



TOWN OF PALM BEACH

TOWN COUNCIL MEETING

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

AGENDA

FEBRUARY 8, 2022

9:30 AM

Welcome

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

I. CALL TO ORDER AND ROLL CALL

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

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

A. MINUTES

1. Town Council Meeting Minutes Page 8
Pat Gayle-Gordon, Acting Town Clerk

January 3, 2022, Special Town Council Meeting
January 11, 2022, Town Council Meeting
January 12, 2022, Town Council Development Review Meeting
2. Approval of Major Matters Considered by the Architectural Review Page 57
Commission at its Meeting of January 26 and 27, 2022.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 008-2022 A Resolution of the Town Council of Page 111
the Town of Palm Beach, Palm Beach County, Florida, Authorizing
the Town Manager to Execute a Traffic Signal Maintenance and
Compensation Agreement with the Florida Department of
Transportation.
H. Paul Brazil, P.E., Director of Public Works
2. RESOLUTION NO. 018-2022 A Resolution of the Town Council of Page 124
the Town of Palm Beach, Palm Beach County, Florida Authorizing
the Mayor to Sign the Memorandum of Understanding between Palm
Beach County, the City of Riviera Beach, the Town of Palm Beach
Shores, and the Town of Palm Beach for the Recreational and
Educational Use of the Leased Area of Peanut Island.
Jay Boodheshwar, Deputy Town Manager
3. RESOLUTION NO. 019-2022 A Resolution of the Town Council of Page 160
the Town of Palm Beach, Palm Beach County, Florida, Approving
the Award of a Purchase Order to Kimley-Horn and Associates, Inc.
for Construction Phase Services for the A-7 Pump Station
Improvements in the Amount of \$65,700 and Establishing a Project
Budget of \$72,250.
Dean Mealy, Purchasing Manager
4. RESOLUTION NO. 020-2022 A Resolution of the Town Council of Page 170
the Town of Palm Beach, Palm Beach County, Florida, Approving a
Purchase Order to Applied Technology & Management, Inc. for
Coastal Engineering Services in Support of the 2022 Dune
Restoration Projects in Reaches 4 and 9 in the Amount of \$49,968
and Establishing a Project Budget of \$60,000.
Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 021-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Execution of First Amendment to Interlocal Agreement with Palm Beach County to Outsource the Maintenance and Repair of Fire Rescue Fleet Apparatus. Page 180
Dean Mealy, Purchasing Manager
6. RESOLUTION NO. 022-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Contract for License Plate Recognition to Vetted Security Solutions as a Sole Provider. Page 189
Dean Mealy, Purchasing Manager
7. RESOLUTION NO. 023-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Duval Ford LLC in the Amount of \$71,715 and Establishing a Project Budget of \$72,000. Page 195
Dean Mealy, Purchasing Manager

C. OTHER

1. Approval of Town Manager Performance Evaluation Page 200
Kirk W. Blouin, Town Manager
2. Budget Calendar for FY23 Budget Process Page 207
Jane Le Clainche, Director of Finance
3. Advisory Capacity of the Shore Protection Board Page 210
H. Paul Brazil, P.E., Director of Public Works
4. Accept Donation of \$100,000 for Purchase of Equipment for the Police Department Page 213
Nicholas Caristo, Chief of Police
5. Town Marina and Lake Drive Park Improvements - Project Update Page 218
H. Paul Brazil, P.E. Director of Public Works

IX. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Investment Advisory Committee Page 221
Chris Storkerson, Chair

X. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on January 13, 2022 Page 286
Lew Crampton, Chair

XI. PUBLIC HEARINGS

- A. RESOLUTION NO. 024-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement Within the Property Commonly Known as 117 El Mirasol Road, in the Town of Palm Beach, Page 290

Florida.

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

- B. RESOLUTION NO. 025-2022** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement Within the Property Commonly Known as 206 Caribbean Road, in the Town of Palm Beach, Florida.

Page 314

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

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. Discussion Regarding Potential Resolution Requesting that the State of Florida Allow Non-Agricultural Communities to Enact Local Policies to Regulate Chemical Applications

Page 333

RESOLUTION NO. 028-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Requesting Exemption from Preemptive Laws Controlling the Applications of Pesticides.

TIME CERTAIN: 10:30 AM

Bobbie Lindsay, Council President Pro Tem

2. Update Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts

Page 336

TIME CERTAIN: 11:30 AM

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

3. COVID-19 Situation Update
Kirk W. Blouin, Town Manager

Page 347

a. COVID-19 Monthly Report
Darrel Donatto, Fire Rescue Chief

b. RESOLUTION NO. 026-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring with the Request of the Town's Chief of Police, to Extend the Chief's Declaration of the Existence of a State of Emergency within the Corporate Limits of the Town to March 8, 2022, Unless Earlier Terminated by the Chief of Police, at which time the Town Council will Address the Need for any Extension of the Declaration of Emergency; Providing for an Effective Date.

c. Discussion Regarding Public Meetings

d. Temporary Outdoor Seating - COVID

4. Town-wide Undergrounding Project - Review of Project and

Page 352

- Dashboard, Summary of Project Status
H. Paul Brazil, P.E., Director of Public Works
5. Implementation Plan for Coastal Resiliency Page 368
H. Paul Brazil, P.E., Director of Public Works
6. Proposed Amendments to Further Restrict the Use of Public Property for Private Special Events Page 406
Jay Boodheshwar, Deputy Town Manager
7. Review of Boards and Commissions Relative to Total Members and Ratio of Regular and Alternate Positions Page 421
Margaret A. Zeidman, Town Council President

C. New Business

1. Review of Options for Further Amendments to Construction and Landscaping Hours of Operations Page 424
Jay Boodheshwar, Deputy Town Manager
2. RESOLUTION NO. 027-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFP No. 2022-07 Valet Parking Services for the Town of Palm Beach to One Parking, Inc. Page 428
Jay Boodheshwar, Deputy Town Manager
3. Re-Appointment of Town Manager Pursuant to Section 4.02(b) of the Town Charter from February 9, 2022 through February 14, 2023. Page 461
Kirk W. Blouin, Town Manager
4. Approval of 2022 Town-wide Goals Page 465
Kirk W. Blouin, Town Manager
5. Consideration of Town Incentive for Removal of Ficus
Julie Araskog, Town Council Member

XIII. ORDINANCES

A. First Reading

1. Proposed Ordinance to Amend Chapter 134 of the Town Code, Relative to Residential On-Street Parking Permits Page 470
- ORDINANCE NO. 001-2022 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 134, Article X – On Street Parking Permits, at Sections 134-2292, 134-2296 (B) and 134-2296 (C); Relating to Issuance of Decals and Visitor/Service Permits; Changing the Effective Year from a Fiscal Year to a Calendar Year; Providing For Severability; Providing For Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.
Jay Boodheshwar, Deputy Town Manager

XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 3:30 p.m. on the Wednesday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 3:30 p.m. on Wednesday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.
- Note 2:** The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Technology (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.
- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.
- Note 6:** All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

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

Council President to acknowledge you.

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

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

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

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

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Minutes

Agenda Title

Town Council Meeting Minutes

Pat Gayle-Gordon, Acting Town Clerk

January 3, 2022, Special Town Council Meeting

January 11, 2022, Town Council Meeting

January 12, 2022, Town Council Development Review Meeting

Presenter

ATTACHMENTS:

- ▣ **January 3, 2022, Special Town Council Meeting Minutes**
- ▣ **January 11, 2022, Town Council Meeting Minutes**
- ▣ **January 12, 2022, Town Council Development Review Meeting**



MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON JANUARY 3, 2022

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting of January 3, 2022 was called to order at 3:00 p.m. by Council President Zeidman. On roll call all Councilmembers were found to be present.

II. PLEDGE OF ALLEGIANCE

President Zeidman led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion was made by Councilmember Crampton and seconded by Council President Pro Tem Lindsay to approve the agenda. On roll call, the Motion passed unanimously.

IV. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT

None.

V. REGULAR AGENDA

Council President Zeidman gave an overview of the agenda items. She spoke regarding the quasi-judicial meetings of Architectural Commission (ARCOM), Code Enforcement (CE), and Landmarks Preservation Commission (LPC) and the advisory boards. Jay Boodheshwar, Deputy Town Manager confirmed that all boards/commissions were meeting in person but the public was allowed to participate virtually for ARCOM and LPC. President Zeidman stated that she had been in contact with the Chairs for LPC, ARCOM and CE but not the advisory boards.

A. New Business

1. COVID-19 Situation Update
Kirk W. Blouin, Town Manager

Kirk Blouin, Town Manager gave an update of the COVID-19 situation and spoke regarding the protocols in Town buildings and facilities and stated that all Town facilities will remain open and business will continue as normal. He stated that most of the previous protocols were not removed, so the mask policy remains in effect for both employees and visitors. In an effort to limit the spread of the virus some administrative staff will be working remotely. In the Recreation department, the fitness center will revert to reservations in order to limit the number of people in the center.

a. Concurrence with and Extension of the Chief of Police's Declaration of a Local State of Emergency

Manager Blouin announced that the Chief of Police has issued a State of Emergency for the Town of Palm Beach which will allow the flexibility to conduct some meetings virtually.

President Zeidman stated that the positivity rate in the County as of last Friday was 30% and hospitalizations were increasing. She explained that the Omicron variant was extremely contagious but it does not make you very sick. She also pointed out that the 30% positivity rate was not accurate as a lot of people were doing at-home testing and the results are not reported to the FL Dept. of Health. She stated that there were a lot of breakthrough infections in people who are vaccinated and boosted and that the CDC now considers full vaccination to include the booster shot. She spoke regarding protecting ourselves and others, proper mask wearing and the different types of masks that should be worn.

Manager Blouin stated that the Chief of Police has issued the Declaration of Emergency which will remain in effect if the Town Council so agrees.

b. RESOLUTION NO. 009-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Extending the Chief of Police's Declaration of the Existence of a State of Emergency Within the Corporate Limits of the Town to January 11, 2022, Unless Earlier Terminated by the Chief of Police, at Which Time the Town Council Will Address the Need for Any Extension of the Declaration of Emergency; Providing for an Effective Date.

John C. Randolph, Town Attorney read the Resolution by title.

Motion was made by Councilmember Crampton and seconded by Council President Zeidman to approve Resolution No. 009-2022. On roll call, the Motion passed unanimously.

At the urging of Councilmember Cooney, President Zeidman informed all that on May 3, 2021 the Governor by Executive Order limited the actions local municipalities are able to take regarding emergencies. The Town Council will not issue any orders for curfews or to close the beaches.

c. Discussion Regarding Public Meetings

President Zeidman suggested grouping the meetings as follows: Advisory Boards, Quasi-Judicial Boards and Town Council for discussion.

After lengthy discussion and with advice from Town Attorney Randolph, it was decided as follows:

Advisory Boards/Committees: Will meet virtually until February 8, 2022

Quasi-Judicial Boards: Will meet virtually until February 8, 2022, but any applicant may request a deferral if they are not comfortable presenting their applications virtually.

Motion was made by Councilmember Cooney and seconded by Councilmember Crampton to require Town Advisory and Quasi-Judicial Boards to hold meetings via Zoom until the February 8, 2022 Town Council Meeting. On roll call, the Motion passed unanimously.

Public Comment

Jimmy Zisson, 3400 S. Ocean Blvd., spoke regarding various healthcare experts who will be able to advise the Town Council if necessary. In response to Mr. Zisson, President Zeidman stated that Dr. Scheppeke, Head of EMS and Deputy Surgeon General for the State of Florida and Dr. David Dodson, Infectious Disease Specialist have advised the Town Council regarding medical matters.

Mayor Moore spoke regarding the Town Council as a governing body that is most effective when present in person but will support whatever decision is made.

Councilmember Crampton expressed his agreement with Mayor Moore and commented on the legal effect of decisions being made by the Town Council.

Council President Pro Tem Lindsay expressed her agreement with in-person meetings of the Town Council.

Councilmember Araskog spoke regarding having the Town Council meetings virtually and if applicants for Development Review were not comfortable presenting virtually, they may request a deferral.

Deputy Town Manager Boodheshwar stated that it is possible to have presenters participate via Zoom.

Councilmember Cooney stated he was comfortable with whatever decision is made.

Motion was made by Council President Pro Tem Lindsay and seconded by Council President Zeidman to hold the January 11, 2022 Town Council Meeting in person, wearing masks properly and not having lunch together with the public participating via Zoom. For the Development Review meeting, applicants will participate via Zoom and there will be no charge for deferrals. On roll call, the Motion passed unanimously.

VI. ANY OTHER MATTERS

Council President Zeidman expressed her appreciation to the Palm Beach Police and Fire Foundation for acquiring 2500 COVID-19 Rapid Antigen test kits to be administered to Town residents by the Palm Beach Fire Rescue. The testing will be carried out on Tuesday and Thursday and appointments can be made online.

VII. ADJOURNMENT

The Special Town Council Meeting of January 3, 2022 was adjourned at 3:55 p.m. without benefit of a Motion.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Date



MINUTES OF THE TOWN COUNCIL MEETING
HELD ON JANUARY 11, 2022

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting was called to order on Tuesday, January 11, 2022 at 9:30 a.m. On roll call, all council members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Town Clerk Gayle-Gordon gave the invocation and President Zeidman led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

The following modifications were made to the agenda:

1. ITEM NO. IX.B.2. RESOLUTION NO. 001-2022 pulled from Consent Agenda and heard immediately after ORDINANCE NO. 28-2021
2. ITEM NO. IX.C.1. RESOLUTION NO. 015-2022 HAS BEEN AMENDED TO READ:
A Resolution of The Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Agreement With The Palm Beach First Responder's Foundation, Inc. to Establish A Retirement Plan for The Town of Palm Beach Police Department and Fire Department Employees that will be Funded and Maintained by the Foundation; Approving the Terms of the Retirement Plan; Authorizing the Mayor to Execute the Agreement on Behalf of the Town Council; Providing For Severability; Providing For Full Force And Effectiveness; Providing For Repeal Of Conflicting Resolutions; And Providing an Effective Date.

IV. APPROVAL OF AGENDA

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

V. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

A. Presentations By the Applicants and Appointments to the Shore Protection Board
Pat Gayle-Gordon, Acting Town Clerk

Council President Zeidman spoke regarding Harvey Poppel removing his name from consideration for the Shore Protection Board and addressed the upcoming changes to the ordinance regarding the Shore Protection Board.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to approve the appointments of Warren Belmar, Peter Matwiczky, Ronald Matzner and Doug Rogers to the Shore Protection Board.

VI. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore expressed her appreciation to those who attended the Lighting of the Bridge event for the Promise Fund and spoke regarding the remarkable work being done by that organization. She commended Town staff on the state of the Marina and expressed her appreciation to the residents and the Police and Fire Foundation for their generosity. She spoke regarding the Town moving in a positive direction despite facing challenges and expressed appreciation for the teamwork of Town staff, Council and the residents.

VII. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog expressed her appreciation to the community for their generosity and the exceptional work of Town staff. She expressed appreciation to the Police and Fire Foundation and staff for mobilizing testing. She expressed gratitude to the Mayor and Town Council.

Council President Zeidman expressed her appreciation to Mayor and Council, Town Manager Blouin and Town Attorney Randolph for their attendance at a Special Meeting and wished everyone a Happy New Year.

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

Diane Buhler, Friends of Palm Beach, spoke regarding upcoming beach clean-up efforts and the upcoming Great Charity Challenge event. She also spoke regarding the Friends of Palm Beach and Town's Public Works Department working to get the bucket stands installed in February.

IX. APPROVAL OF CONSENT AGENDA

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

A. MINUTES

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

December 7, 2021, Special Town Council Meeting
December 10, 2021, Special Town Council Meeting
December 14, 2021, Town Council Meeting
December 15, 2021, Town Council Development Review Meeting
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of December 17, 2021.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 161-2021 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Change Order to Hedrick Brothers Construction Company Inc. for Modular Building Systems to House North Fire Staff during Rehabilitation of the Station as part of Pre-construction Services in the Amount of \$534,449 for a total Purchase Order of \$1,393,208.
Dean Mealy, Purchasing Manager
2. RESOLUTION NO. 001-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standard Applicable to Public Rights of Way and Easements, by Changing the Title and Amending Chapter XII, Miscellaneous Provisions, Construction Parking.
Wayne Bergman, Director of Planning, Zoning and Building
Pulled and Heard immediately after Ordinance No. 28-2021
3. RESOLUTION NO. 002-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of ITB No. 2022-08, A-7 Pump Station Improvement to TLC Diversified, Inc. in the Amount of \$333,000 and Establishing a Project Budget of \$383,000.
Dean Mealy, Purchasing Manager
4. RESOLUTION NO. 003-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-05, Prequalification of General Utility Project Vendors to the Following Four Firms: D.S. Eakins Construction Corporation, Johnson-Davis Inc., TLC Diversified Inc. and Hinterland Group, Inc.
Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 004-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2022-06, Prequalification of General Utility Project Vendors to the following four Firms: Murray Logan Construction, LLC, TLC Diversified, Inc., Kiewit Infrastructure South Co., and Hinterland Group, Inc.
Dean Mealy, Purchasing Manager
6. RESOLUTION NO. 005-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Piggyback Contract to Convergent Technologies for Public Safety Camera System in the Amount of \$200,000.
Dean Mealy, Purchasing Manager

C. OTHER

1. Updated Request from the Palm Beach Navy SEAL Evening of Tribute
Jay Boodheshwar, Deputy Town Manager
2. Annual Report from Palm Beach Island Cats
David Levitt, Palm Beach Island Cats

X. BOARD/COMMISSION ANNUAL REPORT

- A. Annual Report of the Recreation Advisory Commission
Nicholas Coniglio, Chair

Mark Bresnahan, Director of Recreation, presented the Recreation Advisory Commission report on behalf of Nicholas Coniglio. He provided information on the revenue that was generated by the Recreation facilities and programs and spoke regarding the cost recovery goals. He spoke regarding Covid mitigation measures being taken by the Department and special events that the department had provided over the past year. He spoke regarding the Recreation Advisory Commission's focus on pedestrian safety improvements at the intersection of Cocoanut Row and Seaview Avenue.

In response to a question by Council President Zeidman, Town Manager Blouin explained that he is working with Paul Brazil, Director of Public Works, on the safety of multiple crosswalks and that this item will be on the list of Council priorities being presented to the Town Council in February. He spoke regarding the expense of safety improvements which will be discussed as part of the budget process and that certain crosswalks in mid-town will be addressed during the undergrounding process.

Council President Zeidman commended the Recreation Department on their excellent work, especially during Covid.

In response to a question by Council Member Araskog, Mr. Bresnahan presented the revenues and expenditures for each of Recreation Department's primary facilities and programs. Council Member Araskog commended the Recreation Department's staff on the work they have accomplished.

Council Member Lindsay spoke regarding cost recovery numbers and how these types of programs usually have low cost recovery. She commended the Department on their excellent work.

Mayor Moore spoke regarding historical cost recovery numbers. She congratulated Mr. Bresnahan on his recent nuptials and wished Tony Chateauvert a happy birthday.

In response to questions by Council Member Araskog, Mr. Bresnahan spoke regarding the process for tee time reservations.

Council President Zeidman commended the department on RecConnect.

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

XI. COMMITTEE REPORTS

- A. Report of the Business and Administrative Committee Meeting Held on December 8, 2021
Lew Crampton, Chair

Chair Crampton presented a brief overview of the Business and Administrative Committee Report.

Motion was made by Council Member Araskog and seconded by Council Member Cooney to accept the report of the Business and Administrative Committee Meeting held on December 8, 2021. On roll call, the Motion passed unanimously.

1. Proposed Conversion of Twelve (12) 2-Hour Parking Spaces on the 200/300 Block of Worth Avenue to 30-Minute Parking Spaces
Jay Boodheshwar, Deputy Town Manager

Deputy Town Manager Boodheshwar provided background information on the item and explained the proposed expansion of the program.

Council Member Araskog expressed concern that twelve spaces total would be too many.

Council President Pro Tem Lindsay stated that she didn't feel that twelve spaces was too many considering the total amount of free spaces on Worth Avenue.

Council Member Araskog proposed having the spaces be 1 hour rather than 30 minutes in order to allow shoppers more time.

Council Member Crampton stated that they had discussed 1 hour and that 30 minutes seemed more amenable to the turnover that they desired, but he would support 1 hour if that was the desire of Council. He spoke regarding the valet option.

Council Member Cooney spoke in support of the 30-minute time limit.

Town Manager Blouin spoke regarding the need to decide on the desired outcome in order to make the decision regarding the time limit.

Council President Zeidman spoke regarding the desired outcome of this process and stated that although, at first, she thought 16 total spaces was too many, in comparison to total number of spaces available, she feels that it is not. She spoke regarding the valet option.

Council Member Araskog spoke in support of moving the time to 45 minutes on two on each of the two blocks.

Council Member Crampton spoke regarding the research that had been done on the project and spoke in support of moving forward with 30-minute limits at this point.

Council President Pro Tem Lindsay spoke regarding support that she has received from shop owners on Worth Avenue for the 30-minute time limits and valet parking.

Mayor Moore spoke in support of moving forward with this plan and spoke regarding her belief that most residents would be supportive.

Town Manager Blouin spoke regarding the fact that the Town would be supportive of giving residents preferential parking, but it is prohibited by State law.

In response to a question from Council Member Araskog, Deputy Town Manager Boodheshwar stated that there would not be additional signage on Worth Avenue.

Motion was made by Council Member Cooney and seconded by Council Member Crampton to convert twelve 2-hour parking spaces on the 200 and 300 blocks of Worth Avenue to 30-minute parking spaces. On roll call, the Motion passed unanimously.

In response to a question by Council Member Cooney, Deputy Town Manager Boodheshwar explained that an evening parking space utilization study will be occurring in the upcoming weeks in the commercial districts to understand nighttime parking needs.

The Town Council recessed at 10:50 a.m. and reconvened at 11:00 a.m.

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

C. New Business

1. Proposed New Benefit for Public Safety Personnel Provided by the Palm Beach Police and Fire Foundation

RESOLUTION NO. 015-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving an Agreement with the Palm Beach First Responder's Foundation, Inc. to Establish a Retirement Plan for The Town of Palm Beach Police Department and Fire Department Employees that will be Funded and Maintained by the Foundation; Approving the Terms of the Retirement Plan; Authorizing the Mayor to Execute the Agreement on Behalf of the Town Council; Providing for Severability; Providing for Full Force and Effectiveness; Providing for Repeal of Conflicting Resolutions; and Providing an Effective Date.

TIME CERTAIN: 11:00 AM

Kirk W. Blouin, Town Manager

John Scarpa, 1676 S. Ocean Blvd., Chairman and CEO of the Palm Beach Police and Fire Foundation, Tim Moran, 257 Dunbar Road, and Howard Burnick, 120 Sunset Ave., presented background information on the proposed Police and Fire Retention Program.

Council President Zeidman spoke regarding the compensation study that the Town had undergone a few years ago, and the result that there was a 40% turnover rate for public safety employees. She stated that she believes that this proposed program is one of the best recruitment and retention programs she has ever seen.

Council Member Cooney expressed appreciation to the Foundation for all the work they do for the public safety employees and spoke in support of the proposed program. He spoke regarding this program being an enhancement to the employees and not a replacement for any Town compensation.

Council Member Araskog expressed appreciation to the Foundation for all of their work and for the proposed program. She also spoke regarding the

Town not having any liability in regards to this program and that it is being funded completely by the Foundation.

Council President Pro Tem Lindsay expressed her gratitude to the Foundation for this groundbreaking program for the public safety departments.

Mayor Moore expressed her appreciation to the Foundation and spoke regarding this program also including the non-sworn public safety employees in this program.

Council Member Crampton expressed appreciation to the Foundation and spoke regarding the intricacies of the program. In response to questions by Council Member Crampton, Barbara Delaney, HUB, provided information on the administration of the program. Rebecca Torres Goodwin, and Tim Moran, Palm Beach Police and Fire Foundation explained that this program will have a separate board and 501©3 designation.

In response to a question by Mayor Moore, Ms. Delaney explained the financial planning assistance that the firm will be providing to the employees.

Council Member Cooney posed a question regarding security of the plan with regards to the markets. Mr. Moran provided additional information on the Foundation's expectations for the plan.

Town Manager Blouin explained the participation of Town staff in the process of developing the plan. He introduced Jim Linn, the Town's pension plan attorney, who provided information on portions of the agreement for the plan and spoke regarding the uniqueness of having a private foundation funding a retirement plan for public employees.

Town Attorney Randolph read the title of the resolution.

Motion was made by Council Member Cooney and seconded by Council Member Araskog to approve Resolution No. 015-2022. On roll call, the Motion passed unanimously.

Mayor Moore spoke regarding her efforts with Town staff in putting together a plan for general employees that is similar to the Foundation's plan. She stated that she will be bringing it forward in the future.

Police Chief Caristo expressed his gratitude to the Foundation for all of its support of the department.

Gail Coniglio, 1139 N. Ocean Blvd., spoke regarding the extreme generosity of the Police and Fire Foundation and the community and spoke in support of Mayor Moore's plan for employees.

Town Manager Blouin expressed appreciation to all Town employees and stated that although the plan that was approved today is only for public safety employees, all employees are appreciated and Mayor Moore is working on something to benefit them.

Council President Zeidman expressed her appreciation to the Town's employees and to Mayor Moore and her mother, former Mayor Smith, for their support of the employees.

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. COVID-19 Situation Update
Kirk W. Blouin, Town Manager

a. COVID-19 Monthly Report
Darrel Donatto, Fire Rescue Chief

Sean Baker, Division Chief, provided an update on the omicron variant of COVID-19. He recommended that everyone wear a high quality mask, keep physical distance, wash hands and get the vaccine and boosters. He provided updated CDC guidance on exposure. He spoke regarding the Palm Beach Police and Fire Foundation purchasing tests for the residents and spoke regarding the Fire Department's testing process. He stated that the positivity rate in Palm Beach is lower than the rest of the County. He spoke regarding the monoclonal antibody treatment not being available due to supply chain issues at the federal level. In response to a question from Council President Zeidman, Division Chief Baker addressed the reason why individuals had scheduled appointments for tests but never showed up.

Council Member Cooney expressed his gratitude for the quick coordination of testing residents and spoke regarding his parents' experience with being tested and commended the department on its efficient process.

Council President Zeidman commended the Fire Department and the Foundation, Citizens Association, and the Civic Association for their coordination on providing tests to the residents.

In response to a question by Council Member Cooney, Town Manager Blouin spoke regarding having test kits available for employees. In response to a question by Town Manager Blouin, Division Chief Baker spoke regarding how many of the recent positive cases had experienced symptoms. He also responded to a question regarding the effectiveness of Regeneron on the Omicron variant.

Council Member Araskog spoke regarding the number of actual positive cases would be higher due to individuals testing at home. Division Chief Baker and Town Manager Blouin spoke regarding the positivity rate and the actual reflection on the rate in the community. Division Chief Baker responded to a question regarding the case numbers not being supplied to the Town by the Health Department.

b. RESOLUTION NO. 010-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring with the Request of the Town's Chief of Police, to Extend the Chief's Declaration of the Existence of a State of Emergency within the Corporate Limits of the Town to February 8, 2022, Unless Earlier Terminated by the Chief of Police, at which time the Town Council will Address the Need for any Extension of the Declaration of Emergency; Providing for an Effective Date.

Town Attorney Randolph read the title of the resolution.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Resolution No. 010-2022. On roll call, the Motion passed unanimously.

Council President Zeidman clarified that this resolution allows for going back to Zoom meetings for Town meetings.

2. Town-wide Undergrounding Project
H. Paul Brazil, P.E., Director of Public Works

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

Patricia Strayer, Town Engineer, spoke regarding the Coffee with the Crew meetings and that they had hoped to resume them, but with the increase of COVID-19 cases due to Omicron, they have not resumed them yet. She provided times/dates/locations for them once they have been restarted.

She provided a presentation on the status of the undergrounding project and explained the dashboard. She spoke regarding delays due to easement acquisitions, FPL and materials not being delivered. She spoke regarding negotiations with the Breakers on easements for equipment and stated that

they have made a request for improvements that would need to be approved by Town Council separately. She stated that they are on schedule to finish the townwide undergrounding project in 2026.

She provided an overview of the construction project, especially since several phases will be occurring near mid-town at the same time. She explained the coordination that the Town has with FPL, ATT and Comcast.

Ms. Strayer answered questions by Council Member Araskog and stated that any delays due to deliveries will hopefully be made up.

Paul Brazil, Director of Public Works, emphasized that with several phases happening at the same time in mid-town, it will be very disruptive. Council President Zeidman inquired as to the time frame for this disruption and Ms. Strayer stated most likely three years. She spoke regarding efforts being made by the Town staff and the contractors on ensuring that there is good communication with the businesses and agreements with certain businesses on minimizing disruptions.

In response to a question by Council President Zeidman regarding protocols for gas lines, Ms. Strayer discussed the fact that fewer gas lines have been hit recently.

In response to a concern raised by Council President Pro Tem Lindsay, Ms. Strayer and Town Manager Blouin discussed the traffic plans and mitigation that will occur with each phase and explained that the Contractor at Risk will ensure that the plans are being followed.

Town Engineer Strayer stated that the new demonstration streetlights will be installed in the coming days and requested that Town Council look at them once they're functional and then notify her of their choices for the poles in mid-town.

b. RESOLUTION NO. 006-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing Modification No. 1 to State Grant of Florida Division of Emergency Management Contract No. H0374, Between the State of Florida Division of Emergency Management and the Town of Palm Beach Under the FEMA Disaster Declaration No. 4337 for Hurricane Irma, Specifically Reimbursement for Utility Protection Measures Within the Town Utility Undergrounding Project in the Modified Amount of \$8,062,242.74, Authorizing the Town Manager to Execute Same on Behalf of the Town, and Authorizing the Town Manager to Execute Future Modifications on Behalf of the Town.

Town Engineer Strayer provided background information on the item and read the title of the resolution.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve Resolution No. 006-2022. On roll call, the Motion passed unanimously. Ms. Araskog was absent.

The following two items were heard out of order of the agenda:

4. North Fire Station Renovation Update
H. Paul Brazil, P.E., Director of Public Works

Director of Public Works, Paul Brazil, provided the update on the North Fire Station Renovation, specifically regarding air quality tests on the building and the temporary housing. He spoke regarding possibility of costs increasing for the project due to supply chain issues.

5. Discussion Regarding Meeting Options for the Retirement Board of Trustees
Margaret A. Zeidman, Town Council President

Council President Zeidman spoke regarding issues with retaining board members due to the requirement for in-person meeting attendance during the summer. She spoke regarding Zoom meetings becoming common due to COVID-19 and spoke regarding the specific issues with the Retirement Board.

Deputy Town Manager Boodheshwar spoke regarding limitations that the Town has with having an in-person quorum for meetings due to State law. He spoke regarding the possibility of lobbying the State to give local government agencies the authority to hold hybrid meetings due to the advances in technology.

Town Attorney Randolph spoke regarding the Town possibly being able to regulate who, amongst a quorum, can vote, specifically in terms of the Retirement Board. He explained the AGO's opinions on holding in-person meetings and excused absences for board members. He addressed the limitations that the Town has due to the State law, but spoke regarding the possibility of making some changes to the Code regarding the Retirement Board and possibly other non-quasi-judicial boards. In response to a question from Council President Zeidman, Town Attorney Randolph stated that board members who are remote would be able to vote, but the members who are physically present have the priority.

Council President Pro Tem Lindsay spoke in support of members of the Retirement Board, who are attending remotely, being able to vote in meetings.

Town Manager Blouin provided an overview of the issues at hand. First, he spoke regarding sending a letter to the Governor to request a change in State law to allow for hybrid meetings due to the advances in technology and the high usage of remote meetings for municipalities during COVID-19. He addressed possible changes to the ordinance regarding the Retirement Board, such as the requirement for quarterly meetings and the quorum requirement.

Council Member Crampton spoke in support of the proposed changes and mentioned that the League of Cities may be a good avenue for lobbying the State on this issue.

Mayor Moore spoke in support of approaching the League of Cities and sending a letter to the Governor. She spoke regarding the high caliber of board applicants that the Town receives and stated that many of them are not in Town for several months out of the year.

Council President Pro Tem Lindsay spoke regarding proceeding with making the change to allow those members who are participating remotely to vote and addressing the other issues at a later time.

Council Member Araskog spoke in support of sending the letter to the Governor. She addressed an issue with the Retirement Board quorum if only employees are physically present. She spoke regarding changing the quarterly meeting dates in order to accommodate those members who are not in Town during the summer. She addressed specific issues with ARCOM and LPC members, such as wanting to have architects present in order to view plans.

Town Attorney Randolph stated that it would be a policy decision and not an ordinance change to allow remote members to vote. He stated that changing the quarterly dates would need an ordinance change.

Council President Zeidman was not in favor of changing the quarterly schedule for the Retirement Board because the allocations and financial health of the pension plan needs to be reviewed on a quarterly basis. She voiced her strong opinion that this Board is fundamentally different than other Boards in that it has 5 members who represent the employees and five members who must possess specific financial expertise and experience. Further she recommended that the Chairman, possessing this expertise and having been elected must be able to vote if on zoom. There was consensus on this issue.

The Town Council provided consensus to authorize the Mayor to send a letter to the Governor, work with the League of Cities and possibly lobbyists on addressing the State law regarding in-person meetings.

The Town Council recessed at 1:00 p.m. and reconvened at 2:00 p.m.

C. New Business

2. Florida Power and Light's (FPL) Request for Waiver of Construction Limitations in the Right-of Way Between December 1, 2021 and May 1, 2022

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

Town Engineer, Patricia Strayer, provided background information on the item. Jason Henard, Project Manager, provided the timeframe for the project. Director of Public Works Brazil answered Councilmembers' questions.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to approve the request for waiver of construction limitations in the right-of-way between December 1, 2021 and May 1, 2022. On roll call, the Motion passed unanimously.

3. Request from Contractor to Restart Work at 1191 North Lake Way

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

Director Brazil provided background information on the item and answered Councilmembers' questions.

Mayor Moore spoke in support of granting the request due to the fact that the project is only two weeks from completion.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to approve the request from the Contractor to restart work at 1191 North Lake Way. On roll call, the Motion passed unanimously.

4. Discussion Regarding Additional Modifications to Construction and Landscaping Hours During the Holiday Season

Bobbie Lindsay, Council President Pro Tem

Council President Pro Tem, Bobbie Lindsay, provided background information on this item and requested to have staff look at shutting down construction the two days preceding Thanksgiving and Christmas this year.

Council Member Cooney spoke in support of the proposal. In response to a question by Council Member Cooney, Town Manager Blouin addressed public safety responses during highly congested times.

Council Member Araskog spoke in support of the proposal and mentioned whether or not there could be different ending times for various construction sites.

The Town Council provided consensus to direct staff to look at amending the ordinance to modify the days for construction in the days leading up to Thanksgiving and Christmas.

5. Discussion Regarding Potential Resolution Requesting that the State of Florida Allow Non-Agricultural Communities to Enact Local Policies to Regulate Chemical Applications
Bobbie Lindsay, Council President Pro Tem

Council President Pro Tem, Bobbie Lindsay, provided background information on the item and explained that it is a public safety issue. She spoke regarding the potential resolution and stated that she would be bringing back additional information at the next Council meeting.

There was no action taken.

XIII. ORDINANCES

A. Second Reading

1. Proposed Ordinance to Amend Chapter 18 of the Town Code and the Public Works Right of Way Manual to Include Certain Construction Site Violations as “Strikes” Under the “Three Strike Program”

ORDINANCE NO. 28-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings and Building Regulations, by Creating Article VII. - Construction Site Management, and by Adding Sections 18-309 and 18-310; Providing for Severability; Providing for the Repeal of Ordinances in Conflict; Providing for Codification; and Providing an Effective Date.
Wayne Bergman, Director of Planning, Zoning and Building

Town Attorney Randolph read the title of the ordinance.

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to adopt Ordinance No. 28-2021 on Second Reading. On roll call, the Motion passed unanimously.

RESOLUTION NO. 001-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Department of Public Works Engineering Division Standard Applicable to Public Rights of Way and Easements, by Changing the Title and Amending Chapter XII, Miscellaneous Provisions, Construction Parking.
Wayne Bergman, Director of Planning, Zoning and Building

Town Attorney Randolph read the title of the resolution.

Motion was made by Council Member Cooney and seconded by Council Member Crampton to approve Resolution No. 001-2022. On roll call, the Motion passed unanimously.

2. Proposed Ordinance to Amend Chapter 42 of the Town Code, Relative to Lawn Maintenance and Prohibited Acts

ORDINANCE NO. 29-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 42 of the Town Code of Ordinances at Article V. Noise at Section 42-197. Specific Acts Prohibited and at Section 42-230. Lawn Maintenance; Providing for Severability; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Codification; Providing an Effective Date.
Jay Boodheshwar, Deputy Town Manager

Town Attorney Randolph read the title of the ordinance.

Council Member Cooney spoke regarding emails he received regarding this ordinance due to a newspaper article. He provided clarification on what this ordinance will be changing. Discussion ensued regarding older language that was still included in the noise ordinance.

Motion was made by Council Member Cooney and seconded by Council President Pro Tem Lindsay to adopt Ordinance No. 29-2021 on Second Reading. On roll call, the Motion passed unanimously.

3. Proposed Ordinance to Amend Chapter 74, Article V of the Town Code to Grant Beach Access to Root Trail Residents

ORDINANCE NO. 30-2021 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Ordinance 21-2021 at Article V. - Beach Access Closure at Section 74-281. - Limited Closure of Access from Wells Road South to Sunset Avenue, to Include a New Subsection 2 Recognizing the Right of Root Trail Property Owners to have Continuous Access to the Beach Access Area located at Root Trail; Providing for Severability; Providing for Repeal of Ordinances in Conflict Herewith; Providing for Codification; Providing an Effective Date.
John C. Randolph, Town Attorney

Town Attorney Randolph read the title of the ordinance. Town Manager Blouin provided background information on the item.

Motion was made by Council Member Crampton and seconded by Council Member Cooney to adopt Ordinance No. 30-2021 on Second Reading. On roll call, the Motion passed unanimously.

XIV. ANY OTHER MATTERS

Council President Pro Tem Lindsay announced that the Arbor Day event will be occurring on Thursday at 10:00 a.m. at the Park Avenue Park.

B. Old Business

3. Update from John Potts Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts

TIME CERTAIN: 3:00 PM

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

Jason Debrincat, Senior Project Engineer, provided an update on the eighth meeting of the expert panel at the City of West Palm Beach regarding water quality. He stated that the meeting was just informational and that there will be a report and long-term master plan forthcoming and that there will be no further expert panel meetings. He stated that they have successfully implemented chlorination and carbon filtration. He spoke regarding the approval process for the long-term master plan.

Town Manager Blouin stated that there are many unknowns regarding this process and spoke regarding the Town's participation in the City's process. He assured the public that the City water is safe to drink and that the City has found a way to treat the cytotoxins that had been at issue.

In response to a question by Council President Pro Tem Lindsay regarding a notice that had been sent to residents of the Town regarding elevated levels of a disinfectant, John Potts stated that the City is committed to retain safe levels for drinking standards. He spoke regarding the City's current testing process and stressed the importance of them having a treatment process in place at all times. He stated that they are waiting for the report to understand the City's processes. He addressed the issue of excess disinfectants in water systems and stated that individuals could use bottled or filtered water if they are concerned. He stated that the notice should have been sent out in advance of the free chlorination process. Town Manager Blouin stated that the notice was attempting to notify residents many months after there was an over-chlorination process. Council President Zeidman spoke regarding the notice and recommended that Mr. Potts should follow up on the notice and what levels of these chlorine byproducts are safe in drinking water. Mr.

Potts spoke regarding doing a study on the safety levels of the trihalomethanes.

In response to a question by Council Member Araskog, Mr. Potts and Mr. Debrincat stated that the City is continuing to test the water supply and spoke regarding the process for obtaining the averages.

Paul Brazil, Director of Public Works, spoke regarding the expert panel and the City's process and recommended that Town staff work with the City's staff on the issue.

Council President Zeidman spoke regarding the expert panel that was assembled for the short-term. She spoke regarding the importance of waiting and evaluating to see what's going to happen and ensure the Town is still participating in the process.

Council Member Crampton spoke regarding the various phases of this process and emphasized the importance of the Town participating in the process.

Council President Zeidman expressed her appreciation to Mr. Potts and Mr. Debrincat for their work on this issue and spoke in support of their continued participation in working with the City on communication to the residents and in the remainder of the process.

XV. ADJOURNMENT

Motion was made by Council Member Araskog and seconded by Council Member Cooney to adjourn the Town Council Meeting of January 11, 2022 at 3:46 p.m. On roll call, the Motion passed unanimously.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Date



TOWN OF PALM BEACH

Minutes of the Development Review

Town Council Meeting

Held on January 12, 2022

I. CALL TO ORDER AND ROLL CALL

The Development Review Town Council Meeting was called to order January 12, 2022 at 9:30 a.m. On roll call, all elected officials were found to be present; Ms. Araskog participating via Zoom.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

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

III. APPROVAL OF AGENDA

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

Withdrawal of Item X.A.1

Withdrawal of Item X.B.1a

Deferral of Item X.B.1b to the April 13, 2022 meeting

Deferral of Item X.B.1d to the February 9, 2022 meeting

Deferral of Item X.B.1e to the February 9, 2022 meeting

Addition of Time Certain of 3 P.M. to Item X.B.1g

Deferral of Item X.B.1h to the February 9, 2022 meeting

Withdrawal of Item X.B.1i

Deferral of Item X.B.2a to the February 9, 2022 meeting

Deferral of Item X.B.2d to the February 9, 2022 meeting

Deferral of Item X.B.2g to the February 9, 2022 meeting

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

IV. COMMENTS OF MAYOR DANIELLE H. MOORE

Mayor Moore expressed her appreciation to her fellow Council Members for working so well at the meeting on Tuesday.

V. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Araskog reminded the community and professionals that the new landscape ordinance pertaining to the three-strike rule is effective now.

VI. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

There were no communications heard at this time.

VII. PRESENTATIONS

A. Building Recertification Program Overview

Wayne Bergman, Director of Planning, Zoning and Building, presented a potential building recertification program that arose after the collapse of the Champlain condominium on June 25, 2021, in Surfside, Florida. He identified potential issues in Palm Beach that could affect condominiums and commercial buildings in Palm Beach. He reviewed the inspections of these buildings that are currently in place. Lastly, he outlined several recommendations to review “threshold” buildings moving forward and discussed the benefits of this program.

Mayor Moore mentioned that these recommendations are what the residents expected from the Town. In response to Mayor Moore’s questions, Mr. Bergman spoke regarding Palm Beach County proposing to allow licensed engineers and architects to perform inspections, if they have the background and qualifications in structural and electrical. Mayor Moore inquired if the condominiums would push back on these requirements if implemented, to which Mr. Bergman stated that many of the Town’s condominiums already embrace these inspections and spoke regarding many of the condominiums already undergoing structural repairs and having a engineer of record for their buildings

Council President Pro Tem Lindsay spoke in support of the program and commended the Miami Herald’s report. She recommended that staff reach out to the condominium

associations to inquire about the 180-day requirement for repairs as she believed some repairs could take much longer on some projects. She requested that the process include language to ensure that recertification through the Town did not transfer any of the liability from private property owners to the Town.

Town Manager Blouin stated that these questions will be fully vetted before the program is instituted. He spoke regarding some unique situations in the Town that had been touched on by Director Bergman. He spoke regarding serious issues with the condominium that had collapsed and stated that the buildings in Town are better constructed and maintained.

Council Member Araskog inquired if there could be an appeal of the findings. She also expressed concern over potential liability for the Town and stated that she wants to ensure that the Town has zero liability. She wondered why the “threshold” building did not include three story buildings, as there were many of them in the Town. Mr. Bergman responded and indicated that many of the three-story condominiums will be included due to their height.

In response to a question by Council Member Crampton, Mr. Bergman responded that the reason he was given why Palm Beach County stopped in moving forward with a program is because they believe it will be handled at the State level. Mr. Blouin provided further information on this issue. Mr. Crampton recommended the possibility of adding a registry that contains the inspection status of the buildings in Town. Mr. Bergman replied that all of the inspection reports would be public record when they were received. Council Member Crampton also suggested sending the Miami Herald’s article to the Civic Association and the boards of the condominiums. He agreed with Mr. Blouin’s statements about the uniqueness of the Town and the community’s commitment to ensure that their buildings are safe.

Council Member Araskog recommended the addition of an appeal process to the program. Mr. Bergman and Mr. Blouin spoke regarding the process and that an appeal does not appear to be necessary. Council Member Araskog asked her fellow members if the Town should also wait to see if the issue is handled at the legislative level. She agreed with Council Member Crampton about sending the Miami Herald’s article and recommended sending it out as an alert.

Council Member Cooney spoke in support of the program but also spoke regarding the potential of what would happen if the Town initiated a program and then the state legislature moved forward as well.

In response to Mayor Moore, Mr. Bergman spoke regarding having a structural engineer available to assist if the Town has any questions. Mayor Moore spoke in support of moving forward with the program at this time rather than waiting for the State legislature.

Council President Pro Tem also spoke in support of moving forward with the program because Governor DeSantis had said that any legislation would be adopted after a full investigation of the collapse was completed, which could take years.

Mr. Blouin stated that some of the final details of the program still need to be refined. He also stated that if there is legislation passed on the State or by the County, then the Town's program would be adjusted to ensure that there are no redundancies.

Council President Zeidman spoke in support of moving forward rather than waiting for the State. She expressed confidence that staff could implement a program needed by the Town. She inquired if there are certain buildings that are at risk and should be reviewed first. Mr. Bergman spoke regarding incorporating specific criteria to assist with the process.

Mayor Moore recognized that some of the condominiums were already pro-active and currently completing inspections. She thought that the number of required inspections might be less than expected.

Council Member Crampton inquired regarding the possibility if the Department would need additional staffing to complete this program. Mr. Bergman stated he would review and discuss with the Town Manager's office.

The Town Council provided consensus for staff to move forward with the program and bring back recommendations to Town Council.

VIII. DISCUSSION ITEMS

B. Discussion on Town-Serving Regulations

Mr. Castro provided background history and information on the Town-Serving Regulations and answered Council Members' questions. He explained the annual process of proving businesses are Town-Serving.

Mayor Moore expressed concern over the Town-Serving Regulations.

Council Member Cooney stated that he understood the requirement could be cumbersome to smaller businesses or businesses that had been in town for many decades.

Council President Pro Tem Lindsay stated that, while cumbersome, she believed the requirement should remain for the time being. She spoke in support of these regulations being reviewed during Code Reform.

Council Member Araskog spoke in support of maintaining the requirement for larger businesses to be Town-Serving and stated that it can be used as a tool to assist the Town Council in the approval of new businesses. In response to a question by Council Member Araskog, Town Attorney Randolph expressed concern over remedies the Town would take should a business not meet the requirement. Discussion ensued regarding how restaurants, especially those in hotels, would be able to prove that they are Town-Serving.

Mr. Castro spoke regarding problems businesses have with obtaining town-serving data.

Town Council Members expressed support for the requirement but understood they had no real enforcement of the issue. Council President Zeidman spoke regarding a town in New York that does not allow “chains” in the town. Mr. Castro addressed the issue that there has been litigation on the west coast which stated that municipalities cannot restrict a business because it’s a chain.

There was a consensus of the Town Council to keep the requirement at this time.

The Town Council recessed at 11:08 a.m. and reconvened at 11:18 a.m.

IX. RESOLUTIONS

- A. RESOLUTION NO. 149-2021 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 256 Orange Grove 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.

Deputy Town Clerk Churney administered the oath at this time and throughout the meeting as needed.

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

Emily Stillings, Murphy Stillings, presented background information on the project and historical information on the property. She outlined how the property meets Criteria 1, 3 and 4 for Landmark Designation. Ms. Stillings stated there were no other architectural styles as this home currently landmarked in the Town.

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

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

Council Member Cooney reminded the Commission that the Town Council deferred the item at the last meeting.

Council President Zeidman called for public comment.

Note: Since the owner of the home was not present at this time, the Town Council moved on to the next two resolutions.

Allen Tomlinson, Owner, explained his objections to the designation of his home.

Council President Zeidman called for staff comment. There were no comments heard at this time.

Council President Zeidman called for further public comments.

Aimee Sunny, Preservation Foundation of Palm Beach, spoke in support of the designation.

Mr. Tomlinson responded to the comments made by Ms. Sunny.

Council Member Cooney stated that many of the modern homes in Town that should have been preserved had been lost. He stated that he did not believe this home rose to the level of the homes that should have been preserved and did not support the designation.

Council Member Crampton stated that he did not believe the home was an extraordinary example to preserve and did not believe this home rose to the level worthy of preservation.

Council Member Araskog stated that she reviewed the comments from Architect Pat Segraves on the Landmarks Preservation Commission, who stated the home was probably worthy of a Historically Significant Building designation.

Council President Zeidman spoke regarding the landmarks program's purpose was to keep the examples of exceptional architectural styles. She stated that she does not believe this home rises to that level.

Council President Pro Tem Lindsay inquired how long the owner had lived in the home. Mr. Tomlinson responded.

Motion made by Council Member Cooney and seconded by Council Member Crampton to deny the landmark ratification of 256 Orange Grove Road. Motion carried 4-1, with Ms. Araskog opposed.

- B. RESOLUTION NO. 011-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 2155 Ibis Isle Road Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

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

Emily Stillings, Murphy Stillings, presented background information on the project and historical information on the property. She outlined how the property meets Criteria 1, 3 and 4 for Landmark Designation.

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

Motion made by Council Member Cooney and seconded by Council Member Crampton that the designation report be made part of the record. Motion carried unanimously, 5-0.

Council President Zeidman called for staff comment. There were no comments heard at this time.

Council President Zeidman called for public comment.

Gardiner Hempel, 2155 Ibis Isle Road and Treasurer of the Tower Vallengay, expressed his support for the designation.

Motion made by Council Member Araskog and seconded by Council Member Crampton to adopt Resolution 011-2022, designating the property at 2155 Ibis Isle Road as a landmark of the Town of Palm Beach, on the basis that it meets criteria Number 1, 3 and 4 of Section 54-161 of the Town of Palm Beach Code and in the Landmarks Preservation Ordinance No. 2-84. Motion carried unanimously, 5-0.

Richard Rene Silvin, Chairman of the Landmarks Preservation Commission, provided support for the designation and complimented Gardiner Hempel on his efforts to obtain designation for the condominium.

- C. RESOLUTION NO. 012-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 215 Seaspray Avenue Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

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

Janet Murphy, Murphy Stillings, presented background information on the project and historical information on the property. She outlined how the property meets Criteria 1, 3 and 4 for Landmark Designation. Ms. Murphy indicated that the owners supported the designation.

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

Council President Zeidman called for staff comment. There were no comments heard at this time.

Council President Zeidman called for public comment. There were no comments heard at this time.

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

Motion made by Council Member Cooney and seconded by Council Member Crampton to adopt Resolution 012-2022, designating the property at 215 Seaspray Avenue as a landmark of the Town of Palm Beach, on the basis that it meets criteria Number 1, 3 and 4 of Section 54-161 of the Town of Palm Beach Code and in the Landmarks Preservation Ordinance No. 2-84. Motion carried unanimously, 5-0.

Note: At this time, the meeting resumed at Resolution No. 149-2021.

- D. RESOLUTION NO. 013-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 12 Lagomar Road Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

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

Janet Murphy, Murphy Stillings, presented background information on the project and historical information on the property. She outlined how the property meets Criteria 1 and 3 for Landmark Designation and answered questions.

Motion made by Council Member Cooney and seconded by Council Member Crampton that the designation report be made part of the record. Motion carried unanimously, 5-0.

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

Council President Zeidman called for staff comment. There were no comments heard at this time.

Council President Zeidman called for public comment. There were no comments heard at this time.

Motion made by Council Member Cooney and seconded by Council Member President Pro Tem Lindsay to adopt Resolution 013-2022, designating the property at 12 Lagomar Road as a landmark of the Town of Palm Beach, on the basis that it meets criteria Number 1, 3 and 4 of Section 54-161 of the Town of Palm Beach Code and in the Landmarks Preservation Ordinance No. 2-84. Motion carried unanimously, 5-0.

- E. RESOLUTION NO. 014-2022 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Ratifying And Confirming The Determination Of The Landmarks Preservation Commission That The Property Known As 1568 South Ocean Blvd Meets The Criteria Set Forth In Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach; And Designating Said Property As A Town Of Palm Beach Landmark Pursuant To Ordinance No. 2-84, Also Known As Chapter 54, Article IV Of The Code Of Ordinances Of The Town Of Palm Beach.

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

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

Janet Murphy, Murphy Stillings, presented background information on the project and historical information on the property. She outlined how the property meets Criteria 1 and 3 for Landmark Designation.

Council President Zeidman called for public comment. There were no comments heard at this time.

Council President Zeidman called for staff comment. There were no comments heard at this time.

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

Council Member Cooney provided further history of the first owner of the home, Mrs. Rea.

Motion made by Council Member Cooney and seconded by Council Member Araskog to adopt Resolution 014-2022, designating the property at 1568 South Ocean Blvd as a landmark of the Town of Palm Beach, on the basis that it meets criteria Number 1, 3 and 4 of Section 54-161 of the Town of Palm Beach Code and in the Landmarks Preservation Ordinance No. 2-84. Motion carried unanimously, 5-0.

Council Member Araskog expressed appreciation to the owners and all who worked to designate the homes presented today.

Council Member Cooney thanked the Landmarks Preservation Commission and the Preservation Foundation of Palm Beach for their work in the preservation efforts.

Mayor Moore expressed appreciation to the Town Council for approving an increase to landmarks preservation.

X. DEVELOPMENT REVIEWS

A. Appeals

1. ARCOM Appeals of B-063-2020 160 Royal Palm Way
This item was withdrawn at the approval of the agenda.

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **Z-19-00232 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: C-WA Worth Avenue The application of 125 WORTH PARTNERS LLC (CENTURY INNOVATION LLC, MANAGER, BY ROBERT FRISBIE, AUTHORIZED SIGNATORY), applicant, relative to property located at **125 WORTH AVE**, legal description on file, is described below. *MODIFIED DESCRIPTION* This is a pending application that is being modified to reduce the number and intensity of variances being requested; to relocate certain mechanical equipment from the east side of the property to the west side in order to address neighbor concerns; to provide additional data regarding compliance with the Worth Avenue Design Guidelines; and to clarify that the existing fourth story roof structure and structural columns will not be demolished as part of the proposed additions onto the fourth story. The application has eliminated a request to increase overall height by 12 feet and to eliminate a request for increased second story lot coverage. The application as modified requests Site Plan approval for the revitalization, renovation and expansion of the 45-year-old nonconforming commercial building located at 125 Worth Avenue in the C-WA zoning district. The building will be completely renovated architecturally in order to meet the standards for renovation as set forth in the Worth Avenue Design Guidelines. The application addresses how the project meets the Worth Avenue Design Guidelines in Exhibit "G". The applicant is requesting to demolish a portion of the existing fourth story and expand its footprint to add four residential units, which are permitted above the first floor subject to a finding that the project meets the Worth Avenue Design Guidelines. Existing structural columns and roof structure will remain, and the proposed addition will be lower in height than the existing fourth story roof. In addition to the Site Plan Review proposed modifications, the applicant is requesting the following Special Exceptions and Variances required to complete the project: 1. Per Section 134-1163(8)b., a special exception for a fourth story addition. The existing building is four stories but the existing fourth story is proposed to be expanded. 2. Per Section 134-2182(b), a special exception to allow for on site shared parking, based on the professional shared parking analysis which has been provided. 3. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing floor area at a height of 51 ft. 7 in., which is the height of the existing roof structure. The proposed fourth floor addition will

be 49 ft. 7 in. in height, but staff has determined that a variance is required because the new addition is greater than the 40 ft. allowed under the use of the Worth Avenue Design Guidelines incorporated by reference in Chapter 134 of the Code.

4. Section 134-419, a variance to allow an expansion of an existing nonconforming building by expanding floor area at an overall building height of 52 ft. 3 in., which is lower than the 52 ft. 7 in. existing but higher than the 40 ft. maximum allowed by the Worth Avenue Design Guidelines.

5. Per Section 134-419, variance to allow an expansion of an existing nonconforming building by increasing the existing air conditioned floor area of the fourth story to 12,663.5 square feet from 3,448.75 square feet existing. An open fourth story trellis of 6,322.8 square feet is also proposed in this application and included in the calculation of lot coverage, below. There is an existing exterior fourth floor covered area of approximately 3,335 Square feet in addition to the existing air conditioned floor area on the fourth story of the building.

6. Per Section 134-1163(5), variance to allow a minimum front yard setback of 1 ft. 10 in. for portions of the building in lieu of the 5 ft. existing and the 5 ft. minimum required on the private property. The sidewalk is required to be a minimum of 10 ft. wide and this proposal is a minimum of 8 ft. 2 in. in the area where the sidewalk is only 1 ft. 1 in. wide on private property, in lieu of the 5 ft. minimum required by code.

7. Per Section 134-1163(9)b., variance for lot coverage of 63% on the first floor in lieu of the 57% existing and the 35% maximum allowable in order to relocate mechanical equipment from the east side of the property to the west.

8. Per Section 134-1163(9)b., variance for lot coverage of 54% on the fourth floor in lieu of the 20% existing and the 30% maximum allowable by code.

9. Per Section 134-419, a variance to allow an expansion of an existing nonconforming building by increasing the existing building length at the east end of the building from 201 ft. 8 in. to 246 ft. in lieu of the 150 ft. maximum permitted as of right in the C-WA zoning district. [Applicant's Representative: James M. Crowley Esq] [The Architectural Review Commission deferred this project to their June 23, 2021 Meeting. Carried 6-1.] Request to Withdrawal Per Letter from James M. Crowley

This item was withdrawn at the approval of the agenda.

- b. **Z-21-00374 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of JORDAN AND KRISTIN BENNETT GRAY, APPLICANTS, relative to property located at **224 LA PUERTA WAY**, legal description on file, is described below. The applicant Is requesting four variances In order to build a two story addition which includes a 315 square foot one story addition to the garage, a 184 square foot addition for a covered terrace on the first floor, and a 930 square foot second floor addition for two bedrooms, including a 130 square foot covered balcony and two bathrooms. The requested variances are a for an east side yard setback of 11 feet in lieu of the 12.5 foot minimum side yard setback required for the garage addition in the R B Zoning District; an east side yard setback of 11 feet in lieu of the 15 foot minimum side yard setback for a second story addition and covered balcony; an east side yard setback of 9.8 feet in lieu of the 10.5 foot minimum side yard setback required for a bay window on the first floor; and an east side yard setback of 9.8 feet in lieu of the 13 foot minimum side yard setback required for a bay window on the second floor in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to the March 23, 2022 meeting. Carried 7-0.] Staff Recommends Deferral to the April 13, 2022 Meeting

This item was deferred to the April 13, 2022 meeting at the approval of the agenda.

- c. **Z-21-00385 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: R-B Low Density Residential The application of 239 MONTEREY ROAD LLC (Louis Capano, Jr., Manager), Applicant, relative to property located at **223 MONTEREY RD**, legal description on file, is described below. The lot is non conforming in area: 9,000 square feet in lieu of the 10,000 square feet required in the R-B Zoning District; and in width: 90 feet in width in lieu of the 100 foot minimum required in the R-B Zoning District. Request to demolish the existing one story residence, accessory structure, pool, driveway and miscellaneous site walls, piers and fences and construct a new 3,902 square foot single family two-story home on a non-conforming lot (overall size and width) meeting all applicable Town codes. The request includes a driveway, pool/spa, hardscape and landscape, including an emergency generator and civil storm water and grading. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission approved the project as presented. Carried 5-2.]

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

Maura Ziska, Attorney for the applicant, provided an overview of the changes and explained the zoning requests for the proposed home.

Molly Mitchell, Dailey Janssen Architects, presented the architectural modifications proposed for the newly, proposed residence.

Ms. Ziska added that the home had been reviewed by the Architectural Review Commission for 4 months.

President Zeidman called for staff comments. Mr. Castro provided staff comments.

President Zeidman called for public comments.

Peter Broberg, 220 Monterey Road, asked to confirm the roof height and for it to be placed on record.

Council Member Araskog inquired how Mr. Broberg felt about the changes presented. Mr. Broberg stated that he wanted the home to fit into the neighborhood and he believed with the current changes, it would now fit in with the surrounding homes. Ms. Araskog expressed appreciation to the changes that have been made.

Motion made by Mr. Crampton and seconded by Council President Pro Tem Lindsay that Special Exception Z-21-00385 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have

been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

Motion made by Mr. Crampton and seconded by Council Member Araskog that Site Plan Review Z-21-00385 shall be granted based upon the finding that such grant will not adversely and that the Council affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329 items 1 through 11; with the condition that all construction parking must be on the subject property. Motion carried unanimously, 5-0.

- d. **ZON-21-006 (ARC-21-040) 164 SEASPRAY AVENUE (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW AND VARIANCES** The applicant, Hayati Banastey, has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review for the construction of new two story residence on 2 platted lots deficient in lot width and lot area, including the following variances (1) a variance to reduce the required side (east) yard setback to 10 ft in lieu of 15 feet required for 2 story structure; (2) a variance to reduce the required side (west) yard setback to 10 ft in lieu of 12.5 feet required for the 1 story portion; (3) a variance to reduce the required side (west) yard setback to 10 feet in lieu of 15 feet required for the 2 story portion. [Architectural Review Commission deferred the project to the January 26, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the February 9, 2022 Meeting.

This item was deferred to the February 9, 2022 meeting at the approval of the agenda.

- e. **ZON-21-011 (ARC-21-050) 1090 SOUTH OCEAN BOULEVARD (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW** The applicant, 1090SOCEAN LLC (Brad McPherson), has filed an application requesting Town Council review and approval of a Special Exception Request with Site Plan Review to allow the construction of a new two-story residence on non-conforming portions of platted lots that is 135' in depth where 150' is required and 18,558 SF of lot areas where 20,000 SF is required in the R-A zoning district. [Architectural Review Commission deferred the project to the January 26, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the February 9, 2022 Meeting

This item was deferred to the February 9, 2022 meeting at the approval of the agenda.

- f. **ZON-21-012 (AKA Z-20-00299) (ARC-21-051) 1015 SOUTH OCEAN BOULEVARD (COMBO) SPECIAL EXCEPTION REQUEST WITH SITE PLAN REVIEW AND VARIANCES**

The applicant, 1015 South Ocean LLC (Maura Ziska, manager), has filed an

application requesting Town Council review and approval for a Special Exception Request with Site Plan Review and variances (1) to reduce the required front setback and (2) to reduce the building height plane setback for both the one- and two-story portions, in order to build a new two-story residence on a lot nonconforming in depth. Please refer to the staff memo for more information on this project. [Architectural Review Commission Recommendation: Implementation of the proposed variance(s) will not cause negative architectural impact to the subject property. Carried 5-2.] [The Architectural Review Commission approved the project as presented. Carried 4-3.]

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

The Town Council recessed at 12:55 p.m. and reconvened at 1:50 p.m.

Maura Ziska, attorney for the owner, presented the zoning requests for the proposed home.

Harold Smith, Smith and Moore Architects, Inc., presented the architectural presentation for the new home.

President Zeidman called for staff comments. Mr. Castro provided staff comments.

Council Member Crampton inquired about the wall on the south end of the home. Mr. Smith responded.

Council Member Araskog inquired about the setback for the home. Mr. Smith responded. In response to Ms. Araskog showed the areas on the site plan that display the variances.

President Zeidman called for public comments.

Frank Lynch, attorney representing the owner of 1020 S. Ocean Blvd., stated his client's objections to the proposed home and asked the Town Council to deny the application.

James Murphy, Assistant Director of Planning, Zoning and Building, responded to a question by Council Member Araskog about the opinions of the Architectural Review Commission. Council Member Araskog expressed concern over allowing the variances and Mr. Smith explained why the existing home could not be retained and renovated.

Council Member Crampton spoke regarding the complexities of the situation and the reasons for the split vote at ARCOM. However, he stated that he did not believe the proposed home protruded and thought it would improve the street and expressed support for the project.

Council President Zeidman expressed concern regarding the proposed house and posed a question to Mr. Smith regarding neighboring homes. Mr. Smith responded.

In response to a question by Council Member Araskog, Town Attorney Randolph spoke regarding the requirement for a hardship.

Motion made by Council Member Crampton and seconded by Council Member Cooney that Variance ZON-21-012 shall be granted and find in support thereof that all criteria applicable to this application as set forth in Section 134.201(a) items 1 through 7 of the Town Code have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area Motion carried 3-2, with Ms. Araskog and Zeidman opposed.

Motion made by Council Member Crampton and seconded by Council Member Cooney, that Site Plan Review ZON-21-012 shall be granted based upon the finding that such grant will not adversely and that the Council affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329 items 1 through 11. Motion carried 3-2, with Ms. Araskog and Zeidman opposed.

Motion made by Council Member Crampton and seconded by Council Member Cooney that Special Exception ZON-21-012 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. Motion carried 3-2, with Ms. Araskog and Zeidman opposed.

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

2. New Business

- e. **ZON-22-003 (COA-21-020) 127 ROOT TRAIL (COMBO) — VARIANCES**
The applicants, David and Catherine Brooker, have filed an application requesting Town Council review and approval for variances (1) to reduce the required setback for a pool heater, (2) to reduce required setback for pool equipment, and (3) to eliminate the requirement to provide two on-site parking spaces. [The Landmarks Preservation Commission approved this project on consent at their December 2021 meeting. Carried 7-0]

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

Maura Ziska, attorney for the owner, explained the variances request for on-street parking and the location of the pool equipment.

President Zeidman called for staff comments. Mr. Castro provided staff comments.

Cathy Brooker, Owner, explained the variances needed for the modifications to the architectural plans for her new home.

President Zeidman called for public comments. There were no comments heard at this time.

Ms. Brooker responded to questions by Council President Pro Tem Lindsay regarding the pool equipment and enclosure. Zoning Manager Castro provided further clarification

Council Member Cooney commended the owners for preserving one of the oldest homes in the Town and spoke regarding the complexity of this project. He spoke in support of both variance requests.

Mayor Moore acknowledged the labor of love and commended the owners on preserving the home.

Ms. Brooker responded to a question by Council Member Araskog regarding contact with the neighbor closest to the pool equipment. Council Member Araskog inquired about the hardship for the variances. Ms. Ziska responded and provided the hardships.

Motion made by Council Member Cooney, and seconded by Council Member Pro Tem Lindsay, that Variances ZON-22-003, shall be granted and find in support thereof that all criteria applicable to this application as set forth in Section 134.201(a) items 1 through 7 of the Town Code have been met. Motion carried unanimously, 5-0.

The Town Council recessed at 2:59 p.m. and reconvened at 3:09 p.m.

- g. **Z-20-00318, LOTS 1-6 AND BLOSSOM WAY OF THE REPLAT OF THE BLOSSOM ESTATE AND PROPERTY CURRENTLY KNOWN AS 60 BLOSSOM WAY** Zoning District: R-AA Large Estate Residential, The application of BLOSSOM WAY HOLDINGS LLC (GERALD A. BEESON, MANAGER), applicant, to Replat Lots 1-6; Relocate the 8 foot wide Pedestrian Beach Access Easement to the North Side of Proposed Lot 6; Eliminate the Limited Access Easement (LAE) along the East Side of South Ocean Boulevard; Abandon the Private Road Known as Blossom Way, in the Replat of the Blossom Estate; and to Create an 8 foot wide Pedestrian Beach Access Easement Across the North Property Line of Property Currently known as 60 Blossom Way [Applicant's Representative: Maura Ziska Esq]

TIME CERTAIN: 3:00 PM

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

Discussion ensued regarding Council Member Crampton's ability to participate in this discussion due to his position with the Science Museum in regards to a disclosure he made. Town Attorney Randolph stated that he believed that Mr. Crampton should be able to participate. Council President Zeidman asked if any of the attorneys in the Chambers had any issue with Mr. Crampton participating, and no one indicated that they opposed to his participation.

Maura Ziska, attorney for the Applicant, provided her time estimation for her presentation and rebuttal.

David Klein, attorney for owner of 1275 S. Ocean Blvd., requested that a request for deferral for this item be heard prior to the presentation of the item. Ms. Ziska stated that she is ready to move forward with the presentation and does not agree that the deferral should be heard first. Town Attorney Randolph opined that the Town Council could hear the application at this time and make a determination after the presentation about whether or not to approve a deferral.

Council President Zeidman spoke in support of hearing the presentation. Zoning Manager Castro stated that staff had recommended to defer the project due to a deficiency in the application and had expected that staff would present the deferral first. He explained that the reason why it was not deferred at the beginning of the meeting was because of an objection received.

Timothy Hanlon, attorney for the Thornton's, spoke in support of hearing the deferral first due to a deficient application.

There was consensus from the Town Council to hear the deferral first.

Zoning Manager Castro provided the background information on the replat and explained that there had been substantial changes to the replat application that had originally been submitted. He spoke regarding a further deficiency that was included in the item that needs to be addressed, specifically a variance for an easement for which they need to apply, prior to Town Council hearing the replat application. Town Attorney Randolph and Zoning Manager Castro responded to questions by Council Member Araskog, Council President Pro Tem Lindsay and Council Member Crampton. Town Attorney Randolph stated that if this item is deferred, then there will need to be a determination as to whether or not the other property owners on the plat need to sign the replat, as well.

Maura Ziska responded to Mr. Castro's comments on the application.

Director of Planning, Zoning and Building provided further information on why the application needs to be deferred.

Council President Zeidman called for public comment.

Timothy Hanlon spoke regarding filing requirements for variances and spoke in support of a deferral until a variance has been submitted.

David Klein, attorney for owner of 1275 S. Ocean Blvd., provided background information on negotiations that he had had with the applicant on behalf of his client and spoke regarding the possibility of completing the negotiation with the applicant.

Ken Griffin, Owner, expressed his appreciation to the Town Council for their time and stated that they will correct the deficiencies with his application and bring it back to Town Council.

Motion made by Council Member Cooney and seconded by Council Member Crampton to defer the item to the February 9, 2022, Town Council Development Review Meeting. Motion carried unanimously, 5-0.

Maura Ziska requested that a list of all of the deficiencies and deliverables and the time frames for the submission. Zoning Manager Castro stated that he would provide that information to Ms. Ziska.

Mayor Moore recommended that the item be a time certain and there was consensus from the Council that a time certain would be determined and sent to all attorneys involved at a later date.

Ms. Ziska requested confirmation that the 30 days would be considered from the time she submitted the original plat, and noted she did submit the revised plat within the 30 days of the January meeting. Zoning Manager Castro noted for the record that the revisions were not provided within 30 days of it being heard by the Council. The revisions are pertaining to the revised language and the dedication of the plat, as well as the variances. There was confirmation from Mr. Castro that the 30 days could revert back to the original application and that what the applicant is working through are minor revisions and any other deliverables that may be required.

- h. **ZON-21-018 (HSB-21-004) 245 BARTON AVE (COMBO)— VARIANCES**
The applicant, Elizabeth Sorrel, has filed an application requesting Town Council review and approval for variances (1) to reduce the front (south) setback for a new entry addition, (2) to exceed the maximum allowable cubic content ratio 'CCR', and (3) to exceed the maximum allowable lot coverage, in order to construct a new 35 SF entry addition to a historically significant building. [The Landmarks Preservation Commission deferred the project to the January 19, 2022 meeting. Carried 7- 0.] Staff Recommends a Deferral to the February 9, 2022 Meeting.
This item was deferred to the February 9, 2022 meeting at the approval of the agenda.

- i. **ZON-21-025 2800 S OCEAN BLVD—SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, Four Seasons and Boucher Brothers, has filed an application requesting Town Council review and approval for a Special Exception Request to operate a beachfront concessionaire (Boucher Brothers) eastward of an existing hotel (Four Seasons) in the Beach Area District for beach chair, umbrella and bed rentals and to allow food and beverage service. Please refer to the staff memo for more information on this project.
This item was withdrawn at the approval of the agenda.

2. New Business

- a. **ZON-21-013 (ARC-21-044) 1800 SOUTH OCEAN BLVD (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, 1800 South Ocean LLC (Maura Ziska, Manager), has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review to install a padel court and generator over 100kW in power, in association with a new two-story residence. [Architectural Review Commission deferred the project to the January 26, 2022 meeting. Carried 7-0.] Staff Recommends a Deferral to the February 9, 2022 Meeting.
This item was deferred to the February 9, 2022 meeting at the approval of the agenda.
- b. **ZON-21-023 (COA-21-013) 235 SUNRISE AVE (COMBO)— SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCES** The applicant, New Synagogue of Palm Beach, Inc (Brad Bleefeld – VP Treasurer), has filed an application requesting Town Council review and approval for a Special Exception with Site Plan Review and Variances to (1) to exceed overall building height, (2) to exceed building height, (3) to reduce nonconforming landscape open space, and (4) for reduced rear yard setback in order to accommodate proposed exterior changes to the existing 4-story condominium hotel building. [Landmarks Preservation Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject, landmarked property. Carried 7-0.] [The Landmarks Preservation Commission approved the project as presented. Carried 7-0.]

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

Maura Ziska, attorney for the owner, stated that they were removing the portion of the application which requested adding planters to the roof of the building, which eliminated their building height variance. She further explained the zoning requests.

Dan Lobitz, Robert A.M. Stern Architects, LLP, presented the architectural plans proposed for the modifications to the existing condominium building.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape plans for the existing site.

Mayor Moore asked Paul Brazil, Director of Public Works, if the plan worked for his team. Mr. Brazil responded and stated he would like to continue working with the hotel to make sure his team had enough space for access. He also noted that he had not received any complaints from neighbors since the location for the garbage had been moved. She also requested if they had gotten the support from the Monsignor.

Council Member Crampton spoke regarding issues that had been raised by neighbors. He posed a question Director Bergman regarding parking management for construction.

Council Member Lindsay inquired who owned the garden/common area as shown. Ms. Ziska stated the Condominium Association owned the common area. In response to question by Ms. Lindsay regarding the garbage area, Mr. Brazil spoke regarding the size of the garbage area and stated that he will work with them to ensure it's large enough to accommodate his crews.

Ms. Ziska responded to questions by Council Member Cooney regarding the trash collection area and Dan Lobitz answered questions regarding substantial roof and window work that has occurred on the building and stated that it was occurring in other areas of the building. Council Member Cooney expressed concern over issues raised by neighbors in the letters that were received.

Council Member Araskog inquired if Mr. Brazil could make sure the drainage for the property is sufficient. Mr. Brazil stated he agreed that this was a good opportunity to certify their drainage. Council Member Araskog requested that the applicant increase their landscaped open space requirement. She spoke regarding ensuring that the construction parking management is followed and does not affect Park Avenue.

Mayor Moore received confirmation from Mr. Bergman that the safety issues have been addressed.

President Zeidman called for staff comments. Mr. Castro provided staff comments.

President Zeidman called for public comments.

Cele Terenzio, speaking on behalf of Raimund Heger at 231 Park Avenue, expressed his concern for the lack of parking for the building. He is concerned that the construction and parking will occur on Park Avenue.

Council Member Lindsay spoke regarding issues with parking at Publix of those are not shopping and expressed concern regarding the already existing congestion in this area.

Council Member Crampton stated that many of these issues would fall under the construction management agreement.

Council President Zeidman stated that the construction workers will need to be told to not park in the Publix parking lot or the church parking lot.

Dr. Rhonda Nassar, 242 Park Avenue, asked that the item defer the item to provide enough time for the neighbors to work with the applicant on a construction management agreement.

Council Member Araskog spoke regarding receiving a logistics plan with the neighbors' input to ensure that these issues are addressed, especially regarding parking and drainage. Director of Public Works Brazil spoke regarding the logistics plan being developed during the permit process.

Council President Zeidman spoke regarding staff developing the logistics plan with information from Council and the neighbors.

Motion made by Council Member Crampton and seconded by Council Member Cooney that Variance ZON-21-023 shall be granted, subject to the conditions previously mentioned, and find in support thereof that all criteria applicable to this application as set forth in Section 134.201(a) items 1 through 7 of the Town Code have been met; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

Motion made by Council Member Crampton and seconded by Council President Pro Tem Lindsay that Special Exception ZON-21-023 shall be granted, subject to the conditions previously mentioned, based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. Motion carried unanimously, 5-0.

Motion made by Council Member Crampton and seconded by Council Member Araskog, that Site Plan Review ZON-21-023 shall be granted, subject to the conditions previously mentioned, based upon the finding that such grant will not adversely and that the Council affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329 items 1 through 11. Motion carried unanimously, 5-0.

- c. **ZON-22-001 609 ISLAND DR—VARIANCES** The applicants, Peter and Nancy Brown, have filed an application requesting Town Council review and approval for a variance to construct a new dock and boat lift greater than 6 feet west of the US Pierhead Line.

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

Robert Battleson and Josh O'Donnell, Marine Construction, presented the proposed plan to extend the existing dock and add a boat lift.

Maura Ziska, attorney for the owner, explained the variance request for the dock.

President Zeidman called for staff comments. Mr. Castro provided staff comments.

Council President Pro Tem Lindsay clarified that the boat dock was close to the neighbor to the south.

President Zeidman called for public comments. There were no comments heard at this time.

Council Member Araskog expressed concern over the boat dock was much larger and farther out than those of the neighboring properties. Mr. O'Donnell and Mr. Castro responded to her questions.

Motion made by Council Member Cooney and seconded by Council Member Crampton that Variance ZON-22-001 shall be granted and find in support thereof that all criteria applicable to this application as set forth in Section 134.201(a) items 1 through 7 of the Town Code have been met. Motion carried 4-1, with Council Member Araskog opposed.

- d. **ZON-22-002 (ARC-21-093) 150 WORTH AVE, STE 234 (COMBO)—SPECIAL EXCEPTION WITH SITE PLAN REVIEW**

The applicant, Cojimar Palm Beach (Joseph Hernandez and Charles Masson), has filed an application requesting Town Council review and approval for a Special Exception Request with Site Plan Review requesting outdoor seating (28 total seats) at the first (20 seats) level and second (8 seats) level of the two-story Esplanade retail building in conjunction with a new restaurant (Cojimar) to occupy the second floor space of a prior restaurant. [Architectural Review Commission deferred the project to the January 26, 2022 meeting. Carried 5-2.] Staff Recommends a Deferral to the February 9, 2022 Meeting

This item was deferred to the February 9, 2022 meeting at the approval of the agenda.

- f. **ZON-22-003 (COA-21-020) 127 ROOT TRAIL (COMBO) — VARIANCES**
The applicants, David and Catherine Brooker, have filed an application requesting Town Council review and approval for variances (1) to reduce the required setback for a pool heater,(2) to reduce required setback for pool equipment, and (3) to eliminate the requirement to provide two on-site parking spaces. [The Landmarks Preservation Commission approved this project on consent at their December 2021 meeting. Carried 7-0]
This item was heard out of order of the agenda.
- g. **ZON-22-005 (COA-21-017) 720 S OCEAN BLVD (COMBO)— SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, 720 South Ocean Boulevard Land Trust (Paul A Krasker, Trustee), has filed an application requesting Town Council review for a Special Exception with Site Plan Review for the construction of a beach cabana structure, swimming pool, and related site work East of S Ocean Blvd in the Beach Area Zoning District. [The Landmarks Preservation Commission approved the project with the exception of the cabana, which will return to the February 16, 2022 meeting. Carried 7-0.]

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

Maura Ziska, attorney for the applicant, provided background information on the special exception request.

Cory Meyer, Nievera Williams Design, presented the architectural plans for beach cabana proposed.

President Zeidman called for public comments. There were no comments heard at this time.

Motion made by Council Member Cooney and seconded by Council Member Araskog that Special Exception ZON-22-005 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. Motion carried unanimously, 5-0.

Motion made by Council Member Cooney and seconded by Council President Pro Tem Lindsay, that Site Plan Review ZON-22-005 shall be granted based upon the finding that such grant will not adversely affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329 items 1 through 11. Motion carried unanimously, 5-0.

- h. **ZON-22-006 (ARC-21-095) 432 SEABREEZE AVE (COMBO) - VARIANCES** The applicant Bijon Memar, has filed an application requesting Town Council review and approval for modifications and an addition to the existing residence, requiring variances for lot coverage and retention of existing nonconforming side yard and rear yard setbacks. Staff Recommended Deferral to the February 9, 2022 Meeting
This item was deferred to the February 9, 2022 meeting at the approval of the agenda.

- i. **ZON-22-008 (ARC-21-096) 3450 S OCEAN BLVD (COMBO) - SITE PLAN REVIEW** The applicant, the Patrician Condominium, has filed an application requesting Town Council review and approval for Site Plan Review for the changes to the previously approved site plan including the addition of pool shade structures and restroom structures. [The Architectural Review Commission approved the project with a condition relating to the landscaping. Carried 6-1.]

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

Dustin Mizell, Environment Design Group, presented the plans for the proposed shade and restroom structures.

President Zeidman called for staff comments. Mr. Castro provided staff comments.

President Zeidman called for public comments. There were no comments heard at this time.

Council Member Araskog inquired about the letter of objection and Mr. Mizell responded and addressed the issue with the north landscape border.

Motion made by Council Member Crampton and seconded by Council President Pro Tem Lindsay, that Site Plan Review ZON-22-008 shall be granted based upon the finding that such grant will not adversely affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329 items 1 through 11. Motion carried unanimously, 5-0.

- j. **ZON-22-026 245 WORTH AVE SUITE A - SPECIAL EXCEPTION WITH SITE PLAN REVIEW** The applicant, Le Bilboquet (Dobromira Trendafilova, Manager), has filed an application requesting Town Council review and approval for a modification to a previously approved Special Exception Request with Site Plan Review (Z-20-00247) to modify the hours of operation to be 7:00am (previously approved 11:00am) in order to serve breakfast seven days a week.

Maura Ziska, attorney for the applicant, presented the request for the additional hours and the menu for the breakfast.

Dobromira Trendafilova, Manager of Le Bilboquet, explained the request for the additional hours.

Jane Holzer spoke regarding patrons requesting that the restaurant open for breakfast.

President Zeidman called for staff comments. Mr. Castro provided staff comments.

President Zeidman called for public comments. There were no comments heard at this time.

Mayor Moore indicated there was no residential impact to the request. She stated that she believed the addition of hours would energize that portion of Worth Avenue.

Council Member Cooney inquired about the valet operation. Ms. Ziska responded.

Council Member Araskog inquired about the hours for Sant Ambroeus, as she expressed concern that 7:00 a.m. was too early for that area. She also inquired if the restaurant was town-serving and Ms. Holzer replied that they were town-serving.

Council Member Lindsay stated that she believed that most of the traffic at 7:00 a.m. would be on foot and spoke in support of the new areas.

Motion made by Council Member Crampton and seconded by Council Member Cooney, that Site Plan Review ZON-21-026 shall be granted based upon the finding that such grant will not adversely affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329 items 1 through 11; and providing that the property owner did voluntarily commit that prior to the issuance of a building permit to either provide a recorded utility easement or an easement agreement satisfactory to the town that ensures a recorded easement will be granted if necessary to underground utilities in the area. Motion carried unanimously, 5-0.

Motion made by Council Member Crampton and seconded by Council Member Cooney that Special Exception ZON-21-026 shall be granted based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. Motion carried unanimously, 5-0.

XI. ANY OTHER MATTERS

XII. ADJOURNMENT

Motion made by Mr. Crampton and seconded by Mr. Cooney to adjourn the meeting at 5:55 p.m. without the benefit of a roll call.

APPROVED:

Margaret Zeidman, Town Council President

ATTEST:

Kelly Churney, Deputy Town Clerk
Date: _____

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of January 26 and 27, 2022.

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated February 1, 2022 from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **Minutes of the Architectural Review Commission Meeting of January 26, 2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: Approval of the Architectural Commission Meeting Minutes of January 26, 2022

Date: February 1, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of January 26, 2022.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items that were considered at the regularly scheduled meeting of January 26, 2022.

GENERAL INFORMATION

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

Attachment

kmc



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, JANUARY 26, 2022

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

I. CALL TO ORDER

Mr. Small called the meeting to order at 9:00 a.m. All members participated via Zoom Webinar.

II. ROLL CALL

Michael B. Small, Chairman	PRESENT
John David Corey, Vice Chairman	PRESENT
Alexander C. Ives, Member	PRESENT
Maisie Grace, Member	PRESENT
Betsy Shiverick, Member	PRESENT
Jeffrey Smith, Member	PRESENT
Thomas Kirchhoff, Member	PRESENT
Katherine Catlin, Alternate Member	PRESENT
Dan Floersheimer, Alternate Member	PRESENT
Richard F. Sammons, Alternate Member	PRESENT (arrived at 9:10 a.m.)

Staff Members present were:

James G. Murphy, Assistant Director of Planning, Zoning and Building
Sarah Pardue, Historic Preservation Planner
Jordan Hodges, Planner II
Kelly Churney, Secretary to the Architectural Review Commission
John Randolph, Town Attorney

III. PLEDGE OF ALLEGIANCE

Chairman Small led the Pledge of Allegiance.

IV. RULES OF ORDER AND PROCEDURE

Mr. Small acknowledged the Town Council's decision to return to the Zoom platform for this month's meeting. Mr. Small continued with procedural information and comments regarding the upcoming meeting.

- V. **APPROVAL OF THE MINUTES FROM THE DECEMBER 17, 2021 MEETING**
Motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the minutes from the December 17, 2021 meeting as amended. Motion carried unanimously.

VI. **APPROVAL OF THE AGENDA**

Mr. Small announced the following changes to the agenda:

Deferral of ARC-21-101, 425 Chilean Avenue to the February 23, 2022 Meeting
Deferral of ARC-21-040 (ZON-21-006). 164 Seaspray Avenue to the February 23, 2022 Meeting

Withdrawal of B-074-2019, 125 Worth Avenue

Withdrawal of ARC-21-084 (ZON-21-022), 191 Bradley Place

Deferral of ARC-21-046, 237 Brazilian Avenue to the February 23, 2022 Meeting

Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to approve the agenda as amended. Motion carried unanimously, 7-0.

VII. **PROJECT REVIEW**

A. **CONSENT AGENDA OF MINOR PROJECTS**

1. ARC-21-062 327 BARTON AVE (minor project) The applicant, Brian and Laura Carr, has filed an application requesting Architectural Commission review and approval of modifications to an existing landscape and hardscape plan as well as a driveway opening increase of 2 feet.

Please note: This item was pulled from consent and was not approved with the consent agenda. This was moved to items pulled from consent, item VII. F.

2. ARC-22-007 210 EDEN RD (minor project) The applicant, Sarah Reynolds, has filed an application requesting Architectural Commission review and approval of exterior modifications to an existing two-story residence.

Please refer to staff memo for additional information on this project.

3. ARC-22-012 1480 N LAKE WAY (minor project) The applicant, Southpaw Trust, has filed an application requesting Architectural Commission review and approval of modifications to the existing landscape and hardscape plan as well as the relocation of AC equipment and installation of a new generator.

Please refer to staff memo for additional information on this project.

4. ARC-22-017 217 SEABREEZE AVE (minor project) The applicant, Robert S. Berg, has filed an application requesting Architectural Commission

review and approval for the installation of a vehicular gate and minor landscape alterations.

Please note: This item was pulled from consent and was not approved with the consent agenda. This was moved to items pulled from consent, item VII. F.

5. ARC-22-019 635 CREST RD (minor project) The applicant, Lili C. Monell, has filed an application requesting Architectural Commission review and approval for the construction of a new concrete masonry wall along the south property line and new pedestrian gate.

Please refer to staff memo for additional information on this project.

6. ARC-22-025 1340 S OCEAN BLVD (minor project) The applicant, Greene Family Trust, has filed an application requesting the Architectural Commission review and approval for exterior design modifications to the landscape and hardscape plan.

Please refer to staff memo for additional information on this project.

Motion made by Ms. Grace and seconded by Mr. Corey to approve the consent agenda as amended. Motion carried unanimously, 7-0. Please note: This approval did not include the following projects: ARC-21-062, 327 Barton Avenue and ARC-22-017, 217 Seabreeze Avenue.

B. DEMOLITIONS AND TIME EXTENSIONS

None

C. MAJOR PROJECTS – OLD BUSINESS

1. B-065-2021 7 OCEAN LN.
Applicant: 7 Ocean Lane, LLC (Nedim Soylemez, Manager)
Professional: Portuondo Perotti Architects, Inc.
Project Description: New two-story residence with pool. Final hardscape and landscape.

A motion carried at the June meeting to defer the project to the July 28, 2021 meeting for a restudy in accordance with the comments of the Commissioners. At the July 28, 2021 meeting, a motion was made to deny the proposed new home as presented but failed for lack of a second. Another motion was made to defer the project, for two months to the September 29, 2021 meeting, for a restudy with a potential change in style, moving the house to the west, reducing the size of the house, reducing the east fenestration and reducing the garage size or relocating it to the basement as well as all of the direction provided. A motion carried at the September

meeting to defer the project to the November 19, 2021 meeting for a restudy with particular attention to the front façade screening and the glazing on the rear façade.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Portuondo agreed to the easement.

Rafael Portuondo, Portuondo Perotti Architects, presented the architectural plans proposed for the new residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments.

Rick Gonzalez, representing neighbor Elizabeth Ailes, stated his client was very happy with the new changes, particularly with the garage sunken to the basement level. He stated that Ms. Ailes fully supported the application.

Elizabeth Ailes, 6 Ocean Lane, expressed her appreciation for the owners and design professionals who listened to her concerns in the new re-design of the home. She offered her full support for the project.

Attorney John Eubanks, representing neighbor Elizabeth Ailes, appreciated the professionals that listened to Ms. Ailes' concerns for the new home.

Mr. Small called for staff comment. Ms. Pardue and Mr. Murphy provided staff comments.

Ms. Catlin thought the design was refreshing and exciting. She was in favor of the gardens and happy to see the garage location in the basement.

Mr. Floersheimer agreed with Ms. Catlin. He appreciated the new siting of the home further back from the ocean. He questioned the site lines shown in the presentation. Mr. Floersheimer was happy to see the garage location in the lower level. He was unsure about the brick rather than the previously proposed vertical slats. He thought the mechanical equipment should be located on the ground rather than the roof. He questioned the amount of glass on the east elevation and thought this side should be restudied.

Mr. Kirchhoff asked for further clarification of the brick screening. He questioned the egress from the second floor windows with the brick screening proposed. He asked for the details on the aluminum levers proposed.

Mr. Ives questioned whether the proposed home was better than the last presentation. He was excited by the professional's approach and material choices; however, he added that the home felt static and boxy.

Mr. Corey thought the landscape plan was well done and thought the material choices were environmentally smart. Mr. Corey expressed concern that while the lot was one of the smallest in the neighborhood, the proposed home was designed setback to setback and bigger than the neighboring homes. He thought the home was too big on the site. He also thought the pool was too large and too close to the ocean. He was not in favor of the mechanical equipment's location on the roof.

Ms. Grace agreed with the comments of the other Commissioners. She agreed with Mr. Corey's comments that the home's size was pushing the limits. She still questioned the east façade fenestration and thought it should be reduced. She was in favor of the plantings on the west façade. She wondered if a deed restriction would be placed on the plantings. She was not in favor of the mechanical equipment's location on the roof. Ms. Grace was in favor of the material choices but wondered if the home would appear dense and lack movement. She recommended a slight increase in the east side plantings.

Ms. Shiverick agreed and thought the home was dense and static. She was unsure which brick screen pattern was proposed and wondered if it appeared too dense. She also questioned why all of the designs for this lot had been big and boxy; she suggested a lighter and open home with porches for this lot. She liked the native plant materials and the garage location proposed.

Mr. Sammons thought this home was static and lacked movement. He thought the home design was too deep and fat. He also questioned the lack of individuality in the design. He thought the home was just another home that would erode the character in Palm Beach.

Mr. Smith was in favor of the new garage location and stepping the home back from the beach. He agreed with Mr. Kirchhoff's concern about the egress from the second floor. He thought eliminating the roof on the balcony, east façade, would help to ameliorate the design's size and rectangular like appearance.

Mr. Small agreed with the other Commissioners. However, he complimented the professional for working successfully with the neighbors. He also thought the home was too big and boxy. He questioned the design style but added he thought it was acceptable in its location. With that said, he thought the home needed some restudy.

Mr. Portuondo further explained the design of the new home and addressed some of the concerns of the Commissioners. Mr. Portuondo stated he would revisit the location of the mechanical equipment.

Caren Marden, 1 Ocean Lane, expressed concern for the location of the driveway next to the pedestrian beach access.

Mr. Floersheimer pointed out an inaccuracy on the plans for the overall building height.

Ms. Grace requested the professional to bring comparisons of the previously proposed home at the next meeting.

Mr. Corey indicated that the Commission had reviewed various versions of the design. However, he still felt the home was too large for the site; it did not respect the ocean, the design was a problem with privacy concerns and added the house would look odd and not contextual in its proposed location.

Motion made by Mr. Corey and seconded by Ms. Shiverick to deny the project at 7 Ocean Lane as presented, based on the failure to comply with Section 18-205 of the Code, paragraph a (1), (6c) and (6d). Motion carried 4-3, with Messrs. Smith, Kirchhoff and Small opposed.

2. ARC-21-093 (ZON-22-002) 150 WORTH AVE, STE 234 (COMBO) The applicant, Cojimar Palm Beach (Joseph Hernandez and Charles Masson) has filed an application requesting Architectural Commission review and approval for outdoor furniture associated with proposed exterior seating in association with a new second floor restaurant in The Esplanade (Cojimar). The outdoor seating will require a Special Exception Review w/Site Plan Review by the Town Council.

Please refer to staff memo for additional information on this project.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction

of the Town. Ms. Ziska stated that the applicant was a tenant of the property and could not agree to the easement.

Jeffrey Brasseur, Brasseur and Drobot Architects, presented the architectural modifications proposed for the new commercial space.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Mr. Small thought the first floor seating was possible, however he questioned the seating as proposed. He reviewed what type of seating that he believed would be successful. He stated he walked the space and was in this area several times a week.

Paul Castro, Zoning Manager, reviewed the role of the Commission in reviewing the application for the restaurant.

Town Attorney Randolph agreed with Mr. Castro and stated that the Commission should not be reviewing the location of the table and chairs. A discussion ensued on this issue.

Mr. Bergman agreed with Messrs. Randolph and Castro's assessment of the application.

Mr. Floersheimer agreed with Mr. Small and thought the Commission's charge was to protect Palm Beach's ambiance and charm. He thought the issue with the application was the location of the seats. He supported second floor seating but not first floor seating.

Ms. Grace did not believe that the umbrellas and chairs were in keeping with the architecture of the Esplanade or Worth Avenue. She did not believe there was enough room for the umbrellas that were in keeping with the style. She thought the umbrellas proposed were skimpy. She was not in favor of the tables and planters proposed.

Ms. Shiverick thought the furniture was light, airy and easy to move. She was in favor of the dining on both floors, first and second. However, she agreed with Ms. Grace and thought the planters were not in keeping; she recommended a terracotta planter. She agreed with Mr. Small's assessment of the table placement.

Ms. Catlin agreed with Ms. Grace's assessment of the furniture, umbrellas and planters. She thought the proposed did not match the architecture.

Mr. Ives agreed with Mr. Castro and thought the application was fine. He supported the request.

Mr. Corey agreed with Ms. Grace. He thought the furniture, umbrellas and planters did not coordinate with the architecture of the building or street.

Ms. Grace questioned their need for extra seating on the first floor.

Mr. Floersheimer asked to see the furniture in elevation if the application should return to the Commission.

Mr. Castro read the language in the Code specific to the charge of the Architectural Commission when reviewing outdoor seating.

Mr. Small restated that he supported outdoor seating for the first and second floor but thought the location of the seating should be restudied.

