



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

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

AGENDA

OCTOBER 13, 2020

9:30 AM

Welcome

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

I. CALL TO ORDER AND ROLL CALL

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. BOARDS AND COMMISSIONS APPOINTMENTS

- A.** Appointments to the Planning and Zoning Commission
Queenester Nieves, CMC, Town Clerk

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VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

VII. COMMENTS OF TOWN COUNCIL MEMBERS

VIII. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

IX. APPROVAL OF CONSENT AGENDA (SEE NOTE 3)

A. MINUTES

1. Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk

a. September 9, 2020, Development Review Town Council Meeting Minutes
b. September 10, 2020, Town Council Meeting Minutes
c. September 10, 2020, Special Town Council Meeting Minutes
d. September 16, 2020, Special Town Council Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of September 23, 2020.
Wayne Bergman, Director of Planning, Zoning and Building

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B. RESOLUTIONS

1. RESOLUTION NO. 98-2020 A Resolution of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving a Single Source Identification for Kemira Water Solutions, Inc. for a period not to exceed five years.
Dean Mealy, Purchasing Manager
2. RESOLUTION NO. 99-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for a single source contract with Kemira Water Solutions, Inc. in the annual amount of \$187,200 and a five year contract contingent upon satisfactory performance and budget authorization in the amount of \$936,000.
Dean Mealy, Purchasing Manager
3. RESOLUTION NO. 100-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Florida Superior Sand, Inc. to Furnish and Deliver Sand to PAR 3 in the Amount of \$12,000 for FY21 and \$12,000 for water crushed shell for FY21.
Dean Mealy, Purchasing Manager
4. RESOLUTION NO. 101-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Order for Fountain Maintenance Service to Mako Pools,

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Page 112

Page 116

Page 120

Inc. in the Amount of \$25,100 for FY21 and \$25,100 for FY22 based on Satisfactory Vendor Performance and Budget Approval and an overall Project Budget of \$115,907 for total contract period of FY17 to FY22.

Dean Mealy, Purchasing Manager

5. RESOLUTION NO. 102-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Oracle Elevator Company for Elevator Maintenance and Inspection Services in the amount of \$7,080 for Public Works and \$2,499 for Recreation PAR 3 in the total amount of \$9,579 for FY21 and a new contract value of \$67,997. Page 153

Dean Mealy, Purchasing Manager

6. RESOLUTION NO. 103-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Order to Property Works for Vegetation and Litter Removal-Cleaning in the amount of \$42,758 for FY21 and \$42,758 for FY22 based on satisfactory performance and budget authorization for a total contract value of \$172,000. Page 158

Dean Mealy, Purchasing Manager

7. RESOLUTION NO. 104-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Award ITB No. 2021-01, Bradley Park Tidal Garden in an Amount Not-to-Exceed \$150,000. Page 162

Dean Mealy, Purchasing Manager

8. RESOLUTION NO. 105-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Change Order in the Amount of \$4,853 to Central Square (Superion) and Establishing a New Contract Value of \$119,352 for Needed Services. Page 183

Dean Mealy, Purchasing Manager

9. RESOLUTION NO. 106-2020 A Resolution Of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of ITB No. 2020-23, Phipps Ocean Park Nourishment To Weeks Marine Inc. In The Amount Of \$8,755,000. Page 187

Dean Mealy, Purchasing Manager

10. RESOLUTION NO. 107-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Amendments to the Statement of Investment Policy for the OPEB Trust Board of Trustees of the Town of Palm Beach Pursuant to Section 82-153 of the Code of Ordinances of the Town of Palm Beach; Providing an Effective Date. Page 192

Jane Le Clainche, Director of Finance

11. RESOLUTION NO. 112-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Award of Extension of Interlocal Agreement with Palm Beach County for Vehicle Maintenance for Fire Rescue in the amount of \$126,000 Page 205

for FY21.

Dean Mealy, Purchasing Manager

C. OTHER

1. Request to Consider Ordinance No. 11-2020 Prior to 5:00 p.m. at a Public Hearing on October 14, 2020. Page 209

Wayne Bergman, Director of Planning, Zoning and Building

2. Status Report of Delinquent Accounts and Request for Authorization to Write-off Uncollectible Accounts. Page 215

Jane Le Clainche, Director of Finance

X. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

B. Old Business

1. COVID-19 Update Page 239
Kirk W. Blouin, Town Manager

TIME CERTAIN: 11:00 AM

a. Report on COVID-19 Infections and Hospitalizations (*written backup provided in purple folder*)

b. Report on Compliance and Enforcement, Relative to State and County Orders (*verbal report*)

c. Input from Business Community

d. Expanded Use of Tents

e. Discussion Regarding Future Public Meetings

2. Palm Beach Marina Update Page 240
H. Paul Brazil, P.E., Director of Public Works

TIME CERTAIN: 11:30 AM

a. Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive - Review of Cost Estimates of Recommended Improvements

b. RESOLUTION NO. 109-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving The Selection Committee Recommendation Of RFP No. 2020-21, Marina Marketing Services To Jacober Creative In An Amount Of \$181,500 For FY21 And \$138,000 For FY22 Contingent Upon Satisfactory Vendor Performance And Budget Authorization, And Authorize Three, One Year Extensions With Jacober Creative.

3. Town-wide Undergrounding Project Page 374

Steve Stern, Project Manager

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

b. RESOLUTION NO. 110-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Design Services for Phase 7 and Phase 8 for Town-Wide Undergrounding to Kimley-Horn and Associates, Inc. in the Amount of \$2,387,791 with a Project Budget of \$2,587,791.

Patricia Strayer, P.E., Town Engineer

c. RESOLUTION NO. 111-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2020-20, Pre-Construction Services for Phase 5, in the Amount of \$118,200, to Burkhardt Construction, Inc.

Patricia Strayer, P.E., Town Engineer

4. Report Regarding Public Access and the Enforcement of Regulations on the Beaches Between Wells Road and Sunset Avenue. Page 482

Kirk W. Blouin, Town Manager

C. New Business

1. Consideration for ORS Study of Vegetation Height Limitations Adjacent to Existing Neighboring Structures and the Screening of Vacant Lots. Page 492

Wayne Bergman, Director of Planning, Zoning and Building

2. Discussion Regarding Landmark Notification Procedures. Page 505

Wayne Bergman, Director of Planning, Zoning and Building

XI. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 13-2020 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2019, and Providing an Effective Date. Page 521

Jane Le Clainche, Director of Finance

2. ORDINANCE NO. 14-2020 An Ordinance of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 Of The Town Code Of Ordinances Relating To Personnel, At Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision III, Firefighters, By Amending Section 82-94, Retirement Age And Service Conditions For Firefighters; Amending Subdivision III, Firefighters, By Amending Section 82-98, Chapter 175 Share Accounts; Amending Subdivision III, Firefighters, By Amending Section 82-99, Deferred Retirement Option Program For Firefighters; Amending Subdivision IV, Police Page 527

Officers, By Amending Section 82-114, Retirement Age And Service Conditions For Police Officers; Amending Subdivision IV, Police Officers, By Amending Section 82-119, Deferred Retirement Option Program For Police Officers; Amending Subdivision V, General Employees And Lifeguards, By Amending Section 82-135, Amount Of Pension For Benefit Group General And Benefit Group Lifeguard; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Danielle Olson, Director of Human Resources

3. ORDINANCE NO. 15-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Amending The Town Code Of Ordinances At Chapter 74, Parks and Recreation, at Division 3, Regulation of Use of Public Beaches, Section 74-196, Presence During Closed Hours; Hours Specified to Modify the name Lake Worth to Lake Worth Beach and to Add the Public Beach from Wells Avenue South to Sunset Avenue as an Additional Beach Declared to be Closed to the Public Each Day from Sunset to Sunrise; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

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Nicholas Caristo, Chief of Police

XII. ANY OTHER MATTERS

XIII. ADJOURNMENT

PLEASE TAKE NOTE:

Note 1: 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 2: 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 3: 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 4: 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: October 13, 2020

Section of Agenda

BOARDS AND COMMISSIONS APPOINTMENTS

Agenda Title

Appointments to the Planning and Zoning Commission

Presenter

Queenester Nieves, CMC, Town Clerk

ATTACHMENTS:

- ▣ **Memorandum Dated October 5, 2020, from Queenester Nieves, CMC, Town Clerk**
- ▣ **Attendance Record**
- ▣ **Status Sheet**
- ▣ **Sample Ballot - Regular Members**
- ▣ **Sample Ballot - Alternate Members**
- ▣ **Application - Ronald J. Berk**
- ▣ **Application - Marilyn Beutenmuller**
- ▣ **Application - William J. Gilbane, III**
- ▣ **Application - Carol LeCates**
- ▣ **Application - Rick Pollock**
- ▣ **Application - Jorge A. Sanchez**
- ▣ **Application - Kenneth Walker**

TOWN OF PALM BEACH

Information for Town Council Meeting on October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Queenester Nieves, CMC, Town Clerk

RE: Planning and Zoning Commission Appointment of Regular and Alternate Members

DATE: October 5, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council review the attached applications and appoint three (3) regular and two (2) alternate members to the Planning and Zoning Commission.

GENERAL INFORMATION

The Town Clerk's office has received four (4) applications seeking **REAPPOINTMENT** from the following:

1. Ronald J. Berk – 273 Tangier Avenue, Palm Beach, FL;
2. Marilyn N. Beuttenmuller – 1555 N. Lake Way, Palm Beach, FL; (seeking promotion from alternate to regular member position)
3. Carol Maloy LeCates – 212 Seabreeze Avenue, Palm Beach, FL;
4. Rick Pollock – 218 Seaspray Avenue, Palm Beach, FL.

The Town Clerk's office has received one (1) application from **ALTERNATE MEMBER SEEKING PROMOTION TO A REGULAR MEMBER POSITION** from the following:

1. Jorge A. Sanchez - 239 Southland Road, Palm Beach, FL. (current term expires 9/30/22)

The Town Clerk's office has received two (2) applications seeking **NEW APPOINTMENT** from the following:

1. William J. Gilbane, III, - 675 N. Lake Way, Palm Beach, FL;
2. Kenneth Walker – 130 Sunrise Avenue, Palm Beach, FL.

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



TOWN OF PALM BEACH PLANNING & ZONING COMMISSION ATTENDANCE RECORD 2020

MEMBERS

Martin I. Klein, Chair	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Michael Ainslie, Vice Chairman	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Carol LeCates	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Rick Pollock	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Michael Spaziani	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Richard Kleid	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Eric Christu																									
Richard Sammons	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

ALTERNATE MEMBERS

Eric Christu	X		X		X		X		X		X		X		X		X		X		X		X	
Ronald Berk	X		X		X		X		X		X		X		X		X		X		X		X	
Marilyn Beuttenmuller	X		X		X		X		X		X		X		X		X		X		X		X	
Jorge Sanchez																								

LEGEND

- P=PRESENT
- E=EXCUSED
- U=UNEXCUSED
- X=COMMISSION DID NOT MEET
- \$ - Appointed to Commission
- R= Resigned
- &= Term Expired
- * = Promoted to Regular Member
- % - Appointed to a different Commission



**TOWN OF PALM BEACH
PLANNING & ZONING COMMISSION**

ATTENDANCE RECORD 2019

MEMBERS

Martin I. Klein, Chair	P	1/15/2019	%	2/19/2019	%	3/12/2019	%	4/16/2019	%	5/21/2019	%	6/18/2019	%	7/16/2019	%	8/20/2019	%	9/17/2019	%	10/22/2019	X	11/19/2019	P	12/17/2019	X
Michael Ainslie, Vice Chairman	P			P		X		P		P		P		E		X		X		X		P		X	
Kenneth Walker	P			P		X		U		P		P		P		X		X		X		P		X	
Carol LeCates	P			P		X		P		P		P		P		X		X		X		P		X	
Rick Pollock	P			P		X		P		P		E		E		X		X		X		P		X	
Michael Spaziani	P			P		X		P		P		P		P		X		X		X		P		X	
Richard Kleid	P			P		X		P		P		P		P		X		X		X		P		X	
Richard Sammons	%			%		%		%		%		%		%		%		%		%		P		X	

ALTERNATE MEMBERS

Eric Christu	P			P		X		P		P		P		P		X		X		X		P		X	
Ronald Berk	P			P		X		P		U		P		P		X		X		X		P		X	
Marilyn Beuttenmuller	P			P		X		P		P		P		P		X		X		X		P		X	

LEGEND

- P=PRESENT
- E=EXCUSED
- U=UNEXCUSED
- A=ABSENT PENDING CLASSIFICATION AS "EXCUSED" OR "UNEXCUSED"
- X=COMMISSION DID NOT MEET
- R= Resigned
- &= Term Expired
- * = Promoted to Regular Member
- % = Appointed on 10/2019



TOWN OF PALM BEACH ATTENDANCE RECORD 2018
PLANNING & ZONING COMMISSION

MEMBERS

Martin I. Klein, Chair

Lewis Crampton

Michael Ainslie, Vice Chairman

Alan Golboro

Kenneth Walker

Carol LeCates

Rick Pollock

Michael Spaziani

Richard Kleid

	1/22/2018	2/20/2018	3/27/2018	4/17/2018	5/15/2018	6/19/2018	7/17/2018	8/21/2018	9/25/2018	10/16/2018	11/27/2018	12/18/2018
Martin I. Klein, Chair	P	X	X	\$	\$	\$	\$	\$	\$	\$	\$	\$
Lewis Crampton	P	X	X	P	U	X	U	X	X	X	P	P
Michael Ainslie, Vice Chairman	P	X	X	P	P	X	P	X	X	&	&	&
Alan Golboro	E	X	X			X		X	X	X		P
Kenneth Walker	P	X	X	P	P	X	P	X	X	X	P	P
Carol LeCates	P	X	X	P	P	X	P	X	X	X	P	U
Rick Pollock	E	X	X	P	E	X	P	X	X	X	P	E
Michael Spaziani	*	*	*	*	P	X	P	X	X	X	P	E
Richard Kleid						X				%	P	P

ALTERNATE MEMBERS

Michael Spaziani

Eric Christu

Ronald Berk

Marilyn Beuttenmuller

Michael Spaziani	P	X	X	P	*	*	*	*	*	*	*	*
Eric Christu	P	X	X	P	P	X	P	X	X	X	P	P
Ronald Berk	E	X	X	P	P	X	P	X	X	X	P	P
Marilyn Beuttenmuller	%	%	%	%	P	X	P	X	X	X	P	U

LEGEND P=PRESENT

E=EXCUSED

U=UNEXCUSED

A=ABSENT PENDING CLASSIFICATION AS "EXCUSED" OR "UNEXCUSED"

X=COMMISSION DID NOT MEET

R= Resigned

&= Term Expired

*** = Promoted to Regular Member**

% = Appointed on 05/08/18 %% = Appointed in October 2018

1/22/18 - EXCUSED ABSENCES SINCE MEETING WAS CALLED ON SHORT NOTICE

\$ - ELECTED TO THE TOWN COUNCIL IN MARCH



**TOWN OF PALM BEACH
PLANNING & ZONING COMMISSION**

ATTENDANCE RECORD 2017

MEMBERS

Martin I. Klein, Chair
Lewis Crampton, Vice Chair
Carol Mack
Michael Ainslie
Alan Golboro
Kenneth Walker
Carol LeCates
Rick Pollock

	1/17/2017	2/21/2017	3/21/2017	4/18/2017	5/16/2017	6/20/2017	7/18/2017	8/15/2017	9/19/2017	10/17/2017	11/21/2017	12/19/2017
Martin I. Klein, Chair	P	X	P	X	P	X	X	X	X	P	P	P
Lewis Crampton, Vice Chair	P	X	P	X	P	X	X	X	X	P	P	P
Carol Mack	P	X	P	X	U	X	X	X	X	&	&	&
Michael Ainslie	P	X	P	X	P	X	X	X	X	P	E	P
Alan Golboro	P	X	P	X	P	X	X	X	X	P	P	P
Kenneth Walker	P	X	P	X	P	X	X	X	X	P	P	U
Carol LeCates	P	X	P	X	P	X	X	X	X	P	P	U
Rick Pollock										P	P	E

ALTERNATE MEMBERS

Michael Spaziani
Rick Pollock
Eric Christu
Ronald Berk

	1/17/2017	2/21/2017	3/21/2017	4/18/2017	5/16/2017	6/20/2017	7/18/2017	8/15/2017	9/19/2017	10/17/2017	11/21/2017	12/19/2017
Michael Spaziani	P	X	P	X	P	X	X	X	X	U	P	P
Rick Pollock	P	X	P	X	P	X	X	X	X	*	*	*
Eric Christu	P	X	U	X	P	X	X	X	X	P	P	P
Ronald Berk	%	%	%	%	%	%	%	%	%	P	P	P

LEGEND P=PRESENT

E=EXCUSED

U=UNEXCUSED

A=ABSENT PENDING CLASSIFICATION AS "EXCUSED" OR "UNEXCUSED"

X=COMMISSION DID NOT MEET

R= Resigned

&= Term Expired

* = Promoted to Regular Member

% = Appointed on 10/11/17

PLANNING AND ZONING COMMISSION

Next appointment: October 13, 2020, Town Council meeting (regular appointment schedule)

Openings advertised via news release: August 7, 2020

Deadline to submit applications: Friday, October 2, 2020, by 5:00 p.m.

Number of openings: 3 regular members, 2 alternate members

Applicants

<u>NAME</u>	<u>SEEKING</u>
Ronald J. Berk	Reappointment
Marilyn Beuttenmuller	Reappointment
Carol LeCates	Reappointment
Rick Pollock	Reappointment
Jorge A. Sanchez	Promotion from Alternate to Regular Member
Kenneth Walker	New Appointment
William J. Gilbane, III	New Appointment

Current members and open seats

<u>NAME</u>	<u>TERM EXPIRES</u>
<u>Regular Members</u>	
Martin I. Klein (Chair)	September 30, 2020
Michael L. Ainslie (Vice Chair)	September 30, 2021
Richard M. Kleid	September 30, 2021
Carol LeCates*	September 30, 2020
Rick Pollock*	September 30, 2020
Michael Vincent John Spaziani	September 30, 2022
Eric Christu	September 30, 2022
<u>Alternate Members</u>	
Ronald J. Berk**	September 30, 2020
Marilyn Beuttenmuller*	September 30, 2020
Jorge Sanchez**	September 30, 2022

Highlighted in yellow=term expired/expiring

*=Applied for reappointment

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

***=Termed out

BALLOT FOR APPOINTMENT OF REGULAR MEMBERS
TO THE **PLANNING & ZONING COMMISSION**
Town Council Meeting on **October 13, 2020**

Positions to be filled:

 3 Regular Members

Please circle 3 from the list of names appearing below

Regular Members Applying for Reappointment

(Listed alphabetically)

Carol LeCates

Rick Pollock

Alternate Members Applying for Promotion to Regular Member

(Listed alphabetically)

Ronald J. Berk

Marilyn Beuttenmuller*

Jorge Sanchez

Others Who Have Submitted Applications

(Listed alphabetically)

William J. Gilbane, III*

Kenneth Walker

* Indicates that applicant **will** accept an alternate position if they are not appointed as a regular member.

Signature of Town Council Member: _____
Town Council Member

**BALLOT FOR APPOINTMENT OF ALTERNATE MEMBERS
TO THE **PLANNING & ZONING COMMISSION**
Town Council Meeting on **October 13, 2020****

Positions to be filled: 2 Alternate Members

Please circle 2 from the list of names appearing below

Applications Received From the following:
(Listed alphabetically)

Marilyn Beuttenmuller

William J. Gilbane, III

Signature of Town Council Member: _____
Town Council Member



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

PLANNING AND ZONING COMMISSION

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

Name: RONALD J. BERK

Residence Address: 273 Tanger Ave. Palm Beach FL 33480

Mailing Address: 273 Tanger Ave. Palm Beach

Home Telephone: 561-652-5827

E-mail Address: RONALD@JRBjewelry.com

Work Telephone: 561-652-5827

I am a registered voter of the Town of Palm Beach RJB (please initial)

Appointment to Planning and Zoning Commission requires the applicant to be a registered voter in the Town of Palm Beach.

Please attach a copy of BOTH SIDES of your Voter Registration card with your application. Failure to provide the copy of the required voter registration card shall be grounds for rejection of the application. *My Voter Registration Card was filed with my original application. I am presently an Alternate Member of the P&Z Commission*

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

I have been an Alternate Member of the Commission for the past 3 years. I have 3 years of experience on the Commission and have demonstrated my value for appointment as a member

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? ALL

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

Planning and Zoning Commission for past three years with a complete attendance record except for a medical excused absence.

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)?
- B. Meetings on consecutive dates?
- C. Meetings which might be scheduled for multiple dates within the same month
- D. Meetings scheduled year-round

Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐

RECEIVED

AUG 14 2020

TOWN CLERK

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

NONE

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

no for Town of Palm Beach, Yes for other jurisdictions

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

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

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

8. Present occupation. Attorney No. of years. 46 years

Employer. Retired.

9. Past occupation(s). Attorney No. of years. 46 years

Employer(s). self employed founder of a law firm.

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

- ☐ Architecture
☐ Landscape Architecture/Design
☒ Law

- ☐ Social Sciences
☐ Urban and Regional Planning
☐ Building Construction and/or Development

☐ Geography

11. Please provide details regarding your educational background:

Northwestern University, B.S.

Georgetown University Law Center, J.D.

NYU School of Law LL.M.

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

Having spent 3 years as an Alternate Member of the Commission, I have developed an historical and practical knowledge of the Planning and Zoning laws, regulations and rules and a working relationship with Commission Members and Town Employees.

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

Family Member Name	Relationship	Address	Occupation	Employer
Joith Ripta Beck	Wife	273 Tongue Ave Palm Beach FL	Jewelry Designer	Retired

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

no

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

☐ I will resign from the Planning & Zoning Commission if I am appointed to the position I am seeking in this application.
board/committee/commission as an alternate

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

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

RACE

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

GENDER

- ☒ Male ☐ Female

PHYSICALLY DISABLED

- ☐ Yes ☐ No

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

SIGNATURE: _____

R. Beck

DATE: _____

8/10/20

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

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

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission acts in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The Commission is required to follow the concepts and contents of the Town's comprehensive land use plan in all planning, zoning and development related deliberations and decisions. The Commission shall also have such powers and duties as may be prescribed by Ordinance. The members of the Commission must be registered voters in the Town of Palm Beach. The seven regular members serve for terms of three years. Three alternate members of the Zoning Commission may be appointed by the Town Council who serve when called upon by the Chair of the Commission in the absence of any regular member.



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

PLANNING AND ZONING COMMISSION

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

Name: **MARILYN N. BEUTTENMULLER**

Residence Address: 1555 N. Lake Way, Palm Beach, FL

Mailing Address: SAME

Home Telephone: 561-844-0935

E-mail Address: _____

Work Telephone: _____

Length of Residency

Town of Palm Beach: 42 years

I am a registered voter of the Town of Palm Beach MB (please initial) PGG
Year of registration 1978

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

As a 42 year resident of the Town, I have been the beneficiary of others who have served on this advisory

commission to the Town Council. I am determined to keep Palm Beach a superior place to live for all its residents.

My personal skills, education and work history have enabled me to be a collegial and contributing alternate member of the Commission.

2. How many meetings of the Planning and Zoning Commission have you attended in the last year?

All, except December of 2019

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

Planning & Zoning Commission (alternate member 2 yrs); Palm Beach Zoological & Conservation Society (Bd.Mem.30 yrs.)

Sailfish Club of Fla. (past Bd. Mem. 3yrs); Junior League of the Palm Beaches (Ex. Comm. Mem. Chair various); Norton

Gallery of Art (past Pres. Of Young People's President's Council); Cardinal Newman H.S. (past Pres. Long Range Plan Comte)

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)?
- B. Meetings on consecutive dates?
- C. Meetings which might be scheduled for multiple dates within the same month
- D. Meetings scheduled year-round

Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐
Yes	☒	No	☐

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

None

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

None directly. However, during 13 years as a staff attorney for the 4th District Court of Appeal, I prepared legal memoranda advising judges of the Court concerning appeals related to comprehensive land planning, zoning, land use, boards of adjustment, water regulatory, environmental and other governmental issues.

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

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

- ☐ Preservation Foundation of Palm Beach
☐ North End Property Owners Association
☒ Other Garden Club of Palm Beach

8. Present occupation. Retired

No. of years. _____

Employer. _____

9. Past occupation(s). Clerk of Court, Florida 4th District Court of Appeal

No. of years. 23 (as Clerk)

Employer(s). _____

State of Florida Courts

36 years

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

- ☐ Architecture
☐ Landscape Architecture/Design
☒ Law

- ☒ Social Sciences
☐ Urban and Regional Planning
☐ Building Construction and/or Development

☒ Geography

11. Please provide details regarding your educational background:

B.A. Economics, Dominican University, River Forest, IL (1970)

M.B.A. University of Florida, Gainesville, FL (1972)

J.D. University of Miami, Coral Gables, FL (1977)

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

My educational background, 42-year residence, and professional experience enable me to be a contributing alternate member of the Commission in its advisory role to the Town Council. During my service to date, my training and experience with the importance of proper construction of regulatory codes and statutes has assisted with matters that have come before the Commission.

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

Family Member Name	Relationship	Address	Occupation	Employer
Donald Beuttenmuller	Spouse	Same	General Counsel	Gunster
Margaret Betten	Daughter	2751 S Flagler Dr., WPB	Banker	JPMorgan Private Bank

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

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

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

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

RACE

☐ African American

☐ Asian American

☐ Hispanic American

☐ Native American

☒ Caucasian

☐ Other

GENDER

☐ Male

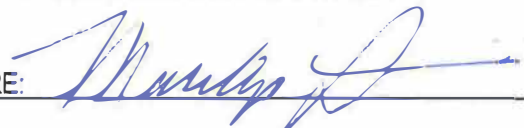
☒ Female

PHYSICALLY DISABLED

☐ Yes

☒ No

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

SIGNATURE:  DATE: Aug. 18, 2020

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

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission acts in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The commission is required to follow the concepts and contents of the Town's comprehensive land use plan in all planning, zoning and development related deliberations and decisions. The Commission shall also have such powers and duties as may be prescribed by Ordinance. Members of the Commission serve for terms of three years. Three alternate members of the Zoning Commission may be appointed by the Town Council who serve when called upon by the Chair of the Commission in the absence of any regular member.

Pat Gayle-Gordon

From: Marilyn Beuttenmuller <marilynbp@gmail.com>
Sent: Monday, October 05, 2020 12:14 PM
To: Pat Gayle-Gordon
Subject: Re: Application for Service on the Planning and Zoning Commission

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Members of the Town Council:

In my application I stated that I would like to continue on the Planning and Zoning Commission as an alternate. This was because at the time I was aware of only one available position as a commissioner and I did not want to move ahead of my fellow alternate who was senior to me. As there are now two available positions as a full commissioner, I would respectfully request to be considered for one. If I am not chosen I would be pleased to continue as an alternate. Thank you.

Marilyn Beuttenmuller

Sent from my iPhone

On Oct 5, 2020, at 10:49 AM, Pat Gayle-Gordon <PGayle-Gordon@townofpalmbeach.com> wrote:

Dear Applicants-

This is to acknowledge receipt of your application and to inform you that it (your application) will be heard before the Town Council on **Tuesday, October 13, 2020 at 9:30 a.m.**

You will not be required to appear before the Town Council. Your application has been provided to the Council and will be included in the agenda backup. If you would like to submit any other materials for the Council to consider, please forward it to me by **Noon on Wednesday, October 7, 2020.**

Thank you and stay safe.

Pat Gayle-Gordon
Deputy Town Clerk
Town of Palm Beach
360 S. County Road
Palm Beach, FL 33480
(561) 838-5416

Please be advised that under Florida law, e-mails and e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact the Town of Palm Beach by phone at (561) 838-5400, or in writing: 360 S. County RD, Palm Beach, FL 33480.



RECEIVED

By gayle at 8:05 am, Sep 14, 2020

TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

PLANNING AND ZONING COMMISSION

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

Name: William J. Gilbane III

Residence Address: 675 N Lake Way

Mailing Address: 675 N Lake Way

Home Telephone: 646-453-9440

E-mail Address: billy@billygilbane.com

Work Telephone: 212-312-1603

I am a registered voter of the Town of Palm Beach WJG III (please initial) **PGG**

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

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

I am a new resident and I would like to share my knowledge gained from running my family's real estate and construction

business in New York City. I know sit on the board of my family's business and am no longer involved day to day and have the capacity.

In my previous work role I spent much time with community boards, developers, architects and Owners and I feel my experience could benefit Palm Beach.

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? none

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

None

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- | | | |
|---|---|-----------------------------|
| A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)? | Yes ☒ | No ☐ |
| B. Meetings on consecutive dates? | Yes ☒ | No ☐ |
| C. Meetings which might be scheduled for multiple dates within the same month | Yes ☒ | No ☐ |
| D. Meetings scheduled year-round | Yes ☒ | No ☐ |

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

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

No

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

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

- ☐ Preservation Foundation of Palm Beach
☐ North End Property Owners Association
☐ Other _____

8. Present occupation. Director No. of years. 17 Years

Employer.

Gilbane Inc.

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

Employer(s).

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

- | | | |
|--|--|------------------------------------|
| ☒ Architecture | ☒ Social Sciences | ☐ Geography |
| ☐ Landscape Architecture/Design | ☒ Urban and Regional Planning | |
| ☐ Law | ☒ Building Construction and/or Development | |

11. Please provide details regarding your educational background:

I studied political science at Brown University as well as History of Architecture. I obtained a Masters Degree at New York University

in the Shack Institute of Real Estate.

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

I have a deep appreciation for the role of community, architecture and the individual in Real Estate Development and I would love to be

more involved in the new community in which I live.

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

Family Member Name	Relationship	Address	Occupation	Employer
Sara B and Robert V Gilbane	Cousin	575 Island Drive	Chairman	Gilbane Development Company
Mary O and Thomas F Gilbane Jr.	Cousin	206 Dunbar Road	Chairman	Gilbane Building Company

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

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

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

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

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

RACE

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

GENDER

☒ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☐ No

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

SIGNATURE: _____



DATE: 09/12/2020

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

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

PLANNING AND ZONING COMMISSION

The Planning and Zoning Commission acts in an advisory capacity to the Town Council in all matters relating to municipal planning and development. The Commission is required to follow the concepts and contents of the Town's comprehensive land use plan in all planning, zoning and development related deliberations and decisions. The Commission shall also have such powers and duties as may be prescribed by Ordinance. The members of the Commission must be registered voters in the Town of Palm Beach. The seven regular members serve for terms of three years. Three alternate members of the Zoning Commission may be appointed by the Town Council who serve when called upon by the Chair of the Commission in the absence of any regular member.



RECEIVED

By gayle at 11:58 am, Sep 04, 2020

TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

PLANNING AND ZONING COMMISSION

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

Name: Carol Maloy LeCates Residence Address: 212 Seabreeze Ave.

Mailing Address: same Home Telephone: 561-655-9295

E-mail Address: clecates@comcast.net Work Telephone: Cell: 973-650-3922

I am a registered voter of the Town of Palm Beach CL CL (please initial)

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

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

I believe I can continue to make a meaningful contribution in evaluating and helping to guide code reform, as well as other matters that come before the commission.

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? All

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

Commissioner, Planning & Zoning Commission, Palm Beach 20016-2020

Zoning Board of Adjustment, Essex Fells, N.J. 2000-20007

Founding Trustee, Essex Fells Conservancy, numerous other boards and committees

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- | | | |
|---|---|-----------------------------|
| A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)? | Yes ☒ | No ☐ |
| B. Meetings on consecutive dates? | Yes ☒ | No ☐ |
| C. Meetings which might be scheduled for multiple dates within the same month | Yes ☒ | No ☐ |
| D. Meetings scheduled year-round | Yes ☒ | No ☐ |

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

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

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

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

8. Present occupation. Retired No. of years. _____

Employer. _____

9. Past occupation(s). Financial Analyst, Real Estate No. of years. 8

Employer(s). PaineWebber, Inc., Donaldson, Lufkin & Jenrette, Inc.

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

- | | | |
|--|---|------------------------------------|
| ☐ Architecture | ☐ Social Sciences | ☐ Geography |
| ☐ Landscape Architecture/Design | ☐ Urban and Regional Planning | |
| ☐ Law | ☐ Building Construction and/or Development | |

11. Please provide details regarding your educational background:

Mt. Holyoke College, A.B.

Columbia Univ., M.B.A.

Parsons School of Design, Interior Design Cert.

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

See attached.

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

Family Member Name	Relationship	Address	Occupation	Employer
Francis	Husband	212 Seabreeze Ave.		Ret'd.

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

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

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

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

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

RACE

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

GENDER

☐ Male ☒ Female

PHYSICALLY DISABLED

☐ Yes ☒ No

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

SIGNATURE: Card M. LeCotes DATE: 9/4/20

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

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

PLANNING AND ZONING COMMISSION

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Question 12. (LeCates)

I believe that my education, work history, and prior Zoning Board and Commission experience provide a strong background for fair-minded consideration of planning and zoning issues.

In my early career I worked on debt and equity financing for commercial real estate projects and negotiated deal terms for limited partnership investments. Due diligence work in behalf of the firms' clients combined a responsibility to ensure the best possible outcome for our investors with an appreciation of the risks and efforts of the general partners.

After leaving Wall St. to raise a family, I volunteered in many local organizations and developed a particular interest in planning and zoning, as well as in preservation, in Essex Fells, N.J. The community's orientation to preservation and aversion to over-sized structures led to the early adoption of Floor Area Ratios and strict setback, height, and impervious coverage limits. With a majority of homes built in the late 19th and early 20th century (and some dating to the revolutionary war), the town worked hard to preserve the ambience of earlier times in the face of rapid over-development in neighboring towns and increasing traffic congestion. During my tenure on the E.F. Zoning Board, I heard and voted on monthly variance applications, and collaborated with the chairman on making recommendations for ordinance changes to the Council and on a complete revision of the town building permit and variance applications and worksheets.

Having built a home in Palm Beach, I have an appreciation for the process and the potential impact of zoning changes, and I am especially interested in finding creative solutions to controversial issues. I strive for simplicity and clarity, while keeping in mind the goals of the town's comprehensive plan.

RECEIVED

By gayle at 12:34 pm, Jun 17, 2020



TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

PLANNING AND ZONING COMMISSION

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

Name: Rick Pollock Residence Address: 218 Seaspray Avenue Palm Beach Fl 33480

Mailing Address: Same Home Telephone: 202-256-5980

E-mail Address: Rexrmp@gmail.com Work Telephone: 202-256-5980

I am a registered voter of the Town of Palm Beach RMP (please initial)

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

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

I am currently serving as a voting member of the Board now.

I have enjoyed my participation and would like to continue on to a second term.

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? All of them

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

I am currently a voting member of the Planning and Zoning Board at this time.

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- | | | |
|---|---|-----------------------------|
| A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)? | Yes ☒ | No ☐ |
| B. Meetings on consecutive dates? | Yes ☒ | No ☐ |
| C. Meetings which might be scheduled for multiple dates within the same month | Yes ☒ | No ☐ |
| D. Meetings scheduled year-round | Yes ☒ | No ☐ |

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

NO

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

Being a current member of the Board. I am well versed in its responsibility and purpose.

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

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

8. Present occupation. Retired No. of years. 1

Employer.

9. Past occupation(s). Endodontist/Surgeon No. of years. 30

Employer(s).

Greater Washington Specialty Services

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

- | | | |
|--|---|------------------------------------|
| ☐ Architecture | ☐ Social Sciences | ☐ Geography |
| ☐ Landscape Architecture/Design | ☐ Urban and Regional Planning | |
| ☐ Law | ☐ Building Construction and/or Development | |

11. Please provide details regarding your educational background:

University Of Pittsburgh

University of Pennsylvania School of Medicine and Dentistry

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

Having served for the past three years on this board, I have a mindful understanding and current history of the Town's need

to constantly improve the Zoning Codes. As a 20 year resident. I see the importance of these codes both for the evolution and

maintenance of our town. Resident participation is vital in achieving these goals as we constantly move forward as a community.

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

Family Member Name	Relationship	Address	Occupation	Employer
NONE				

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

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

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

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

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

RACE

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

GENDER

☐ Male ☐ Female

PHYSICALLY DISABLED

☐ Yes ☐ No

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

SIGNATURE: _____



DATE: 6-17-2020

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

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

PLANNING AND ZONING COMMISSION

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TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

PLANNING AND ZONING COMMISSION

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

Name: JORGE N. SANCHEZ Residence Address: 239 Southland Rd.
Mailing Address: 140 Royal Palm Way #206 Home Telephone: 842-2982 / 3
E-mail Address: JORGE@SMIKNET Work Telephone: 655-9006

I am a registered voter of the Town of Palm Beach JS (please initial)

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

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

STRONG INTEREST IN CORRECTING TOWN'S
BUILDING CODE INCONSISTENCIES

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? _____

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

NRCOM, LANDMARKS & P&Z

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- | | | |
|---|---|-----------------------------|
| A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)? | Yes ☒ | No ☐ |
| B. Meetings on consecutive dates? | Yes ☒ | No ☐ |
| C. Meetings which might be scheduled for multiple dates within the same month | Yes ☒ | No ☐ |
| D. Meetings scheduled year-round | Yes ☒ | No ☐ |

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

N/A

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

HAVE WORKED FOR MY CLIENTS IN TOWN FOR SOME.

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

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

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

8. Present occupation. LANDSCAPE ARCHITECTURE No. of years. 30+

Employer.

SMI LANDSCAPE ARCHITECTURE

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

Employer(s).

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

- ☐ Architecture
☐ Landscape Architecture/Design
☐ Law

- ☐ Social Sciences
☐ Urban and Regional Planning
☐ Building Construction and/or Development

☐ Geography

11. Please provide details regarding your educational background:

BA FROM VILKONAVA UNIVERSITY, PA

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

LONG TIME EXPERIENCE IN THIS FIELD

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

Family Member Name	Relationship	Address	Occupation	Employer
SEARINA	WIFE	SAME	N/A	N/A
A LONG LIST OF COUSINS FROM BOTH SIDES OF THE FAMILY				

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

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

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

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

INAPPROPRIATE QUESTIONS

RACE	GENDER
☐ African American	☐ Male ☐ Female
☐ Asian American	☐ Caucasian
☐ Hispanic American	☐ Not known
	PHYSICALLY DISABLED
	☐ Yes ☐ No

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

SIGNATURE: [Signature] DATE: 8/11/20

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

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

PLANNING AND ZONING COMMISSION

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TOWN OF PALM BEACH

APPLICATION FOR SERVICE ON

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Name: KENNETH WALKER Residence Address: 130 SUNRISE AVE

Mailing Address: 130 SUNRISE AVE P.B. Home Telephone: 917 656 8449

E-mail Address: KENRO1@MAC.COM Work Telephone: SAME

I am a registered voter of the Town of Palm Beach KW (please initial) R.G.

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

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

IM AN ARCHITECT AND URBAN PLANNER. I SERVED ON
P+Z FOR 4 YEARS AND WOULD LIKE TO SERVE AGAIN

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? ALL

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

PLANNING + ZONING 4 YRS CHAMBER OF COMMERCE

4. Are you willing and available to attend meetings of the Planning and Zoning Commission as described below?

- | | | |
|---|---|-----------------------------|
| A. Meetings which last a full day (9:30 a.m. to 5:00 p.m., or even later)? | Yes ☒ | No ☐ |
| B. Meetings on consecutive dates? | Yes ☒ | No ☐ |
| C. Meetings which might be scheduled for multiple dates within the same month | Yes ☒ | No ☐ |
| D. Meetings scheduled year-round | Yes ☒ | No ☐ |

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

6. Do you have any experience in requesting comprehensive plan amendments or zoning approvals from the Town of Palm Beach or other jurisdictions? (Please explain. Attach additional pages if necessary)

YES

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

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

- ☐ Preservation Foundation of Palm Beach
☐ North End Property Owners Association
☐ Other _____

8. Present occupation. ARCHITECT / PLANNER No. of years. 35

Employer. SELF

9. Past occupation(s). ARCHITECT / TEACHER No. of years. 40

Employer(s). SELF

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

- ☒ Architecture
☒ Landscape Architecture/Design
☐ Law

- ☐ Social Sciences
☒ Urban and Regional Planning
☐ Building Construction and/or Development

☐ Geography

11. Please provide details regarding your educational background:

BROWN UNIV HARVARD GRAD SCHOOL OF DESIGN

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

I LISTEN.....

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

Family Member Name	Relationship	Address	Occupation	Employer
MARY	WIFE	130 SUNRISE	—	—

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

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

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

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

RACE

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

GENDER

- ☒ Male ☐ Female

PHYSICALLY DISABLED

- ☐ Yes ☒ No

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

SIGNATURE: Kurt Wake

DATE: 18 DEC

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

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

PLANNING AND ZONING COMMISSION

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TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda Minutes

Agenda Title
Town Council Meeting Minutes
Queenester Nieves, CMC, Town Clerk

- a. September 9, 2020, Development Review Town Council Meeting Minutes
- b. September 10, 2020, Town Council Meeting Minutes
- c. September 10, 2020, Special Town Council Meeting Minutes
- d. September 16, 2020, Special Town Council Meeting Minutes

Presenter

ATTACHMENTS:

- ▣ **September 9, 2020, Town Council Development Review Meeting Minutes**
- ▣ **September 10, 2020, Town Council Meeting Minutes**
- ▣ **September 10, 2020, Special Town Council Meeting Minutes**
- ▣ **September 16, 2020, Special Town Council Meeting Minutes**



TOWN OF PALM BEACH

Minutes of the Development Review Town Council Meeting Held on September 9, 2020

I. **CALL TO ORDER AND ROLL CALL**

The Development Review Town Council Meeting was called to order September 9, 2020 at 9:30 a.m. digitally via Zoom Webinar. On roll call, all of the elected officials were found to be present.

II. **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

III. **COMMENTS OF MAYOR GAIL L. CONIGLIO**

Mayor Coniglio welcomed the new Town Clerk, Queenester Nieves to the Town. She thanked Pat Gayle-Gordon for stepping into the role of Acting Town Clerk for the past several months.

IV. **COMMENTS OF TOWN COUNCIL MEMBERS**

Council President Zeidman thanked Pat Gayle-Gordon and announced that she would hold further comments until the next day.

Council Member Araskog also thanked Pat Gayle-Gordon, and announced she would also hold her comments until the next day.

Council Member Crampton echoed Council Member Araskog's comments.

V. **COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE**

There were no requests to speak at this time.

VI. **APPROVAL OF AGENDA**

The following modifications were made to the agenda:

Withdrawal of Item VII.A.1

Deferral of Item VII.B.1 (a) to the October 14, 2020 meeting.

Deferral of Item VII.B.1 (c) to the November 13, 2020 meeting.

Deferral of Item VII.B.1 (d) to the October 14, 2020 meeting.

Deferral of Item VII.B.2 (a) to the October 14, 2020 meeting.

Deferral of Item VII.B.2 (f) to the October 14, 2020 meeting.

Deferral of Item VII.B.2 (g) to the October 14, 2020 meeting.

Deferral of Item VII.B.2 (k) to the October 14, 2020 meeting.

Motion was made by Council Member Moore, and seconded by Council Member Araskog, to approve the agenda as amended, with the direction that 143 Reef Road must go back to ARCOM if the garage design was changed. Motion carried unanimously.

VII. DEVELOPMENT REVIEW

A. Time Extensions and Waivers

1. Time Extension of Construction for 225 Worth Avenue
This project was withdrawn at approval of the agenda.
2. Time Extension of Construction for 247 Worth Avenue
3. Time Extension of Construction for 243B Worth Avenue
4. Time Extension of Construction for 313 and 313.5 Worth Avenue

Director of Planning Zoning and Building Wayne Bergman provided a presentation for all three time extension requests related to COVID-19 restrictions: 247 Worth Avenue, 243B Worth Avenue, and 313 and 313.5 Worth Avenue.

Attorney Maura Ziska provided a presentation for all three requests.

Greg Batten, Batten Construction, offered to answer any questions.

Council Member Moore confirmed with Mr. Batten he could complete the projects within the requested times.

Council Member Araskog expressed her concerns regarding the effects on all the store owners in Via Bice. She preferred to have the pavers installed so the restaurant could open, and wait until next April for the other work.

Mayor Coniglio questioned Mr. Batten about the delivery of materials. He responded often materials came through the back of the building. He was working with the Apollo lot and would comply with the Town's request to not work for a week during both Thanksgiving and Christmas.

Council President Pro Tem Lindsay agreed with the holiday timing and requested adjacent tenants the ability to speak to the Director if there were any concerns.

Council Member Crampton expressed confidence in granting Director Bergman authority to deal with situations if they arose.

Council President Zeidman asked for confirmation of the holiday dates.

Mayor Coniglio confirmed the restriction was the Saturday prior to the holiday to the Sunday following the holiday.

Discussion ensued regarding the items that would be completed in via Bice.

Motion was made by Council Member Moore and seconded by Council Member Crampton to approve the three extensions.

Council Member Araskog requested three separate motions. Council Member Moore withdrew her motion and asked Council Member Araskog to make the motion.

Motion was made by Council Member Araskog and seconded by Council Member Crampton to approve the extended hours of construction for 313 and 313.5 Worth Avenue, to incorporate all comments made, that Mr. Bergman and Mr. Batten would work together to make it happen, and if any issues arose, Mr. Bergman had the authority to stop work if he needed to for the rest of the stores, and lastly, if there was an issue with the Apollo lot or the valet that Zoning Manager Paul Castro also had the authority to stop work until Town Council could hear it or hold a special meeting. Motion carried unanimously.

Motion was made by Council Member Crampton, and seconded by Council President Pro Tem Lindsay to approve the requested time extension of construction for 247 Worth Avenue and to provide Mr. Bergman authority to resolve any issues, and no truck deliveries and/or parking on Worth Avenue. Motion carried by unanimously.

Motion was made by Council Member Crampton, and seconded by Council Member Moore to approve the requested time extension of construction for 243B Worth Avenue, with the understanding the work would take place during required work hours and that Mr. Bergman shall work with Mr. Batten on any issues that affect the general public, and interior work can be done on Saturdays. Motion carried by unanimously.

B. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. **Z-19-00236 VARIANCE(S)** Zoning District: R-B Low Density Residential - The application of Jennifer J. Naegele, Applicant, relative to property located at **70 MIDDLE RD**, legal description on file, is described below. The applicant is undertaking a renovation of a 3 story landmarked residence located in the R-B Zoning District. The renovation includes a 91 square foot laundry room addition to the northwest corner of the house; a 191 square foot covered terrace addition on the north side of the house; and a 60 KW generator proposed in the street side yard along Via Marina. The following

variances are being requested: 1) Sec. 134-1729: a variance to allow a 60 KW generator to be placed in the street side yard along Via Marina with a setback of 8.5 feet in lieu of the 25 foot minimum required. 2) Sec. 134-893(11): a variance for lot coverage for the laundry room addition of 34.47% in lieu of the 33.07% existing and the 30% maximum allowed. 3) Sec. 134-893(13): a variance for a cubic content ratio ("CCR") for the laundry room and covered terrace of 8.85 in lieu of the 8.32 existing and the 3.95 maximum allowed. 4) Sec. 134-893(7): a variance for a north side yard setback of 7.6 feet in lieu of the 12.5 feet minimum required for the laundry room addition. 5) Sec. 134-893(7): a variance to convert the existing flat roof to a covered balcony with railing that will have a north side yard setback of 7.6 feet in lieu of the 15 foot minimum required. [Applicant's Representative: Maura Ziska Esq] [Landmarks Preservation Foundation 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 with the condition that the homeowner voluntarily grants the utility easement. Carried 7-0] Request for Deferral to the October 14, 2020 Meeting per Email Dated September 1, 2020 from Jennifer Naegele.

This item was deferred to the October 14, 2020 meeting at approval of the agenda.

- b. **Z-20-00260 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Matthew and Anne Iorio, Applicant, relative to property located at **131 SEAVIEW AVE**, legal description on file, is described below. Section 134-8939(c): Special Exception with Site Plan Review to allow the renovation of an existing two story residence and swimming pool by demolishing more than 50% cubic footage on portions of platted lots with a depth of 97.12 feet in lieu of the 100 foot minimum required in the R-B Zoning District and an area of 9,712 in lieu of the 10,000 square foot minimum required in the R-B Zoning District. The request is to demolish a 1 story/237 square foot exercise room in the rear of the house; a 1 story/720 square foot Florida room in the rear of the house; and add a 386 square foot two story family room (first floor) and bedroom (second floor); and a 292 square foot loggia. The following variances are being requested: 1) Section 134-893(b)(5): a front yard setback of 24.9 feet in lieu of the 30 foot minimum setback required; 2) Section 134-893(b)(7): a west side yard setback of 4.9 feet in lieu of the 4.9 feet existing and the 15 foot minimum setback required; 3) Section 134-893(b)(11): a lot coverage of 31.3% in lieu of the 30% maximum allowed; 4) Section 134-893(b)(13): a cubic content ratio of 6.90 in lieu of the 6.99 existing and the 4.03 maximum allowed; 5) Section 134-893(b)(12): a landscape open space of 33% in lieu of the 45% minimum required; 6) Section 134-1757: an east side yard setback for the swimming pool of 6 feet in lieu of the 10 foot minimum required. [Applicant's Representative:

Maura Ziska Esq] [The Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Carried 7-0.] [The Architectural Review Commission approved the project with a condition relating to landscape. Carried 7-0.]

Administrative Specialist Churney swore in those intending to speak on this item.

Ex-parte communication was disclosed by Council Members Araskog, Crampton and Moore, Council President Zeidman, Mayor Coniglio and Council President Pro Tem Lindsay.

Attorney Maura Ziska presented an overview of the project and zoning requests.

Keith Williams made a landscape presentation on behalf of the applicant.

Anne Iorio, owner, provided background information on attempts to work with Mr. Greenwald.

Zoning Manager Paul Castro offered staff comments.

Council Member Araskog commented she did not see evidence of conversations between Ms. Iorio and Mr. Greenwald, and wanted to be sure iguanas could not get from the hedge to the tree.

Council President Pro Tem Lindsay clarified with Mr. Williams the proposed trees would be maintained at 16' and complimented him on a great job of addressing this issue.

Council Member Crampton asked to hear from Mr. and Mrs. Greenwald.

Mayor Coniglio asked if a restriction on hedge height could be a condition of approval. Zoning Manager Castro recommended a restrictive covenant that would run with the land. Town attorney Randolph advised a recorded declaration of use agreement would be much easier to enforce.

Discussion ensued regarding location and height of the hedge.

Ms. Iorio expressed concern that Mr. Greenwald as an attorney could bring legal action against her at no cost but it would be

costly to her for defense.

Ms. Ziska expressed preference for a condition of approval that could be enforced by Code Enforcement. Town Attorney Randolph advised a recorded deed restriction would be overkill for a two and one-half foot section of a hedge.

Public Comment

Martha Greenwald, 128 Seaspray Avenue, commented they had heard nothing from Ms. Iorio and wanted to come to a friendly agreement, but felt the restrictive covenant might be a good idea.

Stephen Greenwald, 128 Sea Spray Avenue, commented they had attempted to communicate many times with no response, and they did not want a future of only being able to communicate through the Town. He stressed the seriousness of the problem of iguana feces on their roof and the issue of unknown disease in this feces mixed with rainwater, washing onto the ground.

Council Member Crampton felt a condition of approval might be the way to resolve this.

Council Member Araskog suggested one more deferral so that Director Bergman could meet with the two parties involved to find something that works and the revised plan could be considered.

Motion made by Council Member Araskog and seconded by Council Member Crampton to defer #Z-20-00260 Special Exception with Site Plan Review and Variance(s) to the October 14, 2020 meeting with Director Bergman to mediate an agreement regarding height and width of plant material between the two homeowners. Motion carried 4-1, with Council Member Moore opposed.

Clerk's note: A short break was taken at 11:09 a.m. The meeting reconvened at 11:15 a.m.

- c. **Z-20-00262 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)** Zoning District: R-D(2) High Density Residential The application of The Ambassador Hotel Cooperative Apartments Corp., A Florida Corporation (Richard Schlesinger, President), Applicant, relative to property located at **2730 S OCEAN BLVD**, legal description on file, is described below. The following zoning relief is being requested: 1. Section 134-1055 (16.): Special Exception approval to modify the existing condo-hotel use in the R-D(2) Zoning District. 2. Section 134-327: Site plan approval for the

modifications to the existing condo-hotel site as identified above. 3. Section 134-1064: Special exception approval for the new balconies on the third, fourth and fifth floors. 4. Section 134-1060 (6)(f): Variance request for the proposed redevelopment to include the addition of balconies on the south side of the building that will encroach into the south side yard setback by a 30 inches thus a variance request for a setback of 27.5 feet in lieu of the 30 foot minimum required. 5. Section 134-2172: Variance to allow the proposed off-street, valet-operated parking, to be tandem and stacked in lieu of the code required off-street parking standards related to size of spaces and access. The code requires parking spaces to be designed so that a vehicle can be removed without the necessity to move another vehicle. The proposed parking is modifying and adding parking areas designed with stacked (tandem) and lift parking. 6. Section 134-1064: Variance to allow the lot coverage to be 44.9% in lieu of the 23.7% existing and the 22% maximum allowed in the R-D(2) Zoning District for 5 story buildings (the building is 7 stories with a lower level floor area). 7. Section 134-1060(6): Variance to allow a north side yard setback of 15 feet in lieu of the 30 foot minimum required for the under dune garage. 8. Section 134-1064(b)(3): Variance to allow a height of 68.96 feet in lieu of the 62.5 maximum allowed for the Penthouse additions (7th floor). [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission deferred this project to the October 28, 2020 meeting at the request of the attorney. Carried 7-0.] Request for Deferral to the November 13, 2020 Meeting per Letter Dated August 31, 2020 from Maura Ziska.

This item was deferred to the November 13, 2020 meeting at approval of the agenda.

- d. **Z-20-00265 SPECIAL EXCEPTION WITH SITE PLAN REVIEW**
 Zoning District: R-B Low Density Residential The application of Carlos Musso, Sr., Applicant, relative to property located at **110 SEAGATE RD**, legal description on file, is described below. Special Exception with Site Plan Review to allow the construction of a 4,201 square foot two-story new residence on non-conforming portions of platted lots with a depth of 96.12 feet in lieu of the 100 foot minimum depth required in the R-B Zoning District. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed special exception and site plan review will not cause negative architectural impact to the subject property. Motion carried 7-0.] [The Architectural Review Commission approved the project as presented. Carried 7-0.]

This item was deferred to the October 14, 2020 meeting at approval of the agenda.

e. **Z-20-00268 SPECIAL EXCEPTION WITH SITE PLAN REVIEW**

Zoning District: R-B Low Density Residential The application of The Society of the Four Arts, Inc. (c/o Dr. Philip B. Rylands, President and CEO), Owner, relative to property located at **100, 101, 102 and 103 FOUR ARTS PLAZA, 240 COCOANUT ROW, AND 434 SEASPRAY AVE**, legal description on file, is described below. Section 134-890(9) - The Society of the Four Arts (Applicant) requests a modification to the existing nonprofit cultural center Special Exception (legally described in Exhibit A-1), to allow the addition of a 0.56-acre property (legally described in Exhibit A-2) located at 434 Seaspray Avenue (“Site”), into Applicant's campus. The Site is developed with a single family house and accessory structures. The Applicant proposes to relocate its President/CEO's living quarters from the third floor of the John E. Rovensky Building (“Building”) to the Site. The intent is to renovate and reconfigure the vacated 2,105 square foot (sq. ft.) living quarters to create a meeting room, archive space and storage spaces, in accordance with the Proposed Floor Plan (“Plan”). Consideration of Proposed Amendment to the Declaration of Use Agreement for the Society of the Four Arts. [Applicant's Representative: Harvey E Oyer III Esq]

Administrative Specialist Churney swore in Harvey E. Oyer III Esq.

Ex-parte communication was disclosed by Council Members Araskog, Crampton and Moore, Council President Zeidman, Mayor Coniglio and Council President Pro Tem Lindsay.

Harvey Oyer explained the proposed declaration of use agreement would only allow the Sea Spray property to be used solely for single family residential purposes by the CEO and his wife.

Zoning Manager Castro provided staff comments.

Council Member Araskog expressed concern unifying a nonprofit with a residential home.

Town Attorney Randolph spoke to the residential single family housing use.

Council Member Araskog read a portion of a newspaper article regarding the plans for the residence.

Council President Pro Tem Lindsay asked Mr. Castro to clarify in the declaration of use that the CEO could only host two charitable events per year. Mr. Castro commented capacity would be looked at when a

charitable event permit was obtained. Council President Pro Tem Lindsay asked to tighten the declaration of use agreement to make sure it was not assumed any terms would apply from the original declaration of use, and to make it friendly to the neighborhood.

Council Member Crampton asked to be reminded of the rules for town sponsored events, which Mr. Castro clarified.

Council Member Moore expressed concern that the Four Arts could purchase other homes in the neighborhood, thereby encroaching an institution into a residential neighborhood. She was not in favor of the unity of title.

Council Member Crampton indicated he was in favor of approving this based on the declaration of use and any additional tightening to guard against the issue of encroachment. He noted \$9 million would be coming off the tax rolls if the property became part of a nonprofit.

Zoning Manager Castro clarified the focus of today's decision, which was tightening the declaration of use agreement to allow two charitable events per calendar year, specifying the number of participants, and the hours of the events.

Mayor Coniglio expressed concern whether these events would take place simultaneously to another event at the Four Arts campus, and whether there would be valet parking. She cautioned against moving too quickly because this would mean a reduction in tax revenue.

Council Member Araskog commented on the newspaper article, stated she did not believe unity of titles should be done between nonprofits and houses in residential areas. She believed this would set a bad precedent and asked the Council to think about unintended consequences.

Council President Pro Tem Lindsay expressed her opinion that because this would come off the tax rolls, the declaration of use should not be allowed.

There were no public comments at this time.

Harvey Oyer spoke on behalf of the applicant.

Council President Zeidman noted unity of title always inured to

the person asking for the unity and not the Town. She added that the Council did not make decisions with the objective to be helpful financially to the resident making the request. She also pointed out the remarks in the newspaper article should not be relied upon. The Council must only look at the record before them now and Mr. Oyer's assurances of what Four Arts would do. She did agree with Council President Pro Tem Lindsay to make the declaration of use more restrictive.

Council Member Moore stated her issues with the unity of title and added that she could not support the request because the footprint went further into the residential neighborhood.

Mr. Oyer responded the applicant had not asked for a unity of title and would be happy not to unify title. Zoning Manager Castro responded.

Council Member Araskog also indicated she was not for unity of title. Mr. Castro advised that without a unity of title the house could be leased or rented to the CEO and if the house was used for any other purpose than a single family home it would be a Code Enforcement violation.

Discussion ensued.

Mr. Oyer clarified they were not seeking unity of title but were seeking the special exception. Town Attorney Randolph asked Mr. Oyer how they could have a special exception with site plan review for a property that was not part of their campus, and confirmed if there was no unity of title the property would become part of the nonprofit and would not be a part of the Town's tax roll. Discussion continued regarding the tax. Mr. Oyer proposed a payment in lieu of taxes where Four Arts would pay the Town an agreed upon amount of the full millage so that the Town and taxpayers were whole and also other taxing authorities.

Motion made by Council Member Araskog and seconded by Council Member Moore to deny Special Exception Z-20-00268 for the reason that granting the special exception will adversely affect the public interest and that the specific requirements of Section 134-299 have not been met, which are the use permitted of design located and propose to be operated so that the public health, safety, welfare and morals will be protected; the use will not cause substantial injury to the value of other property in the neighborhood where it has to be located; the use will be compatible with adjoining

development in the intended purpose of the district in which it has to be located; the use will not result in substantial economic noise, glare, odor impacts on joining properties and properties generally in the district. Motion carried 3-2, with Council Member Crampton and Council President Zeidman opposed.

Second motion made by Council Member Araskog and seconded by Council Member Moore to deny the Site Plan Review Z-20-00268 for the reason that granting the site plan review will adversely affect the public interest and that the specific requirements of Section 134-329 have not been met. Motion carried 3-2, with Council Member Crampton and Council President Zeidman opposed.

2. New Business

- a. **Z-20-00269 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of John Criddle and Franny Frisbie, Applicant, relative to property located at **143 REEF RD**, legal description on file, is described below. The applicant is proposing to construct a new 597 square foot one story garage to the west of the existing residence. The following variances are being requested: 1. Section 134-893(7): The applicant is requesting a variance for a west side yard setback of 5 feet in lieu of the 12.5 foot minimum required for a one story building. 2. Section 134-893(6): The applicant is requesting a variance for an angle of vision of 105 degrees in lieu of the 100 degrees maximum allowed. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Motion carried 4-3.][The Architectural Review Commission approved the project as presented. Carried 4-3.]

This item was deferred to the October 14, 2020 meeting at approval of the agenda.

- b. **Z-20-00270 VARIANCE (S)** Zoning District: R-B Low Density Residential The application of Steve Johnson, Applicant, relative to property located at **1284 N LAKE WAY**, legal description on file, is described below. Section 134-843(7): The applicant is proposing a 60 square foot staircase addition to the north side of the house that will have an 11.5 foot north side yard setback in lieu of the 15 foot minimum required. [Applicant's Representative: Maura Ziska Esq] [The Landmarks Preservation Commission Recommendation: Implementation of the proposed variance 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 communication was disclosed by Council Members Araskog, Council President Zeidman, and Mayor Coniglio.

Maura Ziska provided the presentation of the project and zoning request.

Zoning Manager Castro provided staff comments.

Council Member Araskog questioned the hardship, to which Ms. Ziska responded.

There were no public comments.

Motion made by Council Member Crampton and seconded by Council Member Moore, that Variance Z-20-00270 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 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.

- c. **Z-20-00271 VARIANCE(S)** Zoning District: C-TS Town Serving Commercial The application of Bradley Park Owner, LLC, (Applicant), relative to property located at **280 SUNSET AVE**, legal description on file, is described below. Pursuant to Section 134-1113(7)(b), the applicant is requesting a variance to allow a rear setback of 2 inches in lieu of the 1 foot 5 inch existing and 10 foot minimum required setback to affix a generator exhaust pipe to the south facade of the existing non-conforming hotel structure. The applicant is also requesting a rear setback of 0 inches in lieu of the 1 foot 5 inch existing and 10 foot minimum required setback to accommodate an elevated kitchen hood that is affixed to the south facade of the existing hotel structure. The kitchen hood encroaches 2 inches into the alley to the south of the hotel structure, and an encroachment easement has been obtained from the adjacent property owner for the purpose of utilizing the alley for mechanical equipment. [Applicant's Representative: James M. Crowley Esq] [The Landmarks Preservation Commission Recommendation: Implementation of the proposed variance 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.]

Administrative Specialist Churney swore in those intending to speak on this matter.

Mayor Coniglio declared recusal since she was the property owner, and

left the meeting.

No ex-parte communications were disclosed.

Jamie Crowley presented an overview of the project and explained the requested variances.

Keith Spina provided an architectural presentation on behalf of the applicant.

Zoning Manager Castro provided staff comments.

Mr. Crowley verified for Council Member Moore that the easements had been signed.

Council Member Araskog pointed out two areas that needed to be painted, to which Mr. Spina agreed.

There were no other comments.

Motion made by Council Member Moore and seconded by Council Member Araskog, that Variance Z-20-00271 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 have been met, conditioned upon the filing of the easement agreement, and to paint the two areas the same as the rest of the building. Motion carried unanimously.

- d. **Z-20-00272 VARIANCE(S)** Zoning District: R-B Low Density Residential The application of Mr. and Mrs. Mark Sanderson, Applicant, relative to property located at **2315 IBIS ISLE RD**, legal description on file, is described below. The applicant is proposing to construct a new 6,898 square foot two-story home. The following variances are being requested: 1. Section 134-893(5): The applicant is requesting a variance for a front yard setback of 3.5 feet in lieu of 30 feet minimum required for a two-story residence. 2. Section 134-893(6): The applicant is requesting a variance for an angle of vision of 154 degrees in lieu of the 100 degrees maximum allowed for a two-story residence.[Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 6-1.] [The Architectural Review Commission approved the project with a few architectural features returning to the September 23, 2020 meeting. Carried 7-0.]

Ex-parte communication was disclosed by Council Members Araskog, Council President Zeidman, Mayor Coniglio and Council President Pro Tem Lindsay.

Administrative Specialist Churney swore in Stephen Roy.

Attorney Maura Ziska explained the variance requests.

Stephen Roy provided an architectural presentation of the project.

Zoning Manager Castro provided staff comments.

Council Member Moore expressed concern this could set a precedent.

Council Member Crampton asked about details worked out with staff. Mr. Castro advised none of the entry could be within the right of way, however, the driveway and sidewalks in the parking area would be permitted.

Mr. Castro verified for President Pro Tem Lindsay that no structure would be within the right of way.

Mayor Coniglio asked if the Town would ever need that right of way easement. Mr. Castro verified an agreement would be required with Public Works as part of the permitting process.

Council Member Araskog asked about the hardship, to which Ms. Ziska explained ran with the lay of the land. She asked staff about extra parking being granted on Town property, which was explained as guest parking.

Council President Pro Tem Lindsay commented on the many improvements to Town rights of way which were done with permission.

There was no public comment.

Motion made by Council Member Crampton and seconded by Council President Pro Tem Lindsay, that Variance Z-20-00272 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 have been met. Motion carried unanimously.

Town Attorney Randolph clarified that a motion and a second did not preclude discussion. In fact, under Robert's Rules of Order you usually could not have discussion until you had a motion on the floor.

Clerk's Note: A lunch break was taken at 1:03 p.m. The meeting resumed at 1:41 p.m.

- e. **Z-20-00274 VARIANCE(S)** Zoning District: R-A Estate Residential

The application of Laetitia M. Perais-Han and Ben Han, Applicants, relative to property located at 61 MIDDLE RD, legal description on file, is described below. The applicant is proposing a new 317 square foot pool pavilion to the rear of the property, a 198 square foot awning and an 86 square foot porch addition to the rear of the landmarked residence. The following variances are being requested: 1) a north side yard setback of 8.4 feet in lieu of the 15 foot minimum required; 2) a rear yard setback of 12 feet in lieu of the 15 foot minimum required; 3) a lot coverage of 26% in lieu of the 25% maximum allowed; 4) a landscaped open space of 45% in lieu of the 50% minimum required. [Applicant's Representative: Maura Ziska Esq] [The Landmarks Preservation Commission Recommendation: Implementation of the proposed variance 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.]

Administrative Specialist Churney swore in Jaime Torres Cruz, Architect for the project.

There was no ex-parte communication to disclose.

Ms. Ziska provided an overview of the project and explained the variance requests.

Mr. Torres Cruz presented the architectural plans for the project.

Zoning Manager Castro provided staff comments.

Council Member Crampton asked if there were any communication from neighbors. Mr. Castro indicated there had been none. Mr. Torres Cruz commented his client had communicated with the neighbors and they had no objections.

Council Member Araskog asked about the original beach house, and asked if more green space could be added.

Mayor Coniglio confirmed with Mr. Torres Cruz the structure would not be visible from the street.

There was no public comment.

Motion made by Council Member Moore and seconded by Council President Pro Tem Lindsay, that Variance Z-20-00274 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 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.

- f. **Z-20-00275 VARIANCE (S)** Zoning District: R-A Estate Residential The application of 171 Via Bellaria LLC (Dan Swanson, Manager), relative to property located at **171 VIA BELLARIA**, legal description on file, is described below. Section 134-843 (7): The Applicant is proposing a new 9,416 square foot two story residence on Via Bellaria that would have a building height plane setback of 37 feet in lieu of the required minimum setback ranging from 51.2 to 69.5 feet. [Applicant's Representative: Maura Ziska Esq] [The Architectural Review Commission deferred the project to the September 23, 2020 meeting. Carried 6-1.] Request for Deferral to the October 14, 2020 Meeting per Letter Dated August 31, 2020 from Maura Ziska.

This item was deferred to the October 14, 2020 meeting at approval of the agenda.

- g. **Z-20-00276 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: R-A Estate Residential The application of 1742, LLC (Anthony Lomangio, Manager), Applicant, relative to property located at **1742 S OCEAN BLVD**, legal description on file, is described below. Section 134-843(a) and (b) Special Exception with Site Plan Review to allow the construction of a new 9,604 square foot, two-story residence on an unplatted non-conforming lot that has an area of 19,918 square feet in lieu of the 20,000 square feet minimum and a depth of 97.52 in lieu of the 150 foot minimum depth required in the R-A Zoning District. [Applicant's Representative: Maura Ziska Esq][The Architectural Review Commission deferred the project to the September 23, 2020 meeting. Carried 7-0.] Request for Deferral to the October 14, 2020 Meeting per Letter Dated August 31, 2020 from Maura Ziska.

This item was deferred to the October 14, 2020 meeting at approval of the agenda.

- h. **Z-20-00277 SITE PLAN REVIEW WITH VARIANCE(S)** Zoning District: R-C Medium Density Residential The application of Robert and Barbara Satterfield, Applicants, relative to property located at **200 EVERGLADE AVE SUITE: A-2**, legal description on file, is described below. Site Plan Review and variance request to add a third story addition by enclosing a balcony on the south side on a non-conforming three-story multi-family building. The variances being requested are to enclose the balcony are as follows: 1. Section 134-948(8)c: A third story addition where only two stories maximum is allowed. 2. Section 134-948(8)c: A building height of 26.5 feet in lieu

of the 23.5 foot maximum allowed. [Applicant's Representative: David E. Klein Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried 7-0.] [The Architectural Review Commission approved the project as presented. Carried 7-0.]

Ex-parte communication was disclosed by Council Members Araskog.

Administrative Specialist Churney swore in David Klein.

Attorney Klein provided a presentation of the zoning requests.

Zoning Manager Castro provided staff comments.

Council Member Araskog questioned the hardship, and confirmed with Mr. Klein it would not be visible from the street. Mr. Klein responded.

There was no public comment.

Motion was made by Council Member Moore, and seconded by Council President Pro Tem Lindsay, that Site Plan Z-20-00277 be approved based upon the finding that the approval of the Site Plan will not adversely affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement have been met concerning Section 134-329 items 1 through 11; 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.

Second motion made by Council President Pro Tem Lindsay and seconded by Council Member Moore, that Variance Z-20-00277 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 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.

- i. **Z-20-00278 VARIANCE (S)** Zoning District: R-B Low Density Residential The application of 346 Seaspray Avenue Trust dated May

9, 2020 (Guy Rabideau, Trustee), Applicant, relative to property located at **346 SEASPRAY AVE**, legal description on file, is described below. Applicant is proposing a 161 square foot addition to the existing loggia (which will be enclosed into a/c space); an 877 square foot two story addition to the northeast side of the property for a new garage and an upper level studio; and a 443 square foot pool loggia addition to the east side of the property. The following variances are being requested: Section 134-893(11): to allow a lot coverage of 30.3% in lieu of the 26.1% existing and the 30 percent maximum allowed in the R-B Zoning District. Section 134-893(13): to allow a cubic content ratio ("CCR") of 4.23 in lieu of the 3.57 existing CCR and the 4.11 CCR maximum allowed. [Applicant's Representative: Maura Ziska Esq] [Architectural Review Commission Recommendation: Implementation of the proposed variances, including the flood plain variance, will not cause negative architectural impact to the subject property. Motion carried 7-0.][The Architectural Review Commission approved the project as presented. Carried 7-0.]

There was no ex-parte communication to disclose.

Administrative Specialist Churney swore in Raphael Portuondo.

Maura Ziska introduced the project and presented the variance requests. She also explained this was a historic house that was not landmarked, and they would be able to take advantage of the new ordinance regarding historic designation districts.

Mr. Portuondo provided an architectural presentation of the proposed project.

Zoning Manager Castro provided staff comments.

Council Member Araskog asked for an explanation of the hardship calculations. Mr. Castro responded.

Council President Pro Tem Lindsay inquired about the reason they may need a floodplain variance. Mr. Castro responded.

There was no public comment.

Motion made by Council Member Araskog and seconded by Council Member Crampton, that Variance Z-20-00278 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 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.

- j. **Z-20-00279 SITE PLAN REVIEW** Zoning District: R-D(2) High Density Residential The application of The Cove Condominium Association, Inc., Applicant, relative to property located at **2784 S OCEAN BLVD**, legal description on file, is described below. The applicant is requesting site plan approval to install a 250 kW generator that will be located within an existing building. The proposed exhaust and towers are located on the front of the building (east elevation). Site plan review is required pursuant to 134-1729(2) (c) because the generator's output exceeds 100kW. [Applicant's Representative: James M. Crowley Esq] [The Architectural Review Commission approved the minor project as presented. Carried 7-0]

There was no ex-parte communication to disclose.

Administrative Specialist Churney swore in Jamie Crowley and Dustin Mizell.

Attorney Crowley introduced the project and presented the zoning request.

Council Member Araskog asked if they would be replacing the same generators. Zoning Manager Castro explained it was a larger generator in a bigger room that must be retrofitted. He added that ARCOM had approved the project. Council Member Araskog asked if any neighbors would be affected.

Dustin Mizell explained the location would be almost in the center of the property.

There were no public comments.

Motion was made by Council Member Crampton, and seconded by Council Member Moore, that Site Plan Z-20-00279 be approved based upon the finding that the approval of the Site Plan will not adversely affect the public interest; that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement have been met concerning Section 134-329 items 1 through 11. The motion carried unanimously.

- k. **Z-20-00281 SPECIAL EXCEPTION WITH SITE PLAN REVIEW** Zoning District: R-D(2) High Density Residential and R-C Medium Density Residential The application of CH HOTEL, LLC (Andrew and Sarah Wetenhall and Family), relative to property located at **135 HAMMON AVE, 152 HAMMON AVE, AND 155 HAMMON**

AVE, legal description on file, is described below. Request for a modification to the previously approved Special Exception for the Colony hotel use to allow the relocation of the previously held events on the west side of the ballroom building to the new east garden. The use of the garden area east of the ballroom building shall be primarily used as a pre-function space such as wedding ceremonies and cocktail receptions -all to be used in conjunction with the ballroom building that was approved by the Town Council In 1986. The Colony Hotel is requesting the following terms to be approved: 1) All pre-function events or ceremonies in the garden will be concluded by 10:00 p.m. 2) There shall be only background music allowed or live music of no more four instruments. 3) There shall be no DJ music 4) Microphone use shall be allowed for officiant for wedding services or an individual making remarks. 5) The hotel will agree to install a custom designed in-ground sound system to abate noise. 6) The hotel will install a mutually agreeable privacy/landscape buffer along the eastern property line. [Applicant's Representative: Maura Ziska Esq]

This item was deferred to the October 14, 2020 meeting at approval of the agenda.

Clerk's Note: At this time the Agenda was re-ordered to hear the remaining items in the following order: Any Other Matters IX(C), IX (A), IX(B), VIII(A)(1).

VIII. ORDINANCES

A. Second Reading

1. **ORDINANCE 12-2020** An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 54, Historical Preservation, Town Code Of Ordinances, Article III, Certificate Of Appropriateness, Division 1, Generally, Section 54-71, Required, Subsection (f), Removing The Value Threshold For Minor Projects; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Town Attorney Randolph read Ordinance 12-2020 on second reading by title only.

Motion made by Council Member Crampton and seconded by Council Member Moore, to approve Ordinance 12-2020 on second reading by title only. Motion carried unanimously.

IX. ANY OTHER MATTERS

- A. Request to Suspend Annual Town-Serving Submittal Required for a Limited Number of Businesses and Clubs in the Town

Zoning Manager Castro presented the request from businesses for a one-year reprieve to provide this documentation due to COVID-19 and associated hardships. Staff supported this request.

Council Member Araskog favored granting the request.

Council President Pro Tem Lindsay expressed her opinion the request should be granted but revisited in six months.

Council reviewed the list of businesses. Council President Zeidman urged supporting these businesses.

Mayor Coniglio commented another issue with providing the documentation was it was costly for the business. She felt some could be removed from the list.

Council President Zeidman commented all were in agreement to suspend for a year, but perhaps this should be looked into more deeply.

Zoning Manager Castro advised Council had looked into this in the past and it was determined if somebody wanted to eliminate the condition they had to file an application and give notice to neighbors.

Mayor Coniglio suggested either a rolling suspension or a five-year suspension as opposed to one. She also thought there should be an opportunity for Council to determine if an applicant needed to come to the Town Council or be removed and placed in a group that the Council would discuss as a group.

Council Member Crampton suggested the Business Administration Committee look at the issue.

Public Comment

Reginald Stambaugh was sworn in by Administrative Specialist Churney.

Attorney Stambaugh, representing property owners at 185 Woodbridge Road, who were beneficiaries of the declaration of use agreements for Mar-a-Lago. He indicated there was a security issue lifting a restriction on a club creating an attraction that would be contrary to the peace and privacy that a resident on Woodbridge Road would have a right to expect. He commented Mar-a-Lago would be a beacon of national attraction and lifting the restriction without considering the impact on the privacy of the neighbors was not a good decision.

Council Member Araskog commented two clubs on the list, Everglades and Mar-a-Lago, should not be included in any reprieve because they were not open to the public. She asked Mr. Stambaugh to assure his client she could come before the Council.

Mayor Coniglio discussed lowering the fee for the businesses, or to review in six months.

Council President Pro Tem Lindsay agreed with keeping clubs in a separate group. She also agreed to waive fees for other businesses for the next year.

Council Member Moore felt this matter should go to the Business Committee.

Motion made by Council Member Araskog and seconded by Mr. Crampton, to waive the requirement for one year for all public businesses, with the exception of Mar-a-Lago and the Everglades Club. Motion carried unanimously.

B. Discussion of the Planning & Zoning Commission's request to review zoning regulations for commercial and retail businesses

Zoning Manager Castro stated the Planning and Zoning Commission was directly requesting to be allowed to join staff in looking at changing permitted uses for commercial zoning districts, in order to become more competitive and fill vacant retail spaces.

Council President Pro Tem Lindsay asked about the area to be covered.

Director Bergman commented on vacant areas on Worth Avenue.

Council Member Araskog cautioned on removing retail from Worth Avenue. She also recommended community involvement.

Mayor Coniglio felt the scope should be narrowed for discussion purposes.

Council Member Crampton thought it was a good idea to get the community involved, but to start with Planning and Zoning members, Director Bergman, and Mr. Castro to narrow the focus, and see what developed. He added it could possibly involve a Business Administration Committee meeting.

Council Member Moore expressed concern whether the Planning and Zoning Commission had enough expertise on this subject or would a consultant be needed. She noted this would have to be done during season for community involvement.

Council President Zeidman favored hiring a consultant to begin with Worth Avenue, and having resident participation.

Council Member Araskog suggested that Mr. Castro and Director Bergman come back next month with a report on all the spaces that were empty, to narrow the focus. She felt an expert would be needed and that conversations should take place when residents were in town.

Council Member Crampton felt Planning and Zoning members did have the expertise to work on this issue with staff as a beginning to lay out the process, then in season to have an overall dialogue.

Mayor Coniglio agreed with Council Member Crampton the logical starting point was Planning and Zoning working with Town staff to develop ideas to be presented to Town Council.

Discussion ensued whether to limit the area to be considered or see what

Planning and Zoning came up with.

Public Comment

Martin Klein, Chairman of Planning and Zoning, commented the Commission was just asking for the ability to have the conversation and report back to the Council.

Council President Zeidman summarized this would be sent to Planning and Zoning as they had requested, to begin review of commercial use regulations with Director Bergman and Mr. Castro to narrow down what they thought should be done and bring it back to Council. The resident participation would come after that.

C. Conflicts of Interest for ARCOM and LPC Commissioners and ARCOM Vacancy

Town Attorney Randolph explained the current situation with Richard Sammons, who had five conflicts of interest. The Town Council had two issues before them (1) to leave the ordinance the way it was or make changes, and (2) dealing with Mr. Sammons being automatically removed from ARCOM. Town Attorney Randolph confirmed these were all valid conflicts of interest.

Council Member Moore expressed concern about moving forward with only one architect on ARCOM, and with losing such a respected architect as Mr. Sammons. She favored leaving the requirement in the ordinance at five conflicts. Also, she was in favor of immediately appointing an architect so that the ARCOM process could move forward, then follow normal procedure to advertise for a replacement.

Director Bergman advised the appointment of a new architect would take 45 to 60 days.

Council Member Araskog agreed with appointing an architect for the interim period while following the process to find a replacement. She agreed with leaving the ordinance at five conflicts of interest but suggested a different number if presenting the projects.

Council Member Crampton agreed with Council Member Moore to keep five conflicts and proceed with appointing an interim architect to keep the process moving.

Council President Pro Tem Lindsay agreed with five conflicts and appointing an interim architect, Jeff Smith, but cautioned to keep an open mind depending on what was decided next month regarding the makeup of ARCOM.

Council President Zeidman commented she was fine with keeping five conflicts.

Mayor Coniglio agreed with five conflicts.

Motion made by Council Member Crampton and seconded by Council Member

Araskog to advertise for an open ARCOM Architect position and to appoint Jeffrey Smith as interim architect until position is filled. Motion carried unanimously.

X. ADJOURNMENT

The meeting was adjourned at 3:51 p.m. without the benefit of a motion or a vote.

APPROVED:

Margaret Zeidman, Town Council President

ATTEST:

Kelly Churney, Administrative Specialist



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON THURSDAY, SEPTEMBER 10, 2020

I. CALL TO ORDER AND ROLL CALL

The Town Council Meeting of Thursday, September 10, 2020 was called to order at 9:31 a.m. On roll call, all Council Members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Deputy Town Clerk Pat Gayle-Gordon gave the Invocation and Council President Margaret A. Zeidman led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

Town Manager Kirk Blouin announced a time certain of 11:45 a.m. for Item No. X.B.3. Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive.

IV. APPROVAL OF AGENDA

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

V. BOARDS AND COMMISSIONS APPOINTMENTS

- A.** Appointment to the Investment Advisory Committee.
Pat Gayle-Gordon, Deputy Town Clerk

Deputy Town Clerk Gayle-Gordon announced that there was only one applicant

for the Investment Advisory Commission, John Ver Bockel, so he was appointed by unanimous vote.

Motion was made by Council Member Araskog and was seconded by Council Member Moore to appoint John Ver Bockel to the Investment Advisory Committee. On roll call, the motion passed unanimously.

B. Appointment to the Retirement Board of Trustees.

Pat Gayle-Gordon, Deputy Town Clerk

Deputy Town Clerk Gayle-Gordon announced that there were two (2) applicants for the Retirement Board of Trustees and Mr. David G. Lambert was appointed by unanimous vote.

Motion was made by Council Member Moore and was seconded by Council President Pro Tem Lindsay to appoint David G. Lambert to the Retirement Board of Trustees. On roll call, the motion passed unanimously.

Deputy Town Manager Boodheshwar announced procedures for today's meeting.

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio welcomed Queenester Nieves to the Town, and thanked Pat Gayle-Gordon for stepping in as Interim Town Clerk. Mayor Coniglio thanked everyone who had signed up for the census, stressing its importance to the Town. She asked residents who had not yet responded to go online and sign up for the census. Council Member Araskog clarified the census covered where one was living on April 1st. Town Manager Blouin reported only 42% of Palm Beach residents had responded to the census, and urged residents to go online, call the Town, or come to the Emergency Operations Center on September 24 to register. Town Manager Blouin advised that each resident who signed up could mean as much as \$30,000 to the Town over ten years, and that was anyone who resided on April 1, whether renter or owner. Council President Pro Tem Lindsay expressed her support for the Mayor's efforts, but stated some people she had contacted had done it in another state where they had a home. Council Member Moore commented she had pushed that out in emails and on Facebook and everyone who responded said they had already registered. Council Member Araskog had also notified people by email.

VII. COMMENTS OF TOWN COUNCIL MEMBERS

Council President Zeidman announced a budget meeting later today, and times for breaks in this meeting. She commented that Council would meet in chambers for the October meeting, and the Chairs of other commissions would decide where their meetings would be held. She asked residents to patronize the local restaurants, and expressed admiration for teachers. She reported Town Manager

Blouin had suggested a magnet for cars as a message to everyone regarding social distancing.

Council Member Crampton reported Palm Beach Daily News had recognized the fiscally responsible management of the Town, and announcing Palm Beach had the lowest tax rate of any municipality in the county. He gave kudos to Town Manager Blouin and staff for creating a budget that made it easy for Council to make policies that resulted in this kind of endorsement from a third party.

Council Member Araskog thanked Palm Beach Daily News for their coverage of the coronavirus in today's issue. She cautioned to still wear a mask and social distance in order for businesses to stay open, and to reach out to friends who were alone. She gave kudos to the police force during this difficult time and thanked them for their efforts to keep the residents safe.

Council President Zeidman again welcomed Queenester Nieves and thanked Pat Gayle-Gordon for her support.

VIII. COMMUNICATIONS FROM CITIZENS-3MINUTE LIMIT PLEASE

Diane Buhler, founder of Friends of Palm Beach, provided an update of trash found on the beach, including masks and gloves, rubber bows thought to be part of a cargo of a German WWII merchant ship sunk by the US off the coast of Brazil in 1944. These were appearing all along the eastern seaboard. There was oil thought to be from a spill in Venezuela, fish aggregation devices from West Africa, and lollipop sticks washing in by the thousands. Ms. Buhler reported they were collaborating with Woods Hole Oceanographic Institute, University of Brazil, Palm Beach Atlantic, and Loggerhead Marine Life Center on different studies concerning all of these items.

IX. APPROVAL OF CONSENT AGENDA

Council Member Araskog asked for changes to the minutes. Council President Zeidman advised these were summary minutes and in-depth conversations were not appropriate. Pat Gayle-Gordon confirmed for Council Member Araskog that the requested changes had been made, and the minutes were meant to report the action that was taken.

Item No. IX.B.5. RESOLUTION NO. 79-2020 was pulled and heard as Item No. X.A.1

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

A. MINUTES

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

- a. August 11, 2020, Town Council Meeting Minutes
 - b. August 12, 2020, Town Council Development Review Meeting Minutes
2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of August 26, 2020.
Wayne Bergman, Director of Planning, Zoning and Building

B. RESOLUTIONS

1. RESOLUTION NO. 75-2020 A Resolution of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving Proposed Fixed Costs For Property, Liability, Workers' Compensation, Automobile And Ancillary Coverages For FY2021 In The Amount Of \$1,023,868 And Variable Costs In The Amount Of \$1,647,500; Approving A Non-Exclusive Insurance Broker Services Agreement With Relation Insurance Service Of Florida, Inc. "Relation", In The Amount Of \$40,000; Approving A Non-Exclusive Insurance Broker Services Agreement With Arthur J. Gallagher Risk Management Services, Inc., "AJG," In The Amount Of \$10,000; Approving A Third Party Administration Services Agreement With Preferred Governmental Claim Solution "PGCS" In The Amount Of \$51,680; Conditioning All Matters Contained Herein Subject To Approval Of The Fiscal Year 2021 Budget; And Authorizing The Town Manager To Execute The Non-Exclusive Insurance Broker Services Agreements With Relation, AJG And PGCS On Behalf Of The Town.

Danielle Olson, Director of Human Resources

2. RESOLUTION NO. 76-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida Designating Town Depositories for Fiscal Year 2021 Pursuant to Section 2-517 of the Town Code of Ordinances and Designating Parties to Sign Checks or Warrants on Behalf of the Town Pursuant to Section 2-36 of the Town Code of Ordinances.

Jane Le Clainche, Director of Finance

3. RESOLUTION NO. 77-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Managed Service Agreement Between The Town Of Palm Beach And Comcast Business Services For Fiber Optic Interconnectivity In An Amount Not To Exceed \$90,000 Annually, And Subject To Approval Of The Fiscal Year 2021 Budget And Subsequent Annual Budgets.

Jay Boodheshwar, Deputy Town Manager

4. RESOLUTION NO. 78-2020 A Resolution Of The Town

Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing The Mayor To Execute An Interlocal Agreement Between The Town Of Palm Beach And Palm Beach County For Network Services In The Amount Of \$50.00 Per Month Or \$600.00 Annually; And Authorizing The Town Manager To Take The Necessary Actions Required To Effectuate The Agreement.

Jay Boodheshwar, Deputy Town Manager

5. RESOLUTION NO. 79-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Master Fee Schedule by Including New Vegetation Collection Fees, and Providing an Effective Date.

*H. Paul Brazil, P.E., Director of Public Works – **Pulled and Heard as Item No. X.A.1***

6. RESOLUTION NO. 80-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2021-2022 Annual Funding Application to the Florida Department of Environmental Protection Beach Erosion Control Program.

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

7. RESOLUTION NO. 81-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To MCCI, Laserfiche in The Amount of \$50,000 as a Sole Source Acquisition to Support the Town's Electronic Document Management System used by the Town, Contingent Upon Budget Approval.

Dean Mealy, Purchasing Manager

8. RESOLUTION NO. 82-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order to SHI International Corporation, Utilizing the State of Florida Contract No. 43230000-15-02 for Microsoft Office Software and Operating Systems Licensing in an Amount Not to Exceed \$110,000 Contingent Upon Budget Approval.

Dean Mealy, Purchasing Manager

9. RESOLUTION NO. 83-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Superior LLC, DBA Central Square For Annual Purchase of Software Maintenance in An Amount Not to Exceed \$114,500 to Support Police Operational Requirements, Contingent Upon Budget Approval.

Dean Mealy, Purchasing Manager

10. RESOLUTION NO. 84-2020 A Resolution Of The Town

Council Of The Town Of Palm Beach, Palm Beach County, Florida, Retro- Actively Approve A Purchase Order To Murray Logan Construction, Inc. For The Emergency Repairs At The Sand Transfer Plant In The Amount Of \$124,837 And An Overall Project Budget Of \$149,804.

Dean Mealy, Purchasing Manager

11. RESOLUTION NO. 85-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving The Extension Of Contract Services With The Gehring Group Inc. to provide Health Insurance Broker Services In The Amount Of \$85,500 For FY21 And A Proposed Three Year Amount Not-To-Exceed \$256,500 Based On Satisfactory Vendor Performance And Budget Approval.

Dean Mealy, Purchasing Manager

12. RESOLUTION NO. 86-2020 A Resolution of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Retroactive Change Order To Hy-Byrd Inspections, Inc. In The Amount Of \$75,000.

Dean Mealy, Purchasing Manager

13. RESOLUTION NO. 87-2020 A Resolution of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Standardization Of Multi Space Parking Kiosks To Flowbird, Formerly Cale America, Inc. Within The Town Of Palm Beach For A Period Of Two Years, With The Option To Extend.

Dean Mealy, Purchasing Manager

14. RESOLUTION NO. 88-2020 A Resolution of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Retroactive Purchase Of Sixteen (16) Parking Kiosks From Flowbird In The Amount Of \$105,120, To Be Funded From The FY2020 General Contingency Fund.

Dean Mealy, Purchasing Manager

15. RESOLUTION NO. 94-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Purchase Order To Tyler Technologies, Inc. For Annual Software Support And Licensing In An Amount Not To Exceed \$95,000 Contingent Upon Budget Approval.

Dean Mealy, Purchasing Manager

16. RESOLUTION NO. 95-2020 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of Invitation To Bid No. 2020-22, Seminole Avenue And Lake Trail Improvements To Heavy Civil Inc. In The Amount Of \$109,000 And An Overall Project Budget Of \$123,350.

Dean Mealy, Purchasing Manager

C. OTHER

1. Health Insurance Rates for Calendar Year 2021

Danielle Olson, Director of Human Resources

X. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

1. RESOLUTION NO. 79-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town of Palm Beach Master Fee Schedule by Including New Vegetation Collection Fees, and Providing an Effective Date.

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

Director of Public Works, H. Paul Brazil explained that this resolution allowed the contractor to be charged actual costs for disposal when dumping had been done illegally. He assured Mayor Coniglio the property owner would not be charged. Council Member Moore noted the contractor would find a way to pass the fee on to the residents.

Motion was made by Council Member Crampton and was seconded by Council Member Araskog to approve Resolution No. 79-2020. On roll call, the motion passed unanimously.

B. Old Business

1. Town-wide Undergrounding Project

Steve Stern, Project Manager

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

Project Manager Steve Stern provided highlights in summary for the project. He advised a UUTF meeting was planned for October 7, 2020. Community meetings remained on hold.

In phases three south and four north, remaining easements were being cleaned up and discussions held with the residents. The second mailing for phase five north had been sent to unresponsive property owners to facilitate meetings. Construction was generally completed in phase two north but pole removal had been delayed due to Hurricane Laura. He provided a construction update on the Underground Utility Project for each phase and location, and asked for phase four north to be on the agenda for approval before the end of the year.

Council Member Araskog asked what was being done about deteriorating Comcast boxes. Mr. Stern indicated these must be in areas that had not been completed, and should be noted in the walkthrough before final landscaping and pole removal.

Council President Pro Tem Lindsay asked for the number of days to complete pole removal in phase two north, which Mr. Stern estimated at roughly 30 to 45 days. She asked that the Mayor and Council be notified when this work started.

Patricia Strayer, Public Works, provided a presentation on funding for acquisition of easements. She advised they would only use the necessary funds.

Council Member Araskog expressed concern regarding the cost of the project.

Mr. Stern advised many meetings were necessary with individual property owners, which increased costs.

Council President Zeidman asked if there were any decisions that could be made by Council to speed the process.

Council Member Moore asked Ms. Strayer about an easement acquisition team leader who had worked on this project before Mr. Stern came. Ms. Strayer indicated that had been more costly.

Council President Zeidman asked about skipping someone if a chicane could not be done. Mr. Stern noted eminent domain was an option that had not been considered.

Town Manager Blouin explained that would be very, very expensive. He reported 80% of property owners were willing to participate leaving 20% that created the work, and half of those eventually cooperated. He believed the other half would hold out to the very end but would take the box because there were no more alternatives except a chicane.

Council President Pro Tem Lindsay commented when the Town started painting the chicanes people got more cooperative, and encouraged painting them earlier and being tougher because this project would cost millions.

Council Member Araskog recalled that originally the thought was the whole Town had to be undergrounded to realize the benefit. She asked if Southwoods or northward was not included if that would

affect the benefit. Ms. Strayer indicated there was another year to continue negotiations, and excluding the small portion would not interfere with the continuous pole miles, not impacting the funds.

- b. RESOLUTION NO. 89-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Kimley-Horn & Associates, Inc., for Easement Acquisition Support Services Phases 4, 7, and 8 of the Town-Wide Undergrounding Utilities Program in an Amount of \$633,552, and Establishing a Total Budget of \$633,552.

Council Member Moore read Resolution No. 89-2020 by title only.

Motion was made by Council Member Moore and was seconded by Council Member Crampton to approve Resolution No. 89-2020. On roll call, the motion passed unanimously.

- c. RESOLUTION NO. 90-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Manager At Risk (CMAR) Contract to Burkhardt Construction Inc. for the Town-Wide Utility Undergrounding Phase 3 South to Include the Mid-Town Watermain Replacement with a Guaranteed Maximum Price (GMP) Amount Not-To-Exceed \$9,894,408.15 and Establishing a Construction Phase Budget of \$10,069,408, and Authorizes the Town Manager to Execute a Contract with Burkhardt Construction Inc.

Patricia Strayer, Public Works, presented the resolution.

Council Member Crampton commented he was interested in figuring out the contracting costs and trends, and estimated the increase at approximately 7%. Ms. Strayer felt it was only a 4% increase, with only one or two percent increase in construction and the rest for removing vegetation in order to install equipment. Mr. Brazil explained the current strategy was to keep the contractor and subs together as a package and to continue to offer the next phase if they were willing to hold their prices. Prices would rise over time, but by keeping the team together they gained more experience and overlapping phases could really pay off.

Council President Pro Tem Lindsay asked why a specific watermain was being replaced at this point. Ms. Strayer explained it was 50 years old and in danger of failing. Council President Pro Tem

Lindsay commented unique properties could require expensive solutions, and asked for any ideas how to do the undergrounding faster and with less money.

Council Member Crampton read Resolution No. 90-2020 by title only.

Motion was made by Council Member Crampton and was seconded by Council President Pro Tem Lindsay to approve Resolution No. 90-2020. On roll call, the motion passed unanimously.

The revised GMP was negotiated to reflect a cost savings of \$148,365.63 from the original GMP submitted by Burkhardt Construction, Inc.

d. RESOLUTION NO. 91-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Construction Phase Services to Kimley-Horn and Associates for Phase 3 South Undergrounding in the Amount of \$322,450 and Establish a Project Budget of \$370,920.

Patricia Strayer, Public Works, explained the resolution.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve Resolution No. 91-2020. On roll call, the motion passed unanimously.

e. RESOLUTION NO. 92-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Midtown Watermain Replacement Construction Phase Services to Kimley-Horn and Associates in the Amount of \$63,799.08 and Establish a Project Budget of \$73,350.

Patricia Strayer, Public Works, commented on the resolution.

Motion was made by Council Member Crampton and was seconded by Council Member Moore to approve Resolution No. 92-2020. On roll call, the motion passed unanimously.

2. COVID-19 Update
Kirk W. Blouin, Town Manager
TIME CERTAIN: 11:00 AM

a. Report on COVID-19 Infections and Hospitalizations

Sean Baker, Division Chief, EMS, reported declining numbers within the county and the region. Seven day moving averages peaked on July 10 at 14%, and now were down to fewer than 4%. Hospitalizations were also continuing to fall. New cases, which were 760 on July 11, now were approximately 122 per day. The virus was not less virulent, but the distancing and masks and CDC guidelines were working. He stressed not to stop social distancing and wearing face masks, and reported Dr. Alonzo of the Palm Beach County Health Department had predicted there would be another resurgence in positive cases and percent of positivity. Mr. Baker reported statistics for the Town of Palm Beach, with decreasing cases. He noted the Institute for Health Metrics and Evaluations had projected another peak, an increase in cases in Destin, Florida, in November and December, and cautioned to continue to follow the CDC guidelines and not to become complacent.

Mayor Coniglio commented if there was another article regarding the virus they should publish the projection that if everyone did not follow the protocol that in November and December there could be a huge increase, particularly because it was the height of the season.

Council Member Araskog questioned the positivity rate reported in the paper. Mr. Baker indicated that might not take into account the seven day moving average. Council Member Araskog expressed concern that people were not wearing masks when exercising in gyms.

Council President Zeidman commented whenever there was a resurgence it followed asymptomatic young people not wearing masks, which was one of the drivers. She predicted increases with school opening and people returning from the East, which provided a second chance to get this right, and encouraged everyone to do the best they could to continue to follow the guidelines.

b. Report on Compliance and Enforcement, Relative to State, County and Town Orders (*verbal report*)

Police Chief Caristo provided an update on compliance enforcement, which was similar to the previous month. He reported no issues with the beaches on Labor Day weekend.

Council Member Crampton reported he had observed the beach on Labor Day weekend and there had been no one on the beach.

Council President Pro Tem Lindsay confirmed with Police Chief

Caristo the restaurants would all close at midnight when the curfew was lifted. Chief Caristo responded the Town was going to follow the county's procedure with no restaurants open from 12 midnight to 5 a.m. He also confirmed compliance checks for wearing masks, distancing, and group sizes would continue up until 12 midnight.

Council Member Araskog asked if there were enough officers for compliance enforcement or if contract workers should be hired. Chief Caristo felt there were enough officers to handle the compliance checks.

c. Input from Business Community

Town Manager Blouin commented he had been asked to address the agenda in consultation with the Council President for a place for input from the business community. He announced staff had been instructed to reach out to members of the business community in the weeks ahead to host a business workshop for an exchange of ideas to improve their operations. Those ideas would be brought back to the Business and Administrative Committee for vetting and to bring them to the Town Council.

Council President Zeidman asked if the business occupational license fee could be waived as was done by the town of Jupiter. Town Manager Blouin responded that Jupiter waived their fee based on getting a \$1.3M grant, and they also had another \$10 billion in revenue from other outside sources, while the main source of revenue for the Town of Palm Beach was ad valorem taxes, with no economic development set up within the Town government, so the two budgets were not comparable.

Council President Zeidman asked that changing parking from two to three hours be brought up at the forum for the business community. Town Manager Blouin confirmed Council members would be able to listen to the forum.

Deputy Town Manager Boodheshwar announced a meeting of the Business and Administrative Committee scheduled for October 19 at 9:30 a.m.

Kristen Fries, President of the Worth Avenue Association, commented this was a new position for her and she looked forward to partnering with the Town to bring a great mix of businesses, clients, and customers to Worth Avenue

d. RESOLUTION NO. 93-2020 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 October 13, 2020, 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.

Council Member Araskog read Resolution No. 93-2020 by title only.

Motion was made by Council Member Araskog and was seconded by Council Member Crampton to approve Resolution No. 93-2020. On roll call, the motion passed unanimously.

Town Manager Blouin explained this resolution was not needed at the present time, but if there was a sudden spike in cases, it would provide needed flexibility.

Clerk's Note: A recess was taken at 11:30 a.m. The meeting reconvened at 11:45 a.m.

3. Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive
H. Paul Brazil, P.E., Director of Public Works
 - a. Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive - Final Recommendations from Fairfax, Sammons and Associates

Council President Pro Tem Lindsay read aloud a letter to the Mayor from the Royal Park Homeowners Association that was not included in the supplemental material. The letter referenced suggestions for proposed improvements.

Director of Public Works Brazil discussed final recommendations from Fairfax and Sammons and answered questions. He then provided a presentation regarding the team's estimate of scope and cost based on that plan.

Council President Pro Tem Lindsay asked for clarification on the length and proposed location of the trail. She discussed bringing costs down and that the biggest ticket items would be traffic maintenance and resurfacing. She requested the renderings of what it might look like under the two scenarios of moving the trail. The height of the disconnects was explained by Gordon Thompson. Council President Pro Tem Lindsay suggested prettier plants.

Council Member Araskog clarified with Mr. Thompson the disconnects could not be parallel to the parking because of a water main and a sewer line going right through that location.

Council Member Crampton discussed options A, B and C with Director Brazil, who clarified proposed costs for each scenario. He discussed the items that would remain under Scenario A.

Council President Zeidman discussed the advantages of moving the seawall next to the trail.

Mayor Coniglio asked if any money had been budgeted for additional park enhancements. Finance Director Le Clainche responded no. The Mayor discussed with Director Brazil the cost savings of using asphalt for the trail and paint for the roundabout and crosswalks.

Discussion continued.

Council Member Araskog discussed hedges, seawall railings, moving the pathway next to the seawall, palm trees, seating areas, and asphalt or concrete versus tabby, and requested a complete breakdown of cost for all elements.

Council Member Moore received clarification from Director Brazil that the traffic calming number had gone from over \$1M to \$700,000 if the reduced scope of work was chosen. She asked if green space would appear decreased if the trail was moved next to the wall. Director Brazil indicated some residents would feel it had been decreased. Council Member Moore commented she was now leaning toward leaving the trail where it was but was concerned about the cost.

Council President Zeidman discussed with Director Brazil useable green space, and on the Fairfax and Sammons plan the transformers would be placed into a little park surrounded by greenery. Also, she discussed moving the trail and what would be affected.

Council Member Crampton compared options B and C with respect to costs, concluding there was a \$1.8M difference between B and C if all of the traffic, walkways, parking lots, landscaping and miscellaneous was reduced. Council Member Crampton discussed how to pay for the project.

Council President Pro Tem Lindsay discussed the views from nearby buildings and visuals from other points, and compared

different renderings. She cautioned not to make decisions on a single perspective in one shot. She then discussed costs.

Council Member Araskog indicated she was leaning towards leaving the trail where it was and putting the palms back, and recommended removing the Brazilian pathway.

Ms. Fairfax commented there was another rendering that was not shown which showed the proper handrail and other aesthetics. She discussed the hedge in detail, and expressed disappointment her renderings had not been used to make the process easier. She mentioned they had not proposed seating at the pergola once it was gone. She stated the lift stations being relocated had not been in their design, but Director Brazil clarified she was talking about the outfalls for the storm water pump stations, which had not been moved.

Council Member Araskog asked to see the visuals from Fairfax and Sammons. Ms. Fairfax shared her screen and discussed the railing and screening of the electrical equipment.

b. Review of Cost Estimates of Recommended Improvements

Cost estimates were included in the above discussions.

Public Comments

Deputy Town Manager Boodheshwar read an email from Susan Watts: Please take into serious consideration the comments from the Friends of Lake Drive Park regarding improvements, construction and design of this valuable neighborhood park/open space as part of our significant Marina project. It will be likely impossible to change once the work is completed. The work done now will have a dramatic impact on residential and commercial life and safety in the area for many years to come. Thank you for your time and the time resources that have been expended to make this project the best it can be for the benefit of all town residents and our visitors.

Deputy Town Manager Boodheshwar read an email from Holly and Andre Syrian: To Whom It May Concern: Please be advised that John David Corey speaks and votes on our behalf during today's meeting of September 10, 2020 supporting the Friends of Lake Drive Park plan.

Terry Lockhart, 315 S. Lake Drive, commented after listening to the discussion it was a no-brainer to her in terms of cost to leave the pathway the way it was. She liked the fact that there was room between the path and the seawall that got used a lot, where benches were and people sat to enjoy the sunset looking out over Lake Worth. She commented that view was already going to be blocked by big boats so having access to be close to the water was very important.

Jorge Sanchez, 239 Southland Road and SMI Landscape Architecture, both in Palm Beach, commented he had done the walk between the two bridges for the City of West Palm Beach and never had to put in a wall at the height suggested here, and the height was seldom higher than 12 to 18 inches. Also the drawings that were given to the Town were schematic drawings and he would have introduced a gap between the seawall and the trail, and a 12-inch gap would be sufficient. He said the tabby was wonderful and incredibly durable. He suggested the trail could be done in something softer on the feet and less expensive than asphalt such as granite findings.

Ethel Steindle, 315 S. Lake Drive commented on moving the lake trail that even if the seawall was able to be kept low, there would still be that feeling of the park ending and then concrete. She cautioned to think long and hard whether the look should be a little more urban. She wanted to make sure that everyone saw their backup material attached which was old photographs from this past Sunday's shiny sheet where the lake trail was shown. She asked everyone to be mindful of how this area had looked for many years and think about the effect of changing it now.

Miguel Rosales, AIA, 426 Australian Avenue, congratulated Council on their robust discussion. He thought a seating area with no shade was not necessary, that moving the trail next to the bulkhead had a lot of disadvantages including cost, that the equipment could be screened well without moving it, and he liked the 168 parking spaces. Residents on Australian felt discriminated against because all the older streets were having a crosswalk except Australian. He supported Option C only.

John David Corey, 426 Australian Avenue, thanked the Town Council for spending so much time on the park and really trying to come up with the best plan. He spoke in favor of not moving the trail, but to save the iconic view when coming over the bridge. Also keeping the afternoon shade, and if it had to

be asphalt so be it. He summarized that less is more, cautioned not to get caught up in small details that could get bogged down at Landmarks, and commented that Director Brazil did a great job on the connection between the lake trail at the Peruvian lot to keep people out of the Peruvian lot. He responded to Council Member Araskog's question of how many people he had talked to that it had been dozens of people.

Gordon McCoun, 434 Chilean Avenue, commented he had been working with Royal Park Homeowners Association and represented other condominiums and co-op buildings between Coconut and the lake and from Worth Avenue to Royal Palm, and they had collaborated the past week on their approach to this. They were unified with moving the lake trail, and the green space lost would add to the lawn on the other side. He reminded Council that Landmarks had reviewed the Fairfax Sammons plan and had very positive comments. He asked that another type of surface more attractive than asphalt be used.

Deputy Town Manager Boodheshwar summarized costs for leaving the trail in its present location.

Final discussion was held by the Town Council.

Motion was made by Council Member Moore and was seconded by Council Member Crampton to leave the Lake Trail in its current position and to eliminate the Brazilian Avenue seating area. On roll call the motion passed 3-2 with Council President Pro Tem Lindsay and Council President Zeidman dissenting.

Clerk's Note: A recess was taken at 3:10 p.m. The meeting reconvened at 3:20 p.m.

C. New Business

1. Proposed 2021 Town Council Meeting Schedule

Kirk W. Blouin, Town Manager

Town Manager Blouin confirmed everyone had looked at the proposed schedule and there were no problems.

2. Census 2020 Update

Kirk W. Blouin, Town Manager

Council President Zeidman reported this was addressed earlier in the meeting.

3. Discussion Regarding Ficus Benjamina and Other Native Plants.
Julie Araskog, Town Council Member

Council Member Araskog asked to send the ordinance regarding Ficus Benjamina to the Ordinances, Rules and Standards Committee (ORS) for clarification of what was meant by 25%. She commented that the Preservation Foundation had been incredible and lent their expertise to the Town to save money. They had lent Susan Lerner to help Wayne Bergman, which was great for the Town.

Council President Zeidman stated there was consensus to send this to ORS.

XI. ORDINANCES

A. First Reading

1. ORDINANCE NO. 13-2020 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2019, and Providing an Effective Date.

Jane Le Clainche, Director of Finance

Town Attorney Randolph read Ordinance No. 13-2020 on First Reading by title only.

Motion was made by Council Member Araskog and was seconded by Council Member Moore to approve Ordinance No. 13-2020 on first reading. On roll call, the motion passed unanimously.

2. ORDINANCE NO. 14-2020 An Ordinance of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 Of The Town Code Of Ordinances Relating To Personnel, At Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision III, Firefighters, By Amending Section 82-94, Retirement Age And Service Conditions For Firefighters; Amending Subdivision III, Firefighters, By Amending Section 82-98, Chapter 175 Share Accounts; Amending Subdivision III, Firefighters, By Amending Section 82-99, Deferred Retirement Option Program For Firefighters; Amending Subdivision IV, Police Officers, By Amending Section 82-114, Retirement Age And Service Conditions For Police Officers; Amending Subdivision IV, Police Officers, By Amending Section 82-119, Deferred Retirement Option Program For Police Officers; Amending Subdivision V, General Employees And Lifeguards, By Amending Section 82-135,

Amount Of Pension For Benefit Group General And Benefit Group Lifeguard; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Danielle Olson, Director of Human Resources

Town Attorney Randolph read Ordinance No. 14-2020 on First Reading by title only.

Motion was made by Council Member Moore and was seconded by Council Member Crampton to approve Ordinance No. 14-2020 on first reading. On roll call, the motion passed unanimously.

3. ORDINANCE NO. 15-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Amending The Town Code Of Ordinances At Chapter 74, Parks and Recreation, at Division 3, Regulation of Use of Public Beaches, Section 74-196, Presence During Closed Hours; Hours Specified to Modify the name Lake Worth to Lake Worth Beach and to Add the Public Beach from Wells Avenue South to Sunset Avenue as an Additional Beach Declared to be Closed to the Public Each Day from Sunset to Sunrise; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Nicholas Caristo, Police Chief

Town Manager Blouin explained the ordinance dictated the hours of use for this section of the beach where people tended to use the area at night and the residents were asking for safety. This ordinance would give law enforcement more ability to enforce the area.

Council Member Crampton expressed his agreement and asked how this would be communicated. Town Manager Blouin indicated there would be a sign, continued contact with people on the beach, and pushed out on a release.

Council Member Araskog thought this would be very helpful for the residents in that area who were having so many issues.

Council President Pro Tem Lindsay wanted to be sure patrols were stepped up in the evening.

Council President Zeidman read Ordinance No. 15-2020 on First Reading by title only.

Motion was made by Council Member Crampton and was seconded by Council Member Araskog to approve Ordinance No. 15-2020 on first reading. On roll call, the motion passed unanimously.

XII. ANY OTHER MATTERS

There were no other matters to come before the Town Council.

XIII. ADJOURNMENT

There being no further business to discuss the meeting was adjourned at 3:36 p.m. without benefit of a motion or vote.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Queenester Nieves, CMC, Town Clerk

Date



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON THURSDAY, SEPTEMBER 10, 2020

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting of Thursday, September 10, 2020 was called to order at 5:01 p.m. On roll call, all elected officials were found to be present.

II. PLEDGE OF ALLEGIANCE

Council President Margaret A. Zeidman led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

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

IV. COMMUNICATIONS FROM CITIZENS

There were no comments from the public.

V. PUBLIC HEARING ON PROPOSED MILLAGE RATE, TENTATIVE FY21 BUDGETS AND NON-AD VALOREM ASSESSMENTS

President Zeidman read the required legal verbiage into the record.

