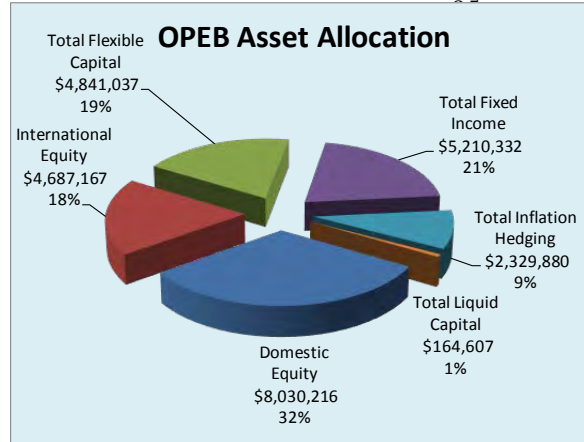
Security Type	Value	Distribution
Core Investments		
U.S. Treasuries	\$ 9,664,542	13.04%
Federal Agencies	3,868,654	5.22%
Commercial Paper	-	0.00%
Corporate Notes/Bonds	3,684,045	4.97%
Municipal Notes/Bonds	895,923	1.21%
Money Market Funds	2,097,329	2.83%
Certificates of Deposit	17,775,855	23.98%
Florida Municipal Investment Trust Bond Funds 1-3 Years	24,797,376	33.45%
Florida Municipal Investment Trust Bond Funds Intermediate	11,339,697	15.30%
Total Core Investments	\$ 74,123,421	100.00%

Security Type	Value	Distribution
Bond Funds		
U.S. Treasuries	\$ 20,759,463	45.73%
Federal Agencies	6,229,044	13.72%
Commercial Paper	-	0.00%
Certificates of Deposit	7,531,091	16.59%
Money Market Funds	10,867,333	23.94%
Total Bond Funds	\$ 45,386,931	100.00%



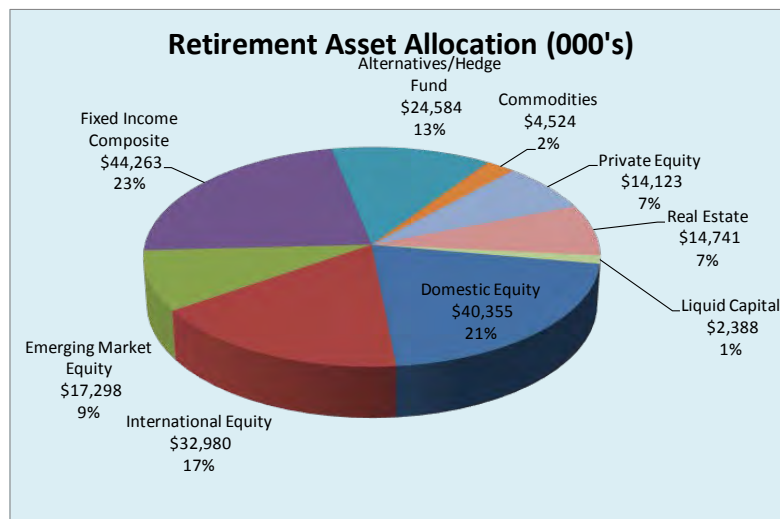
Health Insurance Trust (OPEB) Performance
as of December 31, 2015
Market Value - \$25,263,239

	1 mo	3 mo	Fiscal YTD	Calendar YTD	1 Yr	2 Yrs	3 Yrs	5 Yrs	Return Since July 2007
Total Fund	-2.4	1.5	1.5	-4.5	-4.5	-1.1	4.5	4.4	2.2
Target Index	-2.0	1.9	1.9	-3.3	-3.3	-0.5	4.1	4.1	2.5



Town of Palm Beach Retirement System Performance
as of December 31, 2015
Market Value - \$195,256,786

	1 Quarter	Calendar YTD	Fiscal YTD	2 Years	Return Since 10/1/12
Total Fund	1.84	1.84	-2.67	0.23	5.67
Target Index	2.45	2.45	0.37	2.93	6.52



TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Committee Reports

Agenda Title

Report of the Finance and Taxation Committee Meeting of January 4, 2016

Presenter

Michael J. Pucillo, Chair

Supporting Documents

- [Report of the Finance and Taxation Committee Meeting of January 4, 2016](#)

**REPORT OF THE FINANCE AND TAXATION COMMITTEE MEETING
HELD ON MONDAY, JANUARY 4, 2016**

I. CALL TO ORDER AND ROLL CALL

The Finance and Taxation Committee meeting was called to order on Monday, January 4, 2016, 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

Chairman Pucillo led the Pledge of Allegiance.

III. COMMUNICATIONS FROM CITIZENS – None

IV. APPROVAL OF AGENDA

Motion was made by Committee Member Kleid, and seconded by Chairman Pucillo, to approve the Agenda. On call for a vote, the motion carried unanimously.

V. DISCUSSION OF POTENTIAL ALTERNATIVE OPTIONS FOR DEFINED BENEFIT PLAN FOR PUBLIC SAFETY EMPLOYEES

Chairman Pucillo provided an overview of the assumptions provided to the Town's actuary and stated that the Retirement Board of Trustees may be considering getting new financial advisors.

Finance Director Struder provided an overview of the calculations provided by the Town's actuary.

Discussion ensued regarding the cost differences between police and fire rescue employees and which option was best.

Public Safety Director Blouin stated that the employees would prefer the lower retirement age and multiplier option and spoke regarding retirement benefits in other municipalities and how Palm Beach's plan compares in the market.

1 Discussion ensued regarding the average age of newly hired officers and how old they
2 would be when eligible to retire, whether adopting either of the plan options would make
3 Palm Beach competitive, the need for the plan to be competitive, the need to ensure that
4 any changes made to the plan are revenue neutral, and the need for more discussion.

5
6 Pat Cooper, Palm Beach Civic Association, spoke regarding pensions in the private
7 sector, the need to look at the total compensation package, and needing to listen to what
8 Staff is saying regarding what employees are looking for.

9
10 Discussion ensued regarding looking at the total compensation package, pension benefits
11 being the bottom line for employees, other municipalities not following the Town's lead
12 in pension reform, not being competitive, competing against the Florida Retirement
13 System, pension reform legislation not being successful, and the Palm Beach County
14 Sheriff's Office budget.

15
16 Gerald Goldsmith, 2295 S. Ocean Blvd., spoke regarding the assumed rate of return used
17 by the actuary.

18
19 Director Blouin spoke regarding the total compensation package and how it compares in
20 the market.

21
22 Director of Human Resources Olson stated that Staff compares compensation packages
23 annually and spoke regarding compensation package ratios and how they are calculated.

24
25 Discussion ensued regarding the legacy retirement plan costs.

26
27 Michael Scharf, 225 Dunbar Rd., spoke regarding comparing apples to apples and the
28 need for more information, public safety employees typically wanting to retire after 25
29 years, looking at the matter conservatively, the assumed rate of return, the cost of
30 employee benefits, looking at benefit plans for all employees, and the need to look at the
31 entire compensation plan.

32
33 Discussion ensued regarding employee costs and people choosing to live in Palm Beach
34 because of its top notch public safety.

35
36 Lesly Smith, 300 Chapel Hill Rd., stated that people live here because they feel safe and
37 that the Town should take care of its public safety employees.

38
39 Discussion ensued regarding why public safety employees are leaving, who we are as a
40 community, and the fear of violence throughout the country.

41
42 George Matthews, 343 Seabreeze Ave., spoke regarding people wanting the finest safety
43 available to them and stated that requiring an increase in taxes for that is okay with the
44 largest taxpayers.

45
46 David Rosow, 1460 N. Lake Way, stated that the Town Council did look at total

compensation packages during their pension reform deliberations and that having over 60% of costs allocated for employees is correct for a service business. He spoke regarding the stock market crisis and provided an overview of the changes made by the Town Council. He stated that some of the turnover has been good and spoke regarding ideas to retain employees, the amount of officers with minimal experience, quality of candidates, the Police Academy teaching a course on pensions, officers hearing what other municipalities' benefits are, what employees are interested in, the 2012 pension changes being too severe, employees being okay with a 10% percent contribution and a collection age of 56, encouraging employee participation in the 457 Plan, support for the 2.5% multiplier, lowering the estimated rate of return over the course of three years, the quality of the Town's investment returns, and the Retirement Board needing a sense of urgency with respect to getting new financial advisors.

Discussion ensued regarding whether either of the plan options would even make the Town competitive enough.

Director Blouin stated that the changes will slow the attrition rate enough for them to not be problematic operationally and spoke regarding recruiting efforts.

Gerald Goldsmith, 2295 S. Ocean Blvd., spoke regarding asset allocation and citizen safety.

Chair Pucillo stated that another meeting is necessary before making any recommendations and requested that the actuary determine the exact multipliers for both options to get to the same amounts estimated for the current plan with 7% assumed rate of return column.

Chair Pucillo spoke regarding adjusting the rate of return gradually, determining how much we can buy with what's already budgeted, and the need to refine and finalize the calculations prior to the next meeting.

Committee Member Kleid concurred and stated that the next meeting should be rescheduled if the calculations will not be available in advance.

Committee Member Kleid requested a total compensation package comparison as well for the next Committee meeting.

Discussion ensued regarding any problems changing the public safety employee pension plan would have on general employees.

Director Olson spoke regarding general and public employees typically being in different retirement plans, problems with general employees if the public safety plan was changed to mirror the Florida Retirement System plan, and the Town's efforts to educate employees on the value of the defined contribution plan.

Town Manager Bradford stated that he is about to exceed his expenditure authority for

1 actuarial services and that it may be necessary to request an increase at the next Town
2 Council meeting.

3
4 **It was the consensus of the Committee to recommend that the Town Council**
5 **authorize additional funding for actuarial expenses related to the pension analysis**
6 **and to direct Staff to place this item on the regular agenda.**

7
8 Discussion ensued regarding possibly scheduling the next meeting for late January.

9
10 **VI. ANY OTHER MATTERS – *None***

11
12 **VII. ADJOURNMENT**

13
14 There being no further business, the Finance and Taxation Committee Meeting of
15 Monday, January 4, 2016, was adjourned at 10:48 a.m.

16
17
18 APPROVED:

19
20
21
22 _____
23 Michael J. Pucillo
24 Chairman

25
26
27 ATTEST:

28 _____
29 Susan A. Owens, MMC
30 Town Clerk

31
32 _____
33 Date

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Committee Reports

Agenda Title

Report of the Ordinances, Rules, & Standards Committee Meeting of January 7, 2016.

Presenter

Danielle H. Moore, Co-Chair

Supporting Documents

- [Report of the Ordinances, Rules, & Standards Committee Meeting of January 7, 2016](#)

**REPORT OF THE ORDINANCES, RULES, AND STANDARDS COMMITTEE
MEETING HELD ON THURSDAY, JANUARY 7, 2016**

I. CALL TO ORDER AND ROLL CALL

The Ordinances, Rules, and Standards Committee (ORS) meeting was called to order on January 7, 2016, at 9:30 a.m., in the Town Council Chambers. On roll call, all Committee Members were found to be present.

II. APPROVAL OF AGENDA

Motion was made by Committee Member Moore, and seconded by Chair Townsend, to approve the Agenda. On call for a vote, the motion carried unanimously.

III. COMMUNICATIONS FROM CITIZENS – *None*

IV. REGULAR AGENDA

A. Old Business

1. Update on Private Providers Administrative Procedure (*Bill Bucklew, Building Official*)

Building Official Bucklew provided an overview of the administrative procedures.

Discussion ensued regarding the Town being ready to proceed with the new procedure and there seeming to be no urgency for Attorney Green to get back to the Town regarding his concerns.

Town Attorney Randolph stated that there were no outstanding substantive issues regarding the procedure.

It was the consensus of the Committee to direct Town Attorney Randolph to contact Attorney Green to advise him that this item will be going before the Town Council in February. If there are any issues, they are to be worked out and brought back to the ORS Committee at its February 4,

2016, meeting.

Discussion ensued regarding this being an administrative procedure and not needing Town Council approval.

By consensus of the Committee, the item was deferred to the February 4, 2016, ORS Committee meeting to allow Staff to finalize the procedure and have it approved by Town Manager Bradford.

2. Potential Regulation of Drones (*Nicholas Caristo, Police Lieutenant*)

Deputy Town Manager Boodheshwar spoke regarding why a final ordinance is not yet ready and Federal Aviation Agency (FAA) matters.

Discussion ensued regarding FAA regulations, the FAA's concerns regarding municipalities having different regulations, having the draft ordinance reviewed by the FAA before proceeding, and possibly having an ordinance ready for the Town Council by March 2016.

By consensus of the Committee, the item was deferred to the February 4, 2016, ORS Committee meeting to allow the FAA to review Staff's draft ordinance.

Committee Member Moore requested that Code Enforcement look into complaints she has received regarding rodents on the south side of the 400 block of Brazilian Avenue.

3. Chapter 10 - Animals (*Jay Boodheshwar, Deputy Town Manager*)

Deputy Town Manager Boodheshwar provided an overview of the item.

Town Attorney Randolph provided additional information regarding modification of the ordinance so as not to be in conflict with the Fish & Wildlife Conservation Commission's regulations.

Discussion ensued regarding the proposed hours and many petting zoo events occurring at night, creating a distinction between the hours for events at private clubs not abutting residential areas and the hours for events in residential areas, and having the OABA review the proposed modifications.

By consensus of the Committee, the item was deferred to the February 4, 2016, ORS Committee meeting to amend the proposed hours and allow the OABA to review the draft ordinance.

B. New Business

- 1 1. Update on FEMA Flood Maps and Review of Proposed Modifications to
2 Chapter 50 (*Bill Bucklew, Building Official*)

3
4 Building Official Bucklew provided an overview of Flood Map issues and
5 the proposed modifications to Chapter 50.

6
7 Discussion ensued regarding “shadowing”, flood insurance, FEMA
8 mandates, impacts to the undergrounding project, impacts needing to be
9 communicated to all effected, impacts to upcoming developments within
10 the Town, impacts to lower lying properties, the Town’s ability to adopt
11 more stringent regulations than FEMA’s, when the ordinance should be
12 adopted, residents being made aware of the changes, and the ability to
13 view the Flood Maps on the Town’s website.

14
15 **By consensus of the Committee, the proposed modifications to Chapter 50 were**
16 **approved and Staff was directed to bring them before the Town Council in April**
17 **2016, after the Town receives FEMA’s Letter of Final Map Determination.**

- 18
19 2. Proposed Changes to Waste Management Fees (*Jane Struder, Director of*
20 *Finance*)

21
22 Director of Finance Struder provided an overview of the proposed
23 changes.

24
25 Discussion ensued regarding the significance of the issue and
26 memorializing current practice.

27
28 **By consensus of the Committee, the proposed changes to waste management fees**
29 **were approved and Staff was directed to put said changes into ordinance form and**
30 **to bring the ordinance before the Town Council at the March 8, 2016, Town Council**
31 **meeting.**

32
33 **V. ANY OTHER MATTERS**

- 34
35 1. Review Meeting Schedule and Pending Study Items (*Jay Boodheshwar,*
36 *Deputy Town Manager*)

37
38 Deputy Town Manager Boodheshwar provided an overview of the
39 pending study items.

40
41 Discussion ensued regarding the time sensitivity of the pending study
42 items.

43
44 **By consensus of the Committee, the following schedule was approved for the**
45 **pending study items:**

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Public Hearings

Agenda Title

RESOLUTION NO. 08-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating, Abandoning, and Rededicating a Portion of an Existing Public Utility Easement Within the Property Commonly Known as 250 Palmo Way, in the Town of Palm Beach, Florida.

Presenter

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

Supporting Documents

- [Memorandum dated January 17, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Resolution No. 08-2016](#)
- [Notification to Property Owner](#)
- [Application Packet](#)
- [Legal Ad](#)
- [Palm Beach Post Ad](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Authorization to Vacate, Abandon, and Rededicate a Portion of an Existing Public
Utility Easement 250 Palmo Way
Resolution No. 08-2016

Date: January 17, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council approve Resolution No. 08-2016 authorizing the vacating, abandonment, and rededication of a portion of the public utility easement located at 250 Palmo Way between 244 Palmo Way and 254 Palmo Way to allow construction of a single family home. If Town Council approves the abandonment and rededication of the utility easement, said approval should be with the condition that the owner shall pay all fees related to implementing the vacating, abandonment, and rededication, including but not limited to recording fees.

GENERAL INFORMATION

In accordance with Town Code of Ordinances, Chapter 106, Article IV, the owner of the property has completed an application to abandon and rededicate a portion of the public utility easement on 250 Palmo Way. The easement to be abandoned is shown as Exhibit "A" of the proposed resolution. The easement to be rededicated is shown as Exhibit "B". An application fee of \$1,000 was received with the application for abandonment.

All utilities have been contacted and have agreed to the abandonment and rededication as described.

Notification letters were sent to the neighboring property owners within 300 feet of the easement to be abandoned and rededicated. To date, no responses have been received from the neighboring property owners. The abandonment and rededication request was also advertised prior to this Town Council meeting as required by Town Code.

No property is being gained by owner by virtue of the abandonment of the public utility easement, therefore a privilege fee is not applicable.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Eric B. Brown, P.E., Assistant Director of Public Works
William K. Francis, P.E., Town Engineer
Charles R. Langley, P.E., Planning, Zoning & Building Project Engineer
Allen Powery, Public Works Inspector

RESOLUTION NO. 08-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, VACATING, ABANDONING, AND REDEDICATING A PORTION OF AN EXISTING PUBLIC UTILITY EASEMENT WITHIN THE PROPERTY COMMONLY KNOWN AS 250 PALMO WAY, IN THE TOWN OF PALM BEACH, FLORIDA.

* * * * *

WHEREAS, the owner of the land hereinafter described has proposed the construction of a new single family residence on 250 Palmo Way; and

WHEREAS, it is necessary to abandon the certain portion of the public utility easement on 250 Palmo Way which will conflict with the construction of that new single family residence; and

WHEREAS, all utilities have agreed to the abandonment of the existing easement subject to the rededication of a portion of an existing public utility easement; and

WHEREAS, the Town Council of the Town of Palm Beach does hereby find and determine that the utility easement located on 250 Palmo Way as described below is no longer necessary and does not serve any public purpose nor is it necessary for public use, and

WHEREAS, it is necessary that there be a rededication of a public utility easement as described herein, and

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

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. That the easement described and illustrated on Exhibit "A" on 250 Palmo Way is hereby vacated and abandoned.

Section 3. That the easement described and illustrated on Exhibit "B" on 250 Palmo Way is hereby rededicated.

Section 4. The Town Clerk is hereby authorized to advertise and record the Resolution pursuant to law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on this 9th day of February 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member



TOWN OF PALM BEACH

Public Works Department

NOTIFICATION TO PROPERTY OWNER REGARDING TOWN OF PALM BEACH ABANDONMENT OF DEDICATED PUBLIC PROPERTY (RIGHT-OF-WAY AND EASEMENTS)

All property owners within a three hundred (300) foot radius of the subject property are hereby notified by mail of the proposed abandonment of the right-of-way, on the subject property.

This notice is being provided to you in conjunction with the review by the Town Council of this matter.

Please be advised the Town Council will consider the following matter on **February 9, 2016**. The meeting will begin at 9:30 a.m. at the Council Chambers 360 S. County Road, Palm Beach, Florida 33480.

Subject Property Address: 250 Palmo Way
Palm Beach, FL

Applicant: Margaret Duriez

Project Description: Abandonment of Public Utility Easements
Dedication of Public Utility Easements

This notification is not to solicit your approval or disapproval. If you desire, you may file your comments in writing prior to the meeting or you may attend the meeting to speak on the matter. This application and plans are on file in the Public Works Department and are available for review Monday through Friday between 8:30 a.m. and 4:30 p.m.

If we can be of further assistance, please contact the Public Works Department at 561-838-5440.

A pre-application meeting with the Public Works Department (Town Engineer) is required prior to submission of application for abandonment of dedicated public property.

6. NAME AND ADDRESSES OF ALL PROPERTY OWNERS WITHIN 300 FEET OF THE PETITIONED SITE: (Use additional sheets, if necessary, and label as "~~XXXXXX~~")
"EXHIBIT B"
-

SEE ATTACHED EXHIBIT "B"

7. ATTACH CONSENT LETTERS FROM ALL UTILITY PROVIDERS LISTED BELOW WHETHER THEY HAVE FACILITIES IN THE PETITIONED SITE OR NOT:

☒ ~~XXXXXXXX~~ AT&T

☒ Florida Public Utilities

 **COPY**

☒ City of West Palm Beach

☒ Town of Palm Beach - Electrical Bureau

☒ Comcast
~~Adelphia~~ Cable TV

☒ Town of Palm Beach - Water Resources Div.

☒ Florida Power & Light

Other: _____

CHECK-MARK (✓) ONLY THOSE UTILITY PROVIDERS OCCUPYING THE PETITIONED SITE

8. APPLICANT'S SIGNATURE:

9. DATE: November 12, 2015

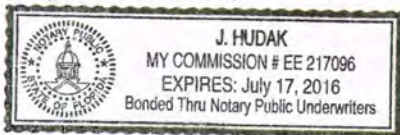
I Certify that the information given in this application is true and correct to the best of my knowledge.

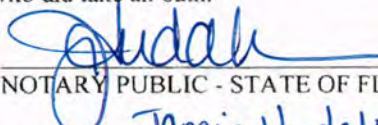


STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 12th day of November, 2015
Margaret Duriez, who is personally known to me, or showed _____
(type of identification; i.e., driver's license number, etc.), and who did take an oath.

(NOTARY SEAL)




NOTARY PUBLIC - STATE OF FLORIDA

Print Name: Jamie Hudak
My commission expires: 7-17-15

For Use by Public Works Department

CHECK NO.: _____

TOWN COUNCIL HEARING:

AMOUNT OF CHECK: _____

DATE: _____ RESOLUTION # _____

RECEIVED BY: _____

Approved: _____ Denied: _____

EXHIBIT

“A”

DESCRIPTION SKETCH FOR: MARGARET DURIEZ

LEGAL DESCRIPTION:

A tract of land in Section 3, Township 43 South, Range 43 East, Palm Beach County, Florida, being part of Lot 10 of **FIRST ADDITION TO PALM BEACH**, more particularly described as follows:

Beginning at the Southwest corner of Lot 8 of **ALTO LIDO**, according to the Plat of said **ALTO LIDO** on file in the Public Records of Palm Beach County, Florida, recorded in Plat Book 11, Page 36, said Southwest corner being also in the North line of Lot 10 of **FIRST ADDITION TO PALM BEACH**, according to Plat of said **FIRST ADDITION** on file in the Public Records of Palm Beach County, Florida, recorded in Plat Book 6, Page 90; thence Easterly along the South line of said Lot 8 of **ALTO LIDO** and along the South line of Lot 7 of **ALTO LIDO**, said South lines also being the North line of said Lot 10 of First Addition, a distance of 139.61 feet, more or less, to a point which is 450 feet East of the center line of Lake Way as said Lake Way is shown on Plat of said **ALTO LIDO**; thence Southerly at right angles to the said North line of Lot 10 of First Addition, a distance of 5 feet to a point; thence Westerly parallel with the North line of said Lot 10, a distance of 139.61 feet, more or less, to the intersection of the southerly extension of the West line of said Lot 8, of **ALTO LIDO**; thence Northerly, along said Southerly extension of the West line of said Lot 8, a distance of 5 feet, to the **POINT OF BEGINNING**.

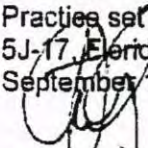
Containing in all 698 square feet, more or less.

NOTES:

1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect the subject property. No search of the Public Records has been made by this office.
2. This sketch is not valid unless sealed with an embossed surveyor's seal and accompanied by Sheet No. 2 of 2.
3. This sketch cannot be transferred or assigned without the specific written permission of **Wallace Surveying Corporation**.
4. This is not a survey!

CERTIFICATION:

I **HEREBY ATTEST** that the description sketch shown hereon conforms to the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1961.



