



TOWN OF PALM BEACH

Town Manager's Office
TOWN COUNCIL MEETING

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

AGENDA

OCTOBER 9, 2018

9:30 AM

Town Council Meeting

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

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

III. MODIFICATIONS TO THE AGENDA

IV. APPROVAL OF AGENDA

V. PRESENTATIONS

A. Presentation by Anne M. Gannon, Constitutional Tax Collector.

Anne M. Gannon, Constitutional Tax Collector

B. Royal Poinciana Playhouse Update.

Alex Patterson, UpMarkets

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

A. Presentations by Planning and Zoning Commission Applicants.

Kirk W. Blouin, Town Manager

B. Appointments to Planning and Zoning Commission.

Kirk W. Blouin, Town Manager

Page 9

VII. COMMENTS OF MAYOR GAIL L. CONIGLIO

VIII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE

X. APPROVAL OF CONSENT AGENDA (SEE NOTE 5)

A. MINUTES

1. TOWN COUNCIL MEETING MINUTES

Kathleen Dominguez, Town Clerk

Page 35

a. September 12, 2018, Town Council Development Review Meeting Minutes

b. September 13, 2018, Town Council Meeting Minutes

c. September 13, 2018, Special Town Council Meeting Minutes - Closed Door Session

d. September 13, 2018, Special Town Council Meeting Minutes - First Budget Hearing

e. September 20, 2018, Special Town Council Meeting Minutes - Second Budget Hearing

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of September 26, 2018.

Josh Martin, Director of Planning, Zoning & Building

Page 77

B. RESOLUTIONS

1. RESOLUTION NO. 179-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Palm Beach County for Maintenance and Repair of Fire Rescue Fleet Apparatus in an Amount Not to Exceed an Established Budget of \$134,000.

Dean Mealy, Purchasing Manager

Page 112

C. OTHER

1. Appointment of Employee Representative to PERC pursuant to Ordinance Appendix "A" Section 1.003.

Danielle Olson, Director of Human Resources

Page 130

2. Maintenance and Improvements of Town Owned Property at Angler Avenue. Page 132
H. Paul Brazil, P.E., Director of Public Works
3. Approval of Proposed Stipulation Relating to 247 Miraflores Drive, El Paraiso Subdivision. Page 137
John C. Randolph, Town Attorney
4. Consideration of Conditional Settlement Agreement Regarding Palm House/Royal 160 LLC. Page 147
John C. Randolph, Town Attorney

XI. PUBLIC HEARINGS

- A. RESOLUTION NO. 159-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Sewer Easement Within the Property Commonly Known as 1576 South Ocean Boulevard, in the Town Of Palm Beach, Florida. Page 161
H. Paul Brazil, P.E., Director of Public Works

XII. REGULAR AGENDA

A. Old Business

1. RESOLUTION NO. 180-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for the Construction Management at Risk (CMAR) Contract to Hedrick Brothers Construction Company, Inc., for the Seaview Park and Recreation Center Improvements in the Amount of \$59,980 and Establishing a Total Guaranteed Maximum Price (GMP) Construction Budget of \$11,829,825 and Establishing an Overall Project Budget of \$14,022,566. Page 182
Paul H. Brazil, Director of Public Works
2. Coastal Update:
 - a. Shore Line Condition Update
H. Paul Brazil, P.E., Director of Public Works
3. Town-Wide Undergrounding Project: Page 188
 - a. Review of Project and Dashboard, Summary of Project Status.
Steven N. Stern, Project Manager
 - b. Chicane/Street Choker Installation in Phase 2 North.
Patricia Strayer, P.E., Town Engineer
 - c. RESOLUTION NO. 181-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Contract to All County Paving, Inc., for Pavement Improvements from Onondaga Avenue to East Inlet Road in the Amount of \$368,957.60 and Establishing a Total Construction Budget

of \$400,000.
H. Paul Brazil, P.E., Director of Public Works

B. New Business

1. Presentation and Approval of Palm Beach Civic Association's Palm Tree Project. Page 236
Kirk W. Blouin, Town Manager
2. Discussion Regarding the Frequency of Shore Protection Board Meetings. Page 239
Kirk W. Blouin, Town Manager
3. Discussion Regarding Peanut Island.
Gail L. Coniglio, Mayor
4. RESOLUTION NO. 182-2018 A Resolution of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving Award of Selection Committee Recommendation To Evergreen Solutions, LLC that Will Provide Town-Wide Employee Benefit And Compensation Study, RFP 2018-49; and Request Approval To Fund The Project From General Contingency For Amount Of \$32,500 And Establishing A Project Budget of \$40,000 And Authorizing The Town Manager To Execute The Same on Behalf of The Town. Page 241
Dean Mealy, Purchasing Manager
5. RESOLUTION NO. 183-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing New Purchasing Thresholds for Town Manager and Purchasing Manager. Page 375
Dean Mealy, Purchasing Manager

C. Matters Pulled From Consent Agenda: If needed

XIII. ORDINANCES

A. Second Reading

1. ORDINANCE NO. 17-2018 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, 2017, and Providing an Effective Date. Page 387
Jane Le Clainche, Director of Finance
2. ORDINANCE NO. 18-2018 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 118, Traffic and Vehicles, Article III, Parking, Stopping and Standing, Division 1, Generally, At Section 118.93, Delinquency Penalty for Nonpayment of Parking Violation Penalties; Section 118-94, Service Charge for nonpayment of parking violation penalties, Division 2, Parking Meters, At section 118-127, Expired Meter; Section 118-128, Service Charge for Nonpayment of Parking Violation Penalties; Section 118-133, Violations, Penalty; Page 391

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

Jane Le Clainche, Director of Finance

3. ORDINANCE NO. 19-2018 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 82-99, Deferred Retirement Option Program For Firefighters; 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 82-139, Deferred Retirement Option Program For Members Of Benefit Group General And Benefit Group Lifeguard; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Kirk W. Blouin, Town Manager

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XIV. ANY OTHER MATTERS

XV. ADJOURNMENT

PLEASE TAKE NOTE:

- Note 1:** Please submit written comments/materials to council@townofpalmbeach.com or in person to the Town Clerk's Office, located at Town Hall, 360 South County Road. No written materials received after 12:00 p.m. on the Thursday immediately prior to a monthly Town Council meeting will be included in the back-up binders distributed to the Mayor and Town Council in preparation for that meeting. Written materials received after 12:00 p.m. on Thursday will be separately distributed to the Mayor and Town Council; however, depending upon the length of the materials, the time of submittal, and other circumstances, the Mayor and Town Council may not be able to read and consider such late submittals prior to acting upon the policy matter(s) which they address.
- Note 2:** The progress of this meeting may be monitored by visiting the Town's website (townofpalmbeach.com) and clicking on "Meeting Audio" in the left column. If you have questions regarding that feature, please contact the Office of Information Systems (561) 227-6315. The audio recording of the meeting will appear within 24 hours after the conclusion of the meeting.
- Note 3:** If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings. For such purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
- Note 4:** Disabled persons who need an accommodation in order to participate in the Town Council Meeting are requested to contact the Town Manager's Office at 838-5410 or through the Florida Relay Service by dialing 1-800-955-8770 for voice callers or 1-800-955-8771 for TDD callers, at least two (2) working days before this meeting.
- Note 5:** Items listed on the Consent Agenda will be approved by one motion of the

Town Council, unless the Mayor or an individual Council Member requests that any item(s) be moved to the Regular Agenda and individually considered.

Note 6: All back-up material for the items listed on the agenda are posted to the Town's website and emailed to all Stay Informed subscribers on the Friday before the Town Council meeting. To access the back-up materials and/or subscribe to the Stay Informed list, please visit the Town's website (townofpalmbeach.com).

PROCEDURES FOR PUBLIC PARTICIPATION

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

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

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

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

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

Town of Palm Beach
Meeting Schedule

10/3/18

Town Council Meeting-Regular Business
October 9, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Town Council Meeting-Development Review Matters
October 10, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Ordinances, Rules, and Standards Committee Meeting
October 11, 2018, 9:30 AM
[More Details](#)

Planning and Zoning Commission
October 16, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Landmarks Preservation Commission Meeting
October 17, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Shore Protection Board Meeting
October 18, 2018, 9:00 AM - 1:00 PM
[More Details](#)

Code Enforcement Board Meeting
October 18, 2018, 2:00 PM @ Council Chambers
[More Details](#)

Architectural Commission Meeting
October 24, 2018, 9:00 AM @ Council Chambers
[More Details](#)

Recreation Advisory Commission Meeting
November 7, 2018, 9:00 AM @ Council Chambers
[More Details](#)

Ordinances, Rules, and Standards Committee Meeting
November 8, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Veterans' Day-Town Hall Closed
November 12, 2018, 8:30 AM - 5:00 PM
[More Details](#)

Town Council Meeting-Regular Business
November 13, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Town Council Meeting-Development Review Matters
November 14, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Public Works Committee Meeting
November 15, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Code Enforcement Board Meeting
November 15, 2018, 2:00 PM @ Council Chambers
[More Details](#)

Landmarks Preservation Commission Meeting
November 16, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Investment Advisory Committee Meeting
November 16, 2018, 2:30 PM @ Council Chambers
[More Details](#)

Thanksgiving-Town Hall Closed
November 22, 2018, 8:30 AM - 5:00 PM
[More Details](#)

Thanksgiving-Town Hall Closed
November 23, 2018, 8:30 AM - 5:00 PM
[More Details](#)

Holiday Tree Lighting-Bradley Park
November 26, 2018, 6:00 PM @ Bradley Park
[More Details](#)

Planning and Zoning Commission Meeting
November 27, 2018, 9:30 AM @ Council Chambers
[More Details](#)

Holiday Tree Lighting-Memorial Park
November 27, 2018, 5:30 PM @ Memorial Park
[More Details](#)

Holiday Tree Lighting-Worth Avenue
November 27, 2018, 6:29 PM @ Worth Avenue
[More Details](#)

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Board and Commissions Presentations and Appointments

Agenda Title

Appointments to Planning and Zoning Commission.

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Memorandum dated October 1, 2018, from Kirk Blouin, Town Manager**
- ▣ **Planning and Zoning Commission Applications**
- ▣ **Ballot**

TOWN OF PALM BEACH

Information for Town Council Meeting on October 9, 2018

TO: Mayor and Town Council
FROM: Kirk Blouin, Town Manager
RE: Planning and Zoning Commission Appointments
DATE: October 1, 2018

STAFF RECOMMENDATION

Staff recommends that the Town Council appoint two members to the Planning and Zoning Commission.

GENERAL INFORMATION

There are six applicants seeking appointment to fill two vacancies.

Michael Ainslie's term ends September 30, 2018. Mr. Ainslie is eligible for reappointment and has applied for reappointment.

Alan Golboro's term ends September 30, 2018. Mr. Golboro is eligible for reappointment. Mr. Golboro did not apply for reappointment.

Ronald Berk and Eric Christu are currently serving as alternate members of the Planning and Zoning Commission and both have applied to be appointed as a regular member of the Commission.

Richard Kleid, Jorge Sanchez, and Edmund Sprivack have also applied seeking appointment to the Commission.

In the event that Mr. Berk and/or Mr. Christu are selected to serve in a regular position, appointment of one or both alternate member seats will need to be considered at the October 9th Town Council meeting.

All applicants have submitted proof of voter registration in the Town of Palm Beach.

Attachments

KWB:cek

cc: Josh Martin, Director of Planning, Zoning, and Building
Paul Castro, Zoning Administrator
Kelly Churney, Administrative Assistant



RECEIVED
TOWN OF PALM BEACH
AUGUST 17, 2018
Town Manager's Office

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: MICHAEL AINSLIE Residence Address: 202 PLANTATION, P.B. FL 33480
Mailing Address: Same Home Telephone: 561-855-8843
E-mail Address: MICHAELAINSLIE1@GMAIL.COM Work Telephone: 561-313-3340

I am a registered voter of the Town of Palm Beach MAH (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 SEEK TO HELP MAINTAIN THE QUALITY OF LIFE IN P.B.
I BELIEVE CAREFULLY MANAGED CHANGE IS WHAT WE NEED.
OUR ZONING NEEDS TO ENSURE AGAINST OVERDEVELOPMENT.

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

2 ABSENCES WERE DUE TO MANDAL FOUNDATION AUCTION & 25th B'DAY IN JULY

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 2015-2018

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 17 2018

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)

ONLY AS A P&Z COMMISSIONER

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. RETIRED No. of years. 20

Employer.

9. Past occupation(s). CEO - SOTHEBY'S No. of years. 10 yrs.

Employer(s). CEO NATIONAL TRUST FOR HISTORIC PRESERVATION - 5 YRS.

CEO PALMAS DEL MAR (2,000 ACRE NEW TOWN) IN PUERTO RICO - 5 YRS

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 ECONOMICS VANDERBILT U. 1965

MBA FINANCE HARVARD BUSINESS SCHOOL 1968

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 SERVED 3 YRS AS P&Z COMMISSIONER. I KNOW + LOVE OUR TOWN HAVING LIVED HERE FULL TIME SINCE 1998. MY YEARS + EXPERIENCE IN PRESERVATION PREPARED ME WITH LEGAL + ZONING + PLANNING KNOWLEDGE.

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
SUZANNE	WIFE	202 Plantation Rd	Real Estate Agent	Satherly
SERENA	DAUGHTER	202 Plantation Rd	Student	Van derbilt Univ.

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: 8/8/18

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 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. Beek Residence Address: 273 Tangier Ave. Palm Beach FL
Mailing Address: 273 TANGIER AVE. PB Home Telephone: 561-841-2929
E-mail Address: RONALD@JKBJEWELRY.COM Work Telephone: 561-652-5827

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

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 have served as an Alternate Member for one year and as such have gained experience and knowledge of the duties and responsibilities of the Planning and Zoning Commission.

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? 10

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 have served as an Alternate Member of the Planning and Zoning Commission for one year.

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. I am available at all times.

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. I am presently retired No. of years. 4 yrs
Employer. _____

9. Past occupation(s). Attorney and CEO of several companies No. of years. attorney 40 yrs
CEO 15 yrs.
Employer(s). Founding Partner of Ronald J. Berke & Associates; CEO of The North Lake Companies, 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
☐ 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 Northwestern University; JD Georgetown University Law Center;
LLM New York University School of Law

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

As an Alternate Member of the Planning and Zoning Commission, I have
gained valuable knowledge and experience in Planning and Zoning matters
in the Town

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
Justin R. Beck	Wife	273 Tangerine Ave. PB	Designer	Xcel Brands, LLC

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

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: 9/4/18

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.

(Voter Registration Card on file with my application last year.)

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: Eric ChristuResidence Address: 1500 N Oean Blvd., Palm Beach, FL 33480Mailing Address: SAMEHome Telephone: 561-758-7544E-mail Address: ericchristu@aol.comWork Telephone: 561-758-7544I am a registered voter of the Town of Palm Beach ECC (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. *KD*

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

I wish to continue my service on the Commission as a voting member as I believe this is an important time for planning issues in the Town and I hope to continue to offer my expertise

in planning and zoning. As a full-time resident with children attending school on Palm Beach, I am absolutely committed to carrying out the mission of the Commission

in a thoughtful and diligent manner.

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

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.

Town of Palm Beach Planning and Zoning Commission 2017 to present - alternate member

I have also served as a Chair Person of a Florida Bar Committee, as past President of the Federal Bar, and on numerous local Bar Committees and charitable

organizations for the past 20 years.

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.

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)

I have experience with handling and litigating zoning issues in the Town of Palm Beach, and the municipalities of Manalapan and Ocean Ridge. These have included handling zoning

approval matters for clients, as well as litigating zoning issues.

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. Attorney **No. of years.** 34

Employer.

Shutts and Bowen LLP

9. Past occupation(s). n/a **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:

J.D. Georgetown University Law Center

B.A. with Honors, University of Minnesota, Minneapolis, MN

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

In addition to my current service and experience on the Commission, I have been and remain interested and focused on planning and growth issues in the Town and spend considerable time following

Town developments in these areas so as to better serve on the Commission and to better understand the issues facing the Town and its residents. I have a solid understanding

of the Town's Comprehensive Plan as well as related statutory enactments and applicable case law. I have experience in handling matters under Chapter 163 of the Florida Statutes

including the Bert Harris Act. I have handled matters involving plats and zoning issues in the Town of Palm Beach and have familiarity with the Town Ordinances and Comprehensive Plan. I feel that with this background and being a long-term resident, I am qualified to serve. See attached CV.

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
Maura Ziska Christu	Wife	1500 N Ocean Blvd	Attorney	Kochman & Ziska
Caroline Christu	Daughter	1500 N Ocean Blvd	Student	
Ella Christu	Daughter	1500 N Ocean Blvd	Student	

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 Commission as an Alternate Memeber 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: 9/27/2018

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.



ERIC C. CHRISTU

Partner

EChristu@shutts.com

Phone: 561-650-8556

Fax: 561-671-5900

Shutts & Bowen LLP

525 Okeechobee Boulevard, Suite 1100

West Palm Beach, FL 33401

Eric Christu is a partner in the West Palm Beach office of Shutts & Bowen LLP, where he is Chair of the Intellectual Property Practice Group. Eric and the Shutts IP Practice Group handle all aspects of patent, trademark, copyright, trade secrets, and other intellectual property matters.

A Martindale-Hubbell AV® rated attorney, Eric has been named one of the *Best Lawyers in America*® and was one of the first to be designated by The Florida Bar as Board Certified in Business Litigation. Eric specializes in complex commercial and business disputes, with a focus on intellectual property and real estate issues. He also regularly handles matters involving banking, corporate, and employment issues in state and federal courts. His active trial practice includes recent cases involving complex intellectual property issues, partnership disputes, and construction defects.

Eric has served as a member of the *Ad Hoc* Advisory Committee on Court-Annexed Mediation for the Southern District of Florida, past-President of the Palm Beach County Federal Bar Association, and past-Chair of the Florida Bar Business Litigation Certification Committee.

EDUCATION

- University of Minnesota, B.A. with honors, 1981
- Georgetown University Law Center, J.D., 1984

COURT ADMISSIONS

- U.S. Supreme Court
- U.S. Court of Appeals, Eleventh Circuit

PRACTICE AREA

Litigation
Intellectual Property
Creditors' Rights and
Bankruptcy
Securities Fraud
Litigation

BAR ADMISSIONS

Florida Bar
Colorado Bar

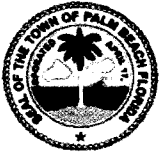
- U.S. Court of Appeals, Federal Circuit
- U.S. District Court for the Southern District of Florida
- U.S. District Court for the Middle District of Florida
- U.S. Bankruptcy Court for the Southern District of Florida

PROFESSIONAL AND CIVIC ACTIVITIES

- Palm Beach County Federal Bar Association, Past President
- Florida Bar Business Litigation Certification Committee, Past Chair
- American Bar Association's Forum on the Construction Industry, Past Member, Division Steering Committee
- U.S. District Court for the Southern District of Florida, ad hoc Advisory Committee on Court-Annexed
- Mediation (2009-2014)
- Member – American Intellectual Property Law Association (AIPLA)

RECOGNITION

- Florida Bar Board Certified in Business Litigation (since 1996)
- Martindale-Hubbell AV® Preeminent™ Rated
- *Best Lawyers in America®*, Commercial Litigation, 2013, 2014, 2015, 2016, 2017
- *Florida Super Lawyers*, 2006, 2007 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016
- *South Florida Legal Guide*, Top Lawyers in South Florida, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016



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: RICHARD M. KLEID Residence Address: 2660 S. OCEAN BLVD

Mailing Address: SAME Home Telephone: 561 588 7631

E-mail Address: KLEID 561 a AOL.com Work Telephone: N/A

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

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)

WOULD LIKE TO CONTINUE TO SERVE
PALM BEACH

2. How many meetings of the Planning and Zoning Commission have you attended in the last year? ALL UNTIL FEB, 2018

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.

PRESIDENT, UPPER ST. CLAIR SCHOOL DISTRICT, 5 YRS, ALL
PLANNING AND ZONING, 1999-2005 SECRETARY AND
CHAIRMAN, ATTENDED ALL MEETINGS
TOWN COUNCIL, 2005-2018 PRESIDENT PRO TEM AND
PRESIDENT, ATTENDED ALL MEETINGS

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.

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)

NOT REQUESTING BUT ACTING ON

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 SOCIETY OF 4 ARTS
FLAGLER MUSEUM

8. Present occupation. RETIRED

No. of years. 20

Employer.

9. Past occupation(s). LAWYER

No. of years. 45

Employer(s). J C PENNEY COMPANY, INC
HOUSTON HARBAUGH
KLEID & KLEID

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:

COLUMBIA COLLEGE LL.B

COLUMBIA LAW SCHOOL J.D

NEW YORK UNIVERSITY LL.M (TAXATION)

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 PREVIOUS EXPERIENCE ON BOTH THE PLANNING
AND ZONING COMMISSION AND THE PALM BEACH
TOWN COUNCIL. IN ADDITION, MY 45 YEARS
AS A REAL ESTATE ATTORNEY

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 _____ 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: _____

[Handwritten Signature]

DATE: _____

9/25/18

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

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Name: JORGE N. SANCHEZ Residence Address: 239 Southland Rd.
 Mailing Address: SAME Home Telephone: 842-2982/3
 E-mail Address: JORGE@SMILLO.NET Work Telephone: 655-9006

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

After having served in PRCOM & Landmarks for many years (& on term in P&Z), to help correct deficiencies in our code.

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

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.

P&Z - at least 2 yrs ; Landmarks - at least 1 term
PRCOM - 13 yrs

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.

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)

NOT FIRST HAND

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. OWNER No. of years. 30

Employer.

SMI LANDSCAPE ARCHITECTURE, INC

9. Past occupation(s). FAMILY CORPORATIONS No. of years. 15

Employer(s).

AGRICULTURE

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:

VILLANOVA UNIVERSITY, PA

BA MAJOR ACCOUNTING / MINOR HISTORY

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 GOOD KNOWLEDGE OF TOWN CODES; HAVE LIVED HERE SINCE '59; & SERVED ON ARCHITECTURAL BOARDS

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
ALL MEMBERS OF THE PHIPPS FIRM.		MONY		
LYNN FANJULA DAUGHTERS	COUSIN	N. LAKE WAX		
ROSARIO DE LOS REYES	COUSIN	MIRAFLORES		

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 *discriminatory questions* **GENDER**
☐ African American ☐ Native American ☐ Male ☐ Female
☐ Asian American ☐ Caucasian **PHYSICALLY DISABLED**
☐ Hispanic American ☐ Not known ☐ 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: 9/28/18

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

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Name: Edmund Spivack Residence Address: 310 Via Linda, Palm Beach, FL 33480

Mailing Address: P.O. Box 3530, Reston, VA 20195 Home Telephone: 202-679-1978

E-mail Address: espivack@spivackassociates.com Work Telephone: 703-395-1111

I am a registered voter of the Town of Palm Beach ES (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. KD

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

I would like to give back by contributing my expertise and experience to serve my community.

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.

Member, Board of Directors, First Southern Bank, Boca Raton, FL (1987-2014) and Member of the Real Estate Loan Committee

U.S. Representative, Venezuelan-American Bi-National Tourism Commission (1992-1993)

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.

Summer travel.

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)

I have had extensive experience with zoning approvals during my long career as a real estate attorney, and currently as an investor

and developer commercial real estate concentrated in retail and the hospitality industry.

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. Real Estate Developer/Investor

No. of years. 40

Employer.

Self-Employed

9. Past occupation(s). Attorney

No. of years. 49 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:

B.A., Rutgers University, 1955; LL.D., New York University, 1958

Admitted, New York Bar, 1959; Admitted, District of Columbia Bar, 1966

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

Based on my years of experience in real estate I feel I am uniquely qualified to present a broad approach to long-range

planning in a consistent and cohesive manner.

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
M.K. Ernst	Wife	310 Via Linda	Pianist	Self

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: 8/28/18

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.

EDMUND S. SPIVACK
310 VIA LINDA
PALM BEACH, FL 33480

OFFICE AND MAILING ADDRESS	P.O. Box 3530 Reston, VA 20195 703/787-6648 (office) 202/679-1978 (cell) Espivack@SpivackAssociates.com
SUMMARY	Investor and developer of commercial real estate concentrated in retail, with focused investments in the hospitality industry.
BUSINESS AND PROFESSIONAL EXPERIENCE	President, Hotel Fund, Inc., General Partner of Southern Hotels Limited Partnership President, Adco Associates, Inc. and Nova Investment Corp. Managing Member, Nuvest LLC Member, Board of Directors, First Southern Bank, Boca Raton, FL (1987-2014) U.S. Representative, Venezuelan-American Bi-National Tourism Commission (1992-1993) President, American National Mortgage Corporation, an FHA-approved lender (1968-1974) Practicing Attorney New York City and Washington, DC (1960-1992)
EDUCATION AND PROFESSIONAL QUALIFICATIONS	Admitted, District of Columbia Bar, 1966 Admitted, New York Bar, 1959 LL.D., New York University, 1958 B.A., Rutgers University, 1955

PERSONAL	Mr. Spivack is married to Mary Kathleen Ernst, a concert pianist, and has one daughter and two step-children. He lives in Palm Beach, Florida and maintains an office in the Washington, DC metropolitan area. His interests are fine food and wine, fine art, world travel, ecotourism, professional football, bicycling, hiking, rafting, sailing, skiing, history, classical music, opera, ballet and theater.
LAW	Mr. Spivack practiced real estate and business law in New York City and Washington, DC from 1960 until retiring from active practice in 1992. He specialized in commercial leasing, real estate development, negotiation of structured transactions, real estate workouts, structuring and implementation of asset strategy, commercial real estate sales and acquisitions, site location, zoning and development, real estate management and real estate financing.
BUSINESS	Mr. Spivack has been investing in and developing commercial real estate for more than 40 years. Since 1992 he has served as President of Hotel Fund, Inc., the general partner of Southern Hotels Limited Partnership, a real estate investment holding company. Mr. Spivack is Managing Member of Nuvest LLC, an investment holding company. Mr. Spivack was a U.S. Representative of the Venezuelan-American Bi-National Tourism Commission in 1992 and 1993 as a consultant on hotel development and financing in Venezuela. Mr. Spivack was President of American National Mortgage Corporation, an FHA-approved lender from 1968 to 1974. He is president of Adco Associates, Inc. and Nova Investment Corp., general partners and managers of a number of his investments.
HOSPITALITY SECTOR	Mr. Spivack was instrumental in the development of a number of full-service restaurants in the Washington, DC metropolitan area. He is President of Hotel Fund, Inc., the general partner of Southern Hotels Limited Liability Partnership, which invested in and operated hotels in the Southeastern United States. Southern Hotels now has a diversified investment portfolio in commercial real estate.

RETAIL AND COMMERICAL	Mr. Spivack has extensive experience in retail leasing and development. Southern Hotels Limited Partnership previously owned The Market at Southpark Shopping Center in Littleton, Colorado (180,500 square feet) which was sold in 2000. Southern Hotels and other affiliated companies currently own a portfolio of commercial properties.
PROFESSIONAL CREDENTIALS	Mr. Spivack received his education at Rutgers University (B.A., 1955) and at New York University (LL.D., 1958). He was admitted to the New York Bar in 1959 and to the District of Columbia Bar in 1966. He is a member of the American Bar Association, the Bar Association of the City of New York, and the District of Columbia Bar Association.
CLUBS AND ORGANIZATIONS	Mr. Spivack is a member of the Lotos Club, Congressional Country Club, Mar-A-Lago Club, The Beach Club, Palm Beach Yacht Club, the Confererie des Chevaliers du Tastevin of the United States, the Conferie de la Chaine des Rotisseurs of Washington, DC and Palm Beach, the James Beard Foundation of New York, and Les Amis d'Escoffier Society of New York.

**BALLOT FOR APPOINTMENT OF REGULAR MEMBERS
TO THE PLANNING & ZONING COMMISSION
Town Council Meeting on **October 9, 2018****

Positions to be filled:

 2 **Regular Members**

Please circle 2 from the list of names appearing below

Regular Member Applying for Reappointment

Michael Ainslie *

Alternate Members Applying for Promotion to Regular Member
(Listed alphabetically)

Ronald Berk *

Eric Christu *

Others Who Have Submitted Applications
(Listed alphabetically)

Richard Kleid

Jorge Sanchez

Edmund Spivack *

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

Signature of Town Council Member: _____
Name of Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda Minutes

Agenda Title TOWN COUNCIL MEETING MINUTES *Kathleen Dominguez, Town Clerk*

- a. September 12, 2018, Town Council Development Review Meeting Minutes
- b. September 13, 2018, Town Council Meeting Minutes
- c. September 13, 2018, Special Town Council Meeting Minutes - Closed Door Session
- d. September 13, 2018, Special Town Council Meeting Minutes - First Budget Hearing
- e. September 20, 2018, Special Town Council Meeting Minutes - Second Budget Hearing

Presenter

ATTACHMENTS:

- ▣ **September 12, 2018, Town Council Development Review Meeting Minutes**
- ▣ **September 13, 2018, Town Council Meeting Minutes**
- ▣ **September 13, 2018, Special Town Council Meeting Minutes- Closed Door Session**
- ▣ **September 13, 2018, First Public Budget Hearing Minutes**
- ▣ **September 20, 2018, Second Public Budget Hearing Minutes**



TOWN OF PALM BEACH

Minutes of the Town Council Meeting Held on September 12, 2018

I. CALL TO ORDER AND ROLL CALL

The Development Review Town Council Meeting was called to order on Wednesday, September 12, 2018 at 9:30 a.m. in the Town Council Chambers. On roll call, all of the elected officials were found to be present except for Council Member Lindsay.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Deputy Town Clerk Ruderman gave the invocation. Council President Moore led the Pledge of Allegiance.

III. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio suggested the Town file a petition of objection to the City of West Palm Beach's Okeechobee Business District (OBD) Comprehensive Plan Amendment.

Town Attorney Randolph explained further and introduced Attorney Sanders who reiterated request that the Town Council authorize that the Town jointly file with Palm Beach County for a petition which would allow the Town an opportunity to formally participate in the mandatory conflict resolution process.

Town Manager Blouin made a Staff recommendation that the Town Council approve filing the petition.

Motion was made by Council Member Araskog, and seconded by President Pro Tem Zeidman, to recommend filing a petition of objection to the City of West Palm Beach's Okeechobee Business District (OBD) Comprehensive Plan Amendment, Ordinance No. 4783-18 and Ordinance No. 4784-18, Relating to Amendments to the Downtown Master Plan Element of the Comprehensive Plan and the Downtown Zoning Atlas. On roll call, the motion carried unanimously.

Town Attorney Randolph requested advice on how to move forward with the 100 Emerald Beach Way v. The Town of Palm Beach Town Council case.

Motion was made by Council Member Crampton, and seconded by President Pro Tem Zeidman, to schedule a closed door session regarding 100 Emerald Beach Way litigation. On roll call, the motion carried unanimously.

Clerk's Note Item IV. was heard after Item II

IV. COMMENTS OF TOWN COUNCIL MEMBERS

Council Member Zeidman asked for clarification on the 'Master Gardener or Equivalent Experience' requirement for an Architectural Commissioner. Planning, Zoning and Building Director Martin will check the minutes of the last meeting for clarification. If Council members are not satisfied with it, it will be place on the next agenda.

V. COMMUNICATIONS FROM CITIZENS - None

VI. APPROVAL OF AGENDA

The following changes were made to the agenda:

DEFERRALS: The following items were deferred to the October 10, 2018 Town Council meeting.

Item VII.A.1., 901 North Ocean Boulevard

Item VII.C.1.d., Z-18-00118 Special Exception

Item VII.C.1.e., Z-18-00121 Site Plan Review With Variances

Item VII.C.2.e., Z-18-00129 Site Plan Review

Item VII.C.2.j., Z-18-00134 Special Exception With Site Plan Review and Variances

WITHDRAWN:

Item VII.C.1.a., Z-18-00058 Special Exception With Site Plan Review and Variances

OTHER:

Item VII.C.2.h., Z-18-00132 Site Plan Review Applicant's Representative was changed from Maura Ziska to David Klein

Item VII.C.2.a., Discussion Regarding Direction Relative to Filing a Petition of Objection to the City of West Palm Beach's Okeechobee Business District (OBD) Comprehensive Plan Amendment was brought to the front of the agenda.

Town Attorney Randolph requested a closed door session.

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

VII. DEVELOPMENT REVIEWS

A. Appeals

1. 905 North Ocean Boulevard - Request for Deferral to the October 10, 2018 Town Council Meeting per Letter Dated August 29, 2018 from Francis X.J. Lynch

Item was deferred to October 10, 2018 Town council meeting.

B. Time Extensions and Waivers

1. Waiver of Town Ordinance - Section 42-199 Hours for Construction Work
1565-1695 North Ocean Boulevard

Attorney Crowley provided details of the project.

Discussion took place on notification to neighbors, actual work taking place, and project time line.

Motion was made by President Pro Tem Zeidman, and seconded by Council Member Crampton, to allow for Waiver of Town Ordinance – Section 42-199 Hours for Construction Work with the following condition. If there are neighbor complaints, the project must come back to Town Council for further review. On roll call, the motion carried unanimously.

C. Variances, Special Exceptions, and Site Plan Reviews

1. Old Business

- a. Z-17-00058 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)
Zoning District: R-C Medium Density Residential The application of GILBERT MARK D &, Owner, relative to property located at 323 CHILEAN AVE, legal description on file, is described below. 1) A variance request to allow construction of a new 5,393.45 square foot, two story single family residence on a parcel that is 9,375 square feet in area in lieu of the 10,000 square foot minimum required in the R-C Zoning District. The proposal is to replicate the previously approved renovation of the landmarked residence. The Town Council and Landmarks Preservation Commission approved the project in January 2017. 2) A variance request to allow a 7.28 foot west side yard setback in lieu of the 10 foot minimum required in the R-C Zoning District for the new two (2) car garage. [Applicant's Representative: Maura Ziska Esq] [The Landmark Preservation Commission withdrew this item from their agenda at the request of the applicant. Carried 7-0.] Request for Withdrawal Per Letter Dated August 28, 2018 from Maura Ziska.

Item withdrawn.

- b. Z-18-00108 SPECIAL EXCEPTION WITH VARIANCE(S) Zoning District: C-TS Town Serving Commercial The application of Palm Beach Hotel Condominium Association, Inc., Applicant, relative to property located at 235 SUNRISE AVE SUITE: CM 23, legal description on file, is described below. A request for a variance and a special exception to expand a non conforming use ("hotel") to

incorporate a 3,200 square foot space on the ground floor to be used as a gym which is an accessory use to the condominium hotel. [Applicant's Representative: Maura Ziska Esq] If approved, consideration of proposed Declaration of Use Agreement.

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

Attorney Ziska provided details of the project.

Motion was made by Council Member Crampton, and seconded by Council Member Araskog, to defer to the October 10, 2018 Town Council meeting. On roll call, the motion carried unanimously.

c. Z-18-00113 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S)
Zoning District: B-A Beach Area The application of 1178 OCEAN LLC, Applicant, relative to property located at 1178 N OCEAN BLVD SUITE:BEACH CABANA, legal description on file, is described below. The Applicant seeks to reconstruct an existing beach house east of Ocean Boulevard adjacent to the east of property owned by the Applicant on the existing footprint in the existing location. Due to changes in the zoning code since the beach house was originally built, the variances indicated below are required, since greater than 50% of the existing structure, determined by cubic footage, is being demolished (per Code Section 134 417). To permit construction of a beach house with a square footage of 519 square feet, existing and proposed, in lieu of 350 square feet allowed by Special Exception. To permit the construction of a beach house with a depth dimension of 24' 8 1/2", existing and proposed, in lieu of 20' maximum dimension allowed by Special Exception. To permit the construction of a beach house with a width dimension of 21', existing and proposed, in lieu of 20' maximum dimension allowed by Special Exception. To permit the construction of a beach house with a setback of 5' 3 1/2", existing and proposed, in lieu of a minimum setback of 10' permitted by code. To permit a maximum hedge height/wall height existing and proposed to remain at +/- 6' 0"; in lieu of 4' 0" permitted by code. To permit a minimum ocean vista, existing and proposed, 0% of lot width, in lieu of 50% of lot width permitted by code. [Applicant's Representative: Francis X. J. Lynch] [Architectural Review Commission Recommendation: Implementation of the proposed special exception with site plan review and variance will not cause negative architectural impact to the subject property. Carried 7-0. The Architectural Review Commission approved the project as presented. Carried 7-0.]

Ex-parte communications were declared by Council Member Araskog.

Attorney Lynch provided details of the project.

Zoning Administrator Castro provided Staff comments.

Architect Papadopoulos provided additional information.

Question of hardship, property size, neighboring cabanas were discussed.

Motion was made by Council Member Araskog, and seconded by Council Member Crampton, to defer Z-18-00113 Special Exception with Site Plan Review and Variances, to the October 10, 2018 Town council meeting. On roll call, the motion carried unanimously.

d. Z-18-00118 SPECIAL EXCEPTION The application of 210 Miraflores Drive LLC, Manager: Michael Belisle, Applicant, relative to property located at 210 MIRAFLORES DR, legal description on file, is described below. Special Exception and Site Plan Review to allow the construction of a 4,381 square foot, two-story, single family house on a non-conforming lot, comprised of a portion of a platted lot, which is 90 feet in width in lieu of the 100 foot depth required in the R-B Zoning District. [Applicant's Representative: David E. Klein Esq] [The Architectural Review Commission deferred the project for one month to the August 22, 2018 meeting. Carried 7-0.] Request for Deferral to the October 10, 2018 Town Council Meeting Per Letter Dated August 23, 2018 from David Klein

Item was deferred to the October 10, 2018 Town council meeting.

e. Z-18-00121 SITE PLAN REVIEW WITH VARIANCE(S) The application of 456 South Ocean LLC (Dave Frisbie, Manager), Applicant, relative to property located at 456 S OCEAN BLVD SUITE: SITE, legal description on file, is described below. A request for Site Plan Review to construct a two-story, four (4) unit, townhouse building group with associated swimming pools and hardscape. Each unit will be approximately 8,800 square feet with basement garages. The following variances are being requested: 1. A request for a variance to allow the maximum building dimension of the building group to be 184.16 feet in length in lieu of the 150 foot maximum length allowed for a townhouse building group. 2. A request for a variance to not provide 25% of the building to be setback an additional 10 feet from the front setback along South Ocean Boulevard. [Applicant's Representative: Maura Ziska Esq] [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 deferred the project for one month to the September 26, 2018 meeting. Carried 7-0.] Request for Deferral to the October 10, 2018 Town Council Meeting Per Letter Dated August 28, 2018 from Maura Ziska.

Item was deferred to the October 10, 2018 Town Council meeting.

Clerk's Note: Item VII.C.2.a. was heard after Item III.

2. New Business

a. Discussion Regarding Direction Relative to Filing a Petition of Objection to the City of West Palm Beach's Okeechobee Business District (OBD) Comprehensive

Plan Amendment, Ordinance No. 4783-18 and Ordinance No. 4784-18, Relating to Amendments to the Downtown Master Plan Element of the Comprehensive Plan and the Downtown Zoning Atlas.

Kirk Blouin, Town Manager

b. Z-18-00126 SPECIAL EXCEPTION WITH SITE PLAN REVIEW Zoning District: PUD-A Planned Unit Development A The application of Alex Gilmurray, CFO of The Breakers Palm Beach, Inc., Applicant, relative to property located at 1 S COUNTY RD SUITE: GOLF COURSE, legal description on file, is described below. The Breakers is requesting site plan with special exception approval to add awnings to two areas in the renovated golf course. These include the addition of a 20' x 30' freestanding canopy to the maintenance area west of the tennis courts and a 12.5' x 64' awning over some of the hitting bays near the golf course practice facility. [Applicant's Representative: James M. Crowley Esq]

Ex-parte communications were declared by Council President Moore and Council Member Araskog.

Attorney Crowley provided details of the project.

Motion was made by President Pro Tem Zeidman, and seconded by Council Member Araskog, that Special Exception No. Z-18-00126 shall be granted, based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. On roll call, the motion carried unanimously.

Motion was made by President Pro Tem Zeidman, and seconded by Council Member Araskog, that Site Plan Review No. Z-18-00126 be approved with the application as presented, based upon the finding that the approval of the site plan will not adversely affect the public interest and that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329, items 1 through 11. On roll call, the motion carried unanimously.

c. Z-18-00127 SITE PLAN REVIEW WITH VARIANCE(S) Zoning District: R-C Medium Density Residential The application of David and Renee Barasch, Applicant, relative to property located at 130 SUNRISE AVE SUITE: PH 7, legal description on file, is described below. 1. A site plan modification with variances to allow five (5) retractable awnings totaling 873 square feet over the terrace on the seventh floor of a seven story condominium building. 2. A variance request to allow the awning at a height of 60.83 feet in lieu of the 23 1/2 foot maximum height allowed in the R-C Zoning District. 3. A variance request to allow the awnings on the existing seventh floor penthouse of a seven story building in lieu of the two story building maximum allowed in the R-C Zoning District. 4. A variance to allow the awnings at an overall height of 62.67 feet in lieu of the 26 1/2 foot maximum

allowed in the R-C Zoning District for a flat roof. 5. A front yard setback of 29.83 feet to Sunset Avenue in lieu of the 122.11 foot minimum required. [Applicant's Representative: Maura Ziska] [Architectural Review Commission Recommendation: Implementation of the proposed site plan review and variances will not cause negative architectural impact to the subject property. Carried 7-0. The Architectural Review Commission approved the project as presented. Carried 7-0.]

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

Attorney Ziska provided details of the project.

Motion was made by Council Member Crampton, and seconded by Council President Moore, that Variance No. Z-18-00127 be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met. On roll call, the motion carried unanimously.

Motion was made by Council Member Crampton, and seconded by Council President Moore, that Site Plan Review No. Z-18-00127 be approved with the application as presented, based upon the finding that the approval of the site plan will not adversely affect the public interest and that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329, items 1 through 11. On roll call, the motion carried unanimously.

d. Z-18-00128 VARIANCE(S) Zoning District: R-B Low Density Residential The application of Elizabeth Sorrel, Applicant, relative to property located at 207 PENDLETON AVE, legal description on file, is described below. The Applicant is requesting the following variances to construct a 112 square foot addition to the kitchen and replace an existing awning with a 354 square foot loggia on the rear of the residence with an open balcony above: 1) a west side yard setback of 12.83 feet in lieu of the 15 foot minimum required in the R-B Zoning District for the loggia addition with open balcony above; 2) a cubic content ratio ("CCR") of 5.08 in lieu of the 4.97 existing and the 4.12 maximum allowed in the R-B Zoning District for the kitchen addition; and 3) a lot coverage of 37.25 % in lieu of the 38.5 % existing and the 30% maximum allowed in the R-B Zoning District for the kitchen addition. [Applicant's Representative: Maura Ziska] [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 architectural plans as presented and deferred the landscape plans to the September 26, 2018 meeting. Carried 7-0.]

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

Attorney Ziska provided details of the project.

Design Professional Perry provided additional details.

Zoning Administrator Castro provided Staff comments.

Motion was made by President Pro Tem Zeidman, and seconded by Council Member Crampton, that Variance No. Z-18-00128 be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met with the caveat that the owner provide a utility easement or easement agreement satisfactory to the Town of Palm Beach, prior to building permit issuance. On roll call, the motion carried unanimously.

The Town Council recessed at 10:52 a.m. and reconvened at 11:00 a.m.

e. Z-18-00129 SITE PLAN REVIEW Zoning District: R-B Low Density Residential
The application of CHERRY LANE LLC (John Flynn, Manager), Applicant, relative to property located at 232 CHERRY LN, legal description on file, is described below. A request for Site Plan Review to build a 4,620 square foot two story home on an existing 10,000 square foot platted lot with a depth of 80.0' in lieu of 100' required. [Applicant's Representative: Francis X.J. Lynch] [The Architectural Review Commission deferred the project to the September 26, 2018 meeting. Carried 7-0.] Request for Deferral to the October 10, 2018 Town Council Meeting Per Letter Dated August 30, 2018 from Francis X.J. Lynch

Item was deferred to the October 10, 2018 Town council meeting.

f. Z-18-00130 SPECIAL EXCEPTION Zoning District: C-TS Town-Serving Commercial
The application of 375 Master Mind, LLC (Babak Ebrahimzadeh, Manager), Applicant, relative to property located at 375 S COUNTY RD SUITE: BLDG 1, legal description on file, is described below. A request for special exception approval for a 4,352 square foot executive office suite (Suite 220) which is a commercial establishment with greater than 3,000 square feet of gross leasable area in the C-TS Zoning District. [Applicant's Representative: Maura Ziska]

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

Attorney Ziska provided details of the project.

Zoning Administrator Castro provided Staff comments.

Discussion took place on the contractor working without building permits.

Motion was made by Council Member Crampton, and seconded by Council Member Araskog, that Special Exception No. Z-18-00130 shall be granted, based upon the finding that such grant will not adversely affect the public interest and that the applicable criteria set forth in Section 134-229 of the Town Code have been met. On roll call, the motion carried unanimously.

g. Z-18-00131 VARIANCE(S) Zoning District: R-B Low Density Residential The application of Martin and Joan Meyers, Applicant, relative to property located at 250 KAWAMA LN, legal description on file, is described below. The applicant is proposing to build out 686 square feet in the existing one-story garage which will convert a one-story residence into a two-story residence and which will require the following variance for lot coverage to be 30 % in lieu of the 25 % maximum allowed in the R-B Zoning District for a two story residence on a lot that is in excess of 20,000 square feet. [Applicant's Representative: Maura Ziska] [Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause negative architectural impact to the subject property. Carried 6-1. The Architectural Review Commission will hear the project formally at their September 26, 2018 meeting.]

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

Attorney Ziska provided details of the project.

Design Professional Forrest provided additional details.

Motion was made by President Pro Tem Zeidman, and seconded by Council Member Araskog, that Variance No. Z-18-00131 be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met with the caveat that the owner provide a utility easement or easement agreement satisfactory to the Town of Palm Beach, prior to building permit issuance. On roll call, the motion carried unanimously.

h. Z-18-00132 SITE PLAN REVIEW Zoning District: R-B Low Density Residential The application of 113 E Inlet LLC (Lisa Hedley, Manager), Applicant, relative to property located at 113 E INLET DR, legal description on file, is described below. Site Plan Review to allow the construction of a 3,589 square foot, two-story, single family house on a non-conforming lot which is 96 feet in width in lieu of the 100-foot depth required in the R-B Zoning District. [Applicant's Representative: Maura Ziska] [The Architectural Review Commission approved the project as presented. Carried 7-0.]

Ex-parte communications were declared by Council Member Araskog.

Attorney Klein provided details of the project.

Motion was made by Council Member Araskog, and seconded by President Pro Tem Zeidman, that Site Plan Review No. Z-18-00132 be approved with the application as presented, based upon the finding that the approval of the site plan will not adversely affect the public interest and that the Council certifies that the specific zoning requirements governing the individual use have been met and that satisfactory provision and arrangement has been made concerning Section 134-329, items 1 through 11. On roll call, the motion carried unanimously.

i. Z-18-00133 VARIANCE(S) Zoning District: C-TS Town-Serving Commercial The application of High Point Plastic Surgery, LLC (Jason Cooper, MD), Applicant, relative to property located at 220 SUNRISE AVE SUITE: 101, legal description on file, is described below. Request for a variance to allow a medical office ("High Point Plastic Surgery, LLC") to occupy 972 square feet on the first floor of a building located in the C-TS zoning district where office use is only allowed on the second floor if it doesn't meet the special exception criteria that would allow an office on the first floor. [Applicant's Representative: Maura Ziska]

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

Attorney Ziska provided details of the project.

Zoning Administrator Castro provided Staff comments.

Motion was made by President Pro Tem Zeidman, and seconded by Council Member Crampton, that Variance No. Z-18-00133 be granted and find, in support thereof, that all of the criteria applicable to this application as set forth in Section 134-201(a), items 1 through 7 have been met. On roll call, the motion carried unanimously.

j. Z-18-00134 SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) Zoning District: R-A Estate Residential The application of Charles Holzer, Applicant, relative to property located at 977 S OCEAN BLVD, legal description on file, is described below. 1) Special Exception with Site Plan Review to allow the construction of a 9,685 square foot two-story, single family residence on a non-conforming lot that is 77 feet in depth in lieu of the 150 foot minimum required In the R-A Zoning District and 13,662 square feet in area in lieu of the 20,000 square foot minimum area required in the R-A Zoning District. 2) A request for a variance to allow the proposed swimming pool to have a 5 foot rear yard setback in lieu of the 10 foot minimum required and a 30 foot front yard setback in lieu of the 35 foot minimum required in the R-A Zoning District. 3) A request for a variance to allow a building height plane setback to be 35 feet in lieu of the 50 foot minimum setback required. [Applicant's Representative: Maura Ziska] [The

Architectural Review Commission deferred this project to the September 26, 2018 meeting at the request of the attorney. Carried 7-0.] Request for Deferral to the October 10, 2018 Town Council Meeting Per Letter Dated August 14, 2018 from Maura Ziska.

Item was deferred to the October 10, 2018 Town council meeting.

VIII. ANY OTHER MATTERS

Consensus to move Regular Town Council meeting from Tuesday February 12th to Thursday February 14th

IX. ADJOURNMENT

There being no further business, the Development Review Town Council meeting of September 12, 2018, was adjourned at 11:20 a.m.