Mr. Corey inquired if the applicant would be able to move forward to the Town Council if the project was deferred. Mr. Murphy confirmed the applicant would continue to the Town Council if deferred.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting for restudy of the furniture, umbrellas and planters based on the Commissioners comments that the items were not consistent with the architectural style of the building and street. Motion carried 6-1, with Mr. Ives opposed.

Please note: A short break was taken at 11:06 a.m. The meeting resumed at 11:20 a.m.

3. ARC-21-101 425 CHILEAN AVE. The applicant, Loraine Charman, has filed an application requesting Architectural Commission review and approval for the modification of a previously approved landscape plan to include the removal of two trees to be replaced with hedge material.

Please note: This project was deferred to the February 23, 2022 meeting at the Approval of the Agenda, Item VI.

4. ARC-21-064 120 SEAGATE RD. The applicant, Tracey Hirt, has filed an application requesting Architectural Commission review and approval for modifications to an existing two-story residence including the addition of new front entry, the enclosure of a second floor terrace and ground floor patio, the construction of a new one-story addition totaling approximately 600SF in area, a new pool, spa and pool deck, new landscaping, and other exterior modifications.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Radak agreed to the easement.

Travis Radak, Radakovich Architects, presented the architectural modifications proposed for the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Grace was in favor of the new window configurations and new window frames proposed. She questioned the connection between the main house and guest house.

Mr. Smith suggested removing the vertical muntins from the three pairs of doors on the east and south façades. Mr. Smith questioned the change in pitch on the guest house roof; he recommended changing the roof pitch to a 6 over 12 roof pitch.

Mr. Kirchhoff questioned some of the elements with the cantilevered balcony on the side of the home. He thought the guest home was overly complicated. He agreed with Mr. Smith and thought the roof pitch on the house and guesthouse should be the same. He was not in favor of the detailing on the front door. Mr. Kirchhoff liked the new garage doors but thought the windows to the left of the garage were too tall and thin. He also thought the French doors were too tall and thin; he agreed with Mr. Smith's comment to remove the vertical muntins.

Ms. Catlin thought the fenestration was problematic. She also agreed that the guesthouse did not work in its current design and needed some restudy..

Ms. Shiverick agreed that the bay window on the guest house was not successful. She agreed that the roof on the guest house did not work. She also was not in favor of the glass box around the front door.

Mr. Corey agreed with the other comments of the Commissioners. Mr. Corey inquired about the muntins on the windows. Mr. Radak responded. Mr. Corey suggested removing the transoms over the French Doors as they elongated the long, thin doors. He provided a suggestion for the fenestration.

Mr. Small agreed with most of the comments of the Commissioners. He thought some restudy on the design was still necessary.

Mr. Floersheimer inquired about the exterior stucco wall in relation to the one story guest home. Mr. Radak responded. Mr. Floersheimer suggested straightening the stucco wall during the renovation.

Motion made by Ms. Shiverick and seconded by Mr. Kirchhoff to defer the project to the February 23, 2022 meeting for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

Mr. Floersheimer inquired if the pool equipment was required to be enclosed. Mr. Radak responded.

5. ARC-21-050 (ZON-21-011) 1090 S OCEAN BLVD. (COMBO) The applicant, 1090SOCEAN LLC (Brad McPherson), has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence designed in the traditional Georgian style. The application will require special exception and site plan reviewed by Town Council. The application will require special exception and site plan reviewed by Town Council.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Smith agreed to the easement.

Harold Smith, Smith and Moore Architects, introduced the project and discussed the redesign of the home.

Angela Lehman, Smith and Moore Architects, presented the architectural plans proposed for the new residence.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Shiverick thought the changes were going in the right direction. She questioned the front door and its lack of importance. She suggested changing the window above the front door to a French door. She suggested a porte-cochère for the front entrance. She was in favor of the landscape plan.

Mr. Smith stated a front setback could be an issue with a porte-cochère.

Mr. Corey also thought the changes were moving in the right direction. He liked the site plan and the garage design. He liked the change in massing from the previous design. He liked the previous fenestration proposed for the second floor rather than the current proposed fenestration. He questioned the fenestration width on the first floor and made a suggestion for the second floor fenestration on the east elevation. He questioned the size of the chimneys. He thought the house appeared a bit too large from the street, which worried him.

Mr. Kirchhoff thought the home could take some inspiration from a John Volk house on N. Lake Way. He discussed the fenestration on the east elevation. He also suggested moving the entry of the home more to the north. He suggested moving the pool away from the home and centering it on the garage.

Ms. Grace agreed with Mr. Corey on the windows over the garage. She suggested reducing those windows.

Mr. Ives felt the scale of the home was appropriate. He agreed with Ms. Shiverick's comments on the front door and entrance to the home.

Mr. Jeffrey Smith questioned the sliders with the transoms. He agreed with Mr. Kirchhoff's suggestion on moving the pool. He thought the garage should be moved further south to be more subservient to the main home.

Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

6. ARC-21-040 (ZON-21-006) 164 SEASPRAY AVE. (COMBO) - VARIANCES The applicant, Hayati Banastey, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story home designed in the Classical Style and related site improvements, including variances for side yard setbacks as they pertain to the new residence on a nonconforming lot. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

Please note: This project was deferred to the February 23, 2022 meeting at the Approval of the Agenda, Item VI.

7. ARC-21-077 991 N LAKE WAY The applicant, Michael Rapp, has filed an application requesting Architectural Commission review and approval for exterior modifications to a previously approved two-story residence, including the demolition of portions of the existing structure and the construction of a new detached accessory structure, architectural changes and modifications to the site plan and landscaping.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ford agreed to the easement.

Meghan Ford, Tralongo & Taylor, presented the architectural modifications proposed for the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Corey was not in favor of the front door options and did not believe they were in keeping with the architecture of the home. He did not believe the rear covered space was working. He provided some design suggestions for the space.

Mr. Kirchhoff agreed with Mr. Corey's assessments. He inquired about the material of the garage doors. Ms. Ford responded that the material for the garage doors as proposed was Cypress. Mr. Kirchhoff provided a suggestion for the front door. He recommended using Romanesque arches on the rear of the home but also agreed with Mr. Corey's suggestion.

Mr. Ives agreed with the Romanesque arches on the rear. He believed that many of the previous comments were positive and cautioned for changing too many of the details at this point in the critique.

Mr. Smith agreed with Mr. Corey on the front door and did not believe it should be arched. Mr. Smith suggested simple columns with a flat roof on the rear of the home.

Ms. Catlin agreed with Mr. Ives. She liked the Romanesque arches. She thought option one was nice for the front door.

Ms. Grace agreed with Mr. Corey that a square door would be most appropriate. She recommended removing the arches in the rear of the home.

Mr. Small favored the squared off front door and Romanesque arches. He wondered if the project could be approved with only the two items returning for approval.

A discussion ensued on the motion. A consensus of the Commissioners was taken to determine their desire for the type of front door and design of columns on the rear colonnade best suited for the home.

Motion made by Mr. Corey and seconded by Mr. Smith to approve the project with the condition that the design of the front door and the design of the rear colonnade arches shall return to the February 23, 2022 meeting. Motion carried unanimously, 7-0.

8. B-074-2019 125 Worth Avenue
Applicant: 125 Worth Partners LLC
Professional: Jose Luis Gonzalez Perotti/Portuondo Perotti Architects
Project Description: The project consists of the façade renovation and addition to an existing four-story 1970's building. The fourth-floor structure will be removed and replaced with four new luxury residential apartments, and trellis gardens. The façade will be renovated with new architectural screens, white brick veneer and exposed concrete accents that will enhance the aesthetic of the building for its users and pedestrians alike. The addition component consists of a new one-story commercial structure with a roof top trellised courtyard and a two-story elevator tower.

Please note: This project was withdrawn at the Approval of the Agenda, Item VI.

9. ARC-21-084 (ZON-21-022) 191 BRADLEY PL. (COMBO) The applicant, NDL Property Palm Beach Property LLC (David Tornek, Mgr.), has filed an application requesting Architectural Commission review and approval for exterior seating (48 seats) to an existing one-story restaurant (Meat Market) not exceeding the maximum capacity licensed. The outdoor seating will require a Special Exception Review w/Site Plan Review by the Town Council.

Please note: This project was withdrawn at the Approval of the Agenda, Item VI.

Please note: A lunch break was taken at 12:35 p.m. The meeting resumed at 1:05 p.m.

D. MAJOR PROJECTS – NEW BUSINESS

1. ARC-21-044 (ZON-21-013) 1800 S. OCEAN BLVD. (COMBO) The applicant, Gerard Beekman, has filed an application requesting Architectural Commission review and approval for the construction of a new two-story residence designed in the Traditional Anglo Caribbean-Georgian style of architecture over 20,000 sf in size, multiple accessory buildings, generator and padel court on a vacant site. The application will require Special Exception request and Site Plan Review by Town Council.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Beekman agreed to the easement.

Gerard Beekman, Madison Worth Architecture, presented the architectural plans proposed for the new residence.

Fernando Wong, Fernando Wong Outdoor Living Design, presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Ms. Shiverick thought the home was stunning in many regards. She thought the details were very well thought through. She thought the home had whimsy while still having some seriousness. She recommended adding the awning on the overlook patio. She also thought there was a lack of verticality in the planting material on the overlook patio, leaving the patio a bit open and exposed. She was in favor of the color choices as well.

Mr. Corey thought the bronze material choice was exceptional. Mr. Corey thought the colonnade on the front was distracting and wondered if it would be better on the rear of the home. He liked the proposed wood shingles. He thought the windows of the home were good. He indicated that he was not in favor of the parapet roofs on the wings. He wondered if the gazebos were a bit tall; he recommended simplifying those elements. He expressed some issues with the rear elevation of the main wing and thought it was disconnected from the main elevation. Mr. Corey thought

the landscape was a bit overdone. He thought the terracing landscaping could work but recommended opening up the views and simplifying the landscaping.

Ms. Catlin thought the design had warmth, charm and whimsy. She thought the landscaping used the topography in a nice way. She thought the landscaping color palate was very nice.

Mr. Ives did not agree with Mr. Corey's suggested changes. He thought that both the architecture and landscape plan were both very well thought out and thought the Commission should welcome the plan.

Mr. Kirchhoff agreed with Mr. Ives. He thought the project was fabulous. He commended the professionals. He questioned the roof pitch that was initially proposed. Mr. Beekman responded.

Mr. Smith thought the presentation was nice and very well thought through. Mr. Smith agreed with Mr. Corey. He did not believe the front and rear of the house related to each other. He thought it presented very large and long. He also wished the home was hidden from the road.

Mr. Floersheimer thought the presentation was wonderful and exciting. He agreed with Mr. Smith that the east side was very expansive. He complimented Mr. Wong on the landscape plans. He thought the landscape was very formal. Mr. Floersheimer stated he was surprised to see that only three bedrooms were proposed for the home. He thought the project was very successful.

Mr. Sammons thought the symmetry was a bit bombastic. He thought some of the home was over scaled. He was not in favor of the project as he believed the design needed more work. Mr. Sammons thought the gardens were beautiful but very symmetrical.

Ms. Grace thought the gardens were spectacular but she wished there were more native materials used. She thought that the house appeared a bit too wide from the street view. She appreciated the comments from Mr. Corey about the differences between front and rear facades. She recommended planting a few trees on the northeast side of the property.

Mr. Small thought the project was awesome and the gardens were spectacular; however, he had issues with the house being too close to the street and thought it should be a bit more mysterious from the street view. He thought there should be a bit more restudy of how the home appeared from the street.

Motion made by Mr. Ives and seconded by Mr. Kirchhoff to approve the project as presented. Motion failed 3-4, with Messrs. Corey, Smith, Small and Ms. Grace opposed.

Motion made Mr. Corey and seconded by Mr. Smith to defer the project for two months, to the March 23, 2022 meeting, to address the request to simplify the east and west facades, along with the gardens. Motion carried 4-3, with Ms. Shiverick and Messrs. Kirchhoff and Ives opposed.

A discussion ensued about the motion. It was pointed out to the professional that Messrs. Ives and Small would not be on the Commission in March as they both have reached their term limits. The professional asked to change their deferral to the February meeting.

Motion made by Mr. Corey and seconded by Mr. Smith to open the previous motion to amend the deferral date for the project to February 23, 2022. Motion carried 6-1, with Mr. Ives opposed.

2. ARC-21-038 (ZON-21-002) 218 ROYAL PALM WAY (COMBO) The applicant, 218 Holdings LLC (Susan Hudson, Manager) has filed an application requesting Architectural Commission review and approval for the expansion of a third floor to an existing three-story building including variances from the parking, generator and wall height, and setback requirements. Town Council shall review the variance portion of the application. The application will require special exception and site plan reviewed by Town Council.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Freijomel agreed to the easement.

Nelo Freijomel, Spina O'Rourke + Partners, presented the architectural modifications proposed for the existing commercial building.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape plans proposed for the site.

Mr. Small asked about any changes that were proposed for the tower on the building. Mr. Freijomel reviewed all of the changes proposed.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments for this project.

Ms. Grace appreciated the need to update the building; however she questioned the need to enclose the third floor. She thought the modification changed the charm and the beauty of the area. She stated she could not support the project.

Mr. Corey thought the project was nice and liked the change. He thought the use of the third floor was good. He questioned the plate glass proposed for the third floor, west façade. Mr. Freijomel responded. A discussion ensued about the design detail for the glass proposed. He questioned the shutters placed on the third floor windows and the proposed Date palms.

Mr. Sammons applauded the third floor addition. He questioned the lack of details and scale figures in the plans. He questioned the moldings proposed and requested details on the coquina. He questioned the sizes of the fenestration proposed. He thought the item should return with more details.

Ms. Catlin thought the tower looked disconnected. Overall, she was in favor of the concept and design. She agreed with the comments of Mr. Sammons. She suggested a bit of refinement.

Mr. Ives expressed concern for the pergola on the front façade and questioned the approach. However, his main concern was the eastern façade. He thought anything to alleviate the massive, three story wall would be helpful.

Mr. Smith thought the professional was taking the correct approach in the changes. However, he questioned the pergola on the south façade. He agreed with Mr. Sammons and requested detailing on some of the design elements.

Mr. Kirchhoff applauded the professional for the changes. He was concerned about the residential units on top of commercial office buildings. He did not believe that the pergolas worked on the third floor. He suggested that the professional reconsider designing the shutters to fit the windows. He made a suggestion for the stone detailing around the first floor windows and thought the stone cladding on the second floor needed some restudy.

Ms. Shiverick inquired if there were any other residential units in this area. Mr. Freijomel responded. She expressed concern that the changes looked residential on the third floor and looked commercial on the lower floors. She thought the pergolas were too large and thought the colonnade should

be open. She concluded that the building should look either commercial or residential and requested that the professional return with more details of the design.

Mr. Floersheimer agreed with the other comments made by the Commissioners. He questioned if the professional needed a variance for the overall building height. Mr. Freijomel responded. Mr. Floersheimer agreed with the other comments regarding the shutters, windows, pergolas and colonnade.

Mr. Corey asked the professional not to be discouraged and added many of the Commissioners thought this project was a good project.

Mr. Small stated he could not support the variance for the stairs on the east side of the building. He thought they were unsightly and needed to be removed. Otherwise, he stated he supported the project. However, he agreed that the pergola was not necessary.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to defer the project to the February 23, 2022 meeting to address the comments made by the Commissioners. Motion carried unanimously, 7-0.

3. ARC-21-080 757 ISLAND DR. The applicant, 757 Island Drive LLC, has filed an application requesting Architectural Commission review and approval of a new two-story residence designed in the Art Moderne style containing 13,000 SF and with new landscaping and hardscape.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Menard agreed to the easement.

Daniel Menard, LaBerge and Menard, presented the architectural plans proposed for the new residence.

John Lang, Lang Design Group, presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Pardue stated that staff had no comments at this time.

Ms. Grace thought the project was interesting and the design style could work on the site. She recommended creating a view to the house from the street. She also recommended adding more wall space to the rounded wall on the west side of the home.

Mr. Kirchhoff thought the lot was fabulous but was troubled by the design of the home. He thought the house took over the lot, corner to corner. He was not in favor of the design and did not believe it was special. He thought the entry feature was monstrous and did not relate to the wings. He questioned the location of the garage next to the master bedroom. Mr. Kirchhoff wondered if there would be a generator proposed for the home.

Mr. Corey inquired about the proposed native Banyan trees. Mr. Lang responded. Mr. Corey thought the landscaping was successful. Mr. Corey thought the home was too wide and aggressive. He recommended detaching the wings. He questioned the style of the home for the location. He suggested a hybrid style of Art Moderne and Mediterranean. He thought the home was too massive.

Ms. Shiverick agreed the home was too wide for the lot. However, she thought the style worked on the lot. She was in favor of the entry portion of the home as well. She believed the home needed a bit of work but thought the home was light and could work.

Mr. Ives thought the style worked in the area; however, he did believe the home was too wide and a bit boxy. He thought the home needed some refinement, movement and flow.

Mr. Sammons loved the style but on a smaller home. He recommended reducing the size of the home, with an effort to group the elements rather than appearing as a large mass.

Mr. Smith thought the project was nice and he liked the style proposed. He agreed the home was too large and massive. He thought the foyer was too large. He liked that the home was set back from the street. Mr. Smith thought the connections between the wings should be smaller.

Ms. Catlin thought the style was brave and bold. She was not personally a fan of the style but thought the design appeared warm. She thought the size of the home needed to be reduced. She was in favor of the entrance to the home. She believed the home could work but needed some refinement.

Mr. Floersheimer was in favor of the hidden driveway. He thought the fenestration needed to be reexamined as they scaled the home down in size. He recommended considering possibly adding green roofs.

Mr. Small liked the entry to the property; however he thought the home was too massive and consumed too much of the land. He recommended reducing the size of the home.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project to the March 23, 2022 meeting to address the comments made by the Commissioners. Motion carried unanimously, 7-0.

4. ARC-21-095 (ZON-22-006) 432 SEABREEZE AVE (COMBO) The applicant, Bijon Memar, has filed an application requesting Architectural Commission review and approval for modifications to the existing residence including window and door replacements, roof changes, and new covered loggia, including variances from lot coverage and setback requirements. The variance portion of the application will require review and approval by town council.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Kellogg agreed to the easement.

Kristen Kellogg, Smith Kellogg Architecture, Inc. presented the architectural modifications proposed for the existing residence.

Claudia Visconti, SMI Landscape Architecture, presented the landscape and hardscape modifications proposed for the existing site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Ms. Grace inquired asked Mr. Murphy about his comments regarding the variances. Mr. Murphy responded. Ms. Grace thought the home was charming and was glad to see the home was being renovated. She believed the changes would enhance the property. She questioned the overhang on the secondary doorway. She asked about the percentage of native plantings proposed. Ms. Visconti responded.

Mr. Corey commended the architecture and thought the changes worked well on the street. He stated he supported the architectural portion of the project. He thought the landscaping needed some height, particularly near the garage on the northeast corner. He asked about the width proposed for the driveway gates. Ms. Visconti responded. Mr. Corey asked about the

material proposed for the gates. Ms. Visconti responded. Mr. Corey did not believe the vehicular gates worked and recommended removing them.

Mr. Floersheimer generally was in favor of the project; however, he expressed concern with the north elevation. He thought there was some confusion about which door was the main entrance. He questioned the pathway on the west side and thought it was too tight for a seating area. Mr. Floersheimer asked for an explanation for the east side louvered wall. Ms. Kellogg responded and explained the design and functionality of the new front entry door.

Mr. Kirchhoff thought the professional did a great job of organizing the plan and correcting the fenestration. He liked the new front entrance. He thought there should be more verticality in the landscaping and thought the vehicular and pedestrian gates should be eliminated.

Ms. Shiverick agreed with Mr. Kirchhoff and liked the changes proposed. She was happy to see the professional embrace the quirkiness of the home. Ms. Shiverick inquired about the material on the walls on the second story. Ms. Kellogg responded. Ms. Shiverick recommended adding brick to the second story section the front façade. She added that additional trees in the front of the property would be nice. She concluded that she could support the variance.

Mr. Ives agreed with Mr. Kirchhoff and thought the project was wonderful. He thought the project should be applauded and approved.

Ms. Grace did not fully oppose the pedestrian gate but was not supportive of the proposed vehicular gates.

Ms. Visconti discussed the reasons that the owner requested the vehicular gate.

Motion made by Mr. Corey and seconded by Ms. Shiverick that implementation of proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.

A second motion made by Mr. Corey and seconded by Ms. Shiverick to approve the architectural portion of the project as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

A third motion made by Mr. Corey and seconded by Ms. Grace to defer the landscape portion of the project to allow the professional to restudy the size and material of the pedestrian gate, to consider the addition of a shade tree and to reconsider removing the vehicular gates from the plans. Motion carried 5-2, with Ms. Shiverick and Mr. Ives opposed.

5. ARC-22-001 (ZON-22-033) 108 EL MIRASOL (COMBO) The applicant, ANK Palm Beach LLC (Anand “Andy” Khubani, Managing Member), has filed an application requesting Architectural Commission review and approval of a new two story residence designed in Contemporary Classicism style containing 15,446 SF and a 6,750 SF below grade basement/parking garage, and landscaping. Town Council to review the variance portion of the application.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.

Maura Ziska, attorney for the owners, explained the requested variance and advocated a positive recommendation to the Town Council.

Todd Tragash, STA Architectural Group, presented the architectural plans proposed for the new residence.

Fernando Wong, Fernando Wong Outdoor Living Design, presented the landscape and hardscape plans proposed for this site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Grace liked the landscaping plans but recommended adding some more color on the east side of the home. She questioned the style of architecture proposed; she thought it might be a bit cold and industrial. She appreciated the different materials chosen but questioned the colonnade. She expressed concern for the amount of glazing on the east side of the home. She believed the architectural features on the east side of the home seemed too strong.

Ms. Catlin questioned if the lots had been combined. Mr. Tragash provided confirmation. She thought the home appeared too large and commercial. She liked the material choices but could not get past the size of the home; she believed it was too wide. She could also not support the variance, which supported a 13-car garage. She believed this was excessive. She thought the home seemed commercial and industrial. She was in favor of the landscaping.

Please note: At 5:20 p.m., Mr. Small indicated Mr. Smith had to leave the meeting. He noted that Ms. Catlin would be voting in his absence.

Mr. Kirchhoff thought the home was well sited and liked the material choices; however, he did not believe the materials related to each other. He thought the home felt too commercial. He was not a fan of the freestanding colonnade. He questioned the way the materials, particularly the stone, were being used on the home. He also expressed concern for the stone pergola. He did not believe the home was too big but thought some restudy of the vocabulary of how the materials related to each other was necessary.

Ms. Shiverick had a problem of the style of the home. She felt the home was too heavy, commercial and industrial. She also was concerned about the request for the variance. She thought the home needed a restudy.

Mr. Corey agreed with all of the Commissioners; he thought the home was abnormally long. He thought the landscaping plan was nice but thought the entire home needed a restudy, particularly the fenestration on the east side of the home. He said the home and detailing were very commercial.

Mr. Ives did not completely object to the style proposed for the home. He did not believe the home was too large or too massive. He also thought the home was nicely sited. Mr. Ives did express concern for the material choices and suggested the professional introduce more materials and color. He felt different materials could help the home and resolve the commercial feeling of the home.

Mr. Floersheimer expressed concern for the length of the home, the excessive fenestration on the east side, the colonnade on the front of the home and possibly some of the landscaping. He did not support the variance request, especially on a new home. He recommended looking for inspiration in other designs in a similar style.

Mr. Small agreed with the other Commissioners and their comments. He asked to see the upper floor of the garage and inquired about the purpose of the garage. Mr. Tragash responded. Mr. Small asked about the proposed length of the home. Mr. Tragash responded. Mr. Small felt that the home

felt too industrial and commercial. He indicated that the home was twice as long as any of the surrounding homes and did not exude charm or warmth. He stated he could not support the design.

Motion made by Mr. Corey and seconded by Ms. Grace to defer the project to the March 23, 2022 meeting for a complete restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

At this time, the Commission decided to hear project ARC-22-008, 420 Brazilian Avenue.

The meeting stopped at 5:50 p.m. It was announced that the meeting would resume on Thursday, January 27, 2022 at 9:00 a.m.

The meeting resumed at 9:00 a.m. on January 27, 2022. After a roll call, all Commissioners were present, with the exception of Mr. Kirchhoff who arrived at 9:02 a.m.

6. ARC-22-005 225 EL PUEBLO WAY The applicant, 225 El Pueblo Way LLC, has filed an application requesting Architectural Commission review and approval for the demolition of an existing one-story residence and the construction of a new 5,006 SF two-story residence designed in a Regency-inspired style.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Asbacher agreed to the easement.

Kevin Asbacher, Asbacher Architecture, Inc., presented the architectural plans for the proposed demolition of the existing residence.

Mr. Small asked for confirmation that the existing home was not landmarked or on a list to be landmarked, to which Mr. Asbacher provided confirmation.

Cory Meyer, Nievera Williams Design, presented the landscape and hardscape demolition plans for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Motion made by Mr. Corey and seconded by Ms. Grace that the proposed demolition of 225 El Pueblo Way has met the conditions listed in Sec. 18-206 of the Town's code of ordinances, and to approve the demolition as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

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

Mr. Meyer presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Sammons was in favor of the home. He suggested a change to the cornice on the main entrance. He also suggested to reduce the width of the two doors on the second floor. He also made a suggestion to another cornice on the details page. He provided a few suggestions for the fenestration.

Ms. Catlin thought the home was simple and clean. She asked the professional to consider directing the construction traffic to enter the island via the north bridge. She questioned if the mini-sets were incomplete and missing items.

Mr. Floersheimer inquired if a side loaded garage was considered in the design. He also thought there was too much fenestration on the rear of the home.

Mr. Corey thought the landscape plan was good. He inquired about the Sabal palms to be relocated on the site. He also expressed his objections for the proposed Date palms. Mr. Corey inquired about the details for the doors and windows. He thought the house was very large and would tower over the home across the street. He suggested that the garage design was unresolved. He thought the home was a bit simple and could use some more charm.

Ms. Grace agreed with Mr. Corey's comments, particularly about the size of the home and the garage design. She expressed concern for the door sizes on the second floor as well as the amount of fenestration on the rear of the home.

Mr. Smith thought the home was uninspiring and did not feel like a home in Palm Beach. He thought the garage should be stepped back from the front elevation. He agreed with Mr. Corey and stated he could not support the home.

Ms. Shiverick agreed with Messrs. Smith and Corey. She thought the package lacked many details which would help the Commissioners make a decision on the home. She thought the professional should take some cues from the original home. She thought the home was too big and lacked charm.

Mr. Kirchhoff agreed with all of the other Commissioners.

Mr. Small also agreed with his fellow Commissioners and thought the design needed a restudy.

Motion made by Mr. Ives and seconded by Ms. Shiverick to defer the project to the February 23, 2022 meeting for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

7. ARC-22-006 215 ARABIAN RD. The applicant, 215 Arabian LLC, has filed an application requesting Architectural Commission review and approval for new construction of a 7,400 SF two story residence designed in the Regency style, detached cabana, swimming pool and associated hardscape and landscape.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Asbacher agreed to the easement.

Kevin Asbacher, Asbacher Architecture, Inc., presented the architectural plans proposed for the new residence.

Gabriela Alborno, Fernando Wong Outdoor Living Design, presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Small asked staff if the issue with the proposed CCR was still valid. Mr. Murphy indicated that if the CCR was still over the limit, the professional would need to resolve the issue.

Mr. Asbacher indicated he would modify the guest bedroom roof to comply with the CCR requirements. Ms. Pardue commented on the design and CCR requirements.

Ms. Catlin found the mini-sets incomplete and lacked details. She thought the home presented as a large box on the street and needed some relief. She asked the professional if he would consider another color, other than white. She also indicated that the trucks logistics plan was not included in their proposal.

Mr. Corey thought the site plan worked and liked the garage location in the rear of the home. He asked the professional to bring back a front rendering of the home without the landscaping. He thought the home was too big, wide and tall and was much larger than all of the other homes on the street. He also asked the professional to return with a north/south cross section of the land. Mr. Corey liked the landscape plan and plant choices; however, he was not a fan of the Date palms proposed.

Ms. Grace thought the home was a bit formal and appeared too large for the street. She thought the doors on the west elevation should appear more vertical. She thought the landscape plan was attractive.

Mr. Smith stated that the guest house was not shown on the streetscape. He thought the package was incomplete.

Mr. Kirchhoff thought the home was too large and formal for the street. He pointed out that the CCR numbers were incorrect on the plans.

Ms. Shiverick agreed that the home was too big; however she thought the formality of the home would be resolved if the home was reduced. She suggested simplifying the details on the front entrance.

Mr. Floersheimer agreed with the other Commissioners. He also pointed out error shown in the plans for the door off of the master bedroom. He asked for more details on the next submittal. He also asked the professional to consider a different color for the home.

Mr. Small also agreed with the other Commissioners. He too thought the packet was incomplete, missing details. Mr. Small thought the professional should include more of the newer homes on the street as he thought the area was changing. Mr. Small liked the design of the home and thought the home would fit in. However, he thought the size should be reduced.

Motion made by Ms. Shiverick and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting for a restudy in accordance with the comments of the Commissioners. Motion carried unanimously, 7-0.

8. ARC-22-008 (ZON-22-012) 420 BRAZILIAN AVE. (COMBO) The applicant, Ronald Gross, has filed an application requesting Architectural Commission review and approval for a the installation of a new generator and screening wall in the required front yard of an existing residence, including variances from landscape open space, setback, and a height requirements. Town Council will review the variance portion of the application.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Ziska agreed to the easement.

Maura Ziska, attorney for the owners, explained the requested variance and advocated a positive recommendation to the Town Council.

Dustin Mizell, Environment Design Group, presented the plans proposed for the generator and screening wall for the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Mr. Corey stated that the existing transformer in front of home was only a temporary mock up. Mr. Corey inquired about the height of the generator. Mr. Mizell responded. Mr. Corey inquired if the one-foot addition would be added to the entire wall or only around the generator. Mr. Mizell responded.

Mr. Floersheimer stated he generally would not be in favor of the generator next to the street but understood this request. Mr. Floersheimer inquired

about the type of generator proposed. Mr. Mizell responded. Mr. Floersheimer requested that the professional speak to owner about a water-cooled generator, which was quieter.

Ms. Shiverick inquired about the variance for the landscape open space. Ms. Ziska responded.

Motion made by Mr. Corey and seconded by Mr. Ives that implementation of proposed variance will not cause negative architectural impact to the subject property. Motion carried 6-1, with Ms. Shiverick opposed.

A second motion made by Mr. Corey and seconded by Mr. Ives to approve the project as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

9. ARC-22-009 (ZON-22-013) 215 SEABREEZE AVE. (COMBO) The applicant, Edward & Margot Mehm, has filed an application requesting Architectural Commission review and approval for construction of an unenclosed pergola structure in the rear of the property, including a setback variance. Town Council will review the variance portion of this application.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Mizell agreed to the easement.

Dustin Mizell, Environment Design Group, presented the architectural plans proposed for the new pergola.

Mr. Small inquired about the look of the pergola. Mr. Mizell showed the commission a photograph of the proposed pergola.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no were no staff comments at this time.

Ms. Shiverick inquired about the top of the pergola. Mr. Mizell responded and explained how the pergola would provide shade for the owners. Ms. Shiverick asked to see photographs of the home in any future presentations.

Ms. Grace inquired if the top of the pergola could be completely closed. Mr. Mizell stated it could not be closed. Ms. Grace also thought photographs of the home should also be included in the presentation.

Motion made by Ms. Shiverick and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting with the request that the professional return with photographs of the existing home and a rendering of the proposed pergola. Motion carried unanimously, 7-0.

10. ARC-22-011 233 BAHAMA LN. The applicant, Richard and Lori Jabara, has filed an application requesting Architectural Commission review and approval for exterior modifications to the landscape and hardscape plan.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Mizell agreed to the easement.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no were no staff comments at this time.

Ms. Shiverick stated that there were no photographs of the home in the mini-sets as well as details of the gate, fence and deck. She thought it was too hard to make a decision without the photographs.

Ms. Grace agreed with Ms. Shiverick and thought the details were missing. She inquired about the gate.

Ms. Catlin agreed with Ms. Shiverick.

Mr. Smith agreed with Ms. Shiverick and thought it should be deferred as the packet was incomplete.

Motion made by Mr. Smith and seconded by Mr. Corey to defer the project to the February 23, 2022 meeting with the request that the professional return with more details and photographs of the existing home. Motion carried unanimously, 7-0.

11. ARC-22-014 (ZON-22-030) 143 SEMINOLE AVE. (COMBO) The applicant, Lisa Pevaroff Cohn, has filed an application requesting Architectural Commission review and approval for modifications to window and door openings and a two-story addition to an existing two-story residence. Town Council will review the Special Exception with Site Plan Review and Variances portion of the application.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Kellogg agreed to the easement.

Kirstin Kellogg, Smith Kellogg Architecture, Inc., presented the architectural modifications proposed for the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Murphy provided staff comments.

Mr. Corey thought the changes were good and was happy that the home was being updated. Mr. Corey wished that 3-D renderings were provided in the packet.

Mr. Kirchhoff also thought the professional did a good job and was happy with the changes proposed. He inquired about the shutters on the front of the home. He suggested that the professional restudy the shutters and whether they should be put back on the home.

Ms. Grace thought the changes were good and liked the addition of the screened porch. She supported the project.

Ms. Shiverick supported the project and the variances.

Mr. Floersheimer agreed with the Commissioners but inquired about the allowable CCR for the home.

Mr. Small agreed with the other Commissioners. He was happy the home was being saved and renovated.

Mr. Murphy responded regarding the allowable CCR.

Motion made by Mr. Corey and seconded by Ms. Shiverick that implementation of proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously, 7-0.

A second motion made by Mr. Corey and seconded by Mr. Kirchhoff to approve the project as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

12. ARC-22-016 625 CREST RD. The applicant, Crest Road LLC, has filed an application requesting Architectural Commission review and approval for the construction of a new 10,518 SF two story main house and a 576 SF one story pool pavilion designed in the Anglo-Caribbean style.

Call for disclosure of ex parte communication: Disclosure by several members. *Please note: Richard Sammons declared a conflict of interest for the project and immediately left the meeting.*

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Torres-Cruz agreed to the easement.

Jaime Torres-Cruz, Fairfax and Sammons, presented the architectural plans proposed for the new residence.

Dustin Mizell, Environment Design Group, presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Hodges provided staff comments and indicated the Code did not allow the three stories as proposed.

Mr. Torres-Cruz explained how the issue was addressed. Mr. Murphy responded.

Ms. Shiverick thought the home was beautiful and thought the landscaping was complimentary. She inquired about the enclosures that housed mechanical equipment and wondered if they could be smaller. Mr. Torres-

Cruz responded. Ms. Shiverick inquired about the material proposed for the railings. Mr. Torres-Cruz responded and explained the railing materials and design. Ms. Shiverick inquired if the railings could all be made of wood. Mr. Torres-Cruz responded. She suggested adding a Cypress cap on the handrails to add to the island feel of the home. She also wondered if the colors could be changed.

Mr. Corey was in favor of the landscape plan as proposed. Mr. Corey thought the site plan of the home was good and he was in favor of the style. Mr. Corey requested to see a cross section of the home from the road to the lake trail. He also wondered how the professional would handle the significant slope down to the lake trail. He thought the home was artificially high and did not respect the topography of the land. He thought the home needed to step down in the rear. He made a suggestion for the roofs on the wings of the home in the front. He also thought the roof pitch on the home should be reduced. He thought some details on the home were not included in the packet. He suggested adding some trees and palms on the lake trail. Mr. Corey closed his comments by stating the home was good but a bit too big.

Ms. Catlin was in favor of the home and thought the design worked well on the lot. Ms. Catlin inquired about the plantings proposed for the foundation level. Mr. Mizell responded and reviewed the plans.

Mr. Kirchhoff thought the home was nice overall but thought the home was too large for the lot. He was not in favor of the roofs on the garage wings. He expressed concern for the front entry way. He thought the railings should be made out of wood and suggested adding pedestals in the corners on the rear railings. Mr. Torres-Cruz responded. He made a suggestion for the door that leads to the basement from the outside and requested the elimination of the two windows next to the door.

Ms. Grace complimented the landscape plan and the large amount of native plantings proposed. She liked the home overall but also questioned the size of the home, especially the width. She questioned the fenestration design on the west elevation. Mr. Torres-Cruz responded and further described the fenestration design.

Mr. Floersheimer expressed concern that the home was raised over three feet on the site. He suggested placing the pool equipment on the east side of the home. The roofs on the garages were not resolved in Mr. Floersheimer's opinion. He liked the style of the home and particularly liked the east elevation. He questioned the more formal façade on the west elevation. He suggested adding some color to the body of the home and making the roof a lighter color. He agreed with Ms. Grace and thought

there was too much fenestration on the west façade. Overall, he thought the mass and the scale of the home needed some restudy.

Mr. Smith was in favor of the house and thought the home was simple. He thought the glass on the west side was appropriate. He liked the way the home sat up high and liked the design of the pool. He did not believe anyone would see the home from the lake trail. He was not in favor of the bathroom in the basement. Mr. Smith suggested moving the basement door and windows to the side of the home if the owner needed the bathroom in the lower level.

Mr. Small shared Mr. Smith's comments and asked the professional to resolve the bathroom door and the three stories. He suggested adding landscaping around the mechanical enclosures or possibly moving them to another location, which would reduce the width of the home. He thought the home could be reduced in width and length.

Mr. Corey inquired if staff required a cross section of the home. He thought a cross section would be very helpful. Mr. Murphy responded.

Motion made by Mr. Corey and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting with the request that the professional consider the comments made by the Commissioners. Motion carried unanimously, 7-0.

Please note: A short break was taken at 11:15 a.m. The meeting resumed at 11:30 a.m. Mr. Sammons returned to the meeting at 11:41 a.m.

13. ARC-22-018 333 EDEN RD. The applicant, 333 Eden Road, LLC, has riled an application requesting Architectural Commission review and approval for the demolition of an existing one-story cabana and construction of a new 540 SF new cabana with associated landscape and hardscape changes.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Harold Smith agreed to the easement.

Harold Smith, Smith and Moore Architects, Inc., presented the architectural modifications proposed for the demolition and construction of a pool cabana. Mr. Smith read a landscape and hardscape plan prepared by Todd MacLean.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Grace supported the project.

Motion made by Ms. Grace and seconded by Mr. Corey to approve the project as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

14. ARC-22-020 120 CLARENDON AVE. The applicant, 120 Clarendon Ave LLC, has filed an application requesting Architectural Commission review and approval for the second story addition and renovation of existing detached cabana.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Harold Smith agreed to the easement.

Harold Smith, Smith and Moore Architects, Inc., turned the presentation over to Angela Lehman.

Ms. Lehman presented the architectural modifications proposed for the modifications proposed for the pool cabana. Ms. Lehman stated there were no changes to the landscape.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Grace liked the design of the new cabana but thought it was a bit large. She wondered if it would complement the main home.

Mr. Corey asked if the applicant has spoken to the neighbor to the south. Mr. Smith responded. Mr. Corey was nervous about the cabana being a bit tall in its location.

Mr. Floersheimer stated he was also worried about the height of the cabana. He made a recommendation for the second floor ceiling of the cabana. Ms. Lehman responded and explained the design. Mr. Smith pointed out similar heights of neighboring homes and cabanas.

Ms. Shiverick agreed that this cabana looked a bit big and wondered if it should be more subservient to the main home. She suggested making a second story in the center of the cabana. Mr. Smith responded.

Ms. Catlin initially had the same concerns but understood that the cabana was really being turned into a guest home. Upon seeing the proposed in the context of the neighborhood, she felt it was subservient to the main home.

Ms. Grace felt the existing cabana was large. She wondered if the original cabana could be lowered. Mr. Smith responded and explained the reason that the extra space was being added to the cabana.

Mr. Corey provided a suggestion to put the gym in the second floor.

Mr. Small thought the existing one story cabana was more attractive than the proposed.

Mr. Smith thought the external arched walls on both sides of the cabana exasperated the size of the cabana. He recommended removing both walls and adding landscaping on the sides of the cabana.

Motion made by Ms. Shiverick and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting with the request that the professional consider the comments made by the Commissioners. Motion carried unanimously, 7-0.

15. ARC-22-021 129 CHILEAN AVE. The applicant, CH1129 LLC, has filed an application requesting Architectural Commission review and approval for exterior façade modifications to an existing two-story residence and one-story accessory buildings and associated landscape and hardscape changes.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Kahan agreed to the easement.

Daniel Kahan, Smith and Moore Architects, Inc., presented the architectural modifications proposed for the existing residence.

Keith Williams, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Grace thought the project was excellent with wonderful materials. She inquired about the posts with the balls on top of them. Mr. Kahan said that they posts were an error in the renderings. Ms. Grace inquired about the railings proposed for the front of the home. Mr. Kahan responded and explained the design. Ms. Grace was not in favor of the fountain in the front of the home. Mr. Williams responded.

Ms. Shiverick thought the project was fabulous. She thanked the owners and the professionals for the wonderful materials. She did question the fountain in the front of the home; she suggested more greenery in the front of the home.

Mr. Corey agreed and thought the project was great. He liked the front porch and thought the design fit into the neighborhood. Mr. Corey inquired if the professional was meeting the greenscape requirement. Mr. Williams responded. Mr. Corey thought the greenscape could be further increased. Mr. Corey also suggested a pedestrian gate or a peekaboo from the front of the property.

Ms. Catlin agreed with Ms. Shiverick and requested more greenery be added around the fountain. She thought the design was charming with a touch of class.

Mr. Floersheimer agreed with the other Commissioners. He requested more greenscape for the property. He suggested moving the fountain up against a wall and adding a lawn space. Mr. Floersheimer inquired about the material for the vehicular gate. Mr. Williams responded.

Mr. Kirchhoff thought the project was very nice. He agreed to add more greenspace in the front and more of a view to the street.

Ms. Grace questioned the need for a vehicular gate in this area. She added she could not support the request. Mr. Kahan further explained the design of the gate. Ms. Grace stated she would support the gate in its proposed location.

Mr. Small complimented the professionals on the design. He inquired why the professionals were changing the columns on the front of the home. Mr. Kahan responded. Mr. Small also supported adding more greenspace to the front of the home.

Motion made by Ms. Grace and seconded by Ms. Shiverick to approve the project with the condition that the hardscape around the fountain shall be removed and replaced with landscape. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Please note: A lunch break was taken at 12:30 p.m. The meeting resumed at 1:00 p.m. It was noted that Messrs. Ives, Smith, Sammons and Grace were absent. Mr. Sammons returned to the meeting at 1:06 p.m. Mr. Ives returned to the meeting at 1:07 p.m. Ms. Grace returned to the meeting at 1:25 p.m.

16. ARC-22-026 170 N OCEAN BLVD. The applicant, The Condominium Association of Ocean Towers, Inc., has filed an application requesting Architectural Commission review and approval for the installation of a metal railing along the entirety of an existing rooftop penthouse terrace/balcony.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Roger Janssen, Dailey Janssen Architects, presented the architectural modifications proposed for the existing condominium.

Mr. Small inquired if Mr. Janssen had a rendering of the railing. Mr. Janssen showed the commission a mockup of the proposed railing. Mr. Small indicated that the railing resembles another railing at a nearby condominium. Mr. Janssen confirmed that the condominium had a similar railing.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Shiverick inquired if the railing was only being replaced in the penthouse. Mr. Janssen responded and explained why the condominium was replacing only the penthouse railing at this time. Ms. Shiverick inquired if this replacement could be temporary until the repairs and a new railing could be made. Mr. Janssen showed the Commission a similar railing in the nearby condominium.

Mr. Small inquired if the balconies would all be painted the same color as the building. Mr. Janssen confirmed this statement.

Mr. Catlin had the same concern for the severe difference for the two railings. She wondered if there was a compromise in-between the existing and the proposed pattern for the railings. She inquired if the condominium could be painted a different color than white. Mr. Janssen responded.

Mr. Corey wondered if the color change was in the current presentation. Mr. Janssen responded. Mr. Corey thought the current railings should be restored with a new cap added. She thought the proposed railing looked cheap and not in harmony with the building. He added he could not support the request.

Mr. Kirchhoff agreed with Mr. Corey and believed the current railings provided some unique detailing to the building.

Mr. Small agreed with the comments on the railings and was not supportive of the change in color.

Motion made by Mr. Corey and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting in accordance with the comments made by the Commissioners. Motion carried unanimously, 7-0.

17. ARC-22-027 (ZON-22-034) 127 EL BRAVO WAY (COMBO) The applicant, 127 El Bravo Trust (Guy Rabideau, Trustee), has filed an application requesting Architectural Commission review and approval for construction of a new residence and guest house designed in a Mediterranean Revival style and landscaping. Town Council will review the variance portion of the application.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Janssen agreed to the easement.

Roger Janssen, Dailey Janssen Architects, presented the architectural plans proposed for the new residence.

John Lang, Lang Design Group, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Brad Falco, Planner 1, provided staff comments.

Mr. Corey thought the design was a special home. He thought the proportions were good and added he supported the variance request. He thought the windows in the towers were too big. He suggested adding quatrefoil windows in the tower. Mr. Corey also supported the landscape plans.

Ms. Grace was supportive of the proposed style and thought it fit nicely in the area. She thought the windows were a bit too large for the tower. She suggested making the tower taller and a bit wider. She recommended using coral stone rather than cast stone in the panel over the arched windows. She questioned the fenestration proposed and suggested using a more traditional window for this style.

Mr. Sammons thought the details were under developed. He questioned the fenestration proposed. He thought the project should return with more details and refinement. He thought the home was too fat and should be reduced in sized. He thought the tower should be bigger. Mr. Janssen responded.

Ms. Shiverick thought the tower should be bigger and wider, if possible. Mr. Janssen responded. She thought the front wall should be more solid rather than punctuated.

Ms. Catlin stated that she was unsure if the tower element fit; she thought it should be wider. She liked the style and appearance of the home. She wondered if the home was missing something. Mr. Janssen responded.

Mr. Kirchhoff thought the home was nice overall. He agreed that some of the details were missing. Mr. Kirchhoff requested that the landscape architect increase the size of the details on his plans in any future submittals.

Mr. Floersheimer did not believe the home was excessively large. He questioned the different shapes of the fenestration. He recommended removing one of the three windows on the tower.

Mr. Ives agreed with the other Commissioners. He agreed that some of the details were missing; he also agreed some of the detailing and material application appeared a bit heavy. He also thought the window choices were too busy; he recommended a simplification of the fenestration.

Mr. Small thought the house was close to an approval. Mr. Small pointed to looking at the tower element as well as the fenestration choices. He thought the design was compatible with the neighborhood and would fit in nicely.

Mr. Corey wondered if the tower should be removed altogether.

Motion made by Ms. Grace and seconded by Mr. Ives to defer the project to the February 23, 2022 meeting in accordance with the comments made by the Commissioners. Motion carried unanimously, 7-0.

18. ARC-22-030 230 VIA LAS BRISAS The applicant, 230 Via Las Brisas LLC, has filed an application requesting Architectural Commission review and approval of a new two story residence designed in a Classical style with landscape and hardscape improvements.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement but added that the area had already been undergrounded.

Patrick Segraves, SKA Architect + Planner, presented the architectural plans proposed for the new residence.

Carol Perez, AGT Land, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Shiverick thought the home was nice. She thought the home was nicely sized. She thought the arched windows on the first floor should be square windows. She was not in favor of the lanterns as shown. She stated that she did not see a rendering of the awning on the rear of the home. She was not in favor of the driveway material as proposed.

Ms. Corey thought the site plan for the home was fine; however, he felt the proposed home was boxy. He did not feel like the home fit into the neighborhood and added he could not support the project. He thought the landscape plan was ok and made some suggestions.

Mr. Kirchhoff had some problems with this home and believed some of the details lacked quality. He provided some suggestions for the front door and was not in favor of the arched windows and lanterns.

Ms. Grace thought the style of the home was fine. She agreed that the lanterns were not appropriate and was not in favor of the driveway material.

Ms. Catlin thought the home did fit into the area. However she agreed with Mr. Kirchhoff with the lack of details. She supported the arched windows on the front façade. She also thought the submittal packet was light.

Mr. Ives agreed strongly with Mr. Corey. He thought that there were many items in the design that were unresolved.

Mr. Sammons inquired about the size of the curb cut. He questioned the design of the portico. He also questioned the quality of the proposed construction. He thought the house looked cheap and lacked details. He did not believe the home met the standard of Palm Beach.

Mr. Small wondered if the neighborhood would begin to change with this home since the current neighborhood had a number of Mediterranean Revival style homes. He added he was not in complete support with the proposed design. Mr. Small thought more restudy was warranted.

Motion made by Mr. Corey and seconded by Mr. Kirchhoff to defer the project to the March 23, 2022 meeting for a major restudy. Motion carried 6-1, with Ms. Catlin opposed.

19. ARC-22-031 2285 IBIS ISLE RD. The applicant, Global 1 Investment Group LLC, has filed an application requesting Architectural Commission review and approval for the renovation and major additions to an existing one-story residence.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Segraves agreed to the easement but added the utilities were already underground.

Patrick Segraves, SKA Architect + Planner, presented the architectural modifications proposed for the existing residence.

Sean Allen, Nievera Williams Design, presented the landscape and hardscape modifications proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Hodges provided staff comments.

Mr. Segraves presented an alternate front door for the home.

Mr. Kirchhoff thought it was a good project overall. He liked the alternate design for the front door. He was not in favor of the shutters over the casement windows. He also thought the proportions of the fenestrations were inconsistent and should be cleaned up.

Ms. Catlin agreed with the fenestration comments of Mr. Kirchhoff as well as his comment on the shutters. She was happy to see the home renovated.

Ms. Shiverick wondered why the home was being made to work and questioned if a new home would be better. She also stated that there were not any renderings provided to the Commissioners.

Ms. Grace thought the home would be more attractive after the renovation. She also had some concerns for the fenestration inconsistencies. She recommended lowering the roof. Mr. Segraves responded.

Mr. Corey thought the design was a good project. He thought a few changes were necessary, otherwise he added he would support the project.

Mr. Ives agreed with Ms. Shiverick.

Please note: Ms. Catlin left the meeting at 2:35 p.m.

Mr. Small thought the changes were a significant improvement in the area. He liked the alternate door and thought a few changes could make the home nice.

Motion made by Mr. Kirchhoff and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting in accordance with the comments of the Commissioners. Motion carried 6-1, with Ms. Shiverick opposed.

Please note: A short break was taken at 2:41 p.m. The meeting resumed at 2:55 p.m. Mr. Kirchhoff announced that he was leaving the meeting at this time.

20. ARC-22-033 (ZON-22-019) 200 OCEAN TERRACE (COMBO) The applicant, Mr. & Mrs. Timothy Davidson, has filed an application requesting Architectural Commission review and approval for the demolition of an existing one-story residence (201 Osceola Way) and construction of a new one-story guest residence of approximately 2400 SF with new hardscape, landscape and pool. Town Council will review the variance portion of this application.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Cordero-Loza agreed to the easement.

Mr. Cordero-Loza, MP Design & Architecture, Inc., presented the architectural plans for the proposed demolition of the existing residence at 201 Osceola Way.

Adam Mills, Environment Design Group, presented the landscape and hardscape plans proposed for the demolition of the existing site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Floersheimer asked if the construction vehicles would use North Ocean Boulevard. Mr. Mills confirmed that change was possible.

Motion made by Mr. Corey and seconded by Mr. Ives that the proposed demolition of 201 Osceola Way has met the conditions listed

in Sec. 18-206 of the Town's code of ordinances, and to approve the demolition as presented. Motion carried unanimously, 7-0. This application was approved with the condition that prior to the issuance of a building permit, the applicant shall either dedicate and record a utility easement, or enter into an agreement ensuring said easement, if necessary to facilitate utility undergrounding in the area.

Mr. Cordero-Loza presented the presented the architectural plans proposed for the new guest residence.

Adam Mills, Environment Design Group, presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Ms. Pardue provided staff comments.

Mr. Sammons thought the plan was confusing and was unsure how the roof plan would work.

Please note: Mr. Sammons left the meeting at 3:25 p.m.

Ms. Grace liked the idea for the two properties. She thought the home was a bit wide and suggested bringing in the width.

Ms. Shiverick thought the proposed was a nice idea and was happy it was a one story home. She agreed the home was too wide. She thought the home should be compressed and moved toward the main home so that the variance could be reduced or eliminated. She also wondered why the door was proposed on Osceola Way.

Mr. Floersheimer initially agreed with moving the home back towards the main home; however, he realized that the proposed new home was in line with the other homes on the street. He did agree that the floor plan was a bit scattered. He suggested condensing the home and simplifying the roof plan.

Mr. Corey was supportive of the variance. He agreed and questioned the door proposed for Osceola Way. He thought the guesthouse was sprawling and had a larger footprint than the main home. He recommended reducing the size of the home.

Ms. Grace thought the setback requirements should be respected. She thought the guest home could be reduced to comply with those setbacks.

Mr. Floersheimer was happy with the new driveway configuration on North Ocean Way.

Mr. Small agreed with the other commissioners. He was not supportive of the door proposed on Osceola Way. He also suggested reducing the size of the structure. Mr. Small stated he would support the variance but would request more landscaping on Osceola Way

Motion made by Mr. Floersheimer and seconded by Ms. Grace to defer the project to the February 23, 2022 meeting in accordance with the comments of the Commissioners. Motion carried unanimously, 6-0.

21. ARC-22-035 726 HI MOUNT RD. The applicant, Irimar Ocean Properties LLC, has filed an application requesting Architectural Commission review and approval for modifications to a previously approved two-story single-family residence currently under construction.

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

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Mr. Torres-Cruz agreed to the easement and stated the utilities were underground.

Jaime Torres-Cruz, Fairfax and Sammons, presented the architectural modifications proposed for the previously approved new residence, currently in construction.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Ms. Shiverick thought there were many changes for the Commission to approve. She thought many were acceptable; however she added that she could not support for the plexiglass railings proposed for the rear elevation. She also added that she would not support solar panels. Finally, she expressed some concern for the change in the sky light but could live with the change if the other Commissioners were supportive.

Mr. Ives agreed with Ms. Shiverick but supported the sky light change. He thought a vast majority of the changes were fine. He expressed concern for both the plexiglass railing as well as the solar panels. He explained his

feeling for solar panels and indicated where he thought they were acceptable.

Mr. Corey stated he could not support the plexiglass railing as well as the copper over the pergola. He thought a mockup was needed before he would approve the solar panels.

Mr. Floersheimer agreed with Mr. Ives's assessment of solar panels. Mr. Floersheimer inquired about the approved railing on the rear elevation. Mr. Torres-Cruz showed the approved railing and the reason for the proposed change. Mr. Floersheimer inquired about the AC units near the driveway. Mr. Torres-Cruz responded. Mr. Floersheimer agreed with Mr. Corey and was not supportive of the copper over the pergola. He thought the vehicular gates should be completely slats rather than a solid gate.

Mr. Small stated that he would support a motion that would include an approval of all of the items with the exception of the solar panels, metal roof over the pergola, the plexiglass railing and the revised skylight design.

Motion made by Mr. Corey and seconded by Ms. Shiverick to approve the project as presented with the following items not included in the approval: the solar panels, the glass railings and the metal roof over the pergola. Motion carried unanimously, 6-0.

22. ARC-22-036 (ZON-22-016) 60 COCOANUT ROW (COMBO) The applicant, Royal Poinciana Chapel, Inc. (Cater Randolph, Board President) has filed an application requesting Architectural Commission review and approval for the construction of approximately 240 SF addition to the existing house of worship to house a generator including a setback variance. Town Council will review the Special Exception with Site Plan Review and Variance portion of the application.

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

Please note: Ms. Grace left the meeting at 4:20 p.m.

Mr. Small asked if the owner did voluntarily agree to dedicate a utility easement supporting the undergrounding project subject to the satisfaction of the Town. Ms. Schwab agreed to the easement.

Mindi Schwab, Dailey Janssen Architects, presented the architectural modifications proposed for the new enclosure for a generator.

Sean Allen, Nievera Williams Design, presented the landscape and hardscape plans proposed for the site.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. Mr. Falco provided staff comments.

Ms. Shiverick inquired if the professional spoke to the neighbors behind the site. Ms. Schwab responded.

Mr. Ives indicated there were several landmarked buildings in the area. He was a little saddened by the addition of the generator in the area.

Motion made by Mr. Corey and seconded by Mr. Floersheimer that implementation of proposed variance will not cause negative architectural impact to the subject property. Motion carried unanimously, 5-0.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the project as presented. Motion carried unanimously, 5-0.

E. MINOR PROJECTS – OLD BUSINESS

1. ARC-21-102 200 EVERGLADE AVE. UNIT A-2 (minor project) The applicant, Robert Satterfield, has filed an application requesting Architectural Commission review and approval for the installation of solar panels on the shared existing flat roof on a town house building.

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

Zymeena Chavis, Sunpro Solar, presented the plans proposed for the addition of solar panels on the multifamily building.

Please note: Ms. Catlin returned to the meeting at 4:27 p.m.

Mr. Small inquired how high the solar panels would extend over the existing roof. Ms. Chavis responded.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Floersheimer inquired about the roof material. Ms. Chavis thought the roof material was concrete. Mr. Floersheimer inquired if the panels were proposed for only the one unit. Ms. Chavis responded.

Mr. Corey stated he was supportive of the request.

Ms. Catlin inquired if more solar panels would be needed if another owner wanted solar panels as well. Ms. Chavis confirmed more panels would be needed. Ms. Catlin agreed with Mr. Corey and supported this request.

Ms. Shiverick stated she was not supportive of the request.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to approve the project as presented. Motion carried 4-2, with Ms. Shiverick and Mr. Ives opposed.

2. ARC-21-103 225 SEABREEZE AVE. (minor project) The applicant, Robert Berg, has filed an application requesting Architectural Commission review and approval for the installation of solar panels on the existing roof of a two-story single family residence.

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

Zymeena Chavis, Sunpro Solar, presented the plans proposed for the addition of solar panels on the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Floersheimer stated he could not support the project. He did not believe solar panels on pitched roofs were appropriate and would be visible for the right of way.

Many of the Commissioners strongly agreed with Mr. Floersheimer and opposed the application.

Motion made by Mr. Corey and seconded by Mr. Floersheimer to deny the project at 225 Seabreeze Avenue as presented, based on the failure to comply with Section 18-205 of the Code, paragraph a (3). Motion carried unanimously, 6-0.

3. ARC-21-046 237 BRAZILIAN AVE. (minor project). The applicant, Brazilian PB Land Trust, has filed an application requesting Architectural Commission review and approval for the installation of two new side entry gates.

Please note: This project was deferred to the February 23, 2022 meeting at the Approval of the Agenda, Item VI.

F. ITEMS PULLED FROM CONSENT

1. ARC-21-062 327 BARTON AVE (minor project) The applicant, Brian and Laura Carr, has filed an application requesting Architectural Commission review and approval of modifications to an existing landscape and hardscape plan as well as a driveway opening increase of 2 feet.

Mr. Murphy stated that the professional could not attend the meeting due to a medical issue. He indicated that the professional requested a deferral to the February 23, 2022 meeting.

Motion made by Mr. Corey and seconded by Ms. Catlin to defer the project to the February 23, 2022 meeting at the request of the professional. Motion carried unanimously, 6-0.

2. ARC-22-017 217 SEABREEZE AVE (minor project) The applicant, Robert S. Berg, has filed an application requesting Architectural Commission review and approval for the installation of a vehicular gate and minor landscape alterations.

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

Harold Smith, Smith and Moore Architects, Inc., presented the architectural and landscape modifications proposed for the existing residence.

Mr. Small called for public comments. There were no comments heard at this time.

Mr. Small called for staff comment. There were no staff comments heard at this time.

Mr. Floersheimer was in favor of the proposed gate. However, he was not in favor of the backing to the gate. Mr. Smith responded. There was some discussion about the wall height near the alley.

Mr. Corey was supportive of the request and thought the request was reasonable.

Ms. Catlin supported the gate but was not in favor of the backing on an iron gate.

Mr. Small agreed with Ms. Catlin's assessment of the backing.

Ms. Shiverick agreed with Mr. Corey. However, she added that she could not support the backing to the gate.

Motion made by Ms. Shiverick and seconded by Mr. Corey to approve the project as presented with the condition that the backing shall be removed from the gate. Motion carried unanimously, 6-0.

G. MINOR PROJECTS – NEW BUSINESS
None

VIII. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

1. Public

There were no comments heard at this time.

2. Staff

Ms. Churney stated that Jeffrey Smith declared a conflict for a project at 1025 N. Lake Way at the December 17, 2021 meeting and had correctly completed the 8B form in accordance with State Law.

Mr. Murphy expressed his regrets about the packets the Commission felt were insufficient. He indicated staff would continue to work to improve their efforts on obtaining any items the Commission felt they needed to make an informed decision.

3. Commission

Ms. Catlin complimented the staff in their review of the plans. She raised the issue of a previous checklist that staff had used to make sure the presentations were complete. Mr. Murphy stated the request was noted.

Mr. Small recommended The Craftsmen Series by The Preservation Foundation. He spoke highly of the series, provided some further information on the series and advocated for the Commissioners to attend future sessions.

Mr. Small thought that he believed the Commissioners should spend extra time reviewing any landscaping plans for any intersections that were presented to them.

Mr. Small thanked the Commission for their support during the past two days.

Mr. Floersheimer thanked everyone for their hard work during the past two days.

Mr. Ives thought Chairman's Small's comments on vegetation at intersections was an excellent point. He thought there was an opportunity for beautification at the intersections.

IX. **NEXT MEETING DATE:** February 23, 2022

X. **ADJOURNMENT**

Motion made by Mr. Ives and seconded by Ms. Shiverick to adjourn the meeting at 5:16 p.m. on Thursday, January 27, 2022. Motion carried unanimously, 6-0.

The next meeting will be held on Wednesday, February 23, 2022 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S. County Road.

Respectfully Submitted,

Michael B. Small, Chairman
ARCHITECTURAL COMMISSION

kmc

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 008-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Execute a Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation.

Presenter

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

ATTACHMENTS:

- ▢ **Memorandum dated January 18, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▢ **Resolution No. 008-2022**
- ▢ **Traffic Signal Maintenance and Compensation Agreement**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

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

Re: Authorization for Town Manager to Execute Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation
Resolution No. 008-2022

Date: January 18, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 008-2022 authorizing the Town Manager to execute a Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation (FDOT)

GENERAL INFORMATION

FDOT currently owns the signalized intersections of South County Road at Hammon Road, Worth Avenue, Peruvian Avenue, Royal Palm Way, Barton Avenue, Pinewalk, Breakers, and Royal Poinciana Way to also include Royal Palm Way at Cocoanut Row and Royal Poinciana Way at Cocoanut Row and the Fire Station signal at Ibis Way. The Town has been maintaining these signals without any agreement or reimbursement with FDOT. The Traffic Signal Maintenance and Compensation Agreement, sets forth a mechanism for the Town to be reimbursed annually for maintenance of these intersections. The Town will receive \$50,009 from FDOT at the end of the first year of maintenance less any retainage or forfeiture. Compensation for maintenance for each following year will be adjusted base on the Consumer Price Index. The Agreement also sets forth a process between the Town and FDOT for reimbursement of actual costs incurred to replace or repair signals and devices that have been damaged.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the Town.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jane LeClainche, Finance Director
Eric B. Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
John C. Randolph, Town Attorney

RESOLUTION NO. 008-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING THE TOWN MANAGER TO EXECUTE A TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION

WHEREAS, Florida Department of Transportation, has requested the execution of a Traffic Signal Maintenance and Compensation Agreement with the Town of Palm Beach (TOWN); and

WHEREAS, the parties mutually recognize the need to execute the Agreement setting forth the responsibilities of each party.

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

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The Town Manager is hereby authorized to execute the Traffic Signal Maintenance and Compensation Agreement between Florida Department of Transportation, and the Town of Palm Beach.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

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CONTRACT NO. _____
FINANCIAL PROJECT NO. _____
F.E.I.D. NO. _____

THIS TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT ("Agreement"), is entered into this 08
day of February 2022, between the Florida Department of Transportation, an agency of
the State of Florida, herein called the "Department", and Palm Beach, Florida,
Town of Palm Beach ("Maintaining Agency").

WITNESSETH:

- A. The Department is authorized under Section 335.055, Florida Statutes, to enter into this Agreement.
- B. The Maintaining Agency is authorized under Town Council (Meeting Date: 02-08-2022) to enter into this Agreement and has authorized its undersigned representative to enter into and execute this Agreement on behalf of the Maintaining Agency.

NOW, THEREFORE, in consideration of the mutual covenants contained in the Agreement, the sufficiency of which is acknowledged, the parties mutually agree and covenant as follows:

1. The term "Traffic Signals and Devices" is defined as follows: all traffic signals, interconnected and monitored traffic signals ("IMTS") (defined as signals that are interconnected with telecommunications and are monitored at a central location), traffic signal systems (defined as central computer, cameras, message signs, communications devices, interconnect / network, vehicle, bicycle & pedestrian detection devices, traffic signal hardware and software, preemption devices, and uninterruptible power supplies ("UPS")), control devices (defined as intersection control beacons, traffic warning beacons, illuminated street name signs, pedestrian flashing beacons (i.e., school zone flashing beacons, pedestrian crossing beacons, and Rectangular Rapid Flashing Beacons)), blank-out signs, travel time detectors, emergency/fire department signals, speed activated warning displays, and other types of traffic signals and devices specifically identified within Exhibit A, which are located on the State Highway System within the jurisdictional boundaries of the Maintaining Agency.

The Maintaining Agency shall be responsible for the maintenance and continuous operation of Traffic Signals and Devices ("Project"). The Maintaining Agency shall be responsible for the payment of electricity and electrical charges incurred in connection with operation of Traffic Signals and Devices upon completion of installation of each of the Traffic Signals and Devices.

2. The Department agrees to pay the Maintaining Agency an annual compensation amount based on the Department's fiscal year. The compensation amount consists of the cost of the maintenance and continuous operation of the Traffic Signals and Devices as identified in Exhibit A, which is attached and incorporated into this Agreement. Compensation will also be made for costs incurred for the repair and/or replacement of damaged Traffic Signals and Devices as identified in Exhibit C, attached and incorporated into this Agreement. Payments by the Department will be made in accordance with Exhibit B. In the case of construction contracts, the Maintaining Agency shall be responsible for the payment of electricity and electrical charges incurred in connection with the operation of the Traffic Signals and Devices, and shall undertake the maintenance and continuous operation of these Traffic Signals and Devices upon final acceptance of the installation by the Department. Prior to any final acceptance of the installation by the Department, the Maintaining Agency will have the opportunity to inspect and request modifications or corrections to the installation(s) and the Department agrees to undertake those modifications or corrections prior to final acceptance so long as the modifications or corrections comply with the Agreement, signal plans, and specifications previously approved by both the Department and Maintaining Agency. Repair or replacement and other responsibilities of the installation contractor and the Department, during construction, are contained in the Department's Standard Specifications for Road and Bridge Construction.
3. If Traffic Signals and Devices are damaged and the Maintaining Agency did not cause the damages, then the Department shall reimburse the Maintaining Agency for the actual costs incurred by the Maintaining Agency for repairs and/or replacement of Traffic Signals and Devices, once the following occurs:
- The Department has approved a properly completed invoice for reimbursement that was provided to the Department outlining the details of the requested reimbursements; and
 - Evidence of the costs incurred were included as an attachment to the invoice.

Exhibit C sets forth additional conditions that apply when the Maintaining Agency seeks to obtain reimbursement for costs incurred for repair and/or replacement of damaged Traffic Signals and Devices. Exhibit C also serves as a form invoice that can be used by the Maintaining Agency. The Maintaining Agency shall obtain written approval from the Department regarding the appropriate method of repair and/or replacement of damaged Traffic Signals and Devices prior to performing repair and/or replacement work. If there is an immediate risk to public safety due to damaged Traffic Signals and Devices and the Maintaining Agency is unable to immediately obtain the Department's written approval regarding the method of repair and/or replacement,

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then the Maintaining Agency shall immediately repair and/or replace the Traffic Signals and Devices. The Maintaining Agency shall notify the Department within thirty (30) calendar days of becoming aware of any damage to Traffic Signals and Devices caused by third parties. The Department shall be responsible for pursuing reimbursement from individuals and/or the third parties who cause damages and are liable for replacement and/or repair costs to Traffic Signals and Devices. If the Maintaining Agency causes damages to the Traffic Signals and Devices, then the Maintaining Agency shall repair and/or replace the Traffic Signals and Devices, and the Maintaining Agency shall be fully responsible for the cost of repair and/or replacement to the extent the damages were caused by the Maintaining Agency.

4. The Maintaining Agency shall maintain and operate the Traffic Signals and Devices in a manner that will ensure safe and efficient movement of highway traffic and that is consistent with maintenance practices prescribed by the International Municipal Signal Association (IMSA) and operational requirements of the Manual on Uniform Traffic Control Devices (MUTCD), as amended.
5. The Maintaining Agency's maintenance responsibilities include, but are not limited to, locates, preventive maintenance (periodic inspection, service, and routine repairs), restoration of services, and emergency maintenance (troubleshooting in the event of equipment malfunction, failure, or damage). Restoration of services may include temporary poles and/or signals, stop signs or other methods to maintain traffic. The Maintaining Agency shall record its maintenance activities in a traffic signal maintenance log, as they occur, and include this as part of the annual report, highlighting the time it took to restore the normal service and number of times such events occurred.
6. Neither the Maintaining Agency nor the Department shall be liable to the other for any failure to perform under this Agreement to the extent such performance is prevented by a Force Majeure Event and provided that the party claiming the excuse from performance has (a) promptly notified the other party of the occurrence and its estimated duration, (b) promptly remedied or mitigated the effect of the occurrence to the extent possible, and (c) resumed performance as soon as possible.

A "Force Majeure Event" means the occurrence of:

- (a) an act of war, hostilities, invasion, act of foreign enemies, riot, terrorism or civil disorder;
 - (b) act of God (such as, but not limited to, fires, explosions, earthquakes, drought, hurricanes, storms, lightning, tornados, tidal waves, floods, extreme weather or environmental conditions, and other natural calamities);
 - (c) or another event beyond the control of the non-performing party and which could not have been avoided or overcome by the exercise of due diligence.
7. The Department intends to conduct a structural inspection of the mast arm structures every sixty (60) months. The inspection report will serve as ninety (90) days notification to the Maintaining Agency that deficiencies exist that require preventive maintenance. Preventive maintenance of the mast arm structures includes, but is not limited to, spot painting, cleaning, all wiring repair and replacement, graffiti removal, all signal related issues (including lighting, signs and connections), tightening of nuts, replacing missing or deficient bolts, replacement of missing cap covers or equivalent, replacement of missing or deficient access hole cover plates, repairing improper grounding, and repainting any painted mast arms installed after April 30, 2015. If the preventive maintenance is not carried out after the expiration of the 90-day notice given to the Maintaining Agency, the Department shall withhold 8.33% up to a maximum of 25% of the total annual compensation amount under this Agreement for the affected signal locations each month.
 8. Any and all work performed by the Maintaining Agency must conform to the current Department Standard Specifications for Road and Bridge Construction as applicable. Mast arms that the Department determines to be at the end of their useful life cycle will be replaced by the Department so long as documented preventive maintenance was satisfactorily performed by the Maintaining Agency. In the case of a total paint failure, as determined by the Department, on a mast arm installed prior to April 30, 2015, the Department may repaint or replace with a galvanized mast arm. The aforementioned requirement does not apply to any mast arm that was installed under a separate mast arm paint finish agreement; in such case, the terms of that agreement shall govern.
 9. The Maintaining Agency may remove any component of the installed equipment for repair or testing; however, it shall only make permanent modifications or equipment replacements and only if the equipment provided is capable of performing at minimum the same functions as the equipment being replaced. The Department shall not make any modifications or equipment replacements without prior written notice to and consultation with the Maintaining Agency.
 10. The Maintaining Agency shall implement and maintain the timing and phasing of the traffic signals in accordance with the Department's timing and phasing plans, specifications, special provisions, Department re-timing projects, and the Department's Traffic Engineering Manual. The Maintaining Agency shall obtain prior written approval from the Department for any modification in phasing of signals and flash times (where applicable). Signal Systems timings (cycle length, split, offsets) are considered operational changes and may be changed by the Maintaining Agency to accommodate changing needs of traffic. The Maintaining Agency may make changes in the signal timing provided these changes are made under the direction of a qualified Professional Engineer registered in the State of Florida. The Maintaining Agency shall make available a copy of the timings to the Department upon request. The Department reserves the right to examine equipment, timing and phasing at any time and, after consultation with the Maintaining Agency, may specify modifications. If the Department specifies modification in timing or phasing, implementation of such modifications will be coordinated with, or made by, the Maintaining Agency. All signal timing

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and phasing records shall be retained by the Maintaining Agency for at least three (3) years, and will be made available to the Department upon request.

11. The Maintaining Agency shall note in the maintenance log any changes in timings and phasings, and keep a copy of the timings and phasings, and any approval documentation in a file. A copy of the log shall be provided to the Department upon request. Maintaining Agencies may provide this information electronically.
12. The Maintaining Agency and the Department shall update Exhibit A on an annual basis through an amendment of this Agreement. The Maintaining Agency designates Mike Roach as its authorized representative(s), who is delegated the authority to execute any and all amendments to Exhibit A of this Agreement on behalf of the Maintaining Agency. Exhibit A contains a list of Traffic Signals and Devices that identifies their location and type. No changes or modifications may be made to Exhibit A during the Department's fiscal year for compensation. Traffic Signals and Devices added by the Department during its fiscal year must be maintained and operated by the Maintaining Agency upon the Department's final acceptance of installation of the new Traffic Signals and Devices. The Maintaining Agency and the Department shall amend Exhibit A prior to the start of each new fiscal year of the Department to reflect the addition or removal of Traffic Signals and Devices. The Maintaining Agency will begin receiving compensation for new Traffic Signals and Devices that were added to Exhibit A by amendment of this Agreement in the Department's fiscal year occurring after the Traffic Signals and Devices are installed and final acceptance of such installation is given by the Department. In the event that no change has been made to the previous year's Exhibit A, a certification from the Maintaining Agency shall be provided to the Department certifying that no change has been made to Exhibit A in the Department's previous fiscal year. The annual compensation will be a lump sum payment (***minus any retainage or forfeiture***) as set forth in Exhibit B. Future payments will be based on the information provided in Exhibit A, in accordance with the provisions as set forth in Exhibit B, attached to and incorporated in this Agreement. Some of the Traffic Signals and Devices may not be listed in Exhibit A because the cost of operating and maintaining such devices is relatively small. The Department has factored in these costs and the compensation provided through this Agreement also covers the cost of operation and maintenance for Traffic Signals and Devices that are not listed in Exhibit A.
13. Payment will be made in accordance with Section 215.422, Florida Statutes.
14. There shall be no reimbursement for travel expenses under this Agreement.
15. Bills for fees or other compensation for services or expenses shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof.
16. The Maintaining Agency should be aware of the following time frames. Inspection and approval of goods or services shall take no longer than twenty (20) working days. The Department has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected and approved.
17. If a payment is not available within forty (40) days, a separate interest penalty at a rate as established pursuant to Section 55.03(1), Florida Statutes, will be due and payable, in addition to the invoice amount, to the Maintaining Agency. Interest penalties of less than one (1) dollar will not be enforced unless the Maintaining Agency requests payment. Invoices returned to a Maintaining Agency because of Maintaining Agency preparation errors will result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the Department.
18. A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for contractors or vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 413-5516.
19. Records of costs incurred under the terms of this Agreement shall be maintained and made available upon request to the Department at all times during the period of this Agreement and for five (5) years after final payment is made. Copies of these documents and records shall be furnished to the Department upon request. Records of costs incurred include the Maintaining Agency's general accounting records and the Project records, together with supporting documents and records, of the contractor and all subcontractors performing work on the Project, and all other records of the Contractor and subcontractors considered necessary by the Department for a proper audit of costs.
20. If, after Project completion, any claim is made by the Department resulting from an audit or for work or services performed pursuant to this Agreement, the Department may offset such amount from payments due for work or services done under any agreement which it has with the Maintaining Agency owing such amount if, upon demand, payment of the amount is not made within 60 days to the Department. Offsetting any amount pursuant to this paragraph shall not be considered a breach of contract by the Department.
21. The Maintaining Agency must submit the final invoice on the Project to the Department within 120 days after termination of the Agreement. Invoices submitted after the 120-day time period may not be paid.

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22. In the event this contract is for services in excess of \$25,000.00 and a term for a period of more than one (1) year, the provisions of Section 339.135(6)(a), F.S., are hereby incorporated:

"The Department, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection is null and void, and no money may be paid on such contract. The Department shall require a statement from the Comptroller of the Department that such funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding 1 year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years; and this paragraph shall be incorporated verbatim in all contracts of the Department which are for an amount in excess of \$25,000.00 and which have a term for a period of more than 1 year."

23. The Department's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. If the Department's funding for this Project is in multiple fiscal years, funds approval from the Department's Comptroller must be received each fiscal year prior to costs being incurred. See Exhibit B for funding levels by fiscal year. Project costs utilizing these fiscal year funds are not eligible for reimbursement if incurred prior to funds approval being received. The Department will notify the Maintaining Agency, in writing, when funds are available.
24. In accordance with Section 287.134, Florida Statutes, an entity or affiliate who has been placed on the Discriminatory Vendor List may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.
25. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.
26. An entity or affiliate who has had its Certificate of Qualification suspended, revoked, denied or have further been determined by the Department to be a non-responsible contractor may not submit a bid or perform work for the construction or repair of a public building or public work on a contract with the Maintaining Agency.
27. The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation will be cause for unilateral cancellation of this Agreement.
28. No funds received pursuant to this Agreement may be expended for lobbying the Legislature, the judicial branch or a state agency.
29. The Maintaining Agency shall comply and require its contractors and subcontractors to comply with all terms and conditions of this Agreement and all federal, state, and local laws and regulations applicable to this Project.
30. The Maintaining Agency may be subject to inspections of Traffic Signals and Devices by the Department. Such findings will be shared with the Maintaining Agency and will be the basis of all decisions regarding payment reduction, reworking, Agreement termination, or renewal. If at any time the Maintaining Agency has not performed the maintenance responsibility on the locations specified in the Exhibit A, the Department has the option of (a) notifying the Maintaining Agency of the deficiency with a requirement that it be corrected within a specified time, otherwise the Department shall deduct payment, suspend funds, or terminate funds for any deficient maintenance of Traffic Signals and Devices that has not been corrected at the end of such time, or (b) take whatever action is deemed appropriate by the Department. Any deduction in payment, suspension of funds, or termination of funds does not relieve any obligation of the Maintaining Agency under the terms and conditions of this Agreement.
31. The Department shall monitor the performance of the Maintaining Agency in the fulfillment of its responsibilities under the Agreement. The Maintaining Agency shall submit an annual Report prior to June 30 of each year detailing the following:
- a. Critical Detection device malfunctions: Critical Detection devices include the detectors on side-streets and in left turn lanes on the main streets, and all pedestrian/bicycle detectors. Repairs to the side-street and main street left turn detectors shall be made within ninety (90) days and pedestrian detectors within seventy-two (72) hours of discovery. The Maintaining Agency shall ensure that 90% of all Critical Detection devices system wide are operating at all times. At any time the level drops below 90%, the Maintaining Agency shall notify the Department and correct the situation

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TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

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within a time frame determined in the sole discretion of the Department. Discovery and correction dates for Critical Detection device malfunction shall be logged into the annual report. If the repairs cannot be performed within stipulated times, the agency shall document the reason(s) why in the annual report. When the 90% Critical Detection device requirement is (are) not met, a 10% retainage of the total annual compensation amount (as shown in Exhibit B) for the affected Critical Detection device location(s) each month will be withheld after the 90-day period.

- b. Traffic signal preventive maintenance inspections: Traffic signals shall receive a comprehensive preventive maintenance inspection on at least 50% of all traffic signals annually, alternating the remaining 50% the following year. Preventive maintenance inspection shall include verification that all detection is working, the traffic signal is cycling properly, the ventilation system is functioning and filters are clean. Basic traffic cabinet maintenance shall also verify power feed voltages, verify that the vehicle and pedestrian indications are functioning properly, test the effective functioning of pedestrian push buttons, and check hinges and door locks. At least one (1) conflict monitor test shall be performed on 50% of traffic signals annually, alternating the remaining 50% the following year. Each test is to be documented and included in the annual report to the Department. The inspection report shall note the location, date of inspection, and any items noted. If 50% of the traffic signals do not receive at least one (1) comprehensive preventive maintenance inspection during a twelve (12) month period, there shall be a 20% retainage of the annual compensation amount for the affected traffic signal locations until the preventive maintenance inspection is made. If not performed within the state's fiscal year, the 20% retainage of the annual compensation amount for the affected traffic signal locations will be forfeited.
- c. For any traffic signals that are interconnected with telecommunications and their real-time operation is electronically monitored via software by personnel at a central location and are therefore receiving the higher compensation amount as described in Exhibit B, the name(s) and title(s) of those monitoring those intersections, and the location of the central monitoring facility(ies), are to be documented and contained in the annual report submitted to the Department.

- 32. The Maintaining Agency may enter into agreements with other parties pertaining to Traffic Signals and Devices including, but not limited to, agreements relating to costs and expenses incurred in connection with the operation of Traffic Signals and Devices on the State Highway System, provided that such Agreements are consistent with the mutual covenants contained in this Agreement. The Maintaining Agency shall furnish a copy of such agreements to the Department.
- 33. This Agreement may not be assigned or transferred by the Maintaining Agency in whole or in part without prior written consent of the Department.
- 34. The Maintaining Agency shall allow public access to all documents, papers, letters, or other material subject to provisions of Chapter 119, Florida Statutes, and made or received by the Maintaining Agency in conjunction with this Agreement. Failure by the Maintaining Agency to grant such public access will be grounds for immediate unilateral cancellation of this Agreement.
- 35. At no additional cost to the Department, the Maintaining Agency shall provide the Department access to all traffic signal data available from the firmware of the traffic signal controllers and other devices covered under this Agreement. The Maintaining Agency shall include the Department as a party to all traffic signal firmware/software related agreements that the Maintaining Agency enters into with other parties.
- 36. This Agreement is governed by and construed in accordance with the laws of the State of Florida. The invalidity or unenforceability of any portion of this Agreement does not affect the remaining provisions and portions hereof. Any failure to enforce or election on the part of the Department to not enforce any provision of this Agreement does not constitute a waiver of any rights of the Department to enforce its remedies hereunder or at law or in equity.
- 37. In no event shall the making by the Department of any payment to the Maintaining Agency constitute or be construed as a waiver by the Department of any breach of covenant or any default which may then exist on the part of the Maintaining Agency and the making of such payment by the Department, while any such breach or default shall exist, shall in no way impair or prejudice any right or remedy available to the Department with respect to such breach or default.
- 38. The term of this Agreement is twenty (20) years from the date of execution of the Agreement; provided that either party may cancel this Agreement prior to the expiration of the term of this Agreement. A minimum notice period of two (2) years plus the remaining months of the Department's fiscal year shall be provided to the other party in writing. Should the Maintaining Agency provide its written notice of cancellation to the Department, the notice shall be endorsed by the elected body (County Commission, City Council, or local agency governing body) under which the Agency operates.
- 39. Any Project funds made available by the Department which are determined by the Department to have been expended in violation of this Agreement or any other applicable law or regulation shall be promptly refunded in full to the Department. Acceptance by the Department of any documentation or certifications, mandatory or otherwise permitted, that the Maintaining Agency files shall not constitute a waiver of the Department's rights and Department has the right to verify all information at a

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later date by audit or investigation. Within thirty (30) days of the termination of this Agreement, the Maintaining Agency shall refund to the Department any balance of unobligated funds which were advanced or paid to the Maintaining Agency. In the event the Maintaining Agency fails to perform or honor the requirements and provisions this Agreement, the Maintaining Agency shall return funds in accordance with this paragraph within thirty (30) days of termination of the Agreement.

40. Upon execution, this Agreement cancels and supersedes any and all prior Traffic Signal Maintenance Agreement(s) between the parties, except any specific separate Agreements covering painted mast arm maintenance or any other aspect related to the painting of mast arms.
41. The Department reserves the right to remove select critical corridors or critical intersections from the Maintaining Agency's obligation under this Agreement. The remaining intersections and corridors would continue to be covered under this Agreement. The Department will provide a minimum of one year notice prior to take-over of maintenance of critical corridors or critical intersections.
42. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute the same Agreement. A facsimile or electronic transmission of this Agreement with a signature on behalf of a party will be legal and binding on such party.
43. The Department agrees that the Maintaining Agency must comply with State law regarding appropriations and budgets. This Agreement shall not be interpreted to conflict with State law applicable to the Maintaining Agency.
44. The Maintaining Agency shall:
 - a. utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the Maintaining Agency during the term of the Agreement; and
 - b. expressly require any contractors and subcontractors performing work or providing services pursuant to the Agreement to likewise utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the Agreement term.
45. Unless authorized by law and agreed to in writing by the Department, the Department will not be liable to pay attorney fees, interest, or cost of collection.
46. The Parties agree to comply with s.20.055(5), Florida Statutes, and to incorporate in all subcontracts the obligation to comply with s.20.055(5), Florida Statutes.
47. Exhibits A, B, and C are attached and incorporated into this Agreement.
48. This Agreement contains all the terms and conditions agreed upon by the parties.

IN WITNESS WHEREOF, the parties have caused these presents to be executed, the day and year first above written.

Town of Palm Beach, Florida
(Maintaining Agency)

**STATE OF FLORIDA
DEPARTMENT OF TRANSPORTATION**

By: _____
(Authorized Signature)

By: _____
(Authorized Signature)

Print/Type Name: _____

Print/Type Name: _____

Title: _____

Title: _____

Legal Review: _____

Attorney: _____ Date: _____

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT
Reimbursement for Maintenance and Operation

Exhibit A									
Compensation for Maintaining Traffic Signals and Devices for FY									
Effective Date: from	to	Traffic Signals (TS)	Traffic Signal - Interconnected & Monitored (IMTS)	Intersection Control Beacon (ICB)	Pedestrian Flashing Beacon (PFB)	Emergency Fire Dept. Signal (FDS)	Speed Activated Warning Display (SAWD) or Blank Out Sign (BOS)	Traffic Warning Beacon (TWB)	Travel Time Detector
Intersection Location								Uninterruptible Power Supplies (UPS)	Compensation Amount (using Unit Rates from Exhibit B)
Royal Poinciana Way & County Road			1						\$ 4,500
Breakers/Pine Walk & County Road			2						\$ 9,000
Barton Avenue and County Road			1						\$ 4,500
Royal Palm Way & County Road			1						\$ 4,500
Central Fire Station & County Road						1			\$ 1,096
Worth/Peruvian Avenue & County Road			2						\$ 9,000
Hammon Avenue & County Road			1						\$ 4,500
Via Vizcaya & County Road								1	\$ 313
South Fire Station & South Ocean Boulevard						1		4	\$ 1,096
Par 3 Golf Course & South Ocean Boulevard									\$ 1,252
Royal Palm Way & Cocoanut Row			1						\$ 4,500
Royal Poinciana Way & Cocoanut Row			1						\$ 4,500
School Flashers					2				\$ 1,252
Total Lump Sum Amount*									\$ 50,009

*Amount paid shall be the Total Lump Sum (**minus any retainage or forfeiture**).
I certify that the above Traffic Signals and Devices will be maintained and operated in accordance with the requirements of the Traffic Signal Maintenance and Compensation Agreement. For satisfactory completion of all services detailed in this Agreement for this time period, the Department will pay the Maintaining Agency a Total Lump Sum (minus any retainage or forfeiture) of \$ 50,009.

Maintaining Agency _____ Date _____	District Traffic Operations Engineer _____ Date _____
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EXHIBIT B
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

1.0 PURPOSE

This exhibit defines the method and limits of compensation to be made to the Maintaining Agency for the services described in this Agreement and in Exhibit A and method by which payments will be made.

2.0 COMPENSATION FOR MAINTENANCE AND OPERATION

For the satisfactory completion of all services related to maintenance and operation detailed in this Agreement and Exhibit A of this Agreement, the Department will pay the Maintaining Agency the Total Lump Sum (**minus any retainage or forfeiture**) in Exhibit A. The Maintaining Agency will receive one lump sum payment (**minus any retainage or forfeiture**) at the end of each fiscal year for satisfactory completion of service.

Beginning in the fiscal year 2016-17, for traffic signals that are not interconnected with telecommunications and are not monitored at a central location, the compensation amount shall be \$3,131. The compensation amount for traffic signals that are interconnected with telecommunications and are monitored at a central location shall be \$4,500 per signal location. These differential compensation amounts shall be in effect beginning July 1, 2016. The Table below shows the compensation amount for the various devices for fiscal years 2015-16 and 2016-17, and beyond.

Total Lump Sum (**minus any retainage or forfeiture**) Amount for each fiscal year is calculated by adding all of the individual intersection amounts.

Pedestrian Flashing Beacon: includes school zone beacons, pedestrian crossing beacons, and rectangular rapid flashing beacons (RRFB). School zones, crosswalks and warning sign locations shall be paid at a unit rate regardless of the number of individual beacons or poles.

Unit Compensation Rates per Intersection on the State Highway System

FY	Traffic Signals (TS)	Traffic Signal - Interconnected & monitored (IMTS)	Intersection Control Beacon (ICB)	Pedestrian Flashing Beacon (PFB)	Emergency Fire Dept. Signal (FDS)	Speed Activated Warning Display (SAWD) or Blank Out Sign (BOS)	Traffic Warning Beacon (TWB)	Travel Time Detector	Uninterruptible Power Supplies (UPS)
2014-15*	\$ 2,951		\$738	\$295	\$738	\$148	\$148		
2015-16	3,040		760	608	1,064	304	304		
2016-17	3,131	4,500	783	626	1,096	313	313	100	100
2017-18	Based on the Consumer Price Index (CPI), the 2016-17 compensation amounts will be revised upwards.								
2018-19	Based on the CPI, the 2017-18 compensation amounts will be revised upwards.								
2019-20	Based on the CPI, the 2018-19 compensation amounts will be revised upwards.								

*Compensation pro-rata based on intersection approaches or legs on State Highway System.

Based on the Consumer Price Index (CPI), the Unit Rate for the following fiscal year will be adjusted accordingly, unless otherwise specified in an amendment to this Agreement. However, if CPI is negative, there shall be no reduction from the previous year's compensation.

3.0 COMPENSATION FOR REPAIR AND/OR REPLACEMENT OF DAMAGED TRAFFIC SIGNALS AND DEVICES

For the satisfactory completion of all services related to repair and/or replacement of damaged Traffic Signals and Devices detailed in this Agreement, the Department will pay the Maintaining Agency a Lump Sum amount of the

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

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actual costs incurred for the replacement and/or repair of the damaged Traffic Signals and Devices as set forth in the invoice submitted to the Department. The invoice for the costs incurred for the replacement and/or repair of damaged Traffic Signals and Devices shall contain the information required in Exhibit C and any other additional information requested by the Department to justify the costs incurred. The reimbursement amount is subject to approval by the Department.

4.0 PAYMENT PROCESSING

For regular maintenance costs, the Maintaining Agency shall invoice the Department in a format acceptable to the Department, on an annual basis for the reimbursement costs incurred by the Maintaining Agency for the previous year prior to June 30th of each year. For example, the Maintaining Agency shall submit its invoice for the previous year beginning July 1, 2015 through June 30, 2016 no later than June 30, 2016.

For costs incurred for repair and/or replacement of damaged Traffic Signals and Devices, applicable reimbursements will be processed after the Department receives a properly completed and supported invoice from the Maintaining Agency. The Maintaining Agency shall submit invoices for repair and/or replacement costs due to damaged Traffic Signals and Devices at least on an annual basis but the Maintaining Agency may also submit such invoices to the Department on a quarterly basis.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

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EXHIBIT C
Reimbursement for Replacement and/or Repair of
Damaged Traffic Signals and Devices

The Department will reimburse the Maintaining Agency a Lump Sum amount for costs incurred for the replacement and/or repair of Traffic Signals and Devices damaged as a result of third parties or as a result of other causes that were not caused by the Maintaining Agency.

The Maintaining Agency is not required to provide a police report in situations where damage is caused to Traffic Signals and Devices by a Force Majeure Event or as a result of other causes beyond the control of the Maintaining Agency that do not necessarily prevent performance, which includes but is not limited to: storms, winds, lightning, flooding and other natural and weather related causes. The Maintaining Agency must provide a police report in all situations where a traffic accident, theft, or vandalism causes damage to Traffic Signals and Devices to the extent the Maintaining Agency has the ability and opportunity to obtain a police report.

Applicable reimbursements will be processed after the Department receives a properly completed and supported invoice from the Maintaining Agency. The following information shall be provided by the Maintaining Agency to be eligible for the reimbursement payment:

Date and Time of Accident/Incident: _____	
Location of Accident/Incident: _____	
Provide Police Report (if applicable) and the Following Information:	
1. Attach pictures of damaged traffic signals and devices. 2. Attach invoices or receipt of equipment purchased to replace damaged components. 3. Attach detailed documentation of labor costs associated with replacing and/or repairing damaged components, including dates of performance and completion of the work.	
Contract No.: _____	
Project No.: _____	
Total Lump Sum Reimbursement Amount	\$ _____

The Maintaining Agency hereby certifies that it has replaced and repaired all the Traffic Signals and Devices at the location or signalized intersection referenced above. Henceforth, this document is the Maintaining Agency's request for reimbursement to the Department for the services of restoring the Traffic Signals and Devices to their original operating condition.

The Parties agree to the Total Lump Sum Reimbursement Amount set forth above.

Maintaining Agency Date

District Traffic Operations Engineer Date

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 018-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Authorizing the Mayor to Sign the Memorandum of Understanding between Palm Beach County, the City of Riviera Beach, the Town of Palm Beach Shores, and the Town of Palm Beach for the Recreational and Educational Use of the Leased Area of Peanut Island.

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 27, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Resolution No. 018-2022**
- ▣ **Exhibit A**
- ▣ **Peanut Island Lease Agreement Between the Port of Palm Beach and Palm Beach County**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Memorandum of Understanding Regarding the Recreational and Educational Use of the
Palm Beach County Leased Area of Peanut Island
Resolution No. 018-2022

Date: January 27, 2022

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 018-2022, authorizing the Mayor to sign the Memorandum of Understanding (MOU) between Palm Beach County, the City of Riviera Beach, the Town of Palm Beach Shores, and the Town of Palm Beach for the recreational and educational use of the leased area of Peanut Island.

GENERAL INFORMATION

The Port of Palm Beach is the owner in fee simple of approximately 42 acres of land located on Peanut Island. In 1994 the Port leased to Palm Beach County approximately 36 acres of land on the Island for the development of a County park. The park was completed in 1999 and includes a campground, boat docks, restrooms, picnic facilities, a snorkeling area, showers, walkways, and native vegetation.

After initial conversations between the Port and the City of Riviera Beach regarding a lease agreement with the City to take over operations and maintenance of facilities on 6.4 acres, the County has entered into a lease agreement for the same. See attached. This conclusion was strongly advocated by the Town to ensure the passive nature of Peanut Island was maintained and protected from commercial activities. Former Mayor, Gail Coniglio, worked closely with staff to encourage a lease with the County instead of the City of Riviera Beach, and Mayor Danielle Moore, completed the advocacy upon taking office. To ensure continued awareness and involvement in County organized activities on Peanut Island the attached MOU was developed to promote cooperation and communication between the County, Town, City of Riviera Beach, and the Town of Palm Beach Shores.