Craig L. Wallace
Professional Surveyor and Mapper
Florida Certificate No. 3357

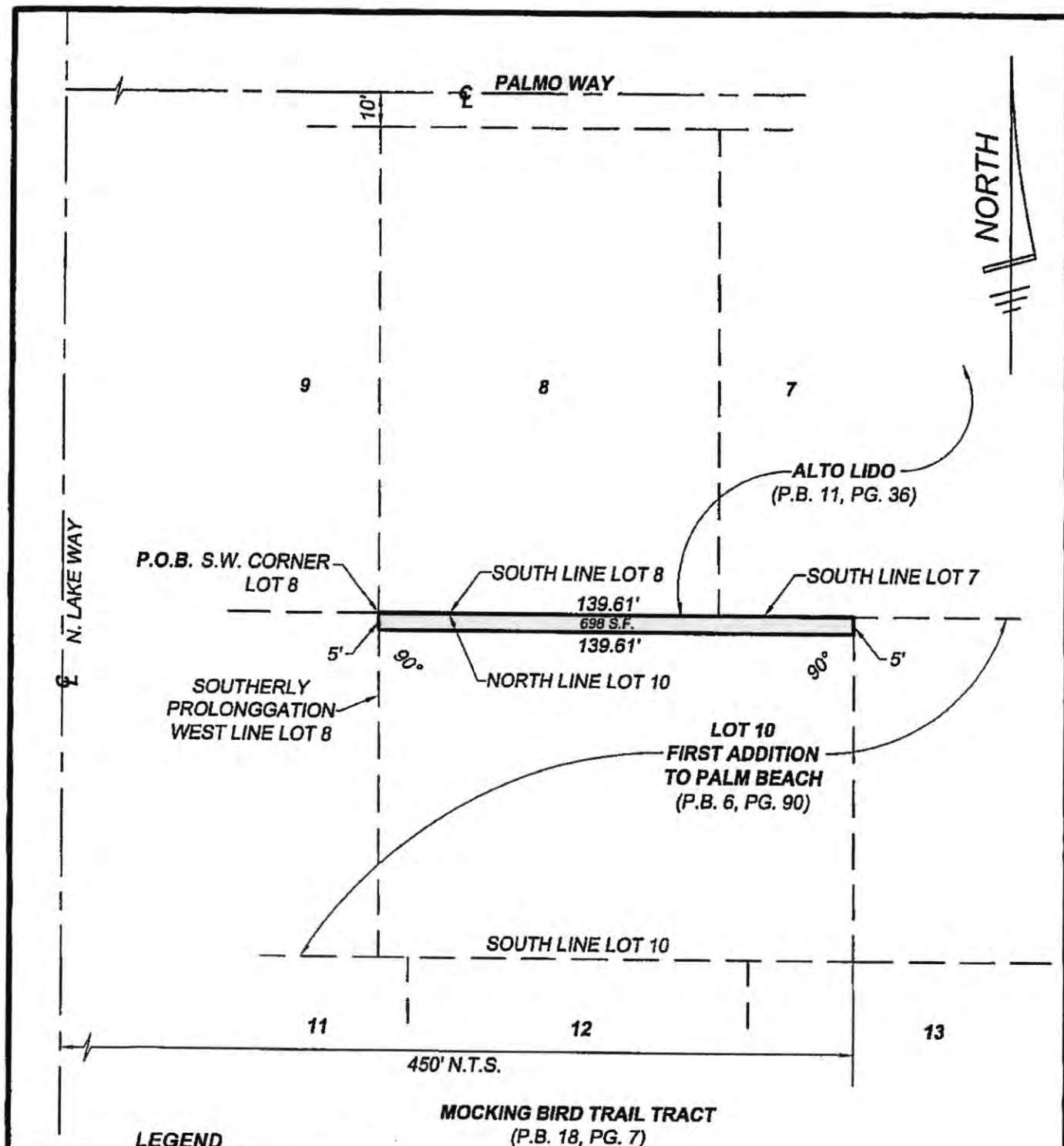
**EASEMENT TO BE
ABANDONED**



WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 07/08/05	DWG. No.: 15-1167-1
OFFICE: M.B.	SHEET: 1 OF 2
C'K'D.: C.W.	REF.: 15-1167-1.DWG



 WALLACE SURVEYING CORP. LICENSED BUSINESS # 4599 5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551	DATE: 07/08/05	DWG. No.: 15-1167-1
	OFFICE: M.B.	SHEET: 2 OF 2
	C'K'D.: C.W.	REF.: 15-1167-1.DWG

EXHIBIT

"B"

EXHIBIT B

DESCRIPTION SKETCH FOR: MARGARET DURIEZ

LEGAL DESCRIPTION:

A tract of land in Section 3, Township 43 South, Range 43 East, Palm Beach County, Florida, being part of Lot 8 of ALTO LIDO, a subdivision situated in Lots 7, 8 and 9, First Addition to Palm Beach, Florida, according to the Plat thereof, as recorded in Plat Book 11, Page(s) 36, of the Public Records of Palm Beach County, Florida, and a part of Lot 10 of FIRST ADDITION TO PALM BEACH, being more particularly described as follows:

BEGIN at the Southwest corner of said Lot 8 of ALTO LIDO, said Southwest corner being also in the North line of Lot 10 of FIRST ADDITION TO PALM BEACH, according to Plat of said FIRST ADDITION on file in the Public Records of Palm Beach County, Florida, recorded in Plat Book 6, Page 90;
thence Northerly, along the West line of said Lot 8, a distance of 140.11 feet to the Northwest corner of said Lot 8;
thence Easterly, along the North line of said Lot 8, a distance of 100.00 feet to the Northeast corner of said Lot 8;
thence Southerly, along the East line of said Lot 8, a distance of 140.11 feet to the Southeast corner of said Lot 8 and a point in the North line of said Lot 10;
thence Easterly, along the North line of said Lot 10, a distance of 39.61 feet, more or less, to a point which is 450 feet East of the center line of North Lake Way as shown on said plat of ALTO LIDO;
thence Southerly, at right angles to said North line, a distance of 10 feet;
thence Westerly, parallel with said South line, a distance of 49.61 feet, more or less, to a point on the Southerly prolongation of the West line of the East 10 feet to said Lot 8;
thence Northerly, along said prolongation and parallel with said East line of Lot 8, a distance of 140.11 feet to a point on a line 10 feet South of and parallel with said North line of Lot 8;
thence Westerly, along said parallel line, a distance of 80 feet to a point on a line 10 feet East of and parallel with said West line of Lot 8;
thence Southerly, along said parallel line, a distance of 125.11 feet to a point on a line 5 feet North of the South line of said Lot 8;
thence Easterly along said parallel line, a distance of 10 feet to a point;
thence Southerly, at right angles to said South line, a distance of 10 feet to a point on a line 5 feet South of and parallel with said North line of Lot 10;
thence Westerly, along said parallel line, a distance of 20 feet to a point on the Southerly prolongation of the West line of said Lot 8;
thence Northerly, along said prolongation, a distance of 5 feet to the POINT OF BEGINNING.

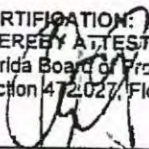
Containing in all 4,248 square feet, more or less.

NOTES:

1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect the subject property. No search of the Public Records has been made by this office.
2. This sketch is not valid unless sealed with an embossed surveyor's seal and accompanied by Sheet No. 2 of 2.
3. This sketch cannot be transferred or assigned without the specific written permission of Wallace Surveying Corporation.
4. This is not a survey!

CERTIFICATION:

I HEREBY ATTEST that the description sketch shown hereon conforms to the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.


Craig L. Wallace
Professional Surveyor and Mapper
Florida Certificate No. 3357

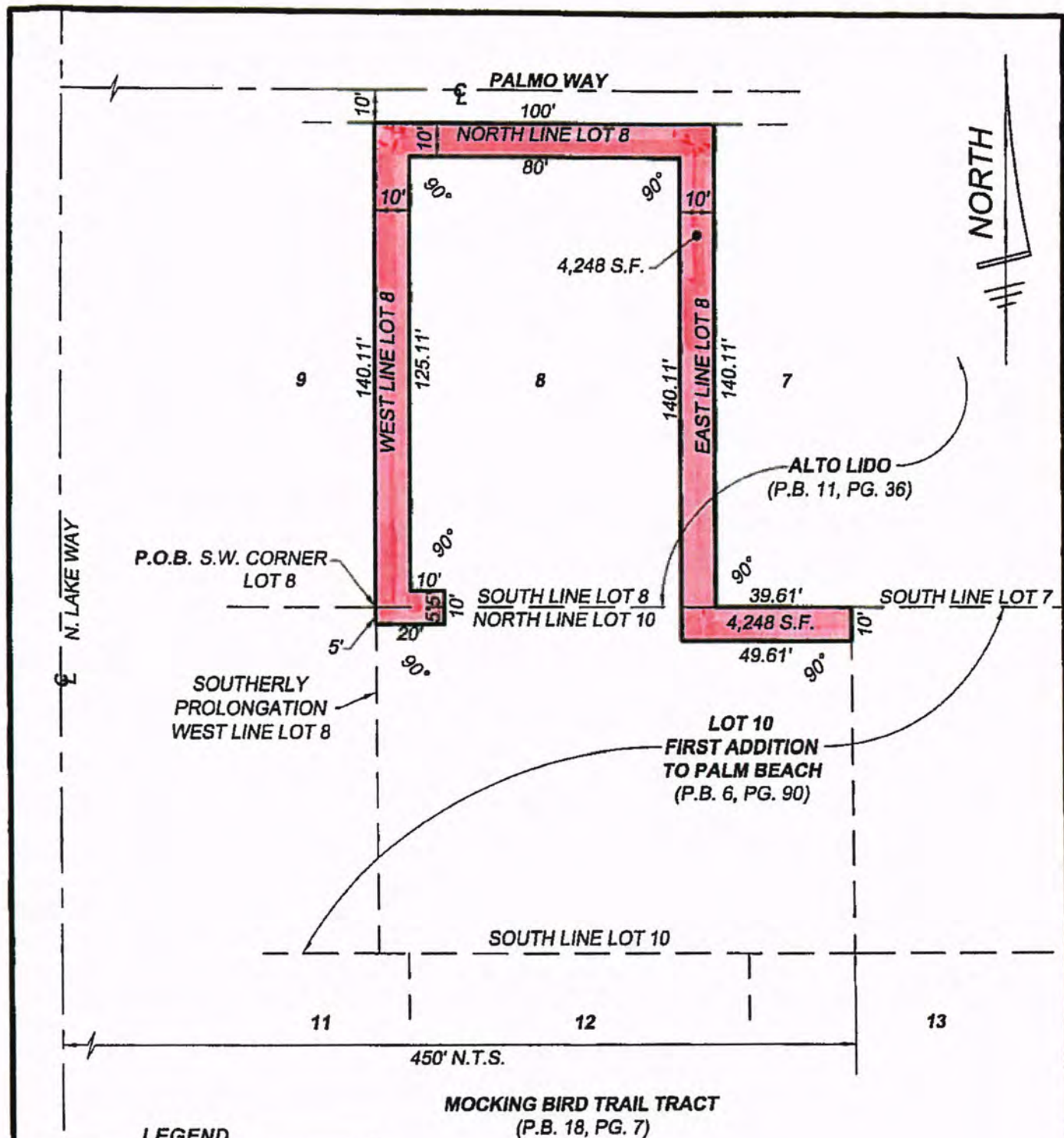
**EASEMENT TO BE
RE-DEDICATED**



WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 07/08/05	DWG. No.: 15-1167-2
OFFICE: M.B.	SHEET: 1 OF 2
C'K'D.: C.W.	REF.: 15-1167-2.DWG



WALLACE SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

DATE: 07/08/05

DWG. No.: 15-1167-2

OFFICE: M.B.

SHEET: 2 OF 2

C'K'D.: C.W.

REF.: 15-1167-2.DWG

Property Appraiser GIS - Property Detail list by parcel control number

Buffer:

504343030400000020
DURIEZ MARGARET
310 EDEN RD
PALM BEACH FL 33480 3318

Acres	0.64	Sales instr	WD	MTG	FIRST ADD TO PALM BEACH	E 139.61 FT OF W 440 FT OF LT
Value \$	2,821,665.00	Price	\$4,700,000.00	PUSE SINGLE FAMILY	10 LYG E OF LAKE WAY &	ALTO LIDO PB1P36
Taxbl \$	708,169.00	Date	3/19/2015	TaxDist 50411	LT 8	
Bldg \$	11,209.00	Book	27411	NAV		
Land \$	2,810,456.00	Page	461			

Buffer: 300

504343030400000020
DURIEZ MARGARET DORRANCE N
310 EDEN RD
PALM BEACH FL 33480 3318

Acres	0.47	Sales instr	WD	MTG	FIRST ADD TO PALM BEACH	
Value \$	2,781,188.00	Price	\$3,375,800.00	PUSE VACANT	E 201.33 FT OF LT 10 LYG W OF & ADJ TO N OCEAN WAY (LESS	
Taxbl \$	2,781,188.00	Date	8/29/2014	TaxDist 50411	N 60 FT OF W 2.5 FT) & S 10 FT OF LT 10 LYG ELY OF & ADJ TO	
Bldg \$	0.00	Book	27010	NAV		
Land \$	2,781,188.00	Page	798			

504343030400000060
DENNIS MICHAEL T
1231 N LAKE WAY
PALM BEACH FL 33480 3110

Acres	0.69	Sales instr	RD	MTG	FIRST ADD OF PALM BEACH	
Value \$	3,118,783.00	Price	\$395,000.00	PUSE SINGLE FAMILY	W 300.39 FT OF LT 10 LYG E OF & ADJ TO LAKE WAY R/W	
Taxbl \$	1,009,201.00	Date	5/11/1983 1	TaxDist 50411		
Bldg \$	297,761.00	Book	03971	NAV		
Land \$	2,821,022.00	Page	1244			

5043430304000000101
ZEEMAN JOAN J
230 PALMO WAY
PALM BEACH FL 33480 3135

Acres	0.50	Sales instr	QC	MTG	FIRST ADD OF PALM BEACH	
Value \$	2,616,894.00	Price	\$10.00	PUSE SINGLE FAMILY	E 100 FT OF W 700.39 FT (LESS S 26 FT) & N 60 FT OF E 2.5 FT	
Taxbl \$	914,981.00	Date	3/12/2007	TaxDist 50411	OF W 702.89 FT OF LT 10 LYG E OF & ADJ TO N LAKE WAY &	
Bldg \$	11,569.00	Book	21576	NAV		
Land \$	2,605,325.00	Page	1057			

5043430304000000102
VERBOCKEL JOHN P &
217 MOCKINGBIRD TRL
PALM BEACH FL 33480 3117

Acres	0.06	Sales instr	WD	MTG	FIRST ADD OF PALM BEACH	
Value \$	95,508.00	Price	\$260,000.00	PUSE VACANT	5.26 FT OF E 100 FT OF W 700.39 FT OF LT 10	
Taxbl \$	91,355.00	Date	12/20/2013	TaxDist 50411		
Bldg \$	0.00	Book	26548	NAV		
Land \$	95,508.00	Page	1492			

Property Appraiser GIS - Property Detail list by parcel control number

50434303040000110 JACOBI EVA MARIA & 234 PALMO WAY PALM BEACH FL 33480 3135	Acres 0.55 Value \$ 3,074,515.00 Taxbl \$ 1,894,538.00 Bldg \$ 360,659.00 Land \$ 2,713,856.00	Sales Instr Price \$0.00 Date 10/25/2013 Book 26513 Page 1152	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	FIRST ADDN TO PALM BEACH E 100 FT OF W 600.39 FT LT 10 E OF LAKE WAY IN DB728P97 & ALTO LIDO PB11P36 LT 6
50434303040000120 MERCK GEORGE F TRUST 227 AUSTRALIAN AVE APT 1B PALM BEACH FL 33480 4639	Acres 0.46 Value \$ 3,504,740.00 Taxbl \$ 2,922,675.00 Bldg \$ 1,035,590.00 Land \$ 2,469,150.00	Sales Instr Price \$10.00 Date 10/27/2012 Book 25538 Page 1148	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	FIRST ADD OF PALM BEACH E 60.39 FT OF W 500.39 FT OF LT 10 E OF LAKE WAY IN DB728 P95 & ALTO LIDO PB11P36 LT 7
50434303060000040 DAVIS DEANNA S 218 KENLYN RD PALM BEACH FL 33480 3108	Acres 0.60 Value \$ 3,960,134.00 Taxbl \$ 2,556,574.00 Bldg \$ 1,184,393.00 Land \$ 2,775,741.00	Sales Instr Price \$1,370,901.00 Date 3/27/2014 Book 26695 Page 1510	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	BELLO LIDO LTS 4 & 5
50434303060000060 SHADOWCORP HOLDINGS INC 34 PINE ST HOMOSASSA FL 34446 4654	Acres 0.30 Value \$ 4,055,306.00 Taxbl \$ 4,055,306.00 Bldg \$ 2,136,890.00 Land \$ 1,918,416.00	Sales Instr Price \$4,129,809.00 Date 11/25/2013 Book 26511 Page 556	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	BELLO LIDO LT 6
50434303060000070 KENAN R STERLING 234 KENLYN RD PALM BEACH FL 33480 3108	Acres 0.30 Value \$ 2,250,695.00 Taxbl \$ 1,554,820.00 Bldg \$ 332,279.00 Land \$ 1,918,416.00	Sales Instr Price \$2,370,500.00 Date 8/1/2012 Book 25396 Page 763	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	BELLO LIDO LT 7
50434303060000080 SCHROEDER MARK & 242 KENLYN RD PALM BEACH FL 33480 3108	Acres 0.30 Value \$ 3,308,342.00 Taxbl \$ 2,369,883.00 Bldg \$ 1,389,926.00 Land \$ 1,918,416.00	Sales Instr Price \$2,400,000.00 Date 10/12/2007 Book 22222 Page 95	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	BELLO LIDO LOT 8

Property Appraiser GIS - Property Detail list by parcel control number

504343030600000920	MTG	LT 9
KIERNAN ROBERT E III &		
34 RIDGE CROFT RD		
BRONXVILLE NY 10708 2419		
Acres 0.30	Sales Instr	WD
Value \$ 3,614,842.00	Price \$ 2,500,000.00	
Taxbl \$ 3,082,017.00	Date 2/28/2002	
Bldg \$ 1,557,217.00	Book 13465	
Land \$ 2,057,625.00	Page 1069	
504343030600000100	MTG	LT 10
FLUME JAMES M &		
8619 CRESCENT GATE LN		
HOUSTON TX 77024 7077		
Acres 0.36	Sales Instr	WD
Value \$ 3,894,749.00	Price \$ 4,200,000.00	
Taxbl \$ 3,894,749.00	Date 4/29/2014	
Bldg \$ 1,697,099.00	Book 26763	
Land \$ 2,197,650.00	Page 1621	
504343030800000090	MTG	LOT 4
EAGLE BAY HOLDINGS LLC		
199 WOODLEY RD		
WINNETKA IL 60093 3737		
Acres 0.32	Sales Instr	WD
Value \$ 2,236,680.00	Price \$ 3,115,000.00	
Taxbl \$ 1,838,069.00	Date 6/19/2015	
Bldg \$ 212,608.00	Book 27645	
Land \$ 2,024,072.00	Page 605	
504343030800000091	MTG	E 95 FT OF LT 9
RUNCO KRISTINE N		
254 PALMO WAY		
PALM BEACH FL 33480 3135		
Acres 0.31	Sales Instr	WD
Value \$ 2,343,835.00	Price \$ 1,900,000.00	
Taxbl \$ 1,572,726.00	Date 7/15/2011	
Bldg \$ 392,213.00	Book 24636	
Land \$ 1,951,622.00	Page 1255	
504343030800000092	MTG	W 5 FT OF LT 9 & LT 10
GTI LLC		
31 DROMARA RD		
SAINT LOUIS MO 63124 1815		
Acres 0.34	Sales Instr	WD
Value \$ 2,091,994.00	Price \$ 10.00	
Taxbl \$ 2,091,994.00	Date 6/16/2015	
Bldg \$ 0.00	Book 27609	
Land \$ 2,091,994.00	Page 1866	
504343030800000110	MTG	LT 11
DE TOMASO ISABELLE H		
1241 N LAKE WAY		
PALM BEACH FL 33480 3110		
Acres 0.32	Sales Instr	WD
Value \$ 2,220,837.00	Price \$ 400,000.00	
Taxbl \$ 1,285,272.00	Date 12/1/1985	
Bldg \$ 196,765.00	Book 04781	
Land \$ 2,024,072.00	Page 0886	

Property Appraiser GIS - Property Detail list by parcel control number

50434303080000160 PALM BEACH TOWN OF PO BOX 2029 PALM BEACH FL 33480 2029	Acres 2.56 Value \$ 4,954,458.00 Taxbl \$ 0.00 Bldg \$ 40,458.00 Land \$ 4,914,000.00	Sales instr Price \$ Date Book Page	MTG PUSE MUNICIPAL TaxDist 50411 NAV	ALTO LIDO LTS 16 TO 23 INC
50434303090000090 RHODES PAUL & 1225 NORTH LAKE WAY PALM BEACH FL 33480 3110	Acres 0.32 Value \$ 2,608,233.00 Taxbl \$ 1,547,475.00 Bldg \$ 588,689.00 Land \$ 2,019,544.00	Sales instr Price \$1,750,000.00 Date 12/12/2002 Book 14535 Page 1177	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 9
50434303090000100 ANDREWS MICHAEL F & 255 MOCKINGBIRD TRL PALM BEACH FL 33480 3117	Acres 0.29 Value \$ 1,815,551.00 Taxbl \$ 648,222.00 Bldg \$ 181,488.00 Land \$ 1,634,063.00	Sales instr Price \$550,000.00 Date 10/1/1993 Book 07972 Page 0160	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 10 & UND INT IN PT OF LTS 19A, 20A & UNMBRD TR AS IN D8863P260 K/A PRIV BCH
50434303090000110 GEORGE LYNN W 249 MOCKINGBIRD TRL PALM BEACH FL 33480 3117	Acres 0.29 Value \$ 1,642,151.00 Taxbl \$ 518,306.00 Bldg \$ 8,088.00 Land \$ 1,634,063.00	Sales instr Price \$100.00 Date 6/1/1984 1 Book 04265 Page 1472	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 11
50434303090000120 JOHNSON SCOTT A & 241 MOCKINGBIRD TRL PALM BEACH FL 33480 3117	Acres 0.29 Value \$ 1,918,668.00 Taxbl \$ 618,537.00 Bldg \$ 284,605.00 Land \$ 1,634,063.00	Sales instr Price \$ Date Book Page	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 12 & UND INT IN PT OF LTS 19A, 20A & UNMBRD TR AS IN D8863P260 K/A PRIV BCH
50434303090000130 WOODMAN DEAN S & 233 MOCKINGBIRD TRL PALM BEACH FL 33480 3117	Acres 0.29 Value \$ 4,131,945.00 Taxbl \$ 2,945,801.00 Bldg \$ 2,252,773.00 Land \$ 1,879,172.00	Sales instr Price \$4,000,000.00 Date 8/3/2012 1 Book 25403 Page 1260	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 13

Property Appraiser GIS - Property Detail list by parcel control number

50434303090000140 PEACOCK MICHAEL E 225 MOCKINGBIRD TRL PALM BEACH FL 33480 3117	Acres 0.29 Value \$ 2,580,787.00 Taxbl \$ 1,950,433.00 Bldg \$ 946,724.00 Land \$ 1,634,063.00	Sales Instr Price \$2,360,000.00 Date 7/12/2010 Book 23956 Page 1077	WD PULSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 14 & UND INT IN PT OF LTS 19A, 20A & UNMBRD TR AS IN D8863P260 K/A PRIV BCH
50434303090000150 VERBOCKEL JOHN P & 217 MOCKINGBIRD TRL PALM BEACH FL 33480 3117	Acres 0.29 Value \$ 1,837,095.00 Taxbl \$ 1,760,651.00 Bldg \$ 203,032.00 Land \$ 1,634,063.00	Sales Instr Price \$1,295,000.00 Date 11/28/2000 Book 12171 Page 590	WD PULSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 15
50434303090000160 TRAFF TIMOTHY L & 209 MOCKINGBIRD TRL PALM BEACH FL 33480 3117	Acres 0.30 Value \$ 3,759,945.00 Taxbl \$ 3,276,722.00 Bldg \$ 1,858,132.00 Land \$ 1,901,813.00	Sales Instr Price \$3,900,000.00 Date 4/26/2013 Book 26090 Page 1515	WD PULSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 16 & W 2.25 FT OF LT 17 & UND INT IN PT OF LTS 19A, 20A & UNMBRD TR AS IN D8863P260 K/A PRIV BCH
50434303090000240 FARRIS DONALD H TRUST 4385 POPLAR AVE MEMPHIS TN 38117 3715	Acres 0.29 Value \$ 3,233,111.00 Taxbl \$ 3,233,111.00 Bldg \$ 1,353,939.00 Land \$ 1,879,172.00	Sales Instr Price \$10.00 Date 7/18/2013 Book 26658 Page 1837	QC PULSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 24
50434303090000250 HELMS STEVEN S 222 MOCKINGBIRD TRL PALM BEACH FL 33480 3118	Acres 0.29 Value \$ 1,925,916.00 Taxbl \$ 1,513,569.00 Bldg \$ 291,853.00 Land \$ 1,634,063.00	Sales Instr Price \$1,951,500.00 Date 6/25/2012 Book 25295 Page 1352	WD PULSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 25 & UND INT IN PT OF LTS 19A, 20A & UNMBRD TR AS IN D8863P260 K/A PRIV BCH
50434303090000260 MCKENNA SARA T 232 MOCKINGBIRD TRL PALM BEACH FL 33480 3118	Acres 0.29 Value \$ 1,641,321.00 Taxbl \$ 1,293,194.00 Bldg \$ 7,258.00 Land \$ 1,634,063.00	Sales Instr Price \$10.00 Date 11/11/2009 Book 23568 Page 1547	WD PULSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 26