A. Notice of Proposed Property Taxes

B. Proposed Operating Millage Rate

C. Reasons for Proposed Operating Millage Rate Increase over the Rolled-Back Millage Rate

Town Manager Blouin read into the record the required legal verbiage and presented the reasons for the increase in the ad valorem assessments over the rolled-back millage rate.

D. Comments and Questions from Public

There were no comments from the public.

E. Discussion and Adoption (with changes, if any) of Proposed Operating Millage Rate for FY21.

1. RESOLUTION NO. 65-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Proposed Millage Rate Necessary to Fund the Tentative General (Operating) Fund Budget for the 2020 - 2021 Fiscal Year.

Town Manager Blouin read the Resolution by title into the record.

Motion was made by Council Member Crampton and seconded by Council Member Moore to approve Resolution No. 65-2020. On roll call, the motion passed unanimously.

F. Non-Ad Valorem Assessments

1. Commercial Solid Waste Fee Assessments
[H. Paul Brazil, Director of Public Works]
 - a. RESOLUTION NO. 66-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Collection and Disposal of Commercial Solid Waste; Establishing the Solid Waste Cost and Rate of Assessment; Imposing Solid Waste Service Assessments Against Certain Assessed Property Located Within the Town of Palm Beach; Approving the Updated Solid Waste Assessment Roll; Confirming the Preliminary Rate Resolution; Providing for Severability and Providing an Effective Date.

Director Brazil read into the record the required legal verbiage and provided an overview of the current and proposed solid waste assessments. There were no public comments.

Town Manager Blouin read the resolution by title into the record.

Motion was made by Council Member Moore and seconded by Council President Pro Tem Lindsay to approve Resolution No. 66-2020. On roll call, the motion passed unanimously.

2. Worth Avenue Commercial District Improvement Project
[Jane Le Clainche, Director of Finance]

- a. RESOLUTION NO. 67-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Provision of the Worth Avenue Improvement Project; Providing Authority and Definitions; Approving the Final Assessment Rolls; Providing for the Continued Imposition of the Improvement Assessments to Fund the Worth Avenue Improvement Project and Imposition of the Maintenance Assessments to Fund the Related Maintenance Services; Providing for Collection of the Assessments Pursuant to the Uniform Assessment Collection Act; Providing for the Effect of this Resolution; Providing Severability and an Effective Date.

Director Le Clainche read into the record the required legal verbiage and provided an overview of the assessment rate. There were no public comments.

Town Manager Blouin read the resolution by title into the record.

Motion was made by Council Member Araskog and seconded by Council Member Moore to approve Resolution No. 67-2020. On roll call, the motion passed unanimously.

3. Via Fontana Underground Conversion Project
[Jane Le Clainche, Director of Finance]

- a. RESOLUTION NO. 68-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Provision of the Underground Utility Improvements within the Via Fontana Assessment Area; Approving the Updated Assessment Roll; Providing for the Continued Imposition of the Assessments to Fund the Underground Utility Improvements Within the Via Fontana Assessment Area; Providing for Collection of the Assessments Pursuant to the Uniform Assessment Collection Act; Providing Severability and an Effective Date.

Director Le Clainche provided an overview of the assessments. There were no public comments.

Town Manager Blouin read the resolution by titles into the record.

Motion was made by Council Member Crampton and seconded by Council Member Moore to approve Resolution No. 68-2020. On roll call, the motion passed unanimously.

4. Everglades Island Underground Conversion Project
[Jane Le Clainche, Director of Finance]

- a. RESOLUTION NO. 69-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Provision of the Underground Utility Improvements within the Everglades Island Assessment Area; Approving the Updated Assessment Roll; Providing for the Continued Imposition of the Assessments to Fund the Underground Utility Improvements Within the Everglades Island Assessment Area; Providing for Collection of the Assessments Pursuant to the Uniform Assessment Collection Act; Providing Severability and an Effective Date.

Director Le Clainche provided an overview of the assessments. There were no public comments.

Town Manager Blouin read the resolution by title into the record.

Motion was made by Council Member Moore and seconded by Council Member Araskog to approve Resolution No. 69-2020. On roll call, the motion passed unanimously.

5. Peruvian Avenue 400 Block Streetscape Project
[Jane Le Clainche, Director of Finance]

- a. RESOLUTION NO. 70-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Provision of the Peruvian Avenue Improvement Project; Providing Authority and Definitions; Approving the Final Assessment Rolls; Providing for the Continued Imposition of the Improvement Assessments to Fund the Peruvian Avenue Improvement Project and Imposition of the Maintenance Assessments to Fund the Related Maintenance Services; Providing for Collection of the Assessments Pursuant to the Uniform Assessment Collection Act; Providing for the Effect of this Resolution; Providing Severability and an Effective Date.

Director Le Clainche provided an overview of the assessments.

Town Manager Blouin read the resolution by title into the record.

Motion was made by Council Member Crampton and seconded by Council Member Moore to approve Resolution No. 70-2020. On roll call, the motion passed unanimously.

6. Town Wide Underground Utility Project Assessments
[Jane Le Clainche, Director of Finance]

- a. RESOLUTION NO. 71-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Provision of the Underground Utility Improvements within the Townwide Underground Utility Assessment Area; Approving the Updated Assessment Roll; Providing for the Continued Imposition of the Assessments to Fund the Underground Utility Improvements Within the Townwide Underground Utility Assessment Area; Providing for Collection of the Assessments Pursuant to the Uniform Assessment Collection Act; Providing Severability and an Effective Date.

Director Le Clainche provided an overview of the assessments. There were no public comments.

Town Manager Blouin read the resolution by title into the record.

Motion was made by Council Member Araskog and seconded by Council Member Moore to approve Resolution No. 71-2020. On roll call, the motion passed unanimously.

7. Nightingale La Puerta Underground Conversion Project
[Jane Le Clainche, Director of Finance]

- a. RESOLUTION NO. 72-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Relating to the Provision of the Underground Utility Improvements within the Nightingale-La Puerta Assessment Area; Approving the Updated Assessment Roll; Providing for the Continued Imposition of the Assessments to Fund the Underground Utility Improvements Within the Nightingale – La Puerta Assessment Area; Providing for Collection of the Assessments Pursuant to the Uniform Assessment Collection Act; Providing Severability and an Effective Date.

Director Le Clainche provided an overview of the assessments. There were no public comments.

Town Manager Blouin read the resolution by title into the record.

Motion was made by Council Member Moore and seconded by Council Member Araskog to approve Resolution No. 72-2020. On roll call, the motion passed unanimously.

8. Lake Towers Underground Conversion Project
[Jane Le Clainche, Director of Finance]

- a. RESOLUTION NO. 73-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Relating to the Provision of the Underground Utility Improvements Within the Lake Towers Assessment Area; Approving the Updated Assessment Roll; Providing for the Continued Imposition of the Assessments to Fund the Underground Utility Improvements Within the Lake Towers Assessment Area; Providing for Collection of the Assessments Pursuant to the Uniform Assessment Collection Act; Providing Severability and an Effective Date.

Director Le Clainche provided an overview of the assessments. There were no public comments.

Town Manager Blouin read the resolution by title into the record.

Motion was made by Council Member Araskog and seconded by Council President Pro Tem Lindsay to approve Resolution No. 73-2020. On roll call, the motion passed unanimously.

G. Discussion and Adoption (with changes, if any) of a Tentative Operating Budget, Debt Service Budget, and Budgets for Other Funds for FY21.

1. RESOLUTION NO. 74-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Tentative General (Operating) Fund, Debt Service Fund and Budgets for Other Funds for the 2020-2021 Fiscal Year.

Town Manager Blouin read the resolution by title into the record.
There were no public comments.

Motion was made by Council President Pro Tem Lindsay and seconded by Council Member Araskog to approve Resolution No. 74-2020. On roll call, the motion passed unanimously.

- H. Second and Final Public Hearing to Adopt the Final Millage Rate and Budgets will be on Wednesday, September 16, 2020 at 5:01 p.m., in the Town of Palm Beach Council Chambers.

Deputy Town Manager Jay Boodheshwar confirmed that the second and final public hearing to adopt the final millage rate and budgets will be held virtually via Zoom webinar on September 16, 2020 at 5:01 p.m.

VI. ANY OTHER MATTERS

Council Member Moore spoke regarding the importance of remembering the lives lost on the anniversary of 9/11 and remarked that she was blessed to live in the USA and to serve on the Town Council.

VII. ADJOURNMENT

The Special Town Council Meeting was adjourned at 5:23 p.m.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Queenester Nieves, CMC, Town Clerk

Date



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON WEDNESDAY, SEPTEMBER 16, 2020

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting of Wednesday, September 16, 2020 was called to order at 5:01 p.m. On roll call, all elected officials were found to be present.

II. PLEDGE OF ALLEGIANCE

Council President Margaret A. Zeidman led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

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

IV. COMMUNICATIONS FROM CITIZENS

There were no comments from the public.

V. PUBLIC HEARING ON FINAL MILLAGE RATE AND FY21 BUDGET

A. Proof of Publication

Town Clerk Nieves confirmed proof of publication in the September 12, 2020 issue of the *Palm Beach Post*.

B. Announcement of Proposed Operating Millage Rate

Council President Zeidman read into the record the proposed operating Millage Rate

C. Reasons for Proposed Operating Millage Rate Increase from the Rolled-Back Millage Rate

Town Manager Blouin provided the reasons for the increase from the rolled-back millage rate.

D. Comments and Questions from Public

There were no comments from the public.

E. RESOLUTION NO. 96-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Final Millage Rate and Levying Ad Valorem Taxes for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021; Setting Forth Certain Information Regarding the Rolled-Back Millage Rate; Directing the Town Manager or the Finance Director to Adjust the Adopted Millage Rate in the Event of Changes in the Assessment Roll and Taxable Value; Providing an Effective Date.

Town Manager Blouin read Resolution No. 96-2020 into the record.

Motion was made by Council Member Araskog and seconded by Council Member Moore to approve Resolution No. 96-2020. On roll call, the Motion passed unanimously.

Clerk's Note: The vote to approve the agenda was taken at this time

F. RESOLUTION NO. 97-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting a Final Budget and Appropriating Funds for the Fiscal Year Beginning October 1, 2020, and Ending September 30, 2021; Providing for an Effective Date.

Town Manager Blouin read Resolution No. 97-2020 into the record.

Motion was made by Council Member Crampton and seconded by Council President Pro Tem Lindsay to approve Resolution No. 97-2020. On roll call, the Motion passed unanimously.

VI. ANY OTHER MATTERS – None

VII. ADJOURNMENT

There being no other business to discuss, the Special Town Council Meeting of September 16, 2020 was adjourned at 5:09 p.m.

APPROVED:

Margaret A. Zeidman, Town Council President

ATTEST:

Queenester Nieves, CMC, Town Clerk

Date

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of September 23, 2020.

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- **Memorandum Dated October 5, 2020 from Wayne Bergman, Director of Planning, Zoning and Building**
- **Minutes of the Architectural Review Commission Meeting of September 23, 2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

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 Action Minutes of September 23, 2020

Date: October 5, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of September 23, 2020.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve the major items that were considered at the regularly scheduled meeting of September 23, 2020.

GENERAL INFORMATION

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

Attachment

kmc



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

SUMMARY OF THE ACTION MINUTES TAKEN AT THE ARCHITECTURAL REVIEW COMMISSION MEETING HELD ON WEDNESDAY, SEPTEMBER 23, 2020

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

- I. **CALL TO ORDER**
- II. **ROLL CALL**
- III. **PLEDGE OF ALLEGIANCE**
- IV. **RULES OF ORDER AND PROCEDURE**
- V. **APPROVAL OF THE MINUTES FROM THE AUGUST 26, 2020 MEETING**
ACTION: APPROVED
- VI. **APPROVAL OF THE AGENDA**
ACTION: APPROVED
- VII. **ADMINISTRATION OF THE OATH TO PERSONS WHO WISH TO TESTIFY**
- VIII. **COMMUNICATIONS FROM CITIZENS REGARDING NON-AGENDA ITEMS (3 MINUTE LIMIT PLEASE)**
- IX. **COMMENTS FROM THE ARCHITECTURAL COMMISSION MEMBERS**
- X. **PROJECT REVIEW**
 - A. **DEMOLITIONS AND TIME EXTENSIONS**
 - 1. **B-047-2020 Demolition**
Address: 110 Seaspray Ave.
Applicant: Manoogian Armen A Trust (Jose A. Gonzalez, Owner's Agent)
Professional: Jose A. Gonzalez/Gonzalez Architects

Project Description: Request for demolition of existing house, covered loggia, guest house, pool and paved drive, walks and decks. The above mentioned areas will be filled and the lot will be sodded and irrigated.

ACTION: APPROVED WITH CAVEAT THAT ORIGINAL TWO STORY HOUSE TO REMAIN AND CONDITION RELATING TO UTILITY EASEMENT

2. B-054-2020 Demolition

Address: 254 N. Woods Rd.

Applicant: 254 North Woods Road LLC (Charles Fabrikant, Member)

Professional: Caroline Forrest/MHK Architecture & Planning

Project Description: Demolition to existing one story residence. Removal of existing pool and partial hardscape removal.

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

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

3. B-062-2020 Demolition

Address: 127 Root Trail

Applicant: Michele C. White

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Demolition of three two-story structures.

ACTION: APPROVED WITH THE CAVEAT TO KEEP THE ORIGINAL, MAIN STRUCTURE (PAPA BEAR), WITH A CONDITION RELATED TO UTILITY EASEMENT; THE MAIN STRUCTURE WILL RETURN TO THE OCTOBER 28, 2020 MEETING WITH A MORE DETAILED LANDSCAPING PLAN.

B. MAJOR PROJECTS – OLD BUSINESS

1. B-069-2019 Demolition/New Construction

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

Address: 977 South Ocean Boulevard

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

Professional: Studio SR Architecture

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

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

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

At the October 30, 2019 ARCOM meeting, the demolition of the existing home was approved; however, the proposed new home was deferred to the December 13, 2019 meeting with direction to restudy the project per the comments made by the Commission members. A motion carried at the December meeting to defer the project to the January 29, 2020 meeting at the request of the applicant. A motion carried at the January meeting to defer the project to the March 25, 2020 meeting for a significant restudy with consideration of the comments from the Commissioners. A motion carried at the March meeting to defer the project to the April 29, 2020 meeting due to the COVID-19 situation. A motion carried at the April meeting to defer the project to the May 27, 2020 meeting. A motion carried at the May meeting to defer the project to the July 29, 2020 meeting at the request of the applicant. A motion carried at the July meeting to defer the project to the September 23, 2020 meeting.

ACTION: IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY ; TO APPROVE THE PROJECT WITH A CONDITION RELATED TO THE UTILITY EASEMENT.

2. B-020-2020 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 171 Via Bellaria

Applicant: John Robert Tomisch Trust (M. Tim Hanlon, Attorney)

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: New 8,468 sq. ft. two-story house painted cream with clay tile roof, stone trim. New landscape and hardscape.

ZONING INFORMATION: Section 134-843 (7): The Applicant is proposing a new 9,416 square foot two story residence on Via Bellaria that would have a building height plane setback of 37 feet in lieu of the required minimum setback ranging from 51.2 to 69.5 feet.

A motion carried at the May meeting to defer the project for one month, to the June 24, 2020 meeting, for a massive restudy with every aspect of the design. A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional. A motion carried at the July meeting to defer the project for to the August 26, 2020 meeting in accordance with the comments from the commissioners as well as to allow proper notice for the required variance. A motion carried at the August meeting to defer the project to the September 23, 2020 meeting.

ACTION: IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY; APPROVE THE PROJECT WITH A CONDITION RELATED TO THE UTILITY EASEMENT.

3. B-027-2020 Demolition/New Construction

Address: 335 Seabreeze Ave.

Applicant: 65 Kimberly Place LLC

Professional: MP Design and Architecture Inc.

Project Description: Demolition of existing two-story residence, one car garage and pool. Renovation of existing two-story guest house. New four car garage. Existing site wall and motor court to remain. New Landscape.

A motion carried at the April meeting to defer the project to the May 27, 2020 meeting. A motion carried at the May meeting to defer the entire project for one month, to the June 24, 2020 meeting, to allow the professional to return with renderings, more history on the current home and a more thorough demolition plan. A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional. A motion carried at the July meeting defer the project to the August 26, 2020 meeting to allow the professionals to return with a clear plan for the guesthouse to remain. A motion carried at the August meeting to defer the project to the September 23, 2020 meeting to allow the professional to address the zoning issue.

ACTION: DEFERRED TO OCTOBER 28, 2020 MEETING

4. B-032-2020 Additions/Modifications

Address: 220 El Vedado Rd.

Applicant: Robb Turner

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Addition of approx. 675 sq. ft. loggia and a stand-alone gym of approx. 840 sq. ft. Final landscape and hardscape to be included.

A motion carried at the June meeting to defer the project to the July 29, 2020 meeting at the request of the professional. A motion carried at the July meeting to approve the landscape and hardscape plans and to defer the architectural plans for

the pavilion to the August 26, 2020 meeting. A motion carried at the August meeting to defer the project to the September 23, 2020 meeting.

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

5. B-038-2020 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 755 N. Lake Way

Applicant: Slope Trail Development LLC (Lee Fensterstock, Manager)

Professional: Pat Segraves/SKA Architect + Planner

Project Description: Renovation of existing one-story home. Addition of approximately 600 sq. ft. for a total of 3,910 sq. ft. plus 260 sq. ft. loggia. Change to island style home, raising floor elevation and replacing roof. Final landscape and hardscape to be included.

A motion was made at the July meeting to defer the project to the September 23, 2020 meeting to address zoning issues.

ZONING INFORMATION: The Applicant is proposing to demolish more than 50% of the cubic footage of an existing 4,200 square foot, one story residence and raise the finished floor elevation and rebuild to meet the new FEMA requirement of 7 feet NAVD. The current residence has non-conforming setbacks and demolishing more than 50% cubic footage by replacing the roof requires the following variances to be requested: 1) Section 134-893(9): a rear yard setback of 7.33 feet in lieu of the 10 foot minimum required; 2) Section 134-893(5): a front yard setback of 24.5 in lieu of the 25 foot minimum required; 3) Section 134-893(7): a north side yard setback of 5 feet in lieu of the 15 foot minimum required; 4) Section 134-893(5): a street side yard setback of 24.83 feet in lieu of the 25 foot minimum required.

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

ACTION: IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY; APPROVED THE PROJECT WITH A CONDITION RELATED TO THE UTILITY EASEMENT THE ROOF, DOORS AND UTILITY EASEMENT

6. B-050-2020 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

- DONE

Address: 2315 Ibis Isle Road

Applicant: Diana and Owen Sanderson

Professional: Stephen Roy/Roy & Posey

Project Description: Construction of a new 6,772 s.f. two story residence to include: new landscaping, new pool and new hardscape.

A motion made at the August meeting to recommend the variances to the Town council. A second motion carried at the August meeting to approve the project as presented with the conditions that the following items would return to the

September 23, 2020 meeting: a restudy of the front gable, the portico, topiaries and Jamaican capers on the front elevation and to confirm that the landscaping meets the native requirements.

ACTION: APPROVED

7. B-051-2020 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SPECIAL EXCEPTION WITH SITE PLAN REVIEW

Address: 1742 S. Ocean Blvd.

Applicant: 1742 LLC (Robert Simmons, President)

Professional: Harold Smith/Smith and Moore Architects, Inc.

Project Description: Demolition of an existing two-story residence and construction of a new two-story residence with pool.

A motion carried at the August meeting to approve the demolition request. A second motion carried at the August meeting to defer the project to the September 23, 2020 meeting.

ZONING INFORMATION: Section 134-843(a) and (b) Special Exception with Site Plan Review to allow the construction of a new 9,604 square foot, two-story residence on an unplatted non-conforming lot that has an area of 19,918 square feet in lieu of the 20,000 square feet minimum and a depth of 97.52 in lieu of the 150 foot minimum depth required in the R-A Zoning District.

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

C. MAJOR PROJECTS – NEW BUSINESS

1. B-055-2020 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 117 El Mirasol

Applicant: Road PB LLC (Maura Ziska, Manager)

Professional: Peter Papadopoulos & Taylor Smith/Smith and Moore Architects

Project Description: Demolition of existing one-story residence and accessory building, pool, hardscape elements and landscape. New two-story residence. New swimming pool. Final landscape and hardscape.

ZONING INFORMATION: Section 134-2: A variance request to allow construction of a new 8,707 square foot two story residence with a point of measurement (for cubic content ratio, building height, and building overall height) of 13.5 feet North American Vertical Datum ("NAVD") in lieu of the 11.79 foot NAVD point of measurement required by the Town Code.

ACTION: IMPLEMENTATION OF THE PROPOSED VARIANCE WILL NOT CAUSE NEGATIVE ARCHITECTURAL IMPACT TO THE SUBJECT PROPERTY; APPROVED DEMOLITION WITH CONDITION RELATED TO UTILITY EASEMENT; APPROVED PROJECT WITH CONDITION THAT TWO ROOFS WOULD RETURN TO THE OCTOBER 28, 2020 MEETING.

2. B-056-2020 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 756 Hi Mount Road

Applicant: Hi Mount LLC (Maura Ziska)

Professional: Ken Tate/Ken Tate Architect

Project Description: New one and two story plus sub-basement Mediterranean Revival Style single family residence with raised rear landscape terrace and fountain.

ZONING INFORMATION: The applicant is proposing a new 8,327 square foot, two story residence on the subject property that will require the following variances: 1) Section 134-895(1): A chimney with a height of 13.56 feet in lieu of the 8.8 foot maximum allowed; 2) Section 134-8893(11): A lot coverage of 33% in lieu of the 30% maximum allowed for a two story residence in the R-B Zoning District; 3) Section 134-1: The proposed sub-basement is under the confines of the building above it and also below the lowest grade of the public street (Hi Mount Road) in front of the lot, however, it is not completely underground. A variance is being requested to allow a proposed sub-basement where a portion is not completely underground as there is a substantial change of grade from Hi Mount Road to Lake Trail. 4) Section 134-1670(c): A height of the retaining wall along the north property line to be 11.03 at its maximum height in lieu of the 7 foot maximum allowed. 5) Section 134-1670(c): A retaining wall at the northwest corner of the house, in the side yard within 10 feet of the property line that is at 14 feet in height in lieu of the 10 foot maximum from adjacent grade.

ACTION: DEFERRED TO THE OCTOBER 28, 2020 MEETING

3. B-057-2020 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 202 Plantation Rd.

Applicant: Our Palm Beach Home LLC & Frances B. Terwilliger

Professional: Keith Spina/Spina O'Rourke

Project Description: Modification of the existing two-story residence to include: The addition of 425 SF one-story master bedroom addition on the west side, the demolition of a 183 sf open air trellis and addition of a 183 SF covered porch in the same location on the south side of the existing two-story residence, associated landscape and hardscape.

ZONING INFORMATION: The applicant is proposing to renovate the two-story single family residence by constructing a 425 square foot master bedroom addition and replacement of a 183 square foot open air trellis with a 183 square foot covered porch. The following variances are being requested: 1. Section 134-893(6): an angle of vision of 114 degrees in lieu of 108 degrees existing and 108 degrees maximum allowed. 2. Section 134-893(13): a cubic content ratio of 3.99 in lieu of 3.83 existing and 3.94 maximum allowed.

ACTION: DEFERRED TO THE OCTOBER 28, 2020 MEETING

4. B-058-2020 New Construction

Address: 225 Tangier Ave.

Applicant: Paul and Karen Levy

Professional: Daniel Kahan/Smith and Moore Architects

Project Description: New two-story Colonial residence. Final landscape, hardscape and pool.

ACTION: APPROVED WITH CONDITION RELATED TO UTILITY EASEMENT

Please note: The meeting stopped at 5:47 p.m. It was announced that the meeting would resume on Friday, September 25, 2020 at 9:30 a.m.

The meeting resumed on September 25, 2020 at 9:30 a.m.

5. B-059-2020 New Construction

Address: 125 El Bravo Way

Applicant: 125 El Bravo Way LLC (Braden Smith, Manager)

Professional: MP Design and Architecture Inc.

Project Description: New two-story residence with three car garage on a vacant lot. New landscape, hardscape and pool.

ACTION: DEFERRED TO THE OCTOBER 28, 2020 MEETING

6. B-060-2020 New Construction

Address: 261 Nightingale Trail

Applicant: 261 Nightingale, LLC (contract purchaser) (Carl Sabatello, Manager)

Professional: Harold Smith/Smith and Moore Architects, Inc.

Project Description: New two story residence with pool, final hardscape and landscape.

ACTION: APPROVED WITH A CHANGE IN THE PILASTERS, ROOF AND REAR WINDOWS; TO DEFER LANDSCAPING TO THE OCTOBER 28, 2020 MEETING

7. B-063-2020 Modifications

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

Address: 160 Royal Palm Way

Applicant: LR Palm House LLC (Maura Ziska)

Professional: Michael Sean McLendon/Cooper Carry

Project Description: The existing Palm House hotel is located at 160 Royal Palm Way. It is currently vacant and construction is partially completed. The structure is three stories with a partially enclosed basement containing parking and back-of-house functions. The proposed new work for the hotel includes completion and conversion of guest rooms for a total of 79 keys. A new pool deck will be constructed adjacent to the existing Function Room. Other exterior improvements will include re-painting, new exterior floor finishes, trellises and a covered walkway leading to the existing Function Room. Fenestration requiring replacement will be replaced with similar windows and doors.

ZONING INFORMATION: Section 134-1304 (5): Request to modify Site Plan Review # 1-2016 with Special Exception to change the approved use from condo-hotel to hotel; modify the previously approved site plan; and amend the conditions of approval in the Declaration of Use Agreement, as identified in the

proposed Third Amendment to the Declaration of Use which Is Exhibit "F") of this application. The proposed site modifications being requested as follows: Section 134-1304(5): The existing Palm House hotel is located at 160 Royal Palm Way, Palm Beach, Florida. it is currently vacant and construction is partially completed. The structure is three stories with a partially enclosed basement containing parking and back-of-house functions. The hotel is 84,495 gross square feet in total. There is an East and West guest wing, and these wings are connected by a central core containing the Main Entrance and other partially completed public functions. A separate conference and events "Function Room" and partial pool deck was also constructed at the south east portion of the property. Section 134-227. 326 & 329 1729(2)(c): (Site Plan Review) The new owner/applicant is proposing new work for the hotel which includes the following site plan modifications: 1) Completion and conversion of guest rooms for a total of 79 keys. Two new presidential suites will be constructed within the building core, each with private outdoor balconies. 2) Completion of the Lower Level for back-of-house, administrative and housekeeping functions for the hotel. The interior modifications for the lower level includes renovation of partially completed areas including kitchen, food storage, housekeeping, staff areas and hotel administrative offices. The Owner is requesting an additional 148 SF to provide a new service stair form the lower Level to support the Pool Area. Additional areas for renovation include spaces for MEP Infrastructure such as electrical, hot water, and elevator systems. The proposed modifications remove all Hotel Guest program areas from the lower level. The Lower Level renovation includes restoration of parking area for 60 parking spaces including three accessible parking spaces. Two parking spaces which includes on Van Accessible parking space is located behind the existing function room. All parking will be Valet only per the Declaration of Use Amendment Three. Total on-site parking provided is 62 spaces. 3) A new pool deck will be constructed adjacent to the existing Function Room, with various amenities that include chaise lounges and outdoor seating, shade umbrellas, toilets, a towel/concierge stand, open-air bar with enclosed pantry behind, water features, lush native plantings, and Event Lawn to be used as a pre-function space, or for small wedding and/or overflow sun bathing; 4) The first level lobby and public spaces will be completed to include fine dining and lobby bar, with 88 Indoor seats as well as 36 outdoor seating facing the new pool deck. The second floor dining that was previously approved has been eliminated to make room for the reconfigured hotel suites which Include the new presidential suites; 5) The Function Room construction will be completed and the seating plan in the Function Room is being revised to add 50 more seats for a total of 200 seats (the total overall number of seats throughout the hotel that was previously approved is being reduced from 336 to 324); 6) A small 556 square foot banquet prep kitchen is proposed to be constructed adjacent to and on the east side of the existing Function Room. 7) Replace a 250 RW generator in the basement with the same size that exists today. - Other exterior Improvements will include new third floor railings, re-painting, new exterior floor finishes, trellises and a covered walkway leading to the existing Function Room. Fenestration requiring replacement will be replaced with similar windows and doors. Addition of a small 61 square foot pool service building; enclosing the 679 square foot function room pre-function space on the west side of the Function Room; addition of 588 square foot restroom for Function Room, addition of 556 square foot prep kitchen for Function Room and addition of 148 square foot stairwell to access Function Room prep kitchen. The following is a list of the proposed special exceptions and variances being requested for the hotel project: 1) Section 134-226 & 229: A special exception request to modify the approved special exception by converting from a condominium hotel to hotel use and make the site modifications and change to the conditions of approval as identified in this application. 2) Section 134-1305: A special exception request to allow 36 seats for outdoor dining on the first floor on the north side of the pool deck; and 3) Section 134-1308(9): A variance for lot coverage to be 63.8% in lieu of the 62.8% existing and the 50% maximum allowed in the C-B Zoning District; 4) Section 134-1308(8): A variance for the addition of railings and solid wall on the east facade of the hotel above the second floor where only a two story building is allowed In the C-B Zoning District; 5) Section 134-1308(8): A variance for the addition of railings and solid wall on the east facade of the hotel with a height of 31.83 feet in lieu of the 25 foot maximum allowed; 6) Section 134-1669: A variance for the height of the wall enclosing the dumpster located at the southeast corner of the property to be 13.25 feet tall in lieu of the 7 foot maximum height allowed from the neighbor's grade; 7) Section 134-1308(8): A variance for the two story open air addition on the south side of the hotel for a hotel suite balcony on the second floor and covered dining on the first floor with a height of 33.58 feet in lieu of the 25 foot maximum allowed in the C-B Zoning District; 8) Section 134-1308(8): A variance for the two story open air addition on the south side of the hotel for a hotel suite balcony on the second floor and covered dining on the first floor with an overall height of 42 feet In lieu of the 35 foot maximum allowed in the C-B Zoning District; 9) Section 134-1669: A variance for the height of the wall along the rear property line to be 8.5 feet in lieu of the 7 foot maximum allowed from the neighbor's grade; 10) Section 134-1669: A variance for the height of the wall enclosing the existing chiller at the south west corner of the property to be 12 feet tall in lieu of the 7

foot maximum allowed from the neighbor's grade; 11) Section 134-1308(7): A variance for a rear yard setback for the chiller to be 2.25 feet In lieu of the 10 foot minimum required In the C-B Zoning District; 12) Section 134-1308(6): A variance for a west side yard setback for the chiller to be 5.8 feet in lieu of the 10 foot minimum required In the C-B Zoning District

ACTION: DEFERRED TO THE OCTOBER 28, 2020 MEETING

D. MINOR PROJECTS – OLD BUSINESS

1. A-019-2020 Modifications

Address: 520 S. Ocean Blvd.

Applicant: Harrison McCarthy

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Front balcony addition and narrowing of front entry. Window modification.

A motion carried at the August meeting to defer the project to the September 23, 2020 meeting for a restudy in accordance with the comments from the Commissioners.

ACTION: APPROVED

2. A-025-2020 Modifications

Address: 201 Via Linda

Applicant: Tom Roush

Professional: Stephen Roy/Roy & Posey

Project Description: Selective modifications to a previously approved ARCOM submission.

A motion carried at the August meeting to defer the project to the September 23, 2020 meeting for a restudy in accordance with the comments from the Commissioners.

ACTION: APPROVED

E. MINOR PROJECTS – NEW BUSINESS

1. A-027-2020 Modifications

Address: 1191 N. Lake Way

Applicant: Mr. and Mrs. John Copeland

Professional: Patrick Segraves/SKA Architect + Planner

Project Description: Driveway change, front entry change, railing change.

ACTION: APPROVED WITH CONDITION TO ENLARGE GRASSY SECTION OF DRIVEWAY BY 5 FEET

2. A-032-2020 Modifications

Address: 149 East Inlet Drive

Applicant: Myron Miller

Professional: Don Skowron

Project Description: Minor landscape and hardscape adjustments to a previously approved ARCOM project.

ACTION: APPROVED WITH CAVEAT THAT PLAN FOR COCONUT PALMS WOULD RETURN TO THE OCTOBER 28, 2020 MEETING

3. A-033-2020 Modifications

Address: 320 Barton Ave.

Applicant: David J. Martinelli

Professional: Fernando Wong Outdoor Living Design

Project Description: Renew the current gravel driveway with stone pavers, upgrade site grading and drainage.

ACTION: APPROVED

4. A-034-2020 Modifications

Address: 149 Australian Ave.

Applicant: Lynn Lattanzio

Professional: Garabar, Inc.

Project Description: Tile re-roof, barrel tile to Spanish S-tile.

ACTION: DENIED

5. A-035-2020 Modifications

Address: 238 Via Las Brisas

Applicant: Frederick and Lisabeth Lane

Professional: LaBerge and Menard Inc.

Project Description: Replace existing single front entry wood door, glass sidelights and transom with an impact rated French type glass door and transom.

ACTION: DEFERRED TO OCTOBER 28, 2020 MEETING

6. A-036-2020 Modifications

Address: 1020 N. Ocean Blvd.

Applicant: 1020 N. Ocean Trust (Guy Rabideau, Trustee)

Professional: LaBerge and Menard Inc.

Project Description: Replace existing French entry wood door and glass transom with an impact rated French type glass door and transom.

ACTION: APPROVED WITH CONDITION THAT DOOR OPENS INWARD

7. A-037-2020 Modifications

Address: 137 Dunbar Rd.

Applicant: Ken and Cheryl Endelson

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Proposed changes include modification of landscape, hardscape, entry door color, fenestration changes, modification of trellis design and color.

ACTION: APPROVED LANDSCAPING PLAN WITH ORIGINAL LIGHTING; ARCHITECTURE DEFERRED TO OCTOBER 28, 2020 MEETING

8. A-038-2020 Landscape/Hardscape

Address: 168 Seabreeze Ave.

Applicant: Sam Mizrahi

Professional: Keith Williams/Nievera Williams Design

Project Description: Adjustment of previously ARCOM approved driveway.

Minor hardscape adjustments and planting species adjustments.

ACTION: APPROVED

XI. DISCUSSION ITEM

XII. STAFF APPROVALS

XIII. ADDITIONAL COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)

XIV. UNSCHEDULED ITEMS (3 MINUTE LIMIT PLEASE)

XV. ADJOURNMENT

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 98-2020 A Resolution of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving a Single Source Identification for Kemira Water Solutions, Inc. for a period not to exceed five years.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated October 1, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 98-2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to approve a Single Source Service Identification with Kemira Chemicals for a period not to exceed five years, **Resolution No. 98-2020**

DATE: 1 October 2020

WHY ACTION IS REQUIRED

The State of Florida requires that contracts and agreements entered into as a Single Source/Sole Source be approved and reviewed every five years. There is a subsequent Resolution No. 98-2020 requesting the approval of a contract with Kemira Chemicals. This product is identified as a single source commodity only available from Kemira Chemicals.

STAFF RECOMMENDATION

Staff recommends approval of Resolution 98-2020, authorizing the approval of Kemira Chemicals as a Single Source Supplier to be reviewed every five years.

TOWN ATTORNEY REVIEW

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

cc: Jay Boodheshwar, Deputy Town Manager
Paul Brazil, P.E., Public Works Director
Brett Madison, Water Resources Division Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 98-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A SINGLE SOURCE IDENTIFICATION FOR
KEMIRA WATER SOLUTIONS, INC. FOR A PERIOD NOT TO
EXCEED FIVE YEARS**

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. 98-2020, to approve a Single Source Service Identification with Kemira Water Solutions, Inc. for a period not to exceed five years.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 99-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for a single source contract with Kemira Water Solutions, Inc. in the annual amount of \$187,200 and a five year contract contingent upon satisfactory performance and budget authorization in the amount of \$936,000.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated October 1, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 99-2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve a Purchase Order for a single source contract with Kemira Chemical Inc. in the annual amount of \$187,200 and a five year contract contingent upon satisfactory performance and budget authorization in the amount of \$936,000, **Resolution No. 99-2020**

DATE: 1 October 2020

WHY THE SERVICE AND CHEMICAL ARE REQUIRED

The Town of Palm Beach's sanitary sewer system consists of forty-two (42) stations located throughout the island. The main pump station (S-2) is located in Bradley Park and utilizes a force main system to deliver collected wastewater to the East Central Water Reclamation Facility (ECR). As per the agreement with ECR and to limit the corrosion of the Town's subaqueous crossing, the wastewater is treated to reduce the level of dissolved sulfides to a level of three parts per million (3ppm) at the ECR facility. The chemical application system has two 2500-gallon storage tanks and various components used to test the sulfide levels and deliver the chemical to maintain the prescribed rate.

In 2014, Kemira Chemical Inc. installed the current chemical application system. Their services include remote monitoring and testing to ensure compliance, monthly maintenance of the test and application equipment, detailed daily reports and delivery of the appropriate chemical to the facility. The Town uses approximately 120,000 gallons of chemical per year and usually receives two deliveries per month at the price of \$1.56 per gallon.

HOW SERVICE WAS PROCURED

The Town had been piggybacking the Town of Davie since 2014. When the Kemira Contract expired with the Town of Davie in July of 2020, the piggyback contract was no longer available to the Town of Palm Beach. Purchasing then researched additional municipalities to see who else was utilizing Kemira Chemical Inc.

It was noted that the Palm Beach County was utilizing Kemira Chemical Inc. for their processing within stations and pipes to the ECR. When the Town requested to piggyback the Palm Beach County contract, Kemira declined the piggyback opportunity to the Town of Palm Beach. In order to piggyback a contract, both the user agency and the awarded vendor must agree to the request.

Town purchasing in conjunction with the Water Resource Division sought to negotiate a contract with Kemira Chemical Inc. due to the fact that Kemira had extensive equipment in place within our collection system including the pump stations.

Purchasing worked with the Town Attorney for a period of three months with Kemira Chemical Inc. to finalize an agreement that was acceptable to the Town of Palm Beach to meet operational requirements of the collection system in addition to our requirements to indemnification and insurance provisions.

STAFF RECOMMENDATION

Staff recommends approval of Resolution 99-2020 for issuance of a purchase order to Kemira Chemical Inc. in the annual amount of \$187,200.

FUNDING/FISCAL IMPACT

Funding for this commodity will be from the Public Works Water Resource budget.

PUBLIC WORKS REVIEW

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

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney. The Town Attorney has approved the contract with Kemira Chemical.

Attachments

cc: Paul Brazil, Public Works Director
Eric Brown, P.E., Assistant Director of Public Works
Brett Madison, Water Resource Division Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 99-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING A PURCHASE ORDER FOR A SINGLE SOURCE
CONTRACT WITH KEMIRA WATER SOLUTIONS, INC. IN
THE ANNUAL AMOUNT OF \$187,200 AND A FIVE YEAR
CONTRACT CONTINGENT UPON SATISFACTORY
PERFORMANCE AND BUDGET AUTHORIZATION IN THE
AMOUNT OF \$936,000**

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. 99-2020, approving a purchase order for a single source contract with Kemira Water Solutions, Inc. in the annual amount of \$187,200, and a five year contract contingent upon satisfactory performance and budget authorization in the amount of \$936,000.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 100-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Florida Superior Sand, Inc. to Furnish and Deliver Sand to PAR 3 in the Amount of \$12,000 for FY21 and \$12,000 for water crushed shell for FY21.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated September 30, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 100-2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve **Resolution No. 100-2020**, A Resolution authorizing a purchase order to Florida Superior Sand, Inc. to furnish and deliver sand to PAR 3 in the Amount of \$12,000 for FY21 and \$12,00 for water crushed shell for FY21. The total recommended for this awarded contract will be \$89,405 which include FY17, FY18, FY19 and FY20 previously awarded purchase orders.

DATE: 30 September 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 100-2020. When the original solicitation was issued in 2017, solicitations were addressed to Town Council for one Fiscal Year and only if it met the Town Manager's award authority. Since the original award, the Town has issued purchase orders for FY17, FY18, FY19 and FY20 in the total amount of \$65,405.

The award for FY21, will now exceed the Town Manager's approval threshold due to the requested and approved budget amount of \$12,000 for continued services. The new total expenditure for this service will be \$89,405 by September 30, 2021.

It should be noted that this item is being presented to Town Council as Purchasing is reviewing all contracts to ensure full compliance with Town Policy and Procedures. Since this was an older contract, it was identified during our internal review of awarded contracts.

WHY THE SERVICE IS REQUIRED

Sand is required to support the PAR 3 operations. The following represents deliverables for the golf course:

- There are 13 sand traps on the golf course. It takes 75 tons of bunker sand to replenish annually.
- On an annual basis, 100-175 tons of green sand is used for divot filling and topdressing greens.
- 150-250 tons of 100% USGA specification topdressing sand, mostly for top dressing greens and tees.
- 250-350 tons of washed crushed shell to replenish the cart paths and flower beds done annually.

- 20 tons of sand injected into the greens

HOW SERVICE WAS SOLICITATED

Town Purchasing issued RFQ 02-2017 in August 2017. Florida Superior Sand was awarded the contract. This the last year of this contract and will be re-solicited.

PERFORMANCE SINCE AWARD DATE

The Town has had satisfactory performance from the vendor.

FUNDING/FISCAL IMPACT

Funding for this service will be from the Recreation expense budget.

RECREATION REVIEW

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Carolyn Stone, Director of Business Development
Tim Campbell, Golf Course Superintendent
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 100-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING PURCHASE ORDERS TO FLORIDA SUPERIOR
SAND, INC. TO FURNISH AND DELIVER SAND TO PAR 3 IN
THE AMOUNT OF \$12,000 FOR FY21 AND \$12,000 FOR WATER
CRUSHED SHELL FOR FY21.**

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. 100-2020 authorizing a purchase order to Florida Superior Sand, Inc. to furnish and deliver sand to PAR 3 in the Amount of \$12,000 for FY21 and \$12,00 for water crushed shell for FY21. The total recommended for this awarded contract will be \$89,405 which include FY17, FY18, FY19 and FY20 previously awarded purchase orders.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 101-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Order for Fountain Maintenance Service to Mako Pools, Inc. in the Amount of \$25,100 for FY21 and \$25,100 for FY22 based on Satisfactory Vendor Performance and Budget Approval and an overall Project Budget of \$115,907 for total contract period of FY17 to FY22.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated September 30, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 101-2020**
- ▣ **Original Bid Solicitation**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve **Resolution No. 101-2020**, authorizing the Award of a Purchase Order to Mako Pool for FY21 in the Amount of \$25,100 and \$25,100 for FY22 based on Satisfactory Vendor Performance and Budget Authorization. The total recommended for this awarded contract will be \$115,907 that include FY18, FY19 and FY20 previous awarded purchase orders.

DATE: 30 September 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 101-2020. When the original solicitation was issued in 2017, solicitations were addressed to Town Council for one Fiscal Year and only if it exceeded the Town Manager's award authority. Since the original award, the Town has issued purchase orders for FY18, FY19 and FY20 in the total amount of \$65,707.

The award for FY21, will now exceed the Town Manager's approval threshold due to the requested and approved budget amount of \$25,100 for continued services. The new total expenditure for this service will be \$90,807 by September 30, 2021.

The other change to how items were presented to Town Council was submission for a five year period based on satisfactory vendor performance and subsequent budget authorizations. As such, the recommendation presented for Resolution No. 101-2020 will also include FY22 in the same annual allocation of \$25,100. The total recommended for this awarded contract will be \$115,907.

It should be noted that this item is being presented to Town Council as Purchasing is reviewing all contracts to ensure full compliance with Town Policy and Procedures. Since this was an older contract, it was identified during our internal review of awarded contracts.

WHY THE SERVICE IS REQUIRED

A contractor was required to perform weekly fountain, reflecting pool, water feature, aquatic plant fountain, cleaning and maintenance at the following locations:

- One (1) fountain and one (1) reflecting pool with associated fountain bowls and other water features located at the Town Square on North County Road between Australian Ave and

Brazilian Ave.

- Two (2) birdbath type fountains and one (1) live aquatic plant type fountain located on Hibiscus Avenue between Worth Avenue and Peruvian Avenue.
- One (1) vase type fountain at Peruvian Park located at the corner of North County Road and Peruvian Avenue.
- One (1) Artemis Fountain located in Bradley Park adjacent to Bradley Tea House.
- One (1) bronze statue type fountain with cast stone base in Ibis Isle Park.
- One (1) decorative cast stone with water feature in Phipps Plaza.

HOW SERVICE WAS SOLICITATED

Town Purchasing issued ITB No. 2018-06 and only received one responsive, responsible submittal. The award was made to Mako Pools, Inc.

PERFORMANCE SINCE AWARD DATE

The Town has had satisfactory performance from the vendor.

FUNDING/FISCAL IMPACT

Funding for this service will be from the Public Works expense budget.

PUBLIC WORKS REVIEW

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Paul Brazil, P.E., Public Works Director
Paul Colby, Facilities Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 101-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING PURCHASE ORDER FOR FOUNTAIN
MAINTENANCE SERVICE TO MAKO POOLS INC. IN THE
AMOUNT OF \$25,100 FOR FY21 AND \$25,100 FOR FY22 BASED
ON SATISFACTORY VENDOR PERFORMANCE AND
BUDGET APPROVAL AND AN OVERALL PROJECT BUDGET
OF \$115,907 FOR TOTAL CONTACT PERIOD OF FY17 TO
FY22.**

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. 101-2020 approving a purchase order for Fountain Maintenance Services to Mako Pools Inc. in the amount of \$25,100 for FY21 and \$25,100 for FY22 based on satisfactory vendor performance and budget approval and an overall project of \$115,907 for the total contact period of FY17 to FY22.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH



INVITATION TO BID NO. 2018-06

TOWN FOUNTAINS MAINTENANCE AND REPAIR

Event	Date
Non-Mandatory Pre-Bid Meeting or Site Visit	November 1, 2017
Date ITB Issued	October 22, 2017
Due date for bidder questions	Until seven (7) days prior to the submittal date
Due date for bidder responses	Until five (5) days prior to the submittal date
ITB Due Date	November 21, 2017
Start Date	December 2017

BID CONTACT: Sandy Shea, Buyer, Public Works

No phone inquiries will be accepted. All correspondence shall be directed to the purchasing division via email to sshea@TownofPalmBeach.com or Fax (561) 835-4688.

Purchasing Division

* * * * *

FINANCE DEPARTMENT

* * * * *

TOWN OF PALM BEACH * 951 OKEECHOBEE ROAD * WEST PALM BEACH * FLORIDA * 33401



TOWN OF PALM BEACH

BID No. 2018-06

TOWN FOUNTAINS MAINTENANCE AND REPAIR

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TOWN OF PALM BEACH

Advertisement for Bids

BID No. 2018-06

TOWN FOUNTAINS MAINTENANCE AND REPAIR

Sealed bids for BID No. 2018-06 - Town Fountains Maintenance And Repair will be received by the Town of Palm Beach, Florida, at the Purchasing Office, 951 Okeechobee Road, Suite "D", West Palm Beach, FL 33401, until **November 21, 2017 at 2:00 P.M.** At that time all bids will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

A non-mandatory pre-bid meeting will be held at **10:00 AM, November 1, 2017**, at the Public Works Facility, located at 951 Okeechobee Road, West Palm Beach, FL 33401. Attendance is strongly encouraged as this will be the only forum to seek clarification from Town staff. After the Bid has been awarded, no extra-charge or compensation will be allowed as a result of failure to attend the conference and resulting site visit.

An **original and two (2) copies** of the proposal shall be submitted in sealed envelopes/packages addressed to Sandy Shea, Purchasing Division, Town of Palm Beach, Florida, and marked "**Bid No. 2018-06 – Town Fountains – Maintenance and Repair**". Companies desiring a copy of the Invitation to Bid may obtain such documents from the Town's website at www.townofpalmbeach.com, (click "Doing Business," click "Bids and Requests for Proposals" and follow the instructions). For further information, contact the Purchasing Office, 951 Okeechobee Road, Suite D, West Palm Beach, FL 33401, Telephone (561) 838-5406.

The Town reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. The Town further reserves the right to award the contract to that bidder whose proposal best complies with the bid specification. No bidder may withdraw their bid for a period of ninety (90) days from the date set for the opening thereof.

**Sandy Shea
Buyer, Public Works**

**Dated: October 22, 2017
 October 29, 2017**

**Published: Palm Beach Post
 DemandStar**



TOWN OF PALM BEACH

BID No. 2018-06

TOWN FOUNTAINS MAINTENANCE AND REPAIR

GENERAL CONDITIONS, INSTRUCTIONS AND INFORMATION FOR BIDDERS

1. GENERAL INFORMATION

These documents constitute the complete set of specification requirements and bid forms. Bid Proposal response is to be filled in, signed, sealed and mailed or presented to the Purchasing Division on or before the specified date and time.

It is sole responsibility of the bidder to ensure that his/her bid reaches the Purchasing Division on or before the closing date and time. The TOWN shall in no way be responsible for delays caused by any other occurrence. Offers by telephone, telegram or facsimile will not be accepted.

The bid time must be and shall be scrupulously observed. Under no circumstances will bids delivered after the time specified be considered. Such bids shall be returned to the vendor unopened.

All bids must be typewritten or written in ink, and must be signed in ink by an officer or employee having authority to bind the company or firm.

Bidders shall not be allowed to modify their bids after the opening date and time. Bid files may be examined during normal working hours, after bid opening, by appointment only.

For information concerning this bid, please contact Purchasing Division via email: solicitations@TownofPalmBeach.com or via Fax (561) 835-4688.

2. PRICE/DELIVERY

Price quoted must be the price for new merchandise and free from defects. Any bids containing modifying or "escalator" clauses will not be considered unless specifically requested in the bid specifications.

"Acceptance" as herein used means the acceptance by Town of Palm Beach, herein referred to as TOWN, after the Purchasing Agent or his authorized agent has, by inspection or test of such items, determined that they fully comply with specifications.

Deliveries of all items shall be made as soon as possible. In the appropriate blank on the bid form, the vendor must indicate the best delivery date after receipt of order (ARO). Deliveries resulting from this bid are to be made during the normal working hours of the TOWN. Time is of the essence and the bidder's delivery date must be specified and adhered to. Should the bidder, to whom the order or contract is awarded, fail to deliver on or before his/her stated date, the TOWN reserves the right to CANCEL the order or contract and make the purchase elsewhere. The successful bidder(s) shall be responsible for making any and all claims against carriers for missing or damaged items.

3. FEDERAL AND STATE TAX

TOWN is exempt from Federal and State Taxes for tangible personal property. The Purchasing Agent will sign an exemption certificate submitted by the successful bidder. Vendors or contractors doing business with the TOWN shall not be exempted from paying sales tax to their suppliers for materials to fulfill contractual obligations with the TOWN, nor shall any said vendor or contractor be authorized to use the Town's tax exemption number in securing such materials.

4. ACCEPTANCE / REJECTION

TOWN reserves the right to accept or to reject any or all bids and make the award to that bidder, who in the opinion of the TOWN will be in the best interest of and/or the most advantageous to the TOWN. TOWN also reserves the right to reject the bid of any vendor who has previously failed in the proper performance of an award or to deliver on time contracts of a similar nature or who is not in a position to perform properly under this award. TOWN reserves the right to waive any irregularities and technicalities and may, at its discretion, request a re-bid.

5. ALTERNATIVES / APPROVED EQUAL / DEVIATIONS

Unless otherwise specified, the mention of the particular manufacturer's brand name or number in the specifications does not imply that this particular product is the only one that will be considered for purchase. This reference is intended solely to designate the type or quality of merchandise that will be acceptable. Alternate offers will be considered and must include descriptive literature and/or specifications. Failure to provide descriptive literature and/or specifications with alternate offers may be cause for disqualification of the bid.

The TOWN shall make the determination as to whether any alternate product or service is or is not equal, and such determination shall be final and binding upon all bidders.

When an item is marked "No Substitutions" alternates or equivalents will not be accepted.

The bidder shall be responsible for reading carefully, and understanding completely, the requirements and specifications of the items bid upon. Any deviation from specifications listed herein must be clearly indicated, otherwise it will be considered that items offered are in strict compliance with these specifications, and the successful bidder will be held responsible. Therefore, deviations must be explained in detail on an attached sheet(s) and itemized by number. Any item(s) that do not meet the TOWN specifications upon delivery will not be accepted and if the item cannot be brought up to specifications in a reasonable time (reasonable time as determined by TOWN), the bidder will be required to compensate the TOWN for difference in price incurred from going to the next low bidder.

6. NON-COLLUSION

Bidder certifies that this bid is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a bid for the same materials, services, supplies or equipment, and is in all respects fair and without collusion or fraud.

No premiums, rebates or gratuities permitted; either with, prior to or after any delivery of material or provision of services. Any such violation may result in contract cancellation, return of materials or discontinuation of services and the possible removal from the vendor bid list(s).

7. CONFLICT OF INTEREST

The award is subject to provisions of State Statutes and Town Ordinances. All bidders must disclose with their bid the name of any officer, director or agent who is also an employee of the TOWN. Further, all bidders must disclose the name of any Town employee who owns, directly or indirectly, an interest in the bidder's firm or any of its branches.

8. LEGAL REQUIREMENTS

Federal, State, County and local laws, ordinances, rules and regulations that in any manner affect the items covered herein apply. Lack of knowledge by the bidder shall in no way be a cause for relief from responsibility.

- (a) Vendors doing business with the TOWN are prohibited from discriminating against any employee, applicant or client because of race, creed, color, national origin, sex, age or non-disqualifying physical or mental disability, with regard to but not limited to the following: employment practices, rates of pay or other compensation methods, and training selection.

(b) Identical Tie Bids/Proposals shall be awarded in accordance with the preference established in Section 287.087, Florida Statutes, to a vendor submitting the attached Drug-Free Workplace Certification form properly completed and certified. In the event that tie bids are received either from vendors who have all submitted a Drug-Free Workplace Certification or none of whom who have submitted such certification, the award will be made in accordance with TOWN purchasing procedures pertaining to tie bids.

(c) 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, for CATEGORY TWO (Currently \$25,000) for a period of 36 months from the date of being placed on the convicted vendor list.

9. UNIFORM COMMERCIAL CODE

The Uniform Commercial Code (Florida Statutes, Chapter 672) shall prevail as the basis for contractual obligations between the awarded contractor/vendor and the TOWN for any terms and conditions not specifically stated in the Invitation to Bid.

10. MISTAKES

In the event of extension error(s) the unit price will prevail and the bidder's total offer will be corrected accordingly. In the event of addition errors, the extended totals will prevail and the bidder's total will be corrected accordingly. If there is a difference between the written price and the numerical price, the written price shall prevail. Bidders must check their bid proposal where applicable. Failure to do so will be at the bidder's risk. Bids having erasures or corrections must be initialed in ink by the bidder.

11. AVAILABILITY OF FUNDS

The obligations of the TOWN under this award are subject to the availability of funds lawfully appropriated for its purpose by the Town Council.

12. EEO STATEMENT

TOWN is committed to assuring equal opportunity in the award of contracts and, therefore, complies with all laws prohibiting discrimination on the basis of race, color, religion, national origin, sex, age and non-disqualifying physical or mental disability.

13. BID TABULATION

Bidders desiring a copy of the bid tabulation of the Invitation to Bid may obtain them by going to the Town's website at www.townofpalmbeach.com, (click "Doing Business" click "Sealed Bids/Requests for Proposals" and follow the instructions).

14. BID FORMS

All bid proposals must be submitted on our standard Invitation to Bid (ITB) form. Bid proposals on vendor quotation forms will not be accepted.

15. CONTRACTUAL AGREEMENT

This Invitation to Bid shall be included and incorporated in the final award. The order of contractual precedence will be the purchase order or price agreement bid document (original Terms and Conditions) and response. Any and all legal action necessary to enforce the award will be held in Palm Beach County and the contractual obligations will be interpreted according to the laws of Florida. Any additional contract or agreement requested for consideration by vendor must be enclosed as part of the bid response.

16. SUBCONTRACTING

If a vendor subcontracts any portion of a contract for any reason, he/she must state the name and address of the subcontractor and the name of the contact person on the attached "Schedule of Subcontractors Form." TOWN also reserves the right to reject a bid of any bidder if the bid names a subcontractor who has previously failed in the proper performance of an award or failed to deliver on time contracts of a similar nature, or who is not in a position to perform properly under this award. TOWN reserves the right to make a determination as to the foregoing.

17. INFORMATION

Any questions by prospective vendors should be directed to the Purchasing Division contact, noted on page no. 3, who is authorized only to direct inquiries to various portions of the bid so bidders may read and interpret such for themselves. No authorization is allowed by Purchasing personnel to interpret, or give information as to bid requirements in addition to that, which is contained in the original bid document. Interpretation of the bid or additional information as to its requirements, where necessary, shall be communicated to bidders only by written addendum.

18. PRICES QUOTED

Bidder warrants by virtue of bidding that prices shall remain firm for a period of ninety days (90) days from the date of bid opening or time stated in Special Conditions.

19. PAYMENT

Payment will be made by the TOWN after commodities/services have been received, accepted and properly invoiced as indicated in contract and/or order. Invoices must bear the order number. Payment shall be made within 30 days of such acceptance.

20. DISCOUNT

Bidders may offer a discount for prompt payment. However, such discounts will not be considered in determining the lowest net cost for bid evaluation purposes unless otherwise specified in Special Conditions. Bidders should reflect any discounts to be considered in the bid evaluation in the unit prices bid.

21. CERTIFICATIONS

When applicable, vendor must hold Certificate of Competency issued by the State of Florida or the Palm Beach County Construction Industry Licensing Board and a current Occupational License for Palm Beach County. Copy of certificate and license must be submitted with bid and must be in the name of the vendor shown on the Bid Proposal page.

22. LICENSES AND PERMITS

When applicable, it shall be the responsibility of the successful bidder to obtain at no additional cost to the TOWN, any and all licenses and permit required to complete contractual service. A copy of these licenses and permits shall be submitted prior to commencement of work. Permit fees shall be waived for this work, however, the successful vendor must pay any applicable TOWN Occupational License fees.

23. COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH

Bidder certifies that all material, equipment, etc., contained in his/her bid meets all O.S.H.A. requirements. Bidder further certifies that, if he/she is the successful bidder, and the material, equipment, etc., delivered is subsequently found to be deficient in any O.S.H.A requirement in effect on date of delivery, all costs necessary to bring the material, equipment, etc., into compliance with the aforementioned requirements shall be borne by the bidder.

24. MATERIAL SAFETY DATA SHEET

In compliance with Chapter 442, Florida Statutes, a Material Safety Data Sheet (MSDS) must accompany any toxic substance resulting from this bid. The MSDS must include the following information:

- (a) The identity used on the chemical product's label.

- (b) The chemical and the common name(s) of all ingredients, which have been determined to be a health hazard.
- (c) Physical and chemical characteristics of the hazardous chemicals (i.e. vapor pressure, flashpoint).
- (d) The physical hazards of the hazardous chemical, including the potential for fire, explosion and reactivity.
- (e) The health hazards of the hazardous chemical, including signs and symptoms of exposure.
- (f) The primary route(s) of entry.
- (g) The Occupational Safety and Health Administration (OSHA) permissible exposure limit, American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Value, and any other exposure limit used or recommended.
- (h) Whether the hazardous chemical is listed on the National Toxicology Program (NTP) Annual Report on Carcinogens (latest edition) or has been found to be a potential carcinogen.
- (i) Any general applicable precautions for safe handling and use that are known.
- (j) Any general applicable control measures, which are known.
- (k) Emergency and first aid procedures.
- (l) The date of MSDS preparation or last change to it.
- (m) The name, address and telephone number of the chemical Manufacturer or importer.

25. SAFETY REGULATIONS

Equipment must meet all State and Federal safety regulations for grounding of electrical equipment.

26. CODES AND REGULATIONS

The vendor must strictly comply with all Federal, State and local building and safety codes.

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BID No. 2018-06

**TOWN FOUNTAINS
MAINTENANCE AND REPAIR**

SPECIAL TERMS AND CONDITIONS

1. ADDENDUMS

The Purchasing Office will receive written requests for clarification concerning the meaning or interpretations of the bid, until **seven (7)** days prior to the submittal date; requests may be sent via email to sshea@townofpalmbeach.com or via fax to (561) 835-4688. Town personnel are authorized only to direct the attention of prospective proposers to various portions of the bid so that they may read and interpret such for themselves. No employee of the Town is authorized to interpret any portion of this bid or give information as to the requirements of the bid in addition to what is contained in the written bid documents.

The Town may record its response to inquiries and any supplemental instructions in the form of written addenda. Written addenda may be provided up to **five (5)** calendar days before the date fixed for receiving the bids. Any oral explanation(s) given before the bid opening will not be binding.

2. TOWN CONTRACT COORDINATOR

The Town of Palm Beach shall designate a Contract Coordinator who shall act on behalf of the Town with respect to monitoring contractor performance under this contract.

The administration of this contract is vested in the Contract Coordinator. The Contract Coordinator shall have complete authority to require the Contractor to comply with all provisions of this Contract. However, the provisions of this Contract shall not be altered, waived or revoked by the Contract Coordinator.

The Contract Coordinator principal duties shall be:

- A. Liaison with Contractor.
- B. Coordinate and approve all work under the contract.
- C. Resolve any disputes.
- D. Assures consistency and quality of Contractor's performance.
- E. Schedule and conduct Contractor performance evaluations and document findings.
- F. Review and approve for payment all invoices for work performed or items delivered.

3. PRE-BID CONFERENCE

All interested Proposers are invited to attend a **Pre-Bid Conference on November 1, 2017, at 10:00 A.M. in the Public Works Meeting Room, located at 951 Okeechobee Road, West Palm Beach, FL, 33401**. At that time, the Town's representatives will be available to answer questions relative to this Request for Proposal. Any modifications may be presented in writing to, or discussed with the Town's representative(s) as possible amendments to the Bid document.

Bidders should visually inspect the sites where the services are to be performed. Bidders are advised to make a thorough inspection of the extent of work. Failure to visually inspect the sites shall be at bidder's risk. After bid has been awarded, no extra charge or compensation will be allowed by the Town as a result of differences between actual materials and labor, unless by reason of unforeseeable causes beyond his control and without fault or negligence, including, but not restricted to acts of God or neglect of any other contractor. Submission of a bid will be considered evidence that the bidder has familiarized himself with the nature and extent of work, and the equipment, materials and labor required.

It is the intention of the Town to purchase the services as specified herein from a source of supply that will give prompt and convenient service. Any failure of a successful bidder to comply with these conditions may be cause for terminating any resulting contract immediately upon notice by the Town. The Town reserves the right to obtain these services from other sources, when necessary, should a successful bidder be unable to perform on a timely basis and such delay may cause harm to the Town or its residents.

4. QUALIFICATION OF BIDDERS

This bid shall be awarded only to a responsible bidder, qualified to provide the work specified. The bidder shall submit the following information with their proposal:

- A. Experience record, showing the bidder's training and experience in similar work.
- B. Reference list and brief description of similar work satisfactorily completed with location, dates of contracts, names, addresses and phone numbers of owners/principals.
- C. Specify the number of employees available to perform the requirements of this contract, both workers and supervisors. The awarded contractor is required to have a sufficient number of employees to complete the work in the time specified under the Scope of Services section of this bid document.
- D. Specify list of currently owned and operated equipment that would be utilized in fulfilling the requirements of this contract.
- E. List any licenses, permits or certifications, etc. that you hold for performing this type of work.
- F. Provide Bidder's Qualification Form complete with Tax Receipt and W-9.
- G. Give notice that insurance requirements can be met. The insurance requirement designated in this bid indicates the minimum coverage required for the scope of work, as determined by the Office of Risk Management. Proposer shall provide verification of compliance, such as a Certificate of Insurance (COI) or a letter of verification from the Vendor's insurance agent/broker, which states the ability of the Vendor to meet the requirements upon award. If not provided with the bid, the COI must be submitted within three business days of Town's request. Bidder may be deemed non-responsive for failure to fully comply within stated timeframe. Final award shall be subject to receipt and acceptance by the Town of proof of meeting all insurance requirements of the bid.

Failure to submit the above requested information may be cause for rejection of your bid.

5. COMPETENCY OF BIDDERS

Pre-award inspection of the bidder's facility may be made prior to award of Contract. Bids will be considered only from firms which are regularly engaged in the business of providing services as described in this Bid and who can provide evidence that they have established a satisfactory record of performance and a sufficient delivery fleet to insure satisfactory execution of the services under the terms and conditions herein stated. The term "equipment and organization" as used herein shall be construed to mean a fully equipped and well-established company in line with the best business practices in the industry and as determined by the proper authorities of the Town.

6. CERTIFICATION AND/OR LICENSES

Bidders shall hold a current license which shows that a principal in the firm or an employee is certified to perform these services. This Certification shall be current at all times during the duration of this contract. Bidders should provide, with their bid, a copy of all current licenses. If not provided with your bid, they must be submitted within three (3) business days of the Town's request.

Bidder must hold a current tax receipt (Occupational License). Copy of license must be submitted with bid and must be in the name of the bidder shown on the Bid Proposal Page. A current, signed copy of IRS Form W-9 should also be submitted with your bid.

7. ON SITE INSPECTION

An inspector may be designated by the Town of Palm Beach. During the course of the project, the inspector will be responsible for assuring the proper execution of this bid by the successful Contractor.

8. AS SPECIFIED

A purchase order will be issued to the successful bidder with the understanding that all services rendered must meet the specifications herein.

9. PERFORMANCE

The Town shall not pay for work that fails to meet the Town's standards as set forth in this Bid and as determined by the Contract Coordinator.

10. DELETION OR MODIFICATION OF SERVICES

The TOWN reserves the right to add or delete any portion of this Contract at any time without cause, and if such right is exercised by the Town, the total fee shall be increased or reduced in the same ratio as the estimated cost of the work based on the unit prices set forth on the Bid Proposal Page.

11. AWARD (ALL or NONE)

Award will be made to the lowest responsive and responsible bidder, on an “All or None” basis, whose bid meets the requirements and criteria set forth in this Invitation to Bid.

The Town reserves the right to award to that bidder who will best serve the interests of the Town. The Town reserves the right to accept or reject any and/or all bids and to award or not award a contract based on this bid proposal.

12. RENEWAL OF CONTRACT

Bid shall be awarded for a term of twelve (12) months with the option to renew the contract for up to four additional twelve (12) month periods. Option for renewal will only be exercised upon written mutual agreement and with all original terms, conditions and pricing (adjustments may be made to pricing based on the Consumer Price Index at the time of renewal) with no other deviations. Price adjustments upon renewal shall be based on the percent change in the Consumer Price Index, All Urban Consumers, for the Miami-Fort Lauderdale Region from June to June of each prior and renewal year respectively, as published by the United States Department of Labor. Any renewal will be subject to appropriation of funds by the Town Council.

13. PRICING

The Town requires a firm price for the contract period. Invoices will be checked to confirm compliance with quoted pricing. Failure to hold prices firm through the entire contract term will be grounds for contract termination.

14. METHOD OF ORDERING

An annual Blanket Purchase Order shall be issued for these services. Invoices shall be submitted monthly after completion of services specified in this contract and shall refer to the Purchase Order Number and the appropriate item number. Invoices shall be submitted to the Town of Palm Beach, Finance Department, Accounts Payable, P.O. Box 2029, Palm Beach, FL 33480 or email electronic invoices to: Invoices@TownofPalmBeach.com (Preferred Method).

15. PAYMENT

Terms of payment are net 30 days after services have been completed and accepted. Invoice must reflect purchase order number.

16. VENDOR SERVICE REPRESENTATIVE

The bidder must submit with their bid proposal the name, address, and phone number of the person(s) to be contacted for the placement of an order and the coordination of service.

17. RIGHT TO TERMINATE

The Town reserves the right to terminate this Contract without penalty upon thirty (30) days written notice to Vendor. In the event of totally unacceptable performance, the TOWN may cancel immediately without cancellation liability.

18. DAMAGE TO PUBLIC OR PRIVATE PROPERTY

Extreme care shall be taken to safeguard all existing facilities, sidewalks, curbs, landscaping, site amenities, irrigation systems, vehicles, etc. on or around the job site. Damage to public and/or private property shall be the responsibility of the Contractor and shall be repaired and/or replaced at no additional cost to the Town.

The successful bidder shall at all times, guard against damage or loss to the property of the Town of Palm Beach and/or private property within the Town. Contractor shall be held responsible for replacing or repairing any such loss or damage. The Town of Palm Beach may withhold payment or make such deductions as deemed necessary to insure reimbursement or replacement for loss or damage to property through negligence of the successful bidder or his/her agents

19. CONTRACTOR RESPONSIBILITY

The bidder shall be responsible for the protection of property, in the areas in the vicinity of the project; and for the protection of his own equipment, supplies, materials and work, against any damage resulting from the elements (such as flooding, rainstorms, wind damage, or other acts of God) or vandalism.

20. PUBLIC SAFETY AND CONVENIENCE

In the Contractor's use of streets and highways for the work to be done under these specifications, they shall conform to all Municipal, County, State and Federal laws and regulations as applicable.

The Contractor shall at all times so conduct their work as to insure the least possible obstruction to normal pedestrian and vehicular traffic including access to all public and private properties during all stages work, and inconvenience to the general public and the residents in the vicinity of the work, and to insure the protection of persons and property, in a manner satisfactory to the Town of Palm Beach or designee.

No more than one-half (1/2) of the road or street shall be closed and traffic shall be controlled, so as to provide minimum hindrance. Contractor shall utilize traffic control devices when working on right of ways.

Contractor is responsible for obtaining right of way permits when working on DOT roadways. There will be no fees for these permits.

There shall be no obstruction of the travel lanes between the hours of 7:00 A.M. to 9:00 A.M. and 4:00 P.M. to 6:00 P.M. without approval from the Town of Palm Beach or designee.

No road or street shall be closed to the public, except with the permission of the Contract Coordinator and proper governmental authority. Fire hydrants on or adjacent to the work shall be kept accessible to fire-fighting equipment at all times. Temporary provisions shall be made by the Contractor to insure the use of sidewalks, public telephones and the proper functioning of all gutters, sewer inlets, drainage ditches, and irrigation ditches.

21. SELLING, TRANSFERRING OR ASSIGNING CONTRACT

No contract awarded for services in this proposal shall be sold, transferred or assigned without the prior written approval of the Town.

22. COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH

The Bidder hereby certifies that all material, equipment and supplies contained in their proposal meets all O.S.H.A. requirements. The successful proposer shall be solely and completely responsible for the safety of all persons (including employees) and property during the performance of the work. Safety provisions shall conform to the U.S. Department of Labor (OSHA), Florida Department of Labor and all other applicable federal, state, county, and local laws, ordinances, codes and regulations. Where any of these are in conflict, the more stringent requirements shall be followed. Failure of the Proposer to thoroughly familiarize themselves with the aforementioned provisions shall not relieve them from compliance with the obligations and penalties set forth therein.

23. SUBCONTRACTING

If the Contractor subcontracts any portion of the contract for any reason, the name and address of the subcontractor shall be included on the form contained herein with the extent of work to be performed. This information shall be submitted with bid response and approved by the Town. The Town reserves the right to reject a bid, of any bidder, if the bid names a subcontractor who has failed in the proper performance of a contract or is not in position to perform properly under this award. Subcontractors shall be responsible for meeting and submitting the insurance and licensing requirements set forth in the bid documents to the Contractor, or the Contractor shall extend their insurance policy to cover the subcontractor and their employees. It shall be the responsibility of the Contractor to ensure that insurance and licenses required by this contract are in effect.

24. INDEMNIFICATION

To the fullest extent allowed by law the Contractor shall protect, defend, reimburse, indemnify and hold harmless the Town of Palm Beach, and the Town's officers, agents, employees free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, attorneys or other professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, cause or causes of action of very kind and character in connection with, or arising directly or indirectly out of or related to this Contract and the Work performed hereunder. Without limiting the generality of the foregoing, Contractor's Indemnity shall include all claims, damages, losses, or expense arising out of or related to personal injury, death, damages to property, defects in materials or workmanship, actual or alleged infringement of any patent, trademark, copyright, proprietary information, or applications of any thereof, or of any other tangible or intangible personal or property right, or any actual or alleged violation of any applicable statute, ordinance, administrative order, rule or regulation, or order of any court. Contractor agrees to investigate, respond, adjust and provide a defense for, all and any such claims, demands and actions at Contractor's sole expense and agrees to bear and remain liable for all such other costs and expenses relating thereto, even if such claim is groundless, false or fraudulent. Notwithstanding the foregoing, Contractor's Indemnity shall not extend to liability for damages to persons or property to the extent such damage was caused by any act, omission, or default of the Town, or by the Town's officers, agents and employees.

Contractor acknowledges and agrees that TOWN would not enter into a contract without this indemnification of TOWN by Contractor, and that TOWN'S entering into a contract shall constitute good and sufficient consideration for this indemnification. These provisions shall survive the expiration or earlier termination of the Contract. Nothing in this Contract shall be construed to affect in any way the TOWN'S rights, privileges, and immunities as set forth in Florida Statutes 768.28.

25. INSURANCE

The Service Provider shall provide at its own cost and expense during the life of the contract, the following insurance coverages to the Town of Palm Beach (30) thirty business days' prior to the commencement of any work. All service providers including any independent contractors and subcontractors utilized must comply with these requirements. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida. The insurance shall be evidenced by certificates and/or policies including premiums as determined by the Town of Palm Beach. It shall be an affirmative obligation upon the Service Provider to advise the Town's Risk Manager at fax no. 561-838-5497, e-mail risk@townofpalmbeach.com, 360 S. County Road, Palm Beach, FL 33480 within 24 hours or the next business day of cancellation, non-renewal or modification of any stipulated insurance and failure to do so shall be construed to be a breach of this Agreement/contract. The Town of Palm Beach reserves the right to require additional coverages and limits based upon the particular service or change in service provided by the Service Provider.

If the service provider maintains higher limits than the minimums shown below, the Town requires and shall be entitled to coverage for the higher limits maintained by the service provider.

Comprehensive General Liability Insurance coverage with limits of liability not less than \$1,000,000 Each Occurrence/\$2,000,000 Aggregate. The Certificate of Insurance shall indicate an Occurrence Basis. The Town of Palm Beach shall be endorsed as an additional insured under the General Liability coverage. The Service Provider's General Liability coverage shall be primary and non-contributory.

For policies written on a Claims-made basis, service provider shall maintain a retroactive date prior to or equal to the effective date of the contract. In the event the policy is canceled, non-renewed, switched to an occurrence form or there is a change in retroactive date, or any other event triggering the right to purchase a Supplemental Extended Reporting Period (SERP) during the life of this contract, the service provider shall agree to purchase a SERP with a minimum reporting period of not less than three (3) years. Coverage is to apply on a primary basis.

Business Auto Liability coverage for any auto (all owned, hired, and non-owned autos) with limits not less than \$1,000,000 each occurrence combined single limit each accident. In the event service provider does not own any autos, the Town will accept proof of Hired and Non-Owned Auto Liability. For personally owned vehicles, the Town requires limits not less than \$300,000 each occurrence combined single limit.

Workers' Compensation coverage with statutory limits pursuant to Florida State Statute 440 or an exemption letter from the State. Should the scope of work performed by contractor qualify its employee for benefits under federal workers' compensation statute (example, U.S. Longshore & Harbor Workers Act or Merchant Marine act), proof of appropriate federal act coverage must be provided. A waiver of subrogation must be provided.

Employers Liability coverage with limits not less than \$100,000 for each accident, \$100,000 disease (each employee) and \$500,000 disease (policy limit).

26. CONFLICT OF INTEREST

The award hereunder is subject to provisions of State Statutes and Town and County Ordinances. All Proposers must disclose with their Proposal the name of any officer, director, or agent who is also an employee of the Town of Palm Beach. Further, all Proposers must disclose the name of any Town employee who owns, directly or indirectly, an interest in the Proposer's firm or any of its branches.

27. NON-COLLUSION

Proposer certifies that his Proposal is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a Proposal for the same materials, services, supplies, or equipment and is in all respects fair and without collusion or fraud.

28. PUBLIC ENTITY CRIMES

In accordance with Florida Statute 287.133, no award will be made to any person or affiliate identified on the Department of Management Services' "Convicted Vendor List". This list is defined as consisting of persons and affiliates who are disqualified from public contracting and the purchasing process because they have been found guilty of a public entity crime. A "person" or affiliate" includes any natural person or any entity, including predecessor or successor entities or an entity under the control of any natural person who is active in its management and who has been convicted of a public entity crime.

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a 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, for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

By signing and submitting the Bid documents, the submitting firm attests that they have not been placed on the "Convicted Vendor List" or have been found guilty of a public entity crime.

29. E-VERIFY

The Town of Palm Beach is an E-Verify employer for the purposes of verifying work authorization. Work authorization for those contracted to provide services and/or goods to the Town of Palm Beach is the sole responsibility of the contracted vendor and/or service provider.

30. DRUG-FREE WORKPLACE

Preference shall be given to businesses with Drug-Free Work Place (DFW) programs. Whenever two or more proposals which are equal with respect to price, quality, and service are received by the Town for the procurement of commodities or contractual services, a proposal received from a business that completes the attached DFW form certifying that it is a DFW shall be given preference in the award process

31. PALM BEACH COUNTY INSPECTOR GENERAL

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

32. CODE OF ETHICS

If any Proposer violates or is a party to a violation of the code of ethics of the Town of Palm Beach, Palm Beach County or the State of Florida with respect to this proposal, such Proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and shall be further disqualified from submitting any future proposals for work, goods or services for the Town of Palm Beach. The link for further information regarding the Palm Beach County Commission on Ethics is: <http://www.palmbeachcountyethics.com/ordinances-codes.htm>.

33. LOBBYING PROHIBITED

Proposers are not to contact or lobby any Town personnel related or involved with this Request for Proposals. All oral or written inquiries are to be directed to the Purchasing Division as instructed herein. Any violation of this condition may result in rejection and/or disqualification of the Proposer.

Refer to Palm Beach County Registration Ordinance – Effective April 2, 2012 for further information: <http://www.palmbeachcountyethics.com/ordinances-codes.htm> .

34. CONE OF SILENCE

The Cone of Silence is a prohibition on any communication, except for written correspondence, regarding a particular request for proposal, request for qualification, bid or any other competitive solicitation between:

- (1) Any person or person's representative seeking an award from such competitive solicitation; and
- (2) Any County commissioner or commissioner's staff, any member of a local governing body or the member's staff, a mayor or chief executive officer that is not a member of a local governing body or the mayor or chief executive officer's staff, or any employee authorized to act on behalf of the commission or local governing body to award a particular contract.

For the purposes of this section, a person's representative shall include but not be limited to the person's employee, partner, officer, director, consultant, lobbyist, or any actual or potential subcontractor or consultant of the person.

The cone of silence shall be in effect as of the deadline to submit the proposal, bid, or other response to a competitive solicitation. The cone of silence applies to any person or person's representative who responds to a particular request for proposal, request for qualification, bid or any other competitive solicitation, and shall remain in effect until such response is either rejected by the county or municipality as applicable or withdrawn by the person or person's representative. Each request for proposal, request for qualification, bid or any other competitive solicitation shall provide notice of cone of silence requirements and refer to this article.

The provisions of this article shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, contract negotiations during any public meeting, presentations made to the board or local municipal governing body as applicable, and protest hearings. Further, the cone of silence shall not apply to contract negotiations between any employee and the intended awardee, any dispute resolution process following the filing of a protest between the person filing the protest and any employee, or any written correspondence at any time with any employee, county commissioner, member of a local municipal governing body, mayor or advisory board member or selection committee member, unless specifically prohibited by the applicable competitive solicitation process.

The cone of silence shall terminate at the time the board, local municipal governing body, or a county or municipal department authorized to act on behalf of the board or local municipal governing body as applicable, awards or approves a contract, rejects all bids or responses, or otherwise takes action which ends the solicitation process.

For further information refer to <http://www.palmbeachcountyethics.com/ordinances-codes.htm> - Palm Beach County Registration Ordinance – Effective April 2, 2012.

35. PUBLIC RECORDS

Upon award recommendation or thirty (30) days after opening, whichever occurs first, proposals become “public records” and shall be subject to public disclosure consistent with Chapter 119 Florida Statutes. Proposers must invoke the exemptions to disclosure provided by law in the response to the RFB, and must identify the data or other materials to be protected, and must state the reasons why such exclusion from public disclosure is necessary. Document files may be examined, during normal working hours.

36. PUBLIC RECORDS LAW

In accordance with Florida Statutes 119.0701, the contractor shall comply with public records laws, specifically to:

- (a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.
- (b) Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
- (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
- (d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

Town Clerk, or designee
Phone 561-838-5416
Email: records@townofpalmbeach.com

37. **RESTRICTED AREAS DURING OFFICIAL DIGNITARY VISITS, EMERGENCIES AND WEATHER EVENTS**

The Town of Palm Beach may become a restricted area during official Dignitary visits, emergencies and significant weather events. Contractor and workers may be asked to show Town issued ID during this period. The successful contractor and workers assigned to this project will be required to come to the Police Department prior to the start of the contract to have their fingerprints taken at no charge to contractor. If the fingerprint background check returns with no warrants or felonies, the contractor and workers will be given a picture ID for access to Palm Beach Island during this period. This process takes up to three (3) business days and needs to be planned accordingly.

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TOWN OF PALM BEACH

BID No. 2018-06

TOWN FOUNTAINS MAINTENANCE AND REPAIR

SCOPE OF SERVICES

I. PURPOSE AND INTENT

The Town of Palm Beach, Florida, is hereby requesting sealed bids from qualified bidders to furnish all labor, management, materials, and equipment to provide maintenance and repair services to the various fountains throughout the Town.

II. SCOPE OF WORK

Successful contractor shall provide all labor, materials, equipment, supplies necessary to perform weekly fountain, reflecting pool, water feature, aquatic plant fountain, cleaning and maintenance at the following locations:

- One (1) fountain and one (1) reflecting pool with associated fountain bowls and other water features located at the Town Square on North County Road between Australian Ave and Brazilian Ave.
- Two (2) birdbath type fountains and one (1) live aquatic plant type fountain located on Hibiscus Avenue between Worth Avenue and Peruvian Avenue.
- One (1) vase type fountain at Peruvian Park located at the corner of North County Road and Peruvian Avenue.
- One (1) Artemis Fountain located in Bradley Park adjacent to Bradley Tea House.
- One (1) bronze statue type fountain with cast stone base in Ibis Isle Park.
- One (1) decorative cast stone with water feature in Phipps Plaza.

Successful contractor shall include but not be limited to cleaning, chemical balancing, debris removal, filter maintenance, interior surface sweeping and/or vacuuming for fountains, strainer & basket cleaning, and flow rate adjustments, equipment repair, or replacement, pool of fountain light repairs, leak detection/repair, etc. This vendor shall also include weekly inspection of all electrical, mechanical, and plumbing equipment to ensure that the equipment continues to operate as intended. This vendor shall notify the contract coordinator for approval prior to performing any repairs to equipment of fountains.

The Town anticipates that service intervals and chemical applications will be more frequent during the summer months. Successful contractor shall base its quotation on an estimated three visits per week in the summer months, May thru September, and twice a week service from October to April. **These are estimated service intervals and it will be the responsibility of the vendor to keep the fountains free from algae at all times.**

A. Addison Mizner Fountain Maintenance

The Town Square Fountain (designed Addison Mizner) was constructed in the early 1930's, and has recently been fully restored. The fountain and its elements are constructed from steel reinforced cast cement-based material made to mimic Florida Keystone. Successful contractor should have working knowledge and have successfully maintained and operated historic elements such as this.

NO chemicals including chlorine shall be used to sanitize the water in this fountain; only the use of the UV filter and bromine is to be utilized.

A.1 Reflecting Pool Maintenance

Successful contractor agrees to furnish all chemicals, labor, personal safety equipment, cleaning supplies/products and equipment, materials, installation of cartage filters, tools, etc., required to maintain the reflecting pool and its features including tile surround at water line and bird bath spillway. Contractor shall remove obstructions and debris from deck, bird bath spillway, and reflecting pool. Contractor **SHALL NOT STAND ON SPILLWAY** to clean or maintain this feature or reflecting pool. Contractor shall check pool lights and area lights, report deficiencies, or missing or broken tile or equipment to the contract coordinator immediately.

Ensure Chlorine, PH, total alkalinity and calcium hardness are kept at appropriate levels to ensure that no algal growth can occur. Acceptable ranges: pH 7.5-7.6 ppm, alkalinity 80-120 ppm, hardness 250-300 ppm, chlorine 1.0-2.0 ppm.

Filters shall be replaced when a 10-psi difference is indicated on the filter pressure gauge from last filter change; all spent/old filters shall be removed from site.

Chemicals shall not be stored in pump room. Successful contractor shall bring all chemicals needed to perform their duties. Pump room shall be kept clean at all times.

Ensure that personnel who maintain this property are properly trained in the safe handling, use, and storage of all swimming pool chemicals according to the manufacturer's instructions and that the appropriate personal safety equipment is used when handling these chemicals and follows the chemical label directions.

Successful contractor must be familiar with all equipment and have the knowledge and expertise of how to use, set, and adjust equipment such as wind sensors, time clocks, HOA switches, pumps, motors, control valves, etc.

Pool/Pump Equipment: The fountain is currently filtered by Pentair cartridge system Model # CP240, Clean and Clear Plus. The water is filtered by Pentair dual cartridge system Model #CCP240 then sanitized by a UV Paramount system and controlled by a 1hp Pentair circulation pump. The pump is variable speed type and can be shut down in high wind conditions.

The reflecting pool is filtered by Pentair dual cartridge system Model #CCP240 and controlled by a 1hp Pentair circulation pump and is completely separate from the fountain system. There is a 3" Pentair in-line chemical feeder in place.

B. Hibiscus & Worth Avenue

The Hibiscus and Worth Avenue fountains were constructed in 2011. The interior and exterior are clad with coquina stone, and the floor is a diamond bright finish. The two-birdbath type fountains water elements, are white marble with removable waterspouts. The live aquatic fountain features underwater lighting, two spillways into troughs, and water features.

Successful contractor agrees to furnish all chemicals, labor, personal safety equipment, cleaning supplies/products and equipment, materials, installation of cartage filters, tools, etc., required to maintain these water features. Successful contractor shall remove obstructions and debris from the in the fountain bowls, reservoir, spillways and away from the return lines at every visit. Successful contractor shall report deficiencies or any missing or broken equipment to the contract coordinator immediately.

Ensure Chlorine, PH, total alkalinity and calcium hardness are kept at appropriate levels to ensure that no algal growth can occur. Acceptable ranges: pH 7.5-7.6 ppm, alkalinity 80-120 ppm, hardness 250-300 ppm, chlorine 1.0-2.0 ppm. (Only at birdbath type fountains)

The algae in the live aquatic plant fountain shall be kept to a minimum and free from living animals (fish, snails, etc.) These aquatic plants shall be maintained to not impede or hinder the return lines, water features, or lights.

The filtration system shall be cleaned/backwashed as needed to ensure proper flow and filtration. Only a 10-psi difference is acceptable as indicated on the filter pressure gauge from each visit.

Successful contractor shall make sure the Vak Pak/equipment area shall be free from debris, clean and shall be secured at the end of every visit.

C. Peruvian Park

The Peruvian Park fountain was constructed in 2011. This fountain is clad with tile mosaics on the interior water reservoir and exterior surround with a cast stone wall cap and a large stone vase water feature.

Successful contractor agrees to furnish all chemicals, labor, personal safety equipment, cleaning supplies/products and equipment, materials, installation of cartage filters, tools, etc., required to maintain this water feature. Successful contractor shall remove obstructions and debris from the in the fountain reservoir, spillways, and away from the return lines. Successful contractor must report deficiencies or any missing or broken equipment to the contract coordinator immediately.

Ensure Chlorine, PH, total alkalinity and calcium hardness are kept at appropriate levels to ensure that no agley growth can occur. Acceptable ranges: pH 7.5-7.6 ppm, alkalinity 80-120 ppm, hardness 250-300 ppm, chlorine 1.0-2.0 ppm.

D. Artemis Fountain in Bradley Park

The Artemis Fountain was constructed in the early 1930's, and was fully restored in 2017. The fountain and its elements are constructed from steel reinforced cast cement-based material made to mimic Florida Keystone. Successful contractor shall have working knowledge and have successfully maintained and operated historic elements such as this.

Successful contractor agrees to furnish all chemicals, labor, personal safety equipment, cleaning supplies/products and equipment, materials, installation sand (if needed), tools, etc., required to maintain this fountain. This vendor shall remove obstructions and debris from the in the fountain bowls, reservoir, spillways and away from the return lines at ever visit. Successful contractor must report deficiencies or any missing or broken equipment to the contract coordinator immediately.

The algae in the live aquatic plant fountain shall be kept to a minimum and free from living animals (fish, snails, etc.) These aquatic plants shall be maintained to not impede or hinder the return lines, water features, or lights.

The filtration system shall be backwashed on every visit to ensure correct flow and filtration. Once determined by all parties that the sand in the filter will need to be replaced; the old/spent sand will be removed from site and filter re-plumbed.

Successful contractor shall make sure the Vak Pak/equipment area shall be free from debris, clean and shall be secured at the end of every visit.

E. Ibis Isle Park Statue Fountain

The "Lady on Rock" bronze fountain was dedicated to the park in 2008 and sits upon a cast stone base. The pump and light is activated by a timer which is located on an equipment rack to the south of the fountain.

Successful contractor agrees to furnish all chemicals, labor, personal safety equipment, cleaning supplies/products and equipment, materials, tools, etc., required to maintain this water feature. Successful contractor shall remove obstructions and debris from the fountain reservoir, spillways, and away from the return lines. Successful contractor shall report deficiencies or any missing or broken equipment to the contract coordinator immediately. Successful contractor shall wipe down statue at each visit removing all animal excrement, cobwebs, etc. and free from any debris.

F. Phipps Plaza Fountain

Fountain base is made from coral stone and has a tile interior. The bronze statue water feature sits upon a cast stone pedestal streaming water from the top. The pump and light is activated by a timer which is located on an equipment rack to the north of the fountain.

Successful contractor agrees to furnish all chemicals, labor, personal safety equipment, cleaning supplies/products and equipment, materials, tools, etc., required to maintain this water feature. Successful contractor shall remove obstructions and debris from the fountain reservoir, spillways, and away from the return lines. Successful contractor shall report deficiencies or any missing or broken equipment to the contract coordinator immediately. Successful contractor shall wipe down statue at each visit removing all animal excrement, cobwebs, etc. and free from any debris.

III. OTHER

- Bidder must inspect sites before submitting proposal.
- The Town of Palm Beach will designate a Contract Coordinator for the Public Works Department. The Contract Coordinator shall act on behalf of the Town with respect to monitoring contractor performance under this contract. The administration of this contract is vested in the Contract Coordinator.
- No equipment shall be allowed to remain overnight on right-of-ways, parking stalls, parking lots or public walkways.
- Any questions regarding this project shall be directed to the Contract Coordinator.
- The successful contractor shall notify the Contract Coordinator in the event of scheduling delays, changes or comments/complaints received from the general public or business owners.
- The Contract Coordinator shall meet with the contractor to review areas serviced by contractor's employees.
- Successful contractor's employees shall obtain a photo ID from the Town of Palm Beach Police Department before beginning any work for the Town.
- Successful contractor's employees shall present a neat, clean, well-groomed appearance and shall conduct themselves in a respectable manner while performing the duties of this bid and while on Town Property.
- Successful contractor's employees shall wear uniforms at all times while on the job. Name of contractor shall be on shirts. Shirts are to be worn at all times while working in the Town of Palm Beach.
- A safety vest, meeting FDOT standards, shall be worn at all times when employee is working in roadways or right-of-ways.
- All vehicles shall be plainly marked with the contractor's name.
- Successful contractor shall have their crew supervised by a qualified foreman who fluently speaks the English language. As a fully authorized agent of the Contractor, the foreman must be capable of making on-site decisions to perform the work in accordance with the specifications contained in this bid.
- If any area that the contractor services does not meet Town specifications, contractor will be required to perform the work until specifications are met at no additional cost to the Town of Palm Beach. Failure to comply with this requirement will result in contract termination.
- All equipment shall be commercial grade and shall be maintained in good, safe operating conditions. The contractor shall provide enough equipment and manpower to meet the requirements of the job. Any loss of materials or equipment due to theft, vandalism, etc., shall be the responsibility of the Contractor. Such losses shall be replaced or repaired by the contractor with no additional charges to the Town of Palm Beach.
- Hours of work shall comply with Town's ordinance No. 42-199. If for any reason services must be performed on Saturday, it will be necessary to acquire prior authorization from the Contract Coordinator.
- There will be NO work performed on Sundays or holidays.
- Two parking permits may be issued through the Police Department; otherwise regulatory signs for parking shall be followed.
- Successful contractor shall provide a daily log of activities for each respective area after completion of a cycle of work.



TOWN OF PALM BEACH

BID No. 2018-06

TOWN FOUNTAINS MAINTENANCE AND REPAIR

BID PROPOSAL PAGE

Item	Description	Unit	Price per Monthly Service	Times per Year	Annual Cost
1	Addison Mizner Fountain Maintenance as specified herein	MON	\$ _____	12	\$ _____
2	Reflecting Pool Maintenance as specified herein	MON	\$ _____	12	\$ _____
3	Hibiscus & Worth Avenue as specified herein	MON	\$ _____	12	\$ _____
4	Peruvian Park as specified herein	MON	\$ _____	12	\$ _____
5	Artemis Fountain in Bradley Park as specified herein	MON	\$ _____	12	\$ _____
6	Ibis Isles Park Statue Fountain as specified herein	MON	\$ _____	12	\$ _____
7	Phipps Plaza Fountain as specified herein	MON	\$ _____	12	\$ _____

REPLACEMENT PARTS AS NEEDED

COST PLUS PERCENTAGE _____ %

(OR)

LIST MINUS PERCENTAGE _____ %

COMPANY NAME: _____

DATE: _____

BIDDER INFORMATION AND CERTIFICATION

The undersigned proposer certifies that this Bid package is submitted in accordance with the specification in its entirety and with full understanding of the conditions governing this Bid.

COMPANY NAME:		
STREET ADDRESS:		
CITY, STATE, ZIP CODE:		
	EMAIL:	
TELEPHONE NO:	FAX NO:	FEDERAL ID#:

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

- ***All bids shall be submitted on the Town provided forms. Failure to do so may be cause for rejection.***
- ***All blanks on the forms must be completed.***
- ***Modifications to the forms (Unit of Measure, Descriptions, etc.) shall not be allowed.***
- ***Supplemental information may be attached.***

BIDDERS CHECKLIST

All bids shall be submitted on the Town provided Bid Package forms. Failure to do so may cause the Bid to be rejected. All blanks on the proposed forms must be completed. Supplemental information may be attached to the bid package forms. Bidder shall return a complete set of all bid package forms as listed as follows. Failure to submit the required documents may result in your bid being considered non responsive.

Are all Bid pages signed?	Yes	No
Is Bidder's Qualification form completed and submitted?	Yes	No
Staffing levels been explained (No. of employees available)?	Yes	No
Business Tax Receipt included?	Yes	No
Form W-9 included?	Yes	No
Certifications/Licenses provided?	Yes	No
Vendor Service Representative Information submitted?	Yes	No
Are addendum (if any issued) submitted?	Yes	No
Has insurance requirements been acknowledged?	Yes	No
Is Drug Free Workplace form submitted?	Yes	No
Is List of Proposed Sub-Contractors submitted, if any?	Yes	No
Is List of Professional References submitted?	Yes	No
Is List of Equipment completed and submitted?	Yes	No

Acknowledgement is hereby made of the following Addenda received since issuance of Specifications:

Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____

Name of Vendor's Representative: _____

Address: _____

Phone Number: _____ Fax Number: _____

E Mail Address: _____

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TOWN OF PALM BEACH
BID No. 2018-06
TOWN FOUNTAINS
MAINTENANCE AND REPAIR

BIDDER'S QUALIFICATION

The Vendor, as a result of this bid proposal, must hold a County and/or Municipal Tax Receipt (Occupational License) in the area of their fixed business location. Each proposer must complete the following information and submit with their proposal in order to be considered:

1. Legal Name and Address:

Name: _____

Address: _____

City, State, Zip: _____ Phone/Fax: _____

2. Check One: Corporation () Partnership () Individual ()

3. If Corporation, state: Date of Incorporation: _____ State in which Incorporated: _____

4. If an out-of-state Corporation, currently authorized to do business in Florida, give date of such authorization: _____

5. Name and Title of Principal Officers

Date Elected:

_____	_____
_____	_____
_____	_____
_____	_____

6. The Vendor's length of time in business: _____ years

7. The Vendor's length of time (continuous) in business as a service organization in Florida: _____ years

8. All bidders must disclose with their bid the name of any officer, director or agent who is also an employee of the Town. Further, all bidders must disclose the name of any Town employee who owns, directly or indirectly, an interest in the bidder's firm or any of its branches.

Name _____ Percentage of Interest: _____

9. A copy of County and/or Municipal Tax Receipt (Occupational License) in the area of their fixed business location.

10. A current, signed copy of your firm's IRS form W-9.

Note: Information requested herein and submitted by the proposers will be analyzed by the Town of Palm Beach and will be a factor considered in awarding any resulting contract. The purpose is to insure that the Proposers, in the sole opinion of the Town of Palm Beach, can sufficiently and efficiently perform all the required services in a timely and satisfactory manner as will be required by the subject contract. If there are any terms and/or conditions that are in conflict, the most stringent requirement shall apply.



TOWN OF PALM BEACH

BID No. 2018-06

TOWN FOUNTAINS MAINTENANCE AND REPAIR

DRUG-FREE WORKPLACE CERTIFICATION

Whenever two (2) or more bids/proposals, which are equal with respect to price, quality, and service, are received by the Town of Palm Beach for the procurement of commodities or contractual services, a bid/proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

- (1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- (2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
- (3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in number (1).
- (4) In the statement specified in number (1), notify the employees that as a condition for working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction on or plea of guilty or nolo contendere to any violation of Chapter 893, Florida Statutes or of any controlled substance law of the United States or any singular state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- (5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by any employee who is so convicted.
- (6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of Section 287.087, Florida Statutes.

This Certification is submitted by _____ the
(Individual's Name)

_____ of _____
(Title/Position with Company/Vendor) (Name of Company/Vendor)

Who does hereby certify that said Company/Vendor has implemented a drug-free workplace program, which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

Date

Signature



TOWN OF PALM BEACH
BID No. 2018-06
TOWN FOUNTAINS
MAINTENANCE AND REPAIR

LIST OF PROPOSED SUBCONTRACTORS

The undersigned bidder hereby designates, as follows, all major subcontractors whom he/she proposes to utilize for the major areas of work for the project. The bidder is further notified that all subcontractors shall be properly licensed, bondable and shall be required to furnish the TOWN with a Certificate of Insurance in accordance with the contract general conditions. Failure to furnish this information shall be grounds for rejection of the bidder's proposal. (If no subcontractors are proposed, state "None" on first line below.)

Name and Address of Subcontractor	Scope of Work	License #
1.		
2.		
3.		
4.		
5.		

Signature and Date _____

Title/Company _____



TOWN OF PALM BEACH

BID No. 2018-06

TOWN FOUNTAINS

MAINTENANCE AND REPAIR

LIST OF CURRENT & PERTINENT PROFESSIONAL REFERENCE

The following is a list of **at least FIVE (5)** current (within last two years) and pertinent professional references that the Town can contact in relation to Bidder's qualifications, financial stability, and experience. Failure to furnish this information may be grounds for rejection of the proposal.

1. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: _____ Comments: _____ Reference Verified: Yes ☐ No ☐		

2. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: _____ Comments: _____ Reference Verified: Yes ☐ No ☐		

3. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: _____ Comments: _____ Reference Verified: Yes ☐ No ☐		

4. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: _____ Comments: _____ Reference Verified: Yes ☐ No ☐		

5. Name and Address of Firm, City, County, or Agency	Scope of Work:	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: _____ Comments: _____ Reference Verified: Yes ☐ No ☐		



TOWN OF PALM BEACH

BID No. 2018-06

TOWN FOUNTAINS MAINTENANCE AND REPAIR

EQUIPMENT DESCRIPTION

ITEM	USE	MANUFACTURER	AGE AND CONDITION	OWNER

Notes:

In preparing the above tabulation, the Bidder shall insert the following information under the appropriate heading, using a separate line for each major item and an additional page, if necessary.

- (a) ITEM: Description of equipment.
- (b) USE: Description of what the equipment will be used for in the project.
- (c) MANUFACTURER: Manufacturer of equipment and model number.
- (d) AGE AND CONDITION: Original model year of equipment - if equipment has been rebuilt, year of last overhaul.
- (e) OWNER: Owner of equipment.

THE 2015 FLORIDA STATE STATUTES

Title X

PUBLIC OFFICERS, EMPLOYEES, AND RECORDS

Chapter 119

PUBLIC RECORDS

Section 119.0701 Contracts; public records.—

- (1) For purposes of this section, the term:
 - (a) “Contractor” means an individual, partnership, corporation, or business entity that enters into a contract for services with a public agency and is acting on behalf of the public agency as provided under s. 119.011(2).
 - (b) “Public agency” means a state, county, district, authority, or municipal officer, or department, division, board, bureau, commission, or other separate unit of government created or established by law.
- (2) In addition to other contract requirements provided by law, each public agency contract for services must include a provision that requires the contractor to comply with public records laws, specifically to:
 - (a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.
 - (b) Provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.
 - (c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
 - (d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the contractor upon termination of the contract and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency.
- (3) If a contractor does not comply with a public records request, the public agency shall enforce the contract provisions in accordance with the contract.

History.—s. 1, ch. 2013-154.

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TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 102-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Oracle Elevator Company for Elevator Maintenance and Inspection Services in the amount of \$7,080 for Public Works and \$2,499 for Recreation PAR 3 in the total amount of \$9,579 for FY21 and a new contract value of \$67,997.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated September 30, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 102-2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve Resolution No. 102-2020, A Resolution Authorizing a Purchase Order to Oracle Elevator Company for elevator maintenance and inspection services in the amount of \$7,080 for Public Works and \$2,499 for Recreation PAR 3 in the total amount of \$9,579 for FY21 and a new contract value of \$67,997

DATE: 30 September 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 102-2020. When the original solicitation was issued in 2017, solicitations were addressed to Town Council for one Fiscal Year and only if it exceeded the Town Manager's award authority. Since the original award, the Town has issued purchase orders for FY17, FY18, FY19 and FY20 in the total amount of \$58,418 excluding the replacement of the elevator at PAR 3 in FY19. The award for FY21, will now exceed the Town Manager's approval threshold due to the requested and approved budget amount of \$9,579 for continued services for both departments. The new total expenditure for this service will be \$67,997 by September 30, 2021.

It should be noted that this item is being presented to Town Council as Purchasing is reviewing all contracts to ensure full compliance with Town Policy and Procedures. Since this was an older contract, it was identified during our internal review of awarded contract.

WHY THE SERVICE IS REQUIRED

The Town procured a contractor to provide a full service contract for preventative maintenance, inspections and repairs to four (4) – 3-stop hydraulic elevators and two (2) – 2 stop hydraulic elevators at (5) Town owned buildings. Annual inspections for certificate of operation including monthly fire checks are required to be performed.

The elevators are located as follows:

LOCATION	QTY	UNIT	STOPS	TYPE	CAPACITY	LICENSE/SERIAL #
North Fire Station 300 North County Rd	1	Dover/Hydraulic	3	Passenger	2100 lbs	39153

Town Hall 360 South County Rd	1	Dover/Hydraulic	3	Passenger	3500 lbs	4476
Town Hall 360 South County Rd	1	National/Electric	2	Wheelchair	750 lbs	46046
Police Department 345 South County Rd	1	Miami Elevator/Hydraulic	3	Passenger	2100 lbs	38284
Central Fire Station 355 South County Rd	1	Thyssen Krup/Hydraulic	3	Passenger	3500 lbs	74200
Par 3 Clubhouse 2345 South Ocean Blvd	1	Oracle/ Hydraulic* this elevator was replaced in 2019 due to elevator not being a commercial elevator and a number of mechanical issues.	2	Passenger	1400 lbs	136014-L

HOW SERVICE WAS SOLICITATED

Town Purchasing issued RFQ 27-2017 for Elevator Maintenance and Inspection Services in 2017. The original award was made to Florida State Elevator which was acquired by Oracle Elevator Company. This the last year of this contract and will be re-solicited.

PERFORMANCE SINCE AWARD DATE

The Town has had satisfactory performance from the vendor.

FUNDING/FISCAL IMPACT

Funding for this service will be from the Public Works and Recreation expense budget.

PUBLIC WORKS and RECREATION REVIEW

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Paul Brazil, P.E., Public Works Director
Carolyn Stone, Director, Business Development
Paul Colby, Facilities Manager

Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 102-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING PURCHASE ORDERS TO ORACLE ELEVATOR
COMPANY FOR ELEVATOR MAINTENANCE AND
INSPECTION SERVICES IN THE AMOUNT OF \$7,080 FOR
PUBLIC WORKS AND \$2,499 FOR RECREATION PAR 3 IN
THE TOTAL AMOUNT OF \$9,579 FOR FY21 AND A NEW
CONTRACT VALUE OF \$67,997.**

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. 102-2020, approving purchase orders to Oracle Elevator Company for elevator maintenance and inspection services in the amount of \$7,080 for Public Works and \$2,499 for Recreation PAR 3 in the total amount of \$9,579 for FY21 and a new contract value of \$67,997.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 103-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Order to Property Works for Vegetation and Litter Removal-Cleaning in the amount of \$42,758 for FY21 and \$42,758 for FY22 based on satisfactory performance and budget authorization for a total contract value of \$172,000.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated October 1, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 103-2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to authorize a Purchase Order to Property Works for Vegetation and Litter Removal-Cleaning in the amount of \$42,758 for FY21 and \$42,758 for FY22 based on satisfactory performance and budget authorization for a total contract amount of \$172,000, **Resolution No. 103-2020**

DATE: 1 October 2020

STAFF RECOMMENDATION

Town staff recommends the approval of Resolution No. 103-2020 for Vegetation and Litter Removal-Cleaning.

The award for FY21 will now exceed the Town Manager's approval threshold. As such, the recommendation presented for Resolution No. 103-2020 will also include FY22 in the same annual allocation of \$42,758. The total recommended for this awarded contract will be \$172,000.

It should be noted that this item is being presented to Town Council as Purchasing is reviewing all contracts to ensure full compliance with Town Policy and Procedures. Since this was an older contract, it was identified during our internal review of awarded contracts.

WHY SERVICE IS REQUIRED

Town Purchasing issued ITB No. 2018-28 for Vegetation and Litter-Cleaning Services in 2018 that cover the following areas of Town:

- Royal Palm Way including the Royal Park Bridge to the draw span.
- Royal Poinciana Way including the Flagler Bridge to the draw span.
- County Road from Gulfstream Road to Sunrise Avenue.
- Coconut Row from Worth Avenue to Sunrise Avenue.

The duties include but not limited to removal of palm fronds and boots, leaf and branch removal, collection of paper, litter and debris and any other items that detract from the appearance of the Town.

HOW THE SERVICE WAS SOLICITED

The Town issued ITB 2018-28 and awarded the contract to Property Works as the responsive, responsible vendor.

PERFORMANCE SINCE AWARD DATE

The vendor has provided satisfactory service since the initial award in 2018.

FUNDING/FISCAL IMPACT

Funding for the award will be from the Public Works expense budget.

PUBLIC WORKS REVIEW

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Paul Brazil, P.E., Public Works Director
Paul Colby, Facility Division Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 103-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING PURCHASE ORDER TO PROPERTY WORKS
FOR VEGETATION AND LITTER REMOVAL-CLEANING IN
THE AMOUNT OF \$42,758 FOR FY21 AND \$42,758 FOR FY22
BASED ON SATISFACTORY PERFORMANCE AND BUDGET
AUTHORIZATION FOR A TOTAL CONTRACT VALUE OF
\$172,000.**

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. 103-2020, approving a purchase order to Property Works for Vegetation and Litter Removal-Cleaning in the amount of \$42,758 for FY21 and \$42,758 for FY22 based on satisfactory performance and budget authorization for a total contract amount of \$172,000.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 104-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Town Manager to Award ITB No. 2021-01, Bradley Park Tidal Garden in an Amount Not-to-Exceed \$150,000.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated October 1, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 104-2020**
- ▣ **Bid Summary**
- ▣ **Scope and Specifications**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Authorize the Town Manager to Award ITB No. 2021-01, Bradley Park Tidal Garden in an Amount Not-to-Exceed \$150,000, **Resolution No. 104-2020**

DATE: 1 October 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 104-2020, authorizing the Town Manager to Award ITB No. 2021-01, Bradley Park Tidal Garden in in an Amount Not-to-Exceed \$150,000.

BACKGROUND

At the request of Public Works and the Garden Club, Town Purchasing issued a solicitation for the Bradley Park Tidal Garden, ITB No. 2021-01 on September 18, 2020. The ITB closes on October 9, 2020. As of October 1, 2020, twenty-two (22) vendors have registered to participate in the bid submission.

The original schedule was to take the recommended vendor to the November Town Council Meeting for review and approval.

The Garden Club has requested that the project be expedited prior to the November holiday schedule. Thus, an unusual recommendation is being made to approve the Town Manager to award the responsive, responsible vendor to complete the project.

While the bid opens on October 9th, Town Purchasing and Public Works have a responsibility to complete reference checks on the low responsive, responsible vendor. The Garden Club will also want to review the recommended vendor, thus making the timeline for the October Town Council Meeting difficult to meet.

Town Purchasing will report the recommendation and award to Town Council as is done for any award made by the Town Manger between the threshold of \$35,000 and \$65,000.

FUNDING/FISCAL IMPACT

Funding for the project is a donation from the Garden Club and the design work is pro-bono from SMI in an amount not-to-exceed \$150,000.

PUBLIC WORKS REVIEW

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Paul Brazil, P.E., Public Works Director
Paul Colby, Facilities Division Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 104-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
AUTHORIZING THE TOWN MANAGER TO AWARD ITB NO.
2021-01, BRADLEY PARK TIDAL GARDEN IN AN AMOUNT
NOT-TO-EXCEED \$150,000.**

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

Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 104-2020, authorizing the Town Manager to Award ITB No. 2021-01, Bradley Park Tidal Garden in an Amount Not-to-Exceed \$150,000.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

5564 Bid No. 2021-01 Bradley Park Tidal Garden

Summary

Name: Bid No. 2021-01 Bradley Park Tidal Garden

Select type of contract: Services

This is a test solicitation: No

Activate lots: No

Reference number: 2021-01

Short description: **INTRODUCTION**

The Town is seeking qualified companies, preferably with a General Contractors license to construct approximately 7,000 square feet of sunken garden and adjacent areas includes: surveying, construction screening and safety fencing, excavation, grading, and distribution of soil, cap rock boulder work, base preparation, gravel pathways, finish gravel and landscaping. Due to the individual nature of cap rock boulders, and that no two are alike, the project will also necessitate a large amount of onsite coordination with SMI Landscape Architecture during the grading and boulder placement phases of the project. SMI Landscape Architecture will be directing the final grading and boulder placement on site. The onsite coordination with SMI Landscape Architecture will be an important and integral part of the project.

The intent of this sunken garden is to allow tidal water to enter through the ground and recede on the natural tidal cycle. During some high tide events, the basin area under construction may be flooded.

PRE-BID CONFERENCE

A "MANDATORY" pre-bid meeting will be held on:
Date/Time: September 24, 2020 at 2:00 PM.

Being that this is a mandatory pre-bid conference companies whom do not participate in the conference will not be able to submit a bid.

*****This pre-proposal meeting will be conducted via virtual conference. Directions to join are as follows*****

You can go here to attend the meeting: <https://global.gotomeeting.com/join/718493837>

You can also dial in using your phone.
United States: +1 (312) 757-3121

Access Code: 718-493-837

SITE VISIT:

A "MANDATORY" Site Visit will be held on:
Date/Time: September 25, 2020 at 10:00 AM.