APPROVED:

Danielle H. Moore, Town Council President

ATTEST:

Kathleen Ruderman, Deputy Town Clerk



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE TOWN COUNCIL MEETING HELD ON THURSDAY, SEPTEMBER 13, 2018

I. CALL TO ORDER AND ROLL CALL

The Regular Town Council Meeting was called to order on Thursday, September 13, 2018, at 9:30 a.m. in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Dominguez gave the invocation. President Moore led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA

The following changes were made to the agenda:

Item XI.A.5 was taken out of order and heard after Item X.A.

IV. APPROVAL OF AGENDA

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

V. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS

- A.** Presentations by Code Enforcement Board Applicants.
Kirk W. Blouin, Town Manager

The following applicant made a presentation to the Town Council:

Joel Koeppel

B. Appointment to Code Enforcement Board.

Kirk W. Blouin, Town Manager

Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to ratify the appointment of Herbert Roemmele as an Alternate Member of the Code Enforcement Board. On roll call, the motion passed unanimously.

VI. COMMENTS OF MAYOR GAIL L. CONIGLIO

Mayor Coniglio spoke regarding the Town's partnership with Debra Drum, Director of Environmental Resource Management for Palm Beach County, on the preservation of the native dune plants at Kreusler Park.

She recognized staff members Danielle Olson, Human Resources Director, for effectively managing the Town's health insurance program and Dean Mealy, Purchasing Manager, on his recent recognition as a procurement professional from the Universal Public Procurement Certification Council.

She spoke regarding the Town's efforts to improve cell phone service in the North end and hurricane preparedness.

She also spoke regarding the retention issues in the Public Safety Department and the need for a short-term and long-term option that is cost effective for the Town.

VII. COMMENTS OF TOWN COUNCIL MEMBERS AND TOWN MANAGER

President Moore recognized Darrel Donatto and Sean Baker for their attendance at the 9/11 Remembrance Ceremony in Boynton Beach.

Council Member Araskog spoke regarding the reasons for the cancellation of the last Ordinances, Standards, and Rules (ORS) Committee meeting. She suggested that staff meet with additional cell phone carriers in order to resolve the lack of cell service faced by residents in the North end.

VIII. COMMUNICATIONS FROM CITIZENS

Diane Buhler, Friends of Palm Beach, spoke regarding her organization's trash collection efforts on the Town's beaches and her experience with pull back due to the increase in trash and limited resources. She announced that her organization will be participating in the International Coastal Clean-up this Saturday and will be cleaning up at the Indian Road access point and encouraged more volunteers. She also thanked Rob Weber for getting her in touch with Debra Drum from the Palm Beach County Environmental Resource Management department for assistance with beach restoration projects.

Linda Essig, 321 North Ocean Boulevard, spoke regarding the undergrounding project and concerns with the cost to the taxpayers.

IX. APPROVAL OF CONSENT AGENDA

The following items were pulled from the Consent Agenda and moved under Item IX.C.:

- Item XIII. B. 36. Resolution No. 172-2018
- Item XIII.C.4.

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

A. MINUTES

1. TOWN COUNCIL MEETING MINUTES

Kathleen Dominguez, Town Clerk

- a. August 15, 2018, Local Planning Agency Meeting Minutes
- b. August 15, 2018, Town Council Meeting Minutes
- c. August 15, 2018, Town Council Development Review Meeting Minutes

2. Approval of Major Matters considered by the Architectural Review Commission at its meeting of August 22, 2018.

Joshua Martin, Director of Planning, Zoning & Building

B. RESOLUTIONS

1. Liability, Property, Workers' Compensation, Automobile & Ancillary Insurance Coverages for FY2019.

RESOLUTION NO. 131-2018 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 FY2019 In The Amount Of \$811,767 And Variable Costs In The Amount Of \$1,100,000; Approving A Non-Exclusive Insurance Agent Services Agreement With Relation Insurance Service Of Florida, Inc. "Relation", In The Amount Of \$35,000; Approving A Non-Exclusive Insurance Agent 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 \$26,400; Conditioning All Matters Contained Herein Subject To Approval Of The Fiscal Year 2019 Budget; And Authorizing The Town Manager To Execute The Non-Exclusive Insurance Agent Services Agreements With Relation, AJG And PGCS On Behalf Of The Town.

Danielle Olson, Director of Human Resources

2. RESOLUTION NO. 133-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Renewing a Contract with Murphy Stillings, LLC for one year to Provide Historic Preservation Consulting Services, Establishing a Budget of \$56,000 for Said Services; and Authorizing the Town Manager to Take Actions Necessary to Complete Said Services; Subject to Approval of the Fiscal Year 2019 Town Budget.

Joshua Martin, Director of Planning, Zoning & Building

3. RESOLUTION NO. 134-2018 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Renewing Contracts To Hy-Byrd Incorporated, GFA International Inc., And C.A.P. Government, Inc. For One Year To Provide Plan Review And Inspection Services; Establishing A Budget Of \$340,000 For Said Services, And Authorizing The Town Manager To Take Actions Necessary To Effectuate Implementation Of Said Services; Subject To Approval Of The Fiscal Year 2019 Budget.

Joshua Martin, Director of Planning, Zoning & Building

4. RESOLUTION NO. 135-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing Payment to the Municipal Public Safety Communications Consortium (MPSCC) of Palm Beach County in the Amount of \$82,397.08; Subject to Approval of the Fiscal Year 2019 Budget.

Nicholas Caristo, Acting Chief of Police

5. RESOLUTION NO. 136-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing the Issuance of Purchase Orders to Johnson Controls, Inc. for the Annual Maintenance Contract for the Townwide Camera and Security System in the Amount of \$17,998; and for Service and Emergency Repairs of the Townwide Camera and Security System, Not Covered by Said Maintenance Contract, in the Amount of \$40,000; Subject to the Approval of the Fiscal Year 2019 Budget; and Providing for an Effective Date.

Nicholas Caristo, Acting Chief of Police

6. RESOLUTION NO. 137-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing and Approving Purchase Orders to Citation Communications, Inc. for the Annual System Maintenance Agreement in the Amount of \$34,908; and for Miscellaneous Repairs and Parts, as needed and Recommended By

Staff, In The Amount Of \$15,000; Establishing a Total Budget Overall of \$52,000; Subject to Approval of the Fiscal Year 2019 Budget.

Nicholas Caristo, Acting Chief of Police

7. RESOLUTION NO. 138-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Authorizing and Approving the Issuance of a Purchase Order to Electronic Data Collection Corp. for the Purchase of Annual Software Maintenance in the Amount of \$37,500.00; Subject to the Approval of the Fiscal Year 2019 Budget; and Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

8. RESOLUTION NO. 139-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Authorizing and Approving the Issuance of a Purchase Order to Cartegraph Systems Inc. for the Purchase of Annual Software Maintenance in the Amount of \$41,616.00; Subject to the Approval of the Fiscal Year 2019 Budget; and Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

9. RESOLUTION NO. 140-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Authorizing and Approving the Issuance of a Purchase Order to ESRI for the Purchase of Annual Software Maintenance in the Amount of \$35,000.00; Subject to the Approval of the Fiscal Year 2019 Budget; and Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

10. RESOLUTION NO. 141-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Authorizing and Approving the Issuance of a Purchase Order to MCCI, LLC for the Purchase of Annual Software Maintenance in the Amount of \$42,530.85; Subject to the Approval of the Fiscal Year 2019 Budget; and Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

11. RESOLUTION NO. 142-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Authorizing and Approving the Issuance of a Purchase Order to SHI International Corp. for the Purchase of Annual Microsoft Software Maintenance in the Amount of \$95,616.45; Subject to the Approval of the Fiscal Year 2019 Budget; and Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

12. RESOLUTION NO. 143-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Authorizing and Approving the Issuance of a Purchase Order to Superion, LLC for the Purchase of Annual Software Maintenance in the Amount of \$108,257.28;

Subject to the Approval of the Fiscal Year 2019 Budget; and Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

13. RESOLUTION NO. 144-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Authorizing and Approving the Issuance of a Purchase Order to Tyler Technologies, Inc. for the Purchase of Annual Software Maintenance in the Amount of \$86,253.39; Subject to the Approval of the Fiscal Year 2019 Budget; and Providing an Effective Date.

Jay Boodheshwar, Deputy Town Manager

RESOLUTION NO. 145-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order to All American Sweeping, Inc., for Annual Street Sweeping Services in the Amount of \$91,882.44, and Establishing a Project Budget of \$101,070 for FY2019. The Remaining Three Year Project Budget Shall be \$303,210, Which Includes an Annual Cost of \$91,882.44, and a \$27,562.68 Contingency, Contingent on Funding in Future Fiscal Years.

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

14. RESOLUTION NO. 146-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order to Batallan Enterprises, Inc. DBA Property Works, for Town Square Maintenance Services, in the Amount of \$49,591.85, and Establishing a Project Budget of \$57,030 for FY2019. The Remaining Three Year Project Budget Shall be \$171,090, Which Includes an Annual Cost of \$49,591.85 and a \$22,324.45 Contingency, Contingent on Funding in Future Fiscal Years.

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

15. RESOLUTION NO. 147-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Batallan Enterprises, Inc. DBA Property Works, for Grounds Maintenance "Locations", in the Amount of \$64,456.04 and Establishing a Project Budget of \$70,900, Subject to Approval of the Fiscal Year 2019 Budget.

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

16. RESOLUTION NO. 148-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order to Batallan Enterprises, Inc. DBA Property Works for Turf Maintenance, in the Amount of \$104,210.40 and Establishing a Project Budget of \$114,630.

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

17. RESOLUTION NO. 149-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order to Gsky Plant Systems, Inc., for the Worth Avenue Living Wall Maintenance Program in the Amount of \$28,900, and Establishing a Project Budget of \$31,790 for FY2019. The Remaining Three Year Project Budget Shall be \$95,370, Which Includes an Annual Cost of \$28,900 and a \$8,670 Contingency, Contingent of Funding in Future Fiscal Years.
H. Paul Brazil, P.E., Director of Public Works
18. RESOLUTION NO. 150-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order for Fountain Maintenance and Repair Services to Mako Pools in the Amount of \$24,200, and Establishing a Project Budget of \$27,830 for FY2019. The Remaining Three Year Project Budget Shall be \$83,490 Which Includes an Annual Cost of \$24,200 and a \$10,890 Contingency, Contingent on Funding in Future Fiscal Years.
H. Paul Brazil, P.E., Director of Public Works
19. RESOLUTION NO. 151-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order for Irrigation Services to B. Ellis Enterprises, Inc., in the Amount of \$18,000, and Establishing a Project Budget of \$20,000 for FY2019. The Two Year Project Budget Shall be \$40,000 Which Includes an Annual Cost of \$18,000, and a \$4,000 Contingency, Contingent of Funding in Future Fiscal Years.
H. Paul Brazil, P.E., Director of Public Works
20. RESOLUTION NO. 152-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order to Premium Painters for Curb Painting Services in the Amount of \$21,175.76, and Establishing a Budget of \$24,355 for FY2019. The Remaining One Year Project Budget Shall be \$24,355, Which Includes an Annual Cost of \$21,175.76, and a \$3,129.74 Contingency, Contingent on Funding in Future Fiscal Years.
H. Paul Brazil, P. E., Director of Public Works
21. RESOLUTION NO. 153-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, to Award Bid No. 2018-11 and Approve Purchase Orders to Universal Electric of Florida, Inc., and C R Dunn, Inc., for Electrical Services, in the Combined Amount of \$140,000, and Establishing a Combined Project Budget of \$160,000 For FY2019. The Remaining Four Year Project Budget Shall be \$640,000, Which Includes an Annual Cost of \$140,000 and a \$80,000 Contingency, Contingent on Funding in Future Fiscal Years.
H. Paul Brazil, P.E., Director of Public Works
22. RESOLUTION NO. 154-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding Bid No.

2018-50 and Approving a Contract and Purchase Orders to Advanced Disposal Services Solid Waste Southeast, Inc., for Compacted Garbage Collection, in the Amount of \$315,411.41, and Establishing a Project Budget of \$318,000 for FY2019. The Remaining Extensions for the Following Four Years Shall be Approved Only Upon Satisfactory Performance as Determined at the Sole Discretion of the Public Works Director for an Additional Amount of the Previous Year, an Annual Escalator will be Negotiated Each Year Prior to Renewal for a Four Year Budget of \$1,742,847.13, Contingent Upon Funding in Future Fiscal Years.

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

23. RESOLUTION NO. 155-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order to Oracle Elevator Company for Elevator Maintenance and Repair Services in the Amount of \$12,080, and Establishing a Budget of \$13,892 for FY2019. The Remaining Three Year Project Budget Shall be \$41,676, Which Includes an Annual Cost of \$12,080 and a \$5,436 Contingency, Contingent on Funding in Future Fiscal Years.

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

24. RESOLUTION NO. 156-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order to Batallan Enterprises, Inc. DBA Property Works, for Hedge Trimming Services in the Amount of \$70,697.62 and Establishing a Project Budget of \$77,770, Subject to Approval of the FY2019 Budget.

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

25. RESOLUTION NO. 157-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order for Holiday Lighting and Decoration Services to Florida CDI, LLC/Christmas Designers, Inc., in the Amount of \$89,545.33, and Establishing a Project Budget of \$102,980 for FY2019. The Remaining Three Year Project Budget Shall be \$308,940, Which Includes an Annual Cost of \$89,545.33 and a \$40,304.01 Contingency, Contingent on Funding in Future Fiscal Years.

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

26. RESOLUTION NO. 158-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension and Purchase Order for Street Light and Sign Post Painting Services to Roof Painting By Hartzellin the Amount of \$38,215, and Establishing a Project Budget of \$43,950 for FY2019. The Remaining One Year Project Budget Shall be \$43,950 Which Includes an Annual Cost of \$38,215, and a \$5,735 Contingency, Contingent on Funding in Future Fiscal Years.

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

27. RESOLUTION NO. 160-2018 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving Piggybacking The City Of Lake Worth Contract For Office Clerical Staffing With Office Team And Authorizing The Town Manager To Execute An Agreement On Behalf Of The Town.
Joshua Martin, Planning, Zoning & Building Director
28. RESOLUTION NO. 161-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Purchase Order in the Amount of \$99,091.40 to Yamaha Golf Car Company for Thirty 2019 Yamaha Drive2 Quietech Gas Golf Carts and One 2019 Yamaha U-Max 2 Gas Utility Vehicle for the Par 3 Golf Course, and Establishing a Project Budget of \$105,000.00.
Jay Boodheshwar, Deputy Town Manager
29. RESOLUTION NO. 166-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Extension to Unifirst Corporation for Uniform Rental and Cleaning Services, in the Amount of \$25,596.48 and Establishing a Budget of \$30,000, Subject to Approval of the Fiscal Year 2019 Budget.
H. Paul Brazil, P.E., Director of Public Works
30. RESOLUTION NO. 167-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing and Approving a Purchase Order to Seacoast Embroidery, Inc. dba Seacoast Uniforms in the Amount of \$35,000 for Fiscal Year 2019; for the Purchase of Police Department Uniforms and Accessories; Allowing for an Overall Budget of \$46,000; Subject to Approval of the FY2019 Budget; and Providing an Effective Date.
Nicholas Caristo, Acting Chief of Police
31. RESOLUTION NO. 168-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Designating Town Depositories for Fiscal Year 2019 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
32. RESOLUTION NO. 169-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County Florida, Awarding RFP No. 2018-46 to TD Bank, N.A. for Banking and Merchant Services, and Authorizing the Town Manager to Execute an Agreement on Behalf of the Town.
Jane Le Clainche, Director of Finance

33. RESOLUTION NO. 170-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the use of the State of Florida Department of Management Services Contract for Office Supplies to Office Depot, Inc. and Approve a Budget of \$75,000 for Fiscal Year 2019 and a Forty-Two Month Proposed Budget of \$275,000 Subject to Annual Town Council Review and Authorization.
Jane Le Clainche, Director of Finance
34. RESOLUTION NO. 171-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving the Award of the Contract to Supply Unleaded and Diesel Fuel through the Southeast Florida Governmental Purchasing Cooperative Group RFP E-13-18 to Port Consolidated Inc. in the Amount of \$190,000 and Establishing a Budget of \$190,000 for FY2019. The remaining Three-Year Project Budget Shall be \$570,000, which includes an Annual Cost of \$190,000, contingent on funding in Future Fiscal Years.
Jane Le Clainche, Director of Finance
35. RESOLUTION NO. 172-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Town Docks and Golf Course Enterprise Fund's Reserve Policies; Providing an Effective Date.
*Jane Le Clainche, Director of Finance- **Pulled from Consent***
36. RESOLUTION NO. 173-2018 A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Authorizing A Twelve Month Extension Of The Contract, With No Changes To Terms, To Applied Business Services D/B/A Security Collection Agency To Provide Billing Account Collections For Emergency Medical Services And Other Accounts Receivable And Authorizing The Town Manager To Execute The Same On Behalf Of The Town.
Darrel Donatto, Fire Rescue Chief

C. OTHER

1. Relocation of Historic/Specimen Tree from 520 Island Drive.
H. Paul Brazil, P.E., Director of Public Works
2. Road Closure of Cocoanut Row Between Worth Avenue and Peruvian Avenue to Install a Generator.
H. Paul Brazil, P.E., Director of Public Works
3. Health Insurance Rates for 2019.
Danielle Olson, Director of Human Resources
4. Request for ORS to Review a Draft Ordinance Pertaining to the Planting of Ficus Benjamina.

Bobbie Lindsay, Council Member – Pulled from Consent

5. Proposed Town Sponsorship of Business Association Special Event on November 10, 2018, to be Hosted by the Worth Avenue Association.
Jay Boodheshwar, Deputy Town Manager

X. APPEALS

- A. Appeal of the ARCOM decision for the project A-029-2018, 340 Seaview Avenue.

Joshua Martin, Director of Planning, Zoning and Building

Director Martin provided an overview of the Town's appeal process with regard to ARCOM decisions and provided a summary of the Town's appeal to the ARCOM decision that was made at their August 22, 2018 meeting regarding the denial of the proposed changes to the Recreation Center project and their recommendations.

Nelo Freijomel, Stephen Boruff Architects + Planners, Inc., presented the modifications requested by ARCOM, which were to add back the cast stone hardscape to certain areas of the building and entryways. He also presented the hardscape options recommended by staff in response to the ARCOM decision and the additional cost for each.

Discussion ensued regarding the additional cost to add back the hardscape in certain areas, long-term maintenance costs, safety and durability of cast stone pavers, the type of hard scape used by the surrounding buildings and the overall functionality and necessity of ARCOM's recommendations to the design of the project.

Jay Boodheshwar, Deputy Town Manager, provided the cost breakdown for the Town and the funding partners should they decide to move forward with adding back the cast stone material to the exterior of the building. He further explained the discussion that took place with the funding partners and reported that they agreed to fund their share for additional cast stone material for the vertical work but not the flat work. He also informed Council that a decision does not need to happen today but cautioned them to keep volatility in prices in mind.

Michael Small, ARCOM Vice Chair, 156 E. Inlet Dr., spoke regarding ARCOM's reason for strongly recommending that the original architecture that was proposed a year ago get added back to the current GMP.

In response to a question from Council Member Araskog, Mr. Small requested that the Town retain as much of the cast stone as possible in the

project design and requested that staff continue to present all future proposed changes to ARCOM.

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Lindsay, to approve the addition of the cast stone detail to the project design for the recreation center building and tennis pavilion, as was originally presented and to defer the flat work design options to the October 9, 2018 Town Council meeting. On roll the motion passed unanimously.

(Clerk's note: Item No. XI.A.5., Resolution No. 174-2018, was taken out of order and heard immediately after this item.)

XI. REGULAR AGENDA

A. Old Business

1. Town-Wide Undergrounding Project

- a. Review of Project and Dashboard, Summary of Project Status
Steve Stern, Project Manager

Project Manager Stern reported the key project updates and project dashboard. He spoke regarding the communication efforts between the contractors and residents, the construction activities in the North and South, and the design and easement progress.

In response to a question from Council Member Araskog, Finance Director Le Clainche spoke regarding the Town's budget allocations for the bond interest.

- b. Accept Withdrawal of the Construction Management At Risk (CMAR) Bids and Contract to Whiting-Turner Contracting Company for the Town-Wide Utility Undergrounding Phase 2 South.

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

Patricia Strayer, Town Engineer, provided an overview of the of the Town's recommendation to accept the termination of the current Construction Manager At Risk (CMAR) contract with Whiting-Turner, re-solicit bids for engineering services and revise the project scope so that it includes the combination of Phases 2 and 3 South.

She spoke regarding the selection process for a Construction Manager At Risk (CMAR) contract for project engineering services of this magnitude and the criteria and legal requirements of the Consultant's Competitive Negotiation's Act (CCNA).

Dean Mealy, Purchasing Manager, spoke regarding the pricing issues that occurred with Whiting-Turner and their sub-contractors and how it led to the termination of their contract.

Town Manager Blouin announced the sale of the \$60 million bond for the Townwide Undergrounding Utility project.

It was the consensus of the Town Council to accept the termination of the Construction Manager At Risk (CMAR) contract with Whiting-Turner Construction Company, direct staff to resolicit engineering service proposals for a CMAR with the project scope of Phases 2 and 3 South combined. On roll call, the motion passed unanimously.

2. Coastal Update

a. Shore Line Condition Update

Coastal Program Manager Rob Weber presented the shoreline conditions for each reach.

In response to a question from Council Member Crampton, Mr. Weber provided information on the sand fore passing project scheduled for Reach 2 and stated the he will look into the Town's options for additional sand placement at Reach 8.

Council Member Lindsay spoke regarding the heavy Sargassum seaweed build-up on the Town's beaches this year. She also recognized the Public Works department for the Inlet dock project finishing on schedule.

b. RESOLUTION NO. 162-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing State Grant of Florida Department of Environmental Protection Contract No. 18PB2, Between the State of Florida Department of Environmental Protection and the Town of Palm Beach Under the Florida Beach Management Funding Assistance Program, Specifically Monitoring Reimbursement for the 2016 Phipps Ocean Park Beach Nourishment Project, in the Amount of \$27,690, and Authorizing the Town Mayor to Execute Same on Behalf of the Town.

c. RESOLUTION NO. 163-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Contract Increase in Regard to Awarded Bid No. 2016-28 to Coston Marine Services, Inc., in the Amount of \$70,405.50 to Remove Additional Rock for the Construction of the Lake Worth Lagoon Waterway Access Maintenance Dredging; Increasing the Contract Amount from \$1,311,940.00 to \$1,382,345.50 and Establishing a New

Construction Phase Budget of \$1,432,345.50, Including Contingency, Contingent Upon Town Council Acceptance and Receipt of Donations to Fully Fund this Project and the Respective Construction Administration Services.

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

Coastal Program Manager Weber provided an overview of Resolution No. 162-2018 and Resolution No. 163-2018.

Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to approve Resolution No. 162-2018. On roll call, the motion passed unanimously.

Motion was made by Council Member Araskog, and was seconded by Council Member Crampton, to approve Resolution No. 163-2018. On roll call, the motion passed unanimously.

3. RESOLUTION NO. 164-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Environmental Permitting Consulting Services to Edgewater Resources LLC, in an Amount of \$137,862 for the Town Docks Replacement, and Establishing an Environmental Permitting Consulting Services Budget of \$150,000.

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

Director Brazil provided an overview of Resolution No. 164-2018.

Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to approve Resolution No. 164-2018. On roll call, the motion passed unanimously.

4. RESOLUTION NO. 165-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order for Design, Bid, and Construction Phase Engineering Services to W.F. Baird & Associates Ltd., in an Amount of \$1,562,066 for the Town Docks Replacement, and Establishing a Design, Bid and Construction Phase Engineering Services Budget of \$1,650,000.

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

Director Brazil provided an overview of Resolution No. 165-2018.

Motion was made by Council Member Lindsay, and was seconded by Council Member Crampton, to approve Resolution No. 165-2018. On roll call, the motion passed unanimously.

5. RESOLUTION NO. 174-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for the Construction Management At Risk (CMAR)

Contract to Hedrick Brothers Construction Company, Inc., for the Seaview Park and Recreation Center Improvements in an Amount Not-to-Exceed \$299,062 and Establishing a Total Guaranteed Maximum Price (GMP) Construction Budget of \$11,901,580 and Establishing an Overall Project Budget of \$14,094,321.

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

(Clerk's note: This item was taken out of order and heard after Item X. A.)

Deputy Town Manager presented the revised Resolution No. 174-2018 as follows:

RESOLUTION NO. 174-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for the Construction Management At Risk (CMAR) Contract to Hedrick Brothers Construction Company, Inc., for the Seaview Park and Recreation Center Improvements in an Amount Not-to-Exceed ~~\$299,062~~ **\$167,327** and Establishing a Total Guaranteed Maximum Price (GMP) Construction Budget of ~~\$11,901,580~~ **\$11,769,845** and Establishing an Overall Project Budget of ~~\$14,094,321~~ **\$13,962,586**.

Council Member Crampton announced that he will not vote on Resolution No. 174-2018 and recused himself. He reported the reason as a potential conflict of interest due to the business relationship he has with Dale Hedrick, who is a principal at Hedrick Brothers Construction Company and sits on the Board of Directors at the Science Center where Mr. Crampton holds the seat as Board President.

Motion was made by Council Member Lindsay, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 174-2018, as amended above. On roll call, the motion passed 4 to 1 with Council Member Crampton recused.

B. New Business

1. Discussion Regarding Financial Dashboard Report.

Kirk W. Blouin, Town Manager

Director Le Clainche presented the Financial Dashboard Report.

Discussion ensued regarding staff time, frequency of reporting, formatting and the data on display with regarding to the Town's general budget and financial status.

It was the consensus of the Town Council to approve the distribution of the financial dashboard report by posting it online and providing hard copies in the Finance Department.

2. Discuss Scheduling a Joint Meeting with the Town Council and the Retirement Board of Trustees.

Kirk W. Blouin, Town Manager

Town Manager Blouin presented the request by the Retirement Board of Trustees to hold a joint meeting with the Town Council in the month of November.

It was the consensus of the Town Council to approve a joint meeting with the Retirement Board of Trustees and give staff with the option to schedule the meeting on either November 13 or 14, 2018.

3. Discussion Regarding Deferred Retirement Option Plan (DROP) Extension Program.

Kirk W. Blouin, Town Manager

Town Manager Blouin provided an overview of the draft ordinance with proposed amendments to the Town's Deferred Retirement Option Program (DROP). He spoke regarding the unique staffing situation in the public safety department with regard to positions lost due to attrition and the current DROP participants. He proposed extending the DROP period for an additional 36 months under certain conditions for a period of three years.

Discussion ensued regarding recruitment and retention challenges in the public safety department, succession planning, gaps in leadership, retention and recruitment issues, costs to the Town, positive and negative impacts to the salary and pension benefits.

In response to a question from Council President Moore, Town Manager Blouin explained the vetting process that went into drafting the proposed ordinance and the collective bargaining process with the Firefighters union.

Town Attorney Randolph read the ordinance by title. He also spoke regarding the next steps involved with respect to presenting the Ordinance to the Fire Fighters' Union (Professional Firefighters/Paramedics of Palm Beach County, Local Chapter 2928) before final adoption.

Motion was made by Council Member Crampton, and was seconded by Council President Pro Tem Zeidman, to approve Ordinance 19-2018, on first reading. On roll call, the motion passed 3 to 2, with Council Members Araskog and Moore dissenting.

C. Matters Pulled From Consent Agenda:

1. RESOLUTION NO. 172-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting the Town Docks and Golf Course Enterprise Fund's Reserve Policies; Providing an Effective Date.

Jane Le Clainche, Director of Finance

In response to a question from Council Member Crampton, Director Le Clainche provided an overview of the Resolution and explained the reasons for separating the fund reserves.

Motion was made by Council Member Crampton, and was seconded by Council Member Lindsay, to approve Resolution No. 172-2018. On roll call, the motion passed unanimously.

2. Request for ORS to Review a Draft Ordinance Pertaining to the Planting of Ficus Benjamina.

Bobbie Lindsay, Council Member

Council Member Lindsay spoke regarding the need to address landscaping regulation without placing too many restrictions on the residents. She suggested that ORS review the salient sections of Chapter 66 that deal with landscape requirements in order to address native plant requirements.

It was the consensus of the Town Council to direct staff to work with the Ordinances, Rules and Standards (ORS) Committee on reviewing the previously considered ordinance; as well as the pertinent sections of the landscape regulation sections in Chapter 66 of the Town Code of Ordinances.

XII. ORDINANCES

A. First Reading

1. ORDINANCE NO. 17-2018 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, 2017, and Providing an Effective Date.

Jane Le Clainche, Director of Finance

Town Attorney Randolph read the ordinance by title.

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Crampton, to approve Ordinance No. 17-2018, on first reading. On roll call, the motion passed unanimously.

2. ORDINANCE NO. 18-2018 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 118, Traffic and Vehicles, Article III, Parking, Stopping and Standing, Division 1, Generally, At Section 118.93, Delinquency Penalty for Nonpayment of Parking Violation Penalties; Section 118-94, Service Charge for nonpayment of parking violation penalties, Division 2, Parking Meters, At section 118-127, Expired Meter; Section 118-128, Service Charge for Nonpayment of Parking Violation Penalties; Section 118-133, Violations, Penalty; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Jane Le Clainche, Director of Finance

Town Attorney Randolph read the ordinance by title.

Motion was made by Council Member Araskog, and was seconded by Council President Moore, to approve Ordinance No. 18-2018, on first reading. On roll call, the motion passed unanimously.

XIII. ANY OTHER MATTERS

Director Le Clainche announced the sale of the Town's General Obligation Bond and reported that the final true interest cost came in a 3.64%, which was lower than anticipated.

Chair Araskog spoke regarding the need for golf cart cover solutions and ways to protect the Town from increasing Consumer Price Index numbers.

It was the consensus of the Town Council to send the above items to the Town Manager.

Town Attorney Randolph spoke regarding the follow up action needed with regard to the action taken towards the City of West Palm Beach and presented a resolution invoking the conflict-resolution procedures as provided by Chapter 164 of the Florida Statutes in the Governmental Conflict Resolution Act.

RESOLUTION NO. 175-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Stating the Intention of the Town Council to Initiate the Conflict Resolution Procedures Provided by the Florida Governmental Conflict Resolution Act, Chapter 164, Florida Statutes, and Authorizing the Town Manager to Take Necessary Actions to Commence the Conflict Resolution Procedures on Behalf of the Town.

Motion was made by Council Member Araskog, and was seconded by Council Member Lindsay, to approve Resolution No. 175-2018. On roll call, the motion passed unanimously.

XIV. ADJOURNMENT

There being no further business, the Town Council meeting of September 13, 2018 was adjourned at 2:00 p.m.

Danielle H. Moore
Town Council President

ATTEST:

Kathleen Dominguez
Town Clerk

Date



**MINUTES OF THE SPECIAL TOWN COUNCIL MEETING
HELD ON THURSDAY, SEPTEMBER, 13, 2018**

I. CALL TO ORDER AND ROLL CALL

The Special Town Council meeting was called to order at 1:14 p.m. on Thursday, September 13, 2018, in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. APPROVAL OF AGENDA

The Agenda was approved, as printed.

III. 100 Emerald Beach Way vs. The Palm Beach Town Council and Margaret B. Thornton, Case No. 502017CA010274XXXXMBAY, pending in the Circuit Court of the Fifteenth Judicial Circuit, Appellate (Civil) Division, in and for Palm Beach County, Florida

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

Town Council President Moore announced the following:

- a) The Attorney/Client Closed-Door Session
- b) The estimated time is forty-five minutes
- c) The names of the persons attending:
 - Gail L. Coniglio, Mayor
 - Danielle H. Moore, Town Council President
 - Margaret A. Zeidman, Town Council President Pro Tem
 - Julie Araskog, Town Council Member
 - Lewis Crampton, Town Council Member
 - Bobbie Lindsay, Town Council Member
 - Kirk W. Blouin, Town Manager
 - John C. Randolph, Town Attorney
 - Karl J. Sanders, Town Attorney
 - Pleasanton & Marsaa, Court Reporting

The persons attending the meeting (listed above) relocated from the Town Hall Council Chambers to the immediately adjacent conference room.

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

The Special Town Council meeting was reconvened at 1:30 p.m., in the Town Council Chambers.

Motion was made by Council Member Araskog, and was seconded by Council President Pro Tem Zeidman, to approve the reconsideration of the case 100 Emerald Beach Way vs. The Palm Beach Town Council and Margaret B. Thornton, and authorize the Town Attorney to file a brief.

Town Council President Moore announced the termination of the Attorney/Client Session.

V. ANY OTHER MATTERS – None

VI. ADJOURNMENT

There being no further business, the Special Town Council meeting of Thursday, September 13, 2018, was adjourned at 1:31 p.m.

APPROVED:

Danielle H. Moore
Town Council President

ATTEST:

Kathleen Dominguez
Town Clerk

Date

**MINUTES OF THE SPECIAL TOWN COUNCIL MEETING
HELD ON THURSDAY, SEPTEMBER 13, 2018**

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting was called to order on Thursday, September 13, 2018, at 5:01 p.m., in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. PLEDGE OF ALLEGIANCE

Council President Moore led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Araskog to approve the Agenda, as presented. On call for a vote, the motion carried unanimously.

IV. PUBLIC HEARING ON PROPOSED MILLAGE RATE, TENTATIVE FY19 BUDGETS AND NON-AD VALOREM ASSESSMENTS

A. Notice of Proposed Property Taxes

Council President Moore read into the record the required legal verbiage.

B. Proposed Operating Millage Rate

Council President Moore read into the record the required legal verbiage.

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 – *None*

E. Discussion and Adoption (with changes, if any) of Proposed Operating Millage Rate for FY19.

1. RESOLUTION NO. 121-2018 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 2018 - 2019 Fiscal Year.

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

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Araskog, to approve Resolution No. 121-2018. On call for a vote, the motion carried unanimously.

F. Non-Ad Valorem Assessments

1. Commercial Solid Waste Fee Assessments
[H. Paul Brazil, Director of Public Works]

- a. RESOLUTION NO. 122-2018 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 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.

Alex Guider, Silverman Group, representing the owners of 2875 S. Ocean Blvd., voiced objection to the increased assessment.

In response to Mr. Guider's objection, Director Brazil explained how the unit rates established by the Solid Waste Authority and the Palm Beach County Property Appraiser's Office apply to the property owner's tax bills and the commercial areas established in the resolution. He added that he will work with the property owner and Solid Waste Authority on re-evaluating the assessment fees.

Town Attorney Randolph read the resolution by title into the record.

Motion was made by Council Member Crampton, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 122-2018. On call for a vote, the motion carried unanimously.

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

- 1 a. RESOLUTION NO. 123-2018 A Resolution of the Town
2 Council of the Town of Palm Beach, Palm Beach County, Florida,
3 Relating to the Provision of the Worth Avenue Improvement
4 Project; Providing Authority and Definitions; Approving the Final
5 Assessment Rolls; Providing for the Reimposition of the
6 Assessments to Fund the Worth Avenue Improvement Project and
7 Related Maintenance Services; Providing for Collection of the
8 Assessments Pursuant to the Uniform Assessment Collection Act;
9 Providing for the Effect of this Resolution; Providing Severability
10 and an Effective Date.

11 Director Le Clainche read into the record the required legal
12 verbiage and provided an overview of the assessment rate.

13
14 Town Attorney Randolph read the resolution by title into the
15 record.

16 **Motion was made by Council Member Lindsay, and was seconded by Council**
17 **President Pro Tem Zeidman, to approve Resolution No. 123-2018. On call for a**
18 **vote, the motion carried unanimously.**

- 19
20 3. Via Fontana Underground Conversion Project
21 [Jane Le Clainche, Director of Finance]

- 22
23 a. RESOLUTION NO. 124-2018 A Resolution of the Town
24 Council of the Town of Palm Beach, Palm Beach County, Florida,
25 Relating to the Provision of the Underground Utility Improvements
26 within the Via Fontana Assessment Area; Approving the Updated
27 Assessment Roll; Providing for the Reimposition of the
28 Assessments to Fund the Underground Utility Improvements
29 within the Via Fontana Assessment Area; Providing for Collection
30 of the Assessments Pursuant to the Uniform Assessment
31 Collection Act; Providing for the Effect of this Resolution;
32 Providing Severability and an Effective Date.

33 Director Le Clainche provided an overview of the assessments.

34
35 Town Attorney Randolph read the resolution by title into the record.

36
37 **Motion was made by Council Member Araskog, and was seconded by Council**
38 **Member Crampton, to approve Resolution No. 124-2018. On call for a vote, the**
39 **motion carried unanimously.**

- 40
41 4. Everglades Island Underground Conversion Project
42 [Jane Le Clainche, Director of Finance]

- 43
44 a. RESOLUTION NO. 125-2018 A Resolution of the Town Council of
45 the Town of Palm Beach, Palm Beach County, Florida, Relating to
46 the Provision of the Underground Utility Improvements within the
47 Everglades Island Assessment Area; Approving the Updated

1 Assessment Roll; Providing for the Reimposition of the
2 Assessments to Fund the Underground Utility Improvements
3 within the Everglades Island Assessment Area; Providing for
4 Collection of the Assessments Pursuant to the Uniform
5 Assessment Collection Act; Providing for the Effect of this
6 Resolution; Providing Severability and an Effective Date.

7
8 Director Le Clainche provided an overview of the assessments.

9
10 Town Attorney Randolph read the resolution by title into the
11 record.

12
13 **Motion was made by Council Member Lindsay, and was seconded by Council**
14 **President Pro Tem Zeidman, to approve Resolution No. 125-2018. On call for a**
15 **vote, the motion carried unanimously.**

- 16
17 5. Peruvian Avenue 400 Block Streetscape Project
18 [Jane Le Clainche, Director of Finance]

- 19
20 a. RESOLUTION NO. 126-2018 A Resolution of the Town Council of
21 the Town of Palm Beach, Palm Beach County, Florida, Relating to
22 the Provision of the Peruvian Avenue Improvement Project;
23 Providing Authority and Definitions; Approving the Final
24 Assessment Rolls; Providing for the Reimposition of the
25 Assessments to Fund the Peruvian Avenue Improvement Project
26 and Related Maintenance Services; Providing for Collection of the
27 Assessments Pursuant to the Uniform Assessment Collection Act;
28 Providing for the Effect of this Resolution; Providing Severability
29 and an Effective Date.

30
31 Director Le Clainche provided an overview of the assessments.

32
33 Town Attorney Randolph read the resolution by title into the
34 record.

35
36 **Motion was made by Council Member Crampton, and was seconded by Council**
37 **Member Araskog, to approve Resolution No. 126-2018. On call for a vote, the**
38 **motion carried unanimously.**

- 39
40 6. Town Wide Underground Utility Project Assessments
41 [Jane Le Clainche, Director of Finance]

- 42
43 a. RESOLUTION NO. 127-2018 A Resolution of the Town
44 Council of the Town of Palm Beach, Palm Beach County,
45 Florida, Relating to the Provision of the Underground Utility
46 Improvements within the Townwide Underground Utility
47 Assessment Area; Approving the Updated Assessment Roll;
48 Providing for the Reimposition of the Assessments to Fund the
49 Underground Utility Improvements Within the Townwide
50 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.

Town Attorney Randolph read the resolution by title into the record.

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Crampton, to approve Resolution No. 127-2018. On call for a vote, the motion carried unanimously.

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

- a. RESOLUTION NO. 128-2018 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 Reimposition 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.

Town Attorney Randolph read the resolution by title into the record.

Motion was made by Council Member Araskog, and was seconded by Council Member Lindsay, to approve Resolution No. 128-2018. On call for a vote, the motion carried unanimously.

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

- a. RESOLUTION NO. 129-2018 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 Reimposition 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.

Town Attorney Randolph read the resolution by title into the record.

Motion was made by Council Member Lindsay, and was seconded by Council President Pro Tem Zeidman, to approve Resolution No. 129-2018. On call for a vote, the motion carried unanimously.

G. Discussion and Adoption (with changes, if any) of a Tentative Operating Budget, Debt Service Budget, and Budgets for Other Funds for FY19.

1. RESOLUTION NO. 130-2018 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 2018-2019 Fiscal Year.

Town Attorney Randolph read the Resolution by title into the record.

Motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Araskog, to approve Resolution No. 130-2018. On call for a vote, the motion carried unanimously.

H. Second and Final Public Hearing to Adopt the Final Millage Rate and Budgets will be on Thursday, September 20, 2018 at 5:01 p.m., in the Town of Palm Beach Council Chambers.

Council President Moore announced the date, time, and location of the second and final Budget Hearing.

V. ANY OTHER MATTERS – None

VI. ADJOURNMENT

There being no further business, the September 13, 2018, Special Town Council meeting was adjourned at 5:24 p.m.

APPROVED:

Danielle H. Moore,
Town Council President

ATTEST:

Kathleen Dominguez
Town Clerk

Date



TOWN OF PALM BEACH

Town Clerk's Office

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON THURSDAY, SEPTEMBER 20, 2018

I. CALL TO ORDER AND ROLL CALL

The Special Town Council Meeting was called to order on Thursday, September 20, 2018, at 5:01 p.m., in the Town Council Chambers. On roll call, all of the elected officials were found to be present with the exception of: Mayor Coniglio and Council Member Araskog.

II. PLEDGE OF ALLEGIANCE

Council President Moore led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Motion was made by Council Member Crampton, and was seconded by Council President Pro Tem Zeidman, to approve the Agenda. On call for a vote, the motion passed 4 to 0, with Council Member Araskog absent.

IV. PUBLIC HEARING ON FINAL MILLAGE RATE AND FY18 BUDGET

A. Proof of Publication

Deputy Town Clerk Gayle-Gordon confirmed that proof of publication had been received.

B. Announcement of Proposed Operating Millage Rate

Council President Moore 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.

Council Member Lindsay spoke regarding the recommendation to reduce the amortization schedule for the Unfunded Actuarial Accrued Liability (UAAL) and potential budget impact that will be taking place at the November Town Council meeting.

In response to a question from Council Member Crampton, Director Le Clairche spoke regarding last year's millage rate vs. this year's millage rate.

D. Comments and Questions from the Public

Harris Fried, 212 Oleander Avenue, spoke regarding the amount of money reported in the operating budget. .

E. RESOLUTION NO. 177-2018 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, 2018, and Ending September 30, 2019; 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 Attorney Randolph read Resolution No. 177-2018 into the record.

A motion was made by Council Member Lindsay, and was seconded by Council President Pro Tem Zeidman, to adopt Resolution No. 177-2018. On roll call, the motion passed 4 to 0, with Council Member Araskog absent.

F. RESOLUTION NO. 178-2018 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, 2018, and Ending September 30, 2019; Providing for an Effective Date.

Town Attorney Randolph read Resolution No. 178-2018 into the record.

A motion was made by Council President Pro Tem Zeidman, and was seconded by Council Member Crampton, to adopt Resolution No. 178-2018. On roll call, the motion passed 4 to 0, with Council Member Araskog absent.

1 **ANY OTHER MATTERS** - *None*

2
3
4 **V. ADJOURNMENT**

5
6 There being no further business to discuss, the Special Town Council
7 Meeting of September 20, 2018 was adjourned at 5:12 p.m.
8
9

10
11 APPROVED:
12
13

14
15 _____
16 Danielle H. Moore
17 Town Council President
18

19 ATTEST:
20
21

22
23 _____
24 Kathleen Dominguez
25 Town Clerk
26
27

28 Date: _____

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Minutes

Agenda Title

Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of September 26, 2018.

Presenter

Josh Martin, Director of Planning, Zoning & Building

ATTACHMENTS:

- ▣ **Memorandum from Josh Martin, dated September 28, 2018**
- ▣ **Minutes of the Architectural Review Commission Meeting of September 26, 2018**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Josh Martin, Director of Planning, Zoning & Building

Re: Approval of the Architectural Commission Meeting Minutes of September 26, 2018

Date: September 28, 2018

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items that were approved by ARCOM at the regularly scheduled meeting of September 26, 2018.

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 26, 2018.

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

JM:kmc



TOWN OF PALM BEACH

PLANNING, ZONING AND BUILDING DEPARTMENT

MINUTES OF THE REGULAR ARCHITECTURAL COMMISSION MEETING HELD ON WEDNESDAY, SEPTEMBER 26, 2018

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

I. **CALL TO ORDER**

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

II. **ROLL CALL**

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

Staff Members present were:

John Lindgren, Planning Administrator

Josh Martin, Director of Planning, Zoning and Building

John Randolph, Town Attorney

Kelly Churney, Secretary to the Architectural Review Commission

Please note: Ms. Churney noted that Ms. Shiverick would be voting in the absence of Mr. Garrison.

III. **PLEDGE OF ALLEGIANCE**

Chairman Vila led the Pledge of Allegiance.

IV. **APPROVAL OF THE MINUTES FROM THE AUGUST 22, 2018 MEETING**

Motion made by Mr. Small and seconded by Mr. Ives to approve the minutes from the August 22, 2018 meeting. Motion carried unanimously.

V. **APPROVAL OF THE AGENDA**

Mr. Small requested to amend the agenda with the withdraw the project A-030-2018, 304 Indian Rd and the deferral of the project B-093-2018, 977 S. Ocean Blvd to the October 24, 2018 meeting.

Mr. Lindgren stated that the project A-019-2018, 208 Sandpiper Dr. had requested a deferral to the October 24, 2018 meeting.

Motion made by Mr. Small and seconded by Mr. Ives to approve the agenda as amended. Motion carried unanimously.

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

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

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

There were no comments heard at this time.

VIII. **PROJECT REVIEW**

A. **DEMOLITIONS AND TIME EXTENSIONS**

B-097-2018 Demolition

Address: 1616 S. Ocean Blvd.

Applicant: Land Trust Source Corporation, Trustee of Trust No. 1616 SOB
(Mark Warda, President)

Professional: M. Mark Marsh/Bridges, Marsh & Associates

Project Description: Demolition of existing two-story residence, guesthouse, pool and associated hardscape

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

Mr. Small expressed his concern with the lack of maintenance on many properties before and after demolition. He requested that the Commission place conditions on the demolition approvals that the property will be maintained, including the landscape, hardscape and remaining structures, until the demolition occurs and after demolition, any items remaining should continue to be maintained. The Commission agreed.

Mr. Lindgren asked the Commissioners to contact him or Code Enforcement if they see a property in disrepair.

Mr. Marsh presented the proposed plans for the demolition of the existing residence and guesthouse.

Dustin Mizell, Environment Design Group, presented the proposed plans for the demolition of the existing landscape and hardscape.

Mr. Vila asked about the condition of the existing dock. Mr. Marsh responded.

Motion made by Mr. Corey and seconded by Mr. Small to approve the demolition as presented with the caveat to remove all exotic and invasive plant species, to sod and irrigate the property within 30 days and that the comments by Mr. Small regarding the maintenance before and after demolition are incorporated into the motion. Motion carried unanimously.

B-098-2018 Demolition

Address: 241 Tangier Ave.

Applicant: Dark Stardust Holdings, LLC (Patricia B. Dean, Trustee)

Professional: Adam Mills/Adam Mills Designs

Project Description: Demolition of the main house, guesthouse, pool cabana, pool and pool deck. New sod is to be installed where aforementioned components previously existed and perimeter landscape material to be installed.

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

Mr. Mills presented the proposed demolition for the existing buildings, landscape and hardscape.

Mr. Ives suggested that the Town should incentive owners to renovate and restore older homes rather than demolish them. Ms. Catlin agreed with Mr. Ives.

Ms. Catlin asked the landscape architect how the hardscape and gardens would be protected during demolition. Mr. Mills responded.

Ms. Shiverick expressed concern that the proposal was to preserve the driveway rather than to preserve the home.

Ms. Grace asked staff about the amount of time the owner would have to begin building a new home after the demolition occurred. Mr. Lindgren stated that there was no limit.

Mr. Vila asked if the Commission could qualify the approval of a demolition by requiring that a replacement home be of the same size and scale as the previous home. Mr. Lindgren weighed in on this question.

Joanie Goodman, 911 N. Ocean Blvd., agreed with Mr. Ives and expressed concern about the proposed demolition.

Mr. Martin suggested that staff investigate a code amendment to promote similar replacement of a new home after demolition as well as any structure, more than 50 years of age proposed for demolition, to have a heightened level of review with an application for demolition.

Mr. Corey thanked Mr. Martin for his comments. Mr. Corey expressed concern about the driveway proposed to remain. He recommended keeping the perimeter landscaping and sodding and irrigating the remainder of the lot. Mr. Lindgren stated that Mr. Corey could make that recommendation in the motion.

Mr. Vila asked how the Commission could be reassured that the gardens would be maintained if the house had fallen in to disrepair. Mr. Mills responded.

Mr. Small agreed with Mr. Corey. Mr. Small made a recommendation for the criteria in which the Commission uses to review demolition applications.

Ms. Catlin asked if the owners would consider a plan to soften the proposed demolition plan. Mr. Mills responded.

Mr. Grace suggested to demolish all of the landscape, hardscape and buildings and sod and irrigate the entire lot.

Mr. Corey suggested options for the Commission to consider as a motion.

Motion made by Mr. Ives and seconded by Mr. Corey to defer the project to allow the architect to restudy the landscape plan for demolition. Motion carried unanimously.

B-099-2018 Demolition

Address: 256 Mockingbird Trail

Applicant: Dr. Curtis Emmer

Professional: Jacqueline Albarran/SKA Architect + Planner

Project Description: Demolition of existing house, patios, pool and driveway.