Property Appraiser GIS - Property Detail list by parcel control number

50434303090000270 BLANCHARD MAUREEN O 240 MOCKINGBIRD TRL PALM BEACH FL 33480 3118	Acres 0.29	Value \$ 1,642,941.00	Sales Instr Price \$10.00 Date 2/28/2012 Book 25053 Page 1329	DT	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 27
50434303090000280 SAM SOR DEV INC 3700 STEEL AVE W STE 800 WOODBRIIDGE ON L4L 8M9 CANADA	Acres 0.29	Value \$ 1,640,479.00	Sales Instr Price \$55,000.00 Date 1/1/1971 1 Book 01890 Page 0449	00	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 28 & UND INT IN PT OF LTS 19A, 20A & UNMBRD TR AS IN D8863P260 K/A PRIV BCH
50434303090000290 MOCKINGBIRD HOME LLC 256 MOCKINGBIRD TRL PALM BEACH FL 33480 3118	Acres 0.29	Value \$ 2,059,893.00	Sales Instr Price \$3,115,850.00 Date 7/30/2015 Book 27712 Page 248	WD	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 29
50434303090000300 MATWICZYK PETER 1215 N LAKE WAY PALM BEACH FL 33480 3154	Acres 0.32	Value \$ 2,074,687.00	Sales Instr Price \$10.00 Date 3/13/2013 Book 25868 Page 1538	QC	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 30 (LESS W 5 FT N LAKE WAY RD R/W) & UND INT IN PT OF LTS 19A, 20A & UN#D TR AS IN D8863P260 K/A PRIV BCH
50434303090000320 JAFFE RONALD G TR & 261 NIGHTINGALE TRL PALM BEACH FL 33480 3203	Acres 0.29	Value \$ 1,639,429.00	Sales Instr Price \$10.00 Date 7/14/2015 Book 27685 Page 1425	LE	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 32 & UND INT IN PT OF LTS 41A, 42A & UNMBRD TR AS IN D8863P763 K/A PRIV BCH
50434303090000330 SINCLAIR WHITNEY TR 720 ARDSLEY RD WINNETKA IL 60093 2004	Acres 0.29	Value \$ 1,642,955.00	Sales Instr Price \$10.00 Date 12/17/2012 Book 25754 Page 1522	WD	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 33

Property Appraiser GIS - Property Detail list by parcel control number

504343030900000350 HOCHSTIN ROGER J & 245 NIGHTINGALE TRL PALM BEACH FL 33480 3203	Acres 0.29	Sales Instr Price \$1,892,988.00 Date 6/17/1998 1 Book 10494 Page 1113	WD	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 34 & UND INT IN PT OF LTS 41A, 42A & UNMBRD TR AS IN DB863P263 K/A PRIV BCH
504343030900000360 AUSTIN LAURENCE M 235 NIGHTINGALE TRL PALM BEACH FL 33480 3203	Acres 0.29	Sales Instr Price \$2,834,955.00 Date 4/21/2010 Book 23808 Page 148	WD	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 35 & UND INT IN PT OF LTS 41A, 42A & UNMBRD TR AS IN DB863P263 K/A PRIV BCH
504343030900000360 LYNCH PATRICK & 11 SMITH STREET LONDON SW24EE GREAT BRITAIN & NRTHRN IRELAND	Acres 0.29	Sales Instr Price \$3,864,341.00 Date 11/27/2013 Book 26480 Page 419	WD	MTG PUSE SINGLE FAMILY TaxDist 50411 NAV	MOCKING BIRD TRAIL TRACT LT 36 & UND INT IN PT OF LTS 41A, 42A & UNMBRD TR AS IN DB863P263 K/A PRIV BCH

SIGNED CONSENTS



Garth Bedward
Utility Coordinator
Palm Beach County

AT&T Florida
2021 South Military Trail
West Palm Beach, FL 33415

T: 561-357-6553
F: 561-964-3499
GB7410@att.com

September 26, 2015

Courtney Hudak
Asst. to Maura Ziska, Esq.
Kochman & Ziska PLC
222 Lakeview Avenue, Ste. 1500
West Palm Beach, FL 33401

Re: Easement Abandonment
250 Palmo Way, Town of Palm Beach, FL

Dear Courtney Hudak:

In response to your inquiry dated September 25, 2015, this letter shall serve as notice that AT&T Florida has an objection to the above mentioned abandonment. However, AT&T does have aerial and buried utilities located within this area and abandoning these easements will require that necessary easements are granted to AT&T for access and other purposes. The owner/ developer must assume any cost associated with the adjustment, removal or relocation of utilities, if required. No "as-built" are currently available for these facilities.

Effective October 2, 2002, changes to Chapter 556, Florida Statutes, the "Underground Facility Damage Prevention and Safety Act" added provisions for design services to obtain locations of public utilities. By receipt of this letter you are authorized to obtain marked surface field locations of existing underground AT&T Florida facilities at your expense by contacting the licensed AT&T Florida contractor, USIC Locating & Utility Services, Lauren Griffin, Office Manager, at (352) 516-3073 or LaurenGriffin@usicllc.com for private location service.

Cordially,

Garth Bedward
Manager OSP Planning & Engineering Design
AT&T Utility Coordinator (Palm Beach County)

KOCHMAN & ZISKA PLC**Ronald S. Kochman*****Maura A. Ziska****Marvin S. Rosen, Counsel***

*Also admitted in New York

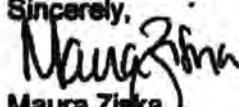
*Also admitted in Michigan

Esperanté**222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401****Telephone: (561) 802-8960****Facsimile: (561) 802-8995****September 24, 2015****City of West Palm Beach
Attention: Vincent Noel
401 Clematis Street, 4th Floor
West Palm Beach, FL 33401****Re: Easement Abandonment
250 Palmo Way, Palm Beach, Florida****Dear Mr. Noel,**

The property owner is planning to construct a new single family residence that would traverse the existing utility easement that runs east-west across the property. Attached is a sketch that illustrates the existing easement to be abandoned and the location of the new utility easement to be dedicated to accommodate your utility, if required.

The Town of Palm Beach, as part of the procedure for abandonment of utility easements, requires that letters of no objection be received from all utilities. If you do not object to the abandonment of the utility easement as outlined in this letter, please sign and date at the bottom of this letter and return via fax or email and U.S. Mail to the attention of Maura Ziska, Esquire at fax number 561-802-8995, email mziska@floridawills.com, and address Kochman & Ziska PLC, 222 Lakeview Avenue, Suite 1500, West Palm Beach, FL 33401. Should you have any questions or concerns about this request or wish to meet on-site, please call me at 561-802-8960 at the earliest possible time. Time is of the essence with regard to our submittal to the Town. Please respond with a signed letter no later than October 9, 2015.

Thank you for your assistance with is matter.

Sincerely,

Maura Ziska

Utility Company has no objection to the abandonment of the easement of 250 Palmo Way, Palm Beach site as illustrated in on the attached sketch.


29610Date 9/29/15



September 24, 2015

Courtney Hudak
Asst. to Maura Ziska, Esq.
Kochman & Ziska PLC
222 Lakeview Avenue, Ste. 1500
West Palm Beach, Fl 33401
561-802-8960 Telephone
561-802-8995 Fax

RE: Easement Abandonment 250 Palmo Way

Dear Courtney Hudak,

In regard to the above referenced project w/survey and according to the Comcast design prints, Comcast has no objection to abandoning the existing right of way and or utility easement for the above project with the respect that the Builder and or Owner will be held financially responsible for all cost to relocate the said Comcast Cable facilities to the newly dedicated right of way and or utility easement to feed remaining/existing and or new customers.

Please note all financial payment will be 100% secured before Comcast will render any work.

Please call 1-800-432-4770, 811 or www.callsunshine.com before you dig.

If you have any further questions, please feel free to contact us during normal business hours at 561-882-4310.

Sincerely,

Mark A. Milford
The Comcast logo, featuring the word "Comcast" in a bold, sans-serif font, with a large, stylized "C" that has a circular shape around it.

FEC Regional Construction
561-882-4310
Mark_Milford@cable.comcast.com

KOCHMAN & ZISKA PLC

Ronald S. Kochman*

Maura A. Ziska

Marvin S. Rosen, Counsel*

*Also admitted in New York

*Also admitted in Michigan

Esperanté

222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960

Facsimile: (561) 802-8995

September 24, 2015

Florida Power & Light
Attention: Greg Santander
8 Charlotte Avenue
West Palm Beach, FL 33401

Re: **Easement Abandonment**
250 Palmo Way, Palm Beach, Florida

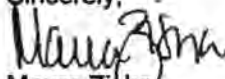
Dear Mr. Thomas:

The property owner is planning to construct a new single family residence that would traverse the existing utility easement that runs east-west across the property. Attached is a sketch that illustrates the existing easement to be abandoned and the location of the new utility easement to be dedicated to accommodate your utility, if required.

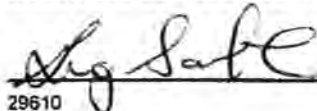
The Town of Palm Beach, as part of the procedure for abandonment of utility easements, requires that letters of no objection be received from all utilities. If you do not object to the abandonment of the utility easement as outlined in this letter, please sign and date at the bottom of this letter and return via fax or email and U.S. Mail to the attention of Maura Ziska, Esquire at fax number 561-802-8995, email mziska@floridawills.com, and address Kochman & Ziska PLC, 222 Lakeview Avenue, Suite 1500, West Palm Beach, FL 33401. Should you have any questions or concerns about this request or wish to meet on-site, please call me at 561-802-8960 at the earliest possible time. Time is of the essence with regard to our submittal to the Town. Please respond with a signed letter no later than **October 9, 2015**.

Thank you for your assistance with is matter.

Sincerely,


Maura Ziska

Utility Company has no objection to the abandonment of the easement of 250 Palmo Way, Palm Beach site as illustrated in on the attached sketch.


29610

Date 11/12/2015

KOCHMAN & ZISKA PLC

Ronald S. Kochman*

Maura A. Ziska

Marvin S. Rosen, Counsel*

*Also admitted in New York

*Also admitted in Michigan

Esperanté

222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960

Facsimile: (561) 802-8995

September 24, 2015

Florida Public Utilities
Attention: Ivan Gibbs
P.O. Box 3395
West Palm Beach, FL 33401

Re: **Easement Abandonment**
250 Palmo Way, Palm Beach, Florida

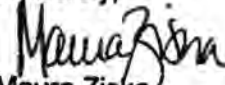
Dear Mr. Gibbs:

The property owner is planning to construct a new single family residence that would traverse the existing utility easement that runs east-west across the property. Attached is a sketch that illustrates the existing easement to be abandoned and the location of the new utility easement to be dedicated to accommodate your utility, if required.

The Town of Palm Beach, as part of the procedure for abandonment of utility easements, requires that letters of no objection be received from all utilities. If you do not object to the abandonment of the utility easement as outlined in this letter, please sign and date at the bottom of this letter and return via fax or email and U.S. Mail to the attention of Maura Ziska, Esquire at fax number 561-802-8995, email mziska@floridawills.com, and address Kochman & Ziska PLC, 222 Lakeview Avenue, Suite 1500, West Palm Beach, FL 33401. Should you have any questions or concerns about this request or wish to meet on-site, please call me at 561-802-8960 at the earliest possible time. Time is of the essence with regard to our submittal to the Town. Please respond with a signed letter no later than **October 9, 2015**.

Thank you for your assistance with is matter.

Sincerely,


Maura Ziska

Utility Company has no objection to the abandonment of the easement of 250 Palmo Way, Palm Beach site as illustrated in on the attached sketch.

Ivan Gibbs

Digitally signed by Ivan Gibbs
DN: cn=Ivan Gibbs, ou=FPUC, ou=SF
Engineering, email=igibbs@fpuc.com, c=US
Date: 2015.10.27 11:28:41 -0400

Date 10/27/2015

29610

KOCHMAN & ZISKA PLC

Ronald S. Kochman*

Maura A. Ziska

Marvin S. Rosen, Counsel*

*Also admitted in New York

*Also admitted in Michigan

Esperanté

222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960

Facsimile: (561) 802-8995

September 24, 2015

Town of Palm Beach
Public Works Department
Attention: Mark Loree
951 Old Okeechobee Boulevard, Suite A
West Palm Beach, FL 33401

Re: **Easement Abandonment**
250 Palmo Way, Palm Beach, Florida

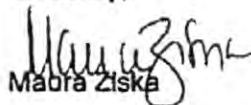
Dear Mr. Loree:

The property owner is planning to construct a new single family residence that would traverse the existing utility easement that runs east-west across the property. Attached is a sketch that illustrates the existing easement to be abandoned and the location of the new utility easement to be dedicated to accommodate your utility, if required.

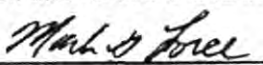
The Town of Palm Beach, as part of the procedure for abandonment of utility easements, requires that letters of no objection be received from all utilities. If you do not object to the abandonment of the utility easement as outlined in this letter, please sign and date at the bottom of this letter and return via fax or email and U.S. Mail to the attention of Maura Ziska, Esquire at fax number 561-802-8995, email mziska@floridawills.com, and address Kochman & Ziska PLC, 222 Lakeview Avenue, Suite 1500, West Palm Beach, FL 33401. Should you have any questions or concerns about this request or wish to meet on-site, please call me at 561-802-8960 at the earliest possible time. Time is of the essence with regard to our submittal to the Town. Please respond with a signed letter no later than **October 9, 2015**.

Thank you for your assistance with is matter.

Sincerely,


Maura Ziska

Town of Palm Beach Electrical Bureau has no objection to the abandonment of the easement of 250 Palmo Way, Palm Beach site as illustrated in on the attached sketch.

MARK G. LOREE 

Date 11/4/15

29610

KOCHMAN & ZISKA PLC

Ronald S. Kochman*

Maura A. Ziska

Marvin S. Rosen, Counsel*

*Also admitted in New York

*Also admitted in Michigan

Esperanté

222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960

Facsimile: (561) 802-8995

September 24, 2015

Town of Palm Beach
Public Works Department
Attention: Douglas Terry, Water Resource Div.
951 Old Okeechobee Boulevard, Suite A
West Palm Beach, FL 33401

Re: **Easement Abandonment**
250 Palmo Way, Palm Beach, Florida

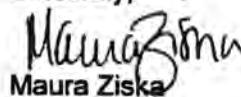
Dear Mr. Terry:

The property owner is planning to construct a new single family residence that would traverse the existing utility easement that runs east-west across the property. Attached is a sketch that illustrates the existing easement to be abandoned and the location of the new utility easement to be dedicated to accommodate your utility, if required.

The Town of Palm Beach, as part of the procedure for abandonment of utility easements, requires that letters of no objection be received from all utilities. If you do not object to the abandonment of the utility easement as outlined in this letter, please sign and date at the bottom of this letter and return via fax or email and U.S. Mail to the attention of Maura Ziska, Esquire at fax number 561-802-8995, email mziska@floridawills.com, and address Kochman & Ziska PLC, 222 Lakeview Avenue, Suite 1500, West Palm Beach, FL 33401. Should you have any questions or concerns about this request or wish to meet on-site, please call me at 561-802-8960 at the earliest possible time. Time is of the essence with regard to our submittal to the Town. Please respond with a signed letter no later than **October 9, 2015**.

Thank you for your assistance with is matter.

Sincerely,


Maura Ziska

Town of Palm Beach Water Resource Division has no objection to the abandonment of the easement of 250 Palmo Way, Palm Beach site as illustrated in on the attached sketch.

Doug Terry

Digitally signed by Doug Terry
DN: cn=Doug Terry, ou=Town of Palm Beach
Public Works Department, ou=Water
Resources Division,
email=dterry@townofpalmbeach.com, c=US
Date: 2015.09.25.07:04:42 -0400

Date _____

29610

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Palm Beach, Florida, at a regular meeting to be held on February 9, 2016, beginning at 9:30 a.m. in the Council Chambers of the Town Hall, 360 South County Road, Palm Beach, Florida will have on the Agenda the following:

PETITION FOR THE ABANDONMENT OF A PORTION OF AN EXISTING UTILITY EASEMENT WITHIN THE PROPERTY COMMONLY KNOWN AS 250 PALMO WAY IN THE TOWN OF PALM BEACH, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT TO BE ABANDONED:

A TRACT OF LAND IN SECTION 3, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING PART OF LOT 10 OF **FIRST ADDITION TO PALM BEACH**, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 8 OF **ALTO LIDO**, ACCORDING TO THE PLAT OF SAID **ALTO LIDO** ON FILE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 11, PAGE 36, SAID SOUTHWEST CORNER BEING ALSO IN THE NORTH LINE OF LOT 10 OF **FIRST ADDITION TO PALM BEACH**, ACCORDING TO PLAT OF SAID **FIRST ADDITION** ON FILE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 6, PAGE 90; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 8 OF **ALTO LIDO** AND ALONG THE SOUTH LINE OF LOT 7 OF **ALTO LIDO**, SAID SOUTH LINES ALSO BEING THE NORTH LINE OF SAID LOT 10 OF FIRST ADDITION, A DISTANCE OF 139.61 FEET, MORE OR LESS, TO A POINT WHICH IS 450 FEET EAST OF THE CENTER LINE OF LAKE WAY AS SAID LAKE WAY IS SHOWN ON PLAT OF SAID **ALTO LIDO**; THENCE SOUTHERLY AT RIGHT ANGLES TO THE SAID NORTH LINE OF LOT 10 OF FIRST ADDITION, A DISTANCE OF 5 FEET TO A POINT; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID LOT 10, A DISTANCE OF 139.61 FEET, MORE OR LESS, TO THE INTERSECTION OF THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 8, OF **ALTO LIDO**; THENCE NORTHERLY, ALONG SAID SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 8, A DISTANCE OF 5 FEET, TO THE **POINT OF BEGINNING**.

This application for abandonment has been filed by Margaret Duriez, 310 Eden Road, Palm Beach, FL 33480, ALL PERSONS INTERESTED in this matter may appear before the Town Council of the Town of Palm Beach at the time and place aforesaid and be heard.

SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE BY THE TOWN COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC HEARING, SAID PARTY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. 286.0105, F.S.

H. Paul Brazil, P.E.
Director, Department of Public Works
Town of Palm Beach

RECEIPT

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Palm Beach, Florida, at a regular meeting to be held on February 9, 2016, beginning at 9:30 a.m. in the Council Chambers of the Town Hall, 360 South County Road, Palm Beach, Florida will have on the Agenda the following:

PETITION FOR THE ABANDONMENT OF A PORTION OF AN EXISTING UTILITY EASEMENT WITHIN THE PROPERTY COMMONLY KNOWN AS 250 PALMO WAY IN THE TOWN OF PALM BEACH, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT TO BE ABANDONED:

A TRACT OF LAND IN SECTION 3, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING PART OF LOT 10 OF FIRST ADDITION TO PALM BEACH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 8 OF ALTO LIDO, ACCORDING TO THE PLAT OF SAID ALTO LIDO ON FILE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 11, PAGE 36, SAID SOUTHWEST CORNER BEING ALSO IN THE NORTH LINE OF LOT 10 OF FIRST ADDITION TO PALM BEACH, ACCORDING TO PLAT OF SAID FIRST ADDITION ON FILE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 6, PAGE 90, THENCE EASTERLY ALONG THE SOUTH LINE OF SAID LOT 8 OF ALTO LIDO AND ALONG THE SOUTH LINE OF LOT 7 OF ALTO LIDO, SAID SOUTH LINES ALSO BEING THE NORTH LINE OF SAID LOT 10 OF FIRST ADDITION, A DISTANCE OF 139.61 FEET, MORE OR LESS, TO A POINT WHICH IS 450 FEET EAST OF THE CENTER LINE OF LAKE WAY AS SAID LAKE WAY IS SHOWN ON PLAT OF SAID ALTO LIDO; THENCE SOUTHERLY AT RIGHT ANGLES TO THE SAID NORTH LINE OF LOT 10 OF FIRST ADDITION, A DISTANCE OF 5 FEET TO A POINT; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID LOT 10, A DISTANCE OF 139.61 FEET, MORE OR LESS, TO THE INTERSECTION OF THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 8, OF ALTO LIDO, THENCE NORTHERLY, ALONG SAID SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 8, A DISTANCE OF 5 FEET, TO THE POINT OF BEGINNING.

This application for abandonment has been filed by Margaret Duriez, 310 Eden Road, Palm Beach, FL 33480, ALL PERSONS INTERESTED in this matter may appear before the Town Council of the Town of Palm Beach at the time and place aforesaid and be heard.

SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE BY THE TOWN COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC HEARING, SAID PARTY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. 286.0105, F.S.

H. Paul Brazil, P.E.
Director, Department of Public Works
Town of Palm Beach
PUB: The Palm Beach Post
1-17/2016 #453306

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Proposed Townwide Underground Utilities Project

Thomas G. Bradford, Town Manager

a. Communications Update

Rick Asnani, Cornerstone Solutions, Inc.

b. Consideration of an Appeals Process for Assessments

c. RESOLUTION NO. 23-2016 - A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Rescinding Resolution No. 50-2015; Reestablishing the Underground Utilities Task Force; Memorializing the Citizens Oversight Function of the Underground Utilities Task Force During the Design and Construction Phases of the Proposed Project; Providing for an Eighth Seat on the Underground Utilities Task Force and Providing for Method of Appointment; Providing an Effective Date.

d. Appointment to Underground Utilities Task Force

Presenter

Supporting Documents

- [Memorandum Dated February 3, 2016, from Thomas G. Bradford, Town Manager](#)
- [Resolution No. 23-2016](#)
- [Resolution No. 50-2015](#)
- [Harry Wolin Letter and Resume](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

From: Thomas G. Bradford, Town Manager

Re: Proposed Townwide Underground Utilities Project

Date: February 3, 2016

STAFF RECOMMENDATION

Staff recommends the Town Council:

- a. Receive the communications update from Cornerstone Solutions and provide feedback and direction as deemed necessary
- b. Consider creation of a revised appeals process for proposed assessments
- c. Adopt Resolution No. 23 – 2016 creating an additional Underground Utilities Task Force position and formalizing the citizens oversight role of the Task Force
- d. Consider appointing Mr. Harry Wolin to the Underground Utilities Task Force as a representative from that area of Town south of Sloan's Curve.

GENERAL INFORMATION

Communications Update

Rick Asnani of Cornerstone Solutions, Inc. will provide the Town Council and public with an update of the activities associated with the Town's public information program relative to the proposed townwide underground utilities project.

Consideration of an appeals process for assessments

Section 90 – 49 (c) of the Town Code of Ordinances grants the Town Manager the authority on his or her own initiative or in response to a filed petition from the owner of any assessed property to correct any error in applying the assessment to that particular property. All requests from affected property owners for any such changes, modifications or corrections are to be referred to and processed by the town manager.

In light of the large number of parcels being assessed in the townwide underground utilities project the Town Council may wish to consider an alternative process. Options include:

- allowing for decisions of the Town Manager to be appealed to the Town Council;
- allowing for decisions of the Town Manager to be appealed to the Underground Utilities Task Force;
- requiring all decisions of the Town Manager relative to petitions or proposed assessment changes, up or down, being required to be heard by the Town Council or the Underground Utilities Task Force;
- leaving the code as is whereby the decisions of the Town Manager are theoretically final.

The Town's assessment counsel has recommended that any option chosen other than leaving the Code as is should be formalized by way of a resolution of the Town Council setting forth the alternative process to be used in conjunction with this project.

Resolution No. 23 – 2016

The resolution essentially creating the charter of the Underground Utilities Task Force needs to be amended to include an additional position on the Task Force to accommodate the Town Council's desire to have a representative of that area of Town south of Sloan's Curve. In addition, we should formalize the intent of the Town to have the underground utilities task force provide the citizens oversight function during the design and construction phases of the proposed project. Resolution No. 23 – 2016 makes the changes as stated herein.