LOCATION: Bradley Park - NW Corner of Royal Poinciana Way and Bradley Place

****Companies who do not participate in the Mandatory Pre-Bid Conference cannot participate in the site visit****

BID OPENING:

A "NON-MANDATORY" public bid opening will be held on:
Date/Time: October 9, 2020 at 10:00 AM.

*****This bid opening will be conducted via virtual conference. Directions to join are as follows*****

You can go here to attend the meeting: <https://global.gotomeeting.com/join/686936653>

You can also dial in using your phone.
United States: +1 (224) 501-3412

Access Code: 686-936-653

QUESTION DEADLINE

The deadline for questions is seven (7) CALENDAR DAYS before the end of the Offer Phase (due date). Questions should be submitted through this software platform using the Question & Answer feature. The Town may provide written addenda up to five (5) calendar days before the date fixed for receiving the bid proposals.

DESIGNATED PROCUREMENT REPRESENTATIVE

The Designated Procurement Representatives for this Solicitation is: Eric Shibley, Buyer email: eshibley@townofpalmbeach.com Direct phone: (561) 227-7009 All communications regarding this solicitation shall be handled only by Town Purchasing Representatives.

ASSISTANCE & SUPPORT

Attached below is a file titled 'Getting Started in Negometrix - Supplier Guide'. Suppliers may also contact the Negometrix support desk at the number provide

NEGOMETRIX SUPPORT CONTACT

(Technical) Assistance (Mon - Fri: 8 am to 6 pm) Negometrix Service Desk Telephone: (724) 888-5294

Attached description file(s):

 NEGOMETRIXGettingStarted (3) (4).pptx 1717 Kb	Download	Preview
 Palm Beach Vendor Registration Guide (6).pdf 1746 Kb	Download	Preview

Internal description:
(Only visible to buyers)

Procedure

Procedure: ☐ Sealed with Preselection
☒ Sealed without Preselection
☐ Unsealed
☐ Ongoing selection phase
☐ Qualification System

Separate opening of vault No
(Selection phase):

Offset time between end of offer phase and visibility of offers: No

Evaluate questionnaire without price visibility (after completing the evaluation of the questionnaire, price will then be visible): No

Best and Final Offer Phase (allows for adjustment after offer phase): No

Quotation method: Single bid

Cancel Solicitation: No

Approval

Ask for approval: No

Other options

Allow multiple offers: No

Anonymous buyer contact: No

Show names of suppliers that started to fill out the questionnaire: No

Activate Question & Answer module: Yes

Currency: US dollar

Activate solicitation terms & conditions: No

Activate 'Specific data' tab within 'Settings': No

CPV-Codes

Solicitation Commodity Codes: **NIGP Codes**

No Commodity Codes added

Publication of this solicitation

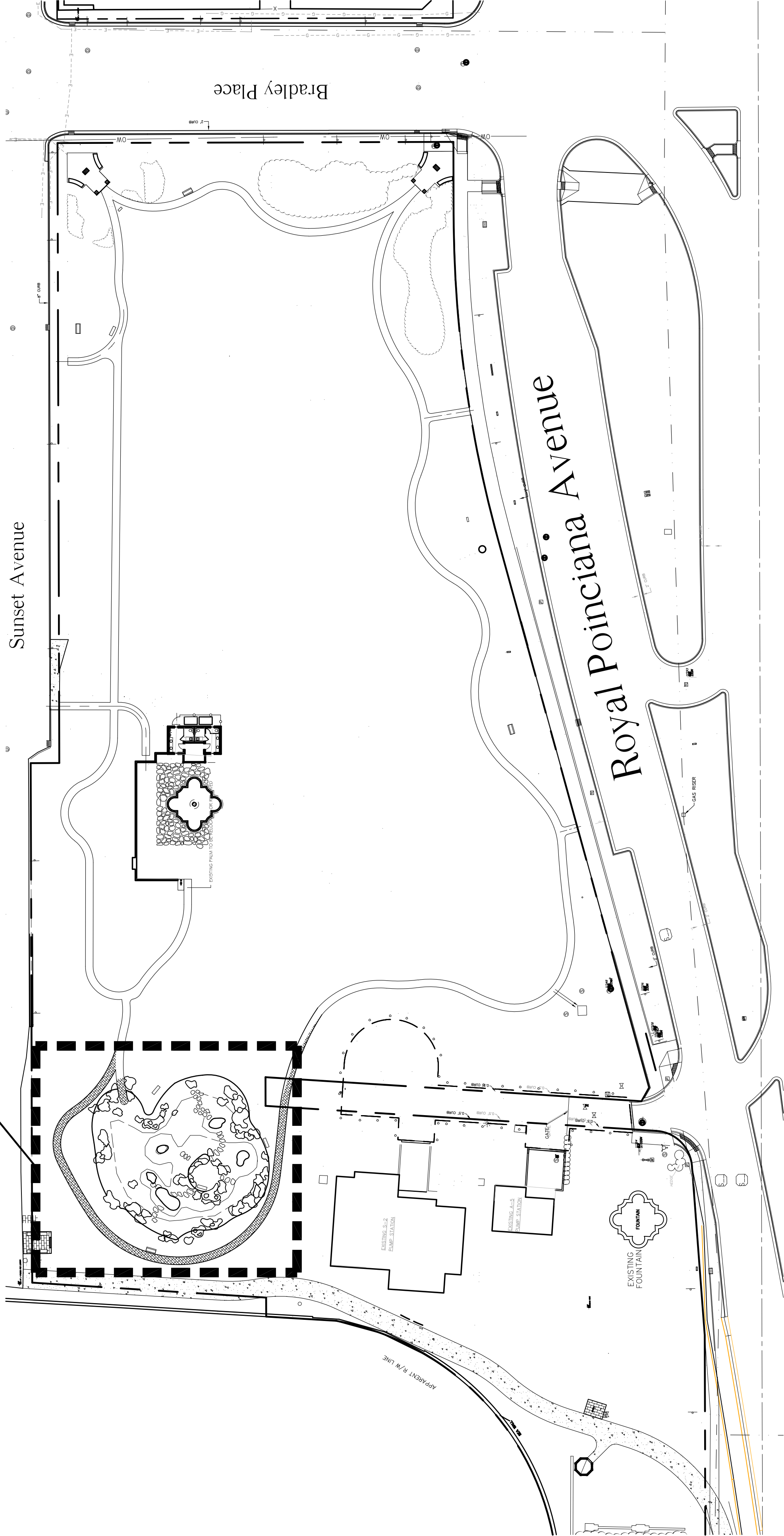
Communities

No communities available

Publish Solicitation

Authority	Status	Participation button for suppliers
Negometrix3	Published	Enabled

Area of Work



Bradley Park Tidal Garden

Palm Beach, FL

SHEET INDEX

Cover	L 1.1
Master Plan	L 1.2
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Materials Removal Plan	IR-1
Irrigation Plan	IR-2
Irrigation Details	IR-3
Irrigation Specifications	CSI
Construction Screening Plan	

SMI
LANDSCAPE ARCHITECTURE
140 Royal Palm Way, Suite #206, Palm Beach, Florida 33480
Telephone: 561-655-9006
eMail: smila@bellsouth.net
FL registration #223
www.smila.net
Fax: 561-655-9007

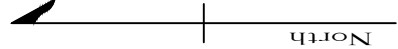
FIELD VERIFY ALL DIMENSIONS

SUNSET AVENUE

LOT CALCULATIONS							
ZONING DISTRICT R-B	REQUIRED		EXISTING		PROPOSED		REMARKS
	SQUARE FOOTAGE	PERCENTAGE	SQUARE FOOTAGE	PERCENTAGE	SQUARE FOOTAGE	PERCENTAGE	
HARDSCAPE	—	—	26,306 sf	15%	26,306 sf	15%	
LANDSCAPE OPEN SPACE	15,270 sf MIN.	55% MINIMUM	145,549 sf	85%	145,549 sf	85%	
TOTAL LOT	175,855 sf	100.0 %	175,855 sf	100.0 %	175,855 sf	100.0 %	
FRONT YARD LANDSCAPING (7288.5 SF TOTAL FRONT)	3,270.8 SF MIN.	45.00% MIN.	5,786.25F	79.6%	5,786.25F	79.6%	

Bradley Park Tidal Garden

Palm Beach, FL



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NOTE:
-FOOTINGS FOR ALL STRUCTURES TO BE AT LEAST 3 BELOW GRADE TO ALLOW FOR PLANTINGS / ROOT BALLS

2. 08/03/2020 Bid set
1. 03/19/2020 Landmarks Submittal



DATE

DESCRIPTION

REVISIONS

COA-019-2020

SMI

LANDSCAPE ARCHITECTURE
140 Royal Palm Way, Suite #206, Palm Beach, Florida 33480
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eMail: Office@smila.net
www.smila.net
FL registration #LA 13000223

TITLE

Master Plan

SCALE	PROJECT NO.
1/8"=1'-0"	0000
DATE:	PRCT MNGR
08.03.2020	BSV
SEAL	DRAWING NO.

L1.1

SHEET 3 OF 9

REROUTED PATH LOCATION

EXISTING PARK FACILITIES TO REMAIN

EXISTING SEA WALL TO REMAIN

EXISTING LAKE TRAIL TO REMAIN

FLORIDA CAP STONE BOULDERS
SEE SHEET L-1.4

TOP OF BANK

UTILITIES - TO REMAIN

RELOCATED BENCH

PEA ROCK (SEE DETAILS)

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1 GRAVEL PATH
(2.1)

2 STONE BENCH
(2.1)

3 CUT FLORIDA CAP STONE BOULDERS
(2.1)

4 EDGE DETAIL FOR SEPARATING GRASS TYPES
(2.1)

5 TIDAL GARDEN BASE DETAIL
(2.1)

6 GRAVEL PATH
(2.1)

7 STONE BENCH
(2.1)

8 UNKNOWN VAULT

9 EXISTING PUMP HOUSE TO REMAIN

10 FORCE MAIN VALVE IN CONCRETE

11 BYPASS VALVE 20" FORCE MAIN RUNS NORTHEAST FROM HERE

12 REROUTED PATH LOCATION (CE MAIN FAY) (SEE UTILITY DEPARTMENT)

13 EXISTING PATH TO REMAIN

14 EXISTING PATH TO REMAIN

15 EXISTING PATH TO REMAIN

16 EXISTING PATH TO REMAIN

17 EXISTING PATH TO REMAIN

18 EXISTING PATH TO REMAIN

19 EXISTING PATH TO REMAIN

20 EXISTING PATH TO REMAIN

21 EXISTING PATH TO REMAIN

22 EXISTING PATH TO REMAIN

23 EXISTING PATH TO REMAIN

24 EXISTING PATH TO REMAIN

25 EXISTING PATH TO REMAIN

26 EXISTING PATH TO REMAIN

27 EXISTING PATH TO REMAIN

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33 EXISTING PATH TO REMAIN

34 EXISTING PATH TO REMAIN

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36 EXISTING PATH TO REMAIN

37 EXISTING PATH TO REMAIN

38 EXISTING PATH TO REMAIN

39 EXISTING PATH TO REMAIN

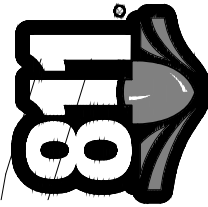
40 EXISTING PATH TO REMAIN

41 EXISTING PATH TO REMAIN

42 EXISTING PATH TO REMAIN

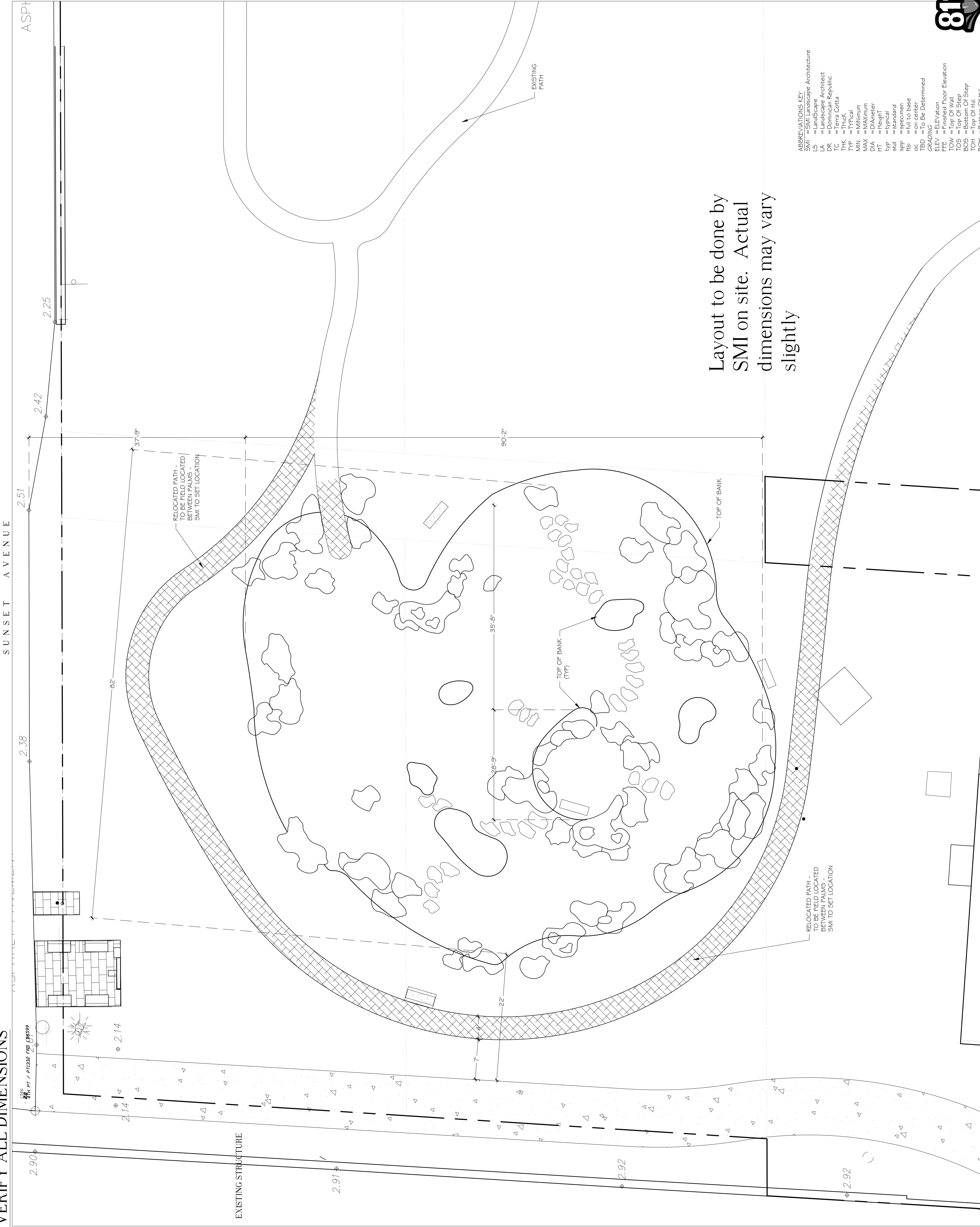
43 EXISTING PATH TO REMAIN

- ABBREVIATIONS KEY
- SMI = SMI Landscape Architecture
 - LS = Landscape
 - LA = Landscape Architect
 - DR = Dominican Republic
 - TC = Terra Cotta
 - TR = Track
 - TP = Trench
 - MIN = Minimum
 - MAX = Maximum
 - DIA = Diameter
 - HT = Height
 - typ = typical
 - as shown = as shown
 - oc = on center
 - TBD = To Be Determined
 - GRAVEL = Gravel
 - FTE = Finished Floor Elevation
 - TOW = Top Of Wall
 - TOS = Top Of Step
 - BOS = Bottom Of Step
 - BOH = Bottom Of Hill



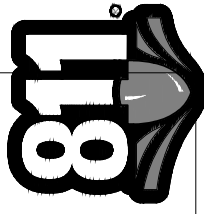
Know what's below
Call before you dig

FIELD VERIFY ALL DIMENSIONS



Layout to be done by
SMI on site. Actual
dimensions may vary
slightly

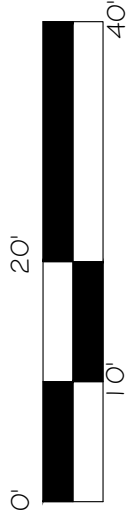
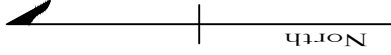
ABBREVIATIONS KEY
SMI = SMI Landscape Architecture
LS = Landscape Architect
LA = Landscape Architect
TC = Town & Country
THK = Thick
TYP = Typical
MIN = Minimum
MAX = Maximum
HT = Height
std = standard
app = specimen
ftb = full to base
TBD = To Be Determined
GRADING = Grading
ELEV = Elevation
FTE = Finished Floor Elevation
TOW = Top Of Wall
TOS = Top Of Slope
BOH = Bottom Of Hill
BOH = Bottom Of Hill



Know what's below
Call before you dig

Bradley Park Tidal Garden

Palm Beach, FL



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NOTE:
-FOOTINGS FOR ALL STRUCTURES TO BE AT
LEAST 3 BELOW GRADE TO ALLOW FOR
PLANTINGS / ROOT BALLS

2. 08/03/2020 Bid set
1. 05/19/2020 Landmarks Submittal

DATE DESCRIPTION

REVISIONS

COA-019-2020

SMI

LANDSCAPE ARCHITECTURE
140 Royal Palm Way, Suite #206, Palm Beach, Florida 33480
Telephone: 561-655-9006 Fax: 561-655-9007
eMail: Office@smila.net www.smila.net
FL registration #LA 13000223

TITLE

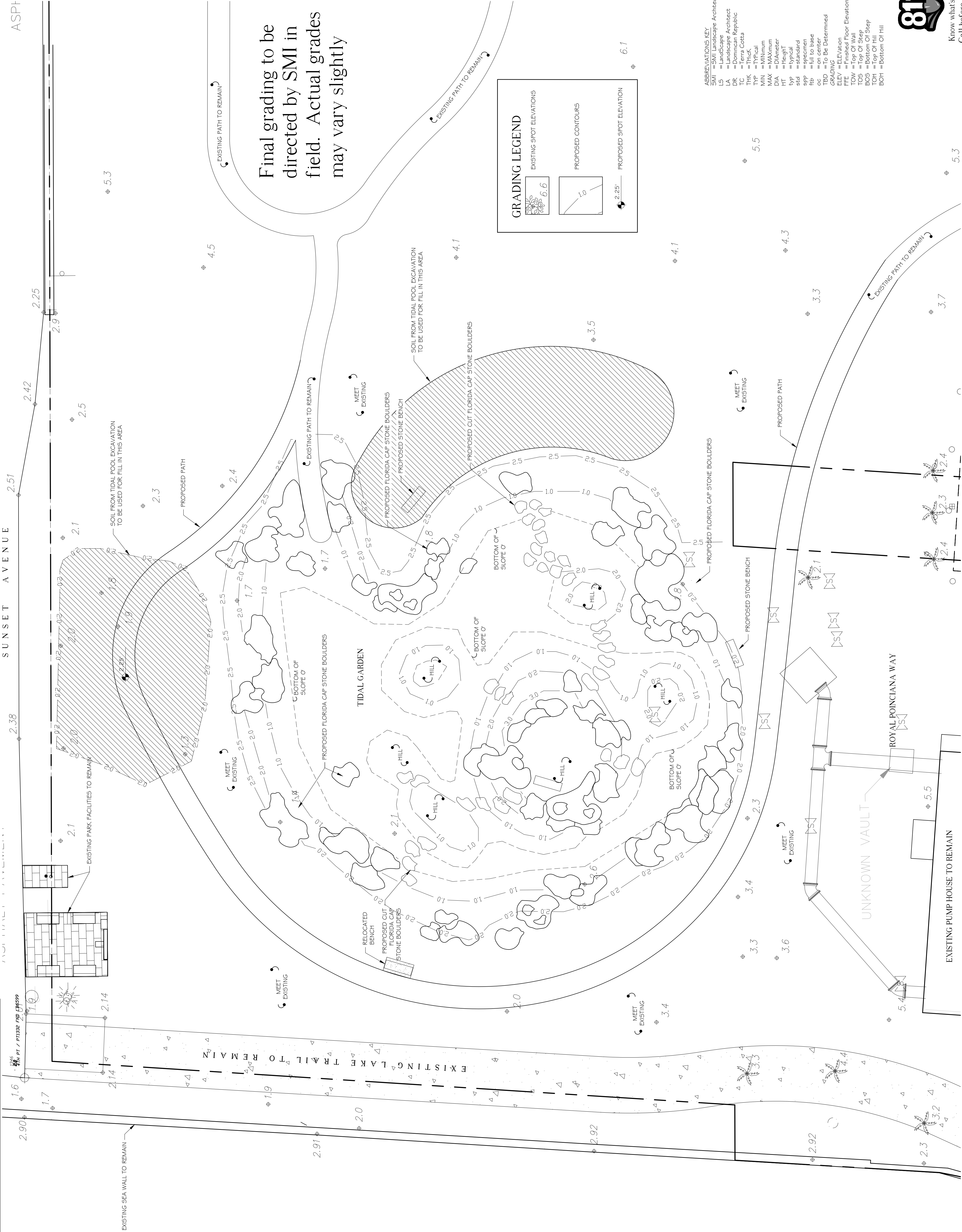
Layout Plan

SCALE	PROJECT NO.
1/8" = 1'-0"	0000
DATE	PROJECT NAME
08.03.2020	BSV
SEAL	DRAWING NO.

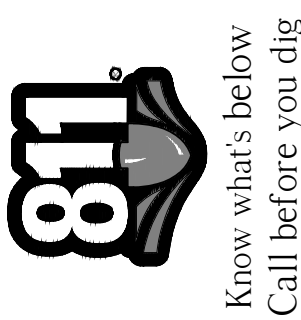
L 1.2

SHEET 3 OF 9

FIELD VERIFY ALL DIMENSIONS

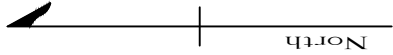


ABBREVIATIONS KEY
SMI = SMI Landscape Architecture
LS = Landscape Architect
DR = Dominican Republic
TC = Terra Cotta
THK = Thick
TYP = Typical
MIN = Minimum
MAX = Maximum
DIA = Diameter
HT = Height
typ = typical
std = standard
spc = specimen
oc = on center
TED = To Be Determined
GRADING
ELEV = Elevation
FTEV = Finished Floor Elevation
FOS = Finish of Slope
TOS = Top Of Step
BOS = Bottom Of Step
TOH = Top Of Hill
BOH = Bottom Of Hill



Bradley Park Tidal Garden

Palm Beach, FL



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- 08/09/2020 Bid set
- 05/19/2020 Landmarks Submittal

REVISIONS	DATE	DESCRIPTION
-----------	------	-------------

COA-019-2020

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TITLE	Grading Plan
SCALE	1/8" = 1'-0"
DATE	08.03.2020
SEAL	
PROJECT NO.	0000
PRCT MNGR	BSV
CHECKED	
DRAWING NO.	
L 1.3	SHEET 1 OF 1

FIELD VERIFY ALL DIMENSIONS

EXISTING LAKE TRAIL TO REMAIN

ASPHALT PAVEMENT

SUNSET AVENUE

EXISTING SEA WALL TO REMAIN

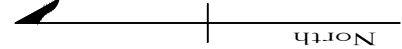
EXISTING PARK FACILITIES TO REMAIN

EXISTING PUMP HOUSE TO REMAIN

ABBREVIATIONS KEY
SMI =SMI Landscape Architecture
LS =Landscape Architect
DR =Dominican Republic
THK =Thick
TYP =Typical
MIN =Minimum
MAX =Maximum
DIA =Diameter
HT =Height
typ =typical
std =standard
app =specimen
off =off-center
oc =on center
TBD =To Be Determined
GRADING
ELEV =Elevation
FEL =Finished Floor Elevation
TYP =Typical
TOB =Top Of Bank
BOS =Bottom Of Step
TOH =Top Of Hill
BOH =Bottom Of Hill

Bradley Park Tidal Garden

Palm Beach, FL



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2. 08/09/2020 Bid set
1. 05/19/2020 Landmarks Submittal

REVISIONS

COA-019-2020

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FL Registration #LA 13000223
www.smila.net

TITLE

Boulder Sheet

SCALE	PROJECT NO.
1/8"=1'-0"	0000
DATE	PROJECT MNGR
08.03.2020	BSV
SEAL	DRAWING NO.

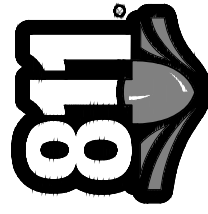
L 1.4

SHEET 4 OF 9

CAP ROCK BOULDER LEGEND

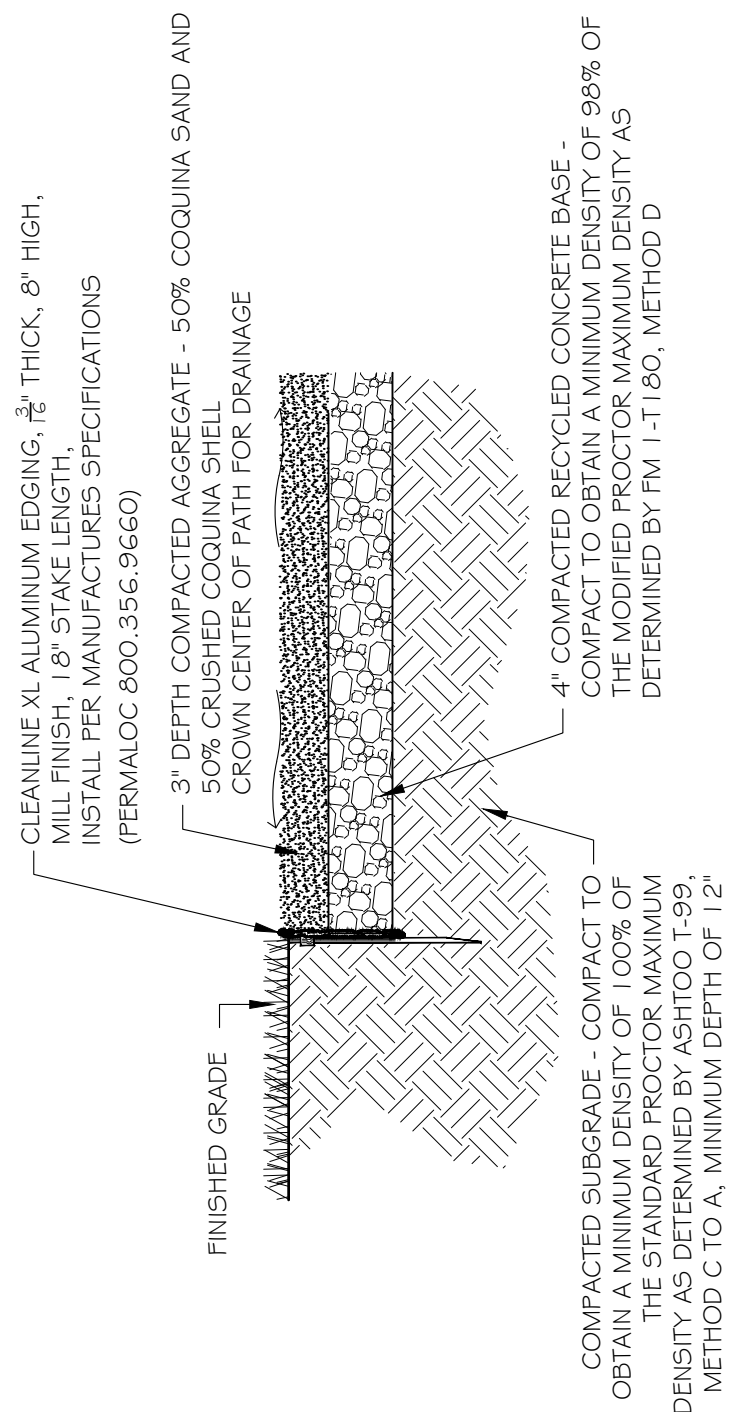
Qty	SMI	SIZE	DESCRIPTION
7	A	8'-9 1/2' x 6'-7 1/2'	CHARACTER PEICES WITH HOLES
12	B	5 1/2'-8' x 5'-6 1/2'	CHARACTER PEICES WITH HOLES
18	C	4 1/2'-5' x 3'-4 1/2'	CHARACTER PEICES WITH HOLES
40	D	3'-1/2'-4' x 3'-4 1/2'	CHARACTER PEICES
35	E	3' x 2 1/2'-3'-4' UNDER	STEPPING STONES
*	F	UNDER STONES AS NEEDED	
		6	5 1/2'-8' x 5'-6 1/2'
		9	4 1/2'-5' x 3'-4 1/2'

* 25 CAP ROCK BOULDERS HAVE BEEN DONATED AND TO BE USED FOR PROJECT
FOR THE CAP ROCK BOULDERS ARE LOCATED AT:
206 PRINCE'S PLAZA, PALM BEACH
- BOULDERS TO BE SOURCED FROM CAP STONE INDUSTRIES ONECHOBEE, FL (863) 634-4525 SMI TO APPROVE



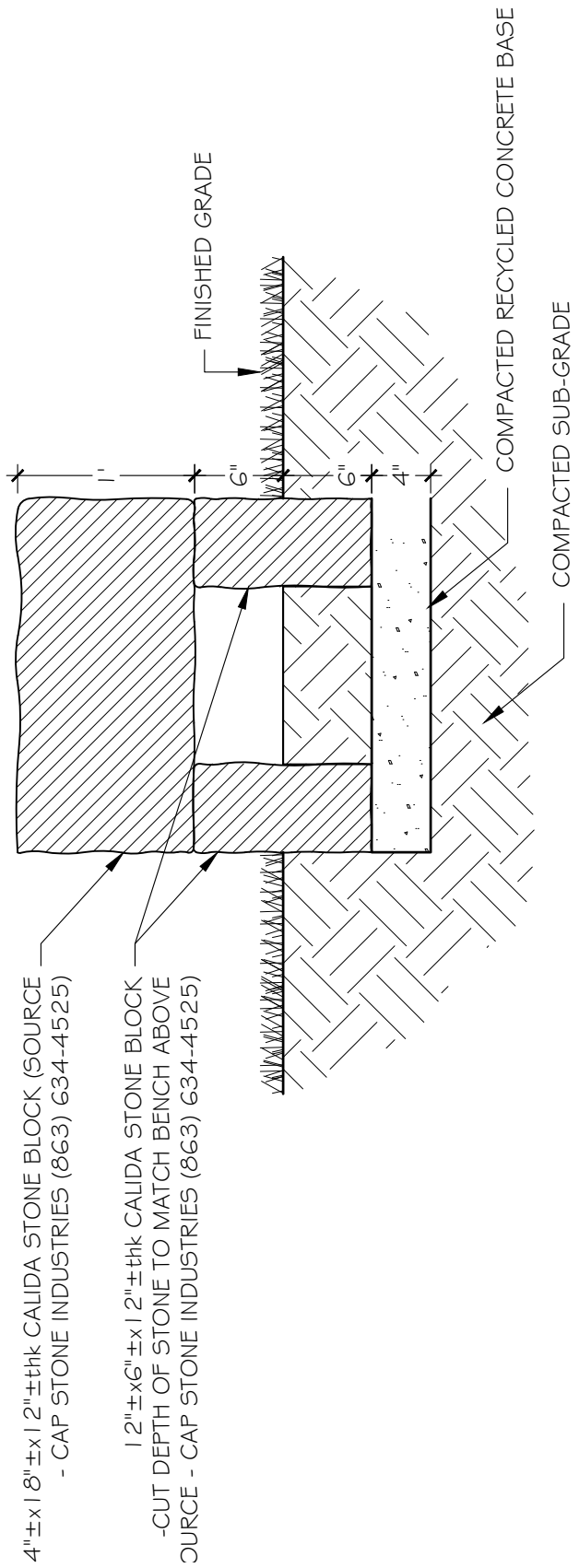
Know what's below
Call before you dig

FIELD VERIFY ALL DIMENSIONS



GRAVEL PATH DETAIL

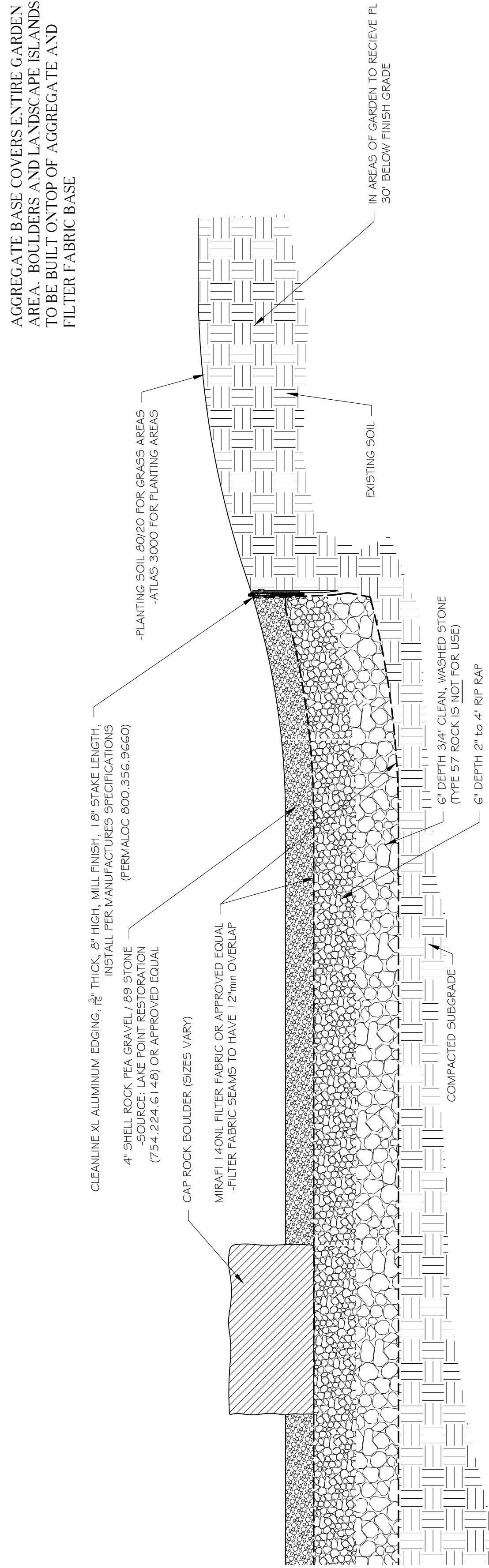
SCALE: 1" = 1'-0"



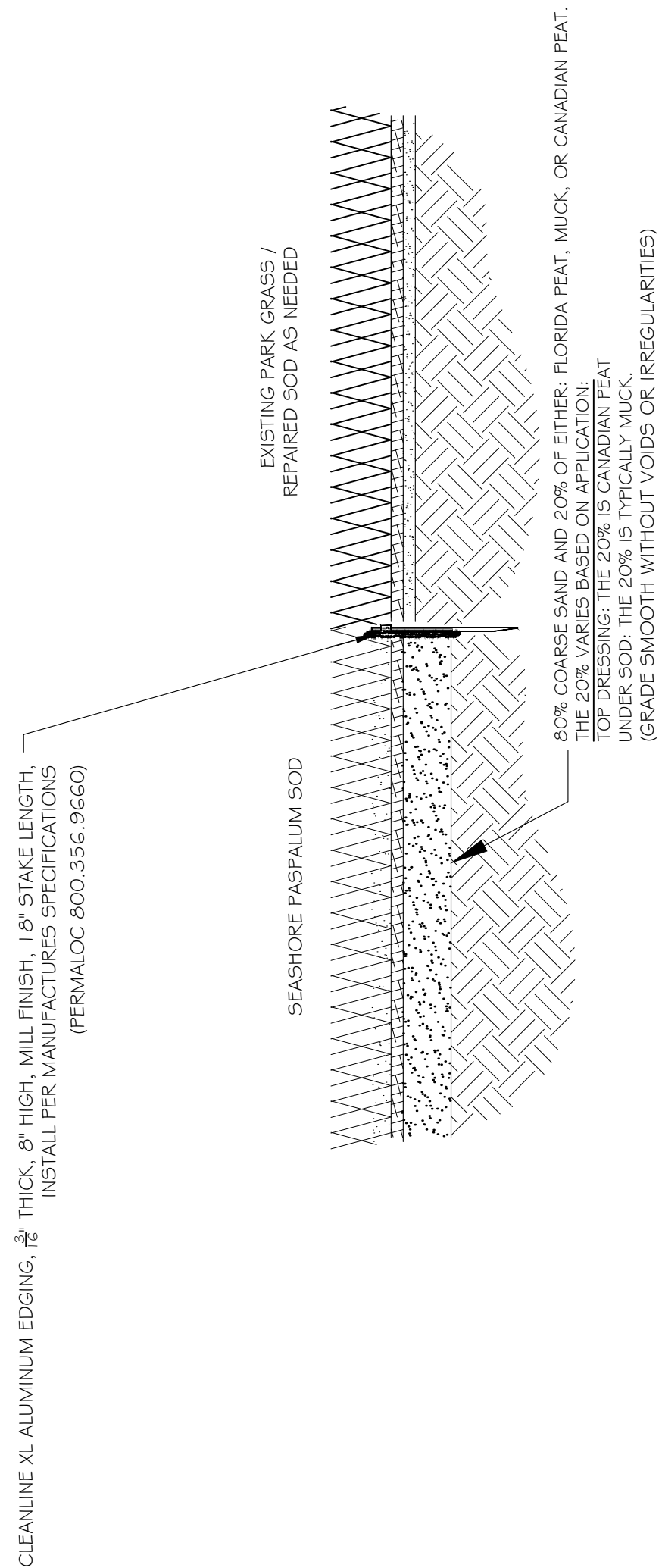
2

STONE BENCH DETAIL

SCALE: 1" = 1'-0"



3 TIDAL GARDEN BASE DETAIL



4 EDGE DETAIL FOR SEPERATING GRASS TYPES SCALE: 1" = 1'-0"

ABBREVIATIONS KEY
SWM = SWM Landscape Architecture
H5 = landscape
L5 = landscape
LA = Landscape Architect
DR = Dominican Republic
TC = Terra Cotta
tk = thick
typ = typical
MIN = minimum
MAX = maximum
DIA = diameter
HT = height
TBD = to be determined
GRADING
ELEV = elevation
FFE = Finished Floor Elevation
TOW = top of wall
TOS = top of step
BOS = bottom of step



Know what's below
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Bradley Park Tidal Garden

Palm Beach, FL

HARDSCAPE MOCK-UPS TO BE APPROVED
BY OWNER / LA PRIOR TO INSTALLATION

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NOTE:
-FOOTINGS FOR ALL STRUCTURES TO BE AT
LEAST 3' BELOW GRADE TO ALLOW FOR
PLANTINGS / ROOT BALLS

NO.		DATE	DESCRIPTION
2.		08/03/2020	Bid set
1.		05/18/2020	Landmarks Submittal

COA-019-2020

SMI

LANDSCAPE ARCHITECTURE
140 Royal Palm Way, Suite #206, Palm Beach, Florida 33480
Telephone: 561-655-9006 Fax: 561-655-9007
eMail: Office@smila.net www.smila.net
FL registration #LA 13000223

Hardscape Details

SCALE As Noted	PROJECT NO. 0000	CHECKED .	
DATE: 08.03.2020	PROJECT MNGR. BSV	DRAWING NO.	
SEAL	L- 2.1 SHEET 5 OF 9		

[illegible][illegible]

Palm Beach, FL

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PLANTINGS / ROOT BALLS

	DATE	DESCRIPTION
2.	05/03/2020	Bid set
1.	05/18/2020	Landmarks Submittal

COA-019-2020

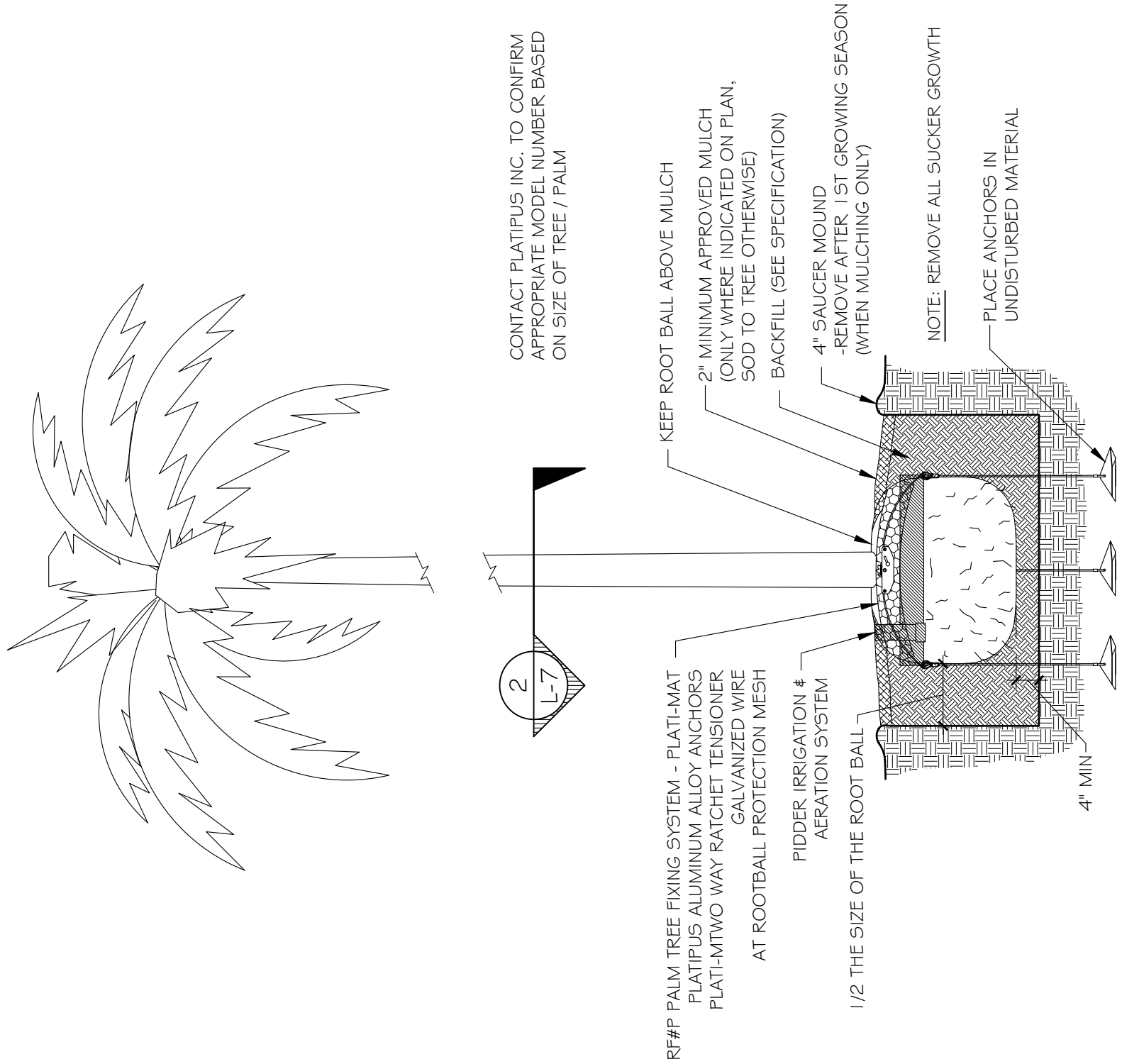
SMI

LANDSCAPE ARCHITECTURE
140 Royal Palm Way, Suite #206, Palm Beach, Florida 33480
Telephone: 561-655-9006 Fax: 561-655-9007
E-Mail: Office@smila.net www.smila.net
FL registration #LA 13000223

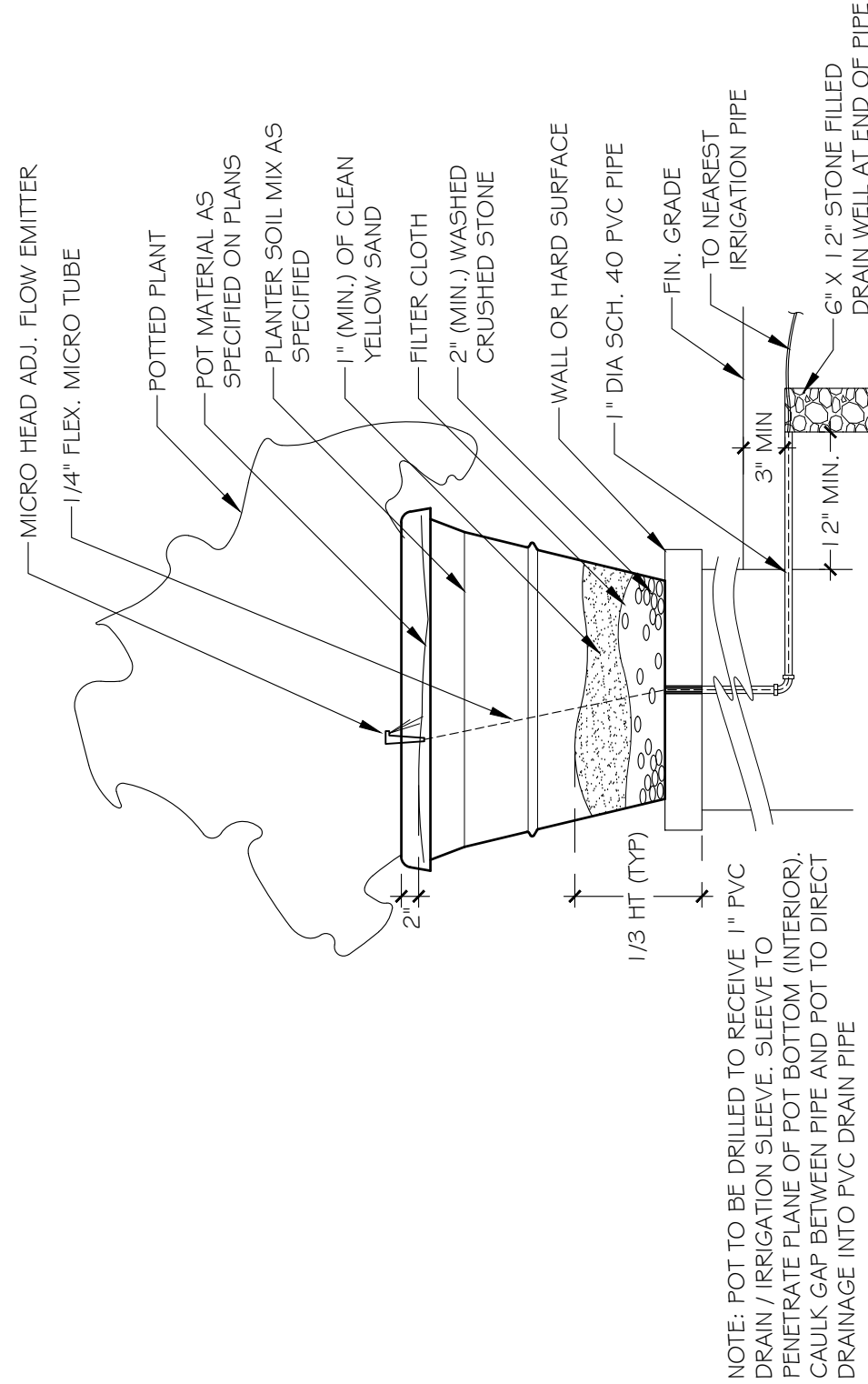
TITLE	Planting Plan		
	SCALE	PROJECT NO.	
	1/8" = 1'-0"	0000	
DATE:	08.03.2020	PROJECT NAME	CHECKED
		BSV	.
SEAL		DRAWING NO.	
		L-3.1 SHEET 6 OF 9	

Know what's below
Call before you dig

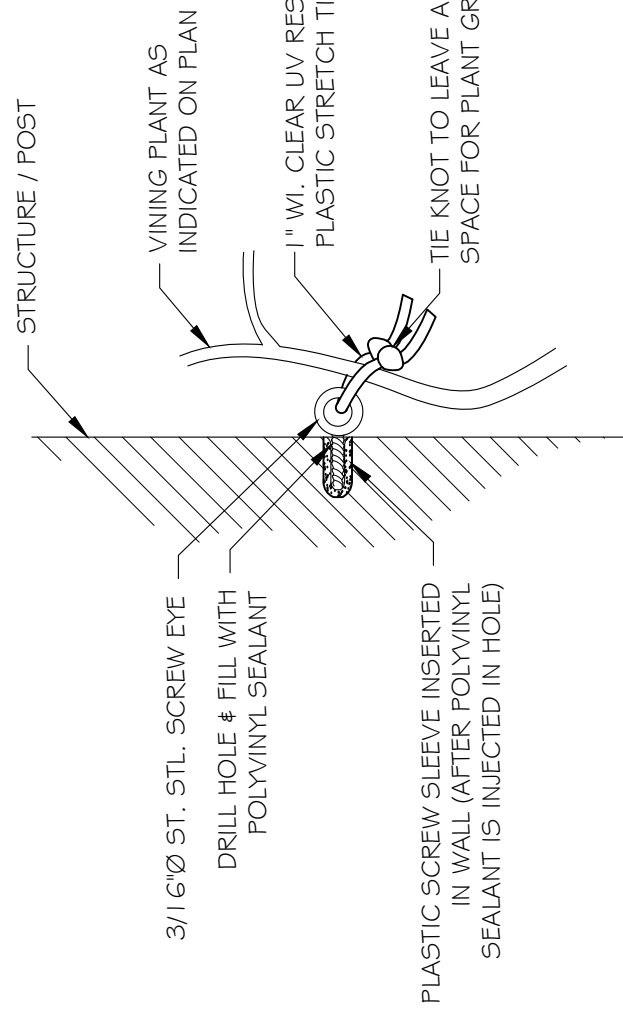
FIELD VERIFY ALL DIMENSIONS



1 PLATIPUS TREE ANCHORING
13.2
SCALE: NOT TO SCALE

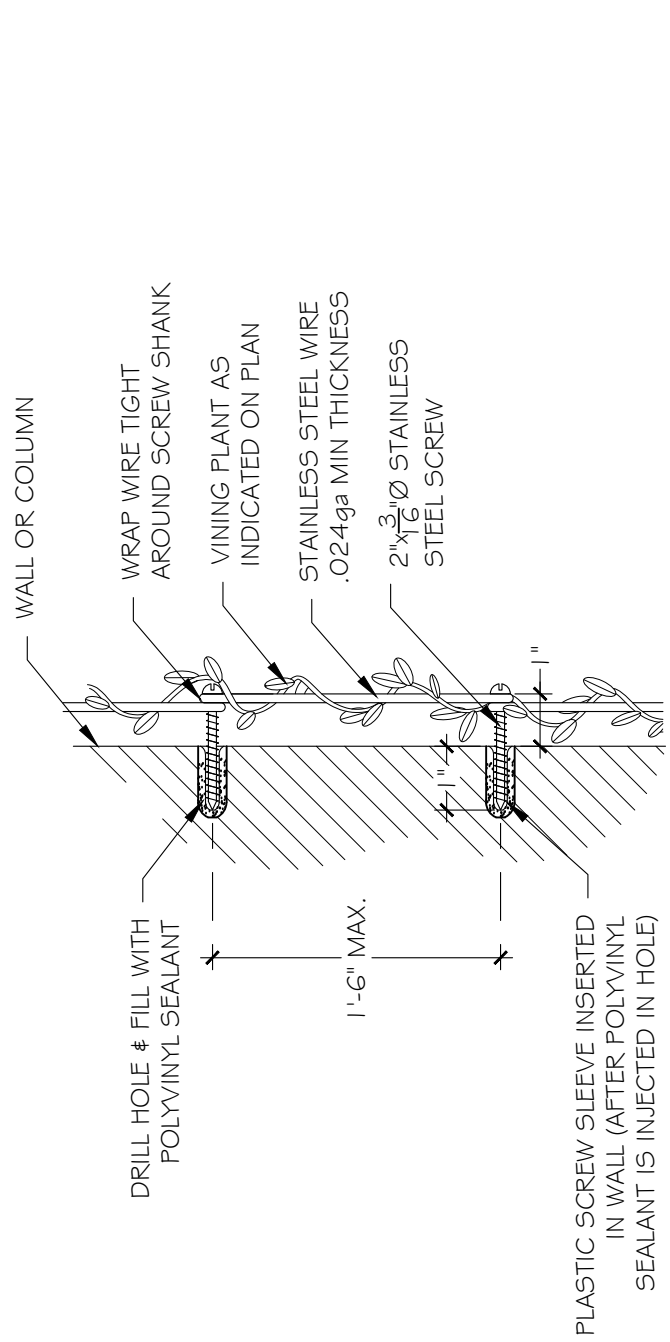


4 POTTED PLANT DETAIL
13.2
SCALE: NOT TO SCALE

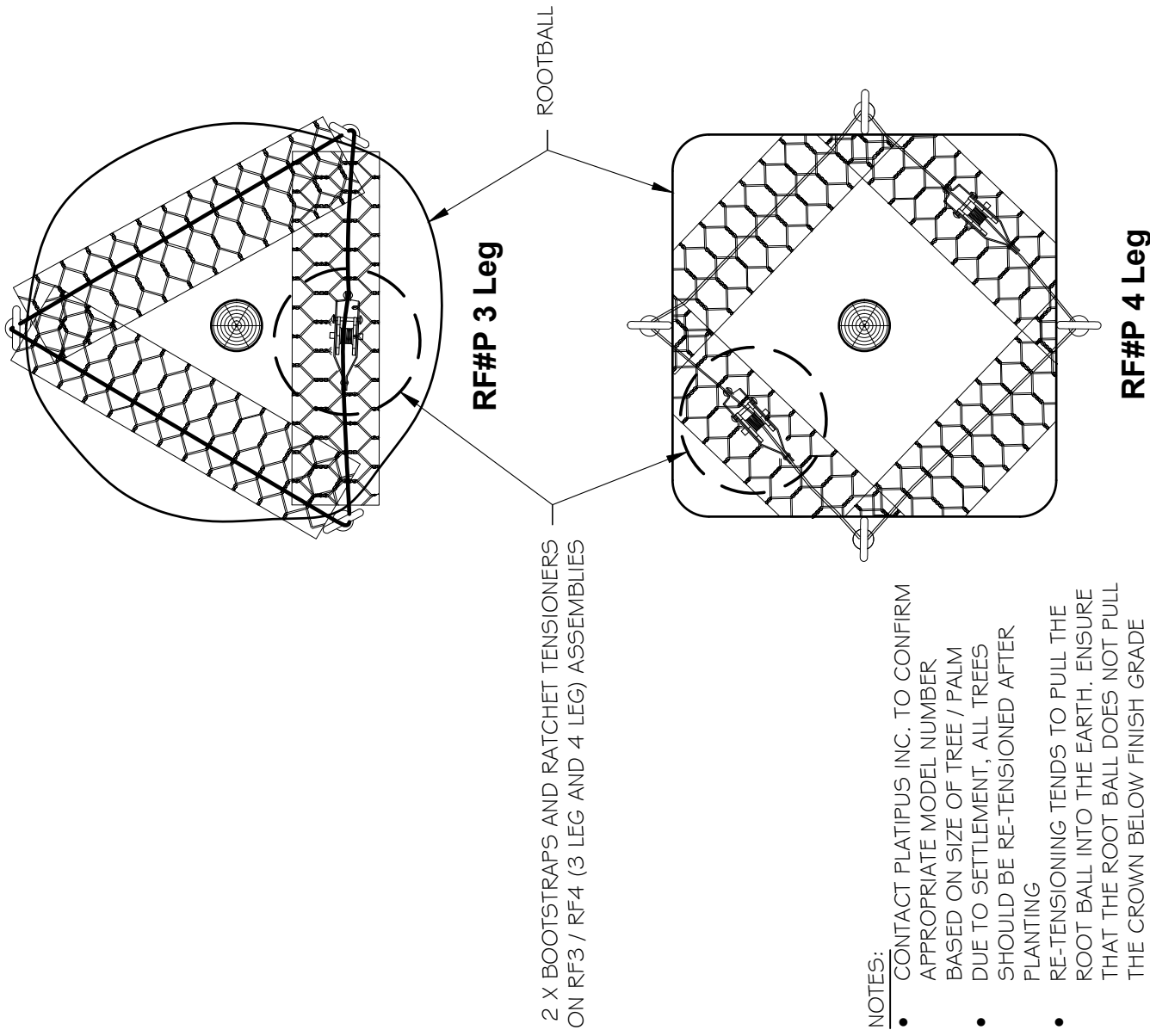


7 VINE SUPPORT DETAIL
13.2
SCALE: NOT TO SCALE

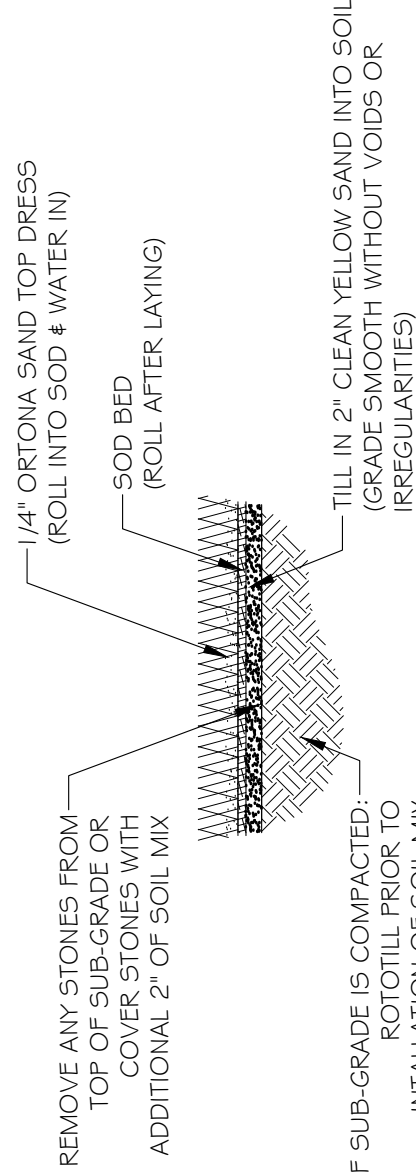
PIN TO WALL



WIRE TO WALL

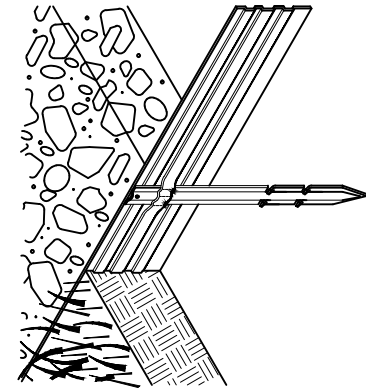


2 PLATIPUS ROOTBALL BOOTSTRAP
13.2
SCALE: NOT TO SCALE



5 SOD PLANTING DETAIL
13.2
SCALE: 1/2" = 1'-0"

- NOTES:
1. 16'-0" (4.9M) SECTIONS TO INCLUDE (5) 1/2" (30.5CM) ALUMINUM STAKES
 2. COMPACT GRADES ADJACENT TO EDGING TO AVOID SETTLING. FINISH GRADE TO BE 1/2" (1.3CM) BELOW TOP OF EDGING.
 3. EDGING TO BE 1/2" (1.3CM) BELOW TOP OF EDGING.
 4. PERMALOC CLEANLINE (OR APPROVED EQUAL) PERMALOC CORPORATION, HOLLAND MI. 1-800-356-9660, 616-389-9600

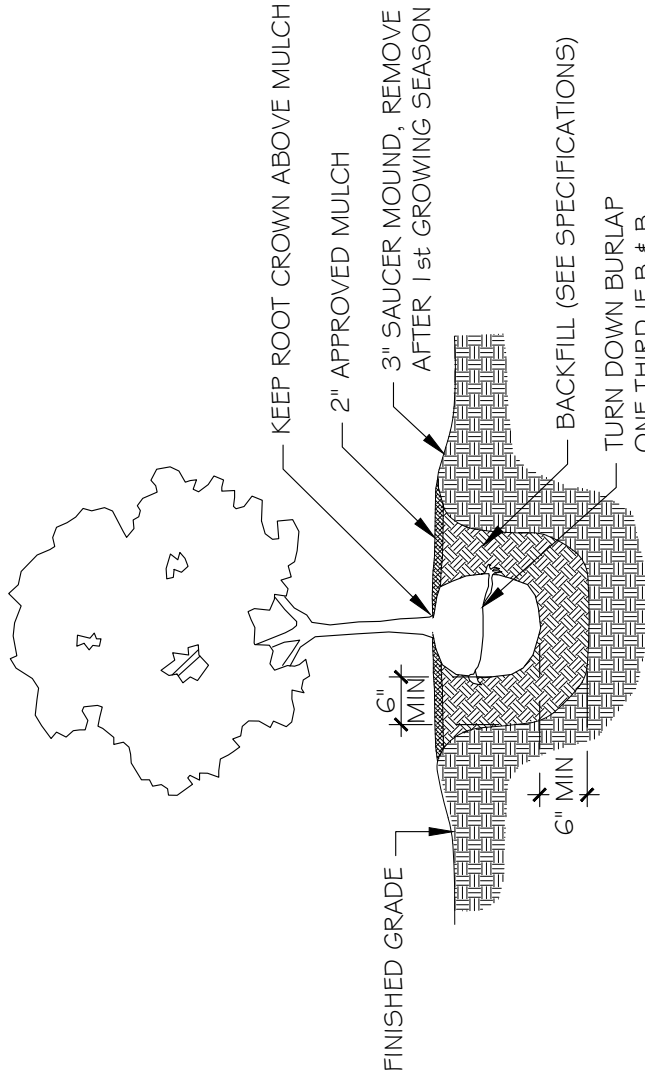


8 PLANT BED EDGING DETAIL
13.2
SCALE: NTS

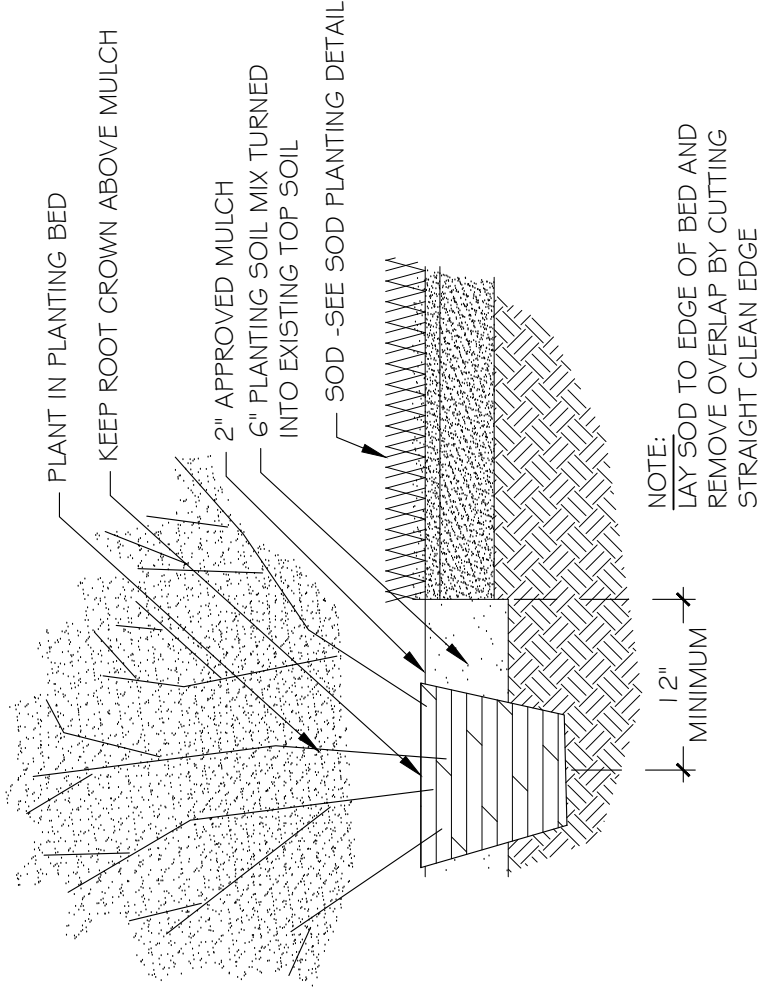
SMI TO APPROVE STAKED LAYOUT OF ALL TREES AND PLANTING LAYOUT PRIOR TO INSTALLATION

ALL IRRIGATION, IRRIGATION EQUIPMENT AND IRRIGATION BOXES TO BE CONCEALED

ALL PLANTING BEDS TO HAVE STEEL EDGE BORDER



3 SHRUB PLANTING DETAIL
13.2
SCALE: NOT TO SCALE



6 PLANTING BED DETAIL
13.2
SCALE: NOT TO SCALE

Bradley Park Tidal Garden

Palm Beach, FL

LANDSCAPE ARCHITECT TO APPROVE STAKED LAYOUT OF ALL TREES AND PLANTING LAYOUT PRIOR TO INSTALLATION

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NOTE:
-FOOTINGS FOR ALL STRUCTURES TO BE AT LEAST 3 BELOW GRADE TO ALLOW FOR PLANTINGS / ROOT BALLS

REVISIONS	DATE	DESCRIPTION
2.	08/09/2020	Bid set
1.	05/19/2020	Landmarks Submittal

COA-019-2020

SMI

LANDSCAPE ARCHITECTURE
140 Royal Palm Way, Suite #206, Palm Beach, Florida 33480
Telephone: 561-655-9006
eMail: Office@smila.net
FL registration #LA 13000223
www.smila.net

TITLE	Planting Details
SCALE	NOT TO SCALE
PROJECT NO.	0000
DATE:	08.03.2020
PRCT MNGR:	BSV
CHECKED:	.
SEAL	DRAWING NO.
L 3.2	SHEET 7 OF 9

FIELD VERIFY ALL DIMENSIONS

PLANTING SPECIFICATIONS

PLEASE FURNISH FLORIDA CERTIFIED LANDSCAPE CONTRACTORS (FCLC) REGISTRATION NUMBER WITH PROPOSAL.

GENERAL CONDITIONS

SCOPE

1. THE WORK INCLUDED IN THESE SPECIFICATIONS SHALL CONSIST OF THE FURNISHING OF ALL LABOR, TOOLS, MATERIALS, PERMITS, ETC., NECESSARY FOR THE EXECUTION OF THE WORK AS HEREIN SPECIFIED AND SHOWN ON THE DRAWINGS.
2. THE LANDSCAPE CONTRACTOR SHALL INSTALL ALL MATERIAL IN ACCORDANCE WITH SOUND NURSERY PRACTICE AND SHALL PERFORM MAINTENANCE AND WATERING UNTIL FINAL COMPLETION AND ACCEPTANCE BY THE LANDSCAPE ARCHITECT.
- EXAMINATION OF DRAWINGS AND SITE
1. THE LANDSCAPE CONTRACTOR SHALL EXAMINE THE SITE AND FULLY ACQUAINT HIMSELF WITH ALL OF THE EXISTING CONDITIONS IN ORDER THAT NO MISUNDERSTANDING MAY AFTERWARDS ARISE AS TO THE CHARACTER OR AS TO THE EXTENT OF THE WORK TO BE DONE, AND LIKEWISE, IN ORDER TO ADVISE AND ACQUAINT HIMSELF WITH ALL PRECAUTIONS TO BE TAKEN IN ORDER TO AVOID INJURY TO PERSONS OR PROPERTY OF ANOTHER. NO ADDITIONAL COMPENSATION WILL BE GRANTED BECAUSE OF ANY UNUSUAL DIFFICULTIES THAT MAY BE ENCOUNTERED IN THE EXECUTION OR MAINTENANCE OF ANY PORTION OF THE WORK. ANY DISCREPANCIES, OR OMISSIONS OR DOUBTS AS TO MEANING SHALL BE COMMUNICATED TO THE LANDSCAPE ARCHITECT, WHO WILL MAKE ANY INTERPRETATIONS HE/SHE DEEMS NECESSARY.

PLANT LIST

1. ANY DISCREPANCY BETWEEN THE PLANT LIST AND THE DRAWINGS SHALL BE CONSIDERED AS CORRECT ON THE DRAWINGS.
- PROTECTION OF PUBLIC AND PROPERTY

1. THE LANDSCAPE CONTRACTOR SHALL PROTECT ALL MATERIALS AND WORK AGAINST INJURY FROM ANY CAUSE AND SHALL PROVIDE AND MAINTAIN ALL NECESSARY GUARDS FOR THE PROTECTION OF THE PUBLIC. HE SHALL BE HELD RESPONSIBLE FOR ANY DAMAGE OR INJURY TO A PERSON OR PROPERTY WHICH MAY OCCUR AS A RESULT OF HIS FAULT OR NEGLIGENCE IN THE EXECUTION OF THE WORK.

2. THE LANDSCAPE CONTRACTOR SHALL MAINTAIN WORKMAN'S COMPENSATION, COMPREHENSIVE GENERAL LIABILITY INSURANCE (\$1,000,000), AND PROPERTY DAMAGE INSURANCE (\$1,000,000.00). A COPY OF THE CERTIFICATE OF INSURANCE MUST BE FURNISHED TO OWNER.

GARANTEE

1. THE GUARANTEE PERIOD FOR ALL MATERIAL SHALL BEGIN AFTER FINAL APPROVAL BY LANDSCAPE ARCHITECT.
2. ALL MATERIAL EXCEPT SOD SHALL BE GUARANTEED FOR ONE YEAR PROVIDED IT RECEIVES PROPER MAINTENANCE (AS PRESCRIBED BY THE LANDSCAPE CONTRACTOR) BY THE OWNER AND IS NOT DAMAGED OR DESTROYED BY HURRICANES OR OTHER CAUSES BEYOND THE CONTRACTOR'S CONTROL.
3. IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO BRING TO THE ATTENTION OF THE LANDSCAPE ARCHITECT THE OWNERS NEGLIGENCE TO PROVIDE PROPER CARE OF THE MATERIAL.
4. ALL REPLACEMENT COST OF GUARANTEED MATERIAL, INCLUDING EQUIPMENT, AND LABOR, SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR

AWARD OF CONTRACT

1. ONLY UNIT PRICE-INSTALLED BIDS FOR THE WORK WILL BE ACCEPTABLE. HOWEVER, THE OWNER RETAINS THE RIGHT TO DELETE PORTIONS OF THE WORK FROM THE CONTRACT AND/OR AWARD SEPARATE CONTRACTS FOR PHASES OF THE PROJECT. THE LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY AND ALL BIDS WHEN SUCH REJECTIONS ARE IN THE INTEREST OF THE OWNER.

EXECUTION OF THE WORK

1. THE LANDSCAPE CONTRACTOR SHALL HAVE HIS LABOR CREWS CONTROLLED AND DIRECTED BY THE LANDSCAPE ARCHITECT. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE BLUEPRINTS AND COORDINATION BETWEEN JOB AND NURSERY IN ORDER TO EXECUTE INSTALLATION RAPIDLY AND CORRECTLY.

WATER

1. WATER SOURCE SHALL BE FURNISHED BY THE OWNER.
2. IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO COORDINATE HIS WORK WITH IRRIGATION CONTRACTOR.
3. ALL PLANT MATERIAL INSTALLED PRIOR TO THE INSTALLATION OF THE IRRIGATION SYSTEM SHALL BE WATERED WITH A TEMPORARY SYSTEM BY THE LANDSCAPE CONTRACTOR.

GRADING

1. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SUBGRADE OF LANDSCAPE AREAS UNLESS OTHERWISE SPECIFIED. THE TERM SUBGRADE SHALL BE DEFINED AS 4"-6" BELOW FINISH GRADE UNLESS OTHERWISE NOTED ON PLANS.
2. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL FINISHED AND FINE GRADING WITHIN PLANTER BEDS AND THE FILLING OF PLANTER BOXES. THE LANDSCAPE CONTRACTOR SHALL REMOVE ALL EXCESS SOIL AND DEBRIS ACCUMULATED DURING HIS WORK.
3. THE SOD CONTRACTOR SHALL BE RESPONSIBLE FOR FINISH GRADE IN ALL SODDED AREAS. SEE SPECIFICATIONS RELATING TO SPECIES' GROWERS.

DIGGING

1. THE LANDSCAPE CONTRACTOR SHALL EXERCISE CARE IN DIGGING AND OTHER WORK SO AS NOT TO DAMAGE EXISTING WORK, INCLUDING UNDERGROUND AND OVERHEAD PIPES AND CABLES. SHOULD SUCH UNDERGROUND AND OVERHEAD OBSTRUCTIONS BE ENCOUNTERED WHICH INTERFERE WITH PLANTING, THE LANDSCAPE ARCHITECT OR THE OWNER'S AUTHORIZED REPRESENTATIVE SHALL BE CONSULTED AND WILL ADJUST THE LOCATION OF PLANTS TO CLEAR SUCH OBSTRUCTION OR MOVE THE OBSTRUCTION.
2. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE IMMEDIATE REPAIR OF ANY DAMAGE CAUSED BY HIS WORK.

PLANTING PITS

1. EXCAVATE CIRCULAR PITS WITH VERTICAL SIDES, FOR ALL PLANTS, EXCEPT FOR HERBACEOUS PLANTS SPECIFICALLY DESIGNED TO BE PLANTED IN BEDS. DIAMETER OF PITS OF TREES AND SHRUBS SHALL BE AT LEAST 1/3 LARGER THAN THE DIAMETER OF THE BALL.

2. EXCAVATE PLANTING PITS AND PLANTING BEDS. PREPARE FINE SUBGRADE THROUGHOUT ALL PITS AND BEDS, AND PLACE THE PLANTS TO BE PLANTED FOR APPROVAL BY LANDSCAPE ARCHITECT BEFORE INSTALLATION.

PRUNING

1. REMOVE DEAD AND BROKEN BRANCHES FROM ALL PLANT MATERIAL IMMEDIATELY. PRUNE TO RETAIN TYPICAL GROWTH HABIT OF INDIVIDUAL PLANTS WITH AS MUCH HEIGHT AND SPREAD AS IS PRACTICAL.
2. HEDGE MATERIALS TO BE BULLED IN, TIED AND TRIMMED TO VERTICAL AFTER INSTALLATION, WITH A FINISHED APPEARANCE UNLESS OTHERWISE NOTED.

TREE BRACING AND GUYING

1. LARGE TREES AND PALMS SHALL BE BRACED WITH CYPRESS POLES OR CLEAN LUMBER. BRACES SHALL BE PAINTED MATTE GREEN FINISH.
2. SMALL TREES SHALL BE GUYED IN THREE DIRECTIONS WITH THREE STRANDS OF NO. 12 GALVANIZED WIRE ATTACHED TO ANCHORS DRIVEN BELOW GRADE. WIRES WHICH COME IN CONTACT WITH THE TREE ARE TO BE ENCASED IN RUBBER HOSE.

PLANT MATERIALS

1. NOMENCLATURE: PLANT NAMES SHALL CONFORM TO THE NAMES GIVEN IN HORTUS III AND IN STANDARDIZED PLANT NAMES, 2001, LATEST EDITION. PREPARED BY THE AMERICAN ASSOCIATION OF NURSERMEN, INC. NOMENCLATURE NAMES OF VARIETIES NOT INCLUDED THEREIN, CONFORM GENERALLY WITH NAMES ACCEPTED IN THE NURSERY TRADE.
2. QUALITY: PLANTS SHALL HAVE A HABIT OF GROWTH THAT IS NORMAL FOR THE SPECIES AND SHALL BE SOUND, HEALTHY, VIGOROUS AND FREE FROM INSECT PESTS, PLANT DISEASES AND INJURIES. TREES SHALL BE HEAVILY BRANCHED, OR IN PALMS, HEAVILY LEAFED. REQUIREMENTS FOR THE MEASUREMENT, BRANCHING, GRADING, QUALITY, BALLING AND BURLAPING OF PLANTS SHALL FOLLOW THE CODE OF STANDARDS CURRENTLY RECOMMENDED BY THE AMERICAN ASSOCIATION OF NURSERMEN, INC. AND THE AMERICAN STANDARD FOR NURSERY STOCK. PLANT MATERIAL SHALL BE GRADED AS SPECIFIED ON THE DRAWINGS.
- GRADES SHALL CONFORM TO GRADES AND STANDARDS FOR NURSERY STOCK, STATE PLANT BOARD OF FLORIDA. PALMS WITH MARKED OR BURNED TRUNKS WILL NOT BE ACCEPTED. PLANTS WITH BROKEN, DAMAGED, OR INSUFFICIENT BALLS WILL BE REJECTED. ALL PLANTS SHALL BE FLORIDA FANCY.
3. SUBSTITUTIONS WILL BE PERMITTED ONLY UPON WRITTEN APPROVAL BY THE LANDSCAPE ARCHITECT.

PLANTING SOIL

SOIL BY ATLAS SOIL OR APPROVED ALTERNATE

ALL PLANTING AREAS SHALL BE CLEARED OF ALL PLANT AND MATERIAL TWO WEEKS PRIOR TO INSTALLATION OF SOIL FOR REMOVAL OF ANY WEEDS.

GROUND COVER BEDS –REMOVE 6" OF EXISTING SOIL AND FILL WITH 4" OF 8270 MIX & TILL/MIX INTO EXISTING SOIL.

SHRUB BEDS –REMOVE 6" OF EXISTING SOIL AND FILL WITH A MIX OF 50% APPROVED SOIL & 50% EXISTING SOIL.

TREE PITS –REMOVE SOIL IN THE AMOUNT OF 1/2 LARGER THAN THE BALL OF THE TREE AND REPLACE WITH A MIX OF 50% APPROVED SOIL & 50% EXISTING SOIL.

PALMS –REMOVE SOIL IN THE AMOUNT OF 1/2 LARGER THAN THE BALL OF THE PALM AND REPLACE WITH APPROPRIATE SOIL AND CLEAN YELLOW SAND FREE OF WEEDS.

SOIL SPECS FOR PLANTING BEDS:

ATLAS PEAT & SOIL 8270 MIX	
20% can peat	
25% 1a peat	
40% pine bark	
15% arlite	

SOIL SPECS FOR TREES AND LARGE SHRUBS:

SMILA SOIL MIX (APPROVED SOIL)	
50% Pinebark	
40% Florida Peat	
10% Course Sand	
10lbs Dolomite per /yard	
18.5lbs Turfrite per /yard	
23 pounds Dolomite 18/30 (8-360 P./yard, optional)	

1. SOLE SOURCE – FROM ATLAS PEAT & SOIL INC., P.O. BOX 3867, BOYNTON BEACH, FLORIDA, 33424-3867, (561) 734-7300

PLANTING SOIL NOT MEETING THESE REQUIREMENTS WILL NOT BE ACCEPTED.

1. SOIL FOR PLANTING TREES, SHRUBS AND GROUND COVER SHALL BE SMILA SOIL UNLESS OTHERWISE SPECIFIED ON THE DRAWINGS.
2. IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO REMOVE ANY EXCESS SOIL AND DEBRIS FROM THE SITE. REFER TO THE GRADING PLAN AND GRADING SPECIFICATIONS.
3. LANDSCAPE ARCHITECT MAY REQUEST SOIL ANALYSIS FOR THE TESTING OF PLANTING SOIL UTILIZED BY THE SELECTED LANDSCAPE CONTRACTOR.

MULCH

ALL MULCH FOR THE PROJECT SHALL BE ATLAS GROW. MULCH SHALL BE APPLIED 2" IN TREES AND PALMS AS SPECIFIED, AND ALL PLANTING BEDS, HEDGE AND SHRUBS. KEEP GROWN OF ROOT BALL ABOVE MULCH SOIL SOURCE – FROM ATLAS PEAT & SOIL INC., P.O. BOX 3867, BOYNTON BEACH, FLORIDA, 33424-3867, (561) 734-7300.

SUBMIT BAG TO LANDSCAPE ARCHITECT FOR APPROVALS.

FERTILIZER

1. TREES USE ONE 21 GRAM AGRIFORM PLANTING TABLET PER 1/2" TRUNK DIAMETER. SPACE EQUALLY AROUND AT 2/3 DEPTH OF BALL.
2. SHRUBS: AGRIFORM PLANTING TABLETS SHALL BE APPLIED PER THE MANUFACTURERS SUGGESTED APPLICATION RATES.
3. SOD USE FERTILIZER AS PER BELOW WITH TRACE ELEMENTS APPLIED AT THE RATE OF 15 LBS. PER 1000 SQ. FT. PRIOR TO LAYING SOD.
4. POWDERED MYCHORIZAE MIX: DIE HARD 'PLANT HEALTH' CARE OR EQUAL) AND LIQUID B-THRIVE (OR EQUAL) SHOULD BE ADDED TO ALL TREES, SHRUBS AND GROUND COVER PLANTING BEDS AS PER MANUFACTURER'S DIRECTIONS.
5. ALL TREES, SHRUBS, GROUND COVER AND SOD TO USE LESCO 13-3-13 FERTILIZER AS PER MANUFACTURERS SPECIFICATIONS

SABAL PALMS

1. SABAL PALMS SHALL HAVE A MINIMUM TRUNK DIAMETER OF 12" MEASURED 2' ABOVE GROUND.

HEDGES

1. THE LANDSCAPE CONTRACTOR SHALL PROVIDE FULL MATERIAL TO PRODUCE A SOLID SCREEN FROM THE TOP OF HEDGE TO THE BASE OF HEDGE.

2. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE TO ADD FILLERS TO THE HEDGE AS NEEDED TO PRODUCE A SOLID FULL TO BASE (F.T.B.). SCREEN TO BE INCLUDED IN THE CONTRACTED PRICE.
3. PLANT MATERIAL WITH WEAK OR THIN FOLIAGE WILL NOT BE ACCEPTED.

VINES

1. MATERIALS & INSTALLATION OF VINE SUPPORTS SHALL BE INCLUDED IN UNIT COST OF VINE SPECIFIED

SODDING

1. THE LANDSCAPE CONTRACTOR SHALL SOD ALL AREAS INDICATED AND NOTED ON THE DRAWINGS.

2. NO SODDING SHALL OCCUR UNTIL ALL AREAS TO BE SODDED ARE CLEARED OF ANY ROUGH GRASS, WEEDS, AND DEBRIS, THE GROUND BROUGHT TO AN EVEN GRADE AND SPECIFIED AMENDMENTS HAVE BEEN ADDED. SEE DETAILS FOR SPECIFIC AMENDMENTS AS PER SOD TYPE. ALL SODDED AREAS WILL BE TREATED WITH 'ROUNDUP' HERBICIDE PER MANUFACTURER'S SPECIFICATIONS AT LEAST TEN DAYS PRIOR TO SOD INSTALLATION.

3. THE SOD SHALL BE FIRM, TIGHT TEXTURE, HAVING A COMPACTED GROWTH OF GRASS WITH GOOD ROOT DEVELOPMENT. IT SHALL CONTAIN NO NOXIOUS WEEDS, OR ANY OTHER OBJECTIONABLE VEGETATION, FUNGUS, INSECTS OR DISEASE. PREPARATION OF AREAS SHALL BE PERFORMED WELL ENOUGH IN ADVANCE TO ALLOW SUFFICIENT TIME TO WORK PROPERLY. THE SOIL EMBEDDED IN THE SOD SHALL BE GOOD, CLEAN EARTH, FREE FROM STONES AND DEBRIS. THE SOD SHALL BE FREE FROM FUNGUS, VERMIN, AND OTHER DISEASES.

4. BEFORE BEING CUT AND LETTED, THE SOD SHALL HAVE BEEN MOWED AT LEAST THREE TIMES WITH A LAWN MOWER, WITH THE FINAL MOWING NOT MORE THAN SEVEN DAYS BEFORE THE SOD IS OUT. THE SOD SHALL BE CAREFULLY CUT INTO UNIFORM DIMENSIONS.

5. SOLID SOD SHALL BE LAID WITH CLOSELY ABUTTING JOINTS WITH A TAMPED OR ROLLED EVEN SURFACE.

6. WATERING SHALL BE ACCOMPLISHED UNTIL ACCEPTANCE OF THE WORK BY THE LANDSCAPE ARCHITECT.

7. MAINTENANCE OF MATERIAL SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR UNTIL FINAL APPROVAL OF LANDSCAPE ARCHITECT.

8. IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO BRING THE SOD EDGE IN A NEAT, CLEAN MANNER TO THE EDGE OF ALL PAVING AND SHRUB AREAS.

9. SEE PLANS FOR DETAILS. RE: SOD VARIETIES

10. FOR SOD, APPLY DEPTH OF SOIL AS PER PLANTING DETAILS PAGE. REMOVE ANY STONES FROM TOP OF SUB-GRADE OR COVER STONES WITH ADDITIONAL 2" OF SOIL MIX.

11. ALL SOD AREA SHALL BE TREATED WITH 'ROUND UP' TWO WEEKS PRIOR TO INSTALLATION FOR REMOVAL OF ANY EXISTING OBJECTIONABLE PLANTS. DOSAGE AND APPLICATION PER MANUFACTURERS SPECIFICATIONS.

CLEAN UP

1. THE LANDSCAPE CONTRACTOR SHALL AT ALL TIMES KEEP THE PREMISES FREE FROM ACCUMULATIONS OF WASTE MATERIALS OR RUBBISH CAUSED BY HIS EMPLOYEES OR WORK. HE SHALL LEAVE ALL PAVED AREAS "BROOM CLEAN" WHEN COMPLETED WITH THE WORK.

2. MARKS AND DAMAGE TO EXISTING PAVING MATERIALS SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR.

ALL PALMS, TREES, AND LARGE SPECIMEN PLANTS SHALL BE STAKED BY THE LANDSCAPE CONTRACTOR FOR LA APPROVAL OF LAYOUT AND LOCATIONS PRIOR TO INSTALLING SAME.

TREE STAKE, PAINT FORMULA:

BEHR PREMIUM PLUS EXT FLAT –ACCENT BASE (4670)

COLORANT	02	48	96
D	THALO GREEN	01	09
C	YELLOW OXIDE	02	04
B	LAMP BLACK	01	00

SUBMIT SAMPLE

TO PROTECT AGAINST CANODERMA, PALM FUNGUS ALWAYS REMOVE ALL PALM STUMPS FROM PROPERTY – STUMPS ACT AS HOSTS TO THIS DESTRUCTIVE LONG LIVED FUNGUS.

PLANT LIST

All plants to be Florida Fancy

Qty	Scientific Name	Common Name	Planting Size	Notes	Native
4	Aloysia virgata	Sweete Almond bush	3 gal		N
42	Annalis	Annalis (as specified)	#1, 12"oc		N
13	Asclepias perennis	Milk Weed	#1, 12"oc		Y
3	Calamagrostis acutiflora	Feather Reed Grass	#3, 24"oc		N
44	Cinnun americanum	String/Swamp Lily	#1, 12"oc		Y
3	Duranta erecta	Golden Dewdrop	as specified		N
1	Gardenia augusta Miami Supreme	Miami Supreme Gardenia	as specified	low graft	N
5	Gordonia lasianthus	Lobolly bay, gordonia	as specified		Y
22	Helianthus debilis	Beach Sunflower	#1, 24"oc		Y
183	Iris versicolor	Blue Flag Iris	#3, 12"oc		Y
15	Juncus esculentia Illustre	Imperial Taro	#3, 24"oc		Y
11	Leonotis leionurus	Lions Tail	#3, 24"oc		N
1	Lysiloma latifolia	Wild Tamarind	20 ft x 20' spr	collected	Y
40	Muhlenbergia capillaris	Mully Grass	#3, 24"oc		Y
46	Penstemon lutea	Wild Alamanda	#1, 12"oc		Y
15	Spartina spartinae	Gulf Cordgrass	#3, 24"oc		Y
60	Sporobolus virginicus	Seashore Drospseed	#1, 12"oc		Y
40	Tecomania capensis	Cape honeysuckle	#1, 12"oc		N
48	Tripsacum dactyloides	Falahatchee Grass	#3, 24"oc		Y
7	Zamia integrifolia	Coontie	#3, 24"oc		Y
2	Barleria crataea	Philippine violet	#7		N
9	Hyacinthoides non-scripta	Common Bluebell	#3, 24"oc		N
1	Vitex agnus-castus	Chaste tree	Ø1ft, 5'9prd		N
5	Chrysopsisgon zanioides	Velvet	#3, 24"oc		N
3	Cenchrus polystachios	Mission Grass	#3, 24"oc		N

SMI TO APPROVE STAKED LAYOUT OF ALL TREES AND PLANTING LAYOUT PRIOR TO INSTALLATION

SMI TO APPROVE LOCATIONS OF ANY/ ALL IRRIGATION BOXES

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NOTE:
-FOOTINGS FOR ALL STRUCTURES TO BE AT LEAST 3 BELOW GRADE TO ALLOW FOR PLANTINGS / ROOT BALLS

REV	DATE	DESCRIPTION
2.	08/09/2020	Bid set
1.	09/19/2020	Landmarks Submittal

COA-019-2020

SMI

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FL registration #LA 13000223

TITLE Planting Specs.		
SCALE NONE	PROJECT NO. 0000	
DATE: 08.03.2020	PRACT MNGR BSV	CHECKED .
SEAL	DRAWING NO.	
L 4.1 SHEET 8 OF 9		

FIELD VERIFY ALL DIMENSIONS



Know what's below
Call before you dig.



VALVE SIZE _____ GALLONS PER MINUTE _____

VALVE DESIGNATION GUIDE

PIPE SIZING LEGEND	
PIPE SIZE	GPM
3/4"	0-8
1"	9-12
1-1/4"	13-22
1-1/2"	23-30
2"	31-50
2-1/2"	51-70

MP ROTATOR NOZZLE LEGEND

A	- HUNTER MP1000-90	RADIUS: θ TO $1/4$
B	- HUNTER MP1000-210	RADIUS: θ TO $1/4$
C	- HUNTER MP1000-360	RADIUS: θ TO $1/4$
D	- HUNTER MP2000-90	RADIUS: $1/3$ TO $1/5$
E	- HUNTER MP2000-210	RADIUS: $1/3$ TO $1/5$
F	- HUNTER MP2000-360	RADIUS: $1/3$ TO $1/5$
G	- HUNTER MP3000-90	RADIUS: $2/2$ TO $3/3$
H	- HUNTER MP3000-210	RADIUS: $2/2$ TO $3/3$
I	- HUNTER MP3000-360	RADIUS: $2/2$ TO $3/3$
J	- HUNTER MP3500-90	RADIUS: $3/1$ TO $3/3$
K	- HUNTER MP600SR-90	RADIUS: 6 TO $1/0$
L	- HUNTER MP625SR-15	RADIUS: 6 TO $1/5$
M	- HUNTER MPRC2515	RADIUS: 5 TO $1/5$
N	- HUNTER MP3530	RADIUS: θ TO $1/4$
O	- HUNTER MPFCORVER	RADIUS: θ TO $1/4$

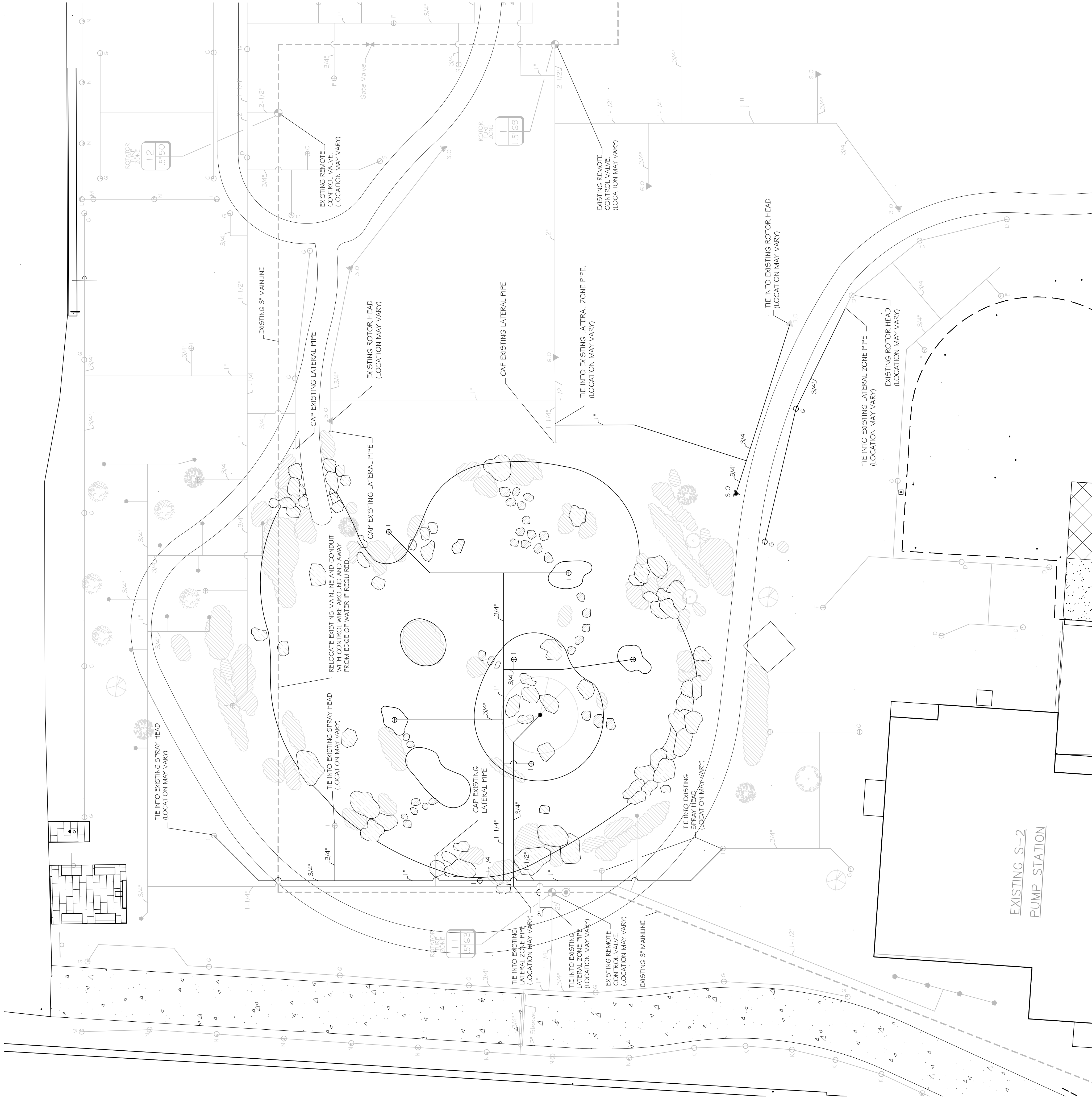
Irrigation Equipment Table

Irrigation Heads			
Quantity	Symbol	Description	Radius
9		Hunter Model PRO5-0C-PR540-CV with MP Rotator Nozzle	8 ft. - 35 ft.
1	3.0 	Hunter Model PCP-04-PRB with 3.0 Nozzle	28 ft. - 38 ft.

Quantity	Symbol	Description	Flow
3	◆	Hunter Model PCB/O	1 GPM

Existing Irrigation Modification Notes:

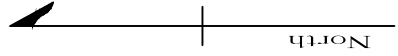
1. This irrigation modification design plan was based on the Irrigation Plan provided by SMI Landscape Architecture, dated 1-18-2017.
2. Contractor shall excavate and connect into the existing irrigation lateral lines at the approximate locations shown on plan.
3. Although every reasonable effort has been made to ensure the accuracy of the location of the existing irrigation components, absolute accuracy cannot be guaranteed.
4. All safety precautions and procedures shall be implemented to ensure a safe environment.



EXISTING S-2
PUMP STATION

Bradley Park Tidal Garden

Palm Beach, FL



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REVISIONS		

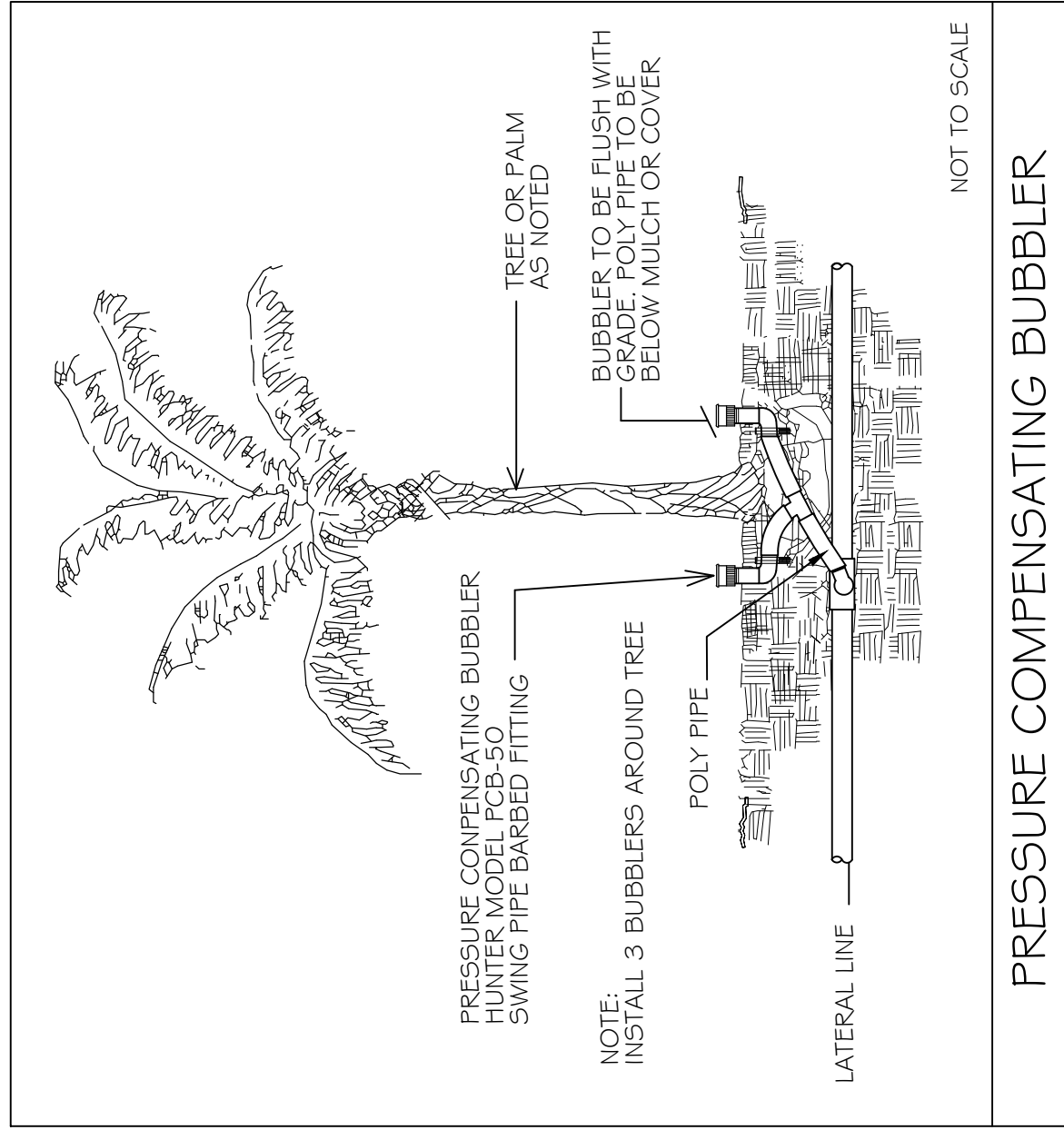
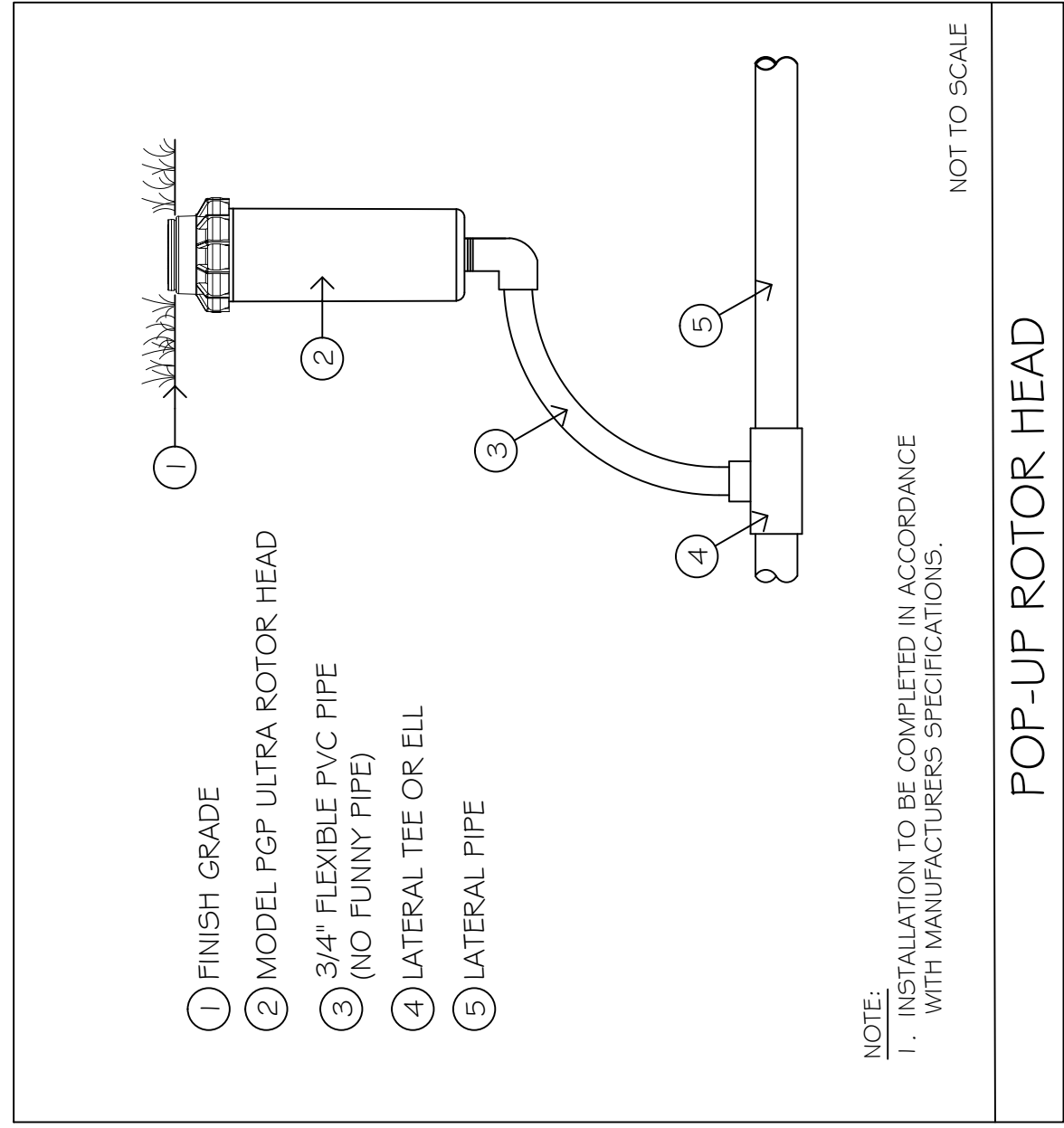
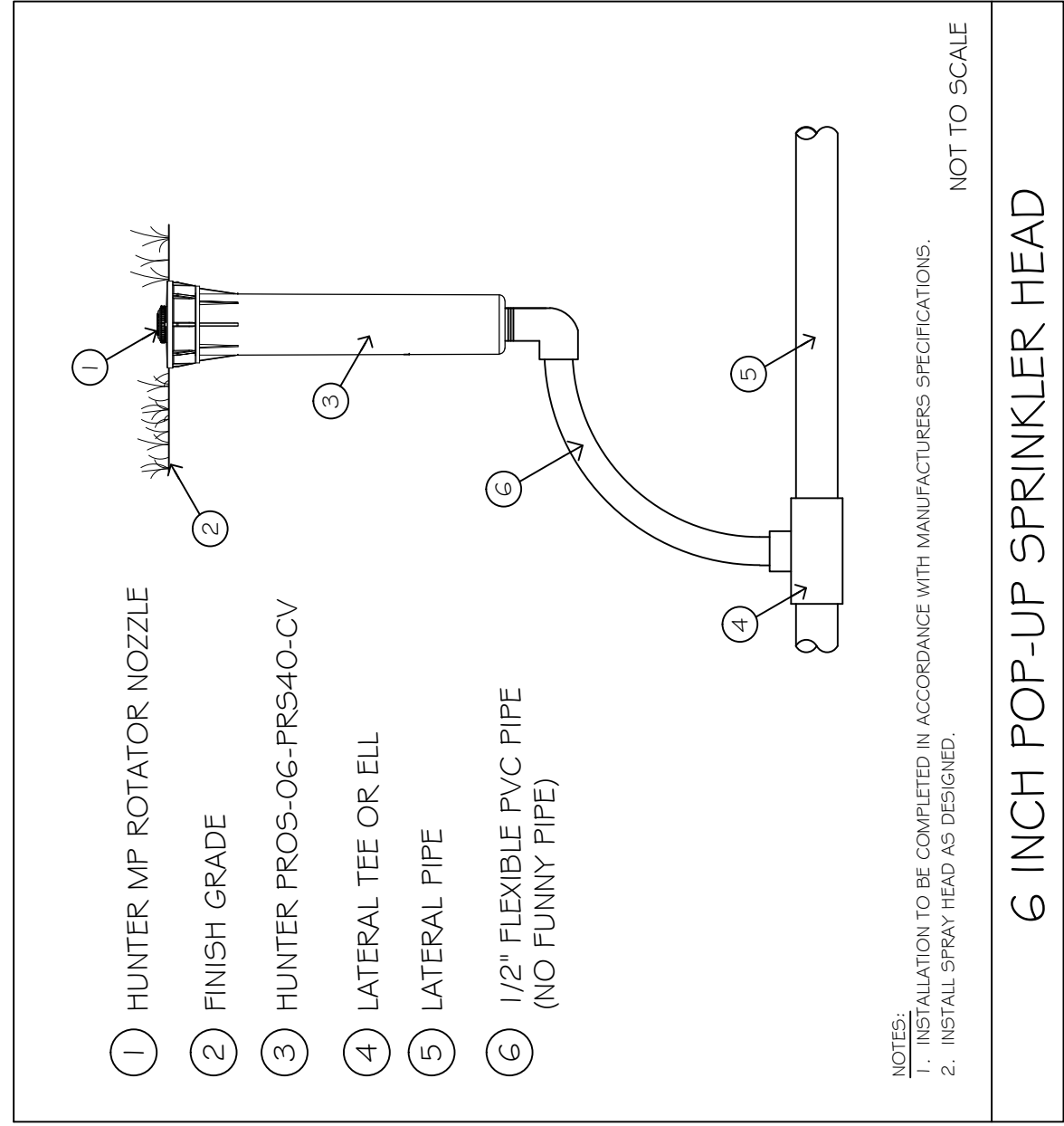
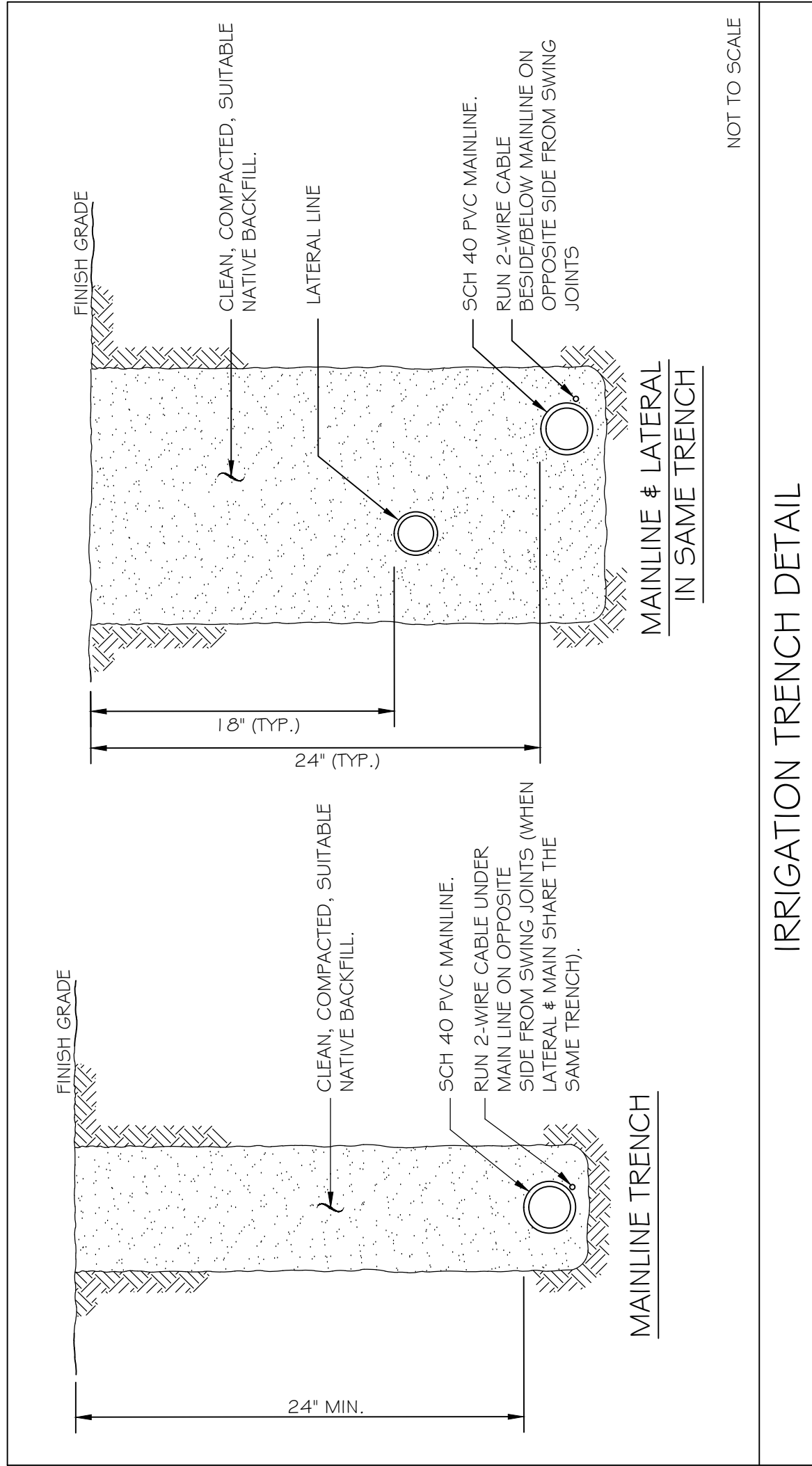
COA-019-2020

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TITLE Irrigation Plan	SCALE 1" = 10'-0"	PROJECT NO. 0000	CHECKED
	DATE 06.28.2020	PROJECT NAME BSV	
SEAL		DRAWING NO.	
		IR-1 SHEET 1 OF 3	

FIELD VERIFY ALL DIMENSIONS



NOTES:

1. PIPING:
 - MAIN LINES: 3 INCH SCHEDULE 40 PVC
 - ZONE LINES: PVC, 1/2" IS NOT USED, 3/4" + GREATER USE SCH. 40 PVC
 - DECOILER COLD CONDUIT: 1 INCH SCHEDULE 40 PVC
 - SWING JOINTS: 1/2" AND 3/4" FLEXIBLE PVC PIPE ONLY, NO POLYETHYLENE PIPE ALLOWED.
 - ALL SLEEVES UNDER VEHICULAR USE PAVEMENT SHALL BE SCH 40 WITH 30" MINIMUM COVER.
 - ALL SLEEVES UNDER DRIVEWAYS SHALL BE SCH 40 WITH 30" MINIMUM COVER.
 - TERMINATE ALL EMPTY SLEEVES INTO VALVE BOXES FOR FUTURE ACCESS.
2. FITTINGS:
 - MAIN LINES: SCHEDULE 40 PVC, ZONE LINES: SCH. 40 PVC
 - FABRICATION: SQUARE CUT, CLEAN ALL JOINTS. USE CLEANER ON ALL LATERALS. USE GRAY PVC CEMENT. FULLY ENGAGE ALL JOINTS.
 - ALL FABRICATION SHALL BE TO MANUFACTURERS SPECS.
 - ALLOW ALL MAIN LINES TO CURE FOR 24 HOURS BEFORE PRESSURIZING.
 - ALL PIPE, FITTINGS, AND SOLVENTS TO CONFORM TO LATEST ASTM SPECS.
 - USE FLEXIBLE PVC SOLVENT CEMENT ON FLEXIBLE PVC PIPE TO PVC FITTINGS.
3. DEPTH OF LINES:
 - MAIN LINE AND WIRING = 24" MIN. DEPTH, 36" MIN. DEPTH IN FOOT RIGHT OF WAY.
 - ZONE LINES 2 INCHES AND OVER = 18" MIN. DEPTH; ZONES LINES UNDER 2 INCHES = 12" MIN. DEPTH.
4. CONTROL WIRES:
 - 2 WIRE PATH SHALL BE 14 AWG. DUAL CONDUCTOR, SOLID CORE, 600 VOLT, INSULATED IN PVC.
 - WITH POLYETHYLENE OUTER JACKET.
 - INSTALL ALL DECODER WIRE IN 1" SCHEDULE 40 PVC CONDUIT.
 - MAKE ALL SPICES INSIDE VALVE BOX USING MOISTURE PROOF USING 3M DBRY CONNECTORS.
5. VALVE BOXES:
 - ALL VALVE BOXES MUST BE 14" X 19" MODEL NDS-14B WITH GREEN COVER UNLESS OTHERWISE NOTED.
6. ALL LINES SHALL BE BACKFILLED AND COMPACTED TO ORIGINAL DENSITY. FLUSH ALL LINES BEFORE INSTALLING DEVICES TO PIPING. USE SORRENS IN ALL HEADS. ADJUST HEADS FOR PROPER COVERAGE.
7. ALL DETAILS ARE GRAPHICALLY SHOWN ONLY. ALL QUANTITIES SHALL BE VERIFIED BY CONTRACTOR PRIOR TO INSTALLATION. THIS SHALL BE THE CONTRACTORS RESPONSIBILITY TO ASSURE COMPLETE OVERLAPPING COVERAGE. ANY DISCREPANCIES SHALL BE REPORTED TO THE OWNER AND LANDSCAPE ARCHITECT BEFORE PROCEEDING. CODES AND LOCAL REGULATIONS SHALL TAKE PRECEDENCE OVER THESE PLANS. THE LANDSCAPE ARCHITECT/DISIGNER RESERVES THE RIGHT TO MAKE MINOR FIELD CHANGES. THE CONTRACTOR MAY FIELD ADJUST SPRAY NOZZLE SELECTION TO PROVIDE PROPER COVERAGE.
8. PROVIDE OWNER WITH AN ACCURATE "AS INSTALLED" PLAN AT COMPLETION SHOWING MAIN LINES, WIRING, VALVES, CROSSINGS, ETC. USING DIMENSIONS FROM FIXED DATUMS.
9. CONTRACTOR SHALL VERIFY ALL UNDERGROUND UTILITIES PRIOR TO COMMENCEMENT OF WORK.
10. THE DESIGNER CANNOT BE HELD RESPONSIBLE FOR ANY MATTER, ACT, OR EFFECT ARISING FROM OVERSPRAY, BROKEN PIPES, HEADS OR NOZZLES. IN THE EVENT OF A BREAK OR BROKEN OFF HEAD OR NOZZLE, THE COMPONENT SHALL BE REPAIRED/REPLACED, CAPPED, OR ZONE TURNED OFF FROM AUTOMATIC OPERATION AS SOON AS POSSIBLE.
11. THE DESIGNER DOES NOT WARRANT THAT ALL EXISTING UNDERGROUND UTILITIES ARE SHOWN OR, IF SHOWN, ARE PROPERLY LOCATED ON THE PLANS, AND ARE EITHER IN SERVICE OR ABANDONED. THE CONTRACTOR SHALL CALL "SUNSHINE STATE ONE CALL" AT (800) 432-4770 TO VERIFY UTILITY LOCATIONS AT LEAST 48 HOURS PRIOR TO DIGGING. THE CONTRACTOR SHALL BE RESPONSIBLE TO CONTACT/LOCATE OTHER UTILITIES NOT SUBSCRIBING TO "SUNSHINE STATE ONE CALL". ALSO CALL APPLICABLE LOCAL UTILITY AGENCY TO VERIFY LOCATIONS AND DEPTHS OF UNDERGROUND UTILITIES.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING WITH ALL UTILITY COMPANIES AND RELEVANT GOVERNMENT DEPARTMENTS AND ENSURING ALL UTILITIES LOCATED ABOVE, ON, OR BELOW THE SURFACE OF THE SITE ARE PROPERLY DISCOVERED, IDENTIFIED, VERIFIED, AND FIELD LABELED, AND ENSURING THOSE SAME UTILITIES ARE AT ALL TIMES SAFELY CONTROLLED AND PROTECTED BY REASONABLE MEANS.
13. LOCATE POP-UP SPRINKLERS 6" MINIMUM FROM EDGE OF WALKWAY, 18" MINIMUM FROM WALLS AND EDGE OF ROAD OR PARKING AREA. LOCATED SHRUB RISERS 18" MINIMUM FROM WALKWAY, WALLS AND EDGE OF ROAD OR PARKING AREA.
14. ALL DAMAGED OCCURRED BY THE CONTRACTOR SHALL BE REPLACED/PREPARED IN A TIMELY MATTER. PER TOWN OF PALM BEACH STANDARDS.