Existing perimeter landscaping remains. New irrigated lawn as per code.

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

Ms. Albarran presented the proposed demolition for the existing buildings, landscape and hardscape.

Mr. Vila asked about the method for protecting the perimeter landscaping. Ms. Albarran responded.

Mr. Corey asked about the existing sea grape tree on the corner of the property. Ms. Albarran responded.

Motion made by Mr. Small and seconded by Mr. Zukov to approve the demolition as presented with the caveat to remove all exotic and invasive plant species, to sod and irrigate the property within 30 days and that the comments by Mr. Small regarding the maintenance before and after demolition are incorporated into the motion. Motion carried unanimously.

B. MAJOR PROJECTS – OLD BUSINESS

B-008-2018 Demolition/New Construction

Address: 232 Seabreeze Ave.

Applicant: Jim & Robin Carey

Professional: MP Design and Architecture

Project Description: Demolition of existing 2 story single family dwelling, 2 story garage, storage shed and pool. New construction of a 2 story single family contemporary home with concrete tile and standing seam zinc coated copper roof, new pool, site walls and landscaping.

Project History:

- January 2018 – Approved demolition & deferred project to March 2018 for a complete redesign.
- March 2018 – Presented and deferred to April 2018 based on Commissioners comments.
- April 2018 – Deferred to May 2018 at the request of architect.
- May 2018 – Approved modified landscape and hardscape plan. Deferred architectural portion to June 2018 at request of architect.
- June 2018 – Deferred to July 2018 at request of architect.
- July 2018 – ****Change in Architect**** Deferred to August 2018 based on Commissioners Comments. Amended landscape demolition to include the approval of site wall.
- August 2018 – Approved architectural plans as submitted with the caveat that the colors for the home would be reconsidered at the September 2018 meeting.

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

Mr. Perry presented the proposed colors for the new home. He showed an alternate color pattern on the overhead projector. He presented color and material samples to the Commissioner.

Ms. Grace expressed concern about the existing design of the home and thought the home lacked charm, even with the newly proposed colors.

Mr. Corey agreed with Ms. Grace and thought the house did not fit within the street. He stated that he thought the home lacked charm and whimsy.

Ms. Grace asked staff how the project was heard at the end of the last meeting, without providing any notice to the public. Mr. Lindgren stated that the Commission voted to hear the project at the end of the meeting. Mr. Randolph weighed in on the issue.

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

Mr. Small questioned the motions made at the previous meeting. Mr. Lindgren read the portion of the minutes that included the project from the previous meeting.

Ms. Shiverick was not in favor of the newly proposed colors. She did not feel the new colors added any warmth to the design.

Motion made by Mr. Ives and seconded by Mr. Zukov to approve the first option of colors presented, which included the Parma blue windows and the Cerused Oak door. Motion failed 2-5 with Messrs. Small, Corey, Vila and Mses. Grace and Shiverick opposed.

A seconded motion made by Mr. Corey and seconded by Ms. Grace to defer the project for one month for a restudy of the colors. Motion carried 6-1, with Mr. Ives opposed.

B-034-2018 New Construction

*ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO
VARIANCE(S)* - Done 4/25/18

Address: 901 N. Ocean Blvd.

Applicant: PBB Island Properties, LLC

Professional: Roger Janssen/Dailey Janssen Architects

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

Project History

- March 2018 – Presented and deferred to April 2018 based on Commissioners comments.
- April 2018 – Motion carried that implementation of the proposed variance will not cause negative architectural impact to the subject property. Deferred to May 2018 to restudy both main and guesthouse.
- May 2018 – Presented and deferred to June 2018 based on Commissioners comments.
- June 2018 – Deferred to July 2018 at the request of the architect.
- July 2018 – Deferred to August 2018 at the request of the architect.
- August 2018 – Deferred to September 2018 at the verbal request of the attorney.

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

Mr. Janssen presented the architectural modifications proposed for the new residence. Mr. Janssen showed additional renderings on the overhead projector. He presented material samples to the Commissioners.

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

Mr. Zukov stated he believed that the new modifications addressed the Commissioners comments from the May meeting.

Motion made by Mr. Zukov to approve the project as presented. The motion failed for lack of a second.

Mr. Corey expressed concern that there was not a model or 3-D rendering to allow the Commissioners to see how the house would sit on the lot. Mr. Lindgren reviewed the policy on the required model for a project.

Ms. Catlin stated she was in favor of the siting and style of the home. She recommended softening the west elevation of the guesthouse as well as removing a foot from the first floor of the main home.

Ms. Grace was in favor of the new home design but recommended removing some of the overall height of the home. She questioned some of the fenestration configurations on the east elevation as well as the half-octagonal design on the second floor.

Ms. Shiverick was in favor of the new home design. She questioned whether the half-octagonal design on the second floor fit with the Bermuda style design.

Mr. Ives thought that many of the items raised at the May meeting were addressed. He also questioned the half-octagonal design on the second floor as well as the entrance on the west elevation.

Mr. Janssen addressed the comments raised by the Commissioners.

Mr. Corey recommended reducing the height of the ceiling in the main body of the house. He questioned the east loggia and the Palladian window on the first floor.

Mr. Vila asked the architect his opinion on how a reduction in height would affect the arches in the design. Mr. Janssen stated it would affect the arches and he believed it would be a disservice to the design.

Mr. Zukov spoke in favor of the octagonal structures in the design.

Joanie Goodman, 911 N. Ocean Blvd., spoke in favor of the proposed home design.

Joe Peterson, Peterson Design Professionals, presented the landscape and hardscape modifications proposed for the new residence.

Mr. Vila asked about the landscaping proposed for the front of the residence. Mr. Peterson responded. Mr. Vila stated that since this site was very prominent, he suggested that the landscaping should be important as well.

Mr. Ives asked about the height of the landscaping at the front of the west elevation. Mr. Peterson responded.

Mr. Corey was in favor of the proposed landscaping plan. He asked about the buffer proposed for the north property. Mr. Peterson responded.

Mr. Vila thought the proposed design had met most of the Commissioners comments. He thought the project was going to be respectful to the site. Mr. Vila thought the landscaping could use more color in the design.

Motion made by Mr. Zukov and seconded by Mr. Small to approve the project as presented with the caveat that to enlarge the entrance by one foot. Motion carried 5-2, with Messrs. Ives and Corey opposed.

Please note: A short break was taken at 10:36 a.m. The meeting resumed at 10:53 a.m.

B-030-2018 New Construction

Address: 905 N. Ocean Blvd.

Applicant: Patrick and Lillian Carney

Professional: LeBerge & Ménard Inc.

Project Description: Construction of a new 17,727 sq. ft. two story main house with a basement and a 1,284 sq. ft. single story guesthouse in the Neo-Classical style of architecture. Final hardscape, landscape and drainage plan to be presented as well.

Project History

- March 2018 – Presented and deferred to April 2018 for a restudy of the project.
- April 2018 – Deferred to May 2018 at the request of the attorney.
- May 2018 – Presented and deferred to June 2018 for a restudy of the project.
- June 2018 – Presented and deferred to July 2018 to allow the architect to incorporate the comments from the Commissioners into the design.
- July 2018 – The project was denied.
- August 2018 – The attorney from the project requested that the Commission reconsider their motion and the project due to the reduction in lot coverage. The Commission voted to reconsider the project at the September 26, 2018 meeting.

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

Frank Lynch, attorney for the owner, spoke about the recent efforts to work with the neighbors and the major changes that had been made in the proposed design.

Daniel Ménard, LeBerge & Ménard Inc., presented the proposed architectural modifications proposed for the new residence.

Mr. Vila asked about the eave bracket design. Mr. Ménard responded.

Mr. Zukov stated he believed the new design met all of the Commissioners' concerns that had been raised at the previous meetings.

Mr. Corey agreed with Mr. Zukov. Mr. Corey stated that a 3-D rendering would be nice to see.

Ms. Shiverick questioned the Chippendale railing design proposed and recommended using slats instead. She suggested moving the clapboard to the top half of the home rather than the bottom. Ms. Shiverick asked to see the color samples. Mr. Ménard presented the color samples to the Commissioners.

Ms. Catlin appreciated the new design, the siting on the lot and thought the new design was more suited to the north end of the island.

Mr. Small agreed with Ms. Catlin and was in support of the new design.

Mr. Ives stated he was in favor of the project and thought it would work well on the site.

Ms. Grace agreed with the other Commissioners. She expressed concern about the execution of the design style in the size of the home proposed. Ms. Grace also expressed concern for the five repetitive roofs at the front of the home.

Mr. Vila expressed appreciation for the owners and neighbors working together on an acceptable design. Mr. Vila asked if the architect had considered gable roofs. Mr. Ménard stated he had considered them. Mr. Vila recommended changing the railings at the suggestion of Ms. Shiverick. He added that the eave brackets were a too small and should be larger.

Matt Jackman, Nievera Williams Design, presented the modifications to the landscape and hardscape designs for the new residence. He presented alternate modifications to the design on the overhead projector.

Ms. Shiverick asked about the step design on the west elevation, next to the driveway. Mr. Jackman explained the design. She recommended changing the gate to a slat design rather than the Chippendale style presented.

Mr. Corey agreed with Ms. Shiverick on the proposed gate design. He expressed concern about the pavers proposed.

Mr. Vila asked about the landscaping proposed on the west elevation. Mr. Jackman showed the rendering and explained the design.

Motion made by Mr. Zukov and seconded by Mr. Small to approve the project as presented with the caveat that the clapboard is moved to the top of the home rather than the bottom.

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

Greg Kino, attorney for Mr. and Mrs. Goodman, stated that his clients have no objections to the proposed project.

Motion carried unanimously.

B-057-2018 Demolition/New Construction

Address: 251 Dunbar Rd.

Applicant: 251 Dunbar, LLC

Professional: Pat Segraves/SKA Architect + Planner

Project Description: Demolition of existing one story house. New construction of two story classical style home to be approximately 6,000 sq. ft. Final landscape and hardscape to be included.

A motion carried at the June meeting to approve the demolition request. A second motion carried to defer the project to the July 25, 2018 meeting for restudy. A motion carried at the July meeting to defer the project to the August 22, 2018 meeting for a restudy based on the comments from the Commissioners. A motion carried at the August meeting to approve the project as presented with the caveat that the changes suggested by Mr. Corey are implemented (keeping the quoins on the front of the home, removing them from the rest of the home, moving the one story portion over to create a shadow line), lowering the arches in the loggia and that the landscape architect returns to the Commission at the September 26, 2018 meeting with a different option for the pavers.

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

Steve West, Parker Yannette Design Group, presented the modified motor court design. He also presented material samples for the motor court.

Mr. Corey stated that the proposed plan looked good.

Motion made by Mr. Small and seconded by Mr. Zukov to approve the project as presented. Motion carried unanimously.

B-060-2018 New Construction

Address: 211 Ocean Terrace

Applicant: 1963 Trust 211 Ocean Terrace LLC

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

Project Description: Construction of a two-story single family residence. Final hardscape and landscape.

A motion carried at the June meeting to defer the project to the July 2018 meeting for restudy. A motion carried at the July meeting to defer the project to the August meeting at the request of the architect. A motion carried at the August meeting to defer the project to the September 26, 2018 meeting at the request of the architect.

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

Mr. Smith presented the architectural modification for the new residence. Mr. Smith stated he lowered the windows and doors from the cornice at the second story at the suggestion of Ms. Catlin. Mr. Smith showed the Commission the elevation that reflected the lower windows and doors.

Ms. Grace was in favor of the current design versus the previous design. She inquired about the other surrounding homes and how they compared to the proposed design. Mr. Smith responded. She recommended changing the garage door color to white.

Mr. Corey stated he thought the home would work well on the street. He asked about the proposed roof material. Mr. Smith presented a sample of the roof tile to the Commissioners.

Ms. Shiverick thought the blue color proposed was a bit strong. She recommended adding some white to the blue as well as changing the garage door to white.

Mr. Vila was in favor of the design but suggested making the home a bit more tropical. He recommended using a lighter color roof and asked if the architect would consider a roof pitch of 4/12 rather than 6/12.

John Lang, Lang Design Group, presented the modifications for the landscape and hardscape design.

Mr. Vila asked for more explanation on the plant material for the east and west elevations. Mr. Lang responded.

Mr. Zukov asked about the proposed east elevation. Mr. Lang responded.

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

Motion made by Mr. Zukov and seconded by Mr. Small to approve the project as presented. Motion carried unanimously.

B-071-2018 New Construction

Address: 624 Island Dr.

Applicant: Five Girls Rule, LLC

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

Project Description: Construction of a new two-story residence with pool. Final landscape and hardscape.

A motion carried at the July meeting to approve the project as presented with the caveat that the architect return to the August meeting with an alternate design of the front gate. A motion carried at the August meeting to defer the gate design to the September 26, 2018 meeting to address the comments of the Commission.

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

Mr. Smith presented the proposed modified entry gate design.

Ms. Shiverick questioned the lantern choice for the front entry gate. She also questioned the half hedge proposed for the front entrance. Mr. Smith responded and explained the design.

Ms. Catlin was in favor of the changes.

Mr. Vila agreed and was in favor of the changes proposed. He agreed with Mr. Shiverick about the lanterns proposed and made a recommendation for different lanterns.

Motion made by Ms. Grace and seconded by Mr. Zukov to approve the project as presented with the caveat that the architect choose new lanterns, which will be administrative approved by staff. Motion carried unanimously.

B-082-2018 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO SITE PLAN REVIEW WITH VARIANCE(S) - Done 7/25/18

Address: 456 S. Ocean Blvd.

Applicant: 456 S. Ocean LLC

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Demolition of existing restaurant with construction of Townhomes, landscape, hardscape and pools.

A motion carried at the July meeting to approve the demolition as requested. A second motion carried that implementation of the proposed variances will not

cause negative architectural impact to the subject property. A third motion carried to defer the project to the August meeting for a restudy of the project based on the comments from the Commission. A motion carried at the August meeting to defer the project to the September 26, 2018 meeting based on the comments from the Commissioners relating to unit 1, 3, the corner of unit 4 and the color for the gates and garage doors.

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

Mr. Janssen presented the proposed architectural modifications to the townhomes.

Ms. Grace thought the change in unit 4 was successful. She thought the fenestration in unit 1 looked busy. She added that she thought the fenestration overall on the eastern facade emphasized the horizontality of the structure. Mr. Janssen responded.

Mr. Corey was in favor of the changes. He stated he liked most of the changes in unit 4 but recommended a change to the doors on the south side. He thought units 2 and 3 were successful. He suggested that the glazing on unit 1 might be too much.

Mr. Zukov stated he liked the two windows on unit 3, on the east elevation, on the previous design rather than the newly proposed.

Ms. Shiverick was in favor of the changes. She recommended changing the gates and garage doors to cypress. Mr. Janssen responded.

Ms. Catlin was in favor of the changes.

Mr. Vila suggested that the fenestration was problematic on unit 1, north elevation. He stated he was favor of using as much pecky cypress as possible. He asked about the proposed material on all of the brackets near the arches. Mr. Janssen responded. He thought there was too much glazing overall. Mr. Janssen responded.

Chuck Yannette, Parker Yannette Design Group, presented the landscape and hardscape modifications for the new townhomes.

Please note: Mr. Corey left the meeting at 12:22 p.m. Ms. Catlin voted in the absence of Mr. Corey.

Ms. Grace questioned the hedge proposed at the front of the property and expressed concern about the visibility of the fenestration on the east façade.

Mr. Vila thought the fenestration needed some restudy and thought the landscaping on the northeast corner could provide more landscaping for privacy.

Mr. Small agreed with Mr. Vila regarding the fenestration on the east façade. Mr. Vila added that he could not support the project unless a reduction was made to the fenestration on the east façade.

Mr. Vila expressed a concern for the color proposed for the townhomes.

Motion made by Ms. Grace to defer the project for one month in accordance with the comments from the Commissioners.

Mr. Vila asked for public comments. There were no comments heard at this time.

Motion amended by Ms. Grace to defer the project for one month in accordance with the comments from the Commissioners, with respect to the fenestration in units 1 and 3 as well as to increase the amount of landscaping.

Mr. Janssen reviewed what he believed the Commission would like him to restudy.

Ms. Shiverick stated she could support the fenestration and thought it was complimentary. Ms. Catlin stated she completely agreed with Ms. Shiverick.

Motion by Ms. Grace failed for lack of a second.

A small discussion ensued about the proposed fenestration.

Mr. Small stated he thought the east elevation had too much fenestration.

Motion made Mr. Small and seconded by Ms. Grace to defer the project for one month, particularly to restudy the fenestration on the east elevation. Motion carried 5-2, with Mses. Shiverick and Catlin opposed.

Please note: A lunch break was taken at 12:39 p.m. The meeting resumed at 1:46 p.m.

B-083-2018 New Construction

****This project has to be approved in its entirety before it can be heard at by the Town Council to address the Site Plan Review application****

Address: 210 Miraflores Dr.

Applicant: 210 Miraflores Drive, LLC

Professional: Pat Segraves/SKA Architect + Planner

Project Description: New construction of two-story island style home to be approximately 4,400 square feet. Final landscape and hardscape to be included.

SITE PLAN REVIEW INFORMATION: Special Exception and Site Plan Review to allow the construction of a 4,381 square foot, two-story, single family house on a non-conforming lot,

comprised of a portion of a platted lot, which is 90 feet in width in lieu of the 100 foot depth required in the R-B Zoning District.

A motion carried at the July meeting to defer the project for one month to the August meeting for a complete restudy. A motion carried at the August meeting to defer the project to the September 26, 2018 meeting at the request of the architect.

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

Pat Segraves presented the architectural modifications proposed for the new residence. Mr. Segraves showed the Commission a 3-D rendering of the proposed home on the overhead projector.

Ms. Grace stated she was in favor of the way the architect handled the change in the grade. She questioned whether the proposed design style fit into the streetscape. Mr. Segraves responded. She recommended removing a foot out of the overall height. Mr. Segraves showed an alternative elevation with 6 inches removed out of the overall height.

Ms. Catlin was in favor of the terracing at the front of the property. She thought that the proportions and lines were better than the previous design. She thought the proposed style worked well with one-story homes.

Mr. Ives thought that the design style needed some restudy.

Mr. Zukov was in favor of the design.

Mr. Small was in favor of the design and thought it enhanced the beauty of the neighborhood.

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

Steve West, Parker Yannette Design Group, presented the landscape and hardscape modifications for the new residence.

Mr. Vila expressed concern about the number of palm trees with the Prairie style home. Mr. West responded.

Ms. Grace stated she thought the west elevation could have additional trees.

Motion made by Ms. Grace to approve the project as presented with a reduction of 6 inches in the overall height.

Mr. Vila asked the architect if the reduction of height would affect his design. Mr. Segraves replied. Mr. Vila stated he could not support the reduction in height.

Motion by Ms. Grace failed for lack of a second.

Motion made by Mr. Zukov and seconded by Mr. Small to approve the project as presented. Motion carried 5-2, with Mr. Ives and Ms. Grace opposed.

B-084-2018 New Construction

Address: 119 Reef Rd

Applicant: Mr. & Mrs. Monty Falb

Professional: Pat Segraves/SKA Architect + Planner

Project Description: New construction of a two-story island style home to be approximately 4,500 square feet. Final landscape and hardscape to be included.

A motion carried at the August meeting to defer the project to the September 26, 2018 meeting for restudy.

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

Daniel Clavijo, SKA Architect + Planner, presented the architectural modifications proposed for the new residence.

Steve West, Parker Yannette Design Group, presented the landscape and hardscape modifications for the new residence.

Mr. Zukov asked about the columns on the front elevation. Mr. Segraves responded. Mr. Zukov recommended moving the columns out from the building, at least by 4 inches.

Mr. Small asked about the timing of the landscape demolition. Mr. West responded. Mr. Small asked if the front hedge could remain during demolition. Mr. Segraves responded and stated it was possible.

Mr. Vila asked about the roof material. Mr. Segraves presented a sample of the roof material and stated the roof would be a light gray. Mr. Vila asked if the architect had color samples. Mr. Segraves presented color samples to the Commissioners.

Ms. Grace asked if the architect was considering other colors. Mr. Clavijo discussed alternate colors with the Commissioners.

Ms. Catlin stated she thought the shutters needed a different color. Mr. Segraves stated he would consider a blue-gray color.

Ms. Shiverick made suggestions for different colors for the shutters.

Mr. Vila asked about gutters on the home. Mr. Segraves responded.
Mr. Vila called for public comment at this time. There were no comments heard.

Motion made by Ms. Grace and seconded by Mr. Small to approve the project as presented with the caveats that the columns on the front will be free standing and staff will administratively approve the colors of the home in coordination with Ms. Shiverick. Motion carried unanimously.

B-087-2018 Demolition/New Construction

Address: 255 Emerald Ln.

Applicant: Prescott & Forbes, LLC

Professional: Kevin Asbacher/Asbacher Architecture

Project Description: Demolition of existing two-story residence. Construct a new two-story Island Colonial residence and swimming pool with final landscape and hardscape.

A motion carried at the August meeting to approve the demolition as requested. A second motion carried to defer the project to the September 26, 2018 meeting for a restudy based upon the comments from the Commissioners.

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

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

Mr. Ives thought the architect addressed most of the concerns of the Commissioners. Mr. Ives asked about the design around the front entrance. Mr. Asbacher responded. Mr. Ives recommended to use stone on the front entrance or to leave it unscored.

Ms. Grace was in favor of the design and thought it would look nice on the street. She recommended slightly reducing the width of the bay windows on the front of the home.

Mr. Zukov asked about the beam on the front porch design. Mr. Asbacher responded and stated he could look at lightening it up.

Mr. Vila asked about the column and eave details on the home. Mr. Asbacher responded and explained his design.

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape design for the new residence.

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

Motion made by Ms. Shiverick and seconded by Mr. Ives to approve the project as presented. Motion carried 6-1, with Mr. Zukov opposed.

B-090-2018 New Construction

Address: 101 Gulfstream Rd.

Applicant: 456 S. Ocean, LLC

Professional: Roger Janssen/Dailey Janssen Architects

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

A motion carried at the August meeting to approve the architectural plans as presented with the caveat to include the pilasters at the front door, a restudy of the front door and to include the window changes discussed while deferring the landscape and hardscape design for restudy, including the elimination of artificial turf.

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

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

Mr. Vila questioned the proportions of the front entrance design. Mr. Janssen responded.

Mr. Shiverick asked about the proposed color of the home. Mr. Janssen responded.

Chuck Yannette, Parker Yannette Design Group, presented the landscape and hardscape modifications for the new residence.

Ms. Grace was in favor of the design but questioned the amount of Bougainvillea proposed on the front façade.

Mr. Vila was in favor of the proposed sea grapes but questioned their durability in the proposed location. Mr. Yannette responded.

Mr. Zukov questioned the dimensions of the columns on the front entrance. Mr. Janssen responded.

Motion made by Mr. Small and seconded by Mr. Ives to approve the project as presented. Motion carried unanimously.

B-091-2018 New Construction

****This project has to be approved in its entirety before it can be heard at by the Town Council to address the Site Plan Review application****

Address: 232 Cherry Ln.

Applicant: Cherry Lane LLC

Professional: LaBerge & Ménard Inc.

Project Description: New 4,600 sq. ft. two story house, landscaping and hardscape.

A motion carried at the August meeting to defer the project to the September 26, 2018 meeting for restudy.

SITE PLAN REVIEW INFORMATION: A request for Site Plan Review to build a 4,620 square foot two-story home on an existing 10,000 square foot platted lot with a depth of 80.0' in lieu of 100' required.

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

Daniel Ménard, LaBerge & Ménard Inc., presented the proposed architectural modifications for the new residence.

Mr. Zukov asked why the design style had changed. Mr. Ménard responded.

Mr. Ives thought the proposed design met the Commissioners comments and was well executed. He expressed concern about the design of the garage.

Mr. Small suggested that the architect should reconsider French Chateau style and provided his reasons for the suggestion.

Ms. Catlin was in favor of the design style and thought the home was well designed.

Ms. Shiverick agreed with Mr. Small and thought the street was evolving. She was in favor of the design. She asked about the roof material. Mr. Ménard presented a roof tile sample. She recommended using gray slate as well as wrought iron for the metalwork.

Ms. Grace suggested using quality materials for the details. She questioned whether the Regency style fit into the area.

Mr. Vila was in favor of the design and added that there was a nice balance between formality and informality. He agreed that quality materials would add sophistication to the design.

Todd Maclean, Todd Maclean Outdoor Living, presented the landscape and hardscape design for the new residence. He presented hardscape material to the Commissioners.

Mr. Vila suggested that the Orchid tree would be too informal and recommended using the Queen's Crepe Myrtle. Mr. Maclean agreed.

Ms. Grace asked about the proximity of the rear neighbors and the proposed screening. Mr. Maclean responded.

Mr. Ives asked Mr. Maclean if he could reduce the interior width of the landscaping on the driveway. Mr. Maclean stated he could reduce the width to 12 feet.

Mr. Vila suggested that the front hedge remain at a lower height.

Mr. Vila called for public comment.

Harriet Golding, 222 Cherry Lane, expressed concern about the proposed home.

Frank Lynch, attorney for the owner, explained the zoning request.

Motion made by Mr. Ives and seconded by Mr. Catlin to approve the project as presented with the caveat that the interior landscaped curb cut is reduced from 14' to 12'. Motion carried unanimously.

B-093-2018 Demolition/New Construction

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

Address: 977 S. Ocean Blvd.

Applicant: 195 Phesten Associates Palm Beach LLC/Contract Purchaser

Professional: Studio SR Architecture, Inc.

Project Description: Demolition of existing single story residence; proposed new two story modern residence in light stone cladding, natural veneer with associated landscape and hardscape.

A motion carried at the August meeting to defer the project to the September 26, 2018 meeting at the request of the architect.

SPECIAL EXCEPTION WITH SITE PLAN REVIEW AND VARIANCE(S) INFORMATION:

1) Special Exception with Site Plan Review to allow the construction of a 9,685 square foot two-story, single family residence on a non-conforming lot that is 77 feet in depth in lieu of the 150 foot minimum required in the R-A Zoning District and 13,662 square feet in area in lieu of the 20,000 square foot minimum area required in the R-A Zoning District. 2) A request for a variance to allow the proposed swimming pool to have a 5-foot rear yard setback in lieu of the 10-foot minimum required and a 30-foot front yard setback in lieu of the 35-foot minimum required in the R-A Zoning District. 3) A request for a variance to allow a building height plane setback to be 35 feet in lieu of the 50-foot minimum setback required.

Please note: This item was deferred to the October 24, 2018 meeting with the Item V. Approval of the Agenda.

B-095-2018 Additions/Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S) - Done 8/22/18

Address: 207 Pendleton Ave.

Applicant: Betsy Sorrel/Contract Purchaser

Professional: MP Design & Architecture

Project Description: Demolition of interior. New windows in existing openings.

Demolition of existing flat roof area to be replaced with new hip roof section.

Erection of a new loggia and the extension of the existing one story kitchen.

A motion carried at the August meeting that implementation of the proposed variances will not cause negative architectural impact to the subject property. A second motion carried to approve the architectural plans as presented and to defer the landscape plans to the September 26, 2018 meeting for restudy based upon the comments from the Commission.

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

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape modifications to the residence.

Mr. Vila was in favor of the design.

Motion made by Mr. Ives and seconded by Mr. Small to approve the project as presented. Motion carried unanimously.

B-096-2018 Modifications

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE -

Done 8/22/18

Address: 250 Kawama Ln.

Applicant: Mr. & Mrs. Martin Meyers

Professional: MHK Architecture & Planning

Project Description: Interior remodel to existing regency style house. Addition of two windows on east elevation and modification of existing door.

A motion carried at the August meeting that implementation of the proposed variance will not cause negative architectural impact to the subject property.

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

Caroline Forrest, MHK Architecture & Planning, presented the architectural modifications to the existing residence.

Motion made by Mr. Ives and seconded by Mr. Small to approve the project as presented. Motion carried unanimously.

C. **MAJOR PROJECTS – NEW BUSINESS**

B-089-2018 New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 259 Park Ave.

Applicant: Dr. Morgan and Dr. Susan Poncy

Professional: Carlos A. Bonilla/Bonilla Torregroza Architecture, LLC

Project Description: Demolition of existing residence. Construction of new residence with new landscape and parking space.

VARIANCE(S) INFORMATION: 1. A variance request to allow construction of a new 2,047 square foot, two story residence on a lot with a width of 37.50 feet in lieu of the 75 foot minimum required, a depth of 70 feet in lieu of the 100 foot minimum required and a lot area of 2,625 sq. ft. in lieu of the 10,000 sq. ft. minimum required. 2. A variance request to allow lot coverage to be 37.56% in lieu of the 30% maximum allowed. 3. A variance request to allow a front yard setback to be 18.9 feet in lieu of the 25 foot minimum required. 4. A variance request to allow a rear yard setback to be 6 feet in lieu of the 15-foot minimum required. 5. A variance request to allow a west side yard setback to be 5 feet in lieu of the 10-foot minimum required. 6. A variance request to allow an east side yard setback to be 6 feet in lieu of the 10-foot minimum required. 7. A variance request to allow a landscape open space of 37.9% in lieu of the 45% minimum required.

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

Maura Ziska, attorney of the owners, explained the zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Vila asked about the existing grade of the current home. Mr. Bonilla responded.

Mr. Bonilla presented the proposed plans for the demolition of the existing home.

Steve West, Parker Yannette Design Group, presented the landscape and hardscape plans for the proposed demolition.

Motion made by Mr. Ives and seconded by Ms. Shiverick to approve the demolition as presented with the caveat to remove all exotic and invasive plant species, to sod and irrigate the property within 30 days and that the comments by Mr. Small regarding the maintenance before and after demolition are incorporated into the motion. Motion carried unanimously.

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

Mr. Ives was in favor of the design. He questioned the shutters proposed. Mr. Bonilla responded.

Mr. Vila questioned the placement of the shutters. Mr. Bonilla responded and explained his design.

Ms. Grace was in favor of the home design. She questioned the windows proposed for the first floor.

Ms. Shiverick was in favor of the home as well as the initial blue door proposed. She also questioned the shingles on the top of the home and the lack of shingles on the bottom half of the home. Mr. Bonilla responded.

Ms. Catlin thought the design was a creative solution for the small lot. She asked if shutters would be added to the single window on the second floor. Mr. Bonilla responded and explained the louvered shutters.

Mr. Vila was in favor of the design. Mr. Vila expressed concern about the window material proposed for the new home. Mr. Bonilla responded. Mr. Vila suggested reducing the size of the lower brackets over the front door.

Steve West, Parker Yannette Design Group, presented the landscape and hardscape plans for the new residence. He presented hardscape materials to the Commissioners.

Mr. Vila asked about the landscaping proposed for the front elevation. Mr. West responded.

A second motion made by Mr. Ives and seconded by Ms. Shiverick that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously.

Sudarshan Rajan, 257 Park Ave., expressed concern about the side retaining wall proposed next to his driveway and his ability to get in and out of his automobile.

A large discussion ensued among the Commissioners, Ms. Ziska and Mr. Rajan about the driveways for both properties.

After the discussion, a consensus was made that the architectural plans and the landscape plans were acceptable but the driveway issue needed to be resolved with the neighbor and the architect.

A third motion made by Mr. Ives and seconded by Mr. Zukov to approve the architectural plans as presented with the landscape and hardscape plans to be deferred for one month to allow the architect restudy the driveway design. Motion carried 5-2, with Mr. Small and Ms. Grace opposed.

B-100-2018 Additions/Modifications

Address: 1050 N. Ocean Blvd.

Applicant: Edmund H. Beebe

Professional: Roger Janssen/Dailey Janssen Architects

Project Description: Relocation of previously approved pool cabana.

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

Mr. Janssen presented the modified design for the pool and cabana for the new residence.

Mr. Small inquired about the part of the building that would be seen from the road. Mr. Jackman stated he would show the elevations to Commission.

Matt Jackman, Nievera Williams Design, presented the modified landscape and hardscape design for the new residence.

Motion made by Mr. Small and seconded by Mr. Ives to approve the project as presented. Motion carried unanimously.

B-101-2018 Demolition/New Construction

ARCOM TO MAKE RECOMMENDATIONS RELATIVE TO VARIANCE(S)

Address: 265 Park Ave.

Applicant: Ken Moreland-Pearce

Professional: LeBerge & Ménard, Inc.

Project Description: Demolition of existing cottage. New two-story west indies style home, white stucco, impact windows painted celadon green, gray standing seam metal roof, gray shutters, new landscaping.

VARIANCE(S) INFORMATION: 1. A variance request to allow construction of a new 2,000 square foot two-story residence on a lot with a width of 50 feet in lieu of the 75 foot minimum required, a depth of 70 feet in lieu of the 100 foot minimum required and a lot area of 3,500 sq. ft. in lieu of the 10,000 sq. ft. minimum required. 2. A variance request to allow a west, side yard setback to be 5 feet in lieu of the 10-foot minimum required

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

Maura Ziska, attorney of the owners, explained the zoning requests and advocated for a positive recommendation to the Town Council.

Daniel Ménard, LeBerge & Ménard, Inc., presented the proposed plans for the demolition of the existing home.

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape plans for the proposed demolition.

Ms. Grace asked about the width between the existing home and the home to the east. Mr. Ménard responded. Ms. Grace expressed concern about the proposed demolition and damage to the home to the east.

Mr. Lindgren commented on previous demolitions in tight spaces.

Motion made by Mr. Small and seconded by Ms. Catlin to approve the demolition as presented with the caveat to remove all exotic and invasive plant species, to sod and irrigate the property within 30 days and that the

comments by Mr. Small regarding the maintenance before and after demolition are incorporated into the motion. Motion carried unanimously, 6-0. Please note: Mr. Ives was not in the room during this vote.

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

Mr. Vila asked about the roof material. Mr. Ménard responded.

Ms. Grace asked how the architect proposed to address the site flooding. Mr. Ménard stated that the landscape architect would address that question.

Ms. Catlin was in favor of the home design and thought it would fit into the neighborhood.

Ms. Shiverick asked about the garage design in relation to the front entrance. Mr. Ménard responded and stated that the rendering was incorrect and that the garage would be lower than what was shown.

A discussion ensued about the design of the garage door on the front elevation.

A second motion made by Mr. Zukov and seconded by Mr. Ives to approve the project with the exception of the garage door design, landscape and hardscape, which would return to the Commission for review in one month at the October 24, 2018 meeting. Motion carried unanimously.

A third motion made by Mr. Ives and seconded by Mr. Zukov that implementation of the proposed variances will not cause negative architectural impact to the subject property. Motion carried unanimously.

B-102-2018 Additions/Modifications

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

Address: 150 Bradley Place, #805

Applicant: Daniel Abraham

Professional: James A. "Blue" Minges/Blue Minges Architect

Project Description: Request for site plan review for two retractable awnings totaling 560 square feet on the 8th floor of a 10 story building in the R-D(2) zoning district. Request for a special exception to allow proposed awnings above the third floor building which requires a special exception in the R-D(2) zoning district. Request for a special exception to reduce setbacks of awnings of 3x awnings height from the street within 279'-10 3/4" to existing property lines.

SITE PLAN REVIEW WITH VARIANCE(S) INFORMATION: A site plan modification request with variances to allow two (2) retractable awnings (14' by 20') totaling 560 square feet on the 8th floor of an existing 11 story building in the R-D(2) Zoning District. The following variances are being requested to allow the two (2) retractable awnings: 1. Allow a building height for the awnings to be 93.25 feet in lieu of the 35-foot maximum allowed. 2. Allow the addition of the awnings to the existing 8th floor in lieu of the 3 story maximum allowed. 3. Allow a front yard setback on Bradley

Place of 110.48 feet for the east awning in lieu of the 279.75 foot minimum required (height of proposed awning x number of street yards(3)). 4. Allow a street side yard setback on Sunset Avenue of 249 feet for the east awning in lieu of the 279.75 minimum required (height of proposed awning x number of street yards (3)). 5. Allow a side yard setback of 72 feet for the west awning in lieu of the 93.25 feet minimum required (height of the proposed awning).

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

Maura Ziska, attorney of the owners, explained the zoning requests and advocated for a positive recommendation to the Town Council.

Mr. Small asked if there were other awnings on the building. Ms. Ziska responded.

Mr. Lindgren told the Commission that the building was a landmark and would have to seek approval from the Landmarks Preservation Commission. He asked the Commissioners to remove it from the agenda.

Motion made by Mr. Small and seconded by Mr. Ives to withdraw the project from the agenda. Motion carried unanimously.

B-104-2018 Demolition/New Construction

Address: 880 & 888 S. Ocean Blvd.

Applicant: Mr. & Mrs. Alex Chesterman

Professional: MP Design & Architecture

Project Description: Demolition of existing residence at 888 S. Ocean Blvd.

New two-story addition to existing two-story residence at 880 S. Ocean Blvd. (previously ARCOM approved), new two-story pool house, pool, landscape & hardscape.

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

Michael Perry, MP Design & Architecture, presented the proposed plans for the demolition of the existing home.

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape plans for the proposed demolition.

Motion made by Mr. Zukov and seconded by Ms. Shiverick to approve the demolition as presented with the caveat to remove all exotic and invasive plant species, to sod and irrigate the property within 30 days and that the comments by Mr. Small regarding the maintenance before and after demolition are incorporated into the motion. Motion carried 5-2, with Messrs. Ives and Small opposed.

Mr. Perry presented the proposed architectural plans for the new cabana and addition to the existing home.

Matt Jackman, Nievera Williams Design, presented the landscape and hardscape plans for the unified residence.

Ms. Grace asked if the properties would be unified. Mr. Perry responded.

Mr. Small asked to see the elevations of the landscape plans for the curve on S. County and S. Ocean. Mr. Perry presented the elevations.

Mr. Vila asked if there was a gate proposed at the southwest corner of the property. Mr. Jackman stated that he believed a gate was needed and they would bring a design back to the Commission.

Mr. Vila asked for the ridge height of the site in which the pool house was proposed. Mr. Perry responded.

Mr. Zukov about the door proposed on the south rendered elevation. Mr. Perry responded and stated he would need to return to the Commission with a gate design that was in keeping with the existing residence. Mr. Jackman showed an alternate rendering with the location of the sliding gate and pedestrian gate for the south elevation.

Ms. Shiverick asked about the details on the pool house. Mr. Perry responded.

Motion made by Mr. Zukov and seconded by Ms. Catlin to approve the project as presented with the caveat that the architect would return in one month with a vehicular gate and pedestrian door design for the south elevation. Motion carried 5-2, with Ms. Shiverick and Mr. Ives opposed.

D. MINOR PROJECTS – OLD BUSINESS

A-019-2018 Modifications

Address: 208 Sandpiper Dr.

Applicant: 208 Sandpiper LLC

Professional: Andres Paradelo/Paradelo Burgess Design Studio, LLC

Project Description: Revisions to the previously approved hardscape/landscape plans, addition of decorative driveway columns, a decorative gate in the front yard/along Sandpiper Drive and a generator wall enclosure/gates.

A motion carried at the June meeting to defer the project to the July 25, 2018 meeting to allow the architect to bring more information to the Commission. A motion carried at the July meeting to defer the project to the August 22, 2018 meeting at the request of the architect. A motion carried at the August meeting to defer the project to the September 26, 2018 meeting at the request of the architect.

Please note: This item was deferred to the October 24, 2018 meeting with the Item V. Approval of the Agenda.

A-030-2018 Modifications

Address: 304 Indian Rd.

Applicant: Anna and Sean Miller

Professional: Thomas M. Kirchhoff, AIA/Kirchhoff & Associates Architects

Project Description: Add new site wall in front yard and relocate existing plantings to accommodate new wall. Relocate existing generator.

A motion carried at the August meeting to defer the project to the September 26, 2018 meeting at the request of the architect.

Please note: This item was deferred to the October 24, 2018 meeting with the Item V. Approval of the Agenda.

E. MINOR PROJECTS – NEW BUSINESS

A-031-2018 Modifications

Address: 325 Ridgeview Dr.

Applicant: Cabin at Shooting Star, LLC

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

Project Description: Window and door replacement, window and door opening modifications, roof replacement, balcony railing changes, loggia column replacement, canvas awning replacement, landscape and hardscape modifications.

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

Mr. Smith presented the proposed architectural modifications for the existing residence.

Mr. Vila asked about the existing roof. Mr. Smith responded.

Mr. Zukov asked a question about the balcony on the inspirational photo. Mr. Smith responded.

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

Mr. Vila asked about the about the fence replacement for safety issues with the swimming pool. Ms. Visconti responded.

Ms. Grace was in favor of both the architectural changes and the landscape changes.

Mr. Vila was in favor of the changes.

Ms. Catlin thought the changes enhanced the home.

Motion made by Ms. Catlin and seconded by Ms. Shiverick to approve the project as presented. Motion carried unanimously.

A-037-2018 Landscape/Hardscape Revisions

Address: 144 Seminole Ave.

Applicant: Ebil Management Limited

Professional: Nievera Williams Design

Project Description: South property line landscape and hardscape revisions to the previously approved application. The applicant wishes to install landscape and hardscape in the easement with appropriate utility sign-off included in the application.

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

Matt Jackman, Nievera Williams Design, presented the modifications proposed for the landscape and hardscape.

Mr. Small asked for clarification on the proposed location of the chain link fence as well as the reason for the proposed project. Mr. Jackman responded.

Mr. Zukov expressed concern for the southern property owner's ability to maintain and repair their home. He thought the property owners should be civil enough to move the fence back one foot from the existing wooden fence, only in the area of the existing home. Mr. Vila agreed that Mr. Zukov's suggestion was logical.

Mr. Jackman stated that his clients did offer that solution to the owners of the home to the south and it was not acceptable.

Frank Lynch, attorney on behalf of Ebil Management Limited, explained the offer made to the owner of the home to the south.

A short discussion ensued about the easement on the property.

Maura Ziska, attorney on behalf on Mr. and Mrs. Flammarion at 137 Root Trail, discussed the existing easement and explained that the proposal was a severe hardship on her client. She discussed a solution to the hardship.

A short discussion ensued about what the owners of 144 Seminole offered to the Flammarions.

Ms. Grace thought that a solution should respect the Flammarions right to maintain their home.

Ms. Catlin asked if there was a precedent for the right to the property since the Flammarions have been using the property for several years. Ms. Ziska

responded. Ms. Catlin asked Mr. Lindgren if a fence was allowed on a property line. Mr. Lindgren responded. A discussion ensued about the fence on the property line.

Mr. Lynch provided legal arguments to Ms. Ziska's proposal.

Mr. Lindgren stated that according to Mr. Randolph, the Commission could not force a property owner to give up a portion of their property.

Mr. Lynch offered the solution to place the fence two feet north of his client's property line for a distance of 20 feet, which would allow the Flammarions access to their property, provided that the chain link fence could be installed on the property line. Mr. Lynch put a drawing of the offer on the overhead projector. Ms. Ziska was in agreement with the offer.

Mr. Jackman asked about the proposed hedge with the current offer. Ms. Ziska stated that hedge would be in front of the fence. Mr. Vila stated that the hedge would follow the fence line.

Motion made by Ms. Grace and seconded by Mr. Zukov to approve the plans as presented, with a caveat that the portion of the fence that abuts 137 Root Trail would be administratively approved by staff, the applicant and the neighbor. Motion carried unanimously.

A-040-2018 Landscape/Hardscape Revisions

Address: 245 Pendleton Ave.

Applicant: Annie M. Cardelús

Professional: Fernando Wong Outdoor Living Design

Project Description: Refresh the landscape at front yard and back yard, develop a new driveway.

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

Che Wei Kuo, Fernando Wong Outdoor Living Design, presented the landscape and hardscape modifications.

Mr. Ives stated he was in favor of the landscape changes but questioned the additional curb cut.

Mr. Zukov asked about the driveway design. Mr. Kuo responded.

Ms. Catlin suggested using a different palm rather than the proposed Alexander palm. Mr. Kuo explained his design.

Ms. Grace asked if the curb cuts could be reduced since an additional curb cut was added.

Mr. Vila was in favor of the improvement.

Motion made by Mr. Zukov and seconded by Ms. Shiverick to approve the project as presented. Motion carried unanimously.

A-041-2018 Additions/Modifications

Address: 258 Seminole Ave.

Applicant: Sharon Talbot

Professional: Jason P. Drobot/Brasseur & Drobot Architects, P.A.

Project Description: The project consists of enclosing an existing 127 square foot porch located at the northeast corner of the existing two-story residence. The project also includes the addition of a French door and window on the east side elevation. An existing cantilevered roof shall be removed and a new wider one will take its place at a higher elevation in order to accommodate the new door.

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

Mr. Drobot presented the proposed modifications for the residence.

Mr. Zukov stated he could accept the change to the front entrance but questioned the side entrance changes proposed.

Ms. Grace stated she could accept the front entrance change but added that the doors were too elaborate and ornate.

Ms. Shiverick stated she could not support the design, as the ornate doors were too dissimilar to the rest of the homes on the street.

Ms. Catlin agreed and added she could not support the changes.

Mr. Ives suggested that the project should be deferred for restudy.

Mr. Vila stated he could not support the pilasters and columns proposed.

Motion made by Mr. Small and seconded by Mr. Ives to defer the project for one month for a restudy. Motion carried unanimously.

A-042-2018 Additions/Modifications

Address: 272 Via Marila

Applicant: Nicholas and Caroline Rafferty

Professional: Roger Hansrote/ACI Consultants Inc.

Project Description: Remove and replace all existing exterior windows and doors with impact rated assemblies and add windows at various locations. Relocate front entrance door. Remove clapboard siding from second floor exterior walls and replace with stucco. Relocate generator to the west side yard. Modify roof

over existing front entrance. Replace existing paver drive with Florida Cap Stone and reintroduce curb but to the east. Convert & expand existing front entrance into a small terrace. New front gates on east & west sides. Modify roof overhang on front elevation. Rework front yard landscaping. Modify existing pool and pool deck.

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

Richard Leja, ACI Consultants Inc., presented the proposed architectural changes to the existing home. He presented material samples to the Commissioners and showed an additional rendering on the overhead projector.

Ms. Grace thought the changes were nice and supported the design.

Mr. Ives asked about the proposed front door. Mr. Leja responded.

Ms. Shiverick asked about the overhang on the second story roof. Mr. Leja responded and explained the design. Ms. Shiverick suggested adding more overhang on the second story. Mr. Leja agreed and stated he could add 4 inches.

Claudia Visconti, SMI Landscape Architecture, presented the modifications to the landscape and hardscape design. She showed alternate renderings on the overhead projector.

Ms. Grace was in favor of the landscape design.

Motion made by Ms. Grace and seconded by Ms. Catlin to approve the project as presented. Motion carried unanimously.

A-043-2018 Modifications

Address: 216 Garden Rd.

Applicant: William Mulroy

Professional: Nievera Williams Design

Project Description: Proposed front entry steps and site wall.

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

Matt Jackman, Nievera Williams Design, presented the proposed modifications to the hardscape.

Mr. Vila asked if the owner considered aluminum pickets. Mr. Jackman responded.

Motion made by Mr. Ives and seconded by Mr. Small to approve the project as presented with the caveat that the Commission would also approve aluminum pickets as well. Motion carried unanimously.

IX. **OTHER BUSINESS**

None.

X. **ADDITION COMMUNICATION FROM CITIZENS (3 MINUTE LIMIT PLEASE)**

There were no comments heard at this time.

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

There were no comments heard at this time.

XII. **ADJOURNMENT**

Motion made by Mr. Small and seconded by Mr. Ives to adjourn the meeting at 6:42 p.m. Motion carried unanimously.

The next meeting will be held on Wednesday, October 24, 2018 at 9:00 a.m. in the Town Council Chambers, 2nd floor, Town Hall, 360 S County Rd.

Respectfully Submitted,

Robert J. Vila, Chairman
ARCHITECTURAL COMMISSION
kmc

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Resolutions

Agenda Title

RESOLUTION NO. 179-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders to Palm Beach County for Maintenance and Repair of Fire Rescue Fleet Apparatus in an Amount Not to Exceed an Established Budget of \$134,000.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▢ **Memorandum Dated October 1, 2018, from Dean Mealy, Purchasing Manager**
- ▢ **Interlocal Agreement with Palm Beach County**
- ▢ **Resolution No. 179-2018**

Information for Town Council Meeting on October 9, 2018

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II, CPPO, Purchasing Manager

DATE: October 1, 2018

RE: Resolution Approving Award of Extension of Interlocal Agreement with Palm Beach County for Vehicle Maintenance for Fire Rescue
Resolution No. 179-2018

STAFF RECOMMENDATION

Staff recommends an extension and approval of Resolution No. 179-2018, of the Interlocal Agreement with Palm Beach County for vehicle maintenance related to fire apparatus for the period of October 1, 2018 – September 30, 2019.

SUMMARY EXPLANATION/BACKGROUND

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.

FISCAL IMPACT/FUNDING SOURCE

The fiscal impact for the annual extension is \$134,000. The source of funding was approved in the 2019 budget to continue the Interlocal Agreement in the amount of \$134,000.

USER DEPARTMENT CONCURRENCE

The Fire Department is in full concurrence with this recommendation.

DUE DILIGENCE

Due Diligence was conducted to determine vendor responsibility, including corporate status and that there are no performance and compliance issues. The review included conducting market research.