Appointment to the Underground Utilities Task Force

In response to the Town's notices for interested persons residing south of Sloan's Curve to apply for a proposed seat on the Underground Utilities Task Force we received the enclosed application of Mr. Harry Wolin. Mr. Wolin's cover letter and curriculum vitae are attached for your review. This is the only application that the Town received for the proposed seat on the Underground Utilities Task Force. An adopted motion of the Town Council appointing Mr. Wolin to the Underground Utilities Task Force is requested.

TGB

ATTACHMENTS

cc: UUTF Members
 Jay Boodheshwar, Deputy Town Manager
 Jane Struder, Director of Finance
 Patricia Strayer, Senior Project Engineer
 John C. Randolph, Town Attorney
 Rick Asnani, Cornerstone Solutions
 Jon Cooper, Cornerstone Solutions
 Harry Wolin

RESOLUTION NO. 23-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RESCINDING RESOLUTION NO. 50-2015, REESTABLISHING THE UNDERGROUND UTILITIES TASK FORCE TO REVIEW MATTERS RELATED TO THE UNDERGROUNDING OF UTILITIES; MEMORIALIZING THE CITIZENS OVERSIGHT FUNCTION OF THE UNDERGROUND UTILITIES TASK FORCE DURING THE DESIGN AND CONSTRUCTION PHASES OF THE PROPOSED PROJECT; PROVIDING FOR EIGHT SEATS ON THE UNDERGROUND UTILITIES TASK FORCE AND PROVIDING FOR METHOD OF APPOINTMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council is investigating the possibilities of undergrounding utilities at various locations throughout the Town; and

WHEREAS, the Town Council wishes to use the expertise and advice of a committee of Town residents in regard to the undergrounding of utilities; and

WHEREAS, it is the desire of the Town Council to appoint an Underground Utilities Task Force to advise the Town Council in regard to undergrounding.

NOW, THEREFORE, LET IT BE RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1: Resolution No. 50- 2015 that created the Underground Utilities Task Force on May 12, 2015, is hereby rescinded.

Section 2: The Town Council hereby authorizes the continuation of the Underground Utilities Task Force. The Underground Utilities Task Force shall be charged with the investigation, review of possibilities of undergrounding utilities throughout the Town and to make recommendations to the Town Council on matters pertaining to the undergrounding of utilities.

Section 3: The Task Force shall also function in a citizen oversight capacity for the proposed project during the design and construction phases of the project to ensure timely receipt of project related deliverables, review of proposed budgets for elements of the project and in total, monitoring of budget adherence, establishment of staff, design team and contractor project related reporting requirements and to make recommendations to the Town Council deemed necessary by the Task Force to provide for a project with minimal disruption to the property owners of Palm Beach at the lowest cost possible while complying with the ordinances, rules and standards of the Town and all applicable county, state and federal requirements related thereto.

Section 4: The Underground Utilities Task Force shall consist of eight (8) members. These members shall be appointed by the Town Council from a list of interested residents. Those members of the Task Force originally appointed are hereby re-appointed. Harry Wolin is hereby appointed to the Task Force. Appointees are required to be registered electors or taxpayers. Appointees shall not be a member of another Town board or commission; however, this provision shall not apply to the Retirement Board.

Section 5: The members of the Underground Utilities Task Force shall elect from among themselves a Chair and a Vice Chair. The term of office of the members of the Underground Utilities Task Force shall cease upon a date to be determined by Town Council, once it is determined that the purpose of such Underground Utilities Task Force has been accomplished. Upon that date, the Underground Utilities Task Force shall automatically dissolve.

Section 6: This Resolution shall become effective immediately upon passage.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of February 2016.

Gail L. Coniglio, Mayor

Town Council President

Town Council President Pro Tem

Town Council Member

ATTEST:

Town Council Member

Susan A. Owens, MMC, Town Clerk

Town Council Member

RESOLUTION NO. 50-2015

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, CREATING AN UNDERGROUND UTILITIES TASK FORCE; PROVIDING FOR METHOD OF APPOINTMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council is investigating the possibilities of undergrounding utilities at various locations throughout the Town; and

WHEREAS, the Town Council wishes to use the expertise and advise of a committee of Town residents in regard to the undergrounding of utilities; and

WHEREAS, it is the desire of the Town Council to appoint an Underground Utilities Task Force to advise the Town Council in regard to undergrounding.

NOW, THEREFORE, LET IT BE RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

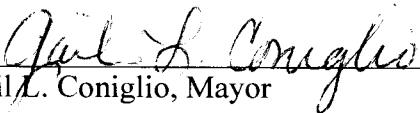
Section 1: The Town Council hereby authorizes the formation of an Underground Utilities Task Force. The Underground Utilities Task Force shall be charged with the investigation and review of possibilities of undergrounding utilities throughout the Town.

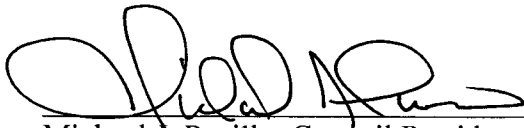
Section 2: The Underground Utilities Task Force shall consist of seven (7) members. These members shall be appointed by the Town Council from a list of interested residents. Appointees are required to be registered electors or taxpayers. Appointees shall not be a member of another Town board or commission; however, this provision shall not apply to the Retirement Board.

Section 3: Members shall be appointed by the Town Council at a public meeting no later than May 12, 2015. The first meeting of the Underground Utilities Task Force shall be held during the month of June 2015. At that first meeting, the members of the Underground Utilities Task Force shall elect from among themselves a Chair and a Vice Chair. The term of office of the members of the Underground Utilities Task Force shall cease upon a date to be determined by Town Council, once it is determined that the purpose of such Underground Utilities Task Force has been accomplished. Upon that date, the Underground Utilities Task Force shall automatically dissolve.

Section 4: This Resolution shall become effective immediately upon passage.

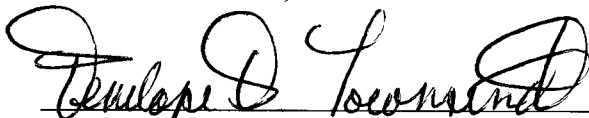
PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of May 2015.


Gail L. Coniglio, Mayor

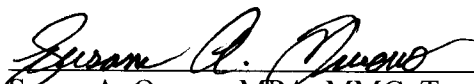

Michael J. Pucillo, Council President


Richard M. Kleid, Council President Pro Tem


Danielle H. Moore, Council Member


Penelope D. Townsend, Council Member

ATTEST:


Susan A. Owens, MPA, MMC, Town Clerk


Robert N. Wildrick, Council Member



RESOLUTION NO. 50-2015

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, CREATING AN UNDERGROUND UTILITIES TASK FORCE; PROVIDING FOR METHOD OF APPOINTMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council is investigating the possibilities of undergrounding utilities at various locations throughout the Town; and

WHEREAS, the Town Council wishes to use the expertise and advise of a committee of Town residents in regard to the undergrounding of utilities; and

WHEREAS, it is the desire of the Town Council to appoint an Underground Utilities Task Force to advise the Town Council in regard to undergrounding.

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

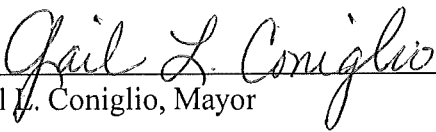
Section 1: The Town Council hereby authorizes the formation of an Underground Utilities Task Force. The Underground Utilities Task Force shall be charged with the investigation and review of possibilities of undergrounding utilities throughout the Town.

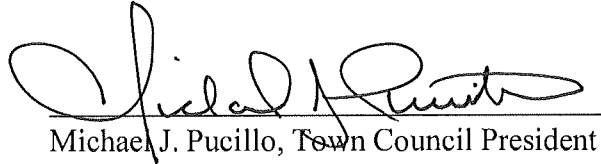
Section 2: The Underground Utilities Task Force shall consist of five (5) members. These members shall be appointed by the Town Council from a list of interested residents. Appointees are required to be registered electors or taxpayers. Appointees shall not be a member of another Town board or commission.

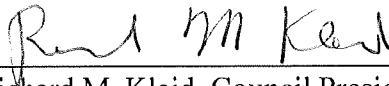
Section 3: Members shall be appointed by the Town Council at a public meeting no later than May 12, 2015. The first meeting of the Underground Utilities Task Force shall be held during the month of June 2015. At that first meeting, the members of the Underground Utilities Task Force shall elect from among themselves a Chair and a Vice Chair. The term of office of the members of the Underground Utilities Task Force shall cease upon a date to be determined by Town Council, once it is determined that the purpose of such Underground Utilities Task Force has been accomplished. Upon that date, the Underground Utilities Task Force shall automatically dissolve.

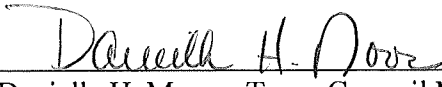
Section 4: This Resolution shall become effective immediately upon passage.

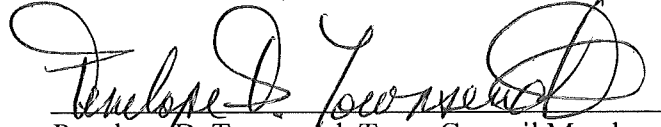
PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 14th day of April 2015.


Gail L. Coniglio, Mayor


Michael J. Pucillo, Town Council President

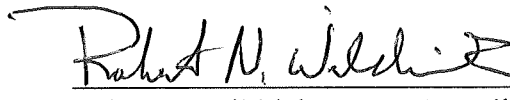

Richard M. Kleid, Council President Pro Tem


Danielle H. Moore, Town Council Member


Penelope D. Townsend, Town Council Member

ATTEST:


Susan A. Owens, MMC, Town Clerk


Robert N. Wildrick, Town Council Member



HARRY WOLIN
2773 S OCEAN BLVD. #117
PALM BEACH, FL 33480

TOWN OF PALM BEACH

JAN 25 2016

Town Manager's Office

January 22, 2016

Thomas G. Bradford, Town Manager
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480

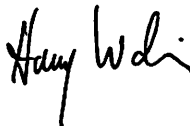
Dear Mr. Bradford:

I am writing to ask for consideration to fill the vacant position on the Town of Palm Beach Underground Utilities Task Force. As a full-time resident South of Sloan's Curve, I believe that undergrounding of our utilities is important and feel that my background and experience would assist the Task Force as it carries out its objectives.

Throughout my career I have been responsible for numerous facility construction projects. I have extensive project management and regulatory experience. My prior position also provided me with experience in public financing of municipal projects.

My thanks for your consideration. Feel free to contact me if you have any questions. A copy of my CV is attached.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Wolin". The signature is fluid and cursive, with the first name "Harry" and last name "Wolin" clearly distinguishable.

Harry Wolin

CURRICULUM VITAE

HARRY WOLIN

CONTACT INFORMATION

Mail 2773 S Ocean Blvd #117
Palm Beach, FL 33480
Email wolin.harry@gmail.com
Phone (309) 657-1682
Twitter @harrywolin

EMPLOYMENT HISTORY

Principal Innovative Solutions, Inc.	2015 - Present
Administrator, CEO Mason District Hospital Havana, Illinois 62644	1995 - 2014
Senior Vice President Operations Good Samaritan Hospital Vincennes, Indiana 47591	1991 - 1995
Vice President Blessing Hospital Quincy, Illinois 62301	1982 - 1991
Administrative Resident St. John's Mercy Medical Center St. Louis, Missouri 63141	1981 - 1982
Research Assistant Department of Health Economics Washington University School of Medicine St. Louis, MO 63116	1980 - 1981

EDUCATIONAL BACKGROUND

Masters with Honors - Health Administration and Planning Washington University School Of Medicine St. Louis, Missouri 63116	1981
Non-Degree Studies, School of Business Administration St. Louis University St. Louis, Missouri 63114	1978
Bachelor of Arts Degree Knox College Galesburg, Illinois 61401	1975

AWARDS & PUBLICATIONS

American College of Healthcare Executives - Regents Lifetime Achievement Award 2012

"A Fund Raising Protocol For Augmenting Nursing Home Revenues", Journal Of Long Term Care Administration, Summer, 1983.

PROFESSIONAL AND COMMUNITY ACTIVITIES

Carlyle House Condominium Association, Vice Chair, Board of Directors

Citizens Association of Palm Beach, Board of Directors

American College of Healthcare Executives

- Lifetime Fellow
- Mid-America Chapter, Board of Directors 2011 - 2014
- Treasure Coast Chapter 2015 - Present

State of Illinois Department of Public Health

- Hospital Licensing Board 2010 - 2014
- Hospital Design and Construction Dispute Resolution Committee, Chairman 2010 - 2014

American Hospital Association

- AHA Regional Policy Board
- AHA Health IT Network
- Rural Governance Council 2004 - 2007

Illinois Hospital Association

- Chairman, Board of Directors 2009
- Association CEO Search Committee, Chair
- Small & Rural Hospitals Constituency Steering Committee, Past Chairman
- Transforming Illinois Rural Health Care Task Force, Chair
- Health Reform Task Force, Co-Chair
- Medicaid Task Force
- Alternative Models Task Force
- Professional Staffing Task Force
- Freestanding Emergency Centers Ad-Hoc Task Force
- Small & Rural Professional Staffing Task Force
- Blue Ribbon CON Panel

National Rural Health Association

Illinois Rural Health Association, Board of Directors

Rural Partners (IL), Board of Directors

Illinois Critical Access Hospital Network, Founding Board Member

Licensed Nursing Home Administrator, State of Illinois (inactive)

Havana Area Chamber of Commerce

Rotary Club of Lake Worth

PERSONAL

Date of Birth: March 12, 1954

Married, 2 children

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Regular Agenda - New Business

Agenda Title

Potential Landscape Maintenance Agreement Palm Beach Towers
Condominium Association, Inc., 44 Cocoanut Row, Palm Beach

Presenter

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

Supporting Documents

- [Memorandum dated January 29, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Email dated January 27, 2016 from John Grosskopf](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Potential Landscape Maintenance Agreement Palm Beach Towers Condominium Association, Inc., 44 Cocoanut Row, Palm Beach

Date: January 29, 2016

STAFF RECOMMENDATION

Staff recommends that Town Council authorize staff to develop a draft landscape agreement with the Palm Beach Towers Condominium Association, Inc.'s (the Association) representative and return to Town Council for final approval.

GENERAL INFORMATION

The Town Manager has received a request from the Association's General Manager, John E. Grosskopf, requesting permission to maintain the area between the edge of the roadway and the Towers' property line. This area also includes the asphalt sidewalk that acts as an extension of the Lake Trail pathway.

The Town currently is responsible for mowing, irrigation, maintenance of the Royal Palm trees, and minor landscape screening. The Town is also responsible for maintenance of the asphalt sidewalk/trail. The Association currently maintains the large hedge screening their property.

The Association requests an agreement that would allow the Association to be responsible for turf replacement, maintenance and irrigation. We anticipate that oriental landscaping improvements will be included in the agreement. The Association has also tentatively discussed other improvements such as bollards that would be lit at night to improve visibility on the sidewalk/pathway. These types of improvements should be conditioned on approval by the Town including approval from the appropriate advisory commissions and the Town Attorney.

The Royal Palm trees extend both north and south of this property. Staff will recommend that the Town continue trimming, fertilizing, and insect treatment of the Royal Palm trees in this area. Uniformity of appearance and maintenance needs to be maintained.

FUNDING/FISCAL IMPACT

There is no fiscal impact to allowing staff to develop a draft agreement with the Association.

TOWN ATTORNEY REVIEW

The Town Attorney will be consulted before the draft agreement is returned to Town Council.

Attachment

cc. Eric B. Brown, P.E., Assistant Director of Public Works
Brett Madison, Facilities Maintenance Division Manager
Adis Pedraza, Purchasing Manager
John E. Grosskopf, General Manager, Palm Beach Towers Condominium Association, Inc.



[To:](#)
Cc:
Bcc:
Subject: Fw: Right-of-Way

From: JEGROSSKOPF@aol.com
To: tbradford@townofpalmbeach.com
Date: 01/27/2016 10:20 AM
Subject: Right-of-Way

Mr. Bradford,

Per our conversation the other day, the Palm beach Towers is requesting time to speak at the February Town Council Meeting. The purpose of this would be to ask for permission to maintain the right-of-way located directly in front of the Palm Beach Towers property along Cocoanut Row.

This would include re sodding, irrigation and other general maintenance of the area.

If you have any questions, please feel free to call me.

Thank you,
John

John E. Grosskopf
General Manager
PALM BEACH TOWERS
CONDOMINIUM ASSOC., INC.
44 Cocoanut Row
Palm Beach, FL 33480

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Regular Agenda - New Business

Agenda Title

Consideration of Approving Finance and Taxation Committee Review of Refunding of 2010 Revenue Bonds Series A and B for Annual Debt Service Savings Due to Recent Drop in Interest Rates

Presenter

Jane Struder, Director of Finance

Supporting Documents

- [Memorandum Dated January 29, 2016, from Jane Struder, Director of Finance](#)
- [Exhibit A](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2015

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Jane Struder, Director of Finance

Re: Consideration of Approving Finance and Taxation Committee Review of Refunding of 2010 Revenue Bonds Series A and B for Annual Debt Service Savings Due to Recent Drop in Interest Rates

Date: January 29, 2016

STAFF RECOMMENDATION

Staff requests Town Council consider the request to authorize the Finance and Taxation Committee of the Town Council to review the feasibility of refunding the 2010A and 2010B bonds and report back to the Town Council.

GENERAL INFORMATION

Section 2-61 of the Town Code of Ordinances states among other things that the duties of standing committees shall be to make investigations and report on matters referred to it by the Town Council. Section 2-62 of the Town Code of Ordinances states among other things that all committees shall report to the Town Council upon matters referred to them at the next regular meeting.

Based on the foregoing, staff has conferred with the Chair of the Finance and Taxation Committee, Town Council President Michael Pucillo, and he has approved the Committee reviewing the feasibility of refunding the 2010A and 2010B bonds should Town Council approve.

The Town's underwriter, Michael Hole with Citi, recently notified staff that due to the recent decline in the long term borrowing rates, it may make financial sense to refund the 2010A and 2010B bonds. We requested a review of the refunding numbers from PFM, the Town's financial advisor, and they provided the attached report. PFM cautioned that a slight increase in rates may make the refunding not economical. Staff believes that the Committee should be made aware of the background behind the numbers and the positive and negative aspects of a refunding so that if rates and the timing are such it makes sense for us to refund, the committee will have had a chance to review the detail in advance.

This request will be placed upon the consent agenda for the Town Council meeting on February 9, 2016. If approved, the refunding will be studied by the committee. If you do not wish for the refunding to be studied, or if you have additional questions, you should request that this item be pulled from the Consent Agenda and discussed by the Town Council.

cc: John C. Randolph, Town Attorney

SOURCES AND USES OF FUNDS

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Sources:	Public Improvement Revenue Refunding Bonds, Series 2016A	Public Improvement Revenue Refunding Bonds, Series 2016B	Total
Bond Proceeds:			
Par Amount	38,800,000.00	5,665,000.00	44,465,000.00
Premium	<u>7,917,350.95</u>	<u>1,256,543.90</u>	<u>9,173,894.85</u>
	46,717,350.95	6,921,543.90	53,638,894.85
Other Sources of Funds:			
Contribution	506,392.19	63,981.25	570,373.44
	<u>47,223,743.14</u>	<u>6,985,525.15</u>	<u>54,209,268.29</u>
Uses:	Public Improvement Revenue Refunding Bonds, Series 2016A	Public Improvement Revenue Refunding Bonds, Series 2016B	Total
Refunding Escrow Deposits:			
Cash Deposit	1.03	0.99	2.02
SLGS Purchases	<u>46,948,940.00</u>	<u>6,942,962.00</u>	<u>53,891,902.00</u>
	46,948,941.03	6,942,962.99	53,891,904.02
Delivery Date Expenses:			
Cost of Issuance	174,519.28	25,480.72	200,000.00
Underwriter's Discount	<u>97,000.00</u>	<u>14,162.50</u>	<u>111,162.50</u>
	271,519.28	39,643.22	311,162.50
Other Uses of Funds:			
Additional Proceeds	3,282.83	2,918.94	6,201.77
	<u>47,223,743.14</u>	<u>6,985,525.15</u>	<u>54,209,268.29</u>

BOND SUMMARY STATISTICS

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Dated Date	04/01/2016
Delivery Date	04/01/2016
Last Maturity	01/01/2040
Arbitrage Yield	2.480528%
True Interest Cost (TIC)	3.261447%
Net Interest Cost (NIC)	3.676546%
All-In TIC	3.295329%
Average Coupon	5.000000%
Average Life (years)	15.400
Duration of Issue (years)	11.236
Par Amount	44,465,000.00
Bond Proceeds	53,638,894.85
Total Interest	34,238,937.50
Net Interest	25,176,205.15
Total Debt Service	78,703,937.50
Maximum Annual Debt Service	3,704,500.00
Average Annual Debt Service	3,313,850.00
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	2.500000
Total Underwriter's Discount	2.500000
Bid Price	120.381721

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Bond Component	33,330,000.00	121.760	5.000%	13.091	30,242.75
Term Bond 2040	11,135,000.00	117.255	5.000%	22.313	10,244.20
	44,465,000.00			15.400	40,486.95

	TIC	All-In TIC	Arbitrage Yield
Par Value	44,465,000.00	44,465,000.00	44,465,000.00
+ Accrued Interest			
+ Premium (Discount)	9,173,894.85	9,173,894.85	9,173,894.85
- Underwriter's Discount	-111,162.50	-111,162.50	
- Cost of Issuance Expense		-200,000.00	
- Other Amounts			
Target Value	53,527,732.35	53,327,732.35	53,638,894.85
Target Date	04/01/2016	04/01/2016	04/01/2016
Yield	3.261447%	3.295329%	2.480528%

SUMMARY OF BONDS REFUNDED

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Series 2010A Revenue and Refunding Bonds, 2010A:					
BOND	01/01/2021	5.000%	1,225,000.00	01/01/2020	100.000
	01/01/2022	5.000%	1,290,000.00	01/01/2020	100.000
	01/01/2023	5.000%	1,350,000.00	01/01/2020	100.000
	01/01/2024	5.000%	1,420,000.00	01/01/2020	100.000
	01/01/2025	5.000%	1,495,000.00	01/01/2020	100.000
	01/01/2026	5.000%	1,575,000.00	01/01/2020	100.000
	01/01/2027	5.000%	1,655,000.00	01/01/2020	100.000
	01/01/2028	4.125%	1,735,000.00	01/01/2020	100.000
	01/01/2029	5.000%	1,815,000.00	01/01/2020	100.000
	01/01/2030	5.000%	1,905,000.00	01/01/2020	100.000
BOND02	01/01/2034	5.000%	8,650,000.00	01/01/2020	100.000
BOND03	01/01/2040	5.000%	16,700,000.00	01/01/2020	100.000
			40,815,000.00		
Series 2010B Project Fund, 2010B:					
BOND	01/01/2021	3.500%	340,000.00	01/01/2020	100.000
	01/01/2022	3.500%	355,000.00	01/01/2020	100.000
	01/01/2023	3.625%	365,000.00	01/01/2020	100.000
	01/01/2024	3.750%	380,000.00	01/01/2020	100.000
	01/01/2025	4.000%	395,000.00	01/01/2020	100.000
	01/01/2026	4.000%	410,000.00	01/01/2020	100.000
	01/01/2027	4.000%	425,000.00	01/01/2020	100.000
	01/01/2028	4.125%	445,000.00	01/01/2020	100.000
	01/01/2029	4.125%	460,000.00	01/01/2020	100.000
	01/01/2030	4.250%	485,000.00	01/01/2020	100.000
BOND02	01/01/2035	4.500%	2,155,000.00	01/01/2020	100.000
			6,215,000.00		
			47,030,000.00		

SUMMARY OF REFUNDING RESULTS

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Dated Date	04/01/2016
Delivery Date	04/01/2016
Arbitrage yield	2.480528%
Escrow yield	1.192993%
Value of Negative Arbitrage	2,324,405.08
Bond Par Amount	44,465,000.00
True Interest Cost	3.261447%
Net Interest Cost	3.676546%
Average Coupon	5.000000%
Average Life	15.400
Par amount of refunded bonds	47,030,000.00
Average coupon of refunded bonds	4.896501%
Average life of refunded bonds	15.346
PV of prior debt to 04/01/2016 @ 2.480528%	61,683,845.20
Net PV Savings	2,683,200.22
Percentage savings of refunded bonds	5.705295%
Percentage savings of refunding bonds	6.034410%