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NO.	DATE	DESCRIPTION
REVISIONS		
COA-019-2020		

SMI

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TITLE		PROJECT NO.		CHECKED
Irrigation Details & Notes		0000		
SCALE		PROJECT MGR.	BSV	
DATE:	06.28.2020	DRAWING NO.		
SEAL		IR-2 SHEET 2 OF 3		

FIELD VERIFY ALL DIMENSIONS

IRRIGATION SYSTEM SPECIFICATIONS

PART 1 -GENERAL

1.01 SCOPE OF WORK:

- THE WORK CONSISTS OF FURNISHING ALL LABOR, MATERIAL, EQUIPMENT, TRANSPORTATION, ETC., TO COMPLETE INSTALLATION AS SHOWN ON THE DRAWINGS AND AS HEREIN SPECIFIED. WORK SHALL INCLUDE CONSTRUCTION AND MAINTENANCE OF ALL IRRIGATION AREAS OF THIS CONTRACT UNTIL ACCEPTED BY THE OWNER. WORK SHALL INCLUDE THE FOLLOWING:
- A. ALL PIPING, INCLUDING MAINS, LATERALS, FITTINGS, CONNECTIONS, TEES, RISERS, CLAMPS, SWING JOINTS, HOSE BIBS.
 - B. ALL CONTROL, GATE, OR OTHER VALVES, INCLUDING VALVE BOXES, MARKERS, CONNECTIONS, BACK FLOW PREVENTERS, OPERATORS, AND OTHER ACCESSORIES.
 - C. COMPLETE AUTOMATIC CONTROL SYSTEM AS SHOWN ON THE DRAWINGS, INCLUDING CONTROLLER, CONTROL WIRING CONNECTIONS AND ELECTRICAL CONNECTIONS.
 - D. ALL SPRINKLER HEADS, INCLUDING PROPER NOZZLES AS CALLED FOR HEREIN AND SHOWN ON THE PLANS AND ALL OTHER EQUIPMENT AND ACCESSORIES NECESSARY FOR PROPER OPERATION.
 - E. ALL EXCAVATION, SITE WORK, RELOCATION OR REPLACEMENT OF UTILITIES, BACK FILL AND RESTORATION OF ALL DISTURBED AREAS INCLUDING THE CUTTING, BACK FILLING AND RESURFACING OF ANY ASPHALT AREAS TRENCHED FOR PIPES AND SLEEVING.
 - F. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING A COMPLETE AND OPERABLE SYSTEM FOR THE IRRIGATION OF ALL LANDSCAPING ON THE PROJECT SITE. PLANS AND SPECIFICATIONS MAY NOT INDICATE ALL ITEMS NECESSARY FOR THE PROPER IRRIGATION OF THE PROJECT. THIS SHALL NOT RELIEVE THE CONTRACTOR OF HIS OR HER RESPONSIBILITY TO FURNISH LABOR, MATERIALS AND EQUIPMENT REQUIRED FOR A COMPLETE AND PROPER SYSTEM.
 - G. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADJUSTING HEAD LOCATION AND ANY OTHER SYSTEM COMPONENTS TO INSURE 100% COVERAGE AND TO COMPLY WITH THE REQUIREMENTS OF THE LANDSCAPING AS INSTALLED.
- 1.02 SUBMITTALS:
- A. THE CONTRACTOR SHALL MAKE ALL SUBMITTALS IN ACCORDANCE WITH THE GENERAL CONDITIONS. SHOP DRAWINGS SHALL INCLUDE MANUFACTURERS PRODUCT SPECIFICATIONS AND INSTALLATION INSTRUCTIONS. ALL SUBMITTALS MUST INCLUDE OTHER DATA AS MAY BE REQUIRED TO SHOW COMPLIANCE WITH THESE SPECIFICATIONS.
 - B. SUBMIT COPIES OF MANUFACTURERS TECHNICAL DATA AND INSTALLATION INSTRUCTIONS FOR THE IRRIGATION SYSTEM.
 - C. PROVIDE SHOP DRAWINGS SHOWING ACTUAL LAYOUT OF CONTROL EQUIPMENT AND OTHER ACCESSORIES, INCLUDING ELECTRICAL WIRING BETWEEN THE CONTROL EQUIPMENT AND ALL OTHER RELATED COMPONENTS.
 - D. PROVIDE AND KEEP UP TO DATE A COMPLETE SET OF DRAWINGS, CORRECTED DAILY TO SHOW CHANGES IN THE LOCATION OF SPRINKLERS, CONTROLLERS, PIPING, AND OTHER DEVIATIONS FROM THE IRRIGATION DESIGN DRAWING. SHOW REMOTE CONTROL VALVE LOCATIONS WITH ACTUAL MEASUREMENTS TO REFERENCE POINTS SO THEY MAY BE LOCATED EASILY IN THE FIELD. UPON COMPLETION OF THE WORK, FURNISH THE OWNER WITH A COMPLETE SET OF PLANS SHOWING THE IRRIGATION SYSTEM AS INSTALLED.
 - E. ALL DIMENSIONS INDICATED FOR THE IRRIGATION DESIGN ARE APPROXIMATE. PRIOR TO PROCEEDING WITH THE WORK, CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL VARIATIONS FROM THOSE INDICATED IN THE IRRIGATION PLAN TO THE OWNER IN WRITING.
- 1.03 GENERAL REQUIREMENTS
- A. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTING THE SYSTEM IN COMPLETE ACCORDANCE WITH ALL APPLICABLE CODES, ORDINANCES, AND LAWS OR ANY MODIFICATIONS MADE TO CONFORM WITH SAID CODES. LAWS AND ORDINANCES SHALL BE COMPLETED AT THE CONTRACTORS EXPENSE AT NO ADDITIONAL COST TO THE OWNER.
 - B. THE CONTRACTOR SHALL HAVE HIS LABOR CREWS CONTROLLED AND DIRECTED BY AN IRRIGATION FOREMAN WELL VERSED IN STANDARD PLUMBING PROCEDURES, PVC ASSEMBLY PROCEDURES, READING BLUEPRINTS AND COORDINATION WITH OTHERS PERFORMING SERVICES IN THE JOB AREAS IN ORDER TO EXECUTE INSTALLATION RAPIDLY AND CORRECTLY. THE FOREMAN SHALL BE ON THE WORK SITE AT ALL TIMES, AND SHALL BE FULLY AUTHORIZED AS THE CONTRACTORS AGENT ON THE JOB.
 - C. TESTING: THE CONTRACTOR SHALL REPLACE ALL WORK THAT FAILS THE TESTING REQUIREMENTS OR THAT WAS INSTALLED IN VIOLATION OF THE STANDARDS OUTLINED IN THESE SECTION.
 - D. CONTRACTORS RESPONSIBILITY:
 - 1. THE CONTRACTOR IS ENTIRELY RESPONSIBLE FOR THE WORK UNTIL THE WORK IS DETERMINED TO BE SUBSTANTIALLY COMPLETE.
 - 2. THE CONTRACTOR SHALL PROTECT ALL MATERIALS AND WORK AGAINST INJURY FROM ANY CAUSE AND SHALL PROVIDE AND MAINTAIN ALL NECESSARY GUARDS FOR THE PROTECTION OF THE PUBLIC. THE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR ANY NEGLIGENCE IN THE PROTECTION OF THE WORK.
 - 3. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL UTILITIES SHOWN OR NOT SHOWN ON THE PLANS AND PROVIDING PROPER PROTECTION FOR THE UTILITIES. ANY CHARGES OR FINES ASSESSED BY DISRUPTING A UTILITY ARE THE RESPONSIBILITY OF THE CONTRACTOR.
- 1.04 DELIVERY, STORAGE AND HANDLING
- A. MATERIALS DELIVERED TO THE SITE SHALL BE LEFT IN THEIR ORIGINAL BOXES, WRAPPINGS OR CONTAINERS UNTIL SUCH TIME AS THEY ARE EMPLOYED IN THE PROJECT CONSTRUCTION. THIS PROVISION DOES NOT INCLUDE UNPACKING FOR INSPECTION PURPOSES.
 - B. ANY SUBSTITUTIONS MADE FOR REASONS OF UNAVAILABILITY OF MATERIALS OR OTHER REASONS MUST BE APPROVED BY THE OWNER.
 - C. ALL MATERIAL AND MANUFACTURER WARRANTIES AND GUARANTEES SHALL BE GIVEN TO THE OWNER AT THE FINAL ACCEPTANCE OF THE PROJECT.

PART 2 - MATERIALS

2.01 PIPE

- A. ALL PIPE SHALL BE NEW AND FREE FROM DEFECTS, AND CONTINUOUSLY MARKED WITH IDENTIFICATION OF THE MANUFACTURER, TYPE, CLASS AND SIZE.
 - B. PLASTIC PIPE FOR THE MAINLINES, LATERAL LINES AND ALL SLEEVES, SHALL BE SCHEDULE 40 UNPLASTICIZED POLYETHYLENE CHLORIDE PIPE. SOLVENT WELD TYPE. ALL FITTINGS, EXCEPT AS OTHERWISE SPECIFIED, SHALL BE PVC. MINIMUM OF SCHEDULE 40. PIPE AND FITTINGS SHALL BE MANUFACTURED FROM CLEAN, VIRGIN, NSF APPROVED TYPE 1, GRADE 1, PVC, CONFORMING TO ASTM RESIN SPECIFICATIONS D 1784 AND D2241.
 - C. ALL TAPS ON MAIN OR LATERALS SHALL BE MADE WITH TEES. ALL NON-THREADED TYPE JOINTS SHALL BE SOCKET TYPE, DESIGNED FOR SOLVENT TYPE APPLICATION.
 - D. PRIOR TO THE CONNECTION OF ANY JOINT WITH PVC GLUE, THE FITTING AND PIPES SHALL BE TREATED WITH A HIGH ETCH PVC CLEANER. THE CLEANER AND SOLVENT USED SHALL BE COMPATIBLE WITH THE PVC PIPE USED. SCREW JOINTS SHALL BE MADE WITH AN ACCEPTABLE SCREW JOINT PIPE JOINT COMPOUND. UPON COMPLETION OF GLUE JOINTS, THE IRRIGATION SYSTEM SHALL REMAIN OUT OF SERVICE FOR THE PERIOD OF TIME SPECIFIED BY THE GLUE MANUFACTURER.
 - E. ALL SLEEVES SHALL BE 2 NOMINAL PIPE SIZES LARGER THAN THE SIZE OF PIPE TO BE ACCOMMODATED.
- 2.03 CONTROL WIRING
- A. IRRIGATION SYSTEM WIRING: THE WIRE PATH SHALL BE TWISTED PAIR, SOLID CORE, COPPER, INSULATED Pairs, UNCOLORED. A TWO-PAIR CABLE SHALL BE DIFFERENT COLOR OR COLOR CODED IDENTIFIERS. THE TWO-WIRE PATHS SHALL BE HUNTER MODEL D1Y1W FOR 14 AWG CONDUCTORS.
 - B. THE TWO-WIRE PATHS MAY BE SPLICED, PERMITTING EXTENSIONS OF THE PATH IN MULTIPLE DIRECTIONS. THE DISTANCE FROM THE CONTROLLER TO THE END OF ANY ONE END OF WIRE RUN SHALL NOT EXCEED THE MAXIMUM FOR THE GAUGE OF WIRE, EVEN IF THE TOTAL OF ALL WIRE EXCEEDS THAT NUMBER.
 - C. ALL SLICES MUST BE MADE IN A VALVE BOX WITH DBR-6 OR EQUAL DIRECT BURIAL WATERPROOF CONNECTORS.
- 2.04 SPRINKLER HEADS
- A. PROVIDE ALL SPRINKLERS AND BUBBLERS AS MANUFACTURED BY HUNTER.
 - B. ALL SPRINKLER NOZZLES SHALL PERFORM TO THE MANUFACTURERS SPECIFICATIONS CONCERNING DIAMETER OF THROW AND GALLONAGE AT GIVEN PRESSURES.

PART 3 - EXECUTION

3.01 TRENCHING

- A. PERFORM ALL EXCAVATION NECESSARY TO INSTALL THE SYSTEM AS INDICATED ON DRAWINGS, INCLUDING ALL NECESSARY CLEARING AND GRUBBING OF ANY FOREIGN SUBSTANCE ENCOUNTERED IN TRENCH AREA. FILL EXCAVATION MATERIAL SUITABLE FOR BACK FILL AT A SUFFICIENT DISTANCE FROM TRENCH TO AVOID OVERLOADING, SLIDES AND/OR CAVE-INS. EXCAVATION SHALL BE PROTECTED FROM OTHERS WITH BARRIERS REMOVED DURING EXCAVATION. PROVIDE ADDITIONAL SUITABLE FILL MATERIALS REQUIRED FOR BACK FILLING OF EXCAVATED AREAS.
- B. MAKE TRENCH BOTTOMS SMOOTH, CLEAN AND FREE OF ALL STONES, STUMPS AND ORGANIC MATTER. IF SUCH MATERIALS ARE ENCOUNTERED IN TRENCHING, EXCAVATE TRENCH 6 INCHES DEEPER THAN ORDINARILY REQUIRED AND SPREAD A 6" LAYER OF SAND TO PROVIDE A FIRM BEDDING FOR THE PIPE.
- C. PROVIDE 24" COVER OVER MAINLINES, 36" MINIMUM COVER OVER MAINLINES IN FOOT RIGHT OF WAY, 18" MINIMUM DEPTH OF COVER OVER 2" AND LARGER LATERAL PIPE AND 12" MINIMUM COVER OVER 1-1/2" AND SMALLER LATERAL PIPE.
- D. EXCAVATE TRENCHES TO A WIDTH TO ALLOW A MINIMUM OF 6" BETWEEN PARALLEL PIPE LINES.

3.02 BACK FILLING

- A. BACK FILL OVER EXCAVATION OF TRENCHES UNDER PIPE WITH CLEAN, SANDY FILL MATERIAL. FREE OF ORGANIC MATERIALS AND OBJECTS LARGER THAN 1/4" DIAMETER. BACK FILL ONLY AFTER PRESSURE TESTING.
- B. BACK FILL TRENCHES FROM 2" ABOVE TOP OF PIPE UP TO FINISH GRADE WITH CLEAN SANDY FILL MATERIAL REMOVED BY EXCAVATION.
- C. NO PAVEMENT EXCEPT AS NOTED, SHALL BE CUT TO INSTALL IRRIGATION WORK. COORDINATE WITH PAVING OPERATION TO ASSURE ALL SLEEVES ARE INSTALLED UNDER DRIVES AND WALKWAYS PRIOR TO PAVING.

3.03 INSTALLATION

- A. INSTALL ALL MATERIALS AND EQUIPMENT IN A NEAT AND WORKMANLIKE MANNER FOLLOWING THE RECOMMENDATIONS OF THE MANUFACTURERS OF THE MATERIALS. THE OWNER RETAINS THE RIGHT TO ORDER REMOVAL OF REPLACEMENT OF ANY ITEM WHICH, IN HIS OPINION, DO NOT PRESENT A REASONABLE NEAT AND WORKMANLIKE APPEARANCE. PERFORM AND COMPLETE ANY REQUIRED REMOVAL AND REPLACING OF MATERIALS WITHOUT ADDITIONAL EXPENSE TO THE OWNER.
- B. INDIVIDUALLY SLEEVE ALL PVC PIPING THAT CROSS WALKWAYS AND PATHWAYS MORE THAN 5 FEET IN WIDTH. ALL SLEEVES UNDER ROADWAYS AND WALKWAYS SHALL BE INSTALLED A MINIMUM OF 30" BELOW GRADE.
- C. TERMINATE ALL EMPTY SLEEVES INTO VALVE BOXES FOR FUTURE ACCESS.
- D. INSTALL ALL VALVE BOXES, OR ANY OTHER MISCELLANEOUS MARKER OR ACCESS BOX SO THE TOP OF SAID STRUCTURE IS AT FINISHED GRADE UNDER LAID WITH A MINIMUM OF 6" OF 3/4" GRAVEL. INSTALL ALL VALVE BOXES AS INDICATED ON DRAWINGS.

3.04 PIPING

- A. PVC PIPE SHALL BE PROTECTED FROM DIRECT SUNLIGHT WHILE IN STORAGE. PIPE SHALL BE KEPT CLEAN AND CHECKED FOR PRESENCE OF ORGANIC OR FOREIGN MATERIAL PRIOR TO INSTALLATION. EACH PIPE SHALL BE LAID IN ACCORDANCE WITH LINES SHOWN ON THE DRAWINGS.
 - B. PRIOR TO BACK FILL, PVC PIPE IN TRENCH SHALL BE PROTECTED FROM DIRECT SUNLIGHT BY COVERING WITH A LAYER OF CLEAN SANDY MATERIAL. PIPE SHALL ALSO BE COVERED WITH FILL MATERIAL OTHERWISE ANCHORED, TO PREVENT FLOATING IN EVENT WATER ENTERS TRENCH PRIOR TO COMPLETE BACKFILLING.
 - C. SUBSTANTIAL DEVIATION FROM THE PIPING LAYOUT SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT AND SHALL BE RECORDED AS WORK PROGRESSES AND AS-BUILT DRAWINGS OF COMPLETE IRRIGATION SYSTEM SHALL BE FURNISHED TO THE LANDSCAPE ARCHITECT OR OWNER AS PREVIOUSLY SPECIFIED IN THIS SECTION.
 - D. INSTALLATION OF SYSTEM PIPING SHALL BE IN ACCORDANCE WITH MANUFACTURERS INSTRUCTIONS AND SHALL PROCEED FROM POINT OF CONNECTION OF WATER SUPPLY. ALL PIPING AND EQUIPMENT JOINTS SHALL BE WATER TIGHT. THE MAIN LINE SHALL BE FLUSHED AND PRESSURE TESTED AS SPECIFIED PRIOR TO MAKING ANY LATERAL CONNECTIONS. ALL LATERAL LINES SHALL BE THOROUGHLY FLUSHED PRIOR TO INSTALLATION OF ANY SPRINKLER NOZZLES.
- 3.05 SPRINKLERS
- A. PRIOR TO INSTALLING SPRINKLER HEADS, FLUSH CIRCUIT LINES WITH WATER UNTIL FREE OF DEBRIS.
 - B. ALL SPRINKLER HEADS SHALL BE INSTALLED ON SCH 40 FLEXIBLE PVC AS SHOWN ON THE DRAWINGS. THE SPRINKLER HEAD SHALL BE INSTALLED SO THAT THE TOP IS IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATION WITH RESPECT TO THE FINISHED GRADE LEVEL, AND MARKED WITH A FLAG TO ASSIST IN PREVENTING DAMAGE TO SPRINKLER HEADS. BACK FILL AROUND SWING JOINTS AND SPRINKLERS SHALL BE CLEAN SAND FILL MATERIAL FREE OF ROCKS, ORGANICS, OR OTHER FOREIGN DEBRIS.
 - C. LOCATE PART-CIRCLE HEADS TO MAINTAIN A MINIMUM DISTANCE OF 18" FROM WALLS AND 6" FROM OTHER BOUNDARIES, UNLESS OTHERWISE INDICATED.
 - D. ALL 1/2" POP-UP SPRINKLER HEADS LOCATED WITHIN PLANT MATERIAL OVER 12" IN HEIGHT SHALL BE INSTALL ON PVC RISERS WITH THE TOP OF SPRINKLER HEAD 2" - 4" BELOW TOP OF PLANT MATERIAL. THE PVC RISER PIPE SHALL BE PAINTED FLAT BLACK.
 - E. ALL BUBBLERS SHALL BE INSTALLED IMMEDIATELY ADJACENT TO THE ROOT BALL OF THE TREE TO BE IRRIGATED. INSTALL PRODUCT WITH TOP EVEN WITH GROUND SURFACE.

3.06 ELECTRICAL COMPONENTS

- A. DECODER WIRE SHALL BE HUNTER D1Y1W. PLACE ALL DECODER WIRE IN 1" SCHEDULE 40 PVC CONDUIT.
- B. CONNECTIONS AT ALL REMOTE CONTROL VALVES AND AT ALL WIRE SPLICES, LEAVE WIRE WITH 6 FEET SLACK SO THAT IN CASE OF REPAIR THE VALVE BONNET OR SPLICE MAY BE BROUGHT TO THE SURFACE WITHOUT DISCONNECTING THE WIRES. SPLICE ALL WIRE IN VALVE BOXES. MAKE SPLICES USING UL LISTED WATERPROOF WIRE CONNECTORS AS RECOMMENDED BY THE WIRE MANUFACTURER.

3.07 TESTS

- A. PERFORM OPERATIONAL TESTING AFTER BACK FILL IS IN PLACE, AND SPRINKLER HEADS ARE ADJUSTED TO FINAL POSITION. DEMONSTRATE TO OWNER THAT SYSTEM MEETS COVERAGE REQUIREMENTS AND THAT AUTOMATIC CONTROLS FUNCTION PROPERLY. COVERAGE REQUIREMENTS ARE BASED ON OPERATION OF ONE CIRCUIT AT A TIME.
- B. AFTER COMPLETION OF GRADING, SEEDING OR SODDING, AND ROLLING OF GRASS AREAS, CAREFULLY ADJUST LAWN SPRINKLER HEADS SO THAT THEY WILL BE FLUSH WITH FINISH GRADE.
- C. ADJUST THE VARIOUS COMPONENTS OF THE SPRINKLER SYSTEM SO THE OVERALL OPERATION OF THE SYSTEM IS EFFICIENT, BALANCING AND ADJUSTMENT SHALL INCLUDE A SYNCHRONIZATION OF THE CONTROLLERS, WATER QUALITY CONTROL EQUIPMENT, SPRINKLER HEADS, AND INDIVIDUAL STATION ADJUSTMENTS ON THE CONTROLLERS.
- D. UPON COMPLETION OF THE WORK AND FINAL ACCEPTANCE BY THE OWNER, TRAIN MAINTENANCE PERSONNEL IN THE OPERATION, MAINTENANCE, AND REPAIR OF THE SYSTEM. PROVIDE COPIES OF MATERIALS, ALL PARTS LISTS, TROUBLE SHOOTING LISTS, SPECIFICATIONS SHEETS, AND CATALOG SHEETS TO THE SCHEDULES AND PROGRAMMING OF THE AUTOMATIC CONTROLLERS IN ACCORDANCE WITH THE SPECIFICATIONS AND/OR IRRIGATION DRAWINGS. SUBMIT ALL WARRANTY INFORMATION TO OWNER.

3.08 WARRANTY

- A. ALL WORK SHALL BE GUARANTEED FOR ONE YEAR FROM DATE OF ACCEPTANCE AGAINST ALL DEFECTS IN MATERIALS, EQUIPMENT AND WORKMANSHIP. GUARANTEE SHALL ALSO COVER REPAIRS TO DAMAGE TO THE LANDSCAPE RESULTING FROM LEAKS OR OTHER DEFECTS IN MATERIALS, EQUIPMENT AND WORKMANSHIP TO THE SATISFACTION OF THE OWNER. REPAIRS, IF REQUIRED, SHALL BE DONE PROMPTLY AT NO COST TO THE OWNER.

Bradley Park
Tidal
Garden

Palm Beach, FL

SMI shall retain all common law, statutory and other reserved rights, including the copyright for these drawings. These drawings shall not be used by the recipients or others except by agreement in writing and with appropriate compensation, waiver of claims, and indemnification to SMI

NO.	DATE	DESCRIPTION
REVISIONS		

COA-019-2020

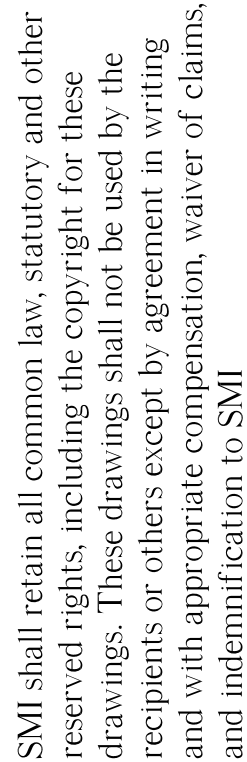
SMI

LANDSCAPE ARCHITECTURE
140 Royal Palm Way, Suite #206, Palm Beach, Florida 33480
Telephone: 561-655-9006
eMail: smila@bellsouth.net
www.smila.net
FL registration #LA 13000223

TITLE			
Irrigation Specifications			
SCALE	PROJECT NO. 0000	CHECKED	
		PRJCT MNGR BSV	
DATE: 06.28.2020	DRAWING NO.		
SEAL	IR-3 SHEET 3 OF 3		

[illegible]

Palm Beach, FL



NOTE:
-FOOTINGS FOR ALL STRUCTURES TO BE AT
LEAST 3' BELOW GRADE TO ALLOW FOR
PLANTINGS / ROOT BALLS

REVIEWS		DATE	DESCRIPTION
2.		08/03/2020	Bid set
1.		05/18/2020	Landmarks Submittal

COA-019-2020

SMI

LANDSCAPE ARCHITECTURE
1440 Royal Palm Way, Suite #206, Palm Beach, Florida 33480
Telephone: 561-635-9006 Fax: 561-635-9007
eMail: Office@smila.net www.smila.net
FL registration #LA 13000223

TITLE		Construction Screening	
SCALE	1" = 20'-0"	PROJECT NO.	0000
DATE	08.03.2020	PRACT MNGR	BSV
SEAL		CHECKED	
		DRAWING NO.	
		CS-1 SHEET 1 OF 1	

ABBREVIATIONS KEY
SMI = SMI Landscape Architecture, LLC.

- HS = HardScope
- LS = LandScope
- LA = Landscape Architect
- DR = Dominican Republic
- TC = Terra Cotta

THK = Thickness
 TYP = Typical
 MIN = Minimum
 MAX = Maximum
 DIA = Diameter
 HT = Height
 TYP = To Be Determined

GRADING
 ELEV = ELEVation
 FFE = Finished Floor Elevation
 TOW = Top Of Wall
 TOS = Top Of Step
 BOS = Bottom Of Step



Know what's below
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TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 105-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Change Order in the Amount of \$4,853 to Central Square (Superion) and Establishing a New Contract Value of \$119,352 for Needed Services.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▢ **Memorandum Dated September 30, 2020, from Dean Mealy, Purchasing Manager**
- ▢ **Resolution No. 105-2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve a Change Order in the Amount of \$4,853 to Central Square (Superion) and Establishing a New Contract Value of \$119,352, **Resolution No. 105-2020**

DATE: 30 September 2020

STAFF RECOMMENDATION

Staff recommends approval of Resolution 105-2020 approving a Change Order to Central Square (Superion) in the amount of \$4,853.

WHY ACTION IS REQUIRED

The original estimate for FY21 services from Central Square (Superion) has been revised by \$4,853 which will establish a New Contract Value of \$119,352 for needed services.

Central Square (Superion) provides annual software maintenance, support and licensing for the Superion ONE Solution System used by Public Safety.

FUNDING/FISCAL IMPACT

Funding for this change order will be from the IT expense budget.

POLICE DEPARTMENT / IT DIVISION REVIEW

This item has been reviewed by the Police Department and the IT Division and approved as recommended.

TOWN ATTORNEY REVIEW

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

cc: Jay Boodheshwar, Deputy Town Manager
Charles Kapachinski, IT Manager

Nicholas Caristo, Police Chief
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 105-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING CHANGE ORDER IN THE AMOUNT OF \$4,853
TO CENTRAL SQUARE (SUPERION) AND ESTABLISHING A
NEW CONTRACT VALUE OF \$119,352 FOR NEEDED
SERVICES.**

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. 105-2020, approving a Change Order in the amount of \$4,853 to Central Square (Superion) and establishing a new contract value of \$119,352 for needed services.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 106-2020 A Resolution Of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving The Award Of ITB No. 2020-23, Phipps Ocean Park Nourishment To Weeks Marine Inc. In The Amount Of \$8,755,000.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated October 2, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **Resolution No. 106-2020**
- ▣ **Bid Tab**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Award ITB No. 2020-23, Phipps Ocean Park Nourishment to Weeks Marine, Inc. in the Amount of \$8,575,000, **Resolution No. 106-2020**

DATE: 2 October 2020

STAFF RECOMMENDATION

Town Staff recommends the Award of ITB No. 2020-23, Phipps Ocean Park Nourishment to Weeks Marine, Inc. in the Amount of \$8,575,000.

GENERAL INFORMATION

The shoreline within the Phipps Ocean Park Beach Nourishment project area in Reach 7 was impacted by hurricanes Matthew (2016) and Irma (2017). Town staff worked closely with FEMA in order to have this project area included within the associated declared disasters in order to receive FEMA funding participation to perform repairs from those hurricanes. FEMA-participated projects are to be completed within 18 months of the declared disaster. Town staff was able to secure a time extension for the work to be completed following the current sea turtle nesting season. The project, including all upland sand placement efforts for dunes, is to be completed between November 1, 2020 and April 30, 2021.

The Town will receive seventy-five percent reimbursement from FEMA of the \$8,575,000 that was bid. The original estimate for this project was in excess of ten million dollars.

The volume of sand to be placed on the beach is equivalent to the surveyed storm sand losses. This volume includes 400,000 cubic yards of sand to be placed on the beach from Phipps Ocean Park to the Palm Worth Condominium. In addition, 85,000 cubic yards of offshore dredged sand will be stockpiled within Phipps Ocean Park to haul to other dune restoration areas that are also eligible for FEMA funding participation with cost sharing on the order of 75% of the project cost. With receipt of responsive bids for the sand stockpiling, the Town will soon solicit bids for the hauling component of the project.

HOW SOLICITATION WAS SOURCED

Town Purchasing issued ITB No. 2020-23, Phipps Ocean Park Nourishment Project on September 1, 2020. The Solicitation closed on October 2, 2020.

The Town sent an Invitation to Bid notification to Weeks Marine Inc. The ITB was advertised through DemandStar to 336 potential bidders nationwide, 5 potential bidders through Public Purchase, in addition to the Palm Beach Post and the Town website.

Nineteen bidders actually accessed the bid solicitation and two bidders actually submitted price proposals.

The Town has had a working history with Weeks Marine Inc. and has found the firm to be responsive and responsible to the ITB solicitation. Weeks Marine Inc. presented the lowest price submittal.

FUNDING/FISCAL IMPACT

Funding for this project will be from the Coastal Program and FEMA Grant funds. The Town will receive seventy-five percent funding from FEMA of the \$8,575,000 that was bid.

The original estimate for the project was in excess of ten million dollars.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Paul Brazil, P.E., Public Works Director
Patricia Strayer, P.E., Town Engineer
Robert Weber, Coastal Program Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPO, Senior Buyer

RESOLUTION NO. 106-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE AWARD OF ITB NO. 2020-23, PHIPPS
OCEAN PARK NOURISHMENT TO WEEKS MARINE INC. IN
THE AMOUNT OF \$8,755,000.**

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. 106-2020, approving the award of ITB No. 2020-23, Phipps Ocean Park Nourishment to Weeks Marine, Inc. in the amount of \$8,755,000.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk



TOWN OF PALM BEACH

TCM Backup 10-13-20

BID Bid No. 2020-23
Phipps Ocean Park Nourishment Project

Bid No. 2020-23 Phipps Ocean Park Nourishment Project		COMPANY NAME:		Great Lakes		Weeks Marine	
Line	DESCRIPTION	QTY	UNIT	UNIT AMOUNT	TOTAL AMOUNT	UNIT AMOUNT	TOTAL AMOUNT
1	MOBILIZATION AND DEMOBILIZATION (1)	1	LS	\$3,850,000.00	\$3,850,000.00	\$3,000,000.00	\$3,000,000.00
2	GENERAL CONDITIONS (2)	1	LS	\$100,000.00	\$100,000.00	\$500,000.00	\$500,000.00
3	SITE PREPARATION/STAGING AREA RESTORATION	1	LS	\$50,000.00	\$50,000.00	\$25,000.00	\$25,000.00
4	TRAFFIC MAINTENANCE/MOT	1	LS	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
5	SAND EXCAVATION AND PLACEMENT (3)	410000	Cubic Yard	\$10.50	\$4,305,000.00	\$10.00	\$4,100,000.00
6	SAND STOCKPILE	85000	Cubic Yard	\$8.50	\$722,500.00	\$10.00	\$850,000.00
7	BEACH TILLING	1	LS	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
8	PERFORMANCE/PAYMENT BOND, BID BOND, AND INSURANCE	1	LS	\$50,000.00	\$50,000.00	\$50,000.00	\$50,000.00
TOTAL BID AMOUNT:					\$9,127,500.00	\$8,575,000.00	

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 107-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Amendments to the Statement of Investment Policy for the OPEB Trust Board of Trustees of the Town of Palm Beach Pursuant to Section 82-153 of the Code of Ordinances of the Town of Palm Beach; Providing an Effective Date.

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Memorandum Dated October 1, 2020, from Jane Le Clainche, Director of Finance**
- ▣ **Resolution No. 107-2020**
- ▣ **Exhibit A**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Finance Director

Re: **Resolution No. 107-2020**
Amendments to the Town's Investment Policy for the OPEB Trust

Date: October 1, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Resolution No. 107-2020 adopting the amendments to the Town's Investment Policy for the OPEB Trust.

BOARD OR COMMISSION RECOMMENDATION

The Investment Advisory Committee recommends that the Town Council approve the revisions to the Town's Investment Policy for the OPEB Trust.

GENERAL INFORMATION

Background:

The IAC, in collaboration with the Town and consulting professionals, has reduced the actuarial Rate of Return Assumption "ROR" to 6% (stepped down from 7.5%). The Trust remains close to 100% Funded at the 6% assumption rate.

The primary objective of the reduction to the ROR is threefold:

- a. The OPEB Plan is well funded and does not need to take additional risks associated with a higher rate of return objective.
- b. A desire to lower the expected contribution volatility (generally a function of variation in investment return) for the Town.
- c. Maintain funding surety of the Trust by reducing the overall funding contribution from investments.

This action provides an opportunity to lower the investment risks of the investment allocation which is intended to mitigate the contribution volatility coming from investments. AndCo completed an asset allocation study that was done in a manner consistent with the new funding

objectives adopted by the Town. AndCo's recommendations are to adjust the asset allocation targets in a manner that lowers the overall expected risk profile of the investment program as presented in the study and red-line amendments to the Investment Policy Statement, attached as Exhibit A to Resolution 107-2020 and are described below:

Asset Class	Target	Range	Benchmark Index
Domestic Equity	40 5%	3 5 40% - 45 50%	Russell 3000
International Equity	10 5%	5 10% - 20 15%	MSCI-ACWI ex US <u>(net)</u>
Total Equity	50 60%	45 55% - 55 65%	
Broad Market Fixed Income	25 15%	10% - 40%	BB-Barclays Aggregate.
Non-Core Fixed Income ¹	5%	0% - 10%	BB-Barclays TIPs
Total Fixed Income	32 0.0%	21 5% - 54 5%	
Real Estate Core / Plus ¹	10%	0% - 15%	NFI-ODCE Fund Index (EW)
Direct Lending – Middle Mkt. Debt. Pvt. Equity ¹	5%	0% - 10%	Strategy Index ²
Global Macro Allocation ¹	5%	0% - 15%	Strategy Index ²
Alternative Investment ¹	0%	0% -10%	Strategy Index ²
Total Non-Traditional Assets	20.0%	0% - 30%	

- Investment in corporate common stock and convertible bonds shall not exceed 55% which is down from 65%.
- Other minor changes to wording as shown in attached investment policy.

The changes were recommended by the Town's consultant AndCo, and approved by the Committee.

TOWN ATTORNEY REVIEW

The Town Attorney has review the resolution and investment policy for legal form and sufficiency. .

Jls

cc: Investment Advisory Committee
Dave West, AndCo

RESOLUTION NO. 107-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING AMENDMENTS TO THE STATEMENT OF INVESTMENT POLICY FOR THE OPEB TRUST BOARD OF TRUSTEES OF THE TOWN OF PALM BEACH PURSUANT TO SECTION 82-153 OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH; PROVIDING AN EFFECTIVE DATE.

WHEREAS, by adoption of Resolution No. 159-2017 the Town Council adopted a Statement of Investment Policy for the OPEB Trust Board of Trustees of the Town of Palm Beach pursuant to Section 82-153 of the Code of Ordinances of the Town; and

WHEREAS, it is the desire of the Town Council to amend the Statement of Investment Policy for the OPEB Trust Board of Trustees.

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

Section 1. Resolution No. 159-2017 is hereby rescinded.

Section 2. The Statement of Investment Policy for the OPEB Trust Board of Trustees attached hereto as Exhibit "A" is hereby adopted.

Section 3. This Resolution shall become effective immediately upon passage by the Town Council.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

I. PURPOSE OF INVESTMENT POLICY STATEMENT

The OPEB TRUST Board of Trustees (“Board”) maintains that an important determinant of future investment returns is the expression and periodic review of the Town of Palm Beach OPEB System (“the OPEB System”) investment objectives. To that end, the Board has adopted this statement of Investment Policy and directs that it applies to all assets under their control.

In fulfilling their fiduciary responsibility, the Board recognizes that the OPEB system is an essential vehicle for providing income benefits to retired participants or their beneficiaries. The Board also recognizes that the obligations of the OPEB System are long-term and that investment policy should be made with a view toward performance and return over a number of years. The general investment objective is to obtain a reasonable total rate of return - defined as interest and dividend income plus realized and unrealized capital gains or losses - commensurate with the Prudent Investor Rule and any other applicable ordinances and statutes.

Reasonable consistency of return and protection of assets against the inroads of inflation are paramount. However, interest rate fluctuations and volatility of securities markets make it necessary to judge results within the context of several years rather than over short periods of five years or less.

The Board will employ investment professionals to oversee and invest the assets of the OPEB System. Within the parameters allowed in this document and their agreements with the Board, the investment management professionals shall have investment discretion over their mandates, including security selection, sector weightings and investment style.

The Board, in performing their investment duties, shall comply with the fiduciary standards set forth in Employee Retirement Income Security Act of 1974 (ERISA) at 29 U.S.C. s. 1104(a) (1) (A) – (C). In case of conflict with other provisions of law authorizing investments, the investment and fiduciary standards set forth in this section shall prevail.

II. TARGET ALLOCATIONS

In order to provide for a diversified portfolio, the Board has engaged investment professional(s) to manage and administer the fund. The investment manager(s) are responsible for the assets and allocation of their mandate only and may be provided an addendum to this policy with their specific performance objectives and investment criteria.

The Board has established the following asset allocation targets for the total fund:

Asset Class	Target	Range	Benchmark Index
Domestic Equity	40 5%	35 40% - 45 50%	Russell 3000
International Equity	10 5%	5 10% - 20 15%	MSCI-ACWI ex US <u>(net)</u>
Total Equity	50 60%	45 55% - 55 65%	
Broad Market Fixed Income	25 15%	10% - 40%	BB-Barclays Aggregate.
Non-Core Fixed Income ¹	5%	0% - 10%	BB-Barclays TIPs
Total Fixed Income	32 0.0%	2 15% - 5 45%	
Real Estate Core / Plus ¹	10%	0% - 15%	NFI-ODCE Fund Index (EW)
Direct Lending – Middle Mkt. Debt. Pvt. Equity ¹	5%	0% - 10%	Strategy Index ²
Global Macro Allocation ¹	5%	0% - 15%	Strategy Index ²
Alternative Investment ¹	0%	0% -10%	Strategy Index ²
Total Non-Traditional Assets	20.0%	0% - 30%	

Note: Allocation to Pvt. Equity and Real Estate shall be based on invested capital.

1. ¹Benchmark and allocation targets to these asset classes will default to “core fixed income” if these classes are not funded

2. The “strategy index” for alternative assets is defined as the most appropriate index, combination of indices, or absolute return target for the investment(s) in question. The strategy index will be determined at the time of engagement based on the specific investment’s long-term objective, prospectus, and/or governing documents and reflected in performance evaluation reports.

The Board of Trustees, with assistance from the Consultant, will monitor the aggregate asset allocation of the portfolio, and will rebalance to the target asset allocation based on market conditions. If at the end of any calendar quarter, the allocation of an asset class falls outside of its allowable range, barring extenuating circumstances such as pending cash flows or allocation levels viewed as temporary, the asset allocation will be rebalanced into the allowable range. To the extent possible, contributions and withdrawals from the portfolio will be executed proportionally based on the most current market values available. The Board does not intend to exercise short-term changes to the target allocation.

The Office of the Town Finance Director is authorized to move funds as required within the existing investment structure and its established investments as required for the maintenance of the target allocation, and for the management of OPEB System Cash Flow.

III. INVESTMENT PERFORMANCE OBJECTIVES

The following performance measures will be used as objective criteria for evaluating the effectiveness of the Investment Managers.

A. Total Portfolio Performance

1. On an absolute basis, the objective is that the return of the total portfolio will equal or exceed the actuarial earnings assumption as established by the Board. ~~—(7.5% concurrently), and provide inflation protection by meeting Consumer Price Index plus 3%.~~
2. The performance of the total portfolio will be measured for rolling three and five year periods. The Target Index for the OPEB System is defined in the TARGET ASSET ALLOCATION table included within this policy.
3. On a relative basis, it is expected that the total portfolio performance will rank in the top 50th percentile of the appropriate peer universe over three and five-year time periods.

B. Equity Performance

The combined equity portion of the portfolio, defined as common stocks and convertible bonds, is expected to perform at a rate at least equal to the respective indices indicated in the target allocation table. Individual components of the equity portfolio will be compared to the specific benchmarks defined in each Investment Manager addendum. All portfolios are expected to rank in the top 50th percentile of the appropriate peer universe over three and five-year time periods.

C. Broad Market and Non-Core Fixed Income Performance

The overall objective of the fixed income portion of the portfolio is to add stability and liquidity to the total portfolio. The fixed income portion of the portfolio is expected to perform at a rate at least equal to the respective indices indicated in the target allocation table. Individual components of the bond portfolio will be compared to the specific benchmarks defined in each Investment Manager addendum. All portfolios are expected to rank in the top 50th percentile of the appropriate peer universe over three and five-year time periods.

D. Real Estate Performance

The overall objective of the real estate portion of the portfolio, if utilized, is to add diversification and another stable income stream to the total fund. The real estate portion of the total fund, defined as core, open ended private real estate, is expected to perform at a rate at least equal to the NFI-ODCE Fund Index (EW) and rank in the top 50th percentile of the appropriate peer universe over 5-year time periods.

E. Alternative and Other Non-Traditional Asset Performance

The overall objective of the alternative and/or "other asset" portion of the portfolio, if utilized, is to reduce the overall volatility of the portfolio and enhance returns. This portion of the fund will be benchmarked as outlined in the manager addendum.

IV. INVESTMENT GUIDELINES

A. Authorized Investments

Pursuant to the investment powers of the Board of Trustees as set forth in the Florida Statutes and local ordinances, the Board of Trustees sets forth the following investment guidelines and limitations:

1. Equities (direct investment):
 - a. Must be traded on a national exchange or electronic network; and
 - b. Not more than five percent (5%) of the OPEB System's assets, at the time of purchase, shall be invested in the common stock, capital stock or convertible stock of any one issuing company, nor shall the aggregate investment in any one issuing company exceed 5% of the outstanding capital stock of the company; and
 - c. Additional criteria may be outlined in the manager's addendum.
2. Fixed Income (direct investment):
 - a. All directly held fixed income investments shall have a rating of in the Top Four ratings classifications as reported by a major credit rating service;
 - b. The value of bonds issued by any single corporation shall not exceed 5% of the total fund;
 - c. Additional criteria may be outlined in the manager's addendum.
3. Money Market:
 - a. The money market fund or STIF options provided by the OPEB System's custodian;
 - b. Have a minimum rating of Standard & Poor's A1 or Moody's P1.
4. Pooled Funds:

Investments made by the Board may include pooled funds. For purposes of this policy pooled funds may include, but are not limited to, mutual funds, commingled funds, exchange-traded funds, limited partnerships and private equity. The asset classification of the fund will be based upon its investment objective and may be interpreted consistent with the Florida Department of Management Services Division of Retirement. Pooled funds may be governed by separate documents which may include investments not expressly permitted in this Investment Policy Statement. In the event of investment by the OPEB System into a pooled fund, the Board will adopt the prospectus or governing policy of that fund as the stated addendum to this Investment Policy Statement.

B. Trading Parameters

When feasible and appropriate, all securities shall be competitively bid. Except as otherwise required by law, the most economically advantageous bid shall be selected. Commissions paid for purchase of securities must meet the prevailing best-execution rates. The responsibility of monitoring best price and execution of trades placed by each manager on behalf of the OPEB System will be governed by the Portfolio Management Agreement between the OPEB System and the Investment Managers.

C. Limitations

1. Investments in corporate common stock and convertible bonds shall not exceed ~~sixtyfifty~~-five percent (~~6555~~%) of the OPEB System assets at market.
2. Foreign securities shall not exceed thirty percent (30%) of OPEB System's market value.
3. All directly held equity and fixed income securities must be readily marketable. Commingled funds must be independently appraised at least annually.

D. Absolute Restrictions

No investments shall be permitted in;

1. Any investment not specifically allowed as part of this policy.
2. Illiquid investments in excess of limitations; as described in Chapter 215.47, Florida Statutes (15); 2019.
3. Direct investment in 'Scrutinized Companies' identified in the periodic publication by the State Board of Administration ("SBA list", updated on their website www.sbafla.com/fsb/), is prohibited. ~~Any security identified as non-compliant on or before January 1, 2010 must be divested by September 1, 2010.~~ Securities identified after January 1, 2010, must be divested within twelve (12) months of the company's initial appearance on the list. However, if divestiture of business activities is accomplished and the company is subsequently removed from the SBA list, the manager can continue to hold that security. Indirect investment in 'Scrutinized Companies' (through pooled funds) are governed by the provisions of Section V. (G) below.

V. COMMUNICATIONS

- A. On a monthly basis, the custodian shall supply an accounting statement that will include a summary of all receipts and disbursements and the cost and the market value of all assets.
- B. On a quarterly basis, the Investment Managers shall provide a written report affirming compliance with the security restrictions of Section IV (as well as any provisions outlined in the Investment Manager's addendum). In addition, the Investment Managers shall deliver a report each quarter detailing the OPEB System's performance, forecast of the market and economy, portfolio analysis and current assets of the OPEB System. Written reports shall be delivered to the Board within 30 days of the end of the quarter. A copy of the written report shall be submitted to the person designated by the Town, and shall be available for public inspection. The Investment Managers will provide immediate written and telephone notice to the Board of any significant market related or non-market related event, specifically including, but not limited to, any deviation from the standards set forth in Section IV or their Investment Manager addendum.

- C. If the Fund owns investments, that complied with section IV at the time of purchase, which subsequently exceed the applicable limit or do not satisfy the applicable investment standard, such excess or noncompliant investments may be continued until it is economically feasible to dispose of such investment in accordance with the prudent man standard of care, but no additional investment may be made unless authorized by law or ordinance. An action OPEB System outlining the investment 'hold or sell' strategy shall be provided to the Board immediately.
- D. The Investment Consultant shall evaluate and report on a quarterly basis the rate of return net of investment fees and relative performance of the OPEB System.
- E. The Board will meet periodically to review the Investment Consultant performance report. The Board will meet with the investment manager and appropriate outside consultants to discuss performance results, economic outlook, investment strategy and tactics and other pertinent matters affecting the OPEB System on a periodic basis.
- F. At least annually, the Board shall provide the Investment Managers with projected disbursement needs of the OPEB System so that the investment portfolio can be structured in such a manner as to provide sufficient liquidity to pay obligations as they come due. To this end the Investment Managers should, to the extent possible, attempt to match investment maturities with known cash needs and anticipated cash-flow requirements.
- G. The Investment Consultant, on behalf of the Retirement System, shall send a letter to any pooled fund referring the investment manager to the listing of 'Scrutinized Companies' by the State Board of Administration ('SBA list'), on their website www.sbafla.com/fsb/. This letter shall request that they consider removing such companies from the fund or create a similar actively managed fund having indirect holdings devoid of such companies. If the manager creates a similar fund, the Retirement System shall replace all applicable investments with investments in the similar fund in an expedited timeframe consistent with prudent investing standards. For the purposes of this section, a private equity fund is deemed to be an actively managed investment fund. However, after sending the required correspondence, the Retirement System is not required to sell the pooled fund.

VI. COMPLIANCE

- A. It is the direction of the Board that the OPEB System assets are held by a third party custodian, and that all securities purchased by, and all collateral obtained by the OPEB System shall be properly designated as OPEB System assets. No withdrawal of assets, in whole or in part, shall be made from safekeeping except by an authorized member of the Board or their designee. Securities transactions between a broker-dealer and the custodian involving purchase or sale of securities by transfer of money or securities must be made on a "delivery vs. payment" basis to insure that the custodian will have the security or money in hand at conclusion of the transaction.
- B. The investment policy shall require all approved institutions and dealers transacting repurchase agreements to execute and perform as stated in the Master Repurchase Agreement. All repurchase agreement transactions shall adhere to the requirements of the Master Repurchase Agreement.

- C. At the direction of the Board operations of the OPEB System shall be reviewed by independent certified public accountants as part of any financial audit periodically required. Compliance with the Board's internal controls shall be verified. These controls have been designed to prevent losses of assets that might arise from fraud, error, or misrepresentation by third parties or imprudent actions by the Board or employees of the OPEB System sponsor, to the extent possible.
- D. The Board acknowledges the importance of continuing education for the Trustees. Education will be provided on an on-going basis by the Fund's actuary, attorney, custodian, investment manager(s), consultant and administrator. In addition, the Trustees are encouraged to attend educational conferences in connection with their duties and responsibilities. Each trustee is encouraged to attend a minimum of one conference or seminar per year. Additional conferences or seminars are also encouraged.
- E. With each actuarial valuation, the Board shall determine the total expected annual rate of return for the current year, for each of the next several years and for the long term thereafter. This determination shall be filed promptly with the appropriate State Agency as so required, the OPEB System's sponsor and the consulting actuary.
- F. The proxy votes must be exercised for the exclusive benefit of the participants of the OPEB System. Each Investment Manager shall provide the Board with a copy of their proxy voting policy for approval. On a regular basis, at least annually, each manager shall report a record of their proxy vote.

VII. CRITERIA FOR INVESTMENT MANAGER REVIEW

The Board wishes to adopt standards by which judgments of the ongoing performance of a portfolio manager may be made. If, at any time, any three of the following is breached, the portfolio manager may be warned of the Board's serious concern for the OPEB System's continued safety and performance. If any five of these are violated the consultant may recommend a manager search for that mandate.

- Four (4) consecutive quarters of relative under-performance verses the benchmark index.
- Three (3) year trailing return below the top 50th percentile within the appropriate peer group and under performance verses the benchmark index.
- Five (5) year trailing return below the top 50th percentile and under performance verses the benchmark index.
- Three (3) year downside volatility greater than the index (greater than 100), as measured by down market capture ratio.
- Five (5) year downside volatility greater than the index (greater than 100), as measured by down market capture ratio.
- Style consistency or purity drift from the mandate.
- Management turnover in portfolio team or senior management.
- Investment process change, including varying the index or benchmark.

- Failure to adhere to the IPS or other compliance issues.
- Investigation of the firm by the Securities and Exchange Commission (SEC).
- Significant asset flows into or out of the company.
- Merger or sale of firm.
- Fee increases outside of the competitive range.
- Servicing issues – key personnel stop servicing the account without proper notification.
- Failure to attain a 60% vote of confidence by the Board.

Nothing in this section shall limit or diminish the Board's right to terminate the manager at any time for any reason.

VIII. APPLICABLE TOWN ORDINANCES

If at any time this document is found to be in conflict with the Town Ordinances or applicable Florida Statutes such as F.S. 215.47(1) (8), (10) and (16), and 215.473(e), the Ordinances and Statutes shall prevail.

IX. REVIEW AND AMENDMENTS

It is the Board's intention to review this document periodically (no less than every 3 years)~~at least annually subsequent to the actuarial report~~ and to amend this statement to reflect any changes in philosophy, objectives, or guidelines. In this regard, the Investment Manager's interest in consistency in these matters is recognized and will be taken into account when changes are being considered. If, at any time, the Investment Manager feels that the specific objectives defined herein cannot be met, or the guidelines constrict performance, the Board should be notified in writing. By initialing and continuing acceptance of this Investment Policy Statement, the Investment Managers concur with the provisions of this document. By signing this document, the Chairman attests that this policy has been recommended by the Investment Consultant, reviewed by the OPEB System's legal counsel for compliance with applicable law, and approved by the Board of Trustees.

X. FILING OF THE INVESTMENT POLICY

Upon adoption by the Board, the investment policy shall be promptly filed with the Town, and the OPEB System's actuary.

Approved as to form and legal sufficiency:

Date

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 112-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Award of Extension of Interlocal Agreement with Palm Beach County for Vehicle Maintenance for Fire Rescue in the amount of \$126,000 for FY21.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▢ **Memorandum Dated October 1, 2020, from Dean Mealy, Purchasing Manager**
- ▢ **Resolution No. 112-2020**

Information for Town Council Meeting on October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

THROUGH: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II CPPO Town Purchasing Manager

RE: Resolution No. 112-2020 Approving Award of Extension of Interlocal Agreement with Palm Beach County for Vehicle Maintenance for Fire Rescue in the amount of \$126,000 for FY21.

DATE: 1 October 2020

SUMMARY EXPLANATION/BACKGROUND

Town Purchasing and the Fire Department recommend the approval of Resolution No. 112-2020 approving award of extension of Interlocal Agreement with Palm Beach County for vehicle maintenance for Fire Rescue

The majority of Fire Departments within Palm Beach County utilize the Interlocal Agreement for vehicle repairs of fire apparatus. Palm Beach County has provided excellent rates for repairs and it is in the best interest of the Town to continue with this agreement. The Town eliminated a full time position, mechanic, and associated equipment as a result of this contract.

WHAT ACTION ACCOMPLISHES

Provides extension of Interlocal Agreement with Palm Beach County for vehicle maintenance related to fire apparatus for the period of October 1, 2020 – September 30, 2021.

FISCAL IMPACT/FUNDING SOURCE

The fiscal impact for the annual extension is \$126,000. The source of funding was approved in the 2020 budget to continue the Interlocal Agreement in the amount of \$126,000.

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.

USER DEPARTMENT CONCURRENCE

The Fire Department is in full concurrence with this recommendation.

cc: Jay Boodheshwar, Deputy Town Manager
Darrel Donatto, Fire Chief
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 112-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING AWARD OF EXTENSION OF INTERLOCAL
AGREEMENT WITH PALM BEACH COUNTY FOR VEHICLE
MAINTENANCE FOR FIRE RESCUE IN THE AMOUNT OF
\$126,000 FOR FY21.**

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. 112-2020 approving the award of extension of Interlocal Agreement with Palm Beach County for vehicle maintenance for Fire Rescue in the amount of \$126,000 for FY21.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Consent - Other

Agenda Title

Request to Consider Ordinance No. 11-2020 Prior to 5:00 p.m. at a Public Hearing on October 14, 2020.

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated September 14, 2020, from Wayne Bergman, Director of Planning, Zoning and Building**
- ▣ **Ordinance No. 11-2020**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

To: Mayor and Town Council

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

Cc: Kirk Blouin, Town Manager

Re: Request to Consider Ordinance No. 11-2020 at Public Hearings Prior to 5:00 p.m.

Date: September 14, 2020

STAFF RECOMMENDATION

Staff recommends the Town Council conduct the public hearings on Ordinance No. 11- 2020 at the Town Council meetings prior to 5:00 p.m. The proposed Ordinance will be heard on First Reading at the October 14, 2020 meeting, and it is anticipated that the Second Reading will be on or about December 9, 2020.

GENERAL INFORMATION

Florida Statute 166.041 requires the Town Council hold at least one of two public hearings to adopt a comprehensive plan amendment (or zoning amendment ordinance that changes the list of permitted, conditional or prohibited uses within a zoning district consisting of parcels of land involving ten acres or more) after 5:00 p.m. However, the Statute provides that the time of hearing can be changed if a majority, plus one, of the local governing body, elects to have a hearing at another time. Staff is requesting that the Town Council elect to conduct the public hearings on Ordinance No. 11-2020 during the course of the normal Council business. The First Reading of the proposed Ordinance will be on October 14, 2020. Second Reading is anticipated to be on or about December 9, 2020. All public hearings may occur before 5:00 p.m.

ORDINANCE NO. 11-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN OF PALM BEACH'S COMPREHENSIVE PLAN BY AMENDING THE INFRASTRUCTURE ELEMENT, AS WELL AS THE 10-YEAR WATER SUPPLY FACILITY WORK PLAN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREOF; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town proposes to amend its Comprehensive Plan in accordance with the requirements of the 1993 Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, the Town created the Town of Palm Beach Comprehensive Plan with the adoption of Ordinance No. 11-89, and last amended the Comprehensive Plan on August 9, 2017 with the adoption of Ordinance No. 9-2017; and

WHEREAS, the Town is amending the Infrastructure Element and the 10-Year Water Supply Facility Work Plan, based on the City of West Palm Beach's recent update to their 10-Year Water Supply Facility Work Plan and Chapter 163.3177(6)(c), Florida Statutes; and,

WHEREAS, after public hearing pursuant to notice required by law, the Town Council, acting as the Local Planning Agency (LPA) at its October 14, 2020 meeting, considered all evidence and testimony and recommended that the Town Council approve on first reading the subject Ordinance amending the Town's Comprehensive Plan, and transmit said ordinance to the Florida Department of Economic Opportunity (DEO); and,

WHEREAS, after public hearings on October 14, 2020 and _____, 2020, pursuant to notice as required by law, the Town Council does hereby find, determine, and declare that the public health, safety, morals and general welfare of the citizens of the Town of Palm Beach requires that the aforesaid Comprehensive Plan, be amended as hereinafter set forth, and transmitted to the Florida Department of Economic Opportunity (DEO).

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

Section 1. Incorporation of Recitals

The above recitals are incorporated as fully set forth herein.

Section 2. Findings

The proposed Comprehensive Plan amendments, as more particularly described in Exhibit A, have been determined by the Town Council to promote the public health, safety and welfare, and are consistent with the requirements in Florida Statutes, and all elements of the adopted Comprehensive Plan.

Section 3. Amendment of the Comprehensive Plan

The Town of Palm Beach Comprehensive Plan is hereby amended to incorporate those amendments set forth in Exhibit A attached hereto and incorporated herein by reference.

Section 4. 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 5. 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 6. Codification.

This Ordinance shall be codified and made a part of the official Comprehensive Plan of the Town of Palm Beach.

Section 7. Effective Date.

This Ordinance shall take effect thirty-one days after its adoption, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 14th day of October, 2020, and for second and final reading on this ____ day of _____, 2020.

Gail L. Coniglio, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Queenester Nieves, Town Clerk

Danielle H. Moore, Town Council Member

EXHIBIT A

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Consent - Other

Agenda Title

Status Report of Delinquent Accounts and Request for Authorization to Write-off Uncollectible Accounts.

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Memorandum Dated October 1, 2020, from Jane Le Clainche, Director of Finance**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jane Le Clainche, Director of Finance

Re: Status Report of Delinquent Accounts and Request for Authorization to Write-off Uncollectible Accounts

Date: October 1, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council authorize staff to write off the balances identified in the report and summarized below:

Type of Charge	Write off Amount	FY2020 Revenue Collected	% of Write off vs. Total Revenue
EMS Charges	\$116,720	\$435,929	27%
Code Enforcement Fees	\$675	\$122,790	.01%
Business Tax Receipt	2,170	\$1,328,001	.001%
Marina Outstanding Invoices	\$11,778	\$2,406,878	.004%
Parking Tickets (FY2017)			
Tickets	\$46,486	\$556,422	8%
Penalties	\$55,645	\$142,555	39%
Total	\$306,720	\$1,335,252	22.9%

GENERAL INFORMATION

Status of Delinquent Accounts - Year End Update

Attached is the September 30, 2020, Status of Delinquent Accounts report for your review. This report includes outstanding code enforcement liens, false alarm fees and fire prevention fees. The total amount of delinquent accounts on this report equals \$2,828,950.72. Most of the balance is made up of code enforcement liens. The numerous small amounts under code enforcement liens represent code enforcement administrative fees.

Overall, aside from the code enforcement liens, the alarms and fire prevention accounts are mostly current and collection letters have been sent to the parties involved. This delinquent

account report is prepared monthly and distributed to the Planning, Zoning and Building, Public Works, Fire-Rescue and the Police Departments to monitor for collection opportunities.

EMS Collections

Fire-Rescue is requesting the authority to write off \$116,720 in uncollectible EMS fees. The Town had contracted with EMS Management and Consultants, Inc. (EMSMC) to bill and collect EMS fees. The Town has also contracted with Security Collection Agency to collect the delinquent EMS and other outstanding accounts. EMSMC sends the uncollectible accounts to SCA on a monthly basis.

The total amount due on EMS accounts is shown below.

Total amount due on EMS accounts as of September 30, 2020: \$196,625

Total amount of delinquent accounts as of September 30, 2020: \$198,960

The collection rate for the FY2019 dates of service is currently 69.9%, the collection rate for the FY2020 dates of service is currently 73%

Total revenue from EMS fees for FY2020: \$439,936

Code Enforcement

Code Enforcement write-offs total \$675.00 for 2 cases. The attached memorandum from Carla Marcote, Code Enforcement Specialist, provides individual explanations per case.

Business Tax Receipts

Business Tax Receipts write-offs total \$2,170 for one license. The license from Neiman Marcus is attached. The company filed for Bankruptcy.

Marina Outstanding Invoices

Marina Outstanding Invoices write-offs total \$11,777.58. The attached memorandum from Rosemary Chase provides detailed information on each of the invoices. Per Mike Horn the Dockmaster, these invoices were determined to be uncollectible.

Parking Tickets

The Town uses a collection agency, Enforcement Technology (ET) to collect on delinquent and out-of-state parking tickets. During FY20, their efforts to collect on delinquent tickets have produced \$7,179 in additional parking ticket revenue. ET has been paid \$2,872 for their efforts during the year.

Revenues from parking tickets and associated penalties for FY20 were \$112,145 higher than FY19. The increase in ticket revenue is due to the additional contractual parking enforcement officers that were on the job this year.

Last year, Town Council authorized staff to write off unpaid tickets issued during fiscal year

2016. We are requesting that the Town Council authorize staff to write off outstanding parking tickets and penalties issued prior to September 30, 2017, totaling \$102,131. This total consists of original tickets issued in the amount of \$46,486 and \$55,645 in penalties. These tickets have been sent to the collection agency and all efforts have been made to collect these tickets. The collection agency will continue to pursue these outstanding tickets.

The chart below compares FY2019 vs. FY2020 write off and receivable balances.

Comparison of FY2019 vs. FY2020 Receivable Report

Write off Amounts

Type of Charge	FY2019	FY2020
EMS Charges	\$150,331	\$116,720
Code Enforcement	\$400	\$675
Marina Outstanding Invoices	\$0	\$11,777
Parking Tickets	\$155,989	\$102,131

Balance of Delinquent Accounts

Type of Charge	FY2019	FY2020
Code Enforcement Liens	\$2,462,425	\$2,813,650
Fire Prevention Fees	\$666	\$2,275
False Alarm Accounts	\$2,572	\$9,512
EMS Charges	\$181,926	\$198,960
Parking Tickets		
Tickets	\$257,195	\$229,336
Penalties	\$251,663	\$252,869

Revenues from above sources

Type of Charge	FY2019	FY2020
Code Enforcement Liens	\$318,425	\$122,790
EMS Fees	\$429,995	\$439,936
Parking Tickets and Penalties	\$586,832	\$698,977
Fire Prevention Fees	\$99,797	\$70,599
False Alarm Revenues	\$80,599	\$52,270

**Town of Palm Beach
Delinquent Accounts
9/30/2020**

Name	Address	Case Number	Date of Violation	Principal Due	Penalty/Interest Due	Total Due	Date of Lien	Action Taken
Code Enforcement Liens								
Susan Gibson- Case 1	226 Pendleton Ave	Case #07-2277	09/20/2007	\$0.00	\$43,250.00	\$43,250.00	8/11/2010	\$150 CEB 9/20/07 \$250 per day thru 3/20/08 (sewer)
Susan Gibson - Case 2	226 Pendleton Ave	Case #07-2277	10/17/2007	\$0.00	\$1,179,600.00	\$1,179,600.00	8/11/2010	Daily Running Fine of \$250.00 started 10/18/07
Susan C Lee	287 Pendleton Ave	Case #10-2706	04/10/2010	\$0.00	\$953,250.00	\$953,250.00	6/2/2010	Daily Fine of 250.00 started 4/10/10:CEB costs
224 Atlantic LLC	224 Atlantic Ave	Case #15-57	04/11/2015	\$150.00	\$230,500.00	\$230,650.00	4/29/2015	\$150 CEB on 3/19/15 \$250 per day 4/11/15
Susan Gibson	226 Pendleton Ave	Case #16-1116	03/16/2017	\$150.00	\$124,800.00	\$124,950.00	5/2/2017	\$150 CEB on 3/16/17 - \$100 per day
Husnija Spahic	2840 S. Ocean Blvd #223	Case #18-400	08/16/2018	\$0.00	\$183,000.00	\$183,000.00	10/2/2018	\$250 per day starting 9/16/18
Wood's Lawn & Garden	259 Clarke Ave	Case #18-706	07/19/2018	\$150.00	\$125.00	\$275.00	9/27/2018	\$150 CEB on 7/19/18 \$ 125.00 fine
Island Company	256 Worth Ave	Case #19-819	08/15/2019	\$150.00	\$250.00	\$400.00		\$150 CEB
Nancy Shubert	123 Chilean Ave	Case #19-853	10/17/2019	\$150.00	\$60,600.00	\$60,750.00		\$150 CEB - daily fine \$200.00
Worth Avenue Holdings	331 Worth Ave	Case #19-952	10/17/2019	\$150.00	\$30,300.00	\$30,450.00		\$150 CEB - daily fine \$100.00
Cheney Brothers CBI	S County Rd	Case #19-1171	10/17/2019	\$150.00	\$125.00	\$275.00		\$150 CEB
Sterling Palm Beach	340 Royal Poinc Way	Case #19-1414	01/16/2020	\$150.00	\$0.00	\$150.00		\$150 CEB
Casa 214 Condominium	214 Chilean Ave	Case #20-322	06/18/2020	\$150.00	\$6,500.00	\$6,650.00		\$150 CEB
Total CEB Fines				\$1,350.00	\$2,812,300.00	\$2,813,650.00		
Police Special Detail								
Athos Group Security		Invoice #6389	8/10/2020	\$1,120.00	\$0.00	\$1,120.00		Past Due Reminder Sent
Brownhot Events		Invoice #6301	3/4/2020	\$924.00	\$0.00	\$924.00		Cert Letterr Sent 7/10/20
John Walsh		Invoice #6380	7/14/2020	\$1,470.00	\$0.00	\$1,470.00		Pymt error to pay balance due
Total Special Detail				\$3,514.00	\$0.00	\$3,514.00		
Alarm Accounts								
Polo Ralph Lauren	300 Worth Ave	AL-0000840		\$1,050.00	\$564.92	\$1,614.92		Cert Ltr 5/18/20, Sent to CEB Board May
Matthew Gabelli	1157 N Lake Way	AL-002755		\$50.00	\$67.97	\$117.97		Cert Ltr 5/18/20, Sent to CEB Board May
George Cloutier	240 N Ocean Blvd	AL-001422		\$300.00	\$123.09	\$423.09		Cert Ltr - Sent to CEB Board August
PNC Bank	245 Royal Poinc Way	AL-000036		\$600.00	\$378.31	\$978.31		Cert Ltr - Sent to CEB Board August- preparing pym
Salvatore Ferragamo	200 Worth Ave	AL-000190		\$2,850.00	\$354.81	\$3,204.81		Cert Ltr - Sent to CEB Board August
Goma of Palm Beach	421 Peruvian Ave	AL-003697	Contractor	\$75.00	\$184.07	\$259.07		Cert Ltr - Sent to CEB Board August- preparing pym
Alansamir AC	2720 S Ocean Blvd #324	AL-003864	Contractor	\$75.00	\$207.90	\$282.90		Cert Ltr - Sent to CEB Board August
Florida Stone	3140 S Ocean Blvd	AL-003752	Contractor	\$75.00	\$119.62	\$194.62		Cert Ltr - Sent to CEB Board August
RCC Management	380 S County Rd	AL-003868	Contractor	\$75.00	\$57.90	\$132.90		Cert Ltr - Sent to CEB Board August
Zimmerman USA	340 Royal Poinc Way	AL-003825		\$600.00	\$366.31	\$966.31		Cert Ltr - Sent to CEB Board August
Theory of Palm Beach	340 Royal Poinc Way #310	AL-003586		\$350.00	\$358.00	\$708.00		Cert Ltr - Sent to CEB Board September
Roberta Roller Rabbit	340 Royal Poinc Way #315	AL-002323		\$50.00	\$67.97	\$117.97		Cert Ltr - Sent to CEB Board August- preparing pym
Lalo Handbags	306 S County Rd	AL-003708		\$100.00	\$174.91	\$274.91		Cert Ltr - Sent to CEB Board September
Fashionista	296 S County Rd	AL-002426		\$50.00	\$67.97	\$117.97		Cert Ltr - Sent to CEB Board September
Chase Bank	285 Sunrise Ave	AL-002489		\$50.00	\$67.97	\$117.97		Cert Ltr - Sent to CEB Board September
Total Alarm Calls				\$6,350.00	\$3,161.72	\$9,511.72		
Fire Prevention								
Benchmark of Palm Beach	205 Worth Ave #315	'2007214502	7/21/2020	\$100.00	\$0.00	\$100.00	Inspection	7/21/2020 Sent past due letter
Carrie Me Couture	223 Worth Ave	'2007214500	7/21/2020	\$100.00	\$0.00	\$100.00		7/21/2020 Sent past due letter
Matt Firestone	205 Worth Ave #305	'2007174500	7/17/2020	\$100.00	\$0.00	\$100.00		7/17/2020 Sent past due letter
Philippe Brian Taxes	205 Worth Ave #303	'2007144505	7/14/2020	\$100.00	\$0.00	\$100.00		7/14/2020 Sent past due letter
KAJANE ESTATES LLC	205 Worth Ave #301	'2007144507	7/14/2020	\$100.00	\$0.00	\$100.00		7/14/2020 Sent past due letter
CHRISTOFLE SILVER INC.	205 Worth Ave #314	'2007144510	7/14/2020	\$100.00	\$0.00	\$100.00		7/14/2020 Sent past due letter
CHARLES DUNCKER	205 Worth Ave #301 B	'2007144511	7/14/2020	\$100.00	\$0.00	\$100.00		7/14/2020 Sent past due letter

J. McLaughlin	225 Worth Ave #B	'2007134505	7/13/2020	\$100.00	\$0.00	\$100.00	7/13/2020	Sent past due letter
Grace Development	230 Sunrise Ave	'2007134500	7/13/2020	\$125.00	\$0.00	\$125.00	7/13/2020	Sent past due letter
MIRSKY REALTY GROUP	220 Sunrise Ave #100	'2007094511	7/9/2020	\$100.00	\$0.00	\$100.00	7/9/2020	Sent past due letter
Tina Fanjul Associates	220 Sunrise Ave #103	'2007094507	7/9/2020	\$100.00	\$0.00	\$100.00	7/9/2020	Sent past due letter
MorseLife	220 Sunrise Ave #215	'2007094503	7/9/2020	\$100.00	\$0.00	\$100.00	7/9/2020	Sent past due letter
IVETTE GIL BEAUTY DESIGN	220 Sunrise Ave #102	'2007094501	7/9/2020	\$100.00	\$0.00	\$100.00	7/9/2020	Sent past due letter
Sunset Pilates	223 Sunset Ave #160	'2007084502	7/8/2020	\$100.00	\$0.00	\$100.00	7/8/2020	Sent past due letter
Doris Shaw C.P.A.	223 Sunset Ave #230	'2007084500	7/8/2020	\$100.00	\$0.00	\$100.00	7/8/2020	Sent past due letter
FAMILY INSURANCE OFFICE	249 Royal Palm Way #500	'20061515520	6/15/2020	\$100.00	\$0.00	\$100.00	6/15/2020	Sent past due letter
ENERGY IMPACT PARTNERS	249 Royal Palm Way #303	'20061515517	6/15/2020	\$100.00	\$0.00	\$100.00	6/15/2020	Sent past due letter
WILLIAM JONES	249 Royal Palm Way #502	'20061515516	6/15/2020	\$100.00	\$0.00	\$100.00	6/15/2020	Sent past due letter
Palm Beach Atlantic Condo Association	223 Atlantic Ave	'2005294501	5/29/2020	\$150.00	\$0.00	\$150.00	5/29/2020	Sent past due letter
Mizner Court Apartments	184 Sunset Ave	'2005144500	5/14/2020	\$150.00	\$0.00	\$150.00	5/14/2020	Sent past due letter
Tres Vidas	2335 S Ocean Blvd	'20051215504	5/12/2020	\$150.00	\$0.00	\$150.00	5/12/2020	Sent past due letter
Villa Serein	2170 Ibis Isle Rd	'20051215503	5/12/2020	\$100.00	\$0.00	\$100.00	5/12/2020	
Total Fire Prevention				\$2,275.00	\$0.00	\$2,275.00		
Total monies due to Town				\$13,489.00	\$2,815,461.72	\$2,828,950.72		

CREDIT TRANSACTIONS BY DEPOSIT DATE

Period IS 201810 OR -201810 OR 201811 OR -201811 OR 201812 OR -201812 OR 201901 OR -201901 OR 201902 OR -201902 OR 201903 OR -201903 OR 201904 OR -201904 OR 201905 OR -201905 OR 201906 OR -201906 OR 201907 OR -201907 OR



TOM Backus 10-13-20

PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt						
Write off-Bad Debt	2015-03-28	15000747	15-289736		2015-11-30	-\$300.00
Write off-Bad Debt	2015-06-24	15001336	15-623922		2015-12-31	-\$710.00
Write off-Bad Debt	2016-07-18	16001323	16-675689		2016-10-31	-\$798.00
Write off-Bad Debt	2016-07-14	16001297	16-675682		2017-05-31	-\$810.00
Write off-Bad Debt	2017-05-31	17001089	17-668130		2017-12-31	-\$762.00
Write off-Bad Debt	2016-12-01	16002225	16-1187966		2018-01-31	-\$337.02
Write off-Bad Debt	2016-11-28	16002197	16-1244499		2018-01-31	-\$337.02
Write off-Bad Debt	2017-01-24	17000170	17-137205		2018-01-31	-\$762.00
Write off-Bad Debt	2017-07-24	17001426	17-892363		2018-03-15	-\$820.80
Write off-Bad Debt	2017-07-26	17001439	17-952308		2018-04-30	-\$164.40
Write off-Bad Debt	2017-09-08	17001706	17-1113907		2018-05-15	-\$250.00
Write off-Bad Debt	2017-06-09	17001143	17-711720		2018-05-31	-\$764.40
Write off-Bad Debt	2017-02-28	17000456	17-249723		2018-06-30	-\$774.00
Write off-Bad Debt	2016-08-05	16001424	16-767669		2018-08-17	-\$640.60
Write off-Bad Debt	2018-02-06	18000305	18-161257		2018-08-31	-\$250.00
Write off-Bad Debt	2018-02-13	18000365	18-230843		2018-08-31	-\$796.80
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2018-09-14	-\$699.20
Write off-Bad Debt	2017-01-23	17000164	17-137204		2018-09-14	-\$15.00
Write off-Bad Debt	2017-07-22	17001416	17-892358		2018-09-14	-\$127.00
Write off-Bad Debt	2017-05-31	17001092	17-668133		2018-09-24	-\$175.00
Write off-Bad Debt	2017-11-10	17002211	17-1514320		2018-09-30	-\$810.00
Write off-Bad Debt	2017-01-09	17000067	17-27129		2018-09-30	-\$252.40
Write off-Bad Debt	2018-01-13	18000111	18-156263		2018-09-30	-\$106.42
Write off-Bad Debt	2018-01-20	18000174	18-156819		2018-09-30	-\$847.20
Write off-Bad Debt	2018-02-13	18000364	18-230842		2018-09-30	-\$774.00
Write off-Bad Debt	2018-02-26	18000472	18-261505		2018-09-30	-\$764.40
Write off-Bad Debt	2018-03-07	18000543	18-442649		2018-09-30	-\$28.69
Write off-Bad Debt	2018-05-15	100223	18-679563		2018-09-30	-\$762.00
Write off-Bad Debt	2018-06-04	100367	18-733208		2018-09-30	-\$814.80
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2018-10-19	\$674.20
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2018-10-19	-\$674.20
Write off-Bad Debt	2017-11-10	17002204	17-1514318		2018-10-31	\$808.80
Write off-Bad Debt	2017-12-30	17002615	17-1627529		2018-10-31	\$150.19
Write off-Bad Debt	2018-01-10	18000082	18-156247		2018-10-31	\$804.00

CREDIT TRANSACTIONS BY DEPOSIT DATE

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TOM Backus 10/13/20

PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2018-02-08	18000325	18-230827		2018-10-31	\$805.20
Write off-Bad Debt	2018-02-09	18000331	18-230828		2018-10-31	\$778.80
Write off-Bad Debt	2018-02-09	18000331	18-230828		2018-10-31	-\$778.80
Write off-Bad Debt	2018-03-11	18000574	18-442665		2018-10-31	\$813.60
Write off-Bad Debt	2018-03-12	18000583	18-442669		2018-10-31	\$787.20
Write off-Bad Debt	2018-03-12	18000583	18-442669		2018-10-31	-\$787.20
Write off-Bad Debt	2018-03-13	18000593	18-442674		2018-10-31	\$808.80
Write off-Bad Debt	2018-03-13	18000593	18-442674		2018-10-31	-\$808.80
Write off-Bad Debt	2018-03-20	18000653	18-442706		2018-10-31	\$101.99
Write off-Bad Debt	2018-03-20	18000654	18-442707		2018-10-31	\$94.47
Write off-Bad Debt	2018-03-24	18000705	18-442729		2018-10-31	\$765.60
Write off-Bad Debt	2018-03-28	18000733	18-442741		2018-10-31	\$92.26
Write off-Bad Debt	2018-03-28	18000733	18-442741		2018-10-31	-\$92.26
Write off-Bad Debt	2018-03-29	18000744	18-442743		2018-10-31	\$781.20
Write off-Bad Debt	2018-03-30	18000752	18-442744		2018-10-31	\$793.20
Write off-Bad Debt	2018-03-30	18000752	18-442744		2018-10-31	-\$793.20
Write off-Bad Debt	2018-04-01	18000770	18-442754		2018-10-31	\$772.80
Write off-Bad Debt	2018-04-01	18000773	18-442843		2018-10-31	\$814.80
Write off-Bad Debt	2018-04-01	18000773	18-442843		2018-10-31	-\$814.80
Write off-Bad Debt	2018-04-01	18000773	18-442888		2018-10-31	\$814.80
Write off-Bad Debt	2018-04-01	18000773	18-442888		2018-10-31	-\$814.80
Write off-Bad Debt	2018-04-01	18000773	18-442889		2018-10-31	\$814.80
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2018-11-23	\$649.20
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2018-11-23	-\$649.20
Write off-Bad Debt	2017-07-26	17001439	17-952308		2018-11-23	\$134.40
Write off-Bad Debt	2017-07-26	17001439	17-952308		2018-11-23	-\$134.40
Write off-Bad Debt	2017-12-14	17002494	17-1627755		2018-11-30	\$810.00
Write off-Bad Debt	2018-03-13	18000590	18-442672		2018-11-30	\$781.20
Write off-Bad Debt	2018-03-14	18000600	18-442678		2018-11-30	\$780.00
Write off-Bad Debt	2018-03-22	18000679	18-442718		2018-11-30	\$311.41
Write off-Bad Debt	2018-04-16	100037	18-571278		2018-11-30	\$807.60
Write off-Bad Debt	2018-04-16	100037	18-571278		2018-11-30	-\$807.60
Write off-Bad Debt	2018-04-25	100091	18-571300		2018-11-30	\$91.08
Write off-Bad Debt	2018-04-25	100091	18-571300		2018-11-30	-\$91.08
Write off-Bad Debt	2018-04-28	100101	18-571306		2018-11-30	\$813.60
Write off-Bad Debt	2018-05-07	100167	18-599898		2018-11-30	\$786.00

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TOM Backus 10/13/20

PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2018-01-02	18000016	18-64533		2018-11-30	\$139.37
Write off-Bad Debt	2018-05-10	100191	18-679549		2018-11-30	\$774.00
Write off-Bad Debt	2018-05-12	100202	18-679556		2018-11-30	\$162.00
Write off-Bad Debt	2018-05-18	100250	18-679572		2018-11-30	\$775.20
Write off-Bad Debt	2018-05-18	100250	18-679572		2018-11-30	-\$775.20
Write off-Bad Debt	2018-05-20	100261	18-679578		2018-11-30	\$784.80
Write off-Bad Debt	2018-04-09	18000824	18-693008		2018-11-30	\$774.00
Write off-Bad Debt	2018-04-12	18000846	18-693014		2018-11-30	\$887.20
Write off-Bad Debt	2018-04-15	18000872	18-693024		2018-11-30	\$814.80
Write off-Bad Debt	2018-06-13	100432	18-816268		2018-11-30	\$807.60
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2018-12-21	\$624.20
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2018-12-21	-\$624.20
Write off-Bad Debt	2017-07-26	17001439	17-952308		2018-12-21	\$104.40
Write off-Bad Debt	2017-07-26	17001439	17-952308		2018-12-21	-\$104.40
Write off-Bad Debt	2017-01-24	17000170	17-137205		2018-12-28	\$762.00
Write off-Bad Debt	2016-09-09	16001634	16-898877		2018-12-31	\$1,826.00
Write off-Bad Debt	2016-09-09	16001634	16-898877		2018-12-31	-\$1,826.00
Write off-Bad Debt	2016-09-09	16001634	16-898877		2018-12-31	\$166.00
Write off-Bad Debt	2018-07-28	120688	18-1074399		2018-12-31	\$825.60
Write off-Bad Debt	2018-07-30	120702	18-1074405		2018-12-31	\$866.40
Write off-Bad Debt	2018-07-30	120707	18-1074406		2018-12-31	\$802.80
Write off-Bad Debt	2018-08-09	120750	18-1074418		2018-12-31	\$765.60
Write off-Bad Debt	2018-08-30	120871	18-1176600		2018-12-31	\$778.80
Write off-Bad Debt	2018-08-30	120871	18-1176600		2018-12-31	-\$778.80
Write off-Bad Debt	2018-01-15	18000133	18-156273		2018-12-31	\$834.00
Write off-Bad Debt	2018-01-19	18000156	18-156811		2018-12-31	\$768.00
Write off-Bad Debt	2018-02-07	18000312	18-161259		2018-12-31	\$799.20
Write off-Bad Debt	2018-03-25	18000707	18-442731		2018-12-31	\$900.00
Write off-Bad Debt	2018-04-07	18000810	18-468475		2018-12-31	\$937.60
Write off-Bad Debt	2018-05-11	100197	18-679552		2018-12-31	\$76.18
Write off-Bad Debt	2018-05-12	100199	18-679553		2018-12-31	\$384.90
Write off-Bad Debt	2018-05-21	100268	18-679580		2018-12-31	\$408.06
Write off-Bad Debt	2018-05-24	100279	18-733175		2018-12-31	\$774.00
Write off-Bad Debt	2018-05-30	100321	18-733190		2018-12-31	\$836.40
Write off-Bad Debt	2018-03-02	18000505	18-737335		2018-12-31	\$831.60
Write off-Bad Debt	2018-03-02	18000510	18-737339		2018-12-31	\$928.80

CREDIT TRANSACTIONS BY DEPOSIT DATE

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PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2018-03-02	18000510	18-737339		2018-12-31	-\$928.80
Write off-Bad Debt	2018-06-07	100388	18-816255		2018-12-31	\$764.40
Write off-Bad Debt	2018-06-07	100386	18-816256		2018-12-31	\$765.60
Write off-Bad Debt	2018-06-09	100403	18-816260		2018-12-31	\$96.14
Write off-Bad Debt	2018-06-10	100412	18-816262		2018-12-31	\$265.00
Write off-Bad Debt	2018-06-10	100415	18-816263		2018-12-31	\$250.00
Write off-Bad Debt	2018-06-15	100449	18-816274		2018-12-31	\$770.40
Write off-Bad Debt	2018-06-21	100484	18-816287		2018-12-31	\$770.40
Write off-Bad Debt	2018-06-21	100484	18-816287		2018-12-31	-\$770.40
Write off-Bad Debt	2018-06-25	110506	18-867614		2018-12-31	\$250.00
Write off-Bad Debt	2018-07-06	110572	18-964473		2018-12-31	\$814.80
Write off-Bad Debt	2018-07-06	110572	18-964473		2018-12-31	-\$814.80
Write off-Bad Debt	2017-05-31	17001092	17-668133		2019-01-16	\$175.00
Write off-Bad Debt	2017-07-26	17001439	17-952308		2019-01-18	\$74.40
Write off-Bad Debt	2017-07-26	17001439	17-952308		2019-01-18	-\$74.40
Write off-Bad Debt	2017-12-16	17002510	17-1627591		2019-01-31	\$828.00
Write off-Bad Debt	2018-09-26	121007	18-1335427		2019-01-31	\$807.60
Write off-Bad Debt	2018-09-16	120970	18-1335450		2019-01-31	\$766.80
Write off-Bad Debt	2018-10-11	121094	18-1461976		2019-01-31	\$31.97
Write off-Bad Debt	2018-10-11	121094	18-1461976		2019-01-31	-\$31.97
Write off-Bad Debt	2018-10-12	121103	18-1461979		2019-01-31	\$838.80
Write off-Bad Debt	2018-10-12	121103	18-1461979		2019-01-31	-\$838.80
Write off-Bad Debt	2018-10-21	121175	18-1462005		2019-01-31	\$814.80
Write off-Bad Debt	2018-01-19	18000158	18-156813		2019-01-31	\$453.94
Write off-Bad Debt	2018-01-24	18000212	18-156840		2019-01-31	\$814.80
Write off-Bad Debt	2018-01-24	18000214	18-156841		2019-01-31	\$786.00
Write off-Bad Debt	2018-01-26	18000227	18-156846		2019-01-31	\$814.80
Write off-Bad Debt	2018-11-02	121249	18-1588781		2019-01-31	\$819.60
Write off-Bad Debt	2018-11-02	121249	18-1588781		2019-01-31	-\$819.60
Write off-Bad Debt	2018-02-13	18000365	18-230843		2019-01-31	\$798.00
Write off-Bad Debt	2018-03-18	18000641	18-442702		2019-01-31	\$81.34
Write off-Bad Debt	2018-05-01	100132	18-571320		2019-01-31	\$89.90
Write off-Bad Debt	2018-05-13	100212	18-679560		2019-01-31	\$808.80
Write off-Bad Debt	2018-04-15	18000869	18-693022		2019-01-31	\$834.00
Write off-Bad Debt	2018-05-26	100285	18-733176		2019-01-31	\$784.80
Write off-Bad Debt	2018-05-31	100327	18-733194		2019-01-31	\$786.00

CREDIT TRANSACTIONS BY DEPOSIT DATE

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PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2018-06-01	100343	18-733198		2019-01-31	\$781.20
Write off-Bad Debt	2018-06-01	100343	18-733198		2019-01-31	-\$781.20
Write off-Bad Debt	2018-06-04	100364	18-733207		2019-01-31	\$250.00
Write off-Bad Debt	2018-06-08	100402	18-816259		2019-01-31	\$958.00
Write off-Bad Debt	2018-06-12	100430	18-816267		2019-01-31	\$780.00
Write off-Bad Debt	2018-06-12	100430	18-816267		2019-01-31	-\$780.00
Write off-Bad Debt	2018-06-24	110500	18-867612		2019-01-31	\$245.92
Write off-Bad Debt	2018-06-25	110505	18-867615		2019-01-31	\$806.40
Write off-Bad Debt	2018-07-02	110544	18-867631		2019-01-31	\$77.95
Write off-Bad Debt	2018-07-02	110544	18-867631		2019-01-31	-\$77.95
Write off-Bad Debt	2018-07-03	110554	18-881821		2019-01-31	\$765.60
Write off-Bad Debt	2018-07-08	110579	18-964477		2019-01-31	\$810.00
Write off-Bad Debt	2018-07-10	110592	18-964483		2019-01-31	\$814.80
Write off-Bad Debt	2018-07-12	110607	18-964487		2019-01-31	\$814.80
Write off-Bad Debt	2018-07-16	110623	18-964491		2019-01-31	\$772.80
Write off-Bad Debt	2018-07-16	110623	18-964491		2019-01-31	-\$772.80
Write off-Bad Debt	2018-07-18	120635	18-964496		2019-01-31	\$776.40
Write off-Bad Debt	2018-07-19	120647	18-964500		2019-01-31	\$808.80
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-02-15	\$599.20
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-02-15	-\$599.20
Write off-Bad Debt	2017-12-11	17002457	17-1627541		2019-02-28	\$50.00
Write off-Bad Debt	2017-12-11	17002457	17-1627541		2019-02-28	-\$50.00
Write off-Bad Debt	2018-07-26	120677	18-1074395		2019-02-28	\$250.00
Write off-Bad Debt	2018-08-03	120726	18-1074410		2019-02-28	\$831.60
Write off-Bad Debt	2018-08-07	120743	18-1074416		2019-02-28	\$775.20
Write off-Bad Debt	2018-08-07	120743	18-1074416		2019-02-28	-\$775.20
Write off-Bad Debt	2018-08-11	120759	18-1074423		2019-02-28	\$771.60
Write off-Bad Debt	2018-08-11	120759	18-1074423		2019-02-28	-\$771.60
Write off-Bad Debt	2018-10-13	121106	18-1461980		2019-02-28	\$768.00
Write off-Bad Debt	2018-11-08	121286	18-1588801		2019-02-28	\$781.20
Write off-Bad Debt	2018-11-28	121445	18-1588865		2019-02-28	\$91.67
Write off-Bad Debt	2018-12-02	121475	18-1649623		2019-02-28	\$780.00
Write off-Bad Debt	2018-12-02	121475	18-1649623		2019-02-28	-\$780.00
Write off-Bad Debt	2018-12-13	121566	18-1733447		2019-02-28	\$764.40
Write off-Bad Debt	2018-04-04	18000793	18-468464		2019-02-28	\$621.82
Write off-Bad Debt	2018-04-04	18000793	18-468464		2019-02-28	-\$621.82

CREDIT TRANSACTIONS BY DEPOSIT DATE

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PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2018-05-28	100302	18-733182		2019-02-28	\$762.00
Write off-Bad Debt	2018-06-08	100394	18-816257		2019-02-28	\$373.46
Write off-Bad Debt	2017-07-26	17001439	17-952308		2019-03-11	\$30.00
Write off-Bad Debt	2017-07-26	17001439	17-952308		2019-03-11	-\$30.00
Write off-Bad Debt	2018-07-28	120694	18-1074403		2019-03-31	\$817.20
Write off-Bad Debt	2018-07-28	120694	18-1074403		2019-03-31	-\$817.20
Write off-Bad Debt	2018-08-03	120728	18-1074412		2019-03-31	\$810.00
Write off-Bad Debt	2018-08-12	120762	18-1074424		2019-03-31	\$813.60
Write off-Bad Debt	2018-08-26	120844	18-1176590		2019-03-31	\$116.69
Write off-Bad Debt	2018-11-07	121282	18-1588799		2019-03-31	\$806.40
Write off-Bad Debt	2018-11-11	121311	18-1588811		2019-03-31	\$798.00
Write off-Bad Debt	2018-11-11	121311	18-1588811		2019-03-31	-\$798.00
Write off-Bad Debt	2018-11-16	121354	18-1588827		2019-03-31	\$769.20
Write off-Bad Debt	2018-11-16	121354	18-1588827		2019-03-31	-\$769.20
Write off-Bad Debt	2018-12-10	121542	18-1649649		2019-03-31	\$770.40
Write off-Bad Debt	2018-12-10	121543	18-1649650		2019-03-31	\$782.40
Write off-Bad Debt	2018-12-10	121543	18-1649650		2019-03-31	-\$782.40
Write off-Bad Debt	2018-12-27	121658	18-1733478		2019-03-31	\$814.80
Write off-Bad Debt	2018-12-27	121658	18-1733478		2019-03-31	-\$814.80
Write off-Bad Debt	2018-06-19	100478	18-816284		2019-03-31	\$152.40
Write off-Bad Debt	2018-07-08	110581	18-964475		2019-03-31	\$770.40
Write off-Bad Debt	2019-01-21	121884	19-93919		2019-03-31	\$908.80
Write off-Bad Debt	2019-01-21	121884	19-93919		2019-03-31	-\$908.80
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-04-04	\$574.20
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-04-04	-\$574.20
Write off-Bad Debt	2018-08-14	120774	18-1074428		2019-04-30	\$770.40
Write off-Bad Debt	2018-08-27	120858	18-1176596		2019-04-30	\$93.09
Write off-Bad Debt	2018-09-30	121023	18-1335429		2019-04-30	\$765.60
Write off-Bad Debt	2018-09-16	120962	18-1335447		2019-04-30	\$798.00
Write off-Bad Debt	2018-09-22	120994	18-1335459		2019-04-30	\$778.80
Write off-Bad Debt	2018-09-22	120994	18-1335459		2019-04-30	-\$778.80
Write off-Bad Debt	2018-11-25	121425	18-1588855		2019-04-30	\$322.73
Write off-Bad Debt	2018-12-09	121533	18-1649647		2019-04-30	\$75.89
Write off-Bad Debt	2018-12-29	121676	18-1776875		2019-04-30	\$781.20
Write off-Bad Debt	2018-12-29	121676	18-1776875		2019-04-30	-\$781.20
Write off-Bad Debt	2018-12-30	121687	18-1776881		2019-04-30	\$250.00

CREDIT TRANSACTIONS BY DEPOSIT DATE

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PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2018-12-30	121687	18-1776881		2019-04-30	-\$250.00
Write off-Bad Debt	2018-04-05	18000800	18-468469		2019-04-30	\$163.04
Write off-Bad Debt	2018-06-20	100480	18-816285		2019-04-30	\$828.00
Write off-Bad Debt	2018-06-29	110527	18-867623		2019-04-30	\$805.20
Write off-Bad Debt	2018-07-18	120633	18-964497		2019-04-30	\$198.04
Write off-Bad Debt	2018-07-22	120661	18-964503		2019-04-30	\$250.00
Write off-Bad Debt	2018-07-22	120661	18-964503		2019-04-30	-\$250.00
Write off-Bad Debt	2019-01-02	121719	19-93849		2019-04-30	\$774.00
Write off-Bad Debt	2019-01-02	121719	19-93849		2019-04-30	-\$774.00
Write off-Bad Debt	2019-01-02	121720	19-93851		2019-04-30	\$768.00
Write off-Bad Debt	2019-01-03	121731	19-93855		2019-04-30	\$814.80
Write off-Bad Debt	2019-01-03	121731	19-93855		2019-04-30	-\$814.80
Write off-Bad Debt	2019-01-03	121735	19-93856		2019-04-30	\$780.00
Write off-Bad Debt	2019-01-04	121752	19-93860		2019-04-30	\$811.20
Write off-Bad Debt	2019-01-07	121777	19-93866		2019-04-30	\$782.40
Write off-Bad Debt	2019-01-09	121797	19-93874		2019-04-30	\$812.40
Write off-Bad Debt	2019-01-09	121798	19-93875		2019-04-30	\$780.00
Write off-Bad Debt	2019-01-09	121798	19-93875		2019-04-30	-\$780.00
Write off-Bad Debt	2019-01-10	121804	19-93880		2019-04-30	\$766.80
Write off-Bad Debt	2019-01-13	121825	19-93889		2019-04-30	\$771.60
Write off-Bad Debt	2019-01-22	121893	19-93924		2019-04-30	\$806.40
Write off-Bad Debt	2019-01-22	121893	19-93924		2019-04-30	-\$806.40
Write off-Bad Debt	2018-07-22	120661	18-964503		2019-05-16	\$250.00
Write off-Bad Debt	2018-07-22	120661	18-964503		2019-05-16	-\$250.00
Write off-Bad Debt	2017-12-11	17002454	17-1627504		2019-05-31	\$810.00
Write off-Bad Debt	2018-10-30	121215	18-1462025		2019-05-31	\$966.00
Write off-Bad Debt	2018-11-29	121451	18-1588872		2019-05-31	\$766.80
Write off-Bad Debt	2018-12-02	121467	18-1649622		2019-05-31	\$145.00
Write off-Bad Debt	2018-12-28	121672	18-1776873		2019-05-31	\$816.00
Write off-Bad Debt	2018-07-15	110626	18-964489		2019-05-31	\$783.60
Write off-Bad Debt	2019-02-24	122174	19-304367		2019-05-31	\$772.80
Write off-Bad Debt	2019-03-03	122263	19-304691		2019-05-31	\$751.20
Write off-Bad Debt	2019-03-03	122263	19-304691		2019-05-31	-\$751.20
Write off-Bad Debt	2019-03-01	122224	19-304704		2019-05-31	\$824.40
Write off-Bad Debt	2019-03-01	122234	19-304709		2019-05-31	\$798.00
Write off-Bad Debt	2019-03-06	122267	19-304728		2019-05-31	\$788.40

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FALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2019-03-06	122267	19-304728		2019-05-31	-\$788.40
Write off-Bad Debt	2019-03-06	122264	19-304729		2019-05-31	\$804.00
Write off-Bad Debt	2019-03-06	122264	19-304729		2019-05-31	-\$804.00
Write off-Bad Debt	2019-03-08	122287	19-317077		2019-05-31	\$806.40
Write off-Bad Debt	2019-03-08	122287	19-317077		2019-05-31	-\$806.40
Write off-Bad Debt	2019-03-12	122317	19-336483		2019-05-31	\$824.40
Write off-Bad Debt	2019-03-15	122348	19-357090		2019-05-31	\$783.60
Write off-Bad Debt	2019-03-15	122348	19-357090		2019-05-31	-\$783.60
Write off-Bad Debt	2015-06-24	15001336	15-623922		2019-06-06	\$710.00
Write off-Bad Debt	2015-06-24	15001336	15-623922		2019-06-06	-\$710.00
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-06-07	\$549.20
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-06-07	-\$549.20
Write off-Bad Debt	2019-01-21	121884	19-93919		2019-06-17	\$100.00
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-06-30	\$549.20
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-06-30	-\$549.20
Write off-Bad Debt	2017-04-25	17000870	17-534708		2019-06-30	\$200.00
Write off-Bad Debt	2017-04-25	17000870	17-534708		2019-06-30	-\$200.00
Write off-Bad Debt	2018-08-07	120740	18-1074417		2019-06-30	\$157.20
Write off-Bad Debt	2018-09-20	120982	18-1335458		2019-06-30	\$144.46
Write off-Bad Debt	2018-09-24	121000	18-1335462		2019-06-30	\$250.00
Write off-Bad Debt	2018-10-04	121046	18-1461963		2019-06-30	\$836.40
Write off-Bad Debt	2018-10-05	121053	18-1461965		2019-06-30	\$799.20
Write off-Bad Debt	2018-10-05	121053	18-1461965		2019-06-30	-\$799.20
Write off-Bad Debt	2018-10-08	121069	18-1461970		2019-06-30	\$786.00
Write off-Bad Debt	2018-10-08	121069	18-1461970		2019-06-30	-\$786.00
Write off-Bad Debt	2018-10-18	121146	18-1461993		2019-06-30	\$776.40
Write off-Bad Debt	2018-10-19	121163	18-1461999		2019-06-30	\$774.00
Write off-Bad Debt	2018-10-23	18001987	18-1462011		2019-06-30	\$844.80
Write off-Bad Debt	2018-10-28	121209	18-1462022		2019-06-30	\$810.00
Write off-Bad Debt	2018-11-04	121264	18-1588787		2019-06-30	\$805.20
Write off-Bad Debt	2018-11-04	121264	18-1588787		2019-06-30	-\$805.20
Write off-Bad Debt	2018-11-06	121275	18-1588794		2019-06-30	\$774.00
Write off-Bad Debt	2018-11-07	121284	18-1588800		2019-06-30	\$765.60
Write off-Bad Debt	2018-11-09	121293	18-1588804		2019-06-30	\$770.40
Write off-Bad Debt	2018-11-11	121316	18-1588812		2019-06-30	\$811.20
Write off-Bad Debt	2018-11-15	121343	18-1588822		2019-06-30	\$774.00

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PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2018-11-18	121372	18-1588833		2019-06-30	\$812.40
Write off-Bad Debt	2018-11-18	121372	18-1588833		2019-06-30	-\$812.40
Write off-Bad Debt	2018-11-18	121371	18-1588834		2019-06-30	\$780.00
Write off-Bad Debt	2018-11-18	121371	18-1588834		2019-06-30	-\$780.00
Write off-Bad Debt	2018-11-21	121387	18-1588839		2019-06-30	\$771.60
Write off-Bad Debt	2018-11-25	121418	18-1588852		2019-06-30	\$765.60
Write off-Bad Debt	2018-11-25	121418	18-1588852		2019-06-30	-\$765.60
Write off-Bad Debt	2018-12-04	121489	18-1649631		2019-06-30	\$822.00
Write off-Bad Debt	2018-12-04	121489	18-1649631		2019-06-30	-\$822.00
Write off-Bad Debt	2018-12-04	121488	18-1649634		2019-06-30	\$776.40
Write off-Bad Debt	2018-12-09	121529	18-1649645		2019-06-30	\$789.60
Write off-Bad Debt	2018-12-09	121529	18-1649645		2019-06-30	-\$789.60
Write off-Bad Debt	2018-12-15	121577	18-1733453		2019-06-30	\$769.20
Write off-Bad Debt	2018-12-15	121577	18-1733453		2019-06-30	-\$769.20
Write off-Bad Debt	2018-03-22	18000678	18-442717		2019-06-30	\$814.80
Write off-Bad Debt	2018-04-04	18000796	18-468467		2019-06-30	\$810.00
Write off-Bad Debt	2018-07-01	110539	18-867629		2019-06-30	\$813.60
Write off-Bad Debt	2018-07-09	110587	18-964479		2019-06-30	\$781.20
Write off-Bad Debt	2018-07-09	110587	18-964479		2019-06-30	-\$781.20
Write off-Bad Debt	2019-02-22	19000441	19-304360		2019-06-30	\$763.20
Write off-Bad Debt	2019-03-18	19000628	19-357097		2019-06-30	\$769.20
Write off-Bad Debt	2019-03-22	122408	19-394909		2019-06-30	\$778.80
Write off-Bad Debt	2019-01-26	19000215	19-515361		2019-06-30	\$775.20
Write off-Bad Debt	2019-01-26	19000215	19-515361		2019-06-30	-\$775.20
Write off-Bad Debt	2019-02-14	19000356	19-515422		2019-06-30	\$777.60
Write off-Bad Debt	2019-02-14	19000356	19-515422		2019-06-30	-\$777.60
Write off-Bad Debt	2019-02-18	19000395	19-515438		2019-06-30	\$805.20
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-07-05	\$524.20
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-07-05	-\$524.20
Write off-Bad Debt	2018-10-08	121073	18-1461973		2019-07-31	\$328.95
Write off-Bad Debt	2018-10-10	18001898	18-1461975		2019-07-31	\$808.80
Write off-Bad Debt	2018-10-10	18001898	18-1461975		2019-07-31	-\$808.80
Write off-Bad Debt	2018-10-11	121100	18-1461977		2019-07-31	\$94.18
Write off-Bad Debt	2018-11-07	121280	18-1588798		2019-07-31	\$768.00
Write off-Bad Debt	2018-11-23	121396	18-1588845		2019-07-31	\$769.20
Write off-Bad Debt	2018-12-01	121462	18-1649619		2019-07-31	\$136.18

CREDIT TRANSACTIONS BY DEPOSIT DATE

Period IS 201810 OR -201810 OR 201811 OR -201811 OR 201812 OR -201812 OR 201901 OR -201901 OR 201902 OR -201902 OR 201903 OR -201903 OR 201904 OR -201904 OR 201905 OR -201905 OR 201906 OR -201906 OR 201907 OR -201907 OR



TOM Backus 10/13/20

PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2018-12-24	121628	18-1733468		2019-07-31	\$699.16
Write off-Bad Debt	2018-12-26	121649	18-1733476		2019-07-31	\$818.40
Write off-Bad Debt	2018-12-29	121682	18-1776878		2019-07-31	\$812.40
Write off-Bad Debt	2018-12-30	121686	18-1776880		2019-07-31	\$878.40
Write off-Bad Debt	2018-12-30	121686	18-1776880		2019-07-31	-\$878.40
Write off-Bad Debt	2018-12-31	121701	18-1776887		2019-07-31	\$764.40
Write off-Bad Debt	2018-06-28	110519	18-867620		2019-07-31	\$333.95
Write off-Bad Debt	2019-02-24	122173	19-304365		2019-07-31	\$889.20
Write off-Bad Debt	2019-03-21	122393	19-386361		2019-07-31	\$769.20
Write off-Bad Debt	2019-04-09	1900807	19-475995		2019-07-31	\$768.00
Write off-Bad Debt	2019-04-14	1900844	19-494872		2019-07-31	\$780.00
Write off-Bad Debt	2019-04-15	1900867	19-496466		2019-07-31	\$766.80
Write off-Bad Debt	2019-04-16	1900869	19-508515		2019-07-31	\$778.80
Write off-Bad Debt	2019-01-26	1900205	19-515357		2019-07-31	\$916.00
Write off-Bad Debt	2019-01-26	1900205	19-515357		2019-07-31	-\$916.00
Write off-Bad Debt	2019-02-02	1900265	19-515380		2019-07-31	\$958.00
Write off-Bad Debt	2019-02-02	1900265	19-515380		2019-07-31	-\$958.00
Write off-Bad Debt	2019-02-11	1900345	19-515416		2019-07-31	\$102.09
Write off-Bad Debt	2019-02-15	1900370	19-515427		2019-07-31	\$855.60
Write off-Bad Debt	2019-02-17	1900387	19-515432		2019-07-31	\$463.94
Write off-Bad Debt	2019-02-18	1900402	19-515443		2019-07-31	\$806.40
Write off-Bad Debt	2019-02-19	1900408	19-515446		2019-07-31	\$829.20
Write off-Bad Debt	2019-02-20	1900413	19-515450		2019-07-31	\$871.20
Write off-Bad Debt	2019-04-18	1900886	19-518364		2019-07-31	\$807.60
Write off-Bad Debt	2019-04-18	1900886	19-518364		2019-07-31	-\$807.60
Write off-Bad Debt	2019-04-23	1900917	19-546065		2019-07-31	\$771.60
Write off-Bad Debt	2019-04-23	1900917	19-546065		2019-07-31	-\$771.60
Write off-Bad Debt	2019-04-28	1800962	19-564568		2019-07-31	\$784.80
Write off-Bad Debt	2019-04-28	1900951	19-564574		2019-07-31	\$771.60
Write off-Bad Debt	2019-05-11	19001027	19-638009		2019-07-31	\$811.20
Write off-Bad Debt	2019-05-11	19001027	19-638009		2019-07-31	-\$811.20
Write off-Bad Debt	2019-05-12	19001032	19-638011		2019-07-31	\$774.00
Write off-Bad Debt	2019-05-12	19001032	19-638011		2019-07-31	-\$774.00
Write off-Bad Debt	2019-05-20	19001079	19-677937		2019-07-31	\$774.00
Write off-Bad Debt	2019-05-20	19001079	19-677937		2019-07-31	-\$774.00
Write off-Bad Debt	2019-05-22	19001098	19-704772		2019-07-31	\$825.60

CREDIT TRANSACTIONS BY DEPOSIT DATE

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PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2019-05-22	19001098	19-704772		2019-07-31	-\$825.60
Write off-Bad Debt	2019-01-01	121712	19-93845		2019-07-31	\$800.40
Write off-Bad Debt	2019-01-10	121803	19-93879		2019-07-31	\$347.66
Write off-Bad Debt	2019-01-16	121846	19-93898		2019-07-31	\$784.80
Write off-Bad Debt	2019-01-19	121868	19-93910		2019-07-31	\$812.40
Write off-Bad Debt	2019-01-19	121868	19-93910		2019-07-31	-\$812.40
Write off-Bad Debt	2015-06-24	15001336	15-623922		2019-08-05	\$710.00
Write off-Bad Debt	2017-02-23	17000426	17-249709		2019-08-31	\$66.66
Write off-Bad Debt	2018-12-06	121504	18-1649640		2019-08-31	\$352.80
Write off-Bad Debt	2018-05-16	100234	18-679568		2019-08-31	\$498.40
Write off-Bad Debt	2019-02-25	122185	19-304369		2019-08-31	\$826.80
Write off-Bad Debt	2019-02-25	122185	19-304369		2019-08-31	-\$826.80
Write off-Bad Debt	2019-03-21	122389	19-386359		2019-08-31	\$802.80
Write off-Bad Debt	2019-03-21	122389	19-386359		2019-08-31	-\$802.80
Write off-Bad Debt	2019-04-06	19000773	19-456852		2019-08-31	\$97.41
Write off-Bad Debt	2019-02-03	19000278	19-515387		2019-08-31	\$78.39
Write off-Bad Debt	2019-04-23	19000915	19-546063		2019-08-31	\$786.00
Write off-Bad Debt	2019-04-23	19000915	19-546063		2019-08-31	-\$786.00
Write off-Bad Debt	2019-04-26	19000938	19-564566		2019-08-31	\$771.60
Write off-Bad Debt	2019-04-26	19000938	19-564566		2019-08-31	-\$771.60
Write off-Bad Debt	2019-05-16	19001053	19-670047		2019-08-31	\$46.51
Write off-Bad Debt	2019-05-17	19001055	19-677925		2019-08-31	\$762.00
Write off-Bad Debt	2019-05-21	19001092	19-697918		2019-08-31	\$901.20
Write off-Bad Debt	2019-05-21	19001092	19-697918		2019-08-31	-\$901.20
Write off-Bad Debt	2019-05-26	19001121	19-718498		2019-08-31	\$810.00
Write off-Bad Debt	2019-05-30	19001143	19-745363		2019-08-31	\$798.00
Write off-Bad Debt	2019-05-30	19001143	19-745363		2019-08-31	-\$798.00
Write off-Bad Debt	2019-05-30	19001144	19-745364		2019-08-31	\$105.11
Write off-Bad Debt	2019-05-30	19001144	19-745364		2019-08-31	-\$105.11
Write off-Bad Debt	2019-01-12	121812	19-93885		2019-08-31	\$774.00
Write off-Bad Debt	2019-01-17	121857	19-93902		2019-08-31	\$1,042.80
Write off-Bad Debt	2019-01-21	121887	19-93922		2019-08-31	\$813.60
Write off-Bad Debt	2017-10-06	17001958	17-1256738		2019-09-12	\$499.20
Write off-Bad Debt	2018-12-09	121530	18-1649646		2019-09-16	\$228.22
Write off-Bad Debt	2019-03-06	122264	19-304729		2019-09-16	\$81.00
Write off-Bad Debt	2019-04-23	19000915	19-546063		2019-09-20	\$82.00

CREDIT TRANSACTIONS BY DEPOSIT DATE

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TOM Backus 10/13/20

PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-Bad Debt	2019-04-23	19000915	19-546063		2019-09-20	-\$82.00
Write off-Bad Debt	2019-04-23	19000915	19-546063		2019-09-20	\$786.00
Write off-Bad Debt	2017-08-12	17001538	17-1028546		2019-09-30	\$410.00
Write off-Bad Debt	2018-11-04	121266	18-1588788		2019-09-30	\$94.92
Write off-Bad Debt	2018-11-23	121402	18-1588848		2019-09-30	\$877.20
Write off-Bad Debt	2018-04-14	18000862	18-693018		2019-09-30	\$822.00
Write off-Bad Debt	2018-06-01	100342	18-733197		2019-09-30	\$807.60
Write off-Bad Debt	2019-02-28	122209	19-304700		2019-09-30	\$807.60
Write off-Bad Debt	2019-03-15	122346	19-357088		2019-09-30	\$807.60
Write off-Bad Debt	2019-03-18	122364	19-366763		2019-09-30	\$765.60
Write off-Bad Debt	2019-03-21	122397	19-386362		2019-09-30	\$890.80
Write off-Bad Debt	2019-03-22	122407	19-394908		2019-09-30	\$778.80
Write off-Bad Debt	2019-03-29	122461	19-424844		2019-09-30	\$776.40
Write off-Bad Debt	2019-04-04	19000759	19-448881		2019-09-30	\$771.60
Write off-Bad Debt	2019-04-10	19000813	19-475997		2019-09-30	\$94.09
Write off-Bad Debt	2019-02-17	19000386	19-515431		2019-09-30	\$814.80
Write off-Bad Debt	2019-05-30	19001148	19-758112		2019-09-30	\$96.96
Write off-Bad Debt	2019-06-15	19001239	19-826623		2019-09-30	\$820.80
Write off-Bad Debt	2019-01-11	121820	19-93882		2019-09-30	\$781.20
Write off-Bad Debt	2019-01-16	121847	19-93897		2019-09-30	\$87.00
Write off-Bad Debt	2019-01-18	121862	19-93905		2019-09-30	\$632.83
Write off-Bad Debt	2019-07-11	19001403	19-958899		2019-09-30	\$820.80
Write off-Bad Debt	2019-07-14	19001432	19-965504		2019-09-30	\$820.80

WRITE OFF-BAD DEBT TOTAL: \$114,374.43

Write off-Client Request	2018-11-28	121439	18-1588868	2019-01-03	\$774.00
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WRITE OFF-CLIENT REQUEST TOTAL: \$774.00

Write off-No Sig	2018-12-09	121530	18-1649646	2019-05-31	\$768.00
Write off-No Sig	2018-12-09	121530	18-1649646	2019-05-31	-\$768.00

WRITE OFF-NO SIG TOTAL: \$0.00

Write off-TF Admin Error

CREDIT TRANSACTIONS BY DEPOSIT DATE

Period IS 201810 OR -201810 OR 201811 OR -201811 OR 201812 OR -201812 OR 201901 OR -201901 OR 201902 OR -201902 OR 201903 OR -201903 OR 201904 OR -201904 OR 201905 OR -201905 OR 201906 OR -201906 OR 201907 OR -201907 OR

TOM Back 10/19/20

PALM BEACH FIRE RESCUE

CREDIT	DOS	INC NUMBER	RUN NUMBER	CHECK NUMBER	DEPOSIT DATE	AMOUNT
Write off-TF Admin Error	2016-07-18	16001323	16-675689		2018-10-17	\$798.00
Write off-TF Admin Error	2018-07-17	120632	18-964495		2019-01-14	\$774.00

WRITE OFF-TF ADMIN ERROR TOTAL:

\$1,572.00

Total Credit Amount:

\$116,720.43



TOWN OF PALM BEACH POLICE DEPARTMENT

A NATIONAL AND STATE ACCREDITED LAW ENFORCEMENT AGENCY



To: Chief Nicholas Caristo (M)
Via: Benjamin Alma (BA)
From: Carla Marcote (CM)
Via: Chain of Command
Re: Code Enforcement Board Fine Write-Offs for Finance
Date: October 1, 2020

The following Code Enforcement Board fines need to be written off as uncollectible losses for the Town:

Case	Name	Violation Address	Amount
CE 18-706	Woods Lawn & Garden	259 Clarke Ave.	\$275.00
CE 19-819	Island Company	256 Worth Ave.	\$400.00
Total			\$675.00

Case # 18-706 – Woods Lawn & Garden – 259 Clarke Ave. \$275.00

On June 20, 2018, a case was initiated by Code Enforcement Officer J. Moriarty in reference to a gas powered leaf blower. A Notice of Violation Citation was issued at the time of the violation. This case was brought before the Code Enforcement Board and on July 19, 2018, at which time the violator Woods Lawn & Garden was found in violation of ordinance 42-197 and fined \$125.00 and \$150.00 in Administrative Fees bringing the total violation fine to \$275.00. The company was sent to collections on September 27, 2018. On March 16, 2020 it was discovered that Woods Lawn & Garden is no longer in business. These fines cannot be brought against the property owner since the case was already heard and adjudicated. Due to the fact that the company is no longer in business I request that this fine be written off.