TOWN ATTORNEY REVIEW

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

CC: Jay Boodheshwar
Darrel Donatto

R 2012 04 57

**INTERLOCAL AGREEMENT FOR FIRE VEHICLE MAINTENANCE
BETWEEN PALM BEACH COUNTY AND THE
TOWN OF PALM BEACH**

THIS AGREEMENT is made and entered into this ____ day of MAR 20 2012, 2012, by and between PALM BEACH COUNTY, FLORIDA, a political subdivision of the State of Florida (hereinafter the "County"), by and through its Board of County Commissioners and the TOWN OF PALM BEACH, a Florida municipal corporation located in Palm Beach County, Florida (hereinafter the "Town").

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

WHEREAS, the parties mutually desire the County to provide maintenance and emergency repairs for the Town's fire-rescue emergency response apparatus under the terms and conditions in this Agreement; and

WHEREAS, the Town and County desire to enter into this Agreement as the County can provide vehicle maintenance services economically and efficiently, to the benefit of both the County and Town;

NOW, THEREFORE, in consideration of the terms and conditions set forth herein and the benefits following from each to the other, the County and the Town do hereby agree as follows:

ARTICLE I: APPARATUS REPAIR AND MAINTENANCE:

Section 1. Maintenance and Repairs. The intent of this Agreement is for County to extend to Town the same usual and customary maintenance and repair services that County provides for its own fire-rescue emergency response apparatus fleet through the County Fire-Rescue Department's vehicle maintenance and repair shop (hereinafter referred to as the "Shop"). County shall be the exclusive provider for all such preventative maintenance, scheduled repairs and emergency repairs for the Town's principal fire/rescue emergency response apparatus, including Engines, Ladders, Rescues, Haz-Mat, USAR and other related apparatus, including, but not limited to the following service:

-Body Damage Repair – Roll-up Doors, Cabinetry, Compartments, Body Panels,

- Fenders, etc.
- Body Damage Repair – including vehicle painting or graphics to complete repair
- Windshields/Door glass replacement when broken or cracked
- Fire Pumps, Tanks and Plumbing, apparatus-mounted and portable
- Foam/Chemical agent education and proportioning systems
- Light bulbs and fixtures replacement, including emergency warning devices
- Audible emergency warning devices
- Upholstery and interior furnishings of vehicles and apparatus

- Towing of disabled vehicles and apparatus
- Emergency Tire Repair and Replacement, including Road Service
- Tire Replacement, per manufacturer/standard schedule

- Head Set communication systems, servicing and repair
- Mobile Data Terminal, installation of hardware and wiring
- Recharge units/wiring, installation of hardware and wiring for re-chargable equipment

- Manufacturer Factory Recalls – coordination of all work
- Emergency/Unscheduled maintenance related to NFPA and/or NEVT Standards
- Preventive maintenance in accordance with NFPA and/or NEVT Standards

Computer based vehicle Maintenance Reporting System to be provided to Fire/Rescue facilities, as needed and requested by Town.

County will manage the maintenance program for Town's principal fire/rescue emergency response apparatus, and will coordinate the scheduling of preventative maintenance with the Town Fire Chief or designee. Town agrees to abide by County's daily inspection program and submit any findings of deficits immediately through the IBEM system. Additionally, those reports shall be submitted to the County on a monthly basis. Should the Town decline to proceed with any apparatus repair identified by the County, then, notwithstanding anything in this Agreement to the contrary, the Town shall be fully and solely responsible for any liability or claims, including any third party claims and County's cost of defense, arising from the use or operation of said apparatus, subject however, to the limitations set forth in Florida Statute 768.28. Should the Town disagree with the extent or cost of a repair directly relating to the safe operation of said vehicle, Town agrees to notify the County of such disagreement prior to the repair being made. Town shall take the affected unit out of service until such time as funds become available or the unit is permanently replaced. Any disagreement regarding the extent or cost of a repair arising under this provision shall be addressed in accordance with the conflict resolution provisions in Article III, Section 25, of this Agreement.

Section 2. Standards. All inspections and maintenance shall be in accordance with the following standards and specifications, as they may be amended:

NFPA 1071 – Standard on Emergency Vehicle Technician (EVT)

NFPA 1911 - Standard on Fire Apparatus Maintenance

NFPA 1915 Fire Apparatus Preventative Maintenance Program

Manufacturers' Specifications

Good principals and industry practices

Section 3. Repairs. If emergency repairs are required, Town shall immediately advise County and arrange for repair. County agrees to give priority to Town emergency repairs over preventive maintenance for County and Town vehicles. Town shall contact County in advance to schedule any non-emergency repairs.

Section 4. Preventive Maintenance. Town agrees to contact County in advance to schedule preventive maintenance of its fire-rescue apparatus in accordance with any preventive maintenance schedules identified by the County, or otherwise in accordance with any applicable maintenance schedules recommended by manufacturer specifications and NFPA standards, if any.

Section 5. Turn Around Time. County will make every reasonable effort to complete repairs and maintenance of vehicles within a reasonable period of time from delivery of vehicle to County, dependent upon availability of parts and the extent of repairs necessary.

Section 6. Warranty of Workmanship. County agrees to warranty its workmanship on services and repairs for a period of forty-five (45) days from completion of work; provided however, that the sole remedy for a defect in County's workmanship on services and repairs shall be limited, at the County's option, to either the County correcting the faulty service or repair to the extent necessary and reasonably practical, or the County reimbursing Town for the amount paid by Town to County for the faulty service or repair.

The County will process claims for manufacturers' parts warranties on parts it installs on Town vehicles, provided that the Town has taken all necessary action to register such warranties with the applicable manufacturers. Should such a claim be denied, for any reason or no reason, the County's sole obligation shall be limited to providing the Town with the appropriate claim and denial information. The Town shall be solely responsible for pursuing any further manufacturer warranty action it deems appropriate.

The Town shall inform County in writing of the details of any warranty claim for workmanship or parts. In addition, as manager of the Town's maintenance program, County will also monitor repair requests and advise the Town if such repairs or parts may be covered under warranty, provided that the Town has taken all necessary action to register such warranties with

the applicable manufacturers.

Section 7. Reporting. On a monthly basis, County shall provide to Town's Fire Chief, or designee, a report identifying each vehicle on which maintenance or repair service was performed during the course of the prior month, and containing a detailed listing of all parts installed, all services rendered, all labor hours and noting any technician observations and recommendations or warranty matters. This report is in addition to information provided on any invoice.

ARTICLE II: COMPENSATION

Section 1. Labor Rates. The County shall invoice the Town for vehicle maintenance and repair labor, inclusive of all administrative and overhead costs with no additional charge for overhead or labor (except as provided in Section 2), at the hourly labor rate listed as the Warranty Rate on the County's Rate Schedule for Warranty, Vehicle and Staff Charges in effect at the time of service. No other billing rates included on the County's Rate Schedule for Warranty Vehicle and Staff Charges shall apply. The Rate Schedule and Warranty Rate may be annually updated and amended by the County in its sole discretion (as referenced in Palm Beach County Fire Rescue Operational Procedure #VIII-1). The fiscal year 2012 hourly warranty labor rate is \$96.94, as set forth in the Rate Schedule for Fiscal Year 2012 attached hereto as **Exhibit A**.

Section 2. After Hours Call-Out Emergency Repairs. A three-hour minimum labor charge, at applicable Labor Rates established in Section 1 above, will apply to all emergency after hours call-out repairs. "After hours" shall mean any time before or after the usual and customary business hours and days of the Shop, and shall include, but not be limited to, Saturdays, Sundays, and County holidays. Upon request, the County will provide the Town with the Shop's current business hours and days, which may be revised by the County from time to time.

Section 3. Parts and supplies. The Town will be charged the County's actual cost for all parts and supplies plus 5%.

Section 4. Insurance Premium. Each month the Town shall pay to the County a proportionate share of the County's annual premiums for garage-keepers insurance and garage liability insurance relating to fire-rescue vehicle maintenance and repair services. The monthly amount due from the Town shall be equal to the County's annual premiums divided by the

number of contracted entities receiving fire rescue vehicle maintenance and repair services from the County, which may change from time to time, divided by twelve (12). This amount shall be adjusted by the County from time to time to reflect any change in the number of contracted entities receiving such services from the County and to reflect any actual increase or decrease in the County's premiums. It is anticipated that the monthly charge will be \$140.11 for fiscal year 2012. Any and all decisions regarding such insurance policies shall remain within the sole discretion of the County.

Section 5. Invoices. The County shall invoice the Town on a monthly basis for all service(s) provided during the month. Each invoice shall identify the vehicle serviced, the labor hours spent, the labor rate, charges for parts and supplies, and the monthly charge for insurance premiums. Payment by the Town shall be due forty-five (45) days after the Town's receipt of a proper invoice from the County. County shall direct invoices to the Town's Accounts Payable Division at:

Town of Palm Beach
Accounts Payable
360 South County Road, 1st Floor
Palm Beach, FL 33480

ARTICLE III: GENERAL CONTRACT TERMS

Section 1. Preambles: The facts set forth in the preambles to this Agreement are true and correct and are hereby reaffirmed by the parties.

Section 2. Representative and Contract Monitor: The County representative and contract monitor during the performance of this Agreement shall be the Deputy Fire Chief of Support Services, whose telephone number is (561) 616-7003. The Town representative and contract monitor during the performance of this Agreement shall be the Fire Chief, whose telephone number is (561) 838-5420.

Section 3. Employee Functions: No employee of either party to this Agreement shall perform any function, or service which is not within the employee's scope of duties as defined or determined by the employee's employer.

Section 4. Employee Claims, Benefits, etc.: No employee, officer, or agent of either party shall, in connection with this Agreement or the performance of services and functions hereunder, have a right to or claim any pension, workers' compensation, unemployment compensation, civil service, or other employee rights, privileges, or benefits

granted by operation of law or otherwise except through and against the entity by whom they are employed. No employee of either party shall be deemed the employee of the other, for any purpose, during the performance of services hereunder.

Section 5. No Assumption of Liability: Neither party to this Agreement nor their respective officers or employees shall be deemed to have assumed any liability for the negligent or wrongful acts or omissions of the other. Further, nothing herein shall be construed as a waiver of sovereign immunity.

Section 6. Insurance: Without waiving the right to sovereign immunity as provided by Section 768.28 Florida Statutes, the Town acknowledges to be self-insured for General Liability with coverage limits of \$200,000 per person and \$300,000 per occurrence and Automobile Liability coverage limits of \$100,000 Per Person and \$200,000 Per Occurrence under Florida sovereign immunity statutes; or such monetary waiver limits that may change and be set forth by the legislature.

In the event the Town maintains third-party Commercial General Liability and Business Auto Liability in lieu of exclusive reliance of self-insurance under Section 768.28 Florida Statutes, the Town shall agree to maintain said insurance policies at limits not less than \$500,000 combined single limit for bodily injury or property damage.

The Town agrees to maintain or to be self-insured for Worker's Compensation & Employer's Liability insurance in accordance with Chapter 440, Florida Statutes.

For the duration of this Agreement, the Town agrees to maintain automobile physical damage insurance covering those vehicles to be serviced by the County under this Agreement. The Town's coverage shall be primary for any damage that occurs to the Town's vehicles, including any damage while in the possession or custody of the County.

The Town hereby waives any and all rights of Subrogation against the County, its officers, employees and agents for each required policy, except in the event the County, its officers, employees or agents are negligent, in which case subrogation against the County shall apply. When required by the insurer, or should a policy condition not permit the Town to enter into a pre-loss agreement to waive subrogation without an endorsement, then the Town agrees to notify the insurer and request the policy be endorsed with a Waiver of Transfer of Rights of Recovery Against Others, or its equivalent. This Waiver of Subrogation requirement shall not apply to any policy which a condition to the policy specifically prohibits such an endorsement, or voids coverage should the Town enter into such an agreement on a pre-loss basis.

When requested, the Town shall agree to provide an affidavit or Certificate of Insurance

evidencing insurance, self-insurance and/or sovereign immunity status, which County agrees to recognize as acceptable for the above mentioned coverages.

Compliance with the foregoing requirements shall not relieve the Town of its liability and obligations under this Interlocal Agreement.

Section 7. Effective Date and Term: This Agreement shall take effect upon approval by all parties and continue for a term of ten (10) years, unless sooner terminated as provided herein.

Section 8. Notice of Termination: This Agreement may be terminated for any reason or for no reason by: (i) written mutual consent of both parties; or, (ii) by either party giving notice of desire to terminate no later than April 30th of any given year, to be effective on September 30th of that same year. Notwithstanding the foregoing, this Agreement shall not be terminated, except by mutual consent, prior to September 30, 2012.

Section 9. Assignment of Rights: Neither party shall assign, transfer or convey, in whole or in part, its rights, duties, or obligations without the prior written consent of the other.

Section 10. Modification and Amendment: No modification, amendment, or alteration in the terms or conditions of this Agreement shall be effective unless contained in a written document executed with the same formality and equality of dignity herewith.

Section 11. Equal Opportunity: The County and Town each warrants and represents that all of its employees are treated equally during employment without regard to race, color, religion, disability, sex, age, national origin, ancestry, marital status, familial status, sexual orientation, or gender identity or expression; and that no person shall, based on any of said grounds, be excluded from the benefits of, or be subject to any form of discrimination under, any activity carried out in the performance of this Agreement.

Section 12. Annual Appropriations: Each party's performance and obligations under this Agreement are contingent upon an annual budgetary appropriation by its respective governing body for the purposes hereunder.

Section 13. Records:

a. The County shall maintain all records relating to the services performed under this Agreement in accordance with Florida's public records law and until at least three year after the expiration or termination of this Agreement; provided however that upon the expiration or termination of this Agreement, the County shall turn over to the Town all the County's technical records directly relating to the County's maintenance and repair of the Town vehicles. The Town shall become the official custodian of these records. As custodian of these

records, the Town shall maintain the records in accordance with Florida's public records law and until at least three years after expiration or termination of this Agreement or three years after the life of the vehicle, whichever is later. The County shall be entitled to keep a copy of all such records.

b. For each Town fire-rescue vehicle serviced under this Agreement, the Town shall maintain all its records relating to the operation, maintenance and repair of said vehicle in accordance with Florida's public records laws and until at least three years after expiration or termination of this Agreement or three years after the life of the vehicle, whichever is later.

c. The records to be maintained under this Agreement shall include, but not be limited to, all financial and technical records and reports directly relating to the servicing of Town vehicles under this Agreement or otherwise to the operation, maintenance and repair of said vehicles. All records maintained under this Agreement shall be made available to the other party upon request and within a reasonable period of time.

d. Notwithstanding anything herein to the contrary, records meeting the legal requirements for destruction and the records retention requirements set forth herein may be destroyed by the custodian party provided that said party (i) gives the other party 30 days written notice identifying all records to be destroyed, and (ii) makes copies of said records available upon request of the other party, which request must be received at least 15 days prior to the scheduled destruction date.

e. In the event that the parties become involved in a legal dispute arising from performance under this Agreement, the parties shall extend the period of maintenance for all records relating to the Agreement until the final disposition of the legal dispute, and all such records shall be made readily available to the parties.

Section 14. Right to Audit. Each party, at its own expense, shall have the right to examine the other party's books, data, records and invoices directly or indirectly related to this Agreement upon reasonable notice, time and place. Such examination may be made during the life of a subject vehicle or equipment. Any disagreement between the parties arising under this provision shall be addressed in accordance with the conflict resolution provisions in Article III, Section 25, of this Agreement.

Section 15. Joint Preparation: The preparation of this Agreement has been a joint effort of the parties, and the resulting document shall not, solely or as a matter of judicial constraint, be construed more severely against one of the parties than the other.

Section 16. Remedies: This Agreement shall be construed by and governed by the laws of the State of Florida. Any and all legal action necessary to enforce the Agreement shall be held in Palm Beach County. TO ENCOURAGE PROMPT AND EQUITABLE RESOLUTION OF ANY LITIGATION, EACH PARTY HEREBY WAIVES ITS RIGHTS TO A TRIAL BY JURY IN ANY LITIGATION RELATED TO THIS AGREEMENT. No remedy herein conferred upon any party is intended to be exclusive of any other remedy and each and every remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

Section 17. Notice of Suits: Each party agrees to notify the other of any claim, or the initiation of any legal proceeding against it, which relates in any manner to the servicing of Town vehicles under this Agreement or otherwise to the operation, maintenance and repair of said vehicles. Each party will cooperate with the other in the defense of any suit or action arising out of, or related to, the services rendered under this Agreement.

Section 18. Notices: All written notices required under this Agreement shall be sent by certified mail, return receipt requested, and if sent to the County shall be mailed to:

Palm Beach County Fire Rescue
Fire Rescue Administrator
405 Pike Road
West Palm Beach, FL 33411

and if sent to the Town shall be mailed to:

Town of Palm Beach Fire Rescue Department
Fire Chief
300 North County Road
Palm Beach, FL 33480

Each party may change its address upon notice to the other.

Section 19. Captions: The captions and section designations herein set forth are for convenience only and shall have no substantive meaning.

Section 20. Filing: A copy of this Agreement shall be filed with the Clerk of the Circuit Court in and for Palm Beach County.

Section 21. Enforcement Costs: Any costs or expenses (including reasonable attorney's fees) associated with the enforcement of the terms and conditions of this Agreement shall be borne by the respective parties; provided, however, that this clause pertains only to the

parties to this Agreement.

Section 22. Delegation of Duty: Nothing contained herein shall be deemed to authorize the delegation of the constitutional or statutory duties of state, county, or Town officers.

Section 23. Severability: In the event that any section, paragraph, sentence, clause, or provision hereof is held invalid by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Agreement and the same shall remain in full force and effect.

Section 24. Survivability: Any provision of this Agreement that is of a continuing nature, or which by its language or nature imposes an obligation or right that extends beyond the term of this Agreement, shall survive the expiration or earlier termination of this Agreement.

Section 25. Conflict Resolution: Any dispute or conflict between the parties that arises from the provision of services under this Agreement shall be presented in writing to the respective Fire Chiefs or their designees. The Fire Chiefs, or designees, shall then meet to discuss the disputed issues and attempt in good faith to resolve the dispute or conflict prior to either party initiating the intergovernmental conflict resolution process provided for by Chapter 164, Florida Statutes.

Section 26. None of the provisions of this Agreement shall be construed to create any third-party beneficiary or to otherwise give any enforceable rights or benefits to anyone other than the parties to this Agreement.

Section 27. The parties agree that time is of the essence in the performance of each and every obligation under this Agreement.

Section 28. Force Majeure: County shall not be deemed in default or breach of this Agreement to the extent it is unable to perform, or to timely perform, due to an event of *Force Majeure*. For the purpose of this Agreement, *Force Majeure* shall mean and include any act of God, including severe weather conditions or impending severe weather conditions, accident, fire, lockout, strike or other labor dispute, riot or civil commotion, act of a public enemy, failure of transportation facilities, enactment, rule order or act of government or governmental instrumentality (whether domestic or international and whether federal, state or local, or the international equivalent thereof), failure of technical facilities, or any other cause of any nature whatsoever beyond the control of the County which was not avoidable in the exercise of reasonable care and foresight. Further, the Town specifically acknowledges that the County shall have no liability whatsoever for any damages or injuries due to a *Force Majeure*.

Section 29. Failure(s) to insist on strict performance of any covenant, condition, or provision of this Agreement by a party, its successors and assigns, shall not be deemed a waiver of any of its rights or remedies, nor shall it relieve the other party from performing any subsequent obligations strictly in accordance with the terms of this Agreement. No waiver shall be effective unless in writing and signed by the party against whom enforcement is sought. Such waiver shall be limited to provisions of this Agreement specifically referred to therein and shall not be deemed a waiver of any other provision. No waiver shall constitute a continuing waiver unless the writing states otherwise.

Section 30. Entirety of Agreement: This Agreement represents the entire understanding of the parties and supersedes all other negotiations, representations, or agreements, either written or oral, relating to this Agreement.

Section 31. Office of the Inspector General: Palm Beach County has established the Office of the Inspector General in Palm Beach County Code, Section 2-421 - 2-440, as may be amended. To the extent permitted by law, the Inspector General's authority includes but is not limited to the power to review past, present and proposed County contracts, transactions, accounts and records, to require the production of records, and to audit, investigate, monitor, and inspect the activities of the Town, its officers, agents, employees, and lobbyists in order to ensure compliance with contract requirements and detect corruption and fraud.

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

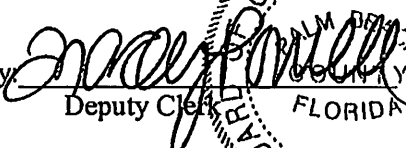
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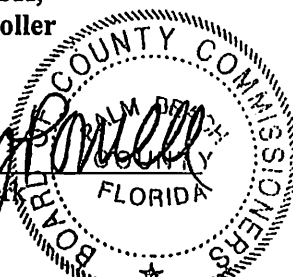
IN WITNESS WHEREOF, the undersigned parties have caused these presents to be signed by
their duly authorized officers on the day and year first written above.

R 2012 04 57 MAR 20 2012

ATTEST:
SHARON R. BOCK,
Clerk & Comptroller

PALM BEACH COUNTY, FLORIDA BY ITS
BOARD OF COUNTY COMMISSIONERS

By: 
Deputy Clerk

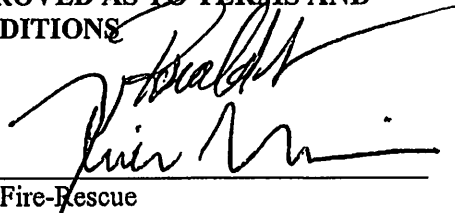


By: 
Shelley Vana, Chair

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

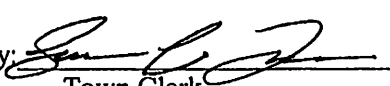
APPROVED AS TO TERMS AND
CONDITIONS

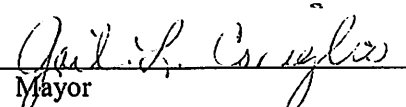
By: 
County Attorney

By: 
Fire-Rescue

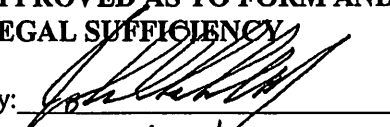
ATTEST:

TOWN OF PALM BEACH

By: 
Town Clerk

By: 
Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By:  Town Attorney

Date: 1/19/12

EXHIBIT A

**Palm Beach County Fire Rescue
Rate Schedule
Warranty, Vehicle and Staff Charges
Fiscal Year 2012**

<u>Type of Charge</u>	<u>Hourly Rate</u>
Warranty Rate	\$96.94
Vehicle Charges	
Engine	\$103
Haz Mat	\$195
Quint	\$230
Brush Truck	\$151
Tender	\$159
Rescue	\$30
Rescue/Pumper	\$55
Light & Air Truck	\$170
Staff Charges	
Firefighter (FF,PM,DO)	\$46
Company Officer	\$58
Chief Officer/District Chief	\$73
Investigator	\$54
Standard Staffing	
Engine	= one (1) Company Officer and two (2) Firefighters
Haz Mat	= two (2) Firefighters
Quint	= one (1) Company Officer and two (2) Firefighters
Brush Truck	= no additional personnel
Tender	= one (1) Firefighter
Rescue	= one (1) Company Officer and one (1) or two (2) Firefighters-depends on unit
Rescue/Pumper	= one (1) Company Officer and two (2) Firefighters

Additional charges may be required based on equipment damage/loss and personnel overtime and/or injuries.

All invoices will be based on half-hour increments. For example, a seventy-five minute call will be billed for one and one-half hours.

Details of calculations are available upon request.

RESOLUTION NO. 179-2018

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PURCHASE ORDERS TO PALM BEACH COUNTY FOR MAINTENANCE AND REPAIR OF FIRE RESCUE FLEET APPARATUS IN AN AMOUNT NOT TO EXCEED AN ESTABLISHED BUDGET OF \$134,000.

WHEREAS, the Town of Palm Beach and Palm Beach County entered into an Interlocal Agreement on February 16, 2012, to provide vehicle maintenance and repair services for Fire Rescue vehicle apparatus; and

WHEREAS, the Agreement entered into by the Town and Palm Beach County has a term of ten (10) years with an annual appropriations clause where performance and obligation under the Agreement are contingent upon annual appropriation by the respective governing bodies; and

WHEREAS, it is the desire of the Fire Rescue Department to continue the Agreement for the fiscal year beginning October 1, 2018.

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

Section 1. The Town Council of the Town of Palm Beach hereby approves the annual appropriation for Fire Rescue vehicle apparatus maintenance and repairs to Palm Beach County, in an amount not to exceed \$134,000.

Section 2. The Town Manager is hereby authorized to execute these purchase orders on behalf of the Town of Palm Beach for this work.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said work, including any necessary change order work as recommended by the Fire Rescue Chief.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of October, 2018.

Gail L. Coniglio, Mayor

ATTEST:

Kathleen Dominguez, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Consent - Other

Agenda Title

Appointment of Employee Representative to PERC pursuant to Ordinance Appendix "A" Section 1.003.

Presenter

Danielle Olson, Director of Human Resources

ATTACHMENTS:

- ▣ **Memorandum dated October 1, 2018 from Danielle Olson, Director of Human Resources**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

From: Danielle Olson, Director of Human Resources

Re: Appointment of Employee Representative to PERC pursuant to Ordinance Appendix "A"
Section 1.003

Date: October 1, 2018

STAFF RECOMMENDATION

Staff recommends that the Town Council reappoint Donald Singer as the Employee Representative to the Town's Public Employees Relations Commission (PERC) to serve a four-year term.

GENERAL INFORMATION

According to the Town's Code of Ordinances, Appendix A. Section 1.003, the Public Employees Relations Commission (PERC) shall be composed of a chairperson, employee representative, and employer representative to be appointed by the Town Council from a list of persons submitted by an independent "blue ribbon" panel appointed by Town Council. It has been the past practice of the Town Council to appoint the chairperson of the Citizens Association of Palm Beach and the president of the Palm Beach Civic Association (or their designees) to form the "blue ribbon" panel. The task for the "blue ribbon" panel is to submit one or more qualified individuals for appointment by the Town Council as members on the PERC.

Donald Singer is currently serving as the Employee Representative. The panel recommended and Town Council approved Mr. Singer to the appointment of Employee Representative in 2014 for a four-year term. His term will expire in November 2018. Mr. Singer advised that he is interested in continuing his appointment and service to this committee.

Accepting this item on the consent agenda enables the Town Council to accept the reappointment of Mr. Singer in lieu of reconvening the "blue ribbon" panel. If Town Council desires, they may remove this item from the consent agenda, direct staff to convene the "blue ribbon" panel, and task them with recommending the appointment of an alternative member for the Employee Representative position.

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Consent - Other

Agenda Title

Maintenance and Improvements of Town Owned Property at Angler Avenue.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated September 21, 2018, from H. Paul Brazil, P. E.,
Director of Public Works**
- ▣ **Proposed Improvements**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

TO: Mayor and Town Council
VIA: Kirt Blouin, Town Manager
FROM: H. Paul Brazil, P. E., Director of Public Works
RE: Maintenance and Improvements of Town Owned Property at Angler Avenue
DATE: September 21, 2018

STAFF RECOMMENDATION

Town staff recommends that we move forward with the necessary scope of work and defer any additional improvements until all of the adjacent neighbors can comment on the project.

GENERAL INFORMATION

The Town received the ocean front parcel on North Ocean Boulevard and Angler Avenue in April 2018. Since acquiring this property, the Town has removed hazardous debris and adjusted existing landscape contracts to include this area in monthly maintenance duties. Because this is a new piece of property, Town staff had the area surveyed to identify the property lines. The existing concrete footprint of the terrace extends beyond the Town's actual property lines. Once the boundaries were established, staff was able to identify necessary improvements on the property. These items include:

1. Removal of the existing concrete slab to alleviate standing water.
2. Removal of concrete walls in two (2) locations in areas that extend beyond the property lines.
3. Add beach compatible sand to replace the concrete flooring
4. Replace existing aluminum gate.

All the suggested improvements are necessary to meet a minimum standard and to make this property consistent with other Town properties. Staff recommends proceeding with these projects. The estimated total cost to perform these improvements is approximately \$22,000. The annual maintenance cost after the improvements is estimated to be approximately \$3,200.

Staff also received additional improvement requests from local residents of Angler Avenue. These additional improvements would be funded by the residents requesting the work. The requested items include:

1. Installation of an aluminum fence at the north boundary.
2. Improvements to the terrace area including top soil, turf, patio stones and an irrigation system for the turf.
3. Removal of existing palm trees and installation of Seagrape trees for shade.
4. Installation of a shower and foot wash. The residents propose to pay for the cost of the water.

The estimated total cost to perform these requested improvements is approximately \$16,000. The annual maintenance cost is estimated to increase to approximately \$5,000.

Not all adjacent residents are aware of the proposed additional improvements. Staff is not sure that there will be agreement with the proposed scope of work.

FUNDING/FISCAL IMPACT

Sufficient funds are available in the Public Works Department FY2019 budget to complete the necessary improvements. The residents requesting the additional improvements, have offered to provide funding for that scope of work. Long term maintenance costs would need to be included in future Public Works budgets if donations are not offered.

TOWN ATTORNEY REVIEW

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

Attachment

cc: Eric Brown, P.E., Assistant Director of Public Works
Brett Madison, Facility Maintenance Division Manager

ANGLER AVE PROPERTY

PROPOSED IMPROVEMENTS

SEPTEMBER 2018

Overview –

The Town received the ocean front parcel on North Ocean Blvd and Angler Ave in April 2018. Since acquiring this property, the Town has removed hazardous debris and adjusted existing landscape contracts to include this area in monthly maintenance duties. Because this is a new piece of property, Town staff had the area surveyed to identify the property lines. The existing concrete footprint extends beyond the Town's property lines. Once the boundaries were established, staff was able to identify necessary improvements on the property. Staff also received additional improvements requests from local residents of Angler Ave. The following details the costs associated with those items that should be performed to upgrade the area to match other existing Town properties (A) and those items requested by local residents (B).

A) The Town of Palm Beach proposes to perform the following necessary improvements, repairs and maintenance:

- 1- Remove the existing concrete slab – The existing drainage system is clogged with sand and does not allow water to drain. This leads to an extended period of time with water ponding on the concrete slab. The entire section of the concrete floor will be removed with the exception of the locations immediately adjacent to the existing walls. The flooring needs to remain in this area so the integrity of the wall system is not compromised. Estimated Cost - \$3,500.
- 2- Remove the north wall which extends from the east to west direction and the portion of the wall north of the gate – These walls are failing and are in the Town right of way. This removal would include the wall footers. Estimated Cost - \$1,750.
- 3- Remove and replace the existing gate – The gate is failing and is difficult to operate and secure. It is also attached to a wall that is scheduled to be removed. The new gate and fence would be white aluminum and match the existing gate and fencing at the beach access location. Estimated Cost - \$4,100
- 4- Add beach compatible sand – Once the concrete floor and walls are removed, there will be a large void in this area. The Town will provide approximately 550 cubic yards of beach compatible sand in this area. Estimated Cost - \$12,500
- 5- The annual bi-monthly maintenance includes cleaning of the area, trimming of the hedges, maintenance and trimming of the palm trees. Estimated Annual Cost - \$3,182

Total Estimated Cost for Improvements - \$21,850

Estimated Annual Maintenance Costs - \$3,182

(B) Town staff met with local residents to discuss their suggested improvements to the area. This option includes a request for the Town to fund all suggested improvements.

1. Installation of an aluminum fence at the north boundary to separate the beach access/right of way from the terrace. Estimated cost - \$1,500
2. Improvements to the common area - After removing the concrete, elevate the ground level up 7"-8" and lay down sod the whole length of the terrace, approximately 60ft. by 20', and set 2' X 2' one inch thick pavers with grass "borders" to cover the middle of the terrace for an area approximately 28' x 14'. The two palm trees inside the terrace are requested to be removed and six (6) new shade trees planted, one at each corner of the center area that will have pavers and one at each end of the terrace. Breakdown of Estimated Cost:
 - a. Top soil to cover the common area and prepare for turf installation – \$1,500
 - b. 24" x 24" x 1" Patio Stones to cover an area 28' x 14' = \$2,772
 - c. Bermuda Turf – 1,400SF x \$1.42sf = \$1,988
 - d. Removal of palm trees (2) - \$350ea = \$700
 - e. Installation of six (6) shade trees – Florida Grade 1 with minimum of 8' of clear trunk, Seagraves as approved on dune plantings - \$800ea = \$4,800

Total Estimated Cost for Improvements - \$11,760

3. Installation of a shower and a battery-operated lawn sprinkler system. The Angler Ave residents will be billed for usage of the West Palm Beach water. There is an existing shower attached to the wall at this location, however the survey reveals the wall and shower are on the property of the adjacent property owner. A new water line, shower and support would need to be installed on Town property. Breakdown of Estimated Cost:
 - a. Relocate shower and spigot and install new appliances and supports – \$1,250
 - b. Battery powered irrigation clock – \$100
 - c. Installation of irrigation system utilizing low flow components - \$2,500

Total Estimated Cost for Improvements - \$3,850

Total Estimated Cost for all Requested Improvements - \$15,610

Note: Maintenance costs are not addressed because of the variables associated with the requested improvements. It is estimated to increase the annual cost by 50% - \$4,775

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Consent - Other

Agenda Title

Approval of Proposed Stipulation Relating to 247 Miraflores Drive, El Paraiso Subdivision.

Presenter

John C. Randolph, Town Attorney

ATTACHMENTS:

- ▣ **Memorandum Dated September 25, 2018 from John C. Randolph, Town Attorney**
- ▣ **Attachment 1: 9/10/18 Sketch by Wallace Surveying**
- ▣ **Attachment 2: 1941 Plat Drake Park**
- ▣ **Attachment 3: 1924 Plat El Paraiso**
- ▣ **Attachment 4: Proposed Stipulation in Oppenheim v. Town of Palm Beach, et al**

Memo

TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

FROM: John C. Randolph, Town Attorney

RE: 247 Miraflores Drive, El Paraiso Subdivision

DATE: September 25, 2018

REQUEST FOR MOTION TO APPROVE STIPULATION

It is requested that Town Council give consideration to approving the attached Stipulation foreclosing the Town's interest to a 1,572 square foot parcel of private property that comprises a now unused portion of formerly serpentine Miraflores Drive in front of the property of Laetitia Oppenheim.

SUMMARY OF LAWSUIT

In November 2017, Laetitia Oppenheim, owner of 247 Miraflores Drive, filed suit against all of the lot owners in the El Paraiso Subdivision to quiet title and extend the boundary of her property on Lots 14 and 15 to encompass that 1,572 square foot portion of private property that comprised a now-straightened serpentine road. The Town was named in the litigation because it owns Lots 1 and 2 in the El Paraiso Subdivision. See *Oppenheim v. Town of Palm Beach, et al.*, Case No. 502017CA012106XXXXMB (15th Jud. Cir. in and for Palm Beach Cty., Fla.). Those Town lots are operated as Dean Park at Miraflores and Tangier)

BACKGROUND

Ms. Oppenheim's property is in the subdivision of El Paraiso, which comprises lots 1 through 20 on the north side of Miraflores Drive. At the time that El Paraiso was platted in or about 1924, Miraflores Drive was a private, serpentine road. All of the subdivision owners acquired a private right to use the serpentine road.

Memorandum to Mayor and Town Council
Via Town Manager
Re: Miraflores Drive
Page 2

More than 75 years ago (by 1941), Miraflores Drive was straightened out to the south and became a public road. After the road was straightened, each of the El Paraiso property owners retained the private right to use the unused portion of the formerly serpentine road.

My real estate partner Mark Dahlmeier reviewed the complaint, the plats and further requested that Wallace Surveying provide a sketch that overlays the 16' platted private serpentine road on the Oppenheim property, the 1,572 square foot subject parcel, and the now straightened public road. This was done to confirm that no portion of the property to which Ms. Oppenheim seeks to quiet title is public property. The sketch provided by Wallace Surveying is attached and confirms that the parcel to which Ms. Oppenheim seeks to quiet title is private.

RECOMMENDATION

The Mayor and Town Council should give consideration to approving the attached Stipulation foreclosing the Town's interest as one of the El Paraiso subdivision lot owners to that 1,572 square foot parcel of private property at issue and acknowledging no objection to the declaratory and equitable relief sought by Ms. Oppenheim. Ms. Oppenheim has obtained nearly identical stipulations or default judgments in this case against almost all of the other lot owner defendants. Alternatively, the Council should give direction to staff and Town Attorney as to how to proceed.

Attachments: 9/10/18 Sketch by Wallace Surveying; 1941 Plat Drake Park; 1924 Plat El Paraiso; proposed Stipulation in *Oppenheim v. Town of Palm Beach, et al.*, Case No. 502017CA012106XXXXMB

p:\docs\13156\00406\mem\1vw2573.docx

DESCRIPTION SKETCH FOR: LAURIE OPPENHEIM

LEGAL DESCRIPTION:

A parcel of land lying South of, and contiguous to, Lots 14 and 15 according to the Plat of **EL PARAISO**, as recorded in Plat Book 12, Page 5, Public Records of Palm Beach County, Florida, lying within the Parkway Tract and the private street labeled thereon as Miraflores Drive, bounded as follows:

on the North by the South lines of said Lots 14 & 15;
on the East by the Southerly prolongation of the East line of said Lot 14;
on the South by a line 138.5 feet South of, as measured at right angles, and parallel with, the North line of said Plat of **EL PARAISO**;
and on the West by the Southerly prolongation of the West line of said Lot 15.

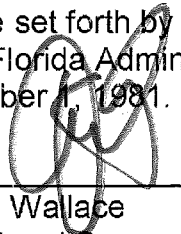
Containing in all 1,572 square feet, more or less.

NOTES:

1. No title policy or commitment affecting title or boundary to the subject property has been provided. It is possible there are deeds and easements, recorded or unrecorded, which could affect the subject property. No search of the Public Records has been made by this office.
2. This sketch is not valid unless sealed with an embossed surveyor's seal and accompanied by Sheet No. 2 of 2.
3. This sketch cannot be transferred or assigned without the specific written permission of **Wallace Surveying Corporation**.
4. This is not a survey!

CERTIFICATION:

I HEREBY ATTEST that the description sketch shown hereon conforms to the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers adopted in Rule 5J-17, Florida Administrative Code pursuant to Section 472.027, Florida Statutes, effective September 1, 1981.

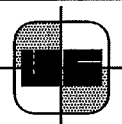


Craig L. Wallace
Professional Surveyor and Mapper
Florida Certificate No. 3357

08-1305.4

REV: 09/10/18 RESEARCH AND MODIFY SKETCH M.B. 08-1305.6

REV: 06/14/18 LABEL NORTH R/W LINE M.B. 08-1305.5



WALLACE

SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551
TCM Agenda 10-09-18

DATE: 07/26/17

DWG. No.: 08-1305-1

OFFICE: M.B.

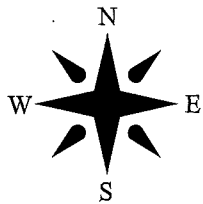
SHEET: 1 OF 2

C'K'D.: C.W.

REF.: 08-1305-1.DWG

TANGIER ESTATES

(P.B.12, PG. 16)



SCALE: 1"=30'

26

25

24

100'(P)
S89°50'35"E 99.95'(C)
NORTH LINE EL PARAISO
(P.B. 12, PG. 5)

EL PARAISO
(P.B. 12, PG. 5)

16

15

14

13

119.92'(C) 119.90'(P)
WEST LINE LOT 15

138.5'

EAST LINE LOT 14
127.73'(C) 127.74'(P)

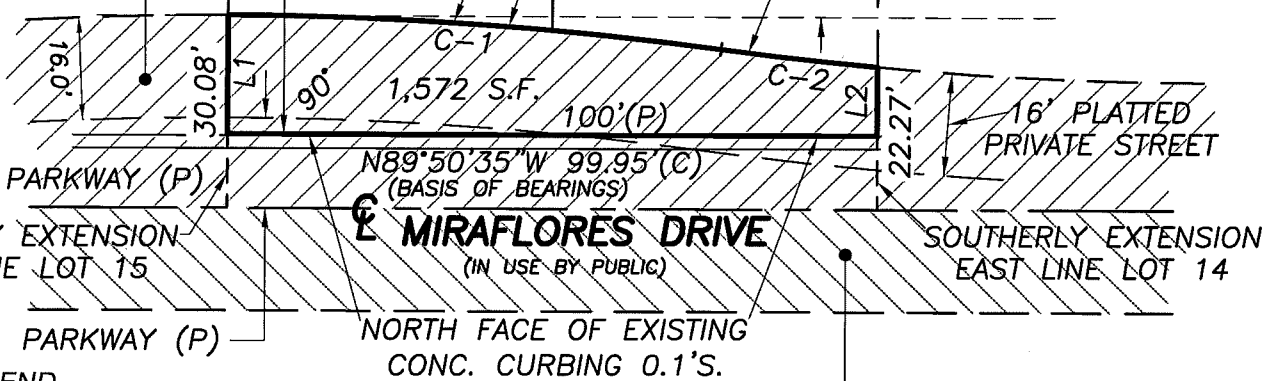
5' U.E. (P)
UNABLE TO DETERMINE EXACT
LOCATION:
(SCALED FROM PLAT)

PRIVATE-NOT
DEDICATED BY
EL PARAISO
(P.B. 12, PG. 5)

SOUTH LINE
LOT 15

NORTH R/W
MIRAFLORES DR.
(PRIVATE)

SOUTH LINE
LOT 14



LEGEND

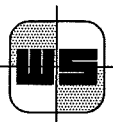
(C) =CALCULATED
C =CENTERLINE
(P) =PLAT BOOK 12, PAGE 3
P.B. =PLAT BOOK
PG. =PAGE
S.F. =SQUARE FEET
U.E. =UTILITY EASEMENT

PUBLIC-(D.B. 631, PG. 103)
LINE TABLE

LINE	BEARING	DISTANCE
L1	N00°09'25"E	18.58'
L2	N00°09'25"E	10.77'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	DELTA ANGLE
C-1	568.00'	76.27'	S85°59'47"E	07°41'35"
C-2	552.00'	24.06'	N83°23'55"W	02°29'51"



WALLACE

SURVEYING
CORP. LICENSED BUSINESS # 4569

5553 VILLAGE BOULEVARD, WEST PALM BEACH, FLORIDA 33407 * (561) 640-4551
TCM Agenda 10-09-18

DATE: 07/26/17

DWG. No.: 08-1305-1

OFFICE: M.B.

SHEET: 2 OF 2

C'K'D.: C.W.

REF.: 08-1305-1.DWG

143

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL
CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO: 502017CA012106XXXXMB AB

LAETITIA OPPENHEIM,

Plaintiff,

v.

TOWN OF PALM BEACH,
et al.

Defendants.

STIPULATION

Plaintiff, LAETITIA OPPENHEIM, an individual (“Owner”), and Defendant, TOWN OF PALM BEACH (“Town”), enter into this Stipulation and state:

1. Owner acknowledges that she is seeking no monetary relief against the Town.
2. The Town has no objection to the declaratory and equitable relief sought against it and consents to the entry of a Final Judgment foreclosing out any interest it may have to the parcel of private property at issue in this case, as described in the Second Amended Complaint.

BROAD & CASSEL, LLP
1 North Clematis Street
Suite 500
West Palm Beach, FL 33401
561-832-3300
561-655-1109 (facsimile)

JONES FOSTER JOHNSTON &
STUBBS, P.A.
505 South Flagler Drive, Suite 1100
West Palm Beach, FL 33401
561-659-3000
561-650-5300 (facsimile)

By _____
STEVEN ELLISON
FLORIDA BAR NO: 510319
sellison@broadandcassel.com
Attorneys for LAETITIA OPPENHEIM

By _____
JOHN C. RANDOLPH
FLORIDA BAR NO: 0129000
jrandolph@jonesfoster.com
JOANNE M. O’CONNOR
FLORIDA BAR NO: 498807
jconnor@jonesfoster.com
Attorneys for TOWN OF PALM BEACH

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via the E-Filing Portal to all individuals on the attached Service List, this ___ day of October, 2018.

JONES FOSTER JOHNSTON
& STUBBS, P.A.
Attorney for TOWN OF PALM BEACH
505 South Flagler Drive
Suite 1100
West Palm Beach, Florida 33401
561-659-3000
561-650-5300 (facsimile)

By _____
JOHN C. RANDOLPH
FLORIDA BAR NO: 0129000
jrandolph@jonesfoster.com
JOANNE M. O'CONNOR
FLORIDA BAR NO: 498807
joconnor@jonesfoster.com

OPPENHEIM v TOWN OF PALM BEACH, et al.
CASE NO: 502017CA012106XXXXMB AB
SERVICE LIST

Patricia LeBow, Esquire Steven Ellison, Esquire Tara s. Pellegrino, Esquire Broad & Cassel, LLP 1 North Clematis Street Suite 500 West Palm Beach, Florida 33401 plebow@broadandcassel.com sellison@broadandcassel.com tpellegrino@broadandcassel.com jricca@broadandcassel.com <i>Attorney for Plaintiff</i> John C. Randolph, Esquire Joanne M. O'Connor, Esquire Jones Foster Johnston & Stubbs, PA 505 South Flagler Drive Suite 1100 West Palm Beach, Florida 33401 jrandolph@jonesfoster.com joconnor@jonesfoster.com <i>Attorney for Town of Palm Beach</i> Matthew Ciccio, Esquire Aldridge Pite, LLP 1615 South Congress Avenue Suite 200 Delray Beach, Florida 33445 servicemail@aldrigepite.com <i>Attorney for Mortgage Electronic Registration Systems</i> Marshall J. Osofsky, Esquire Law Offices of Paul Krasker, PA 1615 Forum Place, Fifth Floor West Palm Beach, Florida 33407 mosofsky@kraskerlaw.com service@kraskerlaw.com <i>Attorney for Krasker at Trustee of Coati Liminted Trust u/a/d June 20, 2017</i>	Roland E. Schwartz, Esquire F. Ryan Waters, Esquire Gray Robinson, PA 301 East Pine Street, Suite 1400 Orlando, Florida 32801 Roland.schwartz@gray-robinson.com Nadine.diamond@gray-robinson.com Ryan.waters@gray-robinson.com Cherita.mcdonough@gray-robinson.com <i>Attorney for JP Morgan Chase Bank</i>
--	--

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TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Consent - Other

Agenda Title

Consideration of Conditional Settlement Agreement Regarding Palm House/Royal 160 LLC.

Presenter

John C. Randolph, Town Attorney

ATTACHMENTS:

- ▣ **Letter from Receiver Requesting Consideration of Conditional Settlement Agreement**
- ▣ **Conditional Settlement Agreement**

LAW OFFICES
GREGG H. GLICKSTEIN, P.A.
54 S. W. BOCA RATON BOULEVARD
BOCA RATON, FLORIDA 33432-5809
TEL: (561) 210-9920 EMAIL: ghgpa@bellsouth.net

Gregg H. Glickstein, Esquire

October 1, 2018

Mayor Gail L. Coniglio, Town of Palm Beach
c/o Kirk Blouin, Town Manager and
Jay Boodheshwar, Deputy Town Manager (via email)
360 S. County Road
Palm Beach, FL 33480

Re: 160 Royal Palm Way, Conditional Settlement Agreement
Between Town of Palm Beach and 160 Royal Palm, LLC

Dear Mayor Coniglio and Town Council Members:

Cary Glickstein, as former receiver for the Palm House Property/Project located at 160 Royal Palm Way and current manager of the property owner, 160 Royal Palm, LLC, respectfully requests the opportunity to present to the Council for its approval at its regular meeting on October 9, 2018 the attached proposed Conditional Settlement Agreement (the "Agreement"), which has been discussed and negotiated for the better part of September with Town counsel and the Town's zoning administrator.

As recited in the Agreement, the owner, through its former receiver, Cary Glickstein, who is now the court-appointed manager of the owner, initiated bankruptcy proceedings for the benefit of the owner's creditors and interested parties, including the Town and Town Code Enforcement. As directed by its manager, the owner's primary objective is to sell the above property to a bona fide developer who will complete construction of the hotel, as authorized and approved by the Town, correcting the unauthorized construction that resulted in the Town's code enforcement violation, order, fine and lien.

As the Town is painfully aware, problems with the property are far and wide, and as set forth in the Agreement, there is substantial uncertainty with regard to the open issues concerning the Town and Town Code Enforcement for any prospective purchaser of the property. We understand that Town counsel and the Town zoning administrator have received a number of inquiries on behalf of prospective purchasers seeking answers to their questions about those issues and the surrounding uncertainty adversely affects marketability of the property.

Accordingly, the Agreement was created, along with a companion conditional settlement agreement between the owner and the Town Code Enforcement Board, to eliminate that uncertainty for a buyer and provide for an equitable resolution for the Town and Town Code

Enforcement. Accordingly, neither of these agreements are for the owner's benefit; both agreements are for the benefit of a 'Qualified Buyer,' as defined in the Agreement and the Town and Town Code Enforcement, as well as owner's creditors, respectively.

The Agreement seeks to resolve through payment to the Town of a compromised settlement amount, a resolution of *160 Royal Palm, LLC v. Town of Palm Beach*, Case No.: 502012CA023613XXXXMBAG, litigation pending in the circuit court of Palm Beach County, Florida since 2012, concerning the completion date for construction of the Palm House Hotel and the daily fee the Town has been tolling since February 15, 2013 for noncompletion of the Palm House Hotel project (the "Project"). The Agreement also seeks to reinstate, if necessary, and continue the conditional abatement of the daily fee that went into effect on December 14, 2016. The Agreement also sets forth the conditions imposed by the Town for the extension and continuation of existing development approvals for the Project originally secured by the receiver in January 2016, and provides a defined path for the completion of construction of the Project and operation of the hotel on the property.