SAVINGS

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Date	Prior Debt Service	Prior Receipts	Prior Net Cash Flow	Refunding Debt Service	Savings	Annual Savings	Present Value to 04/01/2016 @ 2.4805277%
04/01/2016		570,373.44	-570,373.44		-570,373.44		-570,373.44
07/01/2016	1,140,746.88		1,140,746.88	555,812.50	584,934.38		581,340.41
01/01/2017	1,140,746.88		1,140,746.88	1,111,625.00	29,121.88	43,682.82	28,588.38
07/01/2017	1,140,746.88		1,140,746.88	1,111,625.00	29,121.88		28,238.15
01/01/2018	1,140,746.88		1,140,746.88	1,111,625.00	29,121.88	58,243.76	27,892.21
07/01/2018	1,140,746.88		1,140,746.88	1,111,625.00	29,121.88		27,550.51
01/01/2019	1,140,746.88		1,140,746.88	1,111,625.00	29,121.88	58,243.76	27,213.00
07/01/2019	1,140,746.88		1,140,746.88	1,111,625.00	29,121.88		26,879.62
01/01/2020	1,140,746.88		1,140,746.88	1,111,625.00	29,121.88	58,243.76	26,550.33
07/01/2020	1,140,746.88		1,140,746.88	1,111,625.00	29,121.88		26,225.07
01/01/2021	2,705,746.88		2,705,746.88	2,551,625.00	154,121.88	183,243.76	137,090.78
07/01/2021	1,104,171.88		1,104,171.88	1,075,625.00	28,546.88		25,081.26
01/01/2022	2,749,171.88		2,749,171.88	2,600,625.00	148,546.88	177,093.76	128,914.26
07/01/2022	1,065,709.38		1,065,709.38	1,037,500.00	28,209.38		24,181.19
01/01/2023	2,780,709.38		2,780,709.38	2,627,500.00	153,209.38	181,418.76	129,722.78
07/01/2023	1,025,343.76		1,025,343.76	997,750.00	27,593.76		23,077.49
01/01/2024	2,825,343.76		2,825,343.76	2,672,750.00	152,593.76	180,187.52	126,055.30
07/01/2024	982,718.76		982,718.76	955,875.00	26,843.76		21,903.55
01/01/2025	2,872,718.76		2,872,718.76	2,715,875.00	156,843.76	183,687.52	126,411.05
07/01/2025	937,443.76		937,443.76	911,875.00	25,568.76		20,355.15
01/01/2026	2,922,443.76		2,922,443.76	2,771,875.00	150,568.76	176,137.52	118,398.48
07/01/2026	889,868.76		889,868.76	865,375.00	24,493.76		19,024.51
01/01/2027	2,969,868.76		2,969,868.76	2,815,375.00	154,493.76	178,987.52	118,526.56
07/01/2027	839,993.76		839,993.76	816,625.00	23,368.76		17,708.72
01/01/2028	3,019,993.76		3,019,993.76	2,866,625.00	153,368.76	176,737.52	114,798.21
07/01/2028	795,031.25		795,031.25	765,375.00	29,656.25		21,926.09
01/01/2029	3,070,031.25		3,070,031.25	2,920,375.00	149,656.25	179,312.50	109,291.53
07/01/2029	740,168.75		740,168.75	711,500.00	28,668.75		20,679.84
01/01/2030	3,130,168.75		3,130,168.75	2,976,500.00	153,668.75	182,337.50	109,489.05
07/01/2030	682,237.50		682,237.50	654,875.00	27,362.50		19,256.96
01/01/2031	3,182,237.50		3,182,237.50	3,029,875.00	152,362.50	179,725.00	105,914.81
07/01/2031	620,987.50		620,987.50	595,500.00	25,487.50		17,500.58
01/01/2032	3,250,987.50		3,250,987.50	3,095,500.00	155,487.50	180,975.00	105,455.09
07/01/2032	556,550.00		556,550.00	533,000.00	23,550.00		15,776.46
01/01/2033	3,321,550.00		3,321,550.00	3,163,000.00	158,550.00	182,100.00	104,913.59
07/01/2033	488,800.00		488,800.00	467,250.00	21,550.00		14,085.09
01/01/2034	3,398,800.00		3,398,800.00	3,237,250.00	161,550.00	183,100.00	104,295.59
07/01/2034	417,500.00		417,500.00	398,000.00	19,500.00		12,434.84
01/01/2035	2,862,500.00		2,862,500.00	2,728,000.00	134,500.00	154,000.00	84,717.81
07/01/2035	356,375.00		356,375.00	339,750.00	16,625.00		10,343.34
01/01/2036	2,931,375.00		2,931,375.00	2,794,750.00	136,625.00	153,250.00	83,960.70
07/01/2036	292,000.00		292,000.00	278,375.00	13,625.00		8,270.45
01/01/2037	2,997,000.00		2,997,000.00	2,858,375.00	138,625.00	152,250.00	83,115.29
07/01/2037	224,375.00		224,375.00	213,875.00	10,500.00		6,218.35
01/01/2038	3,069,375.00		3,069,375.00	2,923,875.00	145,500.00	156,000.00	85,112.98
07/01/2038	153,250.00		153,250.00	146,125.00	7,125.00		4,116.84
01/01/2039	3,138,250.00		3,138,250.00	2,991,125.00	147,125.00	154,250.00	83,967.80
07/01/2039	78,625.00		78,625.00	75,000.00	3,625.00		2,043.53
01/01/2040	3,223,625.00		3,223,625.00	3,075,000.00	148,625.00	152,250.00	82,758.31
	82,939,768.92	570,373.44	82,369,395.48	78,703,937.50	3,665,457.98	3,665,457.98	2,676,998.44

SAVINGS

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Savings Summary

PV of savings from cash flow	2,676,998.44
Plus: Refunding funds on hand	6,201.77
Net PV Savings	2,683,200.21

BOND PRICING

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Bond Component:					
	01/01/2017		5.000%	0.560%	103.317
	01/01/2018		5.000%	0.810%	107.264
	01/01/2019		5.000%	0.960%	110.937
	01/01/2020		5.000%	1.110%	114.247
	01/01/2021	1,440,000	5.000%	1.240%	117.290
	01/01/2022	1,525,000	5.000%	1.390%	119.881
	01/01/2023	1,590,000	5.000%	1.570%	121.884
	01/01/2024	1,675,000	5.000%	1.750%	123.455
	01/01/2025	1,760,000	5.000%	1.910%	124.787
	01/01/2026	1,860,000	5.000%	2.040%	126.048
	01/01/2027	1,950,000	5.000%	2.150%	124.944 C
	01/01/2028	2,050,000	5.000%	2.230%	124.149 C
	01/01/2029	2,155,000	5.000%	2.320%	123.261 C
	01/01/2030	2,265,000	5.000%	2.410%	122.381 C
	01/01/2031	2,375,000	5.000%	2.490%	121.605 C
	01/01/2032	2,500,000	5.000%	2.560%	120.931 C
	01/01/2033	2,630,000	5.000%	2.610%	120.452 C
	01/01/2034	2,770,000	5.000%	2.660%	119.976 C
	01/01/2035	2,330,000	5.000%	2.710%	119.501 C
	01/01/2036	2,455,000	5.000%	2.760%	119.029 C
		33,330,000			
Term Bond 2040:					
	01/01/2040	11,135,000	5.000%	2.950%	117.255 C
		44,465,000			

Dated Date	04/01/2016	
Delivery Date	04/01/2016	
First Coupon	07/01/2016	
Par Amount	44,465,000.00	
Premium	9,173,894.85	
Production	53,638,894.85	120.631721%
Underwriter's Discount	-111,162.50	-0.250000%
Purchase Price	53,527,732.35	120.381721%
Accrued Interest		
Net Proceeds	53,527,732.35	

BOND DEBT SERVICE

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
07/01/2016			555,812.50	555,812.50	
01/01/2017			1,111,625.00	1,111,625.00	1,667,437.50
07/01/2017			1,111,625.00	1,111,625.00	
01/01/2018			1,111,625.00	1,111,625.00	2,223,250.00
07/01/2018			1,111,625.00	1,111,625.00	
01/01/2019			1,111,625.00	1,111,625.00	2,223,250.00
07/01/2019			1,111,625.00	1,111,625.00	
01/01/2020			1,111,625.00	1,111,625.00	2,223,250.00
07/01/2020			1,111,625.00	1,111,625.00	
01/01/2021	1,440,000	5.000%	1,111,625.00	2,551,625.00	3,663,250.00
07/01/2021			1,075,625.00	1,075,625.00	
01/01/2022	1,525,000	5.000%	1,075,625.00	2,600,625.00	3,676,250.00
07/01/2022			1,037,500.00	1,037,500.00	
01/01/2023	1,590,000	5.000%	1,037,500.00	2,627,500.00	3,665,000.00
07/01/2023			997,750.00	997,750.00	
01/01/2024	1,675,000	5.000%	997,750.00	2,672,750.00	3,670,500.00
07/01/2024			955,875.00	955,875.00	
01/01/2025	1,760,000	5.000%	955,875.00	2,715,875.00	3,671,750.00
07/01/2025			911,875.00	911,875.00	
01/01/2026	1,860,000	5.000%	911,875.00	2,771,875.00	3,683,750.00
07/01/2026			865,375.00	865,375.00	
01/01/2027	1,950,000	5.000%	865,375.00	2,815,375.00	3,680,750.00
07/01/2027			816,625.00	816,625.00	
01/01/2028	2,050,000	5.000%	816,625.00	2,866,625.00	3,683,250.00
07/01/2028			765,375.00	765,375.00	
01/01/2029	2,155,000	5.000%	765,375.00	2,920,375.00	3,685,750.00
07/01/2029			711,500.00	711,500.00	
01/01/2030	2,265,000	5.000%	711,500.00	2,976,500.00	3,688,000.00
07/01/2030			654,875.00	654,875.00	
01/01/2031	2,375,000	5.000%	654,875.00	3,029,875.00	3,684,750.00
07/01/2031			595,500.00	595,500.00	
01/01/2032	2,500,000	5.000%	595,500.00	3,095,500.00	3,691,000.00
07/01/2032			533,000.00	533,000.00	
01/01/2033	2,630,000	5.000%	533,000.00	3,163,000.00	3,696,000.00
07/01/2033			467,250.00	467,250.00	
01/01/2034	2,770,000	5.000%	467,250.00	3,237,250.00	3,704,500.00
07/01/2034			398,000.00	398,000.00	
01/01/2035	2,330,000	5.000%	398,000.00	2,728,000.00	3,126,000.00
07/01/2035			339,750.00	339,750.00	
01/01/2036	2,455,000	5.000%	339,750.00	2,794,750.00	3,134,500.00
07/01/2036			278,375.00	278,375.00	
01/01/2037	2,580,000	5.000%	278,375.00	2,858,375.00	3,136,750.00
07/01/2037			213,875.00	213,875.00	
01/01/2038	2,710,000	5.000%	213,875.00	2,923,875.00	3,137,750.00
07/01/2038			146,125.00	146,125.00	
01/01/2039	2,845,000	5.000%	146,125.00	2,991,125.00	3,137,250.00
07/01/2039			75,000.00	75,000.00	
01/01/2040	3,000,000	5.000%	75,000.00	3,075,000.00	3,150,000.00
	44,465,000		34,238,937.50	78,703,937.50	78,703,937.50

PRIOR BOND DEBT SERVICE

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016A

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
07/01/2016			1,012,784.38	1,012,784.38	
01/01/2017			1,012,784.38	1,012,784.38	2,025,568.76
07/01/2017			1,012,784.38	1,012,784.38	
01/01/2018			1,012,784.38	1,012,784.38	2,025,568.76
07/01/2018			1,012,784.38	1,012,784.38	
01/01/2019			1,012,784.38	1,012,784.38	2,025,568.76
07/01/2019			1,012,784.38	1,012,784.38	
01/01/2020			1,012,784.38	1,012,784.38	2,025,568.76
07/01/2020			1,012,784.38	1,012,784.38	
01/01/2021	1,225,000	5.000%	1,012,784.38	2,237,784.38	3,250,568.76
07/01/2021			982,159.38	982,159.38	
01/01/2022	1,290,000	5.000%	982,159.38	2,272,159.38	3,254,318.76
07/01/2022			949,909.38	949,909.38	
01/01/2023	1,350,000	5.000%	949,909.38	2,299,909.38	3,249,818.76
07/01/2023			916,159.38	916,159.38	
01/01/2024	1,420,000	5.000%	916,159.38	2,336,159.38	3,252,318.76
07/01/2024			880,659.38	880,659.38	
01/01/2025	1,495,000	5.000%	880,659.38	2,375,659.38	3,256,318.76
07/01/2025			843,284.38	843,284.38	
01/01/2026	1,575,000	5.000%	843,284.38	2,418,284.38	3,261,568.76
07/01/2026			803,909.38	803,909.38	
01/01/2027	1,655,000	5.000%	803,909.38	2,458,909.38	3,262,818.76
07/01/2027			762,534.38	762,534.38	
01/01/2028	1,735,000	4.125%	762,534.38	2,497,534.38	3,260,068.76
07/01/2028			726,750.00	726,750.00	
01/01/2029	1,815,000	5.000%	726,750.00	2,541,750.00	3,268,500.00
07/01/2029			681,375.00	681,375.00	
01/01/2030	1,905,000	5.000%	681,375.00	2,586,375.00	3,267,750.00
07/01/2030			633,750.00	633,750.00	
01/01/2031	2,000,000	5.000%	633,750.00	2,633,750.00	3,267,500.00
07/01/2031			583,750.00	583,750.00	
01/01/2032	2,105,000	5.000%	583,750.00	2,688,750.00	3,272,500.00
07/01/2032			531,125.00	531,125.00	
01/01/2033	2,215,000	5.000%	531,125.00	2,746,125.00	3,277,250.00
07/01/2033			475,750.00	475,750.00	
01/01/2034	2,330,000	5.000%	475,750.00	2,805,750.00	3,281,500.00
07/01/2034			417,500.00	417,500.00	
01/01/2035	2,445,000	5.000%	417,500.00	2,862,500.00	3,280,000.00
07/01/2035			356,375.00	356,375.00	
01/01/2036	2,575,000	5.000%	356,375.00	2,931,375.00	3,287,750.00
07/01/2036			292,000.00	292,000.00	
01/01/2037	2,705,000	5.000%	292,000.00	2,997,000.00	3,289,000.00
07/01/2037			224,375.00	224,375.00	
01/01/2038	2,845,000	5.000%	224,375.00	3,069,375.00	3,293,750.00
07/01/2038			153,250.00	153,250.00	
01/01/2039	2,985,000	5.000%	153,250.00	3,138,250.00	3,291,500.00
07/01/2039			78,625.00	78,625.00	
01/01/2040	3,145,000	5.000%	78,625.00	3,223,625.00	3,302,250.00
	40,815,000		32,714,325.12	73,529,325.12	73,529,325.12

PRIOR BOND DEBT SERVICE

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016B

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
07/01/2016			127,962.50	127,962.50	
01/01/2017			127,962.50	127,962.50	255,925.00
07/01/2017			127,962.50	127,962.50	
01/01/2018			127,962.50	127,962.50	255,925.00
07/01/2018			127,962.50	127,962.50	
01/01/2019			127,962.50	127,962.50	255,925.00
07/01/2019			127,962.50	127,962.50	
01/01/2020			127,962.50	127,962.50	255,925.00
07/01/2020			127,962.50	127,962.50	
01/01/2021	340,000	3.500%	127,962.50	467,962.50	595,925.00
07/01/2021			122,012.50	122,012.50	
01/01/2022	355,000	3.500%	122,012.50	477,012.50	599,025.00
07/01/2022			115,800.00	115,800.00	
01/01/2023	365,000	3.625%	115,800.00	480,800.00	596,600.00
07/01/2023			109,184.38	109,184.38	
01/01/2024	380,000	3.750%	109,184.38	489,184.38	598,368.76
07/01/2024			102,059.38	102,059.38	
01/01/2025	395,000	4.000%	102,059.38	497,059.38	599,118.76
07/01/2025			94,159.38	94,159.38	
01/01/2026	410,000	4.000%	94,159.38	504,159.38	598,318.76
07/01/2026			85,959.38	85,959.38	
01/01/2027	425,000	4.000%	85,959.38	510,959.38	596,918.76
07/01/2027			77,459.38	77,459.38	
01/01/2028	445,000	4.125%	77,459.38	522,459.38	599,918.76
07/01/2028			68,281.25	68,281.25	
01/01/2029	460,000	4.125%	68,281.25	528,281.25	596,562.50
07/01/2029			58,793.75	58,793.75	
01/01/2030	485,000	4.250%	58,793.75	543,793.75	602,587.50
07/01/2030			48,487.50	48,487.50	
01/01/2031	500,000	4.500%	48,487.50	548,487.50	596,975.00
07/01/2031			37,237.50	37,237.50	
01/01/2032	525,000	4.500%	37,237.50	562,237.50	599,475.00
07/01/2032			25,425.00	25,425.00	
01/01/2033	550,000	4.500%	25,425.00	575,425.00	600,850.00
07/01/2033			13,050.00	13,050.00	
01/01/2034	580,000	4.500%	13,050.00	593,050.00	606,100.00
	6,215,000		3,195,443.80	9,410,443.80	9,410,443.80

ESCROW REQUIREMENTS

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Period Ending	Interest	Principal Redeemed	Total
07/01/2016	1,140,746.88		1,140,746.88
01/01/2017	1,140,746.88		1,140,746.88
07/01/2017	1,140,746.88		1,140,746.88
01/01/2018	1,140,746.88		1,140,746.88
07/01/2018	1,140,746.88		1,140,746.88
01/01/2019	1,140,746.88		1,140,746.88
07/01/2019	1,140,746.88		1,140,746.88
01/01/2020	1,140,746.88	47,030,000.00	48,170,746.88
	9,125,975.04	47,030,000.00	56,155,975.04

ESCROW DESCRIPTIONS

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Type of Security	Type of SLGS	Maturity Date	First Int Pmt Date	Par Amount	Rate	Max Rate
Apr 1, 2016:						
SLGS	Certificate	07/01/2016	07/01/2016	986,079	0.290%	0.290%
SLGS	Certificate	01/01/2017	01/01/2017	830,211	0.420%	0.420%
SLGS	Note	07/01/2017	07/01/2016	832,839	0.520%	0.520%
SLGS	Note	01/01/2018	07/01/2016	835,003	0.780%	0.780%
SLGS	Note	07/01/2018	07/01/2016	838,261	0.910%	0.910%
SLGS	Note	01/01/2019	07/01/2016	842,075	1.020%	1.020%
SLGS	Note	07/01/2019	07/01/2016	846,368	1.110%	1.110%
SLGS	Note	01/01/2020	07/01/2016	47,881,066	1.210%	1.210%
				53,891,902		

SLGS Summary

SLGS Rates File	26JAN16
Total Certificates of Indebtedness	1,816,290.00
Total Notes	52,075,612.00
Total original SLGS	53,891,902.00

ESCROW COST

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Type of Security	Maturity Date	Par Amount	Rate	Total Cost
SLGS	07/01/2016	986,079	0.290%	986,079.00
SLGS	01/01/2017	830,211	0.420%	830,211.00
SLGS	07/01/2017	832,839	0.520%	832,839.00
SLGS	01/01/2018	835,003	0.780%	835,003.00
SLGS	07/01/2018	838,261	0.910%	838,261.00
SLGS	01/01/2019	842,075	1.020%	842,075.00
SLGS	07/01/2019	846,368	1.110%	846,368.00
SLGS	01/01/2020	47,881,066	1.210%	47,881,066.00
			53,891,902	53,891,902.00

Purchase Date	Cost of Securities	Cash Deposit	Total Escrow Cost
04/01/2016	53,891,902	2.02	53,891,904.02
	53,891,902	2.02	53,891,904.02

ESCROW CASH FLOW

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Date	Principal	Interest	Net Escrow Receipts
07/01/2016	986,079.00	154,667.12	1,140,746.12
01/01/2017	830,211.00	310,535.46	1,140,746.46
07/01/2017	832,839.00	307,908.36	1,140,747.36
01/01/2018	835,003.00	305,742.98	1,140,745.98
07/01/2018	838,261.00	302,486.47	1,140,747.47
01/01/2019	842,075.00	298,672.39	1,140,747.39
07/01/2019	846,368.00	294,377.80	1,140,745.80
01/01/2020	47,881,066.00	289,680.45	48,170,746.45
	53,891,902.00	2,264,071.03	56,155,973.03

Escrow Cost Summary

Purchase date	04/01/2016
Purchase cost of securities	53,891,902.00

ESCROW SUFFICIENCY

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
04/01/2016		2.02	2.02	2.02
07/01/2016	1,140,746.88	1,140,746.12	-0.76	1.26
01/01/2017	1,140,746.88	1,140,746.46	-0.42	0.84
07/01/2017	1,140,746.88	1,140,747.36	0.48	1.32
01/01/2018	1,140,746.88	1,140,745.98	-0.90	0.42
07/01/2018	1,140,746.88	1,140,747.47	0.59	1.01
01/01/2019	1,140,746.88	1,140,747.39	0.51	1.52
07/01/2019	1,140,746.88	1,140,745.80	-1.08	0.44
01/01/2020	48,170,746.88	48,170,746.45	-0.43	0.01
	56,155,975.04	56,155,975.05	0.01	

ESCROW STATISTICS

Town of Palm Beach, FL
Public Improvement Revenue Refunding Bonds, Series 2016

Advance Refunding of 2010A and 2010B Bonds

Escrow	Total Escrow Cost	Modified Duration (years)	Yield to Receipt Date	Yield to Disbursement Date	Perfect Escrow Cost	Value of Negative Arbitrage	Cost of Dead Time
Public Improvement Revenue Refunding Bonds, Series 2016A, Series 2010A (2010A):							
SF_ESC	506,392.19	0.250	0.289311%	0.289311%	503,644.68	2,747.51	
Public Improvement Revenue Refunding Bonds, Series 2016A, Global Proceeds Escrow:							
	46,442,548.84	3.467	1.192506%	1.192506%	44,422,818.96	2,019,729.83	0.05
Public Improvement Revenue Refunding Bonds, Series 2016B, Series 2010B (2010B):							
SF_ESC	63,981.25	0.250	0.289315%	0.289315%	63,634.11	347.14	
Public Improvement Revenue Refunding Bonds, Series 2016B, Global Proceeds Escrow:							
	6,878,981.74	3.505	1.196244%	1.196244%	6,577,401.11	301,580.60	0.03
	53,891,904.02				51,567,498.86	2,324,405.08	0.08

Delivery date 04/01/2016
Arbitrage yield 2.480528%

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Regular Agenda - New Business

Agenda Title

Coastal Update:

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

a. Shoreline Protection Update

b. RESOLUTION NO. 25-2016 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Contract to Graham County Land Company, LLC, for the 2016 Dune Restoration Truck Haul Project, Per Bid No. 2016-02, in the Amount of \$522,802, and Establishing a Total Task Budget of \$575,000.

c. Authorization to Bid Dune Plantings for Mid-Town and Phipps Ocean Park Beach Nourishment Projects

Presenter

Supporting Documents

- [b. Memorandum dated January 27, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)
- [Resolution No. 25-2016](#)
- [Bid Tab Sheet](#)
- [c. Memorandum dated January 22, 2016, from H. Paul Brazil, P.E., Director of Public Works](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Award Contract for 2016 Dune Restoration Truck Haul Project
Resolution No. 25-2016

Date: January 27, 2016

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Resolution No. 25-2016 awarding a contract to Graham County Land Company, LLC, for construction of the 2016 Dune Restoration Truck Haul Project per Bid No. 2016-02, in the amount of \$522,802, and establishing a total task budget of \$575,000 including contingency.

GENERAL INFORMATION

One of the cost efficiencies identified within the 10-year Coastal Protection Plan that was recommended by staff and the Woods Hole Group, Inc. was the use of dredged sand rather than upland-mined sand for interim sand placement projects. That is, when the Mid-Town project is constructed, additional sand is to be dredged onto Mid-Town Beach and truck-hauled to Reaches 7 and 8. When the Phipps Ocean Park/Reach 7 project is constructed, additional sand is to be dredged onto Reach 7 and truck-hauled to Mid-Town Beach and Reach 8. This plan anticipates more expensive upland-mined sand for emergency projects where State or Federal cost sharing may be available.

Town staff has solicited truck haul bids for possible dune restoration in Reach 8, and Reach 3 using 25,000 cubic yards of offshore sand that is currently being stockpiled in Phipps Ocean Park.

This Truck Haul Project initially focused on placing all 25,000 cubic yards of sand in Reach 8. However, with much of the 35,000 cubic yards of sand hauled to Reach 8 in 2015 still in place, only appropriately 8,000 to 10,000 cubic yards can fit within the permitted template for Reach 8. Therefore, a volume of at least 15,000 cubic yards of stockpiled sand is available for use to build dunes in Reach 3.