Case # 19-819 – Island Company – 256 Worth Ave. \$400.00

On July 5, 2019 a case was initiated by Code Enforcement Officer J. Felix for a sign painted on the store window. A Notice of Violation Citation was issued at the time of the violation. This case was brought before the Code Enforcement Board on August 15, 2019, at which time the violator Island Company was found in violation of ordinance 134-2373(8) and 18-233. Island Company was fined \$250.00 and assessed an Administrative fee of \$150.00 bringing the total violation fine to \$400.00. Collection letters were sent to Island Company and on March 13, 2020 it was discovered that Island Company is no longer in business. These fines cannot be brought against the property owner since the case was heard and adjudicated. Due to the fact that the company is no longer in business I request that this fine be written off.

October 1, 2020

Page 2

Please advise if and when this occurs and I will remove the names and amounts due from the Code Enforcement Board fines list forwarded to Finance on a monthly basis. If you have any questions or need additional clarification, please call me at 227-6388.

TOWN OF PALM BEACH

360 S. County Rd.
Palm Beach, FL 33480
(561) 227-6411
DATE : 06/15/2020

6/15/20
see attached bankruptcy
email sent to AK

**DELINQUENT**

Customer # : 00002039

Activity # : 00029830

License # : 00039063

License type : Business Tax Receipt

Exp. date : 09/30/2019

ERIC PETER GELLER
NEIMAN MARCUS
151 WORTH AVE
PALM BEACH, FL 33480

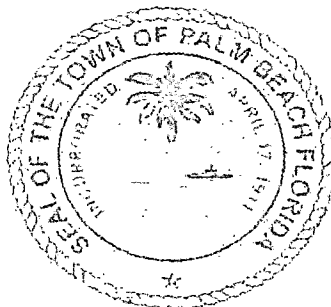
AMOUNT DUE

\$ 2,170.00

AMOUNT ENCLOSED

MAKE CHECKS PAYABLE TO THE TOWN OF PALM BEACH
PLEASE DETACH AND RETURN WITH YOUR REMITTANCE

DATE	DESCRIPTION	PAST DUE
9/30/2019	Activity # : 00029830 Type : Renewal License # : 00039063 License type : Business Tax Receipt Exp. date : 9/30/19 AS OF THIS NOTICE PLEASE BE ADVISED THAT YOUR BUSINESS TAX RECEIPT HAS NOT BEEN RENEWED AS THE BALANCE DUE HAS NOT BEEN PAID IN FULL. ADDITIONAL PENALTIES MAY BE APPLIED.	\$ 2,170.00



To: Mary
From: Rosemary
Subject: Town Council Meeting in November 2020
Date: July 17, 2020

Regarding Marina Invoices Still Outstanding and Unpaid

With the Marina closing its facility at the beginning of May 2020 in anticipation of the new construction project, the AS400 software program was decommissioned in early July 2020. As a result, Mike Horn reviewed the status of Customer Accounts appearing on the last Marina Accounts Receivable Aging Report generated on July 7, 2020. The invoices listed below, totaling \$11,777.58, were determined to be "uncollectible".

Following my conversation with Amy, she suggested that I forward to you a breakdown of those Customer Accounts and pertinent invoices. Please include this information in your compilation of such items for Fiscal Year 2020 that will be presented to Town Council at their November 2020 Meeting --Agenda item dealing with review of uncollectible billings issued by the Town and approval of them being written off.

Customer# 11000 – Ice Customer

○ Invoice# 13992	Dated 10/17/17	\$ 11.24
○ Invoice# 14134	Dated 01/25/18	7.49
○ Invoice# 14737	Dated 01/15/19	14.98
○ Invoice# 14819	Dated 02/25/19	37.45
○ Invoice# 14853	Dated 03/09/19	37.45

Customer# 13152 – Chase Cunningham

○ Invoice# 14181	Dated 02/12/18	\$5,844.75
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Customer# 13325 – Joseph Kubicek

○ Invoice# 13554	Dated 02/03/17	\$5,241.80
○ Invoice# 13561	Dated 02/14/17	582.42

To help clarify the above, I am forwarding to you copies of the following:

- Marina Accounts Receivable Aging Report dated July 7, 2020
- Customer Statement Accounts
- Individual Invoices

Please advise if there is anything further you might need.

Thank you.

CUSTOMER #	CUSTOMER NAME	FUND	INVOICE #	INV. DATE	CURRENT	31 - 60	61 - 90	THRU 7/07/20	(ARAGEL)	PENALTY	TOTAL BALANCE
111000	Ice Customer	403	13992	10/17/2017							11.24
		403	14134	01/25/2018							7.49
		403	14737	01/15/2019							14.98
		403	14819	02/25/2019							37.45
		403	14853	03/09/2019							37.45
				CUST. TOTAL							108.61
13152	CHASE CUNNINGHAM	403	954-716-4723	02/12/2018							5,844.75
			14181	CUST. TOTAL							5,844.75
13325	JOSEPH KUBICEK	403	305-397-1770	02/03/2017							5,241.80
		403	13554	02/14/2017							582.42
			13561	CUST. TOTAL							5,824.22
13377	JOHN SIDENS	403	14502	10/05/2018							656.89
		403	15038	06/10/2019							492.19
		403	15118	10/21/2019							242.84
				CUST. TOTAL						1,391.92C	0.00
13813	ALEC SNYDER	403	917-817-4893	04/11/2020							1,082.47CR
			15468	CUST. TOTAL							1,082.47CR
				TOTAL Docks/Marina System		.00	.00			1,391.92CR	10,695.11

FINAL AGING REPORT

0 *
0 *
MARINA
AIR BAL. 10,695.11 +
PROCESSED
CREDIT CARD
REFUND 1,082.47 +
ADJ. MARINA 11,777.58 *
"UNCOLLECTIBLE" AIR

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

COVID-19 Update

Kirk W. Blouin, Town Manager

TIME CERTAIN: 11:00 AM

- a. Report on COVID-19 Infections and Hospitalizations (*written backup provided in purple folder*)
- b. Report on Compliance and Enforcement, Relative to State and County Orders (*verbal report*)
- c. Input from Business Community
- d. Expanded Use of Tents
- e. Discussion Regarding Future Public Meetings

Time Certain

11:00 AM

Presenter

ATTACHMENTS:

No Attachments Available

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Palm Beach Marina Update

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

TIME CERTAIN: 11:30 AM

a. Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive - Review of Cost Estimates of Recommended Improvements

b. RESOLUTION NO. 109-2020 A Resolution of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Approving The Selection Committee Recommendation Of RFP No. 2020-21, Marina Marketing Services To Jacober Creative In An Amount Of \$181,500 For FY21 And \$138,000 For FY22 Contingent Upon Satisfactory Vendor Performance And Budget Authorization, And Authorize Three, One Year Extensions With Jacober Creative.

Time Certain

11:30 AM

Presenter

ATTACHMENTS:

- ▢ **a. Memorandum dated September 28, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- ▢ **a. Attachment A**
- ▢ **b. Memorandum Dated October 2, 2020, from Carolyn Stone, Director of Business Development and Operations and Dean Mealy, Purchasing Manager**
- ▢ **Resolution No. 109-2020**
- ▢ **b. Solicitation Summary**
- ▢ **b. Scope of Services**

- ▢ **b. Jacober Creative Proposal**
- ▢ **b. Jacober Budget Proposal**
- ▢ **b. Final Selection Committee Scoring**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Proposed Improvements to Town Marina Upland Amenities, Lake Drive Park and South Lake Drive – Review of Cost Estimates of Recommended Improvements

DATE: September 28, 2020

STAFF RECOMMENDATION

Town staff recommends that the Town Council review the requested information and provide guidance on proceeding with any project work that the Town Council approves. Staff recommendations for each element is included below. Staff also recommends that a project budget be established and costs incurred be reimbursed to the Town Marina project budget as identified below.

GENERAL INFORMATION

The Town Council reviewed the conceptual plans developed by Fairfax & Sammons for the proposed improvements to Lake Drive Park and South Lake Drive at its previous meeting on September 10, 2020. Staff was directed to further refine the cost estimates for those concepts based on the Town Council decision not to relocate the Lake Trail and not to incorporate the pergola feature at the Brazilian Dock.

As presented at the previous meeting, the following items are presently included in the approved Town Marina project budget:

Scope of Work Items – Funding Already Approved

<u>Item Description</u>	<u>Amount</u>
Mill & Resurface Parking Lots and Restripe	\$ 211,285
Landscaping/Irrigation- Parking Lots, Dock Entrances, Utilities	\$ 248,000
Resurface Lake Trail (asphalt) and Dock Accesses/Ramps	\$ 285,000
Total:	\$ 744,285

Based upon the Town Council's review of various concepts at that previous meeting, staff has focused the cost breakdown in more detail for the options that comprise Scenario "C". As a point of reference, the following summary for the full scope of work is provided for that scenario.

Scenario “C”:

Reduced Scope F&S Concepts Implemented:

\$3,657,000

Scope of work reflects the proposed park improvements except it leaves the Lake Trail in its original location and also leaves the electrical equipment in the original design location. Three (3) paths through the park are included. Traffic calming is achieved with painted pavement markings (crosswalks, etc.). Parking lot entrances are modified, and parking layout is altered to provide some internal green space in each lot. An improved coating for the seawall cap is also included, as well as street lighting replacement along the trail. Allowance items are included for landscaping, irrigation, and miscellaneous enhancements throughout the park.

In order to provide a structured approach to the Town Council’s deliberations on the elements of the proposed improvements, the project costs are grouped according to either their functional benefits (operational, safety, etc.) or their aesthetic benefits (appearance, beautification, etc.).

Elements with Functional Benefits:

Town staff recommends that the Town Council approve and fund these elements.

- Traffic Calming – Provides safer pedestrian access to the park across South Lake Drive
- Walkways & Paths – Provides improved pedestrian access through the park in three (3) locations to allow marina patrons and park users to connect between South Lake Drive and the Lake Trail on paved surfaces
- Miscellaneous Improvements – Provides for drinking fountains, bike racks, benches, and other functional enhancements to serve the park users and marina patrons

Elements with Aesthetic Benefits:

- Lake Trail Surface Options – The various options for the surface of the Lake Trail are primarily aesthetic since most of them provide the same functionality; rock/gravel surfaces are the exception since they are limited in function to mostly pedestrian uses. Staff recommends that the trail remain asphalt. This will reduce initial and long-term maintenance costs. The trail is asphalt throughout the Town.
- Balustrade at Dock Entrances – will not be necessary because the trail is not moving to the seawall. Would require ARCOM approval. This is not recommended.
- Parking Lot Revisions – Proposed F&S concepts result in reduced number of spaces with only a minor “green space” enhancement. Any re-design of the parking lots will require that it meets current codes. This will lead to a loss in parking spaces and will increase the budget. Staff recommends that the parking lots be milled, re-surfaced, and restriped in the current configuration.
- Landscaping & Irrigation – An allowance would permit the development of a landscape plan to enhance the plantings in the park overall, with an emphasis on native plants.

- Flagpole and Seating Area – This is included as an option if there is a desire to enhance the Australian Dock entrance area. The retaining walls become necessary if this element is chosen.

A summary of the major project elements and associated costs is provided as Attachment “A”. The elements are presented in a hierarchy such that the functional benefits are considered as more basic requirements and the aesthetic benefits are typically noted as additional features with the incremental “upgrade” cost for each.

[Note: As a reminder, all costs presented are in addition to the existing project costs (i.e. cost represents the additional funding required). The cost estimates presented are preliminary budget estimates only and should be considered in that context. The estimates do not reflect any contingency and they do not reflect “soft costs” associated with the project such as consultant design fees. Costs are presented without any escalation to future year costs, which would be appropriate if the project work is deferred to a future year.]

After the presentation and review by the Town Council, staff will need direction from Town Council. If the Town Council chooses to move forward with implementing any or all of these improvements, staff requests that a preferred scope of work be chosen and that a project budget be established consistent with that desired scope of work.

FUNDING/FISCAL IMPACT

This project is not funded. The cost for interim tasks previously approved by the Town Council for design consultant services (Fairfax & Sammons for \$34,500 and W.F. Baird & Associates for \$50,000) was not funded, and to expedite those efforts, these additional services were charged to the Town Marina Project. It is necessary to establish a separate account and funding to reimburse those tasks in the amount of \$84,500. Additional funding will be required as this project progresses.

PURCHASING REVIEW

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

Attachment

cc: Jay Boodheshwar, Deputy Town Manager
 Carolyn Stone, Director of Business Development & Operations
 Jane LeClainche, Finance Director
 Eric Brown, P.E., Assistant Director of Public Works
 Dean Mealy, Purchasing Manager
 Jason Debrincat, P.E., Senior Project Engineer
 Mike Horn, Town Dockmaster

PROJECT ELEMENTS	COST ESTIMATE	OTHER (UPGRADE) OPTIONS	ADDITIONAL COST \$
STAFF RECOMMENDED - FUNCTIONAL		AESTHETIC	
Traffic Calming		Traffic Calming Options	
Crosswalks (painted/stripped) with ADA ramps and MOT/signage as required; minor storm drainage revisions as needed	\$183,000	Traffic Circle Striping	\$14,000
[Traffic circle not included]			
Sub-Total	\$183,000		
Walkways and Access Paths		Walkways and Access Paths Options	
Three (3) asphalt paths	\$87,500	Concrete surface in lieu of asphalt	\$25,000
		Tabby surface in lieu of asphalt	\$87,500
Sub-Total	\$87,500		
Lake Trail		Lake Trail Options	
Asphalt trail surface in current location	\$0	Add brick/concrete border to asphalt	\$75,000
[i.e., No new hardscape at Brazilian/Australian]		*Concrete surface in lieu of asphalt	\$856,000
		*Gravel or crushed rock in lieu of asphalt	\$1,032,000
		*Tabby surface in lieu of asphalt	\$1,056,000
		Street light replacement & electrical	\$820,000
		Balustrade at dock entrances	\$96,000
		Compass rose inlay (Australian flagpole area)	\$68,000
		Retaining walls	\$150,000
		Circular seating area & flagpole (Australian)	\$136,000
Sub-Total	\$0	Seawall cap & retaining walls coating	\$200,000
Landscaping & Irrigation		Landscaping & Irrigation Options	
Original landscaping plan per contract	\$0	Lump sum allowance	\$415,000
Sub-Total	\$0		
Parking Lots		Parking Lots Options	
Mill and resurface as originally planned	\$0	Brazilian lot	\$20,000
Entry gates (3 total)	\$60,000	Australian lot	\$20,000
		Peruvian lot	\$20,000
Sub-Total	\$60,000		
Miscellaneous Improvements		Miscellaneous Improvements	
Three water fountains incl plumbing & electric	\$20,000		
Decorative benches - cast stone (25)	\$170,000		
Bike racks	\$34,000		
Sub-Total	\$224,000		
Total (Functional Elements)	\$554,500		

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

FROM: Carolyn Stone, Director of Business Development and Operations
Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution No. 109-2020, approving the Selection Committee recommendation of Award of RFP 2020-21, Marine Marketing Services to Jacober Creative in an amount of \$181,500 for FY21 and \$138,000 for FY22 contingent upon satisfactory vendor performance and budget authorization, and authorize three, one year extensions with Jacober Creative

DATE: 2 October 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 109-2020, approving the Selection Committee recommendation of Award of RFP 2020-21, Marine Marketing Services to Jacober Creative in an amount of \$181,500 for FY21 and \$138,000 for FY22 contingent upon satisfactory vendor performance and budget authorization, and authorize three, one year extensions with Jacober Creative. Each of the one year extensions in year three, four, and five would be brought back to Town Council for review and approval.

Town staff recommends that for the initial year of FY21, that an approved amount of \$181,500 be authorized that would be utilized for individual tasks. Jacober Creative has provided a first year Launch Budget of \$81,500 for seven tasks. In addition, Jacober Creative provided an optional menu of services for Public Relations and Photography and Video Production. The additional \$100,000 would be utilized to secure the additional menu of service should the services be needed in full or part. The seven tasks and the optional menu have an overall projected budget of \$181,500.

Town staff is recommending the \$181,500 amount, however, does not anticipate spending the full amount.

BACKGROUND

Marketing is essential to the launch and ongoing success of the Town of Palm Beach Marina. Although the 'Town Docks' have been in existence for decades, the new marina will need an impactful launch and consistent brand identity and strategy to ensure high levels of dockage year-round. The primary approach to branding and marketing the marina will be rooted in creating appeal to Palm Beach residents while also communicating to a wider, international audience to secure the marina's competitive position in relation to other nearby facilities.

Palm Beach's storied history as one of the first luxury vacation destinations, coupled with its

exceptional scenic beauty and thoughtful urban planning, positions it as one of the most sought after residential and vacation areas in the world. However, the target market for the marina is a relatively small audience based on the slip size and inventory. Jacober Creative will develop a comprehensive visual identity, brand strategy, and advertising plan that will form the basis of an impactful marketing campaign befitting of a world-class superyacht facility.

It is imperative that the Town invests in a comprehensive marketing plan and brand strategy to ensure the marina positions itself for success. The rebrand of the marina will be created by combining modern influences with a defined sense of history and place. Data-driven market research will inform the advertising plan to reach and optimize target audiences. Brand elements and key messages will influence all aspects of marina operations - from customer service to the look and feel of the captain's lounge and facility signage. The personality of the marina must appeal to the ultra-high net worth individuals who will be our customers while exuding the historical charm and character of Palm Beach. Staff believes Jacober Creative is the agency that understands the ethos of Palm Beach and is positioned to successfully develop an exceptional brand identity and global marketing plan.

HOW SERVICES WERE PROCURED

Town Purchasing issued RFP No. 2020-21 for Marina Marketing Services on July 16, 2020. Proposals had a closing date of August 19, 2020 for submittal.

Purchasing sent emails to twenty-three firms inviting them to participate. In addition, the solicitation was published in DemandStar to 221 number of firms, in Public Purchase to 9 of firms in addition to the Palm Beach Post and the Town website. A total of fifty-two firms reviewed the proposal for possible submission.

Fourteen firms actually submitted proposals for the RFP. After review of responsiveness, five proposers were found non-responsive to the RFP. The Selection Committee reviewed and evaluated nine proposals and short listed five firms for interviews and presentations.

The Selection Committee for this RFP included a SME who is associated with Sunfest and has extensive Marketing Skills. The actual committee consisted of the following:

Voting

Mark Bresnahan
Dianna Craven (SME)
Mike Horn

Non-Voting

Carolyn Stone
Duke Basha

The Selection Committee ranked Jacober Creative as the top ranked firm after oral interviews.

FUNDING/FISCAL IMPACT

Funding for the project will be from Account number: 401.35.509.575.30.48.05.

RECREATION REVIEW

This item has been reviewed by the Recreation Department and approved as recommended.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jay Boodheshwar, Deputy Town Manager
Carolyn Stone, Director of Business Development and Operations
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 109-2020

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
PALM BEACH, PALM BEACH COUNTY, FLORIDA,
APPROVING THE SELECTION COMMITTEE
RECOMMENDATION OF RFP NO. 2020-21, MARINA
MARKETING SERVICES TO JACOB CREATIV IN AN
AMOUNT OF \$181,500 FOR FY21 AND \$138,000 FOR FY22
CONTINGENT UPON SATISFACTORY VENDOR
PERFORMANCE AND BUDGET AUTHORIZATION, AND
AUTHORIZE THREE, ONE YEAR EXTENSIONS WITH
JACOB CREATIV.**

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.109-2020, approving the Selection Committee recommendation of Award of RFP 2020-21, Marine Marketing Services to Jacob CREATIV in an amount of \$181,500 for FY21 and \$138,000 for FY22 contingent upon satisfactory vendor performance and budget authorization, and authorize three, one year extensions with Jacob CREATIV.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

Solicitation summary (5136)

Details

Reference number: RFP 2020-21

Procedure: Sealed without Preselection

Description:

DESCRIPTION: General Information about this solicitation:

The Town is soliciting proposals for the hiring of an experienced successful Marketing firm to provide a Marketing Program and support services to the Town's Marina.

As the only public marina on the island of Palm Beach, the Town Marina has been providing berthing for power and sail yachts up to 260' in length since the 1940's. A brilliant new marina is being constructed that works in harmony with the Town's ethos, style, and quality of life. It includes a \$34 million renovation and improvements to transform the old Town Docks into a world-class yacht center that will welcome vessels from 60 to 294 feet.

The Town Marina is centrally located and only a short distance away from West Palm Beach, which has a multitude of fine restaurants, bars, and shops. Our island location places you within walking distance of the world-famous Worth Avenue. For those looking to leave their yacht and travel further afield, the marina is closely located to main transport links including I-95 and the Palm Beach International Airport, and railways to Delray Beach, Boca Raton, Fort Lauderdale, and Miami.

The minimum intent of this "Request for Proposals" is for the selected firm to create brand and message development, compose templates, collateral pieces, and development of a five-year marketing plan and budget.

The contract resulting from this RFP will continue to its completion, approximately one year, and if deemed necessary by the Town, may continue for a period determined by the Town.

Award may be made to the Proposer which offers the best value to the Town. The Town reserves the right to reject any and all offers, to waive non-material irregularities or technicalities and to re-advertise for all or any part of this solicitation as deemed in its best interest. The Town shall be the sole judge of its best interest.

Please click on "**Participate**" button at the bottom of this page to download solicitation package and to get started.

PRE-PROPOSAL CONFERENCE

A "NON-MANDATORY" pre-proposal meeting will be held on:

Date/Time: **July 27, 2020 at 2:00 PM.**

*******This pre-proposal meeting will be conducted via virtual conference. For directions to join please see instructions attached "GO TO MEETING"*******

Send any questions in writing before the start of the meeting so that the Town can ensure all questions are addressed. These questions can be sent to dbasha@townofpalmbeach.com.

Attendance is strongly encouraged as this will be the only forum to seek clarification from Town staff.

QUESTION DEADLINE

The deadline for questions is seven (7) CALENDAR DAYS before the end of the Offer Phase (due date).

Questions should be submitted through this software platform using the Question & Answer feature.

The Town may provide written addenda up to five (5) calendar days before the date fixed for receiving the bid proposals.

SELECTION COMMITTEE MEETING

Consensus Meeting will be held on September 11, 2020 at 9:00 am. Meeting will be virtual through Go To Meeting platform, please see attached instructions.

If the Selection Committee calls for Oral Interviews, **purchasing will contact vendors directly to set up a date and time.**

DESIGNATED PROCUREMENT REPRESENTATIVE

The Designated Procurement Representatives for this Solicitation is:

Eugene Bitteker, Buver

email: ebitteker@townofpalmbeach.com

Direct phone: (561) 227-7006

All communications regarding this solicitation shall be handled only by Town Purchasing Representatives.

ASSISTANCE & SUPPORT

Attached below is a file titled 'Getting Started in Negometrix - Supplier Guide'. Suppliers may also contact the Negometrix support desk at the number provide

NEGOMETRIX SUPPORT CONTACT:

(Technical) Assistance (Mon - Fri: 8 am to 6 pm)

Negometrix Service Desk

Telephone: (724) 888-5294

Email: servicedesk.us@negometrix.com

Awarded supplier(s)

- Jacober Creative (Jacoher Creative)

Offers/Applications from suppliers

- **Suppliers** (Number of suppliers: 53)
 - EMRG
 - Participant since : Aug 18 2020 3:40:02 PM
 - Removed on : Aug 19 2020 12:16:50 PM
 - Selbert Perkins Design
 - Participant since : Aug 14 2020 6:04:14 PM
 - WeUsThem Inc.
 - Participant since : Aug 13 2020 2:27:51 PM
 - Maryanne Conlin, LLC
 - Participant since : Aug 12 2020 3:38:09 PM
 - RHEEM CREATIVE HOUSE
 - Participant since : Aug 12 2020 3:34:30 PM
 - Chandlerthinks
 - Participant since : Aug 11 2020 3:21:14 PM
 - iHeartMedia
 - Participant since : Aug 10 2020 5:05:53 PM
 - Oasis Marinas
 - Participant since : Aug 10 2020 3:28:03 PM
 - Conversa
 - Participant since : Aug 10 2020 2:35:03 PM
 - Think Creative Inc.
 - Participant since : Aug 6 2020 10:31:34 AM
 - PPK
 - Participant since : Aug 5 2020 9:48:55 AM
 - PIL Creative Group
 - Participant since : Aug 5 2020 9:22:16 AM
 - DG
 - Participant since : Aug 4 2020 2:31:29 PM
 - Push Digital
 - Participant since : Aug 4 2020 12:27:50 PM
 - BLKStreet
 - Participant since : Jul 30 2020 10:33:30 PM

- Push
 - Participant since : Jul 29 2020 1:21:27 PM
- Matrix2 Advertising
 - Participant since : Jul 29 2020 11:27:15 AM
- Criterion Global
 - Participant since : Jul 28 2020 7:21:21 PM
- Ketchum
 - Participant since : Jul 28 2020 7:19:39 PM
- CONCEPTUAL COMMUNICATIONS
 - Participant since : Jul 28 2020 5:15:53 PM
- 9thWonder
 - Participant since : Jul 28 2020 4:37:02 PM
- BMF
 - Participant since : Jul 28 2020 4:17:18 PM
- FKQ
 - Participant since : Jul 28 2020 1:28:51 PM
- UniComm Media Group
 - Participant since : Jul 28 2020 9:57:23 AM
- Fahlgren Mortine
 - Participant since : Jul 27 2020 8:37:18 PM
- FWV
 - Participant since : Jul 27 2020 4:09:15 PM
- DEVENNEY
 - Participant since : Jul 27 2020 11:39:15 AM
- ADEPT Marketing
 - Participant since : Jul 27 2020 11:03:43 AM
- FINN Partners
 - Participant since : Jul 27 2020 1:48:27 AM
- The Alexis Agency
 - Participant since : Jul 25 2020 6:41:03 PM
- O'Dwyer's
 - Participant since : Jul 24 2020 3:07:47 PM
- 78Madison, Inc.
 - Participant since : Jul 24 2020 12:30:01 PM
- Town Demo
 - Participant since : Jul 24 2020 9:10:29 AM
- Impacten Communications, LLC d/b/a Impacten Media
 - Participant since : Jul 22 2020 7:19:45 PM
- Miles Partnership, LLLP
 - Participant since : Jul 22 2020 2:39:58 PM
- Creative Marketing Alliance
 - Participant since : Jul 22 2020 12:11:13 PM
- The Fantastical
 - Participant since : Jul 22 2020 11:04:56 AM
- BVK
 - Participant since : Jul 22 2020 10:41:59 AM
- Dryve Consulting
 - Participant since : Jul 21 2020 4:42:36 PM

- The MS Factor, LLC
 - Participant since : Jul 21 2020 2:57:36 PM
- Strategic Digital Services Inc.
 - Participant since : Jul 21 2020 9:51:08 AM
- Daniels and Roberts
 - Participant since : Jul 21 2020 9:35:13 AM
- Lombardo & Partners, LLC
 - Participant since : Jul 20 2020 1:28:27 PM
- Jacober Creative
 - Participant since : Jul 20 2020 12:30:36 PM
- LRM RiverValley Marketing
 - Participant since : Jul 20 2020 10:38:03 AM
- Moore Communications Group, Inc.
 - Participant since : Jul 20 2020 9:47:28 AM
- Aqua Marketing & Communications, Inc.
 - Participant since : Jul 20 2020 9:37:14 AM
- ●●-●●●7931
 - Participant since : Jul 17 2020 1:47:43 PM
- Carey O'Donnell Inc. dba O'Donnell Agency
 - Participant since : Jul 16 2020 4:30:38 PM
- TAMBOURINE
 - Participant since : Jul 16 2020 10:26:10 AM
- marlo marketing
 - Participant since : Jul 16 2020 10:16:12 AM
- Savage Global Marketing
 - Participant since : Jul 16 2020 9:04:30 AM
- Ideabar
 - Participant since : Jul 16 2020 8:45:03 AM
- **Offer phase** (Number of offers in phase: 15)
 - The MS Factor, LLC (The MS Factor, LLC) Time and date of submitting: Aug 19 2020 11:46:59 AM
 - Ideabar (Ideabar) Time and date of submitting: Aug 19 2020 1:59:43 PM
 - ●●-●●●7931 (●●-●●●7931) Time and date of submitting: Aug 19 2020 12:18:18 AM
 - Jacober Creative (Jacob Creative) Time and date of submitting: Aug 19 2020 12:51:05 PM
 - Lombardo & Partners, LLC (Lombardo & Partners, LLC) Time and date of submitting: Aug 19 2020 7:34:09 AM
 - Tourism Insight Group (BVK) Time and date of submitting: Jul 22 2020 10:50:24 AM
 - 78Madison, Inc. (78Madison, Inc.) Time and date of submitting: Aug 18 2020 5:07:36 PM
 - DEVENY (DEVENY) Time and date of submitting: Aug 19 2020 12:17:24 PM
 - ADEPT Marketing (ADEPT Marketing) Time and date of submitting: Aug 19 2020 1:00:26 PM
 - 9thWonder (9thWonder) Time and date of submitting: Aug 19 2020 11:55:10 AM
 - Matrix2 Advertising (Matrix2 Advertising) Time and date of submitting: Aug 19 2020 12:34:35 PM
 - PIL Creative Group (PIL Creative Group) Time and date of submitting: Aug 19 2020 1:06:31 PM
 - Think Creative Inc. (Think Creative Inc.) Time and date of submitting: Aug 18 2020 2:43:08 PM
 - Oasis Marinas (Oasis Marinas) Time and date of submitting: Aug 19 2020 12:06:40 PM
 - WeUsThem Inc. (WeUsThem Inc.) Time and date of submitting: Aug 19 2020 12:37:11 PM

- **Evaluation** (Number of offers in phase: 9)
 - The MS Factor, LLC (The MS Factor, LLC)
 - Ideabar (Ideabar)
 - Jacober Creative (Jacoher Creative)
 - 78Madison, Inc. (78Madison, Inc.)
 - ADEPT Marketing (ADEPT Marketing)
 - 9thWonder (9thWonder)
 - Matrix2 Advertising (Matrix2 Advertising)
 - PIL Creative Group (PIL Creative Group)
 - Think Creative Inc. (Think Creative Inc.)
- **BAFO-phase** (Number of offers in phase: 5)
 - The MS Factor, LLC (The MS Factor, LLC) Time and date of submitting: Sep 16 2020 3:27:12 PM
 - Ideabar (Ideabar) Time and date of submitting: Sep 16 2020 5:43:46 PM
 - Jacober Creative (Jacoher Creative) Time and date of submitting: Sep 16 2020 5:32:59 PM
 - 78Madison, Inc. (78Madison, Inc.) Time and date of submitting: Sep 16 2020 3:08:58 PM
 - ADEPT Marketing (ADEPT Marketing) Time and date of submitting: Sep 16 2020 4:39:18 PM
- **BAFO-evaluation** (Number of offers in phase: 3)
 - Ideabar (Ideabar)
 - Jacober Creative (Jacoher Creative)
 - ADEPT Marketing (ADEPT Marketing)
- **Awarding** (Number of offers in phase: 1)
 - Jacober Creative (Jacoher Creative)

Schedule

Name	Type	Start date	End date	Responsible person
Creation date	Date	Jul 9 2020 4:00 PM	—	General Solicitations Palm Beach
Preparation	Phase	Jul 9 2020 4:00 PM	Jul 16 2020 9:00 AM	
Offer phase	Phase	Jul 16 2020 9:00 AM	Aug 19 2020 2:00 PM	
Pre-proposal Conference	Date	Jul 27 2020 2:00 PM	—	Duke Basha Mark Bresnahan Mike Horn General Solicitations Palm Beach Carolyn Stone
Evaluation	Phase	Aug 19 2020 2:00 PM	Sep 14 2020 5:00 PM	
First Selection Committee Meeting	Date	Sep 11 2020 9:00 AM	—	Duke Basha Mark Bresnahan Mike Horn General Solicitations Palm Beach Carolyn Stone
BAFO-phase	Phase	Sep 14 2020 5:00 PM	Sep 17 2020 8:00 AM	
BAFO-evaluation	Phase	Sep 17 2020 8:00 AM	Oct 13 2020 11:00 AM	
Presentations	Date	Sep 17 2020 9:00 AM	—	Duke Basha Mark Bresnahan Mike Horn General Solicitations Palm Beach Carolyn Stone
Award phase	Date	Oct 13 2020 11:00 AM	—	

Results

• **Offer phase** (Jul 16 2020 - Aug 19 2020)

Result

Rank	Name	Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price	Quality score	Phase
1	The MS Factor, LLC	–	–	2	–	–	\$50,215	73.7%	Yes
2	78Madison, Inc.	–	–	3	–	–	\$29,090	68.89%	Yes
3	Ideabar	–	–	3	–	–	\$102,650	78.33%	Yes
4	ADEPT Marketing	–	–	3	–	–	\$80,000	73.33%	Yes
5	Jacober Creative	–	–	2	–	–	\$81,650	66.3%	Yes
6	PIL Creative Group	–	–	3	–	–	\$140,099	63.19%	Yes
7	Think Creative Inc.	–	–	3	–	–	\$91,675	47.96%	Yes
8	Matrix2 Advertising	–	–	3	–	–	\$135,150	41.67%	Yes
9	9thWonder	–	–	3	–	–	\$286,875	40.56%	Yes
10	Oasis Marinas	–	–	–	–	–	\$233,700	0%	No
11	WeUsThem Inc.	–	–	3	–	–	\$483,948	0%	No
12	••- •••7931	–	–	3	–	–	\$513,574	0%	No
13	Lombardo & Partners, LLC	–	–	3	–	–	\$1,287,645	0%	No
14	DEVENEY	–	–	1	–	–	\$3,355,875	0%	No
15	BVK	–	13	9	–	–	–	0%	No

• Evaluation

Result									
Rank	Name	Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price	Quality score	Phase
1	The MS Factor, LLC	-	-	2	-	-	\$50,215	73.7%	Yes
2	78Madison, Inc.	-	-	3	-	-	\$29,090	68.89%	Yes
3	Ideabar	-	-	3	-	-	\$102,650	78.33%	Yes
4	ADEPT Marketing	-	-	3	-	-	\$80,000	73.33%	Yes
5	Jacober Creative	-	-	2	-	-	\$81,650	66.3%	Yes
6	PIL Creative Group	-	-	3	-	-	\$140,099	63.19%	No
7	Think Creative Inc.	-	-	3	-	-	\$91,675	47.96%	No
8	Matrix2 Advertising	-	-	3	-	-	\$135,150	41.67%	No
9	9thWonder	-	-	3	-	-	\$286,875	40.56%	No

• BAFO-phase (Sep 14 2020 - Sep 17 2020)

Result

Rank	Name	Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price	Phase
1	78Madison, Inc.	—	—	—	—	—	—	No
1	ADEPT Marketing	—	—	—	1	—	—	Yes
1	The MS Factor, LLC	—	—	—	—	—	—	No
1	Ideabar	—	—	—	1	—	—	Yes
1	Jacober Creative	—	—	—	1	—	—	Yes

• BAFO-evaluation

Result									
Rank	Name	Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price	Phase	
1	Jacober Creative	–	–	–	1	–	–	Yes	
1	ADEPT Marketing	–	–	–	1	–	–	No	
1	Ideabar	–	–	–	1	–	–	No	

• Awarding

Result							
Rank	Name	Knockouts	unanswered question(s)	Uploads missed	Incomplete evaluations	Unanswered buyer questions	Price
1	Jacober Creative	–	–	–	1	–	—

Contracts

There are no contracts added

Comments

No comments

SCOPE OF SERVICES - Deliverable items/Performance requirements:

Please complete a detailed proposal including a budget that encompasses the following tasks:

- Brand and message development. In this task, the selected firm will create the messaging, brand expression, and visual elements representing the brand (including logo design and taglines) that will effectively communicate the Town of Palm Beach Marina's identity to potential customers and broader community audience.

Specific deliverables: brand mark, tagline, and key messages. Style guidelines including use examples of the brand, brand voice, and any sub-brands that may be indicated.

Appropriate brand colors should be identified. The Town's unique history and historical elements should be considered in the artistic creation of these deliverables.

- Templates to be used for common needs such as signage, brochures, web page layout, presentation, and report covers.
- Collateral pieces that can be distributed at various events and mailed to potential customers.
- Identification of key advertising partners and types of advertising that should be utilized to reach the target audience. For example: print ads (identifying publications in which to advertise), web ads, email campaigns, social media campaigns, boat show booths—international and domestic, other yachting advertising opportunities including yacht brokers.

The firm should conduct necessary market research to ensure marketing spend commensurate with the appropriate audience.

- Boat show booth design using brand marks and style guide colors. Size and elements will be based on which shows are identified in the marketing plan as 'must participate' events.
- Concept development of grand opening event and associated marketing related to grand opening of marina.
- Development of a five-year marketing budget. Identify how much money the Town should allocate each year (for five years) to advertise the marina. Breakdown the spend by advertising area (print, social media, web, boat shows, etc.)

Proposing firm should also specify any marketing ideas or concepts (with an associated budget) that they believe the Town should consider. A timeline should also be presented for the development and delivery of content/materials, etc.



JACOBBER CREATIVE



Formal Proposal Enclosed

PALM BEACH MARINA
BRANDING & MARKETING SERVICES



JACOB ER CREATIV E



NAME OF FIRM:

Jacober & Associates, Inc. DBA
as Jacober Creative

LOCATION:

690 Lincoln Road, Suite 201
Miami Beach, FL 33139

WEBSITE:

www.Jacober.com

ENTITY BUSINESS STRUCTURE:

Corporation

DATE ESTABLISHED:

2001

OUTSTANDING LITIGATION:

None

CONTACT:

Paul Jacober
Principal & Creative Director
305.672.3293
info@jacober.com

OUR MISSION

Making life a little
more beautiful one
pixel at a time,
we elevate brands
with great ideas.

JACOB ER CREATIVE





JACOB C R E A T I V E

Dear Palm Beach Colleagues:

As a more than two-decade resident and business owner in Florida. I am pleased to submit this proposal to you for my **award-winning firm, Jacober Creative.**

We are a Miami Beach-headquartered company with numerous clients in Florida, nationally and internationally. Jacober Creative is well equipped to respond to this RFP, and for developing and executing new brand and messaging strategies for the **Town of Palm Beach Marina**, relaunching the brand after major renovations and upgrades, increasing the brand profile and extending the visitor and resident appeal. We see our approach as building on and sharpening the existing brand and reputation of Palm Beach, with its storied history and upscale reputation, to appeal to a new target audience of superyacht owners.

We creatively cover all the bases – brand strategy, market research, graphic design, digital and print marketing, photography and video production, public relations, and web development — and we know yachts. Jacober Creative has extensive experience with similar clients such as the **Star Yacht Group. Invincible Boats** and branding Italy's largest sailing yacht, **Sybaris** yacht project, as well as clients like the **Town of Surfside**, and the Cities of **Miami Beach** and **Sunny Isles**. I know we can effectively work with you in elevating the Town Marina brand profile for a more discerning customer.

We propose to develop, among other deliverables, updated taglines, logos, brand voice and messaging that position the Town Marina as both a new “take-another-look-at-us” location, and as an existing gem one should re-engage with or rediscover, especially for the yachting community who will have a whole new facility to utilize. Our fresh, forward-leaning yet consumer-friendly design style, and our ability to work with and incorporate a wide range of community stakeholders, makes Jacober Creative the right choice for this project.

In short, we are a perfect fit for the Town of Palm Beach Marina. I hope that you will seriously consider our proposal, and that we will have the opportunity to work with you in updating and relaunching the Marina's brand identity.

Sincerely,

Paul Jacober, Principal & Creative Director
Jacober Creative

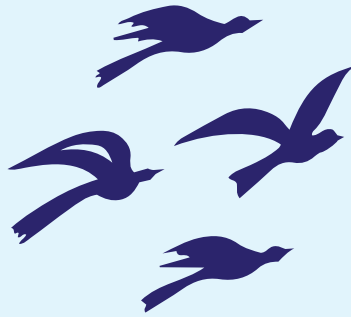


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SECTION 1

Experience

Jacober Creative

OUR MISSION

Jacober Creative's mission is "Making life a little more beautiful one pixel at a time, we elevate brands with great ideas."

Our fresh, forward-leaning yet consumer-friendly design style, our savvy marketing expertise, and our ability to work with a wide range of target demographics and community members, makes Jacober Creative the best choice for branding the **Town of Palm Beach Marina** and creating an impactful marketing and advertising campaign that successfully tells the Marina's brand story and reaches a new crop of elevated clientele.



Jacober Creative Leadership
From left:
Adriana Maz, Paul Jacober,
Daniel Peralta, Luisa Jimenez

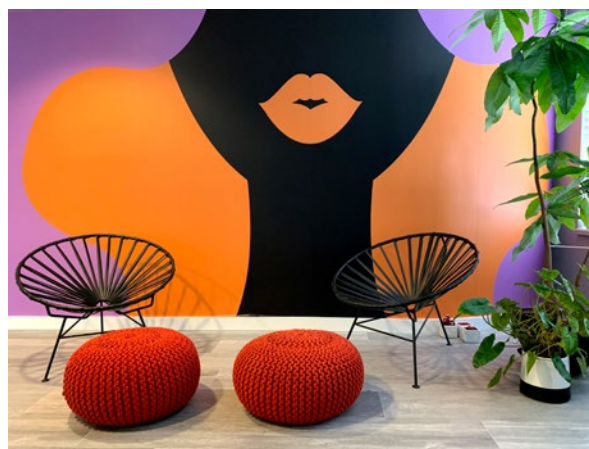
WHO WE ARE

As a South Florida-based, award-winning company with clients across the state, nationally and internationally, and about \$1 million in annual revenue, our scope of services encompass all that the Town of Palm Beach Marina will need to successfully brand and market itself—market research, community engagement, brand development, graphic design, digital and print marketing, event marketing, public relations solutions, social media messaging, photography and video production, as well as web design.

Jacob Creative is extremely experienced working with municipalities and the kind of stakeholders in the Town of Palm Beach—government officials, residents, business owners, and visitors. Furthermore, we bring our unique learnings from the commercial sector to give deeper insight and more streamlined solutions to the trade and consumer outreach that will form the backbone of the Marina's marketing strategy.

We balance our municipal and government clients, such as the **Town of Surfside**, the **City of Miami Beach Economic Development Department** and the **City of Sunny Isles Beach**, with a wide range of hospitality and attractions, whose mission is appealing to upscale consumers and filling inventory, such as the **Frost Museum of Science**, the **Menin Hospitality Group**, and multiple film and music festivals and events, such as Hong Kong's **Jungle Music Festival** and **Miami International Film Festival** further add to our diverse experience.

Finally, we're no strangers to the world of luxury yachting, we branded Italy's largest sailing yacht, **Sybaris**, worked with **Invincible Boats** on a rebrand, trade marketing, and new website, and most recently, were entrusted by **Star Yacht Group** to help guide their entrée into the South Florida market with a new logo, website, and a comprehensive go-to-market strategy.



A Studio of Designers,
Developers, Illustrators,
Animators, Writers,
Marketers, Videographers,
and Strategists Dedicated
to Telling Stories That Build
Exceptional Brands.



Capabilities

DESIGN

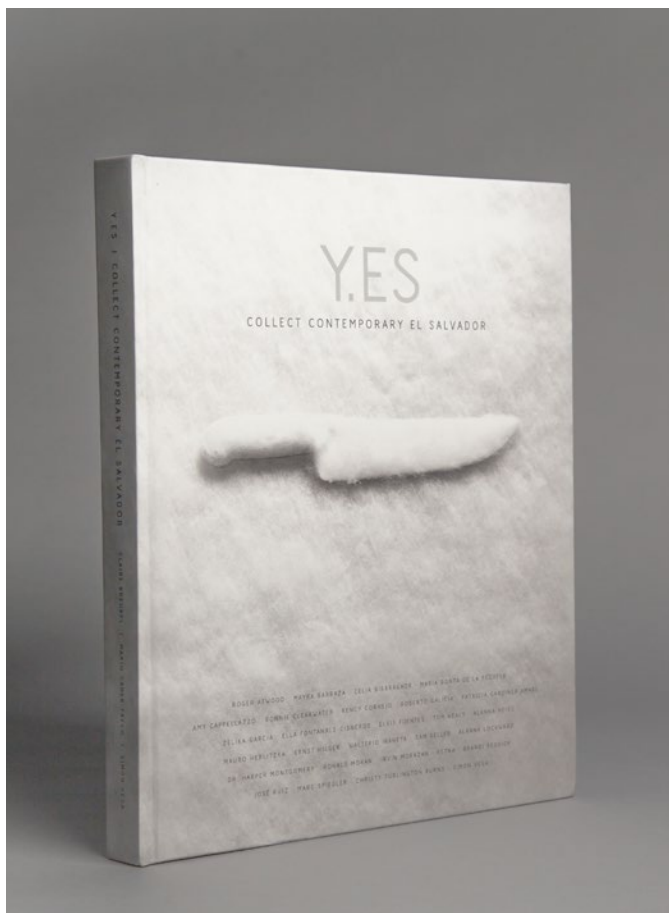
Logo Design
Branding
Packaging
Photography
Illustration
Environmental Design

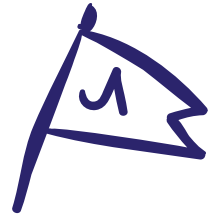
DIGITAL

Web Design
Web Development
Mobile Apps
Motion Graphics
Video Production
3D Rendering
SEO

MARKETING

Advertising Campaigns
Media Planning + Buying
Social Media Marketing
Public Relations
Experiential Marketing
Digital Advertising
E-mail Marketing
Copywriting
Research





Our History

With more than two decades in business, Jacober Creative formally began operations in 2001, as an expansion of Paul Jacober's work with non-profit organizations and hospitality clients, such as **Art Center South Florida** and the **Rubell family-owned Albion and Greenview Hotels**, to amplify their branding and marketing efforts. As Miami's economic growth expanded, so did Jacober Creative's projects and scope of services.

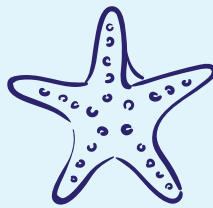
Initially focused on traditional branding and websites, we expanded upon these services by welcoming a formal web development team in 2003 and the addition of two Art Directors shortly after, bringing new perspectives and talents to our growing client list. Most recently in 2015, the addition of a dedicated digital team overseeing all social, digital, and search marketing continues to create new ways we can create cohesive and efficient marketing messages across all brand touch points.

While we continued to achieve a strong measure of success in the region until 2010, it was our award-

winning branding and marketing work with two clients that garnered new attention from across the globe: the wellness brand **JugoFresh**, a pioneer in the cold-pressed juice movement, and the **Town of Surfside**, a formerly overlooked Miami beach town with a slew of new luxury beachfront developments.

Since then, we've worked with a broad range of clients like **Peloton**, the **Frost Museum of Science**, Richard Branson's new cruise line **Virgin Voyages**, Tennis star **Venus Williams**, **The City of Miami Beach**, and **the City of Sunny Isles Beach** on a variety of creative pursuits, from branding to 360 videos to experiential design and everything in between.

Today we continue to push forward with new and more demanding opportunities, diving into the ever-shifting world of social media and virtual reality, and continuing to explore the ways in which technology can help us better understand new and more efficient ways to reach our audiences.



**WE CREATE
STORIES
THAT BUILD
EXCEPTIONAL
BRANDS**

Awards



VISIT FLORIDA FLAGLER AWARDS

2019 BEST IN SHOW
Online Booking Portal
VisitSurfsideFL.com
Town of Surfside, FL

BRONZE
Resource/Promotional
Material: Trade
Trade Kit Design
Town of Surfside, FL

2018 BEST IN SHOW
Annual Marketing
Budget between
\$500,000-\$2 million
Social Media Marketing
2017 Campaign
Town of Surfside, FL

GOLD
"Henry" Award
Trade Promotional Material
Town of Surfside, FL

BRONZE
Social Media Marketing
2017 Campaign
Town of Surfside, FL

2016 BEST IN SHOW
Visitor Guide Design
Town of Surfside, FL

GOLD
"Henry" Award
Visitor Guide Design
Town of Surfside, FL



LOS ANGELES MARATHON 1999

WINNER
Los Angeles Marathon International
T-shirt Competition
Presented by K-WISS



DESIGN CENTER OF THE AMERICAS 2009

WINNER
Stars Of Design Awards,
Design Center Of The Americas
(DCOTA)



ARANGO DESIGN 2001

FINALIST
(Top 5)
Arango Design Foundation
Competition



NEENAH PAPER 1999

BRONZE MEDAL
Rubell Hotels /Albion+Greenview
Hotel Brochures
Neenah Paper



SECTION 2

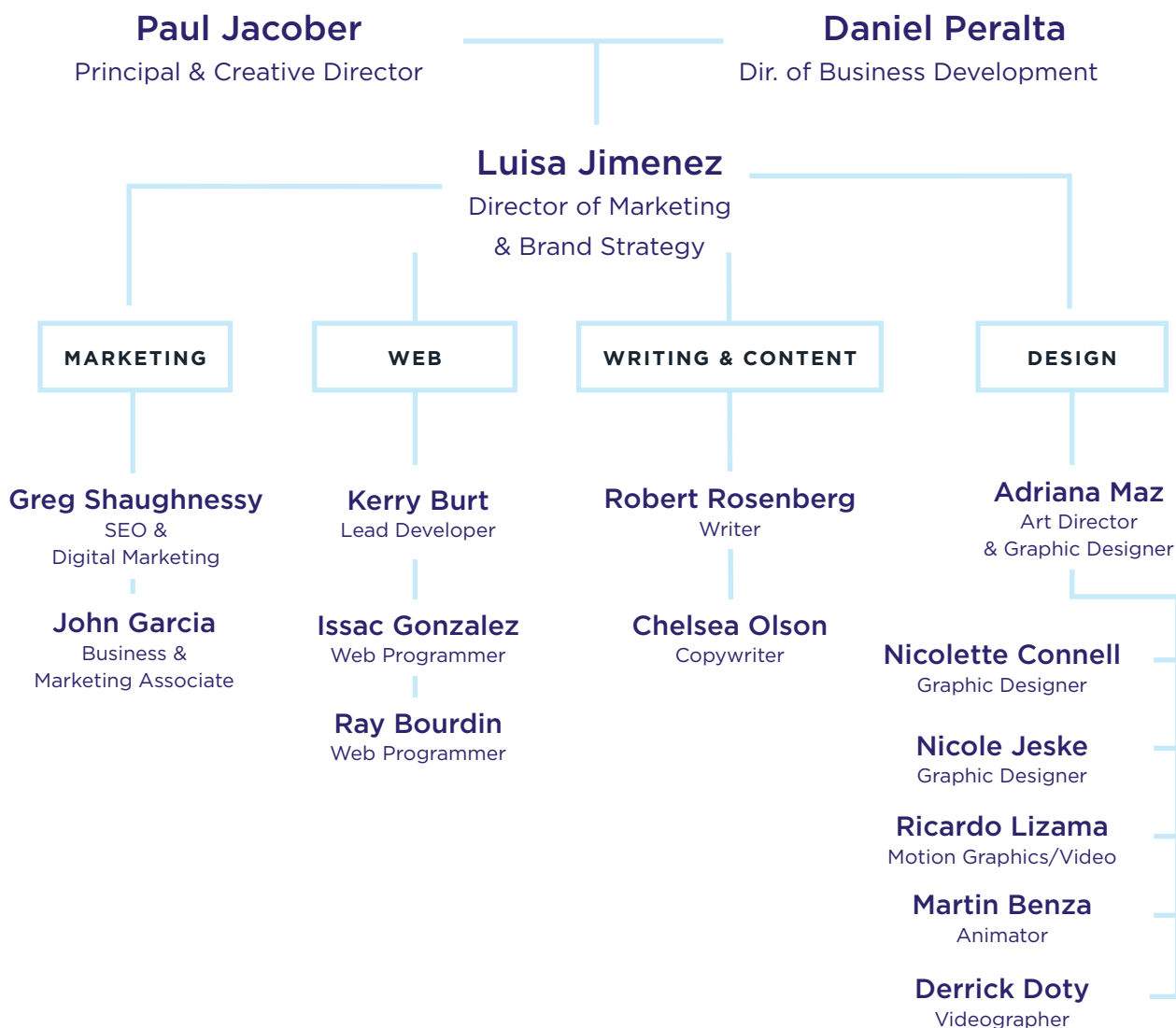
Organizational Chart



JACOBER CREATIVE



Organizational Chart





SECTION 3

Ability of Personnel

Account Structure

MAIN PERSONNEL ASSIGNED TO THE TOWN OF PALM BEACH MARINA PROJECT

Our team is uniquely skilled at leveraging a comprehensive take on branding and marketing the Town of Palm Beach Marina, stemming from over twenty years of experience in South Florida's luxury hospitality and destination marketing ecosystem. We take a design-driven approach to ensuring that the brands we craft create emotional connections with their audiences that endures for years.

To service the Town of Palm Beach Marina account, all tasks and services are filtered through the Director of Marketing and Brand Strategy, who will be the main point of contact for the Town and is responsible for the project management with the relevant internal teams. Creative initiatives will be supervised by the Creative Director, and all financial matters will be managed by the Business Development Director.



Paul Jacober

Principal & Creative Director

Mr. Jacober is the founder and director of Jacober Creative, also affectionately referred to as the “Face of the Place.” After graduating with a degree in Journalism from Pepperdine University he moved to New York City to be a part of the launching team behind VIBE magazine. He brings his love of design and editorial layout is a motivating force behind the clean and concise aesthetic Jacober Creative is known for. He has provided creative and branding services for commercial and non-profit groups around the world, working in the print and digital space, and developing campaigns and multi-media productions. He also sits on the board of local arts organization Locust Projects.

Mr. Jacober has over three decades of design, marketing and journalism experience that he will bring to the Town of Palm Beach Marina branding project. Over the course of his career his work has been recognized for excellence from the Arango Design Foundation (Finalist, Arango Design Award for Emerging Talent, 2000), and the Design Center of the Americas (Designer of the Year, 2009). Under his direction, Jacober Creative won two Flagler Awards from Visit Florida: Best In Show & Gold “Henry” Award for the Surfside Visitor Guide in 2016. He will lead the Jacober Creative team in the Town of Palm Beach Marina branding and marketing project by directing all creative initiatives, from campaign development to new messaging initiatives.



Daniel Peralta

Business Development Director

Mr. Peralta is a seasoned business development professional with a broad career highlighted by creative design, client relationship management and sales success. Part of the Jacober Creative team since 2010, he regularly flexes his industrial design and manufacturing background. Part of his role in the new proposal for the Town of Palm Beach Marina will be the project management of all trade show booth design, manufacturing, and marketing efforts, as well as the ongoing financial management of the project. His production, large format printing and trade show experience will help support all event activities.



Luisa Jimenez

Director of Marketing
& Brand Strategy

Director of Marketing & Brand Strategy Luisa Jimenez leads our team's efforts in marketing and market research. After studying marketing at Florida State University, she started her career in traditional advertising and marketing at Conde Nast Publications in New York, then continued her work with digital startups. Her strengths are in strategic planning, the future of media, and segmentation and targeting, and she blends creative vision, media expertise and marketing ability with a lifelong passion for innovation and excellence. Her progressive marketing initiatives for the Town of Surfside has lead to two Best of Show awards from the Visit Florida Flagler Awards, recognizing excellence in destination marketing.



Adriana Maz

Art Director & Graphic Designer

Ms. Maz has been with Jacober Creative since 2012, and has worked on all three tourism marketing campaigns for the Town of Surfside, which in 2016 won a "Visit Florida Flagler Award: Best In Show & Gold "Henry" Award." She is talented and recognized Art Director, and is skilled in illustration, editorial layout, lettering and branding designs. Ms. Maz has a BFA in Fine Arts and Graphic Design, Cum Laude. Born and raised in Miami, she will bring her experience of working with South Florida municipalities and her unique, creative eye to the Town of Palm Beach Marina.

ADDITIONAL SUPPORT STAFF: Chelsea Olson, Copywriter | Nicole Jeske, Graphic Designer

PRINCIPAL & CREATIVE DIRECTOR

Paul Jacober

California-raised and educated, Paul Jacober went on to hone his design skills in New York's publishing scene, then moved to Miami where he started building up a strong roster of clients in the arts and burgeoning real estate sector. He is experienced in graphic design, website programming, brand identity development, social media production, still and moving image production, small business management, and writing and editing for publication. He is computer proficient with Macintosh systems, Adobe Illustrator, Photoshop Indesign, Quark Express, Django CMS, Wordpress, Squarespace, Premiere, After Effects and php.

PROFESSIONAL EXPERIENCE

Principal & Creative Director – Jacober Creative, 2001 to present

This award-winning boutique design and marketing firm, located just off of Miami Beach's Lincoln Road, was founded by Paul Jacober to provide creative and branding services for commercial and non-profit groups around the world. They work in the print and digital space, developing campaigns and video promotions large and small. With a full-time staff of nine and eight affiliated designers and programmers, the company has annual receipts of over one million dollars.

Clients have included Peloton, Venus Williams, SWATCH, Frost Museum of Science, JugoFresh, Miami International Film Festival, Miami Jewish Film Festival, Town of Surfside, Hong Kong Jungle Electronic Music Festival, ID PR, Malibu's Trancas Country Market, Menin Hospitality, Alliance for LGBTQ Youth, The HOMY Collective, Dominican Republic's Tropicalia Foundation, and New York's Point Foundation.

Unique Jacober Creative group art projects have included "IRL: In Reel Life Pop-Up," Miami Art Week movie-inspired installation at Miami Beach Cinematheque, and "High Tides: Tales of Mermaids, Mayhem & Miami Beach," a grownup "coloring book."

Editor & Art Director – Miamigo, 1999-2002

Founding Editor of this Miami Beach lifestyle weekly, as well as Art Director, responsible for layout, editing and production of this 40-plus pages periodical.

Graphic Designer – Rubell Hotels, 1998-1999

Principal graphic designer for Rubell Hotels, owner of such iconic Miami hotel properties as the Albion Hotel, the Greenview Hotel, and Beach House Bal Harbour, as well as the Rubell Collection, the owning family's renowned Wynwood gallery.

Freelance Graphic Artist – 1998-2000

Graphic artist for non-profit arts organizations and small businesses in Miami, FL. Clients included South Florida Arts Center, and Wire Weekly, among others.

Editor-In-Chief – Newport News, 1996-1997

This was a family-owned, start-up, weekly newspaper in Newport Beach, California. As Editor-in-Chief, responsible for all final copy, creating some original content, supervising a group of writers as well as the advertising department, and production and distribution. During this period the paper was certified (adjudicated) for acceptance of legal notices.

Staff Writer & Assistant Art Director – Sun-Post, 1995-1996

Worked as the principal staff writer and assistant art director for this weekly Miami Beach newspaper.

Administrative & Production Assistant – Max Racks, 1994-1995

Worked in a range of production capacities for this New York-based publishing and advertising company.

Internship – Museums New York Magazine, 1994

Editorial intern for this monthly general public magazine that covered and promoted New York City museums and galleries.

Internship – Vibe Magazine, 1994

Art department intern for this Quincy Jones-published and Jonathan Van Meter-edited downtown New York City monthly.

Editor – Currents, 1993

As editor of this Pepperdine University student magazine, art directed a special issue about the entertainment industry, including writing select articles, editing other student writers, and supervising overall production.

AWARDS

- Visit Florida Flagler Award, Best In Show & Gold “Henry” Award for Surfside, FL Visitor Guide (2016-2018)
- Honda L.A. Marathon Presented by K-Swiss, Apparel Design Contest Winner (2010)
- Design Center of the Americas (DCOTA), Designer of the Year (2009)
- Arango Design Foundation, Top Five Finalist (2001)
- Neenah Papers, Bronze Award for work for Rubell Hotels (1999)
- California Intercollegiate Press Association Best Magazine News Article, 1st Place 1993
- California Intercollegiate Press Association Honorable Mention Currents Magazine Design

EDUCATION**Pepperdine University Malibu, California 1990-1993**

B.A. in Journalism

COMMUNITY SERVICE**Locust Projects non-profit arts organization 2018 to present**

Member, Board of Directors

DIRECTOR OF BUSINESS DEVELOPMENT

Daniel Peralta

Seasoned business development professional with a broad-based career highlighted by creative design, client relationship management and sales success. Able to integrate solid revenue and profitability results while identifying and capitalizing on business opportunities. Extended experience in new product development and high-profile client relations. Specialties include excellent negotiation skills; client relationship management; international business development; cold calling, networking and prospecting. Proficient in AutoCad and Illustrator. Bilingual in English and Spanish.

PROFESSIONAL EXPERIENCE

Director of Client Development – Jacober Creative, 2013 to present

This award-winning boutique design and marketing firm, located just off of Miami Beach's Lincoln Road, provides creative and branding services for commercial and non-profit groups around the world. During my time with this company I have brought in such clients as Plaza Construction, DFAS, SWATCH, 2R Creative, Jardens and Concacaf. They work in the print and digital space, developing campaigns and video promotions large and small. With a full-time staff of nine and eight affiliated designers and programmers, the company has annual receipts of over one million dollars.

Director of Business Development – Asylum Marketing, 2010-2013

Led business development initiatives to improve sales and revenue for this digital incentives marketing company that focuses on Latin America, with revenues of almost one million dollars during my first year. Focused on the development of marketing strategies and material, brand awareness and increase market penetration. Secured appointments with high-level executives. Drove and developed critical client relationships in the luxury, alcohol, visual arts, cosmetic, and consumer goods industries. Performed a key role in establishing the organization as a premiere provider of services throughout the Miami market.

Industrial Designer – Displays by NHG, 2008-2010

Directed the Design Department of this South Florida company to develop creative and profitable design solutions for display proposals according to client needs. Executed design solutions under style, manufacturability, packaging and shipping requirements to maintain secure profit margins. Developed design concepts by researching new materials and their applications as well as manufacturing processes that complemented production capacity and resources. Negotiated key component productions with suppliers to maintain or improve projected revenues as well as quality standards.

Sales & Production Manager – Diversified Displays of South Florida, 2003-2008

Secured manufacturing contracts for this commercial displays company, including international groups such as France Telecom in El Salvador and Telefónica de El Salvador, and brought in national companies such as Macys/Federated Stores, among others. Developed and maintained a successful control system to minimize cost and maximize quality for specified quantities of manufactured goods. Ensured that designs maintained their integrity as manufacturing challenges arose in production. Developed and implemented production tracking and quality control systems, prepared operational reports to detect production problems, and scheduled maintenance activities. Managed twenty direct reports in production while directing and coordinating all manufacturing activities. Personally generated approximately \$150,000 in revenue from new sales each year.

Industrial Designer – Displays by NHG, 2008-2010

Directed the Design Department of this South Florida company to develop creative and profitable design solutions for display proposals according to client needs. Executed design solutions under style, manufacturability, packaging and shipping requirements to maintain secure profit margins. Developed design concepts by researching new materials and their applications as well as manufacturing processes that complemented production capacity and resources. Negotiated key component productions with suppliers to maintain or improve projected revenues as well as quality standards.

AWARDS

- Visit Florida Flagler Award, Best In Show & Gold “Henry” Award for Surfside, FL Visitor Guide (2016-2018)

EDUCATION

E.A.E. Business School Barcelona, Spain 1994-1996

Masters of Business Administration

University of the Arts Philadelphia, Pennsylvania 1988-1992

B.A in Industrial Design

DIRECTOR OF MARKETING & BRAND STRATEGY

Luisa Jimenez

Marketing and branding professional with over a decade of professional experience. Experience with public speaking and press engagements. She leads our team's efforts in market research. After starting her career in traditional advertising and marketing at Conde Nast Publications in New York, she then continued her work with digital startups. Her strengths are in strategic planning, the future of media, and segmentation and targeting, and she blends creative vision, media expertise and marketing ability with a lifelong passion for innovation and excellence. Bilingual in English and Spanish.

PROFESSIONAL EXPERIENCE

Director of Marketing & Brand Strategy – Jacober Creative, 2015 to present

This award-winning boutique design and marketing firm, located just off of Miami Beach's Lincoln Road, provides creative and branding services for commercial and non-profit groups around the world. Sources and pitches new clients in diverse industries, including lifestyle, real estate, hospitality, and non-profit, and drive revenue via the creation of new business proposals that answer clients' current and anticipated needs, while leveraging Jacober Creative's talent and resources. Develop and execute comprehensive marketing strategies that span social media, digital, communications, and experiential initiatives. Communicate directly with clients on needs and objectives, and translate those into actionable items for Jacober Creative team through detailed creative briefs. Analyze, optimize, and report on campaign metrics across all social and digital platforms, and ensure brand message consistency across all internal and external brand extensions. Direct and manage the public relations, SEO, social media, and copywriting teams, ensuring cross-platform initiatives work seamlessly, and supervise the project management of all new client work, ensuring all teams meet deadlines.

Marketing Consultant – Fashion Project, Bal Harbour Shops, 2015

Conceived of and executed weekly cultural programming events for this costume and couture exhibition space, collaborated with PR contacts at key retail partners on press-worthy event activations, and built and maintained press, influencer/blogger, and talent relationships. Oversaw all social media efforts, from content creation to implementation and analysis. Wrote copy for press releases, marketing collateral, mailers and digital media.

Director of Business Development – TabbedOut, 2014 to 2015

Launched operations in Los Angeles and Miami for TabbedOut, a mobile payment app developed for the hospitality industry. Secured partnerships with more than 50 notable hospitality partners. Helped develop and pitch "Liquid to Lips" direct-to-consumer marketing program to wine and spirit brands such as Bacardi, Grey Goose, Jameson, and Veev. Oversaw the hiring and development of various roles in the support team. Elevated the messaging and tone of social media and marketing collateral, generating a better brand experience for consumers and partners.

Marketing & Business Development Director – OSL Holdings, Inc.: Equality Rewards, 2013

Developed and executed a go-to-market strategy for this Los Angeles-based mobile cause marketing platform linking LGBT-friendly businesses, consumers, and non-profits. Supervised product launch, including merchant and user acquisition, content creation, event production, social media management and email marketing. Arranged and secured partnerships with crucial L.A. philanthropic and special interest groups such as L.A. Pride, Outfest, AIDS Project L.A. and the AIDS Healthcare Foundation. Prospected, pitched and negotiated deals with national retail and entertainment partners.

Sales Curator – Gilt City Miami, 2010 to 2013

Identified and maintained relationships with decision-makers at key retail, salon, spa, hotel and restaurant partners that for the luxury lifestyle site that offers memorable adventures and exclusive offers. Leveraged Gilt City's significant online, editorial, social media and event integration to develop and sell multi-faceted marketing plans to brand partners. Increased brand awareness and public outreach through relationships with prominent social, philanthropic, and press outlets.

Advertising and Marketing Manager – Conde Nast Publications, 2007 to 2010

Developed this Condé Nast magazine's local restaurant advertising sections by selling, prospecting and building relationships within the New York restaurant industry. Assisted in the organization and execution of various added value and client entertaining events. Began as advertising assistant at Bon Appetit Magazine and promoted to Marketing Manager overseeing accounts for Vogue, Vanity Fair, and SELF magazines.

Marketing Manager and On-Air Personality – Azteca America, 2006 to 2007

Guided clients through the planning and production of successful advertising campaigns for this Orlando, Florida Spanish-language television station. Managed trade show production, advertiser activations, and other special events.

AWARDS

- Visit Florida Flagler Award, Best In Show & Gold "Henry" Award for Surfside, FL Visitor Guide (2016-2018)

EDUCATION

Florida State University Tallahassee, FL 2002-2006

Marketing with an emphasis in Multinational Business

ART DIRECTOR & GRAPHIC DESIGNER

Adriana Maz

Adriana Maz is an Art Director and Designer, with specialties in branding, editorial layout, lettering, illustration and type design. Technical skills include Adobe CC (Ps, Ai and In), Microsoft Office, Sketch and Squarespace.

PROFESSIONAL EXPERIENCE

Lead Art Director and Designer – Jacober Creative, 2012 to present

This award-winning boutique design and marketing firm, located just off of Miami Beach's Lincoln Road, provides creative and branding services for commercial and non-profit groups around the world. As the lead art director and designer, manage multiple projects, conceive, design, and develop new and existing brands across all platforms in print, web design, social media, and content creation. Work with team members throughout the creative process, from concept generation to final implementation, and set visual branding for print and on-line/digital imagery. Establish style guides for production personnel to follow to achieve a high standard of design with consistency and speed. Worked on all three tourism marketing campaigns for the Town of Surfside, which between 2016-2018 won "Visit Florida Flagler Awards: Best In Show & Gold "Henry" Award."

Graphic Designer – Multimedia Marketing Associates, 2009-2012

Worked for this Pembroke Pines, Florida-located marketing firm on print layout of government marketing materials, mainly focused on State outreach for park and wildlife awareness. For digital platforms, designed the U.S. Army Corps of Engineers app, and designed interactive touch screen graphics for the OWW Visitor Center. Designed graphics for video content., and oversaw production of government informational videos. Additionally, worked with team and production company to create two exhibits for the Okeechobee Waterway Visitor Center, including creating informational and interactive graphics.

Junior Graphic Designer – Onerockwell Studio 2008-2009

Created fashion and lifestyle brand print catalogs and marketing material, as well as did apparel photography for print and e-commerce, for this graphic design studio located in Coral Gables, Florida.

Junior Graphic Designer – Can I Have Your Attention (CIHYA), 2008-2009

Created print marketing material and package design for new and existing brand, as well as did lifestyle and product photography for print and e-commerce, for this graphic design studio located in Miami Beach.

Junior Graphic Designer – Arrso Restaurants 2008

Print and digital flyer design for local nightlife events, and marketing materials for restaurants Arrso and Karu & Y located in the Design District Miami, FL.

AWARDS

- Visit Florida Flagler Award, Best In Show & Gold “Henry” Award for Surfside, FL Visitor Guide (2016-2018)
- Dribbble Miami, Guest Speaker, discussing work in lettering and illustration (2016)
- American Recreation Coalition Beacon Awards, Exhibition Design, Lake Okeechobee Visitor Centers (2011)
- Bronze Telly Award for Digital Illustration, provided digital illustrations for motion graphics used in award-winning video (2011)

EDUCATION

Miami International University of Art & Design Miami, Florida 2005-2009

B.F.A. in Fine Arts in Graphic Design, Cum Laude

LEAD DEVELOPER

Kerry Burt

After relocating to Florida from England, Kerry's background began in accounting, specializing in computer systems design and installation. After teaching classes in computerized accountancy and information technology, she began work in programming for the internet. She currently leads an expert team of web developers for the Miami Beach-based Jacober Creative. Her platform of choice is Django, due to its elegance and the powerful, yet simple, CMS it offers to clients.

PROFESSIONAL EXPERIENCE

Lead Developer– Jacober Creative, 2014 to present

This award-winning boutique design and marketing firm, located just off of Miami Beach's Lincoln Road, provides creative and branding services for commercial and non-profit groups around the world. As Lead Developer, I recruit and manage a team of expert developers with expertise in all areas of modern web technologies. Responsible for project architecture design, feasibility, planning and scheduling. Work closely with design team during all phases of the web development process. Manage all technical project trafficking, testing and quality assurance. Manage version control and on-going updates for Jacober client sites. Provide client CMS training and ongoing support. Front end and backend programming as required.

Project Manager – Recognition Media, 2001 to 2013

This Florida-based boutique web design company serves clients worldwide. As Project Manager, I managed, launched and built websites and administration systems for clients. I worked with a wide range of clients from local companies to multinational organizations, developing and maintaining solid ongoing relationships with clients. Was responsible for project planning, staff asset organization and scheduling, oversee all conceptual systems, designs and usability planning. I managed all project trafficking, content control and project launch deadlines, including providing CSS, HTML, JS, .NET, Python, Django.

Director – Fast Forward Publishing, 1999-2001

Produced music DVD's filmed on location in Miami, London, Ibiza and Puerto Rico for worldwide retail as part of this South Florida-based company. Was responsible for music licensing, DJ sourcing, film-shoot location planning and direction. Liaised with film editors and design staff to create finished product, cover designs and supporting materials.

Operations Consultant – The South Beach Group, 1997-1999

Contracted to open and implement operational systems for two partially renovated Art Deco hotels for this hospitality company. Created and implemented successful information systems. Hired, scheduled and trained all members of staff including department heads. Was responsible for accounting, profitability, budgeting, forecasting and financial planning.

Director of Operations – Park Washington Development Company, 1992-1997

Managed operations of three hotels based in South Beach for this hospitality company. Developed and implemented operational structure and departmental procedures, and installed and supported all information technology systems. Hired, trained, evaluated and managed all staff members including department heads. Was responsible for accounting, profitability, budgeting, forecasting and financial planning. Created loyal customer base with repeat business annually.

Computer Sales Team Leader – MJN Technology, 1990-1992

Sales team member for a large direct sales computer manufacturer based in Cheltenham, U.K., including telephone and direct sales of computer desktop and network systems to home, business and institutional buyers. Honored as top salesperson for the both years with the company.

IT Consultant – Spiral Business Systems, 1990-1992

Contracted to install and train staff members on computer systems for an office supply company based in Cheltenham, U.K. Provided full investigation and analysis of existing company methods and procedures and offered recommendations prior to installation. Systems installed included a UNIX order processing system for stationery sales and stock control, a PC based accounting network system and database and job costing systems for service plans.

Computer Systems Support – Advantage Business Systems, 1988-1989

Setup a new division with this U.K. company to provide computer sales, installation and training to local businesses.

Computerized Accounts Consultant – Robin Oliver & Company, 1987 – 1988

Assisted clients of this U.K. accounting firm to computerize their existing accounting systems.

TEACHING

Have taught computerized accountancy to small business owners, and information systems to HND students (UK – Higher National Diploma) for the Gloucestershire College of Arts & Technology.

EDUCATION**Gloucester College of Arts & Technology Gloucester, U.K. 1982-1984**

B.A. in Industrial Design

GRAPHIC DESIGNER

Nicole Jeske

Creative graphic designer skilled in Microsoft Office, illustration, HTML, CSS, and Adobe Creative Cloud (Photoshop, Illustrator, Indesign, Flash, Premiere Pro). Trained photographer. Fluent in English, and conversational Spanish.

PROFESSIONAL EXPERIENCE

Graphic Designer – Jacober Creative, 2018 to Present

This award-winning boutique design and marketing firm, located just off of Miami Beach's Lincoln Road, provides creative and branding services for commercial and non-profit groups around the world. Responsibilities include strategizing, branding and creating original photographic content for social media; creating supporting branded collateral and print ads; and UX and layout, web maintenance, and web banners for digital platforms.

Graphic Designer – NM+U, 2016-2018

Worked at this Miami-based design studio focused on international franchises and travel brands. Responsibilities included campaign concepts and execution; UX and web layouts and banners, and social posts for digital platforms; print ads, marketing materials, billboards, and event booths; storyboarding and producing short-form video content; strategizing, branding and creating original photographic content for social media; and overseeing and directing lifestyle and food photo shoots.

Graphic Designer – StudioGood, 2015-2016

Worked at this Dallas-based design studio with a range of clients, including non-profits, start-ups and large corporations. Designed UX and illustrated a children's Spanish learning app. Created logos, brand guidelines, websites, paper collateral, business cards, letterhead, and direct mail pieces for a variety of clients. Worked in social media designing posts, ads and social skins.

Graphic Designer – Center for Child Protection, 2014-2015

At this non-profit Austin, Texas social service organization, contributed and created the design for invitations, complimentary print pieces, print and digital ads, and out of home pieces for four major successful fundraising events. In addition, assisted with design and creation of new website; created, designed and edited HTML in Constant Contact emails; worked with a local ad agency to create a campaign to raise awareness of child abuse in the Austin community; and edited a promotional video for fundraising events.

EDUCATION

University of Texas Austin, Texas 2010-2014

B.S. in Advertising, Minor in Spanish

GRAPHIC DESIGNER

Nicolette Connell

Jacob Creative's West Coast Art Director has been an instrumental part of the team since 2010. Since starting as an Graphic Designer in 2010, she's lead the way with our most avant-garde illustration and conceptual projects. She's lead several of Jacob Creative's most visible clients like the Jungle Electronic Music Festival based out of Hong Kong, JugoFresh, and the ABAE hotel in South Beach.

PROFESSIONAL EXPERIENCE

Freelance Art Director – Jacob Creative, 2012 to present

For Jacob Creative, Nicolette's role has evolved from designer to Art Director. Her skills include typography, branding and identity, layout design, and illustration. Custom hand-lettering and design for advertising, packaging, editorial, print and web are also her specialties.

She's spearheaded our Hong Kong based client, Jungle Electronic Music Festival, Miami's well-known JugoFresh, and illustrated Jacob Creative's coloring book, "High Tides: Tales of Mermaids, Mayhem, and Miami Beach," as well as developed storyboard and advertising concepts for The Town of Surfside with our current team.

Graphic Designer – Jacob Creative, 2010 – 2012
Graphic Designer – Ronin Advertising, 2007 – 2010

Creating marketing materials including online and print newsletters, event marketing materials, brochures, direct mail postcards, Powerpoint presentations and information graphics, and digital designs for social media and websites.

EDUCATION

Flagler College, St. Augustine, FL, 2004 – 2007
B.A. in Graphic Design

MOTION GRAPHICS & VIDEO

Ricardo Lizama

Ricardo has been Jacober Creative's source for video production and motion graphics since 2014. He's highly experienced in all facets of multimedia production and brings over 26 years of experience to the team.

PROFESSIONAL EXPERIENCE

Video and Motion Graphics Editor – 2014 to Present

Manages the editing and creation of audio-visual productions for Jacober Creative, including TV Commercial Spots, business communication videos, and social media videos and illustrated motion graphics. Helps develop concepts, scripts, storyboarding, and preproduction coordination. Designs and implements product marketing plans for social media and affiliate network dissemination.

Production Director SVFussion – 2016 to Present

Developing customized 2D animations and compositions for small kiosks, presentations, promos, ads and infographics. Including specialized highly demanding animation scripts.

Director of Executive Director of “SISTECA” – 2006 to date

Developing the first electronic advertising network in El Salvador and Central America named PubliDesktops, which is based on the installation of remote display of electronic ads and banners directly on the desktop of a network of more than 65 cyber cafes in San Salvador metropolitan area, with approximately 800 machines and penetration of 560,000 people per month. PubliDesktops has recently won THE CENTRAL AMERICAN AWARD OF TECHNOLOGICAL INNOVATION, organized by the GTZ (German cooperation Corporation) and ESEN.

Manager of Production & Transmission Center (CPT) Infocentros Association – 2001 to 2005

Developing: Online training courses, video conferencing systems, audio and video production for Internet Applications and Multimedia presentations, marketing plans design of such services, personnel management and coordination of production and sales.

Production Manager and owner of “Ilusion Multimedia” – 2002 to date

Consultant on all levels of business Developing: Audiovisual Production , TV spots, radio spots, CD's and Multimedia Presentations, Graphic Design and Layout, and Special Events Technical Assembly. References of customer portfolio: Banco de América Central, GTZ (German Cooperation Organization), Coexport, FUSADES, UNILEVER of Central America, UNICEF, USAID, Kimberly Clark, Shell, ABANSA, Banco Agrícola, Industrias La Constancia, PNUD, Grupo Santillana, ETESAL, AES, Corsatur. Ministry of Health, Ministry of Economy, Ministry of Education, Ministry of Public Works, ISSS, Asociación Infocentros.

SEO & DIGITAL MARKETING

Greg Shaughnessy

Greg Shaughnessy focuses on search marketing and specializes in lead generation for the highly competitive financial services industry. With years of experience and a broad skill set, he covers all facets of marketing in a myriad of industries.

PROFESSIONAL EXPERIENCE

Owner/President – Sea Green Marketing, 2003 to present

Greg founded a full service digital marketing agency that offers Search Engine Optimization, Pay-Per-Click and Social Media services. In his role as President of the company, Greg manages a team of up to ten contract employees and thirteen clients. Duties include: creating and executing custom marketing strategies for clients in various industries, with a primary focus on lead generation in the financial services sector. Greg has overseen \$5.2 million in Pay Per Click advertising, guides clients to high rankings for keyword phrases, has recovered sites from Google manual penalties, maintained rankings through multiple changes and algorithm updates, manages relationships with vendors, works with WordPress, Microsoft office, Google Business Apps, Google Analytics and Webmaster Tools and SEOMoz, and hosts SEO diagnostic tools.

VP of Marketing/Marketing Director – Various, 2003 to present

Greg holds these titles as a contract employee for several multimillion dollar companies, leading their entire digital marketing efforts and SEO, including AFYI Holdings Group, LLC and SpoolTek Lures, LLC.

Web Developer – Progressive Insurance Company, 2000-2004

Worked remotely from Miami as a web developer for this Ohio-based company, leading their in-house search engine optimization effort. The company's website held the top ranking in all three major search engines for "auto insurance" and "car insurance" during his tenure with them.

EDUCATION

Ohio University Athens, Ohio 1995-1999

B.S. in Business Administration

Major: Management Information Systems Minor: Interpersonal Communication

PROFESSIONAL MEMBERSHIPS & AFFILIATIONS

Social Media Marketing Society Member

Moz Pro Member

BUSINESS & MARKETING ASSOCIATE

John Garcia

John is a seasoned professional with over 15 years of Marketing and Branded Content experience. He started his career in the advertising industry in New York as a Media Director focusing on Strategic Planning for global and local brands targeting Multicultural consumers. His experience on the agency side and his interest in becoming a brand storyteller have shaped his professional path and he has become a commercial content solutions partner for clients in the U.S. and Latin America markets.

PROFESSIONAL EXPERIENCE

Business Development – Jacober Creative, 2019 to Present

This award-winning boutique design and marketing firm, located just off of Miami Beach's Lincoln Road, provides creative and branding services for commercial and non-profit groups around the world. Responsibilities include strategizing, business development, marketing, and sales.

Founder, Chief Marketing & Branding Officer - Roundabout Marketing & Consulting, 2017 to present

Lead the creation of client brand strategies and operational readiness initiatives as leader of an independent marketing firm. Manage the creative strategy and vision, driving the development of end-to-end brand architectures; print, digital, social, and experiential planning and advertising; and integrated communications.

Advertising Sales Solutions Manager • US Hispanic & Latin America Markets • Brand Marketing & Creative Solutions – Discovery Communications, Inc., 2011-2017

Directed the development and execution of multiplatform commercial brand growth strategies for advertisers targeting the US Hispanic and Latin American markets, with responsibility for the development of brand partnerships, sponsorships, and integrated content. Partnered with internal sales teams, agencies, and brands on the conceptualization of cross-platform marketing campaigns, directing creative and brand teams on the creation of brand architectures and solutions to promote advertiser brand values and voice. Led cross-functional teams on development of client briefs, budgets, and campaigns.

Associate Media Director – Mindshare (A WPP PLC Company), 2010 to 2011

Led strategic planning and creation of media plans for portfolio of national accounts, including Sprint Wireless, Castrol Oil, CVS, and Regions Financial. Conducted research, data analytics, segmentation studies, and developed consumer insights for multicultural markets.

US Hispanic Media Supervisor – The Vidal Partnership, 2004 to 2010

Promoted to direct media planning for portfolio of accounts from strategy development through execution. After leading the media planning and buy for Sprint/Nextel and Nissan Motors, led the integrated media/marketing planning process, and collaborated in development of short- and long-form branded entertainment branding and advertising solutions.

EDUCATION**Zicklin School of Business – Baruch College of the City University of New York, New York City**

B.B.A. in Marketing Management

Miami Dade College, Miami

A.A. in Film, Television & Radio Production

CERTIFICATIONS**Interactive Advertising Bureau**

IAB Digital Media Sales Certification

United States Sommelier Association

Sommelier Certification

WRITER

Robert Rosenberg

Experienced in all aspects of film and arts programming, professional writing, marketing, publicity, arts management, event production, fundraising, and grant seeking, as well as a track record as filmmaker and film teacher. Fluent in English, as well as conversational and basic written Spanish, and skilled in writing and editing in English. Computer proficient with Macintosh and IBM systems, Microsoft Office, Constant Contact, social media platforms, databases and website content management.

PROFESSIONAL EXPERIENCE

Film and Arts Programming & Management – Tropical Wave Media, 2002 to present
Through own Tropical Wave Media, providing marketing, writing, programming, fundraising and production services on a consultant basis for diverse arts and film groups, nationally and in the South Florida area. Clients have included Breaking Glass Pictures, Broward County Film Society, Cinema Detroit, Symon Productions, KiwiArts, FUNDarte, Dance Now, Orchestra Miami, Entertainment Industry Incubator, Florida Dance Association, City Theatre, Karen Peterson and Dancers, Jacober Creative, 7 Stages/Scott Turner Schofield and Miami Beach Arts Trust. 2002 to present.

Booking & Marketing – Outsider Pictures, 2016 to present

Working for Outsider Pictures, a distributor and international sales agent that represents in for U.S. theatrical and festival releases, and TV and digital markets, with an emphasis on films from Latin America and Spain. Responsibilities include U.S. theatrical booking, marketing, filmmaker liaison, international acquisitions, and booking and managing national and regional talent tours for select projects. Films worked on have included Marshland, Carpinteros, No Dress Code Required, The Last Suit, El Alien y Yo, The Bride, Wedding Doll and The Vessel. 2016 to present.

Founding Director – Coral Gables Art Cinema, 2010 to 2014

The Cinema is an independent non-profit movie theater and cultural center that opened in the fall of 2010 in the Miami metropolitan area. Responsible for organizational development, programming, marketing and public relations, event production, grant writing and other areas. Total ticket sales reached almost 50,000 per year with a one million dollar cash budget as one of the leading art house screens in the Southeast United States.

Associate Director – Tigertail Productions, 2006 to 2008

Responsibilities for this Miami presenter and producer of contemporary performances in dance, music, theater and the literary arts. Included programming, marketing, publicity, e-marketing, audience development, event production, technical coordination and some development.

Producer – Discover Miami, 2004 and 2006

This was a multi-site music and arts event showcasing Miami's historic neighborhoods and varied cultural traditions, including Latin, Haitian and Jewish arts. Responsibilities included programming, marketing, publicity, e-marketing, audience development, event production, technical coordination and some development.

Founder/Programmer/Festival Director - Miami Gay & Lesbian Film Festival, 1998 to 2002

Founder of this annual festival in Miami Beach and other locations. Primary programmer and producer, including coordination of all marketing, publicity and audience development; and overall festival coordination and institutional development. In four years went from start-up non-profit to an audience of more than 12,000 and a budget of over \$400,000, with major media coverage and industry recognition.

Founder/Programmer/Festival Director - Miami Gay & Lesbian Film Festival, 1998 to 2002

Founder of this annual festival in Miami Beach and other locations. Primary programmer and producer, including coordination of all marketing, publicity and audience development; and overall festival coordination and institutional development. In four years went from start-up non-profit to an audience of more than 12,000 and a budget of over \$400,000, with major media coverage and industry recognition.

FILM PRODUCTION HIGHLIGHTS

Director/Producer - BEFORE STONEWALL: THE MAKING OF A GAY AND LESBIAN COMMUNITY, a feature length documentary film in theatrical release 1986-87 in the U.S., Britain, and other countries; broadcast on national PBS, Won national Emmy Award.

Director/Co-Producer/Editor/Camera - WOMEN OF HOPE: LATINAS ABRIENDO CAMINO, a video that tells the story of Latina women in the United States today through portraits of twelve unusual women who have broken new ground in their lives and achievements. In film festivals and on public television 1996.

Consulting Editor - POR LOS CAMINOS, a feature documentary about one Nicaraguan-American's journey back to his war and poverty-ravaged homeland. U.S. premiere at Miami International Film Festival, 2005

TEACHING

Taught filmmaking, film studies and grant writing as adjunct and guest lecturer at New School for Social Research, Alliance Film and Video Cooperative, Hampshire College, Hunter College and Florida Film Institute.

AWARDS & GRANTS HIGHLIGHTS

As an individual: Emmy, for Before Stonewall, Lambda Award for service to the community, Individual Artist Fellowship from New York Foundation for the Arts, Individual Artist Fellowship from State of Florida, and Community Service Award from Dade Human Rights Foundation. Organizational support: Miami-Dade County, State of Florida, Knight Foundation, Miami Foundation, Sloan Foundation, Corporation for Public Broadcasting and New York State Council on the Arts.

EDUCATION

New School for Social Research/Parsons, New York City, 1979-1980

Film production and studies

Hampshire College, Amherst, Massachusetts, 1973-77

B.A. in Human Biology and Public Health



SECTION 4

Current Contracts

Featured Clients

“When it comes to understanding how to capture the essence and market a destination, neighborhood, municipality or product — nobody offers as diverse a selection of visually elegant and effective solutions as Jacober Creative.

Nobody does it better.”

Duncan Tavares

Assistant Town Manager and
Former Director of Tourism, Surfside, FL

TCM Backup 10-13-20



THE CITY OF SUNNY ISLES BEACH







Current Clients



THE CITY OF SUNNY ISLES BEACH



CRESCENT HEIGHTS



MENIN
HOSPITALITY



FLAMINGO PARK
TENNIS CENTER
MIAMI BEACH

PEEKABOO
ICE CREAM + HIDDEN VEGGIES



PLAZA
CONSTRUCTION

Surfside
FLORIDA
MIAMI'S UPTOWN BEACHTOWN

WellAway
Keeping You Well, While You're Away.®

Star
yacht
GROUP

TYKO
SIGN GROUP



SECTION 5

Projects comparable to size and complexity



TRAVEL & TOURISM

Surfside, FL

OBJECTIVE:

The Town of Surfside needed to reposition itself alongside a new wave of luxury developments that were being constructed along its shores. Located on the ocean in Miami-Dade County, just north of South Beach, they were promoting their locale as one suitable for more upscale, luxury consumers, as well as discerning families looking for a cosmopolitan beach escape. Surfside needed a full package – from a refreshed logo to ad campaigns to an updated website.

RESULTS:

Over the course of several years, Jacober Creative addressed the Town of Surfside's destination marketing needs from several angles, always improving and refining the messaging with each subsequent campaign. In 2015, we introduced "Simply Surfside." 2016 saw a new brand, tagline and direction introduced in "Uptown Beachtown," and most recently, the evolution of that in the "Fab, Fit, Fam" campaign.

SCOPE OF SERVICES:

- Travel campaign concept & execution
- Campaign photography
- Website design & programming
- Marketing strategy
- Social media development

"SIMPLY SURFSIDE" CAMPAIGN



"UPTOWN BEACHTOWN" CAMPAIGN



"FAB. FIT. FAM" CAMPAIGN



CAMPAIGN

Simply Surfside

In 2015 we created Surfside's first ever marketing campaign to highlight the Town as an emerging destination in South Florida, "Simply Surfside." Jacober Creative developed the new "Simply Surfside" tagline, and built a multi-media campaign around it.

The intent was to say something simple about the unique and inviting elements of the town. A catch phrase was needed that was easy to retain and very memorable. "Simply Surfside" was the umbrella concept, with additional slogans branching off from there: "Simply Delicious," "Simply Special," "Simply Effortless" and "Simply... A Great Getaway." We developed new photography, graphic typography, ads and copy taglines to showcase the Town of Surfside. The tourism campaign involved a model, a hot vintage car, simple art direction and styling with a retro-forward undertone. Bright, fun and energetic, the visuals were helping redefine what it meant to live in and travel to Surfside.





CAMPAIGN

Uptown Beachtown

In 2016 we created “Uptown Beachtown.” To better align with the new wave of luxury developments happening in Surfside, Jacober Creative designed a newly refreshed Surfside brand, with a fluid retro-meets-ocean-wave look, and a bold color palette that is carried through in all the materials.

In addition, we created a host of hand-drawn illustrations that play off the logo, to evoke restaurants, shopping, beaches, real estate and more, for use in ancillary collateral. We interpreted the “Uptown Beachtown” slogan in a series of diptych type ads, for which we provided the concept, photography and art direction. The left side shows a fashionable, more luxurious, “Uptown” activity, and the right side shows more of a beach vibe, a casual and family friendly one. Two sides of the same Surfside. We handled the relaunch of the Surfside tourism site and isolated elements for a mobile app.





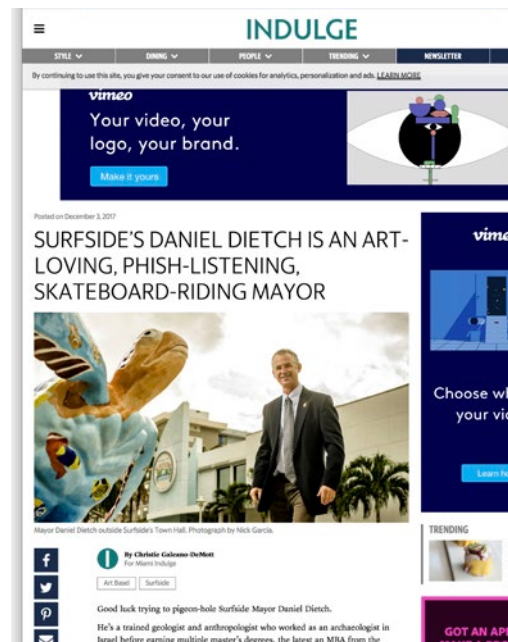
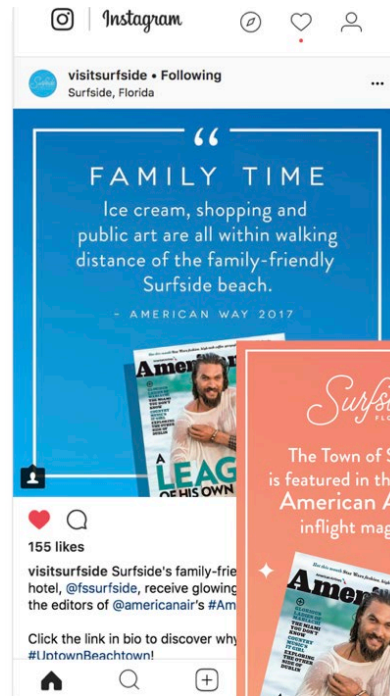
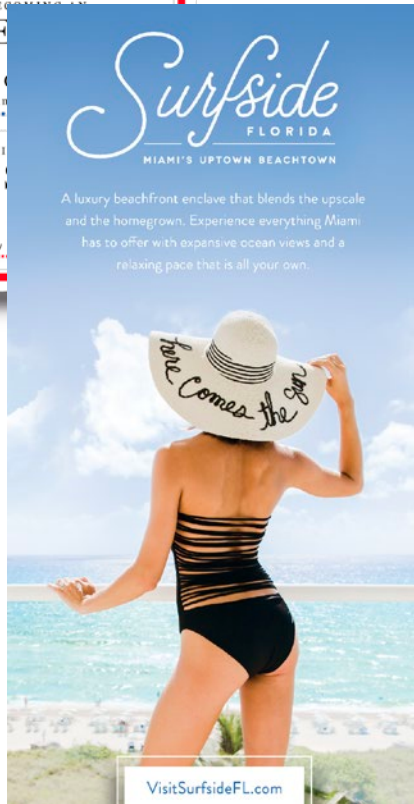
Social Media, Website, & Brand Guidelines



Campaign Photography



Advertising & Public Relations Strategy



Media Planning

NEW YORK

AFAR

INDULGE
Luxury Magazine

CHICAGO
MAGAZINE

CULTURED

The Miami Herald

CONDE NAST
Traveler

American Way

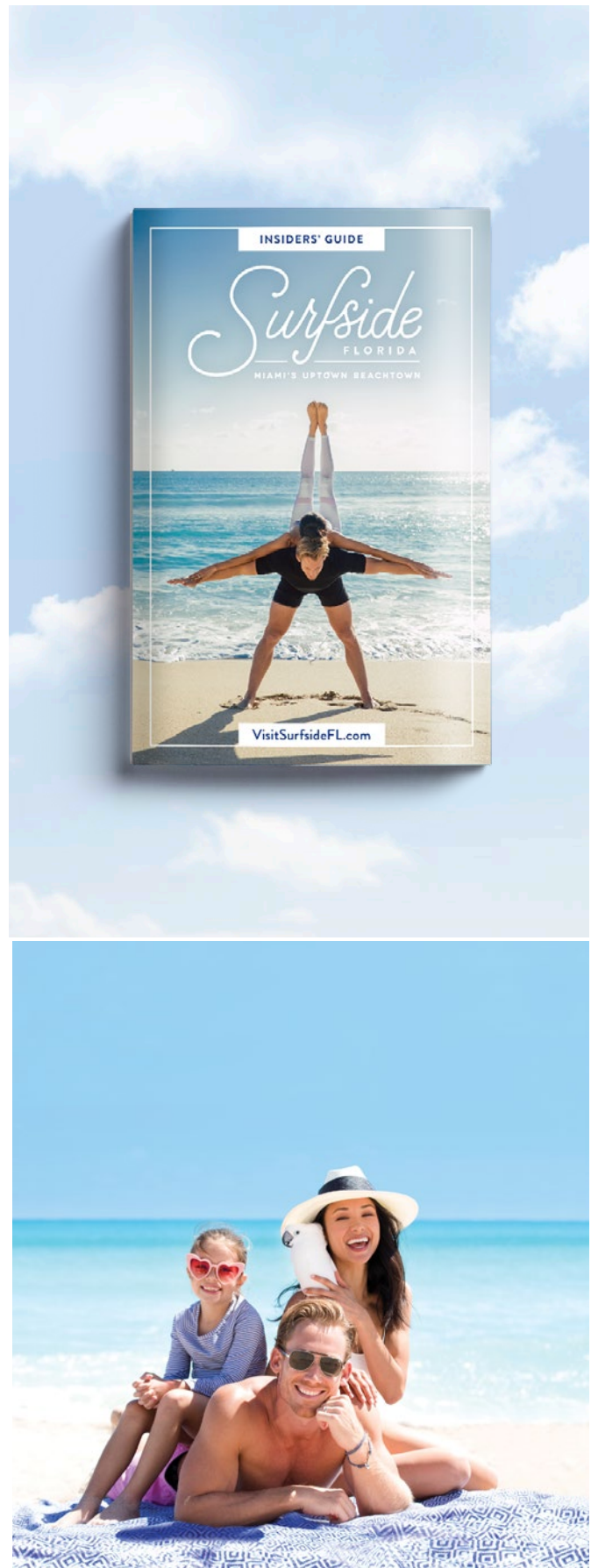


CAMPAIGN

Fab. Fit. Fam.

And in 2018 we created “Fit for Families and Fabulous for Everyone.” Identifying a need to further the Town of Surfside’s messaging to better align with evolving tourism trends, we incorporated an emphasis on wellness, family time, and outdoor activities in our messaging.

An evolution of the “Uptown Beachtown” theme with a fit and fabulous spin, we worked from concept (storyboards) to implementation (a 12-hour shoot that included underwater and aerial photography), capturing four main locations and seven different scenes: Beach Fitness (both casual and dressed up), Beach Fun & Frolicking, Beach Picnics, Family Bike Path Time, Family Time at the Community Center, and Tennis. We created images that were unique and dynamic — showcasing themes of family, fun and wellness while featuring Surfside’s beautiful natural surroundings.



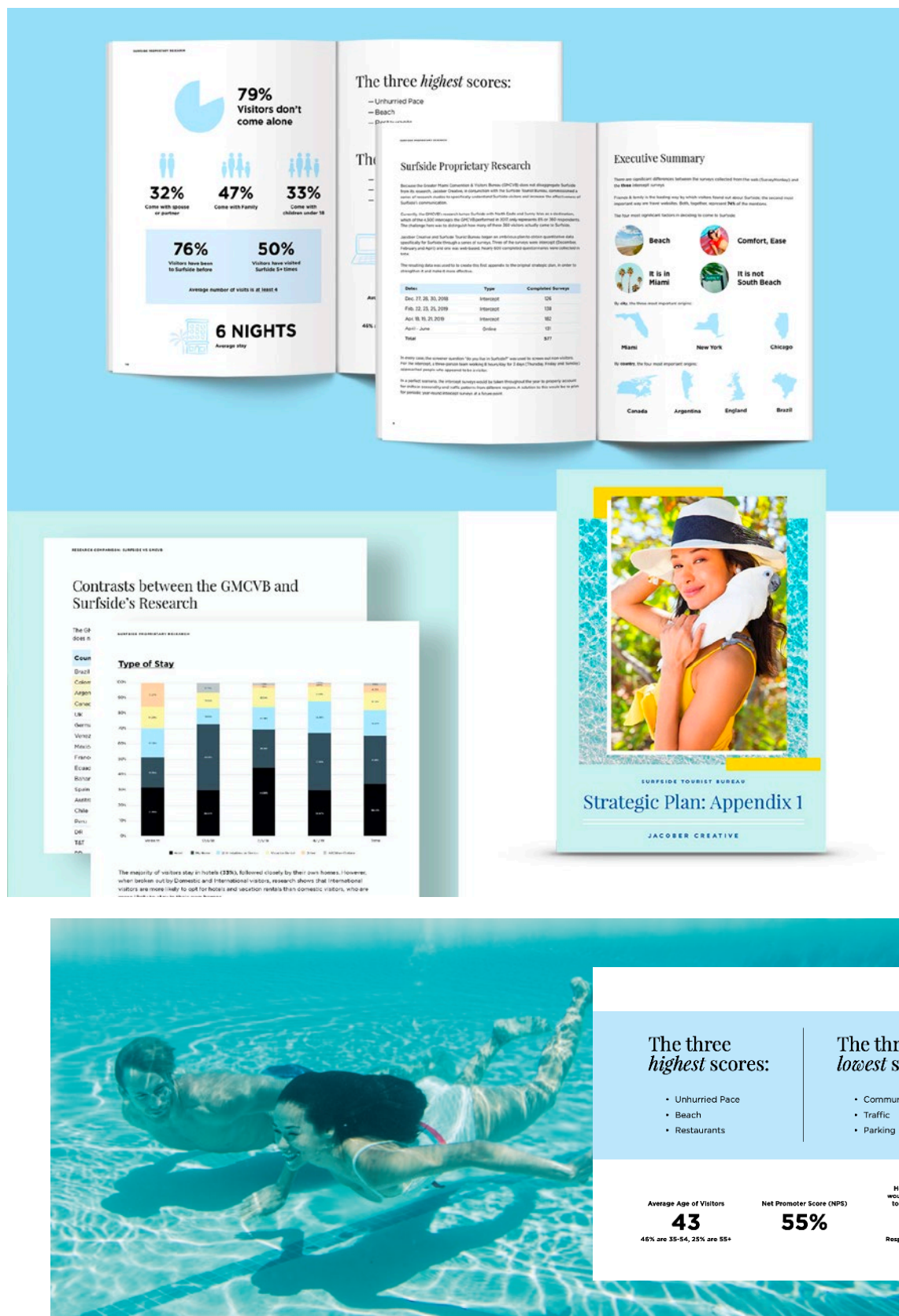
Fit for Families & Fab For Everyone.