As the Council is aware, the receiver moved for and the Council granted a temporary conditional abatement on December 14, 2016 of the daily fee the Town has been tolling since February 15, 2013 ("Violation Assessment") based on the owner's failure to obtain a certificate of occupancy for the Project by February 14, 2013. The Receiver also appeared before the Code Enforcement Board on November 17, 2016 seeking a temporary conditional abatement of the Code Enforcement Board fine imposed for unauthorized construction. At that time, there was an accumulated code enforcement fine totaling \$188,550.00 based on two code violation cases, one of which remains open.

Based on several motions filed with the court on behalf of the receiver in the receivership action seeking funding authority, the receiver was obtained court authority to pay the accrued code enforcement fine amount in full earlier this year and has appeared before the Council and Town Code Enforcement Board approximately every four months to extend the respective abatements originally granted in November and December 2016. As the Council is aware, the receiver was also successful in securing court authority to engage Hedrick Brothers Construction Company to correct unsafe and unsightly site conditions at the property and correct and thereafter maintain site and street aesthetic conditions. At the same time and as previously reported to the Council, the receiver was pursuing expanded court authority to ultimately provide a path for Project completion, as approved by the Town.

In anticipation of a court-approved, completed sale of the property in the pending bankruptcy proceeding this year, the Agreement proposes to reinstate, if necessary, and continue the conditional abatement of the Violation Assessment in effect conditioned on payment of the settlement amount of \$200,000.00, not later than December 31, 2018, and further provides for timely application and approvals required to recommence and complete construction of the Project and thereafter operate it. Consistent with the separate conditional settlement agreement between

October 1, 2018

Page 3

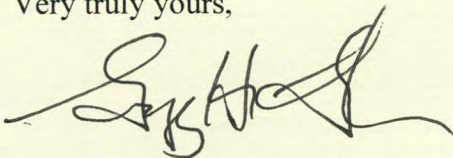
the Code Enforcement Board and the owner, the Agreement provides for correction of the unauthorized construction which resulted in the existing code enforcement order, fine and lien and compliance with the open code violation order.

The benefits accruing under the Agreement and the corresponding Town Code Enforcement conditional settlement agreement are conditional. If the specific payment and performance requirements are not timely satisfied or performed, the Town preserves all of its rights as they presently exist. The Town benefits if the conditions to the Agreement are satisfied and performed and the Town gives up nothing if those enumerated conditions do not occur as and when provided for in the Agreement. The Agreement is further conditioned on approval of the companion conditional settlement agreement by the Code Enforcement Board.

We also believe the settlement amount is fair and reasonable. It is our understanding that the owner has a strong bankruptcy argument for eliminating the accrued Violation Assessment as an unsecured claim. The Violation Assessment resulting from project noncompletion does not tie to recorded Declaration of Use Agreement and Amendments and is, at most, an unsecured claim against the owner and is not secured by the real property. KK-PB Financial LLC recorded a \$27 million mortgage on March 28, 2014 and Palm House Hotel LLLP recorded a \$39 million mortgage on October 17, 2014. There is no equity in the real property above the alleged KK-PB Financial and Palm House Hotel mortgages. Therefore, in bankruptcy, the owner can effectuate a sale of the property, free and clear of the Violation Assessment and code enforcement lien recorded after the alleged mortgages, under section 363(f)(1) of the Bankruptcy Code.

Thank you for the opportunity to present the Agreement for your consideration of its merits.

Very truly yours,



Gregg H. Glickstein
Attachment

cc: John (Skip) Randolph, Esquire (via email)
Cary Glickstein, Receiver (via email)

CONDITIONAL SETTLEMENT AGREEMENT

This Conditional Settlement Agreement (“Settlement Agreement”) is entered into between the Town of Palm Beach, a Florida municipal corporation, 360 South County Road, Palm Beach, Florida 33480 (“Town”) and 160 Royal Palm, LLC, a Florida limited liability company, 160 Royal Palm Way, Palm Beach, Florida 33480 (“Owner”) (Town and Owner are hereafter collectively referred to as the “Parties”).

WHEREAS, on July 30, 2007, Town and Royal 160, LLC (“Former Owner”), the prior Owner of the Land, as hereinafter defined, entered into a Declaration of Use Agreement, recorded in the Official Public Records Book 21987, Page 499, of the Public Records of Palm Beach County, Florida (the “Agreement”), and a Heart of Palm Beach Construction Management Agreement, recorded in the Official Records Book 21987, Page 510, of the Public Records of Palm Beach County, Florida (the “CMA”), concerning the conditional use of the land described in Exhibit A to the Agreement (the “Land”) as a hotel and accessory uses consistent with and subject to the conditions for the ‘Approval,’ including, among other conditions, a liquidated amount of \$2,000 per violation per day remedy (the “Violation Assessment”), as specifically set forth in the Agreement;

WHEREAS, the Land is described in **Exhibit A**, attached hereto, it is located within the municipal limits of Town and title to the Land is held by Owner;

WHEREAS, Town and Owner entered into an Amendment to Declaration of Use Agreement made on December 28, 2012 and recorded in the Official Public Records Book 25694, Page 633, of the Public Records of Palm Beach County, Florida (the ‘Amendment’), modifying the Agreement for the conditional use of the Land as a hotel and accessory uses and for operation on the Land of the Palm House Hotel (‘Hotel’) consistent with and subject to the conditions for the ‘Approval’ including, among other conditions, a February 14, 2013 deadline for the completion of construction of the Hotel (the “Completion Deadline”), as more specifically set forth in the Amendment;

WHEREAS, Owner commenced a civil action in December 2012 in the Fifteenth Judicial Circuit of Palm Beach County, Florida, styled *160 Royal Palm, LLC v. Town of Palm Beach*, Case No.: 502012CA023613XXXXMB (the “Litigation”), seeking a declaratory judgment concerning the Completion Deadline, which action remains pending but currently stayed based on the Bankruptcy Action, as hereinafter defined;

WHEREAS, effective February 15, 2013, Town commenced assessment of the Violation Assessment based on Owner’s failure to complete construction of the Hotel by the Completion Deadline, despite Owner’s contention that the Completion Deadline had been extended for two years, as alleged in the Litigation;

WHEREAS, Town and Owner entered into a Second Amendment to Declaration of Use Agreement made on August 13, 2013 and recorded in the Official Public Records Book 26251, Page 78, of the Public Records of Palm Beach County, Florida (the ‘Amendment’)(hereinafter the

“Second Amendment” for clarity), modifying the Agreement for the conditional use of the Land as a hotel and accessory uses and for Owner’s operation on the Land of the Palm House Hotel (‘Hotel’) consistent with and subject to the conditions for the ‘Approval,’ including, among other conditions, the Completion Deadline, as specifically set forth in the Second Amendment;

WHEREAS, in 2014, the Town of Palm Beach Police Department, Code Enforcement Office initiated a code enforcement action, Case # CE-14-1212, 160 Royal Palm Way, 160 Royal Palm LLC, against the Land for unauthorized construction of the Hotel by Owner. Owner failed to satisfy or correct the code enforcement violation resulting in the entry of an Order Assessing Fine and Order Imposing Lien by the Town of Palm Beach Code Enforcement Board of the Town of Palm Beach (“Town Code Enforcement”) in the amount of \$250 a day, commencing January 10, 2015 (the “Code Enforcement Fine”), which is recorded in Official Records Book 27315, page 1368 of the Public Records of Palm Beach County, Florida (the “Code Enforcement Lien”) to enforce compliance with the code enforcement order (the “Code Enforcement Order”) requiring the removal of all unpermitted work done beyond the scope of Owner’s approved variances and building permits and passing all inspections;

WHEREAS, in 2014 construction of the Hotel was terminated and abandoned without completion or compliance with the Code Enforcement Order and the building permit for construction of the Hotel expired;

WHEREAS, on or about December 15, 2014 a civil action was commenced in the Fifteenth Judicial Circuit of Palm Beach County, Florida, styled as *Ryan Black v. Gerry Matthews, et al*, Case No.: 502014CA014846XXXXMB AG (the “Receivership Action”) by Ryan Black, as a member and former managing member of Palm House, LLC, a Delaware limited liability company and the sole member of Owner, seeking appointment of a receiver for Owner;

WHEREAS, on or about July 20, 2015 the court in the Receivership Action entered an Amended Agreed Order on Plaintiff’s Motion to Appoint Receiver (the “Receivership Order”) whereby Cary Glickstein (the “Receiver”) was appointed as Receiver for the real and personal property of Owner, including the Land and the partially constructed Hotel, and directed by the Receivership Order to pursue completion of the Hotel, upon securing construction financing, as approved by Town;

WHEREAS, in November 2015, Receiver applied for and on January 13, 2016, the Town Council granted the Receiver approval of Site Plan # 1-2016 with Special Exception for construction of the Hotel (the “Development Approval”), imposing conditions of approval in order to regulate the use, mitigate any adverse impacts of the use, and insure that said use shall not be adverse to the public interest, including, in part, correction of the unauthorized construction underlying the Code Enforcement Lien, which approval was to be further memorialized in a Third Amendment to Declaration of Use Agreement (the “Third Amendment”), which has not been executed nor has the work commenced, as authorized by the Development Approval, by application for a building permit revision;

WHEREAS, in November 2016, the Receiver sought and on December 14, 2016, the Town Council granted the Receiver's request for a conditional, temporary abatement of the Violation Assessment accruing since February 15, 2013, which abatement remains conditionally and temporarily in effect;

WHEREAS, on or about November 17, 2016, the Receiver applied for and the Town Code Enforcement Board granted the Receiver's request for a conditional, temporary abatement of the Code Enforcement Fine accruing since January 10, 2015, which abatement remains conditionally and temporarily in effect. Among the conditions imposed for the continued abatement of the Code Enforcement Fine was payment to the Town of the Code Enforcement Fine amount accruing before the abatement date, which amount was paid in full;

WHEREAS, because the work authorized by the Development Approval could not be commenced within 12 months from the date of Town Council approval, in December 2016, Receiver applied for and in January 2017 the Town Council granted the Receiver's request to extend the Development Approval for one year through January 13, 2018;

WHEREAS, because the work authorized by the Development Approval could not be commenced within 12 months from the date of Town Council approval, in or about December 2017, Receiver applied for and in January 2018 the Town Council granted the Receiver's second request to extend the Development Approval for one year through January 9, 2019;

WHEREAS, on July 3, 2018, an order was entered by the Court in the Receivership Action expanding the Receiver's powers and making the Receiver the sole and exclusive manager of Owner, among other powers;

WHEREAS, on August 2, 2018, Owner, by and through the Receiver as the sole and exclusive manager of Owner ("Manager"), filed a petition for Chapter 11 bankruptcy relief in the United States Bankruptcy Court, Southern District of Florida, West Palm Beach, styled *In re: 160 Royal Palm, LLC*, Case No.: 18-19441-EPK (the "Bankruptcy Action");

WHEREAS, Manager believes the sale of the Land and the Hotel (collectively, the "Property" or "Project") to a qualified buyer is in the best interests of Owner's creditors, Town and interested parties and represents a final opportunity for the Manager to accomplish what the Receiver could not by completion of the Hotel as approved by Town;

WHEREAS, Owner, under the direction of Manager and subject to court approval in the Bankruptcy Action, intends to sell the property to a qualified buyer who will complete construction of the Hotel as approved by Town consistent with the Development Approval, a revised CMA and building permit revision, as described below;

WHEREAS, the Violation Assessment, Code Enforcement Fine, Code Enforcement Order, Code Enforcement Lien and impending expiration of the Development Approval in January 2019 separately and collectively create uncertainty in any prospective buyer's evaluation of the Land and the Hotel for acquisition purposes and that uncertainty materially and adversely affects the marketability of the Property and viability of the Project;

WHEREAS, the Town's interests are furthered by the sale of the Property to a qualified buyer who will complete the Project in accordance with the Development Approval; and

WHEREAS, further to the above objectives, the Parties desire to conditionally compromise and settle all claims, demands, rights, and causes of action with respect to the Violation Assessment and impending expiration of the Development Approval and Owner is simultaneously seeking by a separate conditional settlement agreement with Town Code Enforcement (the "CEB Settlement Agreement") to settle all claims, demands, rights, and causes of action with respect to the Code Enforcement Order, Code Enforcement Fine and Code Enforcement Lien.

NOW THEREFORE, in consideration of the mutual promises, premises and covenants set out in this Settlement Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby expressly acknowledged, and upon the terms and subject to the conditions contained herein, the Parties expressly agree and covenant as follows:

Section 1: Incorporation of Recitals

The Parties expressly incorporate the recitals of this Settlement Agreement as a part hereof.

Section 2. Continued Abatement of Violation Assessment.

Town agrees to reinstate, if necessary, and conditionally abate accrual of the Violation Assessment for an abatement period through April 30, 2019. Upon timely payment of the Settlement Amount, as defined in Section 3 below, by a "Qualified Buyer," as defined in Section 7 below, the foregoing abatements shall continue and remain in force and effect conditioned on completion of construction of the Hotel in accordance with the requirements for extension of the Development Approval in Section 4 below.

Section 3: Settlement Amount; Payment

Town agrees to accept payment of \$200,000 (the "Settlement Amount") from a Qualified Buyer, as hereinafter defined, in full and final settlement of the Violation Assessment accruing through April 30, 2019 provided such payment is delivered to Town on or before the earliest of (1) thirty days from the closing on the sale of the Property or (2) December 31, 2018. Payment shall be made in a single payment payable to Town of Palm Beach and delivered to Town at 360 South County Road, Palm Beach, Florida 33480. Timely payment of the Settlement Amount shall be an express condition precedent to the abatement of the Violation Assessment through the abatement period set forth in Section 2.

Section 4: Extension of Development Approval

Upon timely payment of the Settlement Amount, Town agrees to extend the Development Approval through April 30, 2019, provided on or before April 30, 2019 the Qualified Buyer: (i) makes application for and upon Town approval thereafter executes and delivers the Third Amendment consistent with the Development Approval; (ii) makes application for and upon Town approval thereafter executes and delivers a revised CMA consistent with the Development Approval; (iii) makes application for a building permit revision for construction of the Hotel

consistent with the Development Approval; and (iv), if required by Town, concurrent with the Qualified Buyer's application for Third Amendment and revised CMA, and solely to approve the change in ownership of the Land from Owner to the Qualified Buyer, makes application for and receives Town approval for a modification to special exception for construction and operation of the Hotel, consistent with the Development Approval, or as otherwise requested by the Qualified Buyer and approved by the Town.

Section 5: Satisfaction and Discharge of Violation Assessment

Upon timely completion of the Hotel, as provided in the Third Amendment, the revised CMA and building permit revision, the Violation Assessment shall be deemed fully satisfied and discharged. Nothing contained herein shall prevent Town and the Qualified Buyer from agreeing to an alternative protocol for the timing of the satisfaction and discharge of the Violation Assessment.

Section 6. Dismissal of Litigation

On or before closing on the sale of the Property to a Qualified Buyer following entry of a court order approving this Settlement Agreement in the Bankruptcy Action and the execution and delivery of this Settlement Agreement by the Parties, the Litigation shall be dismissed with prejudice.

Section 7: Qualified Buyer

For purposes of this Settlement Agreement, a Qualified Buyer ("Qualified Buyer") shall be the purchaser of the Property pursuant to a fully performed contract and sale approved by court order in the Bankruptcy Action, excluding Owner, Former Owner, Palm House, LLC, any current or former manager or member of Owner, Former Owner or Palm House, LLC, and any other party to the Receivership Action or any other pending civil action in which Owner is a party, other than Town. While this Settlement Agreement is expressly intended for the benefit of a Qualified Buyer, nothing in this Agreement shall prevent Town, in Town's discretion, from extending the benefits conferred under this Settlement Agreement to a buyer who is not a Qualified Buyer hereunder.

Section 8: Conditional Settlement

This Settlement Agreement shall be of no force or effect unless it and the CEB Settlement Agreement are executed and delivered by the respective Parties and approved by a court order duly entered in the Bankruptcy Action. In the event (1) payment of the Settlement Amount is not timely paid to Town; (2) a Third Amendment to Declaration of Use Agreement is not timely executed by and delivered to Town by the Qualified Buyer or (3) construction of the Hotel is not timely completed by the Qualified Buyer in accordance with the Third Amendment, revised CMA and building permit revision, then the Development Approval shall expire. Unless otherwise extended by Town, the Violation Assessment abatement shall terminate and the assessment and fine shall be reinstated as if the abatement had never been granted, less payments received by Town, if any. If the Bankruptcy Action is dismissed before the sale of the Property or if Owner is otherwise prevented or unable to sell the Property to a Qualified Buyer, Owner reserves all of its rights,

claims and defenses as asserted in the Litigation and/or that are or as may be available to Owner in the Bankruptcy Action with regard to the Property, the Violation Assessment, the Code Enforcement Fine and/or the Code Enforcement Lien.

Section 9: No Admission of Liability or Fault

This Agreement is a compromise of a disputed claim and the execution of this Settlement Agreement is not, and should not be construed to be, as an admission of liability or fault on the part of any party, their respective successors, assigns, subsidiaries, affiliates, agents, managers, members, partners, and employees, and by executing this Settlement Agreement the Parties expressly deny any liability or fault.

Section 10: Governing Law

This Settlement Agreement shall be interpreted, construed and enforced pursuant to and in accordance with the laws of the State of Florida.

Section 11: Attorneys' Fees and Costs

In the event of litigation to enforce the terms of this Settlement Agreement, the prevailing party shall be entitled to recover its reasonable attorney's fees and costs from the non-performing party. Except as specifically provided in this Settlement Agreement, the Parties shall bear their own respective attorneys' fees and costs incurred in connection with the Litigation and the negotiation and performance of this Settlement Agreement.

Section 12: Time is of the Essence

Time is of the essence for all dates and time periods expressed herein.

Section 13: Choice of Law and Forum Selection

The Parties agree that this Settlement Agreement is made and entered into in the State of Florida, and shall in all respects be interpreted, enforced and governed under the laws of the State of Florida without applying conflict of laws principles, and shall be subject to the exclusive jurisdiction of the courts of Florida. The sole and exclusive venue for any litigation arising out of, or relating to this Settlement Agreement shall be in Palm Beach, Florida, to the exclusion of any and all other venues.

Section 14: Interpretation of Settlement Agreement

The Parties have been represented by counsel, and have reviewed this Settlement Agreement through their respective attorneys or have had the opportunity to do so. None of the Parties (nor any attorney for any of the Parties) shall be deemed to be the drafter of this Settlement Agreement. Any rule of construction under Florida law requiring that ambiguities be resolved against the drafting party shall not be employed in the interpretation of this Settlement Agreement. The Parties further agree that all parts of this Settlement Agreement shall in all cases be construed as a whole according to its fair meaning.

Section 15: Successors and Assigns

This Settlement Agreement shall apply to the Parties, as well as to each of their predecessors, successors and assigns.

Section 16: Declaration of Use Agreement, the Amendment and the Second Amendment

The Declaration of Use Agreement, the Amendment to Declaration of Use Agreement and the Second Amendment to Declaration of Use Agreement remain in full force and effect, subsection to further modification by a Third Amendment to Declaration of Use Agreement between Town and a Qualified Buyer, as generally described herein.

Section 17: Authority to Execute Settlement Agreement

Each of the Parties, and those persons executing this Settlement Agreement on behalf of the Parties, warrants to the other that each has full power, authority and capacity to execute this Settlement Agreement. In addition, the Parties warrant and represent that they are the owner of the claims asserted against the other and have not transferred or assigned any claim, in whole or in part.

Section 18: Town Cooperation

In connection with Owner's sale of the Property to a Qualified Buyer as authorized and approved in the Bankruptcy Action, Town agrees to cooperate with the settlement, title or closing agent, Owner and the Qualified Buyer, at no expense to Town, and use its best reasonable efforts to timely review and comply with written requests for information, acknowledgements and confirmations further to Owner's conveyance of title, confirmation of Qualified Buyer status, and verification of the recitals set forth in this Settlement Agreement as of the Closing Date.

Section 19: Headings

All sections, titles or captions contained in this Settlement Agreement are for convenience only and shall not be deemed to be a part of this Settlement Agreement, and shall not affect the meaning or interpretation of this Settlement Agreement.

Section 20: Merger

There have been no written or oral representations made, or relied upon, by the Parties as inducement for the execution of this Settlement Agreement that are not expressly stated herein. The terms of this Settlement Agreement are contractual, not mere recitals, and may be enforced by a court of competent jurisdiction. No changes in or additions to this Settlement Agreement shall be valid, enforceable or recognized, unless made in a writing and signed by all of the Parties.

Section 21: Execution in Counterparts

This Settlement Agreement may be executed in counterparts, each of which shall constitute an original, and all of which shall constitute one and the same instrument. Additionally, the different counterparts of this Settlement Agreement may be executed separately by each signatory, and all such separately executed counterparts, when taken together, shall be treated as and constitute one and the same instrument. Any signature delivered by electronic or facsimile transmission shall be treated in all manner and respect as an original document.

IN WITNESS WHEREOF the Parties have hereunto set their hands and seals the day and year first above written.

SIGNATURES ON FOLLOWING PAGE

Signed, sealed and delivered
in the presence of:

TOWN OF PALM BEACH,

By: _____
Gail Coniglio

By: _____

Town Council

By: _____
Kirk Blouin
Town Manager

APPROVED AS TO LEGAL FORM AND
SUFFICIENCY

John C. Randolph
Town Attorney

160 ROYAL PALM, LLC, a Florida limited
liability company

By: _____
Cary Glickstein, as Manager for 160 Royal
Palm, LLC, and not individually

EXHBIT A

Legal Description for the Land:

Being Lots 31, 32 and 33, Block F, Royal Park Addition, a subdivision in the Town of Palm Beach, Palm Beach, Florida, as recorded in Plat Book 4, Page 1, Public Records of Palm Beach County, Florida

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Public Hearings

Agenda Title

RESOLUTION NO. 159-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning an Existing Public Utility Sewer Easement Within the Property Commonly Known as 1576 South Ocean Boulevard, in the Town Of Palm Beach, Florida.

Presenter

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

ATTACHMENTS:

- ▣ **Memorandum dated September 24, 2018, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 159-2018**
- ▣ **Notice to Property Owners**
- ▣ **Application Form**
- ▣ **Legal Ad**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Authorization to Vacate and Abandon an Existing Public Utility Sewer Easement
Located at 1576 South Ocean Boulevard, Palm Beach, Florida 33480
Resolution No. 159-2018

DATE: September 24, 2018

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 159-2018 authorizing the abandonment of an existing public utility sewer easement located at 1576 South Ocean Boulevard. If Town Council approves the abandonment of the utility easement, said approval should be with the condition that the owner shall pay all fees related to implementing the vacating and abandonment, including but not limited to recording fees.

GENERAL INFORMATION

In accordance with Town Code of Ordinances, Chapter 106, Article IV, the owner of the property has made application to abandon the public utility sewer easement on 1576 South Ocean Boulevard. The easement to be abandoned is shown as Exhibit A, Sketch and Legal Description of the proposed Resolution. An application fee of \$1,000 was received with the application for abandonment to cover direct costs and processing by the Town.

The property owner is planning on further developing the subject property with improvements that could potentially traverse the existing sewer easement. A new easement across the property has been dedicated. The dedicated easement is shown as Exhibit B, Sketch and Legal Description of the proposed Resolution. All existing utilities within portions of the easements proposed to be abandoned have provided consent.

This is an exclusive public utility sewer easement, which the Town has agreed to the abandonment as described.

Information packages were sent to the ten (10) neighboring property owners within 300 feet of the easement to be abandoned via certified return receipt mail on September 17, 2018. To date, no responses have been received from the neighboring property owners. The abandonment request was also advertised prior to this Town Council meeting as required by Town Code.

This is an abandonment of an existing utility easement and no property is being gained by the owner. Therefore, a privilege fee is not applicable.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the Town.

TOWN ATTORNEY REVIEW

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

Attachments

cc: Eric B. Brown, P.E., Assistant Director of Public Works
Patricia Strayer, P.E., Town Engineer
Craig Hauschild, P.E., Civil Engineer

RESOLUTION NO. 159-2018

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH,
PALM BEACH COUNTY, FLORIDA, VACATING AND ABANDONING AN
EXISTING PUBLIC UTILITY SEWER EASEMENT WITHIN THE PROPERTY
COMMONLY KNOWN AS 1576 SOUTH OCEAN BOULEVARD, IN THE TOWN OF
PALM BEACH, FLORIDA.

* * * * *

WHEREAS, the owner of the land hereinafter described is planning on further developing 1576 South Ocean Boulevard with improvements that could potentially traverse the existing sewer easement; and

WHEREAS, all utility providers of said easement have agreed to the abandonment of the existing public utility easement; and

WHEREAS, a new public utility sewer easement shall be provided in place of the public utility easement to be abandoned; and

WHEREAS, the Town Council of the Town of Palm Beach does hereby find and determine that the utility sewer easements located on 1576 South Ocean Boulevard as described below are no longer necessary and do not serve any public purpose nor is it necessary for public use; and

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

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. That the easements described and illustrated on Exhibit A, Sheets 1 through 2, Sketch and Legal Description for 1576 South Ocean Boulevard are hereby vacated and abandoned.

Section 3. That the easement described and illustrated on Exhibit B, Sheets 1 through 2, Sketch and Legal Description for 1576 South Ocean Boulevard is hereby dedicated by the owner to the Town as a sewer easement.

Section 4. The Town Clerk is hereby authorized to advertise and record the Resolution pursuant to law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of October, 2018.

Gail L. Coniglio, Mayor

ATTEST:

Kathleen Dominguez, Town Clerk

EXHIBIT "A"

EXHIBIT A SKETCH & DESCRIPTION 20' SEWER ABANDONMENT A PORTION OF GOVERNMENT LOT 2 SECTION 2, TOWNSHIP 44 SOUTH, RANGE 43 EAST PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

A portion of Government Lot 2, Section 2, Township 44 South, Range 43 East, described as follows:

A strip of land being 10.0 feet of each side of the following described centerline.

COMMENCE at the intersection of the north line of the South 200 feet of Government Lot 2, Section 2, Township 44 South, Range 43 East, and the West Right-of-Way line of South Ocean Boulevard; thence N 88°44'04" W, along said north line, 308.39 feet; thence N 00°00'00" W, departing said north line, 11.48 feet to the POINT OF BEGINNING; thence N 00°00'00" W, 138.65 feet to the north line of the South 350 feet of said Government Lot 2 and the POINT OF TERMINATION.

Sidelines of the said description will extend and shorten to be common with the Property line shown hereon.

Said land lying in Palm Beach County, Florida and containing 2773 square feet more or less.

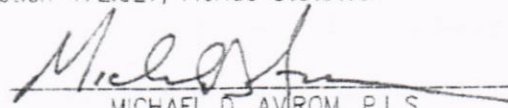
SURVEYOR'S REPORT:

1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this survey map or report by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are assumed based on the North line of the South 200' of Government Lot 2, having a bearing of N 88°46'39" W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: F.D.O.T. = Florida Department Of Transportation; L.B. = Licensed Business; O.R.B. = Official Records Book; P.B.C.R. = Palm Beach County Records; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination; R/W = Right-of-Way.

CERTIFICATION:

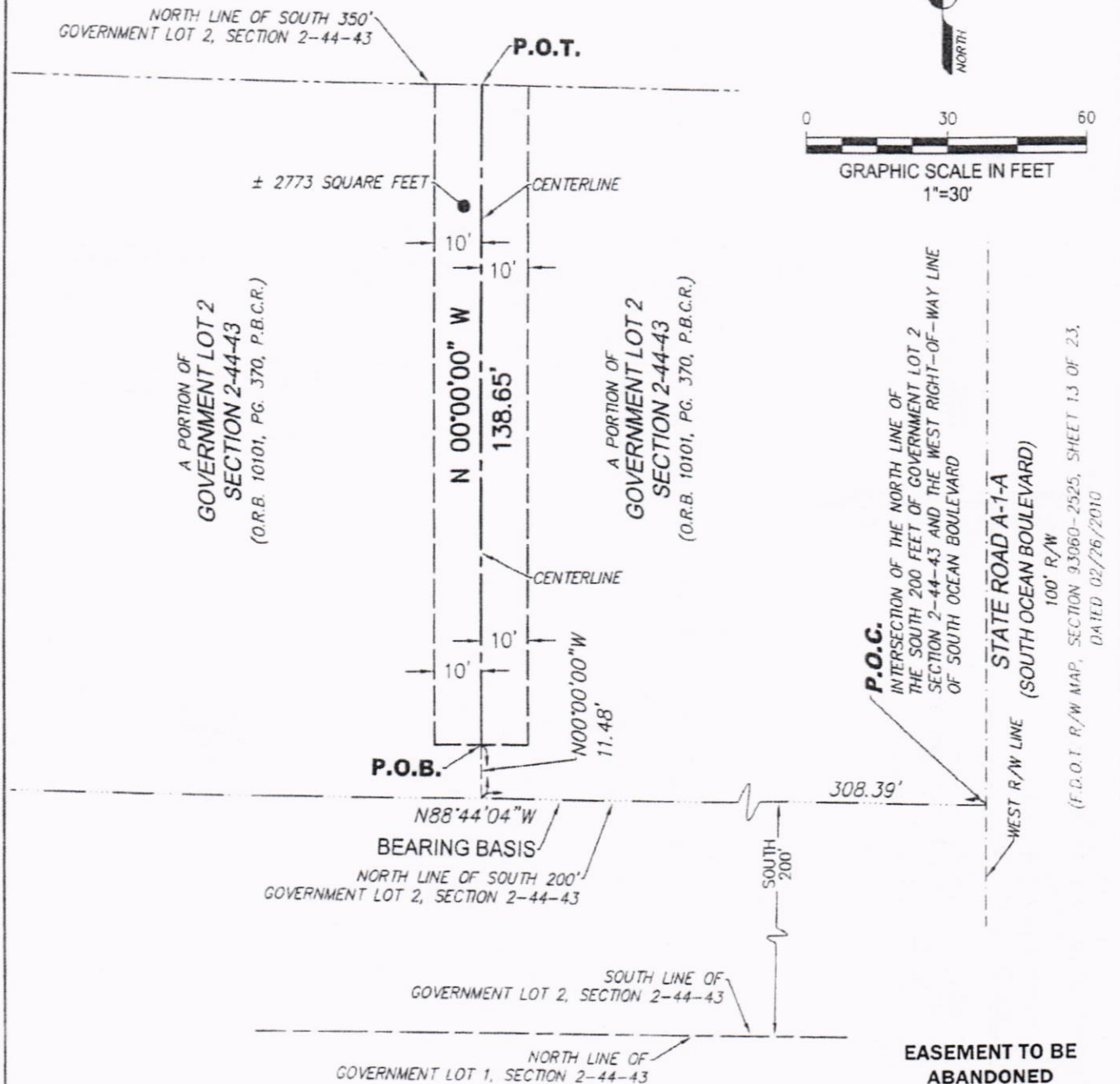
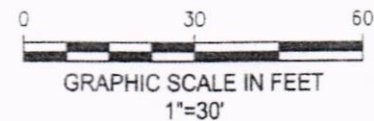
I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 4/5/18


MICHAEL D. VIROM, P.L.S.
Florida Registration No. 3268
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS		AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIROMSURVEY.com	JOB #: 10577-1 AB
			SCALE: 1" = 30'
			DATE: 04/05/2018
			BY: S.R.L.
			CHECKED: M.D.A.
		©2018 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	F.B. — PG. —
			SHEET: 1 OF 2

EXHIBIT A
SKETCH & DESCRIPTION
20' SEWER ABANDONMENT
A PORTION OF GOVERNMENT LOT 2
SECTION 2, TOWNSHIP 44 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA



REVISIONS		AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIROMSURVEY.com	JOB #: 10577-1 AB SCALE: 1" = 30' DATE: 04/05/2018 BY: S.R.L. CHECKED: M.D.A. F.B. -- PG. -- SHEET: 2 OF 2
		©2018 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	

EXHIBIT "B"

EXHIBIT B
SKETCH & DESCRIPTION
5' SEWER EASEMENT
A PORTION OF GOVERNMENT LOT 2
SECTION 2, TOWNSHIP 44 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

A portion of Government Lot 2, Section 2, Township 44 South, Range 43 East, described as follows:

A strip of land being 2.5 feet of each side of the following described centerline.

COMMENCE at the intersection of the north line of the South 200 feet of Government Lot 2, Section 2, Township 44 South, Range 43 East, and the West Right-of-Way line of South Ocean Boulevard; thence N 88°44'04" W, along said north line, 313.39 feet; thence N 00°00'00" W, departing said north line, 12.50 feet to the POINT OF BEGINNING; thence N 88°52'33" W, 66.45 feet; thence N 04°35'05" E, 8.51 feet; thence N 08°12'46" E, 8.47 feet; thence N 05°01'08" W, 85.11 feet; thence N 03°29'00" E, 33.61 feet, to a line 2.5 feet South of and parallel with the north line of the South 350 feet of said Government Lot 2; thence S 88°44'35" E, along said parallel line, 71.67 feet; thence N 00°00'00" W, 2.50 feet to said north line and the POINT OF TERMINATION.

Sidelines of the said description will extend and shorten to be common with the Property line shown hereon.

Said land lying in Palm Beach County, Florida and containing 1,386 square feet more or less.

SURVEYOR'S REPORT:

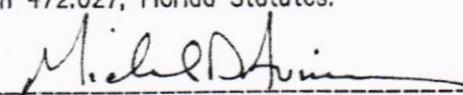
1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this survey map or report by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are assumed based on the North line of the South 200' of Government Lot 2, having a bearing of N 88°46'39" W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: L.B. = Licensed Business; P.B.C.R. = Palm Beach County Records; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination; R/W = Right-of-Way.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: _____

3/09/18


MICHAEL D. AVIROM, P.L.S.
Florida Registration No. 3268
AVIROM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS

REVISED PER COMMENTS 03/09/2018 KSB



AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING

50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
(561) 392-2594 / www.AVIROMSURVEY.com

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and should not be reproduced or copied without written permission.

JOB #: 10577-1 SEW

SCALE: 1" = 30'

DATE: 02/21/2018

BY: S.R.L.

CHECKED: J.T.D.

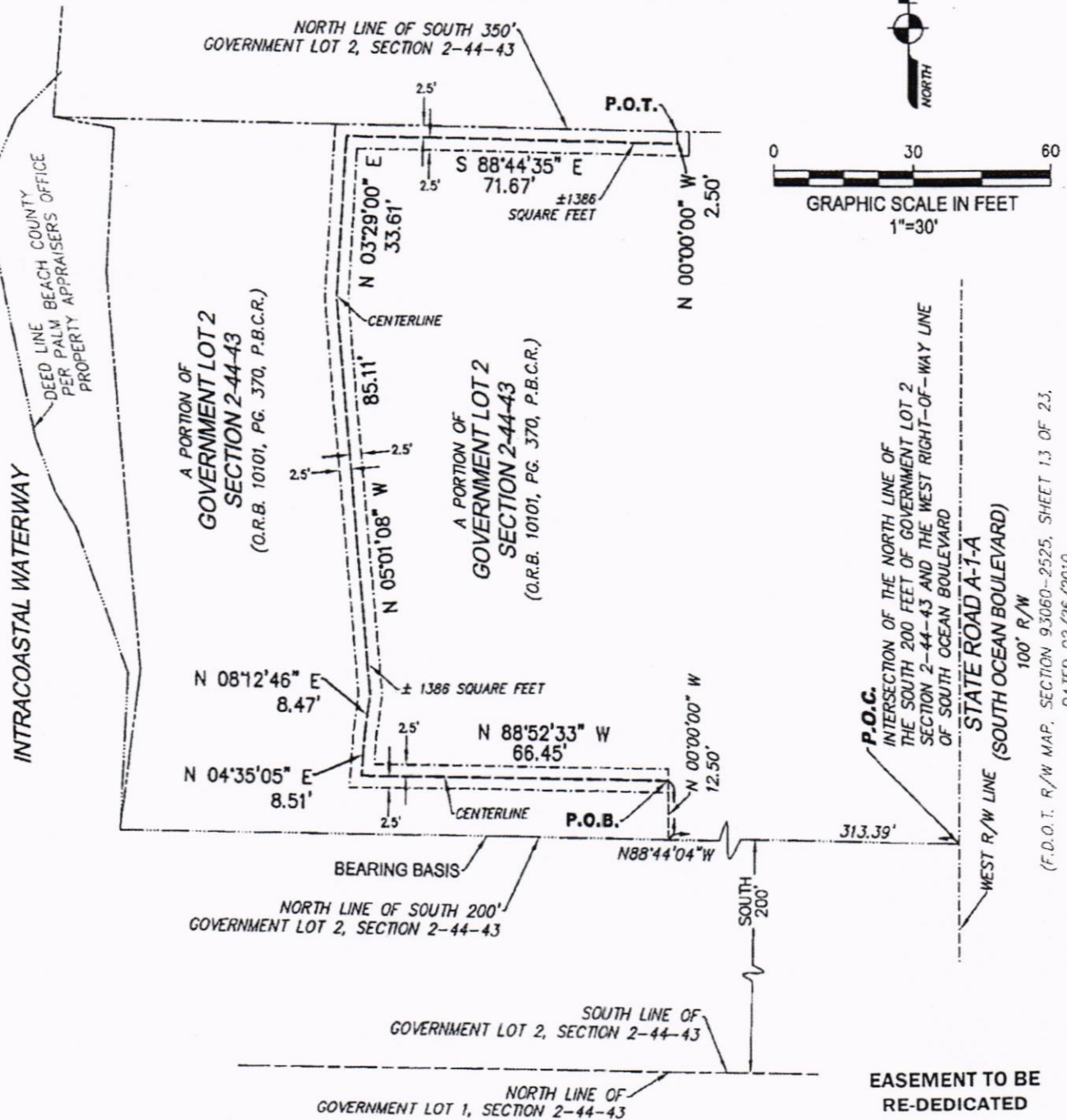
F.B. -- PG. --

SHEET: 1 OF 2

EXHIBIT "B"

EXHIBIT B SKETCH & DESCRIPTION 5' SEWER EASEMENT

A PORTION OF GOVERNMENT LOT 2
SECTION 2, TOWNSHIP 44 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA



(F.D.O.T. R/W MAP, SECTION 9.3060-2525, SHEET 1.3 OF 2.3,
DATED 02/26/2010)

REVISIONS

REVISED PER COMMENTS 03/09/2018 KSB



AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING

50 S.W. 2nd AVENUE, SUITE 102
BOCA RATON, FLORIDA 33432
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JOB #:	10577-1 SEW
SCALE:	1" = 30'
DATE:	02/21/18
BY:	S.R.L.
CHECKED:	J.T.D.
F.B.	PG. -
SHEET:	2 OF 2



TOWN OF PALM BEACH

Public Works Department

NOTIFICATION TO PROPERTY OWNER

September 17, 2018

«NAME»

«ADDRESS_1»

«CITY», «STATE» «ZIP»

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

**RE: TOWN OF PALM BEACH ABANDONMENT AND OF DEDICATED
PUBLIC PROPERTY (RIGHT-OF-WAY AND EASEMENTS) AT
1576 SOUTH OCEAN BOULEVARD, PALM BEACH, FL 33480**

All property owners within a three hundred-foot (300 ft.) radius of the subject property, are hereby notified by mail of the proposed abandonment of public utility sewer easement, on the subject property.

This notice is being provided to you in conjunction with the review by the Town Council regarding this matter.

Please be advised, Town Council will consider the following matter at the next Town Council meeting on **Tuesday, October 9, 2018**. The meeting will begin at 9:30 a.m., in the Council Chambers Room, 360 South County Road, Palm Beach, Florida 33480. The application will be heard at that time or soon thereafter.

This notification is not intended to solicit your approval or disapproval. If you desire, you may file your comments in writing via email to: 1576SOBEasement@townofpalmbeach.com, prior to the meeting or you may attend the meeting to speak on the matter. Attached is a copy of the application.

Subject Property Address: 1576 South Ocean Boulevard, Palm Beach, Florida 33480

Applicant: Martin D. and Audrey Gruss

Project Description: Abandonment of an Existing Public Sewer Utility Easement

If we can be of further assistance, please contact me by phone at 561-227-7042 or email at: chauschild@townofpalmbeach.com.

Craig Hauschild, P.E., Civil Engineer

Attachments
cc: Public Works File

MAILING ADDRESS: Post Office Box 2029 • 360 South County Road • Palm Beach, Florida 33480 • **PHONE:** (561)838-5440
LOCATION: Suite A • 951 Okeechobee Road • West Palm Beach, Florida 33401 • **FAX:** (561)835-4691

6. NAME AND ADDRESSES OF ALL PROPERTY OWNERS WITHIN 300 FEET OF THE PETITIONED SITE: (Use additional sheets, if necessary, and label as "EXHIBIT C")
-

See attached "Exhibit C"

7. ATTACH CONSENT LETTERS FROM ALL UTILITY PROVIDERS LISTED BELOW WHETHER THEY HAVE FACILITIES IN THE PETITIONED SITE OR NOT:

- | | |
|--|---|
| ☐ BellSouth | ☐ Florida Public Utilities |
| ☐ City of West Palm Beach | ☐ Town of Palm Beach - Electrical Bureau |
| ☐ Adelphia Cable TV | ☒ Town of Palm Beach - Water Resources Div. |
| ☐ Florida Power & Light | Other: _____ |

CHECK-MARK (✓) ONLY THOSE UTILITY PROVIDERS OCCUPYING THE PETITIONED SITE

8. APPLICANT'S SIGNATURE:

9. DATE: 8-6-18

I Certify that the information given in this application is true and correct to the best of my knowledge.

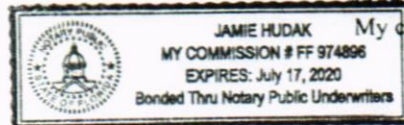
Maura Ziska _____

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 6th day of August, 2018,
Maura Ziska, who is personally known to me, or showed _____
(type of identification; i.e., driver's license number, etc.), and who did take an oath.

Jamie Hudak
NOTARY PUBLIC - STATE OF FLORIDA

(NOTARY SEAL)



Print Name: _____
My commission expires: _____

For Use by Public Works Department

CHECK NO.: 131162

TOWN COUNCIL HEARING:

AMOUNT OF CHECK: \$1,000.00

DATE: _____ RESOLUTION # _____

RECEIVED BY: [Signature]
8/10/18

Approved: _____ Denied: _____

EXHIBIT A
SKETCH & DESCRIPTION
20' SEWER ABANDONMENT
A PORTION OF GOVERNMENT LOT 2
SECTION 2, TOWNSHIP 44 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

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COMMENCE at the intersection of the north line of the South 200 feet of Government Lot 2, Section 2, Township 44 South, Range 43 East, and the West Right-of-Way line of South Ocean Boulevard; thence N 88°44'04" W, along said north line, 308.39 feet; thence N 00°00'00" W, departing said north line, 11.48 feet to the POINT OF BEGINNING; thence N 00°00'00" W, 138.65 feet to the north line of the South 350 feet of said Government Lot 2 and the POINT OF TERMINATION.

Sidelines of the said description will extend and shorten to be common with the Property line shown hereon.

Said land lying in Palm Beach County, Florida and containing 2773 square feet more or less.

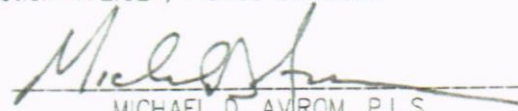
SURVEYOR'S REPORT:

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CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Date: 4/5/18


MICHAEL D. AVIOM, P.L.S.
Florida Registration No. 3268
AVIOM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS		AVIOM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2nd AVENUE SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIOMSURVEY.com © 2018 AVIOM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIOM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	JOB #:	10577-1 AB
			SCALE	1" = 30'
			DATE:	04/05/2018
			BY:	S.R.L.
			CHECKED:	M.D.A.
			F.B.	PG. --
SHEET	1 OF 2			



P.O.T.

± 2773 SQUARE FEET

CENTERLINE

A PORTION OF
GOVERNMENT LOT 2
SECTION 2-44-43

(O.R.B. 10101, PG. 370, P.B.C.R.)

N 00°00'00" W
139.65'

139 CE'

A PORTION OF
GOVERNMENT LOT 2
SECTION 2-44-43

(O.R.B. 10101, PG. 370, P.B.C.R.)

CENTERLINE

Diagram showing a 10' x 10' square with arrows indicating flow directions. The top and bottom edges have arrows pointing outwards, and the left and right edges have arrows pointing inwards.

P.O.B.

N88°44'04"W

BEARING BASIS:

NORTH LINE OF SOUTH 200'
GOVERNMENT LOT 2, SECTION 2-44-43

SOUTH LINE OF
GOVERNMENT LOT 2, SECTION 2-44-43

NORTH LINE OF
GOVERNMENT LOT 1, SECTION 2-44-43

P.O.C.

INTERSECTION OF THE NORTH LINE OF
THE SOUTH 200 FEET OF GOVERNMENT LOT 2
SECTION 2-44-43 AND THE WEST RIGHT-OF-WAY LINE
OF SOUTH OCEAN BOULEVARD

STATE ROAD A-1-A
SOUTH OCEAN BOULEVARD)

100' R/W

(F.D.O.T. R/W MAP, SECTION 93060-2525, SHEET 13 OF 23,
DATED 02/26/2010

EASEMENT TO BE ABANDONED

REVISIONS 		AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S W 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIROMSURVEY.com	JOB #: 10577-1 AB SCALE: 1" = 30' DATE: 04/05/2018 BY: S.R.L. CHECKED: M.D.A. F.B. — PG. —
		©2018 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	SHEET 2 OF 2

EXHIBIT A
SKETCH & DESCRIPTION
5' SEWER EASEMENT
A PORTION OF GOVERNMENT LOT 2
SECTION 2, TOWNSHIP 44 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA

LAND DESCRIPTION:

A portion of Government Lot 2, Section 2, Township 44 South, Range 43 East, described as follows:

A strip of land being 2.5 feet of each side of the following described centerline.

COMMENCE at the intersection of the north line of the South 200 feet of Government Lot 2, Section 2, Township 44 South, Range 43 East, and the West Right-of-Way line of South Ocean Boulevard; thence N 88°44'04" W, along said north line, 313.39 feet; thence N 00°00'00" W, departing said north line, 12.50 feet to the POINT OF BEGINNING; thence N 88°52'33" W, 66.45 feet; thence N 04°35'05" E, 8.51 feet; thence N 08°12'46" E, 8.47 feet; thence N 05°01'08" W, 85.11 feet; thence N 03°29'00" E, 33.61 feet, to a line 2.5 feet South of and parallel with the north line of the South 350 feet of said Government Lot 2; thence S 88°44'35" E, along said parallel line, 71.67 feet; thence N 00°00'00" W, 2.50 feet to said north line and the POINT OF TERMINATION.

Sidelines of the said description will extend and shorten to be common with the Property line shown hereon.

Said land lying in Palm Beach County, Florida and containing 1,386 square feet more or less.

SURVEYOR'S REPORT:

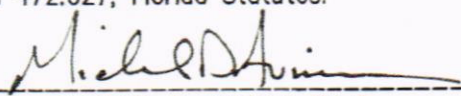
1. Reproductions of this Sketch are not valid without the signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to this survey map or report by other than the signing party is prohibited without written consent of the signing party.
2. No Title Opinion or Abstract to the subject property has been provided. It is possible that there are Deeds, Easements, or other instruments (recorded or unrecorded) which may affect the subject property. No search of the Public Records has been made by the Surveyor.
3. The land description shown hereon was prepared by the Surveyor.
4. Bearings shown hereon are assumed based on the North line of the South 200' of Government Lot 2, having a bearing of N 88°46'39" W.
5. Data shown hereon was compiled from instrument(s) of record and does not constitute a boundary survey.
6. Abbreviation Legend: L.B. = Licensed Business; P.B.C.R. = Palm Beach County Records; P.L.S. = Professional Land Surveyor; P.O.B. = Point of Beginning; P.O.C. = Point of Commencement; P.O.T. = Point of Termination; R/W = Right-of-Way.