Reach 3 Dune Restoration:

In 2013, sand placement in Reach 3 first occurred as the Mid-Town Beach Renourishment Project was expanded north to include the shoreline from El Mirasol to the Breakers. Following the active hurricane seasons of 2004 and 2005, the Mid-Town project was reconstructed in 2006. In review of post-construction environmental monitoring data, the data suggested that the extended 2003 and 2006 projects contributed to temporary impacts of offshore hard-bottom resources. While these impacts continue to be offset by the ongoing mitigation efforts underway since 2013, a modification of the 2003 and 2006 construction templates needed to occur to eliminate future impacts.

During the Beach Management Agreement (BMA) public stakeholder meetings in 2012 and 2013, beach nourishment in Reach 3 was modified. The density of the sand placed was lessened and the north project limit was extended. As sand from the extended area naturally adjusts and moves south, this sand is to feed the section of shoreline where the density of sand placement was lessened. Even with the additional sand supply from the extended area, it can be anticipated that the sand may not last as long as other larger sections of the fill project. With 15,000 cubic yards of sand available for use, the Reach 3 shoreline specifically between Wells Road and Sunset Avenue is a good candidate location to economically restore dunes for additional storm protection to the roadway protective seawalls along North Ocean Boulevard.

Beach access for construction of the Reach 3 Dune Restoration project would occur from Dunbar Road.

Reach 8 Dune Restoration:

The Reach 8 portion of the project requires a private upland property to provide access for the construction vehicles and trucks. Dune restoration has been performed four (4) times over the past 11 years. Access has previously been provided by Bellaria in 2005 (before the buildings were constructed), 3200 Condominium in 2006, and 3360 Condominium in both 2011 and 2015.

Staff has recently been in communication with the 3360 Condominium. As of the date of this memorandum, a letter has been provided to 3360 Condominium with updates to the mutually acceptable 2015 Temporary Easement Agreement. The 2015 Agreement is the basis of an anticipated 2016 Agreement. Town staff will provide an update to Town Council regarding access at the February 9, 2016 meeting.

SPECIAL CONSIDERATION

Should staff inform Town Council on February 9, 2016 that an access point has not been finalized to truck haul 10,000 cubic yards into Reach 8, the current bid solicitation includes an alternate project of placing the 10,000 cubic yards in Reach 4 from the Peruvian Avenue access point. Like Reach 3, dune restoration in Reach 4 would focus in an area between Hammon Avenue and El Brillo Way to enhance storm protection for the roadway protective seawalls along South Ocean Boulevard.

FUNDING/FISCAL IMPACT

Sufficient funds for the Dune Restoration Truck Haul Project have been included in the FY 2016 Town Council approved Coastal Management Program budget. The 2013 Town Council Adopted 10-Year Coastal Management Program included \$1,235,000 for a Reach 8 Truck Haul Project. The planned estimate was initially based on a volume of 25,000 cubic yards of sand truck hauled from an upland mine at a unit cost of approximately \$40-45 per cubic yard. With the opportunity to use stockpiled sand from the Phipps Ocean Park Beach Nourishment Project, the planned estimate of \$1,235,000 could also accommodate a larger volume of sand should the USACE EIS been completed earlier and a larger volume of sand permitted for the beaches of Reach 8.

The stockpile of sand from Great Lakes Dredge & Dock Company (GLDD) has been constructed with a unit cost of \$11.55 per cubic yard. The unit rate per cubic yard for the Reach 8 and Reach 3 portions of the truck haul provided by Graham County Land Company, LLC, was \$9.48 and \$13.56, respectively. Based on these two unit rates, the unit cost of sand for Reach 8 and Reach 3 are \$21.03 and \$25.11, respectively. These costs are similar to those used during the truck haul of stockpiled sand from Mid-Town the Reaches 7 and 8 in 2015.

The GLDD contract included the optional 25,000 cubic yard stockpile at a cost of \$288,750. By adding the cost of the stockpiled sand to the cost of the contract to Graham County Land Company, LLC in the amount of \$522,802, the comprehensive cost for 2016 dune restoration in Reach 8 and Reach 3 is \$811,552.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jane Struder, Director of Finance
Robert Weber, Coastal Program Manager
Adis Pedraza, Purchasing Manager

RESOLUTION NO. 25-2016

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING A CONTRACT TO GRAHAM COUNTY LAND COMPANY, LLC, FOR THE 2016 DUNE RESTORATION TRUCK HAUL PROJECT, PER BID NO. 2016-02, IN THE AMOUNT OF \$522,802, AND ESTABLISHING A TOTAL TASK BUDGET OF \$575,000.

* * * * *

BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida as follows:

Section 1: The Town Council of the Town of Palm Beach hereby awards a contract to Graham County Land Company, LLC, for construction of the 2016 Dune Restoration Truck Haul Project, per Bid No. 2016-02, in an amount of \$522,802, and establishes a total task budget of \$575,000 including contingency.

Section 2: The Town Manager is hereby authorized and directed to execute this contract on behalf of the Town of Palm Beach for this project.

Section 3: The Town Manager, or his designee, is hereby authorized and directed to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 9th day of February 2016.

Gail L. Coniglio, Mayor

, Town Council President

, Council President Pro Tem

, Town Council Member

ATTEST:

, Town Council Member

Susan A. Owens, MMC, Town Clerk

, Town Council Member



TOWN OF PALM BEACH

Bid No. 2016-02

2016 Dune Restoration - Truck Haul

TABULATION

Due: 1/27/16 @ 2 p.m.

Vendor:				Arbor Tree & Land, Inc		Graham County Land Company		Habana Excavating, Inc		Rio-Bak Corporation	
Address:				5796 Western Way		750 Tallulah Rd		2415 Cecelle Ave, Unit D		12773 W. Forest Hills Blvd, #210	
Telephone:				Lake Worth, FL 33463		Robbinsville, NC 28771		West Palm Beach, FL 33417		Wellington, FL 33414	
Fax:				561-722-5626		828-479-3581 x 6108		561-689-0058		561-791-9721	
Contact:				561-965-9777		828-479-0124		561-689-9603		561-791-9734	
				William Hodges		Bucky Jackson		Henry Rodriguez		Mark Sirchio	
Item No.	Description	Qty	Unit	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total

REACH 8 PROJECT SEGMENT

1	Mobilization and General Conditions	1	L.S.	\$	64,000.00	\$	32,400.00	\$	7,975.00	\$	20,500.00
2	General Conditions	1	L.S.	\$	32,000.00	\$	30,000.00	\$	11,600.00	\$	34,700.00
3	Site Prep/Staging& Access Area(s)	1	L.S.	\$	20,000.00	\$	34,800.00	\$	95,810.00	\$	49,500.00
4	Sand Excavation/Transport/Placement	10,000	C.Y.	\$	24.00	\$	240,000.00	\$	13.03	\$	130,300.00
5	Traffic Maintenance (MOT)	1	L.S.	\$	21,450.00	\$	13,200.00	\$	7,084.00	\$	7,500.00
6	Beach Tilling	1	L.S.	\$	6,000.00	\$	9,000.00	\$	-	\$	4,900.00
7	Insurance and Indemnification	1	L.S.	\$	100.00	\$	1.00	\$	2,750.00	\$	14,915.00
8	Performance and Payment Bond	1	L.S.	\$	5,800.00	\$	4,500.00	\$	10,555.00	\$	6,283.00
REACH 8 TOTAL				\$	389,350.00	\$	218,701.00	\$	266,074.00	\$	249,698.00

REACH 3 PROJECT SEGMENT

1	Mobilization and General Conditions	1	L.S.	\$	60,000.00	\$	16,800.00	\$	7,975.00	\$	18,600.00
2	General Conditions	1	L.S.	\$	32,000.00	\$	30,000.00	\$	11,600.00	\$	26,200.00
3	Site Prep/Staging& Access Area(s)	1	L.S.	\$	17,000.00	\$	30,000.00	\$	24,211.00	\$	33,200.00
4	Sand Excavation/Transport/Placement	15,000	C.Y.	\$	15.05	\$	225,750.00	\$	14.30	\$	214,500.00
5	Traffic Maintenance (MOT)	1	L.S.	\$	21,450.00	\$	13,200.00	\$	7,084.00	\$	6,500.00
6	Beach Tilling	1	L.S.	\$	6,000.00	\$	4,200.00	\$	-	\$	4,500.00
7	Insurance and Indemnification	1	L.S.	\$	100.00	\$	1.00	\$	2,750.00	\$	20,360.00
8	Performance and Payment Bond	1	L.S.	\$	5,800.00	\$	6,500.00	\$	10,932.00	\$	6,710.00
REACH 3 TOTAL				\$	368,100.00	\$	304,101.00	\$	279,052.00	\$	295,020.00
BASE BID TOTAL				\$	757,450.00	\$	522,802.00	\$	545,126.00	\$	544,718.00

BID ALTERNATE #1 (REACH 4)

1	Mobilization and General Conditions	1	L.S.	\$	60,000.00	\$	32,400.00	\$	7,975.00	\$	18,600.00
2	General Conditions	1	L.S.	\$	30,000.00	\$	30,000.00	\$	11,600.00	\$	26,250.00
3	Site Prep/Staging& Access Area(s)	1	L.S.	\$	14,000.00	\$	24,000.00	\$	24,211.00	\$	33,000.00
4	Sand Excavation/Transport/Placement	10,000	C.Y.	\$	18.65	\$	186,500.00	\$	14.30	\$	143,000.00
5	Traffic Maintenance (MOT)	1	L.S.	\$	21,450.00	\$	13,200.00	\$	7,084.00	\$	12,500.00
6	Beach Tilling	1	L.S.	\$	6,000.00	\$	9,000.00	\$	-	\$	4,500.00
7	Insurance and Indemnification	1	L.S.	\$	100.00	\$	1.00	\$	2,750.00	\$	14,915.00
8	Performance and Payment Bond	1	L.S.	\$	5,800.00	\$	5,000.00	\$	9,200.00	\$	3,406.00
ALTERNATE TOTAL				\$	323,850.00	\$	249,201.00	\$	205,820.00	\$	240,571.00

Opened by: John Cmar
Witnessed by: Dora Dixon

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

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

Re: Authorization to Bid Dune Plantings for Mid-Town and Phipps Ocean Park Beach Nourishment Projects

Date: January 22, 2016

STAFF RECOMMENDATION

Staff recommends that the Town Council authorize Town staff to publicly solicit bids for vegetating dunes within the Mid-Town and Phipps Ocean Park/Reach 7 Beach Nourishment Project areas.

GENERAL INFORMATION

One of the recommendations from the Technical Review of the Coastal Management Program, May 2013, from Woods Hole Group, Inc. (WHG) was to establish a budget for dune vegetation maintenance. An annual appropriation of \$5,000 was included in the 2013 Town Council-adopted 10-Year Coastal Management Program for dune vegetation maintenance. This relatively minimal effort includes the removal of invasive plants, supplemental plantings, and possible soil fertilization.

Another recommendation from WHG was to perform dune vegetation planting only when constructed together with beach nourishment. The reasoning for this recommendation is because vegetation on emergency dune projects without a sufficient beach berm will not have time to establish prior to subsequent storm erosion. The Shore Protection Board has recently recommended planting both Mid-Town Beach and Phipps Ocean Park/Reach 7 Project areas.

Because the Mid-Town Beach Renourishment Project was completed at the very end of the “construction season”, prior to May 1, 2015, dune planting activities were not considered immediately post-construction. The Phipps Ocean Park/Reach 7 Beach Nourishment Project is on schedule to be completed timely enough to allow dune vegetation planting to be performed prior to May 1, 2016. With the construction of both Mid-Town and Phipps, 2015 and 2016, respectively, the spring of 2016 would be an appropriate time to add dune vegetation plantings consistent with the WHG recommendations.

Should the Town Council authorize Town staff to solicit bids for a dune vegetation effort, the Town will structure the bid solicitation so that Town Council can consider awarding a contract to vegetate only the public areas or to include the private areas. In addition, Town staff will seek an individual project approval from Florida Department of Environmental Protection (FDEP) for dune vegetation planting through the Beach Management Agreement. If private areas are included, dune vegetation maintenance guidelines will be developed and provided to every private property affected for future reference, as recommended by the Shore Protection Board.

Because the potential planting effort would be performed following the start of sea turtle nesting season on March 1, 2016, there may be areas of avoidance where vegetation cannot be planted if nests are present at the time of planting.

SPECIAL CONSIDERATION

Town funding planting dune vegetation on private property is not unprecedented. In 2006, the Town participated in a large scale dune planting of 4.2 miles of Town shoreline from Sloan's Curve in Reach 7 to the south Town limits in Reach 8. This stretch of shoreline was vegetated regardless of upland private/public ownership. Ninety-percent (90%) of the project cost was funded by the FDEP under a grant agreement related to hurricane recovery efforts. The 2006 planting effort had a cost of nearly \$300,000, of which the Town contributed 10%.

FUNDING/FISCAL IMPACT

Although the 2015 Mid-Town Beach Renourishment and the 2016 Phipps Ocean Park/Reach 7 Beach Nourishment projects did not include funding appropriations for planting, remaining contingency funds from the 2015 Mid-Town and 2006 Phipps Projects can be utilized. Therefore, sufficient funds exist within the Town's Coastal Protection Fund to plant supplemental dune vegetation within the public sections of the beach nourishment areas. These sections include Clarke Public Beach, Mid-Town Municipal Beach, Phipps Ocean Park, and the Par 3 Golf Course. Additional funding may need to be identified to plant dune vegetation in the private sections of the beach nourishment and dune-only project areas.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

cc: Shore Protection Board
Robert Weber, Coastal Program Manager
Adis Pedraza, Purchasing Manager

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Regular Agenda - New Business

Agenda Title

Parking Control Efforts Related to Increased Construction Activity

Presenter

Jay Boodheshwar, Deputy Town Manager

Supporting Documents

- [Memorandum Dated February 2, 2016, from Jay Boodheshwar, Deputy Town Manager](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Parking Control Efforts Related to Increased Construction Activity

Date: February 2, 2016

STAFF RECOMMENDATION

Staff requests that the Mayor and Town Council review the following report and provide feedback/guidance as necessary.

GENERAL INFORMATION

During the 2015 construction season the Town experienced a much higher level of traffic and parking impacts due to a variety of construction projects throughout the Town. In addition to an increase in private home construction/renovation, the Town had a variety of large projects taking place and there were a number of private utility projects that further contributed to congestion and increased parking concerns.

In reaction to last summer's challenges a number of efforts have either already been implemented (or will soon be) to help mitigate construction related parking congestion throughout the year.

Efforts that have already been implemented include the following:

- Increased use of the Town's Traffic Alert program has created increased awareness to residents regarding potentially congested areas due to construction related activities.
- On December 18, 2015, a letter was sent to all major private contractors doing business in the Town, advising them that there has been an increase in construction related parking complaints. Contractors were put on notice that the Town will step up its parking enforcement activities and will issue citations to vehicles associated with construction sites that are not in compliance with the conditions of their right-of-way (ROW) parking permits. Contractors were also advised that a STOP WORK order would be issued after three infractions.

- Parking enforcement has increased its presence in the areas of Town where there are no parking regulations in place to ensure cars associated with construction sites are not using these areas as parking lots. Enforcement officers will utilize notices in problem areas to warn parkers of potential violations and ramifications to the building permit of the job site they may be working at. As needed, patrol officers are providing assistance to Parking Enforcement.
- We are in the process of filling a vacant part-time ROW Inspector position to assist the full-time ROW Inspector with related duties, including enforcement.

Initiatives under development/consideration include the following:

- Modify the ROW Manual's fee schedule to charge \$200/month per parking permit instead of \$450 for up to three.
- Modify the ROW Manual to clearly prohibit construction workers from using any on-street parking spaces during working hours, with the exception of the approved areas related to valid ROW parking permits. A resolution will need to be adopted by Town Council at a future meeting to approve the above proposed changes.
- Modify the Placard Parking Program to also offer a monthly pass for \$95 each. The current program only includes options for 4 months (\$320), 6 months (\$450) and one year (\$840), but not monthly.

Lastly, if the above referenced actions do not result in measurable improvements in the parking situation, related to construction projects, other items that could be considered include: (1) reducing the number of available ROW parking permits per job site from three to any between two and zero. (2) Look into the potential expansion of existing placard areas if there is greater demand than supply.

cc: H. Paul Brazil, P.E., Director of Public Works
Kirk W. Blouin, Director of Public Safety
John Page, Director of Planning, Zoning and Building

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Ordinances - First Reading

Agenda Title

ORDINANCE NO. 01-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 90 of the Town of Palm Beach Code of Ordinances, Titled “Public Improvements” by Amending Section 90-104 of the Town of Palm Beach Code of Ordinances Titled “Powers of the District” to Clarify the Palm Beach Municipal Services Special District's Authority With Regard to Ad Valorem Taxation; Amending Section 90-141, Titled “Taxing Power Not Pledged” to Provide That Assessments Imposed Pursuant to the Provisions of Chapter 90 to Fund Project Cost of Local Improvements May be Used by the Town to Pay and Secure General Obligation Bonds, Notes or Other Obligations of the Town Issued Under Chapter 166 of the Florida Statutes, the Florida Constitution, and Other Provisions of Florida Law to Fund Project Cost of Local Improvements; Providing for Codification; Providing for Full Force and Effect; and Providing an Effective Date.

Presenter

John C. Randolph, Town Attorney and Richard Miller, Esquire

Supporting Documents

- [Memorandum Dated January 27, 2016, from Richard Miller](#)
- [Ordinance No. 01-2016](#)



Locke Lord
525 Okeechobee Boulevard, Suite 1600
West Palm Beach, FL 33401
Telephone: 561-833-7700
Fax: 561-655-8719
www.lockelord.com

Richard J. Miller, P.A.
Partner
Direct Telephone: 561-820-0274
Direct Fax: 888-325-9184
richard.miller@lockelord.com

January 27, 2016

Mr. Thomas G. Bradford
Town Manager
Town of Palm Beach, Florida
Town Hall
360 South County Road
Palm Beach, FL 33480

Re: Ordinance Amending Chapter 90 of the Town of Palm Beach Code of Ordinances,
Titled "Public Improvements."

Dear Tom:

In connection with the financing of the Town's undergrounding utilities project, I've attached an Ordinance to be considered by the Town Council amending Chapter 90 of the Town of Palm Beach Code of Ordinances, titled "Public Improvements" in order to clarify that special assessments imposed under Chapter 90 may be used to pay and secure general obligation bonds, notes or other obligations of the Town issued under Chapter 166 of the Florida Statutes, the Florida Constitution, and other provisions of Florida law to fund the project cost of local improvements.

Also, Section 90-104 of Chapter 90 of the Town Code of Ordinances would be amended to clarify that the Palm Beach Municipal Services District may not levy ad valorem taxes.

If you have any questions in this regard, please do not hesitate to contact us.

Sincerely yours,

A handwritten signature in black ink, appearing to read "RJM", with a horizontal line extending to the right.

Richard J. Miller

RJM

Enclosure

cc: John C. Randolph, Esq., Town Attorney
Ms. Jane Struder, Finance Director

AM 57011265.1

ORDINANCE NO. 01-2016

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA AMENDING CHAPTER 90 OF THE TOWN OF PALM BEACH CODE OF ORDINANCES, TITLED “PUBLIC IMPROVEMENTS” BY AMENDING SECTION 90-104 OF THE TOWN OF PALM BEACH CODE OF ORDINANCES TITLED “POWERS OF THE DISTRICT” TO CLARIFY THE PALM BEACH MUNICIPAL SERVICES SPECIAL DISTRICT’S AUTHORITY WITH REGARD TO AD VALOREM TAXATION; AMENDING SECTION 90-141, TITLED “TAXING POWER NOT PLEDGED” TO PROVIDE THAT ASSESSMENTS IMPOSED PURSUANT TO THE PROVISIONS OF CHAPTER 90 TO FUND PROJECT COST OF LOCAL IMPROVEMENTS MAY BE USED BY THE TOWN TO PAY AND SECURE GENERAL OBLIGATION BONDS, NOTES OR OTHER OBLIGATIONS OF THE TOWN ISSUED UNDER CHAPTER 166 OF THE FLORIDA STATUTES, THE FLORIDA CONSTITUTION, AND OTHER PROVISIONS OF FLORIDA LAW TO FUND PROJECT COST OF LOCAL IMPROVEMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR FULL FORCE AND EFFECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council finds it to be in the best interest of the Town to amend Section 90-104 of the Town of Palm Beach Code of Ordinances to clarify the Palm Beach Municipal Services Special District’s authority with regard to ad valorem taxation; and

WHEREAS, the Town Council finds it to be in the best interest of the Town to modify the language of Section 90-141 of the Town of Palm Beach Code of Ordinances to make clear that assessments imposed by the Town to fund project cost of local improvements may be used by the Town to pay and secure general obligation bonds, notes or other obligations of the Town issued under Chapter 166 of the Florida Statutes, the Florida Constitution, and other provisions of Florida law to fund Project Cost of Local Improvements.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. Amendments of Section 90-104 of Chapter 90 of the Town Code of Ordinances. Section 90-104(11) and (32) of the Town of Palm Beach Codes of Ordinances, entitled Powers of the District, is hereby amended at item (11) to read as follows and so as to rescind in its entirety item (32) and renumber item (33) as (32):

(11)To divide the district services and facilities into separate units, benefit areas, or subsystems for the purpose of imposing special assessments ~~or ad valorem taxes~~, setting rates, fees, or charges, accounting or financing improvements or additions, or for any other purpose.

* * *

~~(32)To levy ad valorem taxes on all tangible personal and real property within the territorial limits of the district, which is subject to taxation, and to use said taxes for the provision of~~

~~police, fire rescue, solid waste, stormwater, utility, and erosion control services, facilities, programs and local improvements within the area comprising the district or to pledge such taxes to the issuance of district indebtedness. The district shall levy and collect ad valorem taxes in accordance with F.S. ch. 200, as amended from time to time.~~

(332) Nothing herein is intended to or shall be construed to limit the power of local self-government of a municipal corporation or conflict with the Constitution of the state or the Town of Palm Beach Charter.

[Strikethrough indicates deletions; underline indicates additions]

SECTION 2. Amendment of Section 90-141 of Chapter 90 of the Town Code of Ordinances. Section 90-141 of the Town of Palm Beach Codes of Ordinances, entitled Taxing Power Not Pledged, is hereby amended to read in its entirety as follows:

SEC. 90-141. -. TAXING POWER NOT PLEDGED. Obligations issued under the provisions of this article shall not be deemed to constitute a general obligation or pledge of the full faith and credit of the Town within the meaning of the Constitution of the state, but such obligations shall be payable only from pledged revenue in the manner provided herein and by the resolution authorizing the obligations. The issuance of obligations under the provisions of this article shall not directly or indirectly obligate the town to levy or to pledge any form of ad valorem taxation for obligations issued under this article ~~whatever~~ ~~therefore~~. No holder of any such obligations shall ever have the right to compel any exercise of the ad valorem taxing power on the part of the town to pay any such obligations or the interest thereon or to enforce payment of such obligations or the interest thereon against any property of the town, nor shall such obligations constitute a charge, lien or encumbrance, legal or equitable, upon any property of the town, except the pledged revenue. Notwithstanding the foregoing, assessments imposed by the town pursuant to this article to fund the project cost of local improvements may be used by the Town to pay and secure general obligation bonds, notes or other obligations of the Town issued under Chapter 166 of the Florida Statutes, the Florida Constitution, and other provisions of Florida law to fund project cost of local improvements.

[Strikethrough indicates deletions; underline indicates additions]

SECTION 3. Full Force and Effect - Chapter 90 as Amended Remains in Effect. Except as amended by this Ordinance, Chapter 90 of the Town of Palm Beach Code of Ordinances remains in full force and effect.

SECTION 4. Codification. It is the intention of the Town Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Town of Palm Beach Code of Ordinances, and that the sections of this Ordinance may be renumbered to accomplish such intent.

SECTION 5. Effective Date. This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ENACTED in a regular, adjourned session on first reading this 9th day of February, 2016
and for a second and final reading this ____ day of _____, 2016.