Campaign Photography

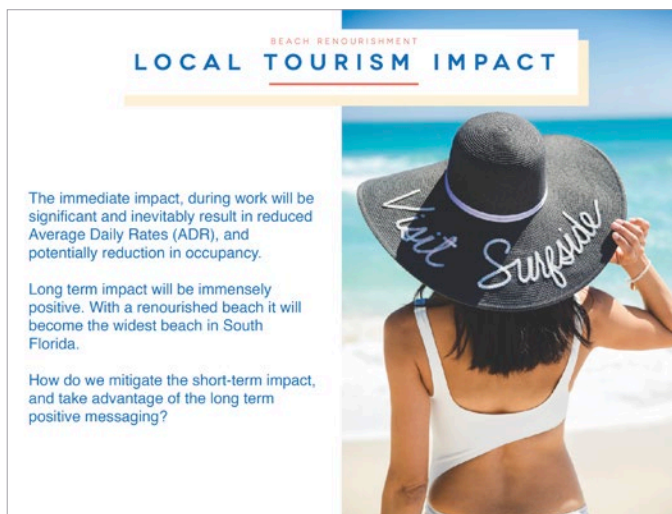


Market Research & Strategy Plan



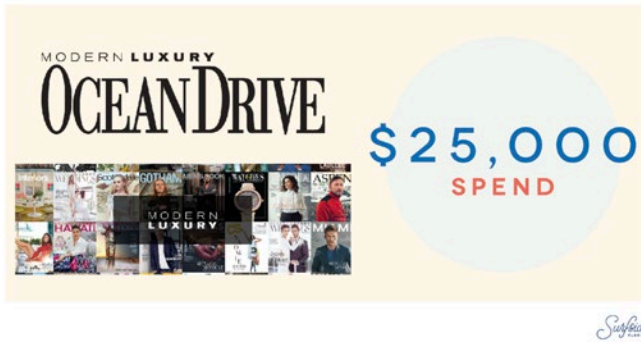
Public Relations Strategy

BEACH RENOURISHMENT PLAN: Jacober Creative worked on developing a detailed messaging and communications strategy to deal with the extensive disruption to oceanfront access due to the U.S. Arm Corps of Engineers beach renourishment efforts in the Town of Surfside. The goal was to bring the community – residents, hotels, businesses and visitors – into the process, to mitigate disruption and opposition, and create as smooth a process as possible. We proposed shifting PR strategies to focus on other positives, and to build anticipation for the new future beach, identified recommended ad buys, outlined both local and national strategies including advertorials, and social media initiatives.



BEACH RENOURISHMENT REGIONAL MEDIA

Regional + National Media Buy for Post-Renourishment Awareness.



MODERN LUXURY
OCEAN DRIVE

\$25,000
SPEND

Surfside

BEACH RENOURISHMENT BEACH SHUTTLE

Shuttle for guests to access beach at Ocean Terrace.



\$15,000
SPEND

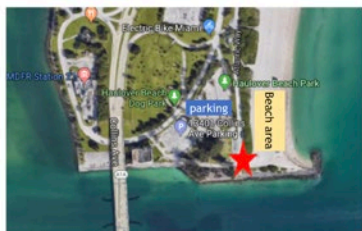
16 PERSON
DEDICATED SHUTTLE FOR
VISITORS & RESIDENTS

AVAILABLE
6 DAYS

Surfside

BEACH RENOURISHMENT BEACH POP-UP

Dedicated chairs for Surfside at Haulover south on the inlet, between lifeguard station number 1 & 2.



\$70,000
SPEND

50
DEDICATED CHAIRS FOR
GUESTS & RESIDENTS

2 DAYS A WEEK
FRIDAY & SATURDAY

Surfside

OCEAN DRIVE MEDIA PLAN

TIMING:
OCTOBER
NOVEMBER
DECEMBER

- ▶ Custom Content Series
- ▶ E-Newsletter Integration
- ▶ Native Advertising Audience Extensions
- ▶ Luxury Travel Platform

PAID MEDIA

Surfside

OCEAN DRIVE MEDIA PLAN AUDIENCE EXTENSIONS



NATIONAL

- ▶ Native Custom Content Syndication
- ▶ Custom Audience Targeting through Display and Mobile
- ▶ Social Media targeting via Ocean Drive's channels
- ▶ Desktop keyword retargeting for relevant searches
- ▶ Timing: August, September, October — Continuously.
- ▶ **1.5 Million Guaranteed Impressions**

Surfside

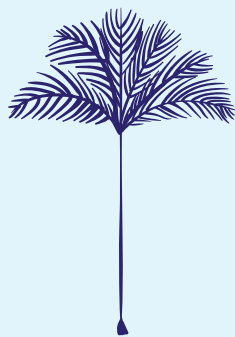
SOCIAL & SEARCH SOCIAL MEDIA ADS



NATIONAL TARGETING

- ▶ Timing: August, September, October
- ▶ GeoTargeting: Toronto, New York, Philadelphia, Atlanta, Chicago, Detroit, Washington DC
- ▶ Promoting Surfside's New Beach
 - ▶ Facebook + Instagram
- ▶ Demographics: Young Families and Frequent Travelers with interest in Miami Beach/Miami
- ▶ **Approximate Impressions: 621,000**
- ▶ **Budget: \$5,000**

Surfside

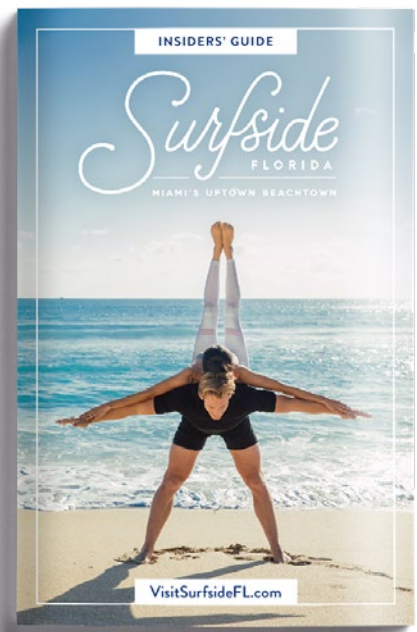
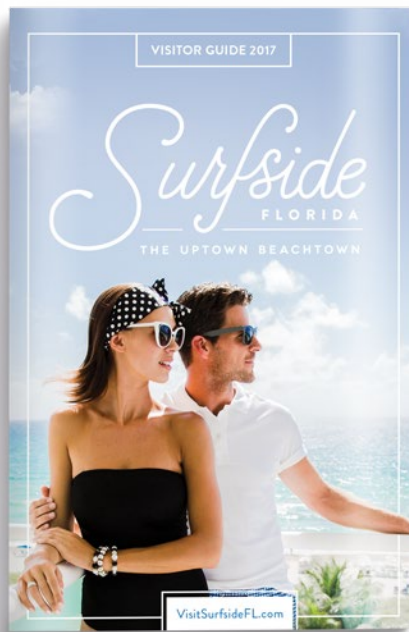
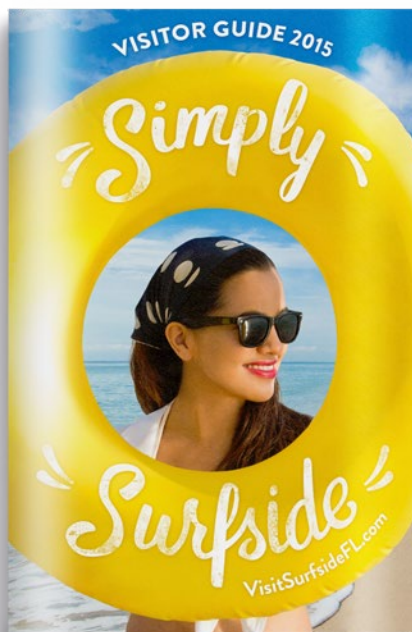


EXCELLENCE



Seven-Time Award Winning Surfside Campaigns

2016-2019



VISITFLORIDA®





P L A Z A

IT'S A BIG WORLD:

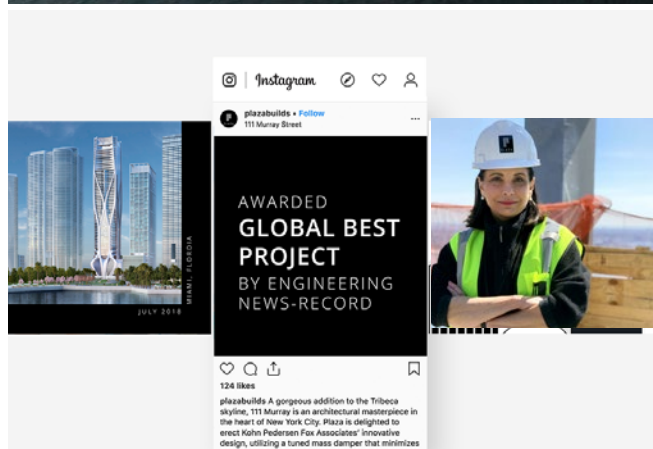
Plaza Construction

SCOPE OF SERVICES:

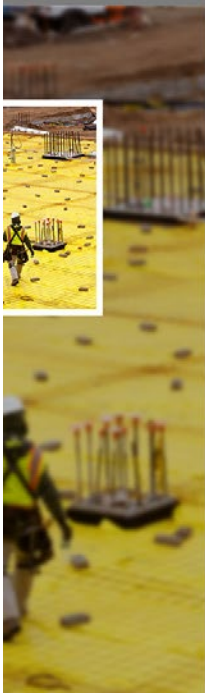
Plaza Construction has their main offices in New York City and Miami, but a global reach with their new parent companies, the China-based CCA and CSCEC. In 2018 they came to us at Jacober Creative for “the complete package” – rebranding, a new logo, new content including a tagline, video segments and a refreshed website. Plaza was ready to move fully into their new stage of growth in the 21st century, and we were just the right team to help them do it.

We updated the existing Plaza Construction logo by making it into a “shield” image with a clean, contemporary look. Key to the rebranding was coming up with a catchier, can-do tagline – “It’s a Big World. We’re Building It” – that can now be seen all across their assets, from their website to construction sites, and is a quick way to identify who they are. We also crafted new, punchier mission and vision statements. Finally, we created multiple creative video packages that incorporated interviews with the President and CEO, for internal staff use, for posting on the company website, and social media. Deliverables also included supporting collateral and style guide.

Our ongoing work with Plaza Construction consists of a comprehensive digital communications strategy that includes social media management, content creation, email marketing, and business development assistance.



Social Media Content




IT'S A BIG WORLD. WE'RE BUILDING IT.

Delivering excellence and value to our clients.



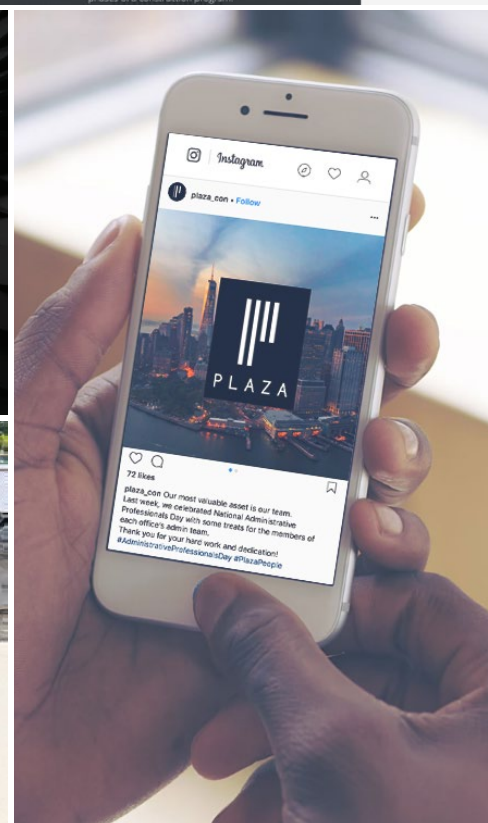
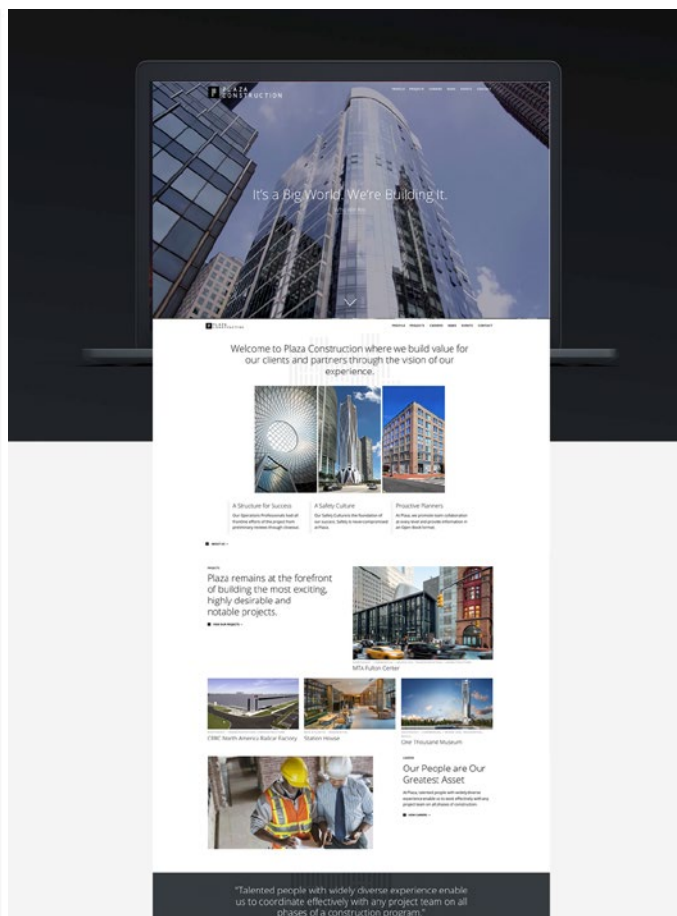
**SAFETY IS A VALUE,
NOT COMPROMISED BY
COST OR SCHEDULE**




**AVENTURA MAL
EXPANSION**

350,000 Square Feet
50 New Tenants
3 Story Retail

Brand Development





VEGGIES IN EVERY BITE:

Peekaboo Ice Cream

SCOPE OF SERVICES:

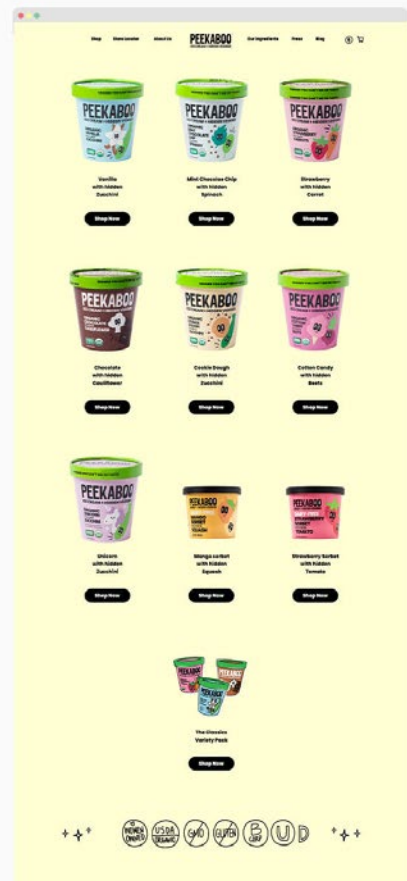
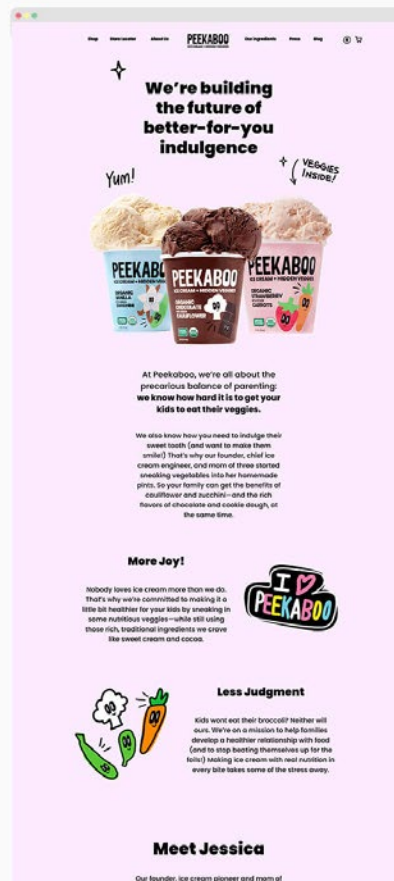
Peekaboo, a new Miami-based startup that marries healthy eating with delicious desserts with their ice cream featuring “hidden veggies” came to Jacober Creative early on for all their branding needs. We created logos, collateral, new taglines and new vision and mission statements, marketing decks, press releases and more.

On an ongoing basis, we develop, curate and disseminate all Peekaboo social media, creating organic and paid digital posts. As part of our work we oversee and lead the public relations team in Los Angeles and have created relationships in multiple markets. Some of the secured spots include KTLA Los Angeles, national coverage on the Today Show as well as local coverage in Miami on Deco Drive.

The new visual identity and language we developed for Peekaboo Ice Cream has helped the brand expand into more than 2500 stores in the last year.



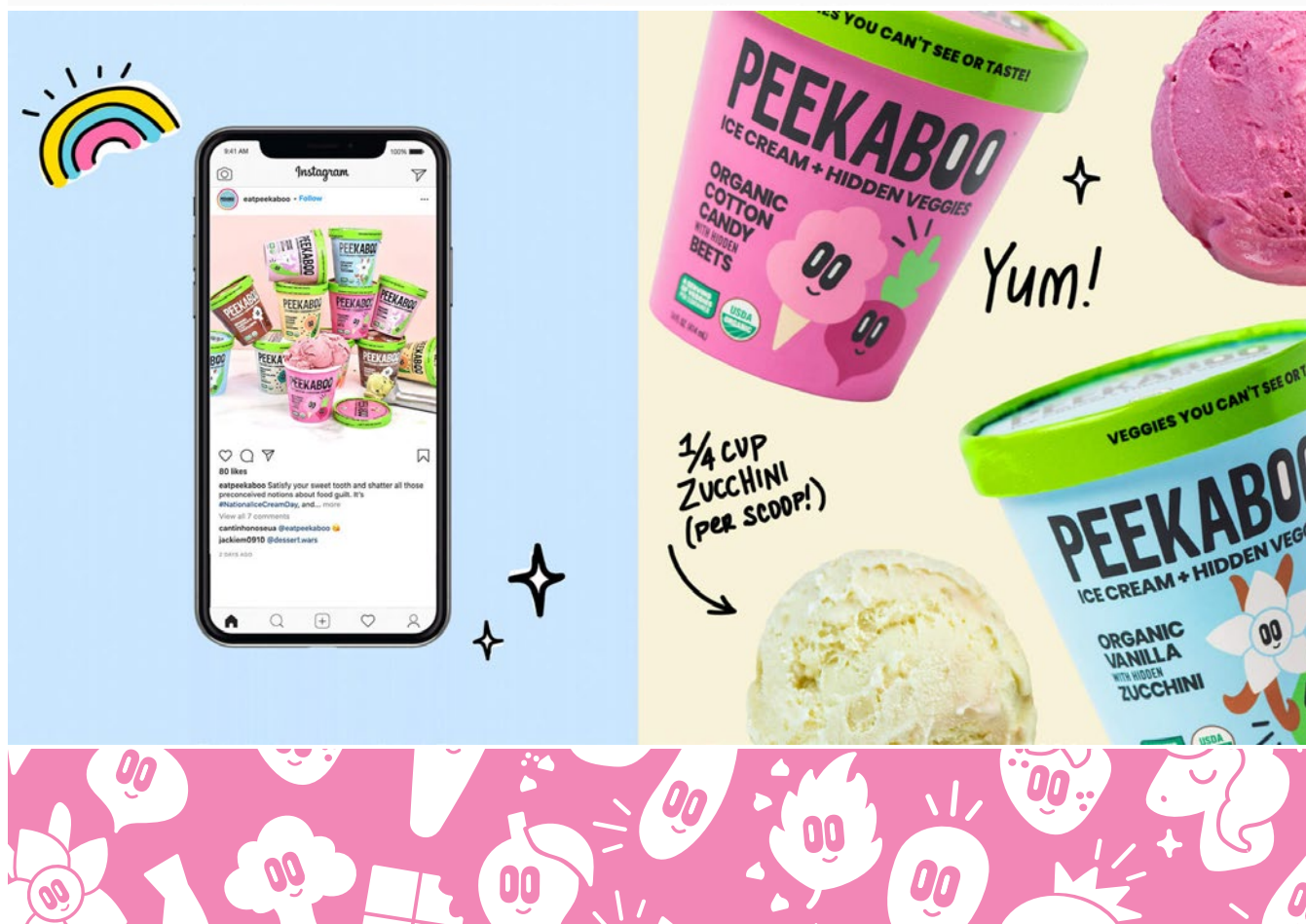
Public Relations & Website Design



Branding & Packaging Design



NEW PACKAGING





MUNICIPAL BRANDING

City of Sunny Isles Beach

WORK IN PROGRESS

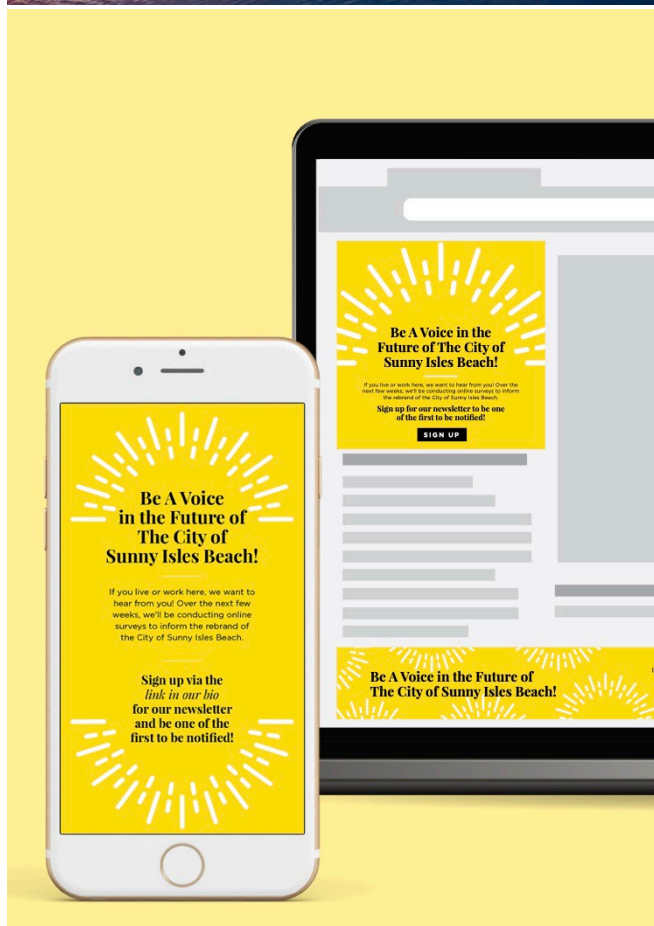
OBJECTIVE

Since its official incorporation in 1997, the City of Sunny Isles Beach has seen tremendous growth and an unprecedented shift in the makeup of both its developments and residents. As the original oceanfront midcentury motels gave way to glamorous high-rise condos, the city needed a way to coalesce its diverse population around a common mission, vision and brand identity. Input from various stakeholders — government employees, residents, business owners, developers, and visitors — was of paramount importance in assuring each group was heard and represented in the future direction of the city.

APPROACH

Jacob Creative crafted a research proposal encompassing different areas of discovery across distinct stakeholders, focused mainly on focus groups and branding workshops to uncover qualitative aspects of the city's brand, and quantitative data capturing through intercept and online surveys. While the COVID-19 pandemic made intercept surveys physically unattainable, we were able to effectively shift our strategy to proactively reach stakeholders through phone surveys.

Through our research, we were able to uncover four unifying pillars of Sunny Isles Beach attributes: Landscape, People, Quality of Life, Location. Moreover, our focus groups revealed that despite the differences perceived between the east and west sides of the city, there was a unity in shared appreciation of the natural elements of the locale. These unifying elements set the stage for the definition of the mission, vision, and brand identity for the city.





ECONOMIC DEVELOPMENT DEPARTMENT BRANDING

City of Miami Beach

WORK IN PROGRESS

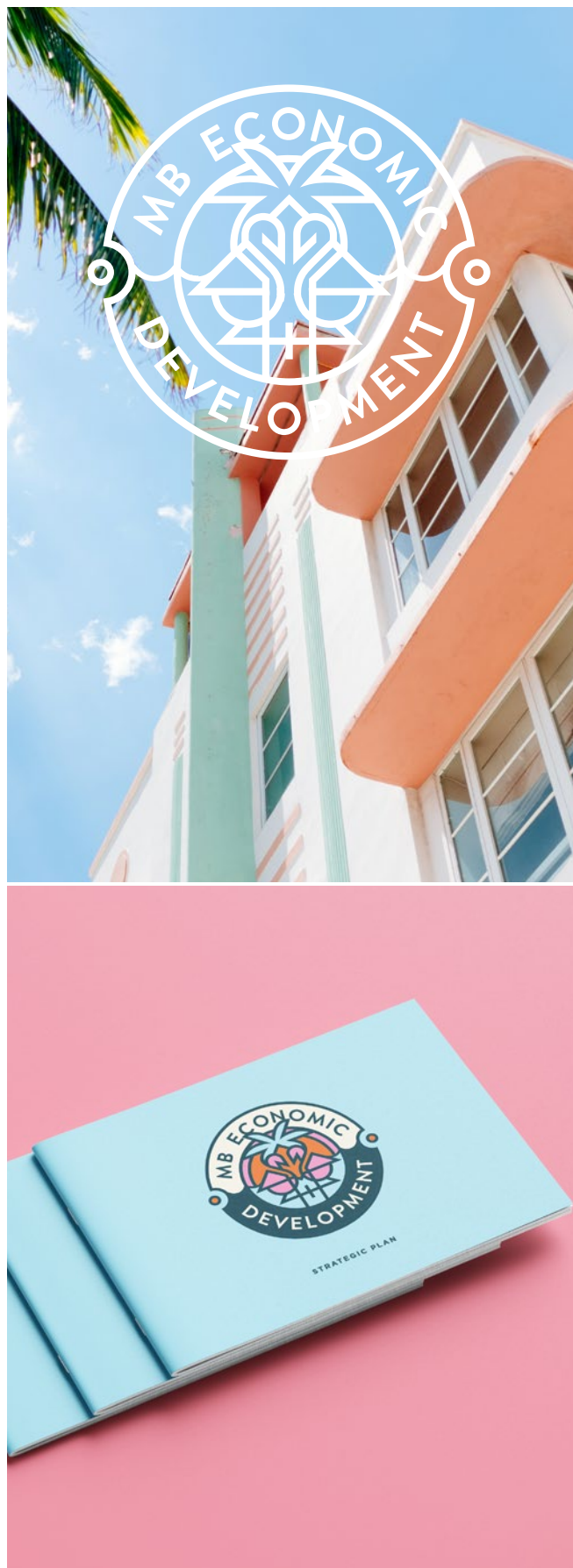
OBJECTIVE

The City of Miami Beach has long been known as an international tourism and recreation haven. However, it has not seen the same level of explosive business growth as the rest of Miami-Dade County has in recent years. The City created a new department tasked with attracting new businesses to Miami Beach — acting as a commercial real estate brokerage firm, attracting new industries, and eliminating vacant storefronts.

APPROACH

Headquartered in Miami Beach since our inception in 2001, Jacober Creative was all too happy to assist in the task of branding and marketing our hometown to other prospective businesses. We saw our priorities equally geared toward the large enterprises that have brand recognition and economic heft, as well as the small businesses that have traditionally given Miami Beach its character and cachet.

While many people may be familiar with Ocean Drive or Lincoln Road, it was also important that we elevate and brand each significant commercial corridor that may be suited to emerging industries like tech or medical. Our goal is to create an exciting and layered brand identity that tells a diverse and nuanced brand story to business leaders through a multifaceted economic development advertising campaign.





BRAND IDENTITY

Sybaris

OBJECTIVE

The patriarch of a prominent sailing family approached Jacober Creative to design a highly stylized, but modern family crest and accompanying logo to adorn their custom super yacht, Sybaris. One of the largest sailing yachts on the planet, the client wanted a design that was worthy of its commanding presence and distinguished family.

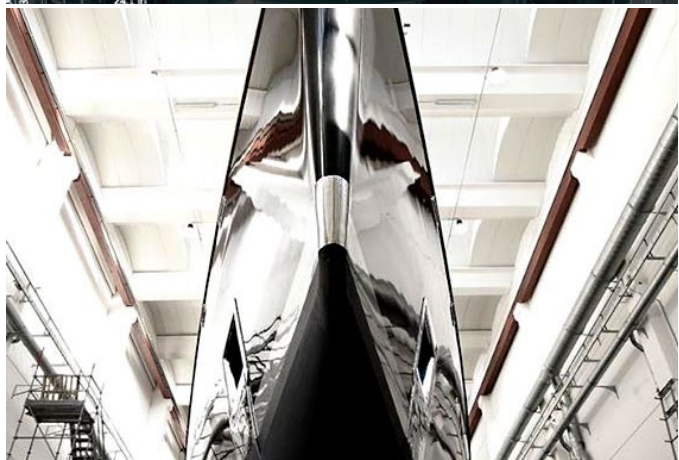
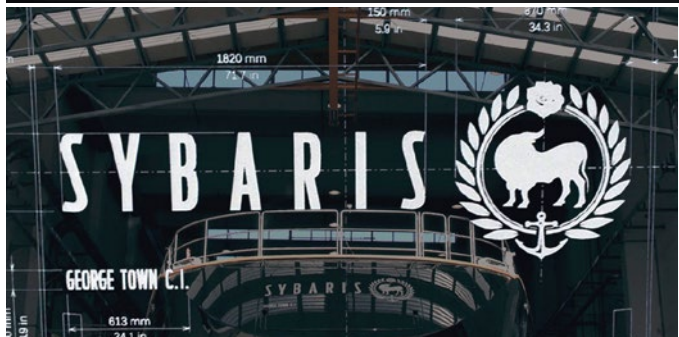
APPROACH

Jacober Creative drew inspiration from the name Sybaris – an ancient Greek city whose citizens were regarded as the ultimate hedonists, famous for their opulent luxury and excesses. The bull was a recognized symbol of the Sybarites, and was stamped on their currency — the only remaining artifact of this civilization. We combined this symbol with a rose to pay homage to both the family home in Westerlo, NY and the patriarch's grandmother. A laurel wreath encapsulates the bull and ties the rose to an anchor at the base of the crest, a nod to the family's love of the sea.

The Sybaris logo was created using a custom font that evokes the long, clean lines of the custom vessel. The resulting combination is a unique representation of a family's passion for the sea and innovative design.



Branding



Marketing Collateral & Photography





BRAND IDENTITY

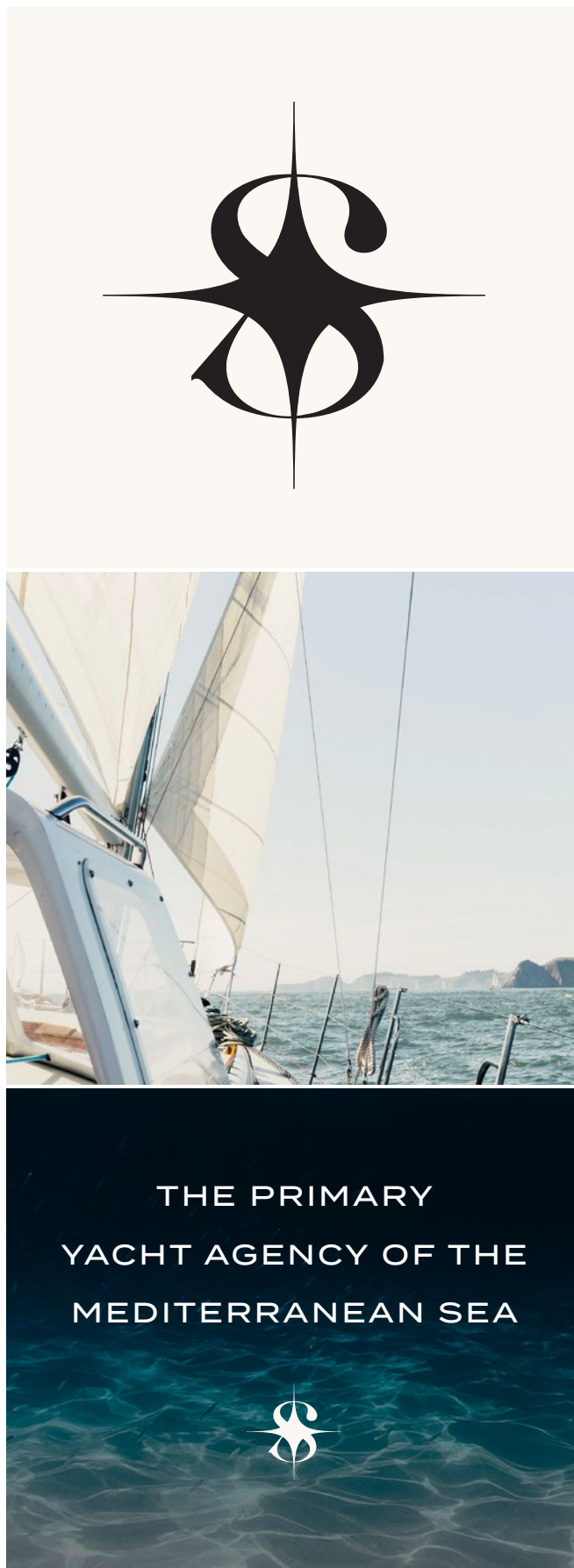
Star Yacht Group

OBJECTIVE

Star Yacht Group approached Jacober Creative to help craft and guide their go-to-market strategy for the expansion of their yacht services in the South Florida and Caribbean markets. Already a leading provider of yacht services in their headquarters of Sardinia, they wanted the local expertise and knowledge of our design and marketing team. This included a brand refresh, new website, and a complete digital marketing strategy.

RESULTS

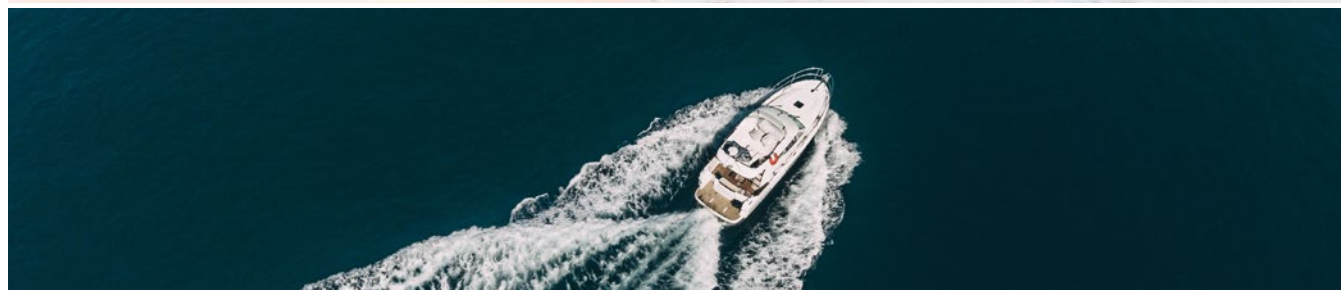
After a thorough study of the market and target audience, Jacober Creative created a brand strategy that better defined the service offerings for an American audience. We started with a complete rebrand, incorporating a more elegant and contemporary look to the logo and supporting brand assets. By positioning the star as a central branding tool, the marketing collateral benefits from a more defined and united feel. The new brand direction was also carried out in their new website, with special attention to a defined information hierarchy and clear calls to action throughout to better measure the success of our digital marketing efforts. A comprehensive digital strategy included Search Engine Optimization, PPC and Digital Remarketing, and Social Media Marketing.



Branding



Marketing Collateral & Apparel





BRAND IDENTITY

Invincible Boats

OBJECTIVE

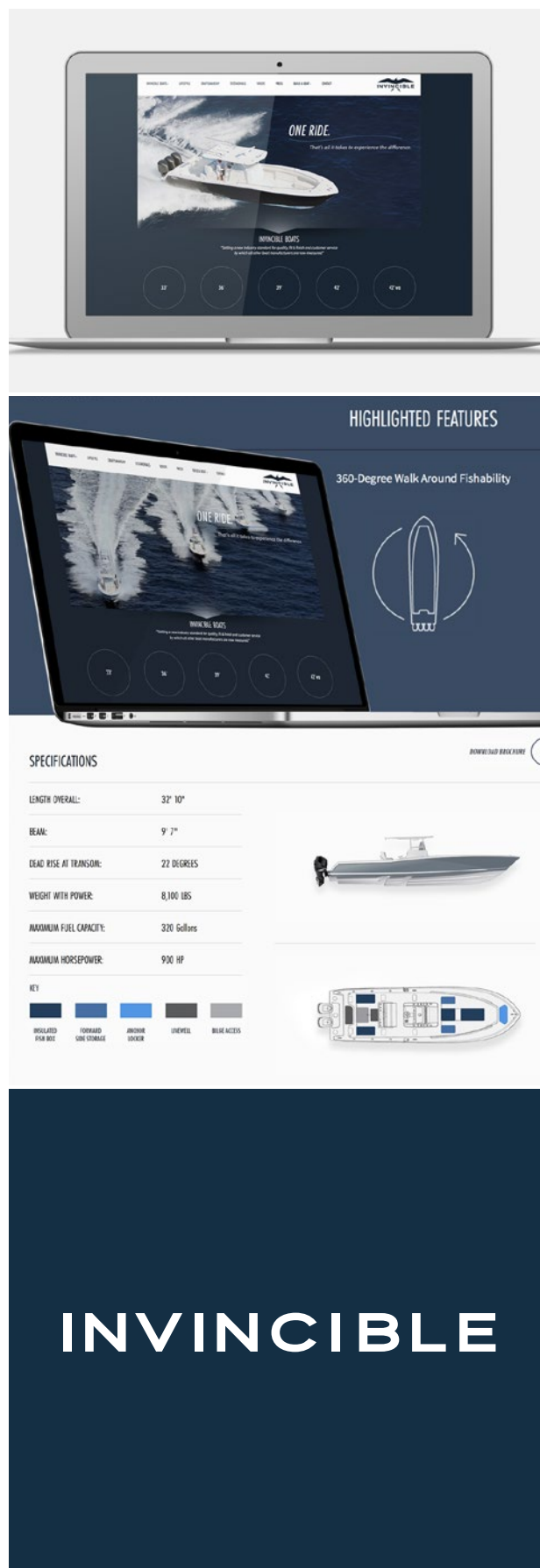
Invincible Boats came to Jacober Creative at a critical inflection point in the evolution of their business. Already successful with their center console boats geared toward performance-minded anglers, they were about to introduce their larger and more diverse models to the market at the Miami and Fort Lauderdale International Boat Shows. For the launch, they wanted a complete overhaul of their marketing assets — including their website, trade show materials, and digital and print ads. They knew they had only one opportunity to make a splash in the launch of these new products and came to us to help ensure a contemporary and innovative approach.

RESULTS

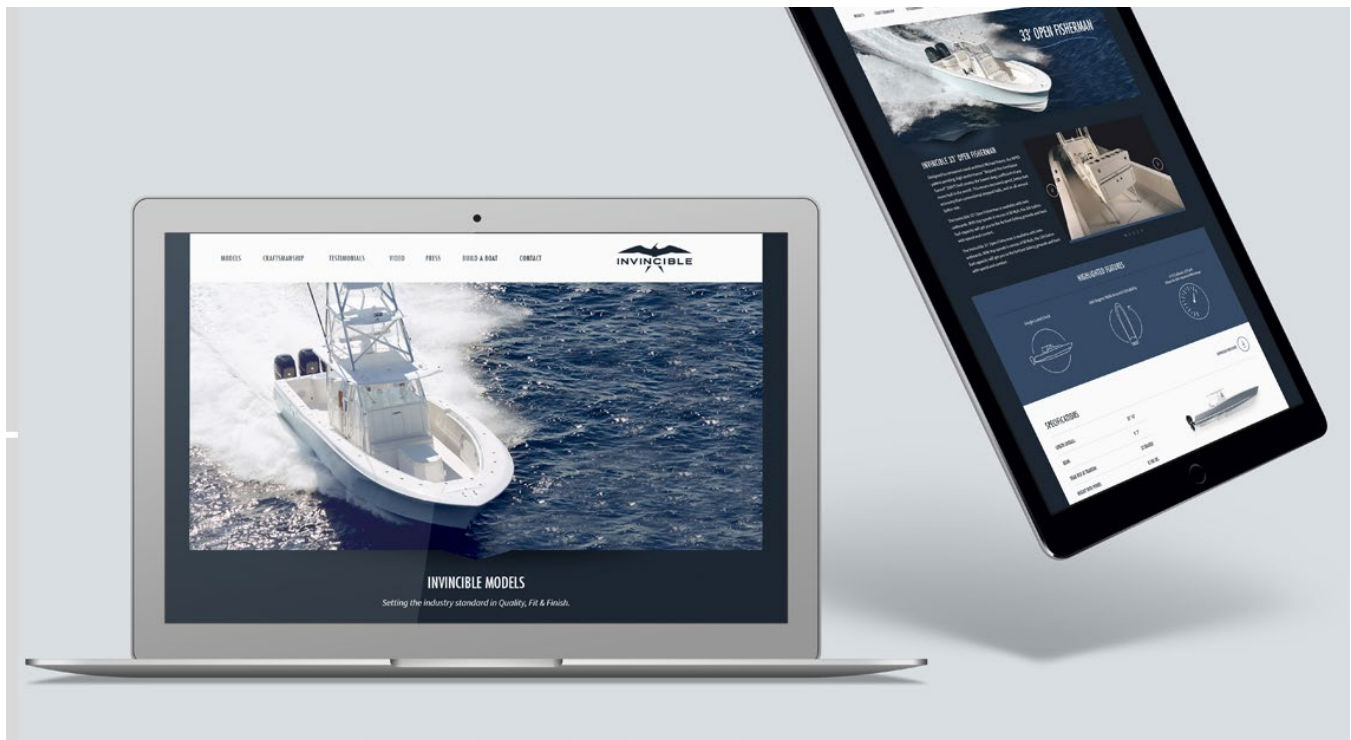
The design team at Jacober Creative started by slightly tweaking the typography in the logo to reflect a more modern and cutting-edge feel that better reflected the vision of the company. From there, we custom designed and programmed an entire new website that effectively communicated the company's product offerings and ethos of combining style and performance. It was also important to make the website a trove of information for the experienced captain as well as approachable enough for the first-time buyer. On the technical side, we loaded the website with several custom tools like a custom CMS system for all service offers, custom social media integrations, and a tiered secure admin system for all levels of the organization.

After the website design was complete, Jacober Created a comprehensive advertising and marketing strategy for dissemination across various trade and B2C channels, this included trade show materials, digital ads, and print ads.

The Sybaris logo was created using a custom font that evokes the long, clean lines of the custom vessel. The resulting combination is a unique representation of a family's passion for the sea and innovative design.



Website Design



HIGHLIGHTED FEATURES

Single Level Deck



360-Degree Walk Around Fishability

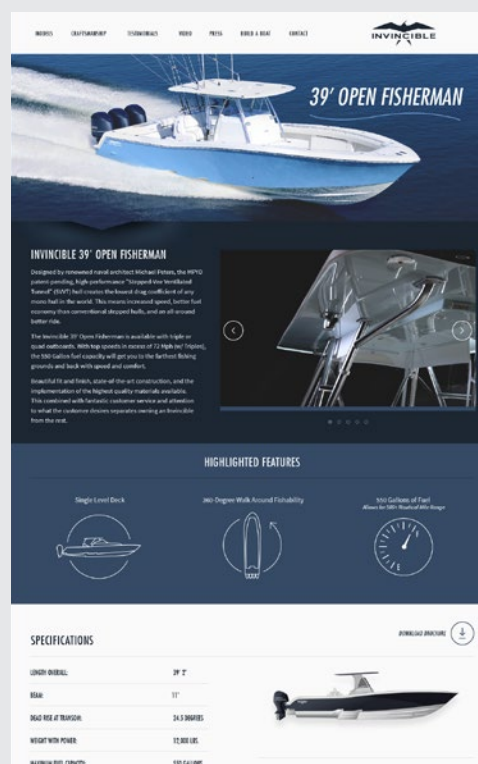
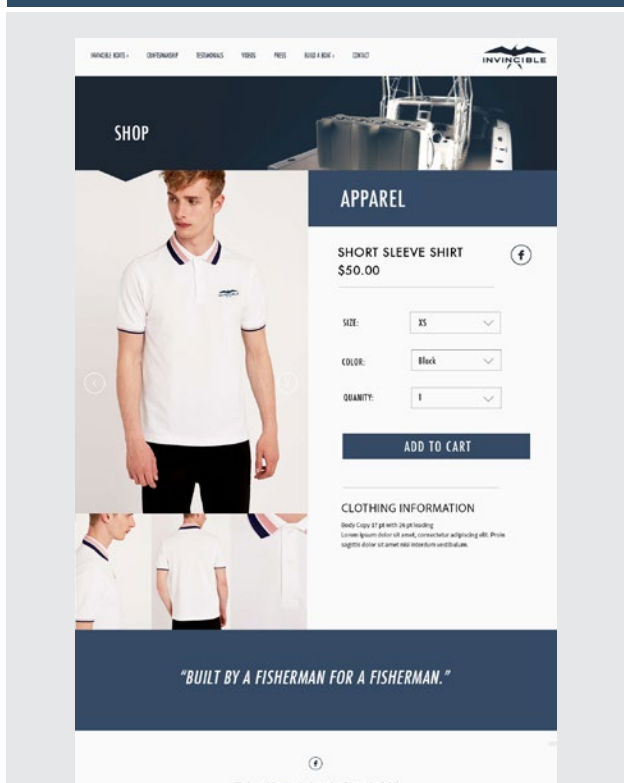


320 Gallons of Fuel

Allows for 480+ Nautical Mile Range



Marketing Collateral





SECTION 6

Litigations



Jacobser Creative has
not been a party to
any cases of litigation,
judgements, or liens in
the past five years.

SECTION 7

Financial Resources



RICHARD LEVENSON, C.P.A., P.A.

CERTIFIED PUBLIC ACCOUNTANT

8360 W. Oakland Park Blvd., Suite 311

Sunrise, FL 33351-7339

Phone: (954) 972-6478

Email: rich@richlevensoncpa.com

Fax: (954) 972-3867

To whom it may concern:

As Jacober Creative's accountant for the past five years I can confirm its positive financial position. Jacober Creative does not have any binding loans or owe any entity, private or governmental, any money that can compromise its operations.

Please contact me directly if I can be of further help.

Yours Truly,



Richard Levenson, CPA

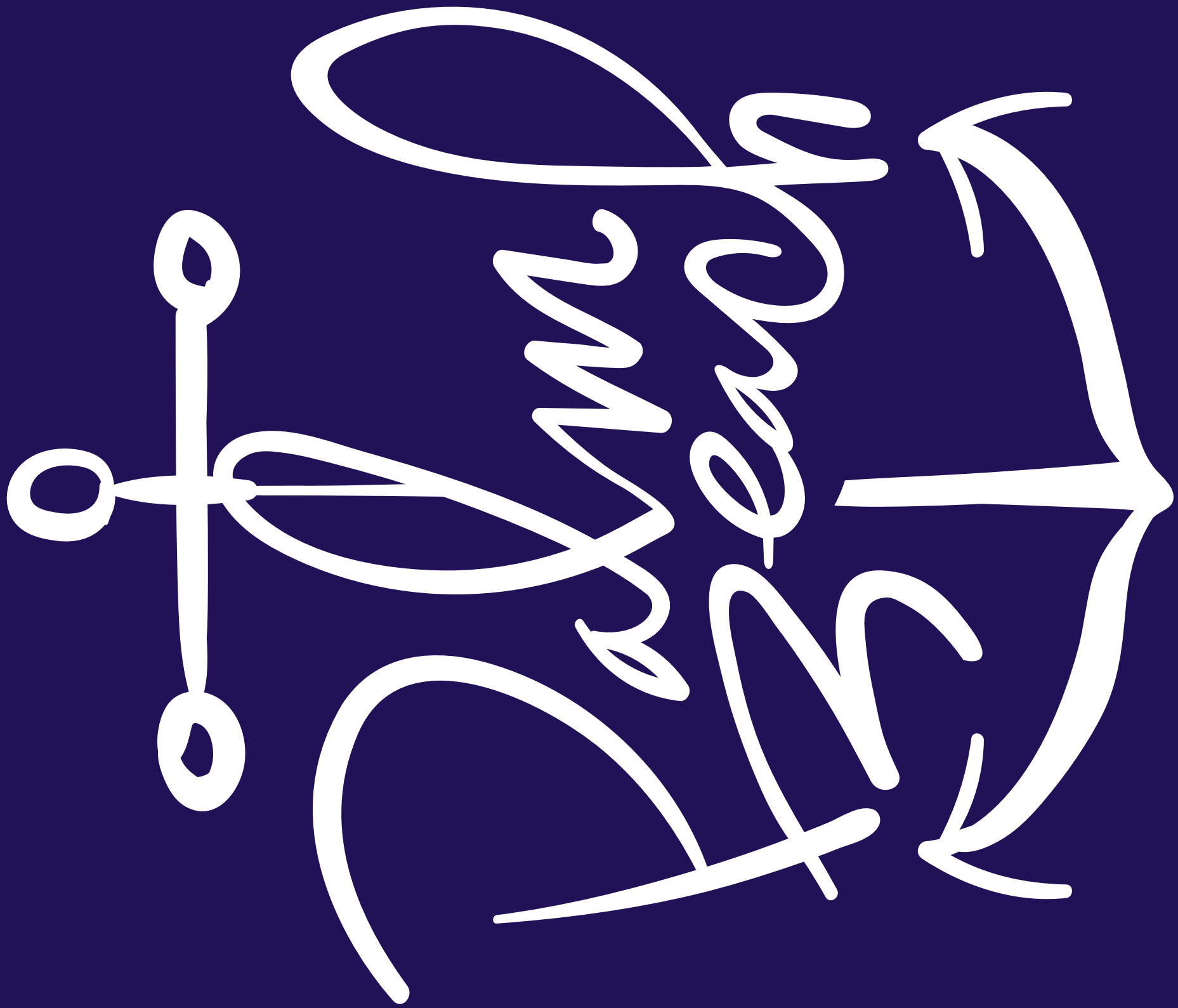
Certified Public Accountant

MEMBER OF:
AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
FLORIDA INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS





JACOBES.COM



J A C O B E R C R E A T I V E

Palm Beach Marina Marketing Budget

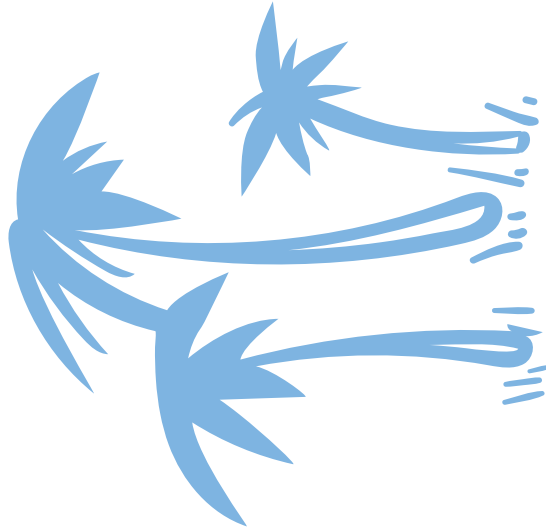
Palm Beach Marina Launch Budget FY 2020/21

TASK 4	Marketing Plan which includes the identification of key advertising partners and types of advertising that should be utilized. ▶ Advertising and Media Plan ▶ Campaign Creative Direction - Concepts, Storyboards, and Preproduction ▶ Advertising Creative for print and digital	\$15,000 / Hours: 100
TASK 5	Boat Show & Booth Design and construction (need all components created in order to prepare for boat show participation in the future) ▶ Design and production of all trade show booth materials - tables, backdrop, collateral	\$16,500
TASK 6	Concept Develo‍pment of Grand Opening event and associated marketing related to grand opening of marina. ▶ Event Concepts: Food and Beverage, Entertainment, Décor ▶ Assistance vetting and selection of Event Producer ▶ Promotion of the Grand Opening	\$17,000 / Hours: 113
TASK 7	Development of a 5-Year Marketing Budget	\$5,000 / Hours: 33
TOTAL:		\$81,500

TASK 1	Brand & Message Development ▶ Market Research ▶ Stakeholder Interviews ▶ Online Surveys ▶ Competitive Analysis ▶ Brand Positioning ▶ SWOT Analysis ▶ Brand Narrative + Key Messaging points ▶ Tagline ▶ Visual Brand Identity	14,000 / Hours: 93
TASK 2	Branded design templates to be used for common needs ▶ Brand Guidelines ▶ Marketing Templates: - Email Templates - Presentation Templates - Uniform/Apparel applications ▶ Website Designs	8,500 / Hours: 57
TASK 3	Collateral Pieces to distribute at Boat Shows, mail and other requests ▶ Design of specific marketing collateral pieces Digital and Traditional	5,500 / Hours: 37

MARKETING BUDGET

Marketing and Design Retainer for years 2-5



Design

- ▶ Ongoing print and digital designs, as needed. Including but not limited to advertising creative, brochures, presentations, reports, marketing collateral, website designs, trade show materials.

Communications

- ▶ Leading communications strategy for a cohesive brand message and voice throughout.

Editorial

- ▶ Copywriting;
- ▶ Social and email content creation

Marketing

- ▶ Email Marketing; ▶ Digital Advertising,
- ▶ Media Strategy; ▶ Strategic partnerships and sponsorships
- ▶ Media Buying;

Client Services

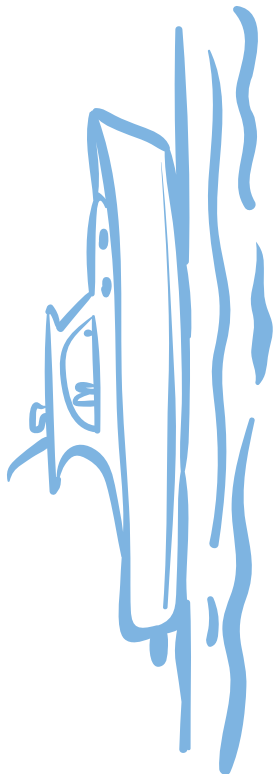
- ▶ Dedicated Account Executive;
- ▶ Monthly Reports;
- ▶ Reporting and Analytics

\$78,000 - 43 Hours/ Month

A LA CARTE SERVICES

Public Relations

Our goal for the Town of Palm Beach Marina is to leverage the strong brand identity to uniquely position the Marina to local, national and international media, while creating and presenting opportunities for partnerships and growth along the way.



- ▶ **Formulate** a target media list that will include print, online, broadcast and podcast contacts
- ▶ **Create** strategy for obtaining multimedia coverage through ongoing storytelling initiatives
- ▶ **Build** a comprehensive press kit (Fact Sheet, Tip Sheets, Infographics, Trend Forecasts, Op-Eds and Speaker Bios)
- ▶ **Proactively** produce timely pitches that tie into trending news angles and connect with local, regional, lifestyle, travel, business and national media regularly.
- ▶ **Secure** testimonials and endorsements from customers and supporters who can be included in marketing opportunities and media interviews
- ▶ **Follow-up** with interested press, coordination of interviews, journalist visits, exchange of information and images, etc.

- ▶ **Gather** editorial calendars and determine best fit for the Town of Palm Beach Marina
- ▶ **Secure** the Marina in key feature stories and roundup articles from a destination, trade, and lifestyle perspective
- ▶ **Extend** invitations to have top press experience the Marina for themselves
- ▶ **Monitor** conversations being held about the Marina to gauge sentiment around brand
- ▶ **Provide** ongoing strategic PR counsel
- ▶ **Arrange** and coordinate media interviews and help with preparations beforehand; develop a series of key messages for interviews
- ▶ **Track** relevant news coverage, clip retrieval and archive. Send press clippings to team in real-time with suggestions on how to leverage via social media

\$60,000 / 12 Months

A LA CARTE SERVICES

Photography & Video Production

Jacobber Creative will create a dynamic and upscale brand campaign for the Town of Palm Beach Marina that reflects the Marina’s unique amenities, lifestyle, and target demographics. We’ll also use our creative dexterity to simultaneously build an asset library for use and dissemination across multiple brand touchpoints.

Campaign shoot will take place over two days, one dedicated to photography, and one for video.



Creative Direction (Included in launch scope of work)

- ▶ Storyboarding
- ▶ Location Scouting

Production (each day)

- ▶ Director
- ▶ Photographer
- ▶ Assistant
- ▶ Hair and Makeup
- ▶ Stylist
- ▶ Camera Equipment
- ▶ Wardrobe + Props
- ▶ Catering
- ▶ Production Van

Models + Usage Fees

- ▶ Male Model
- ▶ Female Model

Post-Production

- ▶ Retouching
- ▶ Photo Editing

\$60,000

J A C O B E R C R E A T I V E



A FULL SERVICE DESIGN & MARKETING FIRM



GRAPHIC DESIGN / BRANDING / IDENTITY / WEB DESIGN & DEVELOPMENT / PHOTO & VIDEO / CONTENT CREATION / SOCIAL MEDIA

RFP No. 2020-21 MARINA MARKETING SERVICES - Summary of ordinal scoring

Selection Committee	Companies			
	THE MS FACTOR, LLC	78MADISON	IDEABAR	ADEPT MARKETING
Mark Bresnahan	5	4	3	2
Mike Horn	4	5	2	3
Dianna Craven	5	4	2	3
TOTAL	14	13	7	8
				3

Date: 09-24-2020

Witness: Duke Bagley

Mark Bresnahan

Note: The lowest score is the highest ranked company etc.

RFP No. 2020-21 - MARINA MARKETING SERVICES
ORAL INTERVIEWS

Committee Member: Dianna Craven

Proposer	Rank*
THE MS FACTOR, LLC	5
78MADISON	4
IDEABAR	2
ADEPT MARKETING	3
23pm JACOB CREATIVE	1

Dianna Craven

Signature

9-24-20

Date

Rank responses with 1 (First Place), 2 (Second Place), 3 (Third Place),
Fourth Place) and 5 (Fifth Place)

Comments:

Every firm is highly qualified. came down to creativity.

**RFP No. 2020-21 - MARINA MARKETING SERVICES
ORAL INTERVIEWS**

Committee Member: Michael Horn

Proposer	Rank*
THE MS FACTOR, LLC	4
78MADISON	5
IDEABAR	2
ADEPT MARKETING	3
JACOBBER CREATIVE	1

Michael Horn

Signature

9/24/2020
Date

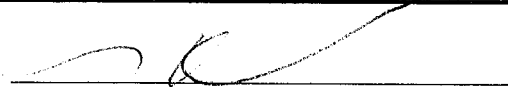
* Rank responses with 1 (First Place), 2 (Second Place), 3 (Third Place),
4 (Fourth Place) and 5 (Fifth Place)

Comments:

**RFP No. 2020-21 - MARINA MARKETING SERVICES
ORAL INTERVIEWS**

Committee Member: Mark Bresnahan

Proposer	Rank*
THE MS FACTOR, LLC	5
78MADISON	4
IDEABAR	3
ADEPT MARKETING	2
JACOBBER CREATIVE	1


Signature

9/24/20
Date

* Rank responses with 1 (First Place), 2 (Second Place), 3 (Third Place),
4 (Fourth Place) and 5 (Fifth Place)

Comments:

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-wide Undergrounding Project

Steve Stern, Project Manager

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

b. RESOLUTION NO. 110-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Design Services for Phase 7 and Phase 8 for Town-Wide Undergrounding to Kimley-Horn and Associates, Inc. in the Amount of \$2,387,791 with a Project Budget of \$2,587,791.
Patricia Strayer, P.E., Town Engineer

c. RESOLUTION NO. 111-2020 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of RFQ No. 2020-20, Pre-Construction Services for Phase 5, in the Amount of \$118,200, to Burkhardt Construction, Inc.
Patricia Strayer, P.E., Town Engineer

Presenter

ATTACHMENTS:

- ▣ **a. Review of Project and Dashboard, Summary of Project Status**
- ▣ **b. Memorandum dated October 5, 2020, from Dean Mealy, Purchasing Manager**
- ▣ **b. Resolution No. 110-2020**
- ▣ **b. Kimley- Horn Proposal - Phase 7 Design Services**
- ▣ **b. Review of Proposal from Public Works**
- ▣ **b. Kimley- Horn Proposal - Phase 8**
- ▣ **b. Review of Proposal from Public Works - Phase 8**
- c. Memorandum dated October 4, 2020, from Dean Mealy, Purchasing**

- ▢ **Manager**
- ▢ **c. Resolution No. 111-2020**
- ▢ **c. RFQ 2020-20**
- ▢ **c. Burkhardt Construction Inc. Proposal**
- ▢ **c. Review of Proposal from Public Works**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

To: Mayor and Town Council

Via: Kirk W. Blouin, Town Manager

From: Steven Stern, Underground Utilities Project Manager

Re: Utility Undergrounding Project Status Report

Date: September 30, 2020

I. COMMUNICATIONS:

A. Community Meetings:

On site meetings are cancelled until further notice.

B. Significant Postal Mail or E-mail

Phase 5 North & South:

Follow up postal mail requesting easement meetings sent to priority 1 locations.

Postal mail sent to alternative location property owners.

Total ~ 60 letters.

II. PROGRESS SUMMARY:

A. Construction Progress:

Phase 1 North:

From the Inlet south to Onondaga Ave.

- Complete, March 30, 2019

Phase 1 South:

From southern Town limits north to Sloan's Curve.

- Complete, April 3, 2020

Phase 2 North Construction:

From Esplanade Way to Ocean Terrace.

- Phase 2 North, the project is 95% complete.
- FPL wire and pole removal activities in progress.
- New street lights installed and activated.

Phase 2 South Construction:

From Sloan's Curve to the intersection of S. Ocean Blvd & S. County Road

- Phase 2 South, the project is 19% complete.
- The crews continue to work in the area just to the south of Southern Blvd.

Phase 3 North Construction:

From Osceola Way to the north side of La Puerta Way

- Phase 3 North, the project is 81% complete.
- ATT & Comcast install activities are in progress.

Phase 3 South:

From S. Ocean Blvd & S. County Road to the Alleyway south of Worth Ave.

- Bid package awarded to Burkhardt Construction in September TC.
- Finalizing the few remaining committed or outstanding easements.
- One (1) Chicane is planned for construction on Via Marina.
- Phase 3 South construction has not started - 0% complete.

B. Design & Easement Progress:**Phase 4 North:**

From south side of La Puerta Way to north side of List Road.

- Design is 88% complete
- 59 of 61 easements are recorded or verbally approved.
- Bid package availability is approaching completion.
- Finalizing outstanding easements.
- 5 Chicanes are planned within this area, which support:
 1. 215, 223, 225, 230 & 232 Colonial Lane
 2. 274, 281 & 282 Monterey Road
 3. 216, 221 Monterey Road & 1080 N Ocean Blvd
 4. 251 & 265 Orange Grove Road
 5. 281 List Road

Phase 4 South:

From Peruvian Ave north to Royal Palm Way & the Town Docks.

- Design is 67% complete.
- 49 of 63 easements are recorded or verbally approved.
- Easement acquisition is behind schedule with the original Master plan construction being May 2020.

Phase 5 North:

From Country Club Road to Southland Road.

- Design is 43% complete and on schedule.
- 32 of 106 easements are recorded or verbally approved.
- Easement Acquisition is targeted to complete May 2021.

Phase 5 South:

From South Lake Drive/Hibiscus Ave & Peruvian Ave/Royal Palm Way, properties between the Intracoastal waterway and the Atlantic Ocean & from Royal Palm Way to Seaspray Ave.

- Design is 34% complete and on schedule.
- 6 of 104 easements are recorded or verbally approved.
- Easement Acquisition is targeted to complete May 2021.

Phase 6 North:

From Chateaux Drive & Kawama Lane to the south side of Plantation Road.

- Design is 22% complete and on schedule.
- Easement acquisition has not started.

Phase 6 South:

Seaspray Ave to the south of Royal Poinciana Way.

- Design is 21% complete and on schedule.
- Easement acquisition has not started.

Phase 7 North:

Palm Beach Country Club north to the south side of List Road.

- Not started.

Phase 7 South:

Atlantic Ave north to Via Los Incas & Sanford Ave

- Not started.

Phase 8:

Royal Poinciana Way north to Everglade Ave

- Not started.

III. FINANCIAL SUMMARY:

A. FEMA Grant Update:

On July 22, 2020, the Town submitted to the Florida Department of Emergency Management its Phase 5 budget modification and period of performance extension request.

Reporting changes are required and were completed for project 4337-278-R, Agreement H0374 for Town of Palm Beach Undergrounding, Utility Protective Measures.

- The Town reported the revised project budget for the revised Engineer's Opinion of Cost (OPC). The revised OPC was presented to the Town Council Dec 10, 2019 based on actual costs of construction for phases of the project completed and in progress. This information was more accurate and was not available when the Town applied for the original grant.

FL DEM and FEMA review and response of the revised project budget is still in progress. A reply is now expected in December 2020.

- A Period of Performance (PoP) extension to the grant contract was submitted. The Town requested a contract extension until May 2023. Phase 5 of the project requires an estimated 2 year construction timeline. Start of construction is planned for May 2021.

FL DEM review and response of the revised POP is still in progress. A reply is now expected in December 2020.

B. Project Budget Summary:

Updates include processing of vendor pay applications for design, direct material purchases and work performed in active phases. The Phase 3 South budget was approved and is reflected in the project financial summary and within the Phase 3 page detail.

The full underground utility project financial report is provided within your backup package with the summary page shown immediately below.

Underground Utility Project Budget
Project Financial Summary
September 30, 2020

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,829,947	\$ 12,843,681	100.1%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 6,954,177	53.8%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 15,770,233	\$ 5,059,107	32.1%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 1,394,465	\$ 1,066,872	76.5%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 1,609,805	\$ 645,117	40.1%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,921,608	\$ 436,566	22.7%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ -	\$ -	
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ -	\$ -	
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 46,441,944	\$27,005,521	58.1%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 1,180,414	\$ 1,180,414	\$ 928,441	78.7%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 121,085,059	\$ 47,622,358	\$27,933,961	58.7%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 6,098,350	\$ 6,830,814	112.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 1,158,567	\$ 2,064,907	178.2%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 121,085,059	\$ 48,780,925	\$29,998,868	61.5%

Total Project Budget - Opinion of cost for construction	\$ 121,085,059
% Budgeted/Encumbered To Date Project Costs	39.33%
% Spent to Date - Project Costs	23.07%

cc: Paul Brazil, Public Works Director
Patricia Strayer, Town Engineer
Jane LeClainche, Finance Director
Kevin Schanen, Kimley-Horn & Associates
Undergrounding Utilities Task Force



Underground Utility Project Monthly Progress Report October 2020

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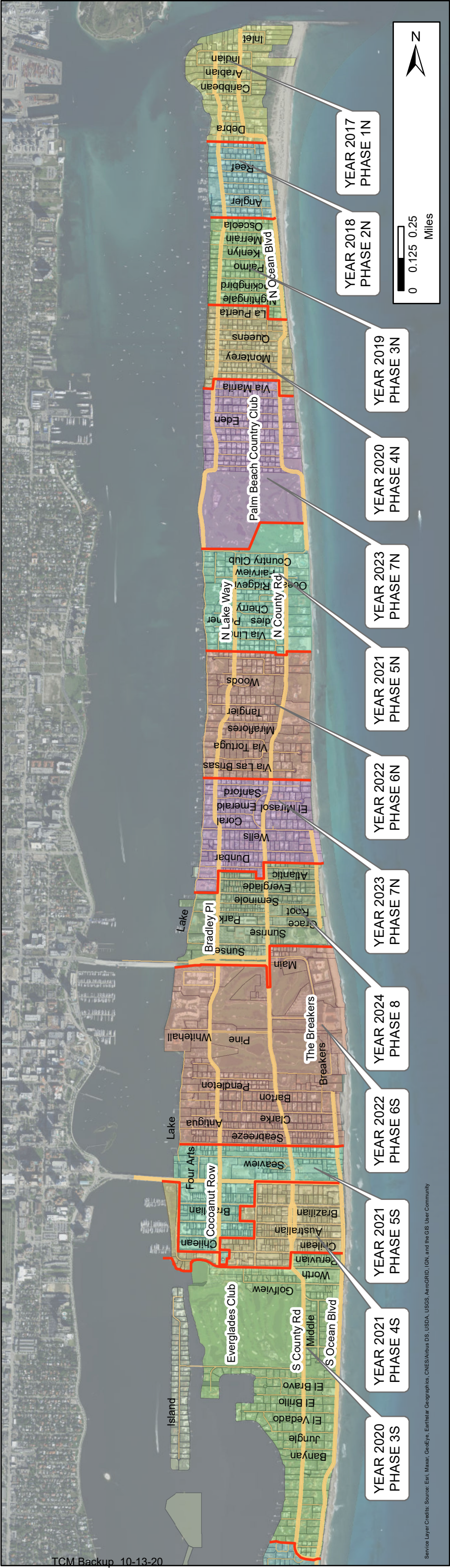
Dashboard Notes:

Total Project Budget - Opinion of cost for construction: \$121,085,059

Prepared by the TMO & Finance Departments
Sep 29, 2020

Town of Palm Beach - Underground Utility Project Dashboard - October 2020





Master Plan 2017

Phase Area	Design Start	Construction Start	End - Pole Removal
Phase1N	Dec-2016	Jun-2017	Jun-2019
Phase1S	Dec-2016	Jun-2017	Jun-2019
Phase2N	Jun-2017	Jul-2018	Feb-2020
Phase2S	Jun-2017	May-2019	Dec-2020
Phase3N	Nov-2017	May-2019	Jan-2021
Phase3S	Nov-2017	May-2019	Apr-2021
Phase4N	Jun-2018	May-2020	Feb-2022
Phase4S	Jun-2018	May-2020	Mar-2022
Phase5N	May-2019	May-2021	Apr-2023
Phase5S	May-2019	May-2021	May-2023
Phase6N	May-2020	May-2022	Feb-2024
Phase6S	May-2020	May-2022	Apr-2024
Phase7N	May-2021	May-2023	Feb-2025
Phase7S	May-2021	May-2023	Mar-2025
Phase8	May-2022	May-2024	Mar-2026

Revised Sept 2020

Design Start	Construction Start	End - Pole Removal
Dec-2016	Jun-2017	Jun-2019
Dec-2016	Jun-2017	Jan-2020
Jun-2017	Jul-2018	Oct-2020
Jun-2017	Nov-2019	Nov-2021
Nov-2017	Nov-2019	Oct-2021
Nov-2017	Sep-2020	Sep-2022
Jun-2018	Dec-2020	Dec-2022
Jun-2018	May-2021	May-2023
May-2019	Sep-2021	Sep-2023
May-2019	Sep-2021	Sep-2023
Nov-2019	May-2022	Feb-2024
Nov-2019	May-2022	Apr-2024
Nov-2020	May-2023	Feb-2025
Nov-2020	May-2023	Mar-2025
Nov-2020	May-2024	Mar-2026

Actual
Planned



**Town-Wide Undergrounding - Phase 3 Undergrounding
KHA Project #044063215
September 2020 Progress Report
Period: August 20, 2020 to September 19, 2020**

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 3 North Design is 100% complete
 - Phase 3 South Design is 99% complete
- Budget: Project is on budget as of September 15, 2020
 - Phase 3 North Design is at 99% of total task budget
 - Phase 3 South Design at 98% of total task budget
- Easement Status
 - Phase 3 North: 100% (36/36) easements approved
 - Phase 3 South: 91% (86/94) easements approved

B. Detailed Design Phase

- o Continued Subconsultant/utility owner coordination
- o Progress Meeting Attendance
- o Completion of the FDOT Landscape and Utility Permits
- o Review and comment of BCE and BCE plans received from FPL
- o Review, comment and negotiation of GMP received for Phase 3 South
- o Continued development of Phase 3 South easement exhibits and submittal to Town.
- o Site meetings with property owners to discuss easement requests in Phase 3 South.
- o Development of legal sketches and descriptions for Phases 3 South.

II. Upcoming Activities (September 21, 2020 – October 20, 2020)

A. Detailed Design Phase

- o Continued Easement meetings with property owners – Phases 3 South
- o Continued coordination with FPL to revise the Phase 3 South design based on final easements and BCE Comments
- o Prepare and submit the Issued for Construction design plans
- o Progress Meeting Attendance

Town-Wide Undergrounding - Phase 4 Undergrounding

KHA Project #044063219

September 2020 Progress Report

Period: August 21, 2020 to September 20, 2020

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 4 North Design is 88% complete*
 - Phase 4 South Design is 67% complete*
- Budget: Project is on budget as of September 15, 2020
 - Phase 4 North Design is at 92% of total task budget
 - Phase 4 South Design at 78% of total task budget
- Easement Status
 - Phase 4 North: 97% (59/61) easements approved
 - Phase 4 South: 78% (49/63) easements approved.

*Easement progress has caused the schedule to fall behind for both phase areas.

B. Detailed Design Phase

- o Subconsultant coordination related to Phase 4 Undergrounding
- o Continued development of Equipment Locations and Conduit Plans for Phase 4 North and South.
- o Performed field work to obtain information for equipment placement based on easement meetings with property owners.
- o Continued review of FPL, Comcast, and AT&T Conduit and Equipment Plans, coordination with FPL, Comcast, and AT&T regarding design modifications.
- o Development of Phase 4 North Landscape Plans
- o Development and delivery of easement exhibits to the Town for Phases 4 North and South.
- o Progress Meeting Attendance
- o Meetings and site visits with property owners to discuss easement requests

II. Upcoming Activities (September 21, 2020 – October 20, 2020)

A. Detailed Design Phase

- o Continued coordination with utility owners to refine the design.
- o Continued development and submittal of easement exhibits for Phases 4 North and South.
- o Continued development of Equipment Location and Conduit Plans for Phase 4 South, bid plan submittal for Phase 4 North.
- o Continued development of Landscape Plans
- o Meetings and site visits with property owners to discuss easement requests.
- o Commercial Service sizing.
- o Progress Meeting attendance.



**Town-Wide Undergrounding - Phase 5 Undergrounding
KHA Project #044063229
September 2020 Progress Report
Period: August 26, 2020 to September 25, 2020**

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below
 - Phase 5 North Design is 43% complete
 - Phase 5 South Design is 34% complete
- Budget: Project is on budget as of September 15, 2020
 - Phase 5 North Design is at 45% of total task budget
 - Phase 5 South Design is at 43% of total task budget
- Easement Status
 - Phase 5 North: 30% (32/106) easements approved
 - Phase 5 South: 6% (6/104) easements approved

B. Detailed Design Phase

- Developed conduit routing plans
- Coordinated with utility companies, sub-consultants, and Town
- Attended property owner meetings, prepared easement exhibits, and provided legal sketches & descriptions
- Participated in construction manager selection process
- Led design meeting with utility companies, sub-consultants, and Town
- Led easement meetings with sub-consultants and Town
- Led coordination meetings with sub-consultants

II. Upcoming Activities (September 26, 2020 – October 25, 2020)

A. Detailed Design Phase

- Develop conduit routing plans
- Coordinate with utility companies, sub-consultants, and Town
- Attend property owner meetings, prepared easement exhibits, and provided legal sketches & descriptions
- Lead easement meetings with sub-consultants and Town
- Lead coordination meetings with sub-consultants



**Town-Wide Undergrounding - Phase 6 Undergrounding
KHA Project #044063247
September 2020 Progress Report
Period: August 26, 2020 to September 25, 2020**

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below
 - Phase 6 North Design is 22% complete
 - Phase 6 South Design is 21% complete
- Budget: Project is on budget as of September 15, 2020
 - Phase 6 North Design is at 20% of total task budget
 - Phase 6 South Design is at 23% of total task budget
- Easement Status
 - Phase 6: N/A, will provide status when this work begins

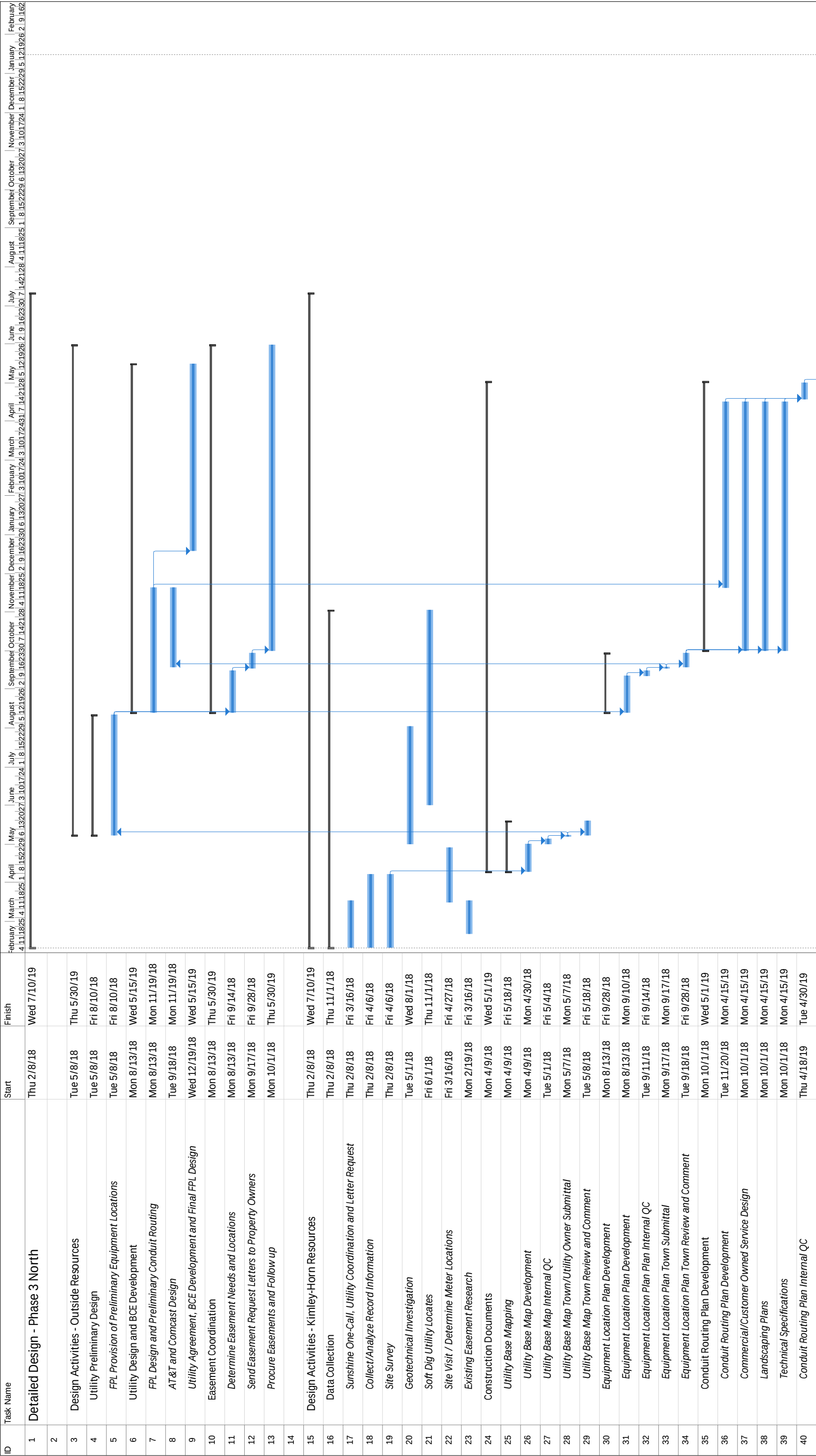
B. Detailed Design Phase

- Awaiting preliminary equipment locations from FPL
- Developed conduit routing plans
- Coordinated with utility companies, sub-consultants, and Town
- Led coordination meetings with sub-consultants

II. Upcoming Activities (September 26, 2020 – October 25, 2020)

A. Detailed Design Phase

- Awaiting preliminary equipment locations from FPL
- Coordinate with utility companies, sub-consultants, and Town
- Lead coordination meetings with sub-consultants



Project: Phase 3 Detailed Design
Date: Sun 9/20/20

Task

Summary

Project Summary

Inactive Task

Task

Split

Milestone

Inactive Milestone

Inactive Summary

Manual Task

Start-only

Finish-only

External Tasks

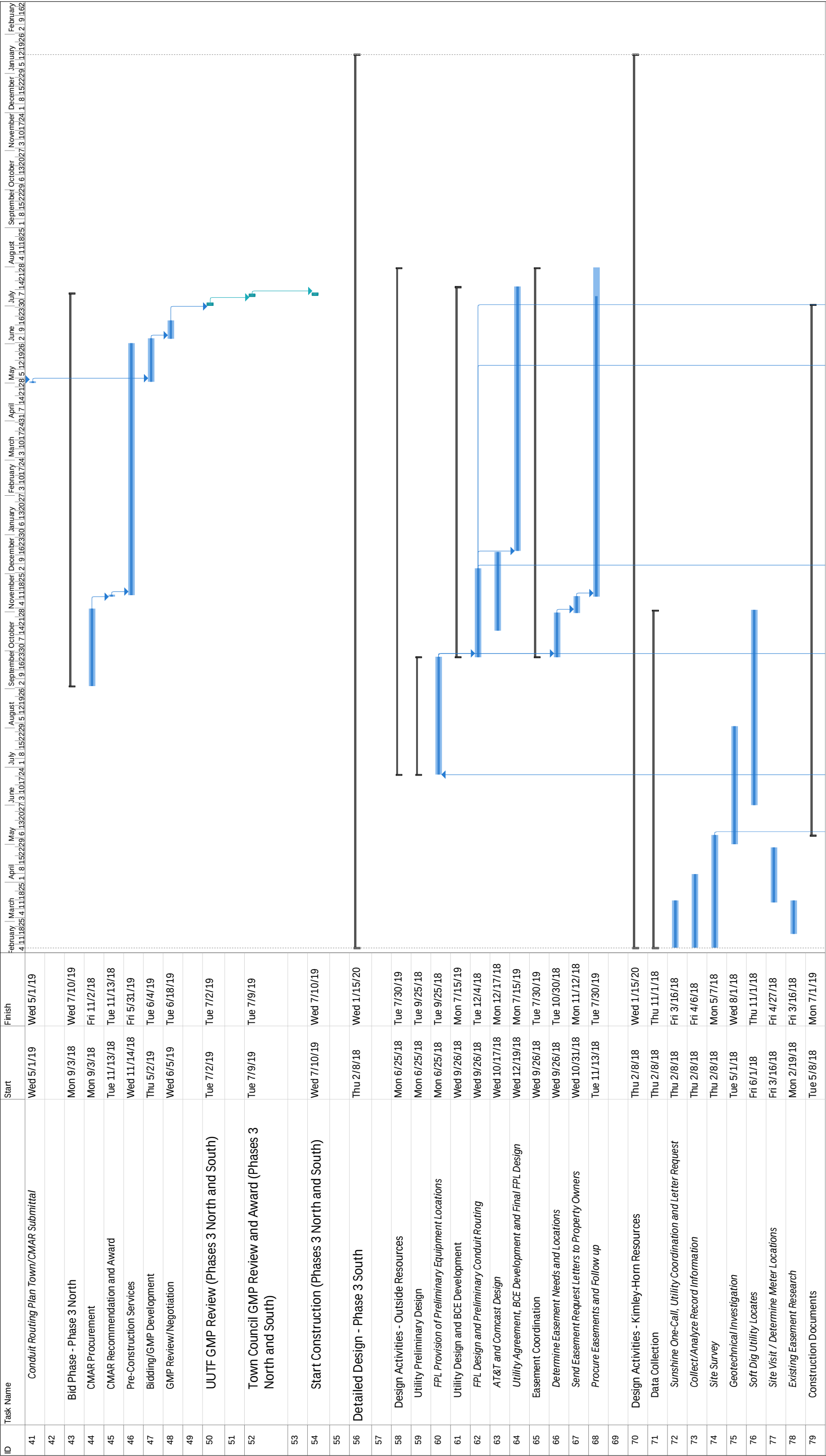
External Milestone

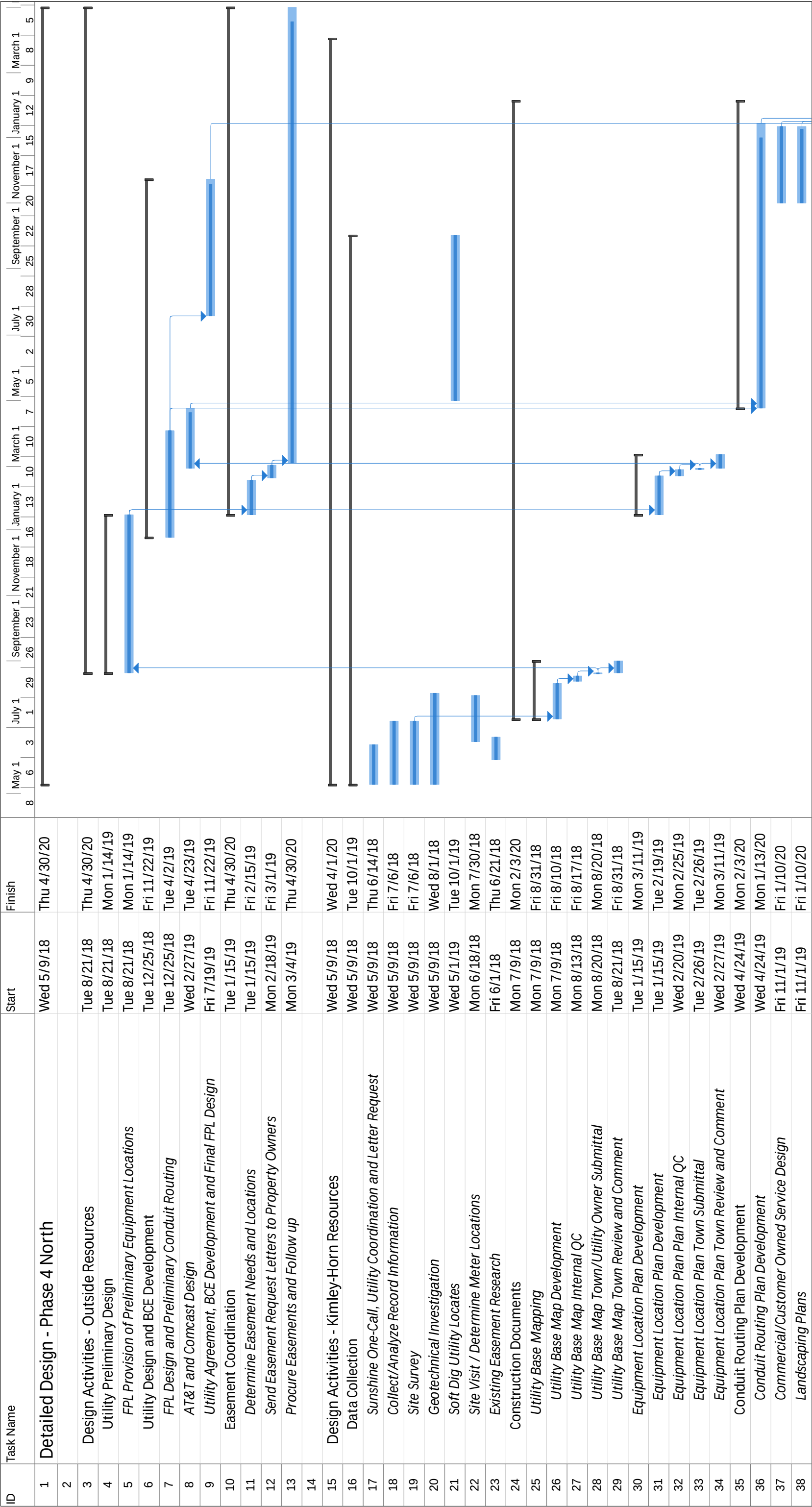
Deadline

Progress

Manual Progress

Page 1





Project: Phase 4 Detailed Design
Date: Sun 9/20/20

Task

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

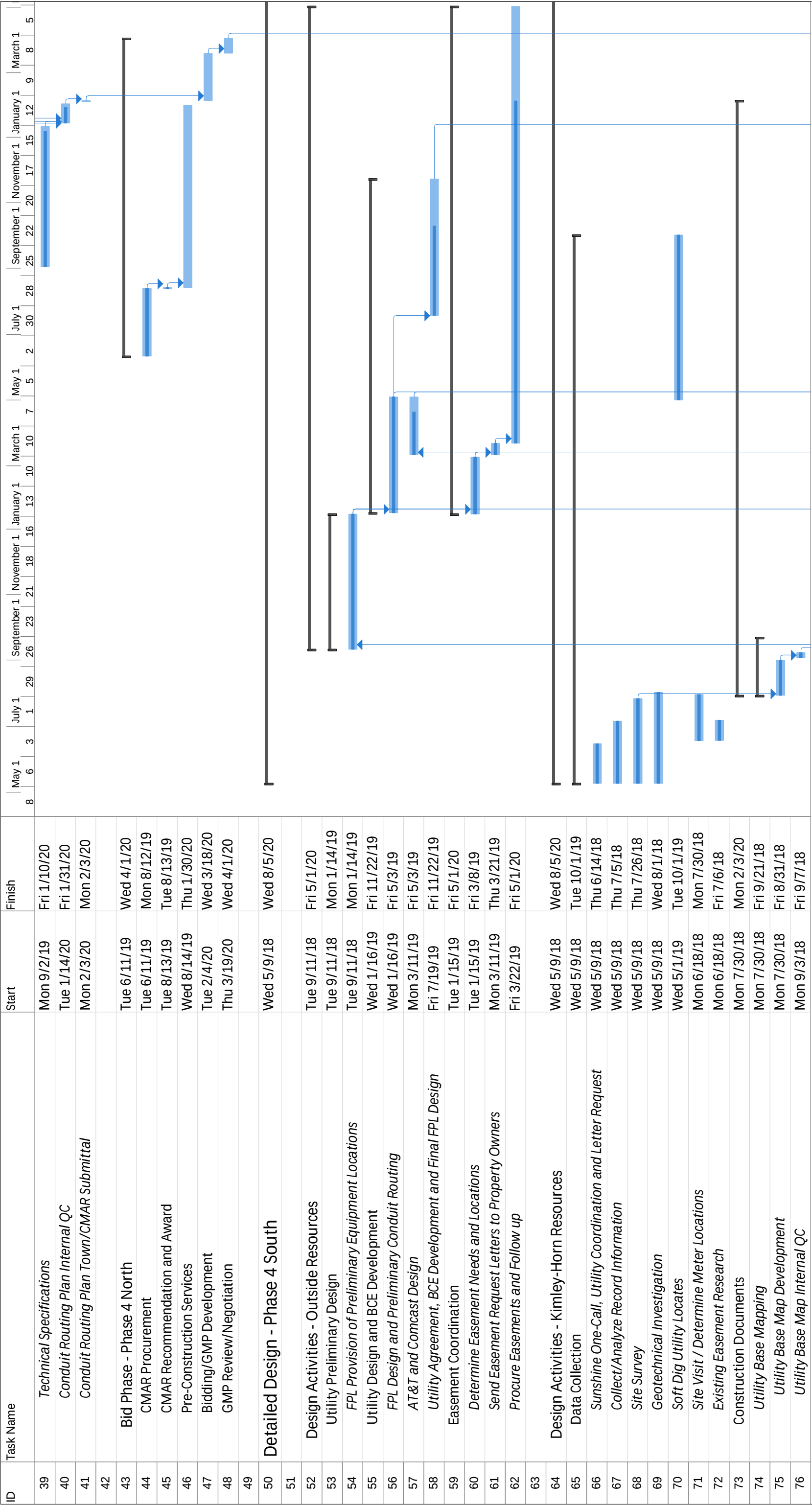
External Tasks

External Milestone

Deadline

Progress

Manual Progress



Project: Phase 4 Detailed Design
Date: Sun 9/20/20

Task

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

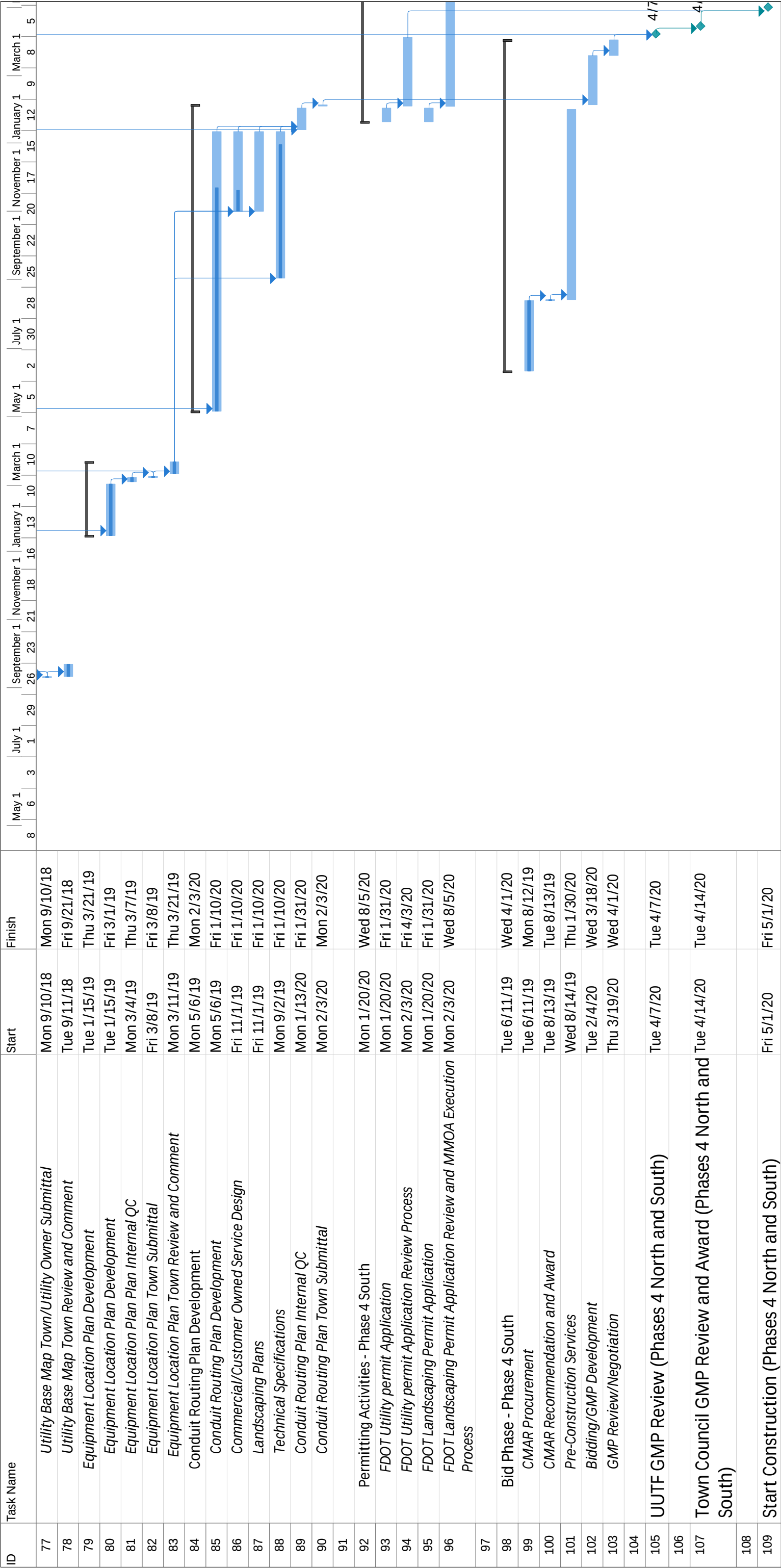
External Tasks

External Milestone

Deadline

Progress

Manual Progress



Project: Phase 4 Detailed Design
Date: Sun 9/20/20

Task

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

External Tasks

External Milestone

Deadline

Progress

Manual Progress

ID	Task Name	Start	Finish
1	Detailed Design - Phase 5 North	Thu 2/14/19	Fri 4/30/21
2			
3	Design Activities - Outside Resources	Wed 6/19/19	Fri 4/30/21
4	Utility Preliminary Design	Wed 6/19/19	Mon 9/30/19
5	FPL Provision of Preliminary Equipment Locations	Wed 6/19/19	Mon 9/30/19
6	Utility Design and BCE Development	Tue 10/1/19	Fri 4/16/21
7	FPL Design and Preliminary Conduit Routing	Tue 10/1/19	Tue 1/7/20
8	AT&T and Comcast Design	Wed 12/18/19	Tue 2/18/20
9	Utility Agreement, BCE Development and Final FPL Design	Fri 1/15/21	Fri 4/16/21
10	Easement Coordination	Tue 10/1/19	Fri 4/30/21
11	Determine Easement Needs and Locations	Tue 10/1/19	Fri 11/15/19
12	Send Easement Request Letters to Property Owners	Mon 11/18/19	Fri 11/29/19
13	Procure Easements and Follow Up	Mon 12/2/19	Fri 4/30/21
14			
15	Design Activities - Kimley-Horn Resources	Thu 2/14/19	Tue 4/13/21
16	Data Collection	Thu 2/14/19	Thu 7/23/20
17	Sunshine One-Call, Utility Coordination, and Letter Request	Thu 2/14/19	Wed 3/13/19
18	Collect/Analyze Record Information	Thu 2/14/19	Wed 4/10/19
19	Site Survey	Thu 2/14/19	Mon 5/6/19
20	Geotechnical Investigation	Wed 5/1/19	Tue 6/11/19
21	Soft Dig Utility Locates	Fri 5/1/20	Thu 7/23/20
22	Site Visit / Determine Meter Locations	Mon 3/11/19	Fri 3/29/19
23	Existing Easement Research	Mon 3/4/19	Fri 3/22/19
24	Construction Documents	Tue 5/7/19	Wed 2/10/21
25	Utility Base Mapping	Tue 5/7/19	Mon 7/1/19
26	Utility Base Map Development	Tue 5/7/19	Mon 6/10/19
27	Utility Base Map Internal QC	Tue 6/11/19	Mon 6/17/19
28	Utility Base Map Town/Utility Owner Submittal	Tue 6/18/19	Tue 6/18/19
29	Utility Base Map Town Review and Comment	Wed 6/19/19	Mon 7/1/19
30	Equipment Location Plan Development	Tue 10/1/19	Mon 12/30/19
31	Equipment Location Plan Development	Tue 10/1/19	Mon 12/9/19
32	Equipment Location Plan Internal QC	Tue 12/10/19	Mon 12/16/19
33	Equipment Location Plan Town Submittal	Tue 12/17/19	Tue 12/17/19
34	Equipment Location Plan Town Review and Comment	Wed 12/18/19	Mon 12/30/19
35	Conduit Routing Plan Development	Wed 2/19/20	Wed 2/10/21
36	Conduit Routing Plan Development	Wed 2/19/20	Tue 1/19/21
37	Commercial/Customer-Owned Service Design	Fri 8/7/20	Fri 1/15/21

Project: 2019_0226_Schedule
Date: Mon 9/21/20

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

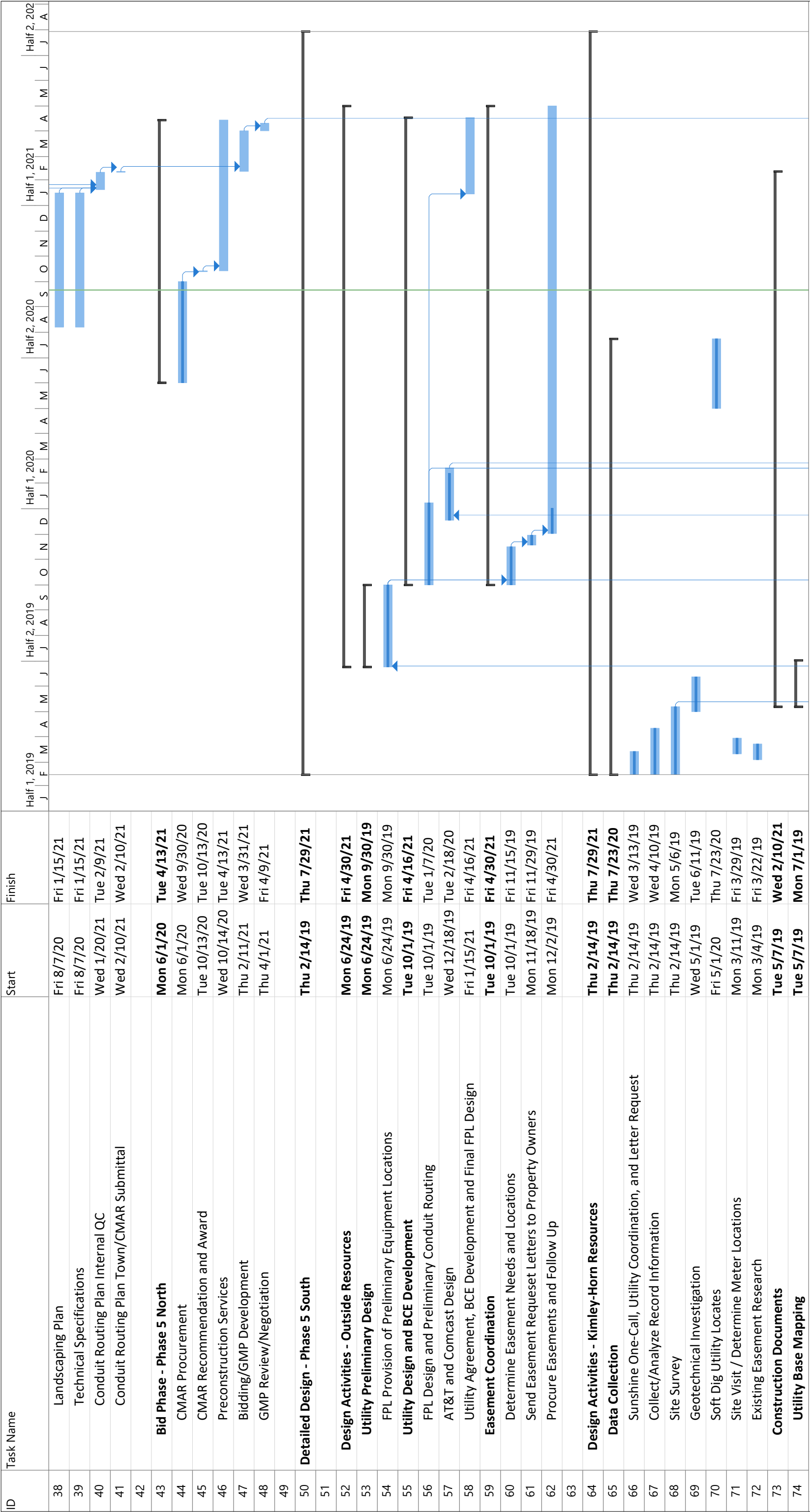
External Tasks

External Milestone

Deadline

Progress

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Project: 2019_0226_Schedule
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Finish-only

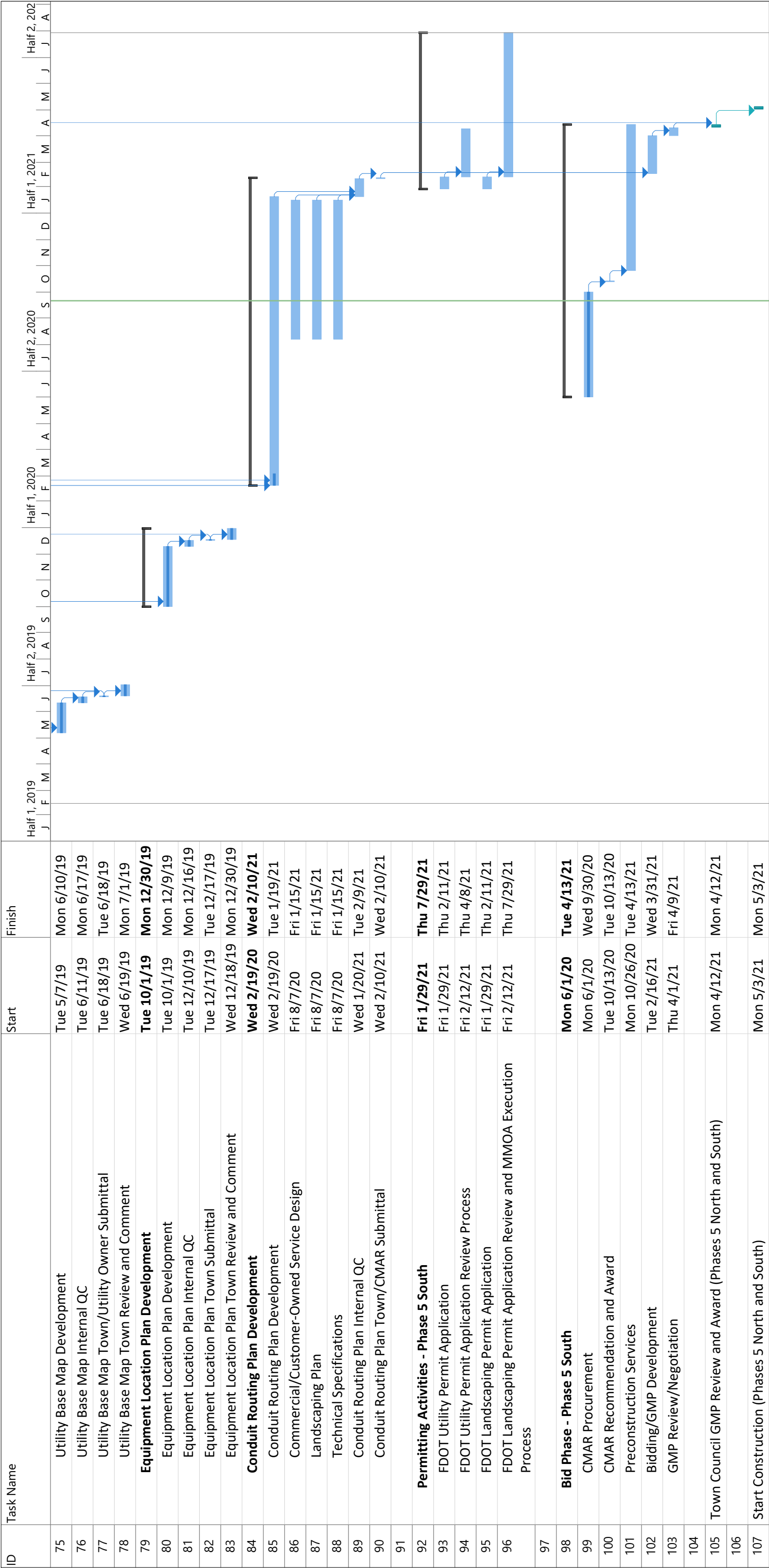
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Finish-only

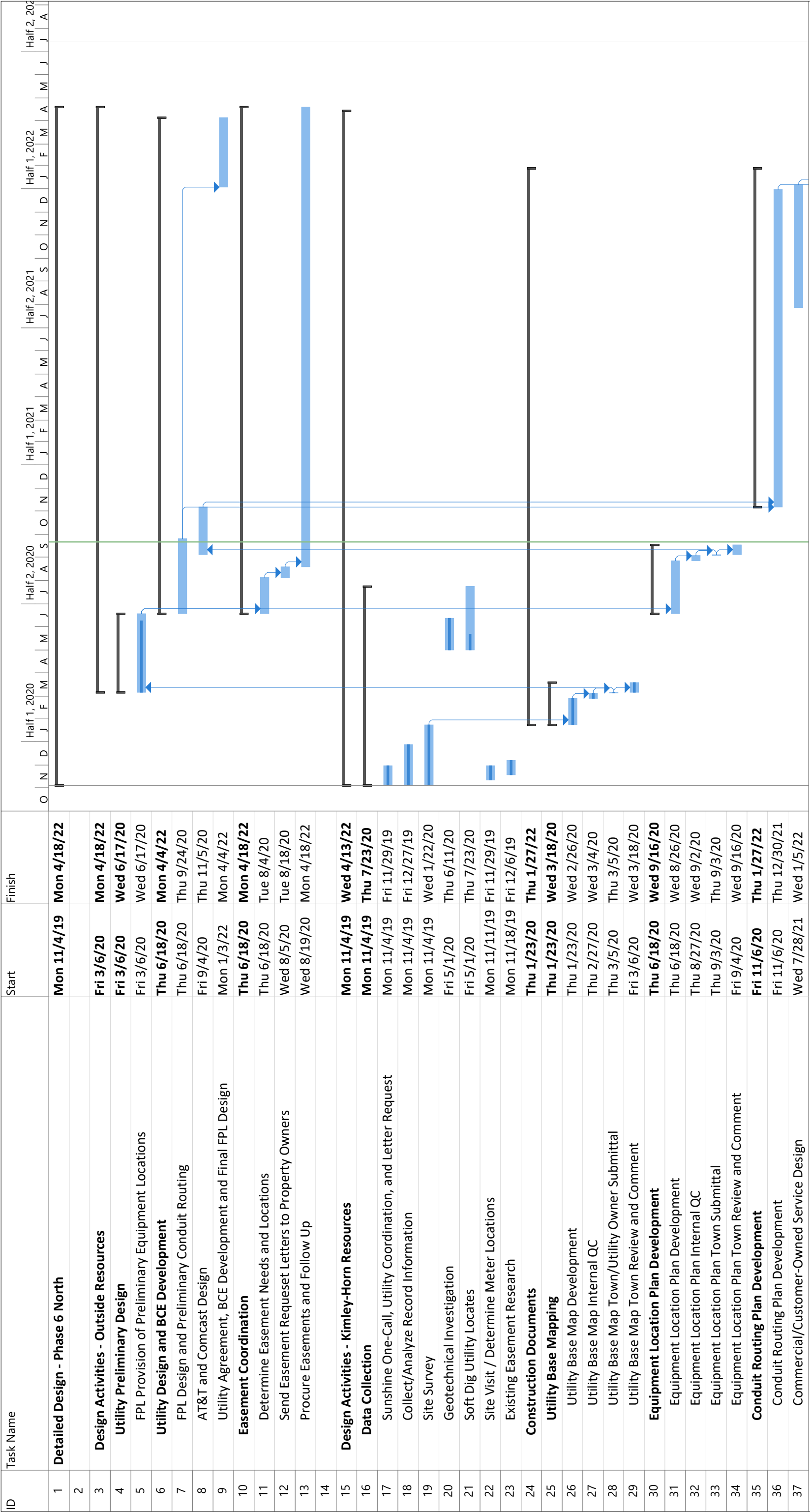
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External Tasks

External Milestone

Deadline

Progress

Manual Progress

Page 1

ID	Task Name	Start	Finish	Half 1, 2020 Half 2, 2020 Half 1, 2021 Half 2, 2021 Half 1, 2022 Half 2, 2022																									
38	Landscaping Plan	Wed 7/28/21	Wed 1/5/22																										
39	Technical Specifications	Wed 7/28/21	Wed 1/5/22																										
40	Conduit Routing Plan Internal QC	Thu 1/6/22	Wed 1/26/22																										
41	Conduit Routing Plan Town/CMAR Submittal	Thu 1/27/22	Thu 1/27/22																										
42																													
43	Bid Phase - Phase 6 North	Fri 5/28/21	Wed 4/13/22																										
44	CMAR Procurement	Fri 5/28/21	Tue 9/28/21																										
45	CMAR Recommendation and Award	Tue 10/12/21	Tue 10/12/21																										
46	Preconstruction Services	Tue 10/26/21	Wed 4/13/22																										
47	Bidding/GMP Development	Fri 1/28/22	Thu 3/17/22																										
48	GMP Review/Negotiation	Fri 3/18/22	Mon 3/28/22																										
49																													
50	Detailed Design - Phase 6 South	Mon 11/4/19	Thu 7/14/22																										
51																													
52	Design Activities - Outside Resources	Fri 3/6/20	Mon 4/18/22																										
53	Utility Preliminary Design	Fri 3/6/20	Wed 6/17/20																										
54	FPL Provision of Preliminary Equipment Locations	Fri 3/6/20	Wed 6/17/20																										
55	Utility Design and BCE Development	Thu 6/18/20	Mon 4/4/22																										
56	FPL Design and Preliminary Conduit Routing	Thu 6/18/20	Thu 9/24/20																										
57	AT&T and Comcast Design	Fri 9/4/20	Thu 11/5/20																										
58	Utility Agreement, BCE Development and Final FPL Design	Mon 1/3/22	Mon 4/4/22																										
59	Easement Coordination	Thu 6/18/20	Mon 4/18/22																										
60	Determine Easement Needs and Locations	Thu 6/18/20	Tue 8/4/20																										
61	Send Easement Request Letters to Property Owners	Wed 8/5/20	Tue 8/18/20																										
62	Procure Easements and Follow Up	Wed 8/19/20	Mon 4/18/22																										
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67	Collect/Analyze Record Information	Mon 11/4/19	Fri 12/27/19																										
68	Site Survey	Mon 11/4/19	Wed 1/22/20																										
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70	Soft Dig Utility Locates	Fri 5/1/20	Thu 7/23/20																										
71	Site Visit / Determine Meter Locations	Mon 11/11/19	Fri 11/29/19																										
72	Existing Easement Research	Mon 11/18/19	Fri 12/6/19																										
73	Construction Documents	Thu 1/23/20	Thu 1/27/22																										
74	Utility Base Mapping	Thu 1/23/20	Wed 3/18/20																										