Some of the key highlights of the MOU include the following: (1) the County agrees not to change the current land use and zoning on Peanut Island that would permit commercial activities, notwithstanding those retail services commonly associated with a museum or educational facility

will be permitted. (2) The County will manage, maintain, and operate the historic facilities on Peanut Island in the same manner as the rest of Peanut Island without impairing or restricting maritime uses by the Port.

TOWN ATTORNEY REVIEW

The resolution is in a form that has previously been reviewed and approved by the Town Attorney for legal form and sufficiency. The attached Memorandum of Understanding has been reviewed and approved by the Town Attorney for legal form and sufficiency

Attachments

cc: Carolyn Stone, Assistant Town Manager
Department Directors
John Randolph, Town Attorney

RESOLUTION NO. 018-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA AUTHORIZING THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING BETWEEN PALM BEACH COUNTY, THE CITY OF RIVIERA BEACH, THE TOWN OF PALM BEACH SHORES, AND THE TOWN OF PALM BEACH FOR THE RECREATIONAL AND EDUCATIONAL USE OF THE LEASED AREA OF PEANUT ISLAND.

WHEREAS, the Port of Palm Beach is the owner in fee simple of approximately 42 acres of land located on Peanut Island, 6500 Peanut Island Road, Riviera Beach, Florida, 33404-6900; and

WHEREAS, the Port of Palm Beach and Palm Beach County have agreed to a long-term lease agreement for the renovation, operation and management of the Historic Facilities on Peanut Island by the Parks and Recreation Department; and

WHEREAS, the County desires to renovate, manage and operate the Historic Facilities on Peanut Island exclusively for public park, historic and educational purposes; and

WHEREAS, the County desires to enter into this MOU with the Town of Palm Beach, the Town of Palm Beach Shores, and the City of Riviera Beach regarding programmatic, educational and ecotourism opportunities that reflect the diversity of the communities; and

WHEREAS, the County intends to renovate, manage and operate the approximate 6.4 acres of historic facilities on Peanut Island in addition to the existing 22 acres leased from the Port as a County park open to the general public for recreational, historical and educational purposes. The County agrees not to change the current land use and zoning on Peanut Island that would permit commercial activities, notwithstanding those retail services commonly associated with a museum or educational facility will be permitted; and

WHEREAS, the County will manage, maintain, and operate the historic facilities on Peanut Island as outlined in the attached Memorandum of Understanding (Exhibit A).

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Palm Beach, Palm Beach County, Florida hereby grants authority to Mayor Danielle H. Moore to sign Exhibit A.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

**Memorandum of Understanding (MOU)
Between Palm Beach County, the City of Riviera Beach,
The Town of Palm Beach and the Town of Palm Beach Shores for
The Recreational and Educational Use of the leased area of Peanut Island**

WHEREAS, the Port is the owner in fee simple of approximately 42 acres of land located on Peanut Island, 6500 Peanut Island Road, Riviera Beach, Florida, 33404-6900; and

WHEREAS, the Port of Palm Beach (Port) and Palm Beach County (County) have agreed to a long-term lease agreement for the renovation, operation and management of the Historic Facilities on Peanut Island by the Parks and Recreation Department (include the Resolution number of the lease agreement here); and

WHEREAS, the County desires to renovate, manage and operate the Historic Facilities on Peanut Island exclusively for public park, historic and educational purposes; and

WHEREAS, the County desires to enter into this MOU with the Town of Palm Beach (Town of PB), the Town of Palm Beach Shores (Town of PBS) and the City of Riviera Beach (City) regarding programmatic, educational and ecotourism opportunities that reflect the diversity of the communities; and

NOW THEREFORE, in consideration of the benefits to the public, and the covenants of the Parties set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each of the Parties to this MOU hereto agrees as follows:

The County intends to renovate, manage and operate the approximate 6.4 acres of historic facilities on Peanut Island in addition to the existing 22 acres leased from the Port as a County park open to the general public for recreational, historical and educational purposes. The County agrees not to change the current land use and zoning on Peanut Island that would permit commercial activities, notwithstanding those retail services commonly associated with a museum or educational facility will be permitted.

The County envisions operating the historic structures as a low impact historical museum serving the general public, students, tourists and others a minimum of four days per week to include a Saturday and/or Sunday.

The County will:

(a) Manage, maintain, and operate the historic facilities on Peanut Island in the same manner as the rest of Peanut Island without impairing or restricting maritime uses by the Port.

(b) Provide the Port with an Operational Management Plan (OMP) which will include general and specific goals, management and operation of the site and projected improvements to the historic facilities. The OMP will include strategies designed to effectuate activities that will create an educational, recreational and entertaining environment that equitably supports inclusion and diversity.

(c) Continue partnerships with municipal Parks and Recreation Departments and non-profit organizations that attract and encourage youth, students, seniors and other groups to visit Peanut Island for picnicking, environmental exploration, snorkeling, history/education/environmental tours and special functions.

(d) Partner with donors and explore grant opportunities to renovate and restore historical facilities and to conduct activities and functions.

(e) Encourage private local residents to visit and participate in Peanut Island activities and services by creating fair opportunities that may include:

- (1) free and reduced admission fees for daily activities and special events being held on Peanut Island through creative partnerships to offset the direct operational cost whenever feasible.
- (2) free and reduced transportation fees to attain physical access to the Island through creative partnerships to offset the private transportation cost whenever feasible.

(f) Work closely with all Parties to this MOU to seek input on program offerings, and will install an information kiosk displaying the logos of the Town of PB, the Town of PBS and the City.

(g) Work collaboratively with the municipalities for cross-promotion of facilities as both a local resource for quality of life and a tourism destination for economic vitality.

(h) Conduct outreach and endeavor, as regulations permit, to recruit employees and volunteers from the surrounding community, particularly for youth education programs where teen and young adults would gain work experience and achieve community service volunteer hours.

(i) Ensure that all signage, and marketing collateral reflects the partner municipalities in the agencies that are contiguous to Peanut Island.

(j) Provide for opportunities for partnering agencies such as the local municipalities and the Port to utilize the site for bona fide municipal purposes i.e. Staff outings, training, recreational activities etc.

(k) Provide annual updates on the (OMP) upon request.

(l) Create programs that promote inclusivity and allows for underserved and underrepresented communities to gain access to the amenities and services provided on the island.

The Town of PB, the Town of PBS and the City will coordinate with the County if they wish to sponsor a group for a guided tour or to include the historic facilities as part of a community-wide celebration, program, or hosted conference activity. The County will work cooperatively with each Party in this effort.

The County retains the option to operate the museum facilities directly or contractually with revenue generated through tour admission fees, program registration, museum store, food/beverage sales and donations.

Both the County and the Town of PB, the Town of PBS and the City agree to contribute to and /or work collaboratively to pursue grant funding and other fund raising opportunities for the restoration and operation of the historic facilities.

Pursuant to Palm Beach County Resolution R2017-1770, as may be amended, the parties agree that no person shall, on the grounds of race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity or expression, or genetic information, be excluded from the benefits of or be subjected to any form of discrimination under any activity conducted pursuant to this MOU.

If any term or provision of this MOU, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, the remainder of this MOU, 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 MOU shall be deemed valid and enforceable to the extent permitted by law.

This MOU shall be effective once executed by all Parties to this MOU and shall remain in effect until the Lease between the County and the Port terminates. This MOU shall automatically terminate as of the effective termination date of the Lease and may also terminate if there is a change or modification to the Lease Agreement which would change or modify the terms of this MOU or if there is a change or modification to the Historic Facilities at Peanut Island that would contradict the intent of this MOU.

Execution of this Memorandum of Understanding signifies your understanding and concurrence with same.

IN WITNESS WHEREOF, County, Town of PB, Town of PBS and the City have executed this MOU, or have caused the same to be executed as of the day and year first above written.

Attest:

Joseph Abruzzo, Clerk of the Circuit Court
and Comptroller Palm Beach County

Palm Beach County, Florida, By
Its Board of County Commissioners

By: _____
Deputy Clerk

By: _____
Commissioner Robert S, Weinroth, Mayor

Approved as to Form and Legal Sufficiency

Approved as to Terms & Conditions

By: _____

Anne Helfant, Assistant County Attorney

By: _____

Eric Call, Director
Parks & Recreation Department

CITY

**CITY OF RIVIERA BEACH, a political
subdivision of the State of Florida**

By: _____

Clerk

By: _____

Ronnie L. Felder, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____

TOWN

**TOWN OF PALM BEACH, a political
subdivision of the State of Florida**

By: _____
Clerk

By: _____
Danielle H. Moore, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____

TOWN

**TOWN OF PALM BEACH SHORES, a political
subdivision of the State of Florida**

By: _____
Clerk

By: _____
Carol M. McCormack, Mayor

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

By: _____

LEASE AGREEMENT

R2022 0034

JAN 0 4 2022

Between

THE PORT OF PALM BEACH

A SPECIAL INDEPENDENT DISTRICT OF THE STATE OF FLORIDA

(Port)

and

PALM BEACH COUNTY

A POLITICAL SUBDIVISION OF THE

STATE OF FLORIDA

(County)

G:\PREM\PM\Out Lease\Peanut Island\Port of P.B.-Coast Guard area\DRAFT\Port Lease PI County comments 12-3.docx

**LEASE AGREEMENT BETWEEN THE PORT OF PALM BEACH DISTRICT AND
PALM BEACH COUNTY FOR THE MANAGEMENT AND OPERATION OF THE 42
ACRES ON PEANUT ISLAND INCLUSIVE OF THE PARK AND FORMER COAST
GUARD STATION FACILITIES**

THIS LEASE AGREEMENT is made and entered into JAN 04 2022 by and between THE PORT OF PALM BEACH DISTRICT, a special independent taxing district and political subdivision of the state of Florida organized and existing under the laws of the State of Florida, hereinafter referred to as the "Port" and PALM BEACH COUNTY, a political subdivision of the State of Florida, hereinafter referred to as the "County."

WHEREAS, the Port is the owner in fee simple of approximately 42 acres of land located on Peanut Island, 6500 Peanut Island Road, Riviera Beach, Florida, 33404-6900; and

WHEREAS, in 1994 the Port Leased the County land on Peanut Island for the purpose of establishing and operating a County Park; and

WHEREAS, in 1999 the County completed development of the 36 acre park ("Park") that includes a campground, boat docks, restrooms, picnic facilities, snorkeling area, showers, paver walkway and installation of native vegetation; and

WHEREAS, the Port owns an additional approximate 6.4 acres of land on Peanut Island which contains historic structures including the Kennedy Bunker, Coast Guard station, boat house and Coast Guard docks (the approximate 6.4 acres of land, together with the facilities are hereinafter referred to as "Historic Facilities"), as described in the survey attached as Exhibit "A"; and

WHEREAS, the County desires to renovate, manage and operate the Historic Facilities exclusively for public park, historic and educational purposes; and

WHEREAS, the Port and County desire to enter into a long term Lease Agreement ("Lease") for the Park and Historic Facilities for the use and benefit of all residents and visitors to Palm Beach County; and

WHEREAS, Section 163.01, Florida Statutes, permits public agencies to enter into Lease Agreements with each other to jointly exercise any power, privilege, or authority that such agencies share in common and that each might exercise separately; and

WHEREAS, both parties desire to increase the recreational, historical and cultural opportunities for residents and visitors to Palm Beach County and to enter into this Lease Agreement.

NOW THEREFORE, in consideration of the mutual covenants, promises, and representations contained herein, the parties hereto agree as follows:

ARTICLE I GENERAL LEASE PROVISIONS

Section 1.01 Lease Premises.

In consideration of the rents, covenants, and agreements hereafter reserved and contained herein on the part of the County to be observed and performed, the Port demises and leases to the County the Park described in Exhibit "B", attached hereto and made part hereof and the Historic Facilities described in Exhibit "C", attached hereto and made part of, LESS and excluding that certain area which shall be retained by and used by Port as a dredged material disposal area "DMDA" as depicted on Exhibit "B-1" attached hereto and made a part hereof, (collectively the property described in Exhibit "B" and Exhibit "C" less the property described in Exhibit "B-1" will hereinafter be referred to as the "Lease Premises").

Section 1.02 Termination of Prior Park Lease.

County currently leases 36 acres from the Port for use as a public park under County Lease Agreement R94-43D. ("Lease R94-43D"). Lease R94-43D provides for an initial term of thirty (30) years from the Effective Date of January 4, 1994 with one automatic renewal for twenty-five (25) years. The initial lease term would have terminated on January 3, 2024. Instead, this Lease, when effective, terminates and replaces Lease R94-43D.

Section 1.03 Termination of Prior MOIA.

On March 12, 2019, the County entered into a Memorandum of Interlocal Agreement (MOIA) R-2019-0339 with the Port. The MOIA provides for general oversight and maintenance of the Historic Facility grounds. This Lease when effective terminates and replaces the MOIA.

Section 1.04 Term.

This Lease shall commence on the date of full execution of this Lease (the "Effective Date"), and shall extend for a period of thirty (30) years ("Initial Term") thereafter, unless sooner terminated pursuant to the provisions of this Lease.

Section 1.05 Option to Renew.

Provided the County is not in default of any term, covenant, condition, or payment of Rent under this Lease, after receipt of notice of default and the passage of the cure period provided herein or if no cure period is provided herein, the passage of a reasonable cure period based upon the nature of the default, the Lease will automatically renew for one (1) twenty five (25) year term under the same terms and conditions as this Lease and commencing upon the expiration of the initial Term.

Section 1.06 Naming Rights of Tenant.

Port hereby grants the County the right to name museum exhibits, renovation projects and other notable capital improvements and components thereof, and displays in recognition of County's major donors, subject to approval by the Port Commission. Approval shall not be unreasonably withheld, conditioned or delayed. County shall submit proposed names to Port for Port's written approval prior to County making the name known to the public. Port shall provide

written response within forty five (45) days after receipt of request by County, failing which Port shall be deemed to have consented to the proposed name. Upon expiration or termination of this Lease, or County's surrender of the Lease Premises, naming rights to the building and all improvements shall revert to Port. The County agrees that names which negatively impact the Port or promote anything offensive to the general public or which will be perceived by the Port to be offensive to the public, will negatively impact the capital generated by the fundraising effort and, thus, will not be permitted.

ARTICLE II RENT

Section 2.01 Annual Rent.

The County shall pay the Port an annual net rent of Ten Dollars and no/100 (\$10.00) (the "Annual Rent"). This Lease is intended to be a "gross" lease and County's obligations with respect to payment of rent, taxes and assessments hereunder shall be limited to those specifically set forth herein.

Section 2.02 Payment

The annual rent payable hereunder shall be due on the Effective Date and each subsequent anniversary thereof. Annual Rent shall be made payable to the Port of Palm Beach and shall be delivered to the Port Finance Department, One East 11th Street, Riviera Beach, Florida 33404. County is a tax-exempt entity. No sales or use tax shall be included or charged with Annual Rent.

Section 2.03 Additional Rent.

Any and all sums of money or charges required to be paid by the County for this Lease other than Annual Rent shall be considered "Additional Rent", whether or not the same is specifically so designated, and the Port shall have the same rights to enforce due and timely payment by the County of all Additional Rent as are available to the Port with regards to Annual Rent.

Section 2.04 Accord and Satisfaction.

In the event the County pays any amount that is less than the amount stipulated to be paid under this Lease, such payment shall be considered to be made only on account of the stipulated amount. No endorsement or statement on any check or letter shall be deemed an accord and satisfaction. The Port may accept any check or payment without prejudice to the Port's right to recover the balance due or to pursue any other remedy available to the Port pursuant to this Lease or under the law.

ARTICLE III CONDITION OF LEASE PREMISES, MAINTENANCE, REPAIR AND OPERATION

Section 3.01 Acceptance of the Lease Premises by the County.

The County conducted due diligence pertaining to the Historic Facilities prior to entering into this Lease. The County understands and agrees that the Port provides the Lease Premises, including Historic Facilities, in an "as is" condition. All renovation/restoration work to be performed pursuant to Section 4.01 and outstanding code violations, shall be the responsibility of the County.

County shall also be solely responsible for any and all new monitoring and other requirements imposed by any regulatory agency relating to any existing conditions or modifications, construction, improvements or other activities that the County pursues on the Lease Premises.

The County has inspected the Lease Premises and accepts same in its existing condition together with any defects, latent or patent, if any, and subject to all easements, encumbrances, restrictions, and matters of record. The County further acknowledges that the Port has made no representations or warranties of any nature whatsoever regarding the physical condition of the Historic Facilities.

Section 3.02 Alterations.

County agrees that the historic integrity and value of the Historic Facilities will not be diminished and no alterations to these facilities ("Historic Alterations") will be made without prior written Port consent. This Section shall not apply to like for like repairs, routine maintenance, code enforcement corrections and other work required to be performed by law or any Renovation/Restoration work completed pursuant to Section 4.01. The County shall submit detailed plans and specifications for all such Historic Alterations to the Port for the Port's written approval prior to commencing work on same. Port shall provide written response within sixty (60) days after receipt of request by County, failing which Port shall be deemed to have consented to such plans and specifications. The County agrees and acknowledges that all work performed to the Historic Facilities, whether pursuant to this Section or otherwise, shall be performed and accomplished solely for the benefit of the County, and not for the benefit of the Port, such work being nevertheless subject to each and every provision of this Lease. All work done by the County shall be done in a good and workmanlike manner and shall be diligently pursued to completion in accordance with the approved permits, authorizations, plans and specifications therefor.

Section 3.03 Responsibility of the County and Port.

The Port shall not be obligated or required to make or conduct any maintenance or repairs whatsoever to the Lease Premises. However, Port shall be responsible for maintaining all boundary fences and gates necessary for the Port to access to the DMDA. The County shall not make improvements, conduct or authorize any activities which limit or interfere with Port's access to or use of the DMDA.

The County shall keep and maintain all portions of the Lease Premises, and all alterations or improvements currently existing or constructed hereinafter on or about the Lease Premises, in good condition and repair, and in compliance with all permits or other governmental authorizations at the County's sole cost and expense, except for the DMDA which shall remain the responsibility of the Port.

Section 3.04 Port's Right to Inspect.

The Port or Port's agents shall have the right, upon 24 hours prior notice to the County (except that no notice need be given in case of emergency) to enter the Lease Premises for the purpose of inspection of the Lease Premises and the improvements located thereon. Any such entrance into the Lease Premises shall be conducted by the Port in a manner calculated to minimize interference with or disruption of the County's operations within the Lease Premises.

Section 3.05 Port's Security and Communication Equipment.

The Port shall have the right to install, operate and maintain, at its sole cost and expense, security and communication equipment on the Lease Premises, the location of which will be agreed upon by staff of the County's Department of Parks and Recreation ("Parks") and the Port.

ARTICLE IV HISTORIC FACILITY

Section 4.01 Renovation/Restoration of the Historic Facilities

On the Effective Date, the County shall take over maintenance, management and operational responsibilities of the Historic Facilities. The County shall be responsible to renovate/restore the Historic Facility's structures including, but not limited to the Coast Guard station house, boathouse, Kennedy bunker, and docks lying South of the boathouse, to good condition. Alterations, beyond renovation and restoration, shall be subject to the provisions of Section 3.02. All construction and improvements shall be made and performed in a good and workmanlike manner and in full compliance with applicable federal, state, and local requirements, building codes, zoning regulations, and the provisions of this Lease.

Section 4.02 Dock Reconfiguration

The Port and County agree that the current configuration of the docks impairs navigational access and extends into the turning basin for vessels utilizing the Port County and Port agree to work together to reconfigure the docks so the docks do not impair the turning basin. The County agrees to reconfigure, the docks within their existing footprint and to restrict use of the docks to law enforcement and first responders, County staff and commercial vessels only. The reconfiguration shall not impair or restrict vessel access to the Port or the turning basin, as determined by the Port. Within twenty-four (24) months, the County shall submit detailed plans and specifications for all dock reconfiguration to the Port Director for the Port Director's written approval prior to commencing work on same. The Port Director shall provide a written response within sixty (60) days after receipt of request by County, failing which Port shall be deemed to have consented to such plans and specifications. All work done by the County shall be done in a good and workman like manner and shall be diligently pursued to completion in accordance with the approved permits, plans and specifications therefor.

Section 4.03 Sponsorships, Gifts, Endowments and Grant Funding.

The County shall be responsible for raising the capital funding necessary to renovate/restore the Historic Facility's structures, through sponsorships, gifts, endowments and grant funding. The Port gives the County permission to apply for grant funding and shall agree to be co-applicant when required, without liability or contribution on behalf of the Port.

Section 4.04 Expenses and "As Builts."

The County shall be responsible for all expenses associated with renovation/restoration of the Historic Facilities and dock reconfiguration/ including, without limitation those relating to architecture and engineering, site work, utilities, drainage, securing requisite permits and approvals,

and physical renovation/restoration of the Historic Facility. The County shall provide the Port with complete "As Built" plans for all infrastructure, building, stormwater management systems, and lighting systems for the Historic Facilities, together with any alterations upon complete restoration of the Historic Facilities

Section 4.05 Staging Area

During the restoration/renovation of the Historic Facilities, the Port agrees to provide to County subject to availability, and at no additional cost, temporary space within the Port property for staging of equipment and construction material, The use of this temporary space is subject to the insurance and indemnity provisions in Articles VII and VIII.

Section 4.06 Construction Payments.

The County shall ensure, at its expense, that all alterations are constructed to completion in accordance with the approved plans, permits and authorizations therefor and that all persons or entities performing work or providing materials relating to such improvements including, without limitation, all contractors, subcontractors, sub-subcontractors, laborers, materialmen, suppliers and professionals, are paid in full for such services and materials.

Section 4.07 Contractor Bond Requirements.

For Alterations costing in excess of \$200,000, the County shall require contractors to furnish for the benefit of the Port a payment and performance bond to the County equal to the cost of the improvements and in the form required under Section 255.05, Florida Statutes. The County shall also require contractors to furnish satisfactory evidence of statutory Worker's Compensation insurance, comprehensive general liability insurance, comprehensive automobile insurance, and physical damage insurance on a Builder's Risk form, in such amounts and in such manner as the County may reasonably require.

Section 4.08 Construction Liens.

County assumes all responsibility for construction liens pertaining to the activities authorized in this lease. County shall comply with the Construction Lien Law, Florida Statutes Chapter 713, Part I, to the extent applicable to County, in the construction of any improvements to the Lease Premises. In the event a construction lien is filed against the Lease Premises in connection with any work performed by or on behalf of the County, the County shall promptly cause such lien to be removed from the Lease Premises, and hold the Port harmless.

Section 4.09 Operational Management Plan.

County shall develop, in consultation with Port, an Operational Management Plan ("OMP") for the Historic Facilities. The OMP shall provide general and specific goals, and discuss management and projected plans for the Historic Facilities. County shall submit the OMP to Port within twenty-four (24) months of the execution of the Lease.

ARTICLE V

CONDUCT OF BUSINESS AND USE OF THE LEASE PREMISES BY COUNTY

Section 5.01 Use of the Lease Premises.

The County shall use and occupy the Lease Premises solely and exclusively for a public park, historical and educational purposes and those ancillary uses specified in sections 5.07 and 5.08 of this Lease. The County shall not use, permit, or suffer the use of the Lease Premises for any other purpose whatsoever without the prior written consent of the Port, which consent may be granted or withheld in the Port's sole discretion.

The County shall provide supervision and strictly enforce the Rules and Regulations set forth in Exhibit "D", the requirements of this Lease, and in general, good standards and practices for the safe and orderly use of the Lease Premises. At all times the Lease Premises are in use by the County or its invitees, such use shall be under the control and supervision of the County. The County shall not use the Lease Premises or allow the Lease Premises to be used for any unauthorized purposes, or by any other groups, foundations, or persons not authorized by the County and consented to by Port. The County shall not commit or permit any reckless or dangerous conduct on the Lease Premises at any time.

The County shall be in full control of the operation of the Lease Premises, and shall set and establish the times of operation and the rules and regulations for use by the public. The County shall ensure that all access areas to the Lease Premises are secured outside of normal operating hours and shall provide twenty-four (24) hour Park manager presence on the Lease Premises. The Port shall have no control or responsibility with regard to the use of the Lease Premises, except as is otherwise set out in this Lease.

The County agrees that the Lease Premises shall be used only and exclusively for lawful purposes, and the County will not use, or suffer anyone to use, the Lease Premises, for any purpose in violation of the laws of the United States, the State of Florida, or the ordinances and regulations of Palm Beach County or any governmental entity having jurisdiction over the Lease Premises.

Section 5.02 Waste or Nuisance.

The County shall not commit or suffer to be committed any waste upon the Lease Premises, commit or permit the maintenance or commission of any nuisance or other act or thing that may result in damage or depreciation of value of the Lease Premises, or that may affect the Port's fee interest in the Lease Premises, or that results in an unsightly condition. All refuse is to be removed from the Lease Premises at the County's sole cost and expense, and the County will keep such refuse in proper containers until removed. The County will keep the access to the Lease Premises, and other contiguous areas to the Lease Premises free and clear of obstruction. The County, at its sole cost and expense, will keep the Lease Premises free of rodents, vermin, and other pests.

Section 5.03 Governmental Regulations.

The County shall, at the County's sole cost and expense, comply with all ordinances, laws,

statutes, and regulations promulgated thereunder of all County municipal, state, federal, and other applicable governmental authorities, now in force or that may hereafter be in force, pertaining to the County and its use of the Lease Premises.

The parties acknowledge and agree that the Port is entering into this Lease in its proprietary capacity as the owner of the Lease Premises and that nothing contained herein shall be construed to constitute any form of approval by the Port in its governmental capacity or limit or alter the Port's obligation to comply with all applicable governmental regulations.

The County shall not use the Lease Premises in a manner which causes the Port to be in violation of any current or future local, state, or Federal permits, rules, regulations, deed restrictions or covenants applicable to the Lease Premises. The County agrees to hold the Port harmless for any notice of non-compliance or violation issued by a governmental entity based on the County's use of the Lease Premises. In the event that the County does not timely address any notice of non-compliance or violation from a governmental entity related to the County's use of the Lease Premises, the Port shall have the right to enter the Lease Premises to address non-compliance or violation issues. The County agrees to reimburse the Port for all expenses incurred to address non-compliance or enforcement issues attributable to the County's use of the Leased Premises.

Section 5.04 Non-Discrimination

Pursuant to Palm Beach County Resolution R2017-1770, as may be amended, the parties agree that no person shall, on the grounds of race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, gender identity or expression, or genetic information, be excluded from the benefits of or be subjected to any form of discrimination under any activity conducted pursuant to this Lease. Failure to meet this requirement shall be considered default of this Lease.

Section 5.05 Surrender of the Lease Premises.

Upon termination or expiration of this Lease, or any portion of the Lease Premises, the County, at its sole cost and expense, shall remove the County's personal property, removable fixtures and equipment from the Lease Premises and shall surrender the Lease Premises to the Port, unless the parties agree otherwise in writing. Upon surrender of the Lease Premises, title to any and all remaining improvements, alterations, and structures within the Lease Premises shall vest in the Port.

Section 5.06 Hazardous Substance.

County's use of the Lease Premises shall comply with all applicable Federal, State and local laws, regulations and ordinances protecting the environment and natural resources and regulating hazardous substances.

Section 5.07 Concessions.

The County may enter into contracts with or issue licenses to vendors or third-party contractors for the operation of the concession space(s) on the Lease Premises for education, interpretation and tours and/or the sale of food and/or merchandise. The County shall be entitled to retain the proceeds generated by such contracts and/or licenses to offset the expenses of the Lease

Premises. Such contracts and/or licenses shall not release the County from any obligations under this Lease. In addition to the insurance required in Section 7, the vendor or third party shall indemnify and hold the Port harmless for any and all acts of negligence by the vendor or third-party contractor. Further, the County shall comply with and shall be obligated to ensure that all such contracts and/or licenses comply with the terms of this Lease and all applicable federal, state, and County laws, rules, regulations, and ordinances pertaining to the foregoing, including, without limitation, the sale of retail goods, food, and beverages, and the collection and remittance of sales tax as applicable.

Section 5.08 Park Rules and Special Events.

The County shall be entitled to grant short-term licenses reserving the Lease Premises for user groups. Any such special event license shall incorporate the terms of this Lease by reference. The County shall be entitled to retain the proceeds generated by such licenses. Such licenses shall not release the County from any of its obligations under this Lease. Further, the County shall be obligated to ensure that such licensees comply with the terms of this Lease and all applicable federal, state, and County laws, rules, regulations, and ordinances.

ARTICLE VI UTILITIES

Section 6.0. There is currently water, sewer, and electricity infrastructure to or on the Lease Premises. The County shall be solely responsible for and promptly pay all costs and expenses relating to the provision of existing utility services to the Lease Premises upon execution of the Agreement. The County shall pay directly to the utility company or the provider of such service all charges and assessments for any utility services provided, including, without limitation, water, sewer, gas, electric, or any other utility used or consumed on the Lease Premises. In no event shall the Port be liable for an interruption or failure in the supply of any such utility to the Lease Premises. In the event the County desires any modification to or additional utility infrastructure, the County shall be solely responsible for obtaining and funding any such alterations or additions.

ARTICLE VII INSURANCE

Section 7.01 Liability Insurance.

County is a political subdivision of the State of Florida subject to the limitations of Florida Statutes, Chapter 768.28. Nothing herein shall serve as a waiver of sovereign immunity. County shall maintain a fiscally sound liability program with regard to its obligations under this Lease, and shall provide proof of its liability program to Port within three (3) days of a written request. Should County contract with a third-party to make alterations, additions, repairs, or other improvements, County shall require its third-party to provide commercial general liability insurance with a minimum limit of Two Million Dollars (\$2,000,000) and include Port and County as Additional Insureds.

Section 7.02 Personal Property.

All of County's personal property placed or moved in or to the Lease Premises shall be at the risk of the County. All personal property placed or moved to the Lease premises by a vendor or third party, shall be at the risk of the owner thereof. Except as otherwise provided herein, Port shall not be liable for any damage to such personal property, except to the extent caused by the Port, its agents', or its employees' willful or negligent acts or omissions.

Section 7.03 Insurance by Port.

Port is a special independent taxing district and political subdivision of the State of Florida subject to the limitations of Florida Statutes, Chapter 768.28. Nothing herein shall serve as a waiver of sovereign immunity. Port shall maintain a fiscally sound liability program with regard to its obligations under this Lease.

ARTICLE VIII INDEMNIFICATION

Section 8.01 Indemnification.

Port and County acknowledge their liability for torts to the extent provided and allowed under Section 768.28, Florida Statutes. To the extent the following does not constitute a waiver of sovereign immunity and does not extend either party's liability beyond the limitations provided pursuant to Section 768.28 Florida Statutes, the parties agree to defend, indemnify and hold each other harmless from all claims, losses, liabilities, costs and expenses attributable to the any negligent acts or omissions either party may commit, or those of their respective officials and employees acting within the scope of their employment, in connection with this Lease. The foregoing shall not constitute an agreement by either party to assume any liability for the acts, omissions and/or negligence of the other, or any other person or entity.

The County agrees that all contracts that the County enters into with third-party contractors or vendors shall contain a provision wherein the third-party contractor or vendor agrees to defend, indemnify and hold the Port harmless from all claims, losses, liabilities, costs and expenses attributable to the any negligent acts or omissions by the third-party contractor or vendor including those of their respective officials and employees acting within the scope of their employment, in connection with the Lease Facilities.

ARTICLE IX DESTRUCTION OF LEASE PREMISES

Section 9.01 Damage or Destruction by Fire, War, or Act of God.

In the event the Lease Premises shall be destroyed or so damaged or injured by fire or other casualty during the Term of this Lease, or any extension thereof, whereby the same shall be rendered untenable, in whole or in part, County shall have the right to terminate this Lease, whereupon the parties shall be relieved of all further obligations hereunder occurring subsequent to the date of such casualty. In the event the County elects to terminate this Lease as provided in this Section, the Annual Rent payable hereunder shall be prorated to the date of the casualty. In the event County does not exercise its right to terminate this Lease due to any such casualty, County shall promptly commence restoration of the Lease Premises and diligently pursue such restoration

to completion using materials of like kind and quality or better. The rental due hereunder relating to the portion of the Lease Premises render untenable shall be abated from the date of such casualty until completion of such restoration.

ARTICLE X ASSIGNMENT AND SUBLETTING

Section 10.01 Consent Required.

The County may not assign, mortgage, pledge, or encumber this Lease in whole or in part, nor sublet or rent, except as provided herein, all or any portion of the Lease Premises nor grant any easements affecting the Lease Premises without prior written consent of the Port, which may be granted or withheld at the Port's absolute discretion. Any attempted assignment, mortgage, pledge, encumbrance, or subletting without such consent shall be null and void, without legal effect and shall constitute a breach of this Lease. This provision shall be construed to include a prohibition against any assignment, mortgage, pledge, encumbrance, or sublease by operation of law, legal process, receivership, bankruptcy, or otherwise, whether voluntary or involuntary.

ARTICLE XI DEFAULT

Section 11.01 Default by the County.

The occurrence of any one or more of the following shall constitute an Event of Default by the County under this Lease: (i) the County's failure to pay any sum due hereunder within thirty (30) days after the same shall become due; (ii) the County's use of the Lease Premises for a purpose other than that allowed under this Lease; (iii) the County's failure to perform or observe any of the agreements, covenants, or conditions contained in this Lease on the County's part to be performed or observed if such failure continues for more than thirty (30) days after notice from the Port, unless the same is of such a nature that it cannot reasonably be cured within such a time period, in which event the County shall be entitled to a reasonable period under the circumstances; (iv) the County's vacating or abandoning the Lease Premises; or (v) the County's leasehold estate being taken by execution, attachment, or process of law or being subjected to any bankruptcy proceeding; (vi) failure to maintain the Lease Premises in accordance with the provisions of the Lease and acceptable maintenance procedures with normal wear and tear excepted. If any Event of Default occurs, then at any time thereafter while the Event of Default continues, the Port shall have the right to give the County notice that the Port intends to terminate this Lease upon a specified date not less than thirty (30) days after the date said notice is received by the County, and this Lease shall then expire on the date specified as if that date had been originally fixed as the expiration date of the Term of this Lease. If, however, the default is cured within such period, or within a reasonable period thereafter if the same cannot be cured within such period, and County undertakes such cure within such period and the Port is so notified, this Lease will continue. Port's termination rights set forth above shall only relate to the portion of the Lease Premises upon which the default occurs, meaning either the Historic Facilities or Park. By way of example if the County is in default

relating to the Historic Facilities, the Port shall be entitled to terminate this lease relating to the Historic Facilities alone and termination of the Historic Facilities shall have no effect on the

County's tenancy and leasehold of the Park. Conversely, if the County is in default relating to the Park, the Port shall be entitled to terminate this lease relating to the Park alone and termination of this Lease relating to the Park shall have no effect on the County's tenancy and leasehold of the Historic Facilities.

Section 11.02 Default by the Port.

The Port shall not be in default unless the Port fails to perform obligations required of the Port within a reasonable time, but in no event later than thirty (30) days after written notice by the County to the Port, specifying wherein the Port has failed to perform such obligations; provided, however, that if the nature of the Port's obligations is such that more than thirty (30) days are required for performance, then the Port shall not be in default if the Port commences performance within such thirty (30) day period and thereafter diligently pursues the same to completion.

ARTICLE XII ANNUAL BUDGETARY FUNDING

This Lease and all obligations of County hereunder are subject to and contingent upon annual budgetary funding by the Board of County Commissioners of Palm Beach County for each fiscal year. Notwithstanding anything in this Lease to the contrary, County shall have the right to cancel this Lease, as to the Historic Facilities, the Park, or both for any reason upon ninety (90) days prior written notice to Port, whereupon the parties shall be relieved of all further obligation hereunder without damages, penalties or recourse against County.

ARTICLE XIII QUIET ENJOYMENT

Upon the observance and performance of all the covenants, terms, and conditions on the County's part to be observed and performed, the County shall peaceably and quietly hold and enjoy the Lease Premises for the Term hereby demised without hindrance or interruption by the Port or any other person or persons lawfully or equitably claiming by, through, or under the Port, subject, nevertheless, to the terms and conditions of this Lease. Accordingly, County's quiet enjoyment and right to use the Lease Premises shall not conflict with use by the Port of the DMDA.

ARTICLE XIV MISCELLANEOUS

Section 14.01 Entire Agreement.

This Lease and any Exhibits attached thereto constitute all agreements, conditions, and understandings between the Port and County concerning the Lease Premises. All representations, either oral or written, shall be deemed to be merged into this Lease. Except as herein otherwise provided, no subsequent alteration, waiver, change, or addition to this Lease shall be binding upon

the Port or the Port, unless reduced to writing and signed by both parties.

Section 14.02 Notices.

All notices, consents, approvals, and elections (collectively “notices”) to be given or delivered by or to any party hereunder shall be in writing and shall be (as elected by the party giving such notice) hand delivered by messenger, courier service, or national overnight delivery service (provided in each case a receipt is obtained). The effective date of any such notice shall be the date of delivery of the notice if by personal delivery, courier service, or national overnight delivery service. The parties designate the following addresses to which notices may be delivered, and delivery to such addresses shall constitute binding notice given to such party:

(a) If to the County at:

Property and Real Estate Management Division
Attention: Director
2633 Vista Parkway
West Palm Beach, Florida 33411-5605
Telephone: (561) 233-0217
Fax: (561) 233-0210

with a copy to:

Palm Beach County Attorney’s Office
Attention: Park’s Attorney
301 North Olive Avenue, Suite 601
West Palm Beach, Florida 33401
Telephone: (561) 355-2225
Fax: (561) 355-4398

and a copy to:

Palm Beach County Parks and Recreation Department
Attention: Director
2700 6th Avenue South
Lake Worth, Florida 33461
Telephone: (561) 966-6614
Fax: (561) 963-6734

(b) If to the Port:

Port of Palm Beach
Attn: Executive Director
One East 11th Street, Suite 600
Riviera Beach, Florida 33404
Telephone: (561) 842-4240

With a copy to Port Counsel
John Fumero, Esq.
750 Park of Commerce Blvd.
Boca Raton, Florida 33487
Telephone: (561) 314-3999

Any party may from time to time change the address at which notices under this Lease shall be given such party, upon three (3) days prior written notice to the other parties.

Section 14.03 Severability.

If any term of this Lease or the application thereof to any person or circumstances shall be determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Lease, or the application of such term to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term of this Lease shall be valid and enforceable to the fullest extent permitted by law.

Section 14.04 Broker's Commission.

The Port and County both represent and warrant that neither has dealt with any real estate salesperson, agent, finder, or broker in connection with this Lease.

Section 14.05 Recording.

The County shall not record this Lease or any memorandum or short form thereof without the written consent and joinder of the Port, which may be granted or withheld at the Port's sole discretion.

Section 14.06 Waiver of Jury Trial.

THE PARTIES HERETO WAIVE TRIAL BY JURY IN CONNECTION WITH PROCEEDINGS OR COUNTER CLAIMS BROUGHT BY EITHER OF THE PARTIES HERETO AGAINST THE OTHER IN CONNECTION WITH THIS LEASE.

Section 14.07 Governing Law and Venue.

This Lease shall be governed by the laws of the State of Florida. Any legal action necessary to enforce this Lease will be held in a court of competent jurisdiction located in Palm Beach County, Florida. 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.

Section 14.08 Time of Essence.

Time is of the essence with respect to the performance of every provision of this Lease in which time of performance is a factor.

Section 14.09 Waiver.

The waiver by either Party of any default of any term, condition, or covenant herein contained shall not constitute a waiver of such term, condition, or covenant for any subsequent default of the same or any other term, condition, or covenant herein contained.

Section 14.10 Exclusivity of Remedies.

Remedies herein conferred upon any party are intended to be exclusive of any other remedies. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

Section 14.11 Construction.

No party shall be considered the author of this Lease since the parties hereto have participated in extensive negotiations and drafting and redrafting of this document to arrive at a final agreement. Thus, the terms of this Lease shall not be strictly construed against one party as opposed to the other party based upon who drafted it. In the event that any section, paragraph, sentence, clause, or provision hereof is held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Lease, and the same shall remain in full force and effect.

Section 14.12 Incorporation by Reference.

Exhibits attached hereto and referenced herein shall be deemed to be incorporated into this Lease by reference.

Section 14.13 Survival.

Notwithstanding any early termination of this Lease, the County shall remain obligated hereunder to perform any duty, covenant, or obligation imposed upon the County thereunder arising prior to the date of such termination or surviving such termination.

Section 14.14 No Third-Party Beneficiary.

No provision of this Lease 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 Lease, including, but not limited to, any citizen or employees of the Port and/or Port.

Section 14.15 Effective Date of Lease.

This Lease is expressly contingent upon the approval of the Port of Palm Beach District Commission, and shall become effective only when signed by all parties and approved by the Palm Beach County Board of County Commissioners ("Effective Date").

Section 14.16 Public Entity Crimes.

As provided in Section 287.132-133, Florida Statutes, a person or affiliate who has been placed on the State of Florida convicted vendor list following a conviction for a public entity crime may not submit a bid for a period of thirty-six (36) months from the date of being placed on the convicted vendor list. By entering into this Lease or performing any work in furtherance hereof, Port certifies that it, its affiliates, suppliers, subcontractors and consultants who will perform hereunder, have not been placed on the convicted vendor list maintained by the State of Florida

Department of Management Services within the thirty-six (36) months immediately preceding the effective date hereof. This notice is required by Section 287.133(3) (a), Florida Statutes.

Section 14.17 Headings.

The paragraph headings or captions appearing in this Lease are for convenience only, are not part of this Lease, and are not to be considered in interpreting this Lease.

Section 14.18 Condemnation.

If all or part of the Lease Premises shall be taken, condemned or conveyed pursuant to agreement in lieu of condemnation for public or quasipublic use, the entire compensation or award therefor, including any severance damages, shall be apportioned between Port and County in proportion to the value of their respective interests and the rent shall be recalculated effective upon the date of vesting of title in the condemning authority to reflect the reduction in the Lease Premises. County shall also be entitled to receive compensation for the value of any Alterations or other improvements made by County to the Lease Premises and moving expenses. In addition, County may elect to terminate this Lease in which event this Lease shall terminate effective as of the date title is vested in the condemning authority, whereupon the parties shall be relieved of all further obligations occurring subsequent to the date of termination other than those relating to apportionment of the compensation for such condemnation. In the event the County elects to terminate this Lease as provided in this Article, the Rent payable hereunder shall be prorated to the date of termination. County will be allowed not less than sixty (60) days notice to remove its property from the Lease Premises.

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, the parties hereto have duly executed this Lease Agreement as of the day and year first above written.

R2022 0034 **JAN 04 2022**

ATTEST:

JOSEPH ABRUZZO
Clerk of the Circuit Court & Comptroller
Palm Beach County

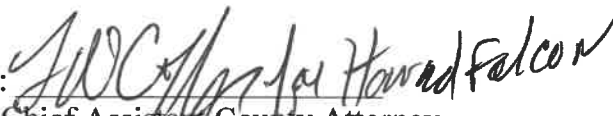
By: 
Deputy Clerk

COUNTY:

PALM BEACH COUNTY, a political
Subdivision of the State of Florida

By: 
Robert S. Weinroth, Mayor

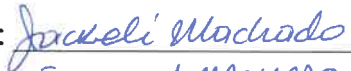
**APPROVED AS TO
LEGAL SUFFICIENCY**

By: 
Chief Assistant County Attorney

**APPROVED AS TO TERMS
AND CONDITIONS**

By: 
Department Director

ATTEST:

By: 
JACQUELIN MACHADO
DEPUTY CLERK - PORT OF
PALM BEACH

PORT:

PORT OF PALM BEACH, a Special
Independent Taxing District and Political
Subdivision of the State of Florida

By: 
Joseph Anderson, Chair

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: 
John J. Fumero, Port Counsel

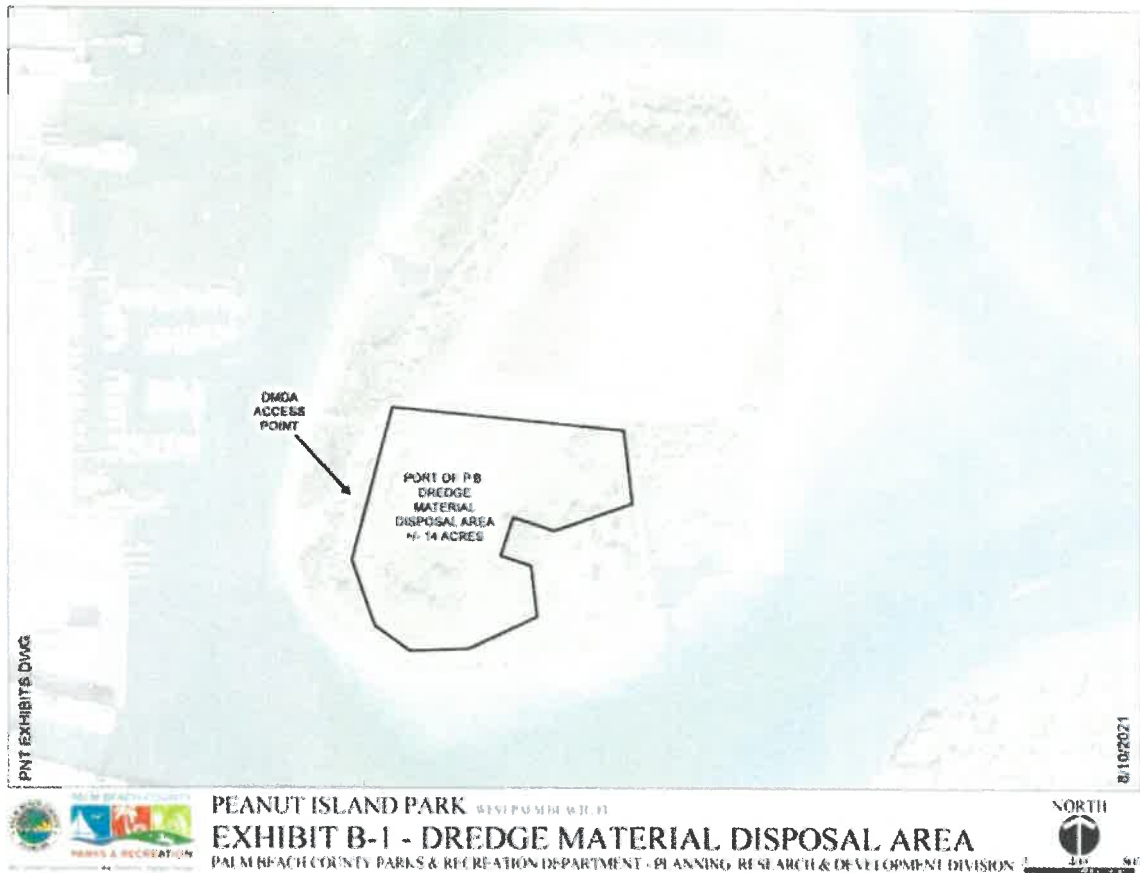
LIST OF EXHIBITS

Description	Exhibits
Survey of Leased Premises	Exhibit "A"
Park – leased from the Port since 1994 (R94-43D)	Exhibit "B"
Dredge Material Disposal Area	Exhibit "B-1"
Historic Facilities – 6.6 acre Coast Guard Facility including, but not limited to the Coast Guard Station House, Boathouse, Kennedy Bunker and docks lying south of the Boathouse.	Exhibit "C"
Rules and Regulations	Exhibit "D"

Exhibit "A"
Survey



 **PEANUT ISLAND PARK** WEST PALM BEACH, FL
EXHIBIT B - PARK
PALM BEACH COUNTY PARKS & RECREATION DEPARTMENT - PLANNING, RESEARCH & DEVELOPMENT DIVISION



PEANUT ISLAND PARK RESPONSE W.F. 11
EXHIBIT B-1 - DREDGE MATERIAL DISPOSAL AREA
 PALM BEACH COUNTY PARKS & RECREATION DEPARTMENT - PLANNING RESEARCH & DEVELOPMENT DIVISION

60412433;1

Exhibit "B-1" Page 1 of 1



60412433;1

Exhibit "C" Page 1 of 1

Exhibit "D"
Rules and Regulations

- All park rules associated with County Code, Chapter 21 will be enforced including, but not limited to the following:
- Balloons of any kind are prohibited on the island.
- Alcohol possession and consumption is prohibited except within the permitted campground or associated with a permitted program.
- All applicable federal and state laws are enforceable within park property.
- No metal detecting or excavation of any material is permitted.
- No person shall cut, trim or carve any tree or vegetation within park property.
- No person shall remove, harm, frighten, kill, trap, chase, shoot or disturb the nest of wildlife on Peanut Island.
- Boats may only be launched, tied up, anchored or moored in areas designated for such activity.
- Lifeguards have seasonal hours within the guarded area. Swim at your own risk.
- Fishing is not permitted in designated swimming areas.
- Except for the reserved picnic spaces, all other picnic spaces are available on a first come, first served basis.
- Dogs are required to be leashed at all times and any droppings are to be retrieved and disposed of properly. Dogs are not permitted in designated swimming areas.
- A limited number of special events are permitted within the park with Department authorization.
- Do not disturb others with loud noises, music or sounds (65 dB max).
- Drone use is prohibited except as specifically allowable under FAA regulations.
- Camping by permit only in the designated tent camping area.
- Campfires are not permitted on the island.
- Park hours are sunrise to sunset unless you are permitted to camp.
- Quiet time in the campground is from 11 PM to sunrise.

Board of Commissioners Agenda Item Report

Meeting Date: December 16, 2021

Submitted by: Beatrice Greffin

Submitting Department: Attorney's Office

Item Type: Lease

Agenda Section: OLD BUSINESS

Subject:

Peanut Island Lease Agreement

Background:

The Port is the owner in fee simple of approximately 42 acres of land located on Peanut Island, 6500 Peanut Island Road, Riviera Beach. In 1994 the Port leased to Palm Beach County approximately 36 acres of land on Peanut Island for the purpose of establishing and operating a County Park. In 1999 the County completed development of the 36 acre park ("Park") that includes a campground, boat docks, restrooms, picnic facilities, snorkeling area, showers, paver walkway and installation of native vegetation. The Port owns an additional approximate 6.4 acres of land on Peanut Island which contains historic structures including the Kennedy Bunker, Coast Guard station, boat house and Coast Guard docks. Both the Port and the County wish to renovate, manage and operate the Historic Facilities exclusively for public park, historic and educational purposes. Both parties seek to increase the recreational, historical and cultural opportunities for residents and visitors to Palm Beach County and to enter into this Lease Agreement. As such, the Port and County are proposing to enter into a long term Lease Agreement for the Park and Historic Facilities for the use and benefit of all residents and visitors to Palm Beach County. Section 163.01, Florida Statutes, permits public agencies to enter into Lease Agreements with each other to jointly exercise any power, privilege, or authority that such agencies share in common and that each might exercise separately

Financial Impact:

No

Financial Impact Details:

Additional Information Attached:

No

Action Taken

Approved 5-0 (WMR/KMW)

Lease Agreement approved as presented. Port Attorney will verify all acreage numbers for park, historic DMDA, and remaining portion of island.

Suggested Action:

Motion to consider and vote on entering into the proposed Peanut Island Lease Agreement with Palm Beach County.

Staff will be providing the final lease document for your review and consideration on or before the scheduled December 16, 2021 board meeting.

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 019-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the A-7 Pump Station Improvements in the Amount of \$65,700 and Establishing a Project Budget of \$72,250.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 26, 2022, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 019-2022**
- ▣ **Proposal**

Information for Town Council Meeting on February 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution to Approve a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the A-7 Wastewater Pump Station Improvements in the Amount of \$65,700 and Establish a Project Budget of \$72,250; **Resolution No. 019-2022**

DATE: 26 January 2022

STAFF RECOMMENDATION

Staff recommends Town Council approve Resolution No. 019-2022, authorizing the approval of a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the A-7 Wastewater Pump Station Improvements in the Amount of \$65,700 and Establish a Project Budget of \$72,250.

SUMMARY EXPLANATION/BACKGROUND

The Town awarded a contract TLC Diversified Inc. for the A-7 Pump Station Improvement Project at the January 2022 Town Council Meeting. This recommendation for Construction Phase Services is an accompanying item.

FISCAL IMPACT/FUNDING SOURCE

The funding for this project is from the Capital Improvement Fund.

USER DEPARTMENT CONCURRENCE

The Public Works Department is in full concurrence with this recommendation.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues. The review included conducting market research.

TOWN ATTORNEY REVIEW

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

CC: H. Paul Brazil, P.E., Director of Public Works
 Patricia Strayer, P.E., Town Engineer
 Jason Debrincat, P.E. Senior Project Engineer

RESOLUTION NO. 019-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF A PURCHASE ORDER TO
KIMLEY-HORN AND ASSOCIATES, INC. FOR
CONSTRUCTION PHASE SERVICES FOR THE A-7 PUMP
STATION IMPROVEMENTS IN THE AMOUNT OF \$65,700 AND
ESTABLISHING A PROJECT BUDGET OF \$72,250**

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

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 019-2022, approving a Purchase Order to Kimley-Horn and Associates, Inc. for Construction Phase Services for the A-7 Wastewater Pump Station Improvements in the Amount of \$65,700 and Establishing a Project Budget of \$72,250.

Section 2. The Town Manager is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle Gordon, Acting Town Clerk



December 3, 2021

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

RE: *Construction Phase Services Proposal – A-7 Wastewater Pump Station*

Dear Dean,

Kimley-Horn and Associates, Inc. (“Kimley-Horn” or “CONSULTANT”) is pleased to submit this proposal to The Town of Palm Beach (“TOWN” or “CLIENT”) for providing professional engineering services during the construction phase of the A-7 Wastewater Pump Station Improvements in the Town of Palm Beach. Our project understanding, scope of services, and fee follows.

Project Understanding

The Town of Palm Beach is currently in the bid phase of the A-7 Wastewater Pump Station Improvements. The Town has requested Kimley-Horn to provide construction phase services for the project. The project is expected to begin in May 2022 and have a duration of approximately 4 months.

Scope of Services

Construction Phase Services

We will provide construction phase services for the project for the purpose of providing assistance to the Town during construction. We will employ the services of an electrical subconsultant to perform the below services that are related to the electrical improvements that are to be made at the lift station. We believe this to be the level of services required to provide the required regulatory certifications at the end of the project and determine if the project is being constructed in general accordance with the plans and specifications. Our construction phase services and fees are based on a project duration of four months.

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

- We will attend a Pre-Construction Conference prior to commencement of Work at the Site.
- We will provide the Contractor with up to four (4) sign and sealed copies of the plans for submittal of the building permit package. We will respond to one round of reasonable building permit comments received during the building permit review.

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

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

The purpose of our site visits will be to enable us to better carry out the duties and responsibilities specifically assigned in this Agreement to Kimley-Horn, and to provide the Town a greater degree of confidence that the completed Work will conform in general to the Contract Documents. Kimley-Horn shall not, during such visits or as a result of such observations of Contractor's work in progress, supervise, direct, or have control over Contractor's work, nor shall we have authority over or responsibility for the means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction selected by Contractor, for safety precautions and programs incident to Contractor's work, nor for any failure of Contractor to comply with laws and regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Kimley-Horn neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform its work in accordance with the Contract Documents.

Clarifications and Interpretations. Kimley-Horn will respond to reasonable and appropriate Contractor requests for information and issue necessary clarifications and interpretations of the Contract Documents to Client as appropriate to the orderly completion of Contractor's work. Any orders authorizing variations from the Contract Documents will be made by the Town.

Change Orders. Kimley-Horn may recommend Change Orders to the Town, and will review and make recommendations related to Change Orders submitted or proposed by the Contractor.

Shop Drawings and Samples. Kimley-Horn will review and approve or take other appropriate action in respect to Shop Drawings and Samples and other data which Contractor is required to submit, but only for conformance with the information given in the Contract Documents. It is anticipated that 30 submittals will be required for review. Such review and approvals or other action will not extend to means, methods, techniques, equipment choice and usage, sequences, schedules, or procedures of construction or to related safety precautions and programs.

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

Inspections and Tests. Kimley-Horn may require special inspections or tests of Contractor's work as Kimley-Horn deems appropriate, and may receive and review certificates of inspections within

Kimley-Horn's area of responsibility or of tests and approvals required by laws and regulations or the Contract Documents. We anticipate providing a review of the following items during the course of the construction:

- We will provide field assistance during start up and testing for the new pumps.

Kimley-Horn's review of such items will be for the purpose of determining that the results certified indicate compliance with the Contract Documents and will not constitute an independent evaluation that the content or procedures of such inspections, tests, or approvals comply with the requirements of the Contract Documents. Kimley-Horn shall be entitled to rely on the results of such tests and the facts being certified.

Applications for Payment. Based on its observations and on review of applications for payment and accompanying supporting documentation, Kimley-Horn will determine the amounts that Kimley-Horn recommends the Contractor be paid. It is anticipated that five (5) applications for payment will be reviewed. Such recommendations of payment will be in writing and will constitute Kimley-Horn's representation to the Town, based on such observations and review, that, to the best of Kimley-Horn's knowledge, information and belief, Contractor's work has progressed to the point indicated and that such work-in-progress is generally in accordance with the Contract Documents subject to any qualifications stated in the recommendation. In the case of unit price work, Kimley-Horn's recommendations of payment will include determinations of quantities and classifications of Contractor's work, based on observations and measurements of quantities provided with pay requests.

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

Recommendations with Respect to Defective Work. Kimley-Horn will recommend to the Town that Contractor's work be disapproved and rejected while it is in progress if, on the basis of such observations, Kimley-Horn believes that such work will not produce a completed Project that conforms generally to Contract Documents.

Substantial Completion. Kimley-Horn will, promptly after notice from Contractor that it considers the entire Work ready for its intended use, in company with the Town and Contractor, conduct a site visit to determine if the Work is substantially complete. Work will be considered substantially complete following satisfactory completion of all items with the exception of those identified on a final punch list. If after considering any objections of the Town, Kimley-Horn considers the Work substantially complete,

Kimley-Horn will notify the Town and Contractor. We anticipate completing the following items once the project is deemed substantially complete:

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

Final Notice of Acceptability of the Work. Kimley-Horn will conduct a final site visit to determine if the completed Work of Contractor is generally in accordance with the Contract Documents and the final punch list so that Kimley-Horn may recommend, in writing, final payment to Contractor. Accompanying the recommendation for final payment, Kimley-Horn will also provide a notice that the Work is generally in accordance with the Contract Documents to the best of Kimley-Horn's knowledge, information, and belief based on the extent of its services and based upon information provided to Kimley-Horn upon which it is entitled to rely. We will review and provide comments on the operation and maintenance manuals and project record drawings submitted by the contractor.

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

Additional Services

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

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

Information Provided by the Town

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

- Access to the site.

Schedule

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

Fee and Billing

Kimley-Horn will perform the services described in this Scope of Services on an hourly basis in accordance with our Contract with the Town. It is recommended that a budget of \$65,700 be established for these services.

Closure

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

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



By: Kevin Schanen, P.E.
Senior Vice President

Attachment

K:\WPB_Civil\General\Lee\Proposals\Palm Beach\A-7 Wetwell Pump Replacement and Odor Control\Construction Phase\A-7 Wastewater Pumpstation Improvements - Construction Phase Services 20211203.docx

2-8-22 TCM Backup

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TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 020-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Applied Technology & Management, Inc. for Coastal Engineering Services in Support of the 2022 Dune Restoration Projects in Reaches 4 and 9 in the Amount of \$49,968 and Establishing a Project Budget of \$60,000.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 26, 2022, from Dean Mealy Purchasing Manager**
- ▣ **Resolution No. 020-2022**
- ▣ **Proposal**
- ▣ **Detailed Cost and Expenses**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

TO: Mayor and Town Council

VIA: Kirk. W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Purchasing Manager

RE: Approving a Purchase Order for Coastal Engineering Services in Support of the
2022 Dune Restoration Projects
Resolution No. 020-2022

DATE: January 26, 2022

STAFF RECOMMENDATION

Staff recommends that Town Council approve Resolution No. 020-2022 approving a purchase order to Applied Technology & Management, Inc. (ATM), in an amount not-to-exceed \$49,968 and establishing an engineering services budget of \$60,000 to complete permitting, planning, and construction observation related to implementation of the 2022 dune restoration projects in Reaches 4 and 9.

GENERAL INFORMATION

During their November 9, 2021 meeting, Town Council directed staff to move forward with a dune restoration project in Mid-Town (Reach 4) and to work within the existing interlocal agreement to assist the Town of South Palm Beach with a dune restoration project in Reach 9. All contractor and consultant costs for Reach 9 will be funded 100% by the Town of South Palm Beach.

The work will include the excavation of sand from the stockpile near the Par 3 Golf Course, through Phipps Ocean Park, and truck-hauled north to Mid-Town and south to the Town of South Palm Beach. Approximately 12,000 cubic yards of sand will be placed in Mid-Town between Hammon Avenue and Banyan Road and approximately 10,000 cubic yards will be placed in Reach 9. These projects are anticipated to be completed in February 2022.

ATM has provided a proposal which includes the coastal engineering services necessary for construction support and monitoring of the dune restoration projects in Reaches 4 and 9. This is similar to the work completed in Reaches 7, 8, and 9 in 2021.

The hourly-not-to-exceed amount of the ATM proposal is \$49,968, of which at least \$19,426 will be responsible and reimbursed by the Town of South Palm Beach.

FUNDING/FISCAL IMPACT

Previous SPB recommended and Town Council approved Coastal Management Program budgets include sufficient funds for this work. The Reach 4 dune restoration contractor and consultant costs will be 75% reimbursed by FEMA.

TOWN ATTORNEY REVIEW

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

Attachments

cc. H. Paul Brazil, P.E., Director of Public Works
Patricia Strayer, P.E., Town Engineer
Robert Weber, Coastal Program Manager

RESOLUTION NO. 020-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER TO APPLIED TECHNOLOGY & MANAGEMENT, INC. FOR COASTAL ENGINEERING SERVICES IN SUPPORT OF THE 2022 DUNE RESTORATION PROJECTS IN REACHES 4 AND 9 IN THE AMOUNT OF \$49,968 AND ESTABLISHING A PROJECT BUDGET OF \$60,000.

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, Palm Beach County, Florida hereby approves Resolution No. 020-2022, approving a Purchase Order to Applied Technology & Management, Inc. for Coastal Engineering Services in support of the 2022 dune restoration projects in Reaches 4 and 9 in the amount of \$49,968 and establishing a project budget of \$60,000.

Section 2. The Town Manager is hereby authorized to execute this purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Work Proposal
Applied Technology & Management
Construction Administration and Observation
2022 Dune Construction Projects
For the
Town of Palm Beach Coastal Management Program

1/16/2022

This Work Order, when executed, shall be incorporated into and become an integral part of the Agreement for Professional Services between the Town of Palm Beach, Florida (Town), and Applied Technology & Management (ATM), to be executed, hereafter referred to as the Agreement.

Project Background

This proposal provides consulting services in support of the 2022 Reaches 4 and 9 Dune Construction Project. The 2021 Phipps Nourishment Project included construction of a sand stockpile for dune construction that was only partially utilized in the 2021 project. This project will utilize the remaining sand stockpile to construct dunes in Reaches 4 and 9.

Specific Tasks are delineated within the following Scope of Services:

SCOPE OF SERVICES

Task 1: Construction Administration and Observation – Reach 4

ATM will provide project administration and observation to support project conformance with the plans and specifications, project permit and conditions of the construction contract for the Reach 4 project phase.

Task 1.1: Engineering Observation and Administration

ATM will provide engineering construction support services on an as needed basis as required for Project Certification and as directed by the Town. ATM will provide construction observation through daily on-site review of construction progress with the Contractor and Town. On-site visits

will be conducted based on construction progress by the Contractor and in consultation with the Town. ATM will observe the construction with regard the Contractor's compliance to the contract plans and specifications and regulatory permit conditions. ATM will notify the Town and construction Contractor of any observed deficiencies. ATM will provide on-site coordination with the Contractor and Town as part of this task. During the construction process ATM will provide administrative support on an as-needed basis including Contractor coordination and review of Contractor invoices. Upon notification from the Contractor of completion of construction, ATM will coordinate a site inspection and develop a punch-list for the Contractor to complete prior to a recommendation for final payment. ATM will coordinate with the Town and Contractor as necessary to address field changes, payment requests, punch list completion, and permit-required submittals to the regulatory agencies.

Task 1.1 Deliverables:

Project documentation as required including regulatory submittals and Contractor invoice reviews.

Task 2: Construction Administration and Observation – Reach 9

ATM will provide project administration and observation to support project conformance with the plans and specifications, project permit and conditions of the construction contract for the Reach 9 project phase. It is noted that while the project will be administered by the Town of Palm Beach, this project phase consists of dune construction within the Town of South Palm Beach with access through the City of Lantana, and as such will require additional coordination with these entities. Such coordination will occur in consultation with Staff of the Town of Palm Beach.

Task 2.1: Engineering Observation and Administration

ATM will provide engineering construction support services on an as needed basis as required for Project Certification and as directed by the Town. ATM will provide construction observation through daily on-site review of construction progress with the Contractor and Town. On-site visits will be conducted based on construction progress by the Contractor and in consultation with the Town and other relevant parties. ATM will observe the construction with regard the Contractor's compliance to the contract plans and specifications and regulatory permit conditions. ATM will notify the Town and construction Contractor of any observed deficiencies. ATM will provide on-site coordination with the Contractor and Town as part of this task. During the construction process ATM will provide administrative support on an as-needed basis including Contractor coordination and review of Contractor invoices. Upon notification from the Contractor of completion of construction, ATM will coordinate a site inspection and develop a punch-list for the Contractor to complete prior to a recommendation for final payment. ATM will coordinate with the Town and Contractor as necessary to address field changes, payment requests, punch list completion, and permit-required submittals to the regulatory agencies.

Task 2.1 Deliverables:

Project documentation as required including regulatory submittals and Contractor invoice reviews.

Task 3: Project Review and Coordination – Reach 7

ATM will provide additional support regarding the 2021 Reach 7 project on an as needed basis. This may include further evaluation of existing shoreline conditions and dune template capacity as well as coordination with the FDEP and local stakeholders as directed by Town staff.

Subtasks include:

Task 3.1: Project Review and Coordination – Reach 7

ATM will provide additional engineering, analysis, consultation and coordination services on an as needed basis as directed by Town staff to further ongoing evaluation of the 2021 Reach 7 dune project.

Task 3.1 Deliverables:

Relevant documentation including reports and analysis as required and directed by Town staff.

FEES

A summary of project Fees by Task is provided in Table 1 below and detailed costs are provided in Attachment A. *Invoicing shall be on a time and materials basis not to exceed the total task budget outlined herein consistent with the Agreement. The total cost for this effort shall not exceed \$49,968.00.*

TABLE 1

Proposal Fees by Task

	Task Description and Breakdown	Coastal Team Leader	Project Manager/Sr. Engineer	Staff Engineer	Junior Engineer/Engineer Tech.	AutoCAD/GIS Tech.	Admin./Clerical	ATM Total Labor	Internal Direct Expenses*	Total Task Budget
		\$178.00	\$136.00	\$110.00	\$90.00	\$85.00	\$80.00			
Task 1	Construction Administration and Observation - Reach 4									
1.1	Engineering Observation and Administration Reach 4	30.0	6.0	35.0	60.0	30.0	10.0	\$18,756.00	\$750.00	\$19,506.00
	Total Cost - Task 1	30.0	6.0	35.0	60.0	30.0	10.0	\$18,756.00	\$750.00	\$19,506.00
Task 2	Construction Administration and Observation - Reach 9									
2.1	Engineering Observation and Administration - Reach 9	30.0	6.0	35.0	60.0	30.0	9.0	\$18,676.00	\$750.00	\$19,426.00
	Total Cost - Task 2	30.0	6.0	35.0	60.0	30.0	9.0	\$18,676.00	\$750.00	\$19,426.00
Task 3	Project Review and Coordination - Reach 7									
3.1	Project Review and Coordination	30.0	6.0	10.0	10.0	28.0		\$10,536.00	\$500.00	\$11,036.00
	Total Cost - Task 3	30.0	6.0	10.0	10.0	28.0	0.0	\$10,536.00	\$500.00	\$11,036.00
	Total Task Order Costs	60.0	12.0	80.0	130.0	88.0	19.0	\$47,968.00	\$2,000.00	\$49,968.00

Should you have any questions regarding this proposal, please feel free to contact me at your convenience.

Sincerely,

Applied Technology & Management, Inc.

A handwritten signature in dark ink, appearing to read "Michael G. Jenkins". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael G. Jenkins, Ph.D., P.E.
Senior Principal

Attachment A

Detailed Cost Breakdown

ATTACHMENT "A"
TOWN OF PALM BEACH, FL
Construction Administration and Observation - 2022 Dune Construction Projects
Detailed Costs and Expenses
1/16/2022

Task Description and Breakdown		Coastal Team Leader	Project Manager/Sr. Engineer	Staff Engineer	Junior Engineer/Engineer Tech.	AutoCAD/GIS Tech.	Admin./Clerical	ATM Total Labor	Internal Direct Expenses*	Total Task Budget
	Construction Administration and Observation - Reach 4									
Task 1	Engineering Observation and Administration									
1.1	Reach 4	30.0	6.0	35.0	60.0	30.0	10.0	\$18,756.00	\$750.00	\$19,506.00
	Total Cost - Task 1	30.0	6.0	35.0	60.0	30.0	10.0	\$18,756.00	\$750.00	\$19,506.00
	Construction Administration and Observation - Reach 9									
Task 2	Engineering Observation and Administration -									
2.1	Reach 9	30.0	6.0	35.0	60.0	30.0	9.0	\$18,676.00	\$750.00	\$19,426.00
	Total Cost - Task 2	30.0	6.0	35.0	60.0	30.0	9.0	\$18,676.00	\$750.00	\$19,426.00
	Project Review and Coordination - Reach 7									
Task 3	Project Review and Coordination									
3.1	Reach 7	30.0	6.0	10.0	10.0	28.0		\$10,536.00	\$500.00	\$11,036.00
	Total Cost - Task 3	30.0	6.0	10.0	10.0	28.0	0.0	\$10,536.00	\$500.00	\$11,036.00
	Total Task Order Costs	60.0	12.0	80.0	130.0	88.0	19.0	\$47,968.00	\$2,000.00	\$49,968.00

* - Direct Costs/Expenses shall be invoiced at cost per the Agreement.

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 021-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Execution of First Amendment to Interlocal Agreement with Palm Beach County to Outsource the Maintenance and Repair of Fire Rescue Fleet Apparatus.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 26, 2022, from Dean Mealy Purchasing Manager**
- ▣ **Resolution No. 021-2022**
- ▣ **First Amendment to Interlocal Agreement**
- ▣ **Warrant Rate Schedule**

Information for Town Council Meeting on February 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution to Approve First Amendment to the Agreement with Palm Beach County for Maintenance and Repair of Fire Rescue Fleet Apparatus, Contingent Upon Annual Budget Approvals. **Resolution No. 021-2022**

DATE: 26 January 2022

STAFF RECOMMENDATION

Staff recommends Town Council approve Resolution No. 021-2022, authorizing the approval of First Amendment of Agreement with Palm Beach County for Maintenance and Repair of Fire Rescue Fleet Apparatus. This Amendment will extend the contract for additional five years. Annual Purchase Orders will be issued in the Amount Not-To-Exceed approved annual budget amounts for these services.

SUMMARY EXPLANATION/BACKGROUND

The Town and Palm Beach County entered into an agreement for Maintenance and Repair of Fire Rescue Fleet Apparatus in 2012 for a ten-year agreement. Current Agreement expires on March 20, 2022, and there is a need for maintenance and repair services for Fire Rescue Fleet Apparatus. The Fire Department has been satisfied with services received and is in favor of agreement extension.

The new rates have increased which may require an additional \$25,000 for the budget in order to keep the same level of services for the Fire Rescue fleet but it is expected that this can be absorbed within the Fire-Rescue budget.

FISCAL IMPACT/FUNDING SOURCE

The funding for these services will be from the Fire Department Operational Budget. It should be noted that the annual purchase order amount should not exceed annual budget approvals for these services. Fiscal year 2022 budget for maintenance and repair services for Fire Rescue Fleet Apparatus has been approved at \$124,000.

USER DEPARTMENT CONCURRENCE

The Fire Department is in full concurrence with this recommendation.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues. The review included conducting market research.

TOWN ATTORNEY REVIEW

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

CC: Jay Boodheshwar, Deputy Town Manager
 Darrel Donatto, Fire Chief
 Duke Basha, Assistant Purchasing Manager

RESOLUTION NO. 021-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
AUTHORIZING THE EXECUTION OF FIRST AMENDMENT
TO INTERLOCAL AGREEMENT WITH PALM BEACH
COUNTY TO OUTSOURCE THE MAINTENANCE AND
REPAIR OF FIRE RESCUE FLEET APPARATUS.**

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

Section 1. The Town Council of the Town of Palm Beach, Palm Beach County, Florida hereby approves Resolution No. 021-2022 Authorizing the Execution of First Amendment to Interlocal Agreement with Palm Beach County to Outsource the Maintenance and Repair of Fire Rescue Fleet Apparatus.

Section 2. The Town Manager is hereby authorized and directed to execute this Amendment of Interlocal Agreement with Palm Beach County on behalf of the Town of Palm Beach, to continue to outsource the maintenance and repair of Fire Rescue fleet apparatus.

Section 3. The Town Manager or his designee is hereby authorized to execute annual purchase orders on behalf of the Town of Palm Beach for these services, at annual approved budget.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

**FIRST AMENDMENT TO INTERLOCAL AGREEMENT
FOR FIRE VEHICLE MAINTENANCE
BETWEEN PALM BEACH COUNTY AND THE
TOWN OF PALM BEACH**

THIS FIRST AMENDMENT TO INTERLOCAL AGREEMENT FOR FIRE VEHICLE MAINTENANCE is made and entered into on _____, by and between PALM BEACH COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter the “County”), by and through its Board of County Commissioners and the TOWN OF PALM BEACH, a Florida municipal corporation located in Palm Beach County, Florida (hereinafter the “Town”).

WHEREAS, on March 20, 2012, the County and Town entered into an Interlocal Agreement For Fire Vehicle Maintenance (R2012-0457) (“Agreement”) for a term of ten (10) years through March 20, 2022; and

WHEREAS, the parties mutually desire for the County to continue to provide maintenance and repair services for the Town’s fire-rescue emergency response vehicles and apparatus for five additional years; and

NOW, THEREFORE, in consideration of the terms and conditions set forth herein and the benefits following from each to the other, the County and the Town do hereby agree as follows:

1. The Agreement is hereby amended to extend the term of the Agreement for five additional years from March 20, 2022 through March 19, 2027 (“First Extension Period”), under the same terms and conditions set forth in the Agreement except as otherwise provided in this First Amendment.
2. Article I: APPARATUS REPAIR AND MAINTENANCE is hereby amended to add Section 8. **FLEET CONNECTIVITY MODULES** to read as follows:

The County is authorized, at its option and sole discretion, to install fleet connectivity modules on County maintained Town vehicles and/or apparatus. The Town shall reimburse the County, within 30 days of being invoiced, for the associated monthly service charges of \$25.00 per vehicle and/or apparatus. All such equipment shall remain the property of the County, and shall be returned to the County by the Town within 10 days of the expiration or termination of the Agreement or any sooner time that a Town

vehicle and/or apparatus is no longer maintained by the County; provided, however, that the County shall have the right and option to remove the equipment sooner at any time for any reason. The Town hereby authorizes and approves the download of information automatically, and on-demand by the County, via the modules and into the County's Fire Rescue Fleet computer based vehicle Maintenance Reporting System.

3. Article I: APPARATUS REPAIR AND MAINTENANCE is hereby amended to add Section 9. **VEHICLE TRANSPORTATION** to read as follows:

The Town agrees to be responsible for transportation of Town vehicles to and from the Shop as well as transportation of Town vehicles to and from offsite commercial vendor locations when required.

4. Article III: GENERAL CONTRACT TERMS, Section 11. Equal Opportunity is hereby amended and replaced to read as follows:

NONDISCRIMINATION. The County is committed to assuring equal opportunity in the award of contracts and complies with all laws prohibiting discrimination. Pursuant to Palm Beach County Resolution R2017-1770, as may be amended, the Town warrants and represents that throughout the term of the Agreement, including any renewals thereof, if applicable, 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 or expression, or genetic information. Failure to meet this requirement shall be considered default of the Agreement.

5. Article III: GENERAL CONTRACT TERMS is hereby amended to add Section 32. **E-VERIFY - EMPLOYMENT ELIGIBILITY** to read as follows:

Each party warrants and represents that it is in compliance with Section 448.095, Florida Statutes, as may be amended. Each party has registered with and uses, and shall continue to use, the E-Verify System (E-Verify.gov), to electronically verify the employment eligibility of all newly hired employees. If either party has a good faith belief that the other party has knowingly violated Section 448.09(1), Florida Statutes, as may be amended, said party shall terminate this Agreement with the violating party.

6. All other provisions of the Agreement are hereby confirmed and, except as provided herein, are not otherwise altered or amended and shall remain in full force and effect.
7. Nothing in the Agreement, as amended, shall be construed to affect the rights and obligations of the parties under their Emergency Services Agreement for Mutual Assistance and Automatic Aid (R2017-0191) entered into on February 7, 2017, as may be amended from time to time.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the undersigned parties have caused these presents to be signed by their duly authorized officers on the day and year first written above.

ATTEST:
JOSEPH ABRUZZO,
Clerk & Comptroller

**PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS**

By: _____
Deputy Clerk

By: _____
Robert S. Weinroth, Mayor

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

**APPROVED AS TO TERMS AND
CONDITIONS**

By: _____
County Attorney

By: _____
Palm Beach County Fire Rescue

ATTEST:

TOWN OF PALM BEACH

By: _____
Town Clerk

By: _____
Danielle H. Moore, Mayor

**TOWN ATTORNEY'S OFFICE
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY**

By: _____

Date: _____

**Palm Beach County Fire Rescue
Warranty, Vehicle and Staff Charges
2022 Rate Schedule (January through December)
(based on FY 2021 costs)**

<u>Type of Charge</u>		<u>Hourly Rate</u>
Warranty Labor Rate	Apparatus Technician	\$144.09
	SCBA Technician	\$79.82
	Electronics Technician	\$91.72
Vehicle Charges		
Engine		\$143
Haz Mat		\$336
Quint		\$360
Brush Truck		\$845
Tender		\$606
Rescue		\$49
Rescue/Pumper		\$228
Light & Air Truck		\$3,130
Special Event Cart		\$13
Staff Charges (regular)		
Firefighter (FF,PM,EMT)		\$50
Driver		\$67
Lieutenant		\$72
Captain		\$87
Battalion Chief		\$96
District Chief		\$134
Fire Safety Specialist Reg		\$81
Fire Safety Specialist OT		\$117
Standard Staffing		
Engine	= one (1) Captain, one (1) Driver and one (1) Firefighter	
Haz Mat	= one (1) Driver and one (1) Firefighter	
Quint	= one (1) Captain, one (1) Driver and one (1) Firefighter	
Brush Truck	= no additional personnel	
Tender	= one (1) Driver	
Rescue	= one (1) Lieutenant and one (1) or two (2) Firefighters-depends on unit	
Rescue/Pumper	= one (1) Lieutenant and two (2) Firefighters-depends on unit	

Additional charges may be required based on equipment damage/loss and personnel overtime and/or injuries.

All invoices will be based on quarter-increments.

Details of calculations are available upon request.

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 022-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of a Contract for License Plate Recognition to Vetted Security Solutions as a Sole Provider.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum from Dean Mealy dated January 26, 2022, Purchasing Manager**
- ▣ **Resolution No. 022-2022**
- ▣ **Scope of Services**

Information for Town Council Meeting on February 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving a Contract for License Plate Recognition to Vetted Security Solutions; **Resolution No. 022-2021**

DATE: 26 January 2022

STAFF RECOMMENDATION

Staff recommends Town Council approve a Contract for License Plate Recognition to Vetted Security Solutions as a Sole Source Provider.

SUMMARY EXPLANATION/BACKGROUND

In the last three years, the Town has been utilizing the Osceola County Contract with Miller Electric. However, the contract was not all - inclusive and did not fulfill all Town's requirements. This contract did not include any design work for new camera installation and also did not include plate recognition services. Therefore, both the Police Department and Information Technology approached Purchasing requesting all-inclusive contract. To accomplish this end, Purchasing issued a Request for Proposals (RFP) to secure both services. When the proposals were received, the highest ranked was found non-responsive to the Security Cameras, however, was responsive to the LPR requirements.

At the January Town Council Meeting, a Resolution was approved to piggyback camera design, maintenance and new installation to Convergent Technologies. This contract was acquired from the City of West Palm Beach.

While the security cameras were addressed for the Police Department and Information Technology, the License Plate Readers were still an outstanding issue. As such, a recommendation is being made to award to Vetted Security Solutions as a Sole Source Award. They were found to be responsive to the RFP for the part of the award.

It would be the goal to issue individual purchase orders to Vetted Security Solutions for each work task. Any proposal valued greater than \$65,000 will be brought to Town Council for approval.

The Scope of Services that be utilized for this award are as follows:

Scope of Services for Town-wide License Plate Reader (LPR) Camera System

Scope of services covers following, but not limited to design, develop, build, and maintain Town of Palm Beach License Plate Recognition (LPR) equipment and infrastructure, including 16 LPR cameras at 5 locations. Town LPR cameras are monitored in real-time by the Police Department's Communications Unit and are utilized by the Criminal Investigations Unit as an investigative tool. The Town of Palm Beach Camera Committee has developed a strategic plan that includes upgrades to outdated LPR cameras and equipment for FY2021-2022, with a long-term goal of expanding our infrastructure through FY 2025 to include new LPR camera sites and mobile LPR units. While current locations utilize electricity and battery backup, the expansion will consist of solar-power units for mobile/portable LPR camera systems. Additionally, the Town of Palm Beach requires LPR cameras and equipment compatible with the Vigilant ALPR Platform. Currently, our LPR infrastructure consists of the following:

APPROVED EQUIPMENT: The Town of Palm Beach utilizes LPR cameras compatible with the Vigilant ALPR Platform. Currently, our infrastructure consists of the following:

Video Management System (VMS)

- Vigilant Systems (ALPR) License Plate Recognition Management System (Motorola)

Camera Infrastructure

- Vigilant Solutions ALPR (Reaper, X10)
- Solar and battery backup equipment
- UPU Network Enclosures

METHOD OF PROCUREMENT

Town Purchasing is recommending Award for the LPR to Vetted Security Solutions based on their responsiveness to the RFP related to LPR.

FISCAL IMPACT/FUNDING SOURCE

The funding for maintenance portion of this contract, estimated to be \$65,000, will come from Police Department operational budget. Any new capital project that will go over Town Council threshold of \$65,000 will be brought to Town Council for approval.

USER DEPARTMENT CONCURRENCE

The Police Department and IT Department are in full concurrence with this recommendation.

DUE DILIGENCE

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

TOWN ATTORNEY REVIEW

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

CC: Nick Caristo, Chief of Police Department
 Will Rothrock, Police Captain
 Andy Jadoo, IT Manager

RESOLUTION NO. 022-2021

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF A CONTRACT FOR LICENSE
PLATE RECOGNITION TO VETTED SECURITY SOLUTIONS
AS A SOLE PROVIDER**

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

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 022-2021, Approving the Award of a Contract for License Plate Recognition to Vetted Security Solutions as a sole source provider.

Section 2. The Town Manager is hereby authorized to execute this contract and any deriving purchase orders on behalf of the Town of Palm Beach.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle Gordon, Acting Town Clerk

Scope of Services for Town-wide License Plate Reader (LPR) Camera System

Scope of services covers following, but not limited to design, develop, build, and maintain Town of Palm Beach License Plate Recognition (LPR) equipment and infrastructure, including 16 LPR cameras at 5 locations. Town LPR cameras are monitored in real-time by the Police Department's Communications Unit and are utilized by the Criminal Investigations Unit as an investigative tool. The Town of Palm Beach Camera Committee has developed a strategic plan that includes upgrades to outdated LPR cameras and equipment for FY2021-2022, with a long-term goal of expanding our infrastructure through FY 2025 to include new LPR camera sites and mobile LPR units. While current locations utilize electricity and battery backup, the expansion will consist of solar-power units for mobile/portable LPR camera systems. Additionally, the Town of Palm Beach requires LPR cameras and equipment compatible with the Vigilant ALPR Platform. Currently, our LPR infrastructure consists of the following:

APPROVED EQUIPMENT: The Town of Palm Beach utilizes LPR cameras compatible with the Vigilant ALPR Platform. Currently, our infrastructure consists of the following:

Video Management System (VMS)

- Vigilant Systems (ALPR) License Plate Recognition Management System (Motorola)

Camera Infrastructure

- Vigilant Solutions ALPR (Reaper, X10)
- Solar and battery backup equipment
- UPU Network Enclosures

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 023-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Duval Ford LLC in the Amount of \$71,715 and Establishing a Project Budget of \$72,000.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum dated January 27, 2022, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 023-2022**
- ▣ **Proposal**

Information for Town Council Meeting on February 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution Approving a Purchase Order to Duval Ford LLC in the Amount of \$71,517 and Establishing a Project Budget of \$72,000; **Resolution No. 023-2021**

DATE: 27 January 2022

STAFF RECOMMENDATION

Staff recommends Town Council approve a Purchase Order to Duval Ford LLC in the Amount of \$71,517 and Establishing a Project Budget of \$72,000.

SUMMARY EXPLANATION/BACKGROUND

PAR 3 had a GMC Tilt Bed Truck used for trips to the dump, pickup of fertilizer and dirt. When it was taken in for service in November 2021, it was determined that the truck was so badly rusted that it was taken out of service.

Recreation/PAR 3 still have an on-going need to for this piece of equipment to support operations of the facilities.

METHOD OF PROCUREMENT

Purchasing reached out to the two firms on the Florida Sheriff Association Contract for vehicles, Duval Ford LLC and Orlando Freightliner. Due to supply issues, only Duval Ford LLC was able to provide pricing as established by the State of Florida Contract.

The Florida Sheriff Association Contract provides best pricing to governmental agencies.

The unit sought for use at PAR 3 was available with all associated requirements specified by the Town.

FISCAL IMPACT/FUNDING SOURCE

Recreation/PAR 3 currently has \$30,000 accumulated within the Equipment Replacement Fund for replacement of this asset. Since this is an unplanned replacement, it will require a transfer of \$30,000 from the Equipment Replacement Fund Contingency with the additional funding

requiring a \$42,000 transfer from the General Fund contingency.

USER DEPARTMENT CONCURRENCE

The Recreation Department is in full concurrence with this recommendation.

DUE DILIGENCE

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

TOWN ATTORNEY REVIEW

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

CC: Carolyn Stone, Assistant Town Manager
Mark Bresnahan, Division Director, Recreation
Rod Lovett, Assistant Director
Tim Campbell, Golf Course Superintendent

RESOLUTION NO. 023-2021

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A PURCHASE ORDER TO DUVAL FORD LLC IN
THE AMOUNT OF \$71,715 AND ESTABLISHING A PROJECT
BUDGET OF \$72,000**

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

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 023-2021, Approving a Purchase Order to Duval Ford LLC in the Amount of \$71,715 and Establishing a Project Budget of \$72,000 for the Purchase of a 2022 Ford F-550 4X4 Crew Cab and Chassis.

Section 2. The Town Manager is hereby authorized to execute this contract and any deriving purchase orders on behalf of the Town of Palm Beach.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle Gordon, Acting Town Clerk

TOWN OF PALM BEACH

Prepared for:

TOWN OF PALM BEACH
 GENE BITTEKER
ebitteker@townofpalmbeach.com
 561-227-7006

Contract Holder

120/20/21

Duval Fleet Sales
 Laura Torbett
 (Work) 904-388-2144
 (Fax) 904-387-6816
 (Cell) 904-568-6027
Laura.Torbett@duvalfleet.com
 5203 Waterside Dr Jax, FL 32210

PLEASE CONFIRM RECEIPT OF QUOTE VIA EMAIL

We appreciate your interest and the opportunity to quote. Pricing per FLORIDA SHERIFFS ASSOCIATION LIGHT VEHICLE CONTRACT FSA20-VEL28.0 Heavy Equipment and Trucks FSA20-VEH 18.0. If you have any questions regarding this quote please call! Note, Vehicle will be ordered white exterior unless specified on purchase order. Shipping and Invoicing instructions are required on agency purchase order.

Labor	Code	Equipment	Price
0			\$ -
0			\$ -
0	SPEC 45	2022 FORD F-550 4X4 CREW CAB & CHASSIS (DUAL REAR WHEEL) W5H	\$ 44,196.00
0	660A	XL TRIM	\$ -
0	99T	6.7L V8 DIESEL ENGINE	\$ -
0	44G	AUTOMATIC TRANSMISSION	\$ -
0	CA1	203" WHEEL BASE, 84" CAB TO AXLE	\$ 2,160.00
0	X8L	4.88 LIMITED SLIP	\$ -
0			\$ -
0	Z1	EXTERIOR COLOR: OXFORD WHITE	\$ -
0	AS	INTERIOR: MED. EARTH GRAY VINYL- 40/20/40	\$ -
0			\$ -
0	90L	POWER WINDOWS AND LOCKS	\$ 1,124.00
0	52B	BRAKE CONTROLLER	\$ 269.00
0	534	TRAILER TOWING PACKAGE WITH 7 WAY WIRING & 2" BALL	\$ 1,645.00
0	68M	19500# GVWR	\$ 1,154.00
0	525	CRUISE CONTROL	\$ 234.00
0	62R	PTO PROVISION	\$ -
0	BOARDS C	4" TUBULAR RUNNING BOARDS- BLACK	\$ 515.00
0	TAG	YELLOW COUNTY TAG & TITLE	\$ 125.00
0	TTO	TAG PROCESSING FEE	\$ 48.00
0	KCD 4	11' ALUMINUM LANDSCAPE CONTRACTOR BODY WITH ELECTRIC HOIST	\$ 17,247.00
0	NON CONTRACT	UPGRADE TO 48" SIDES	\$ 2,175.00
0	INCL	REAR BARN DOORS	\$ -
0	INCL	ICC BUMPER	\$ -
0	INCL	TARP WITH REAR PULL BAR & ROPE	\$ -
0	31V	SHIP THROUGH	\$ 625.00
0			\$ -
0			\$ -
0			\$ -
0			\$ -
	VENDOR COMMENTS		
UNIT COST			\$ 71,517.00

TOTAL QUANTITY 1 TOTAL PURCHASE \$ 71,517.00

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Consent - Other

Agenda Title

Approval of Town Manager Performance Evaluation

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 27, 2022, from Kirk W. Blouin, Town Manager**
- ▣ **Town Manager Performance Evaluation form**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 8, 2022

TO: Mayor and Town Council

FROM: Kirk W. Blouin, Town Manager

RE: Approval of Town Manager Performance Evaluation

DATE: January 27, 2022

Approval of Performance Evaluation on behalf of Kirk Blouin, Town Manager, for evaluation period February 14, 2021 to February 13, 2022.

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

KWB:pgg

Attachment



Town of Palm Beach Town Manager Performance Evaluation

The Mayor and Town Council should complete this evaluation form, sign it in the space below, and return it to Kirk Blouin by Friday, February 4, 2022. A summary of the evaluation scores that are received by the deadline will be presented at the Town Council meeting on February 8, 2022. The Town Manager's contract should be renewed at the Town Council meeting scheduled for the 8th of February. The Town Manager's contract will expire at the end of the business day on February 13, 2022.

Evaluation Period: February 14, 2021 to February 13, 2022

Signature: _____

Date: _____

INSTRUCTIONS:

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

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

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

Leadership

Leadership with Council

Makes an effort to maintain consistent availability to Town Council.

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

Comments:

Score (Scale: 1-5): ____

Leadership with Employees

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

Comments:

Score (Scale: 1-5): ____

Leadership in Community

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

Comments:

Score (Scale: 1-5): _____

Strategic Leadership

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

Comments:

Score (Scale: 1-5): _____

Organizational Management

Fiscal

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

Comments:

Score (Scale: 1-5): _____

Management of the Organization

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

Comments:

Score (Scale: 1-5): _____

Individual Qualities

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

Comments:

Score (Scale: 1-5): _____

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Consent - Other

Agenda Title

Budget Calendar for FY23 Budget Process

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Memorandum Dated January 27, 2022, from Jane Le Clainche, Finance Director**
- ▣ **Budget Calendar**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Finance Director

Re: Budget Calendar for FY23 Budget Process

Date: January 27, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the proposed FY23 budget calendar.

GENERAL INFORMATION

The attached budget calendar for FY23 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 14, 2022** – Town Council meeting to review Town staffs' proposed FY23 budget and Initial Resolutions Adopting Special Non-Ad Valorem Assessments.
- **September 13, 2022 at 5:01pm** – First public hearing on tentative budget and proposed tax rate.
- **September 22, 2022 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 FY23 budget.

Attachment

jll

cc: Department Directors
Jay Boodheshwar, Deputy Town Manager
Carolyn Stone, Assistant Town Manager
John C. Randolph, Town Attorney

FY2023 Proposed Budget Calendar

Task	Date	Task	Date
Finance to distribute FY23 Budget instructions	2/1/2022	Town Manager's Review of Initial Town Manager, Finance, and ERF Budgets	04/21/2022
Town Council Meeting – Adoption of the Town Manager's Goals for FY23	02/8/2022	Town Manager's Review of HR/Risk/Health/OPEB	04/26/2022
Submit initial CIP Request forms to Public Works, IT Requests to IT, and Reorganization/Reclassification requests, to HR	02/18/2022	Property Appraiser Issues Preliminary Property Values	05/31/2022
All Budget Information submitted to Finance	03/11/2022	Final Budget Document Pages Returned to Finance	06/06/2022
Town Manager's Initial Review of IT Budget	03/18/2022	Notice from Property Appraiser of Preliminary Certification of Taxable Value	06/30/2022
Town Manager's Initial Review of Planning, Zoning and Building Budget	03/22/2022	Distribution of Proposed FY23 Budget Document	Week of July 1
Town Manager's Initial Review of Recreation Budget and Marina and Golf Enterprise Fund budgets	03/23/2022	Town Council Meeting to Consider Proposed FY23 Budget, LTFP and Initial Resolutions(s) Adopting Special Non-Ad Valorem Assessments	07/14/2022
Town Manager's Initial Review of Police Department Budget	03/29/2022	Notice of Proposed Property Taxes is mailed from Palm Beach Property Appraiser	Week of August 15
Town Manager's Initial Review of Public Works Budget	03/31/2022	Town Council Meeting – First Public Hearing to Approve Tentative Budget and Proposed Tax Rate for FY23 and Final Resolution(s) Adopting Special Non-Ad Valorem Assessments	09/13/2022 5:01PM
Town Manager's Initial Review of Fire Rescue Budget	04/15/2022	Town Council Meeting – Second Public Hearing to Adopt FY23 Budget and Tax Rate	09/22/2022 5:01PM
Town Manager's Review of Capital Coastal and ERF Budget	04/19/2022	Resolution Adopting Final Millage Rate is Forwarded to Property Appraiser and Tax Collector and Certificate of Compliance sent to Department of Revenue & EDR Report Due	10/03/2022

January 2022	February 2022	March 2022	April 2022	May 2022	June 2022
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	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 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

July 2022	August 2022	September 2022	October 2022	November 2022	December 2022
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 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 8, 2022

Section of Agenda

Consent - Other

Agenda Title

Advisory Capacity of the Shore Protection Board

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated January 20, 2022, from H. Paul Brazil, P.E.,
Director of Public Works**
- ▣ **Article X - Section 2-636**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

TO: Mayor and Town Council

VIA: Kirk. W. Blouin, Town Manager

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

RE: Advisory Capacity of the Shore Protection Board

DATE: January 20, 2022

STAFF RECOMMENDATION

Town staff requests that Town Council review the suggested revisions to Town Code of Ordinances, Section 6-636, pertaining to the advisory capacity of the Shore Protection Board.