Gail L. Coniglio
Mayor

Town Council President

ATTEST:

Town Council President Pro-Tem

Susan A. Owens, MPA, MMC, Town Clerk

Town Council Member

Town Council Member

Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Ordinances - First Reading

Agenda Title

ORDINANCE NO. 02-2016 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 102, Solid Waste; Article II Collection; Division 3, Rates, Charges, Billing Procedure; at Section 102-103 Collection of Delinquent Charges; and Section 102-105, Billing for Charges; Notice of Delinquency; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Presenter

Jane Struder, Director of Finance

Supporting Documents

- [Memorandum Dated January 29, 2016, from Jane Struder, Director of Finance](#)
- [Ordinance No. 02-2016](#)

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 9, 2016

To: Mayor and Town Council

Via: Thomas G. Bradford, Town Manager

From: Jane Struder, Director of Finance

Re: Ordinance Amending the Solid Waste Collection Billing and Penalty Sections of the Code.
Ordinance No. 02-2016

Date: January 29, 2016

STAFF RECOMMENDATION

Staff requests Town Council approve Ordinance 02-2016 to modify sections of the Code related to solid waste collection account billing and penalty application as recommended by the ORS committee at its meeting on January 7, 2016.

GENERAL INFORMATION

While reviewing the Town of Palm Beach Code Sections regarding Solid Waste Collection Billing, staff discovered sections in the code that were outdated and needed to be revised to reflect current practice. The sections of the code that are recommended to be changed include (suggested changes reflected with strikethrough and italics):

Section 102-103 If any property owner shall fail to pay a solid waste collection bill within *thirty* (30) days from the mailing of the bill, ~~the director shall certify to the Town Council the amounts unpaid and the Town Council shall assess the same as a special tax against such premises; and the same shall be a lien against such premises to be enforced in the manner provided by law for the collection of other special tax bills.~~ *the property owner will receive a second statement with past due penalties on the total outstanding account balance, including any prior penalties. If the property owner fails to pay the second billing notice after an additional thirty (30) days, he will receive proper legal notice as outlined in the state statues to appear in person before the code enforcement board. The code enforcement board will use any of its powers to bring the solid waste collection customer to compliance, including but not limited to directing a lien to be filed on the customer's property.*

Section 102-105 The director shall bill the owner on a quarterly basis ~~one month in advance of the beginning of each quarter for the first quarter of the year~~ beginning on October 1 of each year. ~~The due date shall be the last day of the month preceding the start of the new quarter. All fees shall be deemed delinquent thirty (30) days after the date of mailing.~~ Unless such bills are

paid on or before the due date, a ten percent penalty shall be *calculated on the total outstanding account balance, including prior penalties.* ~~added to the amount due for each month the bill is not paid with the penalty being posted on the first day of each month. Each bill mailed shall have printed thereon the following:~~

~~“Unless this bill is paid by the last day of the month (due date), a ten percent penalty shall be added to the amount due. Further, in the event the bill remains unpaid, the town may place a lien on the property from which the solid waste is to be removed”~~

The above statement language requirement is being removed in order to allow for flexibility and make sure that it is not unintentionally outdated if additional changes are made to the Code. Language will appear on the statement that reflects the requirements of the Code.

TOWN ATTORNEY REVIEW

The Town Attorney has prepared the Ordinance and has reviewed the document for legal form and sufficiency.

cc: Paul Brazil, Director of Public Works

ORDINANCE NO. 02-2016

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 102, SOLID WASTE; ARTICLE II COLLECTION; DIVISION 3, RATES, CHARGES, BILLING PROCEDURE; AT SECTION 102-103 COLLECTION OF DELINQUENT CHARGES; AND SECTION 102-105, BILLING FOR CHARGES; NOTICE OF DELINQUENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

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

Section 1. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 102, Solid Waste; Article II, Collection; Division 3, Rates, Charges, Billing Procedures; Section 102-103, Collection of Delinquent Charges, to read as follows:

“Sec. 102-103. - Collection of delinquent charges.

If any property owner shall fail to pay a solid waste collection bill within thirty (30) days from the mailing of the bill, the property owner will receive a second statement with past due penalties on the total outstanding account balance, including any prior penalties. If the property owner fails to pay the second billing notice after an additional thirty (30) days, the property owner will receive notice as provided by law to appear before the code enforcement board. The code enforcement board will use any of its powers to bring the solid waste collection customer to compliance including, but not limited to, directing a lien to be filed on the customer's property.”

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 102, Solid Waste; Article II, Collections; Division 3, Rates, Charges, Billing Procedures; Section 102-105, Billing for Charges; Notice of Delinquency, to read as follows:

“Sec. 102-105. - Billing for charges; notice of delinquency.

The director shall bill the owner on a quarterly basis beginning on October 1 of each year. All fees shall be deemed delinquent thirty (30) days after the date of mailing. Unless such bills are paid on or before the due date, a ten percent penalty shall be calculated on the total outstanding account balance, including prior penalties.”

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 9th day of February, 2016, and for second and final reading on this ____ day of _____, 2016.

TOWN OF PALM BEACH

Town Council Meeting on: February 9, 2016

Section of Agenda

Ordinances - First Reading

Agenda Title

ORDINANCE NO. 03-2016 An Ordinance of the Town Council, of the Town of Palm Beach, Palm Beach County, Florida, Granting to Florida Public Utilities Company, its Successors and Assigns, a Non-Exclusive Franchise for a Period of 25 Years to Sell, Distribute, Transport, and Transmit Natural or Mixed Gas in the Town of Palm beach, Florida; Prescribing the Terms and Conditions Under Which Said Franchise May be Exercised; Making Findings; Providing Severability; Providing an Effective Date Upon Final Passage; and Repealing Prior Ordinances.

TIME CERTAIN: 11:00 A.M.

Presenter

Thomas G. Bradford, Town Manager

Supporting Documents

- [Memorandum Dated February 2, 2016, from Robert Scheffel Wright, Esquire](#)
- [Ordinance 03-2016](#)

Michael P. Bist
Garvin B. Bowden**
Benjamin B. Bush
David S. Dee
Erin W. Duncan

1300 Thomaswood Drive
Tallahassee, Florida 32308

www.gbwlegal.com

Charles R. Gardner
John T. LaVia, III
Robert Scheffel "Schef" Wright

***Board Certified Real Estate Lawyer*

Telephone
850-385-0070

Facsimile
850-385-5416

February 2, 2016

M E M O R A N D U M

TO: THOMAS G. BRADFORD, TOWN MANAGER
JANE STRUDER, FINANCE DIRECTOR
JOHN C. RANDOLPH, TOWN ATTORNEY

FROM: ROBERT SCHEFFEL WRIGHT

SUBJECT: FLORIDA PUBLIC UTILITIES GAS FRANCHISE AGREEMENT

This memorandum summarizes the proposed new Franchise Agreement ("Franchise") between the Town of Palm Beach ("Town") and Florida Public Utilities Company ("FPU") relating to FPU's provision of natural gas service within the Town. The memo is organized to follow the sections of the Franchise Agreement Ordinance in numeric order.

Summary

The new Franchise Agreement is the product of extensive negotiations between the Town and FPU. Like any negotiation process, this process involved "gives" and "takes" by both sides. The major new provision is the effective restoration of the scope of revenues to which the franchise fee applies, which, other things being equal, will result in greater franchise revenues to the Town. The renegotiation process arose out of a dispute regarding the classification of commercial customers under the 1993 Franchise, and the new provisions effectively restore what we believe was the intent of the original franchise, i.e., that sales to all customers other than very large, industrial-type customers would be subject to the franchise fee. (The new Franchise exempts "Interruptible Service" customers from the fee, and also "New Industrial Customers" who might not otherwise become or continue as customers, from the fee.) As the reader will observe, the world has changed since the existing franchise agreement was negotiated in 1993: perhaps the most obvious signs of such changes are

the various provisions relating to possible deregulation and the simple fact that the proposed new Franchise has 27 sections as compared to the 9 sections in the 1993 Franchise.

Section 1. Definitions

The entire Definitions section of the Franchise is new. The most notable new provisions are the definitions of "Franchise Fee" ("six percent (6.0%) of the Company's Gross Revenues") and "Gross Revenues" (all regular rate revenues from all customers other than Interruptible Service customers). To qualify as an Interruptible Service customer and thereby be exempt from the franchise fee, a customer would have to use 3,650 therms of gas per month, which is more than seven times the amount to qualify for FPU's Large Volume Service rate.

Also of note are the definitions of "Industrial Customer" and "New Industrial Customer," which follow what I believe to be appropriate classifications of industrial uses under the Standard Industrial Classification system. The import of this classification and definition is reflected in Section 13, which provides that, upon receipt of a written statement from a prospective or existing industrial customer that the customer will not become a customer, or will leave FPU's Palm Beach system, the franchise fee will not be applicable to such customer's usage. This is akin to an economic development rate, such as are in place for Florida's investor-owned electric utilities, the rationale being to stimulate load growth so as to reduce average fixed costs borne by all customers. Additionally, from the local government's perspective, additional economic activity generally means more tax revenues and a healthier economy.

Section 2. Grant of Authority

This provision grants FPU the non-exclusive right to use the Town's rights-of-way ("ROWS") for its gas distribution system. It also provides that FPU's system will not unreasonably interfere with or create hazards with respect to motor vehicular, bicycle, or pedestrian traffic.

Section 3. Franchise Term

FPU wanted a franchise term of 30 years, whereas the Town team requested a 20-year term. We compromised on 25 years. Although it isn't likely to come into play, Section 3 also includes an agreement by FPU that the Franchise Fee rate of 6 percent represents fair and just compensation to the Town in return for the Town's maintaining its ROWs for FPU and for the Town's agreement not to compete against FPU in selling natural gas to retail customers. In practical terms, this should mean that the Town could continue to collect the 6% franchise fee after the new Franchise Agreement expires. (This has been an issue with some expiring electric utility franchises in Florida.)

Section 4. Termination

This section is fairly standard. Note subsection 4.D: once the Company ceases selling or transporting gas, there will be no revenues and no franchise fees. However, per Section 3, if the initial 25-year term expires and FPU continues selling or transporting gas, FPU will still be obligated to pay the franchise fee on its Gross Revenues.

Section 5. Non-exclusive Franchise

This is a fairly standard provision. The Town may grant franchises to other gas suppliers, so long as such franchises do not interfere with FPU's rights under this Franchise.

Section 6. Non-Compete Agreement & Town's Self-Service

This is a standard provision reflecting perhaps the major quid pro quo of franchise agreements: the franchising authority, here the Town, agrees not to compete against the franchisee, in return for the payment of the franchise fees. Our Franchise specifically allows the Town to serve itself without violating the non-compete provision. Additionally, the definition of "Gas" does not include hydrogen gas, which may be the most likely alternative gaseous product that the Town might produce in the future, e.g., via electrolysis using power generated from electric turbines in the Gulf Stream.

Section 7. Assignment

This was an intensely negotiated provision. Generally, the Town will have the right to approve any assignment or sale of FPU's system in the Town, provided that any denial of approval would have to be reasonable. The Town would have 75 days to act on any request for approval. One notable exception is that, in the event of a merger, sale of the entire business unit, or the transfer of FPU's assets to an affiliate, the Town will not have the right to approve such a transaction.

Section 8. Compliance with Applicable Laws

This section provides that FPU will comply with all reasonable rules, regulations and ordinances of the Town, including specifically the Town's ROW Manual. Per subsection 8.B, once FPU gets a permit based on an existing set of regulations, they will be allowed to complete the project under the regulations in place when they got the permit. Also, the regulations apply only prospectively, such that generally the Town cannot make FPU change its system to comply with new regulations. However, the notable exception to this provision is that, if a new regulation is necessary to protect the health and safety of persons, then the Town can require changes to the existing

system.

Section 9. Deregulation

This section provides that, in the event of deregulation, FPU shall, as a matter of contract between the Town and FPU, continue to provide efficient service in compliance with appropriate standards of service, safety, and quality, and further that FPU shall always maintain and operate its system "in accord with good utility practices, good engineering practices, and with due care for the public health, safety, and welfare.

Section 10. Changes to Current Town Requirements; Deregulation Ordinances

This section spells out provisions that the Town cannot impose any of its own rules that are preempted by state or federal law. It also substantively reiterates the provision in Section 8 that, once permitted, FPU may complete a project under the permit based on the regulations in place when the permit was issued. This section also obligates the Town to furnish FPU with a copy of new editions of the ROW Manual as such are published.

Section 11. Distribution System

This is a fairly standard section that provides that FPU must construct and operate its system appropriately. One notable provision is in Section 11.F, which provides that, in the event that the Town lawfully elects to alter or change the grade of the Town's ROWs, FPU will relocate any portion of its system as necessary, at FPU's own cost and expense.

Section 12. Right to Inspect

This section gives the Town the right to inspect, at the Town's expense, FPU's system to ensure compliance with applicable regulations.

Section 13. Franchise Fee

This section provides that the franchise fees will be paid quarterly. It also implements the "economic development" or "business retention" treatment of Industrial Customers mentioned in the Definitions section above.

Section 14. Other Fees and Taxes

This section is straightforward and provides that FPU shall pay all legally authorized fees, taxes, and assessments. (Note: In some

electric utility franchises, some taxes are specifically allowed as an offset to the franchise fees that would otherwise be due to the franchise-granting government.

Section 15. Franchise Parity

This section has two main provisions. First, if the Town grants a franchise to another gas supplier, the Town must either impose the same franchise fee rate on the new supplier or reduce the franchise fee obligations of FPU to the same as those imposed on the new supplier. Second, if FPU enters into a franchise agreement with another local government that provides for a higher franchise fee rate, then the rate due to the Town shall automatically be increased to the same level.

Section 16. Reciprocal Indemnification

This is a fairly standard section addressing indemnification of each party for liabilities arising from the breach, negligence, or willful misconduct of the other, provided that the Town's liabilities under this indemnification section are expressly limited by Section 768.28, Florida Statutes (statutory limitation of liability on the sovereign).

Section 17. Insurance

FPU is required to maintain comprehensive general liability, workers compensation, and comprehensive automobile liability insurance, with the Town included as an additional named insured on all such policies.

Section 18. Records

This section require FPU to maintain appropriate accounts and records, and give the Town the right to audit the Company's books with respect to the calculation and remittance of franchise annually.

Sections 19-27. Miscellaneous Provisions

These sections are the general boilerplate provisions found in most contracts, including Governing Law (Florida law; right to jury trial waived); Entire Agreement (Integration Clause); Attorney's Fees and Expenses (substantially prevailing party is entitled to recover its reasonable expenses from the other party); Notices; Force Majeure; Non-waiver; Severability; Scrivener's Errors; and Repealer.

Thank you again for the opportunity to be of service. If you have any questions, please call me any time. I look forward to

talking with you and seeing you again soon.

ORDINANCE NO. 03-2016

AN ORDINANCE GRANTING TO FLORIDA PUBLIC UTILITIES COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE FOR A PERIOD OF 25 YEARS TO SELL, DISTRIBUTE, TRANSPORT, AND TRANSMIT NATURAL OR MIXED GAS IN THE TOWN OF PALM BEACH, FLORIDA; PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE UPON FINAL PASSAGE; AND REPEALING PRIOR ORDINANCES.

WHEREAS, the Town of Palm Beach, Florida owns and/or exercises control over the Town's Rights-of-Way and other Rights-of-Way (as both are defined herein); and

WHEREAS, the Company (as defined herein) has requested permission from the Town to erect, construct, operate, and maintain a gas system; to import, transport, sell and distribute Gas (as defined herein) within the Town; and for these purposes to construct and install facilities and equipment, and to lay and maintain gas mains, service pipes, and any other appurtenances, as are necessary, used or useful in the sale, transportation and distribution of Gas within the Town's Rights-of-Way and other Rights-of-Way; and

WHEREAS, the Town's Rights-of-Way to be used by the Company are public properties acquired and maintained by the Town at expense to the Town's taxpayers, and the right to use the Town's Rights-of-Way is a property right without which the Company would be required to invest capital and incur property acquisition costs; and

WHEREAS, the Town desires to insure that the Town's Rights-of-Way and other Rights-of-Way used by the Company are used safely and properly, and when such Rights-of-Way are disturbed, to insure that they are promptly restored to a safe and secure condition to protect the health, safety, and welfare of the citizens and residents of the Town; and

WHEREAS, state statutes and Town ordinances authorize the Town to grant a franchise for the purposes set forth herein; and

WHEREAS, the Palm Beach Town Council finds that it is in the public interest of its citizens to enter into this Franchise Agreement (as defined herein) with the Company.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, FLORIDA:

- 1. Definitions.** For the purposes of this Franchise Agreement, the following terms, phrases, words, and their derivatives shall have the meanings given herein. When not

inconsistent with the context, words used in the present tense include the future and past tenses, words in the plural include the singular, and words in the singular include the plural.

- A. “Affiliate” means, with respect to any particular Person means any other Person controlling, controlled by or under common control with such Person. For purposes of this definition, “control” (including the terms “controlling,” “controlled by” and “under common control with”) means the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a Person, whether through the ownership of voting securities, by contract or otherwise, and such “control” will be conclusively presumed if any Person owns 10% or more of the voting or other ownership interests, directly or indirectly, of any other Person.
- B. “Business Day” means a day other than a Saturday or Sunday or a day on which commercial banks located within the Town are closed.
- C. “Commission” shall mean the Florida Public Service Commission.
- D. “Company” shall mean Florida Public Utilities Company, a Florida corporation, its successors, and assigns.
- E. “Customer” shall mean any Person supplied with Gas service by the Company within the Town Limits.
- F. “Distribution System” shall mean any and all transmission pipe lines, main pipe lines, and service pipe lines, together with all necessary and desirable appurtenances, including, but not limited to, all tubes, traps, vents, vaults, manholes, meters, gauges, regulators, valves, conduits, attachments, and structures, as are used or useful in the sale, importation, distribution, transportation, and transmission of Gas within the Town Limits.
- G. “Effective Date” shall mean the date this Franchise Agreement becomes effective as described in Section 3 below.
- H. “Expenses” means court costs, including taxed and untaxed costs, and reasonable attorneys’ fees, whether suit be brought or not, and includes, without limitation, expenses incurred in any appellate or bankruptcy proceeding (including reasonable legal and investigative expenses).
- I. “Franchise” or “Franchise Agreement” shall mean this ordinance as adopted by the Town and accepted by the Company.
- J. “Franchise Fee” shall mean an amount equal to six percent (6.0%) of the Company’s Gross Revenues.

- K. “Gas” shall mean natural gas and/or manufactured gas and/or a mixture of natural and manufactured combustible gases that are distributed in pipes and measured by meter on the Customer’s premise. It shall not mean propane gas or liquefied petroleum gas (commonly referred to as “LP gas” or “bottled gas”), nor shall it mean hydrogen gas.
- L. “Gross Revenues” shall mean all revenues received by the Company from any Customer other than an Interruptible Customer, excluding deposits, prepayments, turn on/off charges, meter installation charges, and any other revenue not generated directly and solely from the sale, distribution, transportation, and transmission of Gas.
- M. “Industrial Customer” means a Customer whose principal business activity is categorized within Standard Industrial Classification codes 12, 13, 14, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, or 39.
- N. “Interruptible Customer” means a Customer served under the Company’s Rate Schedule IS, Interruptible Service, or Rate Schedule ITS, Interruptible Transportation Service, in the event that such Rate Schedules, which are presently closed to new business, are re-opened to allow new Customers to take service thereunder.
- O. “Party” shall mean the Town of Palm Beach or Florida Public Utilities Company, which may be referred to collectively herein as the “Parties” to this Franchise Agreement.
- P. “Person” shall mean any individual, firm, partnership, estate, corporation, company or other entity, including, but not limited to, any government entity.
- Q. “New Industrial Customer” means any Industrial Customer that (i) was not a Customer as of the Effective Date or (ii) was a Customer as of the Effective Date but has since relocated any of its facilities within the Town Limits.
- R. “Rights-of-Way” shall mean the Town’s Rights-of-Way and all other publicly-owned rights-of-way, private roads, and easements, including utility easements, that are (i) publicly held or dedicated for public use, including for use in providing utility services, or (ii) presently opened or to be opened to public use for motor vehicular, bicycle, or pedestrian movement, or both (i) and (ii) above.
- S. “Town” shall mean the Town of Palm Beach, Florida, a municipal corporation organized and existing under the laws of the State of Florida.
- T. “Town Clerk” means the Person appointed, hired or otherwise designated or charged by the Town to accept, organize, maintain and/or keep records of the Town.

- U. “Town Engineer” means the Person appointed, hired or otherwise designated or charged by the Town to perform professional and technical engineering duties for the Town which may include, by example, performing supervisory and administrative duties in planning and coordinating the operation of engineering services on behalf of the Town.
- V. “Town Limits” shall mean the incorporated limits of the Town, including any such territory as may be hereafter added or annexed to, or consolidated with, the Town.
- W. “Town Manager” means the Person appointed, hired or otherwise designated or charged by the Town to implement municipal policy and/or otherwise serve as the administrator for the Town in connection with day-to-day functions, including, in the absence of the Town Manager, the Acting Town Manager.
- X. “Town’s Own Use” means the consumption of Gas by the Town in the operation of its governmental facilities.
- Y. “Town’s Rights-of-Way” shall mean all rights-of-way, streets, alleys, highways, waterways, bridges, sidewalks, easements and other ways or places: (i) in or with respect to which the Town has the legal right to grant the Company a franchise to use such spaces for the purpose of conducting its business in the Town; (ii) that are publicly held or dedicated for public use; and (iii) that are presently opened or to be opened to public use for vehicular or pedestrian movement; provided, that the “Town’s Rights-of-Way” shall include the space at the surface of and below the right-of-way places located within the Town Limits.

2. **Grant of Authority.** The Town hereby grants to the Company the non-exclusive right, privilege, and franchise to erect, construct, operate, and maintain in, on or under any of the Town’s Rights-of-Way, as they now exist or may be hereafter constructed, opened, laid out or extended within the Town Limits, a Distribution System. This Franchise Agreement shall not be interpreted or construed to allow for the installation of any above-ground facilities in, on, or under any Town property or in any location or manner where such installation would unreasonably interfere or create a hazardous condition with respect to motor vehicular, bicycle, or pedestrian traffic or movement. In the event that the Town closes, vacates or otherwise abandons any of the Town’s Rights-of-Way, the Town shall provide to the Company an easement for the Distribution System already located in such rights-of-way in such form and content as is reasonably acceptable to the Company.
3. **Term.** This Franchise Agreement shall take effect and be in force from and after the first day of the month following the date upon which the Company files its acceptance of this Franchise Agreement with the Town Clerk (the “Effective Date”). Except as provided in Section 4 herein, the Franchise hereby granted by the Town to the Company shall be twenty-five (25) years from the Effective Date (the “Initial

Term”). Upon expiration of the Initial Term, this Franchise Agreement shall continue on the same terms then in effect at the expiration of the Initial Term on a month-to-month basis, and the Company expressly agrees that the Franchise Fee provided for herein constitutes fair and just compensation to the Town in return for the Town’s maintaining the Town’s Rights-of-Way and making the Town’s Rights-of-Way available to the Company for the Company’s use in selling Gas to Customers free of competition by the Town.

4. Termination.

- A. In the event that the Company commits, at any time, a material breach of any of the material covenants, terms, and conditions of this Franchise Agreement, the Town may terminate this Franchise Agreement, provided that the Town shall first have served the Company with a written notice pursuant to Section 22 herein, setting forth in reasonable detail all matters pertinent to such material violation or default, and the Company shall have failed, within sixty (60) days after service of such notice or within such longer period of time as may be reasonably necessary, to either cure such violation or default, or to present a plan to the Town to effect such cure pursuant to such plan within a reasonable period of time after the Town’s approval of the plan. Approval of the plan by the Town shall not be unreasonably withheld, conditioned or delayed.
- B. In the event that the Town commits, at any time, a material breach of any of the material covenants, terms, and conditions of this Franchise Agreement, the Company may terminate this Franchise Agreement, provided that the Company shall first have served the Town with a written notice pursuant to Section 22 herein, setting forth in reasonable detail all matters pertinent to such material violation or default, and the Town shall have failed, within sixty (60) days after service of such notice or within such longer period of time as may be reasonably necessary, to either cure such violation or default or to present a plan to the Company to effect such cure pursuant to such plan within a reasonable period of time after the Company’s approval of the plan. Approval of the plan by the Company shall not be unreasonably withheld, conditioned or delayed.
- C. Either Party, in its sole discretion, may terminate this Franchise Agreement without cause at any time after the expiration of the Initial Term.
- D. At such time as this Agreement is terminated and the Company ceases the sale and transporting of Gas to Customers, the Company’s obligations to pay the Franchise Fee shall terminate. (This Section 4(D) shall not be applicable in the event of the expiration of the Initial Term and the continuation of this Franchise Agreement on a month-to-month basis pursuant to Section 3 above.)