Project: 2019_0226_Schedule
Date: Mon 9/21/20

Task

Split

Milestone

Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

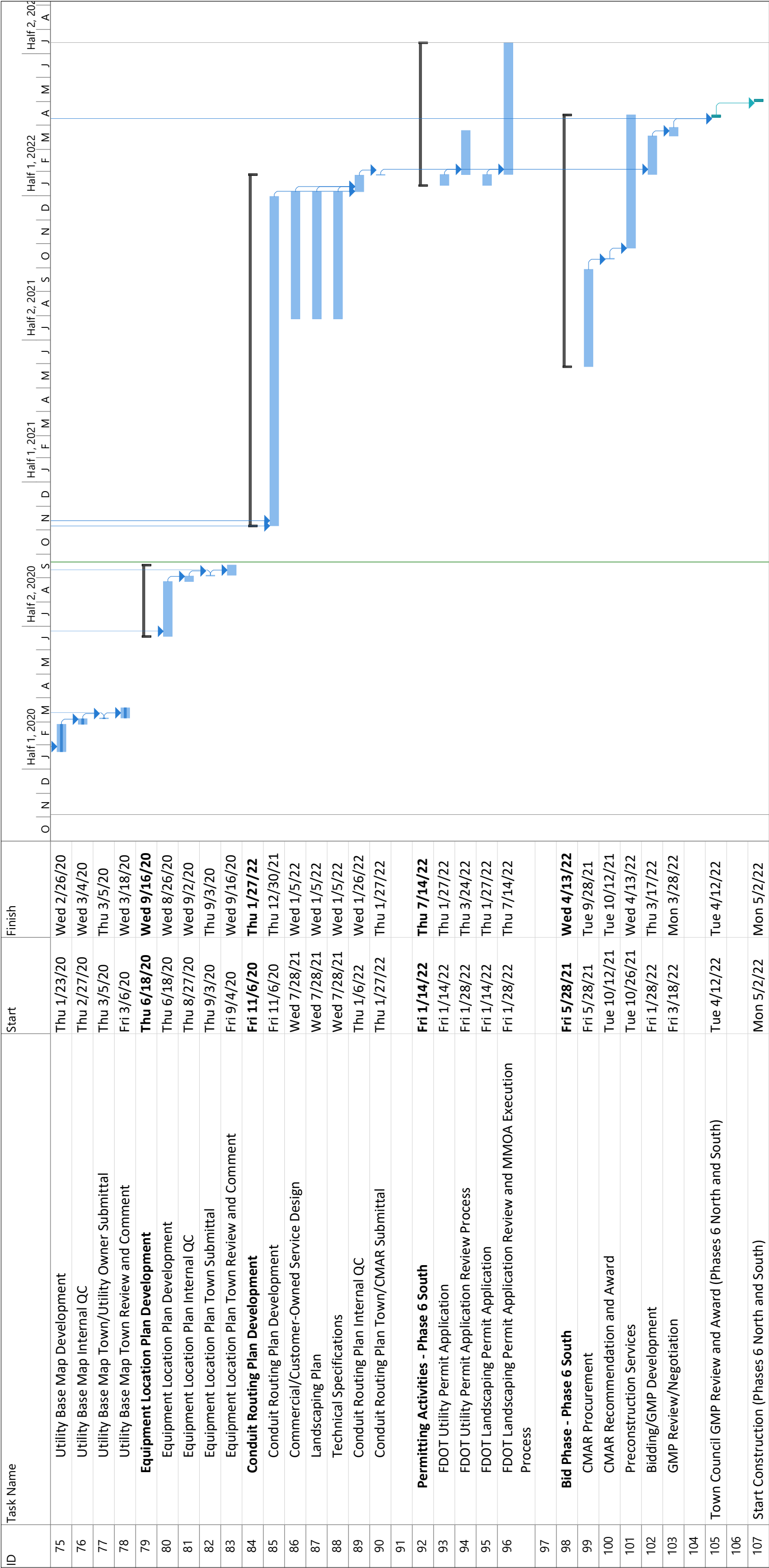
External Tasks

External Milestone

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Vincent G. Burkhardt
President

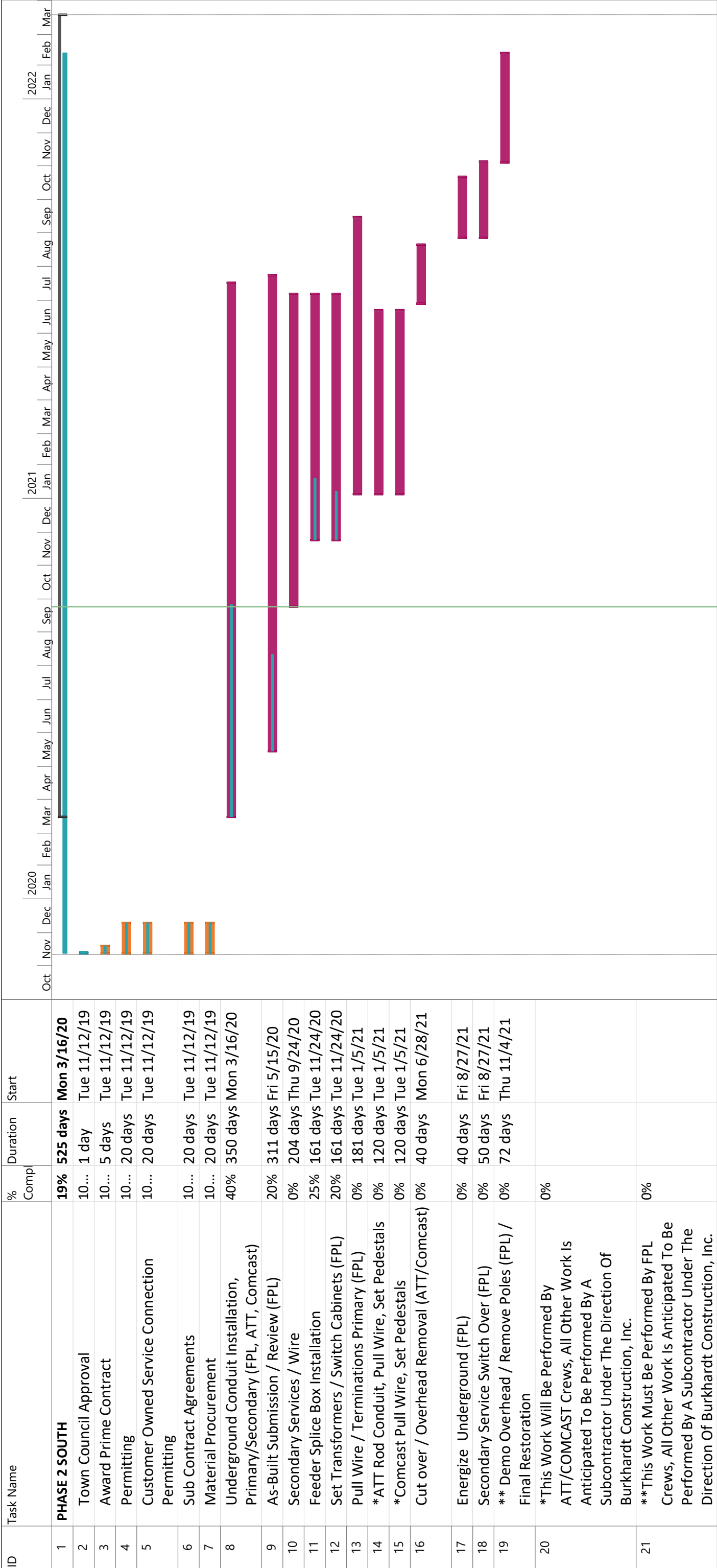


Executive Summary

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 NORTH
PRELIMINARY SCHEDULE
RFQ No. 2018-03

ID	Task Name	% Complete	Duration																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
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Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter			1st Quarter			4th Quarter			3rd Quarter			2nd Quarter		

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 2 SOUTH
PRELIMINARY SCHEDULE
RFQ No. 2019-03



TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 3 NORTH
PRELIMINARY SCHEDULE
RFQ No. 2018-03



ID	Task Name	% Complete	Duration	Start	Finish	Qtr 3, 2019 Jul	Qtr 3, 2019 Aug	Qtr 4, 2019 Sep	Qtr 4, 2019 Oct	Qtr 4, 2019 Nov	Qtr 1, 2020 Jan	Qtr 1, 2020 Feb	Qtr 1, 2020 Mar	Qtr 2, 2020 Apr	Qtr 2, 2020 May	Qtr 3, 2020 Jun	Qtr 3, 2020 Jul	Qtr 3, 2020 Aug	Qtr 3, 2020 Sep	Qtr 4, 2020 Oct	Qtr 4, 2020 Nov	Qtr 1, 2021 Jan	Qtr 1, 2021 Feb	Qtr 1, 2021 Mar	Qtr 2, 2021 Apr	Qtr 2, 2021 May
1	PHASE 3 NORTH	81%	444 days?	Wed 8/14/19	Mon 4/26/21																					
2	Town Council Approval	100%	1 day	Wed 8/14/19	Wed 8/14/19																					
3	Award Prime Contract	100%	13 days	Thu 8/15/19	Mon 9/2/19																					
4	Permitting	100%	14 days	Thu 8/15/19	Tue 9/3/19																					
5	Customer Owned Service Connection Permitting	100%	14 days	Thu 8/15/19	Tue 9/3/19																					
6	Sub Contract Agreements	100%	14 days	Thu 8/15/19	Tue 9/3/19																					
7	Material Procurement	100%	55 days	Tue 8/20/19	Sun 11/3/19																					
8	Underground Conduit Installation, Primary/Secondary (FPL, ATT, Comcast)	100%	240 days	Mon 11/4/19	Fri 10/2/20																					
9	As-Built Submission / Review (FPL)	95%	200 days	Fri 1/3/20	Thu 10/8/20																					
10	Secondary Services / Wire	95%	100 days	Fri 5/8/20	Thu 9/24/20																					
11	Feeder Splice Box Installation	100%	55 days	Fri 7/10/20	Thu 9/24/20																					
12	Set Transformers / Switch Cabinets (FPL)	100%	55 days	Fri 7/10/20	Thu 9/24/20																					
13	Pull Wire / Terminations Primary (FPL)	90%	85 days	Fri 8/14/20	Thu 12/10/20																					
14	*ATT Rod Conduit, Pull Wire, Set Pedestals	30%	55 days	Fri 8/14/20	Thu 10/29/20																					
15	*Comcast Pull Wire, Set Pedestals	70%	55 days	Fri 8/14/20	Thu 10/29/20																					
16	Cut over / Overhead Removal (ATT/Comcast)	0%	20 days	Fri 11/6/20	Thu 12/3/20																					
17	Energize Underground (FPL)	0%	20 days	Tue 12/15/20	Mon 1/11/21																					
18	Secondary Service Switch Over (FPL)	0%	35 days	Tue 12/15/20	Mon 2/1/21																					
19	** Demo Overhead / Remove Poles (FPL) / Final Restoration	0%	57 days	Fri 2/5/21	Mon 4/26/21																					
20	*This Work Will Be Performed By ATT/COMCAST Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%																								
21	**This Work Must Be Performed By FPL Crews, All Other Work Is Anticipated To Be Performed By A Subcontractor Under The Direction Of Burkhardt Construction, Inc.	0%																								



**Underground Utility Project Budget
Project Financial Summary
September 30, 2020**

Expenditures	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,910,000	\$ 12,829,947	\$ 12,843,681	100.1%
Phase 2	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 6,954,177	53.8%
Phase 3	\$ 10,910,000	\$ 15,400,000	\$ 15,770,233	\$ 5,059,107	32.1%
Phase 4	\$ 10,370,000	\$ 15,220,000	\$ 1,394,465	\$ 1,066,872	76.5%
Phase 5 (Includes \$8.5 Million FEMA Grant Offset)	\$ 14,090,000	\$ 11,694,645	\$ 1,609,805	\$ 645,117	40.1%
Phase 6	\$ 16,820,000	\$ 20,800,000	\$ 1,921,608	\$ 436,566	22.7%
Phase 7	\$ 11,730,000	\$ 15,910,000	\$ -	\$ -	
Phase 8	\$ 12,300,000	\$ 14,500,000	\$ -	\$ -	
Total Project Costs To Date	\$ 98,010,000	\$ 119,904,645	\$ 46,441,944	\$27,005,521	58.1%
Other Costs Associated Directly with the Project (Page 8)	\$ 570,000	\$ 1,180,414	\$ 1,180,414	\$ 928,441	78.7%
Grand Total of Costs Related to Project	\$ 98,580,000	\$ 121,085,059	\$ 47,622,358	\$27,933,961	58.7%
Debt Service and Related Debt Issuance Costs (Page 8)			\$ 6,098,350	\$ 6,830,814	112.0%
Total Other Costs Outside Underground Budget (Page 8)			\$ 1,158,567	\$ 2,064,907	178.2%
Grand Total of All Costs Related to the Project	\$ 98,580,000	\$ 121,085,059	\$ 48,780,925	\$29,998,868	61.5%

Total Project Budget - Opinion of cost for construction	\$ 121,085,059
% Budgeted/Encumbered To Date Project Costs	39.33%
% Spent to Date - Project Costs	23.07%

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments	\$ -	\$ 12,010,286	0.0%
Assessment Revenue	\$ 13,380,000	\$ 12,955,753	96.8%
Commercial Paper	\$ -	\$ -	0.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ 396,389	0.0%
Interest	\$ 512,000	\$ 2,179,387	425.7%
GO Bond Proceeds	\$ 60,500,000	\$ 60,499,897	100.0%
1 Cent Sales Tax	\$ 5,000,000	\$ 1,958,333	39.2%
FPL		\$ 450,246	0.0%
FEMA Grant	\$ 8,500,000	\$ -	0.0%
Other			
Kevin McGann - CO #9	\$ -	\$ 34,900	0.0%
Donations - Civic Association	\$ 49,250	\$ 49,250	100.0%
Transfer from (307) Fund CIP	\$ 760,200	\$ 760,200	100.0%
Transfer from (001) General Fund - PM Salary	\$ 409,450	\$ 397,412	97.1%
Total Project Revenues	\$ 91,908,191	\$ 94,489,346	102.8%

Underground Utility Project Budget
Phase 1 Project Costs
September 30, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Project Engineering					
Task 2.1 - Detailed Design North End	590,000		472,063	472,063	100.0%
Task 2.2 - Detailed Design South End	740,000		619,411	619,411	100.0%
Task 2.3 - Permitting Assistance			17,790	17,790	100.0%
Task 2.4 - Bid Phase Assistance			42,166	42,166	100.0%
Task 2.5 - Meetings - Design Phase			125,399	125,383	100.0%
Subtotal Design Phase	\$ 1,330,000	\$ 1,280,000	\$ 1,276,829	\$ 1,276,813	100.0%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,598,144	100.0%
Street Light Conversion			\$ 26,273	113,399	431.6%
Change Order for AT&T and Comcast Conduit			\$ 371,201	371,201	100.0%
Other Change orders			\$ 130,415	130,415	100.0%
Utility Design Costs			\$ 15,595	15,595	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	483,548	101.4%
Construction Engineering (KH)			\$ 230,532	205,818	89.3%
	\$ 4,210,000	\$ 4,930,000	\$ 4,868,657	\$ 4,937,840	101.4%
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%
Other Approved Change Orders			\$ 12,749	12,749	100.0%
Utility Design Costs			\$ 33,013	33,013	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,362,028	99.1%
Construction Engineering (KH)			\$ 316,498	315,453	99.7%
	\$ 6,800,000	\$ 6,350,000	\$ 6,334,777	\$ 6,321,566	99.8%
Easement Recording Fees			\$ 347	740	
Legal Costs/Easement Acquisition - Jones Foster	\$ 280,000	\$ 350,000	\$ 301,359	\$ 306,723	101.8%
Legal Sketch and Description - Easements			34,000	33,215	97.7%
Easement Abandonment					
Surveying			\$ 13,978		
Temp Service					
Total Phase 1 Costs	\$ 12,620,000	\$ 12,910,000	\$ 12,829,947	\$ 12,843,681	100.1%

Underground Utility Project Budget
Phase 2 Project Costs
September 30, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 2 Design					
Kimley Horn					
Task 1.1 Phase 2 North Design	335,000		\$ 281,304	\$ 281,304	100.0%
Task 1.2 Phase 2 South Design	400,000		\$ 335,353	\$ 335,353	100.0%
Task 1.3 Permitting Assistance North and South			\$ 12,674	\$ 12,674	100.0%
Task 1.4 Bid Phase Assistance North and South			\$ 40,565	\$ 40,565	100.0%
Task 1.6 Meetings North and South			\$ 136,617	\$ 129,348	94.7%
Total Phase 2 Design	\$ 735,000	\$ 807,000	\$ 806,513	\$ 799,244	99.1%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 4,015,865	3,838,328	95.6%
Approved Change Orders			\$ -	-	
FPL Design Cost			\$ 11,759	1,350	11.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)			\$ 496,307	\$ 496,307	100.0%
FPL - Additional Vista Switches				\$ 54,938	
Street Light Conversion			\$ 19,186	\$ 19,186	100.0%
Construction Engineering (KH)			\$ 248,121	\$ 236,774	95.4%
Total Phase 2 North Construction	3,800,000	5,020,000	\$ 4,831,238	\$ 4,688,435	97.0%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	33,400	
Burkhardt Construction			\$ 6,494,596	933,533	14.4%
Approved Change Orders			\$ -		
FPL Design Cost			\$ 13,330	14,200	106.5%
ATT Design Cost			\$ 5,000	\$ 5,000	100.0%
Comcast Design Cost			\$ 5,000	\$ 4,582	91.6%
Utility Costs (FPL, Comcast, AT&T)			\$ 200,000	\$ 123,948	62.0%
Street Light Conversion			\$ 20,000	\$ 19,268	96.3%
Construction Engineering (KH)	-		\$ 282,973	\$ 128,050	45.3%
Total Phase 2 South Construction	4,435,000	7,424,000	\$ 7,055,899	\$ 1,261,981	17.9%
Easement Acquisition/Abandonment	200,000	219,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1.5 Easement Assistance North			\$ 64,936	\$ 64,935	100.0%
Task 1.5 Easement Assistance South			\$ 77,466	\$ 77,467	100.0%
<i>Surveys</i>					
Task 1.7 Legal Sketch North			\$ 14,020	\$ 14,020	100.0%
Task 1.7 Legal Sketch South			\$ 21,725	\$ 19,659	90.5%
Advertising				\$ 1,101	
Jones Foster - Legal			\$ 25,000	\$ 23,933	95.7%
Postage			\$ -	\$ 491	
Recording Costs			\$ 3,605	\$ 2,912	80.8%
Easement Abandonment			\$ 15,484	\$ 2,733	17.6%
Total Easement Acquisition Costs	200,000	219,000	\$ 222,236	\$ 204,517	92.0%
Total Phase 2 Costs	\$ 9,170,000	\$ 13,470,000	\$ 12,915,885	\$ 6,954,177	53.8%

Underground Utility Project Budget
Phase 3 Project Costs
September 30, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 3 Design					
Kimley Horn					
Task 1.1 Phase 3 North Design	\$ 325,000		\$ 280,189	\$ 280,189	100.0%
Task 1.2 Phase 3 South Design	\$ 535,000		\$ 486,333	\$ 486,323	100.0%
Task 1.3 Permitting Assistance			\$ 13,739	\$ 8,243	60.0%
Task 1.4 Bid Phase Assistance			\$ 36,834	\$ 18,417	50.0%
Task 1.5 Meetings			\$ 77,411	\$ 76,626	99.0%
Total Phase 3 Design	\$ 860,000	\$ 895,000	\$ 894,505	\$ 869,797	97.2%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000			
Preconstruction			\$ 24,580	\$ 24,580	100.0%
Construction - Burkhardt			\$ 4,042,171	\$ 3,051,302	75.5%
Approved Change Orders				\	
FPL Design Cost			\$ 12,850	\$ 1,350	10.5%
ATT Design Cost				\$ 5,000	
Comcast Design Cost				\$ 3,128	
FPL Construction			\$ 87,101	\$ 87,101	100.0%
Street Light Conversion				\$ 4,249	
Utility Costs (Comcast & ATT)			\$ 155,330	\$ 155,330	
Construction Engineering (KH)			\$ 236,976	\$ 164,976	69.6%
Daniella Construction - Nightingale/LaPuerta - Townwide portion			\$ 243,470	\$ 243,470	100.0%
FPL Nightingale/LaPuerta - Townwide Portion			\$ 74,900	\$ 74,900	100.0%
Comcast Nightingale/LaPuerta - Townwide Portion			\$ 8,885	\$ 8,885	100.0%
AT&T Nightingale/LaPuerta Townwide Portion			\$ 30,555	\$ 30,555	100.0%
Total Phase 3 North Construction	\$ 3,700,000	\$ 5,300,000	\$ 4,916,818	\$ 3,854,825	78.4%
Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000			
Preconstruction					
Construction			\$ 8,029,385		
Approved Change Orders					
FPL Construction			\$ 562,000		
FPL Design Cost			\$ 11,359	6,950	61.2%
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		
Total Phase 3 South Construction	\$ 6,090,000	\$ 8,875,000	\$ 9,545,412	\$ 15,078	0.2%
Easement Acquisition/Abandonment	\$ 260,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 273,390	\$ 270,913	99.1%
Legal Advertising				\$ 1,076	
Easement Amendment			\$ 49,285	\$ 27,822	
<i>Surveys</i>					
Task Legal Sketch South			\$ 37,436		
Jones Foster - Legal			\$ 25,000	\$ 15,555	
Recording Costs				\$ 4,041	
Easement Abandonment			\$ 28,387	\$ -	
Total Easement Acquisition Costs	\$ 260,000	\$ 330,000	\$ 413,498	\$ 319,407	77.2%
Total Phase 3 Costs	\$10,910,000	\$15,400,000	\$ 15,770,233	\$ 5,059,107	32.1%

Underground Utility Project Budget
Phase 4 Project Costs
September 30, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000		\$ 312,317	296,701	95.0%
Task 1.2 Phase 4 South Design	\$ 413,000		\$ 451,284	315,899	70.0%
Task 1.3 Permitting Assistance			\$ 14,468	-	0.0%
Task 1.4 Bid Phase Assistance			\$ 37,899	-	0.0%
Task 1.6 Meetings			\$ 77,911	77,383	99.3%
Total Phase 4 Design	\$ 815,000	\$ 894,000	\$ 893,879	689,983	77.2%
Construction Costs					
Phase 4 North Construction	4,605,000	6,275,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 12,757		
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 North Construction	\$ 4,605,000	\$ 6,275,000	\$ 12,757	8,128	63.7%
Phase 4 South Construction	4,710,000	7,640,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 13,160	1,350	
ATT Design Cost				5,000	
Comcast Design Cost				3,128	
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 South Construction	\$ 4,710,000	\$ 7,640,000	\$ 13,160	9,478	72.0%
Easement Acquisition/Abandonment	\$ 240,000	\$ 411,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 339,639	280,184	82.5%
Easement Assistance (KH) -- Switches			\$ 67,747	49,401	72.9%
Surveys					
Legal Sketch			\$ 38,230	26,710	69.9%
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
Recording Costs				2,989	
Easement Abandonment			\$ 24,086		
Total Easement Acquisition Costs	\$ 240,000	\$ 411,000	\$ 474,669	359,284	75.7%
Total Phase 4 Costs	\$ 10,370,000	\$ 15,220,000	\$ 1,394,465	1,066,872	76.5%

Underground Utility Project Budget
Phase 5 Project Costs
September 30, 2020

	Original OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	\$ 520,000		\$ 454,210	\$ 199,852	44.0%
Task 1.2 Phase 5 South Design	\$ 600,000		\$ 606,951	\$ 267,058	44.0%
Task 1.3 Permitting Assistance North					0.0%
Task 1.3 Permitting Assistance South			\$ 17,100		0.0%
Task 1.4 Bid Phase Assistance North			\$ 37,899		0.0%
Task 1.4 Bid Phase Assistance South					0.0%
Task 1.6 Meetings North			\$ 77,911	\$ 32,515	41.7%
Task 1.6 Meetings South					0.0%
Total Phase 5 Design	\$ 1,120,000	\$ 1,195,000	\$ 1,194,071	\$ 499,426	41.8%
Construction Costs					
Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 16,223	17,573	108.3%
Construction Engineering (KH)					
Total Phase 5 North Construction	\$ 5,890,000	\$ 8,055,000	\$ 21,223	\$ 22,573	106.4%
Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
AT&T Design			\$ 5,000	5,000	100.0%
FPL Design Costs			\$ 19,283	20,633	107.0%
Construction Engineering (KH)					
Total Phase 5 South Construction	\$ 6,750,000	\$ 10,545,000	\$ 24,283	\$ 25,633	105.6%
Easement Acquisition/Abandonment	\$ 330,000	\$ 365,000			
<i>Kimley Horn Easement Assistance</i>					
<i>Easement Assistance</i>			\$ 218,600	\$ 75,443	34.5%
<i>Easement Assistance</i>			\$ 81,086	\$ 20,701	25.5%
<i>Surveys</i>					
<i>Legal Sketch</i>			\$ 41,080	\$ 1,135	
<i>Jones Foster - Legal</i>					
<i>Recording Costs</i>				\$ 206	
<i>Easement Abandonment</i>			\$ 29,462	\$ -	
Total Easement Acquisition Costs	\$ 330,000	\$ 365,000	\$ 370,228	\$ 97,485	26.3%
Fema Grant		\$ (8,465,355)			
Total Phase 5 Costs	\$14,090,000	\$11,694,645	\$ 1,609,805	\$ 645,117	40.1%

Underground Utility Project Budget
Phase 6 Project Costs
September 30, 2020

	OPC	Dec 2019 OPC	Budget	Actual	% Expended
Phase 6 Design					
Kimley Horn					
Task 1.1 Phase 6 North Design	\$ 420,000		\$ 475,019	\$ 142,506	30.0%
Task 1.2 Phase 6 South Design	\$ 940,000		\$ 826,551	\$ 247,965	30.0%
Task 1.3 Permitting Assistance North					0.0%
Task 1.3 Permitting Assistance South			\$ 17,694		0.0%
Task 1.4 Bid Phase Assistance North			\$ 35,938		0.0%
Task 1.4 Bid Phase Assistance South					0.0%
Task 1.6 Meetings North			\$ 84,791	\$ 6,568	7.7%
Total Phase 6 Design	\$ 1,360,000	\$ 1,440,000	\$ 1,439,993	\$ 397,039	27.6%
Utility and Construction Costs					
Phase 6 North Construction	\$ 4,790,000	\$ 6,615,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 15,868	15,868	100.0%
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	\$ 15,868	\$ 15,868	100.0%
Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 19,394	19,394	100.0%
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 6 South Construction	\$ 10,270,000	\$ 12,298,000	\$ 19,394	\$ 19,394	100.0%
Easement Acquisition/Abandonment	\$ 400,000	\$ 447,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 351,594	\$ 3,911	1.1%
Surveys					
Legal Sketch			\$ 58,415		0.0%
Jones Foster - Legal					
Recording Costs				\$ 354	
Easement Abandonment			\$ 36,344	\$ -	0.0%
Total Easement Acquisition Costs	\$ 400,000	\$ 447,000	\$ 446,353	\$ 4,265	1.0%
Total Phase 6 Costs	\$ 16,820,000	\$ 20,800,000	\$ 1,921,608	\$ 436,566	22.7%

Underground Utility Project Budget
Other Project Costs
September 30, 2020

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	
Easement Abandonment	\$ 200,000	\$ 7,645	3.8%
Community Outreach	\$ 282,519	\$ 210,898	74.6%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Total Other Project Costs	\$ 1,180,414	\$ 928,441	78.7%

Debt Service and Related Debt Issuance Costs

	Budget	Actual	% Expended
Commercial Paper Issuance Cost		\$ 195,366	
Commercial Paper Fees		\$ 52,252	
Commercial Paper Interest		\$ 243,096	
GO Bond Closing Costs		\$ 487,471	
GO Bond Debt Service	\$ 6,098,350	\$ 5,852,631	96.0%
Total Debt Service and Related Debt Issuance Costs	\$ 6,098,350	\$ 6,830,814	112.0%

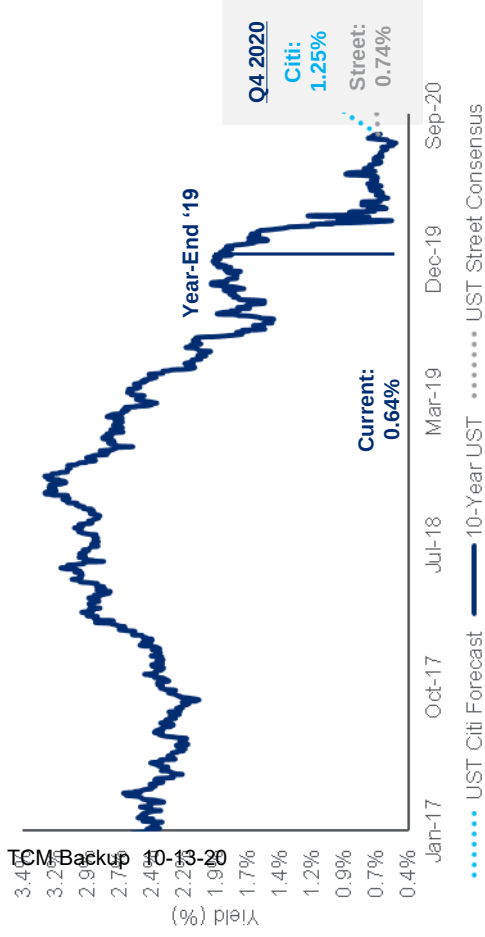
Related Costs Outside of the Underground Project Budget

	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		\$ 543,677	
PBT Real Estate v TPB		\$ 159,408	
Gardner, Bist Bowden, Bush (Shef Wright)		\$ 24,799	
Temp Services - Easement acquisition	\$ 40,000	\$ 61,369	153.4%
Project Manager -Pay and benefits	\$ 454,398	\$ 456,578	100.5%
Telecommunications Consultant	\$ 89,000	\$ 83,210	93.5%
Peter Brandt (Contract Negotiations)	\$ 35,000	\$ 23,735	67.8%
Total Related Costs Outside of the Budget	\$ 1,158,567	\$ 2,064,907	178.2%

U.S. Rate Forecasts

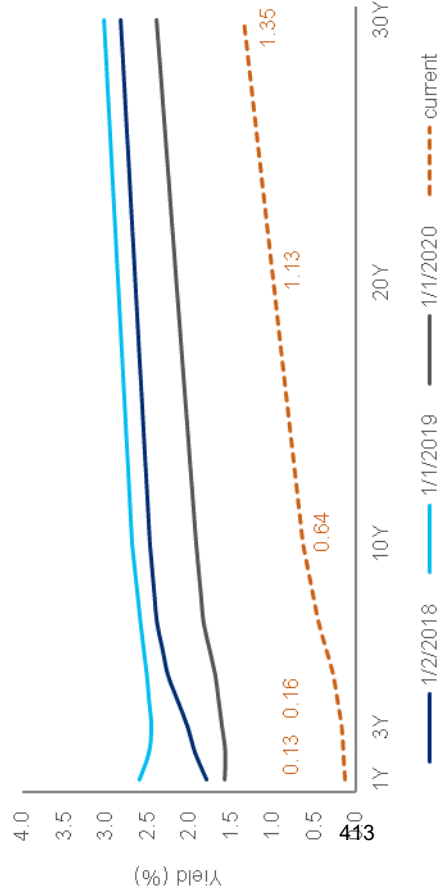
10-Year Treasury Yield Forecast

Citi is forecasting higher rates at year-end than the Street Consensus



US Treasury Yield Curve

The yield curve has fallen significantly as the coronavirus outbreak has prompted the Federal Reserve to cut interest rates as investors put on a flight-to-quality trade



Rate Forecasts

5-Year Treasury	Current	3Q20	4Q20	1Q21	2Q21	3Q21	4Q21
Citi's Forecast	0.27%	0.37%	0.50%	0.50%	0.50%	0.50%	0.50%
Economists' Consensus	0.30%	0.30%	0.35%	0.44%	0.53%	0.60%	0.65%

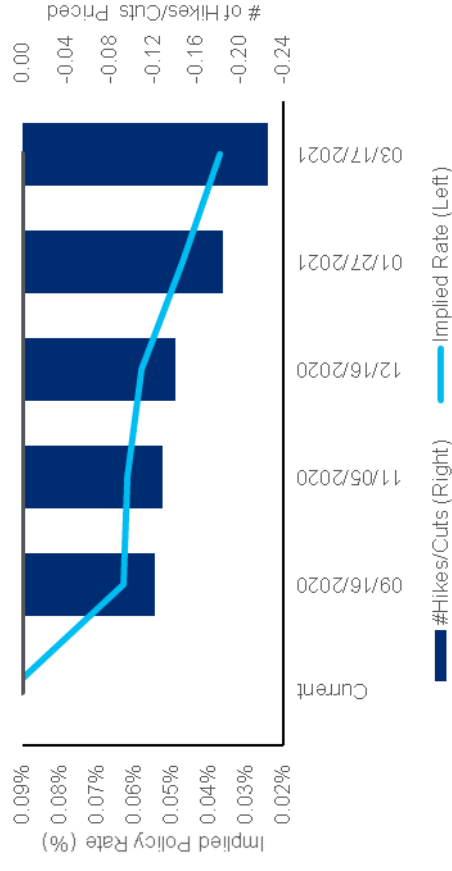
10-Year Treasury	Current	3Q20	4Q20	1Q21	2Q21	3Q21	4Q21
Citi's Forecast	0.64%	0.89%	1.25%	1.25%	1.25%	1.258%	1.25%
Economists' Consensus	0.65%	0.65%	0.74%	0.84%	0.94%	1.00%	1.01%

30-Year Treasury	Current	3Q20	4Q20	1Q21	2Q21	3Q21	4Q21
Citi's Forecast	1.35%	1.50%	1.75%	1.75%	1.75%	1.75%	1.75%
Economists' Consensus	1.35%	1.35%	1.42%	1.51%	1.61%	1.65%	1.75%

Fed Funds	Current	3Q20	4Q20	1Q21	2Q21	3Q21	4Q21
Citi's Forecast	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.50%
Economists' Consensus	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%	0.25%

Expectations of Fed Change in Interest Rates (Market View)

The market is pricing in lower interest rates throughout the next year



TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve the Design Services for Phase 7 and Phase 8 for Town-wide Undergrounding to Kimley-Horn and Associates, Inc. in the amount of \$2,387,791 with a Project Budget of \$2,587,791
Resolution No. 110-2020

DATE: October 5, 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 110-2020 for Design Services for Phase 7 and Phase 8 of the Town-wide Undergrounding Project to Kimley-Horn and Associates, Inc. in the Amount of \$2,387,791 with a Project Budget of \$2,587,791.

WHY THE DESIGN SERVICE FOR PHASE 7 AND 8 ARE REQUIRED NOW

Staff has experienced construction delays due to the difficulty in securing easements from the residents and property owners in Phases 1 through 4. Staff recommends moving forward on all remaining design phases as soon as possible to help reduce the potential of delays in Phase 8. By moving forward early with Phase 8 design, there is the potential of getting all required easements in a timely manner and actually combining Phases 7 and 8, which is a recommendation of the Peer Review. Lastly, this is an opportunity to take advantage of historically low interest rates. It may be possible to issue the second tranche of GO Bonds sometime next year if we are able to expedite the design, easement acquisition, and construction of the phases of the project yet to be complete.

GENERAL INFORMATION

Kimley-Horn and Associates, Inc. (Kimley-Horn) were selected through a CCNA solicitation for the design of the Town-Wide Undergrounding of Utilities Program to provide services related to the overall program implementation which included but may not be limited to development of a master plan, design, construction oversight, easement acquisition support, and coordination with utilities for design and construction. At the time of award, the Town negotiated a master contract which established rates and allowable rate adjustments for the life of the contract.

The Master Plan that was completed under the master contract established the phases, the schedule, and the opinion of cost. The program has been broken into eight (8) distinct phases and seven (7) of the eight (8) phases are broken into a north and south sub-phase. So far, the Town has awarded design of Phases 1, 2, 3, 4, 5, and 6. The proposal for Phase 7 was received July 17, 2020. The proposal for Phase 8 was received October 2, 2020.

Phase 7 services include the North Design Services (Via Marila to Country Club Road) and Phase 7 South Design Services (Sanford Avenue to Atlantic Avenue). Phase 8 includes Design Services (Royal Poinciana Way to Atlantic Avenue).

FUNDING/FISCAL IMPACT

Funding for the Design Services will be from the Underground Utility Fund.

PUBLIC WORKS REVIEW

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Paul Brazil, Public Works Director
Patricia Strayer, P.E., Town Engineer
Steven Stern, Utilities Project Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 110-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE DESIGN SERVICES FOR PHASE 7 AND PHASE 8 FOR TOWN-WIDE UNDERGROUNDING TO KIMLEY-HORN AND ASSOCIATES, INC. IN THE AMOUNT OF \$2,387,791 WITH A PROJECT BUDGET OF \$2,587,791

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. 110-2020, approving the Design Services for Phase 7 and Phase 8 for Town-wide Undergrounding to Kimley-Horn and Associates, Inc in the Amount of \$2,387,791 with a Project Budget of \$2,587,791.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk



July 17, 2020

Dean Mealy, II CPPO
Town of Palm Beach – Purchasing Division
951 Okeechobee Road, Suite 'D'
West Palm Beach, FL 33401

RE: *Town-Wide Undergrounding of Utilities Program: Phase 7 Design Services*

Dear Dean,

The Kimley-Horn and Associates, Inc. team ("Kimley-Horn") is pleased to submit this proposal to the Town of Palm Beach ("Town") for providing engineering services related to the design of Phase 7 for the Town-wide Undergrounding of Utilities Program. Our project understanding, scope of services, schedule, and fee follow.

Project Understanding

The Town has requested that the design phase for the two Phase 7 project areas (Phase 7 North and Phase 7 South) commence now so that construction can begin in 2023. These two areas will be from approximately Via Marila to Country Club Road and from approximately Sanford Avenue to Atlantic Avenue. These areas are in general accordance with the overall program phasing limits identified in the master plan.

It is understood that FPL, ATT, and Comcast all have facilities on utility poles in the Phase 7 areas. These poles are generally located in rear lot easements or in the public rights-of-way. New underground electric and communications infrastructure is planned to be installed within the road rights-of-way and in new front lot easements to contain the new underground facilities. Once the new facilities have been installed, activated, and the services cut over, the rear lot poles and wires will be removed. Kimley-Horn will coordinate with FPL, ATT and Comcast to develop the electric and communications infrastructure design for the area. In general, each utility will develop the electric and communications network design and Kimley-Horn will develop the detailed conduit plan to support the network designs prepared by each utility.

There are a number of light fixtures attached to the FPL poles through each of the Phase 7 project areas. It is understood that these existing streetlights will need to be replaced with new FPL streetlights where such lights exist in the right-of-way. Lights that exist in rear yard easements will not be replaced.

There has been discussion regarding watermain replacements across the island that should occur during the undergrounding program. Discussions between the Town and the City have yielded a conclusion that watermain work would only be performed if required to move a watermain due to a conflict with the undergrounding work. Therefore, no intentional watermain replacement design is included in this proposal.

Based on this understanding, our detailed scope of services is provided below.

Scope of Services

Task 1.1 – Phase 7 North Design Services (Via Marila to Country Club Road)

Kimley-Horn will conduct a kickoff meeting with the Town to coordinate our services. Kimley-Horn will conduct a site visit to review the field conditions and identify existing meter locations. Letter notification mailers will be sent by the Town to affected residents. A design ticket will be called into Sunshine 811 such that utility companies having infrastructure in the area can be identified. We will then obtain and review available record drawings and data for the project area that may impact the design.

Kimley-Horn will perform a topographical survey of the public rights-of-way and accessible alleyways/easements. Rim and invert elevations for storm and sanitary utilities will be provided. Topographical spot elevations will be shown on 100-foot intervals along the conduit routes with additional detail at each intersection. Landscape areas within 4-feet of the roadway curb will be identified, and trees larger than 6-inch in diameter within 4-feet of the roadway curb will be located. The survey will also provide parcel limits within the project area based on plat/property appraiser data, including platted easements.

Kimley-Horn will obtain the horizontal and vertical locations of a representative number of known utilities within the project area. Up to twenty-five (25) soft-dig utility locates will be performed to determine the vertical and horizontal locations of known utilities. This information will be incorporated into the drawings to determine the proposed power and communication conduit runs within the right-of-way.

Kimley-Horn will review the survey and utility record drawing data obtained to develop an overall base map. Known and available utility record information will be added to the base map to aid in the coordination of the design efforts. This utility base map will be provided to FPL, ATT, Comcast, and other communications companies, if applicable, for their use in their network design efforts.

Kimley-Horn will perform a geotechnical investigation within the project area. The purpose of this investigation is to gather information regarding the existing pavement and base thickness and provide information to the selected contractor regarding soil conditions that will be encountered on the project. Up to five (5) 10-foot deep Standard Penetration Tests will be performed within the existing roadways to gather the geotechnical and pavement information. This information will be presented in a brief technical report.

We will coordinate the design of the underground infrastructure with FPL, ATT, and Comcast in order to develop the supplementary conduit plan. It is understood that the Town will pay the design and construction fees assessed by FPL, ATT, Comcast, and other communications companies (if applicable) directly. Aboveground infrastructure required to support the underground system (Transformers, switch cabinets, pedestals, etc.) will be shown on the plans. Service line routes to the individual homes will be schematically shown so that exact routes can be field coordinated with the property owners by the contractor during construction.

Kimley-Horn will perform individual commercial service conductor sizing and voltage drop calculations to verify the proposed commercial service conductors meet minimum NEC requirements and necessary ampacity ratings for the customer load. Up to two (2) commercial service conductors will be sized under

this task. It is assumed that FPL will size all residential services and that these services will be owned and maintained by FPL. Existing underground services will be maintained to the greatest extent practical although it is anticipated that some will need to be replaced in order to convert the service from the rear alley to the front street.

It is anticipated that the final undergrounding construction documents may contain the following information:

- Cover Sheet
- Survey
- General Notes (up to 4 sheets)
- Overall Site Plan (up to 1 sheet)
- Conduit/Equipment plan (up to 31x2 sheets, 1"=20')
- Equipment Details (up to 8 sheets)
- Trench and Conduit Details (up to 2 sheets)
- Construction / Restoration Details (up to 2 sheets)
- Commercial Service Sizing Spreadsheet (up to 1 sheet)
- Street Light Replacement Locations and Details (up to 1 sheet)
- Landscape Plan (up to 14 sheets)
- Planting Details and Notes (up to 2 sheets)
- Technical Specifications

It is understood that the Town is pursuing the installation of FPL LED lighting and that FPL will perform the detailed design and installation of the poles, conductor, and service points. Kimley-Horn will provide a street lighting exhibit to FPL for use in their design of new LED lighting under the LT1 tariff. Use of this tariff is expected to minimize conduit needed for new street lighting. It is not expected that any conduit will need to be installed by the Town for street lighting, rather FPL will install necessary conduit when they install the new lights.

Kimley-Horn will submit deliverables for review at the following milestones:

- Survey Complete
- Utility Base Map Complete
- Equipment Location Plan Complete
- Conduit Routing Plan Complete

Kimley-Horn will address one (1) round of reasonable comments after Town review of the Equipment Location Plan and Conduit Routing Plan submittals. During the design process, we will continue to coordinate with FPL, ATT, and Comcast to ultimately obtain their final network designs and cost estimates. An opinion of cost for the project areas will be submitted with the final construction document submittal. We will also submit the plans to FPL, ATT and Comcast for coordination purposes concurrently with the Town submittals. We have assumed that ARCOM review and approval will not be required for the landscaping that may be required to screen the above grade equipment on the project. If ARCOM approval is deemed to be required by the Town, we can provide these services as an additional service.

No Town infrastructure improvements beyond the underground conversion are currently contemplated in the Phase 7 North area. If it becomes known through our coordination with the Town during this phase of the project that additional infrastructure improvements should be incorporated into the design, we can perform such design as an additional service.

Task 1.2 – Phase 7 South Design Services (Sanford Avenue to Atlantic Avenue)

Kimley-Horn will conduct a kickoff meeting with the Town to coordinate our services. Kimley-Horn will conduct a site visit to review the field conditions and identify existing meter locations. Letter notification mailers will be sent by the Town to affected residents. A design ticket will be called into Sunshine 811 such that utility companies having infrastructure in the area can be identified. We will then obtain and review available record drawings and data for the project area that may impact the design.

Kimley-Horn will perform a topographical survey of the public rights-of-way and accessible alleyways/easements. Rim and invert elevations for storm and sanitary utilities will be provided. Topographical spot elevations will be shown on 100-foot intervals along the conduit routes with additional detail at each intersection. Landscape areas within 4-feet of the roadway curb will be identified, and trees larger than 6-inch in diameter within 4-feet of the roadway curb will be located. The survey will also provide parcel limits within the project area based on plat/property appraiser data, including platted easements.

Kimley-Horn will obtain the horizontal and vertical locations of a representative number of known utilities within the project area. Up to fifty (50) soft-dig utility locates will be performed in order to verify the vertical and horizontal locations of known utilities. This information will be incorporated into the drawings to determine the proposed power and communication conduit runs within the right-of-way.

Kimley-Horn will review the survey and utility record drawing data obtained to develop an overall base map. Known and available utility record information will be added to the base map to aid in the coordination of the design efforts. This utility base map will be provided to FPL, ATT, Comcast, and other communications companies, if applicable, for their use in their network design efforts.

Kimley-Horn will perform a geotechnical investigation within the project area. The purpose of this investigation is to gather information regarding the existing pavement and base thickness and provide information to the selected contractor regarding soil conditions that will be encountered on the project. Up to five (5) 10-foot deep Standard Penetration Tests will be performed within the existing roadways to gather the geotechnical and pavement information. This information will be presented in a brief technical report.

We will coordinate the design of the underground infrastructure with FPL, ATT, and Comcast in order to develop the supplementary conduit plan. It is understood that the Town will pay the design and construction fees assessed by FPL, ATT, Comcast, and other communications companies (if applicable) directly. Aboveground infrastructure required to support the underground system (Transformers, switch cabinets, pedestals, etc.) will be shown on the plans. Service line routes to the individual homes and businesses will be schematically shown so that exact routes can be field coordinated with the property owners by the contractor during construction.

Kimley-Horn will perform individual commercial service conductor sizing and voltage drop calculations to verify the proposed commercial service conductors meet minimum NEC requirements and necessary ampacity ratings for the customer load. Up to six (6) commercial service conductors will be sized under this task. It is assumed that FPL will size all residential services and that these services will be owned and maintained by FPL. Existing underground services will be maintained to the greatest extent practical although it is anticipated that some will need to be replaced in order to convert the service from the rear alley to the front street.

It is anticipated that the final undergrounding construction documents may contain the following information:

- Cover Sheet
- Survey
- General Notes (up to 4 sheets)
- Overall Site Plan (up to 1 sheet)
- Conduit/Equipment plan (up to 30x2 sheets, 1"=20')
- Equipment Details (up to 6 sheets)
- Trench and Conduit Details (up to 2 sheets)
- Construction / Restoration Details (up to 2 sheets)
- Electrical Service Sizing Spreadsheet (up to 2 sheets)
- Street Light Replacement Location Exhibit (up to 1 sheet)
- Landscape Plan (up to 14 sheets)
- Planting Details and Notes (up to 2 sheets)
- Technical Specifications

It is understood that the Town is pursuing the installation of FPL LED lighting and that FPL will perform the detailed design and installation of the poles, conductor, and service points. Kimley-Horn will provide a street lighting exhibit to FPL for use in their design of new LED lighting under the LT1 tariff. Use of this tariff is expected to minimize conduit needed for new street lighting. It is not expected that any conduit will need to be installed by the Town for street lighting, rather FPL will install necessary conduit when they install the new lights.

Kimley-Horn will submit deliverables for review at the following milestones:

- Survey Complete
- Utility Base Map Complete
- Equipment Location Plan Complete
- Conduit Routing Plan Complete

Kimley-Horn will address one (1) round of reasonable comments after Town review of the Equipment Location Plan and Conduit Routing Plan submittals. During the design process, we will continue to coordinate with FPL, ATT, and Comcast to ultimately obtain their final network designs and cost estimates. An opinion of cost for the project areas will be submitted with the final construction document submittal. We will also submit the plans to FPL, ATT and Comcast for coordination purposes concurrently with the Town submittals. We have assumed that ARCOM review and approval will not be required for the landscaping that may be required to screen the above grade equipment on the

project. If ARCOM approval is deemed to be required by the Town, we can provide these services as an additional service.

No Town infrastructure improvements beyond the underground conversion are currently contemplated in the Phase 7 South area. If it becomes known through our coordination with the Town during this phase of the project that additional infrastructure improvements should be incorporated into the design, we can perform such design as an additional service.

Task 1.3 – Bid Phase Services [Phase 7 North / Phase 7 South]

Kimley-Horn will prepare the construction documents for bidding by the Town's Construction Manager. We will prepare the construction documents for bidding, attend pre-bid meetings for the north and south project areas (up to two (2) pre-bid meetings) and respond to requests for clarification during the bidding process. We will review the GMP bid proposals received for each project area and attend up to four (4) meetings with the Town to discuss our comments. A summary memorandum will be provided to the Town describing the results of the bidding process.

It has been assumed that the Town or Construction Manager will prepare the "front end" bidding instructions and contract paperwork. Therefore, the preparation of these items is not included in this proposal.

Task 1.4 – Meetings [Phase 7 North / Phase 7 South]

Kimley-Horn and our sub-consultant team members, as appropriate, will attend scheduled project meetings as described below during the design phase of the project:

- Project kickoff meeting
- Team progress meetings (monthly, up to 12)
- Town point-of-contact meetings and other general meetings with Town staff, utility owners, etc. (up to 6)
- Underground Utility Task Force meetings (up to 6)
- Stakeholder meetings (FPU, FDOT, Community, etc.) (up to 6)

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope requested by the Town, will be considered additional services and will be performed based on proposals approved prior to performance of the additional services.

Information and Services Provided By the Town

The following information shall be provided to Kimley-Horn:

- Utility record drawing information as may be available
- Access to the project areas
- Town Project Manager services to prepare letter notices, easement documentation, coordinate the execution of easements, perform title searches (if required), and recording of easements.
- Access to Town facilities for public meetings and public gatherings as needed

Schedule

Kimley-Horn will perform the scope of services above as expeditiously as practical to meet a mutually agreed upon schedule. It is anticipated that services will begin in September 2020 and will be completed by May 2023.

Fee and Billing

Kimley-Horn will perform the services in Tasks 1.1 through 1.3 for the total lump sum fees listed below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client. Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

Task 1.1 – Phase 7 North Design Services	\$492,488
Task 1.2 – Phase 7 South Design Services	\$630,830
Task 1.3 – Bid Phase Services [Phase 7 North / Phase 7 South]	\$ 35,938

Kimley-Horn will perform the services in Task 1.4 on a labor fee plus expense basis with the estimated labor and expense fees shown below. Kimley-Horn will not exceed the total maximum labor and expense fee shown without authorization from the Client.

Task 1.4 – Meetings [Phase 7 North / Phase 7 South]	\$ 77,616
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Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in the Master Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc., Professional Engineering Services for the Town-Wide Undergrounding of Utilities Program RFQ No. 2016-07, which are incorporated by reference. As used in the Agreement, the term "CONSULTANT" shall refer to Kimley-Horn and Associates, Inc., and the term "TOWN" shall refer to The Town of Palm Beach.

If you concur in all the foregoing and wish to direct us to proceed with the services, please notify us by providing a purchase order for the scope and fee described above.

We appreciate the opportunity to provide these services to you. Please contact me at (561) 840-0820 or kevin.schanen@kimley-horn.com should you have any questions.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.



By: Kevin Schanen, P.E.
Senior Vice President

Attachment

K:\WPB_Civil\General\JohnsonBrett\Marketing\Proposals\PalmBeachTownOf2019_0719_Phase6Design\2019_0917_Agreement.docx

TO: Dean Mealy, Director of Purchasing

VIA: H. Paul Brazil, P.E., Director of Public Works *HPB*

FROM: Patricia Strayer, P.E., Town Engineer *PS*

RE: Review and Approval of Phase 7 Design Services for Town-Wide Undergrounding of Utilities Program

DATE: August 25, 2020

Kimley Horn and Associates were selected through a CCNA solicitation for the design of the Town-Wide Undergrounding of Utilities Program to provide services related to the overall program implementation which included but may not be limited to development of a master plan, design, construction oversight, easement acquisition support, and coordination with utilities for design and construction. At the time of award, the Town negotiated a master contract which established rates and allowable rate adjustments for the life of the contract.

The Master Plan that was completed under the master contract established the phases, the schedule and the opinion of cost. The program has been broken into 8 distinct phases and 7 of the 8 phases are broken into a north and south sub phase. So far the Town has awarded design of Phases 1, 2, 3, 4, 5 and 6. The proposal for Phase 7 was received July 17, 2020. Other proposals received at this time were the Phase 3 South Construction Oversight and the Phase 4, 7, and 8 easement acquisition support.

I have reviewed each of the attached proposals based on the following criteria:

1. Are the rates consistent with the approved rates?
2. Is the overall budget of the proposal within budget as estimated in the master plan or the updated opinion of cost from November 2019?
3. Are the hours proposed for the work to be completed consistent with the scope of work and reasonable?

It is important to note that Kimley Horn has increased the approved contract rates each year per the contract agreement with the exception of this year. This year, July 2020, they did not submit a change in rates. Therefore, the rates used for each of the attached proposals are utilizing approved rates from July 2019. Next the proposal for the design of Phase 7 is consistent with the budget. The construction oversight for Phase 3 South is also consistent with the budget. The level of effort and hours proposed is consistent with previous phases. The proposal for Easement Acquisition is unique because this scope has typically been included in the scope for each phase of design. Due to the extent of negotiations and redesign of easement proposals in Phase 4, these funds have been completely expended. It is important to note that while the majority of task performed in Phase 4 design was contracted as a lump sum the easement assistance and the meetings are done as not to exceed time and materials. As staff recognized funds were going to be exceeded in the easement assistance task in Phase 4, staff recommended that a proposal be submitted for easement assistance for the remainder of Phase 4, plus the remaining phases to be designed. Therefore, Phase 7 Design proposal does not include easement assistance, and the comparison for level of effort was compared without that task included. The proposal for easement assistance is a time and materials not to exceed cost proposal. The level of work for easement acquisition has exceed all of staff's estimates due to the difficulty in negotiating easement locations.

My review of the attached proposals finds that they meet the above mentioned criteria. I recommend approval of the proposals.



July 17, 2020

Dean Mealy, II CPPO
Town of Palm Beach – Purchasing Division
951 Okeechobee Road, Suite 'D'
West Palm Beach, FL 33401

RE: *Town-Wide Undergrounding of Utilities Program: Phase 7 Design Services*

Dear Dean,

The Kimley-Horn and Associates, Inc. team ("Kimley-Horn") is pleased to submit this proposal to the Town of Palm Beach ("Town") for providing engineering services related to the design of Phase 7 for the Town-wide Undergrounding of Utilities Program. Our project understanding, scope of services, schedule, and fee follow.

Project Understanding

The Town has requested that the design phase for the two Phase 7 project areas (Phase 7 North and Phase 7 South) commence now so that construction can begin in 2023. These two areas will be from approximately Via Marila to Country Club Road and from approximately Sanford Avenue to Atlantic Avenue. These areas are in general accordance with the overall program phasing limits identified in the master plan.

It is understood that FPL, ATT, and Comcast all have facilities on utility poles in the Phase 7 areas. These poles are generally located in rear lot easements or in the public rights-of-way. New underground electric and communications infrastructure is planned to be installed within the road rights-of-way and in new front lot easements to contain the new underground facilities. Once the new facilities have been installed, activated, and the services cut over, the rear lot poles and wires will be removed. Kimley-Horn will coordinate with FPL, ATT and Comcast to develop the electric and communications infrastructure design for the area. In general, each utility will develop the electric and communications network design and Kimley-Horn will develop the detailed conduit plan to support the network designs prepared by each utility.

There are a number of light fixtures attached to the FPL poles through each of the Phase 7 project areas. It is understood that these existing streetlights will need to be replaced with new FPL streetlights where such lights exist in the right-of-way. Lights that exist in rear yard easements will not be replaced.

There has been discussion regarding watermain replacements across the island that should occur during the undergrounding program. Discussions between the Town and the City have yielded a conclusion that watermain work would only be performed if required to move a watermain due to a conflict with the undergrounding work. Therefore, no intentional watermain replacement design is included in this proposal.

Based on this understanding, our detailed scope of services is provided below.

Scope of Services

Task 1.1 – Phase 7 North Design Services (Via Marila to Country Club Road)

Kimley-Horn will conduct a kickoff meeting with the Town to coordinate our services. Kimley-Horn will conduct a site visit to review the field conditions and identify existing meter locations. Letter notification mailers will be sent by the Town to affected residents. A design ticket will be called into Sunshine 811 such that utility companies having infrastructure in the area can be identified. We will then obtain and review available record drawings and data for the project area that may impact the design.

Kimley-Horn will perform a topographical survey of the public rights-of-way and accessible alleyways/easements. Rim and invert elevations for storm and sanitary utilities will be provided. Topographical spot elevations will be shown on 100-foot intervals along the conduit routes with additional detail at each intersection. Landscape areas within 4-feet of the roadway curb will be identified, and trees larger than 6-inch in diameter within 4-feet of the roadway curb will be located. The survey will also provide parcel limits within the project area based on plat/property appraiser data, including platted easements.

Kimley-Horn will obtain the horizontal and vertical locations of a representative number of known utilities within the project area. Up to twenty-five (25) soft-dig utility locates will be performed to determine the vertical and horizontal locations of known utilities. This information will be incorporated into the drawings to determine the proposed power and communication conduit runs within the right-of-way.

Kimley-Horn will review the survey and utility record drawing data obtained to develop an overall base map. Known and available utility record information will be added to the base map to aid in the coordination of the design efforts. This utility base map will be provided to FPL, ATT, Comcast, and other communications companies, if applicable, for their use in their network design efforts.

Kimley-Horn will perform a geotechnical investigation within the project area. The purpose of this investigation is to gather information regarding the existing pavement and base thickness and provide information to the selected contractor regarding soil conditions that will be encountered on the project. Up to five (5) 10-foot deep Standard Penetration Tests will be performed within the existing roadways to gather the geotechnical and pavement information. This information will be presented in a brief technical report.

We will coordinate the design of the underground infrastructure with FPL, ATT, and Comcast in order to develop the supplementary conduit plan. It is understood that the Town will pay the design and construction fees assessed by FPL, ATT, Comcast, and other communications companies (if applicable) directly. Aboveground infrastructure required to support the underground system (Transformers, switch cabinets, pedestals, etc.) will be shown on the plans. Service line routes to the individual homes will be schematically shown so that exact routes can be field coordinated with the property owners by the contractor during construction.

Kimley-Horn will perform individual commercial service conductor sizing and voltage drop calculations to verify the proposed commercial service conductors meet minimum NEC requirements and necessary ampacity ratings for the customer load. Up to two (2) commercial service conductors will be sized under

this task. It is assumed that FPL will size all residential services and that these services will be owned and maintained by FPL. Existing underground services will be maintained to the greatest extent practical although it is anticipated that some will need to be replaced in order to convert the service from the rear alley to the front street.

It is anticipated that the final undergrounding construction documents may contain the following information:

- Cover Sheet
- Survey
- General Notes (up to 4 sheets)
- Overall Site Plan (up to 1 sheet)
- Conduit/Equipment plan (up to 31x2 sheets, 1"=20')
- Equipment Details (up to 8 sheets)
- Trench and Conduit Details (up to 2 sheets)
- Construction / Restoration Details (up to 2 sheets)
- Commercial Service Sizing Spreadsheet (up to 1 sheet)
- Street Light Replacement Locations and Details (up to 1 sheet)
- Landscape Plan (up to 14 sheets)
- Planting Details and Notes (up to 2 sheets)
- Technical Specifications

It is understood that the Town is pursuing the installation of FPL LED lighting and that FPL will perform the detailed design and installation of the poles, conductor, and service points. Kimley-Horn will provide a street lighting exhibit to FPL for use in their design of new LED lighting under the LT1 tariff. Use of this tariff is expected to minimize conduit needed for new street lighting. It is not expected that any conduit will need to be installed by the Town for street lighting, rather FPL will install necessary conduit when they install the new lights.

Kimley-Horn will submit deliverables for review at the following milestones:

- Survey Complete
- Utility Base Map Complete
- Equipment Location Plan Complete
- Conduit Routing Plan Complete

Kimley-Horn will address one (1) round of reasonable comments after Town review of the Equipment Location Plan and Conduit Routing Plan submittals. During the design process, we will continue to coordinate with FPL, ATT, and Comcast to ultimately obtain their final network designs and cost estimates. An opinion of cost for the project areas will be submitted with the final construction document submittal. We will also submit the plans to FPL, ATT and Comcast for coordination purposes concurrently with the Town submittals. We have assumed that ARCOM review and approval will not be required for the landscaping that may be required to screen the above grade equipment on the project. If ARCOM approval is deemed to be required by the Town, we can provide these services as an additional service.

No Town infrastructure improvements beyond the underground conversion are currently contemplated in the Phase 7 North area. If it becomes known through our coordination with the Town during this phase of the project that additional infrastructure improvements should be incorporated into the design, we can perform such design as an additional service.

Task 1.2 – Phase 7 South Design Services (Sanford Avenue to Atlantic Avenue)

Kimley-Horn will conduct a kickoff meeting with the Town to coordinate our services. Kimley-Horn will conduct a site visit to review the field conditions and identify existing meter locations. Letter notification mailers will be sent by the Town to affected residents. A design ticket will be called into Sunshine 811 such that utility companies having infrastructure in the area can be identified. We will then obtain and review available record drawings and data for the project area that may impact the design.

Kimley-Horn will perform a topographical survey of the public rights-of-way and accessible alleyways/easements. Rim and invert elevations for storm and sanitary utilities will be provided. Topographical spot elevations will be shown on 100-foot intervals along the conduit routes with additional detail at each intersection. Landscape areas within 4-feet of the roadway curb will be identified, and trees larger than 6-inch in diameter within 4-feet of the roadway curb will be located. The survey will also provide parcel limits within the project area based on plat/property appraiser data, including platted easements.

Kimley-Horn will obtain the horizontal and vertical locations of a representative number of known utilities within the project area. Up to fifty (50) soft-dig utility locates will be performed in order to verify the vertical and horizontal locations of known utilities. This information will be incorporated into the drawings to determine the proposed power and communication conduit runs within the right-of-way.

Kimley-Horn will review the survey and utility record drawing data obtained to develop an overall base map. Known and available utility record information will be added to the base map to aid in the coordination of the design efforts. This utility base map will be provided to FPL, ATT, Comcast, and other communications companies, if applicable, for their use in their network design efforts.

Kimley-Horn will perform a geotechnical investigation within the project area. The purpose of this investigation is to gather information regarding the existing pavement and base thickness and provide information to the selected contractor regarding soil conditions that will be encountered on the project. Up to five (5) 10-foot deep Standard Penetration Tests will be performed within the existing roadways to gather the geotechnical and pavement information. This information will be presented in a brief technical report.

We will coordinate the design of the underground infrastructure with FPL, ATT, and Comcast in order to develop the supplementary conduit plan. It is understood that the Town will pay the design and construction fees assessed by FPL, ATT, Comcast, and other communications companies (if applicable) directly. Aboveground infrastructure required to support the underground system (Transformers, switch cabinets, pedestals, etc.) will be shown on the plans. Service line routes to the individual homes and businesses will be schematically shown so that exact routes can be field coordinated with the property owners by the contractor during construction.

Kimley-Horn will perform individual commercial service conductor sizing and voltage drop calculations to verify the proposed commercial service conductors meet minimum NEC requirements and necessary ampacity ratings for the customer load. Up to six (6) commercial service conductors will be sized under this task. It is assumed that FPL will size all residential services and that these services will be owned and maintained by FPL. Existing underground services will be maintained to the greatest extent practical although it is anticipated that some will need to be replaced in order to convert the service from the rear alley to the front street.

It is anticipated that the final undergrounding construction documents may contain the following information:

- Cover Sheet
- Survey
- General Notes (up to 4 sheets)
- Overall Site Plan (up to 1 sheet)
- Conduit/Equipment plan (up to 30x2 sheets, 1"=20')
- Equipment Details (up to 6 sheets)
- Trench and Conduit Details (up to 2 sheets)
- Construction / Restoration Details (up to 2 sheets)
- Electrical Service Sizing Spreadsheet (up to 2 sheets)
- Street Light Replacement Location Exhibit (up to 1 sheet)
- Landscape Plan (up to 14 sheets)
- Planting Details and Notes (up to 2 sheets)
- Technical Specifications

It is understood that the Town is pursuing the installation of FPL LED lighting and that FPL will perform the detailed design and installation of the poles, conductor, and service points. Kimley-Horn will provide a street lighting exhibit to FPL for use in their design of new LED lighting under the LT1 tariff. Use of this tariff is expected to minimize conduit needed for new street lighting. It is not expected that any conduit will need to be installed by the Town for street lighting, rather FPL will install necessary conduit when they install the new lights.

Kimley-Horn will submit deliverables for review at the following milestones:

- Survey Complete
- Utility Base Map Complete
- Equipment Location Plan Complete
- Conduit Routing Plan Complete

Kimley-Horn will address one (1) round of reasonable comments after Town review of the Equipment Location Plan and Conduit Routing Plan submittals. During the design process, we will continue to coordinate with FPL, ATT, and Comcast to ultimately obtain their final network designs and cost estimates. An opinion of cost for the project areas will be submitted with the final construction document submittal. We will also submit the plans to FPL, ATT and Comcast for coordination purposes concurrently with the Town submittals. We have assumed that ARCOM review and approval will not be required for the landscaping that may be required to screen the above grade equipment on the

project. If ARCOM approval is deemed to be required by the Town, we can provide these services as an additional service.

No Town infrastructure improvements beyond the underground conversion are currently contemplated in the Phase 7 South area. If it becomes known through our coordination with the Town during this phase of the project that additional infrastructure improvements should be incorporated into the design, we can perform such design as an additional service.

Task 1.3 – Bid Phase Services [Phase 7 North / Phase 7 South]

Kimley-Horn will prepare the construction documents for bidding by the Town's Construction Manager. We will prepare the construction documents for bidding, attend pre-bid meetings for the north and south project areas (up to two (2) pre-bid meetings) and respond to requests for clarification during the bidding process. We will review the GMP bid proposals received for each project area and attend up to four (4) meetings with the Town to discuss our comments. A summary memorandum will be provided to the Town describing the results of the bidding process.

It has been assumed that the Town or Construction Manager will prepare the "front end" bidding instructions and contract paperwork. Therefore, the preparation of these items is not included in this proposal.

Task 1.4 – Meetings [Phase 7 North / Phase 7 South]

Kimley-Horn and our sub-consultant team members, as appropriate, will attend scheduled project meetings as described below during the design phase of the project:

- Project kickoff meeting
- Team progress meetings (monthly, up to 12)
- Town point-of-contact meetings and other general meetings with Town staff, utility owners, etc. (up to 6)
- Underground Utility Task Force meetings (up to 6)
- Stakeholder meetings (FPU, FDOT, Community, etc.) (up to 6)

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope requested by the Town, will be considered additional services and will be performed based on proposals approved prior to performance of the additional services.

Information and Services Provided By the Town

The following information shall be provided to Kimley-Horn:

- Utility record drawing information as may be available
- Access to the project areas
- Town Project Manager services to prepare letter notices, easement documentation, coordinate the execution of easements, perform title searches (if required), and recording of easements.
- Access to Town facilities for public meetings and public gatherings as needed

Schedule

Kimley-Horn will perform the scope of services above as expeditiously as practical to meet a mutually agreed upon schedule. It is anticipated that services will begin in September 2020 and will be completed by May 2023.

Fee and Billing

Kimley-Horn will perform the services in Tasks 1.1 through 1.3 for the total lump sum fees listed below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client. Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

Task 1.1 – Phase 7 North Design Services	\$492,488
Task 1.2 – Phase 7 South Design Services	\$630,830
Task 1.3 – Bid Phase Services [Phase 7 North / Phase 7 South]	\$ 35,938

Kimley-Horn will perform the services in Task 1.4 on a labor fee plus expense basis with the estimated labor and expense fees shown below. Kimley-Horn will not exceed the total maximum labor and expense fee shown without authorization from the Client.

Task 1.4 – Meetings [Phase 7 North / Phase 7 South]	\$ 77,616
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A yellow sticky note with a blue ink signature and the handwritten number 1,236,872.

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 Master Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc., Professional Engineering Services for the Town-Wide Undergrounding of Utilities Program RFQ No. 2016-07, which are incorporated by reference. As used in the Agreement, the term "CONSULTANT" shall refer to Kimley-Horn and Associates, Inc., and the term "TOWN" shall refer to The Town of Palm Beach.

If you concur in all the foregoing and wish to direct us to proceed with the services, please notify us by providing a purchase order for the scope and fee described above.

We appreciate the opportunity to provide these services to you. Please contact me at (561) 840-0820 or kevin.schanen@kimley-horn.com should you have any questions.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.



By: Kevin Schanen, P.E.
Senior Vice President

Attachment

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October 2, 2020

Dean Mealy, II CPPO
Town of Palm Beach – Purchasing Division
951 Okeechobee Road, Suite 'D'
West Palm Beach, FL 33401

RE: *Town-Wide Undergrounding of Utilities Program: Phase 8 Design Services*

Dear Dean,

The Kimley-Horn and Associates, Inc. team ("Kimley-Horn") is pleased to submit this proposal to the Town of Palm Beach ("Town") for providing engineering services related to the design of Phase 8 for the Town-wide Undergrounding of Utilities Program. Our project understanding, scope of services, schedule, and fee follow.

Project Understanding

The Town has requested that the design phase for the Phase 8 project area commence now so that construction can begin in 2024. This area will be from approximately Royal Poinciana Way to Atlantic Avenue. This area is in general accordance with the overall program phasing limits identified in the master plan.

It is understood that FPL, ATT, and Comcast all have facilities on utility poles in the Phase 8 area. These poles are generally located in rear lot easements or in the public rights-of-way. New underground electric and communications infrastructure is planned to be installed within the road rights-of-way and in new front lot easements to contain the new underground facilities. Once the new facilities have been installed, activated, and the services cut over, the rear lot poles and wires will be removed. Kimley-Horn will coordinate with FPL, ATT and Comcast to develop the electric and communications infrastructure design for the area. In general, each utility will develop the electric and communications network design and Kimley-Horn will develop the detailed conduit plan to support the network designs prepared by each utility.

There are a number of light fixtures attached to the FPL poles through the Phase 8 project area. It is understood that these existing streetlights will need to be replaced with new FPL streetlights where such lights exist in the right-of-way. Lights that exist in rear yard easements will not be replaced.

There has been discussion regarding watermain replacements across the island that should occur during the undergrounding program. Discussions between the Town and the City have yielded a conclusion that watermain work would only be performed if required to move a watermain due to a conflict with the undergrounding work. Therefore, no intentional watermain replacement design is included in this proposal.

Based on this understanding, our detailed scope of services is provided below.

Scope of Services

Task 1.1 – Phase 8 Design Services (Royal Poinciana Way to Atlantic Avenue)

Kimley-Horn will conduct a kickoff meeting with the Town to coordinate our services. Kimley-Horn will conduct a site visit to review the field conditions and identify existing meter locations. Letter notification mailers will be sent by the Town to affected residents. A design ticket will be called into Sunshine 811 such that utility companies having infrastructure in the area can be identified. We will then obtain and review available record drawings and data for the project area that may impact the design.

Kimley-Horn will perform a topographical survey of the public rights-of-way and accessible alleyways/easements. Rim and invert elevations for storm and sanitary utilities will be provided. Topographical spot elevations will be shown on 100-foot intervals along the conduit routes with additional detail at each intersection. Landscape areas within 4-feet of the roadway curb will be identified, and trees larger than 6-inch in diameter within 4-feet of the roadway curb will be located. The survey will also provide parcel limits within the project area based on plat/property appraiser data, including platted easements.

Kimley-Horn will obtain the horizontal and vertical locations of a representative number of known utilities within the project area. Up to sixty (60) soft-dig utility locates will be performed to determine the vertical and horizontal locations of known utilities. This information will be incorporated into the drawings to determine the proposed power and communication conduit runs within the right-of-way.

Kimley-Horn will review the survey and utility record drawing data obtained to develop an overall base map. Known and available utility record information will be added to the base map to aid in the coordination of the design efforts. This utility base map will be provided to FPL, ATT, Comcast, and other communications companies, if applicable, for their use in their network design efforts.

Kimley-Horn will perform a geotechnical investigation within the project area. The purpose of this investigation is to gather information regarding the existing pavement and base thickness and provide information to the selected contractor regarding soil conditions that will be encountered on the project. Up to four (4) 10-foot deep Standard Penetration Tests will be performed within the existing roadways to gather the geotechnical and pavement information. This information will be presented in a brief technical report.

We will coordinate the design of the underground infrastructure with FPL, ATT, and Comcast in order to develop the supplementary conduit plan. It is understood that the Town will pay the design and construction fees assessed by FPL, ATT, Comcast, and other communications companies (if applicable) directly. Aboveground infrastructure required to support the underground system (transformers, switch cabinets, pedestals, etc.) will be shown on the plans. Service line routes to the individual homes will be schematically shown so that exact routes can be field coordinated with the property owners by the contractor during construction.

Kimley-Horn will perform individual commercial service conductor sizing and voltage drop calculations to verify the proposed commercial service conductors meet minimum NEC requirements and necessary ampacity ratings for the customer load. Up to twenty-five (25) commercial service conductors will be

sized under this task. It is assumed that FPL will size all residential services and that these services will be owned and maintained by FPL. Existing underground services will be maintained to the greatest extent practical although it is anticipated that some will need to be replaced in order to convert the service from the rear alley to the front street.

It is anticipated that the final undergrounding construction documents may contain the following information:

- Cover Sheet
- Survey
- General Notes (up to 4 sheets)
- Overall Site Plan (up to 1 sheet)
- Conduit / Equipment Plan (up to 30x2 sheets, 1"=20')
- Equipment Details (up to 6 sheets)
- Trench and Conduit Details (up to 2 sheets)
- Construction / Restoration Details (up to 2 sheets)
- Electrical Service Sizing Spreadsheet (up to 2 sheets)
- Street Light Replacement Location Exhibit (up to 1 sheet)
- Landscape Plan (up to 14 sheets)
- Planting Details and Notes (up to 2 sheets)
- Technical Specifications

It is understood that the Town is pursuing the installation of FPL LED lighting and that FPL will perform the detailed design and installation of the poles, conductor, and service points. Kimley-Horn will provide a street lighting exhibit to FPL for use in their design of new LED lighting under the LT1 tariff. Use of this tariff is expected to minimize conduit needed for new street lighting. It is not expected that any conduit will need to be installed by the Town for street lighting, rather FPL will install necessary conduit when they install the new lights.

Kimley-Horn will submit deliverables for review at the following milestones:

- Survey Complete
- Utility Base Map Complete
- Equipment Location Plan Complete
- Conduit Routing Plan Complete

Kimley-Horn will address one (1) round of reasonable comments after Town review of the Equipment Location Plan and Conduit Routing Plan submittals. During the design process, we will continue to coordinate with FPL, ATT, and Comcast to ultimately obtain their final network designs and cost estimates. An opinion of probable construction cost for the project areas will be submitted with the final construction document submittal. We will also submit the plans to FPL, ATT and Comcast for coordination purposes concurrently with the Town submittals. We have assumed that ARCOM review and approval will not be required for the landscaping that may be required to screen the above grade equipment on the project. If ARCOM approval is deemed to be required by the Town, we can provide these services as an additional service.

No Town infrastructure improvements beyond the underground conversion are currently contemplated in the Phase 8 area. If it becomes known through our coordination with the Town during this phase of the project that additional infrastructure improvements should be incorporated into the design, we can perform such design as an additional service.

Task 1.2 – Permitting Assistance

It is anticipated that the following permits will be required for this project from the following agencies:

- Florida Department of Transportation (FDOT) Utility Permit
- Florida Department of Transportation (FDOT) landscaping permit
- Florida Department of Transportation (FDOT) Construction Agreement and Maintenance Memorandum of Agreement (MMOA)

Kimley-Horn will respond to a maximum of one (1) request for additional information from the FDOT. Additional revisions or changes in response to subsequent review comments requested by the Town shall be provided as an additional service. Any significant plan revisions caused by changing agency criteria after our initial design is reviewed with each appropriate agency and similar factors outside of Kimley-Horn's control, additional meetings, or additional coordination will be considered additional services.

Building department permits, if required for service conversions, will be prepared and submitted by the Town's Construction Manager during construction.

Task 1.3 – Bid Phase Services

Kimley-Horn will prepare the construction documents for bidding by the Town's Construction Manager. We will prepare the construction documents for bidding, attend a pre-bid meeting and respond to requests for clarification during the bidding process. We will review the GMP bid proposal received and attend up to two (2) meetings with the Town to discuss our comments. A summary memorandum will be provided to the Town describing the results of the bidding process.

It has been assumed that the Town or Construction Manager will prepare the "front end" bidding instructions and contract paperwork. Therefore, the preparation of these items is not included in this proposal.

Task 1.4 – Meetings

Kimley-Horn and our sub-consultant team members, as appropriate, will attend scheduled project meetings as described below during the design phase of the project:

- Project kickoff meeting
- Team progress meetings (monthly, up to 18)
- Town point-of-contact meetings and other general meetings with Town staff, utility owners, etc. (up to 18)
- Underground Utility Task Force meetings (up to 6)
- Stakeholder meetings (FPU, FDOT, Community, etc.) (up to 6)

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope requested by the Town, will be considered additional services and will be performed based on proposals approved prior to performance of the additional services.

Information and Services Provided by the Town

The following information shall be provided to Kimley-Horn:

- Utility record drawing information as may be available
- Access to the project area
- Town Project Manager services to prepare letter notices, coordinate easement meetings, attend easement meetings, prepare easement documentation, coordinate the execution of easements, perform title searches (if required), and record easements
- Access to Town facilities for public meetings and public gatherings as needed

Schedule

Kimley-Horn will perform the scope of services above as expeditiously as practical to meet a mutually agreed upon schedule. It is anticipated that services will begin in October 2020 and will be completed by May 2024.

Fee and Billing

Kimley-Horn will perform the services in Tasks 1.1 through 1.3 for the total lump sum fees listed below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client. Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

Task 1.1 – Phase 8 Design Services	\$1,029,017
Task 1.2 – Permitting Assistance	\$ 17,694
Task 1.3 – Bid Phase Services	\$ 14,430

Kimley-Horn will perform the services in Task 1.4 on a labor fee plus expense basis with the estimated labor and expense fees shown below. Kimley-Horn will not exceed the total maximum labor and expense fee shown without authorization from the Client.

Task 1.4 – Meetings	\$89,778
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Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in the Master Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc., Professional Engineering Services for the Town-Wide Undergrounding of Utilities Program RFQ No. 2016-07, which are incorporated by reference. As used in the Agreement, the term "CONSULTANT" shall refer to Kimley-Horn and Associates, Inc., and the term "TOWN" shall refer to The Town of Palm Beach.

If you concur in all the foregoing and wish to direct us to proceed with the services, please notify us by providing a purchase order for the scope and fee described above.

We appreciate the opportunity to provide these services to you. Please contact me at (561) 840-0820 or kevin.schanen@kimley-horn.com should you have any questions.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.



By: Kevin Schanen, P.E.
Senior Vice President

Attachment

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TO: Dean Mealy, Director of Purchasing

VIA: H. Paul Brazil, P.E., Director of Public Works *HPB*

FROM: Patricia Strayer, P.E., Town Engineer *PS*

RE: Review and Approval of Phase 8 Design Services for Town-Wide Undergrounding of Utilities Program

DATE: October 2, 2020

Kimley Horn and Associates were selected through a CCNA solicitation for the design of the Town-Wide Undergrounding of Utilities Program to provide services related to the overall program implementation which included but may not be limited to development of a master plan, design, construction oversight, easement acquisition support, and coordination with utilities for design and construction. At the time of award, the Town negotiated a master contract which established rates and allowable rate adjustments for the life of the contract.

The Master Plan that was completed under the master contract established the phases, the schedule and the opinion of cost. The program has been broken into 8 distinct phases and 7 of the 8 phases are broken into a north and south sub phase. So far the Town has awarded design of Phases 1, 2, 3, 4, 5 and 6. The proposal for Phase 7 was received July 17, 2020 and is scheduled to be presented for approval at the October 13, 2020 Town Council meeting. The memorandum providing review and approval for Phase 7 design services was submitted to Purchasing on August 25, 2020. Due to the amount of time the utilities are taking for design and the amount of time required to negotiate easements, Town staff requested Kimley Horn provide a proposal for Phase 8 Design by October 2, to be approved at the same time as the design services for Phase 7. The proposal for Phase 8 was received October 2, 2020.

I have reviewed the attached proposal based on the following criteria:

1. Are the rates consistent with the approved rates?
2. Is the overall budget of the proposal within budget as estimated in the master plan or the updated opinion of cost from November 2019?
3. Are the hours proposed for the work to be completed consistent with the scope of work and reasonable?

It is important to note that Kimley Horn has increased the approved contract rates each year per the contract agreement with the exception of this year. This year, July 2020, they did not submit a change in rates. Therefore, the rates used for the attached proposal are utilizing approved rates from July 2019. This is consistent with the proposal for Phase 7 and now for Phase 8 design. The proposal for the design of Phase 8 is consistent with the budget that was presented to Town Council in November 2019. The level of effort and hours proposed is consistent with previous phases.

My review of the attached proposals finds that they meet the above mentioned criteria. I recommend approval of the proposals.



October 2, 2020

Dean Mealy, II CPPO
Town of Palm Beach – Purchasing Division
951 Okeechobee Road, Suite 'D'
West Palm Beach, FL 33401

RE: *Town-Wide Undergrounding of Utilities Program: Phase 8 Design Services*

Dear Dean,

The Kimley-Horn and Associates, Inc. team ("Kimley-Horn") is pleased to submit this proposal to the Town of Palm Beach ("Town") for providing engineering services related to the design of Phase 8 for the Town-wide Undergrounding of Utilities Program. Our project understanding, scope of services, schedule, and fee follow.

Project Understanding

The Town has requested that the design phase for the Phase 8 project area commence now so that construction can begin in 2024. This area will be from approximately Royal Poinciana Way to Atlantic Avenue. This area is in general accordance with the overall program phasing limits identified in the master plan.

It is understood that FPL, ATT, and Comcast all have facilities on utility poles in the Phase 8 area. These poles are generally located in rear lot easements or in the public rights-of-way. New underground electric and communications infrastructure is planned to be installed within the road rights-of-way and in new front lot easements to contain the new underground facilities. Once the new facilities have been installed, activated, and the services cut over, the rear lot poles and wires will be removed. Kimley-Horn will coordinate with FPL, ATT and Comcast to develop the electric and communications infrastructure design for the area. In general, each utility will develop the electric and communications network design and Kimley-Horn will develop the detailed conduit plan to support the network designs prepared by each utility.

There are a number of light fixtures attached to the FPL poles through the Phase 8 project area. It is understood that these existing streetlights will need to be replaced with new FPL streetlights where such lights exist in the right-of-way. Lights that exist in rear yard easements will not be replaced.

There has been discussion regarding watermain replacements across the island that should occur during the undergrounding program. Discussions between the Town and the City have yielded a conclusion that watermain work would only be performed if required to move a watermain due to a conflict with the undergrounding work. Therefore, no intentional watermain replacement design is included in this proposal.

Based on this understanding, our detailed scope of services is provided below.

Scope of Services

Task 1.1 – Phase 8 Design Services (Royal Poinciana Way to Atlantic Avenue)

Kimley-Horn will conduct a kickoff meeting with the Town to coordinate our services. Kimley-Horn will conduct a site visit to review the field conditions and identify existing meter locations. Letter notification mailers will be sent by the Town to affected residents. A design ticket will be called into Sunshine 811 such that utility companies having infrastructure in the area can be identified. We will then obtain and review available record drawings and data for the project area that may impact the design.

Kimley-Horn will perform a topographical survey of the public rights-of-way and accessible alleyways/easements. Rim and invert elevations for storm and sanitary utilities will be provided. Topographical spot elevations will be shown on 100-foot intervals along the conduit routes with additional detail at each intersection. Landscape areas within 4-feet of the roadway curb will be identified, and trees larger than 6-inch in diameter within 4-feet of the roadway curb will be located. The survey will also provide parcel limits within the project area based on plat/property appraiser data, including platted easements.

Kimley-Horn will obtain the horizontal and vertical locations of a representative number of known utilities within the project area. Up to sixty (60) soft-dig utility locates will be performed to determine the vertical and horizontal locations of known utilities. This information will be incorporated into the drawings to determine the proposed power and communication conduit runs within the right-of-way.

Kimley-Horn will review the survey and utility record drawing data obtained to develop an overall base map. Known and available utility record information will be added to the base map to aid in the coordination of the design efforts. This utility base map will be provided to FPL, ATT, Comcast, and other communications companies, if applicable, for their use in their network design efforts.

Kimley-Horn will perform a geotechnical investigation within the project area. The purpose of this investigation is to gather information regarding the existing pavement and base thickness and provide information to the selected contractor regarding soil conditions that will be encountered on the project. Up to four (4) 10-foot deep Standard Penetration Tests will be performed within the existing roadways to gather the geotechnical and pavement information. This information will be presented in a brief technical report.

We will coordinate the design of the underground infrastructure with FPL, ATT, and Comcast in order to develop the supplementary conduit plan. It is understood that the Town will pay the design and construction fees assessed by FPL, ATT, Comcast, and other communications companies (if applicable) directly. Aboveground infrastructure required to support the underground system (transformers, switch cabinets, pedestals, etc.) will be shown on the plans. Service line routes to the individual homes will be schematically shown so that exact routes can be field coordinated with the property owners by the contractor during construction.

Kimley-Horn will perform individual commercial service conductor sizing and voltage drop calculations to verify the proposed commercial service conductors meet minimum NEC requirements and necessary ampacity ratings for the customer load. Up to twenty-five (25) commercial service conductors will be

sized under this task. It is assumed that FPL will size all residential services and that these services will be owned and maintained by FPL. Existing underground services will be maintained to the greatest extent practical although it is anticipated that some will need to be replaced in order to convert the service from the rear alley to the front street.

It is anticipated that the final undergrounding construction documents may contain the following information:

- Cover Sheet
- Survey
- General Notes (up to 4 sheets)
- Overall Site Plan (up to 1 sheet)
- Conduit / Equipment Plan (up to 30x2 sheets, 1"=20')
- Equipment Details (up to 6 sheets)
- Trench and Conduit Details (up to 2 sheets)
- Construction / Restoration Details (up to 2 sheets)
- Electrical Service Sizing Spreadsheet (up to 2 sheets)
- Street Light Replacement Location Exhibit (up to 1 sheet)
- Landscape Plan (up to 14 sheets)
- Planting Details and Notes (up to 2 sheets)
- Technical Specifications

It is understood that the Town is pursuing the installation of FPL LED lighting and that FPL will perform the detailed design and installation of the poles, conductor, and service points. Kimley-Horn will provide a street lighting exhibit to FPL for use in their design of new LED lighting under the LT1 tariff. Use of this tariff is expected to minimize conduit needed for new street lighting. It is not expected that any conduit will need to be installed by the Town for street lighting, rather FPL will install necessary conduit when they install the new lights.

Kimley-Horn will submit deliverables for review at the following milestones:

- Survey Complete
- Utility Base Map Complete
- Equipment Location Plan Complete
- Conduit Routing Plan Complete

Kimley-Horn will address one (1) round of reasonable comments after Town review of the Equipment Location Plan and Conduit Routing Plan submittals. During the design process, we will continue to coordinate with FPL, ATT, and Comcast to ultimately obtain their final network designs and cost estimates. An opinion of probable construction cost for the project areas will be submitted with the final construction document submittal. We will also submit the plans to FPL, ATT and Comcast for coordination purposes concurrently with the Town submittals. We have assumed that ARCOM review and approval will not be required for the landscaping that may be required to screen the above grade equipment on the project. If ARCOM approval is deemed to be required by the Town, we can provide these services as an additional service.

No Town infrastructure improvements beyond the underground conversion are currently contemplated in the Phase 8 area. If it becomes known through our coordination with the Town during this phase of the project that additional infrastructure improvements should be incorporated into the design, we can perform such design as an additional service.

Task 1.2 – Permitting Assistance

It is anticipated that the following permits will be required for this project from the following agencies:

- Florida Department of Transportation (FDOT) Utility Permit
- Florida Department of Transportation (FDOT) landscaping permit
- Florida Department of Transportation (FDOT) Construction Agreement and Maintenance Memorandum of Agreement (MMOA)

Kimley-Horn will respond to a maximum of one (1) request for additional information from the FDOT. Additional revisions or changes in response to subsequent review comments requested by the Town shall be provided as an additional service. Any significant plan revisions caused by changing agency criteria after our initial design is reviewed with each appropriate agency and similar factors outside of Kimley-Horn's control, additional meetings, or additional coordination will be considered additional services.

Building department permits, if required for service conversions, will be prepared and submitted by the Town's Construction Manager during construction.

Task 1.3 – Bid Phase Services

Kimley-Horn will prepare the construction documents for bidding by the Town's Construction Manager. We will prepare the construction documents for bidding, attend a pre-bid meeting and respond to requests for clarification during the bidding process. We will review the GMP bid proposal received and attend up to two (2) meetings with the Town to discuss our comments. A summary memorandum will be provided to the Town describing the results of the bidding process.

It has been assumed that the Town or Construction Manager will prepare the "front end" bidding instructions and contract paperwork. Therefore, the preparation of these items is not included in this proposal.

Task 1.4 – Meetings

Kimley-Horn and our sub-consultant team members, as appropriate, will attend scheduled project meetings as described below during the design phase of the project:

- Project kickoff meeting
- Team progress meetings (monthly, up to 18)
- Town point-of-contact meetings and other general meetings with Town staff, utility owners, etc. (up to 18)
- Underground Utility Task Force meetings (up to 6)
- Stakeholder meetings (FPU, FDOT, Community, etc.) (up to 6)

Additional Services

Any services not specifically provided for in the above scope, as well as any changes in the scope requested by the Town, will be considered additional services and will be performed based on proposals approved prior to performance of the additional services.

Information and Services Provided by the Town

The following information shall be provided to Kimley-Horn:

- Utility record drawing information as may be available
- Access to the project area
- Town Project Manager services to prepare letter notices, coordinate easement meetings, attend easement meetings, prepare easement documentation, coordinate the execution of easements, perform title searches (if required), and record easements
- Access to Town facilities for public meetings and public gatherings as needed

Schedule

Kimley-Horn will perform the scope of services above as expeditiously as practical to meet a mutually agreed upon schedule. It is anticipated that services will begin in October 2020 and will be completed by May 2024.

Fee and Billing

Kimley-Horn will perform the services in Tasks 1.1 through 1.3 for the total lump sum fees listed below. Individual task amounts are informational only. All permitting, application, and similar project fees will be paid directly by the Client. Lump sum fees will be invoiced monthly based upon the overall percentage of services performed.

Task 1.1 – Phase 8 Design Services	\$1,029,017
Task 1.2 – Permitting Assistance	\$ 17,694
Task 1.3 – Bid Phase Services	\$ 14,430

Kimley-Horn will perform the services in Task 1.4 on a labor fee plus expense basis with the estimated labor and expense fees shown below. Kimley-Horn will not exceed the total maximum labor and expense fee shown without authorization from the Client.

Task 1.4 – Meetings	\$89,778
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Closure

In addition to the matters set forth herein, our Agreement shall include and be subject to, and only to, the terms and conditions in the Master Professional Services Agreement between the Town of Palm Beach and Kimley-Horn and Associates, Inc., Professional Engineering Services for the Town-Wide Undergrounding of Utilities Program RFQ No. 2016-07, which are incorporated by reference. As used in the Agreement, the term "CONSULTANT" shall refer to Kimley-Horn and Associates, Inc., and the term "TOWN" shall refer to The Town of Palm Beach.

If you concur in all the foregoing and wish to direct us to proceed with the services, please notify us by providing a purchase order for the scope and fee described above.

We appreciate the opportunity to provide these services to you. Please contact me at (561) 840-0820 or kevin.schanen@kimley-horn.com should you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



By: Kevin Schanen, P.E.
Senior Vice President

Attachment

K:\WPB_Civil\General\JohnsonBrett\Marketing\Proposals\PalmBeachTownOf2020_0924_Phase8Design\2020_0930_Agreement.docx

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA Finance Director

FROM: Dean Mealy, CPPO Town Purchasing Manager

RE: Resolution to Approve the Award of RFQ. No. 2020-20, Pre-Construction Services for Phase 5 in the Amount of \$118,200 to Burkhardt Construction, Inc.
Resolution No. 111-2020

DATE: October 4, 2020

STAFF RECOMMENDATION

Town staff recommends that Town Council approve the Resolution No. 111-2020 to approve the award of RFQ No. 2020-20 for the Pre-Construction Services for Phase 5 in the amount of \$118,200 to Burkhardt Construction, Inc.

GENERAL INFORMATION

Phase 5 North and South were awarded funding through the Hazard Mitigation Grant Program by the Florida Division of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA) in the amount of approximately \$8.5 million. This grant is based on a percentage of the overall construction cost and is reimbursable based on following the Federal Requirements for construction contracts. Working with FDEM, Town staff confirmed that the standard Construction Management at Risk contracting that has been used for all previous phases would not meet the required contracting procedures to receive the grant reimbursements. Therefore, the Town advertised for a Construction Manager for Phase 5 North and South which included the expertise of a FEMA Grants Coordinator. The Town received one (1) response to this solicitation. After meeting with the Selection Committee and the Purchasing staff, Burkhardt Construction, Inc. (Burkhardt) was recommended for award. Subsequently, a scoping meeting was held between Town staff and Burkhardt.

The RFQ was for services that begin prior to and in preparation of construction documents and extends through the construction of Phase 5. During the initial scoping meeting, staff and Burkhardt agreed to break the scope into two (2) separate phases: Pre-Construction Services and Construction Management Services. The Pre-Construction Services will assist the Town up to and through the bidding process to ensure that the project is bid consistent with FDEM and FEMA requirements along with the best construction management practices. On September 22nd, Burkhardt submitted a proposal for Pre-Construction Services. Subsequently, a meeting to finalize negotiations took place September 25th. Per staff comments and discussions during the negotiations meeting, Burkhardt submitted a revised proposal on September 30th.

The Pre-Construction Services shall include the following four (4) tasks:

- Task 1 – Pre-Construction Progress Meeting
- Task 2 – Pre-Construction and Construction Phase Scheduling
- Task 3 – Plan Review/Constructability Review
- Task 4 – Final Construction Management Plan – 90% Plans/Specifications

METHOD OF PROCUREMENT

Town's Purchasing Department issued RFQ No. 2020-20 for Construction Manager (CM) for Town-wide Overhead Utility Undergrounding Program for Phase 5 North and South. While the historical method of the undergrounding projects has been Construction Manager at Risk, Purchasing worked with Steven Stern, Underground Utility Project Manager; Patricia Strayer, P.E., Town Engineer; and Paul Brazil, P.E., Public Works Director, to determine an approach to address the associated FEMA requirements related to the grant.

A business decision was made to issue a RFQ for a Construction Manager.

The RFQ was issued on August 11, 2020 with a closing date of August 28, 2020. The Town's Purchasing Department reached out to twenty-two (22) firms notifying them of the upcoming solicitation on June 26, 2020. In addition, the solicitation was published on DemandStar to 321 potential suppliers and to 533 on Public Purchase. The Town only received one (1) responsive, responsible proposer.

Negotiations with Burkhardt were held on two (2) separate occasions, September 8, 2020 and September 25, 2020.

REVIEW AND APPROVAL OF PHASE 5 NORTH AND SOUTH PROPOSAL

Public Works completed a full review of the proposal submitted by Burkhardt Construction Inc. which is attached for review.

FUNDING/FISCAL IMPACT

Funding for the award will be from the Underground Utility Fund.

PUBLIC WORKS REVIEW

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Paul Brazil, Public Works Director
Patricia Strayer, P.E., Town Engineer
Steven Stern, Underground Utilities Project Manager
Duke Basha, Assistant Purchasing Manager
Eric Shibley, CPPB, Senior Buyer

RESOLUTION NO. 111-2020

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE AWARD OF RFQ NO. 2020-20, PRE-CONSTRUCTION SERVICES FOR PHASE 5, IN THE AMOUNT OF \$118,200, TO BURKHARDT CONSTRUCTION, 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 hereby approves Resolution No. 111-2020, to approve the Award of RFQ. No. 2020-20, Pre-Construction Services for Phase 5 in the Amount of \$118,200 to Burkhardt Construction, Inc.

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 13th day of October, 2020.

Gail L. Coniglio, Mayor

ATTEST:

Queenester Nieves, CMC, Town Clerk

5024 RFQ No. 2020-20 - CONSTRUCTION MANAGER (CM) FOR TOWNWIDE OVERHEAD UTILITY UNDERGROUNDING PROGRAM - PHASE FIVE, NORTH AND SOUTH

Burkhardt Construction, Inc.

SOLICITATION PACKAGE DOCUMENTS & EVALUATION FACTORS

1.1. SOLICITATION PACKAGE DOCUMENTS

Filled

Weight: 0% Score: 0%

SCOPE OF WORK

1.1.1. Filled Knockout question

Weight: 0%

Please review the attached **Scope of Work**. There is no response needed for this section but the Contractor must read to fully understand details and Contractor's responsibilities.

Attached documents:

 Phase 5 CM Scope of Work.pdf 99 Kb	Download		Preview
 Phase5Phasing.pdf 2775 Kb	Download		Preview

- ☐ Marking this option serves as a digital/electronic signature and certification of the Respondents acknowledgement of the Bid Document (0%) (KO)

Score: 0%

TERMS & CONDITIONS

1.1.2. Filled Knockout question

Weight: 0%

Please review the attached RFP documents to include **Terms and Conditions, Other Contract Requirements, Evaluation of Proposals, State Status for Public Records -FSS 119.0701, and ACH Authorization Form**. Please indicate if you read and understood all those requirements of this solicitation.

Attached documents:

 1. TERMS AND CONDITIONS.pdf 79 Kb	Download		Preview
 2. OTHER CONTRACT REQUIREMENTS.pdf 84 Kb	Download		Preview
 3. EVALUATION OF PROPOSALS.pdf 43 Kb	Download		Preview
 4. FSS 119.0701 - 2018.pdf 133 Kb	Download		Preview
 5. ACH Authorization Form.pdf 73 Kb	Download		Preview

- ☐ Marking this option serves as a digital/electronic signature and certification of the Respondents acknowledgement of the Bid Documents (0%) (KO)

Score: 0%

FEDERAL TERMS AND CONDITIONS

1.1.3. ● Filled Knockout question

Weight: 0%

The construction contract(s) may be partially funded by US Federal Government (FEMA), therefore Construction Manager shall have a designated FEMA representative to address all Statutory requirements.

Please confirm by clicking yes and provide a statement that your firm has FEMA expert in your team that will be working with Town and FEMA representatives in all procedures, in order for Town to implement reimbursement program.

Attached documents:

 CFR200 Policy 110518.pdf 790 Kb	Download	Preview
 DR-4337-FL NR 378 FEMA Awards Town of Palm Beach Nearly 8.5 Million topdf 112 Kb	Download	Preview
 Executed FEMA Grant Contract H0374 ToPB Phase 5 UUP December 11 2019.pdf 2785 Kb	Download	Preview

Burkhardt Construction, Inc. understands that the construction contract(s) with the Town of Palm Beach for the Town-wide Overhead Utility Undergrounding Program Phase 5, North & South may be partially funded by the US Federal Government (FEMA). As such, we have teamed with Patrick LaConte of LaConte Engineering. Patrick will be our designated FEMA representative in all procedures to address all statutory requirements and aid in the Town's ability to implement the FEMA Grant Reimbursement program.

Evaluation method:

Yes / No

No - KO

Attached documents by supplier:

 Burkhardt - 1.1 Solicitation Package Documents - 1.1.3 Federal Terms and Conditions.pdf 231 Kb	Download	Preview
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Score: 0%

INTENT LETTER

1.1.4. ● Filled Knockout question

Weight: 0%

Please upload your company's intent letter executed by person that has the authority to sign the contract. Please include a statement of your understanding of the scope, and its requirements. As part of your intent letter please explain how you will administer FEMA grant.

Attached documents by supplier:

Evaluation method:

Yes / No

No - KO

 Burkhardt - 1.1 Solicitation Package Documents - 1.1.4 Intent Letter.pdf 260 Kb	Download	Preview
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Score: 0%

1.2. SUPPLIER RESPONSE & ACKNOWLEDGEMENTS

● Filled

14 Knockout questions (1 KO) Weight: 0% Score: 0%

INSTRUCTIONS

1.2.1.  Filled Knockout question

Weight: 0%

- A. All questions are to be answered in full, without exception. If copies of other documents will answer the question completely, they may be attached and clearly labeled. If additional space is needed, additional pages may be attached and clearly labeled.
- B. The Town of Palm Beach shall be entitled to contact each and every reference listed in response to this questionnaire, and each entity referenced in any response to any question in this questionnaire. The Contractor, by completing this questionnaire, expressly agrees that any information concerning the Contractor in possession of said entities and references may be made available to the Town.
- C. Only complete and accurate information shall be provided by the Contractor. The Contractor hereby warrants that, to the best of its knowledge and belief, the responses contained herein are true, accurate, and complete. The Contractor also acknowledges that the Town is relying on the truth and accuracy of the responses contained herein. If it is later discovered that any material information given in response to a question was provided by the Contractor, knowing it was false, it shall constitute grounds for immediate disqualification, termination, or rescission by the Town of any subsequent agreement between the Town and the Contractor.

- ☐ Marking this option serves as a digital/electronic signature and certification of the Respondent disagreeing with statement above. (0%) (KO)
- ☒ Marking this option serves as a digital/electronic signature and certification of the Respondents acknowledgement of the statement above. (0%) (KO)

Score: 0%

STATE REGISTRATION REQUIREMENTS

1.2.2.  KO

Weight: 0%

Any company submitting a proposal in response to this Solicitation should either be registered or have applied for registration with the Florida Department of State in accordance with the provisions of Chapter 607, Florida Statutes. A copy of the registration/application may be required prior to award of a contract.

If you have already registered with the State of Florida, please select YES and upload evidence of this registration.

If you are not registered please confirm by selecting no and agree to the statement of intent to acquire this registration.

Attached documents by supplier:

Evaluation method:

Yes / No

No is better

Yes - KO

 BCI 2020.pdf 118 Kb [Download](#) | [Preview](#)

Score: 0%

PRIMARY CONTACT

1.2.3.  Filled Knockout question

Weight: 0%

Please provide information regarding who may be contacted regarding this proposal using the table below.

Score: 0%

Evaluation method:

Yes / No

No - **KO**

	Primary Contact	Second Contact (optional)
Name (First, Last):	Marc Kleisley	
Title:	Vice President	
Address (Street Address, City, State Zip):	1400 Alabama Avenue, West Palm Beach, FL 33401	
Phone Number:	561.659.1400	
Mobile Phone Number:	561.718.2604	
Email Address:	marc@burkhardtconstruction.com	

START TIME

1.2.4.  Filled Knockout question

Weight: 0%

The Contractor shall be available for work under this Contract immediately after the contract is executed.

- ☒ Marking this option serves as a digital/electronic signature and certification of the Respondents acknowledgement of the required time of completion. (0%) (KO)

Attached documents by supplier:

 1.2.4 Start Time.pdf 231 Kb	Download		Preview
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Score: 0%

SUB CONTRACTORS

1.2.5. ● Filled Knockout question

Weight: 0%

Please list or upload the subcontractors that you will use on this contract. Please include the Subcontractor name, address and the amount of years you have used each subcontractor.

If subcontractors are listed below, the Bidder acknowledges that they have fully investigated each subcontractor listed and has in their files evidence each subcontractor has engaged successfully in his line of work for a reasonable period of time, of performing the work required. The Town reserves final approval of any subcontractors listed. Following award of contract the Town reserves the right for approval of future subcontractors and refusal of existing or future subcontractors providing work under this contract.

Please use fillable PDF form attached to list your subcontractors.

Attached documents:

 LIST OF PROPOSED SUBCONTRACTORS -FORMS.pdf 49 Kb [Download](#) | [Preview](#)

Attached documents by supplier:

Evaluation method:

Yes / No

No - **KO**

 1.2.5 BCI - LIST OF PROPOSED SUBCONTRACTORS -FORMS(148100)-signed.pdf 173 Kb [Download](#) | [Preview](#)

Score: 0%

BIDDERS' QUALIFICATION

1.2.6. ● Filled Knockout question

Weight: 0%

Please respond to this question by submitting fillable PDF form attached.

Attached documents:

 BIDDER'S QUALIFICATION -FORM.pdf 53 Kb [Download](#) | [Preview](#)

Attached documents by supplier:

Evaluation method:

Yes / No

No - **KO**

 1.2.6 BCI-BIDDER'S QUALIFICATION -FORM(148101).pdf 150 Kb [Download](#) | [Preview](#)

Score: 0%

W-9

1.2.7. ● Filled Knockout question

Weight: 0%

Please confirm that you have and upload your W-9

- ☒ Yes (Best)
☐ No (Worst) (KO)

Attached documents by supplier:

 Burkhardt-W9.pdf 163 Kb [Download](#) | [Preview](#)

Score: 0%

BUSINESS TAX RECEIPT

1.2.8.  Filled  Knockout question

Weight: 0%

Please upload your Business Tax Receipt. In case that you do not have a Business Tax Receipt please upload a statement of explanation.

- ☒ Yes (Best)
☐ No (Worst) (KO)

Attached documents by supplier:

 Palm Beach County Local Business Tax Receipts (Exp. 9-30-2020).pdf 431 Kb [Download](#) | [Preview](#)

Score: 0%

DRUG - FREE WORKPLACE CERTIFICATION

1.2.9.  Filled

Weight: 0%

Please complete a drug free form by using attached fillable PDF form.

Attached documents:

 DRUG-FREE WORKPLACE CERTIFICATION -FORM.pdf 45 Kb [Download](#) | [Preview](#)

Attached documents by supplier:

Evaluation method:
Yes / No

 BCI - DRUG-FREE WORKPLACE CERTIFICATION -FORM(148102)-signed.pdf 228 Kb [Download](#) | [Preview](#)

Score: 0%

SCRUTINIZED VENDOR FORM

1.2.10.  Filled  Knockout question

Weight: 0%

Please complete the scrutinized vendor form attached and upload for review.

Attached documents:

 SCRUTINIZED COMPANIES FORM.pdf 99 Kb [Download](#) | [Preview](#)

- ☒ Yes (Best)
☐ No (Worst) (KO)

Attached documents by supplier:

 1.2.10 BCI-SCRUTINIZED COMPANIES FORM(148104)-signed.pdf 208 Kb [Download](#) | [Preview](#)

Score: 0%

INSURANCE REQUIREMENTS

1.2.11. ● Filled Knockout question

Weight: 0%

Please acknowledge insurance requirements attached.

The Service Provider shall provide at its own cost and expense during the life of the contract, the attached insurance coverages to the Town of Palm Beach (30) thirty business days' prior to the commencement of any work.

Note: Prime Contractor is legally responsible for all their subcontractors and the Town recommends that a certificate of insurance is obtained by prime contractor for all subcontractors performing any services on this project.

Attached documents:

 INSURANCE.pdf 89 Kb [Download](#) | [Preview](#)

- ☒ Yes (Best)
☐ No (Worst) (KO)

Attached documents by supplier:

 Burkhardt - 1.2 Supplier Response & Acknowledgments - 1.2.11 Insurance Requirements.pdf 211 Kb	Download	Preview
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Score: 0%

INDEMNIFICATION

1.2.12. ● Filled Knockout question

Weight: 0%

To the fullest extent allowed by law the Contractor shall protect, defend, reimburse, indemnify and hold harmless the Town of Palm Beach, and the Town's officers, agents, employees free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, attorneys or other professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, cause or causes of action of very kind and character in connection with, or arising directly or indirectly out of or related to this Contract and the Work performed hereunder. Without limiting the generality of the foregoing, Contractor's Indemnity shall include all claims, damages, losses, or expense arising out of or related to personal injury, death, damages to property, defects in materials or workmanship, actual or alleged infringement of any patent, trademark, copyright, proprietary information, or applications of any thereof, or of any other tangible or intangible personal or property right, or any actual or alleged violation of any applicable statute, ordinance, administrative order, rule or regulation, or order of any court. Contractor agrees to investigate, respond, adjust and provide a defense for, all and any such claims, demands and actions at Contractor's sole expense and agrees to bear and remain liable for all such other costs and expenses relating thereto, even if such claim is groundless, false or fraudulent. Notwithstanding the foregoing, Contractor's Indemnity shall not extend to liability for damages to persons or property to the extent such damage was caused by any act, omission, or default of the Town, or by the Town's officers, agents and employees.

Contractor acknowledges and agrees that TOWN would not enter into a contract without this indemnification of TOWN by Contractor, and that TOWN'S entering into a contract shall constitute good and sufficient consideration for this indemnification. These provisions shall survive the expiration or earlier termination of the Contract. Nothing in this Contract shall be construed to affect in any way the TOWN'S rights, privileges, and immunities as set forth in Florida Statute 768.28.

- ☒ Yes (Best)
☐ No (Worst) (KO)

Score: 0%

PERFORMANCE AND PAYMENT BOND REQUIREMENT

1.2.13.  Filled Knockout question

Weight: 0%

Within ten (10) business days of the award of the contract, the Construction Manager shall furnish a Performance and Payment Bond consisting of:

- a. Performance Bond in the form specified by the Owner;
- b. Labor and Materials Payment Bond in the form specified by the Owner.

Bond Requirement: The Construction Manager shall furnish bonds in the amount of 100% of the contract amount and shall maintain throughout the duration of the Project until one (1) year after Final Completion and acceptance of the Work as provided in Florida Statutes 255.05 et seq, covering the faithful performance of the Contract and payment of all obligations arising thereunder. Bonds shall be secured by the Construction Manager from a surety company licensed in the State of Florida with a best rating of A Class V or higher according to the most recent edition of the rating guide published by A.M. Best Company.

The successful Construction Manager shall be required to provide Surety Bonds in the amount of 100% of the Contract amount.

In addition to the above minimum qualifications, the Surety Company must meet at least one of the following additional qualifications specified.

The Surety Company shall hold a current certificate of authority as acceptable surety on federal bonds in accordance with the United States Department of Treasury Circular 570, Current Revisions. If the amount of the Bond exceeds the underwriting limitation set forth in the circular, in order to qualify, the net retention of the surety company shall not exceed the underwriting limitation in the circular, and the excess risks must be protected by coinsurance, reinsurance, or other methods in accordance with Treasury Circular 297, revised September 1, 1978 (31 DFR Section 223.10 Section 223.111). Further the surety company shall provide the Owner with evidence satisfactory to the Owner, that such excess risk has been protected in an acceptable manner.

Time of Delivery and Form of Bonds: The Construction Manager shall deliver the required bonds to the Owner within ten (10) business days, after the award of the contract by the Town of Palm Beach.

The Performance Bond and Labor and Materials Payment Bond shall be written in the amount of the contract value and shall continue in effect for one (1) year after completion and acceptance of the Work. The Bonds shall be dated on or before the Notice to Proceed Date.