GENERAL INFORMATION

During the December 14, 2021 regular meeting, Town Council discussed the advisory capacity of the Shore Protection Board.

Consistent with the comments made by Town Council, attached is a red-lined draft of the revisions made by the Town Council. The scope has been adjusted to reflect the Board's refocused duties to include long term planning, public education, and assisting Town staff in applicable communication with the public. Budgeting, lobbying, and intergovernmental coordination are to be stricken as they are responsibilities of the Mayor and Town Council. Finally, other revisions have been suggested by staff because the items are no longer applicable as they were put in place to assist with the creation of the Board.

If no additional direction is provided, Town staff will move forward with ratifying the proposed changes to the Town Code at future Town Council regular meetings.

Attachment

cc: Shore Protection Board
Patricia Strayer, Town Engineer
Rob Weber, Coastal Program Manager

ARTICLE X. - SHORE PROTECTION BOARD^[14]

Sec. 2-636. - Shore protection board created; appointments; terms; qualifications; advisory function; requirements; officers; procedure.

(a)

Generally. A board of the town to be known as the "Shore Protection Board" is hereby created; such board to be composed of seven members to be appointed by the town council. Members of the shore protection board shall hold office for three year terms. Any member who has served two full three year terms shall no longer be eligible for reappointment, however, a member may be reappointed by town council upon the expiration of one full year subsequent to their terms having expired. Members of the board shall be residents of the town. If a vacancy shall occur other than by the expiration of a term, it may be filled by the town council for the unexpired term.

(b)

Removal provisions. All members of the shore protection board serve at the pleasure of the town council and may be removed from the board with or without cause. Members of the board shall be automatically removed for lack of attendance. Lack of attendance shall be defined as a failure to attend three regularly scheduled meetings in any one calendar year. Excused absence due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. The member shall notify the town manager's office in writing of the board member's intended absence at least seven business days prior to the regularly scheduled meeting. Failure to do so, absent an emergency which prevents timely notice, will cause the absence to be unexcused. Excused absences shall be entered into the minutes of the next regularly scheduled meeting of the board after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this Code.

(c)

Frequency of meetings. The board shall meet on an irregular schedule, whenever such meetings shall be called either at the discretion of the chairman or at the direction of the town council.

(d)

Officers, rules of procedure. The shore protection board shall elect a chairman and a vice chairman and may adopt procedures for the conduct of its meetings. Four voting members of the board shall constitute a quorum, however, the affirmative or negative vote of a majority of the entire membership of the board shall be necessary for it to take action.

(e)

Advisory capacity. The shore protection board shall act in an advisory capacity to the town council and shall make recommendations to the town council on all matters relating to shore protection in the town including, but not limited to, issues relating to the beaches and specific resiliency matters along the town's Lake Worth Lagoon shoreline as directed by Town Council. In addressing these matters, the scope of the shore protection board's duties shall include long term planning, public education, and assisting Town staff in applicable communication with the public.

(Ord. No. 1-08, § 1, 6-10-08; Ord. No. 16-2011, § 4, 9-13-11; Ord. No. 17-2014, § 1, 11-13-14; Ord. No. [06-2017](#), § 1, [2-14-17](#); Ord. No. [2-2018](#), § 1, 3-20-18; [Ord. No. 03-2021](#), § 1, [2-9-21](#))

[Secs. 2-620—2-635. - Reserved.](#)

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Consent - Other

Agenda Title

Accept Donation of \$100,000 for Purchase of Equipment for the Police Department

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▣ **Memorandum Dated January 28, 2022 from Nicholas Caristo, Chief of Police**
- ▣ **Administrative Procedure 1-08-8**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: Accept Donation of \$100,000 from Kenneth C. Griffin for Purchase of Vehicles for the Police Department

Date: January 28, 2022

STAFF RECOMMENDATION

Staff recommends the Town Council accept a donation from Kenneth C. Griffin in the amount of \$100,000 to purchase vehicles for the Police Department as deemed appropriate and necessary by the Chief of Police and the Town Manager in accordance with the Town's Purchasing Procedures.

GENERAL INFORMATION

The Palm Beach Police Department continues to benefit from the generosity of the residents and businesses of the Town of Palm Beach. The Department has recently received intentions of a donation of \$100,000 from resident Kenneth C. Griffin. The donor indicated that the funds should be utilized as deemed appropriate and necessary by the Chief of Police and the Town Manager, for vehicles, for the Police Department.

Per Town Administration Policy No. 1-08-08 (Attachment A), any donation with a value over \$25,000, which is not included in the Town's budget, must be approved by Town Council. A gift agreement, which has been approved by the Town Attorney, will be executed by the donor and Town Manager if the Town Council approves the donation acceptance.

FUNDING/FISCAL IMPACT

The donation will be forward to the Finance Department for deposit in the Police Department's donation account. Vehicles and related equipment purchased using donated funds will be obtained in accordance with established Purchasing Procedures.

NC:wmr

Attachment

cc: Jane Le Clainche, Director of Finance
Dean Mealy, Purchasing Manager
John C. Randolph, Town Attorney



TOWN OF PALM BEACH

Administrative Procedures

TOWN DONATIONS PROCEDURES

Procedure No.:.....1-08-8

Effective Date:..... September 25, 2008

Revision to Procedure No.:..... 1-08-5

APPROVED: 
Peter B. Elwell, Town Manager

OBJECTIVE: To formally establish clear procedures for implementation of the donations policy adopted by the Town Council at the January 8, 2008 Town Council meeting.

RESPONSIBILITY: Department directors and/or the Town Manager shall be responsible for the implementation of this procedure. The Finance Director shall be responsible for ensuring completion of those actions required of the Finance Department. Town Council is responsible for approving certain donations as described below.

DEFINITIONS:

Donation:	May refer to either money or items. (Donations of food are exempted from this policy.)
Town budget:	Refers to the Town Council adopted budget, the Equipment Replacement Program, or the approved five-year Capital Improvement Program
Department director:	May also refer to his or her designee
Town Manager:	May also refer to his or her designee

POLICY: Donations with a value over \$25,000, which are not included in the Town budget or the Council-approved Capital Improvement Program (CIP) or Equipment Replacement Fund (ERF), must be individually approved by Town Council. All other donations require administrative approval under the following guidelines:

- Donations of any value, which are of or for items included in the Town budget, are subject to the approval of the department director or Town Manager, as appropriate.

- Donations of money are accepted so long as items bought with the donated money follow the same guidelines as those of a donated item.
- Donations of items with a value of \$25,000 or less, which are not included in the Town budget, may be approved by the department director if there will be no future maintenance or replacement cost, but are subject to the approval of the Town Manager if there could or would be future maintenance or replacement cost.

The department director or Town Manager may seek Town Council approval of any donation which they determine should be subject to Town Council review.

PROCEDURE:

- Donations of cash or gift cards will not be accepted, with the exception of gift certificates or cards donated to the Recreation Department for the use as program prizes. Said certificates or cards will be subject to appropriate cash handling and tracking procedures to insure accountability.
- Departments must follow the Town's formal written purchasing procedures when using donation funding to buy an item.
- If the Town receives a donation for an item in the ERF that is not scheduled for purchase until a future date, the department shall use the donation when the next available purchase for such item occurs in the ERF. Acceleration of such purchases is allowed only upon the advance written approval of the Town Manager.
- All donations shall be reported to the Finance Department for processing and recording.
- The Finance Department will administer a central database, which shall record the date of every donation, name and address of donor, purpose of the donation and the amount of the donation. Departments should submit such information to the Finance Department the same business day the donation is received.

CONSIDERATIONS:

When determining whether to accept a donation, the department director and/or Town Manager should consider whether the public, professional or community benefit is clear. The Town should also

avoid any impression that a private entity might receive a favor, naming rights, or any other quid pro quo consideration from the Town or a Town official in exchange for the donation.

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Consent - Other

Agenda Title

Town Marina and Lake Drive Park Improvements - Project Update

Presenter

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

ATTACHMENTS:

- **Memorandum dated January 24, 2022, from H. Paul Brazil, P.E.,
Director of Public Works**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

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

RE: Town Marina and Lake Drive Park Improvements - Project Update

DATE: January 24, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council review the project update provided below, and authorize the Town Manager to execute the proposed final change order for the Town Marina Project.

GENERAL INFORMATION

The Town Marina opened on November 1, 2021 for operation, and Lake Drive Park is fully opened for public use. South Lake Drive was fully re-opened to traffic as well, with new crosswalks, stop signs, and right-of-way improvements completed. Punchlist items identified during final inspections are being addressed and project close-out will continue with the contractor providing as-built documentation, operations and maintenance information, and warranties.

A significant change order was requested by the contractor as related to the costs and effort to accomplish the dredging and disposal for the new marina. The contractor's initial request for additional compensation was \$3,131,253, and this was reviewed and analyzed by Town staff including Public Works, Purchasing, and the Town Manager. The final negotiated change order amount was \$2,200,000, which includes \$346,892 to be paid from an existing pay item in the contract. This additional compensation for the dredging work is considered to be fair and reasonable by all parties. [A third-party legal review was also conducted for validation]. This negotiated amount will be included in the final change order for the project, and with Town Council concurrence that change order will be executed by the Town Manager.

An accounting of project costs compared to the budget amounts is presented below and reflects the proposed final construction change order:

Town Marina Project

Approved Construction Project Funding	=	\$32,968,000.00
Approved Construction Contingency Funding	=	\$ 3,296,800.00
Contingency Used	=	\$ 2,379,045.03
Contingency Balance	=	\$ 917,754.97

Approved Owner's Budget/Contingency*	=	\$1,393,953.00
Owner's Budget/Contingency Used	=	<u>\$1,281,620.08</u>
Owner's Budget/Contingency Balance	=	\$ 112,332.92

*This includes FFE (outfitting) costs, FPL costs, mitigation work related to FDEP/USACE permits, utility connection fees, builders risk insurance, etc.

Lake Drive Park Improvements Project

Approved Project Funding	=	\$3,635,044.00
Contingency Amount Approved	=	\$ 372,507.00
Contingency Used	=	<u>\$ 74,420.00</u>
Contingency Balance	=	\$ 298,087.00

FUNDING/FISCAL IMPACT

Public Works will proceed with the financial close-out of the project once all the contract requirements and payments have been made.

PURCHASING REVIEW

The Purchasing Division participated in and concurs with the proposed actions.

TOWN ATTORNEY REVIEW

This proposed action did not require Town Attorney review, but third-party legal review of the proposed request was performed.

cc. Jay Boodheshwar, Deputy Town Manager
Carolyn Stone, Assistant Town Manager
Jane LeClainche, Finance Director
Eric Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Robert Weber, Coastal Program Manager
Gordon Thomson (W.F. Baird & Associates)
Dean Mealy, Purchasing Manager

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TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Board/Commission Annual Report

Agenda Title

Annual Report of the Investment Advisory Committee

Presenter

Chris Storkerson, Chair

ATTACHMENTS:

- ▣ **Investment Advisory Committee Annual Report**



Town of Palm Beach Investment Advisory Committee

To: Mayor and Town Council

From: Mr. Christopher Storkerson, Chairman
Investment Advisory Committee

Date: January 28, 2022

Subject: Annual Report to Mayor and Town Council

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

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

Surplus Fund Investments

The Town's surplus funds are managed by PFM Asset Management, the Florida Education Investment Trust (FEITF), and the Florida League of Cities Investment Trust, and the Town holds investments in Certificates of Deposit. The total balance of core investments as of November 30, 2021, was \$141,651,606.

PFM Asset Management

The Town's total investment with PFM represents approximately 33.2% of the total core portfolio. PFM 1-5 Year Actively Managed Portfolio one year return is -0.57%.

Florida League of Cities Bond Funds

The Florida League of Cities Investment Trust (FMIvT) has 31.5% of the Town investments; a total of \$44.6 million. \$27.1 million is with the Florida League of Cities Investment Trust 1 – 3 year and \$7 million is in 0-2 year bond fund and \$6.3 million is in the Intermediate Bond fund. The FMIvT 1-3 year fund has returned -.01%, the 0-2 year fund returned 0.37% and the intermediate fund returned -0.68% for the one year period ended November 30, 2021.

Certificate of Deposits

The Town had a \$7 million Certificate of Deposit with a one-year return of 0.27%. The current CD holding had a duration of 11 months. The Certificate of Deposit matured in December.

Short Term Investments

The Town has approximately \$42.6 million in short term investments in the FL PALM (7.07%), a Bank United Money Market account (13.5%) and a TD Bank MMA account (9.44%) for a total of 30.1% of the portfolio. The one-year return of FL Palm is 0.07%.

Underground utility bond proceeds of \$32.9 million and the Marina Revenue Bond Proceeds of \$2 million are invested in the FL PALM money market investments.

Health Insurance (OPEB) Trust

The Committee oversees the investment of the assets of the Health Insurance (OPEB) Trust. The asset classes and actual and policy target allocation for the Health Insurance Trust as of December 31, 2021, are shown below:

Asset Class	Actual Allocation	Target Allocation
Domestic Equity	42.1%	40%
International Equity	9.7%	10%
Non-Traditional Assets	1.6%	5%
Fixed Income	36.2%	35%
Real Estate	9.3%	10%
Liquid Capital	1.1%	0%

Attached is a summary of the investments in the Health Insurance (OPEB) Trust and the quarterly returns as of December 31, 2021. For the one-year period ending December 31, 2021, the fund returned 12.43%. The fiscal year ended September 30, 2021, return was 18.21%. The actuarial assumption from for this trust is 5%. The funding status as of September 30, 2021, is 147.81%.

The market value of the portfolio as of December 31, 2021, was \$42,430,867. AndCo Consulting oversees the investments for this trust. The current money managers and investment benchmarks for the trust are shown below:

Manager

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

Investment Benchmark

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

Financial Report

The attached Financial Report was developed this past year and contains a balance sheet and income statement for the OPEB Trust Fund. The attached report is as of December 31, 2021.

General Information

The current members of the Investment Advisory Committee include:

Name:	Term Expires
Chris Storkerson, Chairman	May 2023
Kathleen Anderson	May 2022
David McDonald	May 2023
Lloyd Mc Adams	May 2023
Michael Greenwald	May 2022

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

The next meeting of the Committee is scheduled for Friday, February 18, 2022 at 2:30pm. AndCo Consulting and PFM Asset Management will discuss the performance through December 31, 2021. A 2022 meeting schedule is attached to this report.



1% Sales Tax Quarterly Report

PRESENTATION TO INVESTMENT ADVISORY COMMITTEE

FEBRUARY 18, 2022

Receipts

	Amount Received
Total for FY2017	\$350,846.68
Total for FY2018	\$576,791.86
Total for FY2019	\$623,175.79
Total for FY2020	\$572,891.26
Total for FY2021	\$666,598.10
October 2021	\$0
November 2021	\$49,872.30
December 2021	\$51,862.11
Total FYTD2022	\$101,734.41
Total Received Since 2017	\$2,892,038.10

Disbursements

- ▶ The Town Council approved using \$2.6 million of the one-cent surtax revenues for the undergrounding project at the July 12, 2017 Town Council meeting.
- ▶ The Town Council approved using the remaining one-cent surtax revenues for the undergrounding project at the December 10, 2019 Town Council meeting.

Investment Performance Review
Period Ending December 31, 2021

Town of Palm Beach OPEB Trust

Monthly Preliminary Returns



2-8-22 TCM Backup

Equities

	<u>Month</u>	<u>3 M</u>	<u>YTD</u>	<u>1 Year</u>	<u>3 Yr Ann</u>	<u>5 Yr Ann</u>
S&P 500 Total Return	4.48	11.03	28.71	28.71	26.07	18.47
Russell Midcap Index	4.08	6.44	22.58	22.58	23.29	15.10
Russell 2000 Index	2.23	2.14	14.82	14.82	20.02	12.02
Russell 1000 Growth Index	2.11	11.64	27.60	27.60	34.08	25.32
Russell 1000 Value Index	6.31	7.77	25.16	25.16	17.64	11.16
Russell 3000 Index	3.94	9.28	25.66	25.66	25.79	17.97
MSCI EAFE NR	5.12	2.69	11.26	11.26	13.54	9.55
MSCI EM NR	1.88	(1.31)	(2.54)	(2.54)	10.94	9.87

Index Returns (%)

	<u>Month</u>	<u>3 M</u>	<u>YTD</u>	<u>1 Year</u>	<u>Mod. Adj. Duration</u>	<u>Yield to Worst</u>
U.S. Aggregate	(0.26)	0.01	(1.55)	(1.55)	6.78	1.75
U.S. Corporate Investment Grade	(0.08)	0.23	(1.04)	(1.04)	8.70	2.33
U.S. Corporate High Yield	1.87	0.71	5.28	5.28	3.83	4.21
Global Aggregate	(0.14)	(0.67)	(4.71)	(4.71)	7.54	1.31

Levels (%)

<u>Key Rates</u>	<u>12/31/21</u>	<u>12/31/20</u>	<u>12/31/19</u>	<u>12/31/18</u>	<u>12/31/17</u>
US Generic Govt 3 Mth	0.03	0.06	1.54	2.35	1.38
US Generic Govt 2 Yr	0.73	0.12	1.57	2.49	1.88
US Generic Govt 10 Yr	1.51	0.91	1.92	2.68	2.41
US Generic Govt 30 Yr	1.90	1.64	2.39	3.01	2.74
ICE LIBOR USD 3M	0.21	0.24	1.91	2.81	1.69
Euribor 3 Month ACT/360	(0.57)	(0.55)	(0.38)	(0.31)	(0.33)
Bankrate 30Y Mortgage Rates Na	3.27	2.87	3.86	4.51	3.85
Prime	3.25	3.25	4.75	5.50	4.50

Russell Indices Style Returns *

	<u>V</u>	<u>B</u>	<u>G</u>	<u>V</u>	<u>B</u>	<u>G</u>
<u>L</u>	25.1	26.4	27.6	2.8	20.9	38.4
<u>M</u>	28.3	22.6	12.7	4.9	17.0	35.5
<u>S</u>	28.2	14.8	2.8	4.6	19.9	34.5

YTD

2020

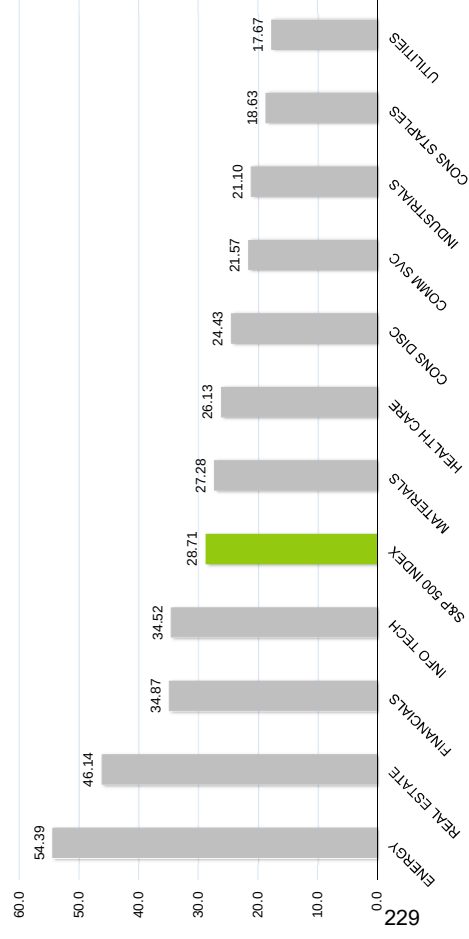
Levels

<u>Currencies</u>	<u>12/31/21</u>	<u>12/31/20</u>	<u>12/31/19</u>
Euro Spot	1.14	1.22	1.12
British Pound Spot	1.35	1.37	1.33
Japanese Yen Spot	115.08	103.25	108.61
Swiss Franc Spot	0.91	0.89	0.97

Levels

<u>Commodities</u>	<u>12/31/21</u>	<u>12/31/20</u>	<u>12/31/19</u>
Oil	75.21	47.32	52.65
Gasoline	3.29	2.25	2.59
Natural Gas	3.73	2.94	2.65
Gold	1,828.60	1,914.00	1,187.30
Silver	23.35	26.74	16.50
Copper	446.35	352.05	284.85
Corn	593.25	440.25	417.75
BBG Commodity TR Idx	211.80	166.63	172.00

YTD Sector Returns



2020 Sector Returns



Source: Bloomberg & Investment Metrics. For informational purposes only and should not be regarded as investment advice. Information is based on sources and data believed to be reliable, but AndCo Consulting cannot guarantee the accuracy, adequacy or completeness of the information. The material provided herein is valid only as of the date of distribution and not as of any future date. *Heat maps are displayed utilizing a 9-color scale, with green as the highest return for the time period noted and red as the lowest return for the time period noted. Color scales within each time period are mutually exclusive.

Private Investments Reporting Status
Total Private Investments
As of December 31, 2021

Manager	MV As Of	Most Recent Statement Date
Real Estate		
Intercontinental U.S. REIF	9/30/2021	9/30/2021
Principal Enhanced Property Fund	12/31/2021 - Estimated	9/30/2021
Absolute Return		
Crescent Direct Lending Levered Fund II	12/30/2021 - Capital Distribution	9/30/2021

Performance and valuations presented in this report are preliminary, with 92.3% of assets reporting finalized figures.
NAVs for non-reporting investments are carried forward from the most recent valuation.

Asset Allocation Compliance

Town of Palm Beach OPEB Trust

As of December 31, 2021

Executive Summary



Asset Allocation Compliance

	Asset Allocation \$	Current Allocation (%)	Minimum Allocation (%)	Target Allocation (%)	Maximum Allocation (%)
Total Fund	42,430,867	100.0	N/A	100.0	N/A
Domestic Equity	17,851,506	42.1	35.0	40.0	45.0
International Equity	4,135,979	9.7	5.0	10.0	15.0
Total Core Plus Fixed Income	11,959,875	28.2	10.0	30.0	40.0
Total Global Fixed Income	3,395,048	8.0	0.0	5.0	10.0
Total Real Estate	3,926,410	9.3	0.0	10.0	15.0
Total Non-Traditional Assets	683,705	1.6	0.0	5.0	10.0
Total Liquid Capital	478,344	1.1	0.0	0.0	0.0

Financial Reconciliation
Total Fund

1 Month Ending December 31, 2021

Financial Reconciliation - 1 Month									
	Market Value 12/01/2021	Net Transfers	Contributions	Distributions	Management Fees	Other Expenses	Income	Apprec./ Deprec.	Market Value 12/31/2021
Domestic Equity	17,176,418	-	-	-	-	-	63,696	611,392	17,851,506
Vanguard Russell 3000 Idx (VRTTX)	17,176,418	-	-	-	-	-	63,696	611,392	17,851,506
International Equity	3,959,490	-	-	-	-	-	150,464	26,025	4,135,979
Pear Tree Polaris Foreign Value (QFVRX)	2,147,741	-	-	-	-	-	62,858	69,127	2,279,725
American Funds Europacific Growth R6 (RERGX)	1,624,010	-	-	-	-	-	84,704	-49,204	1,659,510
Vanguard Developed Mkts Index (VTMGX)	187,739	-	-	-	-	-	2,903	6,102	196,744
Total Fixed Income	15,344,306	-	-	-	-	-	25,057	-14,439	15,354,924
Met West Total Return Bond Fund (MWTIX)	11,985,708	-	-	-	-	-	15,280	-41,113	11,959,875
PIMCO Div Inc Bond Fund (PDIIX)	3,358,597	-	-	-	-	-	9,777	26,674	3,395,048
Total Real Estate	3,930,870	-	-	-	-	-	-	-4,460	3,926,410
Intercontinental U.S. REIF	2,571,435	-	-	-	-	-	-	-	2,571,435
Principal Enhanced Property Fund	1,359,435	-	-	-	-	-	-	-4,460	1,354,975
Total Non-Traditional Assets	720,812	-37,107	-	-	-	-	-	-	683,705
Crescent Direct Lending Levered Fund II	720,812	-37,107	-	-	-	-	-	-	683,705
Total Liquid Capital	441,234	37,107	-	-	-	-	2	-	478,344
Cash	441,234	37,107	-	-	-	-	2	-	478,344
Total Fund	41,573,130	-	-	-	-	-	239,220	618,517	42,430,867



Financial Reconciliation

Total Fund

October 1, 2021 To December 31, 2021

Financial Reconciliation - Fiscal Year To Date									
	Market Value 10/01/2021	Net Transfers	Contributions	Distributions	Management Fees	Other Expenses	Income	Apprec./ Deprec.	Market Value 12/31/2021
Domestic Equity	17,718,531	-1,500,000	-	-	-	-	63,696	1,569,279	17,851,506
Vanguard Russell 3000 Idx (VRTTX)	17,718,531	-1,500,000	-	-	-	-	63,696	1,569,279	17,851,506
International Equity	4,130,728	-	-	-	-	-	150,464	-145,213	4,135,979
Pear Tree Polaris Foreign Value (QFVRX)	2,261,262	-	-	-	-	-	62,858	-44,394	2,279,725
American Funds Europacific Growth R6 (RERGX)	1,678,427	-	-	-	-	-	84,704	-103,621	1,659,510
Vanguard Developed Mkts Index (VTMGX)	191,039	-	-	-	-	-	2,903	2,802	196,744
Total Fixed Income	13,859,245	1,499,925	-	-	-	-	65,077	-69,323	15,354,924
Met West Total Return Bond Fund (MWTIX)	11,970,788	-	-	-	-	-	40,417	-51,331	11,959,875
PIMCO Div Inc Bond Fund (PDIIX)	1,888,381	1,500,000	-	-	-	-	24,584	-17,917	3,395,048
Total Real Estate	3,774,937	-	-	-	-	-	-	151,473	3,926,410
Intercontinental U.S. REIF	2,571,435	-	-	-	-	-	-	-	2,571,435
Principal Enhanced Property Fund	1,203,502	-	-	-	-	-	-	151,473	1,354,975
Total Non-Traditional Assets	821,772	-138,067	-	-	-	-	-	-	683,705
Crescent Direct Lending Levered Fund II	821,772	-138,067	-	-	-	-	-	-	683,705
Total Liquid Capital	340,193	138,142	2,277	-	-	-2,277	8	1	478,344
Cash	340,193	138,142	2,277	-	-	-2,277	8	1	478,344
Total Fund	40,645,406	-	2,277	-	-	-2,277	279,246	1,506,216	42,430,867

Asset Allocation & Performance
Program Composite and Investment Performance
As of December 31, 2021

Asset Allocation & Performance [Net of Fees] - Trailing Returns										
	Allocation		Performance(%)							
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception Date
Total Fund (Net)	42,430,867	100.0	2.06	4.39	4.39	12.43	12.43	14.27	9.40	05/01/2007
Total Fund Policy			1.91	4.01	4.01	11.84	11.84	14.89	10.53	N/A
Domestic Equity	17,851,506	42.1	3.93	9.50	9.50	25.84	25.84	23.09	15.48	06/01/2007
Vanguard Russell 3000 Idx (VRTTX)			3.93	9.25	9.25	25.56	25.56	N/A	N/A	N/A
Russell 3000 Index			3.94	9.28	9.28	25.66	25.66	25.79	17.97	10.24
International Equity	4,135,979	9.7	4.46	0.13	0.13	4.82	4.82	14.82	9.94	06/01/2007
Total International Equity Policy			4.16	1.88	1.88	8.29	8.29	13.70	9.82	3.08
Pear Tree Polaris Foreign Value (QFVRX)	2,279,725	5.4	6.15	0.82	0.82	8.84	8.84	N/A	N/A	09/01/2020
MSCI EAFE (Net) Index			5.12	2.69	2.69	11.26	11.26	13.54	9.55	18.76
MSCI EAFE Value Index (Net)			5.96	1.17	1.17	10.89	10.89	7.82	5.34	19.01
American Funds Europacific Growth R6 (RERGX)	1,659,510	3.9	2.19	-1.13	-1.13	2.84	2.84	18.20	N/A	07/01/2018
MSCI AC World ex USA (Net)			4.13	1.82	1.82	7.82	7.82	13.18	9.61	7.61
MSCI EAFE Growth Index (Net)			4.32	4.09	4.09	11.25	11.25	18.95	13.59	11.88
Vanguard Developed Mkts Index (VTMGX)	196,744	0.5	4.80	2.99	2.99	11.43	11.43	N/A	N/A	05/01/2020
Vanguard Spliced Developed ex U.S. Index (Net)			5.11	2.55	2.55	11.57	11.57	14.51	10.07	27.38
Total Non-Traditional Assets	683,705	1.6	0.00	0.00	0.00	9.48	9.48	10.28	7.04	07/01/2007
Crescent Direct Lending Levered Fund II	683,705	1.6	0.00	0.00	0.00	9.48	9.48	8.57	N/A	03/01/2018

Asset Allocation & Performance
Program Composite and Investment Performance
As of December 31, 2021

	Allocation		Performance(%)								Inception Date
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception	
Total Fixed Income	15,354,924	36.2	0.07	-0.04	-0.04	-0.86	-0.86	5.67	3.84	3.14	06/01/2007
Fixed Income Composite Index			-0.22	0.15	0.15	-1.11	-1.11	5.01	3.48	N/A	
Met West Total Return Bond Fund (MWTIX)	11,959,875	28.2	-0.22	-0.09	-0.09	-1.09	-1.09	5.59	N/A	4.23	12/01/2017
Blimbg. U.S. Aggregate Index			-0.26	0.01	0.01	-1.55	-1.55	4.79	3.57	3.62	
PIMCO Div Inc Bond Fund (PDIIX)	3,395,048	8.0	1.09	0.04	0.04	0.31	0.31	6.37	N/A	4.52	12/01/2017
Blimbg. Global Credit (Hedged)			0.17	-0.03	-0.03	-0.41	-0.41	6.27	4.74	4.49	
Total Real Estate	3,926,410	9.3	-0.11	4.01	4.01	16.74	16.74	8.02	N/A	8.21	04/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	14.20	14.20	7.16	7.50	7.33	
Intercontinental U.S. REIF	2,571,435	6.1	0.00	0.00	0.00	12.49	12.49	6.98	N/A	7.36	04/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	14.20	14.20	7.16	7.50	7.33	
Principal Enhanced Property Fund	1,354,975	3.2	-0.33	12.59	12.59	25.77	25.77	10.11	N/A	9.80	10/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	14.20	14.20	7.16	7.50	7.11	
Total Liquid Capital	478,344	1.1									
Cash	478,344	1.1									

Benchmark History
Investment Policy Benchmarks
As of December 31, 2021

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

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2-8-22 TCM Backup



Benchmark History
Investment Policy Benchmarks
As of December 31, 2021

Fixed Income Composite Historical Hybrid Composition		Total International Equity Policy	
Allocation Mandate	Weight (%)	Allocation Mandate	Weight (%)
Oct-2017		Jun-2007	
Bimbg. U.S. Aggregate Index	94.00	MSCI EAFE (Net) Index	100.00
Bloomberg U.S. TIPS Index	6.00		
Dec-2011		Oct-2017	
Bimbg. U.S. Aggregate Index	50.00	MSCI AC World ex USA	100.00
Bimbg. U.S. Treasury: 1-5 Year	50.00		
Jan-2011			
Bimbg. U.S. Aggregate Index	50.00		
ICE BofAML Conv. Bonds, U.S. Investment Grade	50.00		
Jun-2007			
Fixed Income Composite Index	100.00		

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

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

8-22

AndCo uses time-weighted calculations which are founded on standards recommended by the CFA Institute. The calculations and values shown are based on information that is received from custodians. AndCo analyzes transactions as indicated on the custodian statements and reviews the custodial market values of the portfolio. As a result, this provides AndCo with a reasonable basis that the investment information presented is free from material misstatement. This methodology of evaluating and measuring performance provides AndCo with a practical foundation for our observations and recommendations. Nothing came to our attention that would cause AndCo to believe that the information presented is significantly misstated.

8-23

This performance report is based on data obtained by the client's custodian(s), investment fund administrator, or other sources believed to be reliable. While these sources are believed to be reliable, the data providers are responsible for the accuracy and completeness of their statements. Clients are encouraged to compare the records of their custodian(s) to ensure this report fairly and accurately reflects their various asset positions.

The strategies listed may not be suitable for all investors. We believe the information provided here is reliable, but do not warrant its accuracy or completeness. Past performance is not an indication of future performance. Any information contained in this report is for informational purposes only and should not be construed to be an offer to buy or sell any securities, investment consulting, or investment management services.

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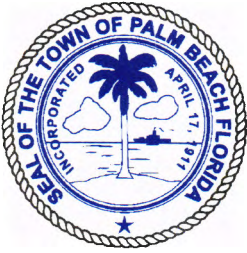
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TOWN OF PALM BEACH

Finance Department

To: Mayor and Town Council
Via: Kirk Blouin, Town Manager *KWB*
From: Jane Le Clairche, Finance Director *JL*
Date: January 18, 2022
Subject: Monthly Investment Report – November 2021

Attached you will find the Town's Investment Report for November 2021.

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

	Market Value	\$ Return FYTD	% Return FYTD	Benchmark
Core Investments	141,651,606	-310,986	-0.19%	-0.43%
Bond Funds	34,867,019	8,373	0.05%^	0.04%^
OPEB Trust~	41,573,130	NA	2.36%	2.05%
Total overseen by Investment Advisory Committee	218,091,755			
Retirement Fund*	279,221,987	NA	17.97%	21.14%

~Preliminary returns reported as of November 30, 2021

*Preliminary returns reported as of September 30, 2021

^Annualized

The blended total investment return for the Town's excess funds, excluding bond funds, is 0.01% for the month, -0.28% annualized.

The schedule on page 8 reports the performance results for the OPEB Fund for November 2021.

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

JL\aw

Cc: Investment Advisory Committee

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Town of Palm Beach

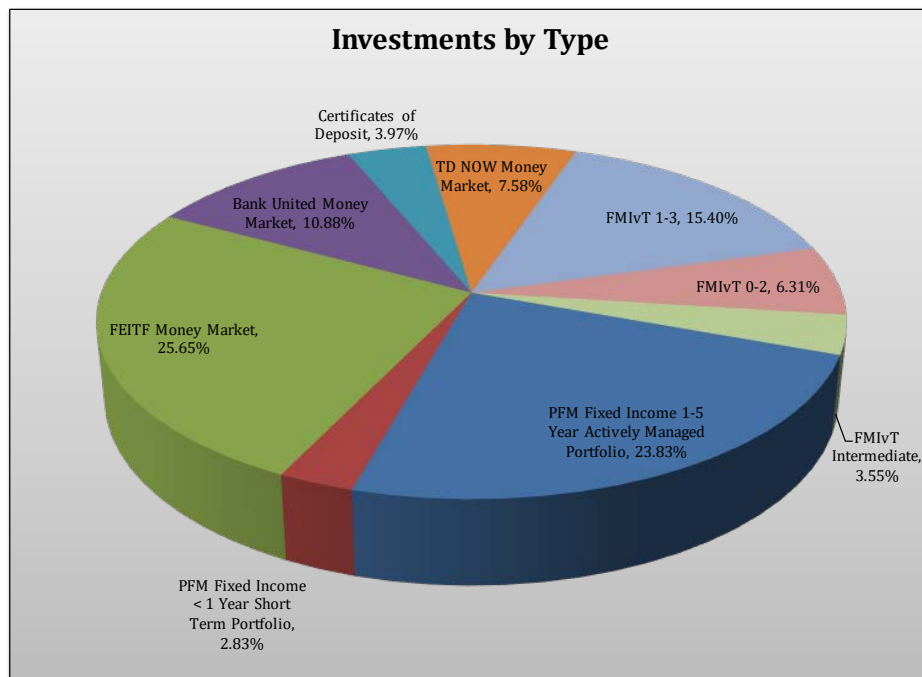
Investment Portfolio Performance



November 2021

Portfolio Return by Investment

Investment	November Balance	Return November-21	2022 Fiscal YTD (2 mo.)	2021 Fiscal YTD (2 mo.)	2021 Fiscal (12 mos.)
Core Investments					
PFM Fixed Income 1-5 Year Actively Managed Portfolio	\$ 42,062,368	\$ (39,931)	\$ (241,052)	\$ 122	\$ 23,796
PFM Fixed Income < 1 Year Short Term Portfolio	4,999,010	498	7,618	(23,938)	8,748
FL PALM/TD Custody Money Market	10,404,652	654	1,327	3,775	18,787
Bank United Money Market	19,200,131	2,367	4,812	4,185	39,323
TD Bank NOW Account	13,374,972	1,319	2,682	2,087	18,276
Certificates of Deposit	7,012,045	1,167	2,333	6,229	64,982
FMIvT 0-2	11,130,894	(2,084)	(4,383)	(262)	(1,763)
FMIvT 1-3	27,192,579	(13,675)	(68,940)	(18,322)	1,920
FMIvT Intermediate	6,274,955	8,935	(15,383)	(16,834)	(48,948)
Total Core Investments	\$ 141,651,606	\$ (40,751)	\$ (310,986)	\$ (42,958)	\$ 125,121
GO Bond Funds (Undergrounding)					
FL PALM/TD Custody Money Market	\$ 32,864,903	\$ 3,455	\$ 7,839	9,310	53,503
Total GO Bond Funds	32,864,903	3,455	7,839	9,310	53,503
Marina Revenue Bond Funds					
FL PALM/TD Custody Money Market	\$ 2,002,116	\$ 250	\$ 535	5,778	30,686
Total GO Bond Funds	2,002,116	250	535	5,778	30,686
Total Bond Funds	\$ 34,867,019	\$ 3,706	\$ 8,373	\$ 15,088	\$ 84,189
Total	\$ 176,518,625	\$ (37,045)	\$ (302,613)	\$ (27,870)	\$ 209,310



Portfolio Total Return vs. Benchmark

Core Investments	Monthly November-21	2022 Fiscal YTD (2 mo.)	2021 Fiscal YTD (2 mo.)	1 Year	3 Years	5 Years
Long Term Core Investments Total Return Performance (Discretionary)						
PFM Fixed Income 1-5 Year Actively Managed Portfolio	-0.09%	-0.55%	0.10%	-0.57%	3.19%	2.23%
Merrill Lynch 1-5 Year U.S. Treasury/Agency Index	0.05%	-0.41%	0.05%	-0.74%	2.87%	1.94%
Certificates of Deposit (a)	0.02%	0.03%	0.10%	0.27%	1.35%	N/A
Merrill Lynch 1 Year Treasury Index	-0.05%	-0.08%	0.05%	0.04%	1.71%	N/A
FMivT 0-2	-0.01%	-0.01%	-0.03%	0.37%	1.80%	1.63%
ICE BofA ML 1 Yr Treasury Note	-0.05%	-0.08%	0.05%	0.04%	1.71%	1.45%
FMivT 1-3	-0.06%	-0.21%	0.09%	-0.01%	2.49%	1.93%
BOA Merrill Lynch 1-3 Year Govt Index	0.02%	-0.29%	0.01%	-0.26%	2.36%	1.67%
FMivT Intermediate High Yield	0.18%	-0.24%	-0.03%	-0.68%	3.78%	2.67%
Barclays Int G/C ex BAA+ABS+MBS	0.07%	-0.35%	0.01%	-1.06%	3.90%	2.63%
Town's Long Term Core Investments Total Return Performance	-0.04%	-0.19%	0.08%	-0.27%	2.00%	1.66%
Total Return Blended Benchmark Performance (b)	0.02%	-0.43%	0.03%	-0.46%	2.01%	1.49%
(a) The monthly return for the Certificates of Deposit is a weighted average monthly yield. The yield is the maximum return the Town can earn if held to maturity.						
(b) The blended benchmark includes the Merrill Lynch 1 Year U.S. Treasury Index, Merrill Lynch 1-5 Year U.S. Treasury/Agency Index, Merrill Lynch 1-3 Year Gov't Index, and the Barclays Capital HQ Intermed Agg.						
Short Term Portfolio Yield to Maturity at Cost Performance (Non-Discretionary)	Annualized Yield	Annualized Fiscal YTD (12 mo.)	Prior Fiscal YTD (12 mos.)	1 Year	3 Years	5 Years
PFM Fixed Income < 1 Year Short Term Portfolio Yield to Maturity at	0.24%	0.24%	N/A	0.23%	N/A	N/A
Cost S&P GIP Government 30 Day Index (c)	0.10%	0.12%	N/A	0.11%	N/A	N/A
(c) Short Term Benchmark changed to the Standard & Poor's LGIP30D represents Government Investment Pools Index.						

Money Market Fund Total Return Performance	Monthly November-21	1 Year	3 Years	5 Years
Florida Public Assets for Liquidity Management	0.05%	0.07%	N/A	N/A
iMoneyNet Money Market Fund Index	0.04%	0.05%	N/A	N/A

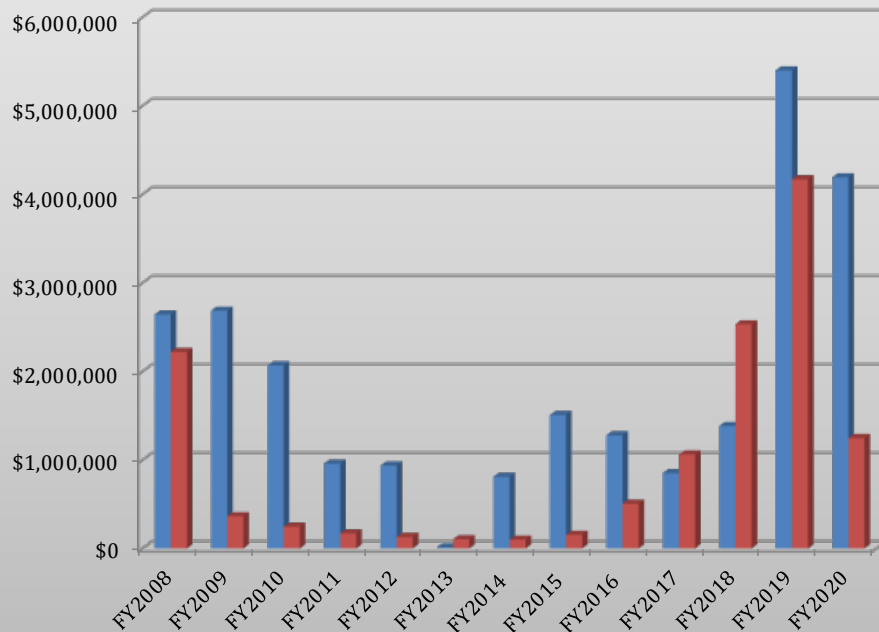
Total Investment Return	Monthly November-21	2022 Fiscal YTD (2 mo.)	Fiscal YTD Annualized	1 Year
Blended rate including both short and long term investments, excluding 2013 bond funds	0.01%	-0.05%	-0.28%	0.20%

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

Total Investment Return History

Fiscal Year	Town's Total		Estimated		
	Return		Return - 6 Month		
			TBill	Difference	
FY2008	\$	2,642,478	\$	2,219,743	\$ 422,735
FY2009		2,683,901		363,524	2,320,377
FY2010		2,067,072		244,917	1,822,155
FY2011		957,872		169,447	788,425
FY2012		935,823		129,485	806,338
FY2013		11,870		103,463	(91,593)
FY2014		807,906		98,048	709,858
FY2015		1,506,923		153,068	1,353,855
FY2016		1,276,858		504,712	772,146
FY2017		849,246		1,060,160	(210,914)
FY2018		1,380,900		2,531,526	(1,150,627)
FY2019		5,399,637		4,169,137	1,230,500
FY2020		4,191,142		1,246,291	2,944,851
FY2021		209,313		123,369	85,945
FY2022		(302,613)		25,903	(328,516)
Total	\$	20,520,486	\$	11,747,231	\$ 8,773,255

Town's Total Return History vs. 6 Month Treasury Bill

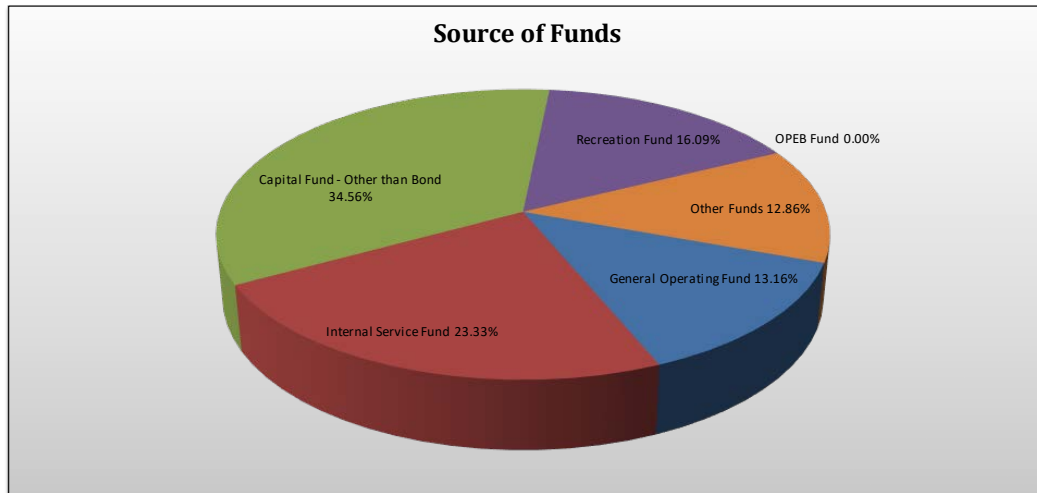


Town's FY2022 Monthly Investment Return vs. 6 Month Treasury Bill

Period	Investment Balance	Town's Monthly Total Return	6 Month T-Bill Rate	Estimated Return - 6 Month T-Bill	Difference
Oct-21	\$ 191,883,709	\$ (265,568)	0.07%	11,193	\$ (276,761)
Nov-21	176,518,625	(37,045)	0.10%	14,710	(51,755)
Dec-21				-	-
Jan-22				-	-
Feb-22				-	-
Mar-22				-	-
Apr-22				-	-
May-22				-	-
Jun-22				-	-
Jul-22				-	-
Aug-22				-	-
Sep-22				-	-
Total		\$ (302,613)		\$ 25,903	\$ (328,516)

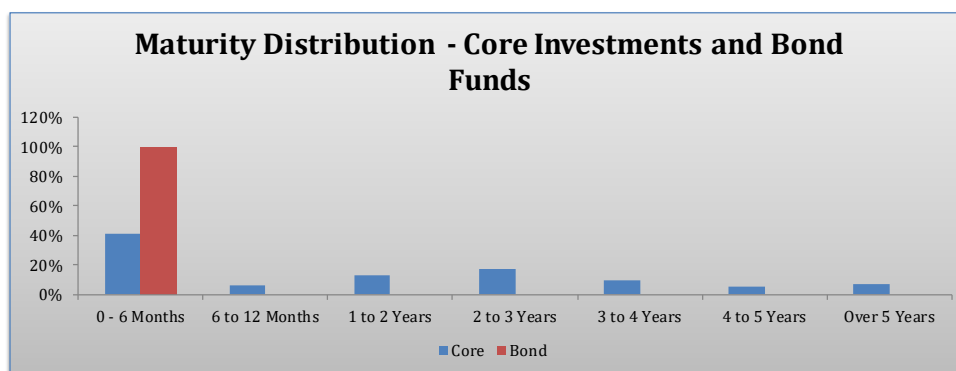
Portfolio Composition by Source of Funds

Investment	General Operating	Capital	Internal Service	Enterprise Funds	OPEB	Other Funds	Total
Non-Bond Funds							
PFM Fixed Income:							
1-5 Year	1,828,477	26,125,120	14,108,772	-	-	-	42,062,368
PFM Fixed Income:							
< One Year	4,999,010	-	-	-	-	-	4,999,010
Money Market	1,415,587	6,639,748	4,955,885	11,753,906	-	18,214,628	42,979,755
Certificates of Deposit	7,012,045	-	-	-	-	-	7,012,045
FMIvT Fixed Income:							
0-2 Year	846,772	4,041,616	3,488,632	2,753,874	-	-	11,130,894
FMIvT Fixed Income:							
1-3 Year	2,068,653	9,873,596	8,522,664	6,727,666	-	-	27,192,579
FMIvT Fixed Income:							
Intermediate	477,361	2,278,430	1,966,689	1,552,475	-	-	6,274,955
Sub Total Non Bond Funds	18,647,905	48,958,510	33,042,641	22,787,921	-	18,214,628	141,651,606
Bond Funds							
PFM Fixed Income	-	-	-	-	-	-	-
Certificates of Deposit	-	-	-	-	-	-	-
Money Market	-	-	-	2,002,116	-	32,864,903	34,867,019
Sub Total Bond Funds	-	-	-	2,002,116	-	32,864,903	34,867,019
Total	18,647,905	48,958,510	33,042,641	24,790,038	-	51,079,531	176,518,625



Portfolio Distribution by Maturity

	PFM Investments	Money Market Accts.	FMIvT 0-2 Year	FMIvT 1-3 Year	FMIvT Intermediate	Certificates of Deposit	Total
Core Investments							
0 - 6 Months	\$4,997,918	\$42,979,755	\$883,168	\$3,698,235	\$163,656	\$7,012,045	\$59,734,777
6 to 12 Months	1,778,920	-	2,857,377	392,235	9,351	-	8,671,884
1 to 2 Years	10,612,341	-	2,857,302	4,306,620	614,949	-	18,391,212
2 to 3 Years	11,680,634	-	3,471,476	8,783,322	1,102,656	-	25,038,088
3 to 4 Years	9,826,416	-	699,174	3,218,432	768,355	-	14,512,376
4 to 5 Years	7,002,733	-	73,648	878,678	169,695	-	8,124,754
Over 5 Years	1,162,416	-	288,749	5,915,057	3,446,294	-	10,812,516
Total Core Investments	\$47,061,379	\$42,979,755	\$11,130,894	\$27,192,579	\$6,274,955	\$7,012,045	\$141,651,607
Bond Funds							
0 - 6 Months	\$0	\$34,867,019	\$0	\$0		\$0	\$34,867,019
6 to 12 Months	-	-	-	-		-	-
1 to 2 Years	-	-	-	-		-	-
2 to 3 Years	-	-	-	-		-	-
3 to 4 Years	-	-	-	-		-	-
4 to 5 Years	-	-	-	-		-	-
Over 5 Years	-	-	-	-		-	-
Total Bond Funds	\$0	\$34,867,019	\$0	\$0		\$0	\$34,867,019

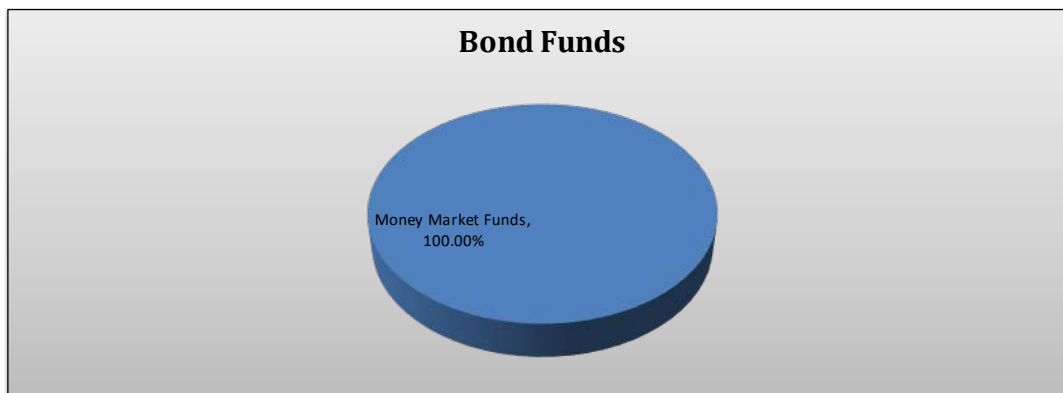
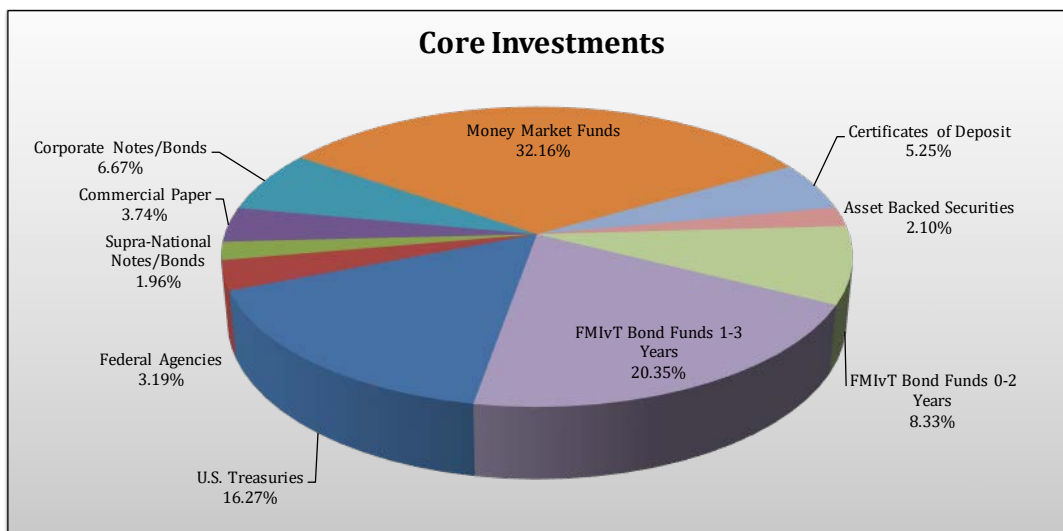


Core Investments - Weighted Average Duration Calculation				
Investment	Market Value	% of Portfolio	Duration (Yrs)	Weighted Avg. Duration (Yrs)
PFM Fixed Income 1-5 Year	\$ 42,062,368	27.74%	2.50	0.69
PFM Fixed Income < 1 Year	\$ 4,999,010	3.30%	0.12	0.00
FEITF/TD/Bank United Money Market	\$ 42,979,755	28.34%	0.17	0.05
Bank United Certificate of Deposit	\$ 17,018,005	11.22%	0.05	0.01
FMIvT 0-2	\$ 11,130,894	7.34%	0.71	0.05
FMIvT 1-3	\$ 27,192,579	17.93%	1.52	0.27
FMIvT Intermediate	\$ 6,274,955	4.14%	3.50	0.14
Total	\$ 151,657,566	100.00%		1.22

Portfolio Composition by Security Type

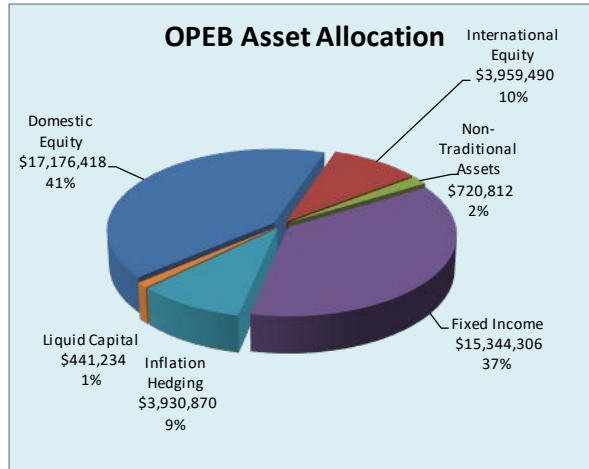
Security Type	Value	Distribution
Core Investments		
U.S. Treasuries	\$ 21,748,716	15.35%
Federal Agencies	4,257,729	3.01%
Supra-National Agency		
Notes/Bonds	2,613,276	1.84%
Commercial Paper	4,999,010	3.53%
Corporate Notes/Bonds	8,916,931	6.29%
Municipal Notes/Bonds	1,719,841	1.21%
Asset Backed		
Security/Collateralized		
Mortgage Obligation	2,805,874	1.98%
Money Market Funds	42,979,755	30.34%
Certificates of Deposit	7,012,045	4.95%
Florida Municipal Investment		
Trust Bond Funds 0-2 Years	11,130,894	7.86%
Florida Municipal Investment		
Trust Bond Funds 1-3 Years	27,192,579	19.20%
Florida Municipal Investment		
Trust Intermediate Bond Funds	6,274,955	4.43%
Total Core Investments	\$ 141,651,606	100.00%

Security Type	Value	Distribution
Bond Funds		
U.S. Treasuries	\$ -	-0.01%
Federal Agencies	-	0.00%
Commercial Paper	-	0.00%
Certificates of Deposit	-	0.00%
Money Market Funds	34,867,019	100.00%
Total Bond Funds	\$ 34,867,019	100.00%



Health Insurance Trust (OPEB) Performance
as of November 30, 2021
Market Value - \$41,573,130

	1 mo	QTD	Fiscal YTD	Calendar YTD	1 Yr	3 Yrs	5 Yrs	Return Since May 2007
Total Fund	-0.81	2.36	2.36	10.25	13.57	11.53	9.15	4.99
Target Index	-0.91	2.05	2.05	9.74	12.57	12.56	10.38	NA



Town of Palm Beach
Certificate of Deposit Schedule
11/30/2021

		Date	Maturity		
Amount	Purchased	Date	Term	Yield	
Bank United					
\$ 7,000,000	1/20/2021	12/20/2021	11 mo.	0.20%	
7,000,000	Sub Total Bank United				
\$ 7,000,000	Total Certificates of Deposit				



FMIVT 0-2 Year High Quality Bond Fund
Holdings as of 11/30/21

Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	DUR	Average Life	Moody's Rating	S&P Rating	Fitch Rating
02004WAD3	3,400,000.00	ALLYL 19-1	3.020	04/15/2024	3,525,773.44	101.80	3,461,264.94	(64,508.50)	1.92%	0.87	0.88	Aaa	NR	AAA
02007TAC9	2,590,063.68	ALLYA 19-4	1.840	06/15/2024	2,630,421.37	100.64	2,606,674.28	(23,747.09)	1.45%	0.58	0.59	Aaa	AAA	NR
03066HAF4	1,127,424.51	AMCAR_18-1	3.500	01/18/2024	1,157,371.73	101.05	1,139,306.44	(18,065.29)	0.63%	0.47	0.47	NR	AAA	AAA
03066KAE0	228,413.18	AMCAR 19-2 A3 2.28	2.280	01/18/2024	232,910.07	100.32	229,134.55	(3,775.52)	0.13%	0.25	0.25	Aaa	NR	AAA
03066LAE8	544,583.19	AMCAR_18-2	3.450	06/18/2024	548,412.29	100.29	546,141.24	(2,271.05)	0.30%	0.16	0.16	Aaa	NR	AAA
03066MAF3	3,035,000.00	AMCAR_18-3	3.740	10/18/2024	3,106,962.70	102.31	3,105,202.89	(1,759.81)	1.72%	1.07	1.09	Aaa	NR	NR
03066NAD6	1,567,924.71	AMCAR_19-3	2.060	04/18/2024	1,591,627.32	100.42	1,574,442.89	(17,184.43)	0.87%	0.36	0.36	NR	AAA	NR
03066PAB5	833,242.51	AMCAR_20-3	0.420	03/18/2024	833,217.43	100.02	833,395.08	177.65	0.46%	0.33	0.34	Aaa	NR	NR
12597CAC1	996,599.28	CNH_19-C	2.010	12/16/2024	1,014,000.84	101.24	1,008,980.93	(5,019.91)	0.56%	0.77	0.78	Aaa	NR	AAA
14043MAC5	1,818,248.91	COPART_20-1	1.600	11/15/2024	1,841,829.32	100.79	1,832,628.71	(9,200.61)	1.02%	0.84	0.85	NR	AAA	AAA
14313FAD1	240,088.77	CARMX 18-3 A3 3.13	3.130	06/15/2023	243,765.13	100.40	241,050.28	(2,714.85)	0.13%	0.16	0.16	NR	AAA	AAA
14314AAD1	2,423,391.15	CARMX_18-1	2.640	06/15/2023	2,449,802.33	100.40	2,433,057.09	(16,745.24)	1.35%	0.20	0.20	NR	AAA	AAA
14315EAC4	354,035.31	CARMX 18-4 A3 3.36	3.360	09/15/2023	365,320.19	100.83	356,962.26	(8,357.93)	0.20%	0.32	0.32	NR	AAA	AAA
14315PAD7	3,366,226.53	CARMX_19-3	2.180	08/15/2024	3,413,971.10	101.04	3,401,374.65	(12,596.45)	1.89%	0.66	0.67	NR	AAA	AAA
14315WAD2	2,234,530.44	CARMX_19-4	2.020	11/15/2024	2,266,302.67	101.09	2,258,799.45	(7,503.22)	1.25%	0.78	0.79	NR	AAA	AAA
14316LAC7	780,166.95	CARMX 19-2	2.680	03/15/2024	793,057.99	101.09	788,665.00	(4,392.99)	0.44%	0.51	0.51	NR	AAA	AAA
18978CAD5	1,309,841.94	CNH 17-C A4 2.36 1	2.360	11/15/2024	1,332,732.50	100.10	1,311,096.24	(21,636.26)	0.73%	0.45	0.46	Aaa	AAA	NR
26210AB9	404,616.70	DRIVE_21-1	0.360	12/15/2023	404,606.50	99.99	404,588.05	(18.45)	0.22%	0.24	0.24	Aaa	AAA	NR
30165XAC9	3,125,000.00	EART_21-2	0.300	10/15/2024	3,124,730.31	99.80	3,118,650.31	(6,080.00)	1.73%	0.72	0.72	Aaa	AAA	NR
3128MEYV7	16,786.20	FHLMC PC GOLD 4.50	4.500	09/01/2026	17,321.26	104.26	17,500.96	179.70	0.01%	1.17	1.22	Agency	AA+	Agency
3128MEYW5	7,198.47	FHLMC PC GOLD 5.00	5.000	06/01/2026	7,463.91	103.48	7,449.12	(14.79)	0.00%	0.70	0.72	Agency	AA+	Agency
3136A3Z61	580,192.79	FNMA_12-3G	3.000	09/25/2026	591,977.96	102.00	591,815.85	(162.11)	0.33%	0.68	0.73	Agency	AA+	Agency
3136A4S42	36,323.86	FNMA 2012-32 AD 1.	1.500	04/25/2022	36,096.84	99.94	36,303.29	206.45	0.02%	0.14	0.14	Agency	AA+	Agency
3136A4TX7	160,949.75	FNMA_12-M2	2.717	02/25/2022	163,464.59	99.98	160,919.15	(2,545.44)	0.09%	0.09	0.09	Agency	AA+	Agency
3136A7TB8	268,921.26	FNMA 2012-91 KA 3.	3.500	06/25/2032	276,736.79	101.75	273,636.20	(3,100.59)	0.15%	0.35	0.65	Agency	AA+	Agency
3136A87J3	2,588,089.47	FNMA_12-M15	2.510	10/25/2022	2,644,703.93	101.05	2,615,288.48	(29,415.45)	1.45%	0.76	0.77	Agency	AA+	Agency
3136AGCD2	134,772.50	FNMA_13-95B	2.750	05/25/2030	135,193.66	100.38	135,279.45	85.79	0.08%	0.19	0.22	Agency	AA+	Agency
3136AHSF8	50,266.98	FNMA_13-137B	3.500	03/25/2040	50,361.23	99.99	50,264.01	(97.22)	0.03%	0.07	0.07	Agency	AA+	Agency
3136AJRG3	37,041.13	FNMA 2014-14 DA 2.	2.500	11/25/2030	37,550.45	100.27	37,142.14	(408.31)	0.02%	0.16	0.20	Agency	AA+	Agency
3136APD58	28,112.07	FNMA 2015-55 JA 2.	2.000	07/25/2025	28,054.97	101.04	28,405.30	350.33	0.02%	0.80	0.81	Agency	AA+	Agency
3136AQL4	687,658.02	FNMA_17-30C	3.000	07/25/2040	691,955.88	101.02	694,690.70	2,734.82	0.39%	0.27	0.50	Agency	AA+	Agency
3137A63Z3	94,922.27	FHLMC 3792 DF FLT	0.489	11/15/2040	95,204.07	99.61	94,549.13	(654.94)	0.05%	0.25	0.89	Agency	AA+	Agency
3137AGBN9	248,224.41	FHLMC 3945 CA 3.0	3.000	03/15/2026	253,518.57	100.33	249,035.93	(4,482.64)	0.14%	0.20	0.21	Agency	AA+	Agency
3137AHU97	325,870.74	FHLMC 3951 FD FLT	0.389	07/15/2026	326,787.25	99.98	325,801.46	(985.79)	0.18%	0.20	0.54	Agency	AA+	Agency
3137AKX30	1,096,343.80	FHLMC 3988A	2.500	04/15/2031	1,114,159.39	101.89	1,117,036.96	2,877.57	0.62%	0.79	1.07	Agency	AA+	Agency
3137ALET2	75,085.86	FHLMC 4001 MH 2.0	2.000	01/15/2039	75,126.92	100.08	75,146.67	19.75	0.04%	0.12	0.12	Agency	AA+	Agency
3137ASAC8	363,414.43	FHLMC 4077 AB 1.5	1.500	01/15/2027	367,616.41	101.23	367,872.22	255.81	0.20%	0.97	0.99	Agency	AA+	Agency

FMVIT 0-2 Year High Quality Bond Fund
Holdings as of 11/30/21

Asset ID	Asset Description	Units	Interest Rate	Maturity Date	Cost	Price	Market Value	% of Total from Investment Manager			Fitch Rating		
								Unrealized Gain/Loss	Market	DUR		Average Life	Moody's Rating
3137AUAPE3	3,537,276.15 FHMS_12-K021	2,396	06/25/2022	3,641,183.64	100.74	3,563,342.34	(77,841.30)	1.98%	0.43	0.44	Agency	AA+	AAA
3137AWQH1	1,305,000.00 FHLMC_K023	2,307	08/25/2022	1,336,809.38	101.09	1,319,195.14	(17,614.24)	0.73%	0.65	0.66	Agency	AA+	Agency
3137B1BS0	5,000,000.00 FHMS_K026	2,510	11/25/2022	5,129,296.85	101.65	5,082,319.00	(46,977.85)	2.82%	0.86	0.88	Agency	AA+	AAA
3137B2HN3	4,976,894.45 FHLMC_K028	3,111	02/25/2023	5,168,582.66	102.49	5,100,670.31	(67,912.35)	2.83%	1.05	1.07	Agency	AA+	Agency
3137B36J2	1,967,204.03 FHLMC_K029	3,320	02/25/2023	2,052,731.30	102.83	2,022,796.82	(29,934.48)	1.12%	1.10	1.13	Agency	AA+	Agency
3137B5KM4	490,863.91 FHMS_K035 A1 2.615	2,615	06/25/2023	494,679.61	100.51	493,365.25	(1,314.36)	0.27%	0.29	0.29	Agency	AA+	Agency
3137B6YM7	201,073.68 FHLMC_4287E	2,500	07/15/2035	201,827.71	100.26	201,598.06	(229.65)	0.11%	0.13	0.16	Agency	AA+	Agency
3137B8K89	111,957.10 FHLMC_4317 MT 2.0	2,000	01/15/2023	111,957.10	100.42	112,427.30	470.20	0.06%	0.36	0.37	Agency	AA+	Agency
3137B9D44	62,067.77 FHLMC_4318G	3,000	09/15/2039	62,766.03	100.19	62,188.38	(577.65)	0.03%	0.13	0.14	Agency	AA+	Agency
3137BAGC0	749,179.30 FHLMC_4324D	2,500	11/15/2028	768,377.02	102.77	769,905.79	1,528.77	0.43%	1.30	1.44	Agency	AA+	Agency
3137BLMA3	773,715.27 FHMS_KS03 A1 2.272	2,272	06/25/2022	785,230.33	100.39	776,707.07	(8,523.26)	0.43%	0.28	0.29	Agency	AA+	Agency
3137BMSQ0	636,946.03 FHLMC_4548B	3,500	07/15/2042	642,121.22	101.03	643,525.17	1,403.95	0.36%	0.04	0.41	Agency	AA+	Agency
3137BQBY2	1,037,916.47 FHMS_K722	2,183	05/25/2022	1,054,052.83	100.24	1,040,454.59	(13,598.24)	0.58%	0.24	0.24	Agency	AAA	AAA
3137BQBZ9	1,000,000.00 FHMS_K722	2,406	03/25/2023	1,024,531.25	101.71	1,017,126.40	(7,404.85)	0.56%	1.04	1.06	Agency	AAA	AAA
3137BQTQ0	194,445.26 FHMS_KS05	0,606	01/25/2023	195,174.43	99.93	194,305.59	(868.84)	0.11%	0.07	0.90	Agency	AA+	Agency
3137BS6Q1	326,241.78 FHMS_KJ08 A2 2.356	2,356	08/25/2022	334,091.97	100.47	327,763.24	(6,328.73)	0.18%	0.45	0.46	Agency	AA+	Agency
3137BSPW7	1,021,561.03 FHLMC_K723	2,454	08/25/2023	1,050,771.29	102.51	1,047,218.15	(3,553.14)	0.58%	1.53	1.57	Agency	AA+	Agency
3137BWWV3	3,498,174.39 FHMS_KJ13	2,864	08/25/2022	3,541,081.68	101.27	3,542,443.79	1,362.11	1.97%	0.59	0.59	Agency	AA+	Agency
3137BWWC4	1,342,372.90 FHMS_K725 A1 2.666	2,666	05/25/2023	1,378,763.80	100.80	1,353,050.27	(25,713.53)	0.75%	0.55	0.56	NA	AAA	AAA
3137FKK88	2,903,583.59 FHMS_KJ23	3,745	12/25/2022	3,013,602.19	102.53	2,976,913.01	(36,689.18)	1.65%	0.88	0.90	Agency	AA+	Agency
3137FMTW2	1,267,905.73 FHLMC_Q009	0,490	04/25/2024	1,269,730.32	100.00	1,267,905.73	(1,824.59)	0.70%	0.07	0.11	Agency	AA+	Agency
31393CZE6	104,285.58 FNMA 2003-46 LD 3.	3,500	06/25/2023	106,338.70	101.38	105,725.54	(613.16)	0.06%	0.58	0.58	Agency	AA+	Agency
31394CP71	580,870.65 FNMA_05-33C	5,000	04/25/2025	609,641.90	104.03	604,302.91	(5,338.99)	0.34%	0.99	1.02	Agency	AA+	Agency
31394F3N3	266,252.80 FNMA 2005-92 UF FL	0,442	10/25/2025	267,001.63	100.00	266,247.98	(753.65)	0.15%	0.31	1.15	Agency	AA+	Agency
31397SAF1	9,342.46 FNMA 2011-16 FB FL	0,242	03/25/2031	9,332.24	99.94	9,336.64	4.40	0.01%	0.14	0.26	Agency	AA+	Agency
31398EAC8	592,207.92 FHLMC_3544 KB 4.5	4,500	06/15/2024	622,188.44	103.62	613,671.31	(8,517.13)	0.34%	0.89	0.91	Agency	AA+	Agency
34532DAE7	3,465,000.00 FORD0_19-B	2,240	10/15/2024	3,553,790.62	101.72	3,524,434.11	(29,356.51)	1.96%	1.14	1.16	NR	AAA	AAA
36178M2Q3	998,663.06 GNMA MUJ/AB2583X	2,140	08/15/2023	1,013,643.01	101.05	1,009,149.02	(4,493.99)	0.56%	0.96	0.96	Govt	AA+	Govt
36256XAE2	750,000.00 GMCAR_19-1	3,110	07/16/2024	778,593.75	101.91	764,347.95	(14,245.80)	0.42%	0.82	0.84	Aaa	AAA	AAA
36257PAD0	1,193,845.88 GMCAR_19-3	2,180	04/16/2024	1,213,898.76	100.73	1,202,575.40	(11,323.36)	0.67%	0.49	0.50	NR	AAA	AAA
36258MAD6	1,155,018.47 GMCAR_19-4	1,750	07/16/2024	1,167,200.31	100.67	1,162,796.25	(4,404.06)	0.65%	0.57	0.58	Aaa	NR	AAA
36258NAC6	2,081,551.65 GMCAR_20-1	1,840	09/16/2024	2,122,450.89	100.75	2,097,231.15	(25,219.74)	1.16%	0.68	0.69	Aaa	AAA	NR
38013FAD3	791,754.02 GMCAR_18-4	3,210	10/16/2023	801,279.81	100.63	796,755.93	(4,523.88)	0.44%	0.26	0.27	Aaa	AAA	NR
38013FAE1	2,365,000.00 GMCAR_18-4	3,320	06/17/2024	2,420,152.54	102.03	2,412,974.97	(7,177.57)	1.34%	0.77	0.79	Aaa	AAA	NR
38377JSK0	137,668.45 GNMA 2010-98 MG 3.	3,000	08/20/2039	139,389.30	101.50	139,731.30	342.00	0.08%	0.61	0.61	Govt	AA+	Govt
41284UAD6	1,652,252.30 HDMOT_20-A	1,870	10/15/2024	1,669,291.15	100.69	1,663,713.15	(5,578.00)	0.92%	0.73	0.73	Aaa	AAA	NR
43815AAD4	2,600,000.00 HAROT_18-4	3,300	07/15/2025	2,677,796.88	101.15	2,629,920.02	(47,876.86)	1.46%	0.44	0.45	Aaa	AAA	NR
43815HAD9	1,036,181.68 HAROT_18-3	3,070	11/21/2024	1,054,233.91	100.34	1,039,660.45	(14,573.46)	0.58%	0.13	0.13	Aaa	NR	AAA
44891JAC2	883,610.45 HART 2019-B A3 1.9	1,940	02/15/2024	904,216.52	100.67	889,531.97	(14,684.55)	0.49%	0.50	0.51	NR	AAA	AAA
44891LAC7	3,100,000.00 HART_20-A	1,410	11/15/2024	3,135,117.19	100.75	3,123,159.17	(11,958.02)	1.73%	0.94	0.95	NR	AAA	AAA
58772RAE4	3,990,000.00 MBART_18-1	3,150	10/15/2024	4,085,098.82	101.12	4,034,887.50	(50,211.32)	2.24%	0.45	0.46	Aaa	AAA	NR
69478NAE5	2,900,000.00 NAROT_18-C	3,270	06/16/2025	3,001,273.44	102.04	2,959,280.06	(41,993.38)	1.64%	0.81	0.83	Aaa	AAA	NR
80285VAB5	2,300,000.00 SDART_21-4	0,370	08/15/2024	2,299,856.94	99.96	2,299,033.54	(823.40)	1.28%	0.65	0.65	Aaa	NR	AAA

FMIVT 0-2 Year High Quality Bond Fund
Holdings as of 11/30/21

Asset ID	Units	Asset Description	Interest Rate	Maturity Date	Cost	Price	Market Value	Unrealized Gain/Loss	% of Total Market	from Investment Manager		
										DUR	Average Life	Moody's RATING
910796A90	7,000,000.00	TREASURY BILL	0.000	12/30/2021	6,999,382.54	99.99	6,999,382.54	0.00	3.89%	0.08	0.08	Govt
910796K57	29,000,000.00	TREASURY BILL	0.000	07/14/2022	28,986,950.00	99.96	28,986,950.00	0.00	16.10%	0.62	0.62	Govt
911282CBG5	26,700,000.00	TREASURY NOTE	0.125	01/31/2023	26,659,066.01	99.81	26,650,071.00	(8,995.01)	14.80%	1.17	1.17	Govt
92868LAD3	17,761.16	VALET 2018-1 A3 3.	3.020	11/21/2022	17,964.44	100.15	17,787.88	(176.56)	0.01%	0.05	0.06	NR
98162QAC4	318,849.62	WOART 18-B A3 2.87	2.870	07/17/2023	322,038.12	100.34	319,934.70	(2,103.42)	0.18%	0.15	0.15	NR
98162RAD0	3,785,223.76	WOART 19-C	1.960	12/15/2024	3,828,691.54	100.80	3,815,359.82	(13,331.72)	2.12%	0.69	0.70	NR
98162VAD1	643,943.39	WOART 19-B	2.590	07/15/2024	654,030.16	100.77	648,869.81	(5,160.35)	0.36%	0.44	0.45	NR
98162WAD9	636,923.56	WOART 18-D	3.330	04/15/2024	644,064.07	100.93	642,840.83	(1,223.24)	0.36%	0.39	0.40	NR
98162YAD5	886,272.91	WOART 19-A	3.040	05/15/2024	902,933.41	100.96	894,815.34	(8,118.07)	0.50%	0.43	0.44	NR
98163EAE6	1,250,000.00	WOART 18-C	3.270	09/16/2024	1,293,945.31	101.92	1,273,982.87	(19,962.44)	0.71%	0.74	0.76	NR
	172,776,430.38				175,008,324.27		174,043,234.81	(965,089.46)	96.64%			
665278404	6,052,428.77	Northern Instl US Govt			6,052,428.77		6,052,428.77	0.00	3.36%			Aaa-mf
	178,828,859.15	Total Portfolio			181,060,753.04		180,095,663.58	(965,089.46)	100.00%	0.71	0.73	AAA

Portfolio NAV 177,496,164.45
Shares 15,889,832.81
NAV per Share 11.170424



FMIVT 1-3 Year High Quality Bond Fund
Holdings as of 11/30/21

2-8-22 TCM Backlog

Asset ID	Units	Asset Description	Interest Rate	Maturity Date	from Investment Manager			Market Value	Unrealized Gain/Loss	% of Total		Average Life	Moody's Rating	S&P Rating	Fitch Rating
					Cost	Price				Market	DUR				
02004WAC5	1,352,598.92	ALL YA 2019-1 A3 2.	2.910	09/15/2023	1,352,435.53	100.67		1,361,599.38	9,163.85	0.59%	0.32	0.32	Aaa	NR	AAA
02004WAD3	3,350,000.00	ALL YA 19-1	3.020	04/15/2024	3,449,453.12	101.80		3,410,363.98	(39,089.14)	1.47%	0.87	0.88	Aaa	NR	AAA
02007RAD1	4,180,000.00	ALL YA 19-3	1.960	12/15/2024	4,313,400.78	101.66		4,249,331.99	(64,068.79)	1.83%	1.38	1.41	Aaa	AAA	NR
03066KAE0	1,021,141.28	AMCAR 19-2 A3 2.28	2.280	01/18/2024	1,021,055.61	100.32		1,024,366.25	3,310.64	0.44%	0.25	0.25	Aaa	NR	AAA
03066PAB5	708,256.13	AMCAR_20-3	0.420	03/18/2024	708,234.81	100.02		708,385.81	151.00	0.31%	0.33	0.34	Aaa	NR	NR
12596JAC7	1,533,761.31	CNH 19-A A3 3.01 4	3.010	04/15/2024	1,533,424.34	101.01		1,549,261.96	15,837.62	0.67%	0.37	0.37	Aaa	AAA	NR
12597CAC1	3,153,361.86	CNH 19-C	2.010	12/16/2024	3,219,508.55	101.24		3,192,538.91	(26,969.64)	1.38%	0.77	0.78	Aaa	NR	AAA
14041NEX5	1,000,000.00	COMET_15-A4	2.750	05/15/2025	1,037,500.00	101.49		1,014,877.40	(22,622.60)	0.44%	0.62	0.63	NR	AAA	AAA
14041NFW6	3,350,000.00	COMET_21-1	0.550	07/15/2026	3,349,864.33	98.85		3,311,541.66	(38,322.67)	1.43%	2.59	2.63	NR	AAA	AAA
14315FAB3	217,274.73	CARMX 20-3 A2A 0.4	0.490	06/15/2023	217,266.80	100.02		217,312.47	45.67	0.09%	0.10	0.10	NR	AAA	AAA
14315NAC4	1,825,010.50	CARMX 19-1 A3 3.05	3.050	03/15/2024	1,824,804.09	100.96		1,842,551.22	17,747.13	0.79%	0.41	0.41	NR	AAA	AAA
14315PAD7	4,345,429.08	CARMX 19-3 A3 2.18	2.180	08/15/2024	4,388,955.25	101.04		4,390,801.44	1,846.19	1.89%	0.66	0.67	NR	AAA	AAA
14315WAD2	1,447,124.48	CARMX_19-4	2.020	11/15/2024	1,467,700.79	101.09		1,462,841.55	(4,859.24)	0.63%	0.78	0.79	NR	AAA	AAA
14316HAD4	2,300,000.00	CARMX_20-4	0.630	06/15/2026	2,310,332.03	99.07		2,278,664.51	(31,667.52)	0.98%	2.74	2.77	NR	AAA	AAA
14316LAD5	4,100,000.00	CARMX_19-2	2.770	12/16/2024	4,246,863.28	102.58		4,205,621.74	(41,241.54)	1.81%	1.30	1.33	NR	AAA	AAA
14317JAB3	2,575,000.00	CARMX_21-4	0.240	11/15/2024	2,574,974.51	99.69		2,567,119.98	(7,854.53)	1.11%	0.94	0.95	Aaa	AAA	NR
262108AB9	323,693.35	DRIVE_21-1	0.360	12/15/2023	323,685.19	99.99		323,670.43	(14.76)	0.14%	0.24	0.24	Aaa	AAA	NR
3128ME4V0	606,774.60	FHLMC #(G1-6036	2.500	01/01/2030	615,781.41	104.14		631,876.87	16,095.46	0.27%	2.01	2.12	Agency	AA+	Agency
3128MEW98	51,986.97	FHLMC G(G1-5872	5.000	06/01/2026	55,431.11	103.48		53,797.68	(1,633.43)	0.02%	0.70	0.71	Agency	AA+	Agency
3128MFJ82	513,520.89	FHLMC #(G1-6387	2.500	10/01/2031	516,971.11	104.13		534,749.84	17,778.73	0.23%	2.04	2.15	Agency	AA+	Agency
3128MMTW3	550,008.34	FHLMC #(G1-8564	2.500	08/01/2030	569,086.76	104.20		573,086.69	3,999.93	0.25%	2.18	2.56	Agency	AA+	Agency
31294UA29	845,836.75	FHLMC #(E0-9025	2.500	03/01/2028	854,030.79	103.71		877,193.46	23,152.67	0.38%	2.06	2.17	Agency	AA+	Agency
3132ADA59	1,128,888.92	FHLMC 1(ZT-1408	2.000	10/01/2032	1,170,516.70	102.90		1,161,592.83	(8,923.87)	0.50%	2.60	2.94	Agency	AA+	Agency
3133LPS32	0.01	FNMA #(RD-5038	1.500	09/01/2030	0.01	101.29		0.01	0.00	0.00%					
3133LPS57	1,307,848.68	FNMA #(RD-5040	1.500	10/01/2030	1,345,040.63	101.37		1,325,792.36	(19,248.27)	0.57%	2.66	2.82	Agency	AA+	Agency
3133LPTB3	3,128,110.64	FHLMC 1(RD-5046	1.500	12/01/2030	3,207,290.94	101.37		3,171,059.60	(36,231.34)	1.37%	2.81	2.92	Agency	AA+	Agency
3133LPTH0	4,320,574.30	FHLMC 1(RD-5052	1.500	02/01/2031	4,444,790.81	101.37		4,379,895.79	(64,895.02)	1.89%	2.87	2.98	Agency	AA+	Agency
3136A1M93	178,599.70	FNMA 2011-114 LA 2	2.500	06/25/2039	181,055.45	102.78		183,556.45	2,501.00	0.08%	1.56	1.59	Agency	AA+	Agency
3136A32R1	203,557.64	FNMA 2012-3 KG 2.0	2.000	09/25/2026	198,842.42	100.97		205,532.13	6,689.71	0.09%	0.70	0.73	Agency	AA+	Agency
3136A87J3	3,313,538.76	FNMA_12-M15	2.510	10/25/2022	3,386,022.42	101.05		3,348,361.73	(37,660.69)	1.44%	0.76	0.77	Agency	AA+	Agency
3136A9UY2	1,023,617.44	FNMA 2012-128 QC 1	1.750	06/25/2042	1,042,810.27	101.81		1,042,145.22	(665.05)	0.45%	2.37	2.42	Agency	AA+	Agency
3136AAJB2	186,151.02	FNMA 2012-135 BC 1	1.500	12/25/2027	183,009.72	100.82		187,678.59	4,668.87	0.08%	1.89	1.92	Agency	AA+	Agency
3136AAUZ6	322,991.28	FNMA 2012-134 LX 1	1.750	03/25/2032	321,981.93	101.45		327,681.79	5,699.86	0.14%	1.73	1.91	Agency	AA+	Agency
3136AB7K3	636,676.37	FNMA 2013-24 LC 1.	1.500	03/25/2028	642,645.21	101.01		643,095.98	450.77	0.28%	1.78	1.81	Agency	AA+	Agency
3136AD6N4	264,216.95	FNMA 2013-48 BE 1.	1.500	05/25/2028	261,368.36	100.85		266,471.17	5,102.81	0.11%	1.08	1.09	Agency	AA+	Agency
3136ADEY1	681,103.75	FNMA_13-36A	3.000	05/25/2032	695,577.20	103.25		703,207.54	7,630.34	0.30%	1.16	1.68	Agency	AA+	Agency
3136AF4D3	251,321.77	FNMA 2013-85 VA 4.	4.000	02/25/2042	266,401.07	102.81		258,383.46	(8,017.61)	0.11%	0.43	0.92	Agency	AA+	Agency
3136AJD37	571,388.16	FNMA 2014-26 YD 2.	2.000	04/25/2044	568,709.78	102.13		583,534.33	14,824.55	0.25%	1.72	1.78	Agency	AA+	Agency
3136AJDU7	2,321,532.49	FNMA_14-M2	3.513	12/25/2023	2,481,500.59	104.41		2,423,833.14	(57,667.45)	1.04%	1.90	1.96	Agency	AA+	Agency
3136AKXV0	849,277.60	FNMA_14-M9	3.103	07/25/2024	909,390.53	104.55		887,879.31	(21,511.22)	0.38%	2.41	2.51	Agency	AA+	Agency
3136AMML0	322,285.78	FNMA_15-5	3.000	06/25/2043	340,917.93	104.27		336,056.12	(4,861.81)	0.14%	2.63	2.59	Agency	AA+	Agency
3136ANNV5	184,044.56	FNMA 2015-31 MA 2.	2.500	05/25/2030	191,578.88	102.57		188,778.92	(2,799.96)	0.08%	2.20	2.28	Agency	AA+	Agency
3136APD58	68,406.05	FNMA 2015-55 JA 2.	2.000	07/25/2025	69,153.77	101.04		69,119.59	(34.18)	0.03%	0.80	0.81	Agency	AA+	Agency
3137A6L67	249,062.58	FHLMC 3814 B 3.0 2	3.000	02/15/2026	252,487.19	103.61		258,059.52	5,572.33	0.11%	1.45	1.51	Agency	AA+	Agency

FMI/VT 1-3 Year High Quality Bond Fund
Holdings as of 11/30/21

Asset ID	Units	Asset Description	Interest		Maturity	Market		Unrealized		% of Total		from Investment Manager		
			Rate	Date		Price	Value	Gain/Loss	Market	DUR	Average Life	Moody's RATING	S&P RATING	Fitch RATING
3137AC3G2	175,180.34	FHLMC 3875 GJ 2.5	2.500	06/15/2026	174,345.50	101.83	178,392.50	4,047.00	0.08%	0.93	0.94	Agency	AA+	Agency
3137AFXP2	16,998.10	FHLMC 3941 BE 2.0	2.000	03/15/2026	16,873.27	100.38	17,082.37	189.10	0.01%	0.25	0.25	Agency	AA+	Agency
3137AGAW0	86,777.29	FHLMC 3945 A 3.0 3	3.000	03/15/2026	87,292.53	100.66	87,352.34	59.81	0.04%	0.22	0.22	Agency	AA+	Agency
3137AHDW5	231,632.04	FHLMC 3956 AB 3.5	3.500	11/15/2026	238,291.46	104.64	242,369.97	4,078.51	0.10%	1.52	1.59	Agency	AA+	Agency
3137AMB89	193,397.28	FHLMC_3997E	2.000	08/15/2040	197,023.49	101.98	197,220.86	197.37	0.08%	1.65	1.63	Agency	AA+	Agency
3137ANHY4	365,563.84	FHLMC 4013 QU 1.5	1.500	02/15/2027	372,104.01	101.44	370,810.81	(1,293.20)	0.16%	1.34	1.36	Agency	AA+	Agency
3137ASSM7	299,355.24	FHLMC 4093 AD 1.5	1.500	08/15/2027	301,132.66	100.71	301,473.87	341.21	0.13%	1.93	1.96	Agency	AA+	Agency
3137ATBM3	269,693.26	FHLMC 4096 LG 1.5	1.500	08/15/2027	271,294.56	101.12	272,719.35	1,424.79	0.12%	1.95	1.99	Agency	AA+	Agency
3137ATFP2	1,079,595.80	FHLMC 4091 PA 2.0	2.000	10/15/2041	1,112,658.42	101.72	1,098,120.91	(14,537.51)	0.47%	2.74	2.73	Agency	AA+	Agency
3137AU2G3	312,963.26	FHLMC 4106 YC 1.5	1.500	09/15/2027	314,821.48	100.79	315,445.90	624.42	0.14%	2.01	2.06	Agency	AA+	Agency
3137AUMN6	389,329.56	FHLMC 4102 LC 3.0	3.000	01/15/2040	395,428.04	101.95	396,931.53	1,503.49	0.17%	0.97	1.13	Agency	AA+	Agency
3137AUZH5	959,792.08	FHLMC 4122 LB 2.0	2.000	10/01/2027	957,992.47	102.43	983,142.96	25,150.49	0.42%	1.93	1.99	Agency	AA+	Agency
3137AW4L6	558,833.04	FHLMC 4137 JB 1.5	1.500	10/15/2027	549,752.01	101.29	566,034.89	16,282.88	0.24%	1.81	1.84	Agency	AA+	Agency
3137AWK46	272,214.82	FHLMC 4136 MC 1.5	1.500	11/15/2027	265,409.45	100.88	274,597.84	9,188.39	0.12%	1.99	2.02	Agency	AA+	Agency
3137AWVC6	494,690.70	FHLMC 4145 UE 2.0	2.000	12/15/2027	491,830.77	102.99	506,514.55	14,683.78	0.22%	1.90	1.97	Agency	AA+	Agency
3137AWXG5	2,154,342.28	FHLMC 4139 DA 1.25	1.250	12/15/2027	2,181,271.56	100.94	2,174,553.24	(6,718.32)	0.94%	2.00	2.02	Agency	AA+	Agency
3137B16K3	242,973.58	FHLMC 4177 M 3.0 3	3.000	03/15/2028	243,087.47	103.84	252,313.22	9,225.75	0.11%	1.38	1.42	Agency	AA+	Agency
3137B1UG5	1,000,000.00	FHLMC_K027	2.637	01/25/2023	1,039,062.50	101.93	1,019,320.40	(19,742.10)	0.44%	0.99	1.00	Agency	AA+	Agency
3137B2AU4	577,896.82	FHLMC_4199C	1.500	05/15/2028	591,892.76	101.59	587,080.29	(4,812.47)	0.25%	2.09	2.12	Agency	AA+	Agency
3137B2HN3	995,378.89	FHLMC_K028	3.111	02/25/2023	1,044,836.78	102.49	1,020,134.06	(24,702.72)	0.44%	1.05	1.07	Agency	AA+	Agency
3137B2K82	189,614.19	FHLMC 4217 KA 3.0	3.000	10/15/2040	195,065.60	102.75	194,825.28	(240.32)	0.08%	1.20	1.27	Agency	AA+	Agency
3137B6XD8	125,454.66	FHLMC 4287 AB 2.0	2.000	12/15/2026	129,727.96	103.07	129,307.03	(420.93)	0.06%	2.18	2.27	Agency	AA+	Agency
3137B84S3	311,457.61	FHLMC 4305 CT 2.0	2.000	02/15/2029	310,873.63	101.41	315,859.63	4,986.00	0.14%	1.00	1.01	Agency	AA+	Agency
3137BB4N7	91,372.09	FHLMC 4338 GE 2.5	2.500	05/15/2029	94,527.29	103.10	94,201.44	(325.85)	0.04%	1.48	1.52	Agency	AA+	Agency
3137BCV39	1,085,644.00	FHLMC_4375B	2.000	03/15/2043	1,123,047.83	102.30	1,110,613.16	(12,434.67)	0.48%	2.79	2.69	Agency	AA+	Agency
3137BVYNO	1,915,916.88	FHMS_KJ12	3.035	08/25/2024	2,027,308.28	103.46	1,982,174.27	(45,134.01)	0.85%	1.81	1.87	Agency	AA+	Agency
3137FVNMO	3,281,560.64	FHMS Q012 A1 0.582	0.582	08/25/2025	3,282,986.48	98.98	3,248,060.83	(34,925.65)	1.40%	2.07	2.11	Agency	AA+	Agency
3137FYPU4	1,638,819.94	FHLMC REMIC SERIES	1.000	01/25/2031	1,650,470.93	99.23	1,626,123.84	(24,347.09)	0.70%	2.97	2.94	Agency	AA+	Agency
3138ERP79	495,855.51	FNMA 15(AL9445	3.000	07/01/2031	526,536.57	105.35	522,388.74	(4,147.83)	0.23%	2.63	2.77	Agency	AA+	Agency
3138W9AF7	1,060,366.15	FNMA #A(AS0005	2.500	07/01/2028	1,067,159.12	103.67	1,099,324.00	32,164.88	0.47%	2.21	2.33	Agency	AA+	Agency
31393CZE6	172,947.71	FNMA 2003-46 LD 3.	3.500	06/25/2023	178,784.69	101.38	175,335.75	(3,448.94)	0.08%	0.58	0.58	Agency	AA+	Agency
31394F3N3	79,875.84	FNMA 2005-92 UF FL	0.442	10/25/2025	80,159.77	100.00	79,874.39	(285.38)	0.03%	0.31	1.15	Agency	AA+	Agency
31396JUF0	208,198.40	FHLMC 3143 B 5.5 4	5.500	04/15/2026	219,519.19	104.74	218,059.43	(1,459.76)	0.09%	1.05	1.08	Agency	AA+	Agency
31396QKJ7	799.57	FNMA 2009-52 AJ 4.	4.000	07/25/2024	850.42	101.39	810.70	(39.72)	0.00%	0.43	0.44	Agency	AA+	Agency
31397BBA8	207,104.75	FHLMC 3221 FB FLT	0.369	03/15/2036	207,218.02	100.22	207,558.95	340.93	0.09%	0.25	1.02	Agency	AA+	Agency
31398JPY3	739,157.22	FHLMC 3577 B 4.0 9	4.000	09/15/2024	754,748.82	103.11	762,120.47	7,371.65	0.33%	1.01	1.04	Agency	AA+	Agency
31398SB36	294,866.74	FNMA 2010-144 YB 3	3.000	12/25/2025	306,292.83	103.36	304,773.82	(1,519.01)	0.13%	1.35	1.40	Agency	AA+	Agency
3140J56K0	1,000,202.58	FNMA #B(BM1773	2.500	03/01/2029	1,015,830.74	104.08	1,041,000.84	25,170.10	0.45%	2.09	2.20	Agency	AA+	Agency
3140X42Q8	1,942,561.42	FNMA #F(FM1682	2.500	03/01/2029	1,965,932.86	104.26	2,025,392.24	59,459.38	0.87%	2.06	2.18	Agency	AA+	Agency
3140X6FV8	422,666.60	FNMA #F(FM2879	3.000	06/01/2032	449,347.43	105.13	444,362.08	(4,985.35)	0.19%	2.55	2.72	Agency	AA+	Agency
3140X6LJ8	743,826.47	FNMA #F(FM3028	3.000	06/01/2030	786,828.93	105.10	781,783.93	(5,045.00)	0.34%	2.15	2.25	Agency	AA+	Agency
31418DS60	802,868.96	FNMA #M(MA4140	1.500	09/01/2030	825,825.99	101.42	814,237.58	(11,588.41)	0.35%	2.72	2.81	Agency	AA+	Agency
31418DITF9	4,641,175.00	FNMA #M(MA4149	1.500	10/01/2030	4,772,433.22	101.37	4,704,712.69	(67,720.53)	2.03%	2.77	2.85	Agency	AA+	Agency
31418DVT6	1,187,307.10	FNMA 10(MA4225	1.500	01/01/2031	1,219,215.99	101.37	1,203,573.21	(15,642.78)	0.52%	2.88	2.95	Agency	AA+	Agency
31418DWZ1	1,912,176.15	FNMA 10(MA4263	1.500	02/01/2031	1,963,565.88	101.37	1,938,392.09	(25,173.79)	0.84%	2.86	2.94	Agency	AA+	Agency
31418DXN7	3,415,799.44	FNMA 10(MA4284	1.500	03/01/2031	3,515,071.11	101.37	3,462,630.05	(52,441.06)	1.49%	2.89	2.97	Agency	AA+	Agency
3620AR4Z1	242,559.82	GNMA #7(738040X	3.500	03/15/2026	253,929.81	105.45	255,776.90	1,847.09	0.11%	1.62	1.68	Govt	AA+	Govt
36257FAD2	1,131,406.17	GMCAR_19-2	2.650	02/16/2024	1,142,720.23	100.72	1,139,567.12	(3,153.11)	0.49%	0.37	0.37	Aaa	AAA	NR
36258NAC6	2,428,476.93	GMCAR_20-1	1.840	09/16/2024	2,476,192.71	100.75	2,446,769.68	(29,423.03)	1.05%	0.68	0.69	Aaa	AAA	NR