5. **Non-exclusive Franchise.** The right to use and occupy the Town's Rights-of-Way for the purposes set forth herein shall not be exclusive, and the Town reserves the right to grant a similar use of the Town's Rights-of-Way to any Person at any time during the period of this Franchise, so long as such grant shall not interfere with the Company's rights granted hereunder. This Franchise shall grant the privilege of carrying on the Company's business in all of the Town or in part of the Town, with no promise that there will be no competition by entities other than the Town, which expressly agrees not to compete against Company during the term of this Franchise pursuant to Section 6 herein. In the event the Town grants a franchise to a competitor of the Company, the grant shall not interfere with the Company's rights granted hereunder, including physical location of improvements, except as to matters that occur as a result of competition.
6. **Competition.** As further consideration for this Franchise Agreement the Town hereby agrees that during the term of this Franchise it shall not engage in the business of selling, importing, distributing, transporting, delivering, or transmitting Gas to any Person located within the Town Limits, and that it shall not otherwise compete with the Company within the Town Limits; provided, however, that neither this provision nor any other provision of this Franchise Agreement shall be construed to prohibit the Town's legal ability to generate or produce its own Gas for the Town's Own Use, and the Town's generation or production of Gas for the Town's Own Use shall not be construed to be in competition with the Company.
7. **Assignment.** Except as set forth below, this Franchise hereby granted shall not be sold, leased, assigned or otherwise alienated or disposed of (any such event a "Transfer") except with the prior written consent (the "Consent") of the Town Council, which shall not be unreasonably withheld or conditioned or unduly delayed. In the event that the Town neither grants nor denies the Consent within seventy-five (75) days after the Company's written request for Consent delivered pursuant to Section 22 below, then the Consent shall be deemed to have been granted by the Town to the Company. No Transfer shall be effective until the Person to whom the Franchise is Transferred files a duly executed instrument reciting the fact of the Transfer, accepting the terms of the Franchise, and agreeing to perform all the conditions thereof, in the office of the Town Clerk, whereupon the transferor shall be released of any further obligations under this Franchise Agreement without the necessity of any further action by any Person. Notwithstanding the foregoing, the Company may in its sole and absolute discretion, without any requirement to obtain the Consent, Transfer this Franchise (i) to an Affiliate to which, and in connection with which, the assets comprising the Distribution System are transferred or conveyed, or (ii) in connection with (A) the sale of all or substantially all of the Company's assets or of the business unit of which this Franchise is a part; (B) the merger of the Company with or into any other Person or other transfer by operation of law; or (iii) the pledge or mortgage of this Franchise and the assets comprising the Distribution System for the purpose of securing payment of monies borrowed by the Company.
8. **Compliance with Applicable Laws.**

- A. Subject to Section 10 below, the Company shall abide by all reasonable rules, regulations, and ordinances which the Town has passed or might pass in the future, including, without limitation, the most current edition of the Town's "Standards Applicable to Public Rights-of-Way and Easements Within the Town of Palm Beach," promulgated by the Town's Department of Public Works, Engineering Division, and commonly referred to as the "Town's Right-of-Way Manual" (the "Manual" and all such reasonable rules, regulations, and ordinances being referred to as the "Town's Legal Requirements"). As of the date of this Franchise Agreement, the current version of the Manual is dated May 1994 as Revised through December 26, 2012. The Company shall also comply with the rules and regulations promulgated by the Commission applicable to the safety of the Company's system and facilities, and with any rules and regulations promulgated by the Florida Department of Transportation or the U.S. Department of Transportation, provided that, in the event of any conflict between the Town's Legal Requirements and those of the Commission or any other agency, then, unless the Town's Legal Requirements are expressly preempted by such other agency's rules or regulations, the Town's Legal Requirements shall control.
- B. For purposes of Section 8(A) above, this Franchise shall be construed and applied such that, with respect to any item of work, project or other matter for which the Town has issued a permit (to whomever issued if the Company is to perform or otherwise assist in connection with the same, each a "Permitted Project"), the Company shall be entitled to proceed with such Permitted Project based on the Town's Legal Requirements, including the version of the Manual, that were in effect on the date upon which the permit related to the Permitted Project was issued.
- C. All changes to the Town's Legal Requirements shall apply prospectively and in no event shall the Company be obligated to remediate or otherwise take any action with respect to any portion of the Distribution System or Permitted Project that no longer complies with the Town's Legal Requirements due to a subsequent change in the Town's Legal Requirements, provided, however, that if the Town makes a determination at a public hearing duly noticed that the application of the subsequent change in the Town's Legal Requirements to the previously existing Distribution System is necessary to protect the health or safety, or both the health and the safety, of persons, then such changes in the Town's Legal Requirements shall be applicable to the previously existing Distribution System, provided further that the Company shall have such time to comply with such changed Town's Legal Requirements as is reasonable and appropriate considering all circumstances, including the cost of compliance and the potential risk of harm to the health or safety of persons.

9. Deregulation.

- A. In the event the Company or any aspect of the Gas trade, as contemplated hereunder, is deregulated, the Company shall maintain and operate its Distribution System and render efficient service in accordance with such rules and regulations as are, or may be, promulgated by the Town.
- B. In the event the Town has not promulgated rules and regulations at the time of deregulation, then, the Company shall maintain and operate its Distribution System in compliance with the rules and regulations by which they were governed prior to deregulation until such time as the Town has had an opportunity to promulgate rules and regulations or pass an ordinance governing those items regulated by the Commission, governing service standards, safety standards, and quality controls. In all cases and events, the Company shall maintain and operate its Distribution System in accord with good utility practices, good engineering practices, and with due care for the public health, safety, and welfare.

10. Changes to Current Town Requirements; Deregulation Ordinances.

- A. In no event shall the Company be required to abide by or be subject to any changes, amendments, or modifications to the Town's Legal Requirements, or to any new rules, regulations, ordinances, standards, future exercises of the Town's police power or other Town actions, including, without limitation, any rules, regulations, or ordinances related to deregulation of any aspect of the Gas trade, to the extent that any such changes, amendments, modifications, or new requirements:
 - i. are preempted by Florida law or by any rules, regulations, or other requirements of the Commission, the Florida Department of Transportation, or the U.S. Department of Transportation; or
 - ii. will have a disproportionate or discriminatory effect on the Company as compared to other Persons utilizing or accessing the Rights-of-Way or are not likely to be applied (or are not in fact applied) uniformly among all Persons utilizing or accessing the Rights-of-Way.
- B. Notwithstanding anything to the contrary contained in this Franchise Agreement, the Company shall be entitled to proceed with any Permitted Project on the basis of the Town's Legal Requirements in effect on the date upon which the permit was issued.
- C. The Town will provide to the Company a copy of each new edition of the Manual promptly after any such new edition is approved by the Town Council for implementation.

11. Distribution System. The Distribution System shall be erected, placed, laid, and maintained in a manner consistent with the following; provided, however, with respect to Permitted Projects, the Company's obligation to comply with the Town's

Legal Requirements shall be as in effect as of the date of issuance of the applicable permit):

- A. The Town, through its Town Manager, Town Engineer, or other designee, shall have the authority, but shall not be required, to supervise all construction, location, restoration, relocation and installation work.
- B. The Company shall install and maintain its Distribution System in a manner that provides reasonable egress from and ingress to abutting property.
- C. While allowing the functioning of the Distribution System, the Distribution System shall be located in the Rights-of-Way, including the Town's Rights-of-Way, in compliance with the Manual and in a manner that will not unreasonably obstruct, disturb, interfere, or create a hazardous condition, on a permanent basis, with any motor vehicular, bicycle, or pedestrian traffic, water flow, water pipes, sewers, drains, catch basins, pavement, sidewalk, driveways, or any other structures installed or any other function of said structures of the delivery of municipal services by the Town. Any temporary obstructions, disturbances, or interference with any of the foregoing shall only be allowed in compliance with the Manual and shall, to the extent practicable and commercially reasonable, be limited in reasonable degree and extent, and for a reasonable amount of time, necessary to accomplish the Company's work that necessitated such obstructions, disturbances, or interference.
- D. In the event that drains, sewers, catch basins, water pipes, pavements or other like improvements, or the function of said improvements are materially damaged by erecting, placing, laying or maintaining the Distribution System, the Company shall repair the damage at its sole cost and expense to a condition that is better than or substantially equal to that which existed prior to said damage. In this regard, the Town shall give written notice to the Company pursuant to Section 22 herein, of deficiencies that need to be cured by the Company. Said notice shall set forth a reasonable period of time, under the circumstances, in which the Company shall effect such repair.
- E. Notice of construction, location, restoration or relocation of the Distribution System shall be given to the Town Engineer or his designee in compliance with the Manual, and the Town will process the Company's notice or request for authorization to conduct such work as provided for in the Manual, and as expeditiously as is reasonably practicable under the circumstances. As soon as practicable, but no more than fifteen (15) Business Days after completion of the work, the Company shall submit as-built drawings in such form and format as may be reasonably required by the Town to the Town Engineer or his designee, following which submission the Town shall, pursuant to the Manual, review and either

approve such work or provide notice to the Company of any defects or violations requiring correction, after which the Company shall make such corrections consistent with the provisions of the Manual.

- F. In the event that, at any time during the period of this Franchise the Town shall lawfully elect to alter, or change the grade of the Town's Rights-of-Way, the Company, upon reasonable written notice from the Town, shall remove, relay, and relocate any portion of the Distribution System as is necessary at the Company's own cost and expense.

12. Right to Inspect. During the term of this Franchise Agreement, the Town, through its designated agent, shall have the authority to inspect the Distribution System at a reasonable time and upon reasonable prior notice to insure compliance with governing law and the Commission's regulations at the Town's own cost and expense.

13. Franchise Fee. The Company shall pay the Franchise Fee to the Town quarterly on January 1, April 1, July 1, and October 1 of each year during the term of this Franchise unless otherwise agreed. In the event that the Franchise Fee is more than thirty (30) days delinquent, the delinquent amount shall accrue interest at the highest rate allowable by law. In the event the Company makes any Franchise Fee payment in excess of the Franchise Fee due and owing to the Town under this Franchise Agreement or if the Town is otherwise indebted to the Company, the Company shall have the right to offset such overpayment and/or indebtedness against future payments of the Franchise Fee. Notwithstanding anything to the contrary contained in this Franchise Agreement, in no event shall Company have any obligation to collect from any New Industrial Customer and remit to the Town any Franchise Fee in connection with any Gas provided to such New Industrial Customer if such New Industrial Customer states to the Company in a writing signed by a corporate officer having the authority to render such a statement, that such New Industrial Customer will not become a Customer or continue to be a Customer at its facility that has been relocated within the Town Limits if the Franchise Fee is imposed on Gas provided to it by the Company.

14. Other Fees and Taxes. Except as otherwise provided for herein, the Company shall pay to the Town all legally authorized fees, taxes, assessments, and costs levied, imposed or validly adopted by the Town during the term of this Franchise Agreement, which shall include, but are not limited to public service taxes, ad valorem taxes (intangible, personal, and real), other ad valorem and non-ad valorem assessments on any property, occupational taxes, licensing fees, permitting fees, development review fees, and inspection fees.

15. Franchise Parity.

- A. If, during the term of this Franchise Agreement, the Town, by franchise agreement, ordinance or otherwise, allows other Persons who sell, import, distribute, transport, and transmit Gas (the "Alternate Gas Providers") the

right, privilege or franchise to erect, construct, operate, and maintain in, on or under any of the Town's Rights-of-Way, as they now exist or may be hereafter constructed, opened, laid out or extended within the Town Limits, a Distribution System for the purpose of supplying or delivering Gas to Persons located within the Town Limits or receiving such Gas from a Person other than the Company within the Town Limits, and imposes a franchise fee, rate or either of their equivalent on such Alternate Gas Provider(s) for any Gas customer or class of customer within the Town Limits that is less than that imposed with respect to the same Customer or class of Customers under this Franchise Agreement, the Franchise Fee percentage rate under this Franchise Agreement shall be automatically reduced so that the Franchise Fee percentage rate to be paid by any such affected Customers is no greater than the fee or rate imposed on the Alternate Gas Provider(s) with respect to such Customers. In the event that the Town does not impose a franchise fee, rate, or their equivalent, or any similar charge, on said Alternate Gas Providers, the Company's obligation to pay the Franchise Fee under this Franchise Agreement with respect to Gross Revenues derived from the provision of service by the Company to the comparable class of customers served by such Alternative Gas Provider thereafter shall be extinguished. This section shall not apply to the Town, to the extent that the Town generates or produces its own Gas for the Town's Own Use, and in such capacity, the Town shall not be an Alternate Gas Provider.

- B. If, during the term of this Franchise Agreement, the Company enters into a franchise agreement for the provision of Gas with any other municipality located in Florida, the terms of which provide for the payment of franchise fees by the Company on a percentage basis at a percentage rate greater than six percent (6.0%), the Franchise Fee percentage rate due and payable pursuant to this Franchise Agreement shall be automatically increased to the same percentage rate that the Company has agreed to pay to the other municipality.

16. Reciprocal Indemnification.

- A. The Company shall indemnify and save the Town, its servants, agents, employees, licensees, contractors and invitees, harmless from and against any and all liability, actions, demands, claims, damages, losses and Expenses, which may be brought against or suffered, sustained, paid or incurred by the Town, its servants, agents, employees, contractors, licensees and invitees, arising from, or otherwise caused by:
 - i. any breach by the Company of any of the provisions of this Franchise Agreement; or

- ii. the negligence or willful misconduct of the Company, or any of its servants, agents, employees, licensees, contractors or invitees in carrying on its business within the Town Limits.
- B. Subject to the provisions and limitations set forth in Section 768.28, Florida Statutes (2013) or any successor statute, the Town shall indemnify and save the Company, its servants, agents, employees, licensees, contractors and invitees, harmless from and against any and all liability, actions, demands, claims, damages, losses and Expenses, which may be brought against or suffered, sustained, paid or incurred by the Company, its servants, agents, employees, contractors, licensees and invitees, arising from, or otherwise caused by:
 - i. any breach by the Town of any of the provisions of this Franchise Agreement; or
 - ii. the negligence or willful misconduct of the Town, or any of its servants, agents, employees, licensees, contractors or invitees, in carrying on the business of the Town.
- C. Notwithstanding anything to the contrary herein contained, in no event shall the Town or the Company be liable under this Franchise Agreement, in any way, for any reason, for any indirect, special or consequential damages (including damages for pure economic loss, loss of profits, loss of earnings or loss of contract), howsoever caused or contributed to.
- D. Indemnification is conditioned upon the indemnified Party providing written notice to the indemnifying Party pursuant to Section 22 herein, within thirty (30) days after the indemnified Party knew or should have known of the claim.
- E. Nothing herein is intended to act as, nor may any provision of this Franchise Agreement be construed to create or imply in any way, a waiver of the Town's rights, privileges, and immunities under the doctrine of sovereign immunity and/or limits of liability set forth in Section 768.28 of the Florida Statutes (2013) or any successor statute.
- F. The provisions of this Section 16 shall survive this Franchise Agreement for the shorter of (i) five (5) years or (ii) the period of the statute of limitations applicable to any claim against which the Company indemnifies the Town pursuant to this Franchise Agreement.

17. Insurance. The Company shall carry in full force and effect during the entire term of this Agreement, and any extension period thereof, the following insurance coverages:

- A. Comprehensive General Liability Insurance, including products, contractual, and hazard, with a minimum combined single limit of Ten Million Dollars (\$10,000,000.00). Current insurance certificates shall be

submitted to the Town by the Company, and each insurance policy shall name the Town as an additional named insured.

- B. Workers Compensation Insurance. Current insurance certificates shall be submitted to the Town by the Company, and each insurance policy shall name the Town as an additional named insured.
- C. Comprehensive Automobile Liability Insurance as required under the Florida Statutes for the benefit of the employees of the Company. Additionally, with respect to all automobile liability insurance policies, current insurance certificates shall be submitted to the Town by the Company, and each such insurance policy shall name the Town as an additional named insured.

18. Records. The Company shall maintain accounts and records in a manner consistent with Section 368.108 of the Florida Statutes and Chapter 25-7 of the Florida Administrative Code, and in a manner that permits the Company's Gross Revenues within the Town Limits to be calculated promptly and accurately. During the term of this Franchise Agreement, and for a period of six (6) months thereafter, the Town may, upon not less than 30 days' written notice to the Company, but not more than once in any calendar year, examine, audit, and make photocopies of, the Company's books of account and other business records solely as they relate to the Company's Gross Revenues within the Town Limits. Such examination of books of account shall be at the Town's sole expense; provided, however, in the event any such audit reveals an error or series of errors that in the aggregate for the period so audited (which period shall not be less than one year) that the Company has underpaid the Franchise Fees due to the Town in an amount in excess of five percent (5%), then the Company will reimburse the Town for its reasonable out-of-pocket costs of conducting the audit. Further, in the event that an audit finds that there are systemic defects or deficiencies in the Company's accounting processes, Company agrees to take commercially reasonable actions to correct such processes as soon as reasonably practicable to the extent necessary to avoid any such defects or deficiencies on a going-forward basis. To the extent consistent with Florida law, and upon the Company's request, such examination, audit, and photocopies of such books and records shall be subject to the Town's execution and delivery of a confidentiality agreement.

19. Governing Law; Venue; JURY TRIAL WAIVER. This Franchise Agreement is made pursuant to and shall be governed by and construed in accordance with the laws of the State of Florida, without regard to the conflict of laws principles thereof. The Parties hereby irrevocably submit to the exclusive jurisdiction of the courts in the State of Florida (state or federal), with venue in the county in which the Town is located, over any dispute arising out of this Franchise Agreement, and the Parties agree that all claims in respect of such dispute or proceeding shall be heard and determined in such courts. The Parties hereby irrevocably waive, to the fullest extent permitted by applicable law, any objection that they may have to the venue of such dispute brought in such court or any defense of inconvenient forum for the

maintenance of such dispute. THE PARTIES HEREBY KNOWINGLY, VOLUNTARILY AND INTENTIONALLY, AFTER CAREFUL CONSIDERATION AND AN OPPORTUNITY TO SEEK LEGAL ADVICE, WAIVE THEIR RIGHT TO HAVE A TRIAL BY JURY IN RESPECT OF ANY LITIGATION ARISING OUT OF OR IN ANY WAY CONNECTED WITH ANY OF THE PROVISIONS OF OR MATTERS RELATED TO THIS FRANCHISE.

20. Entire Agreement. This Franchise Agreement, and the schedules and exhibits hereto, contain the entire understanding and agreement of the Parties relating to the subject matter of this Franchise Agreement, and the written terms of this Franchise Agreement supersede all prior and contemporaneous representations, discussions, negotiations, understandings, and agreements relating to the subject matter of this Franchise Agreement that are not contained herein.

21. Attorney's Fees and Expenses. In the event either Party initiates action to enforce its rights hereunder, the substantially prevailing Party shall recover from the substantially non-prevailing Party its reasonable Expenses. All such Expenses shall bear interest at the highest rate allowable under the laws of the State of Florida from the date the substantially prevailing Party pays such Expenses until the date the substantially non-prevailing Party repays such Expenses. Expenses incurred in enforcing this Section shall be covered by this Section. For this purpose, the court is requested by the Parties to award actual costs and attorneys' fees incurred by the substantially prevailing Party, it being the intention of the Parties that the substantially prevailing Party be completely reimbursed for all such costs and fees. The Parties request that inquiry by the court as to the fees and costs shall be limited to a review of whether the fees charged and hourly rates for such fees are reasonable for the services provided and consistent with the usual and customary fees and costs charged by competent attorneys for similar services.

22. Notices. All notices and other communications under this Franchise shall be in writing and shall be deemed given when (a) delivered personally to the receiving Party, (b) sent by facsimile transmission (with electronic confirmation) to the receiving Party at the facsimile number for that Party set forth below, (c) on the fifth (5th) Business Day after being mailed by certified mail (postage prepaid and return receipt requested) to that Party at the address for that Party set forth below, or (d) on the day delivered by Federal Express or any similar express delivery service for delivery to that Party at that address, as such delivery date is confirmed by the written records of such express delivery service. All notices shall be addressed as follows:

If to Company:

Florida Public Utilities Company
780 Amelia Island Parkway
Fernandina Beach, FL 32034
Attention: Director, Natural Gas Operations
Facsimile: _____

with a copy to:

Florida Public Utilities Company

780 Amelia Island Parkway
Fernandina Beach, FL 32034
Attn: Director of Regulatory Affairs
Facsimile: (561) 366-1525

with a copy to: Baker & Hostetler LLP
200 S. Orange Avenue, Suite 2300
Orlando, Florida 32801
Attention: Jeffrey E. Decker
Facsimile: (407) 841-0168

If to Town: Town of Palm Beach
360 South County Road
Palm Beach, FL 33480
Attention: Town Manager
Facsimile: (561) 838-5411

with a copy to: Jones, Foster, Johnston & Stubbs, P.A.
505 South Flagler Drive, Suite 1100
West Palm Beach, FL 33402
Attention: John C. Randolph, Esquire
Facsimile: (561) 650-0465

Any Party may change its facsimile number or address for notices under this Franchise at any time by giving the other Party notice of such change delivered in conformity with this Section 22.

- 23. Force Majeure.** Any prevention, delay or stoppage of work or other obligations to be performed by either Party that are due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes, acts of nature, acts of God, governmental restrictions, regulations or controls, judicial orders, enemy or hostile government actions, civil commotion, fire or other casualty or other causes beyond the reasonable control of the Party shall excuse performance and other obligations by the Party for a period equal to the duration of that prevention, delay or stoppage. In no event shall any material default by Company due to any of the foregoing constitute grounds for termination of this Franchise. In no event shall economic hardship experienced by either Party constitute a force majeure event under this Franchise Agreement. No Force Majeure event shall excuse a Party's obligation to pay money pursuant to this Franchise Agreement. If either Party shall be prevented by a force majeure event from performing any of its obligations other than to pay money pursuant to this Franchise Agreement, then the Party unable to perform shall: (a) promptly notify the other Party in writing of the act, event, or condition that such Party asserts constitutes a force majeure event; (b) specify the basis for its claim; (c) undertake all commercially reasonable actions to mitigate and eliminate the adverse effects of the claimed force majeure event; (d) describe the actions that the Party is taking to overcome and eliminate the adverse effects of such force majeure event; and

- (e) keep the other Party informed of its progress in restoring its ability to perform its obligations under this Franchise Agreement. The Party asserting its inability to perform due to a force majeure event shall have as much time as is reasonably sufficient, under the circumstances, to restore its ability to perform.
- 24. Non-waiver.** The failure of any Party to insist in any one or more instances upon the strict performance of any one or more of the terms or provisions of this Franchise Agreement shall not be construed as a waiver or relinquishment for the future of any such term or provision, and the same shall continue in full force and effect. No waiver or relinquishment shall be deemed to have been made by either Party unless said waiver or relinquishment is in writing and signed by both Parties.
- 25. Severability.** If any provision of this Franchise Agreement or application to any Party or circumstances shall be determined by any court of competent jurisdiction to be invalid or unenforceable to any extent, the remainder of this Franchise Agreement or the application of such provision to such Party or circumstances, other than as to which it is so determined invalid or unenforceable, shall not be affected thereby, and each provision shall be valid and shall be enforced to the fullest extent permitted by law. In the event that any material provision of this ordinance is thus declared to be invalid, the Town and the Company will negotiate in good faith to amend this Agreement so as to restore, to the maximum extent legally permissible, the original economic bargain embodied in this ordinance.
- 26. Scrivener's Errors.** Sections of this Franchise Agreement may be renumbered or re-lettered, and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or his designee, without need for a public hearing, by filing a corrected or recodified copy of same with the Town Clerk.
- 27. Ordinances Repealed.** All provisions of the Town's ordinances in conflict with the provisions of this Franchise Agreement are not applicable to the Company or to this Franchise Agreement as of the Effective Date.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 9th day of February, 2016, and for second and final reading on this _____ day of _____, 2016.

Gail Coniglio, Mayor

Town Council President

Council President Pro Tem

Town Council Member

ATTEST:

Town Council Member

Susan A. Owens, Town Clerk

Town Council Member

APPROVED AS TO FORM:

TOWN ATTORNEY

UNCONDITIONAL ACCEPTANCE BY THE COMPANY

I, the undersigned official of Florida Public Utilities Company, am authorized to bind the Company and to unconditionally accept the terms and conditions of the foregoing Franchise (Ordinance No. _____), which are hereby accepted by the Company this _____ day of _____, 2016.

Florida Public Utilities Company

By: _____

Name: _____

Title: _____

Subscribed and sworn to before me this _____ day of _____, 20__.

Notary Public in and for the State of Florida

My commission expires _____

Received on behalf of the Town of Palm Beach this _____ day of _____, 20__.

Name: _____ Title: _____