The Construction Manager shall require the Attorney-In-Fact who executes the required Bonds on behalf of the Surety to affix thereto a certified and current copy of the Power of Attorney.

Pursuant to the requirements of Chapter 255.05 (1)(s), Florida Statutes, Construction Manager shall ensure that the Bond or Bonds referenced above shall be recorded in the public records of Palm Beach County. Proof of recordation must be submitted to the Town prior to issuance of a purchase order. One (1) set of originals is required.

Town of Palm Beach will refund exact amount for the bond(s) and will not allow any markup. Therefore, Construction Manager may be required to provide the actual invoice.

- ☒ Yes (Best)
☐ No (Worst) (KO)

Score: 0%

GENERAL CONTRACTOR LICENSE

1.2.14.  Filled Knockout question

Weight: 0%

Please upload a copy of your current General Contractor's License.

Attached documents by supplier:

Evaluation method:

Yes / No

No - **KO**

 2022 GC license.pdf 872 Kb [Download](#) | [Preview](#)

Score: 0%

PROPOSERS CERTIFICATION / SIGNATURE

1.2.15.  Filled Knockout question

Weight: 0%

By electronically submitting and with signature on paper submission, this proposal the respondent attests and certifies that:

- It understands all requirements of this solicitation and it satisfies all legal requirements (as an entity) to do business with the Town.
- Hereby propose to furnish the Services specified in the Request for Proposals. Furthermore, I agree to abide by all conditions of the solicitation and resulting contract.
- Respondent acknowledges award of a contract may be contingent upon a determination by the Town that the Respondent has the capacity and capability to successfully perform the contract.
- Respondent represents that I am either authorized to bind the Respondent, or that I am submitting the Response on behalf of and at the direction of the Respondent's representative authorized to contractually bind the Respondent.
- I represent that the Respondent and/or its applicable representative(s) has reviewed the information contained in this Solicitation and that the information submitted is accurate.
- Respondent agrees that the action of electronically submitting its response constitutes:
 - an electronic signature on the responses, generally,
 - an electronic signature on any form or section specifically calling for a signature, and
 - an affirmative agreement to any statement contained in the solicitation that requires a definite confirmation or acknowledgement.

Indicate your certification by marking the option below. Neglecting to respond to this question is equivalent to not signing a physical solicitation response and would cause Respondent's response to be disqualified and not considered for award.

Respondents must reply to this question by selecting one of the options provided below.

- ☒ Marking this option serves as a digital/electronic signature and certification of the Respondent's intent to submit a binding offer. (0%) (KO)

Attached documents by supplier:



Burkhardt - 1.2 Supplier Response & Acknowledgments - 1.2.15 Proposers Certification - Signature.pdf 223 Kb

[Download](#)

| [Preview](#)

Score: 0%

1.3. EVALUATION FACTORS

Filled

Weight: 100% Score: 85.25%

EXPERIENCE OF FIRM / PAST PERFORMANCE - 30%1.3.1.  Filled Knockout question

Weight: 30%

The Town is looking to determine if the proposer has qualifying experience within the scope of work as well being capable of delivering to the standards set forth. Please attach documents to support your answer.

- Define success at achieving cost savings and schedule efficiencies
- Define success at meeting project schedule and budget
- Define success at executing projects with multiple parties outside of the control of the CM
- Define success at completing CM construction of 5 pole miles of undergrounding of utilities in an existing developed municipality.
- Define success at receiving full FEMA Grant reimbursement for construction projects.

Note: Please attach documents to answer this criteria.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)

Best: 5.00

Unit: Points

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.1 Experience of Firm - Past Performance_8.10.20.pdf 4707 Kb

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

Score: 27%

EXPERIENCE/ABILITY OF PERSONNEL - 25%1.3.2.  Filled Knockout question

Weight: 25%

- Time with Company
- Direct applicable experience to undergrounding CM projects
- Project Manager experience and success managing undergrounding CM projects
- Staff experience and success at managing and achieving FEMA Grant Construction reimbursements. Provide projects FEMA oversight was coordinated by your firm or your selected FEMA representative.

Note: Please attach documents to answer this criteria.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)

Best: 5.00

Unit: Points

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.2 Experience-Ability of Personnel_8.10.20.pdf 2715 Kb

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

Score: 22.5%

TECHNICAL APPROACH - 30%

1.3.3.  Filled Knockout question

Weight: 30%

- Technical approach to staying on budget and on schedule
- Technical approach to working transparent with client
- Technical approach to overseeing the construction of undergrounding utilities in already fully developed municipality
- Technical approach to meeting FEMA requirements to achieve maximum reimbursement for grant funds.
- Technical soundness of the proposal

Note: Please upload documents to respond to this question.

Please attach documents to answer this criteria.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)

Best: 5.00

Unit:

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.3 Technical Approach_8.10.20.pdf
f 2141 Kb

[Download](#)

| [Preview](#)

Score: 26.25%

FINANCIAL INFORMATION - 5%

1.3.4.  Filled Knockout question

Weight: 5%

An indication of the resources and the necessary working capital available and how it will relate to the firm's financial stability through the life of the contract shall be included in the RFQ response. Show evidence of financial resources and capabilities to complete the work. Provide a Dun & Bradstreet Report with your submittal.

If selected as a finalist, we may require three years of audited, reviewed, or compiled financial statements to include the latest balance sheet and income statement.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)

Best: 5.00

Unit:

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.4 Financial Information.pdf 602 K
b

[Download](#)

| [Preview](#)

Score: 0%

VOLUME OF PREVIOUS WORK - 5%1.3.5. ● Filled Knockout question

Weight: 5%

This is evaluated based on previous volume of work with the Town of Palm Beach. Firm with the least amount of previous work will receive the highest possible score.

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

The point distribution will be as follows:

Proposers whose past awards have totaled less than 5% of the basis will receive 5 points.
Proposers whose past awards have totaled over 5%, but less than 25% will receive 4 points.
Proposers whose past awards have totaled over 25%, but less than 50% will receive 3 points.
Proposers whose past awards have totaled over 50%, but less than 85% will receive 2 points.
Proposers whose past awards have totaled over 85% will receive 1 point.

Note: No need for Proposers to submit any documents; Town will pull the report from its Financial System.

Worst: 0.00 Best: 5.00

5

Attached documents by supplier:

 Ph 1 - N Contract PO incl all CO.pdf 152 Kb	Download	Preview
 Ph 2 - N Contract PO incl of all CO.pdf 254 Kb	Download	Preview
 Ph 2 - S Contract PO incl of all CO.pdf 360 Kb	Download	Preview
 Ph 3 - N Contract PO incl of all CO.pdf 232 Kb	Download	Preview
 Precon Ph 1 - N.pdf 595 Kb	Download	Preview
 Precon Ph 2 - N.pdf 205 Kb	Download	Preview
 Precon Ph 3 - N.pdf 157 Kb	Download	Preview
 Precon Ph 3 - S.pdf 216 Kb	Download	Preview

Score: 5%

OTHER - 5%1.3.6.  Filled Knockout question

Weight: 5%

- Disputes, Litigation and Resolution - Litigation Statement: A statement that no litigation or regulatory action has been filed against your firm in the last five (5) years shall be included in the proposal. If an action has been filed against your firm within the last ten years, state and describe the litigation or regulatory action filed against your firm and identify the court or agency before which the action was instituted, the applicable case or file number, and the status or disposition for such reported action if the litigation has not been settled. Describe all litigation (include the court and location) of any kind involving proposer or proposer's team members within the last three years.
- Overall completeness, clarity and quality of proposal
- Communications with property owners within the project area as part of construction team

Note: Please attach your documents to answer above questions.

Attached documents by supplier:

Evaluation method:

Value

Worst: 0.00 (KO)

Best: 5.00

Unit:

 Burkhardt - 1.3 EVALUATION FACTORS - 1.3.6 Other.pdf 263 Kb[Download](#)[Preview](#)

Score: 4.5%

 1.4. ADDENDUM - If issued will be posted here.

Filled

Weight: 0% Score: 0%

SOLICITATION ADDENDUM1.4.1.  Filled Knockout question

Weight: 0%

Solicitation Addendum(s) will be added to this question if any are issued. The Addendum document will contain all information issued as an Addendum to the solicitation.

Suppliers are required to acknowledge they did review this question and any Addenda issued.

- ☒ I have reviewed the document and no addendum have been issued. (0%) (KO)
- ☐ I have reviewed the document and have given consideration to any issued addendum information in preparing my response to this solicitation. (0%) (KO)

Score: 0%

Vincent G. Burkhardt
President



September 22, 2020; Rev. 9/28/2020

Town of Palm Beach
Public Works Department
Attn: Mr. Dean Mealy, Purchasing Manager
951 Old Okeechobee Road, Ste. "A"
West Palm Beach, FL 33401

**RE: Phase 5 – North / South Townwide Overhead Utility Undergrounding
Construction Manager Pre-construction Services Proposal**

Dear Mr. Mealy:

Burkhardt Construction, Inc. (BCI), acting as Construction Manager (CM) and assisted by LaConte Engineering is pleased to provide this proposal to the Town of Palm Beach (Owner) for Pre-construction Services for Phase 5 – North / South of the Townwide Overhead Utility Undergrounding in the Town of Palm Beach, Palm Beach County, Florida. This Phase Five, North and South project is approved for funding through the Hazard Mitigation Grant Program (HMGP) DR-4337-278-R, as approved by the Florida Division of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA).

The HMGP project is to bury overhead utility infrastructure, consisting of electrical, telephone, and cable communications in the north area of town that consists of properties between Country Club Road south to Southland Road and in the south area of town that consists of properties between South Lake Drive and Hibiscus Avenue, from Peruvian Avenue to Royal Palm Way, and the properties between the Intracoastal Waterway and the Atlantic Ocean, from Royal Palm Way to Seaspray Avenue, in the Town of Palm Beach, Florida, 33480.

The HMGP project scope of work proposes to remove existing utilities poles and overhead lines and place them underground. The TOPB is predominantly served with electric and communications services through a network of overhead wires mounted to an estimated 2,000 wood or concrete poles. There are approximately 37 pole-miles of overhead infrastructure within the Town limits.

The removal of utility poles and overhead lines provides increased survivability for windstorms and improved safety benefits by reducing the potential of hazardous conditions occurring in the event of natural disasters. Severe wind events can cause poles and/or overhead lines to fall and impact property and possibly cause live electric lines to be exposed. Downed electric lines and vegetation overgrowth onto electric lines pose a potential threat of property fire and injury due to electric shock and can restrict ingress and egress of residents and emergency services.

The project shall provide protection against 170 MPH winds or the wind speed protection and impact requirements indicated by the effective Florida Building Code or any other applicable code at the time permits are issued. Activities shall be in strict compliance with Federal, State and Local applicable Rules and Regulations.

The work designed and to be constructed is generally described as traffic control, demolition, grading, earthwork, curb reconstruction, undergrounding of FPL, ATT and Comcast, private service undergrounding, property restoration, landscaping and irrigation along the aforementioned corridor. As the CM, BCI shall function as an agent of the TOPB, shall be paid a fixed fee for services to administer and complete the project per the scope of work approved in the HMGP. Pre-construction services will include:

- Pre-construction Progress Meetings;
- Pre-construction and Construction Phase Scheduling;
- Plan/Specification Review/Edit along with Constructability Review including all FDEM/FEMA language necessary for compliance with the HMGP;
- The development of Final Construction Management Plan for the construction of Phase 5 North and South based on the design and specifications.

Pre-construction services shall be rendered and invoiced in the following format:

TASK I

PRE-CONSTRUCTION PROGRESS MEETINGS

The scope includes the CM/LaConte to participate in team progress meetings, attended by the CM, Design Professionals, Owner and others as requested. It is anticipated that these meetings will be held at the Owner's office, Design team's office or location as designated by the Owner.

Estimated 6 meetings required.

BCI/LaConte will provide record of public outreach to FDEM/FEMA to demonstrate compliance with the HMGP. Public meetings and presentations shall be as directed by the Owner and may be requested at 90% or 100% plan completion. BCI/LaConte will assist the Owner in facilitating a meeting with the residents and public to discuss the project. The presentation shall include introduction of the project team, who & how to contact team individuals, discussion of the project sequences, project phasing / schedule, pedestrian/traveling public access during construction and additional details as requested by the Owner.

2 meetings anticipated

TASK I – TIME & MATERIALS NOT TO EXCEED

\$18,660.00

TASK II**PRE-CONSTRUCTION AND CONSTRUCTION PHASE SCHEDULING**

Based on the provided information, CM will develop a master Pre-Construction phase bar chart schedule incorporating design development, permitting, plan review, Final Construction Management proposal preparation, submittal review & approval, long lead item identification & procurement, informational meetings with the adjacent property owners along with construction phase sequencing. LaConte Engineering will provide guidance regarding the HMGP grant procedures and tasks to be incorporated into BCI's development of a master Pre-Construction and Construction Phase schedule.

TASK II – TIME & MATERIALS NOT TO EXCEED**\$13,840.00****TASK III****PLAN REVIEW/CONSTRUCTABILITY REVIEW**

This scope includes review of the plans as provided by the Design Team. The CM will provide written constructability analyses of the Project, including items to be addressed with the Town Consultants, accessibility, construction methods, assembly, installation, materials handling, expandability, phasing and other construction phase related activities. The review shall report to the Owner any design criteria which may present considerable constructability challenges. This scope also will assist the Design Team in any plan modifications and re-design. LaConte Engineering will review the plans as provided by the Design Team, regarding compliance with the HMGP grant scope, and report any design concerns. LaConte Engineering will also review plan modifications and re-design resulting from the compliance or constructability review.

This scope includes a cost estimate at 60% plan development.

TASK III – TIME & MATERIALS NOT TO EXCEED**\$18,800.00****TASK IV****FINAL CONSTRUCTION MANAGEMENT PLAN - 90% Plans/Specifications**

BCI will prepare and submit a Final Construction Management Plan proposal to the Owner after completion of the pre-construction services phase of the project. The proposal will be prepared in accordance with the guidelines and delivered in the format specified by the Owner. LaConte Engineering will review the draft proposal to ensure it is in accordance with the HMGP guidelines and provide recommendations for issues of concern.

LaConte Engineering will support the Bidding / Procurement process in review of the Owner's standard documentation and assist in the preparation of additional documentation as may be needed to comply with the HMGP grant requirements. LaConte Engineering will also coordinate with FDEM and FEMA as needed for the following:

- Prepare a quantity survey and schedule of values for purpose of bidding each specific trade
- Provide review and assistance in the development of bid documents that are 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" compliant.
- Provide review and assistance in the competitive bid of the project to qualified Construction Contractor(s), according to the policies and procedures outlined in the TOPB purchasing requirements and the FEMA Grant reimbursement requirements.
- Provide guidance and FDEM coordination in the TOPB procurement process such that:
 - We ensure that any procurement involving funds authorized by the HMGP grant agreement complies with all applicable federal and state laws and regulations, to include 2 C.F.R. 200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200 (entitled "Contract Provisions for Non-Federal Entity Contracts Under Federal Awards").
 - As required by 2 C.F.R. 200.318(i), we will support the TOPB to "maintain records sufficient to detail the history of procurement. These records will include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price."
 - Except for procurements by micro-purchases pursuant to 2 C.F.R. 200.320(a) or procurements by small purchase procedures pursuant to 2 C.F.R. 200.320(b), if the TOPB chooses to subcontract any of the work required under the HMGP grant agreement, then we will forward a copy of any solicitation (whether competitive or non-competitive) to FDEM at least fifteen (15) days prior to the publication or communication of the solicitation. The solicitation shall be reviewed by FDEM and comments, if any, will be provided within three (3) business days. Consistent with 2 C.F.R. 200.324, FDEM will review the solicitation for compliance with the procurement standards outlined in 2 C.F.R. 200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200. Consistent with 2 C.F.R. 200.318(k), FDEM will not substitute its judgment for that of the TOPB. While the TOPB does not need the approval of FDEM to publish a competitive solicitation, this review may allow FDEM to identify deficiencies in the vendor requirements or in the commodity or service specifications. FDEM's review and comments shall not constitute an approval of the solicitation. Regardless of the FDEM's review, the TOPB remains bound by all applicable laws, regulations, and the HMGP grant agreement terms. If during its review FDEM identifies any deficiencies, then FDEM shall communicate those deficiencies as quickly as possible within the three (3) business day window outlined above. If a competitive solicitation is published after receiving comments from FDEM that the solicitation is deficient, then FDEM may:
 - Terminate the HMGP grant agreement in accordance with the provisions outlined in paragraph (17) above; and,
 - Refuse to reimburse the TOPB for any costs associated with that solicitation.
 - Except for procurements by micro-purchases pursuant to 2 C.F.R. 200.320(a) or procurements by small purchase procedures pursuant to 2 C.F.R. 200.320(b), if the TOPB chooses to subcontract any of the work required under the HMGP grant agreement, then we will forward FDEM a copy of any contemplated

contract prior to contract execution. FDEM shall review the unexecuted contract and provide comments, if any, within three (3) business days. Consistent with 2 C.F.R. 200.324, FDEM will review the unexecuted contract for compliance with the procurement standards outlined in 2 C.F.R. 200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200. Consistent with 2 C.F.R. 200.318(k), FDEM will not substitute its judgment for that of the TOPB. While the TOPB does not need FDEM approval to execute a subcontract, this review may allow FDEM to identify deficiencies in the terms and conditions of the subcontract as well as deficiencies in the procurement process that led to the subcontract. FDEM's review and comments shall not constitute an approval of the subcontract. Regardless of FDEM's review, the TOPB remains bound by all applicable laws, regulations, and the HMGP grant agreement terms. If during its review FDEM identifies any deficiencies, then FDEM shall communicate those deficiencies as quickly as possible within the three (3) business day window outlined above. If a subcontract is executed after receiving communication from FDEM that the subcontract is non-compliant, then FDEM may:

- Terminate the HMGP grant agreement in accordance with the provisions outlined in paragraph (17) above; and,
 - Refuse to reimburse the TOPB for any costs associated with that subcontract.
- We will review the subcontract for the Town to ensure that (i) the subcontractor is bound by the terms of the HMGP grant agreement, (ii) the subcontractor is bound by all applicable state and federal laws and regulations, and (iii) the subcontractor shall hold FDEM and TOPB harmless against all claims of whatever nature arising out of the subcontractor's performance of work under the HMGP grant agreement, to the extent allowed and required by law.
 - As required by 2 C.F.R. 200.318(c)(1), We will advise the TOPB to "maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts."
 - As required by 2 C.F.R. 200.319(a), We will advise the TOPB to conduct any procurement under the HMGP grant agreement "in a manner providing full and open competition." Accordingly, the we will ensure that the TOPB does not:
 - Place unreasonable requirements on firms for them to qualify to do business.
 - Require unnecessary experience or excessive bonding.
 - Use noncompetitive pricing practices between firms or between affiliated companies.
 - Execute noncompetitive contracts to consultants that are on retainer contracts.
 - Authorize, condone, or ignore organizational conflicts of interest.
 - Specify only a brand name product without allowing vendors to offer an equivalent.
 - Specify a brand name product instead of describing the performance, specifications, or other relevant requirements that pertain to the commodity or service solicited by the procurement.
 - Engage in any arbitrary action during the procurement process; or,

- Allow a vendor to bid on a contract if that bidder was involved with developing or drafting the specifications, requirements, statement of work, invitation to bid, or request for proposals.
- "Except in those cases where applicable Federal statutes expressly mandate or encourage" otherwise as required by 2 C.F.R. 200.319(b), we cannot use a geographic preference when procuring commodities or services under the HMGP grant agreement.
- We will review and advise to assure that any procurement involving invitations to bid (i.e. sealed bids) in accordance with 2 C.F.R. 200.320(c) as well as section 287.057(1)(a), Florida Statutes.
- We will review and advise to assure that any procurement involving requests for proposals (i.e. competitive proposals) in accordance with 2 C.F.R. 200.320(d) as well as section 287.057(1)(b), Florida Statutes.
- For each subcontract, we will provide a written statement to FDEM as to whether that subcontractor is a minority business enterprise, as defined in Section 288.703, Florida Statutes. Additionally, the TOPB shall comply with the requirements of 2 C.F.R. 200.321 ("Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms").

LaConte Engineering will also specifically coordinate with FDEM and FEMA as needed to comply with the HMGP grant requirements and maintain reimbursement eligibility on the following:

- Review, revise, and forward the certifications regarding debarment, suspension, ineligibility, and voluntary exclusion to FDEM, and assist in getting them completed by bidders.
- Review and recommend revisions, as needed, and submit bid tabulations to FDEM.
- Review and provide guidance in the TOPB's contractor selection process, including coordination and meetings, as needed.
- Provide recommendations and forward the notice to proceed and purchase order(s) to FDEM. Provide consultation as needed and submit signed contracts to FDEM for HMGP grant reimbursement record.
- Review and recommendations on costs and increases from the HMGP grant agreement and coordinate with FDEM and FEMA.
- Provide consultation and coordination with FDEM and FEMA on eligibility for possible additional grant funding/increases.
- Attend meetings, participate in phone calls, and email correspondence with FDEM and FEMA to address the TOPB requirements and responsibilities as specified in the HMGP grant agreement and promote project cost reimbursements.

The Final Construction Management proposal will be submitted in a bound format which will include, but not be limited to the following:

- Cover sheet including project title and Owner project number
- Summary sheet of the proposal including subcontractor bids, allowances, contingencies, bonds, insurance, conditions and exclusions. This sheet will also contain contract time, construction start date, date of substantial completion, date of final completion, critical path schedule and proposed work hours
- Schedule of values
- Detailed summary of general conditions
- Allowance list statement amounts and uses
- Proposed subcontractor list
- Subcontractor bid sheets
- Plans, drawings and specifications specific to the proposal
- All supporting documents referenced above from LaConte Engineering

CM's scope of services shall be detailed and subject to a final determination of the project scope and size and careful negotiation and coordination between BCI and the Owner.

TASK IV – TIME & MATERIALS NOT TO EXCEED

\$66,900.00

TOTAL PRECONSTRUCTION SERVICES FEE ALL TASKS I THROUGH IV:

\$118,200.00

All tasks and fees include supplies, presentation materials, equipment, personnel, travel and related costs associated with performing the services described. Acceptance, by the Owner, of a mutually acceptable Management Plan Proposal shall conclude preconstruction services.

We have attached our current hourly rates for your use should additional pre-construction services be requested.

Thank you for the opportunity to submit this pre-construction services proposal. If you have any questions on this proposal, please contact us at (561) 659-1400.

Submitted By:
Construction Manager

Burkhardt Construction, Inc.

Marc R. Kleisley Title: Vice President

Accepted by:
Owner

Town of Palm Beach

By: _____
Printed Name

Title: _____

Date: _____

Upon your acceptance of this letter agreement Burkhardt Construction, Inc. shall begin work immediately. Please return one original for our files.

Hourly Rates For Additional Requested
Preconstruction Services Rates

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Vincent G. Burkhardt	President	\$300.00
Sharon H. Burkhardt	Secretary/C.P.A.	\$200.00
Dennis E. Haynes	Vice President	\$200.00
Marc R. Kleisley	Vice President/Proj. Principal	\$200.00
Anthony Sabatino	Senior Project Manager	\$150.00
Bill Zammit	Snr. Vertical Project Manager	\$150.00
Adam Rossmell	Project Manager	\$120.00
CJ Rhody	Project Manager	\$120.00
Brandon Rhodes	Project Manager	\$120.00
Kevin Brennen	Asst. Project Manager	\$ 90.00
Ruben Almazan	Const. Field Mgr.	\$100.00
Karl T. Kaminski	Utilities Const. Field Mgr.	\$100.00
Michael Parsons	Utilities Const. Field Mgr.	\$100.00
Lee VanPraag	Utilities Const. Field Mgr.	\$100.00
Hemant Tank	Estimator/Cost Engineer	\$ 75.00
Diane Decker	Resident/Merchant Outreach	\$ 75.00
Sarah B. Hoadley	Accounting Manager/M.B.A.	\$ 90.00
Katy Pantaleon	Accounting	\$ 75.00
Brittany Darville	Admin. Ass't/Clerical	\$ 50.00
LaConte Engineering		
	Consultant / Program Manager	\$150.00
	Project Manager	\$125.00
	Project Specialist	\$110.00
	Administrative Assistant	\$ 55.00

Hourly rates include all necessary supplies, transportation, communication, overhead and profit.

TO: Dean Mealy, Director of Purchasing

VIA: H. Paul Brazil, P.E., Director of Public Works *HPB*

FROM: Patricia Strayer, P.E., Town Engineer *PKS*

RE: Review and Approval of Phase 5 North and South Townwide Overhead to Utility Undergrounding Construction Manager Pre-Construction Services Proposal

DATE: September 30, 2020

Phase 5 North and South were awarded funding through the Hazard Mitigation Grant Program by the Florida Division of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA) in the amount of approximately \$8.5 million. This grant is based on a percentage of the overall construction cost and is reimbursable based on following the Federal Requirements for construction contracts. Working with FDEM Town staff confirmed that the standard Construction Management At Risk contracting that has been used for all previous phases would not meet the required contracting procedures to receive the grant reimbursements. Therefore, the Town advertised for a Construction Manager for Phase 5 North and South which included the expertise of a FEMA Grants Coordinator. The Town received one response to this solicitation. After meeting with the selection committee and the Purchasing staff Burkhardt Construction, Inc. was recommended for award. Subsequently, a scoping meeting was held between Town staff and Burkhardt Construction, Inc.

The RFQ was for services that begin prior to and in preparation of construction documents and extend through the construction of Phase 5. During the initial scoping meeting staff and Burkhardt agreed to break the scope into two separate phases: Pre-construction services and Construction Management Services. The Pre-construction Services will assist the Town up to and through the bidding process to ensure that the project is bid consistent with FDEM and FEMA requirements along with the best construction management practices. On September 22 Burkhardt submitted a proposal for Pre-construction Services. Subsequently, a meeting to finalize negotiations took place September 25. Per staff comments and discussions during the negotiations meeting, Burkhardt submitted a revised proposal September 30.

I have reviewed the attached proposals based on the following criteria:

1. Are the rates consistent with past pre-construction services rates and are they reasonable?
2. Is the overall budgeted hours and cost consistent with the scope of the RFQ and meet the needs of the Town?

The Burkhardt rates are consistent with previous Pre-Construction Services proposal for previous phases. The LaConte Engineering is a subconsultant to Burkhardt providing the FEMA grant expertise. While we do not have previous rates for LaConte, the rates were deemed to be reasonable when compared to comparable engineering rates the Town has paid. The scope provided in the proposal is consistent with what was outlined in the RFQ and Town staff feels comfortable that the scope will meet the needs to ensure the construction documents meet the FDEM and FEMA requirements. While the level of effort proposed is not similar to previous work the Town has done due to the nature of the FEMA grant, the justification for the level of effort was clearly documented and I feel the level of work is justified. It is important to take into consideration that this contract is strictly time and materials, therefore, if the hours are not used the funds are not used. This provides an additional level of comfort with the level of effort provided.

My review of the attached proposals finds that they meet the above mentioned criteria. I recommend approval of the proposals.



Vincent G. Burkhardt
President

September 22, 2020; Rev. 9/28/2020

Town of Palm Beach
Public Works Department
Attn: Mr. Dean Mealy, Purchasing Manager
951 Old Okeechobee Road, Ste. "A"
West Palm Beach, FL 33401

**RE: Phase 5 – North / South Townwide Overhead Utility Undergrounding
Construction Manager Pre-construction Services Proposal**

Dear Mr. Mealy:

Burkhardt Construction, Inc. (BCI), acting as Construction Manager (CM) and assisted by LaConte Engineering is pleased to provide this proposal to the Town of Palm Beach (Owner) for Pre-construction Services for Phase 5 – North / South of the Townwide Overhead Utility Undergrounding in the Town of Palm Beach, Palm Beach County, Florida. This Phase Five, North and South project is approved for funding through the Hazard Mitigation Grant Program (HMGP) DR-4337-278-R, as approved by the Florida Division of Emergency Management (FDEM) and the Federal Emergency Management Agency (FEMA).

The HMGP project is to bury overhead utility infrastructure, consisting of electrical, telephone, and cable communications in the north area of town that consists of properties between Country Club Road south to Southland Road and in the south area of town that consists of properties between South Lake Drive and Hibiscus Avenue, from Peruvian Avenue to Royal Palm Way, and the properties between the Intracoastal Waterway and the Atlantic Ocean, from Royal Palm Way to Seaspray Avenue, in the Town of Palm Beach, Florida, 33480.

The HMGP project scope of work proposes to remove existing utilities poles and overhead lines and place them underground. The TOPB is predominantly served with electric and communications services through a network of overhead wires mounted to an estimated 2,000 wood or concrete poles. There are approximately 37 pole-miles of overhead infrastructure within the Town limits.

The removal of utility poles and overhead lines provides increased survivability for windstorms and improved safety benefits by reducing the potential of hazardous conditions occurring in the event of natural disasters. Severe wind events can cause poles and/or overhead lines to fall and impact property and possibly cause live electric lines to be exposed. Downed electric lines and vegetation overgrowth onto electric lines pose a potential threat of property fire and injury due to electric shock and can restrict ingress and egress of residents and emergency services.

The project shall provide protection against 170 MPH winds or the wind speed protection and impact requirements indicated by the effective Florida Building Code or any other applicable code at the time permits are issued. Activities shall be in strict compliance with Federal, State and Local applicable Rules and Regulations.

The work designed and to be constructed is generally described as traffic control, demolition, grading, earthwork, curb reconstruction, undergrounding of FPL, ATT and Comcast, private service undergrounding, property restoration, landscaping and irrigation along the aforementioned corridor. As the CM, BCI shall function as an agent of the TOPB, shall be paid a fixed fee for services to administer and complete the project per the scope of work approved in the HMGP. Pre-construction services will include:

- Pre-construction Progress Meetings;
- Pre-construction and Construction Phase Scheduling;
- Plan/Specification Review/Edit along with Constructability Review including all FDEM/FEMA language necessary for compliance with the HMGP;
- The development of Final Construction Management Plan for the construction of Phase 5 North and South based on the design and specifications.

Pre-construction services shall be rendered and invoiced in the following format:

TASK I**PRE-CONSTRUCTION PROGRESS MEETINGS**

The scope includes the CM/LaConte to participate in team progress meetings, attended by the CM, Design Professionals, Owner and others as requested. It is anticipated that these meetings will be held at the Owner's office, Design team's office or location as designated by the Owner.

Estimated 6 meetings required.

BCI/LaConte will provide record of public outreach to FDEM/FEMA to demonstrate compliance with the HMGP. Public meetings and presentations shall be as directed by the Owner and may be requested at 90% or 100% plan completion. BCI/LaConte will assist the Owner in facilitating a meeting with the residents and public to discuss the project. The presentation shall include introduction of the project team, who & how to contact team individuals, discussion of the project sequences, project phasing / schedule, pedestrian/traveling public access during construction and additional details as requested by the Owner.

2 meetings anticipated

TASK I – TIME & MATERIALS NOT TO EXCEED**\$18,660.00**

TASK II**PRE-CONSTRUCTION AND CONSTRUCTION PHASE SCHEDULING**

Based on the provided information, CM will develop a master Pre-Construction phase bar chart schedule incorporating design development, permitting, plan review, Final Construction Management proposal preparation, submittal review & approval, long lead item identification & procurement, informational meetings with the adjacent property owners along with construction phase sequencing. LaConte Engineering will provide guidance regarding the HMGP grant procedures and tasks to be incorporated into BCI's development of a master Pre-Construction and Construction Phase schedule.

TASK II – TIME & MATERIALS NOT TO EXCEED**\$13,840.00****TASK III****PLAN REVIEW/CONSTRUCTABILITY REVIEW**

This scope includes review of the plans as provided by the Design Team. The CM will provide written constructability analyses of the Project, including items to be addressed with the Town Consultants, accessibility, construction methods, assembly, installation, materials handling, expandability, phasing and other construction phase related activities. The review shall report to the Owner any design criteria which may present considerable constructability challenges. This scope also will assist the Design Team in any plan modifications and re-design. LaConte Engineering will review the plans as provided by the Design Team, regarding compliance with the HMGP grant scope, and report any design concerns. LaConte Engineering will also review plan modifications and re-design resulting from the compliance or constructability review.

This scope includes a cost estimate at 60% plan development.

TASK III – TIME & MATERIALS NOT TO EXCEED**\$18,800.00****TASK IV****FINAL CONSTRUCTION MANAGEMENT PLAN - 90% Plans/Specifications**

BCI will prepare and submit a Final Construction Management Plan proposal to the Owner after completion of the pre-construction services phase of the project. The proposal will be prepared in accordance with the guidelines and delivered in the format specified by the Owner. LaConte Engineering will review the draft proposal to ensure it is in accordance with the HMGP guidelines and provide recommendations for issues of concern.

LaConte Engineering will support the Bidding / Procurement process in review of the Owner's standard documentation and assist in the preparation of additional documentation as may be needed to comply with the HMGP grant requirements. LaConte Engineering will also coordinate with FDEM and FEMA as needed for the following:

- Prepare a quantity survey and schedule of values for purpose of bidding each specific trade
- Provide review and assistance in the development of bid documents that are 2 CFR Part 200, "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" compliant.
- Provide review and assistance in the competitive bid of the project to qualified Construction Contractor(s), according to the policies and procedures outlined in the TOPB purchasing requirements and the FEMA Grant reimbursement requirements.
- Provide guidance and FDEM coordination in the TOPB procurement process such that:
 - We ensure that any procurement involving funds authorized by the HMGP grant agreement complies with all applicable federal and state laws and regulations, to include 2 C.F.R. 200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200 (entitled "Contract Provisions for Non-Federal Entity Contracts Under Federal Awards").
 - As required by 2 C.F.R. 200.318(i), we will support the TOPB to "maintain records sufficient to detail the history of procurement. These records will include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price."
 - Except for procurements by micro-purchases pursuant to 2 C.F.R. 200.320(a) or procurements by small purchase procedures pursuant to 2 C.F.R. 200.320(b), if the TOPB chooses to subcontract any of the work required under the HMGP grant agreement, then we will forward a copy of any solicitation (whether competitive or non-competitive) to FDEM at least fifteen (15) days prior to the publication or communication of the solicitation. The solicitation shall be reviewed by FDEM and comments, if any, will be provided within three (3) business days. Consistent with 2 C.F.R. 200.324, FDEM will review the solicitation for compliance with the procurement standards outlined in 2 C.F.R. 200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200. Consistent with 2 C.F.R. 200.318(k), FDEM will not substitute its judgment for that of the TOPB. While the TOPB does not need the approval of FDEM to publish a competitive solicitation, this review may allow FDEM to identify deficiencies in the vendor requirements or in the commodity or service specifications. FDEM's review and comments shall not constitute an approval of the solicitation. Regardless of the FDEM's review, the TOPB remains bound by all applicable laws, regulations, and the HMGP grant agreement terms. If during its review FDEM identifies any deficiencies, then FDEM shall communicate those deficiencies as quickly as possible within the three (3) business day window outlined above. If a competitive solicitation is published after receiving comments from FDEM that the solicitation is deficient, then FDEM may:
 - Terminate the HMGP grant agreement in accordance with the provisions outlined in paragraph (17) above; and,
 - Refuse to reimburse the TOPB for any costs associated with that solicitation.
 - Except for procurements by micro-purchases pursuant to 2 C.F.R. 200.320(a) or procurements by small purchase procedures pursuant to 2 C.F.R. 200.320(b), if the TOPB chooses to subcontract any of the work required under the HMGP grant agreement, then we will forward FDEM a copy of any contemplated

contract prior to contract execution. FDEM shall review the unexecuted contract and provide comments, if any, within three (3) business days. Consistent with 2 C.F.R. 200.324, FDEM will review the unexecuted contract for compliance with the procurement standards outlined in 2 C.F.R. 200.318 through 200.326 as well as Appendix II to 2 C.F.R. Part 200. Consistent with 2 C.F.R. 200.318(k), FDEM will not substitute its judgment for that of the TOPB. While the TOPB does not need FDEM approval to execute a subcontract, this review may allow FDEM to identify deficiencies in the terms and conditions of the subcontract as well as deficiencies in the procurement process that led to the subcontract. FDEM's review and comments shall not constitute an approval of the subcontract. Regardless of FDEM's review, the TOPB remains bound by all applicable laws, regulations, and the HMGP grant agreement terms. If during its review FDEM identifies any deficiencies, then FDEM shall communicate those deficiencies as quickly as possible within the three (3) business day window outlined above. If a subcontract is executed after receiving communication from FDEM that the subcontract is non-compliant, then FDEM may:

- Terminate the HMGP grant agreement in accordance with the provisions outlined in paragraph (17) above; and,
 - Refuse to reimburse the TOPB for any costs associated with that subcontract.
- We will review the subcontract for the Town to ensure that (i) the subcontractor is bound by the terms of the HMGP grant agreement, (ii) the subcontractor is bound by all applicable state and federal laws and regulations, and (iii) the subcontractor shall hold FDEM and TOPB harmless against all claims of whatever nature arising out of the subcontractor's performance of work under the HMGP grant agreement, to the extent allowed and required by law.
 - As required by 2 C.F.R. 200.318(c)(1), We will advise the TOPB to "maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts."
 - As required by 2 C.F.R. 200.319(a), We will advise the TOPB to conduct any procurement under the HMGP grant agreement "in a manner providing full and open competition." Accordingly, we will ensure that the TOPB does not:
 - Place unreasonable requirements on firms for them to qualify to do business.
 - Require unnecessary experience or excessive bonding.
 - Use noncompetitive pricing practices between firms or between affiliated companies.
 - Execute noncompetitive contracts to consultants that are on retainer contracts.
 - Authorize, condone, or ignore organizational conflicts of interest.
 - Specify only a brand name product without allowing vendors to offer an equivalent.
 - Specify a brand name product instead of describing the performance, specifications, or other relevant requirements that pertain to the commodity or service solicited by the procurement.
 - Engage in any arbitrary action during the procurement process; or,

- Allow a vendor to bid on a contract if that bidder was involved with developing or drafting the specifications, requirements, statement of work, invitation to bid, or request for proposals.
- "Except in those cases where applicable Federal statutes expressly mandate or encourage" otherwise as required by 2 C.F.R. 200.319(b), we cannot use a geographic preference when procuring commodities or services under the HMGP grant agreement.
- We will review and advise to assure that any procurement involving invitations to bid (i.e. sealed bids) in accordance with 2 C.F.R. 200.320(c) as well as section 287.057(1)(a), Florida Statutes.
- We will review and advise to assure that any procurement involving requests for proposals (i.e. competitive proposals) in accordance with 2 C.F.R. 200.320(d) as well as section 287.057(1)(b), Florida Statutes.
- For each subcontract, we will provide a written statement to FDEM as to whether that subcontractor is a minority business enterprise, as defined in Section 288.703, Florida Statutes. Additionally, the TOPB shall comply with the requirements of 2 C.F.R. 200.321 ("Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms").

LaConte Engineering will also specifically coordinate with FDEM and FEMA as needed to comply with the HMGP grant requirements and maintain reimbursement eligibility on the following:

- Review, revise, and forward the certifications regarding debarment, suspension, ineligibility, and voluntary exclusion to FDEM, and assist in getting them completed by bidders.
- Review and recommend revisions, as needed, and submit bid tabulations to FDEM.
- Review and provide guidance in the TOPB's contractor selection process, including coordination and meetings, as needed.
- Provide recommendations and forward the notice to proceed and purchase order(s) to FDEM. Provide consultation as needed and submit signed contracts to FDEM for HMGP grant reimbursement record.
- Review and recommendations on costs and increases from the HMGP grant agreement and coordinate with FDEM and FEMA.
- Provide consultation and coordination with FDEM and FEMA on eligibility for possible additional grant funding/increases.
- Attend meetings, participate in phone calls, and email correspondence with FDEM and FEMA to address the TOPB requirements and responsibilities as specified in the HMGP grant agreement and promote project cost reimbursements.

The Final Construction Management proposal will be submitted in a bound format which will include, but not be limited to the following:

- Cover sheet including project title and Owner project number
- Summary sheet of the proposal including subcontractor bids, allowances, contingencies, bonds, insurance, conditions and exclusions. This sheet will also contain contract time, construction start date, date of substantial completion, date of final completion, critical path schedule and proposed work hours
- Schedule of values
- Detailed summary of general conditions
- Allowance list statement amounts and uses
- Proposed subcontractor list
- Subcontractor bid sheets
- Plans, drawings and specifications specific to the proposal
- All supporting documents referenced above from LaConte Engineering

CM's scope of services shall be detailed and subject to a final determination of the project scope and size and careful negotiation and coordination between BCI and the Owner.

TASK IV – TIME & MATERIALS NOT TO EXCEED

\$66,900.00

TOTAL PRECONSTRUCTION SERVICES FEE ALL TASKS I THROUGH IV:

\$118,200.00

All tasks and fees include supplies, presentation materials, equipment, personnel, travel and related costs associated with performing the services described. Acceptance, by the Owner, of a mutually acceptable Management Plan Proposal shall conclude preconstruction services.

We have attached our current hourly rates for your use should additional pre-construction services be requested.

Thank you for the opportunity to submit this pre-construction services proposal. If you have any questions on this proposal, please contact us at (561) 659-1400.

Submitted By:
Construction Manager

Burkhardt Construction, Inc.

Marc R. Kleisley Title: Vice President

Accepted by:
Owner

Town of Palm Beach

By: _____
Printed Name

Title: _____

Date: _____

Upon your acceptance of this letter agreement Burkhardt Construction, Inc. shall begin work immediately. Please return one original for our files.

Hourly Rates For Additional Requested
Preconstruction Services Rates

<u>Name</u>	<u>Position</u>	<u>Rate</u>
Vincent G. Burkhardt	President	\$300.00
Sharon H. Burkhardt	Secretary/C.P.A.	\$200.00
Dennis E. Haynes	Vice President	\$200.00
Marc R. Kleisley	Vice President/Proj. Principal	\$200.00
Anthony Sabatino	Senior Project Manager	\$150.00
Bill Zammit	Snr. Vertical Project Manager	\$150.00
Adam Rossmell	Project Manager	\$120.00
CJ Rhody	Project Manager	\$120.00
Brandon Rhodes	Project Manager	\$120.00
Kevin Brennen	Asst. Project Manager	\$ 90.00
Ruben Almazan	Const. Field Mgr.	\$100.00
Karl T. Kaminski	Utilities Const. Field Mgr.	\$100.00
Michael Parsons	Utilities Const. Field Mgr.	\$100.00
Lee VanPraag	Utilities Const. Field Mgr.	\$100.00
Hemant Tank	Estimator/Cost Engineer	\$ 75.00
Diane Decker	Resident/Merchant Outreach	\$ 75.00
Sarah B. Hoadley	Accounting Manager/M.B.A.	\$ 90.00
Katy Pantaleon	Accounting	\$ 75.00
Brittany Darville	Admin. Ass't/Clerical	\$ 50.00
LaConte Engineering		
	Consultant / Program Manager	\$150.00
	Project Manager	\$125.00
	Project Specialist	\$110.00
	Administrative Assistant	\$ 55.00

Hourly rates include all necessary supplies, transportation, communication, overhead and profit.

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Report Regarding Public Access and the Enforcement of Regulations on the Beaches Between Wells Road and Sunset Avenue.

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- **Memorandum Dated October 5, 2020, from Jay Boodheshwar, Deputy Town Manager**
- **Memorandum Dated September 30, 2020, from Nicholas Caristo, Chief of Police**
- **Memorandum Dated September 28, 2020, from H. Paul Brazil, P.E., Director of Public Works**
- **Memorandum Dated October 2, 2020, from Wayne Bergman, Director of Planning, Zoning and Building**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Jay Boodheshwar, Deputy Town Manager

Re: Report Regarding Public Access and the Enforcement of Regulations on the Beaches
Between Wells Road and Sunset Avenue

Date: October 5, 2020

STAFF RECOMMENDATION

Staff recommends Town Council review the attached reports from the Departments of Public Works, Police, and Planning, Zoning and Building, relative to public access and the enforcement of regulations on the beaches located between Wells Road and Sunset Avenue and provide direction to staff as necessary.

GENERAL INFORMATION

As the Mayor and Town Council is fully aware, staff has dedicated a lot of resources over the last year to address neighborhood concerns in the beach areas between Wells Road and Sunset Avenue. Multiple measures have been implemented and several are in progress, which are intended to improve control at the public beach access points and enhance enforcement of regulations. Attached are reports from the Departments of Public Works, Police, and Planning, Zoning and Building, which provides details on the measures they have taken to mitigate concerns.

As you are also aware, Town Council approved the implementation of paid parking on the 100 Block of Sunrise and in the N. County Road corridor. Parking kiosks were ordered shortly after this approval and are schedule to be installed in the next couple of weeks. Motorists will be able to physically pay by credit card at the kiosks or via phone, using Parkmobile.

If Town Council desires additional actions to further address neighborhood concerns, you could consider increasing the parking fees on the 100 Block of Sunrise to \$5/hour to match the rates charged at the Mid-Town and Phipps beaches. You may also wish to consider modifying the Town Code to implement certain restrictions currently in place at the guarded municipal beaches, including the complete prohibition of dogs, fishing, surfing and skim boarding, ball playing, etc.

FUNDING/FISCAL IMPACT

Minor expenses related to necessary signage and communications will be absorbed in existing operations budgets.

Attachments

cc: H. Paul Brazil, Director of Public Works
Nick Caristo, Police Chief
Wayne Bergman, Director of Planning, Zoning and Building
John C. Randolph, Town Attorney

TOWN OF PALM BEACH

Information for Town Council Meeting: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jay Boodheshwar, Deputy Town Manager

FROM: Nicholas Caristo, Chief of Police

RE: Sunrise Avenue to Wells Road Beach Area Police Department Actions

DATE: September 30, 2020

Increased Patrol and Enforcement

The Police Department has been providing increased enforcement due to complaints since April, 2020. Increased enforcement was accomplished via officer education and supervisor-verified proactive patrols. These patrols were a combination of increased Parking Control presence and citation issuance, increased zone officer patrol, and increased ATV beach patrol. These patrols were tasked with enforcing parking regulations, VTO's, emergency orders, and trespassing complaints. Our policy in this area has been to educate and warn offenders for first offenses (except for parking), and cite for subsequent violations.

Beginning in June of 2020, the PD began keeping more detailed statistics of our activity in the area. The below numbers cover June through September 30, 2020.

- Approximately 765 proactive patrols.
- Approximately 289 parking tickets.

Additionally, we have responded to every call for service that has arisen in the area. Those service calls are not represented in the above numbers.

Trespass Enforcement Affidavits

These affidavits allow the Police Department to take trespass enforcement action on behalf of a homeowner when they are not present or immediately available. To date we have obtained affidavits from 8 out of the 17 beach front parcels.

Signage

The Police Department conferred with Public Works regarding the signage along North Ocean Boulevard between Wells Road and Sunrise Avenue. Public Works provided signs in that area indicating there is no parking, stopping, and standing. In addition, signage stating regulations were placed at the public access points.

Suggested Ordinance to Change Closing of the Beach at Night

The proposed ordinance change, which is scheduled for second reading on October 13, will keep this beach area consistent with the time regulations present at our municipal beaches. When enacted, the Police Department will be responsible for opening and closing the public accesses at the requisite times.

Communication with Residents

The Police Department has maintained robust communication with residents in regard to their concerns via email, phone, and in person with officers and supervisors. Unfortunately there are still times when residents are dissatisfied with lack of action (due to legal limitations) on trespass complaints or in the lack of a permanently stationed police officer in the area. The Police Department suggested to the residents that they may hire a detail officer for increased presence in the area if they so desire.

Cc: H. Paul Brazil, Director of Public Works
Wayne Bergman, Director of Planning, Zoning and Building

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Public Works Actions to Date – Sunrise Avenue to Wells Road

DATE: September 28, 2020

GENERAL INFORMATION

Beach Nourishment, 2020

In March 2020, the U.S. Army Corps of Engineers' contractor, Weeks Marine, started construction of the Palm Beach County Federal Shore Protection Project, Mid-Town Segment. The dredging subline landing was placed on the shore in the vicinity of Sunrise Avenue. Between March 17th and May 1, 2020, the beach was renourished. Prior to the beach nourishment project, the shoreline in the Sunrise to Wells vicinity had receded close to the seawalls. Following nourishment, the shoreline position is consistently greater than 100 feet from the seawalls in this same area.

Interaction with Residents

The Public Works Department has responded to an increased amount of email correspondence from private residences between Wells Road and Root Trail since November 2019. The primary issue for these emails, disproportionate from the rest of the beaches in Town, pertains to public access and use of the beach. Public Works staff has taken steps to assist the residents with their concerns for both safety and quality of life while maintaining public rights based on Florida Statutes.

Public Beach Accesses:

Prior to 2020, the Town was maintaining public beach access points at Wells Road, Dunbar Road, and Atlantic Avenue. Following a review of legal documentation by the Town Attorney's office, Atlantic Avenue is no longer being maintained as a public access point. The public access points have landscaped to be consistent with the neighborhood and gates have been installed. The gates will be locked (either manually or with timed locks) between sunset and sunrise.

Private Beach Accesses:

Atlantic Avenue, Everglade Avenue, and Seminole Avenue beach accesses are private and are being maintained by the residents with a locked gate. The only private beach access in the area that is currently accessible by the public is Root Trail. Public Works staff is working with the two (2) ownership entities of Root Trail to have improvements permitted by the state. The ownership of the Root Trail access is being reviewed by the Town Attorney and our Planning, Zoning and Building Department. Public Works staff understands that if the ownership does not change, the current owners of the Root Trail beach access intend to install a locked gate in the near future. Residents have asked for Town regulatory signs at Root Trail. Ownership should be determined before signs are installed. Regulatory signs on private property would be a precedent.

Beach Signage:

Oceanfront residents requested that the Town assist with obtaining regulatory authorization to install signs near the seawalls to discourage the public from trespassing onto both the seawall and improved private property. Public Works staff confirmed with the Town's sea turtle monitor that no nests were present within two (2) feet of the seawalls and that signs could be installed without harming sea turtles.

As requested by the oceanfront residents in May 2020, Public Works staff committed to redesign the signage at the Wells Road and Dunbar Road beach accesses to be more aesthetically pleasing and to discourage unwanted behavior on the beach. The Town has regulatory signs at the public beach accesses. We are in the process of revising the signs to clarify that dogs must be on a leash and the reference to "tents" will be removed.

Beach Post and Rope:

In June 2020, oceanfront residents requested that the Town install post and rope along the Erosion Control Line to identify public and private land. Public Works staff informed that the Town would not pursue this activity due to both liability and permit-ability issues.

In September 2020, Public Works staff installed posts and rope along the north and south limits of both the Wells Road and Dunbar Road beach accesses from the seawall extended shore-perpendicular approximately 100 feet onto the berm. The purpose of the posts and rope are to aid beachgoers toward the shoreline. No work was performed on the beach prior to the Town's sea turtle monitor confirming that no nests were present in the area.

Also in September 2020, oceanfront residents requested that Public Works staff work with FDEP to obtain regulatory authorization for posts and rope to be installed along the Erosion Control Line (ECL). Public Works staff met with FDEP staff on the beach to discuss the request by the residents. FDEP concluded that such an activity would require a permit application to be submitted for review. FDEP informed that such an activity would likely result in permit denial as FDEP would interpret posts and rope running along the ECL as an activity inconsistent with public rights as identified within Florida Statutes. FDEP suggested that the residents consider the installation of "monoposts" (a single free standing post spaced approximately 10 feet apart) without rope to guide the public. Monoposts are exempt from permitting. The Town confirmed with the sea turtle monitor that there are no nests in the approximate location of the monoposts. Public Works staff believes that the residents will pursue this alternative and install free standing posts on the privately owned section of beach. Ropes resting on the sand can be placed without the need for a permit; however, these ropes must be picked up every night during sea turtle nesting season.

Beach Access Renovations:

In June 2020, oceanfront residents requested that the Town renovate both Dunbar and Wells Roads public beach access points in an effort to provide a more esthetic look to their neighborhood mimicking the renovations performed by the Atlantic Avenue residents. These renovation consist of decorative aluminum fencing and gates, installation of salt tolerant turf, native plantings, fountain grasses, green island ficus hedging, and low-flow irrigation systems for both Dunbar and Wells Roads' accesses respectively. The water for these systems are being provided by the adjoining residents existing irrigation systems. Funding for the renovations and additional maintenance costs are being provided by these oceanfront residents. These renovations commenced the third (3rd) week of September and are currently anticipated to be completed in two (2) weeks.

Parking:

Installation of parking kiosks was approved by the Town Council and the kiosks have been ordered. We anticipate delivery within a week. Installation will be completed as soon as possible after delivery.

Additionally, the residents have requested that we review the sight triangles at the western end of the 100 block streets. We found that the visibility was limited and have changed some of the parking spaces on County Road to "Compact Car" parking spaces. The signs will be installed on October 1, 2020.

Dune Restoration, 2021

The Town continues to work with FEMA and the Florida Department of Emergency Management to replace the vegetated dunes damaged from hurricanes Matthew and Irma. The sand for these dunes will be truck-hauled from Phipps Ocean Park following completion of the Phipps Ocean Park/Reach 7 Beach Nourishment Project in early 2021. The dimensions of this dune would be similar to that which was constructed in 2016. The height of the dune will only be approximately two feet above the elevation of the berm so that ocean vistas are not impacted. The width of the dune will vary based on the existing conditions, but will likely be about 15-20 feet wide. This dune work is expected to be performed during March and April 2021. If the dune sand is in place by mid-April, the Town will look to have the dunes vegetated prior to May 1, 2021. Should the dune sand not be in place until May 1st, the dunes will be vegetated after November 1, 2021 following the sea turtle nesting season. Sea oats will be plants approximately 12 inches apart throughout the newly placed dune. Five to six-foot-wide paths will be left at both the public and private access points to allow beachgoers to stay off the vegetation. After sea oats are planted to vegetate the dune, the Town will obtain a state permit to install posts and rope to best protect the newly vegetated dune. A post and rope system will keep beachgoers from trespassing onto the dunes which, inherently, would keep beachgoers from trespassing onto the seawalls and improve private property.

cc: Jay Boodheshwar, Deputy Town Manager

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

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

Re: Status on the Root Trail Beach Access

Date: October 2, 2020

STAFF RECOMMENDATION

The purpose of this memorandum is to provide the Town Council with an update on the status of Root Trail beach access. There is no recommended action at this time.

BACKGROUND

The Planning, Zoning and Building Department received an inquiry from a fence contractor about closing off an approximate 20-foot wide beach access at the end of Root Trail with a six foot high fence and gate. The inquiry from Root Trail Partners, LLC, who owns the north 10 feet, and Ocean Towers North, who owns the south 10 feet, want to close off that beach access which stretches from North Ocean Boulevard to the Atlantic Ocean with a six foot tall gate and fence.

Staff questioned the closure as it had historically been open to the public. After reviewing the plat of Root Trail, staff advised the contractor that in order to construct the gate and fence, staff had to confirm ownership of the north 10 feet of the beach access as the plat for the Root Subdivision indicates that it is dedicated to the Root Trail lot owners. In addition, staff advised that once ownership is confirmed, that a variance is required if the proposed gate and fence is over 4 feet in height, as this is in the Beach Area zoning district.

Staff subsequently reviewed the plat and the Palm Beach County Property Appraiser's information on the subject property. The subject property was platted as part of the Root Subdivision in June of 1900. The subject property in question was platted as 10 feet wide and ran from Lot 1, Root Subdivision, to the Atlantic Ocean. The 10-foot wide strip of land on the south side of the subdivision that was dedicated as "private trail" runs from North County Road, east to the Atlantic Ocean and is dedicated on the plat for access to the lots and for the use of the lot owners in the subdivision. In addition, staff questioned how Root Trail Partners, LLC, took title to the subject property being that it is dedicated on the plat to all of the lot owners in the Root Subdivision.

Planning, Zoning and Building staff contacted John Randolph, Town Attorney, regarding this ownership issue and a joint meeting with Public Works was held to discuss beach accesses. Staff

was advised that Mr. Randolph had met with Peter Coleman, manager, and Barry Curtain, attorney, for Root Trail Partners, LLC, in February 2020 in regards to closing off the beach access. They advised Mr. Randolph that Root Trail Partners, LLC, owned the Root Trail beach access and wanted to close it off to the public. At that time, Mr. Randolph had Mark Dahlmeier, an attorney from his office, review two 1912 deeds provided by Mr. Curtain. He concluded that while he had not independently reviewed record title, his review and reliance on the deeds identify that the Quit Claim Deed dated July 1, 1912 from Enoch Root and Victoria A. Root, his wife, to and in favor of the Town of Palm Beach recorded on July 2, 1912 in Deed Book 22, Pages 408 and 409, dedicates the North 10 feet of Root Trail, extending from County Road on the West to the Atlantic Ocean on the East, as a public highway to be kept open and maintained by the Town of Palm Beach for the benefit of the public and the Root Trail lot owners.

Similarly, a Quit Claim Deed dated July 1, 1912, from Dorinda H. Brelsford to and in favor of the Town of Palm Beach recorded July 3, 1912 in Deed Book 22, Pages 410 and 411, which dedicates the South 10 feet of Root Trail, extending from County Road on the West to the Atlantic Ocean on the East, as a public right of way to be kept open and maintained by the Town of Palm Beach as a public highway.

Based on that information, Town staff questions, how three previous owners and Root Trail Partners, LLC, took title to the property since 1995. How could a private entity make application; pay the taxes and obtain a tax deed from the Palm Beach County Tax Collector on what appears to be public property? With all of these questions, staff requested that the Town Attorney's office have a title search conducted to determine what happened between 1912 and 1995 that could have released or abandoned the Town's rights to the subject property.

Staff received an email from Mark Dahlmeier yesterday regarding that title search report. He stated that the Title Search Report finds no recorded conveyance out, relinquishment or abandonment of the public right-of-way rights established by virtue of the Quit Claim Deed dated July 1, 1912 from Enoch Root and Victoria A. Root, his wife, recorded in Deed Book 22, Pages 408 and 409, and the Quit Claim Deed dated July 1, 1912, from Dorinda H. Brelsford recorded in Deed Book 22, Pages 410 and 411. This contradicts the claim of Root Trail Partners, LLC, that it privately owns title to the beach access property free and clear of any rights of the public. This raises questions about the validity of the 1995 Tax Deed as to this beach access property. It appears that that Tax Deed conveyance, which gave rise to this new chain of title now vested in Root Trail Partners, LLC, unknowingly conveyed title to the Town's public right-of-way to a private entity

Staff is in the process of determining what the next steps might be as it relates to this finding. Regardless, the Town will assist and coordinate with property owners in this area to provide controlled beach access across on the subject property.

cc: Kirk Blouin, Town Manager
Jay Boodheshwar, Deputy Town Manager
Paul Castro, Zoning Manager
John Randolph, Town Attorney
Mark Dahlmeier, Esq.
pf

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Regular Agenda - New Business

Agenda Title

Consideration for ORS Study of Vegetation Height Limitations Adjacent to Existing Neighboring Structures and the Screening of Vacant Lots.

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- ▣ **Memorandum Dated September 24, 2020 from Wayne Bergman, Director of Planning, Zoning and Building**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

To: Mayor and Town Council

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



Cc: Kirk Blouin, Town Manager

Re: Request to Send to the ORS Committee the Matter of Maximum Height of and Separation Distances Between Landscape and Neighboring Buildings

Date: September 24, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council consider sending the matter of creating a maximum height of and minimum separation distance between newly planted and maintained landscape that is adjacent to neighboring buildings to the ORS Committee for their review.

GENERAL INFORMATION

As evidenced in the review and discussion of 131 Seaview Avenue, the planting of new landscaping directly next to neighboring buildings can be problematic. The vegetation, including tall hedges, trees and palms, can be the pathway for rodents (primarily rats) and Iguanas to access roofs and eaves. The idea of a maximum landscape height and a minimum separation distance between newly installed planting and neighboring buildings could be reviewed, along with maintenance standards for the newly planted vegetation.

Any possible review should consider changes to Chapter 66, Natural resource Protection, Article IV, Vegetation.

This review is supported by PZB staff and has also been suggested by seven (7) residents. See their attached request and support for this type of regulation.

To Rules Committee and Town Council:

We need a Town rule that requires a written OK before one plants tall growing tree(s) or vegetation very near a neighbor's home or building structure. If the tree(s)/vegetation is there now, and are close, the rule should also require the owner to cut the tree(s) or vegetation well away from the neighbor's roof soffits, so iguanas will not get on the neighbor's roof. Thank you.

Bradford Winston and Sandra Powers



9/16/2020

Address: 419 Seaspray Avenue, PB

Thank you, in advance, for your consideration of the above.

To Rules Committee and Town Council:

We need a Town rule that requires a written OK before one plants tall growing tree(s) or vegetation very near a neighbor's home or building structure. If the tree(s)/vegetation is there now, and are close, the rule should also require the owner to cut the tree(s) or vegetation well away from the neighbor's roof soffits, so iguanas will not get on the neighbor's roof. Thank you.

Mr/Mrs

Joan de Brie

Address

164 Sea spray

Wayne Bergman

From: Steven Jeffrey Greenwald, Esq. <3102724@gmail.com>
Sent: Monday, September 14, 2020 3:12 PM
To: Wayne Bergman
Subject: Neighbors would like the new Code rule See letters

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Dear Wayne: I earlier just sent an email to you on the meeting date and time.

This email has to do with feeler I put out to some neighbors on their thoughts of a new town code like the one you are working on. 100% favorable, and a quick response. One fellow told me he always has a fear that he will return back after summer and find newly planted tree hedges right at his building. I would have liked to do a petition, but folks are afraid of Covid and many are out of town still. So I opted for a sort of form letter they send me. STEVE

Eric Leiner
to me

Sun, Sep 13, 4:16 PM (22 hours ago)

Hi Steve,

That is a terrible problem you had with those tall trees, iguana waste, and a difficult neighbor. I can definitely see the need for a simple rule like this.

Eric Leiner

159 Seaspray Ave

To Rules Committee and Town Council:

We need a Town rule that requires a written OK before one plants tall growing tree(s) or vegetation very near a neighbor's home or building structure. If the tree(s)/vegetation is there now, and are close, the rule should also require the owner to cut the tree(s) or vegetation well away from the neighbor's roof soffits, so iguanas will not get on the neighbor's roof. Thank you.

Eric Leiner

159 Seaspray Ave

To Rules Committee and Town Council:

We need a Town rule that requires a written OK before one plants tall growing tree(s) or vegetation very near a neighbor's home or building structure. If the tree(s)/vegetation is there now, and are close, the rule should also require the owner to cut the tree(s) or vegetation well away from the neighbor's roof soffits, so iguanas will not get on the neighbor's roof. Thank you.

Mr Jay Serzan

Address 353 Seabreeze Avenue

Bradford Winston

Sun, Sep 13, 3:27 PM (22 hours ago)

to me

I will certainly support this request tonight when I get to my computer.

Bradford Winston
419 Seaspray Ave.

Janeylvisaker

10:52 AM (3 hours ago)

to me

Well done Steve... I would also add that neighbours should not allow their hedges & other vegetation to block out their neighbour's light. This happens to me on 2 sides.

I have attempted to copy & paste your letter back but my iPad isn't responding.

Jane Ylvisaker

346 Seabreeze Avenue, Palm Beach, FL 33480

UK 44.207.727.1589 home

Dorothy Martin

11:36 AM (3 hours ago)

Thank you for your email, I agree 100%. please keep me posted.

Dorothy Martin

312 Seabreeze Ave, Palm Beach

Carol LeCates

2:39 PM (0 minutes ago)

to me

Hi Steve,

I've been following your saga. What a nightmare! I will have a look at the draft language and write to Council.

Best to you and Martha,
Carol

--

Steven Jeffrey Greenwald, Esq.

Email address:

3102724@gmail.com

U.S.A. Telephone & voicemail:

561-310-2724

Mailing address: P.O. Box 3407

Palm Beach, Florida 33480 - U.S.A.

Wayne Bergman

From: Steven Jeffrey Greenwald, Esq. <3102724@gmail.com>
Sent: Monday, September 21, 2020 5:50 PM
To: Wayne Bergman
Subject: Another owner in favor proposed tall grow vegetation iguana rule

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Wayne: Thanx so much for the time you are taking out of your busy schedule. Really great of you. I could see your new very important position keeps you **super** busy.

Below in this email is another neighbor in favor of the proposed tall vegetation iguana rule, **Polly Wulsin**. A nice number of owners so far in favor, some strongly in favor. I'm sure I can get a lot more signatures as people return to Palm Beach. I have tried to knock on doors, but many are still out of town.

Not simple to get petitions signed during Covid too, so these little letters are a substitute for a petition.

Note: the idea of the **first** part of a rule is it is **only** applicable **if** the neighbor objects to planned tall hedges next to the neighbor's building, of course.

And the **second** part, for tall vegetation already there, Polly Wulsin's little note did not mention that cutting away from soffits would be needed **only** if requested by the neighbor. So most of the time nothing would change. The worst thing that could happen is for a few hundred dollars, the hedge owner would tell his gardener to cut the hedges a bit lower. No biggie really, this proposed code.

Kind regards, Steve and Martha

Polly's letter she sent me:

To Rules Committee and Town Council:

We need a Town rule that requires a written OK before one plants tall growing tree(s) or vegetation very near a neighbor's home or building structure. If the tree(s) vegetation is there now, and are close, the rule should also require the owner to cut the tree(s) or vegetation well away from the neighbor's roof soffits, so iguanas will not get on the neighbor's roof. Thank you.

Polly Wulsin
425 Seabreeze Ave.

--

Steven Jeffrey Greenwald, Esq.

Email address:

3102724@gmail.com

U.S.A. Telephone & voicemail:
561-310-2724

Mailing address: P.O. Box 3407
Palm Beach, Florida 33480 - U.S.A.

Wayne Bergman

From: Steven Jeffrey Greenwald, Esq. <3102724@gmail.com>
Sent: Wednesday, September 23, 2020 6:14 PM
To: Jay Boodheshwar; Wayne Bergman
Subject: 2 more good letters in favor of the town code add
Attachments: Letter from David (Lily Rovin) re Code add vegetation iguanas.pdf

*****Note: This email was sent from a source external to the Town of Palm Beach. Links or attachments should not be accessed unless expected from a trusted source. Additionally, all requests for information or changes to Town records should be verified for authenticity.*****

Jay and Wayne:

Thanx so much for all of your hard work on the proposed code add. Do either of you know exactly when the Code hearing is on this proposed vegetation/iguana rule, ie., what day time and place? I know of a number of citizens who want to attend and speak.

Below and attached are two more letters in favor of the town code add on tall vegetation and iguanas. One written by Dr and Mrs Richard Goldberg of Seabreeze, below.

The other was written by David Katzman, Esq., nephew and attorney for **Lily Rovin**. If you recall, Lily Rovin lives next to the home on Seaspray that was landscaped last year by Mr Williams Group. I had sent photos of the outrageous tall huge trees and plants engulfing Lily's structure. Mrs Rovin is very upset about the iguanas on her roof too, and other iguana problems, large amounts of feces, etc. What I saw next door to Lily was way too much huge vegetation, hence the iguanas. You may want to have a look at that. Read Attorney Katzman's letter attached in the PDF.

I also had a talk with a Dorothy Martin from Seabreeze Ave, same subject. She is very concerned about how landscape planners are overdoing what is near neighbors' structures. She strongly urges planning and zoning to not allow this to happen any longer. She complains her neighbors' new hedges are way too huge and close to her structure. You may want to interview her. She is pretty smart and has much to say about this. She is a 50 year resident of PB.

Mrs Martin's phone is **561-801-5539**. Although she likes the little proposed code add, she wants to write her own letter explaining the automatic approving of overdone landscaping by planners near neighbors' structures, is causing citizens of Palm Beach major problems, including iguanas, and most of all constant **severe dampness**. Thus damages in neighbors structures that are engulfed by their landscape planners' overdoing things. She has 5 or more other neighbors that will also be in touch. Pretty upset lady.

Either way, a little rule that an owner of tall plants may have to spend a couple hundred bucks to cut say tall hedges down from their neighbor's roof soffits, **is not a biggie**. It just codifies neighborliness.

I will shortly be sending more letters.

Thanx again and kind regards, Steve and Martha Greenwald

LETTER FROM MR and MRS GOLDBERG:

To Rules Committee and Town Council:

We need a Town rule that requires a written OK before one plants tall growing tree(s) or vegetation very near a neighbor's home or building structure. If the tree(s)/vegetation is there now, and close, the rule should also require the owner to cut the tree(s) or vegetation well away from the neighbor's roof soffits, if the neighbor requests, so iguanas will not get on the neighbor's roof. Thank you.

**Dr. and Mrs Richard I Goldberg
358 Seabreeze Ave, PB**

Mailing address: P.O. Box 3407
Palm Beach, Florida 33480 - U.S.A.

Steven Jeffrey Greenwald, Esq.

Email address:

3102724@gmail.com

U.S.A. Telephone & voicemail:

561-310-2724

Mailing address: P.O. Box 3407
Palm Beach, Florida 33480 - U.S.A.

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121 N. WAYNE AVE., SUITE 205
WAYNE, PENNSYLVANIA 19087
(610) 686-9686 • FAX (610) 686-9687

RICHARD F. SCHADEN, OF COUNSEL

September 14, 2020

Via U.S. Mail

Members of Town Counsel and
Gail L. Coniglio, Mayor
360 South County Road
P.O. Box 2029
Palm Beach, FL 33480
Phone: 561-838-5400

Re: 140 Seaspray, Palm Beach, FL

Dear Members of the Town Counsel and Mayor of Palm Beach:

I write on behalf of my aunt, Lily Rovin, who has for decades been a resident of Palm Beach. Although elderly, Mrs. Rovin possesses amazing soundness of mind and body. She remains active, alert, and in full possession of all her faculties. I digress only momentarily to tell you one of my favorite facts about my aunt: As a teenager my Aunt Lily lived through the Nazi bombing of London, the blitz. Consequently, it would be foolish for anyone to underestimate her tenacity.

Mrs. Rovin is fastidious in keeping her property groomed and presentable. She is a proud resident of Palm Beach, and she ardently believes in maintaining high community standards.

Unfortunately, there have lately been some problems involving recently installed landscaping on several properties using tall growth trees, precipitating an invasion of iguanas and large rodents onto her property. Recently, Mrs. Rovin was compelled to have her car repaired because rodents chewed through wiring that runs along the underside of her vehicle. The car is maintained in the porte-cochere attached to her house. The expense of the repairs is not of concern. Apparently, the newly installed landscaping has also attracted iguanas and permitted them to access a flat portion of her roof, upon which they sun and defecate; and, the iguanas have invaded her backyard swimming pool, into which they defecate. These conditions create at best a nuisance and of far more concern, they create a genuine and potentially serious health hazard.

Mrs. Rovin desires only to be a good neighbor. She believes that the concern for public health eclipses the singular matter here described and should be addressed in a broader context.

There are apparently several potential solutions, ranging from limiting the placement and height of tall growth trees to requiring that tall growth trees and other tall-growth vegetation be trimmed to at least a distance of six feet from the roofline of nearby and adjacent structures.

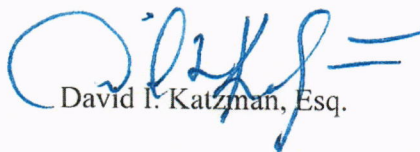
LAW OFFICES
KATZMAN, LAMPERT & STOLL
PROFESSIONAL LIMITED LIABILITY COMPANY

September 14, 2020

Page 2 of 2

Mrs. Rovin respectfully requests that the issues and concerns expressed in this letter be addressed in the interests of public health and safety and consistent with traditional community standards.

Very truly yours,

A handwritten signature in blue ink, appearing to read "D. Katzman", with a stylized flourish at the end.

David I. Katzman, Esq.

cc: Lily Rovin

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Regular Agenda - New Business

Agenda Title

Discussion Regarding Landmark Notification Procedures.

Presenter

Wayne Bergman, Director of Planning, Zoning and Building

ATTACHMENTS:

- **Memorandum Dated September 23, 2020 from Wayne Bergman,
Director of Planning, Zoning and Building**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 13, 2020

To: Mayor and Town Council

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



Cc: Kirk Blouin, Town Manager

Re: Request for Clarification on Staff Policy Regarding Notice to an Affected Group of Property Owners When a Future Historic District is Placed Under Consideration

Date: September 23, 2020

STAFF RECOMMENDATION

Staff recommends that the Town Council review the matter of a staff policy which directs staff to send notices to the group of affected property owners whenever a new Historic District is proposed and placed under consideration; and direct staff to prepare such a policy and to implement the policy.

GENERAL INFORMATION

The matter of a courtesy notice that is mailed to property owners prior to their properties being **PLACED UNDER CONSIDERATION** was discussed at length late last year. Copies of October 24, 2019 ORS Committee backup are attached. The ORS Committee reviewed the Historic Preservation code requirements from nine (9) other communities. Partial ORS backup material is attached. Partial Minutes from the December 10, 2019 Town Council Meeting are also attached.

In summary, after a lengthy ORS discussion and similar Town Council discussion, staff recalls that the Town Council was not in favor of any ordinance to change the current requirements of Chapter 54, Historic Preservation. The Town Council was not in favor of a courtesy notice to property owners when their **INDIVIDUAL** properties are placed under consideration for Landmarking, but there was some interest in a staff policy which would provide notice to the group of property owners that would be included in a new Historic District, if any such district is created in the future. There was no formal action on this item.

This matter was raised again by the Landmarks Preservation Commission in August while discussing a property on Root Trail. They asked staff for a recommendation on sending courtesy notices to **ALL** property owners, including both owners in a future Historic District that would be placed under consideration and owners with properties that would be placed under consideration for future Landmarking. It was during this discussion and review that we realize there was no clear direction to staff to develop a staff / administrative policy for the

notice to owners. Again, the matter was determined by the Town Council late last year to NOT send courtesy notices to property owners when their properties are placed under consideration for individual Landmarked status.

Staff is simply looking for direction to proceed and develop a policy to provide the courtesy notices to the group of owners that would be placed under consideration for a future Historic District. With this direction, staff will return to the Landmarks Preservation Commission and update them on the policy and direction provided by the Town Council regarding the courtesy notices.



TOWN OF PALM BEACH

Town Manager's Office

TENTATIVE -
SUBJECT TO
REVISION

ORDINANCES, RULES AND STANDARDS COMMITTEE MEETING

AGENDA

TOWN HALL
COUNCIL CHAMBERS - SECOND FLOOR
360 SOUTH COUNTY ROAD

Thursday, October 24, 2019
2:30 p.m.

- I. CALL TO ORDER AND ROLL CALL
 - Julie Araskog, Committee Chair
 - Lew Crampton, Committee Member
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF AGENDA
- IV. COMMUNICATIONS FROM CITIZENS
- V. REGULAR AGENDA
 - A. Old Business
 - 1. None
 - B. New Business
 - 1. Review of Notice to Property Owners Prior to LPC Placing a Property Under Consideration for Landmarks Designation
Wayne Bergman, Assistant Director of Planning, Zoning & Building
 - 2. Review of Special Events Ordinance to Establish Town Council Approval Criteria for Walks, Runs and Other Types of Races
Kathleen Dominguez, Town Clerk

VI. ANY OTHER MATTERS

VII. ADJOURNMENT

PLEASE TAKE NOTE:

The progress of this meeting may be monitored by visiting the Town's website (www.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.

Disabled persons who need an accommodation in order to participate in the 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.

TOWN OF PALM BEACH

Information for ORS Committee Meeting on: October 24, 2019

To: Ordinances, Rules and Standards Committee

From: John Lindgren, Planning Manager

Via: Josh Martin, Director of Planning, Zoning & Building

Re: Notice to Property Owners Prior to LPC Placing a Property Under Consideration for Landmarks Designation

Date: October 14, 2019

STAFF RECOMMENDATION

Staff recommends the Ordinances, Rules and Standards (ORS) Committee review the attached proposed ordinance change requiring notice be given to property owners prior to their property being placed under consideration for landmark designation by the Landmarks Preservation Commission (LPC).

GENERAL INFORMATION

The Landmarks Preservation Commission recently placed the "Sea" Streets under consideration as a historic district, which the Town Council ultimately overturned and removed the area from consideration as a historic district without prejudice. During this process, even though all notification requirements within the landmarks code were followed, concern was raised that the property owners were not notified prior to their properties being put under consideration as part of a historic district. At their September 11, 2019 meeting, Town Council directed staff to look at possible code changes that would require notice to property owners prior to their property being placed under consideration for landmark designation, and to take these code revisions to the ORS Committee for their review.

Staff has proposed revisions to Sec. 54-164 of the Town's code of ordinances that address the landmark designation process so that notice is required prior to placing a property under consideration for landmark designation; this requirement is also applicable for the historic districts designation process.

Attachment – Chapter 54-164 Code Revisions

cc: Wayne Bergman, Asst. Director of Planning, Zoning & Building
John C. Randolph, Town Attorney

Sec. 54-164. - Landmark, landmark site and historic district designation and undesignation procedures.

- (a) The following procedure shall be adhered to by the commission in designating any building, building site or district that is worthy of preservation:
- (1) The commission shall consider for landmark designation any property proposed by the owner of record or by a member of the commission.
 - (2) Prior to any property being placed under consideration for landmark designation at a Landmarks Preservation Commission meeting, the owner of record shall be notified via certified mail at least 30 days prior to the meeting date. The same notification will also be required for all property owners of record within an area prior to placing the area under consideration as a historic district. Only those properties where the owner or owners of record request that their property be put under consideration for landmark designation will be exempted from this requirement.
 - ~~(2)~~(3) After a property has been placed under consideration for landmark designation, Notice of a proposed designation shall be sent by certified mail to the owner of record of property proposed for designation as a landmark or landmark site and to each owner of record of property in a district proposed for designation as an historic district, describing the property proposed and announcing a public hearing by the commission to consider such a designation to be held not less than 30 days after the mailing of such notice.
 - ~~(3)~~(4) The commission shall also cause notice of each such proposed designation to be posted at least 30 days prior to the public hearing on the bulletin board in the lobby of the town hall, and in addition the commission shall cause such notice to be published in a newspaper having general circulation in the town.
 - ~~(4)~~(5) The commission may retain or solicit expert testimony regarding the historic and architectural importance of the buildings and districts under consideration for designation.
 - ~~(5)~~(6) The commission may present testimony or documentary evidence of its own to establish a record regarding the historic and architectural importance of the proposed landmark, landmark site or historic district.
 - ~~(6)~~(7) The commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.
 - ~~(7)~~(8) The owner of each affected property shall be afforded a right of representation by counsel and reasonable opportunity to cross examine witnesses presented by the commission.
 - ~~(8)~~(9) Any interested party may present testimony or documentary evidence regarding the designation of a proposed landmark, landmark site or historic district at the public hearing and may submit to the commission documentary evidence within three days after the hearing.

~~(9)~~(10) Within not more than 30 days after a public hearing, the commission shall render a final decision regarding the proposed designation and give written notice of its decision to each owner of property affected by the designation, setting forth the reasons for the decision.

~~(10)~~(11) The commission shall maintain a record of testimony and documentary evidence submitted to it for consideration of the designation of a proposed or previously designated landmark, landmark site or historic district.

~~(11)~~(12) In accordance with section 54-163(1), the town council shall, within 90 days of the commission's final decision, hold a public hearing to consider ratification of the determination of the commission prior to the designation of a property as a landmark or landmark site or of a district as an historic district becoming effective. Absent ratification by the town council, the commission's determination shall be ineffective.

~~(12)~~(13) Within 30 days of the date on which the town council ratifies the commission's designation of a landmark, landmark site or historic district, the commission shall cause to be filed in the office of the county recorder of deeds a certificate of notification that such property is designated a landmark or landmark site or is located within a district designated an historic district; and the certificate of notification shall be maintained on the public record until such time as such designation may be withdrawn by the commission and the town council.

(b) Designation and undesignation hearings before the commission shall be held only during the months of November, December, January, February, March and April.

(c) Designation of a landmark, landmark site or a historic district may be withdrawn by following the same procedure as listed above.

(Code 1982, § 16-43)

LANDMARK ORDINANCE EXAMPLES

Town of Jupiter Island - Sec. 1.03. - Landmark designation procedures.

The town commission shall designate landmarks and remove landmark designations according to the following procedures:

A. Potential landmarks shall be identified for consideration by either:

1. Application by the owner of record, or
2. Other means of identification.

B. If a potential landmark is identified by means other than application by the owner of record, notice of a proposed designation shall be sent by certified mail to the owner of record announcing that a public hearing by the town commission to consider such designation on a specific date that is not less than 30 days after the mailing of such notice.

C. The administrative official post notice of each such proposed designation within the Town Hall or other conspicuous place within the town designated for public notices at least 30 days prior to the public hearing.

D. At public hearing, the town commission shall afford the owner of each affected property reasonable opportunity to present testimony or documentary evidence regarding the historic and architectural importance of such property.

E. Within not more than 30 days after a public hearing, the town commission shall render a final decision regarding the proposed designation, and give written notice of its decision to each owner of property affected by the designation, which includes the reasons for the decision.

F. Within 30 days of the date on which the town commission designates a landmark, the administrative official shall file a certificate of notification that such property is designated as a landmark in the Public Records of Martin County. The certificate of notification shall also be maintained on the public record of the town until such time as such designation may be withdrawn.

City of Lake Worth Beach – Sec. 23.5-4. - Historic preservation.

Potential landmark designation.

A. *In general.* The HRPB or the city commission may by a majority vote of its members and without notice to the owner, designate as a "potential landmark" any building, structure or site which is identified in the survey as value being "potentially eligible" for listing in the National Register based on the criteria for designation outlined in subsection b. If such interim designation is made, the HRPB shall within no more than forty-five (45) days complete an application and schedule a public hearing. If the owner of the potential landmark objects in writing to designation, the HRPB shall complete its review of the application within ninety (90) days of its initial designation of potential landmark status. Once a formal application for designation has been filed, the matter shall be reviewed as provided in subsection e). Designation of a potential landmark is to be considered an extraordinary action and its use shall be limited to situations where the HRPB has reason to believe that an imminent threat exists to the maintenance or survival of buildings or structures identified in the survey to be "potentially eligible" for listing in the National Register.

B. Effect of pending applications for designation. When an application for designation is made and notice is mailed to affected parties, no action with respect to the exterior appearance of such site or district shall commence unless approved in accordance with the procedures provided in subsection e). In order to protect the city's general welfare, avoid an irreparable loss and prevent circumvention of the protections of this article, such requirement shall remain in effect until final disposition of the recommended action. The applicant may apply to the HRPB for review of a proposed action prior to final action by the city commission. The HRPB shall review the application using the criteria established herein, including unreasonable economic hardship. Permits may be issued upon HRPB approval of designation. Should the HRPB deny the applicant's request, the applicant may appeal to the city commission as provided in subsection o) below. If the city commission declines to designate the landmark or historic district, all permitting requirements set forth herein shall no longer apply to any proposed action.

City of Boca Raton – Sec. 28-235. - Establishment of historic sites and districts.

- (1) Historic districts and sites shall be established by ordinance by the city council.
- (2) Before the establishment of a historic site or district, the historic preservation board shall conduct studies and research and make a report on the historic significance of the exteriors of buildings, structures, features, sites, objects and surroundings in the city. The historic preservation board report shall contain recommendations concerning the buildings and areas to be included as proposed historic sites or districts. The board shall furnish written notice by mail to all persons or entities who own property being considered for establishment as a historic site or district at least 14 days prior to the meeting at which the board will consider the designation.
- (3) Copies of the report shall be transmitted for review and recommendation to the planning and zoning board, which shall hold a public hearing thereon after 14 days' written notice by mail to the owners of the properties proposed to be established as historic sites or districts.
- (4) After the public hearing, the planning and zoning board shall submit a final report with its recommendations and those of the historic preservation board to the city council.
- (5) The city council may, upon receipt of the final report, introduce an appropriate ordinance establishing 1 or more historic sites or districts. The city council may adopt the ordinance with or without amendments following a public hearing after 14 days' written notice of the time and place of the hearing has been furnished the owners of the properties proposed to be established as historic sites or districts.
- (6) Upon adoption of the ordinance, the owners of properties designated as historic sites or districts shall be given written notification of such designation by the city clerk. One copy of the ordinance shall be filed in the official records of the county, and 1 copy shall be filed in the office of the chief code administrator.
- (7) The ordinance shall also provide for a suitable sign or marker on or near the property indicating that the property has been designated as a historic site or district, and the sign or marker may include a brief explanation of the property's historical significance.

City of Miami – Sec. 23-4. - Designation of historic resources, historic districts, multiple property designations, and archaeological sites and zones.

Procedures for designation. Properties which meet the criteria set forth in section 23-4 may be designated as historic resources, historic districts, multiple property designations, and archaeological sites and zones according to the following procedures:

(1) *Proposals and preliminary evaluation.* Proposals for designation may be made to the board by any one of its members, the mayor, the city manager, resolution of the planning, zoning and appeals board, resolution of the city commission, the property owner, resolution of the county historic preservation board, resolution of any organization that has been a registered non-profit corporation in the state for at least five years with a recognized interest in historic preservation, or the preservation officer. In those instances when a historic district or multiple property designation is being considered, the preservation office shall conduct outreach involving all relevant home owner associations and neighborhood associations, ultimately ascertaining their level of support by way of resolution or vote. Said level of support shall be taken into consideration by staff and members of the HEPB when evaluating any proposed historic district or multiple property designation. The board shall conduct a preliminary evaluation of the data provided in the proposal for conformance with criteria set forth in subsection (a); and shall, if appropriate, direct the planning department to prepare a designation report. The board may require the party initiating such proposal to provide any necessary documentation, and to pay any applicable fees.

a. *Notification.* At least ten days prior to the meeting at which the board will consider the preliminary evaluation, the owner of property or his designated agent or attorney, on file with the city, which is the subject of said proposal for designation shall be notified by certified mail of the board's intent to consider the preliminary evaluation of the property. Should the applicant be a person other than the property owner or designated agent or attorney on file with the city, the applicant shall be notified and the owner of record of the subject property shall be notified. For historic districts or multiple property designations where there are more than 50 properties to be considered, for designation, the owners shall be notified by first class mail and by the published notice. The notice sent by certified mail of the board's intent to consider the preliminary evaluation of the property, when sent to the property owners of involuntarily designated residentially zoned properties in a T3-O designated transect zone that are not the applicants, will state the right to appeal the board's final decision regarding designation to the city commission, and will include in the notification a statement of the fee waiver provision contained in subsection (c)(7) herein.

Landmark Designation Process

Notice Requirements For Other Jurisdictions

Town of Jupiter Island – first notice to a property owner is done after property is put under consideration, and at least 30 days prior to considering the property for landmark designation.

City of Lake Worth Beach – first notice to a property owner is done after interim designation is made.

City of Boca Raton – first notice is sent to property owners at least 14 days prior to considering a property for landmark designation (no notice is required for the initial study done to put a property under consideration).

City of Miami – first notice is done by certified mail at least 10 days prior to conducting preliminary evaluation of a property to place it under consideration; however, from the date of the notice, no building permit for any new construction, alteration, relocation or demolition that may affect the property proposed for designation shall be issued until completion of the designation review process. Outreach is also done with homeowners associations when considering multiple properties for historic designation; this outreach is done prior to consideration for landmarking, and feedback from this outreach is taken into consideration when evaluating a proposed historic district.

City of Tarpon Springs – first notice is done at least 15 days prior to hearing to consider the property for historic designation, which is scheduled after receiving a petition for designation from the preservation board, the board of commissioners, the owner or the P&Z Department.

Hillsborough County – no notice is required for the initial informal review, because historically for almost every property, the property owner has requested that the property be put through the landmarking review process. For the rare occasions when a property is to go through the initial informal review for landmarking without being requested by the property owner, staff will reach out to the property owner and let them know about the meeting. If the historic board makes a determination to pursue the landmarking process, then notice is sent to the affected property owner.

Miami-Dade County – no notice is done to initiate the designation process (i.e. put a property under consideration for landmarking), because the meeting for this is not a public meeting; therefore no notice is required. However, in practice, staff often notifies the property owner ahead of time in order to provide a transparent process.

City of Oakland Park – first notice to a property owner is done after the property is put under consideration, and at least 30 days prior to being considered for landmarking.

City of West Palm Beach – first notice to a property owner is done after the property is put under consideration through the submittal of an application for historic designation (by historic preservation board, city commission, staff or property owner); notice is done at least 30 days prior to consideration, and is sent to the affected property owner and the property owners within 400 feet of the subject site.



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON TUESDAY, DECEMBER 10, 2019

I. CALL TO ORDER AND ROLL CALL

The regular Town Council meeting was called to order on Tuesday, December 10, 2019, at 9:30 a.m. in the Town Council Chambers. On roll call, all elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Dominguez gave the invocation. Council President Moore led the Pledge of Allegiance.

Town Manager Kirk Blouin advised the meeting was being filmed to provide more access to members of the community.

III. MODIFICATIONS TO THE AGENDA

There were no modifications made to the agenda.

IV. APPROVAL OF AGENDA

A. Lunch Recess from 12:30 to 1:30 P.M.

B. Time certain events for today were announced: for 11 a.m. for Woods Hole Group, breaking for lunch at 12:30; and 2 p.m. for discussion of the Undergrounding Report.

Motion was made by Council Member Lindsay and was seconded by Council Member Council Member Araskog, to approve the agenda. On roll call, the motion passed unanimously.

Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to approve the allocation of the remaining \$2.5M sales tax revenue for the undergrounding program. On roll call, the motion passed unanimously.

Public Comment:

Robert Davidow, 2100 South Ocean Boulevard, recommended stopping the undergrounding project.

Alan Wyett, resident, commented the original \$90M figure was incorrect and he suggested to stop worrying about it and pay for it.

2. Discussion Regarding Landmark Notification Procedures

Assistant Director of Planning Zoning and Building, Wayne Bergman provided a brief background of the subject.

Council Member Araskog commented on prior discussions about giving notice, and stated she agreed with the advice given by Town Attorney Randolph to keep the process procedural.

Mayor Coniglio confirmed with Town Attorney Randolph that the current landmarking process of giving notice when a landmarked property was referred to Town Council had existed since 1979. She was concerned whether any change would affect the landmarks program, and the cost of notification. She was in favor of the proposed historic homes process so it would become more voluntary, but the landmarking process should not stop. She proposed the historic homes program as a second path.

Council Member Lindsay agreed with the Mayor, and wanted to go through education before making any changes.

Mayor Coniglio commented ORS had come out with a change to the landmarks ordinance and she was saying today she would not do that.

Council Member Araskog offered a correction to the Mayor's comment, stating ORS did not come out with a change to the ordinance because of Town Counsel's advice. The Town Attorney clarified his advice was to change to allow notice but not change the ordinance, thereby keeping it procedural. Council Member Araskog stated that was what she was recommending—to do it procedurally which would not trigger Bert Harris, would not change the landmarks ordinance, and the Town Attorney felt procedurally this was okay.

Town Attorney commented there was a distinction between notification to individual properties that they wished to be designated and to a historic district. He recommended against any notice for an individual property.

Council President Pro Tem Zeidman asked if there was interest in historic districts.

Council Member Araskog responded that would be covered under code reform but did not want to limit historic districts.

Council President Moore commented today's discussion was on landmark notification procedures and the Town Attorney was advising not to make a change to the ordinance itself, but to make a procedural change and ORS was agreeing with that. Council Member Araskog commented only for district, not individual. Council Member Crampton felt notification for both was better.

Public Comment

Mr. Rene Silvin, Australian Avenue, remarked that for landmarking, homeowners were currently notified twice - when their home was going to be considered, and again when the date the designation report was going to be presented. Town Attorney Randolph corrected him, stating homeowners were not noticed before being placed under consideration; they were noticed after being placed under consideration. He explained any commissioner on Landmarks could at any meeting, without the landowner being in the audience, say I would like to place this property under consideration, they then voted to place it under consideration, then a notice was sent to the property owner. Then when the report was presented the landowner had the opportunity to address the report, present any evidence, and have cross-examination. Mr. Silvin recalled only two occasions since he had been on the Landmarks Preservation Commission where a homeowner objected to the Commission moving forward on the designation. In both instances Town Council had overruled the Landmarks Preservation Commission. He asked if the Council had concerns about notice before the Historic Districting came up, which he believed the answer was no, so he recommended to leave it alone. He felt Council Member Araskog's actions were clear and he agreed with the Mayor.

Simon Taylor, 234 Oleander Avenue, commented he had been impressed at the zoning code reform sessions by the creativity, expertise and flexibility in addressing people's concerns about historic houses, and it appeared a lot of expertise could be brought in. He suggested prioritizing the residential part of zoning code reform. He felt what was driving a lot of the anxiety and urgency of zoning code reform was the tear down and bulk up process, and he suggested looking at ways of preserving historic feel of certain houses using a lot of creativity and expertise.

Jay Serzan, 353 Seabreeze Avenue, stated he favored leaving individual notice the way it was, and had the impression historic districts were not going to be an issue going forward unless people wanted it to happen in

their own neighborhoods, and he was fine with that, too. He felt if historic districting was going to come about that something should be done about notices, and doing it procedurally was fine, but if historic districting was off the table that was also fine.

No action was taken.

3. Proposed Changes to Special Event Ordinance

Town Clerk Dominguez had researched and found a code from a town in Texas that she felt addressed many of the Town's concerns. She had presented a proposed code using that information to the ORS Committee. They had provided feedback, which she had incorporated by adding new definitions; and remarked that the new text was underlined and the text that was stricken through was what the ORS Committee had taken out.

Council Member Araskog commented because the run/walk definition included walking, running and/or racing, everywhere walking or racing was mentioned should be replaced with "run/walk event as defined". She offered several text changes.

Council Member Lindsay stated that she did not agree with this item since marathons had already been discussed.

Town Clerk Dominguez pointed out the code had been changed to reflect that all Town races had to come before Town Council, and at the July 9 Town Council meeting, Council had directed staff to work with the ORS Committee to modify the code so Council would have criteria to use in considering whether or not to approve a race.

Town Manager Blouin noted the code today required that anything new other than the things that were grandfathered come back to Council, deferring to the Town Attorney. Town Attorney Randolph advised he had understood this would not be brought up as an ordinance, but just to come back to Council for input. Staff was directed to prepare an ordinance with the changes and suggestions provided by Council Member Araskog and present it for first reading at the January 14, 2020, Town Council Meeting.

Consensus of Council was to bring back the Proposed Changes to Special Event Ordinance for first reading in January, 2020.

4. Public Parking Program for Town-owned Peruvian Parking Lot and 100 Block of Sunrise Avenue

Deputy Town Manager Boodheshwar noted that last month's discussion of purchasing four parking kiosks had not been approved. Also, Council had asked for a proposal of how the Peruvian parking lot could be regulated for public parking. Current paid parking on Peruvian Avenue was enforced

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Ordinances - Second Reading

Agenda Title

ORDINANCE NO. 13-2020 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Providing for an Amendment to the Town's Budgets Adopted for the Fiscal Year Commencing October 1, 2019, and Providing an Effective Date.

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Ordinance No. 13-2020**
- ▣ **Ordinance No. 13-2020 Exhibits**

ORDINANCE NO. 13-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR AN AMENDMENT TO THE TOWN'S BUDGETS ADOPTED FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2019, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it was necessary for the Town of Palm Beach to adopt budgets for the fiscal year commencing October 1, 2019; and

WHEREAS, the Town Council of the Town of Palm Beach, Florida, deems it necessary and appropriate to amend said budgets to provide appropriations adequate for the authorization of expenditures necessary for conducting Town operations for the fiscal year ending September 30, 2020; and

WHEREAS, the budget amendment is necessary for the Capital Improvement Fund, Coastal Protection Fund, and the Accelerated Capital Improvement Fund to appropriate funds for FY19 carryover projects and interfund transfers; and

WHEREAS, said budget amendments are required to be approved by ordinance.

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

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The Capital Improvement Fund, Coastal Protection Fund, and the Accelerated Capital Improvement Fund, for the fiscal year commencing October 1, 2019, are hereby amended and adopted pursuant to Exhibits "A", "B", and "C", attached hereto and made a part of this ordinance.

Section 3. Effective Date. This ordinance shall take effect immediately upon passage and approval as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of the Palm Beach on first reading this 10th day of September, 2020, and for second and final reading on this 13th day of October, 2020.

Gail L. Coniglio, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S. W. Crampton, Town Council Member

Queenester Nieves, CMC, Town Clerk

Danielle H. Moore, Town Council Member

Capital Improvement Fund (307)
Revenue and Expense Summary

	FY2018	FY2019	FY2020	Ordinance No. xx-2020 FY2020 Amendment	FY2020 Amended Budget	% Change
	Actual	Actual	Budget			
<u>Revenues</u>						
Transfer from General Fund (001)	1,988,024	2,200,000	2,420,000		2,420,000	0.00%
Miscellaneous	21,000	-	-		-	0.00%
Transfer from Rec Enterprise Fund (403)	-	11,047,970	-		-	0.00%
Restricted - One Cent Sur Tax	576,792	623,176	500,000		500,000	0.00%
Donations	-	3,032,874	-		-	0.00%
Interest on Investments	16,175	270,374	200,000		200,000	0.00%
Cost Sharing/Interlocal Agreement	-	184,479	800,000		800,000	0.00%
TOTALS	2,601,991	17,358,873	3,920,000	-	3,920,000	0.00%
<u>Expenses</u>						
Projects	864,439	9,680,159	6,435,000		6,435,000	0.00%
Carry Over Reserves	-	-	3,629,770	2,811,000	6,440,770	77.44%
Restricted - One Cent Sur Tax	-	-	-		-	0.00%
Contingency	-	-	693,500		693,500	0.00%
Transfer to ACIP Fund (314)	-	-	-	1,000,000	1,000,000	0.00%
Transfer to TWUU Fund (122)	1,000,000	500,000	500,000		500,000	0.00%
TOTALS	1,864,439	10,180,159	11,258,270	3,811,000	15,069,270	33.85%
Total Revenues Over/(Under)						
Expenses	737,552	7,178,714	(7,338,270)	(3,811,000)	(11,149,270)	
Beginning Fund Equity	6,639,003	7,376,555	14,555,269		14,555,269	
ENDING NET ASSETS	7,376,555	14,555,269	7,216,999		3,405,999	

Coastal Protection Fund (309)
Revenue and Expense Summary

	FY2018	FY2019	FY2020	Ordinance No. 05-2020	Ordinance No. xx-2020	FY2020
	Actual	Actual	Budget	FY2020 Amendment	FY2020 Amendment	Amended Budget
Revenues						
Transfer from General Fund (001)	7,410,300	7,349,124	6,520,211			6,520,211
Interest on Investments	181,246	1,104,641	899,301			899,301
Grants/Local Revenue	7,112,416	6,100,465	24,903,657			24,903,657
TOTALS	14,703,962	14,554,230	32,323,169	-	-	32,323,169
Expenses						
Projects	2,770,314	956,477	33,038,000			33,038,000
Bulkhead Project at Marina				3,600,000		3,600,000
Carry Over Projects	-	-	-		15,780,028	15,780,028
Transfer to Debt Service	736,038	542,606	544,107			544,107
Transfer to ACIP (314)	2,750,000	1,018,826	-			-
Salaries and Wages	119,453	123,164	124,159			124,159
Employee Benefits	61,443	47,057	50,000			50,000
Contractual	5,563	8,895	7,500			7,500
Commodities	4,546	2,792	4,700			4,700
Capital Outlay	1,963	1,963	1,963			1,963
TOTALS	6,449,320	2,701,780	33,770,429	3,600,000	15,780,028	53,150,457
Total Revenues Over/(Under)						
Expenses	8,254,642	11,852,450	(1,447,260)	(3,600,000)	(15,780,028)	(20,827,288)
Beginning Fund Equity	19,661,967	27,916,609	39,769,059			39,769,059
ENDING NET ASSETS	27,916,609	39,769,059	38,321,799			18,941,771

Accelerated Capital Improvement Fund (314)
Revenue and Expense Summary

	FY2018 Actual	FY2019 Actual	FY2020 Budget	Ordinance No. xx-2020 FY2020 Amendment	FY2020 Amended Budget
<u>Revenues</u>					
Interest on Investments	170,755	114,863	-	-	-
Transfer from Coastal 309	2,750,000	1,018,826	-	-	-
Transfer from PayGo 307				1,000,000	1,000,000
Donations/Grants	-	-	-	-	-
TOTALS	2,920,755	1,133,689	-	1,000,000	1,000,000
<u>Expenses</u>					
Projects	7,729,953	6,818,660	-	-	-
Carry Over Projects	-	-	2,396,574	205,029	2,601,603
TOTALS	7,729,953	6,818,660	2,396,574	205,029	2,601,603
Total Revenues Over/(Under)					
Expenses	(4,809,198)	(5,684,971)	(2,396,574)	794,971	(1,601,603)
Beginning Fund Equity	12,095,772	7,286,574	1,601,603		1,601,603
ENDING NET ASSETS	7,286,574	1,601,603	(794,971)		(0)

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Ordinances - Second Reading

Agenda Title

ORDINANCE NO. 14-2020 An Ordinance of The Town Council of The Town of Palm Beach, Palm Beach County, Florida, Amending Chapter 82 Of The Town Code Of Ordinances Relating To Personnel, At Article II, Employee Benefits, Division 2, Retirement System; Amending Subdivision III, Firefighters, By Amending Section 82-94, Retirement Age And Service Conditions For Firefighters; Amending Subdivision III, Firefighters, By Amending Section 82-98, Chapter 175 Share Accounts; Amending Subdivision III, Firefighters, By Amending Section 82-99, Deferred Retirement Option Program For Firefighters; Amending Subdivision IV, Police Officers, By Amending Section 82-114, Retirement Age And Service Conditions For Police Officers; Amending Subdivision IV, Police Officers, By Amending Section 82-119, Deferred Retirement Option Program For Police Officers; Amending Subdivision V, General Employees And Lifeguards, By Amending Section 82-135, Amount Of Pension For Benefit Group General And Benefit Group Lifeguard; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Presenter

Danielle Olson, Director of Human Resources

ATTACHMENTS:

▣ **Ordinance No. 14-2020**

ORDINANCE NO. 14-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 82 OF THE TOWN CODE OF ORDINANCES RELATING TO PERSONNEL, AT ARTICLE II, EMPLOYEE BENEFITS, DIVISION 2, RETIREMENT SYSTEM; AMENDING SUBDIVISION III, FIREFIGHTERS, BY AMENDING SECTION 82-94, RETIREMENT AGE AND SERVICE CONDITIONS FOR FIREFIGHTERS; AMENDING SUBDIVISION III, FIREFIGHTERS, BY AMENDING SECTION 82-98, CHAPTER 175 SHARE ACCOUNTS; AMENDING SUBDIVISION III, FIREFIGHTERS, BY AMENDING SECTION 82-99, DEFERRED RETIREMENT OPTION PROGRAM FOR FIREFIGHTERS; AMENDING SUBDIVISION IV, POLICE OFFICERS, BY AMENDING SECTION 82-114, RETIREMENT AGE AND SERVICE CONDITIONS FOR POLICE OFFICERS; AMENDING SUBDIVISION IV, POLICE OFFICERS, BY AMENDING SECTION 82-119, DEFERRED RETIREMENT OPTION PROGRAM FOR POLICE OFFICERS; AMENDING SUBDIVISION V, GENERAL EMPLOYEES AND LIFEGUARDS, BY AMENDING SECTION 82-135, AMOUNT OF PENSION FOR BENEFIT GROUP GENERAL AND BENEFIT GROUP LIFEGUARD; 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 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision III. – Firefighters; by amending Section 82-94 to read as follows:

Sec. 82-94. - Retirement age and service conditions for firefighters.

* * *

(b) The age and service conditions for normal retirement are as follows:

(1) Members who attained normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, shall be eligible for normal retirement upon attaining age 50 with ten or more years of credited service; or when the member's age to last completed month at termination of service plus credited service totals 65 years or more and the member has ten or more years of credited service; or when the member has 20 or more years of credited service.

* * *

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision III. – Firefighters; by amending Section 82-98 to read as follows:

Sec. 82-98. - Chapter 175 share accounts.

(a) *Individual member accounts.* A separate individual member account shall be established and maintained in each group firefighter member's name effective on or after October 1, 1998. Firefighter DROP participants shall participate or continue to participate in this supplemental plan and the accounts for such participants shall be treated as individual member accounts under this section 82-98. Firefighter members who are employed by the town and not participating in the DROP on May 1, 2012 shall be deemed 100% vested in their individual member account, regardless of a member's length of service upon separation from Town employment.

* * *

Section 3. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision III. – Firefighters; by amending Section 82-99 to read as follows:

82-99 - Deferred retirement option program for firefighters.

(b) *Eligibility of member to participate in the DROP.* Retirement system members are eligible to elect participation in the DROP provided that they elect to retire as of a date certain and provided that:

(1) Election to participate may be made when the member first reaches normal retirement date or age, as follows:

a. Members who were employed by the town and not participating in the DROP on May 1, 2012, shall be eligible to participate in the DROP upon attaining age 50; or the date on which the member's age to last completed month plus credited service totals 65 years or more; or 20 years of credited service regardless of age. Upon entry into the DROP the benefit payable to such member's DROP account shall be the frozen accrued benefit based on credited service prior to May 1, 2012. The accrued benefit based on credited service on and after May 1, 2012 shall be payable to the member's DROP account, or directly to the member if DROP participation has ceased, upon attaining age 65. Such member who fails to make an election within 84 months after the member has 20 years of credited service shall forfeit all rights to participate in the DROP. Notwithstanding the preceding two sentences, effective October 1, ~~2016-2019~~ for non-bargaining unit members who are participating in the DROP on that date or who enter the DROP after that date, and effective November 2, 2019 for bargaining unit members who are participating in the DROP on that date or who enter the DROP after that date, the accrued benefit based on

credited service on and after May 1, 2012 shall be payable to the member's DROP account upon attaining age ~~56-55~~ with 10 years of service or age 52 with 25 years of service, and such members who fail to make an election within 84 months after the member attains 20 years of credited service shall not forfeit the right to participate in the DROP.

b. Members hired on or after May 1, 2012, shall be eligible to participate in the DROP upon attaining age ~~56-55~~ with ten or more years of service or age 52 with 25 years of service.

* * *

Section 4. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision IV. – Police Officers; by amending Section 82-114 to read as follows:

Sec. 82-114. - Retirement age and service conditions for police officers.

* * *

(b) The age and service conditions for normal retirement are as follows:

(1) Members who attained normal retirement eligibility based on credited service as of May 1, 2012, excluding credited service purchased pursuant to section 82-54, and who were employed by the town and not participating in the DROP on that date, shall be eligible for normal retirement upon attaining age 50 with ten or more years of credited service; or when the member's age to last completed month at termination of service plus credited service totals 65 years or more and the member has ten or more years of credited service; or when the member has 20 or more years of credited service.

* * *

Section 5. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision IV. – Police Officers; by amending Section 82-119 to read as follows:

82-119. - Deferred retirement option program for police officers.

* * *

(b) *Eligibility of member to participate in the DROP.* Retirement system members are eligible to elect participation in the DROP provided that they elect to retire as of a date certain and provided that:

(1) Election to participate may be made when the member first reaches normal retirement date or age as follows:

a. Members who were employed by the town and not participating in the DROP on May 1, 2012, shall be eligible to participate in the DROP upon

attaining age 50; or the date on which the member's age to last completed month plus credited service totals 65 years or more; or 20 years of credited service regardless of age; and upon entry into the DROP the benefit payable to such member's DROP account shall be the frozen accrued benefit based on credited service prior to May 1, 2012. The accrued benefit based on credited service on and after May 1, 2012 shall be payable to the member's DROP account, or directly to the member if DROP participation has ceased, upon attaining age ~~65~~ 55. Such member who fails to make an election within 84 months after the member has 20 years of credited service shall forfeit all rights to participate in the DROP. Notwithstanding the preceding two sentences, effective October 1, ~~2016~~ 2019 for members who are participating in the DROP on that date or who enter the DROP after that date, the accrued benefit based on credited service on and after May 1, 2012 shall be payable to the member's DROP account upon attaining age ~~56-55~~ with 10 years of service or age 52 with 25 years of service, and such members who fail to make an election within 84 months after the member attains 20 years of credited service shall not forfeit the right to participate in the DROP.

b. Members hired on or after May 1, 2012, shall be eligible to participate in the DROP upon attaining age ~~56-55~~ with ten or more years of service or age 52 with 25 years of service.

* * *

Section 6. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 82, Personnel; Article II, Employee Benefits; Division 2, Retirement System; Subdivision V. – General Employees and Lifeguards; by amending Section 82-135 to read as follows:

Sec. 82-135. - Amount of pension for benefit group general and benefit group lifeguard.

* * *

(c) The benefit formulas are:

(1) For benefit group general.

* * *

e. For benefits based on credited service prior to May 1, 2012, an early retirement reduction of ~~0.003-0.3~~ 0.3 percent (0.3%) shall apply for each month that early retirement under subsection 82-134(b)(1)b. precedes a date the member would have met age and service conditions for normal retirement under subsection 82-134(b)(1)a., if the member had not elected early retirement.

f. For benefits based on credited service on and after May 1, 2012, an early retirement reduction of ~~0.006~~ 0.6 percent (0.6%) shall apply for each month that early retirement under subsection 82-134(b)(1)c. precedes a date the member would have met age and service conditions for normal retirement under subsection 82-134(b)(1)a., if the member had not elected early retirement.

* * *

Section 7. 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 8. 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 9. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 10. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 10th day of September, 2020 and for second and final reading on this 13th day of October, 2020.

Gail L. Coniglio, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Queenester Nieves, CMC, Town Clerk

Danielle H. Moore, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: October 13, 2020

Section of Agenda

Ordinances - Second Reading

Agenda Title

ORDINANCE NO. 15-2020 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida Amending The Town Code Of Ordinances At Chapter 74, Parks and Recreation, at Division 3, Regulation of Use of Public Beaches, Section 74-196, Presence During Closed Hours; Hours Specified to Modify the name Lake Worth to Lake Worth Beach and to Add the Public Beach from Wells Avenue South to Sunset Avenue as an Additional Beach Declared to be Closed to the Public Each Day from Sunset to Sunrise; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Presenter

Nicholas Caristo, Chief of Police

ATTACHMENTS:

- ▣ **Ordinance No. 15-2020**

ORDINANCE NO. 15-2020

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 74, PARKS AND RECREATION, AT DIVISION 3, REGULATION OF USE OF PUBLIC BEACHES, SECTION 74-196, PRESENCE DURING CLOSED HOURS; HOURS SPECIFIED TO MODIFY THE NAME LAKE WORTH TO LAKE WORTH BEACH AND TO ADD THE PUBLIC BEACH FROM WELLS AVENUE SOUTH TO SUNSET AVENUE AS AN ADDITIONAL BEACH DECLARED TO BE CLOSED TO THE PUBLIC EACH DAY FROM SUNSET TO SUNRISE ~~OFFENSES; SECTION 74-196, "PRESENCE DURING CLOSED HOURS; HOURS SPECIFIED~~; 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 74, Parks and Recreation, Division 3, Regulation of Use of Public Beaches ~~amending~~ Section 74-196, Presence during Closed Hours, to read as follows:

"Sec. 74-196. – Presence during closed hours; hours specified."

No person shall use or be upon any public beach in the Town during the hours when any such beach is declared to be closed to the public as hereinafter set forth:

- (1) Phipps Park is declared to be closed to the public each day from sunset to sunrise the following day.
- (2) The public beach from Royal Palm Way south to Gulfstream Road is declared to be closed to the public each day from sunset to sunrise.
- (3) The Clarke Avenue beach area is declared to be closed to the public each day from sunset to sunrise.
- (4) The public beach owned by the county lying north of the City of Lake Worth Beach casino property extending approximately 500 feet northerly therefrom is declared to be closed to the public each day from sunset to sunrise.
- (5) The public beach from Wells Avenue south to Sunset Avenue is declared to be closed to the public each day from sunset to sunrise;-

Section 2. 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 3. Codification

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 4. Effective Date.

The Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 10th day of September, 2020, and for second and final reading on this 13th day of October, 2020.

Gail L. Coniglio, Mayor

Margaret A. Zeidman, Town Council President

Bobbie Lindsay, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

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Danielle H. Moore, Town Council Member