FMLVT 1-3 Year High Quality Bond Fund
Holdings as of 11/30/21

Asset ID	Asset Description	Units	Interest Rate	Maturity Date	Market		% of Total		from Investment Manager					
					Value	Gain/Loss	Unrealized	Market	DUR	Average Life	Moody's Rating	S&P Rating	Fitch Rating	
38376EFE0	78,486.08 GNMA 2009-88 QE 3.		3.000	09/16/2039	80,276.54	101.63	79,769.07	(507.47)	0.03%	0.65	0.65	Govt	AA+	Govt
38378FBN9	778,087.38 GNMA 2013-10 JA 2.		2.000	11/20/2041	794,378.58	101.30	788,204.07	(6,174.51)	0.34%	1.95	1.90	Govt	AA+	Govt
38378MWY7	1,789,071.24 GNMA 2013-67 PG 2.		2.000	12/16/2042	1,812,039.85	101.72	1,819,853.46	7,813.61	0.78%	2.11	2.18	Govt	AA+	Govt
38378YZ77	87,883.43 GNMA 2014-21 DA 2.		2.000	04/16/2026	89,970.66	101.91	89,565.47	(405.19)	0.04%	1.61	1.64	Govt	AA+	Govt
38379XQ60	154,482.05 GNMA_16-90A		3.000	02/20/2045	155,833.77	100.37	155,051.66	(782.11)	0.07%	0.15	0.23	Govt	AA+	Govt
38380VH46	252,347.21 GNMA_18-37F		2.500	01/20/2046	257,394.15	104.10	262,687.06	5,292.91	0.11%	2.80	3.00	Govt	AA+	Govt
41284UAD6	2,614,111.16 HDMOT_20-A		1.870	10/15/2024	2,639,435.36	100.69	2,632,243.94	(7,191.42)	1.13%	0.73	0.73	Aaa	AAA	NR
43814WAC9	792,727.74 HAROT 2019-1 A3 2.		2.830	03/20/2023	792,706.49	100.68	798,113.77	5,407.28	0.34%	0.29	0.30	NR	AAA	AAA
43814WAD7	1,200,000.00 HAROT 2019-1 A4 2.		2.900	06/18/2024	1,199,701.32	101.38	1,216,580.76	16,879.44	0.52%	0.62	0.63	NR	AAA	AAA
65479KAD2	1,606,647.72 NAROT 19-A A3 2.90		2.900	10/15/2023	1,606,404.31	100.86	1,620,465.85	14,061.54	0.70%	0.37	0.38	Aaa	NR	AAA
80285VAB5	3,415,000.00 SDART_21-4		0.370	08/15/2024	3,414,787.59	99.96	3,413,565.02	(1,222.57)	1.47%	0.65	0.65	Aaa	NR	AAA
89190GAC1	825,000.00 TAOT_21-B		0.260	11/17/2025	818,715.82	99.15	817,994.60	(721.22)	0.35%	1.86	1.83	NR	AAA	AAA
89239AAD5	1,615,607.60 TAOT 19-A A3 2.91		2.910	07/17/2023	1,615,313.24	100.88	1,629,863.24	14,550.00	0.70%	0.36	0.37	Aaa	AAA	NR
89239JAE4	5,525,000.00 TAOT_19-B		2.600	11/15/2024	5,722,686.52	102.09	5,640,490.73	(82,195.79)	2.43%	1.12	1.15	Aaa	AAA	NR
9128285V8	5,000,000.00 US TREASURY 2.5 1/		2.500	01/15/2022	5,112,907.35	100.30	5,015,050.00	(97,857.35)	2.16%	0.13	0.13	Govt	AA+	Govt
9128286C9	7,000,000.00 US TREASURY 2.5 2/		2.500	02/15/2022	7,124,437.53	100.50	7,035,350.00	(89,087.53)	3.03%	0.21	0.21	Govt	AA+	Govt
912828SF8	9,500,000.00 US TREASURY 2.0 2/		2.000	02/15/2022	9,669,172.43	100.40	9,538,190.00	(130,982.43)	4.11%	0.21	0.21	Govt	AA+	Govt
91282CBG5	11,100,000.00 TREASURY NOTE		0.125	01/31/2023	11,083,994.22	99.81	11,079,243.00	(4,751.22)	4.77%	1.17	1.17	Govt	AA+	Govt
91282CBM2	1,595,000.00 TREASURY NOTE		0.125	02/15/2024	1,580,052.22	98.96	1,578,491.75	(1,560.47)	0.68%	2.20	2.21	Govt	AA+	Govt
91282CCD1	13,760,000.00 TREASURY NOTE		0.125	05/31/2023	13,708,667.19	99.61	13,706,198.40	(2,468.79)	5.90%	1.49	1.50	Govt	AA+	Govt
91282CCT6	28,500,000.00 WI TREASURY NOTE		0.375	08/15/2024	28,445,521.83	99.03	28,222,695.00	(222,826.83)	12.16%	2.68	2.71	Govt	AA+	Govt
91282CDB4	2,500,000.00 TREASURY NOTE		0.625	10/15/2024	2,489,656.81	99.55	2,488,675.00	(981.81)	1.07%	2.84	2.87	Govt	AA+	Govt
91282CDD0	3,400,000.00 TREASURY NOTE		0.375	10/31/2023	3,390,448.89	99.78	3,392,690.00	2,241.11	1.46%	1.91	1.92	Govt	AA+	Govt
92869BAD4	398,098.69 VALET 2018-2 A3 3.		3.250	04/20/2023	398,081.97	100.41	399,740.69	1,658.72	0.17%	0.17	0.17	Aaa	AAA	NR
98161VAC4	167,410.83 WOART 18-A A3 2.50		2.500	04/17/2023	167,368.58	100.14	167,653.16	284.58	0.07%	0.08	0.08	NR	AAA	AAA
98162QAC4	175,743.87 WOART 18-A A3 2.87		2.870	07/17/2023	175,726.91	100.34	176,341.94	615.03	0.08%	0.15	0.15	NR	AAA	AAA
98162RAD0	4,897,661.01 WOART_19-C		1.960	12/15/2024	4,954,600.57	100.80	4,936,653.74	(17,946.83)	2.13%	0.69	0.70	NR	AAA	AAA
98162WAD9	1,714,557.62 WOART_18-D		3.330	04/15/2024	1,735,788.67	100.93	1,730,486.55	(5,302.12)	0.75%	0.39	0.40	NR	AAA	AAA
98162YAD5	1,123,369.59 WOART 19-A A3 3.04		3.040	05/15/2024	1,123,182.77	100.96	1,134,197.30	11,014.53	0.49%	0.43	0.44	NR	AAA	AAA
98163KAB8	3,495,000.00 WOART_21-D		0.350	12/16/2024	3,494,716.91	99.91	3,491,753.49	(2,963.42)	1.50%	1.10	1.10	NR	AAA	AAA
98163MAD0	2,159,656.85 WOART 20-A A3 1.1		1.100	04/15/2025	2,159,177.62	100.42	2,168,725.47	9,547.85	0.93%	0.82	0.83	NR	AAA	AAA
					223,313,572.19		222,151,046.99	(1,162,525.20)	95.70%					
665278404	9,981,859.60 Northern Instl US Govt				9,981,859.60		9,981,859.60	0.00	4.30%	Aaa-mf				
					233,295,431.79		232,132,906.59	-1,162,525.20	100.00%	1.52	1.55			

Portfolio NAV
Shares
NAV per Share

226,761,835.84
11,417,346.61
19.861168

Total Portfolio

230,513,430.07

Backup

Backup

FMIVT Intermediate High Quality Bond Fund
Holdings as of 11/30/21

Asset ID	Asset Description	Units	Interest Rate	Maturity Date	Market			% of Total		from Investment Manager			S&P Rating	Fitch Rating
					Price	Value	Gain/Loss	Market	DUR	Average Life	Moody's Rating			
31377FPJH7	3,238,232.01 FHMS K098 A1 2.046	2.046	04/25/2029	3,254,277.45	103.22	3,342,462.28	88,184.83	1.64%	4.50	4.77	Agency	NR	AAA	
31377FREH0	2,000,000.00 FHMS K104 A2 2.253	2.253	01/25/2030	2,193,750.00	104.23	2,084,668.60	(109,081.40)	1.02%	7.29	8.01	Agency	AA+	AAA	
31392JGM5	63,695.16 FED NATL MTG ASSN	3.500	03/25/2033	62,566.12	103.14	65,692.93	3,126.81	0.03%	1.38	1.53	Agency	AA+	Agency	
31394AWY8	2,152.25 FNMA 2004-60 LB 5.	5.000	04/25/2034	2,321.74	100.32	2,159.10	(162.64)	0.00%	0.14	0.14	Agency	AA+	Agency	
31394EDP0	42,372.59 FNMA 2005-58 MA 5.	5.500	07/25/2035	46,609.85	111.16	47,101.56	491.71	0.02%	2.65	2.80	Agency	AA+	Agency	
31395NVZ7	121,894.48 FNMA 2006-56 FA FL	0.346	11/25/2035	121,932.57	100.07	121,974.91	42.34	0.06%	0.13	0.24	Agency	AA+	Agency	
31402DC73	71,731.89 FNMA #725594 5.5 7	5.500	07/01/2034	78,484.77	114.80	82,350.36	3,865.59	0.04%	2.95	3.90	Agency	AA+	Agency	
31402RF95	78,285.66 FNMA PO(735592	5.000	05/01/2034	76,206.20	113.60	88,934.86	12,728.66	0.04%	2.95	3.96	Agency	AA+	Agency	
31403JU43	635,972.81 FNMA #B(BM4202	3.500	12/01/2029	652,170.24	106.16	675,142.38	22,972.14	0.33%	2.23	2.49	Agency	AA+	Agency	
3140QD2J2	355,237.35 FNMA #C(CA6176	2.500	06/01/2030	374,886.42	104.18	370,068.51	(4,817.91)	0.18%	2.57	2.80	Agency	AA+	Agency	
3140X4DE3	614,279.27 FNMA #(FM1000	3.000	04/01/2047	622,437.67	104.86	644,114.81	21,677.14	0.32%	3.71	4.95	Agency	AA+	Agency	
3140X4HG4	1,171,786.33 FNMA #(FM1130	3.000	10/01/2044	1,202,728.81	105.89	1,240,781.11	38,052.30	0.61%	3.67	5.10	Agency	AA+	Agency	
3140X5QQ9	3,287,292.61 FNMA #(FM2262	2.500	01/01/2035	3,352,524.82	103.64	3,407,114.43	54,589.61	1.67%	2.75	2.98	Agency	AA+	Agency	
31410GBT9	473,254.01 FNMA #888450 5.5 8	5.500	08/01/2035	521,836.49	114.24	540,654.85	18,818.36	0.27%	2.93	3.68	Agency	AA+	Agency	
31416M6U3	17,364.34 FNMA #A(AA4482	4.000	04/01/2039	18,145.73	109.99	19,098.69	952.96	0.01%	3.66	4.73	Agency	AA+	Agency	
31418DQX3	1,233,159.31 FNMA #M(MA4069	2.000	07/01/2030	1,282,389.35	102.79	1,267,527.46	(14,861.89)	0.62%	2.32	2.69	Agency	AA+	Agency	
31418DRM6	1,485,492.53 FNMA #M(MA4091	2.000	07/01/2030	1,546,536.99	102.79	1,526,922.92	(19,614.07)	0.75%	2.43	2.76	Agency	AA+	Agency	
31418DU26	4,070,982.00 FNMA 10(MA4200	1.500	12/01/2030	4,176,191.44	101.37	4,126,713.74	(49,477.70)	2.02%	2.80	2.89	Agency	AA+	Agency	
31418DVT6	4,061,827.45 FNMA 10(MA4225	1.500	01/01/2031	4,173,527.70	101.37	4,117,474.49	(56,053.21)	2.02%	2.88	2.95	Agency	AA+	Agency	
31418DWZ1	2,101,292.45 FNMA 10(MA4263	1.500	02/01/2031	2,155,138.08	101.37	2,130,101.17	(25,036.91)	1.04%	2.86	2.94	Agency	AA+	Agency	
31418DXN7	1,900,038.44 FNMA 10(MA4284	1.500	03/01/2031	1,955,258.31	101.37	1,926,087.97	(29,170.34)	0.94%	2.89	2.97	Agency	AA+	Agency	
31419AGK7	52,940.52 FNMA #AE0201 5.5 8	5.500	08/01/2037	58,168.40	114.80	60,776.78	2,608.38	0.03%	2.97	3.89	Agency	AA+	Agency	
36203ETB8	115.73 GNMA PO(347490X	7.000	09/15/2023	114.47	100.36	116.15	1.68	0.00%	0.66	0.69	Govt	AA+	Govt	
36203LRW4	96.28 GNMA PO(352501X	7.000	09/15/2023	95.23	100.35	96.61	1.38	0.00%	0.45	0.46	Govt	AA+	Govt	
36203R4F3	29.91 GNMA PO(357322X	7.000	09/15/2023	29.58	101.05	30.22	0.64	0.00%	0.70	0.73	Govt	AA+	Govt	
36203XWY8	251.54 GNMA PO(362563X	7.000	08/15/2023	248.80	100.36	252.44	3.64	0.00%	0.63	0.65	Govt	AA+	Govt	
36204D4S5	634.24 GNMA PO(367233X	7.000	09/15/2023	627.33	101.00	640.57	13.24	0.00%	0.55	0.56	Govt	AA+	Govt	
36206CHJ1	91.92 GNMA PO(407133X	9.000	01/15/2025	98.03	100.36	92.25	(5.78)	0.00%	0.28	0.29	Govt	AA+	Govt	
36224QVE3	549.64 GNMA PO(335513X	7.000	12/15/2022	543.65	100.82	554.17	10.52	0.00%	0.37	0.38	Govt	AA+	Govt	
58769QAD3	2,985,000.00 MBAL T_19-B	2.050	08/15/2025	3,037,820.51	100.66	3,004,721.30	(33,099.21)	1.47%	0.35	0.36	NR	AAA	AAA	
65480EAB7	727,074.84 NAT 2020-B A2 0.3	0.340	12/15/2022	727,037.54	100.02	727,211.17	173.63	0.36%	0.15	0.15	Aaa	AAA	NR	
80285VAB5	2,005,000.00 SDART_21-4	0.370	08/15/2024	2,004,875.29	99.96	2,004,157.50	(717.79)	0.98%	0.65	0.65	Aaa	NR	AAA	
80287AAE3	1,490,000.00 SDART_20-1	3.030	11/15/2024	1,508,625.00	100.82	1,502,161.83	(6,463.17)	0.74%	0.56	0.57	Aaa	AA	NR	
89231AAE1	1,000,000.00 TAOT 18-C A4 3.15	3.130	02/15/2024	999,756.80	101.36	1,013,564.70	13,807.90	0.50%	0.53	0.54	Aaa	AAA	NR	
9128282R0	3,000,000.00 US TREASURY 2.25 8	2.250	08/15/2027	2,896,711.22	105.56	3,166,650.00	269,938.78	1.55%	5.33	5.71	Govt	AA+	Govt	
9128283W8	3,000,000.00 US TREASURY 2.75 2	2.750	02/15/2028	2,971,568.93	108.75	3,262,620.00	291,051.07	1.60%	5.69	6.21	Govt	AA+	Govt	
9128284V9	3,035,000.00 US TREASURY 2.875	2.875	08/15/2028	2,985,574.84	109.92	3,336,132.70	350,557.86	1.64%	6.09	6.71	Govt	AA+	Govt	
912828866	7,850,000.00 US TREASURY 2.75 2	2.750	02/15/2024	7,873,749.01	104.71	8,219,813.50	346,064.49	4.03%	2.14	2.21	Govt	AA+	Govt	
912828P46	3,000,000.00 US TREASURY 1.625	1.625	02/15/2026	2,944,347.94	102.26	3,067,860.00	123,512.06	1.50%	4.05	4.21	Govt	AA+	Govt	
912828S92	1,200,000.00 US TREASURY 1.25 7	1.250	07/31/2023	1,137,373.30	101.38	1,216,596.00	79,222.70	0.60%	1.64	1.67	Govt	AA+	Govt	
912828TY6	300,000.00 US TREASURY 1.625	1.625	11/15/2022	294,212.14	101.32	303,960.00	9,747.86	0.15%	0.95	0.96	Govt	AA+	Govt	
912828U24	2,350,000.00 US TREASURY 2.0 11	2.000	11/15/2026	2,254,887.78	104.19	2,448,418.00	193,530.22	1.20%	4.72	4.96	Govt	AA+	Govt	
912828U57	6,450,000.00 US TREASURY 2.125	2.125	11/30/2023	6,688,734.41	103.18	6,654,852.00	(33,882.41)	3.26%	1.96	2.00	Govt	AA+	Govt	
912828XB1	7,500,000.00 US TREASURY 2.125	2.125	05/15/2025	7,326,103.34	104.04	7,802,625.00	476,521.66	3.83%	3.33	3.46	Govt	AA+	Govt	

FMIVT Intermediate High Quality Bond Fund
Holdings as of 11/30/21

Asset ID	Units	Asset Description	Interest		Maturity	Market		Unrealized		% of Total		from Investment Manager		S&P	Fitch
			Rate	Date		Value	Price	Gain/Loss	Market	DUR	Average Life	Moody's	RATING		
912828Z94	4,500,000.00	US TREASURY 1.5 2/	1.500	02/15/2030		4,543,065.00	100.96	(187,890.50)	2.23%	7.67	8.21	Govt	AA+	AA+	Govt
912828Z94	10,500,000.00	TREASURY NOTE	0.750	01/31/2028		10,162,005.00	96.78	(126,669.81)	4.98%	5.98	6.17	Govt	AA+	AA+	Govt
912828Z94	5,500,000.00	TREASURY NOTE	1.125	02/29/2028		5,447,585.00	99.05	3,207.53	2.67%	5.99	6.25	Govt	AA+	AA+	Govt
912828Z94	4,000,000.00	TREASURY NOTE	1.250	04/30/2028		3,983,920.00	99.60	(4,377.25)	1.95%	6.14	6.42	Govt	AA+	AA+	Govt
912828Z94	3,025,000.00	TREASURY NOTE	0.125	05/31/2023		3,013,172.25	99.61	(612.30)	1.48%	1.49	1.50	Govt	AA+	AA+	Govt
912828Z94	1,300,000.00	TREASURY NOTE	1.250	05/31/2028		1,294,215.00	99.56	(4,926.92)	0.63%	6.22	6.50	Govt	AA+	AA+	Govt
912828Z94	1,505,000.00	TREASURY NOTE	1.250	06/30/2028		1,496,767.65	99.45	(9,061.42)	0.73%	6.26	6.58	Govt	AA+	AA+	Govt
912828Z94	3,050,000.00	TREASURY NOTE	1.000	07/31/2028		2,982,686.50	97.79	(55,292.50)	1.46%	6.40	6.67	Govt	AA+	AA+	Govt
912828Z94	5,000,000.00	WI TREASURY NOTE	0.375	08/15/2024		4,951,350.00	99.03	(39,096.44)	2.43%	2.68	2.71	Govt	AA+	AA+	Govt
912828Z94	1,724,163.18	WOART 17-B A4 2.25	2.250	10/16/2023		1,725,598.72	100.08	(35,607.04)	0.85%	0.04	0.04	NR	AAA	AAA	AAA
912828Z94	58,593.79	WOART 18-A A3 2.50	2.500	04/17/2023		58,678.60	100.14	(501.13)	0.03%	0.08	0.08	NR	AAA	AAA	AAA
912828Z94	3,487,839.54	WOART_19-C	1.960	12/15/2024		3,515,607.97	100.80	(7,927.42)	1.72%	0.69	0.70	NR	AAA	AAA	AAA
912828Z94	1,242,667.39	WOART 20-C A2 0.35	0.350	12/15/2023		1,242,964.51	100.02	425.24	0.61%	0.27	0.27	NR	AAA	AAA	AAA
912828Z94	2,050,000.00	WOART 21-D	0.350	12/16/2024		2,048,095.75	99.91	(1,738.20)	1.00%	1.10	1.10	NR	AAA	AAA	AAA
	195,583,898.52					198,660,358.76		1,743,313.30	97.39%						
665278404	5,319,980.42	Northern Instl US Govt				5,319,980.42		0.00	2.61%			Aaa-mf	AAAm		
						203,980,339.18		1,743,313.30	100.00%	3.50	3.73				

Portfolio NAV
Shares
NAV per Share

201,308,558.02
7,731,600.01
26.037115

200,903,878.94

Total Portfolio



2-8-22 TO Backup

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH SHORT TERM PORTFOLIO - 68904245

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Commercial Paper												
NATIXIS NY BRANCH COMM PAPER DTD 04/16/2021 0.0000% 12/29/2021		63873ZV5	2,500,000.00	A-1	P-1	04/28/21	04/29/21	2,496,441.67	0.21	0.00	2,499,591.67	2,499,790.00
CREDIT SUISSE NEW YORK COMM PAPER DTD 04/29/2021 0.0000% 01/24/2022		2254EBAQ4	2,500,000.00	A-1	P-1	04/29/21	04/30/21	2,494,956.25	0.27	0.00	2,498,987.50	2,499,220.00
Security Type Sub-Total			5,000,000.00					4,991,397.92	0.24	0.00	4,998,579.17	4,999,010.00
Managed Account Sub-Total			5,000,000.00					4,991,397.92	0.24	0.00	4,998,579.17	4,999,010.00
Securities Sub-Total			\$5,000,000.00					\$4,991,397.92	0.24%	\$0.00	\$4,998,579.17	\$4,999,010.00
Accrued Interest												\$0.00
Total Investments												\$4,999,010.00



2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	CUSIP	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Par	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
U.S. Treasury Bond / Note										
US TREASURY NOTES DTD 09/30/2020 0.125% 09/30/2022	91282CAN1	AA+	Aaa	01/07/21	01/11/21	129,974.61	0.14	27.68	129,987.73	129,918.75
US TREASURY NOTES DTD 09/30/2020 0.125% 09/30/2022	91282CAN1	AA+	Aaa	10/07/20	10/07/20	269,831.25	0.16	57.48	269,929.28	269,831.25
US TREASURY NOTES DTD 11/15/2012 1.625% 11/15/2022	912828TY6	AA+	Aaa	07/02/19	07/03/19	373,535.15	1.74	269.34	374,584.70	379,921.88
US TREASURY NOTES DTD 11/30/2020 0.125% 11/30/2022	91282CAX9	AA+	Aaa	12/10/20	12/10/20	399,843.75	0.14	1.37	399,921.01	399,500.00
US TREASURY NOTES DTD 11/30/2015 2.000% 11/30/2022	912828M80	AA+	Aaa	08/01/18	08/03/18	434,373.05	2.86	24.73	446,399.87	457,804.71
US TREASURY NOTES DTD 12/31/2015 2.125% 12/31/2022	912828N30	AA+	Aaa	09/05/18	09/06/18	204,503.91	2.77	1,867.46	208,623.36	214,167.20
US TREASURY NOTES DTD 12/31/2020 0.125% 12/31/2022	91282CBD2	AA+	Aaa	03/16/21	03/17/21	429,815.23	0.15	224.93	429,888.40	429,260.92
US TREASURY NOTES DTD 12/31/2020 0.125% 12/31/2022	91282CBD2	AA+	Aaa	04/29/21	04/30/21	749,794.92	0.14	392.33	749,867.20	748,710.90
US TREASURY NOTES DTD 01/15/2020 1.500% 01/15/2023	912828Z29	AA+	Aaa	02/05/20	02/06/20	500,839.84	1.44	2,832.88	500,320.61	506,718.75
US TREASURY NOTES DTD 02/29/2016 1.500% 02/28/2023	912828P79	AA+	Aaa	07/02/18	07/05/18	208,097.65	2.75	838.67	216,819.50	223,231.25
US TREASURY NOTES DTD 02/28/2021 0.125% 02/28/2023	91282CBN0	AA+	Aaa	03/16/21	03/17/21	749,619.14	0.15	238.26	749,757.49	748,007.85
US TREASURY NOTES DTD 03/15/2020 0.500% 03/15/2023	912828ZD5	AA+	Aaa	03/16/21	03/17/21	755,009.77	0.16	797.65	753,227.45	751,406.25
US TREASURY NOTES DTD 03/31/2016 1.500% 03/31/2023	912828O29	AA+	Aaa	09/03/19	09/05/19	201,007.81	1.35	510.99	200,375.12	203,062.50
US TREASURY NOTES DTD 03/31/2021 0.125% 03/31/2023	91282CBU4	AA+	Aaa	06/08/21	06/08/21	499,863.28	0.14	106.46	499,899.68	498,359.40

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2021**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type / Description	Dated Date / Coupon / Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
US TREASURY NOTES	DTD 05/15/2013 1.750% 05/15/2023	912828VB3	AA+	Aaa	12/04/18	12/06/18	716,542.97	2.83	580.11	739,060.93	764,765.63
US TREASURY NOTES	DTD 06/30/2016 1.375% 06/30/2023	912828S35	AA+	Aaa	12/10/18	12/11/18	188,460.94	2.73	1,150.82	196,000.90	203,000.00
US TREASURY N/B NOTES	DTD 06/30/2021 0.125% 06/30/2023	91282CCK5	AA+	Aaa	07/16/21	07/19/21	249,521.48	0.22	130.77	249,612.34	248,828.13
US TREASURY NOTES	DTD 07/02/2018 2.625% 06/30/2023	9128284U1	AA+	Aaa	02/05/20	02/06/20	519,589.84	1.44	5,492.53	509,099.80	517,265.60
US TREASURY NOTES	DTD 07/15/2020 0.125% 07/15/2023	912828ZY9	AA+	Aaa	01/22/21	01/25/21	449,806.64	0.14	212.47	449,873.17	447,750.00
US TREASURY NOTES	DTD 07/31/2018 2.750% 07/31/2023	912828Y61	AA+	Aaa	04/29/21	04/30/21	792,744.14	0.21	6,893.68	781,564.10	778,593.75
US TREASURY NOTES	DTD 08/15/2020 0.125% 08/15/2023	91282CAF8	AA+	Aaa	01/22/21	01/25/21	449,736.33	0.15	165.08	449,824.03	447,328.13
US TREASURY NOTES	DTD 09/30/2016 1.375% 09/30/2023	912828T26	AA+	Aaa	04/29/21	04/30/21	77,059.57	0.24	175.65	76,558.09	76,183.59
US TREASURY NOTES	DTD 12/15/2020 0.125% 12/15/2023	91282CBA8	AA+	Aaa	03/16/21	03/17/21	746,777.34	0.28	432.89	747,609.51	742,968.75
US TREASURY NOTES	DTD 12/31/2018 2.625% 12/31/2023	9128285U0	AA+	Aaa	11/02/21	11/03/21	522,480.47	0.53	5,492.53	521,681.67	520,937.50
US TREASURY NOTES	DTD 01/15/2021 0.125% 01/15/2024	91282CBE0	AA+	Aaa	01/15/21	01/20/21	239,418.75	0.21	113.31	239,586.73	237,525.00
US TREASURY NOTES	DTD 01/15/2021 0.125% 01/15/2024	91282CBE0	AA+	Aaa	01/22/21	01/25/21	449,208.98	0.18	212.47	449,434.99	445,359.38
US TREASURY NOTES	DTD 01/31/2019 2.500% 01/31/2024	9128285Z9	AA+	Aaa	02/05/20	02/06/20	520,117.19	1.46	4,177.99	510,936.56	520,156.25
US TREASURY NOTES	DTD 02/18/2014 2.750% 02/15/2024	912828B66	AA+	Aaa	03/17/21	03/18/21	535,253.91	0.32	4,035.33	526,705.50	523,203.10

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type / Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date / Coupon / Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
U.S. Treasury Bond / Note									
US TREASURY NOTES	AA+	Aaa	03/01/19	03/05/19	237,909.38	2.56	1,448.62	239,059.11	249,225.00
DTD 02/28/2019 2.375% 02/29/2024									
US TREASURY NOTES	AA+	Aaa	03/16/21	03/17/21	748,154.30	0.33	398.83	748,591.26	743,085.90
DTD 03/15/2021 0.250% 03/15/2024									
US TREASURY NOTES	AA+	Aaa	01/22/21	01/25/21	396,782.22	0.21	642.27	391,112.62	386,718.75
DTD 05/01/2017 2.000% 04/30/2024									
US TREASURY NOTES	AA+	Aaa	06/17/21	06/21/21	92,984.77	0.48	229.94	92,578.32	91,729.69
DTD 09/30/2019 1.500% 09/30/2024									
US TREASURY NOTES	AA+	Aaa	04/29/21	04/30/21	528,203.13	0.46	1,809.75	523,348.31	518,515.60
DTD 10/02/2017 2.125% 09/30/2024									
US TREASURY NOTES	AA+	Aaa	03/16/21	03/17/21	776,865.23	0.48	1,916.21	771,483.87	764,414.10
DTD 09/30/2019 1.500% 09/30/2024									
US TREASURY NOTES	AA+	Aaa	04/29/21	04/30/21	517,460.94	0.52	20.60	514,595.21	509,609.40
DTD 11/30/2019 1.500% 11/30/2024									
US TREASURY NOTES	AA+	Aaa	02/05/20	02/06/20	290,314.06	1.47	2,636.41	286,488.06	291,725.00
DTD 01/02/2018 2.250% 12/31/2024									
US TREASURY NOTES	AA+	Aaa	01/02/20	01/06/20	361,701.56	1.65	2,636.41	361,052.15	369,675.00
DTD 12/31/2019 1.750% 12/31/2024									
US TREASURY NOTES	AA+	Aaa	01/22/21	01/25/21	475,488.28	0.30	3,295.52	469,985.94	462,093.75
DTD 12/31/2019 1.750% 12/31/2024									
US TREASURY NOTES	AA+	Aaa	03/02/20	03/04/20	126,791.99	0.83	357.39	126,165.48	125,820.31
DTD 02/29/2020 1.125% 02/28/2025									
US TREASURY NOTES	AA+	Aaa	03/16/21	03/17/21	746,806.64	0.61	638.74	747,367.37	739,453.13
DTD 03/31/2020 0.500% 03/31/2025									
US TREASURY NOTES	AA+	Aaa	01/21/21	01/22/21	373,037.11	0.37	2.58	373,423.52	365,625.00
DTD 05/31/2020 0.250% 05/31/2025									
US TREASURY NOTES	AA+	Aaa	04/05/21	04/07/21	180,642.38	0.81	154.59	181,300.45	179,970.31
DTD 07/31/2020 0.250% 07/31/2025									

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type / Description	Dated Date / Coupon / Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
U.S. Treasury Bond / Note											
US TREASURY NOTES	DTD 08/31/2020 0.250% 08/31/2025	91282CAJ0	AA+	Aaa	04/22/21	04/26/21	206,128.13	0.68	133.43	206,662.10	204,028.13
US TREASURY NOTES	DTD 10/31/2020 0.250% 10/31/2025	91282CAT8	AA+	Aaa	04/29/21	04/30/21	488,437.50	0.77	107.04	489,948.71	484,687.50
US TREASURY NOTES	DTD 11/30/2020 0.375% 11/30/2025	91282CAZ4	AA+	Aaa	09/03/21	09/08/21	316,100.00	0.67	3.30	316,312.18	311,300.00
US TREASURY NOTES	DTD 12/31/2020 0.375% 12/31/2025	91282CBC4	AA+	Aaa	01/21/21	01/22/21	373,637.70	0.45	588.49	373,874.06	364,570.31
US TREASURY NOTES	DTD 01/31/2021 0.375% 01/31/2026	91282CBH3	AA+	Aaa	05/05/21	05/05/21	490,546.88	0.78	626.70	491,693.04	485,468.75
US TREASURY NOTES	DTD 02/16/2016 1.625% 02/15/2026	912828P46	AA+	Aaa	03/01/21	03/03/21	522,792.97	0.69	2,384.51	519,355.14	511,093.75
US TREASURY N/B NOTES	DTD 04/30/2021 0.750% 04/30/2026	91282CBW0	AA+	Aaa	11/02/21	11/03/21	492,636.72	1.09	321.13	492,762.51	492,109.40
US TREASURY N/B NOTES	DTD 05/31/2021 0.750% 05/31/2026	91282CCF6	AA+	Aaa	09/29/21	09/30/21	173,379.88	0.95	3.61	173,438.83	172,156.25
US TREASURY N/B NOTES	DTD 05/31/2021 0.750% 05/31/2026	91282CCF6	AA+	Aaa	06/02/21	06/04/21	498,945.31	0.79	10.30	499,049.51	491,875.00

Security Type Sub-Total			21,610,000.00			21,778,574.99	0.77	57,822.23	21,766,797.47	21,748,716.45
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Supra-National Agency Bond / Note

INTL BK OF RECON AND DEV NOTE	DTD 04/20/2021 0.126% 04/20/2023	459058JV6	AAA	Aaa	04/13/21	04/20/21	259,461.80	0.23	37.31	259,627.68	258,639.16
INTER-AMERICAN DEVEL BK NOTES	DTD 04/24/2020 0.500% 05/24/2023	4581X0DM7	AAA	Aaa	04/17/20	04/24/20	259,911.60	0.51	25.28	259,957.65	259,903.80
ASIAN DEVELOPMENT BANK NOTES	DTD 07/14/2020 0.250% 07/14/2023	045167EV1	AAA	Aaa	07/07/20	07/14/20	514,139.95	0.31	489.97	514,536.59	512,473.93
INTL BK RECON & DEVELOP NOTES	DTD 11/24/2020 0.250% 11/24/2023	459058JM6	AAA	Aaa	11/17/20	11/24/20	364,215.25	0.32	17.74	364,481.85	361,885.09



2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2021**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Dated Date/Coupon/Maturity											
Supra-National Agency Bond / Note											
ASIAN DEVELOPMENT BANK CORPORATE NOTES	045167FE8	820,000.00	AAA	Aaa	06/02/21	06/09/21	819,508.00	0.40	1,469.16	819,586.42	810,375.66
DTD 06/09/2021 0.375% 06/11/2024											
INTER-AMERICAN DEVEL BK NOTES	4581X0DZ8	415,000.00	AAA	Aaa	09/15/21	09/23/21	414,692.90	0.52	391.94	414,712.23	409,998.42
DTD 09/23/2021 0.500% 09/23/2024											

Security Type Sub-Total		2,635,000.00					2,631,929.50	0.38	2,431.40	2,632,902.42	2,613,276.06
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Municipal Bond / Note											
NY ST URBAN DEV CORP TXBL REV BONDS	650036BE5	75,000.00	NR	Aa2	07/17/20	07/23/20	75,000.00	0.62	98.48	75,000.00	75,222.00
DTD 07/23/2020 0.622% 03/15/2023											
PORT AUTH OF NY/NJ TXBL REV BONDS	73358W4V3	70,000.00	A+	Aa3	07/02/20	07/08/20	70,000.00	1.09	316.75	70,000.00	70,569.80
DTD 07/08/2020 1.086% 07/01/2023											
SAN DIEGO CCD, CA TXBL GO BONDS	797272QN4	40,000.00	AAA	Aaa	09/18/19	10/16/19	40,000.00	2.00	266.13	40,000.00	40,926.40
DTD 10/16/2019 1.996% 08/01/2023											
HOUSTON, TX TXBL GO BONDS	4423315T7	230,000.00	AA	Aa3	08/23/19	09/10/19	230,000.00	1.95	1,121.25	230,000.00	235,717.80
DTD 09/10/2019 1.950% 03/01/2024											
CT ST TXBL GO BONDS	20772KJW0	40,000.00	A+	Aa3	05/29/20	06/11/20	40,000.00	2.00	333.00	40,000.00	41,206.80
DTD 06/11/2020 1.998% 07/01/2024											
SAN DIEGO CCD, CA TXBL GO BONDS	797272OP9	15,000.00	AAA	Aaa	09/18/19	10/16/19	15,000.00	2.05	102.30	15,000.00	15,505.20
DTD 10/16/2019 2.046% 08/01/2024											
MD ST TXBL GO BONDS	574193TQ1	100,000.00	AAA	Aaa	07/23/20	08/05/20	99,972.00	0.52	170.00	99,981.28	99,573.00
DTD 08/05/2020 0.510% 08/01/2024											
TAMPA WTR & WSTWTR SYS, FL TXBL REV BONDS	875291AU0	90,000.00	AAA	Aaa	07/17/20	07/28/20	90,000.00	0.71	106.05	90,000.00	89,583.30
DTD 07/28/2020 0.707% 10/01/2024											
MS ST TXBL GO BONDS	605581MZ7	85,000.00	AA	Aa2	07/24/20	08/06/20	85,000.00	0.57	40.02	85,000.00	84,294.50
DTD 08/06/2020 0.565% 11/01/2024											
NY ST URBAN DEV CORP TXBL REV BONDS	650036DT0	255,000.00	AA+	NR	12/16/20	12/23/20	255,000.00	0.87	468.35	255,000.00	252,353.10
DTD 12/23/2020 0.870% 03/15/2025											



2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type / Description	Dated Date / Coupon / Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Municipal Bond / Note											
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025		341271AD6	AA	Aa3	09/03/20	09/16/20	25,176.75	1.11	131.04	25,132.18	25,001.75
FL ST BOARD OF ADMIN TXBL REV BONDS DTD 09/16/2020 1.258% 07/01/2025		341271AD6	AA	Aa3	09/03/20	09/16/20	145,000.00	1.26	760.04	145,000.00	145,010.15
LOS ANGELES CCD, CA TXBL GO BONDS DTD 11/10/2020 0.773% 08/01/2025		54438CYK2	AA+	Aaa	10/30/20	11/10/20	95,000.00	0.77	244.78	95,000.00	93,992.05
MN ST TXBL GO BONDS DTD 08/25/2020 0.630% 08/01/2025		60412AVJ9	AAA	Aa1	08/11/20	08/25/20	265,000.00	0.63	556.50	265,000.00	262,114.15
NY ST DORM AUTH PITS TXBL REV BONDS DTD 06/23/2021 1.187% 03/15/2026		64990FD50	AA+	NR	06/16/21	06/23/21	100,000.00	1.19	520.96	100,000.00	99,042.00
CT ST TXBL GO BONDS DTD 06/04/2021 1.123% 06/01/2026		20772KNX3	A+	Aa3	05/20/21	06/04/21	90,000.00	1.12	496.93	90,000.00	89,729.10

Security Type Sub-Total	1,720,000.00	1,720,148.75	1.06	5,732.58	1,720,113.46	1,719,841.10
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Federal Agency Mortgage-Backed Security

FR Z57331 DTD 09/01/2018 3.000% 12/01/2030	3132A8EC9	117,665.18	AA+	Aaa	02/13/20	02/18/20	122,114.39	2.60	294.16	121,377.94	123,990.97
FREDDIE MAC POOL DTD 12/01/2019 3.000% 05/01/2032	3132CWHK3	116,504.00	AA+	Aaa	02/05/20	02/18/20	120,527.04	2.67	291.26	119,938.39	122,671.07
FN CA4328 DTD 09/01/2019 3.000% 10/01/2034	3140QBY28	95,560.31	AA+	Aaa	11/15/19	11/19/19	98,352.46	2.76	238.90	97,970.40	100,757.31
FN FM2694 DTD 03/01/2020 3.000% 03/01/2035	3140X57G2	117,142.35	AA+	Aaa	03/24/20	03/25/20	123,438.74	2.57	292.86	122,727.60	124,101.63
FN FM3701 DTD 06/01/2020 2.500% 07/01/2035	3140X7DF3	93,532.47	AA+	Aaa	07/27/20	07/29/20	99,012.89	2.04	194.86	98,520.15	97,527.57

Security Type Sub-Total	540,404.31	563,445.52	2.54	1,312.04	560,534.48	569,048.55
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Federal Agency Commercial Mortgage-Backed Security

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Commercial Mortgage-Backed Security											
FHMS K724 A2	DTD 01/01/2017 3.062% 11/01/2023	31378TU25	AA+	Aaa	01/28/21	02/02/21	149,455.47	0.58	357.23	146,605.62	144,190.27
FHMS KJ30 A1	DTD 07/01/2020 0.526% 01/01/2025	3137FUZN7	AA+	Aaa	07/23/20	07/30/20	100,069.89	0.53	43.86	100,070.46	98,551.07
FHMS KJ28 A1	DTD 02/01/2020 1.766% 02/01/2025	3137FREB3	AA+	Aaa	02/19/20	02/27/20	96,109.74	1.77	141.44	96,109.88	97,340.42

Security Type Sub-Total			336,181.90				345,635.10	0.91	542.53	342,785.96	340,081.76
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Federal Agency Collateralized Mortgage Obligation											
FHR 4096 PA	DTD 08/01/2012 1.375% 08/01/2027	3137ATCD2	AA+	Aaa	02/21/20	02/26/20	131,044.17	1.49	151.38	131,298.99	132,845.97
FNR 2012-145 EA	DTD 12/01/2012 1.250% 01/01/2028	3136AAZ57	AA+	Aaa	02/07/20	02/12/20	67,254.06	1.44	71.07	67,475.69	68,699.42
FNR 2015-33 P	DTD 05/01/2015 2.500% 06/01/2045	3136APCJ9	AA+	Aaa	02/14/20	02/20/20	96,983.46	2.40	198.27	96,855.74	98,303.81
FNR 2016-19 AH	DTD 03/01/2016 3.000% 04/01/2046	3136ARB64	AA+	Aaa	07/08/20	07/13/20	52,054.98	2.58	120.52	51,847.73	50,694.19

Security Type Sub-Total			343,718.84				347,336.67	1.89	541.24	347,478.15	350,543.39
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Federal Agency Bond / Note											
FREDDIE MAC NOTES	DTD 06/26/2020 0.250% 06/26/2023	3137EAE54	AA+	Aaa	06/24/20	06/26/20	314,080.20	0.35	339.06	314,519.52	314,137.85
FANNIE MAE NOTES	DTD 07/10/2020 0.250% 07/10/2023	3135G05G4	AA+	Aaa	07/08/20	07/10/20	284,387.25	0.32	279.06	284,672.08	284,018.46
FREDDIE MAC NOTES	DTD 12/04/2020 0.250% 12/04/2023	3137EAF2	AA+	Aaa	12/02/20	12/04/20	24,975.25	0.28	30.73	24,983.43	24,828.00
FANNIE MAE NOTES	DTD 02/08/2019 2.500% 02/05/2024	3135G0V34	AA+	Aaa	02/07/19	02/08/19	254,051.40	2.58	2,054.17	254,585.80	265,154.61

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2021**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Federal Agency Bond / Note											
FHLB BONDS	DTD 02/15/2019 2.500% 02/13/2024	3130AFW94	AA+	Aaa	02/14/19	02/15/19	279,008.80	2.58	2,100.00	279,563.09	291,263.00
FANNIE MAE NOTES	DTD 01/10/2020 1.625% 01/07/2025	3135G0X24	AA+	Aaa	01/08/20	01/10/20	343,899.45	1.69	2,242.50	344,316.38	352,460.63
FEDERAL HOME LOAN BANK NOTES	DTD 04/16/2020 0.500% 04/14/2025	3130AJHU6	AA+	Aaa	04/15/20	04/16/20	383,090.40	0.60	251.32	383,712.28	379,068.69
FANNIE MAE NOTES	DTD 04/24/2020 0.625% 04/22/2025	3135G03U5	AA+	Aaa	04/22/20	04/24/20	439,093.60	0.67	297.92	439,384.80	435,008.20
FANNIE MAE NOTES	DTD 06/19/2020 0.500% 06/17/2025	3135G04Z3	AA+	Aaa	06/17/20	06/19/20	518,923.60	0.54	1,184.44	519,236.37	510,328.52
FREDDIE MAC NOTES	DTD 07/23/2020 0.375% 07/21/2025	3137EAEU9	AA+	Aaa	07/21/20	07/23/20	144,277.90	0.48	196.35	144,474.26	141,787.67

Security Type Sub-Total	2,995,000.00	2,985,787.85	1.03	8,975.55	2,989,448.01	2,998,055.63
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Corporate Note											
PACCAR FINANCIAL CORP	DTD 08/10/2017 2.300% 08/10/2022	69371RN77	A+	A1	08/07/17	08/10/17	139,907.60	2.31	992.83	139,987.25	141,810.34
CHEVRON CORP CORPORATE NOTES	DTD 05/11/2020 1.141% 05/11/2023	166764BV1	AA-	Aa2	05/07/20	05/11/20	70,000.00	1.14	44.37	70,000.00	70,436.80
HERSHEY COMPANY	DTD 05/10/2018 3.375% 05/15/2023	427866AZ1	A	A1	05/03/18	05/10/18	179,924.40	3.38	270.00	179,978.12	186,587.82
BRISTOL-MYERS SQUIBB CO (CALLABLE)	DTD 11/13/2020 0.537% 11/13/2023	110122DT2	A+	A2	11/09/20	11/13/20	80,000.00	0.54	21.48	80,000.00	80,000.72
PNC BANK NA CORP NOTES (CALLABLE)	DTD 01/23/2019 3.500% 01/23/2024	693475AV7	A-	A3	10/23/19	10/25/19	95,067.90	2.11	1,120.00	92,507.28	94,602.96
3M COMPANY	DTD 09/14/2018 3.250% 02/14/2024	88579YBB6	A+	A1	02/12/19	02/22/19	80,937.60	2.99	772.78	80,415.16	83,835.68

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
BANK OF AMERICA CORP NOTE DTD 03/05/2018 3.550% 03/05/2024		06051GHF9	A-	A2	03/06/19	03/08/19	180,919.80	3.44	1,526.50	180,416.03	185,636.52
MERCK & CO INC DTD 03/07/2019 2.900% 03/07/2024		58933YAU9	A+	A1	03/05/19	03/07/19	94,732.10	2.96	642.83	94,878.73	99,022.59
PFIZER INC CORP NOTES DTD 03/11/2019 2.950% 03/15/2024		717081ES8	A+	A2	03/04/19	03/11/19	179,908.20	2.96	1,121.00	179,958.14	187,988.40
JPMORGAN CHASE & CO CORPORATE NOTES (CAL DTD 03/16/2021 0.697% 03/16/2024		46647PBZ8	A-	A2	03/09/21	03/16/21	75,000.00	0.70	108.91	75,000.00	74,808.98
CHARLES SCHWAB CORP NOTES (CALLABLE) DTD 03/18/2021 0.750% 03/18/2024		808513BN4	A	A2	03/16/21	03/18/21	29,985.00	0.77	45.63	29,988.53	29,844.33
MASTERCARD INC CORP NOTES DTD 03/31/2014 3.375% 04/01/2024		57636OAB0	A+	A1	04/02/19	04/04/19	92,827.80	2.70	506.25	91,320.88	95,048.55
MORGAN STANLEY CORP NOTES (CALLABLE) DTD 04/22/2021 0.731% 04/05/2024		61772BAA1	BBB+	A1	04/19/21	04/22/21	20,000.00	0.73	22.74	20,000.00	19,938.86
MORGAN STANLEY CORP NOTES (CALLABLE) DTD 04/22/2021 0.731% 04/05/2024		61772BAA1	BBB+	A1	04/20/21	04/22/21	75,087.00	0.69	85.29	75,059.79	74,770.73
BANK OF NY MELLON CORP NOTES (CALLABLE) DTD 04/26/2021 0.500% 04/26/2024		06406RAS6	A	A1	04/19/21	04/26/21	69,925.10	0.54	34.03	69,940.07	69,165.32
UNITEDHEALTH GROUP INC (CALLABLE) CORP N DTD 05/19/2021 0.550% 05/15/2024		91324PEB4	A+	A3	05/17/21	05/19/21	94,901.20	0.59	23.22	94,918.93	94,038.51
CITIGROUP INC CORPORATE NOTES DTD 05/14/2020 1.678% 05/15/2024		172967MR9	BBB+	A3	05/07/20	05/14/20	130,000.00	1.68	96.95	130,000.00	131,115.27

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2021**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Par	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Corporate Note									
JPMORGAN CHASE & CO CORPORATE NOTES	125,000.00	A-	A2	05/19/20	05/27/20	1.51	946.25	125,000.00	126,103.25
DTD 05/27/2020 1.514% 06/01/2024									
JOHN DEERE CAPITAL CORP CORPORATE NOTES	110,000.00	A	A2	06/07/21	06/10/21	0.49	235.13	109,884.39	108,432.06
DTD 06/10/2021 0.450% 06/07/2024									
US BANCORP NOTES (CALLABLE)	215,000.00	A+	A2	07/24/19	07/29/19	2.42	1,734.33	214,887.96	222,656.15
DTD 07/29/2019 2.400% 07/30/2024									
PACCAR FINANCIAL CORP NOTES	90,000.00	A+	A1	08/08/19	08/15/19	2.20	569.75	89,892.44	92,529.27
DTD 08/15/2019 2.150% 08/15/2024									
EXXON MOBIL CORPORATION	220,000.00	AA-	Aa2	08/13/19	08/16/19	2.02	1,295.53	220,000.00	225,370.42
DTD 08/16/2019 2.019% 08/16/2024									
PRINCIPAL LIFE GLB FND II NOTES	130,000.00	A+	A1	08/18/21	08/25/21	0.77	260.00	129,926.62	128,521.51
DTD 08/25/2021 0.750% 08/23/2024									
UNITED PARCEL SERVICE	20,000.00	A-	A2	08/13/19	08/16/19	2.22	110.00	19,990.62	20,602.20
DTD 08/16/2019 2.200% 09/01/2024									
JOHN DEERE CAPITAL CORP CORPORATE NOTES	40,000.00	A	A2	09/07/21	09/10/21	0.65	56.25	39,975.95	39,508.44
DTD 09/10/2021 0.625% 09/10/2024									
MET LIFE GLOB FUNDING I NOTES	195,000.00	AA-	Aa3	09/21/21	09/28/21	0.70	238.88	194,977.97	192,214.43
DTD 09/28/2021 0.700% 09/27/2024									
BANK OF NY MELLON CORP	30,000.00	A	A1	01/21/20	01/28/20	2.00	64.75	30,080.68	30,802.14
DTD 10/24/2019 2.100% 10/24/2024									
BANK OF NY MELLON CORP	90,000.00	A	A1	10/17/19	10/24/19	2.14	194.25	89,908.79	92,406.42
DTD 10/24/2019 2.100% 10/24/2024									
CITIGROUP INC CORPORATE NOTES	125,000.00	BBB+	A3	10/23/20	10/30/20	0.78	83.53	125,000.00	124,282.88
DTD 10/30/2020 0.776% 10/30/2024									
CATERPILLAR FINL SERVICE	185,000.00	A	A2	11/04/19	11/08/19	2.17	254.12	184,897.87	190,286.93
DTD 11/08/2019 2.150% 11/08/2024									

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note											
JOHN DEERE CAPITAL CORP DTD 01/09/2020 2.050% 01/09/2025		24422EVC0	A	A2	01/06/20	01/09/20	89,974.80	2.06	727.75	89,984.34	92,617.74
ADOBE INC CORP NOTE DTD 02/03/2020 1.900% 02/01/2025		00724PAB5	A+	A2	01/22/20	02/03/20	184,605.95	1.95	1,171.67	184,749.97	188,825.80
TOYOTA MOTOR CREDIT CORP CORP NOTES DTD 02/13/2020 1.800% 02/13/2025		89236TGT6	A+	A1	02/10/20	02/13/20	244,835.85	1.81	1,323.00	244,894.88	249,257.61
NOVARTIS CAPITAL CORP DTD 02/14/2020 1.750% 02/14/2025		66989HAP3	AA-	A1	02/11/20	02/14/20	114,829.80	1.78	598.16	114,890.91	116,709.82
LOCKHEED MARTIN CORP NOTES (CALLABLE) DTD 02/20/2015 2.900% 03/01/2025		539830BE8	A-	A3	03/04/21	03/08/21	75,285.70	0.96	507.50	74,247.16	73,568.67
TEXAS INSTRUMENTS INC CORP NOTES DTD 03/12/2020 1.375% 03/12/2025		882508BH6	A+	Aa3	03/03/20	03/12/20	69,895.70	1.41	211.22	69,931.63	70,472.50
BANK OF AMERICA CORP NOTES (CALLABLE) DTD 04/22/2021 0.976% 04/22/2025		06051GJR1	A-	A2	04/16/21	04/22/21	90,000.00	0.98	95.16	90,000.00	89,029.08
CITIGROUP INC CORPORATE NOTES DTD 05/04/2021 0.981% 05/01/2025		172967MX6	BBB+	A3	04/27/21	05/04/21	45,000.00	0.98	36.79	45,000.00	44,722.71
CITIGROUP INC CORPORATE NOTES DTD 05/04/2021 0.981% 05/01/2025		172967MX6	BBB+	A3	04/28/21	05/04/21	45,088.65	0.93	36.79	45,075.82	44,722.71
APPLE INC (CALLABLE) CORP NOTES DTD 05/11/2020 1.125% 05/11/2025		037833DT4	AA+	Aa1	05/04/20	05/11/20	114,794.15	1.16	71.88	114,858.29	114,669.26
WELLS FARGO & COMPANY CORP NOTES (CALLAB DTD 05/19/2021 0.805% 05/19/2025		95000U2T9	BBB+	A1	05/12/21	05/19/21	55,000.00	0.81	14.76	55,000.00	54,291.82
WELLS FARGO & COMPANY CORP NOTES (CALLAB DTD 05/19/2021 0.805% 05/19/2025		95000U2T9	BBB+	A1	05/13/21	05/19/21	165,316.80	0.76	44.27	165,260.15	162,875.46

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	CUSIP	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Par	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Corporate Note										
MORGAN STANLEY CORP NOTES (CALLABLE)	61747YEA9	BBB+	A1	05/26/21	06/01/21	170,000.00	0.79	3.73	170,000.00	166,925.38
DTD 06/01/2021 0.790% 05/30/2025										
HONEYWELL INTL CORP NOTES (CALLABLE)	438516CB0	A	A2	05/14/20	05/18/20	44,995.50	1.35	303.75	44,996.87	45,131.58
DTD 05/18/2020 1.350% 06/01/2025										
HERSHEY CO CORP NOTES (CALLABLE)	427866BF4	A	A1	05/27/20	06/01/20	69,870.50	0.94	315.00	69,909.36	69,161.19
DTD 06/01/2020 0.900% 06/01/2025										
EMERSON ELECTRIC CO CORPORATE NOTES (CAL)	291011BG8	A	A2	09/29/20	09/30/20	82,886.25	0.85	1,181.25	80,798.57	79,450.43
DTD 05/21/2015 3.150% 06/01/2025										
JPMORGAN CHASE & CO CORPORATE NOTES	46647PCH7	A-	A2	05/24/21	06/01/21	265,000.00	0.82	1,091.80	265,000.00	261,989.07
DTD 06/01/2021 0.824% 06/01/2025										
AMAZON.COM INC CORPORATE NOTES	023135BQ8	AA	A1	06/01/20	06/03/20	189,925.90	0.81	751.56	189,948.06	187,209.28
DTD 06/03/2020 0.800% 06/03/2025										
BRISTOL-MYERS SQUIBB CO CORPORATE NOTES	110122DC9	A+	A2	09/29/20	09/30/20	33,137.72	0.88	330.88	32,091.03	31,404.51
DTD 07/15/2020 3.875% 08/15/2025										
APPLE INC (CALLABLE) CORPORATE NOTES	037833DX5	AA+	Aa1	08/13/20	08/20/20	59,858.40	0.60	92.58	59,894.69	58,557.90
DTD 08/20/2020 0.550% 08/20/2025										
JOHNSON & JOHNSON CORPORATE NOTES	478160CN2	AAA	Aaa	08/20/20	08/25/20	149,836.50	0.57	206.25	149,877.80	146,413.05
DTD 08/25/2020 0.550% 09/01/2025										
BURLINGTON NORTH SANTA FE CORP NOTES (CAL)	12189LAY7	AA-	A3	05/20/21	05/24/21	199,611.00	1.03	1,642.50	197,061.17	194,598.18
DTD 08/20/2015 3.650% 09/01/2025										
ABBOTT LABORATORIES CORPORATE NOTES (CAL)	002824BM1	A+	A2	09/24/20	09/28/20	63,023.40	0.87	449.93	61,023.38	59,844.07
DTD 03/22/2017 3.875% 09/15/2025										

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Corporate Note										
MORGAN STANLEY CORPORATE NOTES (CALLABLE) DTD 10/21/2020 0.864% 10/21/2025	6174468R3	BBB+	A1	10/16/20	10/21/20	60,000.00	0.86	57.60	60,000.00	59,098.80
BANK OF NY MELLON CORP (CALLABLE) CORPOR DTD 01/28/2021 0.750% 01/28/2026	0640GRA00	A	A1	01/21/21	01/28/21	59,871.00	0.79	153.75	59,892.69	58,396.92
APPLE INC (CALLABLE) CORPORATE NOTES DTD 02/08/2021 0.700% 02/08/2026	037833EB2	AA+	Aa1	02/01/21	02/08/21	74,831.25	0.75	164.79	74,858.60	73,146.30
GOLDMAN SACHS GROUP INC CORPORATE NOTES DTD 02/12/2021 0.855% 02/12/2026	38141GXS8	BBB+	A2	02/10/21	02/12/21	75,000.00	0.86	194.16	75,000.00	73,381.35
CHARLES SCHWAB CORP CORPORATE NOTES DTD 12/11/2020 0.900% 03/11/2026	808513BF1	A	A2	12/08/20	12/11/20	124,847.50	0.92	250.00	124,875.76	122,317.88
PACCAR FINANCIAL CORP CORPORATE NOTES DTD 05/10/2021 1.100% 05/11/2026	69371RR32	A+	A1	05/04/21	05/10/21	59,959.20	1.11	36.67	59,963.78	59,219.28
IBM CORP DTD 05/15/2019 3.300% 05/15/2026	459200JZ5	A-	A3	07/21/21	07/23/21	215,057.70	1.10	286.00	213,562.22	208,775.58
UNITEDHEALTH GROUP INC (CALLABLE) CORPOR DTD 05/19/2021 1.150% 05/15/2026	91324PEC2	A+	A3	05/17/21	05/19/21	209,634.60	1.19	107.33	209,673.91	206,569.23
ASTRAZENECA FINANCE LLC (CALLABLE) CORP DTD 05/28/2021 1.200% 05/28/2026	04636NAA1	A-	A3	07/21/21	07/23/21	105,480.90	1.10	10.50	105,444.69	103,571.79
ASTRAZENECA FINANCE LLC (CALLABLE) CORP DTD 05/28/2021 1.200% 05/28/2026	04636NAA1	A-	A3	05/25/21	05/28/21	144,817.30	1.23	14.50	144,836.01	143,027.71

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending **November 30, 2021**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value	
Corporate Note												
GENERAL DYNAMICS CORP NOTES (CALLABLE) DTD 05/10/2021 1.150% 06/01/2026	369550BN7	85,000.00	A-	A3	05/03/21	05/10/21	84,866.55	1.18	545.77	84,881.35	84,202.19	
MASSMUTUAL GLOBAL FUNDIN NOTES DTD 07/16/2021 1.200% 07/16/2026	57629WDE7	210,000.00	AA+	Aa3	07/21/21	07/23/21	210,495.60	1.15	945.00	210,459.91	205,704.03	
BMW US CAPITAL LLC (CALLABLE) CORPORATE DTD 08/12/2021 1.250% 08/12/2026	05565EBW4	210,000.00	A	A2	08/09/21	08/12/21	209,544.30	1.30	794.79	209,572.00	206,792.04	
PRINCIPAL LFE GLB FND II NOTES DTD 08/16/2021 1.250% 08/16/2026	742561EP0	210,000.00	A+	A1	08/10/21	08/16/21	209,059.20	1.34	765.63	209,114.33	205,882.32	
PRICOA GLOBAL FUNDING 1 NOTES DTD 08/31/2021 1.200% 09/01/2026	74153WCP2	210,000.00	AA-	Aa3	08/24/21	08/31/21	209,523.30	1.25	637.00	209,547.30	206,049.06	
AMERICAN HONDA FINANCE CORPORATE NOTES DTD 09/09/2021 1.300% 09/09/2026	02665WDZ1	215,000.00	A-	A3	09/07/21	09/09/21	214,834.45	1.32	636.64	214,841.98	211,749.42	
CATERPILLAR FINL SERVICE CORPORATE NOTES DTD 09/14/2021 1.150% 09/14/2026	14913R2Q9	215,000.00	A	A2	09/07/21	09/14/21	214,625.90	1.19	528.84	214,641.88	211,598.70	
TEXAS INSTRUMENTS INC CORP NOTES (CALLAB DTD 09/15/2021 1.125% 09/15/2026	882508BK9	110,000.00	A+	Aa3	09/07/21	09/15/21	110,000.00	1.13	261.25	110,000.00	108,708.38	
AMERICAN EXPRESS CO (CALLABLE) CORPORATE DTD 11/04/2021 1.650% 11/04/2026	025816CM9	210,000.00	BBB+	A3	11/22/21	11/24/21	209,008.80	1.75	259.88	209,012.64	209,321.49	
NESTLE HOLDINGS INC CORPORATE NOTES DTD 09/14/2021 1.150% 01/14/2027	641062AV6	250,000.00	AA-	Aa3	09/07/21	09/14/21	249,717.50	1.17	614.93	249,728.81	244,602.00	
Security Type Sub-Total		8,869,000.00		8,937,177.62		1.44		31,950.79		8,923,194.14		8,916,930.77
Asset-Backed Security												

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Managed Account Detail of Securities Held

For the Month Ending **November 30, 2021**

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	S&P	Moody's	Trade	Settle	Original	YTM	Accrued	Amortized	Market
Dated Date/Coupon/Maturity	Rating	Rating	Date	Date	Cost	at Cost	Interest	Cost	Value
Asset-Backed Security									
TOYOTA ABS 2018-C A3	AAA	Aaa	08/14/18	08/22/18	16,595.88	3.02	22.28	16,598.12	16,636.21
DTD 08/22/2018 3.020% 12/15/2022									
GMAL T 2020-3 A3	AAA	Aaa	09/22/20	09/29/20	59,994.25	0.45	8.25	59,996.58	60,052.25
DTD 09/29/2020 0.450% 08/21/2023									
NAL T 2020-B A3	AAA	Aaa	09/22/20	09/29/20	69,992.80	0.43	13.38	69,995.57	70,057.27
DTD 09/29/2020 0.430% 10/16/2023									
BMWLT 2021-1 A3	AAA	Aaa	03/02/21	03/10/21	74,997.62	0.29	3.63	74,998.22	74,915.12
DTD 03/10/2021 0.290% 01/25/2024									
TLOT 2021-A A3	AAA	Aaa	04/13/21	04/21/21	99,988.33	0.39	11.92	99,990.71	99,779.08
DTD 04/21/2021 0.390% 04/22/2024									
GMAL T 2021-2 A3	AAA	NR	05/18/21	05/26/21	214,966.25	0.35	22.34	214,972.10	213,821.28
DTD 05/26/2021 0.340% 05/20/2024									
NAROT 2020-B A3	AAA	Aaa	06/23/20	06/30/20	42,566.04	0.55	10.41	42,566.45	42,611.02
DTD 06/30/2020 0.550% 07/15/2024									
TAOT 2020-C A3	AAA	Aaa	07/21/20	07/27/20	89,993.07	0.44	17.60	89,995.28	89,978.94
DTD 07/27/2020 0.440% 10/15/2024									
HAROT 2020-3 A3	AAA	NR	09/22/20	09/29/20	104,984.58	0.37	14.03	104,989.04	104,740.99
DTD 09/29/2020 0.370% 10/18/2024									
BMWOT 2020-A A3	AAA	NR	07/08/20	07/15/20	54,353.68	0.48	4.35	54,355.00	54,361.34
DTD 07/15/2020 0.480% 10/25/2024									
JDOT 2020-B A3	NR	Aaa	07/14/20	07/22/20	54,991.62	0.51	12.47	54,994.26	55,008.98
DTD 07/22/2020 0.510% 11/15/2024									
HART 2020-B A3	AAA	NR	07/14/20	07/22/20	84,984.09	0.48	18.13	84,989.01	84,969.25
DTD 07/22/2020 0.480% 12/16/2024									
VZOT 2020-B A	NR	Aaa	08/04/20	08/12/20	129,972.70	0.47	18.67	129,980.56	129,815.82
DTD 08/12/2020 0.470% 02/20/2025									
CARMX 2020-3 A3	AAA	NR	07/14/20	07/22/20	79,986.29	0.62	22.04	79,990.30	80,103.44
DTD 07/22/2020 0.620% 03/17/2025									

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2-8-22 TOWN OF PALM BEACH

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Asset-Backed Security											
GMALT 2021-3 A4		36262XAD6	AAA	NR	08/10/21	08/18/21	49,998.20	0.50	7.64	49,998.33	49,321.09
DTD 08/18/2021 0.500% 07/21/2025											
CARMX 2020-4 A3		14316HAC6	AAA	NR	10/14/20	10/21/20	59,986.79	0.50	13.33	59,989.84	59,805.74
DTD 10/21/2020 0.500% 08/15/2025											
KCOT 2021-1A A3		50117TAC5	NR	Aaa	04/06/21	04/14/21	99,979.54	0.62	27.56	99,982.52	99,211.07
DTD 04/14/2021 0.620% 08/15/2025											
JDOT 2021-A A3		47788UAC6	NR	Aaa	03/02/21	03/10/21	54,989.43	0.36	8.80	54,991.13	54,614.93
DTD 03/10/2021 0.360% 09/15/2025											
HART 2021-A A3		44933LAC7	AAA	NR	04/20/21	04/28/21	79,991.58	0.38	13.51	79,992.72	79,547.58
DTD 04/28/2021 0.380% 09/15/2025											
CARMX 2021-1 A3		14316NAC3	AAA	NR	01/20/21	01/27/21	39,992.10	0.34	6.04	39,993.46	39,782.29
DTD 01/27/2021 0.340% 12/15/2025											
CNH 2021-A A3		12598AAC4	AAA	NR	03/09/21	03/15/21	79,981.30	0.41	14.22	79,984.11	79,635.63
DTD 03/15/2021 0.400% 12/15/2025											
CARMX 2021-2 A3		14314OAC8	AAA	NR	04/13/21	04/21/21	119,974.14	0.52	27.73	119,977.43	119,378.03
DTD 04/21/2021 0.520% 02/17/2026											
GMCAR 2021-2 A3		380149AC8	NR	Aaa	04/06/21	04/14/21	84,992.53	0.51	18.06	84,993.47	84,862.73
DTD 04/14/2021 0.510% 04/16/2026											
WOART 2021-B A3		98163LAC4	AAA	NR	05/11/21	05/19/21	154,977.66	0.42	28.93	154,980.02	153,434.97
DTD 05/19/2021 0.420% 06/15/2026											
CARMX 2021-3 A3		14317DAC4	AAA	Aaa	07/21/21	07/28/21	264,956.41	0.55	64.78	264,959.49	262,915.01
DTD 07/28/2021 0.550% 06/15/2026											
DCENT 2021-A1 A1		254683CP8	AAA	Aaa	09/20/21	09/27/21	239,948.62	0.58	61.87	239,950.46	236,453.14
DTD 09/27/2021 0.580% 09/15/2026											
COMET 2021-A3 A3		14041NFY2	AAA	NR	11/18/21	11/30/21	309,957.28	1.04	8.96	309,957.30	310,061.23
DTD 11/30/2021 1.040% 11/16/2026											

Security Type Sub-Total

2,818,523.81

2,818,092.78

0.55

500.93

2,818,161.48

2,805,874.43

277



2-8-22 TO Backup

Managed Account Detail of Securities Held

For the Month Ending November 30, 2021

TOWN OF PALM BEACH 1-5 YR PORTFOLIO - 68904260

Security Type/Description	Dated Date/Coupon/Maturity	CUSIP	Par	S&P Rating	Moody's Rating	Trade Date	Settle Date	Original Cost	YTM at Cost	Accrued Interest	Amortized Cost	Market Value
Managed Account Sub-Total			41,867,828.86					42,128,128.78	0.94	109,809.29	42,101,415.57	42,062,368.14
Securities Sub-Total			\$41,867,828.86					\$42,128,128.78	0.94%	\$109,809.29	\$42,101,415.57	\$42,062,368.14
Accrued Interest												\$109,809.29
Total Investments												\$42,172,177.43

Asset Allocation & Performance
Program Composite and Investment Performance
As of November 30, 2021

Asset Allocation & Performance [Net of Fees] - Trailing Returns										
	Allocation		Performance(%)							
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception Date
2-8-22 TCM Benchmark										
Total Fund (Net)	41,573,130	100.0	-0.81	2.36	2.36	10.25	13.57	11.53	9.15	05/01/2007
Total Fund Policy			-0.91	2.05	2.05	9.74	12.57	12.56	10.38	N/A
Domestic Equity	17,176,418	41.3	-1.31	5.36	5.36	21.08	26.51	17.29	15.01	06/01/2007
Vanguard Russell 3000 Idx (VRTTX)			-1.53	5.12	5.12	20.81	26.23	N/A	N/A	N/A
Russell 3000 Index			-1.52	5.14	5.14	20.90	26.34	20.20	17.51	10.01
International Equity	3,959,490	9.5	-5.41	-4.15	-4.15	0.34	7.56	10.86	9.28	06/01/2007
Total International Equity Policy			-4.49	-2.19	-2.19	3.97	9.62	10.46	9.66	2.81
Pear Tree Polaris Foreign Value (QFVRX)	2,147,741	5.2	-5.71	-5.02	-5.02	2.54	10.65	N/A	N/A	19.48
MSCI EAFE (Net) Index			-4.65	-2.31	-2.31	5.84	10.77	9.83	9.19	15.42
MSCI EAFE Value Index (Net)			-6.02	-4.52	-4.52	4.66	9.29	4.01	5.07	14.95
American Funds Europacific Growth R6 (RERGX)	1,624,010	3.9	-5.08	-3.24	-3.24	0.64	7.44	15.32	N/A	10.37
MSCI AC World ex USA (Net)			-4.50	-2.22	-2.22	3.54	9.14	9.95	9.28	6.53
MSCI EAFE Growth Index (Net)			-3.39	-0.22	-0.22	6.64	11.84	15.37	13.12	10.80
Vanguard Developed Mkts Index (VTMGX)	187,739	0.5	-4.72	-1.73	-1.73	6.33	12.51	N/A	N/A	25.53
Vanguard Spliced Developed ex U.S. Index (Net)			-4.87	-2.44	-2.44	6.14	11.88	10.66	9.65	25.01
Total Non-Traditional Assets	720,812	1.7	0.00	0.00	0.00	9.48	13.07	9.21	7.24	4.24
Crescent Direct Lending Levered Fund II	720,812	1.7	0.00	0.00	0.00	9.48	13.07	9.40	N/A	9.30

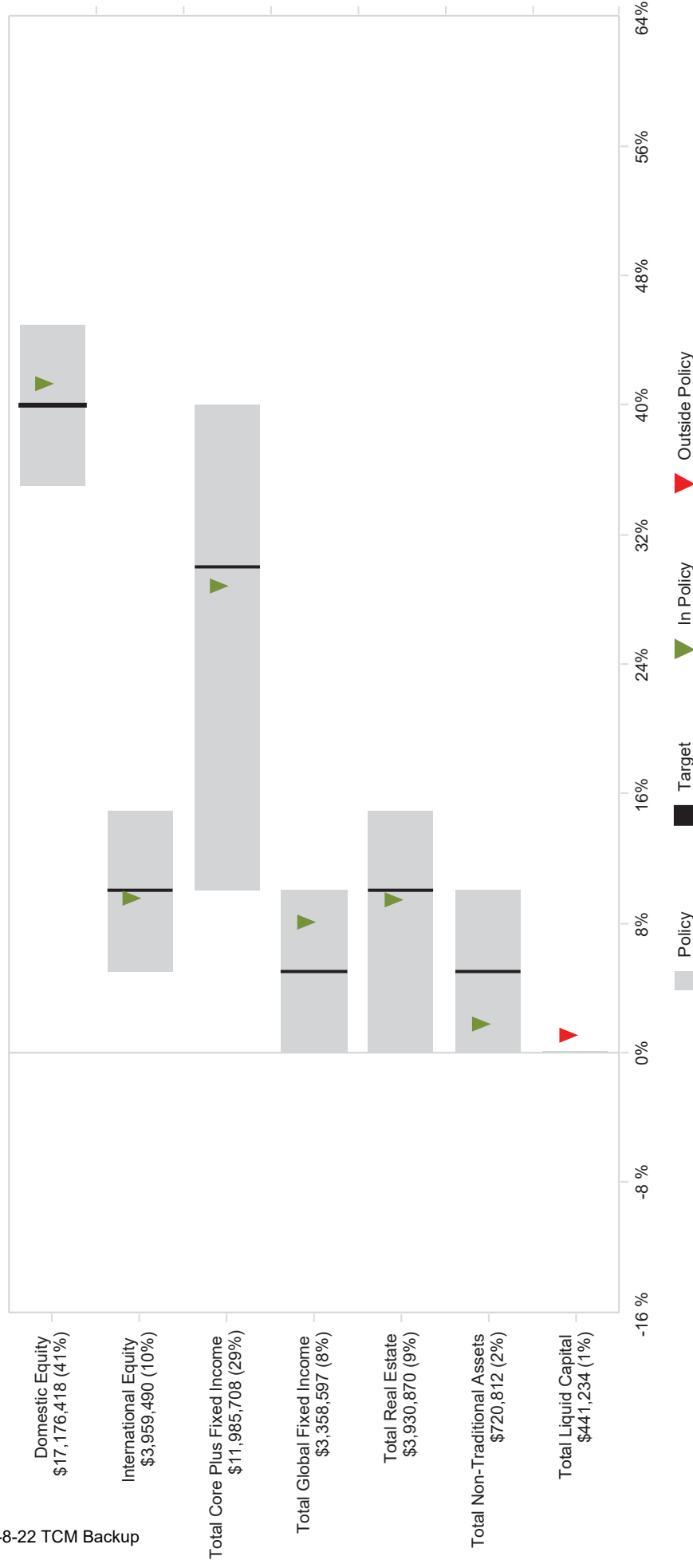


Asset Allocation & Performance
Program Composite and Investment Performance
As of November 30, 2021

	Allocation		Performance(%)								Inception Date
	Market Value \$	%	MTH	QTD	FYTD	YTD	1 YR	3 YR	5 YR	Inception	
2-8-22 Total											
Total Fixed Income	15,344,306	36.9	0.00	-0.11	-0.11	-0.93	-0.53	6.12	3.87	3.15	06/01/2007
Fixed Income Composite Index			0.33	0.37	0.37	-0.89	-0.69	5.70	3.55	N/A	
Mid West Total Return Bond Fund (MWTIX)	11,985,708	28.8	0.19	0.12	0.12	-0.87	-0.60	6.27	N/A	4.38	12/01/2017
Blimbg. U.S. Aggregate Index			0.30	0.27	0.27	-1.29	-1.16	5.52	3.65	3.76	
PIMCO Div Inc Bond Fund (PDIIX)	3,358,597	8.1	-0.70	-1.03	-1.03	-0.76	0.36	5.99	N/A	4.34	12/01/2017
Blimbg. Global Credit (Hedged)			-0.02	-0.19	-0.19	-0.57	0.15	6.52	4.88	4.54	
Total Real Estate	3,930,870	9.5	2.46	4.13	4.13	16.87	17.94	8.63	N/A	8.44	04/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	14.20	15.75	7.73	7.96	7.50	
Intercontinental U.S. REIF	2,571,435	6.2	0.00	0.00	0.00	12.49	12.97	7.56	N/A	7.54	04/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	14.20	15.75	7.73	7.96	7.50	
Principal Enhanced Property Fund	1,359,435	3.3	7.47	12.96	12.96	26.18	28.66	10.78	N/A	10.18	10/01/2018
NCREIF Fund Index-Open End Diversified Core (EW)			0.00	0.00	0.00	14.20	15.75	7.73	7.96	7.31	
Total Liquid Capital	441,234	1.1									
Cash	441,234	1.1									

Executive Summary

2-8-22 TCM Backup



Asset Allocation Compliance

	Asset Allocation \$	Current Allocation (%)	Minimum Allocation (%)	Target Allocation (%)	Maximum Allocation (%)
Total Fund	41,573,130	100.0	N/A	100.0	N/A
Domestic Equity	17,176,418	41.3	35.0	40.0	45.0
International Equity	3,959,490	9.5	5.0	10.0	15.0
Total Core Plus Fixed Income	11,985,708	28.8	10.0	30.0	40.0
Total Global Fixed Income	3,358,597	8.1	0.0	5.0	10.0
Total Real Estate	3,930,870	9.5	0.0	10.0	15.0
Total Non-Traditional Assets	720,812	1.7	0.0	5.0	10.0
Total Liquid Capital	441,234	1.1	0.0	0.0	0.0

TOWN OF PALM BEACH – OPEB TRUST



FINANCIAL REPORT

DECEMBER 31, 2021

JANE LE CLAINCHE
FINANCE DIRECTOR

**Town of Palm Beach
OPEB Trust
Statement of Net Assets
December 31, 2021**

	December 31, 2021
Assets	
Cash (held in bank accounts)	-
Cash and cash equivalents (held in custodial accounts)	505,848
Total Cash and Cash Equivalents	505,848
Receivables	
Due from Brokers	-
Due from General Fund	-
Interest Receivable	-
Total Receivables	-
Investments at Market Value	
Domestic Equity	17,851,506
Fixed Income	15,354,924
Alternative	821,772
International Equity	4,135,979
Real Estate	3,774,937
Total Investments	41,939,118
Other Assets	-
Total Assets	42,444,966
Liabilities	
Accounts Payable and Accrued Expenses	-
Due to General Fund	364,311
Due to Brokers	27,507
Total Liabilities	391,818
Net Assets Held in Trust for Retiree Health Benefits	42,053,148

Town of Palm Beach
OPEB Trust
Statement of Changes in Net Assets
December 31, 2021

Additions	
Contributions	
Retiree	273,822
Employer	83,554
Other Income	148,474
Total Contributions	505,850
Investment Income (loss)	
Realized Gains/(loss)	400,864
Unrealized Gains/(loss)	1,076,464
Interest and Dividends	285,898
Total Investment Income	1,763,226
Less Investment Expense	-
Net Investment Income	1,763,226
Total Additions	2,269,076
Deductions	
Health Claims and Fixed Costs	525,945
Administrative Expense	20,806
Total Deductions	546,751
Net Increase (Decrease)	1,722,325

Investment Advisory Committee Schedule 2022

Meeting Date:	Presentations/Business:
Friday, February 18, 2022 2:30 P.M. Town Council Chambers	OPEB Trust Investment Consultant PFM Asset Management Fiduciary Liability Policy Renewal Annual Report to the Town Council Actuarial report
Friday, May 20, 2022 2:30 P.M. Town Council Chambers	OPEB Trust Investment Consultant PFM Asset Management Florida League of Cities (FMIvT) Election of Chairman and Vice Chairman
Friday, August 19, 2022 2:30 P.M. Town Council Chambers	OPEB Trust Investment Consultant PFM Asset Management
Monday, November 14, 2022 2:30 P.M. Town Council Chambers (Fiscal Year End Presentations)	OPEB Trust Investment Consultant (Investment Policy and Asset Allocation Review) PFM Asset Management Florida League of Cities (FMIvT)

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Committee Reports

Agenda Title

Report of the Business and Administrative Committee Meeting Held on January 13, 2022

Presenter

Lew Crampton, Chair

ATTACHMENTS:

- ▣ **January 13, 2022, Business and Administrative Committee Meeting Report**



TOWN OF PALM BEACH

Town Clerk's Office

REPORT OF THE BUSINESS AND ADMINISTRATIVE COMMITTEE MEETING HELD ON JANUARY 13, 2022

I. CALL TO ORDER AND ROLL CALL

The Business and Administrative Committee Meeting of January 13, 2022 was called to order at 9:30 a.m. On roll call all committee members were found to be present.

II. PLEDGE OF ALLEGIANCE

Chair Crampton led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion was made by Member Lindsay and seconded by Chair Crampton to approve the Agenda. On roll call, the Motion passed unanimously.

IV. COMMUNICATIONS FROM CITIZENS

None.

V. REGULAR AGENDA

A. Old Business

1. Proposed Parking Regulation Changes on the West Side of South Lake Drive to Improve Balance between Marina and Residential Needs and to Minimize the Potential of Adverse Impacts to Adjacent 400 Block Streets
Jay Boodheshwar, Deputy Town Manager

Jay Boodheshwar, Deputy Town Manager, suggested that as this environment was still new, we should wait before making long-term decisions regarding parking in the area, but there are some decisions that can be made at this time that will not affect the operations of the Marina but could provide some benefits to the residents in the area.

Mr. Boodheshwar reminded all that at the last meeting in December there was discussion regarding what can be done to mitigate any potential adverse impacts to the neighborhood, due to the fact that the new Marina and renovated park was attracting both residents and non-residents to the area to see the boats and enjoy the park along with their pets. He stated that the Town did not want to be reactive in its decision and wanted to be ready to implement policies that will improve the current situation. Ideas offered were possible overlaying some of the two-hour parking spaces, placard parking,

and consolidation of RPP areas. The west side of the street where all parking is dedicated to Marina operations 24/7 was also discussed. Public input, both favorable and otherwise, was received.

Mr. Boodheshwar reported that staff met with representatives of the Royal Park Homeowners' Association, specifically Gordon McCoun and Alan Eades, whose input represented most of the neighborhood constituents. These productive conversations actually led to a few resident driven ideas that we think will help to balance the residential and Marina needs. After continued conversations with the neighborhood residents, it became clear that they were not yet ready to make any firm decisions. A proposal was made to the Association to free up some of the parking on the west side during off peak hours for neighborhood and visitor usage. He stated that there are 56 spaces on the west side of S. Lake Drive dedicated 24/7 to Marina operations. The residents have communicated to us that the demand for Marina parking is less during the evenings and on weekends so we would like to modify the regulations for certain sections of the street. There are eight spaces which are currently Marina parking only to the south of the Brazilian lot entrance, these would become Marina parking only from 7AM to 6PM, Monday to Friday and open all other times. We will begin with these spaces as the operational impact on parking is unknown at this time. This will allow individuals who would normally park in the 2-hour spaces on the 400 blocks to use these spaces instead. Mr. Boodheshwar suggested that this change can be implemented administratively and immediately but if the Committee preferred they could forward it to the Town Council for their decision.

Member Lindsay expressed her appreciation for the work staff has done with the neighborhood as they are an important part of the Marina and the park. Carolyn Stone, Assistant Town Manager responded to Member Lindsay's query regarding parking being open all day Saturday and Sunday, that there is not as many vendors on the weekends as they normally do not work unless there is an emergency. Ms. Stone responded to Member Lindsay regarding staff parking, that there were four Marina staff members who need parking in the vicinity daily and as the number of vessels is not at capacity there are still a few spaces for staff. Member Lindsay requested that staff track the occupancy levels from Monday through Sunday during the peak times when the Marina is at or near capacity. Mr. Boodheshwar stated that the spaces were grouped closer to the bridge due to signage and creates less confusion for visitors to the park. Member Lindsay suggested clustering the parking in groups along the street.

Public Comment

Gordon McCoun, 434 Chilean Avenue, spoke regarding opening west side of the street earlier for free parking and the number of spaces needed.

John David Corey, 426 Australian Avenue, spoke regarding the parking plan along the Marina and in support of Staff's recommendation.

Mr. Boodheshwar summarized the Committee's recommendation as follows: nine spaces to be clustered in groups of three, limit Marina Parking Only on Mondays to Fridays from 7AM to 4PM and weekends two-hour free parking all day.

Chair Crampton agreed with Mr. Boodheshwar that we should continue to gather data regarding the parking along the Marina.

The Committee agreed that there is consensus to move forward with the Staff's recommendation with clustering the nine spaces in groups of three along the west side of S. Lake Drive, minimizing the signage and implementing the 7AM to 4PM Marina Parking Only and all other times two-hour free parking. This proposal will be forwarded to the Town Manager for his review and approval. After which the Mayor and Town Council will be advised of this action.

Gordon McCoun, 434 Chilean Avenue, reported that the RPP spaces were being used by non-residents. Mr. Boodheshwar remarked that Parking Enforcement will pay closer attention to this issue and will cite violators so these spaces will be available for the residents' use.

B. New Business

None

VI. ANY OTHER MATTERS

Mr. Boodheshwar announced that we are now in the Cone of Silence regarding the Valet RFP that was issued. Two proposals were received and staff is now in negotiation with the top proposer and a recommendation will be brought to the Town Council in February with the valet program to be implemented on Worth Avenue by the end of February.

Mr. Boodheshwar also reminded the Committee about the space utilization studies, one during the off-peak season, which was done in September and the other in the peak season which will take place later this month and into early February, after which the data will be analyzed and the information will be provided to the Committee.

VII. ADJOURNMENT

Motion was made by Member Lindsay and seconded by Chair Crampton to adjourn the Business and Administrative Committee Meeting of January 13, 2022 at 10:15 a.m. On roll call, the Motion passed unanimously.

APPROVED:

Lewis S.W. Crampton, Chair

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Public Hearings

Agenda Title

RESOLUTION NO. 024-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement Within the Property Commonly Known as 117 El Mirasol Road, in the Town of Palm Beach, Florida.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated January 21, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 024-2022**
- ▣ **Application**
- ▣ **Notice to Adjacent Property Owners**
- ▣ **Legal Ad**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Authorization to Vacate and Abandon an Existing Public Utility Easement
Located at 117 El Mirasol, Palm Beach, Florida 33480
Resolution No. 024-2022

DATE: January 21, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 024-2022 authorizing the abandonment of an existing public utility easement located at 117 El Mirasol.

GENERAL INFORMATION

In accordance with Town Code of Ordinances, Chapter 106, Article IV, the owner of the property has made an application to abandon the public utility easement on 117 El Mirasol. The easement to be abandoned is shown as Exhibit A, Sketch and Legal Description of the proposed Resolution. An application fee of \$1,200 was received with the application for abandonment to cover direct costs and processing by the Town.

An easement in the southwest corner of the site exists, which houses the existing FPL transformer that serves this area. All existing utilities within portions of the easements proposed to be abandoned have provided consent.

Information packages were sent to the 28 neighboring property owners within 300 feet of the easement to be abandoned via certified mail on January 21, 2022. To date, no responses have been received from the neighboring property owners. The abandonment request was also advertised prior to this Town Council meeting as required by Town Code.

This is an abandonment of an existing utility easement and no property is being gained by the owner. Therefore, a privilege fee is not applicable.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the Town.

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
Patricia Strayer, P.E., Town Engineer
Craig Hauschild, P.E., Civil Engineer

RESOLUTION NO. 024-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, VACATING AND ABANDONING AN EXISTING PUBLIC UTILITY EASEMENT WITHIN THE PROPERTY COMMONLY KNOWN AS 117 EL MIRASOL ROAD, IN THE TOWN OF PALM BEACH, FLORIDA.

WHEREAS, the owner of the land hereinafter described is planning on further developing 117 El Mirasol with improvements that could potentially traverse the existing public utility easement; and

WHEREAS, all utility providers of said easement have agreed to the abandonment of the existing public utility easement; and

WHEREAS, a public utility easement has already been dedicated in the southwest corner of 117 El Mirasol; and

WHEREAS, the Town Council of the Town of Palm Beach does hereby find and determine that the utility easement located on 117 El Mirasol as described in Exhibit A attached is no longer necessary, does not serve any public purpose, nor is it necessary for public use; and

WHEREAS, the owner is responsible for all fees related to implementing the vacating and abandoning of the existing utility easement including recording fees.

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

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The easements described and illustrated on Exhibit A, sketch and legal description for 117 El Mirasol, are hereby vacated and abandoned.

Section 3. The Town Clerk is hereby authorized to advertise and record this resolution pursuant to law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

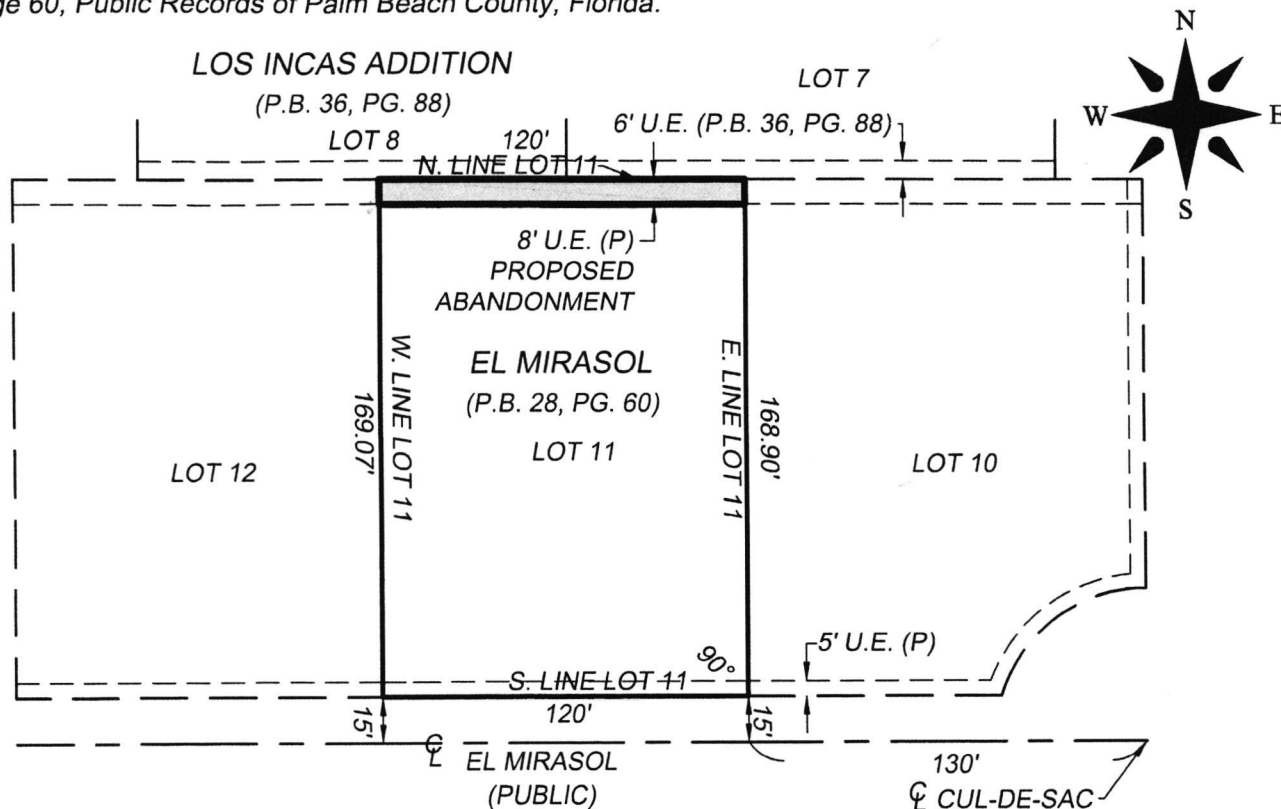
Pat Gayle-Gordon, Acting Town Clerk

**Description Sketch For:
ROAD PB LLC**

EXHIBIT "A"

LEGAL DESCRIPTION:

The North 8 feet of Lot 11, **EL MIRASOL**, according to the Map or Plat thereof as recorded in Plat Book 28, Page 60, Public Records of Palm Beach County, Florida.



NOTES:

1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect the subject property. No search of the Public Records has been made by this office.
2. This sketch cannot be transferred or assigned without the specific written permission of Wallace Surveying Corporation.
3. This is not a survey!
4. Unless presented in digital form with electronic seal and electronic signature this sketch must bear the signature and the original raised seal of a Florida licensed surveyor or mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.

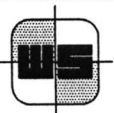
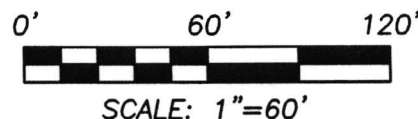
CERTIFICATION:

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 3, 1981.

Craig L. Wallace
Professional Surveyor and Mapper
Florida Certificate No. 3357

LEGEND

CL = CENTERLINE
LLC = LIMITED LIABILITY CORPORATION
PB = PLAT BOOK
PG. = PAGE
SF = SQUARE FEET



WALLACE SURVEYING
CORP. LICENSED BUSINESS 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 • (561) 640-4551

DATE: 01/24/22	DWG. No.: 18-1035-2
OFFICE: S.W.	SHEET: 1 OF 1
C'K'D.: C.W.	JOB No.: 18-1035.14

**TOWN OF PALM BEACH
ABANDONMENT OF DEDICATED PUBLIC PROPERTY
(RIGHT-OF-WAY AND EASEMENTS)**

**A pre-application meeting with the Public Works Department (Town Engineer) is required
prior to submission of application for abandonment of dedicated public property.**

Application Form

In accordance with "Town of Palm Beach Code of Ordinances, Chapter 106, Article IV. Vacation and Abandonment of Streets and Easements," please complete this application for Abandonment of Dedicated Public Property. Submit an application fee of \$1,000.00 and one original plus twenty (20) copies of the signed application to the Director of Public Works, Town of Palm Beach, 951 Old Okeechobee Road, West Palm Beach, FL 33401. A privilege fee of 100 percent of the total land value of the petitioned site may be required upon approval of the application by the Town Council, and a portion of the application fee may be credited towards the privilege fee.

1. APPLICANT'S NAME:

Rob Caulfield

ADDRESS:

117 El Mirasol

Palm Beach, FL 33480

2. TYPE OF PUBLIC PROPERTY TO BE ABANDONED (Easement or Right-of-Way):

Rear utility easement

3. PROPERTY ADDRESS:

117 El Mirasol, Palm Beach, FL 33480

4. LEGAL DESCRIPTION OF PETITIONED SITE: (Provide legal description and a scaled map, drawing or plat showing the area involved and the location of the specific property of interest to be abandoned. Label as "EXHIBIT A")

El Mirasol, Lot 11

PCN #: 56-43-43-14-19-000-0110

5. REASON FOR ABANDONMENT REQUEST: (Use additional sheets, if necessary, and label as "EXHIBIT B")

No utilities exist any longer in this easement

6. NAME AND ADDRESSES OF ALL PROPERTY OWNERS WITHIN 300 FEET OF THE PETITIONED SITE: (Use additional sheets, if necessary, and label as "EXHIBIT C")
-

7. ATTACH CONSENT LETTERS FROM ALL UTILITY PROVIDERS LISTED BELOW WHETHER THEY HAVE FACILITIES IN THE PETITIONED SITE OR NOT:

☒ BellSouth	☒ Florida Public Utilities
☒ City of West Palm Beach	☒ Town of Palm Beach - Electrical Bureau
☒ 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:

I Certify that the information given in this application is true and correct to the best of my knowledge.