CERTIFICATION:

I HEREBY CERTIFY that the attached Sketch and Description of the hereon described property is true and correct to the best of my knowledge and belief as prepared under my direction. I FURTHER CERTIFY that this Sketch and Description meets the Standards of Practice set forth in Chapter 5J-17.050 through 5J-17.052, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

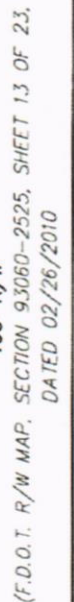
Date: _____

3/09/18


MICHAEL D. AVIOM, P.L.S.
Florida Registration No. 3268
AVIOM & ASSOCIATES, INC.
L.B. No. 3300

REVISIONS		AVIOM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIOMSURVEY.com ©2018 AVIOM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIOM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	JOB #: 10577-1 SEW
REWSED PER COMMENTS 03/09/2018 KSB			SCALE: 1" = 30'
			DATE: 02/21/2018
			BY: S.R.L.
			CHECKED: J.T.D.
			F.B. — PG. —
			SHEET: 1 OF 2

A PORTION OF GOVERNMENT LOT 2
SECTION 2, TOWNSHIP 44 SOUTH, RANGE 43 EAST
PALM BEACH COUNTY, FLORIDA



REVISIONS		 AVIROM & ASSOCIATES, INC. SURVEYING & MAPPING 50 S.W. 2nd AVENUE, SUITE 102 BOCA RATON, FLORIDA 33432 (561) 392-2594 / www.AVIROMSURVEY.com © 2018 AVIROM & ASSOCIATES, INC. all rights reserved. This sketch is the property of AVIROM & ASSOCIATES, INC. and should not be reproduced or copied without written permission.	JOB #: 10577-1 SEW
REVISED PER COMMENTS 03/09/2018 KSB			SCALE: 1" = 30'
			DATE: 02/21/18
			BY: S.R.L.
			CHECKED: J.T.D.
			F.B. — PG. —
		SHEET: 2 OF 2	

Property Appraiser GIS - Property Detail list by parcel control number

Buffer:

50434402000020120	Acres	1.86	Sales instr	QC	MTG	2-44-43, N 150 FT OF S 350 FT OF GOV LT 2
GRUSS MARTIN D &	Value \$	14,674,068.00	Price	\$ 10.00	PUSE VACANT	(LESS S OCEAN BLVD R/W)
1574 S OCEAN BLVD	Taxbl \$	14,674,068.00	Date	11/10/1997	TaxDist 50447	
	Bldg \$	0.00	Book	10101		
PALM BEACH FL 33480 5119	Land \$	14,674,068.00	Page	370	NAV	

Buffer: 300

50434402000020080	Acres	1.79	Sales instr	WD	MTG	2-44-43, N 150 FT OF S 200 FT OF GOV LOT 2 (LESS SR A1A
PB PAVILION TRUST	Value \$	17,934,797.00	Price	\$ 17,425,000.00	PUSE SINGLE FAMILY	R/W)
759 SQUARE VICTORIA	Taxbl \$	17,934,797.00	Date	6/29/2015	TaxDist 50447	
SUITE 520	Bldg \$	3,241,431.00	Book	27647		
MONTREAL QUEBEC H2Y 2J7 CANADA	Land \$	14,693,366.00	Page	325	NAV	

50434402000020090	Acres	2.35	Sales instr	QC	MTG	2-44-43, N 200 FT OF S 550 FT OF GOV LT 2 (LESS
GRUSS MARTIN D &	Value \$	29,583,741.00	Price	\$ 10.00	PUSE SINGLE FAMILY	S OCEAN BLVD R/W)
1574 S OCEAN BLVD	Taxbl \$	25,711,183.00	Date	9/12/2016	TaxDist 50447	
	Bldg \$	11,192,243.00	Book	28574		
PALM BEACH FL 33480 5119	Land \$	18,391,498.00	Page	1769	NAV	

50434402000020110	Acres	0.62	Sales instr	QC	MTG	2-44-43, S 50 FT OF GOV LOT 2 (LESS SR A1A R/W)
NINETY 9798 CANADA INC	Value \$	4,897,788.00	Price	\$ 658,000.00	PUSE VACANT	
759 SQUARE VICTORIA STE # 520	Taxbl \$	4,621,990.00	Date	12/1/1980	TaxDist 50447	
MONTREAL QUEBEC	Bldg \$	0.00	Book	03618		
H2Y 2J7 CANADA	Land \$	4,897,788.00	Page	1481	NAV	

50434402030000030	Acres	0.44	Sales instr	WD	MTG	LAGOMAR PARK 1 LT 3 & LAGOMAR PARK 2 PB24P44
KNAPP GARY B	Value \$	5,430,763.00	Price	\$ 1,375,000.00	PUSE SINGLE FAMILY	LT 3-A
1568 S OCEAN BLVD	Taxbl \$	5,380,763.00	Date	3/1/1997 1	TaxDist 50447	
	Bldg \$	812,741.00	Book	09704		
PALM BEACH FL 33480 5119	Land \$	4,618,022.00	Page	1130	NAV	

EXHIBIT "C"

Property Appraiser GIS - Property Detail list by parcel control number

504344020300000040	Acres 0.92	Sales instr WD	MTG	LAGOMAR PARK NO 1
TAYLOR BRUCE M	Value \$ 11,796,897.00	Price \$12,500,000.00	PUSE SINGLE FAMILY	LTS 4 THRU 6
6 LAGOMAR RD	Taxbl \$ 11,704,906.00	Date 6/29/2016	TaxDist 50447	
	Bldg \$ 2,796,897.00	Book 28417		
PALM BEACH FL 33480 5101	Land \$ 9,000,000.00	Page 147	NAV	
504344020400000040	Acres 0.03	Sales instr WD	MTG	LAGOMAR PARK 2 LT 4-A
TAYLOR BRUCE M TRUST	Value \$ 2,357.00	Price \$12,500,000.00	PUSE VACANT	
6 LAGOMAR RD	Taxbl \$ 2,357.00	Date 6/29/2016	TaxDist 50447	
	Bldg \$ 0.00	Book 28417		
PALM BEACH FL 33480 5101	Land \$ 2,357.00	Page 147	NAV	
504344020400000050	Acres 0.03	Sales instr WD	MTG	LAGOMAR PARK 2 LT 5-A
TAYLOR BRUCE M TRUST	Value \$ 2,357.00	Price \$12,500,000.00	PUSE VACANT	
6 LAGOMAR RD	Taxbl \$ 2,357.00	Date 6/29/2016	TaxDist 50447	
	Bldg \$ 0.00	Book 28417		
PALM BEACH FL 33480 5101	Land \$ 2,357.00	Page 147	NAV	
50434411000010010	Acres 1.88	Sales instr WD	MTG	11-44-43, S 150 FT N 200 FT OF GOV LOT 1 (LESS SR A1A R/W)
LAND TRUST SERVICE CORPORATION TRUSTEE	Value \$ 18,367,295.00	Price \$22,430,000.00	PUSE SINGLE FAMILY	
PO BOX 186	Taxbl \$ 7,037,557.00	Date 5/14/2018	TaxDist 50447	
	Bldg \$ 2,004,168.00	Book 29854		
LAKE WALES FL 33859 0186	Land \$ 16,363,127.00	Page 680	NAV	
50434411000010080	Acres 0.61	Sales instr QC	MTG	11-44-43, N 50 FT OF GOV LOT 1 (LESS SR A1A R/W)
NINETY 9798 CANADA INC	Value \$ 4,897,788.00	Price \$658,000.00	PUSE VACANT	
759 SQUARE VICTORIA STE # 520	Taxbl \$ 4,049,744.00	Date 12/1/1980	TaxDist 50447	
MONTREAL QUEBEC	Bldg \$ 0.00	Book 03618		
H2Y 2J7 CANADA	Land \$ 4,897,788.00	Page 1481	NAV	

KOCHMAN & ZISKA PLC

Ronald S. Kochman*

Maura A. Ziska

*Also admitted in New York

Esperanté

222 Lakeview Avenue, Suite 1500
West Palm Beach, Florida 33401

Telephone: (561) 802-8960

Facsimile: (561) 802-8995

August 1, 2018

Town of Palm Beach
Public Works Department
Attention: Patricia Strayer, Town Engineer
951 Old Okeechobee Boulevard, Suite A
West Palm Beach, FL 33401

Re: **Easement Abandonment**
1576 South Ocean Blvd., Palm Beach, Florida

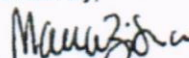
Dear Ms. Strayer:

The property owner is planning to further develop the subject property with improvements that could possibly traverse the existing sewer easement that runs north-south across the property. Attached is a sketch that illustrates the existing easement to be abandoned and the location of the new sewer easement to be dedicated to accommodate your utility, if required.

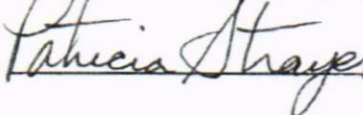
The Town of Palm Beach, as part of the procedure for abandonment of utility easements, requires that letters of no objection be received from all utilities. If you do not object to the abandonment of the utility easement as outlined in this letter, please sign and date at the bottom of this letter and return via fax or email and U.S. Mail to the attention of Maura Ziska, Esquire at fax number 561-802-8995, email mziska@floridawills.com, and address Kochman & Ziska PLC, 222 Lakeview Avenue, Suite 1500, West Palm Beach, FL 33401. Should you have any questions or concerns about this request or wish to meet on-site, please call me at 561-802-8960 at the earliest possible time. Time is of the essence with regard to our submittal to the Town. Please respond with a signed letter no later than **August 10, 2018**.

Thank you for your assistance with this matter.

Sincerely,


Maura Ziska

Town of Palm Beach Water Resource Division has no objection to the abandonment of the easement of 1576 South Ocean Boulevard, Palm Beach site as illustrated in on the attached sketch.


Patricia Strayer

Date 8-6-2018

00038946

A Florida Professional Limited Liability Company Including Professional Associations

PROOF OF PUBLICATION STATE OF FLORIDA

PUBLIC NOTICE

Before the undersigned authority, personally appeared Suzanne Casey, who on oath, says that he/she is a Legal Advertising Representative of The Palm Beach Post, a daily and Sunday newspaper, published in West Palm Beach and distributed in Palm Beach County, Martin County, and St. Lucie County, Florida; that the attached copy of advertising for a Legal - PublicNotice was published in said newspaper on: first date of Publication 09/19/2018 and last date of Publication 09/19/2018. Affiant further says that the said The Palm Beach Post is a newspaper published in West Palm Beach, in said Palm Beach County, Florida and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

PALM BEACH FINANCE, TOWN OF
360 S COUNTY RD
PALM BEACH, FL 33480-6735

Invoice/Order Number:	0000424687
Ad Cost:	\$261.44
Paid:	\$0.00
Balance Due:	\$261.44

Signed

Suzanne Casey
(Legal Advertising Agent)

Sworn or affirmed to, and subscribed before me, this 19th day of September, 2018 in Testimony whereof, I have hereunto set my hand and affixed my official seal, the day and year aforesaid.

Signed

Donna S Taylor
(Notary)

Please see Ad on following page(s).



DONNA S. TAYLOR
MY COMMISSION # GG 031838
EXPIRES: September 19, 2020
Bonded Thru Budget Notary Services

Invoice/Order Number: 0000424687
Ad Cost: \$261.44
Paid: \$0.00
Balance Due: \$261.44

LEGAL ADVERTISEMENT

NOTICE IS HEREBY GIVEN that the Town Council of the Town of Palm Beach, Palm Beach, Florida, at a regular meeting to be held on Tuesday, October 9, 2018, beginning at 9:30 a.m., in the Council Chambers of the Town Hall, 360 South County Road, Palm Beach, Florida, will have on the agenda the following:

PETITION FOR THE ABANDONMENT AND DEDICATION OF A PUBLIC UTILITY SEWER EASEMENT ON PROPERTY COMMONLY KNOWN AS 1576 SOUTH OCEAN BOULEVARD, PALM BEACH, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PUBLIC UTILITY SEWER EASEMENT TO BE ABANDONED:

A portion of Government Lot 2, Section 2, Township 44 South, Range 43 East, being a 20-foot wide dedicated sewer easement described in Official Record Book 10101, Page 370, as recorded in Public Records of Palm Beach County, Florida.

PUBLIC UTILITY SEWER EASEMENT TO BE DEDICATED:

A portion of Government Lot 2, Section 2, Township 44 South, Range 43 East, being a 5-foot wide dedicated sewer easement described in Official Record Book 10101, Page 370, as recorded in Public Records of Palm Beach County, Florida.

This application for abandonment has been filed by:

Martin D. and Audrey Gruss, 1576 South Ocean Boulevard, Palm Beach, Florida 33480. A copy of the application is on file with the Town of Palm Beach, Public Works Department, and will be provided upon request or may be examined between the hours of 8:30 a.m. to 4:30 p.m. at 951 Okeechobee Road, Suite A, West Palm Beach, Florida 33401.

ALL PERSONS INTERESTED in this matter may appear before the Town Council of the Town of Palm Beach at the time and place aforesaid and be heard.

SHOULD ANY INTERESTED PARTY SEEK TO APPEAL ANY DECISION MADE BY THE TOWN COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THIS PUBLIC HEARING, SAID PARTY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BEING BASED, 286.0105 F.S.S.

H. Paul Brazil, P.E.
Director, Department of Public Works
Town of Palm Beach
9-19-2018

0000424687-01

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Regular Agenda - Old Business

Agenda Title

RESOLUTION NO. 180-2018 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving a Purchase Order Increase for the Construction Management at Risk (CMAR) Contract to Hedrick Brothers Construction Company, Inc., for the Seaview Park and Recreation Center Improvements in the Amount of \$59,980 and Establishing a Total Guaranteed Maximum Price (GMP) Construction Budget of \$11,829,825 and Establishing an Overall Project Budget of \$14,022,566.

Presenter

Paul H. Brazil, Director of Public Works

ATTACHMENTS:

- ▣ **Memorandum dated September 24, 2018, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **Resolution No. 180-2018**
- ▣ **Site Plan**
- ▣ **E-mail Dated September 25, 2018, from Christine Watkins**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jay Boodheshwar, Deputy Town Manager

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

RE: Consideration of ARCOM Recommendation, Relative to the Seaview Park and Recreation Center Improvements Project, and Approval of a Purchase Order Increase for the CMAR Contract with Hedrick Brothers Construction Company Inc.
Resolution No. 180-2018

DATE: September 24, 2018

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 180-2018, authorizing a change order to Purchase Order No.181315 and the Construction Manager at Risk (CMAR) Contract to Hedrick Brothers Construction Company Inc. (HB) in the amount of \$59,980 for the Seaview Park and Recreation Center Improvements Project, and increasing the Total Guaranteed Maximum Price (GMP) Construction Budget from \$11,769,845 to \$11,829,825, and increasing the overall project budget from \$13,962,586 to \$14,022,566.

GENERAL INFORMATION

At the September 13, 2018 meeting, the Town Council approved a CMAR contract increase with Hedrick Brothers in the amount of \$167,327 for those “add alternate” items that were associated with providing cast stone elements on the exterior vertical building surfaces in lieu of a stucco finish. This action was consistent with the ARCOM recommendation to retain those cast stone features. The decision on retaining cast stone on the exterior hardscape (i.e., “flatwork”) was deferred based on the guidance from the Town Council to provide firm pricing on various options (cast stone pavers vs. concrete) in various locations (walkways, elevated porches/patios, etc). Maintenance and safety were also mentioned as considerations. A summary of the additional installation cost is provided below, for the various locations as indicated in the attached plan.

Elevated patios and porches (shown in blue color)	2,756 SF x \$19.95/SF	=\$54,982
Tennis plaza area (shown in green color)	236 SF x \$21.18/SF	=\$ 4,998
Covered tennis pavilion area (shown in pink color)	705 SF x \$20.23/SF	=\$14,262
Entry walkway from parking lot (shown in orange color)	2,090 SF x \$14.80/SF	<u>=\$30,933</u>

Subtotal for installing cast stone pavers in lieu of concrete = \$105,175

[Note: Unless noted above, all other (tertiary) walkways on the site will be brushed concrete.]

Based upon comments from the previous Town Council meeting, and taking into account the installation costs, maintenance and safety issues, and the use/function of these various hardscapes, staff recommends that the first two (2) options are adopted but not the other two (2) areas. That reduces the additional cost of the cast stone paver upgrade to \$59,980 for only those two (2) options that are shown as the blue and green on the

attached plan. Staff reviewed this recommendation with the Friends of Recreation and Morton and Barbara Mandel Family Foundation. After due consideration both funding partners agreed to support \$19,993.33 each toward this recommended cast stone upgrade for the hardscape, but prefer the use of existing contingency to pay for this change.

With regard to subsequent maintenance costs, the use of concrete surfaces is the most cost effective and lowest-maintenance option. Typically, these concrete surfaces are pressure washed annually and the unit rate of \$0.08/SF can be applied to estimate the maintenance cost. The upgrade to cast stone provides a more aesthetically pleasing appearance but typically requires more maintenance. For instance, the hardscape adjacent to the Town Hall Square is coquina or cast stone and requires annual cleaning at a unit rate of \$0.25/SF. If the cast stone pavers were to be cleaned twice per year and sealed once per year (as has been the practice for tabby concrete surfaces), then the estimated maintenance cost would be approximately \$0.70/SF ($2 \times \$0.25/\text{SF} + \$0.20/\text{SF}$). Using these estimates, the annual maintenance cost for either concrete or cast stone would range from about \$465 to \$4,050 respectively. Maintenance costs are included in the operating budget and are not included in the installation costs.

The safety issues related to the hardscape surfaces are primarily subjective and the concrete is least likely to be slippery or offer a tripping hazard to users. Cast stone pavers do have small joints or gaps that are a bit more subject to settling or displacement. They are also possibly more slippery when wet if they are sealed, although this depends on the texture of the pavers being used.

Lastly, although other options could be considered for the walkways (such as shell rock pavers, etc.) those options were not reviewed or recommended by ARCOM. The cost and effort to initiate such a review by ARCOM would likely make those options less attractive and the maintenance required may be as much as for the cast stone pavers.

FUNDING/FISCAL IMPACT

Funding for these additional costs would be provided by funds from the three (3) parties (Morton and Barbara Mandel Family Foundation, Friends of Recreation, Inc. and the Town). The source of Town funds is recommended to be from the Capital Fund Contingency budget, unless Council directs the use of existing project contingency funds.

PURCHASING REVIEW

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jane Le Clainche, Director of Finance
Eric Brown, P.E., Assistant Director of Public Works
Rod Gardiner, Assistant Director of Recreation
Michael Roach, P.E., Project Engineer
Dean Mealy, Purchasing Manager

RESOLUTION NO. 180-2018

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A PURCHASE ORDER INCREASE FOR THE CONSTRUCTION MANAGEMENT AT RISK (CMAR) CONTRACT TO HEDRICK BROTHERS CONSTRUCTION COMPANY, INC., FOR THE SEAVIEW PARK AND RECREATION CENTER IMPROVEMENTS IN THE AMOUNT OF \$59,980 AND ESTABLISHING A TOTAL GUARANTEED MAXIMUM PRICE (GMP) CONSTRUCTION BUDGET OF \$11,829,825 AND ESTABLISHING AN OVERALL PROJECT BUDGET OF \$14,022,566.

* * * * *

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

Section 1. The Town Council of the Town of Palm Beach hereby approves a purchase order increase for the CMAR contract to Hedrick Brothers Construction Company Inc., for the Seaview Park and Recreation Center Improvements in the amount of \$59,980 and establishes a Total GMP Construction Budget of \$11,829,825, and establishes an overall project budget of \$14,022,566.

Section 2. The Town Manager is hereby authorized to execute a purchase order increase on behalf of the Town of Palm Beach for this improvement, and is authorized to approve additional tasks, as necessary, within budget.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of October 2018.

Gail L. Coniglio, Mayor

ATTEST:

Kathleen Dominguez, Town Clerk

Stephen Boruff, AIA
Architects + Planners, Inc.
AAC 002226
Architecture
Planning
Interior Architecture

901
Northpoint Parkway
Suite 101
West Palm Beach
Florida 33407

Stephen Boruff, AR007985
Architect of Record

New Construction for:

Town of
Palm
Beach

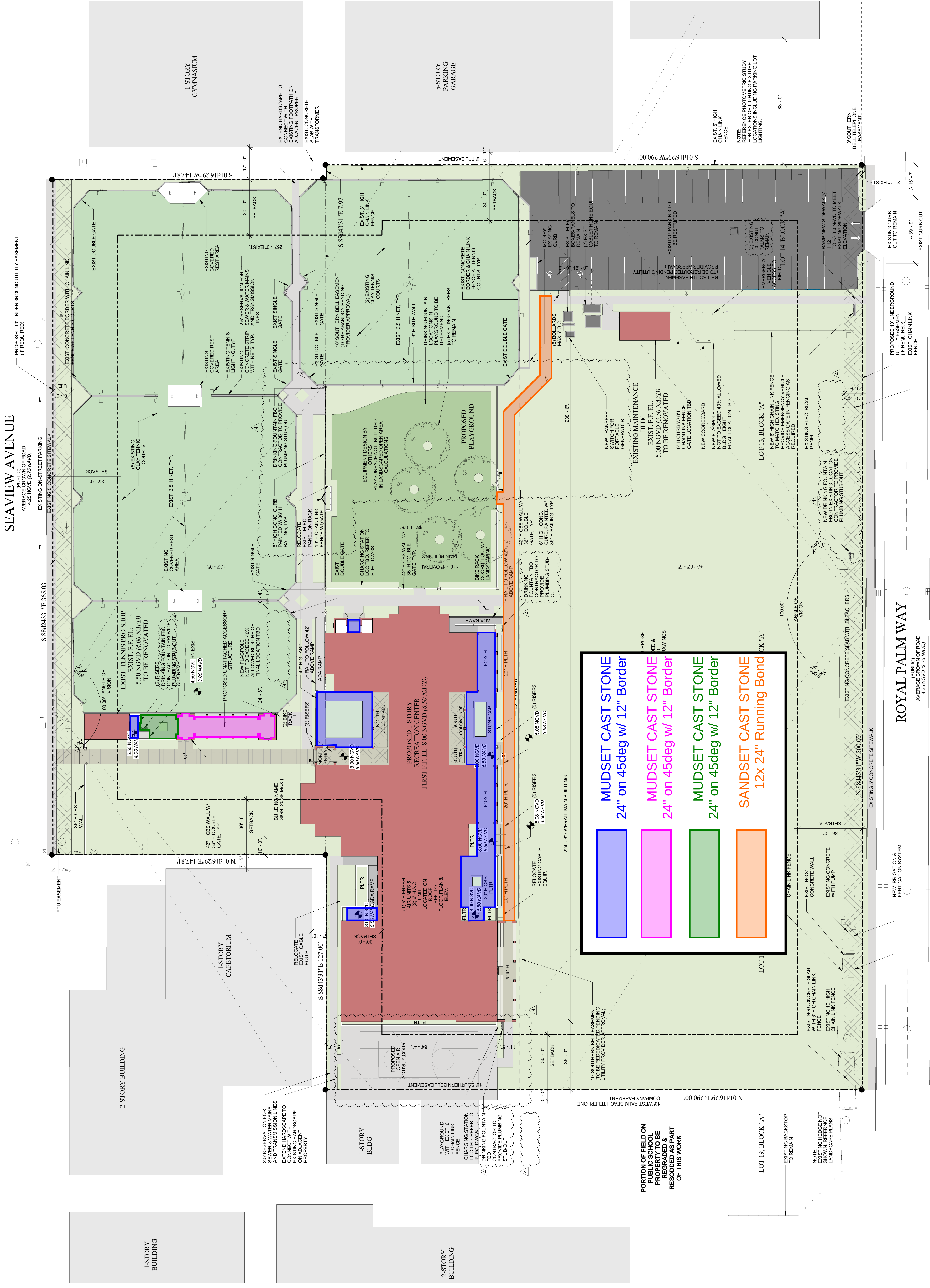
Morton
and
Barbara
Mandel
Recreation
Center

340 Seaview Avenue, Palm
Beach FL 33480

CONSTRUCTION DRAWINGS
Architect's Project # 16.024
ARCOM Case # B-089-2017
Zoning Case # Z-17-0002
11 July 2018
REVISIONS
A Construction Set
24 August 2018

ASP-1.1

of X



ARCHITECTURAL SITE PLAN
SCALE: 1" = 20'-0"

1
NAD 83 DATUM MARK
ADDED IN ADDITION TO NAD 83

From: Christine Watkins

Sent: Tuesday, September 25, 2018 11:07 AM

To: 'jlindgren@townofpalmbeach.com' <jlindgren@townofpalmbeach.com>

Subject: John, could you please forward this on?

Dear Mayor and Town Council members:

I own the property on the northeast corner of Cocoanut Row and Seaview Avenue (235 Cocoanut Row) that is adjacent to the Palm Beach Day Academy field. I have reviewed the plans with their landscape architect, Mario Nievera, and the school has agreed to beef up the landscape buffer between my property and the field with a row of Fishtail palm trees. I am in support of their plan to create onsite parking for their teachers and families, as I believe that will lessen the burden of the traffic and parking congestion that exists on Seaview Avenue.

Thank you for your consideration.

Sincerely,

Christine Watkins

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Regular Agenda - Old Business

Agenda Title

Town-Wide Undergrounding Project:

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

Steven N. Stern, Project Manager

b. Chicane/Street Choker Installation in Phase 2 North.

Patricia Strayer, P.E., Town Engineer

c. RESOLUTION NO. 181-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Awarding a Construction Contract to All County Paving, Inc., for Pavement Improvements from Onondaga Avenue to East Inlet Road in the Amount of \$368,957.60 and Establishing a Total Construction Budget of \$400,000.

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

Presenter

ATTACHMENTS:

- ▣ **a. Memorandum Dated September 27, 2018, from Steven Stern, Project Manager**
- ▣ **b. Memorandum Dated September 28, 2018, from Patricia Strayer, P.E., Town Engineer**
- ▣ **c. Memorandum dated September 19, 2018, from H. Paul Brazil, P.E., Director of Public Works**
- ▣ **c. Resolution No. 181-2018**
- ▣ **c. All County Proposal**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

TO: Mayor & Town Council
VIA: Kirk Blouin, Town Manager
FROM: Steven Stern, Project Manager
RE: **Key Project Updates**
DATE: September 27, 2018

1. Communications

Outreach:

- Phase 1 South: Cup of Joe with Bo, October 1, 2018.
- Phase 1 & 2 North: Coffee with the Crew, October 5, 2018.
- Palm Beach Daily News

2. Progress Summary:

Construction progress:

Phase 1 North Construction:

- FPL Transformer & Splice box placements are nearing completion.
- ATT underground splice boxes are installed
- FPL Transformer pads and device installations scheduled complete by 9/28/2018.
- All switchgear installed.
- Continuity testing of system conducted. Energize and testing expected in October contingent on construction As-Builts approved by FPL.
- Subscriber cutovers expected to begin November.
- Comcast pedestal placements and wire pull installations are in progress and nearly complete throughout the Phase 1 North area.
- ATT communicated preliminary installation activities to begin in early October. The service provider is now working to update and provide the Construction Agreement, requested by staff in August.
- Light Pole installation by FPL subcontractor Davco expected to complete by Nov 1.

Phase 1 South Construction:

- All FPL Switch Cabinets, Transformers, feeder/primary conduit and cable pulls on S. Ocean Blvd North & South of Lake Worth are complete.
 - o 92 devices have been installed.

- Electrical system energize and testing expected in late October contingent on construction As-Builts approved by FPL.
- Subscriber cutovers expected to begin in November, targeting 2 condos/day.
- Comcast wire pull installation activities are pending, this work will primarily occur in Ibis Isle
- ATT communicated preliminary installation activities to begin in early October. The service provider is now working to update and provide the Construction Agreement, requested by staff in August.
- Light Pole installation by FPL subcontractor Davco expected to complete by Nov 1.

Note: Landscaping planned to be installed post subscriber cutovers. There may be exceptions based on proximity of poles to be removed.

Phase 2 North Construction:

- Awards to Burkhardt for a Phase 2 North CMAR contract and Kimley Horn Engineering Services approved in August Town Council.
- Construction has commenced for Phase 2 North in September 2018.
 - The Town held its second biweekly construction team meeting on Sept 26 with Burkhardt and the subcontractors for Phase 2 N.
 - Activities for the Phase 2 area, drill pits and exploratory digs along North Lake Way from Onondaga to Reef Road.
 - Horizontal Direction Drilling planned to begin in October along N. Lake Way with sweeps into side streets.
 - Simultaneous construction of sweeps are a new best practice from lessons learned during Phase 1.
 - Initial Conduit Installation Schedule posted to Undergrounding.Info.
 - <http://undergrounding.info/phase-2-north/>

Phase 2 South Construction:

- As has been communicated - CMAR and Engineering Services award recommendations delayed.
- Scheduled start of construction for the Phase 2 South area is now TBD.
- Engineering workshop held on Sept 28 to educate and increase participation for Phase 2-3 South CMAR solicitation.

Design & Easement Progress:

Phase 2:

- Phase 2 North Design is 97% complete
- Phase 2 South Design is 89% complete

Easement Status:

- Phase 2 North: 81% of easements approved
- Phase 2 South: 78% of easements approved

The UUP Budget for Phase 2 easement acquisition expense reduced by \$84k. Due to our estimate of external legal support changing from \$94k to \$25k and temporary services expense from \$20k to \$5k.

Phase 3:

- Phase 3 North Design is 40% complete
- Phase 3 South Design is 38% complete

Easement Status: Not Started

Phase 4:

- Phase 2 North Design is 25% complete
- Phase 2 South Design is 22% complete

Easement Status: Not Started



Underground Utility Task Force Monthly Progress Report October 2018

Table of Contents

Dashboard – Phase 1, 2 Construction and Phase 2, 3, 4 Design

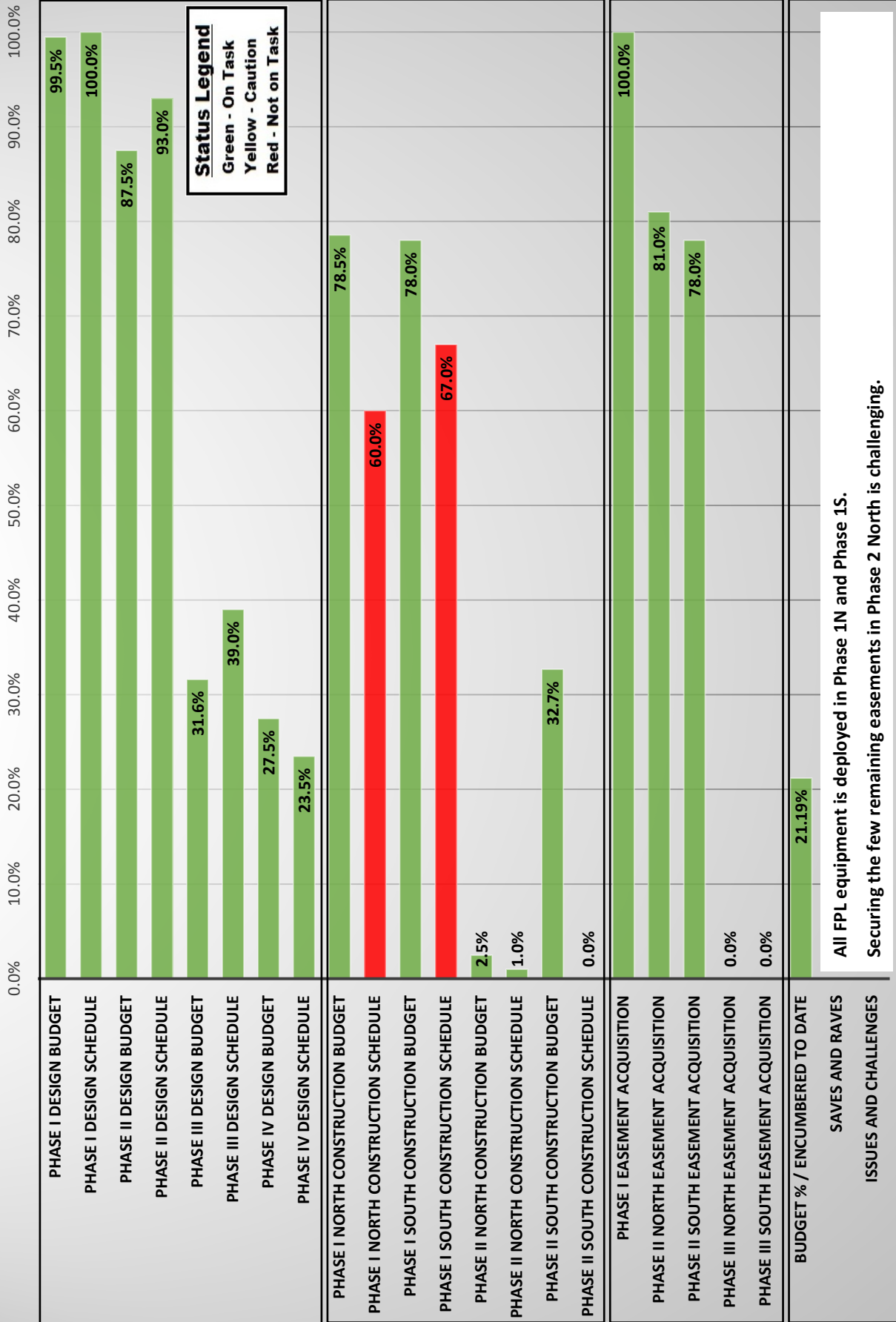
1. Kimley-Horn Progress Report Phase 2
2. Kimley Horn Progress Report Phase 3
3. Kimley Horn Progress Report Phase 4
4. Master Plan Gantt Chart
5. Phase 2 Design Gantt Chart
6. Phase 3 Design Gantt Chart
7. Phase 4 Design Gantt Chart
8. Phase 1 North Construction Schedule
9. Phase 2 North Construction Schedule
10. Burkhardt Executive Project Summaries
11. Phase 1 South Construction Schedule
12. Whiting Turner Executive Summary
13. Project Financial Report
14. Interest Rate Forecast, September 21, 2018

Dashboard Notes:

- Overall Budget represents the percentage encumbered to date versus the total project budget of \$102 million.

Prepared by the Finance Department & TMO
May 31, 2018

Town of Palm Beach - Underground Utility Project Dashboard - Oct '18





Town-Wide Undergrounding - Phase 2 Design
KHA Project #044063202
September 2018 Progress Report
Period: August 26, 2018 to September 25, 2018

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 2 North Design is 97% complete
 - Phase 2 South Design is 89% complete
- Budget: Project is on budget as of September 15, 2018
 - Phase 2 North Design is at 86% of total task budget
 - Phase 2 South Design at 83% of total task budget
- Easement Status
 - Phase 2 North: 81% of easements approved
 - Phase 2 South: 78% of easements approved

B. Detailed Design Phase

- Subconsultant/utility owner coordination related to Phase 2 Design.
- Continued modification of construction plans based on easement acquisition process.
- Continued coordination with Comcast, AT&T and FPL to finalize Conduit Plans for Phase 2 North and South.
- Continued modification of Landscape Plans for Phase 2 South
- Review and Comment on revised Phase 2 South GMP received
- Attendance at Phase 2 South GMP Negotiations Meetings with Town
- Continued coordination with the FDOT regarding the Phase 2 South Utility Permit application
- Continued resident meetings for easement acquisition in Phase 2 North and Phase 2 South.
- Attendance at Progress Meeting with Town and Utilities to coordinate the design process.
- Attendance at Coordination Meeting with FPL.
- Attendance at Meeting with AT&T and Mayor to discuss negotiation strategies.
- Prepare and submit legal sketches and descriptions for approved easements.
- Conference call with Town and Attorney to discuss easements on private streets

II. Upcoming Activities (September 26, 2018 – October 25, 2018)

A. Detailed Design Phase

- Continue resident meetings to discuss easements in Phase 2 North and Phase 2 South.
- Progress Meeting Attendance

Save: The Town's direct purchase of AT&T and Comcast conduit materials has saved over \$9,000.

Rave: Insourcing most of the easement acquisition program has realized cost savings and achieved schedule efficiencies. The easement acquisition team is doing great work!



Town-Wide Undergrounding - Phase 3 Undergrounding
KHA Project #044063215
September 2018 Progress Report
Period: August 26, 2018 to September 25, 2018

I. Scope Update

A. General

- Schedule: Project schedule progress is shown below.
 - Phase 3 North Design is 40% complete
 - Phase 3 South Design is 38% complete
- Budget: Project is on budget as of September 15, 2018
 - Phase 3 North Design is at 24% of total task budget
 - Phase 3 South Design at 25% of total task budget
- Easement Status
 - Phase 3: N/A, will provide status when this work begins

B. Detailed Design Phase

- o Continued Subconsultant/utility owner coordination related to Phase 3 Undergrounding.
- o Subconsultant/utility owner coordination related to Phase 3 Undergrounding.
- o Continued review of Phase 3 existing survey files received from the Town, edit base file based on additional utility record information received. Plot existing recorded easements on base map.
- o Coordination with soft dig subconsultant to perform field investigations.
- o Field review of proposed Phase 3 North FPL equipment locations to confirm locations are feasible.
- o Progress Meeting Attendance

II. Upcoming Activities (September 26, 2018 – October 25, 2018)

A. Detailed Design Phase

- o Submittal of Preliminary Equipment Plans – Phase 3 North
- o Development of Preliminary Equipment Plans – Phase 3 South
- o Submittal of initial easement exhibits – Phase 3 North
- o Development of initial easement exhibits – Phase 3 South
- o Soft Dig Utility Locates – Complete field work
- o Progress Meeting Attendance



Town-Wide Undergrounding - Phase 4 Undergrounding
KHA Project #044063219
September 2018 Progress Report
Period: August 26, 2018 to September 25, 2018

I. Scope Update

A. General

- **Schedule:** Project schedule progress is shown below.
 - Phase 4 North Design is 25% complete
 - Phase 4 South Design is 22% complete
- **Budget:** Project is on budget as of September 15, 2018
 - Phase 4 North Design is at 21% of total task budget
 - Phase 4 South Design at 20% of total task budget
- **Easement Status**
 - Phase 4: N/A, will provide status when this work begins

B. Detailed Design Phase

- o Subconsultant coordination related to Phase 4 Undergrounding
- o Data Collection of existing utilities in project area and coordination with utility owners to receive record information.
- o Received additional field survey for Phase 4 South area and incorporated this information into the base file.
- o Finalize development of the Phase 4 North and South utility base file and submittal to FPL
- o Review and sort existing easements after public record research. Coordinate inclusion of these easements on survey with project surveyor
- o Coordination with Comcast related to WiFi equipment screening systems
- o Progress Meeting

II. Upcoming Activities (September 26, 2018 – October 25, 2018)

A. Detailed Design Phase

- o Continued Subconsultant/utility owner coordination related to Phase 4 Undergrounding
- o Progress toward development of Phase 4 Street Light Exhibits
- o Coordination meeting with FPL to discuss Phase 4 South equipment locations
- o Progress Meeting

ID	Task Name	Duration	Start	Finish
1	Master Planning	2222 d222222	M222 2/12/12	Fr222/21/12
2	External Project Kick off Meeting	1 day	Thu 6/16/16	Thu 6/16/16
3	Internal Project Kick off Meeting	1 day	Mon 6/20/16	Mon 6/20/16
4	Task 1.1.1 - Data Collection	22 d222222	M222 2/12/12	Fr28/12/12
5	Collect/Analyze Town Project Data- ACIP Program Information (roads, drainage, street lights, other planned ACIP projects)	35 days	Mon 5/16/16	Fri 7/1/16
6	Collect/Analyze City Data - Watermain program information	30 days	Mon 5/16/16	Fri 6/24/16
7	Collect/Analyze Lake Worth and South Palm Beach data at project limits	30 days	Mon 5/16/16	Fri 6/24/16
8	Collect/Analyze FPU - gas main replacement program	30 days	Mon 5/16/16	Fri 6/24/16
9	Collect/ Analyze - FDOT records and proposed projects in Town limits	30 days	Mon 5/16/16	Fri 6/24/16
10	Collect/Analyze FPL	22 d222222	2 2d 2/12/12	Fr28/12/12
11	Office Meeting/Record Review with FPL	1 day?	Wed 7/13/16	Wed 7/13/16
12	Field Verification of Major Utility Elements	22 days	Thu 7/14/16	Fri 8/12/16
13	Collect/Analyze ATT	22 d222222	T22 2/12/12	Fr28/12/12
14	Office Meeting/Record Review with ATT (infrastructure / Smart Poles)	1 day?	Thu 7/14/16	Thu 7/14/16
15	Field Verification of Major Utility Elements	21 days	Fri 7/15/16	Fri 8/12/16
16	Collect/Analyze Comcast	21 d222222	Fr22/12/12	Fr28/12/12
17	Office Meeting/Record Review with Comcast	1 day	Fri 7/15/16	Fri 7/15/16
18	Field Verification of Major Utility Elements	18 days	Wed 7/20/16	Fri 8/12/16
19				
20	Task 1.1.2 - Data Collection-Future Communications Systems	122 d222222	2 2d 2/2/12	M22 11/28/12
21	Collect/Analyze - TOPB Police and Fire Dept private lines	16 days	Fri 7/15/16	Fri 8/5/16
22	Meeting with Town Public Works staff, Fire Department Staff, and Police Staff	1 day	Wed 7/6/16	Wed 7/6/16
23	Analysis of Town-wide Closed communications system expansion (police/fire/public works)	17 days	Fri 7/15/16	Mon 8/8/16
24	Analysis of Town-wide Closed Circuit communications system	51 days	Wed 7/6/16	Wed 9/14/16
25	Develop recommendations/conceptual order of magnitude OPC (Town Future Communications only)	21 days	Mon 9/26/16	Mon 10/24/16
26	Draft and Issue summary memorandum	47 days	Thu 9/15/16	Fri 11/18/16
27	Review recommendations with Town	6 days	Mon 11/21/16	Mon 11/28/16
28				
29	Broadband Infrastructure Assessment	182 d222222	M222 2/22/12	Fr22/21/12
30	Kickoff meeting	1 day	Mon 7/25/16	Mon 7/25/16

Project: TOPB UG Master Plann
Date: Wed 2/21/18

Task

Milestone

Summary

Manual Task

Manual Summary

Finish-only

Deadline

Progress

Manual Progress

ID	Task Name	Duration	Start	Finish	May 8, '16 May 17 May 25 Jun 6 Jun 17 Jun 25 Jun 5, '16 Jun 19 Jun 30 Jul 3, '16 Jul 11 Jul 22 Jul 31, '16 Aug 2 Aug 13 Aug 28, '16 Aug 4 Aug 15 Sep 25, '16 Sep 7 Sep 18 Oct 23, '16 Oct 9 Oct 20 Nov 20, '16 Nov 1 Nov 12 Dec 18, '16 Dec 3 Dec 14 Jan 15, '17 Jan 25 Jan 5 Feb 12, '17 Feb 16 Feb 27 Mar 12, '17 Mar 21 Mar 31 Apr 9, '17 Apr 18 Apr 27
31	Community Needs & Stakeholder Outreach	65 days	Tue 7/26/16	Mon 10/24/16	
32	Broadband Market Analysis	44 days	Tue 7/26/16	Fri 9/23/16	
33	Broadband Issue Analysis	21 days	Mon 9/26/16	Mon 10/24/16	
34	FTTP Data Collection & Benchmarking	46 days	Mon 8/22/16	Mon 10/24/16	
35	FTTP Technical Design Options	46 days	Mon 8/22/16	Mon 10/24/16	
36	FTTP Business Case Analysis	46 days	Mon 8/22/16	Mon 10/24/16	
37	FTTP Financial Evaluation	46 days	Mon 9/26/16	Mon 11/28/16	
38	FTTP Roadmap and Business Plan	25 days	Tue 10/25/16	Mon 11/28/16	
39	Final Presentation and Deliverables	25 days	Tue 10/25/16	Mon 11/28/16	
40	UUTF Presentation	1 day	Tue 12/6/16	Tue 12/6/16	
41	RFI Development	21 days	Fri 1/6/17	Fri 2/3/17	
42	RFI Distribution and Advertisement	21 days?	Mon 2/6/17	Mon 3/6/17	
43	Review RFI Responses and Provide Recommendations	19 days?	Tue 3/7/17	Fri 3/31/17	
44					
45	Task 1.1.3 - GIS Base Map Development - Existing Infrastructure	21 d	Mon 2/13/17	Mon 8/8/17	
46	GIS Map Development Town Project Data- ACIP Program Information	45 days	Mon 5/16/16	Fri 7/15/16	
47	GIS Map Development - Watermain program information	45 days	Mon 5/16/16	Fri 7/15/16	
48	GIS Map Development FPU - gas main replacement program	45 days	Mon 5/16/16	Fri 7/15/16	
49	GIS Map Development - TOPB Police and Fire private lines	17 days	Fri 7/15/16	Mon 8/8/16	
50	GIS Map Development - FDOT records and proposed projects in Town limits	45 days	Mon 5/16/16	Fri 7/15/16	
51					
52	Task 1.2 - Concept Design/Master Plan	99 d	Fri 7/22/17	Wed 11/22/17	
53	Master Plan Design Layout/Workshop - FPL Infrastructure -GIS Maps	78 days	Mon 8/15/16	Wed 11/30/16	
54	Master Plan Design Layout/Workshop - ATT Infrastructure - GIS Maps	59 days	Mon 8/15/16	Thu 11/3/16	
55	Master Plan Design Layout/Workshop - Comcast Infrastructure - GIS Maps	70 days	Mon 8/15/16	Fri 11/18/16	
56	Master Plan Design Layout - Street lights - GIS Area Map	55 days	Mon 7/18/16	Fri 9/30/16	
57	Master Plan Design Layout - CC fiber link and Competitor Communications - GIS Map	17 days	Fri 7/15/16	Mon 8/8/16	
58	Major easement Identification, field verification	47 days	Thu 9/1/16	Fri 11/4/16	
59					
60	Task 1.2.3 - Phase Selection and Development	22 d	Mon 8/8/17	Fri 11/2/17	
61	Phase Selection and Development / GIS Map Development of Phasing Limits (first half of project)	45 days	Mon 8/8/16	Fri 10/7/16	

ID	Task Name	Start	Finish	
1	Detailed Design North End (Phase 2 North)	Monday, 8/19/17	Friday, 8/18/18	
2	Data Collection	Monday, 8/19/17	Monday, 11/20/17	
3	Sunshine One-Call Utility coordination and letter request for record data	Monday, 8/19/17	Friday, 8/4/17	
4	Collect/Analyze record information	Monday, 8/19/17	Friday, 8/18/17	
5	Site Survey	Wednesday, 8/21/17	Thursday, 8/17/17	
6	Geotechnical Investigation	Monday, 7/10/17	Friday, 9/29/17	
7	Soft Dig Utility Locates	Monday, 9/11/17	Wednesday, 11/22/17	
8	Site Visit / Determine meter locations	Monday, 7/17/17	Friday, 7/28/17	
9	Utility Preliminary Design	Thursday, 9/14/17	Friday, 1/5/18	
10	FPL Provision of Preliminary Equipment Locations	Tuesday, 9/12/17	Friday, 1/5/18	
11	Easement Coordination	Monday, 1/8/18	Friday, 8/10/18	
12	Determine Easement Needs and Locations	Monday, 1/8/18	Friday, 2/2/18	
13	Send Easement Request Letters to Property Owners	Monday, 2/5/18	Friday, 2/9/18	
14	Procure Easements and Follow up	Monday, 2/12/18	Wednesday, 8/15/18	
15				
16	Construction Documents	Friday, 8/18/17	Friday, 1/1/18	
17	Utility Base Mapping	Friday, 8/18/17	Thursday, 9/20/17	
18	Utility Base Map Development	Friday, 8/18/17	Friday, 9/1/17	
19	Utility Base Map Internal QC	Monday, 9/4/17	Friday, 9/8/17	
20	Utility Base Map Town/Utility Owner Submittal	Monday, 9/11/17	Monday, 9/11/17	
21	Utility Base Map Town Review and Comment	Tuesday, 9/12/17	Tuesday, 9/26/17	
22	Equipment Location Plan Development	Monday, 1/8/18	Thursday, 1/10/18	
23	Equipment Location Plan Development	Monday, 1/8/18	Friday, 2/2/18	
24	Equipment Location Plan Internal QC	Monday, 2/5/18	Friday, 2/16/18	
25	Equipment Location Plan Town Submittal	Monday, 2/19/18	Monday, 2/19/18	
26	Equipment Location Plan Town Review and Comment	Tuesday, 2/20/18	Tuesday, 3/6/18	
27	Conduit Routing Plan Development	Thursday, 2/22/18	Friday, 1/1/18	
28	Conduit Routing Plan Development	Tuesday, 2/20/18	Friday, 5/18/18	
29	Commercial/Customer Owned Services Design	Friday, 3/2/18	Friday, 5/4/18	
30	Landscaping Plans	Monday, 4/2/18	Friday, 5/18/18	
31	Technical Specifications	Monday, 4/2/18	Friday, 5/18/18	
32	Conduit Routing Plan Internal QC	Tuesday, 5/22/18	Thursday, 5/31/18	
33	Conduit Routing Plan Town Submittal	Friday, 6/1/18	Friday, 6/1/18	
34				
35	Bid Phase - Phase 2 North	Monday, 1/8/18	Thursday, 8/2/18	
36	Advertisement for CMAR Procurement	Monday, 1/8/18	Wednesday, 2/7/18	
37	CMAR Recommendation and Award	Thursday, 2/8/18	Tuesday, 3/13/18	