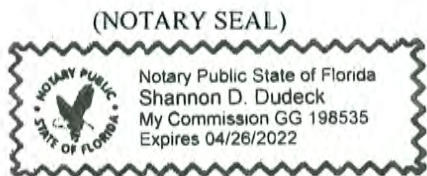
Robert Caulfield _____

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 8th day of October, 2001,
ROBERT CAULFIELD, who is personally known to me, or showed _____
(type of identification; i.e., driver's license number, etc.), and who did take an oath.

Shannon D. Dudeck
NOTARY PUBLIC - STATE OF FLORIDA

Print Name: SHANNON D. DUDECK
My commission expires: 4.26.22



For Use by Public Works Department

CHECK NO.: _____	TOWN COUNCIL HEARING: _____
AMOUNT OF CHECK: _____	DATE: _____ RESOLUTION # _____
RECEIVED BY: _____	Approved: _____ Denied: _____

EXHIBIT C

108 El Mirasol:

ANK Palm Beach LLC
584 Van Beuren Rd
Morristown, NJ 07960

116 El Mirasol:

Mr. and Mrs. John Bollero
116 El Mirasol
Palm Beach, FL 33480

140 El Mirasol:

Mr. and Mrs. Randolph Guthrie
140 El Mirasol
Palm Beach, FL 33480

109 El Mirasol:

Ms. Maura Ziska, Trustee
109 El Mirasol Drum Set Trust
Kochman & Ziska
222 Lakeview Ave, Suite 1500
West Palm Beach, FL 33401

135 El Mirasol:

Mr. Clive Roberson
135 El Mirasol
Palm Beach, FL 33480

7 Via Los Incas:

Ms. Patricia Lester
7 Via Los Incas
Palm Beach, FL 33480

9 Via Los Incas:

Ms. Angela Kumble
9 Via Los Incas
Palm Beach, FL 33480

110 El Mirasol:

Mr. and Mrs. Harvey Poppel
110 El Mirasol
Palm Beach, FL 33480

124 El Mirasol:

Ms. Patricia Mintmire
124 El Mirasol
Palm Beach, FL 33480

101 El Mirasol:

Mr. Jeffrey Blidner or Mr. Howard Carr
Joral 2014 Property Trust
340 Royal Poinciana Way, Ste 321
Palm Beach, FL 33480

125 El Mirasol:

Mr. and Mrs. Lawrence Schlager
125 El Mirasol
Palm Beach, FL 33480

6 Via Los Incas:

Orion Real Estate Holdings LLC
50 Summer St
Manchester MA 01944

8 Via Los Incas:

8 Via Los Incas LLC
The Tower Companies
c/o 2000 Tower Oaks Blvd, Fl 9
Rockville, MD 20852

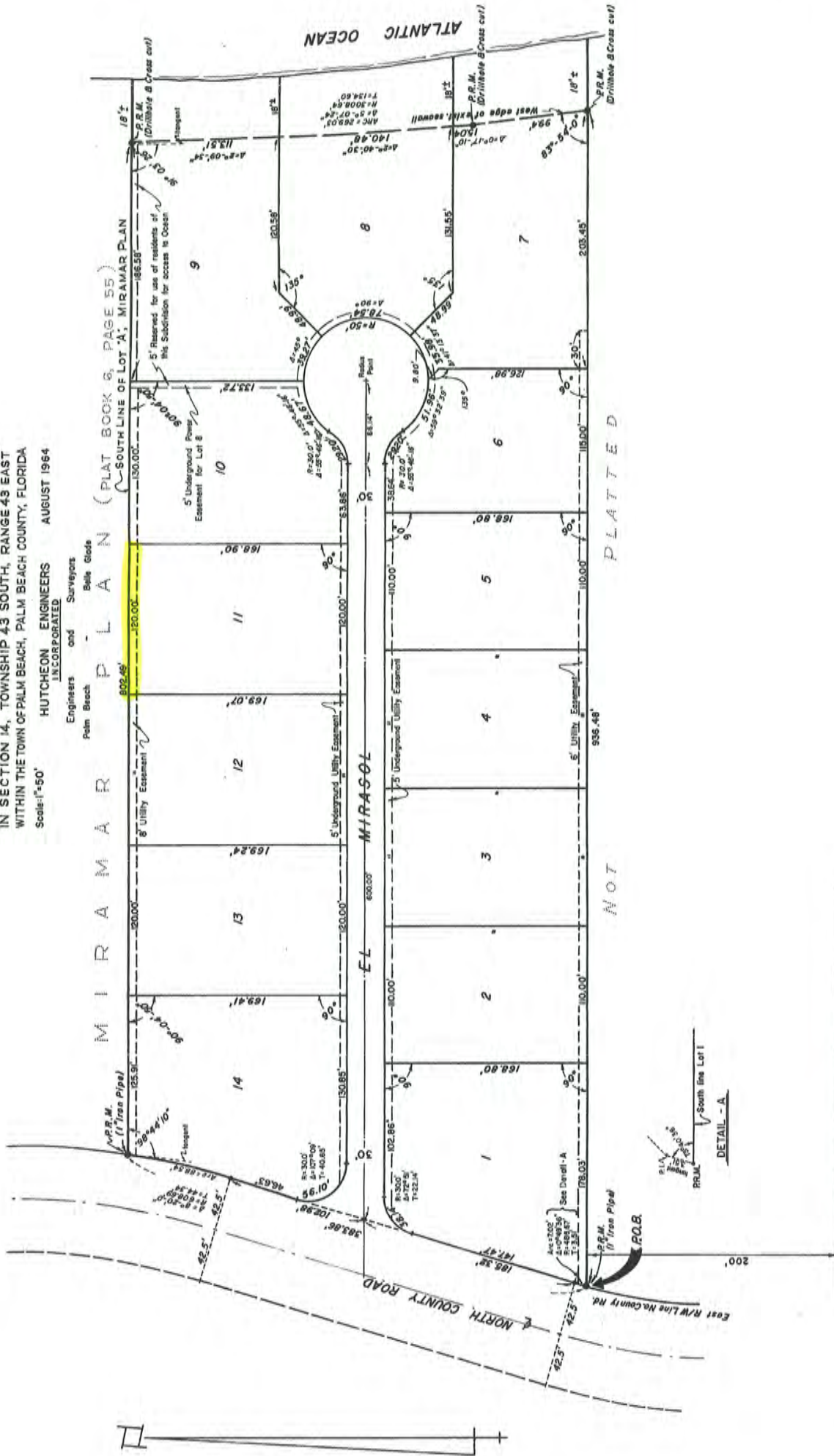
Mailing 1	City State & Zip	Buffer
117 El Mirasol	Palm Beach, FL 33480 3611	
150 Canterbury Lane	Palm Beach, FL 33480 3601	300
120 Canterbury Lane	Palm Beach, FL 33480 3601	300
102 Canterbury Lane	Palm Beach, FL 33480 3601	300
170 Canterbury Lane	Palm Beach, FL 33480 3601	300
120 Casa Bendita	Palm Beach, FL 33480 3602	300
PO BOX 366	Palm Beach, FL 33480 0366	300
140 El Mirasol	Palm Beach, FL 33480 3611	300
124 El Mirasol	Palm Beach, FL 33480 3611	300
116 El Mirasol	Palm Beach, FL 33480 3611	300
110 El Mirasol	Palm Beach, FL 33480 3611	300
584 Van Beuren Road	Morristown, NJ 07960 6460	300
340 Royal Poinciana Way, Ste 321	Palm Beach, FL 33480 4096	300
222 Lakeview Ave, Ste 1500	West Palm Beach, FL 33401 6174	300
125 El Mirasol	Palm Beach, FL 33480 3611	300
135 El Mirasol	Palm Beach, FL 33480 3611	300
351 Crescent Drive	Palm Beach, FL 33480 3609	300
110 Chateaux Drive	Palm Beach, FL 33480 3603	300
106 Chateaux Drive	Palm Beach, FL 33480 3603	300
1 Via Los Incas	Palm Beach, FL 33480 3629	300
2 Via Los Incas	Palm Beach, FL 33480 3629	300
3 Via Los Incas	Palm Beach, FL 33480 3629	300
4 Via Los Incas	Palm Beach, FL 33480 3629	300
5 Via Los Incas	Palm Beach, FL 33480 3629	300
6 Via Los Incas	Palm Beach, FL 33480 3629	300
7 Via Los Incas	Palm Beach, FL 33480 3629	300
2000 Tower Oaks Blvd FL 9	Rockville, MD 20852 4282	300
9 Via Los Incas	Palm Beach, FL 33480 3629	300
10 Via Los Incas	Palm Beach, FL 33480 3629	300

COUNTY OF PALM BEACH
STATE OF FLORIDA
This Plan was filed for record in 224 P.M.
this 15 day of JANUARY
1965 and duly recorded in Plat Book No. 60
at 22 o'clock, P.M.
JOHN B. DANFLO, Clerk Circuit Court
By Barbara M. Kilmer J.C.



PLAT OF EL MIRASOL

IN SECTION 14, TOWNSHIP 43 SOUTH, RANGE 43 EAST
WITHIN THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA
Scale 1"=50'
HUTCHEON ENGINEERS
INCORPORATED
Engineers and Surveyors
Palm Beach, Florida
AUGUST 1964



STATE OF FLORIDA
COUNTY OF PALM BEACH

KNOW ALL MEN BY THESE PRESENTS, that EL MIRASOL ESTATES, INCORPORATED, a Florida Corporation, the owner of a tract of land lying and being in Section 14, Township 43 South, Range 43 East, Town of Palm Beach, Palm Beach County, Florida, shown hereon as EL MIRASOL, and more particularly described as follows, to wit:

Beginning at the point of intersection of a line parallel to and 200 feet (measured at right angles) north of the north line of ADAMS ADDITION according to the plat thereof, recorded in Plat Book 7, Page 68, Public Records of Palm Beach County, Florida, (being the same as the north line of the plat of a portion of ADAMS ADDITION, according to the plat thereof recorded in Plat Book 15, Page 5, Public Records of Palm Beach County, Florida) with the east right-of-way line of North County Road, according to the plat of Right-of-Way Map of Palm Beach County, Florida, recorded in County Road Plat Book 1, Page 13 to 17, inclusive; thence northerly along the said east right-of-way line of North County Road, a distance of 383.86 feet, to a point in the south line of MIRAMAR PLAT according to the amended plat thereof, recorded in Plat Book 5, Page 55, Public Records of Palm Beach County, Florida; thence southerly along the south line of said MIRAMAR PLAT 821 feet, more or less, to the waters of the Atlantic Ocean; thence southerly along the waters of the Atlantic Ocean to a point in said line, parallel to, and 200 feet (measured at right angles) north of the north line of ADAMS ADDITION; thence westerly along said parallel line, 954 feet, more or less, to the POINT OF BEGINNING.

have caused the same to be surveyed and plotted as shown hereon, and do hereby dedicate to the public use in the public, as a public highway, the street shown hereon, and the easements for the construction and maintenance of public utilities, as shown hereon, reserving, however, unto themselves, their heirs, their successors, assigns or legal representatives, the reversion or reversions thereof, whenever the same shall be abandoned by the public or discontinued by law.

IN WITNESS WHEREOF, the said Corporation has caused these presents to be signed by its President and attested by its Secretary, and its Corporate seal to be affixed hereto, by and with the authority of its Board of Directors, this 25th day of October, A.D. 1964.

EL MIRASOL ESTATES, INCORPORATED

Attest: H. B. Kahn Secretary
By: Joseph E. Cole President

STATE OF FLORIDA
COUNTY OF PALM BEACH

I HEREBY CERTIFY, that on this day personally appearing before me an officer duly qualified to administer oaths, the President and Secretary of EL MIRASOL ESTATES, HAROLD H. KAHN, President and Secretary, respectively of EL MIRASOL ESTATES, INCORPORATED, a Florida Corporation, to me well known and known to me to be the individuals in, and who executed the foregoing dedication, and they acknowledged before me that they executed the same as their free and voluntary act and deed, and that they are duly authorized by the Board of Directors of the said Corporation, and that there act and deed was the act and deed of said Corporation.

WITNESS my hand and seal of this day of October, A.D. 1964.
Notary Public

Notary Public
My Commission expires: DEC. 22, 1967

Notary Public

STATE OF FLORIDA
COUNTY OF PALM BEACH

I HEREBY CERTIFY, that the plat shown hereon as EL MIRASOL, is a true and correct representation of a survey, made under my direction of the foregoing described property, and that said survey is accurate to the best of my knowledge and belief, and that permanent reference monuments (P.R.M.) have been placed as required by law.

Date of survey: July 1964

Notary Public
My Commission expires: APRIL 16, 1968

Subscribed and sworn to before me this 6 day of Jan.
A.D. 1965

Notary Public
My Commission expires: APRIL 16, 1968

Approved: Jan. 6, A.D. 1965

By: Notary Public
Town Manager

Approved: January 15, A.D. 1965

By: Chairman

By: Notary Public
Town Engineer





Town of Palm Beach

Public Works Department

Easement Consent Form

Persons (title holder) seeking to place prohibited structures, hedges, trees etc. within easements must complete this form for each public utility (easement holder) listed herein, and submit the fully completed forms to the Palm Beach Public Works Department. The applicable public utilities for which a separate Easement Consent Form is required are: Sanitary Sewer and Storm Sewer-Palm Beach Public Works Dept.; Public Works Electric-Palm Beach Public Works Dept.; Cable TV-Adelphia; Franchised Electric Service Provider- FPL; Telephone-BellSouth; Water-City of West Palm Beach Utilities Dept.; Gas-Florida Public Utilities. In the event there are no public utility objections, the applicant will be required to execute and record an Agreement for Use of Rights-of-Way and/or Easements, a copy of which must be secured from the Palm Beach Public Works Department. The Town of Palm Beach, in its sole discretion, may reject any request to place obstacles within an easement regardless of there being no utility company objections to the same

TO: AT&T

ADDRESS: Name of Easement Holder
117 El Mirasol

To whom it may concern:

I am the record title holder of property located at 117 El Mirasol

I propose to apply for a permit from the Town of Palm Beach to construct or install a ABANDON EASEMENT
in the REAR UTILITY EASEMENT

easement on my property, the legal description of this property being:

Property Control No. _____ Subdivision El Mirasol Lot 11 Block _____ or

Metes & Bounds PCN # 50-43-43-14-19-000-0110

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of the above referenced improvement(s) and that any removal or replacement of this improvement necessary for your use or access of this easement will be done at the expense of the property owner or their successors in interest.

Rob Caulfield

Owner's Typed/ Printed Name

Owner's Signature

DO NOT WRITE BELOW THIS LINE. FOR UTILITY COMPANY USE ONLY.

Please check off one box below and complete on behalf of utility company.

ACKNOWLEDGMENT:

- ☒ We agree to the proposed improvement under the circumstances described above.
- ☐ We do not agree to the proposed improvement under the circumstances described above.

AT&T

Name of Easement Holder

By: Farhan Qazi

Title: Manager Outside Plant Engineering

Date: 10/20/21

Send to: Public Works Department
PO Box 2029
Palm Beach, FL 33480
Phone 838-5440 Fax 835-4691

To be completed by notary public to authenticate utility company signatory
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this date

10/20/2021 by (Name of Person
Acknowledging) FARHAN QAZI, who has
produced Type of I.D. _____

as identification and who did/did not take an oath.

(Signature of person taking acknowledgment)



SEAN CONKLIN

Notary Public

State of Florida

Comm# HH171295

SEAL

(Name of person taking acknowledgment typed, printed or stamped)

(Title or rank)

(Serial number, if any)

COMM# HH171295



Town of Palm Beach

Public Works Department

Easement Consent Form

Persons (title holder) seeking to place prohibited structures, hedges, trees etc. within easements must complete this form for each public utility (easement holder) listed herein, and submit the fully completed forms to the Palm Beach Public Works Department. The applicable public utilities for which a separate Easement Consent Form is required are: Sanitary Sewer and Storm Sewer-Palm Beach Public Works Dept.; Public Works Electric-Palm Beach Public Works Dept.; Cable TV-Adelphia; Franchised Electric Service Provider- FPL; Telephone-BellSouth; Water-City of West Palm Beach Utilities Dept.; Gas-Florida Public Utilities. In the event there are no public utility objections, the applicant will be required to execute and record an Agreement for Use of Rights-of-Way and/or Easements, a copy of which must be secured from the Palm Beach Public Works Department. The Town of Palm Beach, in its sole discretion, may reject any request to place obstacles within an easement regardless of there being no utility company objections to the same.

TO: CITY OF WEST PALM BEACH

Name of Easement Holder
ADDRESS: 117 El Mirasol

To whom it may concern:

I am the record title holder of property located at 117 El Mirasol

I propose to apply for a permit from the Town of Palm Beach to construct or install a ABANDON EASEMENT
in the REAR UTILITY EASEMENT

easement on my property, the legal description of this property being:

Property Control No. _____ Subdivision El Mirasol Lot 11 Block _____ or

Metes & Bounds PCN # 50-43-43-14-19-000-0110

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of the above referenced improvement(s) and that any removal or replacement of this improvement necessary for your use or access of this easement will be done at the expense of the property owner or their successors in interest.

Rob Caulfield

Owner's Typed/ Printed Name

Owner's Signature

DO NOT WRITE BELOW THIS LINE. FOR UTILITY COMPANY USE ONLY.

Please check off one box below and complete on behalf of utility company.

ACKNOWLEDGMENT:

- ☒ We agree to the proposed improvement under the circumstances described above.
- ☐ We do not agree to the proposed improvement under the circumstances described above.

CITY of W.P.B.
Name of Easement Holder
By: Vincent J. Noel
Title: Eng. Land Dev. Mgr.
Date: 9/23/21

Send to: Public Works Department
PO Box 2029
Palm Beach, FL 33480
Phone 838-5440 Fax 835-4691

To be completed by notary public to authenticate utility company signatory
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this date

9/23/21 by (Name of Person
Acknowledging) Vincent J. Noel, who has
produced Type of I.D. Personally Known
as identification and who did/did not take an oath.

(Signature of person taking acknowledgment)

SEAL

(Name of officer taking acknowledgment, typed, printed or stamped)

(Title or rank)

(Serial number, if any)

COUNTY OF PALM BEACH
STATE OF FLORIDA
This Map was filed for record at 4:24 P.M.
this 15th day of JANUARY
1915, and duly recorded in Plat Book No.
28 no page 60
JOHN B. DUNN, Clerk Circuit Court
W. Beards in witness H.C.

STATE OF FLORIDA
COUNTY OF PALM BEACH³⁴

HEREBY CERTIFY, that the plot shown herein as UNDER MINERAL is a true and correct representation of a survey, made by division, of the foregoing described property, and that the survey is accurate to the best of my knowledge and belief, and that the permanent reference monument (P.R.M.) shown here placed as required by law.

Copy of letter July 1964

Kenneth J. Sizemore
 Registered Land Surveyor
 Florida Certificate No. 4413

Subscribed and sworn to before me this 6 day of Sept...
A.D. 1965

Mildred J. Weaver
Nancy Anne

My Commission expires: April 16, 1962

Approved: Sgt. G, A.D. 1966

By: Tom Wrenn
 Your Honor

Approved: JANUARY 15th, A.D. 1965

1891

D. macleayana

100

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, INERBYT CUFFLEY, (not so in this personally appeared before me an officer duly authorized to administer oaths and not necessarily a commissioned peace officer) do hereby certify that INERBYT CUFFLEY, a male, white, born 1935, INCORPORATED, a Florida Corporation, is well known and known to be the owner and operator of the Florida Land Development Company, Inc., and who assisted the foregoing defendant and they conspired before defendant in the commission of the crime of conspiracy to defraud the public in the unlawful activity at its Board of Directors for the purpose therein expressed, and that there was no need to use the act and deed of said Corporation.

WITNESS my hand and seal of said County of Palm Beach, Florida, and State of Florida, this 29th day of October, A.D. 1964.

Arthur F. Edwards

[illegible]

THE UNIVERSITY OF CHICAGO

DE MIRASOL ESTATES, INCORPORATED

Joseph E. Cole
Pres. N.Y.

Attest: B. H. Watson
Secretary

STATE OF FLORIDA
COUNTY OF PALM BEACH³⁹

KNOW ALL MEN BY THESE PRESENTS, that EL MIRAGE CORPORATION, the owner of a hotel at New York and
 being in Section 44, Township 43 South, Range 43 East, Town of Palm Beach, Palm Beach County, Florida, about known as EL MIRAGE, and more particularly
 described on folios, to wit:

[illegible]

IN WITNESS WHEREOF, the said Corporation has caused these presents to be signed by its President and attested by its Secretary, and its corporate seal to be affixed hereto, by and with the authority of its Board of Directors, this 20th day of October, A.D. 1964.

2-8-22 TCM Backup



10/05/21

Abandonment of Easement - 117 El Mirasol, Palm Beach, FL

To Whom it May Concern

Please consider this as Comcast Cable Communications letter of no objection to the abandonment of the interior rear easement at the above referenced address. Please contact me at

Daniel_Tiburcio2@Comcast.com if you have any questions or concerns.

Thank you,

Daniel Tiburcio

Daniel Tiburcio

Construction Spec1 2

3960 RCA Blvd ste 6002,

Palm Beach Gardens, FL 33410

Office 561-815-6659



Town of Palm Beach
Public Works Department
Easement Consent Form

Persons (title holder) seeking to place prohibited structures, hedges, trees etc. within easements must complete this form for each public utility (easement holder) listed herein, and submit the fully completed forms to the Palm Beach Public Works Department. The applicable public utilities for which a separate Easement Consent Form is required are: Sanitary Sewer and Storm Sewer-Palm Beach Public Works Dept.; Public Works Electric-Palm Beach Public Works Dept.; Cable TV-Adelphia; Franchised Electric Service Provider-FPL; Telephone-BellSouth; Water-City of West Palm Beach Utilities Dept.; Gas-Florida Public Utilities. In the event there are no public utility objections, the applicant will be required to execute and record an Agreement for Use of Rights-of-Way and/or Easements, a copy of which must be secured from the Palm Beach Public Works Department. The Town of Palm Beach, in its sole discretion, may reject any request to place obstacles within an easement regardless of there being no utility company objections to the same.

TO: COMCAST CABLE

Name of Easement Holder
ADDRESS: 117 El Mirasol

To whom it may concern:

I am the record title holder of property located at 117 El Mirasol

I propose to apply for a permit from the Town of Palm Beach to construct or install a ABANDON EASEMENT
in the REAR UTILITY EASEMENT

easement on my property, the legal description of this property being:

Property Control No. _____ Subdivision El Mirasol Lot 11 Block _____ or
Metes & Bounds PCN # 50-43-43-14-19-000-0110

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of the above referenced improvement(s) and that any removal or replacement of this improvement necessary for your use or access of this easement will be done at the expense of the property owner or their successors in interest.

Rob Caulfield

Owner's Typed/ Printed Name

Owner's Signature

DO NOT WRITE BELOW THIS LINE. FOR UTILITY COMPANY USE ONLY.

Please check off one box below and complete on behalf of utility company.

ACKNOWLEDGMENT:

☒ We agree to the proposed improvement under the circumstances described above.

☐ We do not agree to the proposed improvement under the circumstances described above.

Comcast Cable

Name of Easement Holder

By: Daniel Tiburcio

Title: Construction Spec 2

Date: 09/30/21

APPROVED

Send to
PO Box 2029
Palm Beach, FL 33480
Phone 838-5440 Fax 835-4691

To be completed by notary public to authenticate utility company signatory

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this date

_____ by (Name of Person

Acknowledging) _____, who has

produced Type of I.D. _____

as identification and who did/did not take an oath.

(Signature of person taking acknowledgment)

SEAL

(Name of officer taking acknowledgment typed, printed or stamped)

(Title or rank)

(Serial number, if any)



September 23, 2021

To: Shapiro Pertnoy Construction Group

To: Christie Raymond

Re: 117 El Mirasol - Rear Easement Abandonment

Dear Christie:

You have informed FPL that you have a project under construction at 117 El Mirasol, and have asked us for a letter stating that your project doesn't interfere with our facilities or ability to provide you with new service. Upon reviewing your plans, we have determined there is no objection to abandoning the rear easement as described in the survey.

The issue in the above-referenced paragraph has no bearing, however, on the issue of the safety of the workers on your project vis a vis FPL's facilities. It is imperative that you visually survey the area prior to commencing construction and determine whether the construction of any proposed structures will bring any person, tool, machinery, equipment or object closer to FPL's power lines than the OSHA-prescribed limits. If it will, you must either re-design your project to allow it to be built safely given the pre-existing power lines, or make arrangements with FPL to de-energize and ground our facilities, or relocate them at your expense.

You must do this before allowing any construction near the power lines. It is impossible for FPL to know or predict whether or not the contractors or subcontractors, and their employees, will operate or use cranes or other mobile equipment, or handle materials or tools, in dangerous proximity to such power lines during the course of construction, and, if so, when and where. Therefore, if it becomes necessary for any contractor or subcontractor, or their employees, to operate or handle cranes, draglines, mobile equipment, or any other equipment, tools or materials in such a manner that they might come closer to overhead power lines than is permitted by local, state or federal regulations, you and any such contractor or subcontractor must notify FPL in writing of such planned operation prior to the commencement thereof and make all necessary arrangements with FPL in order to carry out the work in a safe manner. **Any work in the vicinity of the electric lines should be suspended until these arrangements are finalized and implemented.**

The National Electrical Safety Code ("NESC") has certain minimum clearances that must be maintained. If you build your structure so that those clearances can not be maintained, you will be required to compensate FPL for the relocation of our facilities to comply with those clearances. As such, you should contact FPL prior to commencing construction near pre-existing overhead power lines to make sure that your proposed structure does not impinge upon the NESC clearances.

If you have any questions, please feel free to contact me at 561-616-1645.

Sincerely,

amanda tunno

Amanda Tunno
Engineer II



Town of Palm Beach

Public Works Department

Easement Consent Form

Persons (title holder) seeking to place prohibited structures, hedges, trees etc. within easements must complete this form for each public utility (easement holder) listed herein, and submit the fully completed forms to the Palm Beach Public Works Department. The applicable public utilities for which a separate Easement Consent Form is required are: Sanitary Sewer and Storm Sewer-Palm Beach Public Works Dept.; Public Works Electric-Palm Beach Public Works Dept.; Cable TV-Adelphia; Franchised Electric Service Provider- FPL; Telephone-BellSouth; Water-City of West Palm Beach Utilities Dept.; Gas-Florida Public Utilities. In the event there are no public utility objections, the applicant will be required to execute and record an Agreement for Use of Rights-of-Way and/or Easements, a copy of which must be secured from the Palm Beach Public Works Department. The Town of Palm Beach, in its sole discretion, may reject any request to place obstacles within an easement regardless of there being no utility company objections to the same.

TO: FLORIDA PUBLIC UTILITIES

ADDRESS: Name of Easement Holder
117 El Mirasol

To whom it may concern:

I am the record title holder of property located at 117 El Mirasol

I propose to apply for a permit from the Town of Palm Beach to construct or install a ABANDON EASEMENT
in the REAR UTILITY EASEMENT

easement on my property, the legal description of this property being:

Property Control No. _____ Subdivision El Mirasol Lot 11 Block _____ or
Metes & Bounds PCN # 50-43-43-14-19-000-0110

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of the above referenced improvement(s) and that any removal or replacement of this improvement necessary for your use or access of this easement will be done at the expense of the property owner or their successors in interest.

Rob Caulfield

Owner's Typed/ Printed Name

Owner's Signature

DO NOT WRITE BELOW THIS LINE. FOR UTILITY COMPANY USE ONLY.

Please check off one box below and complete on behalf of utility company.

ACKNOWLEDGMENT:

- ☒ We agree to the proposed improvement under the circumstances described above.
- ☐ We do not agree to the proposed improvement under the circumstances described above.

Florida Public Utilities
Name of Easement Holder
By: Brian Callins
Title: Dist Tech I.
Date: 9-30-2021

Send to: Public Works Department
PO Box 2029
Palm Beach, FL 33480
Phone 838-5440 Fax 835-4691

To be completed by notary public to authenticate utility company signatory
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this date

9/30/21 by (Name of Person
Acknowledging) Brian Callins, who has
produced Type of I.D. Personally known to me
as identification and who did/did not take an oath.

Brian Harner
(Signature of person taking acknowledgment)



SEAL

(Name of Official taking acknowledgment typed, printed or stamped)

(Title or rank)

(Serial number, if any)



Town of Palm Beach
Public Works Department
Easement Consent Form

Persons (title holder) seeking to place prohibited structures, hedges, trees etc. within easements must complete this form for each public utility (easement holder) listed herein, and submit the fully completed forms to the Palm Beach Public Works Department. The applicable public utilities for which a separate Easement Consent Form is required are: Sanitary Sewer and Storm Sewer-Palm Beach Public Works Dept.; Public Works Electric-Palm Beach Public Works Dept.; Cable TV-Adelphia; Franchised Electric Service Provider- FPL; Telephone-BellSouth; Water-City of West Palm Beach Utilities Dept.; Gas-Florida Public Utilities. In the event there are no public utility objections, the applicant will be required to execute and record an Agreement for Use of Rights-of-Way and/or Easements, a copy of which must be secured from the Palm Beach Public Works Department. The Town of Palm Beach, in its sole discretion, may reject any request to place obstacles within an easement regardless of there being no utility company objections to the same.

TO: TOWN OF PALM BEACH - WATER RESOURCES

Name of Easement Holder
 ADDRESS: 117 El Mirasol

To whom it may concern:

I am the record title holder of property located at 117 El Mirasol

I propose to apply for a permit from the Town of Palm Beach to construct or install a ABANDON EASEMENT
 in the REAR UTILITY EASEMENT

easement on my property, the legal description of this property being:

Property Control No. _____ Subdivision El Mirasol Lot 11 Block _____ or
 Metes & Bounds PCN # 50-43-43-14-19-000-0110

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of the above referenced improvement(s) and that any removal or replacement of this improvement necessary for your use or access of this easement will be done at the expense of the property owner or their successors in interest.

Rob Caulfield

Owner's Typed/ Printed Name

Owner's Signature [Signature]

DO NOT WRITE BELOW THIS LINE. FOR UTILITY COMPANY USE ONLY.

Please check off one box below and complete on behalf of utility company.

ACKNOWLEDGMENT:

- ☒ We agree to the proposed improvement under the circumstances described above.
☐ We do not agree to the proposed improvement under the circumstances described above.

Town of Palm Beach

Name of Easement holder

By: Reginald Williams

Title: Utility Maintenance Supervisor

Date: 10/06/2021

Send to: Public Works Department
 PO Box 2029
 Palm Beach, FL 33480
 Phone 838-5440 Fax 835-4691

To be completed by notary public to authenticate utility company signatory
 STATE OF FLORIDA
 COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this date

OCTOBER 6, 2021 by (Name of Person

Acknowledging) REGINALD WILLIAMS, who has

produced Type of I.D. KNOWN TO ME

as identification and who did/did not take an oath.

[Signature]
 (Signature of person taking acknowledgment)



(Name of officer taking acknowledgment typed, printed or stamped)

(Title or rank)

(Serial number, if any) *



Town of Palm Beach

Public Works Department

Easement Consent Form

Persons (title holder) seeking to place prohibited structures, hedges, trees etc. within easements must complete this form for each public utility (easement holder) listed herein, and submit the fully completed forms to the Palm Beach Public Works Department. The applicable public utilities for which a separate Easement Consent Form is required are: Sanitary Sewer and Storm Sewer-Palm Beach Public Works Dept.; Public Works Electric-Palm Beach Public Works Dept.; Cable TV-Adelphia; Franchised Electric Service Provider- FPL; Telephone-BellSouth; Water-City of West Palm Beach Utilities Dept.; Gas-Florida Public Utilities. In the event there are no public utility objections, the applicant will be required to execute and record an Agreement for Use of Rights-of-Way and/or Easements, a copy of which must be secured from the Palm Beach Public Works Department. The Town of Palm Beach, in its sole discretion, may reject any request to place obstacles within an easement regardless of there being no utility company objections to the same.

TO: TOWN OF PALM BEACH - ELECTRICAL

ADDRESS: Name of Easement Holder
117 El Mirasol

To whom it may concern:

I am the record title holder of property located at 117 El Mirasol

I propose to apply for a permit from the Town of Palm Beach to construct or install a ABANDON EASEMENT
in the REAR UTILITY EASEMENT

easement on my property, the legal description of this property being:

Property Control No. Subdivision El Mirasol Lot 11 Block or
Metes & Bounds PCN # 50-43-43-14-19-000-0110

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of the above referenced improvement(s) and that any removal or replacement of this improvement necessary for your use or access of this easement will be done at the expense of the property owner or their successors in interest.

Rob Caulfield

Owner's Typed/ Printed Name

Owner's Signature

DO NOT WRITE BELOW THIS LINE. FOR UTILITY COMPANY USE ONLY.

Please check off one box below and complete on behalf of utility company.

ACKNOWLEDGMENT:

- ☒ We agree to the proposed improvement under the circumstances described above.
☐ We do not agree to the proposed improvement under the circumstances described above.

Name of Easement Holder

By: Tom Hammer

Title: Electrical Bureau Supervisor

Date: 10-6-21

Send to: Public Works Department
PO Box 2029
Palm Beach, FL 33480
Phone 838-5440 Fax 835-4691

To be completed by notary public to authenticate utility company signatory
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this date

OCTOBER 6, 2021 by (Name of Person TOM HAMMER

Acknowledging) who has

produced Type of I.D. PERSONALLY KNOWN TO ME

as identification and who did/did not take an oath.

(Signature of person taking acknowledgment)



(Name of officer taking acknowledgment typed, printed or stamped)

(Title or rank)

(Serial number, if any)

COUNTY OF PALM BEACH
STATE OF FLORIDA
This case was filed for record on 7:24 P.M.
the 15th day of SEPTEMBER
1967 and duly recorded in Case Book No.
60
JAN 28 1968
JOHN B. DUNLAP, Clerk Circuit Court
Palm Beach, Florida

STATE OF FLORIDA
COUNTY OF DALLAS BEACON³⁹

INHERENT CERTIFY, that the job shows Heron as
EL MARASOL, is a true and correct representation of a survey, made
under my direction, of the foregoing described property, and that each
survey is accurate to the best of my knowledge and belief, and that
no measurement reference monuments (P.R.M.) have been placed or
removed by law.

Date of Survey: July 1964

Kenneth J. Gifford
Registered Land Surveyor
Florida Certificate No. 1413

Subscribed and sworn to before me this 6 day of Sept. 1965.

Mildred J. Weasley
Noblesville, Indiana

My Commission expires, April 16, 1962

Accession: Jan. 6 A.D. 1966

Mr. B. B. B. B. B.

Approved: JANUARY 15TH, A.D. 1965

Sal. L. L.

1000

[illegible]

WITNESS my hand and seal at Palm Beach County of Palm Beach

My Commission expires: Dec. 22, 1967

100

EL MIRASOL ESTATES, INCORPORATED

By: Joseph E. Cole
President

Attest: H. H. Kahne
Secretary

STATE OF FLORIDA
COUNTY OF DALLAS BEACH¹⁸

KNOW ALL MEN BY THESE PRESENTS, that EL MIRASOL ESTATES, UNINCORPORATED, a Florida Corporation, the owner of a tract of land lying and being in Section 14, Township 43 South, Range 43 East, Town of Palm Beach, Palm Beach County, Florida, known herein as EL MIRASOL, and more particularly described as follows, to-wit:

[illegible][illegible]

IN WITNESS WHEREOF, the said Corporation has caused these presents to be signed by its President and attested by its Secretary, and its corporate seal to be affixed hereunto, by and with the authority of its Board of Directors, this 29th day of October, A.D. 1964.

2-8-22 TCM Backup



TOWN OF PALM BEACH

Public Works Department

NOTIFICATION TO ADJACENT PROPERTY OWNERS

January 21, 2022

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**RE: TOWN OF PALM BEACH ABANDONMENT OF AN UTILITY EASEMENT AT
117 EL MIRASOL, PALM BEACH, FL 33480**

All property owners within a three hundred-foot (300 ft.) radius of the subject property are hereby notified by mail of the proposed abandonment of an utility easement on the subject property.

This notice is being provided to you in conjunction with the review by the Town Council regarding this matter.

Please be advised, Town Council will consider the following matter at the next Town Council meeting on **Tuesday, February 8, 2022**. The meeting will begin at 9:30 a.m., in the Council Chambers, 360 South County Road, Palm Beach, Florida 33480. The application will be heard at that time or soon thereafter.

This notification is not intended to solicit your approval or disapproval. If you desire, you may file your comments in writing via email to: 117elmirasol.easement@townofpalmbeach.com, prior to the meeting, or you may attend the meeting to speak on the matter.

Subject Property Address: 117 El Mirasol, Palm Beach, Florida 33480

Applicant: Rob Caulfield

Project Description: Abandonment of an Existing Public Utility Easement

If I can be of further assistance, please contact me by phone at 561-227-7042 or email at chauschild@townofpalmbeach.com.

Craig Hauschild, P.E., Civil Engineer

cc: Public Works File

LEGAL ADVERTISEMENT

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Palm Beach, Palm Beach, Florida, at a regular meeting to be held on Tuesday, February 8, 2022, 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 AN UTILITY EASEMENT LOCATED AT 117 EL MIRASOL, PALM BEACH, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PUBLIC UTILITY EASEMENT TO BE ABANDONED:

Lots 11, El Mirasol in lot Subdivision, according to the Plat thereof, as recorded in Plat Book 28, Page 60, of the Public Records of Palm Beach County, Florida.

This application for abandonment has been filed by:

Rob Caulfield, 117 El Mirasol, Palm Beach, Florida 33480. A copy of the application is on file with the Town of Palm Beach, Public Works Department, and will be provided upon request or may be examined between the hours of 8:30 a.m. to 4:30 p.m. at 951 Okeechobee Road, Suite A, West Palm Beach, Florida 33401.

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. All public meetings have resumed in the Town Hall Council Chambers, with Covid-19 safety measure in effect. Those wishing to attend and make public comments may do so in person. The public may also be able to view, listen to, and participate virtually to the meeting, via Zoom, if all Covid-19 measure are still in effect. Refer to the Town of Palm Beach website, Meeting Audio to check availability.

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 BEING BASED, 286.0105 F.S.S.

H. Paul Brazil, P.E.
Director, Department of Public Works
Town of Palm Beach
1-17/2022

0000680673-01

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Public Hearings

Agenda Title

RESOLUTION NO. 025-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Easement Within the Property Commonly Known as 206 Caribbean Road, in the Town of Palm Beach, Florida.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated January 21, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 025-2022**
- ▣ **Application**
- ▣ **Notice to Adjacent Property Owners**
- ▣ **Legal Ad**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Authorization to Vacate and Abandon an Existing Public Utility Easement
Located at 206 Caribbean Road, Palm Beach, Florida 33480
Resolution No. 025-2022

DATE: January 21, 2022

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 025-2022 authorizing the abandonment of an existing public utility easement located at 206 Caribbean Road.

GENERAL INFORMATION

In accordance with Town Code of Ordinances, Chapter 106, Article IV, the owner of the property has made application to abandon the public utility easement on 206 Caribbean Road. The easement to be abandoned is shown as Exhibit A, Sketch and Legal Description of the proposed Resolution. An application fee of \$1,200 was received with the application for abandonment to cover direct costs and processing by the Town.

All undergrounding in the area has been completed. All existing utilities within portions of the easements proposed to be abandoned have provided consent. The utility easement located on 206 Caribbean Road as described in Exhibit A is no longer necessary, does not serve any public purpose, nor is it necessary for public use.

Information packages were sent to the 34 neighboring property owners within 300 feet of the easement to be abandoned via certified mail on January 21, 2022. To date, no responses have been received from the neighboring property owners. The abandonment request was also advertised prior to this Town Council meeting as required by Town Code.

This is an abandonment of an existing utility easement and no property is being gained by the owner. Therefore, a privilege fee is not applicable.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the Town.

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
Patricia Strayer, P.E., Town Engineer
Craig Hauschild, P.E., Civil Engineer

RESOLUTION NO. 025-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, VACATING AND ABANDONING AN EXISTING PUBLIC UTILITY EASEMENT WITHIN THE PROPERTY COMMONLY KNOWN AS 206 CARIBBEAN ROAD, IN THE TOWN OF PALM BEACH, FLORIDA.

WHEREAS, the owner of the land hereinafter described is planning on further developing 206 Caribbean Road with improvements that could potentially traverse the existing public utility easement; and

WHEREAS, all utility providers of said easement have agreed to the abandonment of the existing public utility easement; and

WHEREAS, all undergrounding in the area has been completed; and

WHEREAS, the Town Council of the Town of Palm Beach does hereby find and determine that the utility easement located on 206 Caribbean Road as described in Exhibit A attached is no longer necessary, does not serve any public purpose, nor is it necessary for public use; and

WHEREAS, the owner is responsible for all fees related to implementing the vacating and abandoning of the existing utility easement including recording fees.

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

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The easements described and illustrated on Exhibit A, sketch and legal description for 206 Caribbean Road, are hereby vacated and abandoned.

Section 3. The Town Clerk is hereby authorized to advertise and record this resolution pursuant to law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

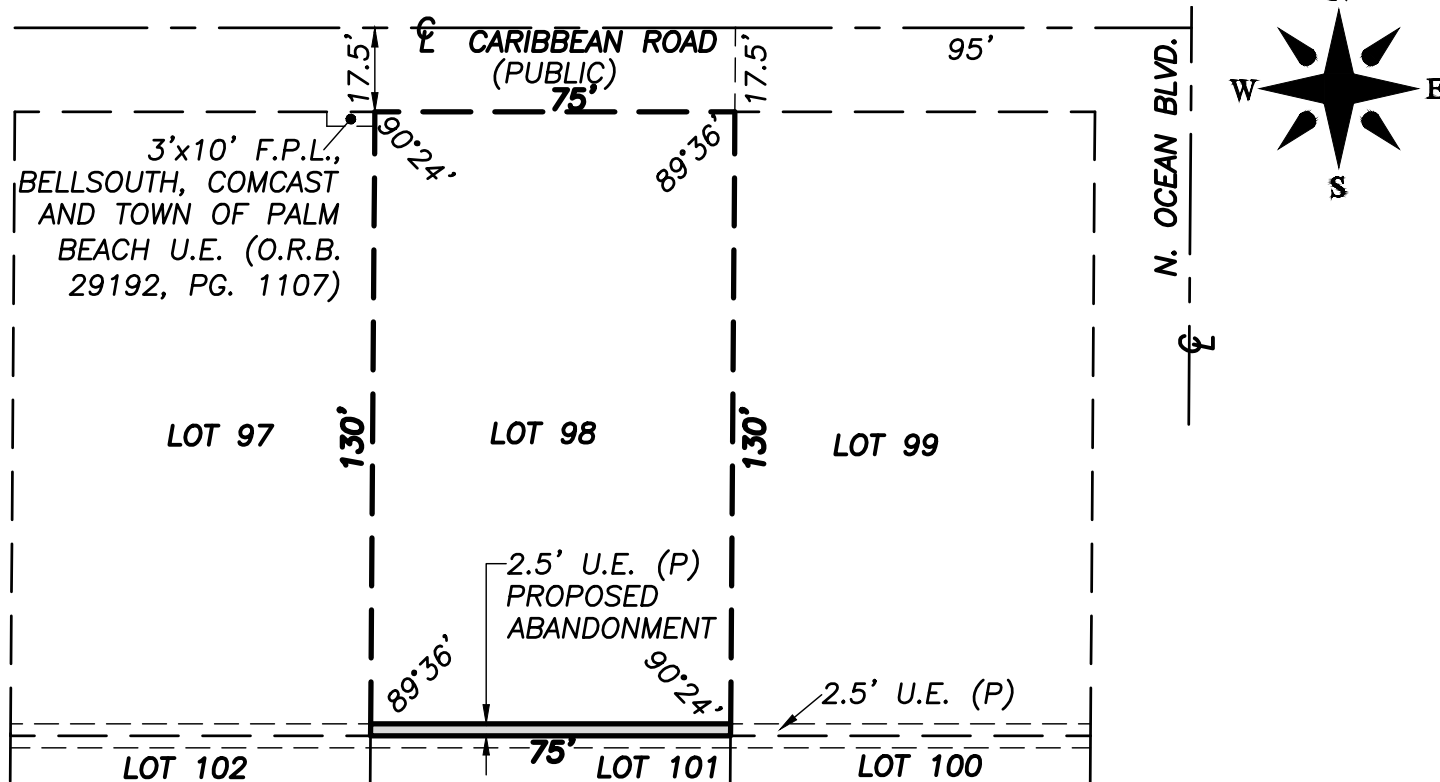
Pat Gayle-Gordon, Acting Town Clerk

Description Sketch For:
206 CARIBBEAN LLC

EXHIBIT "A"

LEGAL DESCRIPTION:

The South 2.5 feet of Lot 98, **BOCA RATON COMPANY'S INLET SUBDIVISION**, according to the Plat thereof, as recorded in Plat Book 12, Page 15 of the Public Records of Palm Beach County, Florida.



NOTES:

1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect the subject property. No search of the Public Records has been made by this office.
2. This sketch cannot be transferred or assigned without the specific written permission of Wallace Surveying Corporation.
3. This is not a survey!
4. Unless presented in digital form with electronic seal and electronic signature this sketch must bear the signature and the original raised seal of a Florida licensed surveyor or mapper this drawing, sketch, plat or map is for informational purposes only and is not valid.

CERTIFICATION:

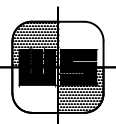
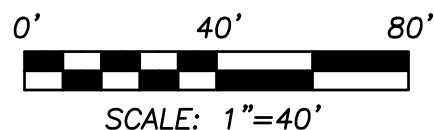
I HEREBY ATTEST that the description sketch shown hereon conforms to the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.

Craig L. Wallace
 Professional Surveyor and Mapper
 Florida Certificate No. 3357



LEGEND

CL	=	CENTERLINE
LLC	=	LIMITED LIABILITY CORPORATION
PB	=	PLAT BOOK
PG.	=	PAGE
SF	=	SQUARE FEET



WALLACE SURVEYING
 CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551

2-8-22 TCM Backup

DATE: 01/19/22	DWG. No.: 21-1372-1
OFFICE: S.W.	SHEET: 1 OF 1
C'K'D.: C.W.	JOB No.: 21-1372.1

A pre-application meeting with the Public Works Department (Town Engineer) is required prior to submission of application for abandonment of dedicated public property.

7. ATTACH CONSENT LETTERS FROM ALL UTILITY PROVIDERS LISTED BELOW WHETHER THEY HAVE FACILITIES IN THE PETITIONED SITE OR NOT:

☐ BellSouth

☐ Florida Public Utilities

☒ City of West Palm Beach

☒ Town of Palm Beach - Electrical Bureau

☐ Adelphia Cable TV

☒ Town of Palm Beach - Water Resources Div.

☒ Florida Power & Light

Other: AT & T, Comcast

CHECK-MARK (✓) ONLY THOSE UTILITY PROVIDERS OCCUPYING THE PETITIONED SITE

NO UTILITIES OCCUPYING EASEMENT AREA

8. APPLICANT'S SIGNATURE:

9. DATE:

I Certify that the information given in this application is true and correct to the best of my knowledge.

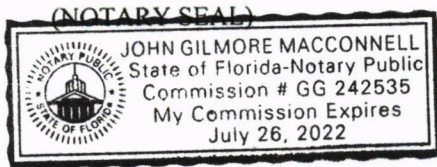
Robert Frisbie

11/17/22

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 17th day of November, 2021,
Robert Frisbie, who is personally known to me, or showed
(type of identification; i.e., driver's license number, etc.), and who did take an oath.

John Gilmore MacConnell
NOTARY PUBLIC - STATE OF FLORIDA



Print Name: John Gilmore MacConnell
My commission expires: July 26, 2022

For Use by Public Works Department

CHECK NO.: 1027

TOWN COUNCIL HEARING:

AMOUNT OF CHECK: \$1,200

DATE: _____ RESOLUTION # _____

RECEIVED BY: From Office

Approved: _____ Denied: _____



September 13, 2021

To: Philip Trapani

To: Philip Trapani

Re: 206 Caribbean Rd, Palm Beach

Dear Philip Trapani:

You have informed FPL that you have a project under construction at 206 Caribbean Rd, and have asked us for a letter stating that your project doesn't interfere with our facilities or ability to provide you with new service. Upon reviewing your plans, we have determined there is no issue abandoning the easement to the south of the property since the lines have been relocated to the north.

The issue in the above-referenced paragraph has no bearing, however, on the issue of the safety of the workers on your project vis a vis FPL's facilities. It is imperative that you visually survey the area prior to commencing construction and determine whether the construction of any proposed structures will bring any person, tool, machinery, equipment or object closer to FPL's power lines than the OSHA-prescribed limits. If it will, you must either re-design your project to allow it to be built safely given the pre-existing power lines, or make arrangements with FPL to de-energize and ground our facilities, or relocate them at your expense.

You must do this before allowing any construction near the power lines. It is impossible for FPL to know or predict whether or not the contractors or subcontractors, and their employees, will operate or use cranes or other mobile equipment, or handle materials or tools, in dangerous proximity to such power lines during the course of construction, and, if so, when and where. Therefore, if it becomes necessary for any contractor or subcontractor, or their employees, to operate or handle cranes, draglines, mobile equipment, or any other equipment, tools or materials in such a manner that they might come closer to overhead power lines than is permitted by local, state or federal regulations, you and any such contractor or subcontractor must notify FPL in writing of such planned operation prior to the commencement thereof and make all necessary arrangements with FPL in order to carry out the work in a safe manner. **Any work in the vicinity of the electric lines should be suspended until these arrangements are finalized and implemented.**

The National Electrical Safety Code ("NESC") has certain minimum clearances that must be maintained. If you build your structure so that those clearances can not be maintained, you will be required to compensate FPL for the relocation of our facilities to comply with those clearances. As such, you should contact FPL prior to commencing construction near pre-existing overhead power lines to make sure that your proposed structure does not impinge upon the NESC clearances.

If you have any questions, please feel free to contact me at 561-616-1645.

Sincerely,

amanda tunno

Amanda Tunno
Engineer II

A NEXTERA ENERGY Company



WEST PALM BEACH

Engineering Services

September 21, 2021

Letter of No Objection-206 Caribbean Road, Palm Beach FL. 33480
PCN: 50434234020000980

To whom it may concern,

The City of West Palm Beach Public Utilities Department has no objection to the easement abandonment for 206 Caribbean Road, Palm Beach, Florida.

Please feel free to contact me at your convenience should you require any further assistance (561)494-1096 or vnoel@wpb.org.

Sincerely,

Vincent J. Noel, Engineering Land Development Manager
Engineering Services
City of West Palm Beach

6. NAME AND ADDRESSES OF ALL PROPERTY OWNERS WITHIN 300 FEET OF THE PETITIONED SITE: (Use additional sheets, if necessary, and label as "EXHIBIT C")
-



Town of Palm Beach Public Works Department Easement Consent Form

Persons (title holder) seeking to place prohibited structures, hedges, trees etc. within easements must complete this form for each public utility (easement holder) listed herein, and submit the fully completed forms to the Palm Beach Public Works Department. The applicable public utilities for which a separate Easement Consent Form is required are: Sanitary Sewer and Storm Sewer-Palm Beach Public Works Dept.; Public Works Electric-Palm Beach Public Works Dept.; Cable TV-Comcast; Franchised Electric Service Provider- FPL; Telephone-AT&T; Water-City of West Palm Beach Utilities Dept.; Gas-Florida Public Utilities. In the event there are no public utility objections, the applicant will be required to execute and record an Agreement for Use of Rights-of-Way and/or Easements, a copy of which must be secured from the Palm Beach Public Works Department. The Town of Palm Beach, in its sole discretion, may reject any request to place obstacles within an easement regardless of there being no utility company objections to the same.

TO: **FLORIDA PUBLIC UTILITIES**

Name of Easement Holder/Utility Company
ADDRESS: **206 Caribbean Road, Town of Palm Beach, FL 33480**

To whom it may concern:

I am the record title holder of property located at **206 Caribbean Road, Palm Beach, FL. 33480**

I propose to apply for a permit from the Town of Palm Beach to construct or install a **new residential structure**
in the **rear**

easement on my property, the legal description of this property being:

Property Control No. **50-43-42-34-02-000-0980** Subdivision **BOCA RATONE CO INLET SUB** Lot **98** Block _____ or

Metes & Bounds _____

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of the above referenced improvement(s) and that any removal or replacement of this improvement necessary for your use or access of this easement will be done at the expense of the property owner or their successors in interest.

206 CARIBBEAN ROAD LLC

Owner's Typed/Printed Name

Owner's Signature

***** DO NOT WRITE BELOW THIS LINE - THIS SECTION IS FOR UTILITY COMPANY'S USE ONLY *****

Please check off one box below and complete on behalf of utility company.

ACKNOWLEDGMENT:

☒ We **agree** to the proposed improvement under the circumstances described above.

☐ We **do not agree** to the proposed improvement under the circumstances described above.

FLORIDA PUBLIC UTILITIES

Name of Easement Holder

By: **BRAD COLLINS** *Brad Lee Collins*

Title: **DIST TECH I**

Date: **9-23-2021** *CALL 811 BEFORE DIGGING*

Utilities - Return completed forms to the contractor/requestor.
Contractor/Requestor - Return all forms with signed agreement to:
Attn: Craig Hauschild
Town of Palm Beach - Planning, Zoning, & Building Dept.
360 South County Road
Palm Beach, FL 33408
Phone: (561)227-7042 Fax: (561)835-4621

To be completed by Notary Public to authenticate utility company's signatory, or the utility company's authorization must be provided on letterhead.

**STATE OF FLORIDA
COUNTY OF PALM BEACH**

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ who is personally known to me or produced _____ as identification.

(Signature of person taking acknowledgment)

SEAL

(Name of officer taking acknowledgment typed, printed or stamped)

(Title or rank)

(Serial number, if any)



Town of Palm Beach
Public Works Department
Easement Consent Form

Persons (title holder) seeking to place prohibited structures, hedges, trees etc. within easements must complete this form for each public utility (easement holder) listed herein, and submit the fully completed forms to the Palm Beach Public Works Department. The applicable public utilities for which a separate Easement Consent Form is required are: Sanitary Sewer and Storm Sewer-Palm Beach Public Works Dept.; Public Works Electric-Palm Beach Public Works Dept.; Cable TV-Comcast; Franchised Electric Service Provider- FPL; Telephone-AT&T; Water-City of West Palm Beach Utilities Dept.; Gas-Florida Public Utilities. In the event there are no public utility objections, the applicant will be required to execute and record an Agreement for Use of Rights-of-Way and/or Easements, a copy of which must be secured from the Palm Beach Public Works Department. The Town of Palm Beach, in its sole discretion, may reject any request to place obstacles within an easement regardless of there being no utility company objections to the same.

TO: **COMCAST CABLE**

Name of Easement Holder/Utility Company

ADDRESS: **206 Caribbean Road, Town of Palm Beach, FL 33480**

To whom it may concern:

I am the record title holder of property located at **206 Caribbean Road, Palm Beach, FL. 33480**

I propose to apply for a permit from the Town of Palm Beach to construct or install a **new residential structure**
in the **rear**

easement on my property, the legal description of this property being:

Property Control No. **50-43-42-34-02-000-0980** Subdivision **BOCA RATONE CO INLET SUB** Lot **98** Block _____ or
Metes & Bounds _____

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of the above referenced improvement(s) and that any removal or replacement of this improvement necessary for your use or access of this easement will be done at the expense of the property owner or their successors in interest.

206 CARIBBEAN ROAD LLC

Owner's Typed/Printed Name

Owner's Signature

***** DO NOT WRITE BELOW THIS LINE - THIS SECTION IS FOR UTILITY COMPANY'S USE ONLY *****

Please check off one box below and complete on behalf of utility company.

ACKNOWLEDGMENT:



We **agree** to the proposed improvement under the circumstances described above.



We **do not agree** to the proposed improvement under the circumstances described above.

Comcast Cable

Name of Easement Holder

By: **Daniel Tiburcio**

Title: **Construction Spec 2**

Date: **09/22/2021**

Utilities - Return completed forms to the contractor/requestor.
Contractor/Requestor - Return all forms with signed agreement to:
Attn: Craig Hauschild
Town of Palm Beach - Planning, Zoning, & Building Dept.
360 South County Road
Palm Beach, FL 33408
Phone: (561)227-7042 Fax: (561)835-4621

To be completed by Notary Public to authenticate utility company's signatory, or the utility company's authorization must be provided on letterhead.

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ who is personally known to me or produced _____ as identification.

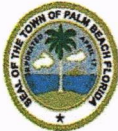
(Signature of person taking acknowledgment)

SEAL

(Name of officer taking acknowledgment typed, printed or stamped)

(Title or rank)

(Serial number, if any)



Town of Palm Beach Public Works Department Easement Consent Form

Persons (title holder) seeking to place prohibited structures, hedges, trees etc. within easements must complete this form for each public utility (easement holder) listed herein, and submit the fully completed forms to the Palm Beach Public Works Department. The applicable public utilities for which a separate Easement Consent Form is required are: Sanitary Sewer and Storm Sewer-Palm Beach Public Works Dept.; Public Works Electric-Palm Beach Public Works Dept.; Cable TV-Comcast; Franchised Electric Service Provider- FPL; Telephone-AT&T; Water-City of West Palm Beach Utilities Dept.; Gas-Florida Public Utilities. In the event there are no public utility objections, the applicant will be required to execute and record an Agreement for Use of Rights-of-Way and/or Easements, a copy of which must be secured from the Palm Beach Public Works Department. The Town of Palm Beach, in its sole discretion, may reject any request to place obstacles within an easement regardless of there being no utility company objections to the same.

TO: **AT&T**

Name of Easement Holder/Utility Company

ADDRESS: **206 Caribbean Road, Town of Palm Beach, FL 33480**

To whom it may concern:

I am the record title holder of property located at **206 Caribbean Road, Palm Beach, FL. 33480**

I propose to apply for a permit from the Town of Palm Beach to construct or install a **new residential structure**
in the **rear**

easement on my property, the legal description of this property being:

Property Control No. **50-43-42-34-02-000-0980** Subdivision **BOCA RATONE CO INLET SUB** Lot **98** Block _____ or

Metes & Bounds _____

I understand that your company will not be responsible in any way for repairs to, or replacement of, any portion of the above referenced improvement(s) and that any removal or replacement of this improvement necessary for your use or access of this easement will be done at the expense of the property owner or their successors in interest.

206 CARIBBEAN ROAD LLC

Owner's Typed/Printed Name

[Signature]
Owner's Signature

***** DO NOT WRITE BELOW THIS LINE - THIS SECTION IS FOR UTILITY COMPANY'S USE ONLY *****

Please check off one box below and complete on behalf of utility company.

ACKNOWLEDGMENT:

☒ We **agree** to the proposed improvement under the circumstances described above.

☐ We **do not agree** to the proposed improvement under the circumstances described above.

Name of Easement Holder

By: **AT&T**

Title: **Faye Hunt - Engineer Asst.**

Date: **Sept. 23, 2021 Faye Hunt**

Utilities - Return completed forms to the contractor/requestor.
Contractor/Requestor - Return all forms with signed agreement to:
Attn: Craig Hauschild
Town of Palm Beach - Planning, Zoning, & Building Dept.
360 South County Road
Palm Beach, FL 33408
Phone: (561)227-7042 Fax: (561)835-4621

Call 811 at least 48 hours prior to digging in
order to locate existing underground services.

To be completed by Notary Public to authenticate utility company's signatory,
or the utility company's authorization must be provided on letterhead.

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this
____ day of _____, 20____, by _____
who is personally known to me or produced
_____ as
identification.

(Signature of person taking acknowledgment)

SEAL

(Name of officer taking acknowledgment typed, printed or
stamped)

(Title or rank)

(Serial number, if any)

EXHIBIT A

CFN 20210273280
OR BK 32580 PG 298
RECORDED 06/11/2021 15:52:58
Palm Beach County, Florida
AMT 4,000,000.00
DEED DOC 28,000.00
Joseph Abruzzo
Clerk
Pgs 0298-0300; (3Pgs)

Prepared by and return to:
John J. Raymond, Jr., Esq.

Nelson Mullins Broad and Cassel
One North Clematis Street Suite 500
West Palm Beach, FL 33401
561-832-3300
File Number 060441.09000

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 8th day of June, 2021 between Cecilia L. Kemble and Madeleine E. Kemble, individually and as Co-Trustees of the William T. Kemble Irrevocable Trust dated September 30, 2019, whose post office address is 1617 N Flagler Drive, # 5B, Palm Beach, FL 33480, grantor, and 206 Caribbean LLC, a Florida limited liability company whose post office address is 6 Via Flagler, Palm Beach, FL 33480, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Palm Beach County, Florida to-wit:

Lot 98, Boca Ratone Company's 1st Subdivision, according to the Plat thereof, as recorded in Plat Book 12, Page 15, of the Public Records of Palm Beach County, Florida.

Parcel Identification Number: 50-43-42-34-02-000-0980

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2020.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

[SIGNATURE PAGE(S) TO FOLLOW]

EXHIBIT C

UPDATED PRIOR TO
MAILING

Owner Name	Owner Name 2	Site Address	Buffer
LIMBAUGH RUSH H III TRUST	LIMBAUGH KATHRYN A TR	1501 N OCEAN BLVD	300
KASARDA VLADISLAV &	KASARDA MARINA	1498 N OCEAN WAY	300
KAPELMAN GILBERT		1511 N OCEAN BLVD	300
LUCIER ALFRED A II		112 CARIBBEAN RD	300
BEDAJ JENNIFER S		1520 N OCEAN WAY	300
RAPAPORT ELISABETH		1557 N OCEAN BLVD	300
APPLE STEVEN L	APPLE STEVEN L TR	1575 N OCEAN BLVD	300
CARLINO RICHARD J		220 ARABIAN RD	300
ACKERMAN LEONARD I TRUST	ACKERMAN LEONARD I TR	212 ARABIAN RD	300
KALLOP ARTHUR G &	KALLOP ELIZABETH B	1570 N OCEAN BLVD	300
LANCE HOWARD &	LANCE KERRIE	1556 N OCEAN BLVD	300
SELVERIAN MICHAEL &	SELVERIAN SUSAN	211 CARIBBEAN RD	300
GRIFFIS NIXON S	GRIFFIS NIXON S TR	217 CARIBBEAN RD	300
BEUTTENMULLER MARILYN N	BEUTTENMULLER MARILYN N TR	1555 N LAKE WAY	300
ANDERSON JOHN &	FORBES MOIRA	222 CARIBBEAN RD	300
LINDSAY BOBBIE D		212 CARIBBEAN RD	300
206 CARIBBEAN LLC		206 CARIBBEAN RD	300
REED ALISON V		1520 N OCEAN BLVD	300
GAVIGAN JAMES C		1510 N OCEAN BLVD	300
MCALLISTER NANCY		207 MEDITERRANEAN RD	300
VAN ZANDT TATIANA		215 MEDITERRANEAN RD	300
WAGNER JOHN F TRUST &	WAGNER JOHN F TR	219 MEDITERRANEAN RD	300
HAMILTON S MATTHEWS V JR &	HAMILTON ANNE F	227 MEDITERRANEAN RD	300
MCDONALD SCOTT	MCDONALD SCOTT TR	218 MEDITERRANEAN RD	300
PEREZ REGINE S		212 MEDITERRANEAN RD	300
CHRISTU ERIC &	CHRISTU MAURA	206 MEDITERRANEAN RD	300
CHRISTU MAURA &	CHRISTU ERIC C	1500 N OCEAN BLVD	300
WORLDWIDE FABRICS LTD PARTNERSHIP		1521 N LAKE WAY	300
KRAMER RAYMOND E III &	KRAMER CHRISTINA	1511 N LAKE WAY	300

		Parcel Number	City State & Zip	Buffer
	1 206 Caribbean Road		Palm Beach, FL 33480-8000	
	2 108 Mediterranean Road	50434234020000130	Palm Beach, FL 33480-2795	300
	3 1501 N Ocean Blvd	50434234020000140	Palm Beach, FL 33480-2795	300
	4 1498 N Ocean Way	50434234020000150	Palm Beach, FL 33480-3051	300
	5 1511 N Ocean Blvd	50434234020000170	Palm Beach, FL 33480-3073	300
	6 112 Caribbean Road	50434234020000180	Palm Beach, FL 33480-3008	300
	7 1520 N Ocean Way	50434234020000191	M5S 0A5 CANADA	300
	8 1534 N Ocean Way	50434234020000210	Palm Beach, FL 33480-3053	300
	9 1557 N Ocean Blvd	50434234020000220	Palm Beach, FL 33480-3046	300
	10 1575 N Ocean Blvd	50434234020000240	Palm Beach, FL 33480-3046	300
	11 230 Arabian Road	50434234020000771	Palm Beach, FL 33480-3002	300
	12 220 Arabian Road	50434234020000772	Harribsurg, PA 17112-9210	300
	13 212 Arabian Road	50434234020000781	East Hampton, NY 11937-2607	300
	14 1570 N Ocean Blvd	50434234020000791	Palm Beach, FL 33480-3081	300
	15 1556 N Ocean Blvd	50434234020000820	Palm Beach, FL 33480-3070	300
	16 211 Caribbean Road	50434234020000831	Palm Beach, FL 33480-3009	300
	17 217 Caribbean Road	50434234020000841	Palm Beach, FL 33480-3009	300
	18 1555 N Lake Way	50434234020000860	Palm Beach, FL 33480-3078	300
	19 222 Caribbean Road	50434234020000950	Palm Beach, FL 33480-3010	300
	20 212 Caribbean Road	50434234020000961	Palm Beach, FL 33480-3010	300
	21 1520 N Ocean Blvd	50434234020000990	Palm Beach, FL 33480-3068	300
	22 1510 N Ocean Blvd	50434234020001000	Palm Beach, FL 33480-3068	300
	23 207 Mediterranean Road	50434234020001010	Palm Beach, FL 33480-3040	300
	24 215 Mediterranean Road	50434234020001020	Palm Beach, FL 33480-3040	300
	25 219 Mediterranean Road	50434234020001031	Syosset, NY 11791-5024	300
	26 227 Mediterranean Road	50434234020001032	Wayne, PA 19087-3132	300
	27 224 Mediterranean Road	50434234020001080	Palm Beach, FL 33480-3041	300
	28 218 Mediterranean Road	50434234020001090	Palm Beach, FL 33480-3041	300
	29 212 Mediterranean Road	50434234020001100	Palm Beach, FL 33480-3041	300
	30	50434234020001110	Palm Beach, FL 33480-3047	300
	31 1521 N Lake Way	50434234030000940	Palm Beach, FL 33480-3738	300
	32 1511 N Lake Way	50434234030001050	Palm Beach, FL 33480-3032	300
	33 1494 N Ocean Blvd	50434234050000220	Palm Beach, FL 33480-3051	300
	34 1490 Via Manana	50434234140000010	Palm Beach, FL 33480-3069	300
	35 1495 Via Manana	50434234140000020	Palm Beach, FL 33480-3069	300



TOWN OF PALM BEACH

Public Works Department

NOTIFICATION TO ADJACENT PROPERTY OWNERS

January 21, 2022

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**RE: TOWN OF PALM BEACH ABANDONMENT OF AN UTILITY EASEMENT AT
206 CARIBBEAN ROAD, PALM BEACH, FL 33480**

All property owners within a three hundred-foot (300 ft.) radius of the subject property are hereby notified by mail of the proposed abandonment of an utility easement on the subject property.

This notice is being provided to you in conjunction with the review by the Town Council regarding this matter.

Please be advised, Town Council will consider the following matter at the next Town Council meeting on **Tuesday, February 8, 2022**. The meeting will begin at 9:30 a.m., in the Council Chambers, 360 South County Road, Palm Beach, Florida 33480. The application will be heard at that time or soon thereafter.

This notification is not intended to solicit your approval or disapproval. If you desire, you may file your comments in writing via email to: 206caribbeanroad.easement@townofpalmbeach.com, prior to the meeting, or you may attend the meeting to speak on the matter. The Town Council meeting may also be available to attend virtually, please refer to the Town of Palm Beach website.

Subject Property Address: 206 Caribbean Road, Palm Beach, Florida 33480

Applicant: 206 Caribbean Road LLC

Project Description: Abandonment of an Existing Public Utility Easement

If I can be of further assistance, please contact me by phone at 561-227-7042 or email at chauschild@townofpalmbeach.com.

Craig Hauschild, P.E., Civil Engineer

cc: Public Works File

MAILING ADDRESS: Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480 • (561) 838-5440
LOCATION: Suite A • 951 Old Okeechobee Road • West Palm Beach, Florida 33401 • Fax No. (561) 835-4691

LEGAL ADVERTISEMENT

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Palm Beach, Palm Beach, Florida, at a regular meeting to be held on Tuesday, February 8, 2022, 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:

2-8-22 TCM Backup

PETITION FOR THE ABANDONMENT OF AN UTILITY EASEMENT LOCATED AT 206 CARIBBEAN ROAD, PALM BEACH, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PUBLIC UTILITY EASEMENT TO BE ABANDONED:
Lots 98, Boca Ratone Company's in lot Subdivision, according to the Plat thereof as recorded in Plat Book 12, Page 15, of the Public Records of Palm Beach County, Florida.

This application for abandonment has been filed by:
206 Caribbean LLC, 6 Via Flagler, Palm Beach, Florida 33480. A copy of the application is on file with the Town of Palm Beach, Public Works Department, and will be provided upon request or may be examined between the hours of 8:30 a.m. to 4:30 p.m. at 951 Okeechobee Road, Suite A, West Palm Beach, Florida 33401.

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. All public hearings were resumed in the Town Hall Council Chambers, with Covid-19 safety measure in effect. Those wishing to attend and make public comments may do so in person. The public may also be able to view, listen to, and participate virtually to the meeting, via Zoom, if the Covid-19 measure are still in effect. Refer to the Town of Palm Beach website, Meeting Audio to check availability.

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 VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BEING BASED, 286.0105 F.S.S.

H. Paul Brazil, P.E.
Director, Department of Public Works
Town of Palm Beach
1-17/2022

0000680661-01

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Discussion Regarding Potential Resolution Requesting that the State of Florida Allow Non-Agricultural Communities to Enact Local Policies to Regulate Chemical Applications

RESOLUTION NO. 028-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Requesting Exemption from Preemptive Laws Controlling the Applications of Pesticides.

TIME CERTAIN: 10:30 AM

Time Certain

10:30 AM

Presenter

Bobbie Lindsay, Council President Pro Tem

ATTACHMENTS:

- ▣ **Resolution No. 028-2022**

RESOLUTION NO. 028-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, REQUESTING EXEMPTION FROM PREEMPTIVE LAWS CONTROLLING THE APPLICATIONS OF PESTICIDES

WHEREAS the Governor's Freedom First budget for 2022-23 continues his commitment to water quality by allocating more than \$2.2 billion for key environmental priorities, including dedicating \$972 million to Everglades and water quality protection, and

WHEREAS with this historic funding, DEP and partners will be able to continue work to expedite Everglades restoration through sound science and project collaboration; implement clean water projects to reduce nutrients in our waterways; assist communities with water supply projects to meet Florida's future water needs; combat blue-green algae and red tide that have harmful environmental and economic impacts on our communities; and make our communities more resilient through technical assistance and funding to address flooding, erosion and ecosystem changes, and

WHEREAS the over-application of toxic pesticides, herbicides and fungicides on residential and commercial properties within the Town of Palm Beach has become a hazard that undermines human and environmental health, and

WHEREAS the state preemption of pesticide regulation has caused unintended consequences to non-agricultural, small, barrier island towns such as Palm Beach and has resulted in unnecessary exposure to harmful, synthetic pesticides that migrate onto its public walkways and into its waterways, and

WHEREAS toxic pesticides sprayed onto trees and vegetation drip, flow and pool on the Town's public trails, walkways, and sidewalks, frequented by its residents, visitors, and their pets, inadvertently exposing them to these chemicals, and

WHEREAS applications of these toxic pesticides on trees and vegetation by spraying, granular dosing, drenching and injecting at the roots of vegetation end up in the Town's storm water runoff flowing into the Lake Worth Lagoon and Atlantic Ocean, causing a deleterious effect on marine life and plants, and

WHEREAS exposure to pesticides is acknowledged by the State of Florida to be harmful to humans, pets and other wildlife, including birds, beneficial pollinators, and aquatic life, through its mandatory signage program, warning residents to keep children and pets off properties recently treated with these chemicals, and

WHEREAS the Town of Palm Beach should be exempted from preemptive laws meant to protect specific Florida industries, such as commercial agriculture, when no such industry is present now, or will ever be present, on the residential island of Palm Beach, and

WHEREAS the most important powers a city in Florida has are its Home Rule powers and the Florida legislature has continued to unnecessarily erode municipalities' ability to enact home rule to the detriment of local residential communities' ability to protect the health, safety and welfare of its residents, visitors, pets, and wildlife, and

WHEREAS the Governor of Florida has repeatedly recognized that "One size doesn't fit all" on numerous important issues affecting the people of Florida, and

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, consistent with the Governor's commitment to water quality, environmental protection, and public safety, the Town of Palm Beach respectfully requests it be exempted from preemptive laws controlling the applications of pesticides in order that the Town might effectively manage the unnecessary over exposure of these chemicals to its population, wildlife and waterways.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February, 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Update Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts

TIME CERTAIN: 11:30 AM

Time Certain

11:30 AM

Presenter

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

ATTACHMENTS:

- **Memorandum dated January 27, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- **Kimley Horn TTHMs in Public Drinking Water**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

TO: Mayor and Town Council

VIA: Kirk. W. Blouin, Town Manager

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

RE: Update Regarding the Work of the City of West Palm Beach's Panel of Water Quality Experts

DATE: January 27, 2022

STAFF RECOMMENDATION

Town staff requests that the Town Council provide any direction deemed necessary.

GENERAL INFORMATION

Following the Town Council Meeting held on January 11, 2022, staff has asked the City of West Palm Beach for clarification on the current status of the Water Expert Panel. Staff has confirmed that the initial scope of services for the panel included near term solutions/recommendations for implementation in the current treatment process for cyanotoxins and possible process treatment suggestions for the long term.

The short/near term recommendations have been put into place and have been effective thus far. The long term treatment process is a larger scope of work and exercise that will need to follow the City's standard procurement process that will be publicly advertised for issuance and award. The Expert Panel is assembling a summary report and conclusions that outlines these items which should be available for discussion during the March Town Council meeting.

John Potts from Kimley Horn and Associates will be providing an update on the City of West Palm Beach chlorination notifications and what to expect for any scheduled upcoming chlorination events. Backup information is attached.

Staff will continue to provide monthly updates while the expert panel completes its work.

FUNDING/FISCAL IMPACT

There is no fiscal impact associated with this item at this time.

cc: Jason Debrincat, P.E., Senior Project Engineer



January 28, 2022

Jason Debrincat, P.E.
Town of Palm Beach
951 Old Okeechobee Road, Suite A
West Palm Beach, FL 33401

RE: *TTHMs in Public Drinking Water*

Dear Mr. Debrincat,

This document is intended to provide residents of The Town of Palm Beach some of the available published information on total trihalomethanes (TTHM) present in the Town drinking water supply. The focus of this document is the effects of TTHM on human health. Two (2) articles are included which present an abbreviated description of the issue and widely accepted impacts on human health. The attached articles are "Chemicals in Drinking Water Fact Sheet, Total Trihalomethanes" by Florida Department of Health, Bureau of Environmental Health (FDOH) and "Disinfection By-Products" by Centers for Disease Control and Prevention (CDC).

Formation of TTHM compounds is predominantly the result of disinfecting the drinking water, in this case using chlorine. This is a world-wide practice and consequently the presence of TTHM compounds is world-wide. As stated in the CDC article, "Chlorine revolutionized water purification, reduced the incidence of waterborne diseases across the western world...".

Regulations limit the concentration of TTHM present in drinking water to values as low as 1/1,000 of the level that may cause cancer or other health effects. The regulation values for concentration of TTHM are based on many years of continuous consumption of TTHM. The FDOH article states "Because the standards are based upon lifetime exposure, drinking water with levels slightly above the standards for a short period of time does not significantly increase the risk of illness."

West Palm Beach prevents levels of TTHM greater than the standard by using chloramine, a combination of chlorine and ammonia, to disinfect the water. Generally, the chloramine treatment must be changed to free chlorine by stopping the addition of ammonia in order to eliminate the growth of certain non-toxic bacteria in the piping systems. This process occurs generally twice per year and creates higher levels of TTHM for approximately two weeks. The occurrence in May of 2021 was due to the sudden presence of the cyanotoxin cylindrospermopsin which was treated by switching the water treatment process to using free chlorine.

A notice is issued by West Palm Beach stating the dates a free chlorine maintenance will occur and customers can anticipate the possibility of TTHM levels being higher than normal.

Communication is through the Town and Civic associations to allow customers to choose to continue using the water or consider other options. As described above the FDOH states "Because the standards are based upon lifetime exposure, drinking water with levels slightly above the standards for a short period of time does not significantly increase the risk of illness."

If you have any additional questions or comments, please contact me to discuss at (561) 840-0847.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



By: John E. Potts, P.E.

Attachment:

- Chemicals in Drinking Water Fact Sheet, Total Trihalomethanes by Florida Department of Health, Bureau of Environmental Health (FDOH)
- Disinfection By-Products by Centers for Disease Control and Prevention (CDC)



**Chemicals in Drinking Water
Fact Sheet
Florida Department of Health, Bureau of Environmental Health**

This fact sheet discusses possible health risks from exposure to low levels of total trihalomethanes typically found in drinking water.

Total Trihalomethanes (TTHMs)

What are Total Trihalomethanes?

Trihalomethanes are a group of chemicals that can form when organic matter in water is treated with halogen disinfectants such as chlorine. The most common of these chemicals is trichloromethane (also called chloroform), but others, such as dibromochloromethane, bromodichloromethane, or bromoform can also be found. The sum of these four chemicals is referred to as total trihalomethanes (TTHMs).

How might exposure to TTHMs in water occur?

TTHMs are present at low levels in most chlorinated water supplies. Chlorine is added to these drinking water supplies to control microbes such as *E. coli* or *Salmonella* that can cause serious illness.

What is the standard for TTHMs in drinking water?

The Florida Department of Environmental Protection's drinking water standard for TTHMs is 80 micrograms per liter (80 µg/L). Utility companies are required to test for TTHMs every quarter and this standard is compared to a one-year running average of samples.

How can TTHMs affect my health?

Depending on risk factors stated below, health effects from drinking high levels of TTHMs can include: liver, kidney, or central nervous system damage. Drinking water every day with concentrations of TTHMs at or below the standard for your entire lifetime is unlikely to cause illness. In addition, any risk from disinfection byproducts is much lower than the risk of illness from drinking water that has not been disinfected.

How likely are TTHMs to cause cancer?

EPA has set standards for TTHMs in water because there is a slight possibility of an increased risk of bladder or colorectal cancer over a lifetime of drinking water with TTHMs above 80 parts per billion (ppb). The slight risk occurs after decades of drinking water with high levels of TTHMs. This risk is small compared to the risk of potentially deadly infectious diseases in drinking water that is not disinfected.

How do scientists determine drinking water standards?

Drinking water standards are set at very low levels. To set drinking water standards, scientists review laboratory experiments and study reports of people exposed to high levels of chemicals when available. Then they use this information to estimate the risk of illness.

For chemicals that cause illness other than cancer, scientists find the level that is not thought to cause any harmful effects. Then, to be on the safe side, they set drinking water guidelines hundreds or thousands of times less than this “no-effect level.” For chemicals believed to cause cancer, the technique is different. Scientists use worst-case assumptions to work out the lifetime risk of cancer at various concentrations of the chemical. They then set the level where the risk becomes so small it is practically zero. The worst-case assumptions used ensure that any errors are on the side of safety.

Because the standards are based upon lifetime exposure, drinking water with levels slightly above the standard for a short time does not significantly increase the risk of illness. The risk of illness, however, increases as the level of chemical increases and the length of time you drink the water increases.

How chemical exposures may affect someone can range widely from one person to the next. A number of personal factors also determine health effects. These include:

- How old is the person?
- What gender are they?
- Does the person have other health problems?
- What are their health habits? (For instance, do they drink alcohol or smoke tobacco?)

Is there a medical test for TTHM exposure?

There are special tests that can determine if you have been exposed to TTHMs. There is no reliable test to determine how much you have been exposed to and these tests cannot tell you whether harmful health effects will occur.

Is it safe to keep drinking water with TTHMs in it?

Citizens have the right to know about the quality of their drinking water. They should be aware of problems that may cause an immediate health problem and of those problems that are a concern when exposure occurs over many decades. That being said, levels of TTHMs less than the drinking water standard are not likely to cause illness. Drinking water with levels slightly above the drinking water standard for a short time does not significantly increase the risk of illness either. However, because health risks increase as the levels of a chemical (or how long a person drinks it) increases, it is best to drink water that meets standards.

For additional health information, please call the Florida Department of Health at 850-245-4240 or visit us online at www.floridahealth.gov/environmental-health/drinking-water/Chemicals-HALs.html

For more information about the health effects from exposure to TTHMs and other disinfection byproducts, please see the US CDC Safe Water Page at <https://www.cdc.gov/safewater/chlorination-byproducts.html>

Disinfection By-Products

Introduction

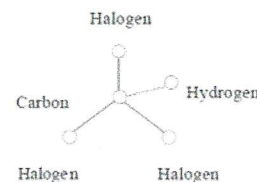
Chlorine was discovered in 1774 by the chemist Karl Scheele ¹. One of the first known uses of chlorine for disinfection was not until 1850, when Snow used it to attempt to disinfect London's water supply during that now-famous cholera epidemic. It was not until the early 1900's, however, that chlorine was widely used as a disinfectant ². Chlorine revolutionized water purification, reduced the incidence of waterborne diseases across the western world, and "chlorination and/or filtration of drinking water has been hailed as the major public health achievement of the 20th century" ³. Chlorine remains the most widely used chemical for water disinfection in the United States ². However, close to 1 billion people in the world still lack access to safe drinking water, and new questions about health effects from chlorine by-products formed during disinfection have led to questions about the advisability of using chlorine to provide safe water for this population. This page summarizes information about the production, and health effects, of disinfection by-products (DBPs).

These guidelines must be evaluated in context of the WHO Guidelines which state: "Infectious diseases caused by pathogenic bacteria, viruses, protozoa, and helminths are the most common and widespread health risk associated with drinking-water" ¹⁰ (Chapter 7, Microbiological Aspects; Section 7.1, pg 118). Additionally, a previous version of these guidelines states: "Where local circumstances require that a choice must be made between meeting either microbiological guidelines or guidelines for disinfectants or disinfectant by-products, the microbiological quality must always take precedence, and where necessary, a chemical guideline value can be adopted corresponding to a higher level of risk. Efficient disinfection must *never* be compromised" ⁹ (Chemical Aspects; Section 3.6.4, pg 49/65).

In disinfection, gaseous chlorine (Cl_2) or liquid sodium hypochlorite (bleach, NaOCl) is added to, and reacts with, water to form hypochlorous acid. In the presence of bromine, hypobromous acid is also formed. Both chlorine and bromine are in the "halogen" group of elements, and have similar chemical characteristics. Hypochlorous and hypobromous acid form strong oxidizing agents in water and react with a wide variety of compounds, which is why they are such effective disinfectants.

In 1974, Rook ⁴ discovered that hypochlorous acid and hypobromous acid also react with naturally occurring organic matter to create many water disinfection by-products, including the four primary trihalomethanes:

- Chloroform – CHCl_3
- Bromodichloromethane (BDCM) – CHCl_2Br
- Dibromochloromethane (DBCM) – CHClBr_2
- Bromoform – CHBr_3



At the center of each of the four trihalomethanes is a carbon atom, and it is surrounded by and bound to four atoms: one hydrogen and three halogens. These four compounds are collectively termed trihalomethanes and are abbreviated as either THM or TTHM (for total trihalomethanes).

Rook's discovery of THMs in drinking water led to research on other chemicals formed when chlorine is added to water, and to the health effects of these chemicals. Richardson ⁵ identified greater than 600 water disinfection by-products in chlorinated tap water, including haloacetic acids (HAAs). THMs, and to a lesser extent HAAs, are currently used as indicator chemicals for all potentially harmful compounds formed by the addition of chlorine to water. In many countries the levels of THMs and HAAs in chlorinated water supplies are regulated based on this assumption.

Humans are exposed to DBPs through drinking-water and oral, dermal, and inhalational contact with chlorinated water ⁶. In populations who take hot showers or baths, inhalation and dermal absorption in the shower accounts for more exposure to THMs than drinking water ⁷.

[Top of Page](#)

World Health Organization (WHO) Research and Guideline Values for DBPs

The World Health Organization (WHO) International Agency for Research on Cancer (IARC) reviews research conducted on potential carcinogens and develops monographs that summarize the research and classify the compound. Links to the monographs for BDCM, DBCM, bromoform, and chloroform are available below (see [Additional Resources](#)). As can be seen in Table 1 (below), chloroform and BDCM are classified as possible human carcinogens. The classifications of possible human carcinogens come from data that is extrapolated from research on animals that may or may not be relevant to human cancer. DBCM and bromoform are not classifiable, indicating there is no evidence supporting these two compounds as carcinogens, but there is not enough research to classify them as non-carcinogenic. There is inadequate epidemiological evidence of carcinogenicity in humans for all four compounds.

Table 1: IARC Classification of THMs

	Humans	Classification
Chloroform	Inadequate evidence for human carcinogenicity.	Possible human carcinogen (Group 2B)
Bromodichloromethane	Inadequate evidence for human carcinogenicity.	Possible human carcinogen (Group 2B)
Dibromochloromethane	Inadequate evidence for human carcinogenicity.	Not classifiable as to its carcinogenicity in humans (Group 3)
Bromoform	Inadequate evidence for human carcinogenicity.	Not classifiable as to its carcinogenicity in humans (Group 3)

WHO states that “all people, whatever their stage of development and their social and economic conditions, have the right to have access to an adequate supply of safe drinking water” ⁸. To this end, WHO has developed guideline values for many contaminants in drinking water. It is important to note that these guideline values are not standards. “It must be emphasized that the guideline values recommended are not mandatory limits. In order to define such limits, it is necessary to consider the guideline values in the context of local or national environmental, social, economic, and cultural conditions and waterborne disease occurrence” ⁹.

To develop the guideline values for drinking-water, WHO reviewed the literature for well-designed and documented studies showing health effects from exposure to each of the THMs ⁸. A safety factor of 1,000, an average adult human weight of 60 kilograms, and an average drinking water consumption of 2 liters per day were incorporated into the development of each guideline value. The chloroform, bromoform, and dibromochloromethane guideline values were all obtained using a total daily intake calculation. It was assumed that 50 percent of total daily intake of chloroform came from drinking water, and 20 percent of total daily intake of bromoform and dibromochloromethane came from drinking water (in areas with no showers, this assumption leads to a conservative estimate of risk). The models developed for bromodichloromethane and chloroform were based on an excess cancer risk of 10^{-5} , or one extra cancer per 100,000 people at the guideline value for 70 years ⁹.

- The *chloroform* guideline value was developed from a study showing hepatotoxicity in beagle dogs ingesting chloroform-laced toothpaste for 7.5 years. (A linearized multi-stage model based on observed increases in kidney tumors in male rats supports this total daily intake calculation).

- The *bromoform* guideline value was developed from a study showing lesions on the livers of rats exposed to bromoform for 90 days.
- The *dibromochloromethane* guideline value was developed based on the absence of histopathological effects in rats exposed for 90 days.
- The *bromodichloromethane* guideline value was developed using a linearized multi-stage model based on observed increases in kidney tumors in male mice.

The WHO Guideline Values ⁹ for the THMs are shown in Table 2. WHO also considers potential health effects caused by exposure to the four compounds simultaneously. In addition to the individual guidelines, there is an additional guideline that states the following: the sum of each individual THM concentration divided by its guideline value cannot be greater than one. This is depicted in the following equation:

$$\frac{\text{Chloroform}}{\text{Chloroform GV}} + \frac{\text{BDCM}}{\text{BDCM GV}} + \frac{\text{DBCM}}{\text{DBCM GV}} + \frac{\text{Bromoform}}{\text{Bromoform GV}} < 1.0$$

Table 2: WHO Guideline Values for Trihalomethanes in Drinking Water (WHO, 1996)

	WHO Guideline Value
Chloroform	200 µg/L
Bromodichloromethane	60 µg/L
Dibromochloromethane	100 µg/L
Bromoform	100 µg/L

These guidelines must be evaluated in context of the WHO Guidelines which state: "Infectious diseases caused by pathogenic bacteria, viruses, protozoa, and helminths are the most common and widespread health risk associated with drinking-water" ¹⁰ (Chapter 7, Microbiological Aspects; Section 7.1, pg 118).

Most importantly, the WHO specifically states in the 2nd edition of the Guidelines that: "Where local circumstances require that a choice must be made between meeting either microbiological guidelines or guidelines for disinfectants or disinfectant by-products, the microbiological quality must always take precedence, and where necessary, a chemical guideline value can be adopted corresponding to a higher level of risk. Efficient disinfection must *never* be compromised" ⁹ (Chemical Aspects; Section 3.6.4, pg 49/65). In the 4th edition of the Guidelines, the WHO states: "In all circumstances, disinfection efficiency should not be compromised in trying to meet guidelines for DBPs, including chlorination by-products, or in trying to reduce concentrations of these substances" ¹⁰ (Chapter 8 Chemical Aspects, Section 8.5.4, pg 188).

Thus, waterborne pathogens pose a real and more immediate threat to health; water disinfection by-products are certainly the lesser of these two evils.

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USEPA Standards for DBPs

The disinfectant/disinfection by-products (D/DBP) rule that regulates DBPs in the United States was designed to be implemented in three stages (Table 3) ^{11, 12}. The US Environmental Protection Agency (USEPA) does not regulate THMs or HAAs individually – there is only a standard for total THMs and total HAAs.

Table 3: D/DBP Rule Implementation, USEPA

Stage	TTHM Standard	HAA Standard
Initial	100 µg/L	
Stage 1	80 µg/L	60 µg/L
Stage 2	80 µg/L	60 µg/L

The USEPA has calculated cancer potency factors for the four THMs, which can be used to calculate the probability of cancer for varying exposure levels (Table 4). As can be seen, DBCM has the highest factor, and bromoform is an order of magnitude lower.

Table 4: USEPA Cancer Potency Factors

Compound	Cancer Potency Factor
Chloroform	insufficient data ¹³
Bromodichloromethane	0.062 mg/kg/day
Dibromochloromethane	0.084 mg/kg/day
Bromoform	0.0079 mg/kg/day

Thus, the extra cancer from chloroform was calculated to be negligible.

Other countries in the developed world, particularly in Europe, have established much stricter standards for DBPs in drinking water. These countries have the resources to follow the precautionary principle, which advocates the avoidance of chemicals until they are proven safe. These low standards are met, in part, by researching and implementing alternative disinfection methods (such as the use of ozone, UV light, and chloramines) and water treatment strategies (such as filtration before disinfection).

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DBPs and the Safe Water System

Addition of chlorine to untreated water will lead to the formation of DBPs. A significant amount of energy and time has been invested in the United States and Europe to determine the human health effects of these DBPs and how to restructure water treatment processes to prevent DBP formation in order to minimize the slight risk of cancer from long-term exposure to DBPs. However, diarrheal disease in the developing world is still a leading cause of infant and under-5 mortality and morbidity. In these populations, the risk of death or delayed development in early childhood from diarrheal disease transmitted by contaminated water is far greater than the relatively small risk of cancer in old age.

CDC has tested Safe Water System water to measure the concentration of THMs in the finished water. In that study, household chlorination of turbid and non-turbid waters did not create THM concentrations that exceeded health risk guidelines ^{14, 15}. In addition, ceramic filtration, sand filtration, cloth filtration, and settling and decanting were not effective mitigation strategies to reduce THM formation. Since this finding may not hold for all source waters worldwide, reducing organic matter in turbid source water may reduce the potential for DBP formation ¹⁵. To do this:

- Let the water settle for 12-24 hours and then decant water into a second bucket. Chlorinate this decanted water, and/or
- Filter the water through a cloth or filter before chlorination.

The Safe Water System is a proven intervention that consistently [reduces diarrheal disease](#) incidence among users in the developing world. This disease reduction leads to healthier children and adults. There is a slight risk to the ingestion of THMs at the WHO guideline value level. Although the risk from THMs is important to address, until centrally treated, piped water can

be delivered to every family, the initial critical need is the provision of microbiologically safe drinking water to reduce the incidence of diarrhea and other waterborne disease.

If you have any questions or comments on this page or the Safe Water System, please email healthywater@cdc.gov.

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Additional Resources

- [Monographs for BDCM, DBCM, and bromoform](#)
- [Monograph for chloroform](#) [PDF – 52 pages]

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Page last reviewed: December 2, 2016

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

COVID-19 Situation Update

Kirk W. Blouin, Town Manager

a. COVID-19 Monthly Report

Darrel Donatto, Fire Rescue Chief

b. RESOLUTION NO. 026-2022 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Concurring with the Request of the Town's Chief of Police, to Extend the Chief's Declaration of the Existence of a State of Emergency within the Corporate Limits of the Town to March 8, 2022, Unless Earlier Terminated by the Chief of Police, at which time the Town Council will Address the Need for any Extension of the Declaration of Emergency; Providing for an Effective Date.

c. Discussion Regarding Public Meetings

d. Temporary Outdoor Seating - COVID

Presenter

ATTACHMENTS:

▢ **b. Resolution No. 026-2022**

RESOLUTION NO. 026-2022

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, CONCURRING WITH THE REQUEST OF THE TOWN'S CHIEF OF POLICE, TO EXTEND THE CHIEF'S DECLARATION OF THE EXISTENCE OF A STATE OF EMERGENCY WITHIN THE CORPORATE LIMITS OF THE TOWN TO MARCH 8, 2022, UNLESS EARLIER TERMINATED BY THE CHIEF OF POLICE, AT WHICH TIME THE TOWN COUNCIL WILL ADDRESS THE NEED FOR ANY EXTENSION OF THE DECLARATION OF EMERGENCY; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, 2019 Novel Coronavirus Disease (COVID-19) is a severe, acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, the World Health Organization (WHO) has declared a pandemic related to COVID-19; and

WHEREAS, the Center for Disease Control and Prevention (CDC) has declared the potential public health threat posed by COVID-19 as "high", both in the United States and throughout the world; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order 20-51, declaring that appropriate measures to control the spread of COVID-19 in the State of Florida are necessary, and therefore directed that a Public Health Emergency be declared in the State of Florida; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52, declaring a State of Emergency in the State of Florida regarding the COVID-19 pandemic; and

WHEREAS, the President of the United States has declared a State of Emergency for the Country to address the public health threat to the United States of America as a result of COVID-19; and

WHEREAS, a threat of impact from COVID-19 exists throughout the corporate limits of the Town of Palm Beach and elsewhere; and

WHEREAS, COVID-19 poses a danger to life and the economic well-being of Palm Beach residents; and

WHEREAS, the Chief of Police of the Town of Palm Beach exercised his authority in March 2020, to declare a state of emergency in response to the threats associated with the Coronavirus pandemic.

WHEREAS, the Town Council approved Resolution No. 21-2020 on March 19, 2020, concurring with the extension of the declaration of emergency, and approved multiple subsequent resolutions in 2020 and 2021 to extend the Chief's declaration of emergency in response to the ongoing threats related to the Coronavirus pandemic.

WHEREAS, the Chief of Police of the Town of Palm Beach, pursuant to the authority of Section 58-41 of the Town Code of Ordinances, has again declared a state of emergency exists within the corporate boundaries of the Town; and

WHEREAS Florida Statute Section 870.042 provides that the designated official, in this case the Chief of Police, has the authority to exercise the emergency powers conferred in Sections 870.041 through 870.047 of the Florida Statutes; and

WHEREAS, Section 870.047, Florida Statutes, provides for the duration and termination of a State of Emergency and provides that the emergency declaration shall terminate at the end of the period of seventy-two (72) consecutive hours unless prior to the end of the seventy-two (72) hour period, the declaration of emergency has been terminated; and

WHEREAS, any extension of the seventy-two (72) hour time limit must be accomplished by request from the public official and the concurrence of the Town Council by duly enacted resolution in regular or special session; and

WHEREAS, the Town Council approved Resolution No. 009-2022 on January 3, 2022, granting the Chief of Police's request that the declaration of emergency be extended to January 11, 2022; and

WHEREAS, the Town Council approved Resolution No. 010-2022 on January 11, 2022, granting the Chief of Police's request that the declaration of emergency be extended to February 8, 2022; and

WHEREAS, the Chief of Police has requested that the time limit for the declaration of emergency be extended to March 8, 2022, unless earlier terminated by the Chief of Police.

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

Section 1. The request of the Chief of Police to extend the time period for the declaration of emergency is hereby granted.

Section 2. The declaration of emergency shall remain in effect until March 8, 2022, unless earlier terminated by the Chief of Police, at which time the Town Council will address the need for any extension of the declaration of the emergency.

Section 3. During this period of time, the Chief of Police has the authority to extend or amend any of the emergency measures declared in the initial declaration of emergency as provided by the terms of Florida Statute Section 870.045.

Section 4. This resolution shall take effect upon execution. A copy of this Resolution shall be filed in the office of the Town Clerk and delivered to the appropriate news media and by posting on the Town's website.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the
Town of Palm Beach assembled this 8th day of February, 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status

Presenter

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

ATTACHMENTS:

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

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

TO: Mayor & Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Paul Brazil, Public Works Director

FROM: Patricia Strayer, Town Engineer

RE: Utility Undergrounding Project Status Report

DATE: January 20, 2022

I. COMMUNICATIONS:

A. Community Meetings:

Coffee with the Crew meetings for Phases 4 and 5 South will occur March 14th at 8:30 at the Town Hall Park. The meetings for Phases 4 and 5 North will begin in March 7th at 8:30 and take place at Palmo Park.

B. Significant Postal Mail or E-mail

A letter was sent to all property owners in Phase 7 South requesting meetings to discuss easement acquisition. Staff continues to have easement meetings with property owners primarily focused on Phase 6 North and South.

II. PROGRESS SUMMARY:

Overall, Town-wide Construction Progress, ten (10) of fifteen (15) construction zones are either complete or in progress/funded for construction, inclusive of Phases 1N, 1S, 2N, 2S, 3N, 3S, 4N, 4S, 5N and 5S. Phase 6 North and South will be put out for bids by March.

A. Construction Progress:

Phase 1 North:

From the Inlet south to Onondaga Ave.

- Completed March 30, 2019

Phase 1 South:

From southern Town limits north to Sloan's Curve

- Completed April 3, 2020

Phase 2 North Construction:

From Esplanade Way to Ocean Terrace

- Completed October 29, 2020

Phase 2 South Construction:

From Sloan's Curve to the intersection of S. Ocean Blvd & S. County Road

- Phase 2 South, the project is 84% complete. Presently working with FPL to begin conversions.

Phase 3 North Construction:

From Osceola Way to the north-side of La Puerta Way

- Complete September 17, 2021

Phase 3 South:

From S. Ocean Blvd & S. County Road to the alleyway south of Worth Ave.

- Phase 3 South construction is 39% complete.

Phase 4 North:

From south-side of La Puerta Way to north-side of List Road

- Construction for Phase 4 North is 72% complete.

Phase 4 South:

From Peruvian Ave. north to Royal Palm Way & the Town Docks

- Design is 99% complete.
- 61 of 62 easements are recorded or verbally approved.
- Contract awarded August 10.
- Delivery of materials has been delayed. Actual construction is expected to start in January.

Phase 5 North:

From Country Club Road to Southland Road

- Design is 100% complete.
- 87 out of 87 (100%) easements are recorded or verbally approved.
- Notice to Proceed was issued September 27, 2021.
- Delivery of materials has been delayed. Actual construction is expected to start in January.

Phase 5 South:

From South Lake Drive/Hibiscus Ave. & Peruvian Ave./Royal Palm Way, properties between the intracoastal waterway and the Atlantic Ocean and from Royal Palm Way to Seaspray Ave.

- Design is 99% complete.
- 76 of 82 (93%) easements are recorded or verbally approved.
- Notice to Proceed was issued September 27, 2021.
- Delivery of materials has been delayed. Actual construction is expected to start in January.

Phase 6 North:

From Chateaux Drive & Kawama Lane to the south-side of Plantation Road

- Design is 79% complete and on schedule.
- 39 of 48 (81%) easements approved.

Phase 6 South:

Seaspray Ave. to the south of Royal Poinciana Way

- Design is 71% complete and on schedule.
- 67 of 95 (71%) easements approved.

Phase 7 North:

Palm Beach Country Club north to the south side of List Road

- Design is 37% complete and on schedule.
- 9 of 84 (11%) easements approved.

Phase 7 South:

Atlantic Ave. north to Via Los Incas & Sanford Ave.

- Design is 36% complete and on schedule.
- 4 of 52 (8%) easements approved.

Phase 8:

Royal Poinciana Way north to Everglade Ave.

- Design is 23% complete and on schedule.
- Easement acquisition has not started.

III. FINANCIAL SUMMARY:

A. FEMA Grant Update:

- FEMA/FDEM approved contracts for CR Dunn and Wilco for construction.
- Requested an update on the status of the requested (and approved) grant modification but still have not received a response from FEMA/FDEM.

B. Project Budget Summary:

There are no significant changes since the last report. Updates include processing of vendor pay applications for design and work performed in active phases. The full Underground Utility Project Financial Report is provided within your backup package with the summary page attached.

cc: Jane LeClainche, Finance Director
Kevin Schanen, Kimley-Horn & Associates

**Underground Utility Project Budget
Project Financial Summary
January 31, 2022**

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,856,262	\$ 12,734,604	99.1%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,924,578	\$ 12,468,737	96.5%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 16,252,921	\$ 9,861,124	60.7%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 17,528,941	\$ 6,490,716	37.0%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 17,935,288	\$ 2,180,103	12.2%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,954,334	\$ 1,493,575	76.4%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ 1,619,090	\$ 482,444	29.8%
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ 1,391,803	\$ 317,781	22.8%
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 82,463,217	\$ 46,029,083	55.8%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 2,513,512	\$ 2,513,512	\$ 2,389,367	95.1%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 122,418,157	\$ 84,976,730	\$ 48,418,450	57.0%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 14,543,157	\$ 11,782,524	81.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 664,169	\$ 1,640,162	246.9%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 122,418,157	\$ 85,640,899	\$ 61,841,136	72.2%

(820.00)

Total Project Budget - Opinion of cost for construction	\$ 122,418,157
% Budgeted/Encumbered To Date Project Costs	69.42%
% Spent to Date - Project Costs	39.55%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 18,329,914	0.0%
Assessment Revenue	\$ 21,430,000	\$ 21,010,475	98.0%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ -	0.0%
Interest	\$ 1,567,009	\$ 3,102,574	198.0%
GO Bond Proceeds 2018	\$ 60,500,000	\$ 60,499,897	100.0%
GO Bond Proceeds 2021	\$ 9,198,896	\$ 9,198,896	100.0%
1 Cent Sales Tax	\$ 5,000,000	\$ 2,625,000	52.5%
FPL		\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ -	0.0%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (401) Fund Marina	\$ 2,600,000	\$ 650,000	
Transfer from (001) General Fund - PM Salary	\$ 751,000	\$ 885,628	117.9%
Total Project Revenues	\$ 113,153,646	\$ 120,394,272	106.4%

Underground Utility Project Budget
Phase 1 Project Costs
January 31, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Project Engineering					
Task 2.1 - Detailed Design North End	590,000		472,063	472,063	100.0%
Task 2.2 - Detailed Design South End	740,000		619,411	619,411	100.0%
Task 2.3 - Permitting Assistance			17,790	17,790	100.0%
Task 2.4 - Bid Phase Assistance			42,166	42,166	100.0%
Task 2.5 - Meetings - Design Phase			125,399	125,383	100.0%
Subtotal Design Phase	\$ 1,330,000	\$ 1,280,000	\$ 1,276,829	\$ 1,276,813	100.0%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,598,144	100.0%
Street Light Conversion			\$ 26,273	40,934	155.8%
Change Order for AT&T and Comcast Conduit			\$ 500,655	491,883	98.2%
Utility Design Costs			\$ 15,595	16,945	108.7%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	392,932	82.4%
Construction Engineering (KH)			\$ 207,771	205,818	99.1%
	\$ 4,210,000	\$ 4,930,000	\$ 4,844,935	\$ 4,766,377	98.4%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	4,450,977	100.0%
Change Order for AT&T and Comcast Conduit			\$ 125,147	125,147	100.0%
Street Light Conversion			\$ 68,115	68,115	100.0%
Utility Design Costs			\$ 33,013	44,958	136.2%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,317,824	95.9%
Construction Engineering (KH)			\$ 316,498	316,396	100.0%
	\$ 6,800,000	\$ 6,350,000	\$ 6,390,143	\$ 6,345,618	99.3%
Easement Recording Fees			\$ 740	740	100.0%
Legal Costs/Easement Acquisition - Jones Foster	\$ 280,000	\$ 350,000	\$ 301,359	\$ 306,723	101.8%
Legal Sketch and Description - Easements			34,000	33,215	97.7%
Easement Abandonment			\$ 8,256	5,120	62.0%
Legal Advertising				1,861	
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,856,262	\$ 12,734,604	99.1%

Underground Utility Project Budget
Phase 2 Project Costs
January 31, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 2 Design					
Kimley Horn					
Task 1.1 Phase 2 North Design	335,000		\$ 281,304	\$ 281,304	100.0%
Task 1.2 Phase 2 South Design	400,000		\$ 335,353	\$ 335,353	100.0%
Task 1.3 Permitting Assistance North and South			\$ 12,674	\$ 12,674	100.0%
Task 1.4 Bid Phase Assistance North and South			\$ 40,565	\$ 40,565	100.0%
Task 1.6 Meetings North and South			\$ 136,617	\$ 131,510	96.3%
Total Phase 2 Design	\$ 735,000	\$ 807,000	\$ 806,513	\$ 801,406	99.4%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 3,932,792	3,905,978	99.3%
Owner Purchased Supplies			\$ 83,073	205,809	247.7%
FPL Design Cost			\$ 11,759	65,822	559.8%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 423,898	85.4%
FPL - Additional Vista Switches				\$ 54,938	
Street Light Conversion			\$ 19,186	\$ 19,186	100.0%
Construction Engineering (KH)			\$ 248,121	\$ 246,227	99.2%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 4,831,238	\$ 4,963,409	102.7%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	88,167	251.9%
Burkhardt Construction			\$ 6,322,275	5,770,440	91.3%
Owner Supplied Materials			\$ 172,321	175,898	102.1%
FPL Design Cost			\$ 13,330	16,900	126.8%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 200,000	\$ 123,948	62.0%
Street Light Conversion			\$ 20,000	\$ 19,268	96.3%
Reimburse John Moran				\$ 39,240	
Construction Engineering (KH)	-		\$ 325,280	\$ 272,916	83.9%
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,098,206	\$ 6,516,357	91.8%
Easement Acquisition/Abandonment	200,000	219,000			
Kimley Horn Easement Assistance					
Task 1.5 Easement Assistance North			\$ 64,936	\$ 64,935	100.0%
Task 1.5 Easement Assistance South			\$ 77,466	\$ 77,467	100.0%
Surveys					
Task 1.7 Legal Sketch North			\$ 14,020	\$ 14,020	100.0%
Task 1.7 Legal Sketch South			\$ 21,725	\$ 20,689	95.2%
Advertising				\$ 1,101	
Recording Costs			\$ 3,605	\$ 3,359	93.2%
Easement Abandonment			\$ 6,870	\$ 5,994	87.2%
Total Easement Acquisition Costs	200,000	219,000	\$ 188,622	\$ 187,564	99.4%
Total Phase 2 Costs	\$9,170,000	\$13,470,000	\$ 12,924,578	\$ 12,468,737	96.5%

Underground Utility Project Budget
Phase 3 Project Costs
January 31, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 3 Design					
Kimley Horn					
Task 1.1 Phase 3 North Design	\$ 325,000		\$ 280,189	\$ 280,189	100.0%
Task 1.2 Phase 3 South Design	\$ 535,000		\$ 486,333	\$ 486,323	100.0%
Task 1.3 Permitting Assistance			\$ 13,739	\$ 13,739	100.0%
Task 1.4 Bid Phase Assistance			\$ 36,834	\$ 36,834	100.0%
Task 1.5 Meetings			\$ 77,411	\$ 76,626	99.0%
Total Phase 3 Design	\$ 860,000	\$ 895,000	\$ 894,505	\$ 893,710	99.9%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000			
Preconstruction			\$ 24,580	\$ 24,580	100.0%
Construction - Burkhardt			\$ 4,100,697	\$ 4,100,697	100.0%
Owner supplied materials			\$ 2,797	\$ 2,797	100.0%
FPL Design Cost			\$ 12,850	\$ 1,350	10.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 3,128	\$ 3,128	100.0%
FPL Construction			\$ 87,101	\$ 87,101	100.0%
Street Light Conversion			\$ 4,249	\$ 7,012	165.0%
Utility Costs (Comcast & ATT)			\$ 409,387	\$ 409,387	100.0%
Construction Engineering (KH)			\$ 236,976	\$ 222,922	94.1%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 457,222	\$ 457,222	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			\$ 85,796	\$ 85,796	100.0%
Comcast Nightingale/LaPuerta - Townwide Portion			\$ 8,885	\$ 8,885	100.0%
AT&T Nightingale/LaPuerta Townwide Portion			\$ 30,555	\$ 30,555	100.0%
Billing for Arnold Fisher relocate transformer Deanna Davis and Cohan			\$ (17,647)	\$ (17,647)	100.0%
Total Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000	\$ 5,451,576	\$ 5,428,785	99.6%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction			\$ 33,400	33,400	100.0%
Construction			\$ 8,029,385	2,344,193	29.2%
Owner supplied Pipe			\$ 118,315	118,315	100.0%
FPL Construction			\$ 562,000	562,905	100.2%
FPL Design Cost			\$ 11,359	15,808	139.2%
FPL - 101 El Brillo			\$ 10,875	10,875	100.0%
J Box Installation			\$ 14,636	14,636	100.0%
ATT Design and Construction Cost			\$ 425,000	5,000	1.2%
Comcast Design and Construction Cost			\$ 195,128	3,128	1.6%
Construction Engineering (KH)			\$ 322,540	97,268	30.2%
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 9,722,638	\$ 3,205,528	33.0%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
Kimley Horn Easement Assistance					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 271,663	99.4%
Easement Amendment			\$ 49,285	\$ 49,198	99.8%
Surveys					
Recording Costs				\$ 5,067	
Easement Abandonment			\$ 8,150	\$ 7,172	
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 330,825	\$ 333,102	100.7%
Total Phase 3 Costs	\$10,910,000	\$15,400,000	\$ 16,399,544	\$ 9,861,124	60.1%

Underground Utility Project Budget
Phase 4 Project Costs
January 31, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000		\$ 312,317	312,317	100.0%
Task 1.2 Phase 4 South Design	\$ 413,000		\$ 451,284	451,284	100.0%
Task 1.3 Permitting Assistance			\$ 14,468	14,468	100.0%
Task 1.4 Bid Phase Assistance			\$ 37,899	37,899	100.0%
Task 1.6 Meetings			\$ 77,911	77,383	99.3%
Total Phase 4 Design	\$ 815,000	\$ 894,000	\$ 893,879	893,351	99.9%
Construction Costs					
Phase 4 North Construction	4,605,000	6,275,000			
Preconstruction			\$ 22,270	22,270	100.0%
Construction Costs			\$ 5,061,056	3,188,626	63.0%
Owner Supplied Pipe and Vaults				148,998	
FPL BCE			\$ 91,543	91,543	100.0%
FPL Design Cost			\$ 12,757	12,850	100.7%
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Street Light Conversion FPL				4,222	
Construction Engineering (KH)			\$ 324,309	109,713	33.8%
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 5,511,935	3,586,350	65.1%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction			\$ 34,800	34,800	100.0%
Construction			\$ 8,810,126	-	0.0%
Construction with Lake Drive Park			\$ 320,311	363,499	113.5%
Owner Supplied Pipes				2,170	
FPL Design Cost			\$ 13,160	1,350	10.3%
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Kimley Horn - Design services Hibiscus Ave			\$ 12,047	7,981	
Utility Costs (FPL, Comcast, AT&T)			\$ 1,148,441	1,148,441	100.0%
Construction Engineering (KH)			\$ 333,659	17,733	5.3%
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 10,672,544	1,584,102	14.8%
Easement Acquisition/Abandonment	\$ 240,000	\$ 411,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 280,270	280,254	100.0%
Easement Assistance (KH) -- Switches			\$ 67,747	67,231	99.2%
Easement Assistance (KH)			\$ 59,369	35,714	60.2%
<i>Surveys</i>					
Legal Sketch			\$ 38,230	38,092	99.6%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs				5,623	
Easement Abandonment					
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 450,583	426,914	94.7%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 17,528,941	6,490,716	37.0%

Underground Utility Project Budget
Phase 5 Project Costs
January 31, 2022

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	\$ 520,000		\$ 454,210	\$ 454,210	100.0%
Task 1.2 Phase 5 South Design	\$ 600,000		\$ 606,951	\$ 606,951	100.0%
Task 1.3 Permitting Assistance North/South			\$ 17,100	\$ 17,100	100.0%
Task 1.4 Bid Phase Assistance North/South			\$ 37,899	\$ 37,899	100.0%
Task 1.6 Meetings North/South			\$ 77,911	\$ 77,905	100.0%
Total Phase 5 Design	\$ 1,120,000	\$ 1,195,000	\$ 1,194,071	\$ 1,194,065	100.0%
Construction Costs					
Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000			
Preconstruction			\$ 59,100	59,100	100.0%
Construction			\$ 6,416,942		0.0%
Construction Manager			\$ 940,702		0.0%
Utility Costs (FPL, Comcast, AT&T)			\$ 67,157	67,157	100.0%
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 16,223	30,330	187.0%
Reimburse Caren and Gary Marder work performed			\$ 6,100	6,100	100.0%
Construction Engineering (KH)			\$ 334,157	27,240	8.2%
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 7,845,381	\$ 194,927	2.5%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction			\$ 59,100	59,100	100.0%
Construction			\$ 6,629,361		0.0%
Infrastructure from Phase 4 south bid			\$ 163,350		0.0%
Construction Manager			\$ 979,098		0.0%
Utility Costs (FPL, Comcast, AT&T)			\$ 365,720	365,720	100.0%
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 19,283	20,633	107.0%
Construction Engineering (KH)			\$ 334,159	6,771	2.0%
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 8,555,071	\$ 457,224	5.3%
Easement Acquisition/Abandonment	\$ 330,000	\$ 365,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 218,600	\$ 218,536	100.0%
Easement Assistance			\$ 81,086	\$ 77,963	96.1%
<i>Surveys</i>					
Legal Sketch			\$ 41,080	\$ 32,130	78.2%
Jones Foster - Legal					
Legal Ads				\$ 327	
Recording Costs				\$ 4,931	
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 340,766	\$ 333,888	98.0%
FEMA Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$ 14,090,000	\$ 11,694,645	\$ 17,935,288	\$ 2,180,103	12.2%

Underground Utility Project Budget
Phase 6 Project Costs
January 31, 2022

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	\$ 420,000		\$ 475,019	\$ 380,015	80.0%
Task 1.2 Phase 6 South Design	\$ 940,000		\$ 826,551	\$ 661,241	80.0%
Task 1.3 Permitting Assistance North/South			\$ 17,694		0.0%
Task 1.4 Bid Phase Assistance North/South			\$ 35,938		0.0%
Task 1.6 Meetings North			\$ 84,791	\$ 83,908	99.0%
Total Phase 6 Design	\$ 1,360,000	\$ 1,440,000	\$ 1,439,993	\$ 1,125,164	78.1%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000			
Preconstruction			\$ 24,270		
Construction					
Approved Change Orders					
FPL Design Cost			\$ 15,868	29,198	184.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000	\$ 40,138	\$ 29,198	72.7%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000			
Preconstruction			\$ 24,270		
Construction					
Approved Change Orders					
FPL Design Cost			\$ 29,924	29,924	100.0%
ATT Design Cost			\$ 10,000	10,000	100.0%
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ 64,194	\$ 39,924	62.2%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 278,477	79.2%
<i>Surveys</i>					
Legal Sketch			\$ 58,415	\$ 19,008	32.5%
Legal Ads				\$ 113	
Recording Costs				\$ 1,691	
Easement Abandonment				\$ -	
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 410,009	\$ 299,288	73.0%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 1,954,334	\$ 1,493,575	76.4%

Underground Utility Project Budget
Phase 7 Project Costs
January 31, 2022

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 7 Design					
Kimley Horn					
Task 1.1 Phase 7 North Design	\$ 450,000		\$ 492,488	\$ 196,995	40.0%
Task 1.2 Phase 7 South Design	\$ 480,000		\$ 630,830	\$ 189,249	30.0%
Task 1.3 Bid Phase Assistance North and South			\$ 35,938		0.0%
Task 1.4 Meetings North and South			\$ 77,616	\$ 5,260	6.8%
Total Phase 7 Design	\$ 930,000	\$ 1,237,000	\$ 1,236,872	\$ 391,504	31.7%
Utility and Construction Costs					
Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 15,806	27,165	171.9%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 7 North Construction	\$ 5,140,000	\$ 7,005,000	\$ 15,806	\$ 27,165	171.9%
Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 19,953	19,953	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 7 South Construction	\$ 5,380,000	\$ 7,320,000	\$ 19,953	\$ 19,953	100.0%
Easement Acquisition/Abandonment	\$ 280,000	\$ 348,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 346,459	\$ 43,190	12.5%
<i>Surveys</i>					
Legal Sketch					
Legal Ads				\$ 113	
American Acquisition Group					
Temp Services					
Legal Advertising				\$ 113	
Recording Costs				\$ 406	
Total Easement Acquisition Costs	\$ 280,000	\$ 348,000	\$ 346,459	\$ 43,821	12.6%
Total Phase 7 Costs	\$ 11,730,000	\$ 15,910,000	\$ 1,619,090	\$ 482,444	29.8%

Underground Utility Project Budget
Phase 8 Project Costs
January 31, 2022

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 8 Design					
Kimley Horn					
Task 1.1 Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,029,017	\$ 174,933	17.0%
Task 1.2 Permitting Assistance			\$ 17,694		0.0%
Task 1.3 Bid Phase Assistance			\$ 14,430		0.0%
Task 1.4 Meetings			\$ 89,778	\$ 346	0.4%
Total Phase 8 Design	\$ 1,010,000	\$ 1,151,000	\$ 1,150,919	\$ 175,279	15.2%
Utility and Construction Costs					
Phase 8 Construction	\$ 10,990,000	\$ 13,107,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 13,160	13,160	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 8 North Construction	\$ 10,990,000	\$ 13,107,000	\$ 13,160	\$ 13,160	100.0%
Easement Acquisition/Abandonment	\$ 300,000	\$ 242,000			
Kimley Horn Easement Assistance					
Easement Assistance			\$ 227,724	\$ 129,198	56.7%
Surveys					
Legal Sketch					
Legal Ads				\$ 56	
American Acquisition Group					
Temp Services					
Recording Costs				\$ 87	
Total Easement Acquisition Costs	\$ 300,000	\$ 242,000	\$ 227,724	\$ 129,342	56.8%
Total Phase 8 Costs	\$ 12,300,000	\$ 14,500,000	\$ 1,391,803	\$ 317,781	22.8%

Underground Utility Project Budget
Other Project Costs
January 31, 2022

Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	\$ 88,021	\$ 88,021	100.0%
Task 1.1a Data Collection for Future Communications	\$ 23,511	\$ 23,511	100.0%
Task 1.2 - Conceptual Design and Master Plan	\$ 161,756	\$ 161,756	100.0%
Task 1.3 - Project Sequencing and Phasing	\$ 31,244	\$ 31,244	100.0%
Task 1.4 - Assessment of Traffic Impacts	\$ 77,660	\$ 77,660	100.0%
Task 1.5 - Project Delivery Methods	\$ 17,448	\$ 17,448	100.0%
Task 1.6 - Master Plan Document	\$ 45,053	\$ 45,053	100.0%
Task 1.7 - Meetings Master Planning Phase	\$ 113,135	\$ 113,123	100.0%
Task 1.8 - Master Plan Second Half	\$ 40,067	\$ 40,067	100.0%
Subtotal Master Planning	\$ 597,895	\$ 597,883	100.0%
Comcast Preplanning - Master Plan	\$ 12,015	\$ 12,015	100.0%
Assessment Costs, Fees and Discounts	\$ 786,560	\$ 786,560	100.0%
Project Manager - Pay and benefits	\$ 559,547	\$ 525,043	93.8%
Temp Services - Easement Acquisition	\$ 150,000	\$ 97,309	64.9%
Other Miscellaneous Expenses		\$ 22,506	
General Easement Assistance	\$ 24,976	\$ 24,838	99.4%
Community Outreach	\$ 282,519	\$ 223,214	79.0%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 2,513,512	\$ 2,389,367	95.1%

Debt Service and Related Debt Issuance Costs

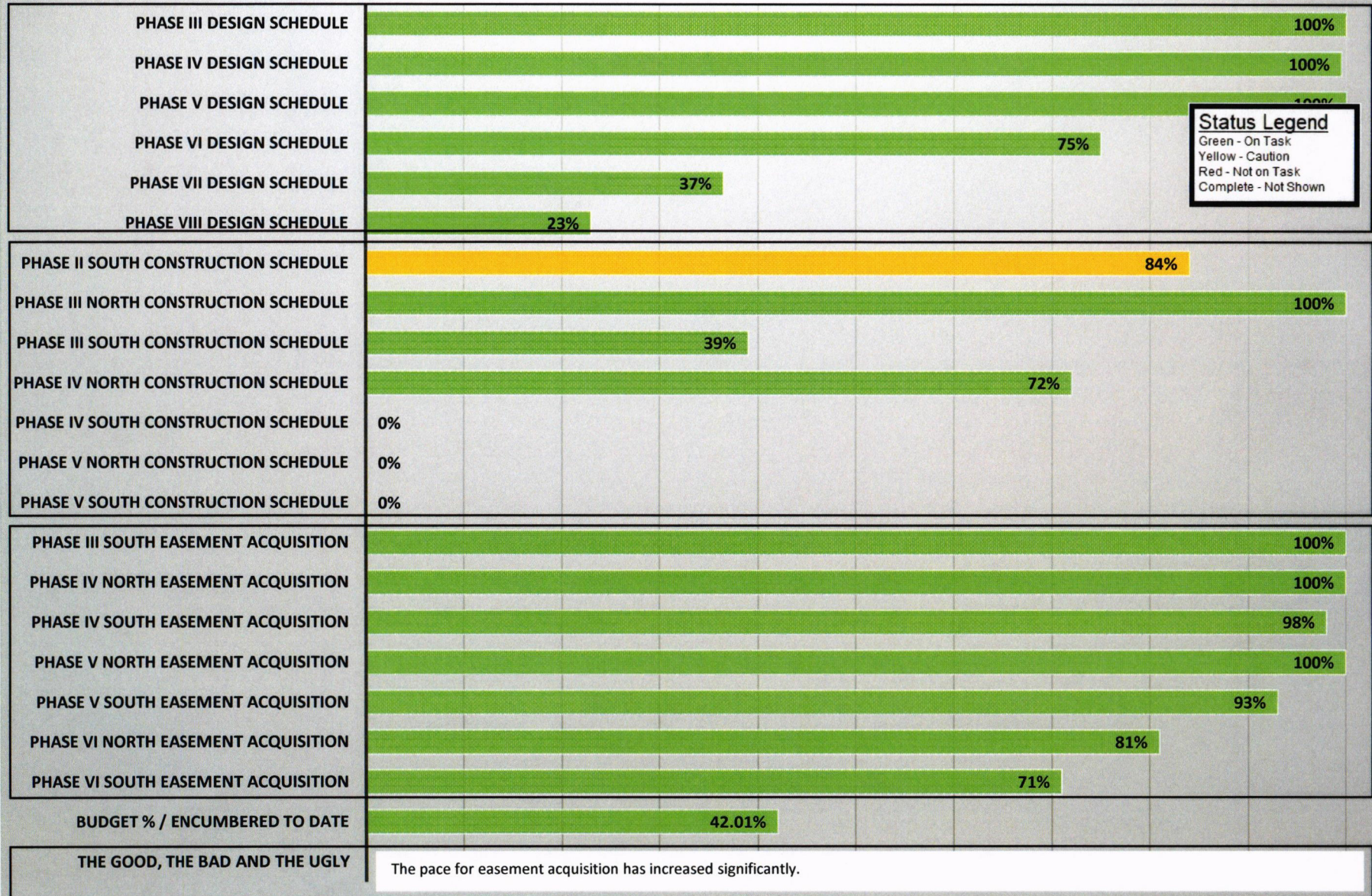
	Budget	Actual	% Expended
Commercial Paper Issuance Cost	\$ 260,116	\$ 260,116	100.0%
Commercial Paper Interest	\$ 243,096	\$ 243,096	100.0%
Arbitrage Rebate Calculation	\$ 2,500	\$ 1,400	56.0%
Debt Service Fees	\$ 2,000	\$ 800	40.0%
GO Bond Closing Costs 2018	\$ 488,271	\$ 487,471	99.8%
GO Bond Closing Costs 2021	\$ 202,169	\$ 202,380	100.1%
GO Bond Debt Service	\$ 13,345,005	\$ 10,587,262	79.3%
Total Debt Service and Related Debt Issuance Costs	\$ 14,543,157	\$ 11,782,524	81.0%

Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	\$ 25,231	\$ 24,430	96.8%
Project Construction	\$ 351,081	\$ 346,124	98.6%
Project Construction Engineering	\$ 11,607	\$ 12,849	110.7%
Utility Cost (FPL, Comcast, AT&T)	\$ 134,333	\$ 127,531	94.9%
Project Meeting Attendance	\$ 3,334	\$ 2,914	87.4%
Total Lake Worth Section	\$ 525,586	\$ 513,847	97.8%
Ibis Way PGD Improvements	\$ 14,583	\$ 14,583	100.0%
General Fund Costs			
Goldmacher v TPB Legal and Other Costs		\$ 183,701	
Kosberg v TPB Legal and Other Costs		\$ 607,692	
PBT Real Estate v TPB		\$ 188,594	
Gardner, Bist Bowden, Bush (Shef Wright)		\$ 24,799	
Telecommunications Consultant	\$ 89,000	\$ 83,210	93.5%
Peter Brandt (Contract Negotiations)	\$ 35,000	\$ 23,735	67.8%
Total Related Costs Outside of the Budget	\$ 664,169	\$ 1,640,162	246.9%

Town of Palm Beach - Underground Utility Project Dashboard - January 2022

0% 10% 20% 30% 40% 50% 60% 70% 80% 90% 100%



Status Legend

Green - On Task
Yellow - Caution
Red - Not on Task
Complete - Not Shown

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Implementation Plan for Coastal Resiliency

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated January 20, 2022, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Tables from Level Up Report**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

TO: Mayor and Town Council

VIA: Kirk. W. Blouin, Town Manager

FROM: H. Paul Brazil, P.E., Director of Public Works
Wayne Bergman, Director of Planning, Zoning and Building

RE: Implementation Plan for Coastal Resiliency

DATE: January 20, 2022

STAFF RECOMMENDATION

Town staff requests that Town Council review the summary of recommendations made by Woods Hole Group in their resiliency study as described below and to provide any policy or guidance to develop a multi-year implementation plan. Staff recommends that the discussion at this meeting be limited to (a) Town Facility Infrastructure and (b) Lake Worth Shoreline. The remaining sections can be discussed at future meetings.

GENERAL INFORMATION

The Woods Hole Group submitted their report in November 2021 with suggestions and recommendations associated with the Coastal Resilience Implementation Plan (“Level-Up Palm Beach”). The plan is organized into four (4) components (Town Facilities and Infrastructure, Lake Worth Shoreline, Floodplain Development, and Comprehensive Planning). Within each component there are recommendations and suggested action items that are near-term and medium-term, as well as long-term. Adaptation pathways and key decision points are also provided to allow for flexibility and adapting strategies as actual conditions dictate in the future. A monitoring program is also outlined to assist with the Town’s decision making in the future. The four (4) components are summarized below along with policy or guidance that is necessary in beginning to implement the plan.

A. Town Facilities and Infrastructure

Objective: Adapt Town assets to mitigate risks of damage and failure from future coastal flooding

Recommendations: (based on CFVA Risk-Based Prioritization Method)

1. Near-term adaptations are focused on critical facilities and assets already in the five-year Capital Improvement Plan (CIP) – these are listed in Table 3 of the Level-Up Palm Beach Report and will be accomplished by the Public Works Department as part of the annual budgeting process.
2. These near-term adaptations for Town assets are listed in Table 4 of the report to include the recommended adaptation measures and the interim design flood elevation (DFE).
3. Florida Statutes require the use of sea level rise projections for 2040 and 2070 (with intermediate-low projections of 0.7 feet and 1.3 feet respectively, and intermediate-high projections of 1.4 feet and 3.3 feet).
4. Other Town assets at present risk of flooding based on PB-FRM are prioritized in Table 6 of the report and should be considered medium-term adaptation targets.
5. Town assets at future risk of flooding only with storm intensification are noted in Table 7 of the report.

Previous Town Council Direction: Staff to address these projects in future budget requests in the Capital Improvement Program. Mitigation component to be completed opportunistically with planned Capital Projects for each asset. Staff to report incremental cost increase for mitigation work.

B. Lake Worth Shoreline

Objective: Mitigate neighborhood and Town-wide exposure to future coastal flooding, emanating primarily from the Lake Worth shoreline

Recommendations: (based on CFVA Risk-Based Prioritization Method and FEMA FIRM maps)

1. Bulkhead construction specifications to amend the Town Code of Ordinances include a recommendation to require FEMA base flood elevation plus 2 feet (BFE + 2.0') for top elevation of any bulkheads or cut-off walls. Flexibility to raise the top elevation another 2.0' in the future is also recommended. Information required in permit applications is standardized and expanded, along with inspection requirements of work done. Table 8 of the report includes suggested text revisions to the Ordinance Sec. 62-75. The current BFE per the 2019 FIRM maps is +6.0 NAVD.

Staff Comment: Current requirement is minimum +5.0 NAVD. Many existing walls are lower than +5.0 NAVD.

Staff Recommendation: Staff should develop renderings at typical locations to help the community visualize the impacts of raising walls to +6.0 NAVD, +8.0 NAVD and +10.0 NAVD.

2. New specifications are also recommended to add higher standards including flood design requirements, reinforced concrete caps for all bulkheads, and to design/construct adjoining bulkheads in manner to mitigate leakage between them.

The elevations of adjacent grades also needs to be addressed to mitigate potential impacts to accessibility and scenic vistas from Lake Trail and private property. Surrounding grades are recommended to be raised to within 30 inches of new seawall cap elevation. Temporary waivers or easements may be considered when no mutually agreeable alternatives are found for situations where the accessibility or adjacent grade requirements cannot be met. Table 9 of the report includes recommended language for these new standards for bulkhead construction.

Staff Recommendation: Stricter standards for design requirements should be adopted. Staff to obtain an order of magnitude cost per liner foot of redevelopment (seawall, grade, and trail). Possible redevelopment alternatives include:

- Accept the Woods Hole recommendation of grade transitions as private seawalls are raised due to redevelopment or code related deficiencies (see item 3 below). Grade changes would have to meet ADA requirements. This requires the property owner to raise both the grades adjacent to the seawall and the Lake Trail elevation when the adjacent seawall is raised. Staff should develop renderings at typical locations to help the community visualize the impacts of these transitions.
- The Town raises the privately owned seawalls, the surrounding grades and the Lake Trail by assessment to the adjacent property owners. Town owned sections would be constructed at the expense of all of the tax payers of the Town.
- The Town raises the seawalls, the surrounding grades and the Lake Trail at the expense of all of the tax payers of the Town.

3. An amendment to the Code of Ordinances is recommended to establish more robust maintenance and certification standards of all bulkheads and seawalls. Condition surveys and corrective repairs to address bulkheads or seawalls in disrepair are included for citations and Code Enforcement Board actions, as well as certification and re-certification requirements. **The property owner would be required to raise the seawall elevation if 25% of the existing wall length is in need of repair.** Table 10 of the report includes suggested text revisions to the Ordinance Sec. 62-77.

Staff Recommendation: This is a significant change and staff recommends approval.

4. Neighborhood-scale flood control systems may be beneficial in completion of the higher standards proposed, and may be efficient and effective in delivering these infrastructure changes systematically by the Town rather than incrementally by individual property owners. To provide flexibility for such actions, the Town should consider amending the Code of Ordinances (Chapter 90, Article II, Division 5 – Municipal Services District) to include “Coastal Flood Control” in the list of services, programs, and improvements that the entity is authorized to provide. These changes should be reflected in an amendment to the Comprehensive Plan since there are multiple sections of Division 5 that would need to be modified.

Thirteen (13) potential neighborhood-scale flood control units are shown in Figure 8 of the report. Prioritization criteria should be developed to address phasing, risk mitigation, and cost effectiveness for these flood control units.

Staff Recommendation: Staff recommends that we work with a consultant to develop priorities, refine scope, and develop preliminary costs. At that point, The Town Council could consider how these projects would be funded and when they may be implemented.

5. It is recommended that in the near-term, the Town should conduct a high-resolution survey of shoreline infrastructure to better inform planning of potential flood control system alignments, to include the top elevations of shoreline structures, adjacent grades, and condition ratings.

Staff Recommendation: Staff to investigate alternatives and present to Town Council. Include in FY 2023 budget.

6. Storm surge barriers at the Lake Worth Inlet should be considered to mitigate coastal flooding of Lake Worth shoreline due to Atlantic Ocean storm surge passing through the inlet. This would be a major infrastructure undertaking and would involve a large and multi-jurisdictional group of stakeholders. U.S. Army Corps of Engineers (USACE) has constructed such storm surge barriers elsewhere, and a Coastal Storm Risk Management (CSRM) feasibility study would be necessary to pursue this type of initiative. The Town should take the following steps towards obtaining a CSRM feasibility study: (1) Conduct preliminary evaluation using PB-FRM model to determine effectiveness of a surge barrier at the inlet and (2) Conduct regional outreach with all stakeholders to introduce the concept and discuss potential roles and (3) Engage federal and state elected officials to raise awareness of the study and potential benefits and request legislative support and funding and (4) Support the submittal of feasibility study proposal by the Project Sponsor to USACE for inclusion in their annual report to Congress and (5) Advocate with elected officials for feasibility study authorization and appropriations, and grant support.

Staff Recommendation: Staff recommends that we retain a consultant to outline the process and cost to implement this mitigation alternative. The consultant should also address the probability of success before any final decisions are made.

7. Lake Worth water level monitoring would be very beneficial in documenting local water level information. Only one active NOAA tide gauge is present in the area at the Lake Worth Pier, and doesn't directly reflect water levels experienced within the Lake Worth Lagoon. It is recommended that the Town contact the Center for Operational Oceanographic Products and Services (CO-OPS) stakeholder services branch to explore options for water level monitoring. It may be possible for the Town to partner with other local stakeholders and commercial/government interests in pursuing accurate water level information. Alternative technologies for collecting water level measurements are also evolving rapidly and may offer lower-cost options and allow for more locations to be measured (e.g. at bridge locations, etc.). It is recommended that a water-level monitoring program be developed to include both the NOAA and alternative options.

Previous Town Council Direction: Staff to investigate alternatives and present to Town Council. Include in FY 2023 budget.

C. Floodplain Development

Objective: Improve the safety of buildings and their occupants from future coastal flooding

Recommendations:

1. The Town should consider a more stringent definition of substantial improvement and substantial damage over a longer cumulative time and at a lower percent of market value threshold to increase the speed at which existing buildings are brought into compliance with higher standards for flood-resistant construction. These higher standards are recommended to be any substantial improvements over a ten (10) year period and cumulative cost of 25% or greater of the market value, or for any substantial damage that exceeds 25% of the market value. Table 11 of the report includes suggested text revisions to the Ordinance Sec. 18-232 (Ref: Code of Ordinances, Chapter 18, Article IV, Division 1). Note that these recommended amendments would earn the Town additional CRS credit points.

Staff Comment: Staff recommends a slight increase of the cumulative period to two (2) years, but no change to the 50% value threshold in use today. This topic will be addressed at a future meeting.

2. Higher elevation requirements for non-residential structures and non-residential areas of mixed use structures should be set, than the minimum requirements in the 2020 Florida Building Code (FBC) 7TH Edition Buildings. Amendments to the FBC should be coordinated with the Florida Department of Emergency Management (FDEM) before any first reading of a revised Ordinance. Table 12 of the report includes suggested text revisions to the ordinance Sec. 18-244 (Ref: Code of Ordinances, Chapter 18, Article IV, Division 2). Note that these recommended amendments would earn the Town additional CRS credit points.

Staff Comment: Staff recommends BFE, plus 2 feet. This topic will be addressed at a future meeting.

3. Higher elevation requirements for residential structures should be set than the minimum requirements in the 2020 Florida Building Code (FBC) 7TH Edition Buildings. Amendments to the FBC should be coordinated with the Florida Department of Emergency Management (FDEM) before any first reading of a revised Ordinance. Table 13 of the report includes suggested text revisions to the Ordinance Sec. 18-244, R322.2.1 and R322.3.2 (Ref: Code of Ordinances, Chapter 18, Article IV, Division 2). Note that these recommended amendments would earn the Town additional CRS credit points. Also note that a related topic is the modification of residential zoning to limit the height of fill that can be used to meet minimum elevation requirements (i.e., half the distance from the crown of the road to the first habitable floor level); this is intended to mitigate stormwater runoff impacts to neighboring properties.

Staff Comment: Staff recommends BFE, plus 2 feet. This topic will be addressed at a future meeting.

4. Building heights should be defined in reference to the minimum flood elevation, and the zero datum for the purposes of calculating building height for new construction and substantial improvements should be defined in all districts to include the term “or the minimum flood elevation as defined in Sec. 134-2 of the Code.” A definition for the term “minimum flood elevation” should be added to this section to clarify that it includes the base flood elevation plus freeboard heights required in Chapter 18 as applied to flood hazard areas in Chapter 50. Such a potential definition is “the minimum elevation requirements defined in Chapter 18 for new construction or substantial improvements, applicable within flood hazard areas defined in Chapter 50”. It is also noted that this term should be consistently used and referenced across the building height definitions, throughout Chapter 134 and, if needed, in Chapter 50.

Staff Comment: Staff recommends approval, at BFE, plus 2 feet. This topic will be addressed at a future meeting.

5. Flood hazard areas are those within which floodplain management regulations and flood-resistant construction standards of the FBC (as amended) apply in Town. Those flood hazard areas should be expanded to include areas lower than the base flood elevation plus the minimum freeboard height adopted in Chapter 18 elevation requirements. This will require that new development and substantial improvements meet a consistent minimum standard of flood-resistance, regardless of whether they are located within the present FEMA 100-year floodplain boundary or just beyond it. Table 14 of the report includes suggested text revisions to the Ordinance Sec. 50-38 (Ref: Code of Ordinances, Chapter 50, Article II, Division 2). Note that cross references between Chapter 18 and Chapter 50 need to be reviewed and verified, to identify where the FBC is referenced and amended, to also reference Chapter 18 amendments to the FBC (i.e., “this chapter is intended to be administered and enforced in conjunction with the Florida Building Code, as amended in Chapter 18). Expanding the area of special flood hazards can increase the CRS credit points.

Staff Comment: Staff recommends approval, at BFE, plus 2 feet. This topic will be addressed at a future meeting.

D. Comprehensive Planning

Objective: Integrate future coastal flood risk mitigation with other Town planning, policy, and infrastructure funding priorities.

Recommendations:

1. The Town should consider amending the Future Land Use Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Lake Worth Shoreline and Floodplain Development. The Executive Summary should be updated and expanded for the Provision of Public Services section, and the Development of Coastal and Flood-Prone Areas section, per the recommendations in the report. Table 15 of the report includes recommended changes in the Objectives and Policies for the Future Land Use Element.

Staff Comment: Staff recommends approval.

2. The Town should consider amending the Transportation Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Town Facilities and Infrastructure and Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Regionally Significant Roadways section, and the Existing System Deficiencies section, per the recommendations in the report. A discussion of adaptation strategies affecting transportation rights-of-way should also be included. Table 16 of the report includes recommended changes in the Objectives and Policies for the Transportation Element.

Staff Comment: This topic will be addressed at a future meeting.

3. The Town should consider amending the Infrastructure Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Town Facilities and Infrastructure and Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Sanitary Sewer Services and Drainage section, and a new Coastal Flood Control section should be added, per the recommendations in the report. Table 17 of the report includes recommended changes in the Goals, Objectives and Policies for the Infrastructure Element. [Note that this is where design storm criteria and level of service are referenced.]

Staff Comment: This topic will be addressed at a future meeting.

4. The Town should consider amending the Coastal Management/Conservation Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Town Facilities and Infrastructure and Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Floodplains section, the Comprehensive Coastal Management Plan section, the Remedies for Existing Pollution section, the Infrastructure and Natural Disaster Planning section, and a new Adaptation Action Areas section should be added, per the recommendations in the report. Table 18 of the report includes recommended changes in the Objectives and Policies for the Coastal Management/Conservation Element.

Staff Comment: This topic will be addressed at a future meeting.

5. The Town should consider amending the Intergovernmental Coordination Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objective for Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Analysis section, the Transportation Element section, the Infrastructure Element section, the Coastal Management/Conservation Element section, and the Capital Improvements section, per the recommendations in the report. The Intergovernmental Coordination Matrix should be updated to include Lake Worth Coastal Flood Mitigation in the list of program work tasks and the USACE in the list of governmental entities. Table 19 of the report includes recommended changes in the Goals, Objectives and Policies for the Intergovernmental Coordination Element.

Staff Comment: This topic will be addressed at a future meeting.

6. The Town should consider amending the Capital Improvements Element of the Comprehensive Plan to integrate the findings and recommendations from the previous objectives for Town Facilities and Infrastructure and Lake Worth Shoreline. The Executive Summary should be updated and expanded for the Capital Improvements Program Project Descriptions section, per the recommendations in the report. Table 20 of the report includes recommended changes in the Objectives and Policies for the Capital Improvements Element. [Note that this is also where design storm criteria and level of service are referenced.]

Staff Comment: This topic will be addressed at a future meeting.

Town staff recommends that the Town Council review the suggestions and provide policy guidance and direction as to priority of given tasks and desired timeline for future consideration of those tasks.

FUNDING/FISCAL IMPACT:

There would be an impact to the budget for public property projects, resulting consultant actions, and private property impacts would be borne by those property owners.

cc: John Randolph, Town Attorney
Jay Boodheshwar, Deputy Town Manager
Eric B. Brown, P.E., Assistant Director of Public Works/Operations
Patricia Strayer, Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Dean Mealy, Purchasing Manager
Rob Weber, Coastal Program Manager

Table 2 Recommended interim Design Flood Elevations (DFEs) for Town facilities.

End-of-Service Time Horizon	Design Flood Elevation	Typical Project/Asset Type
2021-2040	FEMA BFE + 1 ft	Maintenance; Electrical Panel
2041-2060	FEMA BFE + 2 ft	Rehabilitation; Emergency Generator, HVAC System, Pump, Deployable Flood Barriers
2061-2070	FEMA BFE + 3 ft	New Construction/Substantial Improvement; Building, Seawall

Table 3 Risk-based prioritization of assets in the 5-year capital plan.⁷

Asset	Probability (Present)	Probability (Future)	Asset Value	Risk Score (Present)	Planned Improvement Year
G-7 WPS*	10%	>20%	60	6.0	2021
D-12 SPS (Building)	5%	>20%	70	3.5	2022
D-6 SPS (Building)	5%	>20%	67	3.4	2025
A-42 WPS*	5%	>20%	60	3.0	2023
E-6 WPS	3%	20%	70	2.1	2022

Asset	Probability (Present)	Probability (Future)	Asset Value	Risk Score (Present)	Planned Improvement Year
E-5 WPS*	3%	20%	63	1.9	2022
A-43 WPS*	3%	>20%	60	1.8	2023
Town Hall*	2%	20%	73	1.5	2025
D-12 SPS (Wet Well)	2%	10%	70	1.4	2021
A-39 WPS*	2%	>20%	70	1.4	2023
D-17 SPS	2%	10%	57	1.1	2023-2024
Police*	1%	10%	80	0.8	2023/4
A-6 WPS	1%	10%	73	0.7	2021
Central Fire*	1%	10%	73	0.7	2022
D-8 SPS	1%	10%	63	0.6	2022
South Fire*	1%	10%	53	0.5	2022
S-2 WPS	0.5%	5%	90	0.5	2021-2025
North Fire*	0.5%	5%	70	0.4	2024-2025
A-5 WPS	1%	5%	60	0.3	2024

⁷ WPS stands for Wastewater Pump Station, and SPS stands for Stormwater Pump Station. Probability and risk score data for assets marked with an asterisk should be further verified, as engineering plans for planned capital improvements were not available for review at the time of this report.

Table 4 Recommended near-term adaptations and interim DFEs for Town facilities.⁸

Asset	Recommended Adaptation Measures	Interim DFE
G-7 WPS*	Raise electrical/controls equipment to be replaced	FEMA BFE + 2 ft
D-12 SPS (Building)	Dry floodproof with deployable barriers, conduit sealant; evaluate/reinforce wall strength if needed; raise radiators and associated wall openings	FEMA BFE + 2.5 ft
D-6 SPS (Building)	Raise proposed main disconnect and existing 30KVA transformer	FEMA BFE + 2 ft
A-42 WPS*	Raise electrical/controls equipment to be replaced	FEMA BFE + 2 ft
E-6 WPS	Raise electrical/controls equipment to be replaced, raise or dry floodproof odor control enclosure	FEMA BFE + 2 ft
E-5 WPS*	Raise electrical/controls equipment to be replaced, new radiators and associated wall openings	FEMA BFE + 2 ft
A-43 WPS*	Raise electrical/controls equipment to be replaced	FEMA BFE + 2 ft
Town Hall*	Dry or wet floodproof	FEMA BFE + 2.5 ft
D-12 SPS (Wet Well)	Extend pump electrical gear wall, raise electrical panels, provide higher access if needed	FEMA BFE + 2.5 ft
A-39 WPS*	Raise electrical/controls equipment to be replaced	FEMA BFE + 2 ft
D-17 SPS	Raise electrical/controls equipment to be replaced	FEMA BFE + 2.5 ft
Police*	Dry or wet floodproof	FEMA BFE + 2.5 ft
A-6 WPS	Raise proposed equipment	FEMA BFE + 2.5 ft
Central Fire*	Dry or wet floodproof	FEMA BFE + 2.5 ft
D-8 SPS	Raise proposed air-cooled radiators, pump control panel	FEMA BFE + 2.5 ft
South Fire*	Dry or wet floodproof, or perimeter barrier	FEMA BFE + 2.5 ft
S-2 WPS	Dry or wet floodproof	FEMA BFE + 2.5 ft
North Fire*	Elevate building	FEMA BFE + 4 ft

⁸ WPS stands for Wastewater Pump Station, and SPS stands for Stormwater Pump Station.

Recommended measures and suggested interim DFEs for assets marked with an asterisk should be further verified, as engineering plans for planned capital improvements were not available for review at the time of this report.

Table 5 **Relative sea level rise projections for Palm Beach required by Florida Statutes.¹⁰**

Sea Level Rise Scenario	Intermediate-Low	Intermediate-High
2040	0.7 ft	1.4 ft
2070	1.3 ft	3.3 ft

Table 6 Other Town assets at present risk of flooding based on PB-FRM.¹¹

Stormwater	Wastewater			Recreation
D-18*	E-15*	E-17*	G-1	Rec Center*
D-6*	E-50*	E-18*	A-7*	Par 3 Maintenance*
D-7*	E-9*	E-20*	E-1	Phipps North Restrooms*
D-14*	E-10*	E-22*	E-2	Chilean Ave Restrooms*
D-2*	E-12*	E-23*	E-13	Phipps South Restrooms*
D-4*	E-14*	A-41*	S-2	Par 3 ProShop*
D-9*	E-16*	E-19*	A-5*	Memorial Fountain*
D-16*	E-4*	E-3	E-24*	
D-17 (Generator)	E-7*	E-21*	E-25*	
D-10*	E-8*	E-38*	E-44*	
	E-11*	E-40*		

Table 7 Town assets at future risk of flooding based on PB-FRM.¹²

Wastewater			
G-9*	A-4 (Building)*	E-27*	A-4 (Wet Well)*

¹¹ Probability and risk score data for assets marked with an asterisk should be further verified, as engineering plans for planned capital improvements were not available for review at the time of this report.

¹² Probability and risk score data for assets marked with an asterisk should be further verified, as engineering plans for planned capital improvements were not available for review at the time of this report.

Table 8 Higher standards for bulkhead construction on Lake Worth - modifications.

Existing	Recommended
(d) <i>Elevation of top.</i> The top of bulkheads or cutoff walls shall be governed by sound engineering recommendations, and the same shall be approved by the town engineer. ... (k) <i>Profiles with application.</i> If in the construction of any structure covered in this section is made, such application must be accompanied by a profile taken along the line of the proposed structure, such profile to show the character of materials encountered to elevations of required penetrations. (l) <i>Plans.</i> All plans accompanying applications for structures covered in this section must be prepared by, or in collaboration with, a civil engineer licensed to practice in the state. ...	(d) <i>Elevation of top.</i> The top of bulkheads or cutoff walls shall be at an elevation not lower than the base flood elevation plus two feet.¹³ Foundations shall be designed with sufficient structural capacity to enable the top elevation to be raised an additional two feet without requiring full reconstruction. (k) <i>Permit applications.</i>¹⁴ [consolidating and expanding upon (k) and (l)] All permit applications shall include the following information: 1) Engineering plans signed and sealed by a Professional Engineer licensed in the State of Florida. 2) A Standard Penetration Test (SPT) soil boring report containing the required soil design parameters for the location of the proposed wall prepared by a geotechnical engineer licensed in the State of Florida. The location and required depth of the boring shall be determined by the geotechnical engineer. The depth of the boring shall be a minimum of five (5) feet lower than the deepest component of the proposed bulkhead wall. 3) A soil boring profile signed and sealed by the geotechnical engineer. 4) A plan view of the proposed bulkhead wall clearly indicating the location of the soil boring. 5) A cross section of wall indicating the channel bottom elevation, the cap elevation and identifying the type, size, and location of wall components.

¹³ Alternatively, a lower top elevation could be set. North Palm Beach sets the minimum cap elevation for bulkheads in Lake Worth at 5 ft NAVD88 and the maximum cap elevation at the FEMA BFE, subject to approval by key staff. Fort Lauderdale sets the minimum seawall elevation for properties with a FEMA BFE of 4 ft NAVD88 at 3.9 ft NAVD88 and the maximum seawall elevation at 5 ft NAVD88 (FEMA BFE + 1 ft), and it strongly encourages "property owners choosing to construct seawalls at less than 5 ft NAVD88... to have foundations designed to accommodate a future seawall height extension up to a minimum elevation of 5 ft NAVD88." Miami Beach sets a minimum elevation for seawalls at 5.7 ft NAVD88 (well below FEMA BFE in most parts of the City), with allowances for certain circumstances in which a minimum elevation of 4 ft NAVD88 is acceptable provided the structure is designed and constructed to accommodate a future extension to 5.7 ft NAVD88.

¹⁴ Modified from North Palm Beach, FL Code of Ordinances

Existing	Recommended
(n) <i>Inspection.</i> The town or authorized agent has the right at all times to inspect work being done under this section. ...	6) Fundamental soil data from the soil boring used in the design including saturated and submerged unit soil weight, coefficient of active pressure, coefficient of passive pressure, friction angle (for cohesionless soils), and cohesion (for cohesive soils). 7) Documentation demonstrating that concrete satisfies the requirements of ACI 318 Exposure Class C2. 8) Plans demonstrating that exposed steel tie back anchor rods and other anchors shall be coated with a heavy-duty protective coating to prohibit corrosion. 9) A copy of the pollution control plan required by the Florida Department of Environmental Protection (FDEP) permit depicting the location and types of pollution control mitigation measures. During the course of construction, the permittee shall be required to submit to the Town all reports required by the National Pollutant Discharge Elimination System (NPDES) permit prior to the Town's issuance of a certificate of occupancy. (n) Inspection. The town or authorized agent has the right at all times to inspect work being done under this section. The permittee shall notify the town at least forty-eight (48) hours prior to the following events to allow for inspection: 1) the first installation of any structural support; 2) the backfilling of structural supports, including any anchors or tie rods; 3) the pouring of any cast-in-place construction; and 4) the final cap pouring.

Table 9 Higher standards for bulkhead construction on Lake Worth - additions.

Recommended Additions
(p) <i>Flood design requirements.</i>¹⁵ The design of bulkhead walls shall conform to recognized engineering standards and calculation methods for coastal flood mitigation, erosion control, and land retention structures and shall account for the following: 1) A design flood equivalent to the base flood plus two feet; 2) Load and resistance factors applicable for the engineering analysis and design of the wall; 3) Differential hydrostatic pressure due to tides and stormwater runoff; 4) Surcharge loads on the bulkhead wall; 5) Potential erosion at the toe of the wall; and 6) Backflow prevention for drainage outfalls, where applicable. (q) <i>Caps.</i>¹⁶ All bulkheads shall be capped with a continuous reinforced concrete cap. Caps placed at an elevation greater than the adjacent property shall provide a wall return of the same material and type as the bulkhead cap. All areas visible from adjacent property shall have a finished appearance equivalent to or better than painted concrete stucco. (r) <i>Adjoining bulkheads.</i>¹⁷ To the extent practicable, bulkheads shall be designed and constructed to adjoin immediately proximate bulkheads to close gaps and prevent trespass of tidal surface water. (s) <i>Elevation of adjacent grade.</i> For the purposes of this section, adjacent grade shall mean the area of land within a 15-foot¹⁸ setback from the east face of the bulkhead wall, or, where the Lake Trail is present, between the east face of the bulkhead wall and the eastward limit of the

¹⁵ Modified from North Palm Beach, FL Code of Ordinances

¹⁶ Modified from North Palm Beach, FL Code of Ordinances

¹⁷ Modified from Miami Beach, FL Code of Ordinances

¹⁸ Alternatively, a larger setback could be specified.

Recommended Additions

Lake Trail right-of-way¹⁹. Except as provided in (u), adjacent grade shall be backfilled and graded to an elevation no lower than 30 inches below the proposed top of bulkhead elevation. Fill placed on the lot to comply with the requirements of this section shall be excluded from limitations and calculations of allowable fill imposed by other sections of this code.

(t) *Accessibility of adjacent grade.* The portions of adjacent grade within the Lake Trail right-of-way shall be graded as an accessible path of travel, as defined in the Florida Building Code.

(u) *Adjacent grade between adjoining properties.* The Town may grant a temporary waiver of the elevation of adjacent grade requirements in (s), following the process and conditions described in section (v) only for the minimum adjacent grade area required to:

- 1) maintain an accessible path of travel along the Lake Trail where transitioning to existing grade at adjoining side property lines or public ways; or
- 2) meet the existing grade of adjoining side property lines where the Lake Trail is not present and accessibility is not required.

(v) *Process and conditions for a temporary waiver of adjacent grade elevation requirements.* A coordination meeting will be held by the Town Engineer with the bulkhead or seawall owner and adjoining property owners prior to the issuance of any waivers to determine whether there are mutually agreeable alternatives to the granting of a waiver²⁰. If no alternative is agreed, the Town Engineer may grant a separate temporary waiver with conditions to the bulkhead or seawall owner for each portion of adjacent grade that does not meet the requirements of (s). Each waiver shall expire 30 days²¹ after the bulkhead or seawall on the adjoining property to which the subject adjacent grade is connected is reconstructed to meet the standards of this section. As a condition of granting a temporary waiver under this section, the Town shall require the bulkhead or seawall owner to provide the Town with a separate temporary easement over each portion of adjacent grade covered by a waiver. The term of each easement shall be set to expire no later than 30 days²² after the issuance of a certificate of occupancy for the adjoining property's bulkhead to be replaced in the future. The temporary easement shall grant the Town the right to backfill, grade, pave, and landscape the subject adjacent grade to

¹⁹ Alternatively, the limits could be set at the westward and eastward limits of the Lake Trail right-of-way.

²⁰ For example, an adjoining property owner may agree to extend the construction limits onto their property to enable a more desirable grading and vista outcome for both property owners.

²¹ Alternatively, a longer or shorter period could be specified. The general idea is to put a time limit on the waiver so that either the Town or the bulkhead or seawall owner will be incentivized to coordinate a smoothing of grades and vistas once the adjoining project is under construction. If the waiver expires before the adjacent grade condition is corrected to comply with the vista requirement, penalties could start to accrue daily.

²² Alternatively, a longer or shorter period could be specified. The term of the easement should coincide with the term of the waiver.

Recommended Additions

bring it to an elevation no lower than 30 inches below the top of bulkhead elevation²³. The Town Engineer²⁴ is authorized by this section to procure construction services and levy an assessment against the bulkhead or seawall owner for the backfilling, paving, and landscaping of adjacent grade over which such a temporary easement is held²⁵. The terms of waivers and temporary easements granted under this section may be extended if agreed out of mutual convenience by the Town Engineer and property owner. The Town Engineer is hereby authorized to extend the terms of such waivers and easements on behalf of the Town for a period no longer than 90 days²⁶ beyond the initial terms. In no case shall the Town Engineer grant a temporary waiver to a bulkhead or seawall owner for the portion of adjacent grade where transitioning to an adjoining property where a bulkhead or seawall has already been constructed to the specifications of this section²⁷.

Table 10 Higher standards for bulkhead maintenance on Lake Worth.

Existing	Recommended ²⁹
All bulkheads and seawalls within the town shall be maintained in good condition to provide for the protection of upland and foreshore properties, limit wave overtopping, and be impervious without cracks or holes that would allow for the passage of sand. Failure to maintain a bulkhead or seawall in good condition shall be a violation of this section and subject to action before the town's code enforcement board. When cited by the town's code enforcement board a condition survey of any seawall or bulkhead prepared by a professional engineer licensed to practice in the state along with plans required to implement the engineer's recommendation to bring the structure into compliance shall be submitted to the town. Upon project completion, certification by a professional engineer licensed to practice in the state must be submitted to the town. Recertification of the seawall by a professional engineer licensed to practice in the state shall be required every 15 years from the date of the original certification. A condition survey of any seawall or bulkhead prepared by a professional engineer licensed to practice in the state along with plans required to implement the engineer's recommendation for repair or replacement shall be submitted to the town when a new building is proposed or when renovations exceeding 50 percent of the value of the primary structure are proposed. Upon project completion certification by a professional engineer licensed to practice in the state must be submitted to the town. Recertification of the seawall by a professional engineer	(a) All property owners must maintain their bulkheads and seawalls in good repair to provide for the protection of upland and foreshore properties. A bulkhead or seawall is presumed to be in disrepair if: 1) it has cracks, holes, or other structural deficiencies that would allow for upland erosion through the bulkhead or seawall; 2) allows unsafe, dangerous, or damaging wave overtopping; or 3) allows tidal waters to flow through or over the bulkhead or seawall to adjacent properties or public right-of-way at levels below the minimum top elevation specified in Sec. 62-75. (b) Property owners failing to maintain their bulkheads or seawalls in good repair or failing to (re)certify them in accordance with the schedule set forth in (c) shall be in violation of this section and subject to action before the town's code enforcement board. 1) Within sixty (60) days of receiving a citation from the town's code enforcement board, the owner of the property on which the bulkhead or seawall is constructed shall submit to town a condition survey of the structure prepared by a professional engineer licensed to practice in the state along with plans required to implement the engineer's recommendation to correct the disrepair shall be submitted to the town. 2) The property owner shall complete the repair within seven hundred thirty (730) days³⁰ of receipt of citation. 3) If the required repair meets the substantial repair threshold in (d), the

²⁹ Modified from Fort Lauderdale, FL Code of Ordinances and Miami Beach, FL Code of Ordinances.

³⁰ Miami Beach allows 730 days to comply from the date of citation.

Existing	Recommended ²⁹
licensed to practice in the state shall be required very 15 years from the date of the original certification.	property owner shall repair or replace the bulkhead or seawall to meet the minimum construction specifications in Sec. 62-75. 4) Upon project completion, certification by a professional engineer licensed to practice in the state must be submitted to the town. c) Recertification of bulkheads and seawalls by a professional engineer licensed to practice in the state indicating that the structure is in a state of good repair shall be required every 10 years from the date of the original certification, or [date this ordinance is updated], whichever is later. (d) Bulkhead or seawall improvements constituting substantial repair at the time of permit application shall meet the construction specifications in Sec. 62-75 for the continuous bulkhead or seawall for the length of the property. For the purposes of this section, the substantial repair threshold shall mean: 1) Any improvement to the bulkhead of more than twenty-five percent (25%)³¹ of the length of the structure, including both the bulkhead and cap; or 2) Any improvement to the bulkhead which results in an elevation change along more than twenty-five percent (25%)³² of the length of the structure. (e) A condition survey of any seawall or bulkhead prepared by a professional engineer licensed to practice in the state, indicating that the structure is in compliance with the minimum construction specifications in Sec. 62-75 for the continuous bulkhead or seawall for the length of the property or with plans

³¹ Alternatively, a higher percent value could be specified.

³² Alternatively, a higher percent value could be specified.

Existing	Recommended ³³
	required to implement the engineer's recommendation for repair or replacement to bring the structure into compliance, shall be submitted to the town when new construction or substantial improvement, as defined in Sec. 18-232, to the primary structure are proposed. 1) Upon project completion, certification by a professional engineer licensed to practice in the state must be submitted to the town. (d) Property owners with permeable erosion barriers such as rip rap, or a land/water interface of another nature on the Lake Worth shoreline shall maintain their land/water interface so as not to allow tidal waters to cross through or over their land/water interface to adjacent properties or public right-of-way at levels below the minimum top elevation specified in Sec. 62-75. Property owners failing to meet this maintenance standard shall be a violation of this section and subject to action before the town's code enforcement board. 1) Within sixty (60) days of receiving a citation from the town's code enforcement board, the owner of the property on which the violation occurred shall submit to town a condition survey of the land/water interface prepared by a professional engineer licensed to practice in the state along with plans required to implement the engineer's recommendation to bring the property into compliance.³³ 2) The property owner shall complete the repair within seven hundred thirty (730) days of receipt of citation.

³³ The Town could state an explicit preference for soft, natural, or nature-based coastal flood mitigation infrastructure on shorelines where no bulkheads or seawalls are present.



Ownership

■ Town
 ■ ROW Easement
 ■ Private
 ■ State

Figure 8 Potential neighborhood-scale flood control units and system alignments. These “flood control units” are not intended to align with the traditional Coastal Program shoreline “Reaches.”

Table 11 Higher standards for substantial improvement and substantial damage.

Existing	Recommended
<i>Substantial improvement.</i> Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. For each building or structure, the one-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to (see Note). If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed...	<i>Substantial improvement.</i> <i>[For the purposes of determining compliance with the flood provisions of this code,]</i> Any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a 10-year period⁵⁰, the cumulative cost of which equals or exceeds 25 percent⁵¹ of the market value of the building or structure before the improvement or repair is started. For each building or structure, the one-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to (see Note). If the structure has incurred "substantial damage," any repairs are considered substantial improvement regardless of the actual repair work performed...
(FBC 7th Ed.) <i>Substantial damage.</i> Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.	<i>Substantial damage.</i> <i>[For the purposes of determining compliance with the flood provisions of this code,]</i> Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 25 percent of the market value of the structure before the damage occurred.

⁵⁰ Alternatively, the Town could adopt a 5-year period and earn half as many additional CRS credit points.

⁵¹ The Town could adopt any percentage lower than 50% and earn the same number of CRS credit points. Alternatively, the Town could base substantial improvement determinations based on a threshold of more than 25% of the building's lowest floor square footage, for less CRS credit points.

⁵² Town of Palm Beach Comprehensive Plan 2017.

Table 12 Higher standards for Buildings elevation requirements.

Existing	Recommended
(FBC 7 th Ed.)	The following sections of the Florida Building Code – Buildings are hereby amended as follows:
1612.4 Design and construction. The design and construction of buildings and structures located in flood hazard areas, including coastal high hazard areas and Coastal A Zones, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24.	1612.4.3 Modifications of ASCE 24 – Elevation Requirements. Table 2-1, Table 4-1, Table 5-1, Table 6-1, and Table 7-1 shall be modified as follows:
1612.4.1 Modification of ASCE 24. ...	1. The minimum elevation requirements for Flood Design Class 2, Flood Design Class 3, and Flood Design Class 4 buildings and structures shall be to or above the base flood elevation plus three (3) feet. ^{54, 55}
1612.4.2 Modification of ASCE 24 9.6 Pools. ...	

Table 13 Higher standards for Residential elevation requirements.

Section and Parameter	Palm Beach Code of Ordinances	7 th Edition FBC	Recommended Future Technical Amendment ⁵⁶
R322.2.1 Elevation requirements			
Lowest floor - in flood hazard areas not designated as Coastal A Zones	BFE + 6 inches	BFE + 1 foot	BFE + 3 feet
Lowest floor - in Coastal A Zones	BFE + 1 foot	BFE + 1 foot	BFE + 3 feet
Lowest floor (including basement) – in areas of shallow flooding (AO Zones)	At least as high above the highest adjacent grade as the depth number specified in feet on the FIRM + 6 inches, or at least 2.5 feet if a depth number is not specified	Height above highest adjacent grade of not less than the depth number specified in feet on the FIRM + 1 foot, or not less than 3 feet if a depth number is not specified	<i>Recommend deleting as there are presently no AO Zones in Palm Beach</i>
Basement floors that are below grade on all sides	To or above the BFE + 6 inches	To or above BFE + 1 foot	To or above BFE + 3 feet
R322.3.2 Elevation requirements			
Lowest horizontal structural members supporting the lowest floor (with certain exceptions) - in coastal high-hazard areas and Coastal A Zones	BFE + 6 inches	BFE + 1 foot	BFE + 3 feet

⁵⁶ Alternatively, the Town could set lower elevation requirements to BFE + 2 ft, or not less than 4 ft if depth number is not specified.

Table 14 Higher standards for establishing flood hazard areas.

Existing	Recommended
To establish flood hazard areas and base flood elevations, pursuant to division 5 of this article the floodplain administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations: (2) Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this chapter and, as applicable, the requirements of the Florida Building Code. (3) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.	To establish flood hazard areas and minimum flood elevations, pursuant to division 5 of this article the floodplain administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations: (2) Are below the closest applicable base flood elevation plus three (3) feet⁵⁷, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this chapter and, as applicable, the requirements of Chapter 18. (3) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the special flood hazard area.

⁵⁷ The freeboard height referenced should be the same as is adopted in Sec. 18-244 elevation requirements. As alternatives to the recommended 3 feet freeboard height, this section could reference varying freeboard heights by Flood Design Class in ASCE 24 or reference a lower freeboard height (e.g., + 2 ft).

Table 15 Recommended changes to Future Land Use Element Objectives and Policies.⁵⁸

Future Land Use Element	The purpose of the Future Land Use Element is to designate future land use patterns as reflected in the goals, objectives, and policies of the other Comprehensive Plan Elements.
Goal 1	To maintain the Town's unique identity and its high quality of life through the efficient distribution of compatible land uses.
Objective 2	Maintain the character of the Town as a predominantly residential community having only the type and amount of businesses and other support services necessary to meet the needs of Town residents.
Policy 2.1.1	Where essential services are indicated as an appropriate use, essential services shall include public utility facilities related to water supply, telephone (excluding wireless telecommunication facilities), cable television, gas, electrical distribution systems and town-owned services such as sanitary sewer, stormwater drainage, <i>coastal flood control</i> , and solid waste collection and disposal systems, including any necessary appurtenant structures serving the Town.
Objective 3	Development order or permits for <i>new construction or substantial improvement</i> shall be issued for construction in the <i>flood hazard area (as defined in the Town of Palm Beach Code of Ordinances Ch. 50), coastal high hazard area, or Lake Worth shoreline only if they meet the flood-resistant construction requirements of the Florida Building Code, as amended by the Town of Palm Beach Code of Ordinances (Ch. 18); comply with the Town's Floodplain Management Ordinance; and, as applicable to parcels abutting Lake Worth, meet the bulkhead and seawall construction, maintenance, and certification requirements in the Town of Palm Beach Code of Ordinances (Ch. 62).</i>
Policy 3.1	Prior to the issuance of a development order or permit, the Town shall make and record the following determinations: a. The proposed <i>new construction or substantial improvement</i> meets or exceeds <i>the flood-resistant construction requirements of the Florida Building Code, as amended by the Town of Palm Beach Code of Ordinances (Ch. 18)</i> b. <i>The proposed new construction or substantial improvement complies with the Town's Floodplain Management Ordinance (Palm Beach Code of Ordinances Ch. 50).</i> c. <i>(If applicable) All bulkheads or seawalls of the parcel abutting Lake Worth on which the proposed new construction or substantial improvement is located comply with the construction, maintenance, and certification requirements in the Town of Palm Beach Code of Ordinances (Ch. 62).</i>

⁵⁸ Text of recommended changes or additions is italicized and bright green.

Objective 5	Development orders and permits for new development or redevelopment, or building permits for developments that have been issued development orders prior to the adoption of the Comprehensive Plan, shall be issued only if public facilities and services necessary to meet the Town's adopted level of service standards are available concurrent with the impacts of the development.
Policy 5.2	In order to ensure the availability of public facilities and services necessary to support development concurrent with its impacts, prior to the issuance of a development order or permit, the Town shall make and record the following determinations: a. Flooding will not occur during a one-year storm for systems served by pumping stations or during a three-year storm for systems with gravity outfalls, and the minor flooding associated with a five-year storm shall be carried off within sixty minutes. <i>(Consider referencing a specific data source, storm duration, and precipitation depth: "during a 2-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> b. Negative impacts of stormwater discharge upon water quality in Lake Worth are ameliorated by the retention of the first two inches of rainfall prior to discharge into the Town system; or, the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater; <i>(Consider referencing a specific data source and precipitation depth: "for a 3-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> k. <i>Coastal flood waters will not substantially damage critical Town-owned facilities during a 100-year flood accounting for projected Intermediate-High sea level rise over the service life of the assets.</i> l. <i>Coastal flood waters will not pass through or over coastal flood control structures, constructed or permitted by the Town, during a 100-year flood accounting for projected Intermediate-High sea level rise over the service life of the structures.⁵⁹</i>
Objective 8	The Town shall protect its natural resources. The measurement of this objective is the extent to which natural resources are preserved and the degree to which the following policies are implemented.
Policy 8.4	The Town shall require that all new development and redevelopment on the Atlantic shore restore dunes, where restoration potential exists and is necessary, as determined by the Town and FDEP. <i>Primary dune restoration to a higher crest elevation and sediment volume is a high priority along Reach 1 for coastal flood control.</i>

⁵⁹ This Level of Service standard should only be applied to improvements made after the adoption of seawall/bulkhead standards recommended in *Level-Up Lake Worth Shoreline*.

Policy 8.6	No development or redevelopment shall occur on or over submerged land other than docks, essential services or parks owned and operated by the Town. <i>Coastal flood control is considered an essential service.</i>
Objective 13	Public access shall be maintained to all recreational facilities, including recreational and commercial working waterfronts as defined in F.S. 342.07, under the jurisdiction of the Town of Palm Beach.
Policy 13.4	In evaluating applications for marinas or marina siting all of the following shall be addressed: land use compatibility; availability of upland support services; existing protective status or ownership; <i>adequacy of coastal flood control infrastructure</i> ; hurricane contingency planning; protection of water quality; water depth; environmental disruptions and mitigation actions; availability for public use; and, economic need and feasibility. The criteria shall be reviewed by the Planning Department on an annual basis and updated as necessary.
Objective 14	The Town shall adopt and implement policies that increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.
Objective 14.1	<i>The Town shall adopt one or more ordinances designating and mapping Adaptation Action Areas within Town that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure and adaptation planning⁶⁰. A map of Adaptation Action Areas shall be included in the Comprehensive Plan. Adaptation Action Area 1 shall be designated as encompassing all lands within the municipal boundaries of the Town of Palm Beach designated as evacuation zones for storm surge.⁶¹</i>

Table 16 Recommended changes to Transportation Element Objectives and Policies.⁶²

Transportation Element	The purpose of the Town's Transportation Element is to provide the framework for establishing its desired transportation system; and, in particular, to plan for its future motorized and non-motorized traffic circulation needs.
Goal	Maximize the existing street transportation system to foster a safe, efficient and convenient transportation system, coordinated with the other governmental agencies, for all existing and future land uses.
Objective 1	The Town shall continue to correct traffic operational deficiencies and undertake other needed measures, identified in this Element, that are necessary to the provision of a safe, convenient, and energy efficient, multimodal transportation system, including providing for protection of existing and future rights-of-way from building encroachment. Design of the multimodal transportation system will be done to ensure the safety of not only motorists, but also the safety of cyclists and pedestrians, particularly where they interact with motorists.
Policy 1.4	<i>The Town will evaluate future needs for space within the Town and State transportation rights-of-way for siting of coastal flood control system infrastructure.</i>
Objective 3	Coordinate the Town's transportation planning efforts with the plans and programs of the Metropolitan Planning Organization and the Florida Department of Transportation's Adopted 5-Year Work Program, and take into consideration public transportation, bicycle and pedestrian ways, <i>and coastal flood control infrastructure</i> , in future transportation planning.
Policy 3.7	<i>The Town will coordinate with the MPO, FDOT, Palm Beach County, the City of West Palm Beach, and the Town of South Palm Beach on plans and funding to mitigate future coastal flood risks to regionally significant roadways.</i>

⁶² Text of recommended changes or additions is italicized and bright green.

Table 17 Recommended changes to Infrastructure Element Goals, Objectives, and Policies.⁶³

Infrastructure Element	The purpose of the Infrastructure Element is to provide for necessary public facilities and services related to future land use projections. It includes plans for sanitary sewer, solid waste, potable water, <i>coastal flood control</i> , and drainage facilities.
Goal 1	Maintain adequate levels of utility services for existing and future populations, and maximize utilization of existing investment and facilities.
Objective 1	The Town shall assure that all existing and future residents, and businesses in the Town, will have access to sanitary sewer facilities; maximize the use of existing collection and treatment facilities; and, meet future needs through continuation of its Sanitary Sewer Rehabilitation Program. The measurement of this objective is whether or not sanitary sewer facilities are available to all users, and the extent to which the following policies are implemented.
Policy 1.3	<i>The Town shall incorporate the funding of improvements in its Capital Improvements Element to mitigate identified vulnerabilities from future coastal flooding in the design, repair, and rehabilitation of sanitary sewer pump stations.</i>
Objective 7	The Town shall maximize its existing drainage facilities by correcting drainage problems in Town and explore methods of improving the quality of stormwater discharge. The measurement of this objective is the extent to which identified drainage problems are corrected, and the degree to which the following policies are implemented.
Policy 7.6	<i>The Town shall incorporate funding in its Capital Improvements Element to mitigate identified vulnerabilities from future coastal flooding in the design, repair, and rehabilitation of drainage pump stations.</i>
Policy 7.7	<i>The Town will evaluate the need for updated stormwater system modeling, level of service performance expectations, and development standards incorporating climate change projections for future precipitation and tidal boundary conditions.</i>
Objective 8	Development orders and permits for new development or redevelopment shall be issued only if the proposed project meets the Town's adopted level of service standards, or if needed expansion of facilities is coordinated with future development.

⁶³ Text of recommended changes or additions is italicized and bright green, except that red is used where background colors are bright green or teal.

Policy 8.1	The Town shall establish the following level of service standards: 1. Flooding will not occur during a one-year storm for systems served by pumping stations, or during a three-year storm for systems with gravity outfalls; and, the minor flooding associated with a five-year storm shall be carried off within sixty minutes. <i>(Consider referencing a specific data source, storm duration, and precipitation depth: "during a 2-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> 2. Negative impacts of stormwater discharge upon water quality in Lake Worth are ameliorated by the retention of the first two inches of rainfall prior to discharge into the Town system, or the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater. <i>(Consider referencing a specific data source and precipitation depth: "for a 3-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i>
Objective 12⁶⁴	<i>The Town shall initiate planning, enact policies, coordinate with partners, develop projects, and identify funding to mitigate neighborhood and Town-wide exposure to future coastal flooding. The measurement of this objective is the degree to which the following policies are implemented</i>
Policy 12.1	The Town shall establish the following level of service standards: m. Coastal flood waters will not substantially damage critical Town-owned facilities during a 100-year flood accounting for projected Intermediate-High sea level rise over the lifetime of the assets. n. Coastal flood waters will not pass through or over coastal flood control structures, constructed or permitted by the Town, during a 100-year flood accounting for projected Intermediate-High sea level rise over the lifetime of the structures.⁶⁵

⁶⁴ A subsection on Aquifer Recharge currently follows Objective 11. The Aquifer Recharge subsection contains a separate unnumbered Goal, Objective 12, and related Policies. These should be renumbered following the recommended addition of a new Objective 12 related to Coastal Flood Control.

⁶⁵ This Level of Service standard should only be applied to improvements made after the adoption of seawall/bulkhead standards recommended in *Level-Up Lake Worth Shoreline*.

Policy 12.2	1. <i>The Town shall survey shoreline infrastructure top elevations, adjacent grades, and conditions along Lake Worth.</i> 2. <i>The Town shall revise and strengthen bulkhead construction specifications in the Code of Ordinances.</i> 3. <i>Revise and strengthen bulkhead maintenance and certification standards in the Code of Ordinances.</i> 4. <i>The Town shall create an online seawall/bulkhead permit application system.</i> 5. <i>The Town shall create and maintain a geospatial database and document management system for tracking bulkhead/seawall permit application materials, top elevations, adjacent grades, lengths, substantial improvements, certifications, waivers, and easements.</i> 6. <i>The Town shall carry out technical, planning, coordination, advocacy, and grant-seeking activities to study the feasibility, environmental impacts, and cost-effectiveness of a storm surge barrier at the Lake Worth Inlet and other alternatives for Town-wide and neighborhood-scale coastal storm risk management.</i>
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Table 18 Recommended changes to Coastal Management/Conservation Element Objectives and Policies.⁶⁷

Coastal Management/Conservation Element	The purposes of this Element are to plan for and, where appropriate, restrict development activities where such activities would damage or destroy coastal resources; to protect human life; to limit public expenditures in areas subject to destruction by natural disaster; and to promote the conservation, use, and protection of natural resources.
Goal	Preserve, protect and enhance the natural and historic resources of the town, and limit public expenditures in areas subject to destruction by natural disasters, while ensuring maximum enjoyment and minimum exposure of human life in the coastal zone.
Objective 4	Protect and restore wetland habitat and estuarine water quality in the Town, thereby protecting fisheries and marine habitat. The measurement of this objective is the extent to which wetland habitat and estuarine quality are protected, and the degree to which the following policies are implemented.
Policy 4.3	<i>Mitigate the negative impacts of coastal flooding runoff upon water quality in Lake Worth by establishing that coastal flood waters will not pass through or over coastal flood control structures, constructed or permitted by the Town, during a 100-year flood accounting for projected Intermediate-High sea level rise over the lifetime of the structures.</i> ⁶⁸
Policy 4.4⁶⁹	<i>The Town shall continue to prohibit the use of septic tanks.</i>
Objective 5	The Town shall protect and restore its beaches and dunes. The measurement of this objective is the extent to which beaches and shores are protected and restored, and the degree to which the following policies are implemented.

⁶⁶ F.S. 163.3177(6)(g)(10) specifically calls out storm surge evacuation zones as an example criteria for AAA designation.

⁶⁷ Text of recommended changes or additions is italicized and bright green.

⁶⁸ This Level of Service standard should only be applied to improvements made after the adoption of seawall/bulkhead standards recommended in *Level-Up Lake Worth Shoreline*.

⁶⁹ Moved from existing Objective 15, Policy 15.4

Policy 5.3	The Town shall require that all new development and redevelopment on the Atlantic shore restore dunes, where restoration potential exists and is necessary, as determined by the Town and FDEP. <i>Primary dune restoration to a higher crest elevation and sediment volume along Reach 1 is a high priority for coastal flood control.</i>
Objective 8	The Town will provide and maintain existing public access to beach areas which have been nourished at public expense, publicly-owned beachfront parks, and the Municipal Docks on Lake Worth. The measurability of this objective is the extent to which public access is provided and maintained, and the degree to which the following policies are implemented
Policy 8.6	The Town will adapt public access facilities to also function as coastal flood control structures.
Objective 15⁷⁰	<i>The Town shall adopt and implement policies that limit development and public expenditure within the Coastal High Hazard Area (CHHA).</i>
Policy 15.1	Publicly funded facilities that subsidize development will not be built in the Coastal High Hazard Area. However, this limitation does not apply to such facilities necessary to serve projects approved under prior development orders but not yet built, or to such facilities necessary to maintain adequate levels of public facilities and services to existing residents. Nor does it apply to publicly funded projects associated with providing beach restoration, public access, recreation, resource restoration, or the rehabilitation, maintenance or construction of shore protection structures such as groins, revetments or seawalls.
Policy 15.2	The Town shall not expand utility systems or public services that would be necessitated by increased development within the Coastal High Hazard Area.
Policy 15.3	The Town will coordinate with, and will rely on, the Florida Department of Environmental Protection to enforce building limitations seaward of the Coastal Construction Control Line.
Policy 15.4⁷¹	<i>The Town will mitigate hazards within the Coastal High Hazard Area through enforcement of building code requirements and other restrictions.</i>
Policy 15.5⁷²	The Town will limit residential development within the Coastal High Hazard Area.
Policy 15.6⁷³	The Town will limit public building and infrastructure in the CHHA.
Policy 15.7⁷⁴	Town-funded public facilities shall not be built in the coastal high hazard area, except for purposes of public safety and/or access, enhancement of water-related activities or significant resource protection.

⁷⁰ Objective 15 should be modified to disaggregate CHHA-related Policies from those dealing with climate change impacts.

⁷¹ Changed number from existing Policy 15.5 and modified to disaggregate CHHA-related provisions.

⁷² Changed numbering from existing Policy 15.6.

⁷³ Changed numbering from existing Policy 15.7.

⁷⁴ Changed numbering from existing Policy 15.8.

<i>Policy 15.8⁷⁵</i>	The Town will not permit density increases in the CHHA for redevelopment and new development unless such requests are consistent with this Comprehensive Plan.
<i>Objective 16⁷⁶</i>	The Town shall adopt and implement policies that increase community resiliency and protect property, infrastructure, and cultural and natural resources from the impacts of climate change, including sea level rise, changes in rainfall patterns, and extreme weather events.
<i>Policy 16.1⁷⁷</i>	The Town will continue to participate in the National Flood Insurance Program Community Rating System (CRS) and strive to maintain or improve its current CRS rating.
<i>Policy 16.2⁷⁸</i>	The Town will continue to enforce its building code and drainage requirements.
<i>Policy 16.3⁷⁹</i>	The Town will mitigate hazards through building practices and implementation of FEMA requirements, stormwater retention requirements, and other restrictions.
<i>Policy 16.3</i>	<i>The Town will update its existing Coastal Flood Vulnerability Assessment and underlying coastal flood risk model and stormwater flood model, to the extent practicable, to comply with State vulnerability assessment requirements in Section 380.093 of the Florida Statutes to meet eligibility requirements for Resilient Florida Grant Program implementation funding.</i>
<i>Policy 16.4</i>	<i>The Town shall create a Lake Worth water level monitoring program.</i>
<i>Policy 16.5</i>	<i>The Town shall adopt one or more ordinances designating and mapping Adaptation Action Areas within Town that experience coastal flooding due to extreme high tides and storm surge, and that are vulnerable to the related impacts of rising sea levels for the purpose of prioritizing funding for infrastructure and adaptation planning⁸⁰. Adaptation Action Areas shall be included in the Future Land Use Map of the Town. Adaptation Action Area 1 shall be designated as encompassing all lands within the municipal boundaries of the Town of Palm Beach that are designated as evacuation zones for storm surge.⁸¹</i>

⁷⁵ Changed numbering from existing Policy 15.9.

⁷⁶ Changed numbering from existing Objective 15 to disaggregate CHHA-related Policies from those dealing with climate change impacts on flooding.

⁷⁷ Changed numbering from existing Policy 15.1.

⁷⁸ Changed numbering from existing Policy 15.3 and modified to disaggregate CHHA-related provisions.

⁷⁹ Changed numbering from existing Policy 15.5 and modified to disaggregate CHHA-related provisions.

⁸⁰ This language aligns with the Adaptation Action Area definition in F.S. 163.3164.

⁸¹ Adaptation Action Area 1 could alternatively be designated based on updated PB-FRM results meeting State standards, or areas within flood hazard areas as recommended herein to be redefined in the Code of Ordinances. Other embedded Adaptation Action Areas could be designated in the future, for example areas requiring improvements to implement a storm surge barrier at the Lake Worth Inlet, specific neighborhood-scale flood control system service areas, or as identified through future technical or public planning process.

Policy 16.6	<i>For the purposes of improving resilience to coastal flooding resulting from high-tide events, storm surge, flash floods, stormwater runoff, and related impacts of sea level rise⁸² in Adaptation Action Area 1, the Town will:</i> <i>7. Survey critical elevations of Town facilities for use in adaptation prioritization.</i> <i>8. Survey shoreline infrastructure top elevations and conditions along Lake Worth for use in flood risk modeling, adaptation prioritization, and code enforcement.</i> <i>9. Revise and strengthen bulkhead construction specifications in the Code of Ordinances.</i> <i>10. Revise and strengthen bulkhead maintenance and certification standards in the Code of Ordinances.</i> <i>11. Create an online seawall/bulkhead permit application system.</i> <i>12. Create and maintain a geospatial database and document management system for tracking bulkhead/seawall permit application materials, top elevations, adjacent grades, lengths, substantial improvements, certifications, waivers, and easements.</i> <i>13. Amend the charter of the Municipal Services entity to include coastal flood control services.</i> <i>14. Establish level of service standards for coastal flood control infrastructure and mitigation of Town asset coastal flood vulnerabilities.</i> <i>15. Carry out technical, planning, coordination, advocacy, and grant-seeking activities to study the feasibility, environmental impacts, and cost-effectiveness of a storm surge barrier at the Lake Worth Inlet and other alternatives for Town-wide and neighborhood-scale coastal flood control.</i> <i>16. Adopt amendments to the Florida Building Code through the Code of Ordinances, establishing higher standards for substantial improvement and substantial damage definitions and minimum elevation requirements for residential and non-residential structures.</i> <i>17. Revise and expand the definition in the Code of Ordinances of flood hazard areas within which floodplain management and flood-resistant construction standards apply.</i> <i>18. Report on implementation progress and key metrics every other year, with a comprehensive report every ten years.</i>
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Table 19 Recommended changes to Intergovernmental Coordination Element Goals, Objectives, and Policies.⁸³

Intergovernmental Coordination Element	The purpose of this Element is to identify and resolve incompatible aspects of proposed comprehensive plans of local governments, and to determine and respond to the needs for coordination processes and procedures with adjacent local governments and regional and state agencies.
Goal 1	An effective government which utilizes intergovernmental coordination to maximize efficiency in providing services and facilities; to reduce duplication of effort; and, to solve common problems.
Objective 1.2	In order to ensure coordination mechanisms to address impacts of developments proposed in and adjacent to the Town that may affect adjacent local governments, the Town will continue to participate on various intergovernmental advisory committees, boards, commissions or groups serving the Town.
Policy 1.2.7	Issues of regional and state significance shall be coordinated with the Treasure Coast Regional Planning Council, the South Florida Water Management District, and/or State agencies having jurisdictional authority. Issues to be pursued include but are not limited to the following: ... <i>k. Strategies and funding to mitigate coastal flood risks from sea level rise and coastal storms along the Lake Worth and Atlantic Ocean shorelines.</i>
Goal 3	It is the goal of the Town of Palm Beach to work with Federal, State, County, and adjacent municipalities or agencies to protect and restore the existing coastal dune system and beaches along the City's beachfront, establish standards to minimize impacts resulting from beach erosion, and mitigate future coastal flood risks along the Lake Worth shoreline.
Objective 3.2	The Town will coordinate with appropriate agencies to address future coastal flood risks along the Lake Worth shoreline caused by sea level rise and extreme weather events, resulting in significant exposure of highly developed and populated areas and critical infrastructure.
Policy 3.2.1	<i>Seek State and Federal support for a U.S. Army Corps of Engineers Coastal Storm Risk Management Feasibility Study for Lake Worth, including an evaluation of a storm surge barrier at the Lake Worth Inlet.</i> <i>a. Conduct outreach to USACE, FDEP, FDOT, Palm Beach County, neighboring municipalities, Port of Palm Beach, and SFWMD.</i> <i>b. Conduct outreach to Federal and State elected officials.</i> <i>c. Support the Project Sponsor (which may be the Town) in submitting a feasibility study proposal to USACE and to Federal elected officials</i> <i>d. Engage elected officials to advocate for Federal authorization and appropriations and State grant support for non-Federal cost-sharing.</i>
Policy 3.2.2	<i>Coordinate with the MPO, FDOT, Palm Beach County, the City of West Palm Beach, and the Town of South Palm Beach on plans and funding to mitigate future coastal flood risks to regionally significant roadways, including the potential siting of neighborhood-scale or Town-wide coastal flood control infrastructure within transportation rights-of-way.</i>

⁸³ Text of recommended changes or additions is italicized and bright green, except that red is used where background colors are bright green or teal.

Table 20 Recommended changes to Capital Improvements Element Objectives and Policies.⁸⁴

Capital Improvements Element	The purpose of this Element is to evaluate the need for public facilities, as identified in the other Plan Elements; to estimate the cost of improvements for which the Town of Palm Beach has fiscal responsibility; to analyze the Town's fiscal capability to finance and construct such improvements; and to adopt financial policies to guide funding and construction of capital improvements when required, based on needs identified in the other Plan Elements.
Goal	The Town shall, using sound fiscal policies, provide adequate services and facilities in a timely and efficient manner.
Objective 3	The Town shall coordinate its land use decisions and fiscal resources with its schedule of capital improvements identified as necessary to maintain the Town's adopted Level of Service (LOS) standards and meet existing and future facility needs. These capital improvements and facility improvements shall have first priority for allocation of the Town's fiscal resources available for capital expenditures.
Policy 3.1	The Town shall utilize the following Level of Service standards, found in other elements of the Town's Comprehensive Plan, for public facilities in the Town. 3.1a Stormwater Discharge or Runoff -- 1) Flooding will not occur during a one-year storm for systems served by pumping stations or during a three-year storm for systems with gravity outfalls, and, the minor flooding associated with a five-year storm would be carried off within sixty minutes. <i>(Consider referencing a specific data source, storm duration, and precipitation depth: "during a 2-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> 2) Negative impacts of stormwater discharge upon water quality in Lake Worth are ameliorated by the retention of the first two inches of rainfall prior to discharge into the Town system; or the post-development runoff does not exceed predevelopment runoff for a three-year one-hour storm, whichever is greater. <i>(Consider referencing a specific data source and precipitation depth: "for a 3-year, 1-hour storm based on NOAA Atlas 14 Upper 90% Confidence Interval precipitation depth")</i> --- 3.1g Coastal Flood Control -- 1) <i>Coastal flood waters will not substantially damage critical Town-owned facilities during a 100-year flood accounting for projected Intermediate-High sea level rise over the service life of the assets.</i>

⁸⁴ Text of recommended changes or additions is italicized and bright green, except that red is used where background colors are bright green or teal.