Project: TOPB UG Ph 2 Designr
Date: Mon 9/24/18

Task

Milestone

Summary

Project Summary

Manual Task

Manual Summary

Deadline

Critical

Manual Progress

Critical Split

Progress

ID	Task Name	Start	Finish	
38	Pre-Construction Services	Wed 3/14/18	Mon 7/16/18	
39	Bidding/GMP Development	Mon 6/4/18	Mon 7/16/18	
40	GMP review and Negotiation	Tue 7/17/18	Tue 8/7/18	
41				
42	Town Council Award (Phase 2 North)	Tue 8/14/18	Tue 8/14/18	
43				
44	Start Construction (Phase 2 North)	Wed 8/15/18	Wed 8/15/18	
45	<New Task>			
46	Utility Design and BCE Development - Phase 2 North	Tue 9/12/18	Fri 22/22/18	
47	FPL Design and Preliminary Conduit Routing	Tue 9/12/17	Fri 2/16/18	
48	AT&T and Comcast Design	Tue 2/20/18	Mon 4/30/18	
49	Utility Agreement and BCE Development	Fri 4/13/18	Fri 7/20/18	
50				
51	Detailed Design South End (Phase 2 South)	Mon 22/2/19/18	Tue 1/21/19	
52	Data Collection	Mon 22/2/19/18	Wed 11/22/18	
53	Sunshine One-Call Utility coordination and letter request for record data	Mon 6/19/17	Fri 8/4/17	
54	Collect/Analyze record information	Mon 6/19/17	Thu 8/31/17	
55	Site Survey	Wed 6/21/17	Thu 8/31/17	
56	Geotechnical Investigation	Mon 7/10/17	Fri 9/29/17	
57	Soft Dig Utility Locates	Mon 9/11/17	Wed 11/22/17	
58	Site Visit / Determine meter locations	Mon 7/17/17	Fri 7/28/17	
59	Utility Preliminary Design	Tue 9/26/17	Fri 1/19/18	
60	FPL Provision of Preliminary Equipment Locations	Tue 9/26/17	Fri 1/19/18	
61	Easement Coordination	Mon 1/22/18	Tue 8/12/18	
62	Determine Easement Needs and Locations	Mon 1/22/18	Fri 2/16/18	
63	Send Easement Request Letters to Property Owners	Mon 2/19/18	Fri 2/23/18	
64	Procure Easements and Follow up	Mon 2/26/18	Thu 8/16/18	
65				
66	Construction Documents	Fri 29/1/18	Fri 22/1/18	
67	Utility Base Mapping	Fri 29/1/18	Tue 12/12/18	
68	Utility Base Map Development	Fri 9/1/17	Fri 9/15/17	
69	Utility Base Map Internal QC	Mon 9/18/17	Fri 9/22/17	
70	Utility Base Map Town/Utility Owner Submittal	Mon 9/25/17	Mon 9/25/17	
71	Utility Base Map Town Review and Comment	Tue 9/26/17	Tue 10/10/17	
72	Equipment Location Plan Development	Mon 1/22/18	Tue 2/16/18	
73	Equipment Location Plan Development	Mon 1/22/18	Fri 2/16/18	
74	Equipment Location Plan Internal QC	Mon 2/19/18	Fri 3/2/18	
Project: TOPB UG Ph 2 Designr Date: Mon 9/24/18				Task Milestone Summary Project Summary Manual Task Manual Summary Deadline Critical Manual Progress Progress

ID	Task Name	Start	Finish	
75	Equipment Location Plan Town Submittal	Mon 3/5/18	Mon 3/5/18	
76	Equipment Location Plan Town Review and Comment	Tue 3/6/18	Tue 3/20/18	
77	Conduit Routing Plan Development	Tue 3/6/18	Fri 5/18/18	
78	Conduit Routing Plan Development	Tue 3/6/18	Fri 5/18/18	
79	Commercial/Customer Owned Services Design	Tue 3/6/18	Fri 5/4/18	
80	Landscaping Plans	Mon 4/2/18	Fri 5/18/18	
81	Technical Specifications	Mon 4/2/18	Fri 5/18/18	
82	Conduit Routing Plan Internal QC	Tue 5/22/18	Thu 5/31/18	
83	Conduit Routing Plan Town Submittal	Fri 6/1/18	Fri 6/1/18	
84				
85	Permitting Assistance - Phase 2 South	Tue 5/1/18	Tue 5/15/18	
86	FDOT Utility Permit application	Tue 5/1/18	Tue 5/15/18	
87	FDOT Permit Application Review Process	Wed 5/16/18	Tue 7/17/18	
88	FDOT Landscape Permit and Construction Agreement/MMOA	Mon 10/1/18	Mon 10/22/18	
89	FDOT Landscape Permit and Construction Agreement/MMOA Review Process	Thu 11/1/18	Thu 1/31/19	
90				
91	Bid Phase - Phase 2 South	Mon 1/8/18	Fri 2/8/18	
92	Advertisement for CMAR Procurement	Mon 1/8/18	Wed 2/7/18	
93	CMAR Recommendation and Award	Thu 2/8/18	Tue 3/13/18	
94	Pre-Construction Services	Wed 3/14/18	Mon 7/16/18	
95	Bidding/GMP Development	Mon 6/4/18	Mon 8/20/18	
96	GMP review and Negotiation	Tue 8/21/18	Fri 8/31/18	
97				
98	Utility Design and BCE Development - Phase 2 South	Tue 9/26/17	Fri 2/16/18	
99	FPL Design and Preliminary Conduit Routing	Tue 9/26/17	Fri 2/16/18	
100	AT&T and Comcast Design	Tue 3/6/18	Mon 5/7/18	
101	Utility Agreement and BCE Development	Fri 4/13/18	Fri 7/20/18	
102				
103	UUTF Bid Award Review (Phase 2 South)	Tue 4/2/19	Tue 4/2/19	
104				
105	Town Council Award (Phase 2 South)	Tue 4/9/19	Tue 4/9/19	
106				
107	Start Construction (Phase 2 South)	Wed 5/1/19	Wed 5/1/19	

Project: TOPB UG Ph 2 Designr
Date: Mon 9/24/18

Task

Milestone

Summary

Project Summary

Manual Task

Manual Summary

Deadline

Critical

Critical Split

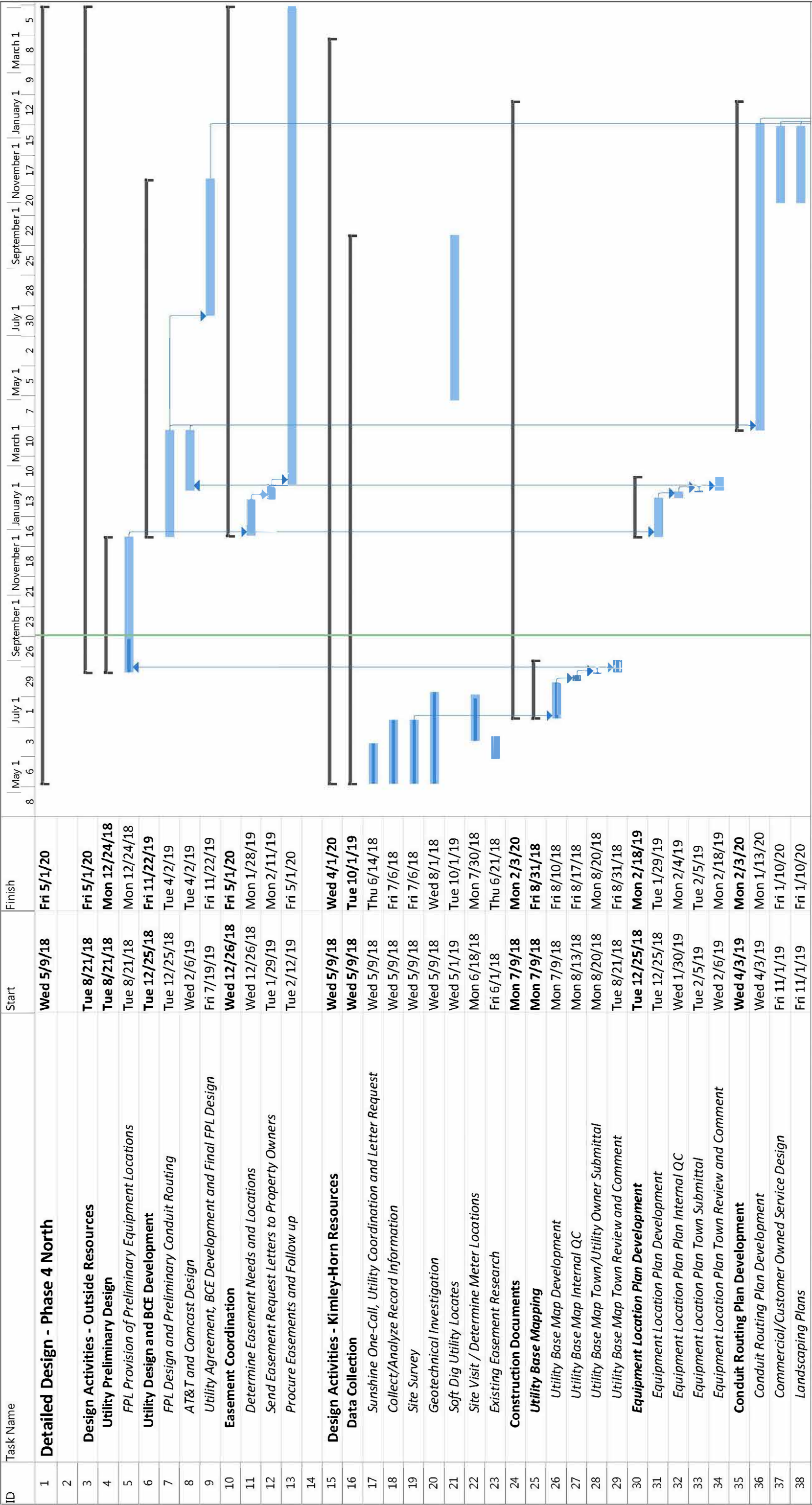
Progress

Manual Progress

Progress

Page 3

ID	Task Name	Start	Finish	February 28 4 11 18 25 4	March 1 11 18 25 4	April 1 8 15 22 29 5	May 6 13 20 27 3	June 10 17 24 1	July 8 15 22 29 5	August 12 19 26 2 9	September 16 23 30 7	October 14 21 28 4	November 11 18 25 2 9	December 6 13 20 27 3	January 10 17 24 3	February 7 14 21 28 4	March 5 12 19 26 2 9	April 2 9 16 23 30 7	May 1 8 15 22 29 5	June 5 12 19 26 2 9	July 2 9 16 23 30 7	August 1 8 15 22 29 5				
1	Detailed Design - Phase 3 North	Thu 2/8/18	Tue 4/30/19																							
2																										
3	Design Activities - Outside Resources	Tue 5/8/18	Tue 4/30/19																							
4	Utility Preliminary Design	Tue 5/8/18	Fri 8/10/18																							
5	FPL Provision of Preliminary Equipment Locations	Tue 5/8/18	Fri 8/10/18																							
6	Utility Design and BCE Development	Mon 8/13/18	Fri 3/15/19																							
7	FPL Design and Preliminary Conduit Routing	Mon 8/13/18	Mon 11/19/18																							
8	AT&T and Comcast Design	Tue 9/18/18	Mon 11/19/18																							
9	Utility Agreement, BCE Development and Final FPL Design	Wed 12/19/18	Fri 3/15/19																							
10	Easement Coordination	Mon 8/13/18	Tue 4/30/19																							
11	Determine Easement Needs and Locations	Mon 8/13/18	Fri 9/14/18																							
12	Send Easement Request Letters to Property Owners	Mon 9/17/18	Fri 9/28/18																							
13	Procure Easements and Follow up	Mon 10/1/18	Tue 4/30/19																							
14																										
15	Design Activities - Kimley-Horn Resources	Thu 2/8/18	Tue 4/30/19																							
16	Data Collection	Thu 2/8/18	Thu 11/1/18																							
17	Sunshine One-Call, Utility Coordination and Letter Request	Thu 2/8/18	Fri 3/16/18																							
18	Collect/Analyze Record Information	Thu 2/8/18	Fri 4/6/18																							
19	Site Survey	Thu 2/8/18	Fri 4/6/18																							
20	Geotechnical Investigation	Tue 5/1/18	Wed 8/1/18																							
21	Soft Dig Utility Locates	Fri 6/1/18	Thu 11/1/18																							
22	Site Visit / Determine Meter Locations	Fri 3/16/18	Fri 4/27/18																							
23	Existing Easement Research	Mon 2/19/18	Fri 3/16/18																							
24	Construction Documents	Mon 4/9/18	Fri 2/1/19																							
25	Utility Base Mapping	Mon 4/9/18	Fri 5/18/18																							
26	Utility Base Map Development	Mon 4/9/18	Mon 4/30/18																							
27	Utility Base Map Internal QC	Tue 5/1/18	Fri 5/4/18																							
28	Utility Base Map Town/Utility Owner Submittal	Mon 5/7/18	Mon 5/7/18																							
29	Utility Base Map Town Review and Comment	Tue 5/8/18	Fri 5/18/18																							
30	Equipment Location Plan Development	Mon 8/13/18	Fri 9/28/18																							
31	Equipment Location Plan Development	Mon 8/13/18	Mon 9/10/18																							
32	Equipment Location Plan Plan Internal QC	Tue 9/11/18	Fri 9/14/18																							
33	Equipment Location Plan Town Submittal	Mon 9/17/18	Mon 9/17/18																							
34	Equipment Location Plan Town Review and Comment	Tue 9/18/18	Fri 9/28/18																							
35	Conduit Routing Plan Development	Mon 10/1/18	Fri 2/1/19																							
36	Conduit Routing Plan Development	Tue 11/20/18	Fri 1/11/19																							
37	Commercial/Customer Owned Service Design	Mon 10/1/18	Fri 1/11/19																							
38	Landscaping Plans	Mon 10/1/18	Fri 1/11/19																							
Project: Phase 3 Detailed Design Date: Mon 9/24/18				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 Task Split Milestone Summary																			Page 1			



Project: Phase 4 Detailed Design
Date: Mon 9/24/18

Task

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

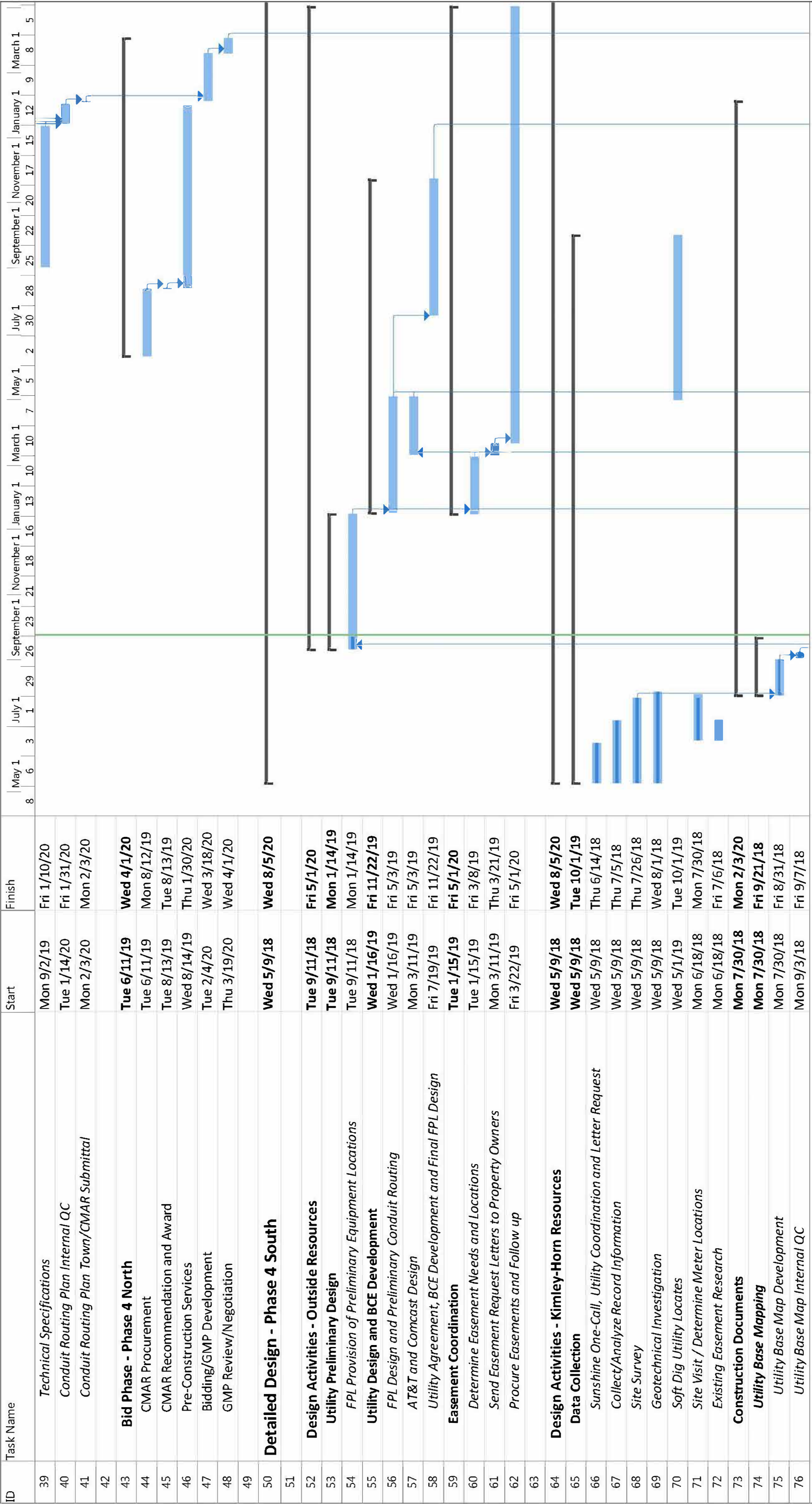
External Tasks

External Milestone

Deadline

Progress

Manual Progress



Project: Phase 4 Detailed Design
Date: Mon 9/24/18

Task

Task

Split

Milestone

Summary

Project Summary

Project Summary

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

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	May 1 8	May 1 6	May 1 3	July 1 1	September 1 26	September 1 23	November 1 18	January 1 13	March 1 10	May 1 7	July 1 30	September 1 25	November 1 20	January 1 15	March 1 8	May 1 5
77	Utility Base Map Town/Utility Owner Submittal	Mon 9/10/18	Mon 9/10/18																
78	Utility Base Map Town Review and Comment	Tue 9/11/18	Fri 9/21/18																
79	Equipment Location Plan Development	Tue 1/15/19	Thu 3/21/19																
80	Equipment Location Plan Development	Tue 1/15/19	Fri 3/1/19																
81	Equipment Location Plan Plan Internal QC	Mon 3/4/19	Thu 3/7/19																
82	Equipment Location Plan Town Submittal	Fri 3/8/19	Fri 3/8/19																
83	Equipment Location Plan Town Review and Comment	Mon 3/11/19	Thu 3/21/19																
84	Conduit Routing Plan Development	Mon 5/6/19	Mon 2/3/20																
85	Conduit Routing Plan Development	Mon 5/6/19	Fri 1/10/20																
86	Commercial/Customer Owned Service Design	Fri 11/1/19	Fri 1/10/20																
87	Landscaping Plans	Fri 11/1/19	Fri 1/10/20																
88	Technical Specifications	Mon 9/2/19	Fri 1/10/20																
89	Conduit Routing Plan Internal QC	Mon 1/13/20	Fri 1/31/20																
90	Conduit Routing Plan Town Submittal	Mon 2/3/20	Mon 2/3/20																
91																			
92	Permitting Activities - Phase 4 South	Mon 1/20/20	Wed 8/5/20																
93	FDOT Utility permit Application	Mon 1/20/20	Fri 1/31/20																
94	FDOT Utility permit Application Review Process	Mon 2/3/20	Fri 4/3/20																
95	FDOT Landscaping Permit Application	Mon 1/20/20	Fri 1/31/20																
96	FDOT Landscaping Permit Application Review and MMOA Execution Process	Mon 2/3/20	Wed 8/5/20																
97																			
98	Bid Phase - Phase 4 South	Tue 6/11/19	Wed 4/1/20																
99	CMAR Procurement	Tue 6/11/19	Mon 8/12/19																
100	CMAR Recommendation and Award	Tue 8/13/19	Tue 8/13/19																
101	Pre-Construction Services	Wed 8/14/19	Thu 1/30/20																
102	Bidding/GMP Development	Tue 2/4/20	Wed 3/18/20																
103	GMP Review/Negotiation	Thu 3/19/20	Wed 4/1/20																
104																			
105	UUTF GMP Review (Phases 4 North and South)	Tue 4/7/20	Tue 4/7/20																
106																			
107	Town Council GMP Review and Award (Phases 4 North and South)	Tue 4/14/20	Tue 4/14/20																
108																			
109	Start Construction (Phases 4 North and South)	Fri 5/1/20	Fri 5/1/20																

Project: Phase 4 Detailed Design
Date: Mon 9/24/18

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

Vincent G. Burkhardt
President



Executive Summary

Vincent G. Burkhardt
President



Executive Summary
For
August 2018

Project Description

Townwide Overhead Utility Undergrounding
Phase 1 North
P.O. # 171308

Project Status:

During the month of August one of the crews continued with permanent pavement restoration mostly along the North Lake Way corridor. A second crew continued with tie ins to transformers, COMCAST boxes, and AT&T boxes. They also resumed setting of the concrete transformer pads, some transformers and switch gears at the south end of the project.

A third crew worked sporadically throughout the month pulling some of the main feeder and primary cables through the conduits.

The project continues to remain within budget and is on schedule.

TOWN-WIDE OVERHEAD UTILITY UNDERGROUNDING
PHASE 1 NORTH
SCHEDULE
RFQ No. 2017-14

ID	Task Name	% Complete	Duration	Start	Finish	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	2019 Jan	Feb
1	Phase I - NORTH	60%	420 days?	Mon 6/12/17	Fri 1/18/19										
2	Fully Executed Non-GAF Agreement	100%	23 days	Mon 6/12/17	Wed 7/12/17										
3	Copy Of Executed Easements	100%	23 days	Mon 6/12/17	Wed 7/12/17										
4	Fully Executed Applicant Installed Agreement With FPL	100%	23 days	Mon 6/12/17	Wed 7/12/17										
5	Fully Executed R/O/W Agreement With FPL	100%	23 days	Mon 6/12/17	Wed 7/12/17										
6	Fully Executed Agreement With COMCAST / AT & T	50%	23 days	Mon 6/12/17	Wed 7/12/17										
7	Town Council Approval	100%	1 day	Tue 6/13/17	Tue 6/13/17										
8	Award Prime Contract	100%	13 days	Wed 6/14/17	Fri 6/30/17										
9	Permitting	100%	15 days	Mon 6/26/17	Fri 7/14/17										
10	Customer Owned Service Connection Permitting	0%	15 days	Mon 6/26/17	Fri 7/14/17										
11	Sub Contract Agreements	100%	23 days	Wed 6/14/17	Fri 7/14/17										
12	Material Procurement	100%	11 days	Fri 6/30/17	Fri 7/14/17										
13	Underground Conduit Installation, Primary/Secondary (FPL, ATT, Comcast)	100%	225 days	Mon 7/17/17	Fri 5/25/18										
14	Feeder Splice Box Installation	100%	15 days	Thu 10/12/17	Wed 11/1/17										
15	Set Transformers / Switch Cabinets (FPL)	85%	75 days	Sun 2/4/18	Thu 5/17/18										
16	Secondary Services / Wire	65%	138 days	Tue 2/20/18	Thu 8/30/18										
17	As-Built Submission / Review (FPL)	95%	47 days	Tue 2/20/18	Wed 4/25/18										
18	Pull Wire / Terminations Primary (FPL)	75%	81 days	Tue 2/20/18	Tue 6/12/18										
19	*ATT Rod Conduit, Pull Wire, Set Pedestals	10%	133 days	Tue 2/27/18	Thu 8/30/18										
20	*Comcast Pull Wire, Set Pedestals	50%	133 days	Tue 2/27/18	Thu 8/30/18										
21	Cut over / Overhead Removal (ATT/Comcast)	0%	45 days	Mon 9/3/18	Fri 11/2/18										
22	Energize Underground (FPL)	0%	30 days	Mon 9/17/18	Fri 10/26/18										
23	Secondary Service Switch Over (FPL)	0%	113 days	Mon 6/11/18	Wed 11/14/18										
24	** Demo Overhead / Remove Poles (FPL) / Final Restoration	0%	90 days	Mon 9/17/18	Fri 1/18/19										
25	*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%													
26	**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%													
27	Storm Drainage	100%	45 days	Mon 7/17/17	Fri 9/15/17										
28	Water Main	100%	79 days	Sun 10/15/17	Wed 1/31/18										



PHASE 2 NORTH
UNDERGROUND CONDUIT
INSTALLATION SCHEDULE *



?? A? 1
?? T E M B E R ? ? 1 8 ? D E ? E M B E R ? ? 1 8

DECEMBER 18 2 FEBRUARY 22 19

?? A?E ? FEBRUARY ??19 ?A?R?? ??19

?? A?E ? A?R??19 ?MAY ??19

?? A?E ? MAY ??19 ??U?Y ??19

?? A?E ? ?U?Y ??19 ?AU?U?T ??19

REPORTED MAY 27 1964

DATED: 9/18/18

SAFETY

Monthly safety inspections are conducted by WT Regional Safety Director. Daily safety inspections conducted by onsite staff.

- ◆ 0 lost time incidents to date
- ◆ 1 recordable incident to date

CONSTRUCTION

- ◆ S. Ocean Blvd (Electrical Undergrounding Crew) - Current location just south of Sloan's Curve. Undergrounding Crews are 100% completed with feeder/primary conduit installation on S. Ocean Blvd. 100% of concrete vaults and pads for all equipment have been installed. 100% of cable pulled to date. Equipment terminations 85% completed. Street Lighting conduit and boxes completed.
- ◆ Ibis Isle AT&T/Comcast conduit installation is completed. Asphalt (drainage) pending.
- ◆ Ibis Isle Watermain replacement in progress and pending fan guard fabrication/installation.
- ◆ Phipps Ocean Park North Restroom demolition completed. Existing utilities have been cut and capped. Site rough grade completed. Utility rough ongoing.
- ◆ Phipps Ocean North Parking Lot Lighting conduit and box installation completed. Pending FPL pole delivery.

DOCUMENTATION:

RFIs:

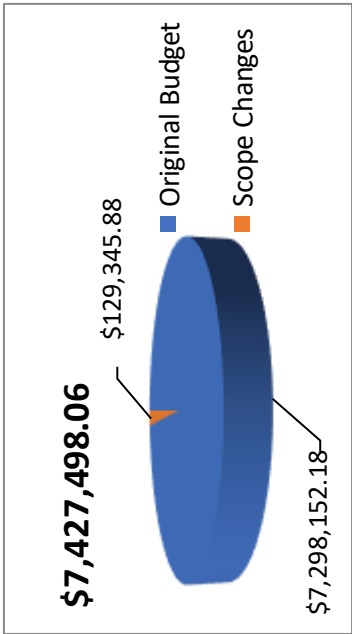
- A. 28 RFIs issued to date
 - B. 1 Outstanding RFI
- SUBMITTALS:
- A. 243+ Individual Submittals Processed
 - B. 1 Submittal Package Currently Under Review
 - C. 2 Submittal Packages Pending Submission to A/E

DRAWINGS: Added Scopes of Work

- A. Post GMP Phipps Ocean Park Restroom Building received January 18th from TOPB.
- B. Post GMP Phipps Ocean Park (North) Lighting—Undergrounding of electrical.
- C. Post GMP A-41 Wastewater Pump Station received January 12th from TOPB
- D. Post GMP Ibis Bridge Watermain Crossing received December 12, 2017 from KHA.

RELEVANT POTENTIAL CHANGES:

FINANCIALS—BUDGET VS. COSTS



Current GMP Amount	—	\$7,427,498.06
Approved Owner Initiated Scope Changes	—	\$129,345.88
Gross Billings to Date (\$)	—	\$4,514,710.94
Gross Billings to Date (%)	—	61%
Schedule % Completed	—	67%



SCHEDULE SUMMARY

S. Ocean Undergrounding -Sta 11+10 to Sta 243+66

DATE	DESCRIPTION	QUANTITY	UNIT	DATE	DESCRIPTION	QUANTITY	UNIT
1514	ATT/Comcast review as-built/inspect/procure wire	20	15	01JUN18 A	08OCT18		
IMP1567	ATT on hold - NO INSTALL PER TOWN	10	10	07SEP18 A	26SEP18		
1530	ATT remove Overhead Facilities	10	10	30OCT18	12NOV18		
1535	Comcast remove Overhead Facilities	10	10	30OCT18	12NOV18		

Ibis Isle

IMP 3013	Hold - No Install by Comcast per TOPB	30	20	25APR18 A	10OCT18
IMP 3012	Additional ATT & Comcast Conduit Install (WT)	10	0	04JUN18 A	31JUL18 A
3100	ATT/Comcast remove overhead facilities	20	20	11OCT18	07NOV18
3065	Energize Primary	10	10	22NOV18	05DEC18
3090	WT's Sub Converts Residential Services (FPL)	45	45	06DEC18	06FEB19
3110	Big Unit #3 Substantial Completion	0	0		08FEB19

Street Lighting

4030	FPL to install Poles & Fixtures	40	15	14AUG18 A	03OCT18
4070	FPL to Setup Pedestrian Detour at Sidewalk	2	2	13SEP18	14SEP18
4020	FPL to Pull Wire/Terminations	15	15	04OCT18	24OCT18
4040	FPL to Energize Light Poles	10	10	25OCT18	07NOV18

Ibis Isle Watermain Crossing

5423	Mobilization	0	0	13SEP18 A	
5429	Setup MOT/Locates	1	1	13SEP18	13SEP18
5431	Restraints/Unload & Fuse Bypass Pipe	1	1	14SEP18	14SEP18
5435	Build/Pour Thrust Blocks	1	1	17SEP18	17SEP18
5439	Install & Test Tapping Sleeve and Valve	1	1	18SEP18	18SEP18
5442	Install 8x4 Wet Taps/Connect 4" Bypass	1	1	19SEP18	19SEP18
5445	Install Pedestrian Detour at Sidewalk	1	1	20SEP18	20SEP18

SCHEDULE NOTES / IMPACTS:

- Street Lighting scope is 100% complete. FPL Street Lighting pole installation has begun. FPL wire installation to begin tentatively.
- Additional AT&T/Comcast Service Conduit at Ibis Isle scope is complete. AT&T direct installation currently on hold and Comcast to proceed per the Town.
- A-41 Pump Station pending delivery of I&C equipment and materials.

**Underground Utility Project Budget
Project Financial Summary
September 30, 2018**

Expenditures	Original OPC	Updated OPC	Budget	Actual	% Expended
Phase 1	\$ 12,620,000	\$ 12,900,000	\$ 12,642,040	\$ 10,239,803	81.0%
Phase 2	\$ 9,170,000	\$ 9,710,000	\$ 5,382,339	\$ 953,918	17.7%
Phase 3	\$ 10,910,000	\$ 11,360,000	\$ 1,222,094	\$ 643,970	52.7%
Phase 4	\$ 10,370,000	\$ 10,910,000	\$ 1,306,043	\$ 248,486	19.0%
Phase 5	\$ 14,090,000	\$ 14,850,000	\$ 81,087	\$ -	0.0%
Phase 6	\$ 16,820,000	\$ 17,690,000	\$ -	\$ -	
Phase 7	\$ 11,730,000	\$ 12,220,000	\$ -	\$ -	
Phase 8	\$ 12,300,000	\$ 12,890,000	\$ -	\$ -	
Other	\$ 570,000	\$ 980,414	\$ 980,414	\$ 1,296,638	132.3%
Total Project Costs To Date*	\$ 98,580,000	\$ 103,510,414	\$ 21,614,017	\$ 13,382,814	61.9%
* Updated OPC includes estimated AT&T credit					
Total Other Costs Outside Underground Budget			\$ 794,169	\$ 1,295,481	163.1%
Total Underground Project Costs			\$ 22,408,186	\$ 14,678,295	65.5%
Opinion of Cost - Master Plan			98,600,000		
AT&T and Comcast Additional Project Costs			6,700,000		
AT&T Credit - TBD					
FPL Credit			(3,300,000)		
Total Project Budget			\$ 102,000,000		
% Budgeted/Encumbered To Date Project Costs			21.19%		
% Spent to Date - Project Costs			13.12%		

Project Revenues Received

Revenues	Budget	Actual	% of Budget
Revenues			
Prepaid Assessments Reserved		\$ 11,581,599	0.0%
Assessment Revenue Reserved	\$ 5,080,000	\$ 4,254,133	83.7%
Commercial Paper	\$ 22,650,000	\$ 22,650,000	100.0%
Town Owned Property Prepaid Assessments	\$ 2,797,291	\$ 2,797,291	100.0%
Interest on Assessment Escrow	\$ -	\$ 199,786	
Interest	\$ 12,000	\$ 199,338	1661.1%
1 Cent Sales Tax	\$ 2,500,000	\$ 916,667	36.7%
Other			
Kevin McGann - CO #9		\$ 34,900	
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	\$ 130,000	\$ 119,167	
Total Project Revenues	\$ 33,978,741	\$ 43,562,330	128.2%

**Underground Utility Project Budget
Phase 1 Project Costs
September 30, 2018**

	Original OPC	Updated 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%
Legal Sketch and Description - Easements			34,000	26,965	79.3%
Subtotal Design Phase	\$ 1,330,000	\$ 1,400,000	\$ 1,310,829	\$ 1,303,778	99.5%
Construction Costs					
Phase 1 North Construction					
Preconstruction			\$ 19,720	19,720	100.0%
Burkhardt Construction			\$ 3,598,144	3,017,052	83.9%
Street Light Conversion			\$ 26,273	26,273	100.0%
Change Order for AT&T and Comcast Conduit			\$ 371,201	291,884	78.6%
Utility Design Costs			\$ 15,595	15,595	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 476,776	187,499	39.3%
Construction Engineering (KH)			\$ 230,532	163,665	71.0%
	\$ 4,210,000	\$ 4,390,000	\$ 4,738,241	\$ 3,721,689	78.5%
Phase 1 South Construction					
Preconstruction			\$ 22,200	22,200	100.0%
Whiting Turner Construction			\$ 4,450,977	3,348,665	75.2%
Change Order for AT&T and Comcast Conduit			\$ 125,147	88,940	71.1%
Other Approved Change Orders - Additional soil borings at Ibis Isle			\$ 2,200	2,200	100.0%
Utility Design Costs			\$ 33,013	33,013	100.0%
Utility Construction Costs (FPL, Comcast, AT&T)			\$ 1,374,193	1,184,090	86.2%
Construction Engineering (KH)			\$ 283,880	228,562	80.5%
	\$ 6,800,000	\$ 6,830,000	\$ 6,291,610	\$ 4,907,670	78.0%
Easement Recording Fees			\$ 347	\$ 312	
Legal Costs/Easement Acquisition - Jones Foster	\$ 280,000	\$ 280,000	\$ 301,359	\$ 306,355	101.7%
Total Phase 1 Costs	\$ 12,620,000	\$ 12,900,000	\$ 12,642,040	\$ 10,239,803	81.0%

Underground Utility Project Budget
Phase 2 Project Costs
September 30, 2018

	Original OPC	Updated OPC	Budget	Actual	% Expended
Phase 2 Design					
Kimley Horn					
Task 1.1 Phase 2 North Design	335,000	360,000	\$ 281,304	\$ 281,304	100.0%
Task 1.2 Phase 2 South Design	400,000	420,000	\$ 335,353	\$ 318,585	95.0%
Task 1.3 Permitting Assistance North and South			\$ 12,674	\$ 5,070	40.0%
Task 1.4 Bid Phase Assistance North and South			\$ 40,565	\$ 32,842	81.0%
Task 1.6 Meetings North and South			\$ 136,617	\$ 67,734	49.6%
Total Phase 2 Design	\$ 735,000	\$ 780,000	\$ 806,513	\$ 705,535	87.5%
Construction Costs					
Phase 2 North Construction					
Preconstruction			\$ 35,000	31,970	91.3%
Burkhardt Construction			\$ 4,015,865		0.0%
Approved Change Orders			\$ -		
FPL Design Cost			\$ 11,759		0.0%
ATT Design Cost			\$ 5,000		0.0%
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, AT&T)				\$ 64,472	
Construction Engineering (KH)			\$ 248,121	\$ 5,276	2.1%
Total Phase 2 North Construction	3,800,000	4,000,000	\$ 4,315,745	\$ 106,300	0.0%
Phase 2 South Construction	-				
Preconstruction			\$ 35,000	-	
Whiting Turner Construction					
Approved Change Orders			\$ -		
FPL Design Cost			\$ 13,330	12,850	96.4%
ATT Design Cost			\$ 5,000		
Comcast Design Cost				\$ 4,582	
Utility Costs (FPL, Comcast, AT&T)				\$ -	
Construction Engineering (KH)					
Total Phase 2 South Construction	4,435,000	4,730,000	\$ 53,330	\$ 17,432	32.7%
Easement Acquisition	200,000	200,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1.5 Easement Assistance North			\$ 64,936	\$ 52,401	80.7%
Task 1.5 Easement Assistance South			\$ 77,466	\$ 51,935	67.0%
<i>Surveys</i>					
Task 1.7 Legal Sketch North			\$ 14,020	\$ 13,568	96.8%
Task 1.7 Legal Sketch South			\$ 16,725	\$ 4,250	25.4%
Advertising				\$ 1,101	
Jones Foster - Legal			\$ 25,000	\$ 265	1.1%
American Acquisition Group			\$ -		
Temp Services			\$ 5,000		0.0%
Recording Costs			\$ 3,605	\$ 1,132	31.4%
Total Easement Acquisition Costs	200,000	200,000	\$ 206,752	\$ 124,652	60.3%
Total Phase 2 Costs	\$9,170,000	\$9,710,000	\$ 5,382,339	\$ 953,918	17.7%

Underground Utility Project Budget
Phase 3 Project Costs
September 30, 2018

	Original OPC	Updated OPC	Budget	Actual	% Expended
Phase 3 Design					
Kimley Horn					
Task 1.1 Phase 3 North Design	\$ 325,000	\$ 350,000	\$ 288,851	\$ 112,075	38.8%
Task 1.2 Phase 3 South Design	\$ 535,000	\$ 580,000	\$ 503,260	\$ 170,213	33.8%
Task 1.3 Permitting Assistance			\$ 13,739		0.0%
Task 1.4 Bid Phase Assistance			\$ 36,834		0.0%
Task 1.5 Meetings			\$ 101,652	\$ 525	0.5%
Deductive Change Order (Scope Change)			\$ (49,840)		0.0%
Total Phase 3 Design	\$ 860,000	\$ 930,000	\$ 894,496	\$ 282,813	31.6%
Construction Costs					
Phase 3 North Construction	\$ 3,700,000	\$ 3,850,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 12,850		
ATT Design Cost					
Comcast Design Cost					
Construction Engineering (KH)					
Daniella Construction - Nightingale/LaPuerta - Townwide portion				\$ 243,470	
FPL Nightingale/LaPuerta - Townwide Portion				\$ 74,900	
Comcast Nightingale/LaPuerta - Townwide Portion				\$ 8,885	
AT&T Nightingale/LaPuerta Townwide Portion				\$ 30,555	
Total Phase 3 North Construction	\$ 3,700,000	\$ 3,850,000	\$ 12,850	\$ 357,810	0.0%
Phase 3 South Construction	\$ 6,090,000	\$ 6,320,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 11,359		
ATT Design Cost					
Comcast Design Cost					
Construction Engineering (KH)					
Total Phase 3 South Construction	\$ 6,090,000	\$ 6,320,000	\$ 11,359	\$ -	0.0%
Easement Acquisition	\$ 260,000	\$ 260,000			
<i>Kimley Horn Easement Assistance</i>					
Task 1 Easement Assistance North and South			\$ 235,953	\$ 3,346	1.4%
<i>Surveys</i>					
Task Legal Sketch South			\$ 37,436		
Jones Foster - Legal			\$ 25,000		
American Acquisition Group					
Temp Services			\$ 5,000		
Recording Costs					
Total Easement Acquisition Costs	\$ 260,000	\$ 260,000	\$ 303,389	\$ 3,346	1.1%
Total Phase 3 Costs	\$ 10,910,000	\$ 11,360,000	\$ 1,222,094	\$ 643,970	52.7%

Underground Utility Project Budget
Phase 4 Project Costs
September 30, 2018

	Original OPC	Updated OPC	Budget	Actual	% Expended
Phase 4 Design					
Kimley Horn					
Task 1.1 Phase 4 North Design	\$ 402,000	\$ 435,000	\$ 312,317	\$ 109,311	35.0%
Task 1.2 Phase 4 South Design	\$ 413,000	\$ 435,000	\$ 451,284	\$ 135,385	30.0%
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	\$ 973	1.2%
Total Phase 4 Design	\$ 815,000	\$ 870,000	\$ 893,879	\$ 245,669	27.5%
Construction Costs					
Phase 4 North Construction	4,605,000	4,820,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 12,757		
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 North Construction	\$ 4,605,000	\$ 4,820,000	\$ 12,757	\$ -	0.0%
Phase 4 South Construction	4,710,000	4,980,000			
Preconstruction					
Construction					
Approved Change Orders					
FPL Design Cost			\$ 13,160		
ATT Design Cost					
Comcast Design Cost					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 4 South Construction	\$ 4,710,000	\$ 4,980,000	\$ 13,160	\$ -	0.0%
Easement Acquisition	\$ 240,000	\$ 240,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance (KH)			\$ 280,270	\$ 2,816	1.0%
Easement Assistance (KH) -- Switches			\$ 62,780		
<i>Surveys</i>					
Legal Sketch			\$ 38,230		
Legal Sketch - Switches			\$ 4,967		
Jones Foster - Legal					
American Acquisition Group					
Temp Services					
Recording Costs					
Total Easement Acquisition Costs	\$ 240,000	\$ 240,000	\$ 386,247	\$ 2,816	0.7%
Total Phase 4 Costs	\$ 10,370,000	\$ 10,910,000	\$ 1,306,043	\$ 248,486	19.0%

Underground Utility Project Budget
Phase 5 Project Costs
September 30, 2018

	Original OPC	Updated OPC	Budget	Actual	% Expended
Phase 5					
Kimley Horn					
Task 1.1 Phase 5 North Design	\$ 520,000	\$ 560,000			0.0%
Task 1.2 Phase 5 South Design	\$ 600,000	\$ 640,000			0.0%
Task 1.3 Permitting Assistance North					0.0%
Task 1.3 Permitting Assistance South					0.0%
Task 1.4 Bid Phase Assistance North					0.0%
Task 1.4 Bid Phase Assistance South					0.0%
Task 1.6 Meetings North					0.0%
Task 1.6 Meetings South					0.0%
Total Phase 5 Design	\$ 1,120,000	\$ 1,200,000	\$ -	\$ -	0.0%
Construction Costs					
Phase 5 North Construction	\$ 5,890,000	\$ 6,200,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 5 North Construction	\$ 5,890,000	\$ 6,200,000	\$ -	\$ -	0.0%
Phase 5 South Construction	\$ 6,750,000	\$ 7,120,000			
Preconstruction					
Construction					
Utility Costs (FPL, Comcast, AT&T)					
Construction Engineering (KH)					
Total Phase 5 South Construction	\$ 6,750,000	\$ 7,120,000	\$ -	\$ -	0.0%
Easement Acquisition	\$ 330,000	\$ 330,000			
<i>Kimley Horn Easement Assistance</i>					
Easement Assistance			\$ 75,696		
Surveys					
Legal Sketch			\$ 5,391		
Jones Foster - Legal					
American Acquisition Group					
Temp Services					
Recording Costs					
Total Easement Acquisition Costs	\$ 330,000	\$ 330,000	\$ 81,087	\$ -	0.0%
Total Phase 5 Costs	\$14,090,000	\$14,850,000	\$ 81,087	\$ -	0.0%

Underground Utility Project Budget
Other Project Costs
September 30, 2018

Master Plan	Budget	Actual	% Expended
Task 1.1 - Data Collection & GIS Base Mapping	\$ 88,021	\$ 88,021	100.0%
Tash 1.1a Data Collection for Future Communications	\$ 23,511	\$ 23,511	100.0%
Task 1.2 - Conceptual Design and Master Plan	\$ 161,756	\$ 161,756	100.0%
Task 1.3 - Project Sequencing and Phasing	\$ 31,244	\$ 31,244	100.0%
Task 1.4 - Assessment of Traffic Impacts	\$ 77,660	\$ 77,660	100.0%
Task 1.5 - Project Delivery Methods	\$ 17,448	\$ 17,448	100.0%
Task 1.6 - Master Plan Document	\$ 45,053	\$ 45,053	100.0%
Task 1.7 - Meetings Master Planning Phase	\$ 113,135	\$ 113,123	100.0%
Task 1.8 - Master Plan Second Half	\$ 40,067	\$ 40,067	100.0%
Subtotal Master Planning	\$ 597,895	\$ 597,883	100.0%
Comcast Preplanning - Master Plan		\$ 12,015	
Community Outreach	\$ 282,519	\$ 197,915	70.1%
Peer Review Study - Patterson & Dewar (\$50,000 Offsetting Revenue)	\$ 100,000	\$ 100,000	100.0%
Commercial Paper Issuance Cost		\$ 200,675	
Commercial Paper Fees		\$ 10,907	
Commercial Paper Interest		\$ 177,243	
Total Other Project Costs	\$ 980,414	\$ 1,296,638	132.3%

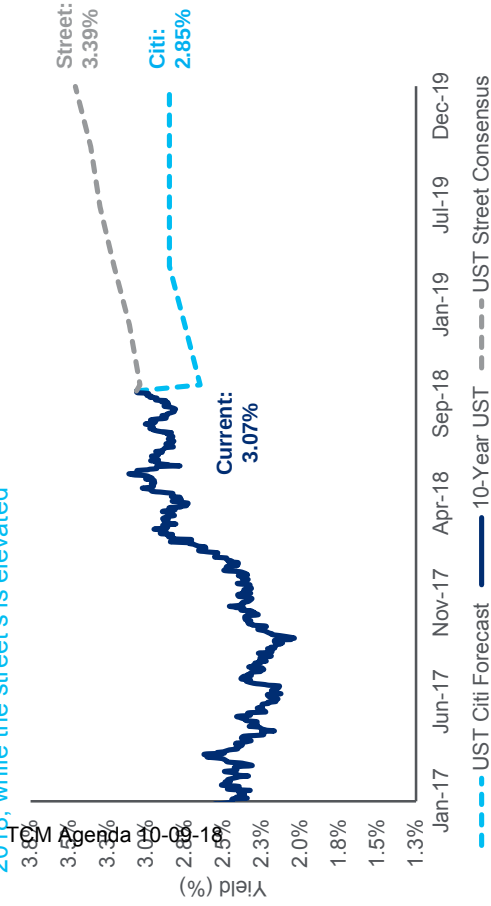
Related Costs Outside of the Underground Project Budget

	Budget	Actual	% Expended
Costs paid from (307) Fund CIP			
Underground City of Lake Worth Section			
Project Design	\$ 25,231	\$ 24,430	96.8%
Project Construction	\$ 351,081	\$ 230,852	65.8%
Project Construction Engineering	\$ 11,607	\$ 9,286	80.0%
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	\$ 395,012	75.2%
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		\$ 292,588	
PBT Real Estate v TPB		\$ 119,652	
Gardner, Bist Bowden, Bush (Shel Wright)		\$ 22,189	
Project Manager -Pay and benefits	\$ 130,000	\$ 160,811	123.7%
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	\$ 794,169	\$ 1,295,481	163.1%

U.S. Rate Forecasts

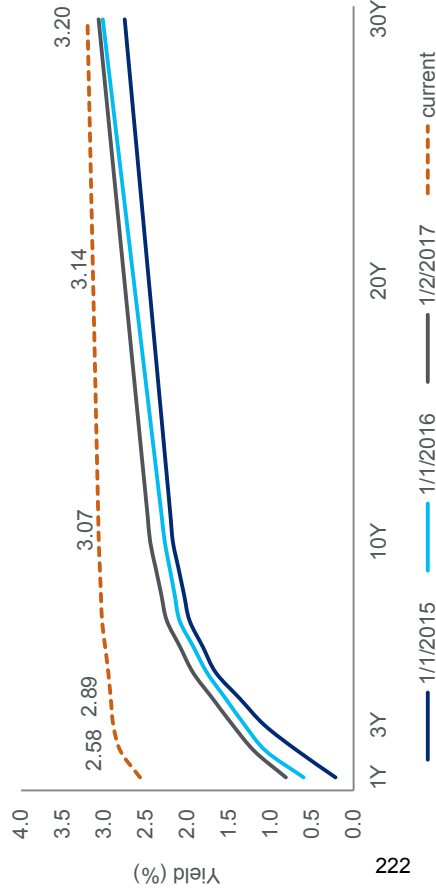
10-Year Treasury Yield Forecast

Citi forecasts a muted interest rate environment through the second half of 2018, while the street's is elevated



US Treasury Yield Curve

The US Treasury curve bear steepened over the past week

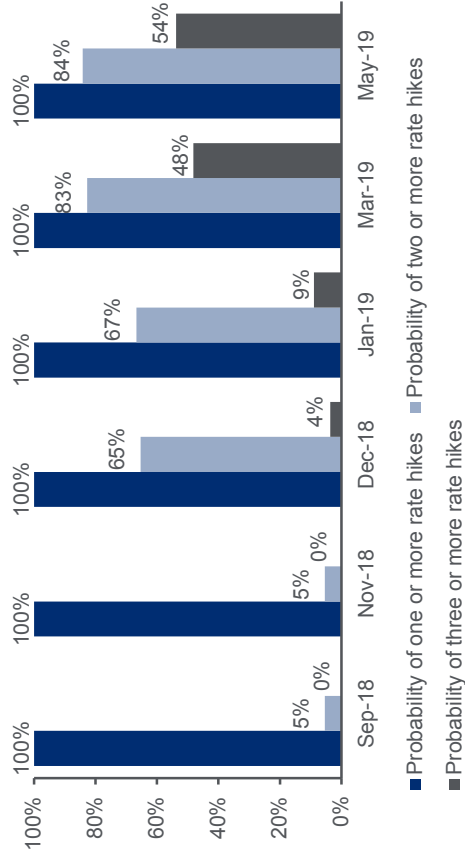


Rate Forecasts

5-Year Treasury	Current	4Q18	1Q19	2Q19	3Q19	4Q19	1Q20
Citi's Forecast	2.95%	2.70%	2.80%	2.85%	2.85%	2.85%	2.85%
10-Year Treasury	Current	4Q18	1Q19	2Q19	3Q19	4Q19	1Q20
Citi's Forecast	3.07%	2.75%	2.85%	2.85%	2.85%	2.85%	2.85%
Economists' Consensus		3.10%	3.20%	3.30%	3.32%	3.39%	3.40%
30-Year Treasury	Current	4Q18	1Q19	2Q19	3Q19	4Q19	1Q20
Citi's Forecast	3.20%	2.90%	2.90%	2.85%	2.85%	2.85%	2.85%
Economists' Consensus		3.25%	3.35%	3.45%	3.50%	3.54%	3.57%
Fed Funds	Current	4Q18	1Q19	2Q19	3Q19	4Q19	1Q20
Citi's Forecast	2.00%	2.50%	2.75%	3.00%	3.00%	3.00%	3.00%
Economists' Consensus		2.50%	2.75%	3.00%	3.00%	3.00%	3.00%

Expectations of Next Fed Increase in Rates

After keeping rates steady at the last FOMC meeting, the Fed is likely to hike rates two more times, with the next hike likely to come this Wednesday



TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

TO: Mayor and Town Council

VIA: Kirk Blouin, Town Manager

FROM: Patricia Strayer, P.E., Town Engineer

RE: **Chicane/Street Choker Installation in Phase 2 North**

DATE: September 28, 2018

STAFF RECOMMENDATION

On October 2, 2018, Town staff presented to the Underground Utility Task Force the details of installing a limited number of Chicanes or Street Chokers within Phase 2 North for undergrounding equipment.