	<i>2) Coastal flood waters will pass through or over coastal flood control structures, constructed or permitted by the Town, during a 100-year flood accounting for projected Intermediate-High sea level rise over the service life of the structures.</i>
Objective	The Town shall include in its Schedule of Capital Improvements (SCI) all capital improvements needed within the five-year period covered by its CIP, including replacement of sanitary sewer infrastructure recognized as obsolete or worn-out and improvements needed to eliminate recognized deficiencies in its drainage system <i>and coastal flood control infrastructure</i> , as identified in the Comprehensive Plan.

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Proposed Amendments to Further Restrict the Use of Public Property for Private Special Events

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 28, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Memorandum Dated January 28, 2022, from John C. Randolph, Town Attorney**
- ▣ **Proposed Code Changes**
- ▣ **Current Fees**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Proposed Amendments to Further Restrict the use of Public Property for Private Special Events

Date: January 28, 2022

STAFF RECOMMENDATION

Staff recommends that Town Council review the information below, pertaining to potential amendments to Chapter 106, Article VII, to further restrict the use of public properties for private special events on public property, and provide direction to staff.

GENERAL INFORMATION

At the December 14, 2021, Town Council meeting staff expressed concern to the Mayor and Town Council about the potential proliferation of organized private special event usage of parks and other public spaces that may begin causing adverse impacts to the community. Specifically, staff warned that an increased number of events would cause quicker wear and tear on our public spaces, create additional traffic challenges with larger events, and expose the Town to additional liability.

After a brief discussion, Council agreed with the concerns expressed and requested that staff identify potential changes to the code that would further restrict the use of public properties and present them to the Council for consideration. Staff consulted with the Town Attorney to determine how restrictive code changes could be. While it was determined that a complete prohibition from issuing special events permits to non-residents is not advisable, it was determined that preference could be given to residents in terms of application timing and fees charged. See attached memo.

The attached sections of Chapter 106, Article VII include proposed language changes that would limit the number of events on each property to one (1) per month instead of one (1) per day, give more timing preference to residents applying for special event permits, and prohibit the use of Memorial Park and Lake Drive Park for non-governmental events. None of these proposed changes would prohibit the normal drop-in/passive use of any public properties by residents and non-residents alike.

In addition to the proposed code changes, staff recommends modifying the current fee schedule to increase the application fee, damage deposits, and non-resident usage fees. (Usage fees are not currently charged to residents and town-based non-profits.)

If Council agrees with some or all of the proposed changes and the fee increase recommendations, staff will return to a future meeting with an ordinance to codify the changes and a resolution to amend the current fees.

Attachments

cc: Department Directors
John Randolph, Town Attorney

Memo

To: Skip Randolph
From: Brett Lashley
Date: January 28, 2022
Subject: Special events and public forums memo

Brief History

The Town of Palm Beach ("Town") has recently upgraded many of its public parks. Town Ordinance 106-256 requires a permit for special events on Town property. The recent upgrades have attracted a large number of permit requests for use of the Town's parks. This increase in usage has spurred concern as it relates to wear and tear on the Town's parks, an increase in traffic during large events and adverse impacts on the communities surrounding the parks.

Issues

1. Can the Town limit special events on public forums to Town residents only?

Brief Answer: Probably not, but the Town may be able to charge non-residents a higher application fee.

2. Can the Town prevent all special events on certain public forums?

Brief Answer: Probably, but the ordinance will need to pass strict scrutiny. Meaning, the Town must have a substantial justification for doing so, the ordinance must be narrowly tailored to the substantial justification and there must be alternative channels for public demonstrations.

3. Are public demonstrations different than special events under the Code?

Brief Answer: Yes, but the difference between special events and public demonstrations may need to be more defined in the Town's ordinances.

Relevant Case Law

A state's police power has been defined as the authority to provide for the public health, welfare, safety and morals. *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991). The police power is restricted by the state and federal constitutions designed to protect private rights from arbitrary and oppressive government action. *Eccles v. Stone*, 183 So. 628 (Fla. 1938). The first step for a court is determining which test to apply – rational basis, strict scrutiny or somewhere in between – all depending upon how fundamental the right is and how compelling the state interest is. The standard or test to apply in evaluating whether a restriction of speech in a public forum violates the First Amendment depends on whether the restriction is content-based or content-neutral. See *Solantic LLC v. City of Neptune Beach*,

410 F.3d 1250, 1258 (11th Cir. 2005). A regulation will be "content-neutral" if it "is justified without reference to the content of the regulated speech." *DA Mortgage*, 486 F.3d at 1266 (quoting *Clark v. Community for Creative Non-Violence*, 468 U.S. 228, 293 (1984)).

Where a restriction is content-based, the government "must show that its regulation is necessary to serve a compelling state interest and that it is narrowly drawn to achieve that end." *Perry Educ. Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37, 45 (1983) (citing *Carey v. Brown*, 447 U.S. 455, 461 (1980)). That is not the case here as the Town is seeking to limit certain events at public parks regardless of the content of the event.

If the exclusion is content-neutral, the state may enforce time, place, and manner restrictions that [1] "are narrowly tailored to serve [2] a significant government interest and [3] leave open ample alternative channels of communication." *Id.*; see also *U.S. v. Grace*, 461 U.S. 171, 178 (1983). Essentially, the restrictions must survive "intermediate scrutiny." See *Burk v. Augusta-Richmond County*, 365 F.3d 1247, 1251 (citing *Ward v. Rock Against Racism*, 491 U.S. 781, 799 (1989); *U.S. v. Playboy Entm't Group*, 529 U.S. 803, 813 (2000)); see also *Silvio Membreno & Florida Ass'n of Vendors, Inc. v. City of Hialeah*, 188 So. 3d 13, 19–20 (Fla. 3d DCA 2016) ("there are two prongs to the rational basis test, requiring the Court to consider both whether the statute serves a legitimate governmental purpose and whether the Legislature was reasonable in its belief that the challenged classification would promote that purpose.").

The Court has recognized that government, in order to regulate competing uses of public forums, may impose a permit requirement on those wishing to hold a march, parade, or rally. *Forsyth County, Ga. v. Nationalist Movement*, 505 U.S. 123, 130 (1992); see *Cox v. New Hampshire*, 312 U.S. 569, 574–576, 61 S. Ct. 762, 765–766, 85 L.Ed. 1049 (1941). Such a scheme, however, must meet certain constitutional requirements. It may not delegate overly broad licensing discretion to a government official. Further, any permit scheme controlling the time, place, and manner of speech must not be based on the content of the message, must be narrowly tailored to serve a significant governmental interest, and must leave open ample alternatives for communication. See *United States v. Grace*, 461 U.S. 171, 177, 103 S.Ct. 1702, 1706, 75 L.Ed.2d 736 (1983).

Relevant Provisions of the Town's Codes

Town Ordinance §106-256 ("special events ordinance") defines special events as "any meeting, activity, walk/run, or gathering of a group of persons having a common purpose, design or goal, upon any public street, sidewalk, alley, park, beach or other public place or building, which special event substantially inhibits the usual flow of pedestrian or vehicular travel or which occupies any public area or building, which results in preempted use by the general public or which deviates from the established use."

Subsection (1) of the special events ordinance reserves the right to limit the use of public spaces at any time to prevent overuse and/or adverse impacts to adjacent neighborhoods. Town Ordinance §106-218(10), which governs parade permits, provides:

Nothing herein shall preclude picketing or demonstrations on the public streets, sidewalks or parks of the town, which is otherwise permitted by state and federal law, so long as the picketing or demonstration otherwise complies with all town ordinances and the picketers or demonstrators are situated in a manner so as not to obstruct, impede, hinder or otherwise interfere with the orderly movement of pedestrian or vehicular traffic.

This is relevant because the Town may need to add similar language to the special events ordinance. That issue will be more fully addressed below.

Analysis

1. The Town probably cannot limit special event to Town residents only.

In *City of Maitland v. Orlando Bassmasters Ass'n of Orlando, Florida, Inc.*, the plaintiff sought to invalidate a municipal ordinance that prohibited non-residents of the defendant city from obtaining parking permits for boat trailer spaces in a municipal park. 431 So. 2d 178, 179 (Fla. 5th DCA 1983). The city's stated justification for favoring its residents, as recited in the ordinance, was "[T]raffic congestion, access to the park, constraints of limited parking spaces for boat trailers (13), and proximity of the park location to adjacent residential dwelling units." *Id.* The court held that the ordinance was unconstitutional and invalid:

insofar as such ordinance discriminates between residents and non-residents in the use of the trailer parking facilities at Fort Maitland Park, no substantial reason for such discrimination having been shown or that use by non-residents created a peculiar evil attributable to the non-residents.

The court ultimately held that there was no substantial government interest, but rather was intended solely to give residents preference over non-residents for the use of the parking spaces. *Id.* at 179-180. *But see County Board of Arlington County, Va. v. Richards*, 434 U.S. 5, 98 S.Ct. 24, 54 L.Ed.2d 4 (1977) (upholding an ordinance which ordered permits be issued to residents for areas designated as crowded because it reduced air pollution and other environmental effects).

As such, absent a substantial justification, the Town will not be able to limit special events and parades to Town residents. Merely stating that there is traffic congestion due to non-residents events may not be enough to meet this substantial justification threshold. One argument non-residents may make is that there may be less special events overall if non-residents are prohibited from acquiring permits, but the traffic congestion and other issues will remain the same on the days an event is held for a Town resident. Accordingly, if the Town decides to limit the permits to residents only, the Town must be prepared to show a substantial justification for limiting the permits to its residents, that the new ordinance is narrowly tailored to achieve that interest and that there are alternate channels for communication.

2. The Town may be able to charge non-residents higher application fees for special event permits.

Although *City of Miami v. Haigley*, 143 So. 3d 1025, 1034 (Fla. 3d DCA 2014), is premised on an equal protection claim, the court's holding may be useful to the Town's present situation. In *City of Miami*, the court upheld an ordinance that charged non-residents \$100 more than residents for use of the City's emergency medical transportation services. *Id.* The court held that an equal protection claim on the basis of residency status was subject to the rational basis test and found that there was a rational basis for requiring non-residents to pay an additional \$100 for use of the City's emergency medical services. *Id.* The court noted that the residents already contributed to the payment for the medical services through ad-valorem tax. *Id.* at 1035. The non-residents did not. *Id.* In order for the City to have adequate resources, there was a legitimate reason to charge non-resident's the additional \$100. *Id.* Thus, the court determined the ordinance passed the rational basis test:

The City's residents, users and non-users of emergency medical transportation services alike, more than make up for the additional \$100 surcharge charged non-resident users by contributing a far greater amount to the City's overall emergency services budget. The base rate paid by individuals using the City's emergency medical transportation services is insufficient to cover the total cost, and the City could have properly determined that an extra \$100 was necessary to offset that additional cost since non-residents do not contribute through the payment of ad valorem taxes. Thus, the ordinance satisfies the rational basis test, and therefore, there is no equal protection violation.

Id; see also AGO 87-58 (finding the department of natural resources could implement a higher fee for non-residents of the state of Florida for access to Florida parks upon the passage of the rational basis test); but see AGO 76-124 (“Although a municipality may charge a fee for individual use of a municipally owned park or other municipal recreational facility which is reasonably related to the expense incurred in operating and maintaining the park or facility, the municipality may not charge a higher fee to nonresidents than residents unless all relevant economic factors establish a rational foundation for such differentiation.”).

Here, the Town may not be able to exclude non-residents from using its parks for special events, but under *City of Miami*, it may be able to charge a higher application fee to non-residents. A challenge to the ordinance would likely be on the basis of residency status and would only require the ordinance pass the rational basis test. Similar to the residents in *City of Miami*, the residents of the Town already pay a share of the funds required to maintain the parks through taxes. Thus, an ordinance requiring non-residents to pay a higher application fee due to the increase in maintenance it costs the Town should pass the rational basis test. (Note, per Florida’s AGO 76-124, the Town may have to show other economic factors that necessitate the higher fee charged to the non-residents other than the paying of taxes).

If the Town decides to raise application fees for non-residents, non-residents may have a first amendment claim on the basis that the higher fee violates freedom of speech. To counter this potential argument, the Town will need to make sure that non-residents have alternate channels for communication and that the Town parks are available for demonstrations/picketing (which do not require permits).

3. The Town’s ordinance will need to pass strict scrutiny to bar all special events from certain public forums. Meaning, the Town will need a compelling interest, a narrowly tailored ordinance and alternative forums for communication.

“In a public forum, by definition, all parties have a constitutional right of access and the state must demonstrate compelling reasons for restricting access to a single class of speakers, a single viewpoint, or a single subject.” *Perry Educ. Ass’n v. Perry Local Educators’ Ass’n*, 460 U.S. 37, 55 (1983). A demonstration or parade on a large street during rush hour might put an intolerable burden on the essential flow of traffic, and for that reason could be prohibited. *Grayned v. City of Rockford*, 408 U.S. 104, 115–16 (1972). Subject to such reasonable regulation, however, peaceful demonstrations in public places are protected by the First Amendment. *Id*. Because these are public forums and an absolute bar on all special events may be a violation of the First Amendment (a fundamental right), the Town must ensure that there is a substantial interest for prohibiting all special events at certain public forums and that an absolute ban is narrowly tailored to that substantial interest.

As mentioned above, the Town’s special events ordinance reserves the Town’s right to deny permits for special events to prevent overuse and adverse impacts. Also, the Town’s parade ordinance mentions that nothing in the Town’s codes prevents picketing or demonstrations in public parks. As such, the Town’s parade ordinance implicitly acknowledges that demonstrations/picketing are different than parades and specials events. Because both residents and non-residents have a constitutional right of access to public forums, residents and non-residents need to have the ability to picket and gather at the parks for public demonstrations (events that do not require a permit) to be constitutional.

Thus, the Town may want to adopt a similar provision in the special events ordinance which indicates that public demonstrations/picketing, which does not require a permit, are allowed at these forums. The definition of public demonstrations/picketing should be defined so it is clear how these events differ from special events. Based on the provision in the parade ordinance, it seems that public demonstrations/picketing only differ in that they do not affect the flow of pedestrian or vehicular traffic.

Therefore, the Town may prohibit special events from certain public forums as long as there is a substantial reason for doing so, the ordinance is narrowly tailored, there are alternate forums for communication, and public demonstrations/picketing are allowed at these locations.

Based on the foregoing, the definition of parade, special events and public demonstrations/picketing should be more fully defined in the code in order to avoid a potential first amendment violation.

4. Other factors to consider when amending the Town's ordinances.

When implementing a fee for permits on public forums, the fee should be "a nominal one, imposed as a regulatory measure and calculated to defray the expense of protecting those on the streets and at home against the abuses of solicitors." *Forsyth County, Ga. v. Nationalist Movement*, 505 U.S. 123, 137 (1992) (invalidating an ordinance which imposed an arbitrary fee of "no more than \$1,000").

The court in *Pritchard v. Mackie*, 811 F. Supp. 665, 668 (S.D. Fla. 1993), held that requiring a one million dollar insurance policy for issuance of a permit was not a "nominal fee" and was an unconstitutional restraint on the first amendment. Town Ordinance 106-257(10) requires the applicant acquire an insurance policy of at least one million dollars. This type of requirement has been held unconstitutional.

ARTICLE VII. SPECIAL EVENTS ON PUBLIC PROPERTY

DIVISION 1. GENERALLY

Sec. 106-256. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Special event means any meeting, activity, walk/run, or gathering of a group of persons having a common purpose, design or goal, upon any public street, sidewalk, alley, park, beach or other public place or building, which special event substantially inhibits the usual flow of pedestrian or vehicular travel or which occupies any public area or building, which results in preempted use by the general public or which deviates from the established use. Nothing in this article shall preclude the use of such areas by the town for governmental purposes.

(Code 1982, § 10-432; Ord. No. 06-2020 , § 1, 4-15-20)

Cross reference(s)—Definitions generally, § 1-2; permitted uses and structures, § 134-1472.

Sec. 106-257. Regulations relating to special event.

The following regulations shall apply to all special events held within the town:

- (1) There shall be held at the location requested no more than one special event ~~on any given day per month~~, without priority for any particular date, to be granted to the first person to submit a completed application designating that day. The town reserves the right to limit use of public spaces at any time to prevent overuse and/or adverse impacts to adjacent neighborhoods.
- (2) The maximum total duration of each special event and the assembly thereof shall be five hours.
- (3) Any signs, props or displays used in conjunction with the special event must be removed immediately after the time permitted for the special event has expired.
- (4) The use of banners, flags (other than flags of official governmental bodies), streamers, balloons or any similar devices, in connection with the event, shall be prohibited.
- (5) The use of decorated vehicles and trailers in connection with the event is prohibited.
- (6) The granting of a special event permit under this article shall not require the complete blockading of streets or intersections to vehicular traffic, and the town shall be

empowered to apportion such streets and intersections for simultaneous use by special event participants and vehicular and pedestrian traffic.

- (7) The concentration of persons and/or vehicles at the special event will not interfere unduly with proper fire and police protection of, or ambulance service to, areas contiguous to the assembly area or other areas of the town.
- (8) There are sufficient parking places near to the site of the special event to accommodate the approximate number of automobiles reasonably expected to be driven to the special event.
- (9) The event is not otherwise in violation of ordinances or regulations of the town or the state or of federal law.

(Code 1982, § 10-435; Ord. No. 12-2018 , § 1, 7-10-18)

Sec. 106-258. Penalties.

Any person determined to be in violation of the provisions of this article, not relating to revocation of the permit, shall be subject to section 1-14.

(Code 1982, § 10-442)

Secs. 106-259—106-280. Reserved.

DIVISION 2. PERMIT

Sec. 106-281. Required.

No person shall engage in, participate in, aid, form or start any special event unless a special event permit shall have first been obtained from the town manager or his/her designee. No permit shall be required and none of the limitations above shall apply for special events officially sponsored by the town government and /or approved by the town council, nor shall the regulations set forth in this division 2 apply to such special events.

(Code 1982, § 10-433; Ord. No. 29-10, § 2, 9-29-10; Ord. No. 12-2018 , § 2, 7-10-18)

Sec. 106-282. Application.

- (a) *Required.* A person seeking issuance of a special event permit shall file an application with the town clerk's office on forms provided by the town.
- (b) *Filing.* A completed application for a special event permit, providing all information required herein, shall be filed with the town clerk's office not less than 45 days (or a shorter period of time as deemed appropriate at the discretion of the town manager) and

not more than nine months for residents and ~~seven~~four months for non-residents before the date on which it is proposed to conduct the special event.

- (c) *Contents.* The application for a special event permit shall set forth the following information:
- (1) The name, address and telephone number of the person seeking to conduct such a special event.
 - (2) The purpose of the special event.
 - (3) If the special event is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of such organization.
 - (4) The date on which the special event is to be conducted.
 - (5) The exact hours the special event is to be conducted.
 - (6) The name or type of event.
 - (7) The exact location of the event.
 - (8) The approximate number of participants and spectators.
 - (9) A detailed description of the activity or activities, including whether or not the event requires support facilities such as traffic control, parking volume, crowd control.
 - (10) The name of the applicant's insurance company for the event and proof of insurance. The town shall be named as additional insured on a policy of liability insurance in an amount not less than \$1,000,000.00. The Town of Palm Beach reserves the right to require additional coverages and limits based upon the particular special event proposed by the applicant. If the special event applicant maintains higher limits than the minimums shown below, the town requires and shall be entitled to coverage for the higher limits maintained by the applicant.
 - (11) The signature of the applicant.
 - (12) The name, address and telephone number of the person who will be responsible for the conduct of the special event (i.e., special event chair).
 - (13) Provisions for cleanup after conclusion of the special event. The applicant shall be responsible for costs of complete and immediate cleanup.
- (d) *Fees.* The following fees in accordance with the fee schedule adopted by the town council by resolution as may be amended from time to time:
- a. An administrative processing fee;
 - b. A refundable damage deposit, if applicable;
 - c. A usage fee prepaid for the hours requested to hold the proposed special event, if applicable.

(Code 1982, § 10-434; Ord. No. 2-2013, § 1, 6-11-13; Ord. No. 12-2018 , § 3, 7-10-18)

Sec. 106-283. Standards for issuance.

The town manager shall issue a special event permit, when from consideration of the application and from such other information as may otherwise be obtained, he/she finds that:

- (1) No other applicant has obtained a permit for the date requested.
- (2) The special event applicant has agreed in writing to abide by all provisions set forth in this article.
- (3) All required information is set forth in the application and is in accordance with all provisions set forth in this article.
- (4) The concentration of persons and vehicles at assembly points of the special event will not interfere with the proper fire and police protection of or ambulance services to areas contiguous to such assembly areas.
- (5) The conduct of such special event will not interfere with the movement of police and fire rescue vehicles and equipment en route to a fire or the movement of emergency medical services equipment en route to an emergency.
- (6) The special event is not being held for the purpose of advertising any product, goods or event, and shall not be held for private profit or fund raising, unless the applicant is a 501(c)3 non-profit, in which a charitable solicitation permit would also be required.
- (7) The conduct of the special event will not substantially interrupt the safe and orderly movement of pedestrian or vehicular traffic contiguous to the place of the special event.
- (8) The conduct of the special event will not result in damage to town-owned property or constitute a hazard to the safety of other persons within the immediate vicinity of the event.
- (9) No event is scheduled elsewhere in the town where the town's resources required for that event are so great that the deployment of resources for the proposed assembly would have an immediate and adverse effect upon the welfare and safety of persons and property.
- (10) An original certificate of insurance was supplied to the town naming the town as additional insured on a policy of liability insurance in an amount not less than \$1,000,000.00 or an amount higher based upon the particular special event proposed.

Applications for the use of Phipps Plaza Park shall receive town council approval prior to the issuance of a special events permit. Said requirement shall automatically expire after three years from the adoption of Ordinance 29-2019.

Applications for the use of Memorial Park and Lake Drive Park shall not be accepted, as special event permits will not be issued for the use of these properties for non-governmental events.

Applications for special events that involve leaving the primary event location (public or private properties) to utilize public sidewalks, streets and/or bike paths shall receive town council approval prior to the issuance of a special event permit and shall be subject to section 106-288.1.

(Code 1982, § 10-436; Ord. No. 12-2018 , § 4, 7-10-18; Ord. No. 29-2019 , § 1, 8-14-19; Ord. No. 30-2019 , § 1, 8-14-19; Ord. No. 06-2020 , § 2, 4-15-20)

Sec. 106-284. Notice of approval or denial.

The town manager shall act upon an application for a special event permit within 20 days after the filing thereof and must notify the applicant of the approval or denial of the application within that same period. If the town manager denies an application, a written notice stating the reasons for denial shall be sent to the applicant by certified mail and made available by the town for inspection within the 20-day period specified above.

(Code 1982, § 10-437; Ord. No. 12-2018 , § 5, 7-10-18)

Sec. 106-285. Appeal procedure.

Any person aggrieved shall have the right to appeal the denial of a special event permit to the town council. The appeal shall be submitted in writing within five days of notice of denial. If an appeal to the town council is made, the town council shall act upon such appeal at the next regular monthly meeting of the town council subsequent to the notice of appeal.

(Code 1982, § 10-438; Ord. No. 12-2018 , § 6, 7-10-18)

Sec. 106-286. Duties of permittee.

The permittee under this division shall comply with all provisions of this article, other laws and ordinances of the town, state and federal government, and all permit directions and conditions of the permit.

(Code 1982, § 10-439)

Sec. 106-287. Possession.

The special event chair or other person heading or leading such special event shall carry the special event permit upon his person during the conduct of the special event and shall be present at the special event.

(Code 1982, § 10-440)

Sec. 106-288. Revocation.

The town manager or his designee shall have the authority to revoke a special event permit issued under this division upon violation of the provisions applicable to special event permittees. If a special event is held in violation of the terms of the permit, the permit shall be determined to be null and void and may be immediately terminated. The revocation of a permit may be appealed in the same manner and under the same time limitations as a permit denial.

(Code 1982, § 10-441)

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PAYMENT INFORMATION

An application fee of \$300 is due upon the time of submittal if the application is received at least 45 days in advance. A fee of \$100 will be assessed in the event of a late application.

Any individual or organization that holds an event on Town of Palm Beach property that does not abide by the authorized use, rules and regulations, or that causes additional costs to the Town may lose all or a portion of their damage deposit. **Damage deposit and the applicable usage fees are due upon receipt of the permit. Payments may be made by cash, credit card or by check made payable to the Town of Palm Beach. (see fee table below).**

For office use only:

Date application fee payment received:		Cash	Check No.	Credit Card
Date damage deposit and non-resident usage fee received:		Cash	Check No.	Credit Card

Fee Table for Special Events

Location	Non-Refundable Application Fee	Refundable Damage Deposit	Non-Resident Usage Fee
Bradley Park	\$300	50 people or less: \$400 51-100: \$1,000 Over 100: \$2,000	50 people or less: \$100/hr 51-100: \$250/hr Over 100: \$400/hr
Lake Drive Park	\$300	50 people or less: \$200 51-100: \$400 Over 100: \$1,000	50 people or less: \$100/hr 51-100: \$250/hr Over 100: \$400/hr
Phipps South Ocean Park	\$300	50 people or less: \$200 51-100: \$400 Over 100: \$1,000	50 people or less: \$100/hr 51-100: \$250/hr Over 100: \$400/hr
Phipps South Ocean Park (Chickee Hut Only)	\$300	\$150	\$100/hr
Public Beaches	\$250	\$150	\$0
All Other Public Spaces	\$250	\$150	\$0
Memorial Park	This park is no longer available for special events.		

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Review of Boards and Commissions Relative to Total Members and Ratio of Regular and Alternate Positions

Presenter

Margaret A. Zeidman, Town Council President

ATTACHMENTS:

- ▣ **Memorandum Dated February 1, 2022, from Margaret A. Zeidman, Council President**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Maggie Zeidman, Council President

Re: Review of Boards and Commissions, Relative to Total Members and Ratio of Regular and Alternate Positions

Date: February 1, 2022

STAFF RECOMMENDATION

It is recommended that Town Council review the information below and provide feedback relative to the size and ratio of regular vs. alternate members of ARCOM, LPC, and P&Z commissions.

GENERAL INFORMATION

At the December 8, 2020, Town Council meeting, staff presented recommendations for modifying the size of certain boards and commissions, including the ratio of regular vs. alternate members. In addition to staff's recommendations, Council gave consideration to the feedback received from the boards and commissions in question. Below is a summary of what the Council was provided at that time to inform their decision.

Architectural Commission (ARCOM)

Current Make-up:	10 members (7 regular and 3 alternates)
Current Vacancies:	0 vacancies
Staff Recommendation:	7 members (5 regular and 2 alternates)
Commission Preference:	NO CHANGE

Landmarks Preservation Commission

Current Make-up:	10 members (7 regular and 3 alternates)
Current Vacancies:	0 vacancies
Staff Recommendation:	7 members (5 regular and 2 alternates)
Commission Preference:	NO CHANGE

Planning & Zoning Commission

Current Make-up:	10 members (7 regular and 3 alternates)
Current Vacancies:	2 alternates
Staff Recommendation:	7 members (5 regular and 2 alternates)
Commission Preference:	NO CHANGE

Recreation Advisory Commission

Current Make-up: 10 members (7 regular and 3 alternates)
Current Vacancies: 1 regular and 1 alternate
Staff Recommendation: 7 members (7 regular and 0 alternates)
Commission Preference: 7 members (7 regular and 0 alternates)

Shore Protection Board

Current Make-up: 10 members (7 regular and 3 alternates)
Current Vacancies: 2 regular and 1 alternate
Staff Recommendation: 5 members (5 regular and 0 alternates)
Board Preference: 7 members (7 regular and 0 alternates)

After a lengthy discussion, Council approved moving forward with the preferences of each board, which was no change for ARCOM, Landmarks, and the Planning & Zoning Commission, and the reduction of members of the Recreation and Shore Protection Boards to 7 regular members only (no alternates).

With another round of commission term expirations approaching, the Council's further review and input regarding staff's December 2020 recommendations regarding changes in size and ratio of regular vs. alternate members is requested. Information related to board/commission sizes in certain benchmark communities has been provided below to help inform your discussion.

Municipality	Board/Commission	Membership	Residency Requirement	Term of Office	Qualifications
St. Augustine, FL	Historic Architecture Review Board	5 members + 2 alt.	Yes	3 yrs., 2 term limit	Knowledge Base*
	Planning & Zoning Board	7 members	Yes	3 yrs., 2 term limit	Knowledge Base*
Charleston, SC	Board of Architectural Review-Large	9 members	Not published	3 yrs., 2 term limit	Not published
	Board of Architectural Review-Small	11 members	Not published	3 yrs., 2 term limit	Not published
	Design Review Board	7 members	Not published	4 yrs., 2 term limit (followed by 4 yr. break)	Not published
Coral Gables, FL	Board of Architects	7 members (min)	Yes	2 yrs., 8 consecutive yrs. limit	Knowledge Base*; 10yrs architectural experience
	Planning & Zoning	7 members	Yes	2 yrs., 8 consecutive yrs. limit	Knowledge Base*
	Historic Preservation	5 members	Yes	2 yrs., 8 consecutive yrs. limit	Knowledge Base*
Savannah, GA	Historic District Board of Review	9 members	Yes	3 yrs., 2 term limit	Not published
	Historic Preservation Commission	9 members	Yes	3 yrs., 2 term limit	Not published
Miami Beach, FL	Design Review Board	7 Members	Yes	2 yrs, 3 term limit	Not published
	Historic Preservation Board	7 members	Yes	2 yrs, 3 term limit	Not published
Longboat Key, FL	Planning & Zoning Board	7 members	Yes	3 yrs.	Not published

cc: Jay Boodheshwar, Deputy Town Manager
Carolyn Stone, Assistant Town Manager
Department Directors
John C. Randolph, Town Attorney

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - New Business

Agenda Title

Review of Options for Further Amendments to Construction and Landscaping Hours of Operations

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 28, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Town of Palm Beach Holidays for 2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Review of Options for Further Amendments to Construction and Landscaping Hours

Date: January 28, 2022

STAFF RECOMMENDATION

Staff recommends the Town Council review the information below regarding options for further restricting construction and landscaping work and provide direction to staff.

GENERAL INFORMATION

Section 42-199 of the Town Code states that “Beginning on the Monday preceding Thanksgiving, and during the months of December, January, February, March, and April of each year, construction work not otherwise prohibited by section 42-198 or other work resulting in noise tending to disturb the people in the vicinity thereof shall not begin until the hour of 8:00 a.m. and shall cease at the hour of 5:00 p.m., except Saturday, Sunday and legal holidays, when all construction work is prohibited.” This section of the code is used to create an annual calendar of observed Town holidays, which describes when construction and landscaping is prohibited.

As outlined on the attached list of 2022 Town observed holidays, construction and landscaping work is not permitted on Martin Luther King Jr. Day, Presidents’ Day, Memorial Day, Independence Day, Labor Day, Veterans’ Day, and Thanksgiving Day. Construction isn’t permitted on the day after Thanksgiving but landscaping is. For holidays that fall on a Saturday, they are observed on the Friday before, and for holidays that fall on a Sunday, they are observed on the Monday after, but construction and landscaping work are permitted on the observed days. See attached 2022 dates for the observation dates for Christmas Eve, Christmas Day, New Year’s Eve, and New Year’s Day.

As requested by Council, staff has taken the liberty of identifying some options for the additional prohibition of construction and landscaping work during the busy November/December/January holiday season. Any of the options below will require codification via an ordinance that will require two readings at future meetings.

1. Prohibit landscaping on the day after Thanksgiving (construction already prohibited).
2. Prohibit construction and/or landscaping the day before Thanksgiving.

3. Prohibit construction and/or landscaping on weekday holiday observation dates for holidays that fall on a weekend, which would include 4 days of no work in December 2022 and January 2023 due to how the holiday dates.

There are certainly other options available, but staff believes the ones above may be a good step that doesn't place too much burden on the construction and landscaping industries but results in the addition of more "quiet" days during the busy holidays season.

Attachment

cc: Carolyn Stone, Assistant Town Manager
Department Directors
James Murphy, Assistant Director of Planning, Zoning and Building
Ben Alma, Support Services Manager



Town of Palm Beach

2022 Holidays

(Town Offices Closed)

2022

Monday, January 17, 2022	Martin Luther King, Jr. Day
Monday, February 21, 2022	Presidents' Day
Monday, May 30, 2022	Memorial Day
Monday, July 4, 2022	Independence Day
Monday, September 5, 2022	Labor Day
Friday, November 11, 2022	Veterans' Day
Thursday, November 24, 2022	Thanksgiving Day
Friday, November 25, 2022	Day After Thanksgiving [±]
Friday, December 23, 2022	Christmas Eve Observed*
Monday, December 26, 2022	Christmas Day Observed*
Friday, December 30, 2022	New Year's Eve Observed*
Monday, January 2, 2023	New Year's Day Observed*

No work will be permitted on actual holiday dates. Please see permitted work during observed holidays below.

* Town offices closed but construction work and landscaping permitted

[±] Town offices closed but landscaping permitted

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - New Business

Agenda Title

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

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 31, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Resolution No. 027-2022**
- ▣ **RFP No. 2022-07 Valet Parking Services - One Parking. Inc.**
- ▣ **Scope of Services**
- ▣ **Score Sheet - East Coast Valet**
- ▣ **Score Sheet - One Parking, Inc.**
- ▣ **Valet Parking Service Summary**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 8, 2022

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Jay Boodheshwar, Deputy Town Manager

RE: Resolution Approving the Award of RFP No. 2022-07, Valet Parking Services for the Town of Palm Beach to One Parking, Inc.
Resolution 027-2022

DATE: January 31, 2022

STAFF RECOMMENDATION

Staff recommends Town Council approve Resolution No. 027-2022, awarding RFP No. 2022-07, Valet Parking Services for the Town of Palm Beach to One Parking, Inc. for the provision of valet services on Worth Avenue.

SUMMARY EXPLANATION/BACKGROUND

After receiving no formal responses to RFP 2021-19 – Town-wide Centralized Valet Services, staff determined with the input of the BAC to issue a second RFP, focused on Worth Avenue. Staff reported to the committee at their September 2021, meeting that most of the companies that had initial interest in the initial RFP advised that they didn't feel there was a justified profit margin to pursue the service. One of the companies advised at the time that the start-up costs would be as much as \$20,000 for valet podiums, signage, radios, uniforms, insurance, rental spaces, etc., and felt this was too large and risky of an investment for a contract with a "for convenience" cancellation clause. Said company suggested that there are two factors that are a must to implement a successful contractual valet service: (1) a monthly service fee would be required from the Town to subsidize the operations and (2) sufficient and dedicated parking must be provided.

After a lengthy discussion at the October 2021, BAC meeting, it was decided that the second RFP for valet services be limited in location to Worth Avenue, but designed for scalability as needed. This street has proven to be the busiest and most challenging location to find the right mix of regulations to promote space turnover, restrict on-street employee parking, and ensure there are spaces available for short-term parking for quick transactions. The committee felt that if on-street paid parking is priced appropriately motorists could be incentivized to utilize valet services and employees will seek out more affordable off-street parking options. The committee also felt it would be in the Town's best interest to subsidize valet services if necessary.

METHOD OF PROCUREMENT

The TMO developed a scope of services used for the issuance of the solicitation. The Request for Proposals (RFP) was issued on November 16, 2021, and closed on December 7, 2021.

The solicitation was broadcast nationwide through DemandStar and through Public Purchase. In addition, advertisement was published in Palm Beach Post and Town Purchasing e-bidding system. Purchasing also sent direct emails to known firms advising of the solicitation and invited the firms to review and participate in the solicitation.

The initial ranking Selection Committee was held on December 15, 2021. Oral Interviews were conducted on December 28, 2021. The Selection Committee consisted of the following members:

Voting Members

Jay Boodheshwar, Deputy Town Manager
Paul Colby, Facilities Maint. Manager
Ben Alma, Support Services Manager
Mark Bresnahan, Recreation Director
Amy Wood, Assistant Finance Director

Non-Voting Members

Dean Mealy, Purchasing Manager (facilitator)
Duke Basha, Asst. Purchasing Manager (facilitator)

The Selection Committee reviewed two proposals submitted. The Selection Committee determined that both firms were qualified to support the needs of the Town. The Committee ultimately ranked One Parking, Inc., as the top firm after the initial meeting and then again after oral presentations. See attached proposal. Two negotiation meetings were held with One Parking, Inc. The open discussions during the negotiations provided the Selection Committee with a better understanding of available options for the initial launch of the valet services program and for the potential expansion of services in the future.

One Parking, Inc. agreed to allow the Town to purchase the vaults required to support the new services directly from the supplier, which will save on sale taxes. One Parking, Inc. is also willing to purchase the vaults back from the Town in the event the Valet Services contract is terminated.

The agreed upon services staff recommends Council consider is the implementation of two valet stands in the 100 block of Worth Avenue, with one of them at the corner of South County Road (which would service the 200 and 300 block areas). The vendor has secured sufficient off-street parking at 150 Worth Avenue to store vehicles. The placement of both stand on the 100 block is necessary to minimize the number of employees at each stand, while optimizing the parking and retrieval times for each vehicle.

Rates charged to the customer for valet service will be based on the visitor rates charged at 150 Worth Avenue, which are \$15.00 0-2 Hours; \$25.00 2-4 Hours; and \$35.00 4-8 Hours. Vehicles held past the 8 hours will be subject to repeating rates. Validations will be available for purchase by merchants, should they be interested, and One Parking has agreed to developing a long-term parking program for employees on the Avenue. See attached materials for details of services to be provided.

FISCAL IMPACT/FUNDING SOURCE

To operate two valet stands, equipment and supply expenses totaling approximately \$16,000 is required. Staff is requesting a contingency of \$3,000 to ensure sufficient funding for unforeseen ancillary expenses related to start up equipment and supplies. Valet stand #1 will cost the Town \$2,500 per month (\$30,000/year) to operate and stand #2 will cost the Town \$5,500 per month (\$66,000/year) to operate. A contingency appropriation of \$115,000 is required should Council desire to fund two valet stands. A total of \$600,000 is currently available in the General Fund contingency budget.

Approximately \$80,000 in revenue in FY22 is anticipated from the 16 paid parking spaces that were created in the 100 Block of Worth Avenue. Should Council desire to further expand paid parking on Worth Avenue, the subsidy of valet parking could be eliminated while generating surplus revenues to enhance the Town's parking program.

DUE DILIGENCE

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

TOWN ATTORNEY REVIEW

The resolution is in a form that has previously been reviewed and approved by the Town Attorney for legal form and sufficiency.

Attachments

CC: Department Directors
Dean Mealy, CPPO Town Purchasing Manager
Parking Committee

RESOLUTION NO. 027-2022

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF RFP NO. 2022-07 VALET
PARKING SERVICES FOR THE TOWN OF PALM BEACH TO
ONE PARKING, INC.**

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

Section 1. The Town Council of the Town of Palm Beach, Palm Beach County, Florida hereby approves Resolution No. 027-2022, approving the award of RFP No. 2022-07, Valet Parking Services for the Town of Palm Beach to One Parking, Inc.

Section 2. The Town Manager or his designee is hereby authorized to execute annual purchase orders on behalf of the Town of Palm Beach for these services, at annual approved budget.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of February 2022.

Danielle H. Moore, Mayor

ATTEST:

Pat Gayle-Gordon, Acting Town Clerk

Proposal prepared by



ONE PARKING, INC.

477 S Rosemary Ave, Suite 202
West Palm Beach, FL 33401

VALET PARKING SERVICES PROPOSAL

TOWN OF PALM BEACH

RFP NO. 2022-07

Proposal prepared for

TOWN OF PALM BEACH

Duke Basha | dbasha@townofpalmbeach.com



December 7, 2021

2-8-22 TCM Backup

December 7, 2021

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

Dear Mr. Basha,

One Parking, Inc. is pleased to present the **Town of Palm Beach** with the enclosed proposal to provide professional valet parking services. One Parking has been in existence for over 16 years, headquartered in West Palm Beach nearby at Rosemary Square, and has since excelled to manage well over 50,000 self-park and valet spaces for over 100 high-end assets throughout the United States. **We specialize in high-volume valet operations, and we recently secured a long-term lease with the ownership at 150 Worth Avenue, enabling us to provide convenient storage for our proposed valet stand locations. With this, a proof of private storage authorization letter is enclosed, giving One Parking authorization to store vehicles for the Town of Palm Beach.**

One Parking provides parking solutions for some of the most demanding clients and busiest valet locations in the country. Locally, we provide valet services at Norton Museum of Art, Isle Casino Pompano Beach, Rosemary Square, Manatee Lagoon, and Restoration Hardware. These clients selected One Parking, and choose to stay with One Parking, because of our unmatched response time, level of customer service, and financial results. Given this background, we are certain that we can create a positive parking experience for the Worth Avenue customers and assist the Town of Palm Beach with reaching its parking goals to provide parking convenience to its visitors. One Parking is able to provide a level of support unmatched by other operators because of our proximity, access to more resources, and possession of a large inventory of storage space to support our valet service.

We appreciate the opportunity to show the Town of Palm Beach what we have to offer and want to thank you for considering us in this process. My personal cell phone is 561-531-2755 and I also live in downtown West Palm Beach, therefore, I am readily accessible and available to meet in person. This community is an important part of who One Parking serves and we thank you for the opportunity to possibly expand it, while helping the Town of Palm Beach to achieve its goals.

Respectfully,



Kirsten Dolan
CEO

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One Parking focuses on providing a high level of service to our parking customers and clients. We work as partners with enlightened clients that view parking as an integral part of the overall customer experience. If selected to operate, One Parking would bring a wealth of operating experience and significant contributions to the Town of Palm Beach, including up to date COVID-19 procedures for valet, as well as the latest training in the industry.

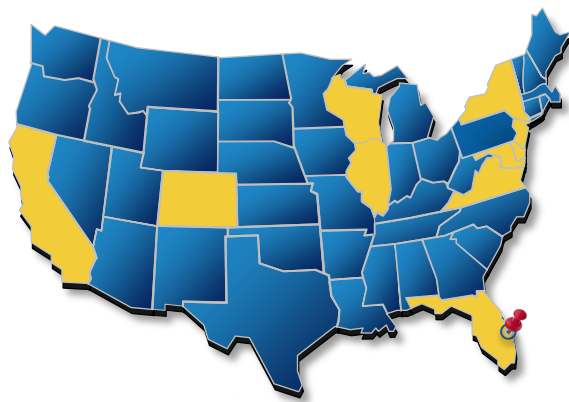
One Parking provides a higher level of service and attention to a select number of properties, thereby giving our clients a level of attention that is unmatched in the industry. We are unique, since our clients receive attention and hands-on project review from the highest levels of the organization.

FAST FACTS

Manage: 50,000+ parking spaces

California, Chicago, Colorado, Delaware,
Florida, Maryland, New Jersey, New York,
Virginia, Washington, DC, Wisconsin

Facilities Under Asset Management: 10



EXECUTIVE TEAM & KEY PERSONNEL



KIRSTEN DOLAN
CEO

West Palm Beach, FL
T +1 917 664 3430
T 561 531 2755 (Personal)
Kirsten@oneparking.com

As owner of One Parking, Kirsten specializes in helping owners recognize the revenue potential of their parking assets. She has over 30 years of experience operating parking assets, including numerous large event venues. As CEO, she drives results of both the financial and service aspects of our client's parking assets. Additionally, she specializes in the marketing of parking locations, as well as the implementation of control.

Kirsten holds a B.S. Degree in Marketing from Arizona State University. Additionally, she holds a Business Analytics Certification from the University of Pennsylvania Wharton Business School, and a Negotiation and Influence Certificate from MIT Sloan Executive Education. Kirsten is a Member of the Urban Land Institute (ULI), The Commonwealth Institute, International Women's Forum Palm Beach, Women In Parking, Commercial Real Estate Women Network (CREW), and Florida Hotel & Restaurant Association. Kirsten was voted South Florida's Most Influential Businesswoman in 2014 and honored by The Commonwealth Institute as one of Florida's Top Women-Led Businesses from 2014-2021.



MARK PRATT
President & COO

West Palm Beach, FL
T +1 317 716 6016
mpratt@oneparking.com

As President and COO of One Parking, Mark is responsible for over 90 locations in 13 cities throughout the U.S. He is instrumental in driving financial results and operational excellence for the One Parking portfolio nationwide. Bringing over 30 years of experience, Mark has worked in all facets of parking since he began his career in 1984 and has been a significant leader and mentor in the industry.

His experience and desire for exemplary operations lead him to develop and patent the first video-to-video remote monitoring system. Mark is focused on bringing technology to the parking industry to increase efficiencies and improve financial results. He acts as our subject matter expert in all aspects of technology.

Mark has a BBA in Business Administration, Computer Science from Morehead State University.



JENNIFER ELLINGSON
S. FL GENERAL MANAGER

West Palm Beach, FL
T +1 561 833 7222
jellingson@oneparking.com

Jennifer joined One Parking in April 2021, where she is responsible for 18 locations and 14 Managers in South Florida. Prior to joining One Parking, she was an Area Manager for Denison Parking where she managed 6 parking facilities in downtown Minneapolis, MN, which included 2 Class A facilities.

Jennifer is a strategic Manager, who has 17 years of experience leading and overseeing client portfolios and business activities. Jennifer is a forward-thinking leader with expertise in setting goals, devising precise and targeted business operational plans, managing parking areas, reviewing performance, driving change, leading quality standards and initiatives, while maintaining quick and efficient attainment of objectives.



DANIEL SANCHEZ
VALET OPS MANAGER

West Palm Beach, FL
T +1 561 324 3120
dsanchez@oneparking.com

Daniel has over 15 years of experience in valet parking, specifically in Palm Beach. He has managed valet teams of 150 employees and is an expert at creating efficient staffing levels for events and other high-volume operations. He is excellent at customer service and problem resolution, and has hands on valet event management at the Norton Museum. He was also responsible for setting up our valet operation with the City of Pompano Beach, which supports beach parking, surrounding retail, and city events.

Daniel is bilingual and has an Associates in Arts Degree from Palm Beach State College.



THERESA LILLY
MARKETING DIRECTOR

West Palm Beach, FL
T +1 561 283 4964
tlilly@oneparking.com

Theresa joined One Parking in September 2013 as the Marketing Director in our West Palm Beach, FL Corporate Office. She has over 20 years of professional experience providing creative support for all corporate initiatives, projects, and visual communications. Theresa has been instrumental at One Parking in developing and executing strategic plans, providing brand consistency internally and externally, and applying innovative marketing and advertising strategies to increase customer acquisition. She is responsible for all aspects of One Parking's marketing efforts including market research, strategies, identifying new business opportunities, graphic design, website development, and customer and client communications.

Theresa attended Huntington Institute School of Business in Connecticut. Theresa is a member of Women in Parking and the Chamber of Commerce of the Palm Beaches.



STEPHEN G. BARRY
CFO

West Palm Beach, FL
T +1 561 804 0083
sgbjr@barryco.us

Stephen G. Barry is the founder and owner of Barry & Company and also serves as One Parking's CFO. He is a graduate of Florida Atlantic University and has practiced as a CPA for more than 30 years. He began his career with Haskins & Sells, predecessor to Deloitte & Touche, in their Miami, Ft. Lauderdale, and West Palm Beach offices. He established Barry & Company in 1975.

Mr. Barry's clientele ranges from individuals to large corporations. In addition to serving the needs of his ongoing tax, audit and accounting clients, he has extensive experience in real estate development, financial planning, and mergers and acquisitions.

He is a member of the Florida Institute of Certified Public Accountants and the American Institute of Certified Public Accountants. He resides in West Palm Beach and is active in a number of civic and charitable organizations in Palm Beach County.

FEATURED PROPERTIES

Below is a representation of our South Florida properties.



Rosemary Square, West Palm Beach, FL

This internationally acclaimed lifestyle living center is an entertainment, retail and work/living concept with national retailers, regional specialty shops, restaurants, a 20-screen Muvico cinema, premium office spaces, private town homes, live/work lofts, and condominium apartments on the 72-acre project. There are six valet podium locations and four self-park facilities containing over 3,000 spaces, which process 150,000 valet vehicles and 2,000,000 self-park customers annually. One Parking also

operates the Center's information/concierge desk providing guest services to customers. The company began operations here in 2004.



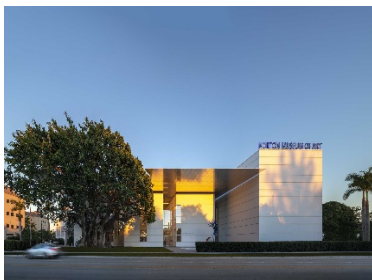
The Esplanade, 150 Worth Avenue, Palm Beach, FL

The Esplanade is a luxury retail experience located at the start of the legendary Worth Avenue in Palm Beach. Tenants include Saks Fifth Avenue, Louis Vuitton, Gucci, and Starbucks to name a few. One Parking recently began providing valet, self-park, and event parking services in this 336-space facility on December 1, 2021. The Esplanade parking facility supports surrounding businesses, tourists, and hotels in the area.



250 Royal Palm Way, Palm Beach, FL

A 24,000 SF office building located on Bankers Row in Palm Beach. One Parking operates an on-demand seasonal valet service that is complimentary for the customers of the building. Our services also included concierge/door service in the past. Our team has augmented the amenities of the building since 2017.



Norton Museum of Art, West Palm Beach, FL

After three years of construction, the Norton Museum of Art in West Palm Beach reopened in February 2019, with eight new exhibitions and a \$100 million face-lift, adding 12,000 square feet of gallery space, along with new classrooms, an elegant restaurant, a sculpture garden, a 210-seat auditorium, and beautiful new meeting and celebration spaces. The museum hosts many large high-end events throughout the month, which require valet services. To service the museum's valet needs, One Parking

provides valet parking services for all events, which vary from 100 to 500 guests.



Restoration Hardware, West Palm Beach, FL

RH is an 80,000 SF luxury home-furnishings gallery with an integration of food, wine, art, and design, that reflects RH's quest to revolutionize physical retailing. RH offers sweeping city views from its lavish Rooftop Restaurant, which is only the second RH restaurant in the country. This unique retail concept completely immerses guests from the moment they approach the entrance, as their experience starts at the Valet, in front of a 14-foot wall of falling water. Since 2017, One Parking has provided

luxury valet services for the 40 spaces onsite.



CityPlace Tower, West Palm Beach, FL

This dramatic 18-story, Class A Office Tower has its own self-park garage as well as VIP Valet service and Concierge services for tenants and visitors to the building. Marking the gateway to Palm Beach, CityPlace Tower is strategically positioned at the south entrance to Rosemary Square, on the northwest corner of Okeechobee and South Quadrille Boulevards. The location is viewed as one of the best commercial sites in Palm Beach County. The covered access to Rosemary Square enables tenants and

visitors to be within steps of the popular shops and restaurants. One Parking has provided valet services to the tenants and visitors since 2008 when the building opened.



Isle Casino Pompano Park, Pompano Beach, FL

Isle Casino Pompano Park is one of the best entertainment venues in South Florida. The Isle Casino Pompano Park has a diverse and modern selection of 1,500 slot machines, 40+ live-action poker tables, 4 fabulous restaurants, and has an unrivaled harness horse racing track, making Isle Casino Pompano Park the ideal spot for relaxation and fun. One Parking provides Valet Parking and VIP Black Car Service for the Casino and has done so since 2018.



Manatee Lagoon, Riviera Beach, FL

Manatee Lagoon is one of Palm Beach County's newest family-friendly attraction, with interactive and entertaining exhibits about the environment of the Lake Worth Lagoon and the wonderful world of manatees. Florida Power & Light constructed Manatee Lagoon to inspire communities to preserve and protect Florida's environment and wildlife for future generations. The Key West-styled 16,000 SF, 4.8M facility boasts a two-story manatee viewing deck, built for a close watch. One Parking has

been responsible for traffic management/direction and valet services for special events at the center since 2015 when the facility opened. We provide traffic direction services during Manatee Season. We also provide parking consultation services for any other parking issues determined by FP&L and the Manatee Lagoon.

ONE PARKING ADVANTAGE

There are many benefits to choosing One Parking as your valet parking service provider for the Town of Palm Beach: **Proximity of our Storage, Professional Service History, and Transparent Reporting.** Another benefit to partnering with One Parking, is the 24/7 availability of the Executive Staff from our Corporate Office located in Rosemary Square, and the high-volume valet and hospitality experience of our team. Additionally, we employ over 450 employees nationwide and approximately 40% of the workforce is located in South Florida, providing a pool of employees to draw from when needed.

Approach & Operational Plan

We put forth the following Operational Plan and Valet Service recommendations for the Town of Palm Beach.

- One Parking will operate either one (1) or two (2) valet stations in the locations designated below at 150 Worth Avenue, and at the corner of County Road and Worth Avenue.



- We will use **Flash Valet** technology that allows for name recognition of repeat customers, a touchless experience, and many other options including a variety of payment options. The Town of Palm Beach will receive automated reports monthly on valet usage, occupancy, and payments. The use of this equipment will provide professional branding and added control. It will also provide a text retrieval feature for customers.
- One Parking will make the 3-minute greeting/vehicle possession time and the 10-minute vehicle return time specified in the RFP a goal, however, items outside our control, including street traffic and queueing space, may interfere with the greeting and return times. However, due to our storage location at 150 Worth Avenue, we have advantages other operators in achieving the most reasonable wait times.
- Due to the proximity of these stands, One Parking can provide a cross retrieval feature, which allows customers to drop off/pick up at different stands.
- We would provide staffing from 11:00 AM to 5:30 PM Monday-Friday, and any unretrieved vehicle keys will be held at the 150 Worth Avenue location office. If keys are left over for any reason after an agreed upon time, an after-hours call number will be available for the customer, or alternatively they could be picked up at 150 Worth Avenue during operating hours. Occasionally, we find that customers may take an Uber/Lyft home as a safety precaution, but they do not

coordinate with the valet prior to leaving the establishment. We would work with the Town of Palm Beach to agree upon an acceptable policy prior to finalizing our procedure in this regard.

- One Parking proposes paying valets \$15.00 per hour to attract and retain the best employees. Other operators will offer lower wage rates and utilize tip credits to show the lowest cost to secure the contract with the Town of Palm Beach. This strategy should be disregarded and priority given to quality and consistency for long-term success. Our vision is to provide the Town of Palm Beach with a permanent and evolving parking plan that solves parking problems.
- One Parking will provide **“The Vault” Valet Podiums** as part of our proposal. The Vault Valet podium safeguards the keys of some of the most expensive vehicles, as it is made of the thickest material on the market today and does not use a universal key. The front is also backlit and would include the Town of Palm Beach name to brand the valet station. One Parking’s plan includes using two (2) of these secure and professional vaults.



- We will provide preapproved uniforms for the employees. Our preference would be to dress the employees in One Parking uniforms, but we are open to discussion on this item if the Town of Palm Beach prefers to brand the valet stands in some fashion. We will also require ID badges per the RFP.
- The Town of Palm Beach will be responsible for the cost of the Kiosks and Umbrellas, which is approximately \$16,000 and reflected in our bid price.
- One Parking will provide consistency to the program, given our pool of employees and proximity to the proposed stand locations. This core of team members will supplement the staff designated for the Town of Palm Beach. A Manager will always be available immediately to address any matters, if needed. As such, our Executive Team is located in our Rosemary Square Corporate Office and can respond to the Town of Palm Beach in the matter of minutes.
- Only the most experienced and fully trained personnel will be selected and assigned for this project. The personnel selected will have knowledge of professional valet services, traffic management, along with proven high-quality customer service skills. Thus, there will be a clear understanding and expectation of each employee’s role, and they will understand their role as an ambassador.
- One Parking has strict policies in place, as well as quality training programs on what constitutes safe driving habits. This reduces liability, ensures a safe work environment for employees, and establishes good driving habits among employees. Additionally, for secure storage and handling of all cash,

keys, and vehicles, we ensure that vehicle keys are protected by a valet key box or stored inside a lockable valet podium or keyboard. Likewise, all vehicles must be locked once parked.

- One Parking's goal is to always meet and/or exceed the customer's expectations with high-value customer service experiences. Our employees, recognized first through pre-hire screenings, background/credit checks, and pre-placement training, are expected to always conduct themselves in a professional manner, with an emphasis on assuming the role as local ambassadors to our customers. Additionally, we utilize a third-party vendor to mystery shop all of our facilities on a periodic basis, with the following 4 primary focal points of inspection: Appearance; Customer Service; Integrity; Operation Quality.
- A log will be maintained of any incidents, in case of any safety or maintenance related issues that may require more urgent attention or action. While One Parking will handle all damage claim processing, we will communicate incidents to the Town of Palm Beach if they occur.
- An opening plan and checklist will be provided and discussed with Town of Palm Beach, if One Parking is selected to operate. This checklist has been a successful tool for One Parking openings performed across the country. Additionally, One Parking will schedule a meet and greet with the Town of Palm Beach to introduce our team and answer any questions they may have.
- Maintain a strong working relationship and open line of communications with the Town of Palm Beach on all matters pertaining to the valet parking operation and provide parking consultation services for any other issues determined by the Town of Palm Beach. We are committed to working with the Town of Palm Beach to continually provide a tailored service experience to the customer.
- Rates charged to the customer for valet service will be based on the visitor rates charged at 150 Worth Avenue, which are \$15.00 0-2 Hours; \$25.00 2-4 Hours; and \$35.00 4-8 Hours as of this date. Vehicles held past the 8 hours will be subject to repeating rates. Validations will be available for purchase by merchants, should they be interested.

Marketing Campaign

As an option to the Town of Palm Beach, One Parking will execute a marketing plan to promote the valet parking program online. One Parking's Marketing Director would work with the Town of Palm Beach Marketing Team, and would be responsible for the marketing strategies and efforts, which can include creating and designing digital marketing campaigns to inform customers of the available valet parking options on Worth Avenue.

Additionally, our Online Marketing Specialist can establish an online presence for the Town's valet parking program. To develop an online presence and further enhance the parking program's exposure, our Online Marketing Specialist will ensure that the listing shows up on all local search platforms, ranks highest on all search engines and maps (most notably Google), maintain online visibility for the location, and extend the digital reach.

Key Marketing Tactics:

- **Yext & One Parking Online Marketing Solution** - For Local Search Engine Optimization (SEO), i.e. *greater local visibility, brand consistency, and to ensure your valet parking location "Listing" ranks high in Google search*, One Parking would onboard the Town of Palm Beach valet listing into our "Yext" Digital Knowledge Management Database. One Parking partnered with "Yext" to ensure our public-facing information online is discoverable everywhere consumers search.

Yext has data integrations with more than 100 global maps, apps, search engines, voice assistants, directories, and social networks, therefore, the Town of Palm Beach valet listing will be found easily by your customers.



- **Social Media Marketing** - Incorporating the use of Social Media, will provide the most updated and relevant parking information to the customer.

Professional Staff & Responsibilities

One Parking will ensure there is sufficient valet staff onsite at all times to meet the needs of the customers. We will adjust accordingly as we build our data and experience to ensure maximum efficiency. Additionally, there will always be at least one Supervisor who will be responsible for overseeing the valet operation, ensuring best-in-class customer service, and handling any issues that may arise.

To maintain the facility in a first-class condition, the valet staff will be responsible for the overall cleanliness of the ramp area. The valet staff will have detailed training of their daily responsibilities for the valet drop-off areas, and surrounding parking areas.

Staff Duties/Responsibilities

Valet Manager - The Valet Manager will oversee the hiring, scheduling, and overall performance of the valet stands. The Valet Manager will be located at 150 Worth Avenue and can be reached and present within minutes, in case of an emergency. The Manager will also be in charge of day-to-day operations, including organization of the vehicles in the garage, and ensuring that all Attendants are hustling (drop-off and vehicle retrieval).

Valet Attendants - Valet Attendants will ensure that vehicles are returned and dropped off in a timely matter, as well as assist customers with wheelchairs and other items if needed.

One Parking's COVID-19 Valet Parking Guidelines

As customers begin to return to venues post-COVID-19, there will be more hesitation in using valet services initially. Our job is to provide an environment that is as comfortable as possible, to help alleviate these concerns.

Requirements, Safety Guidelines & Precautions

As a valet parking service provider, potential sources of exposure include having close contact with fellow employees and customers with COVID-19, or touching surfaces touched or handled by a person with COVID-19. The following are COVID-19 safety guidelines and precautions recommended by the CDC, combined with the procedures we have developed specifically for the One Parking valet operation. Pursuant to One Parking's Valet Operational Standards, the following are required:

Employee Guidelines:

- Employees must stay home if they are sick.
- If an employee develops a fever or symptoms such as a cough or difficulty breathing, they will need to call their healthcare provider for medical advice and guidance before returning to work.
- Employees will not return to work until the criteria to discontinue home isolation are met, after talking with their doctor or nurse.
- When an employee arrives for their shift, prior to clocking in, the employee will be required to have their temperature checked, which will be logged in compliance with privacy laws, but will provide a checkpoint for employees before they are able to begin their shift.
- All valets and managers will wear masks and gloves onsite. All valets must wear masks, except for the walk to and from the key retrieval area. Otherwise, masks must always be worn.

- All employees must remain at least 6 feet apart from one another. Management will provide visual cues (approved by the Town of Palm Beach) to station employees properly within these guidelines.

Cloth face coverings may prevent people who do not know they have the virus from transmitting it to others. Which is why we require our staff to wear face coverings in public, following local county ordinances and the CDC's guidelines to stop the spread. We provide One Parking branded masks to all employees.

Limit Contact with Customers:

- All employees are required to wear masks and gloves while operating a vehicle, and throughout the event.
- Each vehicle will have a steering wheel cover placed on the wheel, as well as a gear shift cover, before the valet attendant operates the vehicle.
- The disposable steering wheel cover and gear shift cover will be removed after the valet attendant returns the vehicle to the customer.
- All keys/fobs will be sterilized with disinfectant.
- Any high-touch areas such as door handles and window switches will be wiped down with disinfectant when returned to the customer.
- Hand sanitizer will be available at the valet attendant podium, valet key box, and at any other employee areas. Employees will be reminded of the need for frequent handwashing, particularly if their gloves are taken off at any time during the event.
- Employees will avoid close contact with customers, when possible.
 - Employees will keep a distance of at least 6 feet from the customer when outside of the vehicle, after the customer receives their valet ticket.
 - The valet will ask customers to handle their own personal bags and belongings during pick-up and drop-off.
- For customers with wheelchairs or scooters, the valet attendants will continue to assist the customer with these items in and out of the vehicle, but will be required to wipe down any touched areas with a disinfecting wipe.
- As vehicles are returned, customers will be required to show the valet, but not return their claim stubs. This allows for proper verification of the correct vehicle, without the need for an additional transfer of paperwork back and forth.
- One Parking will avoid offering items such as water bottles or branding materials often provided to our customers.

PROPOSED PRICING

One Parking will provide the following valet stand operations Monday-Friday from 11:00 AM to 5:30 PM for the pricing shown below. Included in this pricing, One Parking will provide: employees; insurance; phone communication; one (1) Flash Valet handheld; and storage of all vehicles. The cost of the Valet Vaults and the Flash Valet handheld equipment will be a capital expense to the Town of Palm Beach.

Valet Stand Location #1 (150 Worth Ave)

Pricing: \$2,500 per month

In addition, the Town of Palm Beach will provide 3-6 spaces for use the of the valet ramp at no charge, waive the permit application fee, and pay the cost of one (1) Valet Vault, which is approximately \$8,000.

Valet Stand Location #2 (County Road/Worth Avenue)

Pricing: \$5,500 per month

In addition, the Town of Palm Beach will provide 3-5 spaces for the use of the valet ramp at no charge, waive the permit application fee, and pay the cost of one (1) Flash Valet handheld and one (1) Valet Vault, which is approximately \$9,500.

November 22, 2021

Town of Palm Beach
360 South County Road
Palm Beach, FL 33480

RE: Private Storage of Valet Vehicles Authorization

Dear Sir/Madam:

Please let this letter serve as confirmation, that One Parking, Inc. has authorization to use the 150 Worth Avenue parking garage for the purpose of storing valet parked vehicles for the Town of Palm Beach valet stands, as designated in the proposal One Parking provided dated December 7, 2021.

Please feel free to contact me should you have any questions.

Respectfully,



Kirsten Dolan
CEO

Scope of Services

Valet Services for Worth Avenue

PURPOSE

The Town of Palm Beach, Florida ("Town") is soliciting proposals for **Valet Services for Worth Avenue** from qualified and experienced professional firms ("Proposer"), readily available to provide the services outlined in this solicitation, in accordance with rules and regulations related to valet operations within the Town. Appendix A includes a map of potential locations for valet stands on Worth Avenue.

SCOPE OF SERVICES

There are currently no valet operations directly managed or outsourced by the Town of Palm Beach, but the Town does issue permits for private operators seeking to provide valet services for town businesses. Most of the current valet services are limited to restaurants but the Town seeks to implement valet services to provide an alternative parking solution for visitors to Worth Avenue during daytime business hours. The Town expects there to be a minimum of 2 valet stands on Worth Avenue, with locations to be determined at a later date. The scope of service to be used in procuring a vendor to provide valet services is as follows:

- A. Branding of Service** - The Town will define the brand of the services and must approve the layout of valet stands. The Town will supply umbrellas, key stands, and kiosks, but the selected operator will be required to provide Town approved uniforms to its employees. Storage and care for the Town provided equipment will be the responsibility of the operator.
 - 1. The Town will approve of any Apps or collateral material to be used in providing the valet services.
 - 2. Operator will provide all valet staff with uniforms and ID badges as approved by the Town. These badges must be clearly visible at all times while working.
 - 3. Uniforms must be well maintained and in good condition any-time an employee is working.
- B. Customer Service** - The Town is looking for valet operator that provides a high level of personalized customer service, including:
 - 1. Vehicle pickup and delivery at any of the valet stands located on Worth Avenue.
 - 2. Valet should act as an ambassador to the Town, with sufficient knowledge to provide directions to key destinations.
- C. Operational Requirements** - The Town's expectation is that valet services provided will be exceptional service to customers.
 - 1. The Proposer must provide Proposed Operational Plans. At a minimum, such plan should state the intended valet parking concessions which are contemplated, number and qualifications of all personnel, including supervisors, together with a statement of screening procedures for all employees, including those with driving responsibilities.

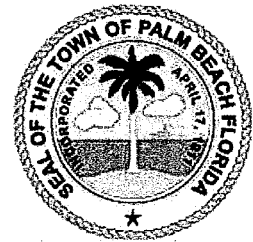
2. All costs associated with operating valet shall be paid solely from revenues derived from valet operations. The Town shall have no obligation to pay or contribute toward any expense, with the exception of the equipment and supplies provided by the Town and on-street spaces reserved for valet use only.
 3. Staffing at all valet stands will be maintained to ensure that the Proposer must greet patrons and take possession of their vehicles within three (3) minutes of arrival of each patron, and the Proposer must return their vehicles to the patrons within ten (10) minutes of each patron's request for the vehicle. The Town reserves the right to have any unsuitable employee(s) of the Proposer removed.
 4. Operator will obtain a valet permit, but the fee for said permit will be waived.
 5. System to monitor valet traffic and ensure accountability for access to public parking spaces.
 6. Valet Operator must maintain phone or radio system to communicate between storage locations and all valet stands.
 7. The Proposer shall maintain a neat and orderly operation at all times and shall be solely responsible for the necessary services to properly maintain the premises being used for valet parking services. Proposer to maintain their operating areas and general vicinity free of all debris, litter, and trash.
 8. The operator shall comply with all laws, ordinances, and Town regulations.
 9. Any additional equipment which the operator intends to supply for the valet services operation should be listed and described in detail.
- D. Rates** - Operator will propose standard rate as part of their response to the Town's RFP.
- E. Enforcement** - Operator is responsible for compliance with all insurance requirements, rules and regulations related to valet operations within the Town.
1. Violations such as illegal ramping, blocking traffic, illegal storage, failing to wear required name tag, etc. will result in fines as provided for in the Town Code.
 2. Compliance requires vendor to maintain insurance to the satisfaction of the Town's Risk Manager.
 3. Proposals should include information on how operational data will be shared with the Town and how any operational systems will assist the Town in ensuring compliance with the contract requirements.
- F. Hours of Operation** - Operator will propose a plan for delivery of cars remaining in storage at the end of each day and will at a minimum provide staff at all valet stand as follows:
1. Monday through Friday - 11:00 a.m. to 5:30 p.m.

Days and hours of operation may only be modified with the prior review and approval of the Town Manager or designee.

G. Use of on-street parking spaces – The Town will restrict the use of a limited number of on-street spaces for valet use only on each block during the hours of valet services operations. These spaces will be provided at no cost to the operator.

1. Ramping of vehicles shall consist of allowing customers to enter or exit a vehicle and to turn it over to or retrieve it from valet employees. Ramping shall only be operated in the public on-street/curbside spaces provided for ramping. There shall be no storage of vehicles in the area designated for ramping.
2. Ramping on public property shall not occur in any other location than the on-street/curbside spaces provided for ramping. Vehicle key lock boxes used at the ramp locations are not to obstruct pedestrian or vehicular traffic.

H. Private storage of valet vehicles - Valet operator may store vehicles in private parking lots which are properly zoned and permitted as parking lots. The valet operator shall provide to the Town satisfactory documentation from the parking facility owner or management company/agent authorizing the valet operator to use those facilities for the purpose of storing valet parked vehicles.



8465 RFP No. 2022-07 Valet Parking Services for Town of Palm Beach

Award phase

Settings Participants Schedule Pricing sheets Questionnaires Offers/Applications
Evaluate Compare & Select Awarding communication Solicitation summary Contract

0

[My Evaluation](#) [Evaluators progress](#) [All evaluations](#) [Overview](#)

East Coast Valet

1. All Questionnaires Questionnaire

21 Questions

[Help](#)

1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 78.5%

[Back to question groups](#)

Qualifications of the Firm - 35% weight

1.3.1. evaluated Knockout question

Weight: 35%

- Experience of Firm/Past Performance
 - Organizational Chart
 - Operational Information
 - Management's Credentials
 - Credentials of Personnel to be Assigned to the Town
 - High quality level of services to be provided to Town
 - Completed Commercial and/or Governmental Contracts
 - Proposer's Workload: Please indicate number, duration and value of projects/contracts

Experience with local conditions

Answer

Attached documents by supplier:

Annual Billing for Palm Beach Accts.docx 162 Kb	Download	Preview
Corporate Profile ECV.doc 375 Kb	Download	Preview
Drug Free Workplace Certificate.pdf 640 Kb	Download	Preview
Palm Beach Valet RFP ECV Experience.pdf 200 Kb	Download	Preview
References for ECV and ECP 2021 .docx 1092 Kb	Download	Preview
Updated ECV Org. Chart.pdf 2594 Kb	Download	Preview

Score: 30.8%

[View evaluation method](#)Benjamin Alma (20%) [4.5](#)

Score Comment

6.3% flat
rate for
services,
floater
valet,
lot-
manager
on duty

Solicitations Palm Beach
[logout](#)

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Company administrator:

Solicitations Palm Beach
(561) 838-5406
solicitations@townofpalmbeach



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[? Help](#)

		Score	Comment
Jay Boodheshwar (20%)	<u>4.5</u>	6.3%	
Mark Bresnahan (20%)	<u>5</u>	7%	
Paul Colby (20%)	<u>4</u>	5.6%	
Amy Wood (20%)	<u>4</u>	5.6%	
Total score:		30.8%	

Approach to Engagement and Proposed Program - 35% weight

1.3.2. evaluated Knockout question

Weight: 35%

- Approach to Engagement - Detailed Technical Proposal:
 - Approach to the Project and Methodology
 - Understanding and approach to address Town's needs
 - Technical proposal
 - Applicability of the services offered
 - Schedule to accommodate this contract
 - Meeting the Town's operational requirements

Answer

Attached documents by supplier:

 Proposal Town of Palm Beach Valet 2021.pdf 157 Kb [Download](#) | [Preview](#)

Score: 27.3%

View evaluation method

		Score	Comment
Benjamin Alma (20%)	<u>4.5</u>	6.3%	Valet hours of op-1000-1800. 3-valets per location with a floater. Lot manager and area-manager available. Flat rate of \$22.50
Jay Boodheshwar (20%)	<u>4</u>	5.6%	
Mark Bresnahan (20%)	<u>3.5</u>	4.9%	
Paul Colby (20%)	<u>3.5</u>	4.9%	* \$22.50 per valet per hour. Time and a half for the following holidays: Christmas Eve and Day, New Year's Eve and Day, Thanksgiving, IndependenceDay, Labor Day, and Memorial Day - Cost for Area Manager & Lot Manager? * Professionally trained - I'd like to request the training program provided. * Valet's signage need to be approved by Town?

Score Comment

Amy Wood (20%) 4

5.6% Planned for a stand on 100 and 300 block of Worth which would be more convenient for the patrons. Also allowed valets to load/unload packages from vehicles.

Total score: 27.3%

Revenue Structure - 20% weight

1.3.3. evaluated Knockout question

Weight: 20%

Explain the expected revenue structure/compensation package for the Town.

Answer

Attached documents by supplier:

 Palm Beach RFP Revenue Structure.pdf 152 Kb [Download](#) | [Preview](#)
 Proposal Town of Palm Beach Valet 2021.pdf 157 Kb [Download](#) | [Preview](#)

Score: 12.4%

[View evaluation method](#)

Score Comment

Benjamin Alma (20%) 4.5

3.6% flat rate

Jay Boodheshwar (20%) 2

1.6%

Mark Bresnahan (20%) 3.5

2.8%

Paul Colby (20%) 3.5

2.8% \$22.50/hr. time and ½ for holidays

Amy Wood (20%) 2

1.6% Cost for running 8 hr per day, 2 stands, 3 valets per stand + 1 floater at 22.50/hr = \$8,820/week with no proposed revenue

Total score: 12.4%

Other Information - 10% weight

1.3.4. evaluated Knockout question

Weight: 10%

- Other Information:
 - Accessibility of firm
 - Insurance Capacity/Capability
 - Present and future litigation or disputes
 - License sanctions
 - Financials*

*Note: Please provide an indication of the resources and the necessary working capital available and how it will relate to the firm's financial stability through the completion of the project.

two year period. The Town may also request a Dun & Bradstreet report from all short listed finalists.

Answer

Attached documents by supplier:

 Business Tax Receipt ECV 2021.pdf 207 Kb	Download		Preview
 COI Place of Hope (1).pdf 34 Kb	Download		Preview
 Corporate Profile ECV.pdf 51 Kb	Download		Preview
 Financial Statements- 2019 (3).pdf 121 Kb	Download		Preview
 Financial Statements- 2020 (3).pdf 117 Kb	Download		Preview

Score: 8%

[View evaluation method](#)

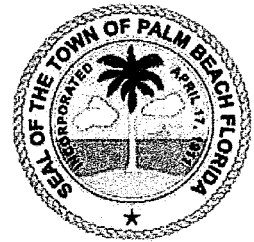
		Score	Comment
Benjamin Alma (20%)	<u>4.5</u>	1.8%	as indicated in proposal
Jay Boodheshwar (20%)	<u>5</u>	2%	
Mark Bresnahan (20%)	<u>3</u>	1.2%	
Paul Colby (20%)	<u>3.5</u>	1.4%	* Insurance acceptable? * Financials okay?
Amy Wood (20%)	<u>4</u>	1.6%	

Total score: 8%

[Back to question groups](#)

[Previous group](#)

1.3. EVALUATION FACTORS ▼



8465 RFP No. 2022-07 Valet Parking Services for Town of Palm Beach

Award phase

Settings Participants Schedule Pricing sheets Questionnaires Offers/Applications
Evaluate Compare & Select Awarding communication Solicitation summary Contract

0

[My Evaluation](#) [Evaluators progress](#) [All evaluations](#) [Overview](#)

One Parking, Inc.

1. All Questionnaires Questionnaire

21 Questions

[Help](#)

1.3. EVALUATION FACTORS

All answers are evaluated

Weight: 100% Score: 79.6%

[Back to question groups](#)

Qualifications of the Firm - 35% weight

1.3.1. evaluated Knockout question

Weight: 35%

- Experience of Firm/Past Performance
 - Organizational Chart
 - Operational Information
 - Management's Credentials
 - Credentials of Personnel to be Assigned to the Town
 - High quality level of services to be provided to Town
 - Completed Commercial and/or Governmental Contracts
 - Proposer's Workload: Please indicate number, duration and value of projects/contracts

Experience with local conditions

Answer

Attached documents by supplier:

Qualifications-One Parking.pdf 1105 Kb

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

RFP No. 2022-07 Valet Parking Services Town of Palm Beach-One Parking_3Dec 21.pdf 3396 Kb

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

Score: 30.8%

[View evaluation method](#)

		Score	Comment
Benjamin Alma (20%)	<u>4</u>	5.6%	sliding scale for valet services.
Jay Boodheshwar (20%)	<u>4.5</u>	6.3%	
Mark Bresnahan (20%)	<u>5</u>	7%	
Paul Colby (20%)	<u>4</u>	5.6%	
Amy Wood (20%)	<u>4.5</u>	6.3%	

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Score Comment

Total score: 30.8%

Approach to Engagement and Proposed Program - 35% weight

1.3.2. evaluated Knockout question

Weight: 35%

- Approach to Engagement - Detailed Technical Proposal:
 - Approach to the Project and Methodology
 - Understanding and approach to address Town's needs
 - Technical proposal
 - Applicability of the services offered
 - Schedule to accommodate this contract
 - Meeting the Town's operational requirements

Answer

Attached documents by supplier:

 Approach-One Parking.pdf 578 Kb [Download](#) | [Preview](#)

Score: 26.6%

[View evaluation method](#)

		Score	Comment
Benjamin Alma (20%)	<u>4</u>	5.6%	Flash Valet Tech is being used at Bal Harbour shops. Storage location of 150 Worth with rates of \$15.00 to 35.00 an hours of op- 1100 to 1730.
Jay Boodheshwar (20%)	<u>4</u>	5.6%	
Mark Bresnahan (20%)	<u>4</u>	5.6%	
Paul Colby (20%)	<u>3</u>	4.2%	• \$15.00/hr. • The Town of Palm Beach will be responsible for the cost of the Kiosks and Umbrellas, which is approximately \$16,000

		Score	Comment
Amy Wood (20%)	<u>4</u>	5.6%	Has parking inventory which the Town can utilize, decreasing the number of on street spaces which have to reserved. Planned both stands to be in 100 block of Worth which is convenient for the valets in regards to the parking lot but, having the second stand on the 300 block of Worth would be more convenient for the patrons.

Total score: 26.6%

Revenue Structure - 20% weight

1.3.3. evaluated Knockout question

Weight: 20%

Explain the expected revenue structure/compensation package for the Town.

Answer

Attached documents by supplier:

 Revenue Structure-One Parking.pdf 147 Kb [Download](#) | [Preview](#)

Score: 14.4%

View evaluation method

		Score	Comment
Benjamin Alma (20%)	<u>4</u>	3.2%	sliding rate
Jay Boodheshwar (20%)	<u>3.5</u>	2.8%	
Mark Bresnahan (20%)	<u>3.5</u>	2.8%	
Paul Colby (20%)	<u>3.5</u>	2.8%	\$2,500/mo. 100 block of worth \$5,500/mo. 300 block of Worth

		Score	Comment
Amy Wood (20%)	<u>3.5</u>	2.8%	Matched what was requested by the Town except I don't understand why the stand charge to the Town would be per month. The RFP reads that all ongoing costs were to be covered by the revenue charged with the exception of equipment and supplies provided by the Town.
		Total score: 14.4%	

Other Information - 10% weight

1.3.4. evaluated Knockout question

Weight: 10%

- Other Information:
 - Accessibility of firm
 - Insurance Capacity/Capability
 - Present and future litigation or disputes
 - License sanctions
 - Financials*

*Note: Please provide an indication of the resources and the necessary working capital available and how it will relate to the firm's financial stability through the completion of the project.

Town may request from short listed firms Financial Statement certified or reviewed by a CPA for last two year period. The Town may also request a Dun & Bradstreet report from all short listed finalists.

Answer

Attached documents by supplier:

 Insurance_Other-One Parking.pdf 1835 Kb [Download](#) | [Preview](#)

Score: 7.8%

[View evaluation method](#)

		Score	Comment
Benjamin Alma (20%)	<u>4.5</u>	1.8%	as indicated in proposal
Jay Boodheshwar (20%)	<u>5</u>	2%	
Mark Bresnahan (20%)	<u>3</u>	1.2%	
Paul Colby (20%)	<u>3</u>	1.2%	
Amy Wood (20%)	<u>4</u>	1.6%	
		Total score: 7.8%	

**Proposal Comparison
Town of Palm Beach**

Item	Original Proposal	Modification
Flash Parking Equipment	1 handheld included in One Parking pricing	2 handhelds included in One Parking pricing
Valet Vaults Purchase	To be paid by One Parking but reimbursed by the City	Will be sourced direct by the City and still receive One Parking discounted rate
Valet Vault Buy Back	not addressed	In the event the valet operation does not meet expectation, One Parking will purchase valet vault back from the City at a reasonable agreed upon rate
Valet Vault Maintenance	not addressed	One Parking to take responsibility for maintenance
Valet Vault Storage	not addressed	One Parking to store both vaults at 150 Worth
Potential Expansion of Program to Stand #3	not addressed	Agreement to work collaboratively on Long term strategies & provide data on Stand #1 & #2 to determine if expansion is practicable

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - New Business

Agenda Title

Re-Appointment of Town Manager Pursuant to Section 4.02(b) of the Town Charter from February 9, 2022 through February 14, 2023.

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 27, 2022, from Kirk W. Blouin, Town Manager**
- ▣ **2022 Town Manager Compensation Chart**
- ▣ **Town Charter, Section 4.02 (b)**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 8, 2022

TO: Mayor and Town Council

FROM: Kirk W. Blouin, Town Manager

RE: Approval of Town Manager Compensation

DATE: January 27, 2022

This memo is a follow-up to the performance evaluations I received from the Mayor and Town Council. Historically, there has not been a determined salary range for the Town Manager. However, under the current Performance Pay Chart for Town employees, I would be eligible for 6% salary increase. This increase would place my salary in the 70th percentile for our market comparables. I respectfully request that this salary increase be applied to my base salary.

KWB:pgg

Town Manager	Current Rate:	\$252,464
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Employer	Current Rate
Boca Raton, City of	\$303,480
Boynton Beach, City of	\$249,288
Delray Beach, City of	\$230,000
Greenacres, City of	\$215,000
Jupiter, Town of	\$238,478
Palm Beach Gardens, City of	\$314,488
Wellington, Village of	\$222,352
West Palm Beach, City of	\$269,294

75th Percentile	\$277,840.50
	-9.13%
70th Percentile	\$267,293.40
	-5.55%
65th Percentile	\$260,291.30
	-3.01%

Sec. 4.02. - Qualifications; Appointment; Removal; Compensation; Performance Evaluation.

- (a) *Qualifications.* The Town Manager shall be required to bring, among other things directed by the Town Council, technical competence in public administration, and professional management skills to the task of running the Town.
- (b) *Appointment.* The Town Council shall appoint by a majority vote of all Town Council members, a Town Manager for a period of one year. The Town Manager may be reappointed to an unlimited number of one year terms.
- (c) *Removal.* The Town Council may by majority vote of all Town Council members, suspend or remove the Town Manager at any time with or without cause prior to the expiration of his or her term. During any suspension, the Town Manager shall continue to receive his or her salary until the effective date of a final resolution of removal. In the event of removal other than for good cause shown, the Town Manager's salary shall continue until the end of the term.
- (d) *Compensation.* The compensation of the Town Manager shall be fixed by the Town Council and shall not be reduced during any one term of office.
- (e) *Performance Evaluation.* At least once each year, the Mayor and Town Council shall individually evaluate the Town Manager's performance, in accordance with such procedures as the Town Council shall, from time to time, adopt.

(Ord. No. 18-99, § 1, 12-14-99)

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Regular Agenda - New Business

Agenda Title

Approval of 2022 Town-wide Goals

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 27, 2022, from Kirk W. Blouin, Town Manager**
- ▣ **Town of Palm Beach Goals - 2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on February 8, 2022

TO: Mayor and Town Council

FROM: Kirk W. Blouin, Town Manager

RE: Approval of 2022 Town-wide Goals

DATE: January 27, 2022

Town-wide goals for 2022 consisting of six (6) title categories and twenty (20) sub-categories were presented to the Mayor and Town Council for review. It was requested that five (5) from the twenty (20) sub-categories be chosen as top priority. The five (5) sub-categories chosen will complete the list for the 2022 Town-wide goals.

KWB:pgg

Attachment

TOWN OF PALM BEACH GOALS – 2022

Financial Sustainability and Planning

- Continue to implement cost-saving measures and identify opportunities to increase non-tax-related revenue, while improving operational efficiencies, without compromising the community's expectation for exceptional public services.
- Market Town-owned properties in the City of West Palm Beach for potential ground leases. Implementation of ground lease for Okeechobee property – provide technical assistance in helping to obtain FDEP/DOH approval for revised closure and development plan by the lessee.
- Complete and review water feasibility study. Evaluate water supply and distribution options with an emphasis on service needs, quality and cost. Develop an implementation plan and begin negotiations for a contract with the provider.
- Establish a pandemic resilient and aspirational workplace, beginning with transforming the reputation and purpose of the TOPB Human Resources department from a highly efficient and technically competent administrative hub to a formally integrated business partner that projects the highest quality of standards and cost-efficiencies to the internal and external marketplace.

Community Standards, Regulations, Quality of Life

- Provide staff support in the completion of an updated Strategic Plan by the Strategic Planning Board and work closely with the Board to begin developing an Action Plan, which identifies the necessary resources and timelines that will be associated with the completion of objectives identified in the Strategic Plan.
- Continue the review of the Town Zoning Code and develop a plan with solutions to address the most pressing Town Zoning Code reform needs. Develop a budget and process to include analysis of the existing code, possibly create a steering committee, host multiple public engagement sessions, including charrettes, to solicit community feedback, research impacts, and requirements of federal, state, and county regulations, and prepare recommended code changes, with the assistance of the Planning & Zoning Commission and outside consultants.
- Continue to examine current parking regulations and recommend policy changes to further the development of a comprehensive parking management strategy.
- Continue monitoring development in the City of West Palm Beach and provide input and objections, when necessary, in an attempt to minimize adverse impacts to residents. Monitor planning activities related to the expansion and development of the Port of Palm Beach and Peanut Island to ensure it remains a passive and recreational destination. Evaluate and implement legal strategies and methods to address problems associated with

the increased use of the Town's public areas, due to the growth of the County's population.

- Continue to proactively address construction site violations in an effort to ease parking and traffic-related issues, noise complaints and other associated community concerns, through enhanced regulations and improved code and parking enforcement.
- Develop and implement a building recertification program, similar to those programs adopted by Broward County, Miami-Dade County, and Boca Raton.

Environment & Resiliency

- Continue to identify and implement actions and standards that are in keeping with the Town's Green Initiative program, including but not limited to the increased use of native plant material, organic maintenance practices, energy-efficient equipment, and vehicles, etc.
- Continue to review the second phase of the Woods Hole Group resiliency study. The second phase identified methods to mitigate the impacts of sea-level rise and prioritized solutions. A paramount issue is the amount of freeboard to be established for new construction, substantial improvements, substantial damage properties, and seawall construction. After analysis, develop a multi-year implementation plan with input from the Mayor and Town Council to mitigate the potential impacts to the Town, which will impact both public and private property.

Community Engagement and Service Delivery

- Develop a comprehensive formal communications program and provide appropriate resources to address information expectations for community residents and Town employees alike. Said program should include timeline development while prioritizing message strategy and methods (social media, internal and external print, e-alerts, digital platforms, SMS messaging, etc.).
- Enhance and expand the level of emergency medical care provided within the Town of Palm Beach while also addressing the desire for people to have access to more and better care in their homes instead of the hospital by instituting a telehealth program that provides an even more advanced level of care than our current paramedics. This plan will support town-wide efforts to improve the health of our residents, by providing greater access to primary care services without having to go to the hospital. Implementation of this telehealth program is expected to reduce the number of patients being transported to the emergency room and provide a more patient-centric health treatment plan.

Capital Improvement Projects

- Begin the North Fire Station renovation project. Establish temporary facilities to maintain services provided through the North Fire Station, and begin preliminary design, pending

demolition and findings. Provide regular updates to Mayor and Town Council and receive input on key decisions related to design elements, budget, and operations. Achieve budget targets and completion timelines while maintaining the historical value of the structure.

- Continue to engage and inform the community, the UUTF, and the Mayor and Town Council on underground project updates, including construction progress, easement acquisition, and budget status. Continue to seek ways to maximize the Town's ability to control project costs.
- Initiate a strategic crosswalk initiative. This will include an analysis of the current crosswalks on the public roadways and identify new and improved methods and technologies to enhance pedestrian safety. The plan will encompass a budget, funding plan, priority list, and long-term implementation strategy.

Information Technology Infrastructure, Security, Applications, and GIS

- Continue to update the Town's data network and telecommunications systems to ensure a resilient and secure information technology infrastructure. Minimize connectivity issues by setting up a redundant connection to the internet. Move toward unified communications to reduce expenses while enhancing communication systems. Update and consolidate server and storage systems. Continue to improve data backup and disaster recovery processes and procedures.
- Enhance the service and operational capabilities of the Town by maintaining necessary existing software applications and acquiring new applications that will improve service levels and efficiencies for staff, citizens, and visitors. Initiatives such as the implementation of Office 365, EnerGov PZB permitting software, recreation program registration software, and public safety-related applications will elevate the efficiencies of service delivery to the community.
- Continue the growth and improvement of GIS (geographical information system) services throughout the town through enhanced leveraging of staffing resources, data, and applications. The integration and centralization of GIS data and shift to cloud-based storage will be completed to establish a better foundation for further development of GIS tools and services.

TOWN OF PALM BEACH

Town Council Meeting on: February 8, 2022

Section of Agenda

Ordinances - First Reading

Agenda Title

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

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

Presenter

Jay Boodheshwar, Deputy Town Manager

ATTACHMENTS:

- ▣ **Memorandum Dated January 25, 2022, from Jay Boodheshwar, Deputy Town Manager**
- ▣ **Ordinance No. 001-2022**

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 8, 2022

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Modification of the Gainesville Residential Parking Permit Plan from a fiscal year to a calendar year
Ordinance No. 001-2022

Date: January 25, 2022

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Ordinance No. 001-2022 changing the effective period for the Gainesville Residential Parking permits from a fiscal year (October through September) to a calendar year (January through December).

GENERAL INFORMATION

The Town has two residential parking plans, Gainesville and Arlington; the Gainesville plan permits effective from October 1st to September 30th each year while the Arlington permits run January 1st to December 31st. Changing the Gainesville plan to match the Arlington will provide the following benefits:

1. A January expiration date would be more convenient for seasonal residents since permits would not be expiring before they arrive in Town.
2. It is possible that more residents will be able to take advantage of the online permit renewal system by better aligning the renewal period with the season. Online login instructions are included in a mailed renewal notice to each person that has an active permit. Since receipt of this notice serves as the Town's proof that the person is still a resident at the property in question, those notices include an endorsement which prevents forwarding. Sending these notices in November instead of September should result in a higher likelihood of delivery.
3. Confusion regarding renewal periods for residents would be eliminated since all permits would be eligible for renewal at the same time.
4. Elimination of the September 30th expiration date would make staff time more available for processing the large volume of security alarm registrations which renew on October 1st. It would also remove the need to operate with 2 different permit stocks at the same time.

In addition to changing the expiration date, we propose that we extend the renewal period from one month to two. Extending the renewal period provides residents ample time and provides staff the ability to process the additional permit volume in a manageable manner.

The permits in question have recently been renewed/issued with an expiration date of October 31, 2022. Implementation will require renewal of the current permits in September 2022, with an effective period from October 1, 2022 through December 31, 2023, transitioning to the calendar year.

The proposed changes were reviewed and discussed by the Business and Administrative Committee on December 8, 2021, and was recommended for approval by Town Council.

FUNDING/FISCAL IMPACT

A change in expiration dates will affect the timing of revenue. Assuming a transition as spelled out above, FY2023 revenue can be expected to be reduced by approximately \$41,000 (based on FY2021). This figure is not the full \$62,000 of revenue for the Gainesville permits which have been issued but, only that portion which was purchased within September.

Attachment

cc: John C. Randolph, Town Attorney
Jane LeClainche, Director of Finance
Nicholas Cristo, Police Chief
Amy Wood, Assistant Director of Finance
Ben Alma, Code/Parking Enforcement Manager

ORDINANCE NO. 001-2022

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 134, ARTICLE X – ON STREET PARKING PERMITS, AT SECTIONS 134-2292, 134-2296 (b) AND 134-2296 (c); RELATING TO ISSUANCE OF DECALS AND VISITOR/SERVICE PERMITS; CHANGING THE EFFECTIVE YEAR FROM A FISCAL YEAR TO A CALENDAR YEAR; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 134, Article X. – On-Street Parking Permits, at Section 134-2292, 134-2296 (b) and 134-2296 (c), to read as follows:

Sec. 134-2292. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Commuter vehicle means a motor vehicle parked in a residential area by a person who is not a resident of the designated residential area.

Controlled parking residential area means a contiguous or nearly contiguous area containing streets or parts thereof primarily abutted by property that has a specific residential zone designation on the official zoning map of the town and that is designated for restricted residential parking by the town manager or his designee, pursuant to criteria and procedures established in this division.

~~Fiscal year~~ Calendar year means the period beginning ~~October~~ January 1 and ending ~~September-30~~ December 31 of the same year.

Resident means a person who owns or leases real property within a residential area and who maintains either a voting residence or bona fide occupancy or both at that address.

Residential parking permit means a special permit issued under this division for the privilege of parking on a street designated as a controlled parking residential area.

Sec. 134-2296. Issuance of special parking permits upon application

(b) The application for a permit shall contain the name of such owner or operator of the motor

vehicle; residential address; and the motor vehicle's make, model and registration number. The motor vehicle's registration may, at the discretion of the finance department, be required to be presented at the time of making the application in order to verify the contents thereof. If the vehicle is registered at an address other than the local residence, the applicant shall provide other sufficient proof, acceptable to the finance department, showing residency within the controlled residential parking area. The permit shall be valid for a ~~fiscal~~ calendar year, as defined in section 134-2292, and shall be renewed for each successive ~~fiscal~~ calendar year. A fee, as determined by resolution of the town council shall be charged for the annual permit and shall be payable at the finance department. After the initial permit has been issued, any renewal shall be affixed to the vehicle no later than ~~October~~ January 15 of the applicable current year.

- (c) Visitor/service permits. In addition to the decals issued pursuant to section 134-2295(b) above, upon application by owner, owner may be issued visitor/service permits, which permits may be used by such owner for the sole purpose of providing parking on a temporary basis to service vehicles which are conducting work at such owner's premises or for visitors of such owner's residence. The permits shall be used only for the period of time during which business is to be conducted by the service vehicles or for the duration of stay of a visitor to the residence for which the permit is issued. No more than a total of eight permits, including decals and visitor/service permits, shall be issued for each property.

The application for a visitor/service permit or permits shall be filed by such owner. The permit or permits shall be valid for a ~~fiscal~~ calendar year as defined in section 134-2292 and may be renewed each successive ~~fiscal~~ calendar year. A fee, as determined by resolution of the town council shall be charged for each visitor/service permit and shall be payable at the finance department. These permits shall not be affixed to the vehicle, but shall be placed in a clearly visible place on the inside of the visitor's or service vehicle observable through the front windshield of the vehicle. The permits shall be valid only for the period of time during which the service vehicle is conducting work at the premises or for the period of time a visitor is at the premises.

Section 2. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 3. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 4. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 8th day of February, 2022, and for second and final reading this 8th day of March, 2022.

Danielle H. Moore, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Edward A. Cooney, Town Council Member

Pat Gayle-Gordon, Acting Town Clerk

Lewis S.W. Crampton, Town Council Member