GENERAL INFORMATION

To facilitate the undergrounding of utilities project, the Town has secured numerous easements permitting utility owners the right to use private property to install and maintain undergrounding utility equipment. Optimal equipment placements are determined by the utility companies and reviewed by the Town's consulting engineering firm, Kimley-Horn, for feasibility and cost minimization. While leveraging the Town's Right of Way for equipment installation is preferred, the optimal locations are frequently determined to be located on private property due to engineering parameters, cost considerations, aesthetics and physical constraints. In cases where property owners refuse to grant voluntary easements and no feasible road shoulder exists within the right of way, the Town plans to install a Chicane/Street Choker to facilitate the program and contain the necessary equipment.

Presently, the Town plans to install traffic calming features in three areas within Phase 2 North located on Reef Road, Angler Ave and Esplanade Way, see figures C3.04, C3.13 and C3.01, respectively.

The Florida Greenbook defines the mid-block reduction of the street to a single travel lane in both directions as a "choker." This is an acceptable method of neighborhood entry control per the Florida Greenbook. Staff is using this technique to place the required undergrounding transformer where voluntary easement acquisition could not be achieved. The remaining lane width on Reef is 13', Angler 18' and on Esplanade 10' at the narrowest point (face of curb to face of curb). Please note, the referenced distance is measured at the narrowest choker point and not the lane width for the entire length of the street.

The Florida Greenbook allows lane widths of 9 feet or narrower under constrained conditions, however, since we have more than 9 feet of lane width, we do not need a design exception. Our current lane width at the narrowest point of 10' is acceptable according to the Code (Code sections are attached for reference.) According to the FDOT permit obtained by the Town related to the largest fire engine (it is a

very heavy vehicle and required a permit), the width of the truck is 8'-6". There will be no issue for this truck to be able to pass by the traffic calming feature.

FUNDING/FISCAL IMPACT

Funding for these services are available from the Underground Utility Project Fund leveraging the previously approved budget using proceeds of the GO Bond program. Utilizing traffic calming features avoids the need to utilize condemnation to acquire easements.

PURCHASING REVIEW

Not Applicable

[illegible]

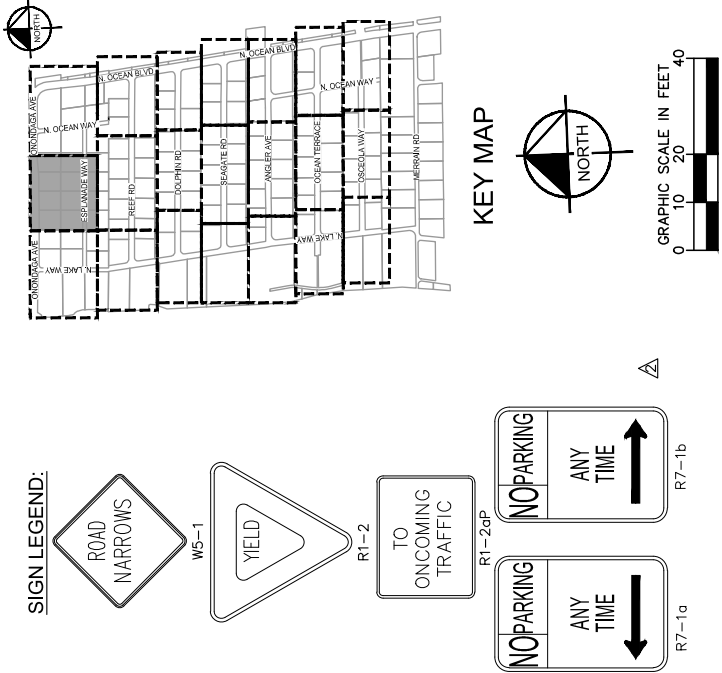
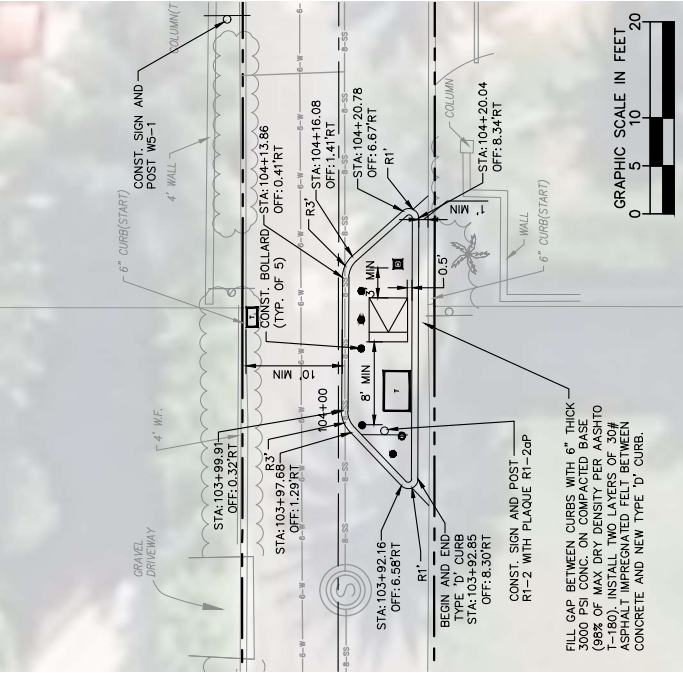
Kimley»»Horn

KHA PROJECT	DATE	SCALE	AS SHOWN	DESIGNED BY	AKP
044063202	SEPT 2018			DRAWN BY	KED
				CHECKED BY	KMS

TOWN-WIDE UNDERGROUNDING PHASE 2 PREPARED FOR TOWN OF PALM BEACH

	LICENSED PROFESSIONAL KEVIN M. SCHANEN FL LICENSE NUMBER 60251 DATE: 09/10/2018
---	---

FPL CONDUIT PLAN	SHEET NUMBER C3.01
------------------	-----------------------



MATCH LINE STA: 105+96, SEE SHEET C3.02

NOTE: INSTALL 3" #57 STONE OVER WEED CLOTH
WITHIN INTERIOR CHICANE AREA

MATCH LINE A, SEE SHEET C3.01

MATCH LINE A, SEE SHEET C3.01

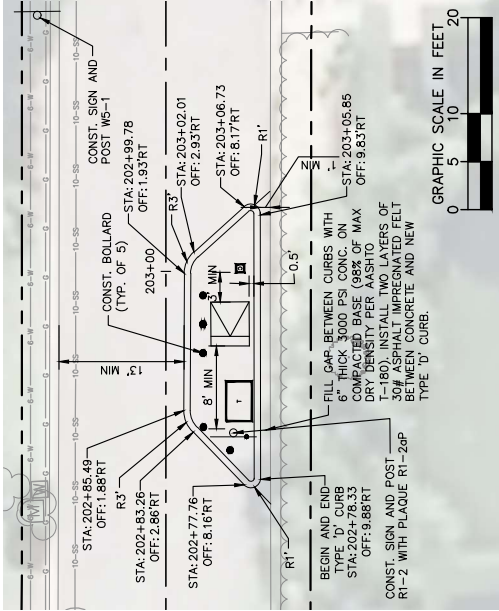
MATCH LINE B, SEE SHEET C3.02

MATCH LINE STA: 201+81, SEE SHEET C3.03

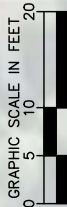
MATCH LINE C, SEE SHEET C3.06

MATCH LINE D, SEE SHEET C3.07

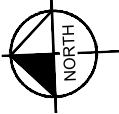
MATCH LINE STA: 206+73, SEE SHEET C3.05



DETAIL B



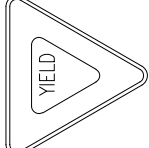
KEY MAP



SIGN LEGEND:



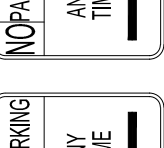
W5-1



R1-2



R1-2aP



R7-1a

ISSUED FOR
CONSTRUCTION



No.	REVISIONS	DATE	BY
Δ	REVISION 2: ISSUED FOR CONSTRUCTION	08/31/2018	KMS
Δ	REVISION 1: JUNE REVISIONS	06/30/2018	KMS

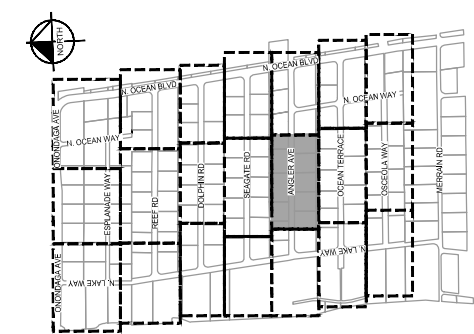
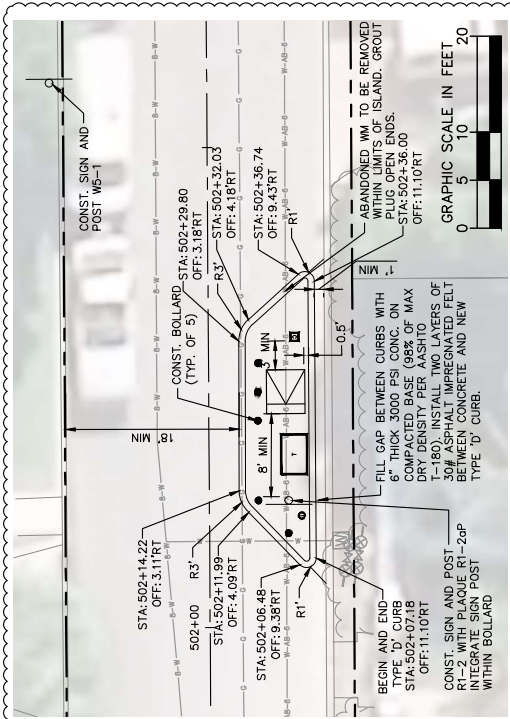


© 2018 KIMLEY-HORN AND ASSOCIATES, INC.
1920 WEKIVA WAY SUITE 200, WEST PALM BEACH, FL 33411
PHONE: 561-845-0665 FAX: 561-863-8175
WWW.KIMLEY-HORN.COM CA 00000696

TOWN-WIDE UNDERGROUNDING
PHASE 2
PREPARED FOR
TOWN OF PALM BEACH
PALM BEACH
FL
DATE: 09/10/2018
FL LICENSE NUMBER
60251
KEVIN M. SCHANEN
LICENSED PROFESSIONAL

FPL CONDUIT PLAN
C3.04
SHEET NUMBER

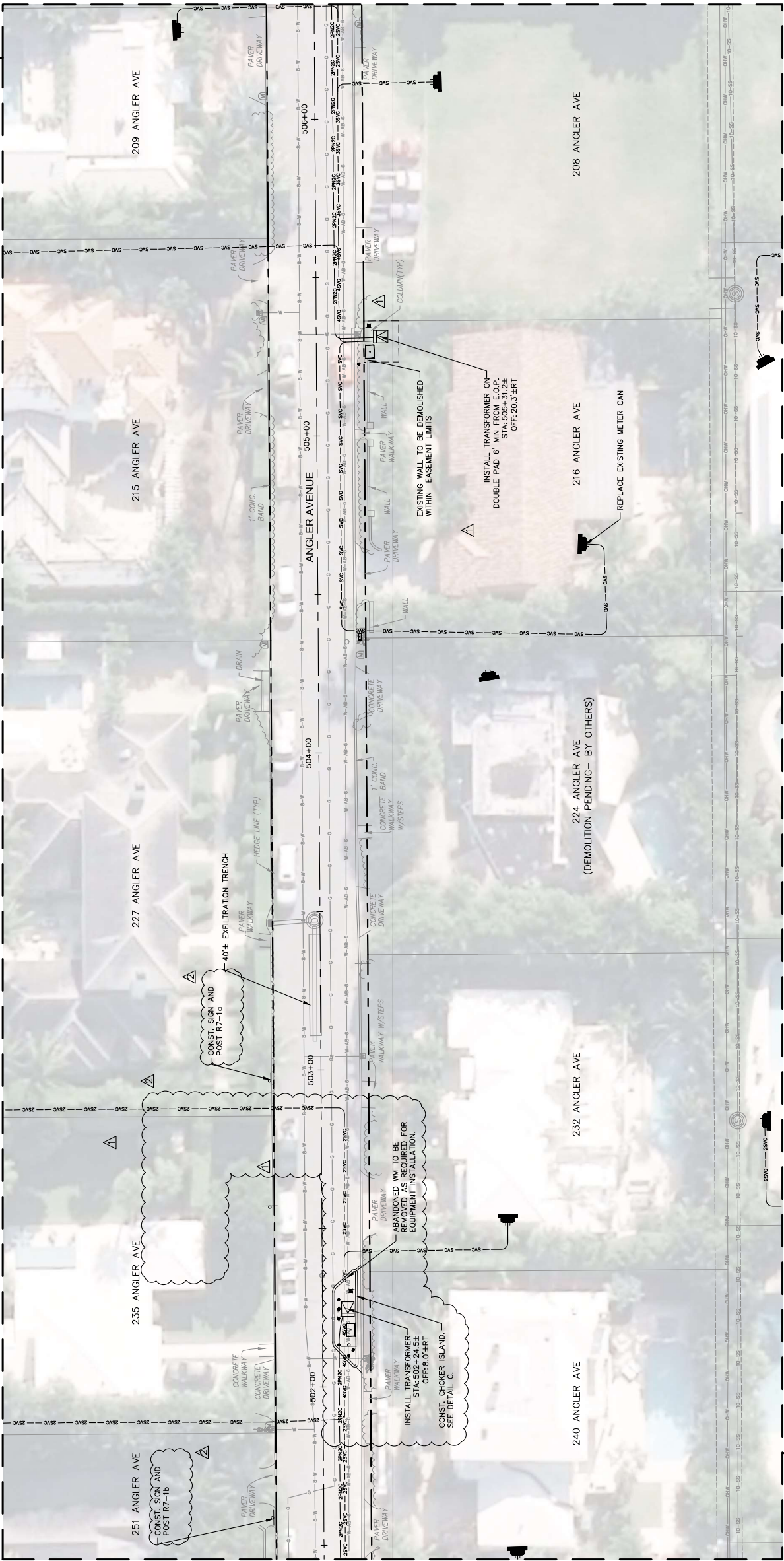
NOTE: INSTALL 3" #57 STONE OVER WEED CLOTH WITHIN INTERIOR CHICANE AREA



MATCH LINE K
SEE SHEET C3.11

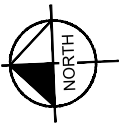
DETAIL C

MATCH LINE J, SEE SHEET C3.10

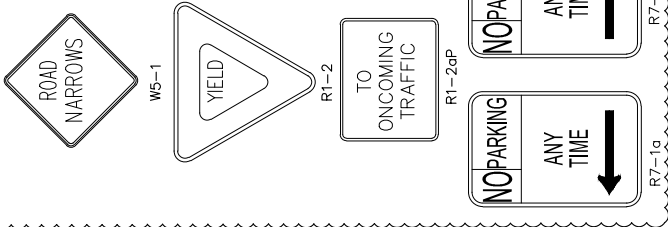


MATCH LINE STA: 501+45, SEE SHEET C3.12

MATCH LINE STA: 506+36, SEE SHEET C3.14



SIGN LEGEND:



ISSUED FOR
CONSTRUCTION

CALL 2 WORKING DAYS
BEFORE YOU DIG
IT'S THE LAW!
DIAL 811
Know what's Below.
Call before you dig.
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

MATCH LINE L
SEE SHEET C3.15

MATCH LINE M, SEE SHEET C3.16

No.	REVISIONS	DATE	BY
1	REVISION 1: JUNE REVISIONS	06/30/2018	KMS
2	REVISION 2: ISSUED FOR CONSTRUCTION	08/31/2018	KMS

Kimley»Horn
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1920 WEKIVA WAY SUITE 200, WEST PALM BEACH, FL 33411
PHONE: 561-845-0665 FAX: 561-863-8175
WWW.KIMLEY-HORN.COM CA 00000696

**TOWN-WIDE UNDERGROUNDING
PHASE 2**
PREPARED FOR
TOWN OF PALM BEACH
PALM BEACH

LICENSED PROFESSIONAL
KEVIN M. SCHANEN
FL LICENSE NUMBER
60251
DATE: 09/10/2018

FPL CONDUIT PLAN

C3.13

SHEET NUMBER



2018/09/19



2018/09/19

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Award a Construction Contract for Pavement Improvements from Onondaga Avenue to East Inlet Drive
Resolution 181-2018

DATE: September 19, 2018

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 181-2018 awarding a purchase order to All County Paving, Inc., piggy-backing The School District of Palm Beach County Bid No. 13C-29K, for pavement improvements from Onondaga Avenue to East Inlet Drive, in the amount of \$368,957.60, and establishing a construction phase budget of \$400,000, including contingency. Town staff also recommends accepting a contribution of \$185,000 from Florida Public Utility (FPU) for a 50 percent (50%) cost sharing of the permanent pavement restoration.

GENERAL INFORMATION

At the June 13, 2017 Town Council meeting, Town Council awarded Burkhardt Construction, Inc. a Guaranteed Maximum Price (GMP) contract and approved a purchase order for the Town-Wide Utility Undergrounding Phase 1 North. The first phase of the undergrounding, Phase 1 North, is from Onondaga Avenue to the Town's northern limits. The scope entails undergrounding of all overhead utilities, Comcast, AT&T, and Florida Power and Light. The project is currently on schedule and the majority of the work has been completed. Pavement restoration was not included in the Burkhardt Construction GMP.

In an effort to obtain competitive pricing, it was found that there are currently a number of existing paving contracts with various governmental agencies that match the services required for this project. Staff was able to obtain a contract between All County Paving and The School District of Palm Beach County. The scope of the contract includes all labor, equipment, and materials for completion of the pavement restoration.

In conjunction with the Town's contractors, FPU has completed a significant amount of construction work within Phase 1 North which has also impacted the roadway. FPU has agreed to reimburse the Town for half of the costs associated with the completion of the permanent roadway restoration instead of securing their own paving contractor to complete their portion of the work.

The work is anticipated to begin as soon as the poles are removed.

Town of Palm Beach	\$184,478.80
Florida Public Utility	\$184,478.80 (to be reimbursed)
Total Paving Cost	\$368,957.60
Contingency	\$ 31,042.40
Total Project Budget	\$400,000.00

The equipment used to remove the utility poles could damage the newly paved roads. Therefore, staff is recommending securing this contract now, but completing the work immediately following the pole removal.

Town staff recommends that Town Council approve Resolution No. XXX-2018 awarding a piggy-back contract to All County Paving, Inc. for pavement improvements from Onondaga Avenue to East Inlet Drive, in the amount of \$368,957.60, and establishing a construction phase budget of \$400,000, including contingency.

FUNDING/FISCAL IMPACT

The funding for one-half of the paving improvements will be from the 307 Pay-As-You-Go Fund. The second half will be funded by Florida Public Utilities.

PURCHASING REVIEW

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

TOWN ATTORNEY REVIEW

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

Attachments

cc: Jane Le Clainche, Director of Finance
Patricia Strayer, P.E., Town Engineer
Jason Debrincat, P.E., Senior Project Engineer
Jeffrey Sanon, P.E., Project Engineer
Dean Mealy, Purchasing Manager

RESOLUTION NO. 181-2018

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AWARDING A CONSTRUCTION CONTRACT TO ALL COUNTY PAVING, INC., FOR PAVEMENT IMPROVEMENTS FROM ONONDAGA AVENUE TO EAST INLET ROAD IN THE AMOUNT OF \$368,957.60 AND ESTABLISHING A TOTAL CONSTRUCTION BUDGET OF \$400,000.

* * * * *

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

Section 1. The Town Council of the Town of Palm Beach hereby awards a piggy-back contract to All County Paving, Inc. for pavement improvements from Onondaga Avenue to East Inlet Drive, in the amount of \$368,957.60 and establishing a construction phase budget of \$400,000, including contingency.

Section 2. The Town Manager, or his designee, is hereby authorized to execute a purchase order increase on behalf of the Town of Palm Beach for this improvement, and is authorized to approve additional tasks, as necessary, within budget.

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

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of October 2018.

Gail L. Coniglio, Mayor

ATTEST:

Kathleen Dominguez, Town Clerk



PAVEMENT MANAGEMENT SOLUTIONS

1180 SW 10th St.,
Delray Beach, FL 33444
Office: (561) 588-0949
Fax: (561) 588-2140

6648 Old Cheney Hwy Unit D,
Orlando, FL 32807
Office: (407) 610-8069
Fax: (407) 380-2001

M&M Asphalt Maintenance Inc. d/b/a ALL COUNTY PAVING

PROPOSAL

2018.08.30.01 AM

August 31, 2018

Customer Information

Attn: Patricia Strayer
Town of Palm Beach
Engineering Department
951 Okeechobee Road Ste A
West Palm Beach, FL 33401
T: 561-838-5440 C: 561-339-7309
pstrayer@townofpalmbeach.com

Project Information

Town of Palm Beach Resurfacing
Phase 1
Palm Beach, FL

SCOPE OF WORK

As per directions to perform the following work:

	Description	QUANTITY	UNIT	UNIT PRICE	TOTAL
Item	Group 3 PAVING (All Work shall be in accordance with Latest FDOT Standards)				
JJ.	Milling 1" Average Depth	31,180	SY	\$ 3.75	\$ 116,925.00
	Group 4 RESURFACING (Includes broom sweep/surface prep and disposal)				
A.	Type II, Compacted 1"	31,180	SY	\$ 7.75	\$ 241,645.00
	Group 12 MISCELLANEOUS ITEMS				
H.	12" White Striping (Paint)	24	LF	\$ 0.75	\$ 18.00
K.	12" White Striping (Thermoplastic)	24	LF	\$ 2.90	\$ 69.60
M.	6" Colored (any) Striping (Paint)	3,400	LF	\$ 0.60	\$ 2,040.00
O.	6" Colored (any) Striping (Thermoplastic)	3,400	LF	\$ 1.90	\$ 6,460.00
NO Item	RPM's Colored (any)	300	EA	\$ 6.00	\$ 1,800.00
TOTAL					\$ 368,957.60

NOTES:

- This specific proposal does not include any task or work item that is not specifically noted, valued, and described in this proposal.





PAVEMENT MANAGEMENT SOLUTIONS

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Orlando, FL 32807

Office: (407) 610-8069
Fax: (407) 380-2001

M&M Asphalt Maintenance Inc. d/b/a ALL COUNTY PAVING

AUTHORIZATION TO PROCEED AND CONTRACT

Propose to furnish the material and perform the labor necessary for the completion of project in accordance to specifications, and subject to conditions stated herein for the sum of:

THREE HUNDRED SIXTY-EIGHT THOUSAND NINE HUNDRED FIFTY-SEVEN DOLLARS AND SIXTY CENTS
\$368,957.60

ACCEPTED: Prices, specifications, terms, and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined below.

PAYMENT TERMS

We agree to pay the total sum or balance in full upon completion of this project.

I am authorized to approve and sign this project as described in this proposal as well as identified below with our payment terms and options.

PAYMENTS TO BE MADE AS FOLLOWS: **Net due upon completion**

Signature of Approval by Client

Printed Name
Title/Position

Date

Sales Representative

Tony Grout

Office: 561-819-3391

Email: tgrout@allcountypaving.com

Project Coordinator

Ashleigh McFarlane

Office: 561-819-3881

Email: amcfarlane@allcountypaving.com





PAVEMENT MANAGEMENT SOLUTIONS

1180 SW 10th St.,
Delray Beach, FL 33444
Office: (561) 588-0949
Fax: (561) 588-2140

6648 Old Cheney Hwy Unit D,
Orlando, FL 32807
Office: (407) 610-8069
Fax: (407) 380-2001

M&M Asphalt Maintenance Inc. d/b/a ALL COUNTY PAVING

CONTRACT TERMS AND CONDITIONS

1. This proposal/contract including all terms and conditions shall become a legally binding attachment to any contract entered into between All County Paving and the financially responsible company for which the work will be performed.
2. In the event that any work is done under this agreement as amended, or any side agreement, by All County which work is on public property, the (Client/Owner) agrees and understands that the project property which it owns shall be charged with all indebtedness hereunder.
3. In the event of any litigation or other proceeding arising out of this agreement, the prevailing party shall be entitled to collect its attorneys' fees and all costs of litigation from the other party, including appellate attorneys' fees.
4. Job site will be barricaded during work. The contractor will not be responsible for persons breaking through barricades, tracking of materials or paint, damages to cars or persons trespassing in designated areas.
5. This contractor recommends a civil engineer be retained for ADA upgrades. As such this contractor makes no claim that ADA upgrades will meet any/all local, state and federal guidelines on ADA compliance.
6. All work is to be completed in a workmanlike manner according to standard practices.
7. Our workers are covered by Workmen's Compensation Insurance.
8. A certificate of Insurance will be issued upon request prior to commencement of work.
9. All agreements contingent upon strikes, accidents or delays beyond our control.
10. Owner to carry fire tornado and other necessary insurance upon above work.
11. All County reserves the right to revisit the site if time has elapsed from the original proposal to acceptance.
12. All material is guaranteed to be as specified.
13. Material Costs Increase: Our prices may change with no warning based on US world oil prices. We base our price when we bid the project based on the price of asphalt at that time. In the event that a price increase happens, you will have a new fee to you as well unless stated in the specifications a guaranteed material price is included.
14. Due to the fluctuations in the petroleum markets, All County reserves the right to impose a fuel surcharge.
15. Due to price fluctuations on material costs, this contractor reserves the right to withdraw the proposal at any time prior to the commencement of work.
16. This proposal specifically excludes the acceptance of a "Pay when Paid Clause" payment clause.
17. Actual Permit Cost, Procurement Fee of \$495.00 per permit and any additional work required by the permit(s) will be extra to the contract amount.
18. Any punch list items must be submitted in writing. No repairs will be made until 90% of the invoice amount has been paid.
19. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate.
20. Any additional mobilizations for Paving will be billed at a rate of \$4,500.00 each.
21. Any additional mobilizations for Sealcoating will be billed at a rate of \$1,750.00 each.
22. Delays to All County shall be paid at rate of \$200.00 per half hour.
23. Any broken car stops will be replaced at an additional cost of \$45.00 each.
24. There will be a charge of \$47.50 above the Contract amount to dispose of used materials at an approved environmentally compliant waste facility.
25. Reflective Pavement Markers are excluded from the warranty. Any additional reflective pavement markers that are required by the city code will be an additional charge of \$10.00 each to the contract amount.
26. Rain: If it's raining the day of scheduled service, assume we aren't coming and we will contact you to reschedule as soon as possible. If it rains after our installation, please contact your representative. We monitor the weather closely and can generally predict this very well. In the event that an unexpected storm happens, we will touch up any areas where sealer has not bonded.
27. All County shall be provided with suitable access to the work area. If All County's work is dependent upon or must be undertaken in conjunction with the work of others, such work shall be performed and completed so as to permit All County to perform its work hereunder in an uninterrupted single shift operation.
28. All County cannot work around vehicles. Management is responsible for towing when owners fail to comply with paving and or sealcoating schedule.
29. Barricaded Parking Lot: It is vital that all vehicles are removed from our area of work no later than 7:15 am, unless otherwise agreed. As you can imagine, our project costs are based on the property having all cars, people and objects off the area of work. Tow Trucks need to be arranged 5 days prior to the start of any work and must be on call to remove cars from the scheduled work zone. If any cars are left on the area of work, we cannot be held responsible for any damage to the vehicle.
30. Site Services: The property is responsible to notify all landscapers and garbage companies to not provide service on our scheduled work day. In the event of a reschedule due to unforeseen conditions, you are required to let all service providers know about the change.
31. Not responsible for any damage to underground utilities.
32. Existing Cracks with vegetation growing should be prepared with a weed killer such as 'Round Up' for several treatments before we arrive on the job.
33. Lawn Fertilization: should not be installed seven days before or after service.
34. New pavement is susceptible to scuffing and marks until it has properly cured. As asphalt is a petroleum-based product the prices are subject to change if oil prices increase dramatically.
35. Large cracks in the existing asphalt may reflect through the new asphalt in time.
36. There will be a tire 'tracking'-this cannot be avoided, but the tracking marks will disappear in time.
37. Standing Water: This contractor cannot guarantee elimination of standing water.
38. The asphalt surface that will be placed on this project will not have the finish and look of a sealcoat application. If sealcoat is desired at a later date, we will be happy to quote you separately.
39. Pavement Sealer: will take several days to fully cure and is sensitive to animal droppings, tree droppings; water stains from irrigation systems, ponding water & tire markings during this time. This is normal and no reason to be concerned, it will fade over time. Areas of shade will take longer to dry and cure then areas in the direct sunlight.
40. Sealcoating is not a crack filler. All existing cracks in the pavement will still be visible for sealcoating.
41. White Chalk Residue in Crack Areas: When sealcoating a parking lot with significant underwater issues a white residue that looks like salt may appear in the areas of cracks through the parking lot. This is a condition where the base material of limestone or another surface is drawn to the top of the surface. Since the surface is a dark black, this will be far more evident for a period of time.
42. Overspray on Grass: where grass meets your pavement, you may expect a small "drift spray" of pavement sealer. This is normal and will disappear generally after the next mowing.
43. Sprinklers: should be off 24 hours prior until 48 hours after service. Avoid lawn cutting during this same period of time. The surface must be dry for our arrival. Areas where the newly sealed pavement is wet may wear prematurely.
44. Please make sure street sweepers are cancelled during the sealcoating projects and should not be used on freshly seal coated properties.
45. If there are any dumpsters in the scheduled area to be Seal coated please have them removed or moved to another area so we can seal under it. If they're not moved, there will be an additional mobilization fee to remobilize.
46. All County guarantees the sealer against peeling or flaking off of stable asphalt for a period of (1) year, excluding normal wear & tear. All County guarantees all workmanship and materials for up to (1) year, excluding normal wear & tear. Warranty starts at conclusion of work and is not valid until payment has been made in full.
47. Driving on Surface: Once you start driving on paved/sealed surface, avoid turning your wheels unless your car is moving. We understand this may be difficult to do but understand that when wheels are turned on a freshly paved/sealed asphalt surface, scuffing and turn marks will be evident.
48. Concrete Repairs: This contractor will not be responsible for damage to grass, sod, irrigation or any other underground utilities. Excavated materials will be left in the islands/landscaped areas.
49. Concrete Grinding: Customer is aware that after grinding of the sidewalks, the concrete will be rough and not uniform in appearance. Customer is also aware that grinding of concrete will not eliminate the potential of a liability issue.



TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Regular Agenda - New Business

Agenda Title

Presentation and Approval of Palm Beach Civic Association's Palm Tree Project.

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **Email from Paul Brazil and Brett Madison regarding costs**
- ▣ **Palm Beach Civic Association presentation**

From: Paul Brazil
Sent: Friday, April 27, 2018 1:40 PM
To: Kirk Blouin <KBlouin@PalmBeachPolice.com>; Jay Boodheshwar <JBoodheshwar@TownofPalmBeach.com>
Cc: Brett Madison <BMadison@TownofPalmBeach.com>
Subject: FW: 1000 Palms for Palm Beach

Kirk,

Brett has calculated the Town's cost to maintain a palm tree to be approximately \$60/tree/year. He has some necessary assumptions and some items that were not quantified.

I would suggest that we use a budget number of \$75/tree/year and a 3% escalator per year to account for increase contractual, commodity, and employee costs. In 10 years, the same tree will cost us \$100/year.

Let me know if you need anything else.

Paul

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

Town of Palm Beach
Public Works Department
951 Old Okeechobee Road
West Palm Beach, FL 33401
Phone: 561-838-5440
www.townofpalmbeach.com

From: Brett Madison
Sent: Thursday, April 26, 2018 1:08 PM
To: Paul Brazil <PBrazil@TownofPalmBeach.com>
Cc: Paul Colby <PColby@TownofPalmBeach.com>; John Lawrence <jlawrence@TownOfPalmBeach.com>
Subject: RE: 1000 Palms for Palm Beach

There are approximately 2,350 Town maintained coconut trees. The palms are trimmed twice per year and treated for lethal yellowing three times per year. The staff and vendor time/duties related to the current inventory of palm trees is detailed below.

Grounds Staff Duties

- Meet with vendor in advance of project to discuss project [set out schedule, collection, start times, prepare traffic impacts, etc]
- Set up advance warning signs.
- Document palms trimmed.
- Document palms missed due to vehicle parking.
- Coordinate collection of palm trimmings by Town staff.
 - o Total for all items – 4 weeks of staff time including overtime [assume \$45 per hour and 2 hours of OT per day] = \$9,900 per seasonal trimming = \$19,800 per year

Vendor Participation - Arborist

- Review of trimming procedures [cleaning of saws between every tree, inspect cuttings for pest infestation] - \$145 per hour – 5 hours per week - \$2,175 per seasonal trimming = \$4,350 per year
- Review of Lethal Yellowing applications and dosage rates on an intermittent basis - \$145 per hour – 4 hours per session = \$580 per session x 3 applications per year = \$1,740 per year

Public Works Staff – Trash Division

- Coordination of collection of trimmings between Supervisors
- Crane trucks and 16 yard trucks collecting trimmings
 - o Estimated total for all items – Trimmings from 160 palms per 16 yard truck/ 2350 palms = 14.7
 - o 14.7 truck loads x 4 hours collection and disposal per truck = 58.8 hrs.
 - o 58.8 hrs. x \$45 per hour = \$2,644 per seasonal trimming = \$5,288 per year.

Grounds Annual Cost - \$19,800

Vendor Annual Cost - \$4,350

Trash Annual Cost - \$5,288

Total Annual Cost - \$29,438

Average Cost per Palm - \$29,438/2350 = \$12.53 per palm

Annual Trimming and LY Program - \$48 per palm

Annual maintenance cost - \$60.53 per palm

NOTE – This estimate is based on current quantities and established bid rates. It does not consider fuel and fluids, vehicle maintenance costs or landfill impacts.

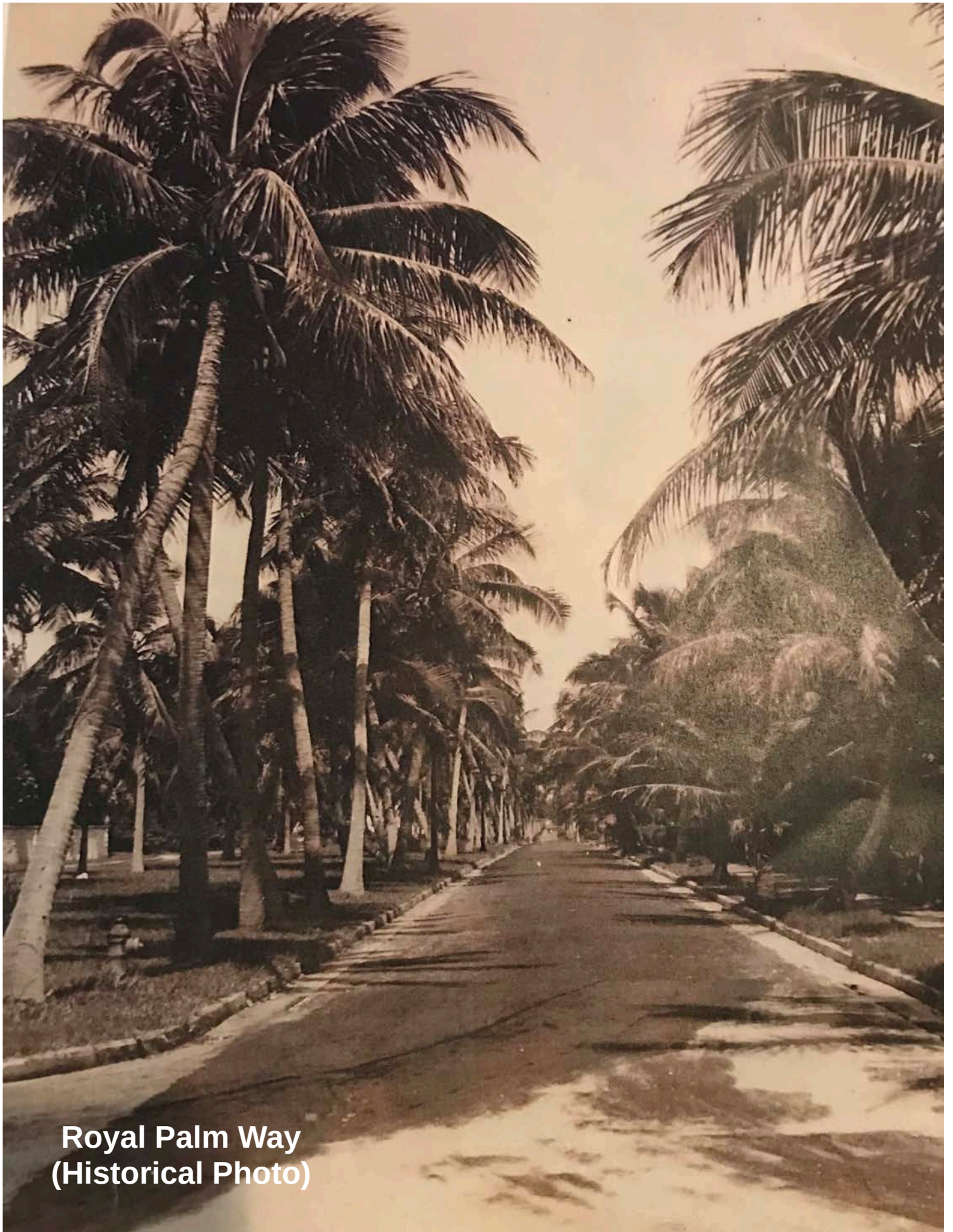
Brett E. Madison
Facilities Maintenance Division Manager
Town of Palm Beach - Public Works
951 Old Okeechobee Rd.
West Palm Beach, FL 33401
Email - Bmadison@Townofpalmbeach.com
Office 561-227-7018, Fax 561-835-4691

75 Palms for Palm Beach:

In honor of the Palm Beach Civic Association's

75th Anniversary





**Royal Palm Way
(Historical Photo)**



**Inspirational Photo
(Seminole Ave)**



**Inspirational Photo
(Everglade Ave)**



**Current Conditions on
Australian Avenue**



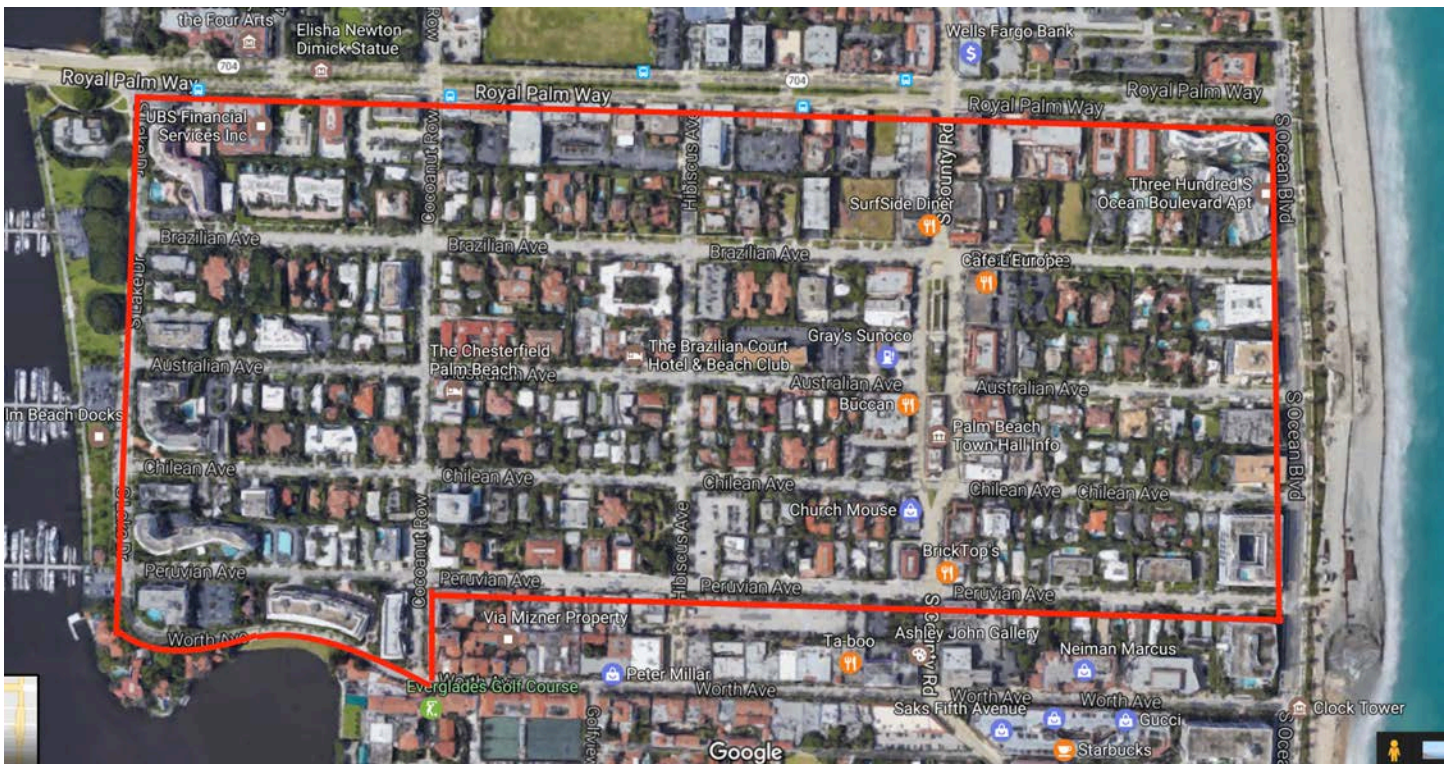
**Proposed Conditions on
Australian Avenue**



Current Conditions on
Australian Avenue



Proposed Conditions on
Australian Avenue



Phase 1 Map

75 Palms for Palm Beach

In honor of the Palm Beach Civic Association's
75th Anniversary

Cocoanut Palm Tree Missing Inventory List Palm Beach "In Town" (Worth to Royal Palm Way) March 2018

Brazilian ROW Landscape Strip (Lake to Ocean)

445	1
440	1
432	1
420	1
416	1
411	1
399	1
340	1
301	2
249	1
234	1 Just west of driveway
227	1
217	1
210	1
331 South County Road	1 Tree pit existing and should be replaced
159	2
140	1
133	1
125	1
330 S Ocean Blvd	2 Near Ocean Blvd Corner
23	

Australian ROW Landscape Strip (East to West)

369 S Lake Drive	2 1 Near corner of S Lake Drive & 1 in Service Drive Circle
436	1
429	1
412	2
330 Cocoanut Row	2
363 Cocoanut Row	1 Along The Chesterfield
328	1 Has stump to be removed as well
322	2 Left and right of driveway
314	1
301	3 Brazilian Court (1 inside circular driveway, 1 to west of drive, 1 to east of drive)
300	2 Brazilian Court Pavilion
236	1
215	1 Town Parking Lot (Nearer to the Sunoco Station driveway)
340 S County Road	1 Between driveways
350 S County Road	1 Along side Bucaan towards corner of S. County
149	2
146	2
140	2
134	1 Right of driveway
137	3
350 S Ocean Blvd	2 1 west of garage entrance and 1 inside circular driveway
340 S Ocean Blvd	2 Inside circular driveway
36	

Chilean ROW Landscape Strip (Ocean to Lake)

400 S Ocean Blvd	1	Along side
360 S Ocean Blvd	3	2 Inside circular drive and one west of garage entrance
129	1	
136	1	
145	1	
149	1	
151	2	
201	1	
222	1	
225	1	
226	1	
230	1	
231	1	
235	1	
242	2	Along Parking Lot
306	1	
320	1	
325	1	
354	4	Island House
401	2	
410	2	
428	2	
434	1	
444	1	
	<u>34</u>	

Peruvian ROW Landscape Strip (Lake to Ocean)

151 Worth Ave	1	Behind Neiman Marcus at greenspace lot
148	1	
101 Worth Ave	2	Near Ocean Blvd and west of driveway entry
400 S Ocean Blvd	4	2 near Ocean Blvd and 2 near garage entry
	<u>8</u>	

South Lake Dr (North to South)

450 Royal Palm Way	1	
325	1	
369	1	
389	1	
	<u>4</u>	

Cocoanut Row (North to South)

396 Royal Palm Way	1	Near parking lot entrance
400 Royal Palm Way	1	Christmas Palm Species Required to match others due to overhead wires
311	1	
315	1	
331	2	
401 Australian	2	Christmas Palm Species Required to match others due to overhead wires
	<u>8</u>	

Hibiscus (North to South)

294	1	
250 Royal Palm Way	1	
306	1	
301 Brazilian	1	
321 Hibiscus	2	Brazilian Court Parking Lot (address was a guess)
301 Australian	2	Alongside hotel
300 Australian	2	Brazilian Court Pavilion
247 Chilean Ave	1	Christmas Palm Species Required to match others due to overhead wires
	<u>11</u>	

Worth Ave (Ocean to Lake)

455	Stump Removal required	
455	4	Along the bend and closer to Chilean
	<u>4</u>	

Grand Total	128
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TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Regular Agenda - New Business

Agenda Title

Discussion Regarding the Frequency of Shore Protection Board Meetings.

Presenter

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- **Memorandum Dated September 27, 2018 From Kirk Blouin, Town Manager**

TOWN OF PALM BEACH

Information for Town Council Meeting on: October 9, 2018

To: Mayor and Town Council

From: Kirk Blouin, Town Manager

Re: Discussion Regarding Shore Protection Board Meetings

Date: September 27, 2018

STAFF RECOMMENDATION

Staff recommends that Town Council discuss the continued necessity of the Shore Protection Board and/or frequency of meetings.

GENERAL INFORMATION

The Shore Protection Board was established in 2008 to serve in an advisory capacity to Town Council on issues relating to shore protection, including, but not limited to, issues relating to beach nourishment, coastal armoring, the sand transfer plant and matters relating to the Town's Lake Worth Lagoon shoreline. This board may have served a very useful purpose at one time, but there appear to be redundancies with the Board and functions of staff and a number of consultants in the field working for the Public Works Department. Additionally, the Board has been venturing into areas that are not under its purview, such as streetlights. Finally, the time that staff takes to prepare for and assist the Shore Protection Board does not seem to warrant the associated cost and loss of productive time. Each month there is a meeting, it takes approximately 64 hours of staff time to prepare for, attend and take minutes for that meeting. In 2017, the Shore Protection Board held six (6) meetings. In 2018, to date, the Shore Protection Board has held four (4) meetings.

Staff is requesting that the Council discuss whether the Shore Protection Board should continue as a board, or at least change the frequency of meetings. Either choice would necessitate a revision to the Code of Ordinances. Currently, Section 2-636(d) states, "*Frequency of meetings*. The board shall meet on an irregular schedule, whenever such meetings be called either at the discretion of the chairman or at the direction of the town council." Rather than the discretion lying with the chair, staff is requesting that this be changed to say, "at the discretion of the town manager or at the direction of the town council."

FUNDING/FISCAL IMPACT

The minimum cost for each Shore Protection Board meeting, including estimated staff time for the Coastal Programs Manager and Administrative Assistant, is approximately \$4,000 per meeting; or approximately \$24,000 on an annual basis for six meetings. This estimation does not include other associated administrative and engineering staff costs.

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Regular Agenda - New Business

Agenda Title

RESOLUTION NO. 182-2018 A Resolution of The Town Council of The Town Of Palm Beach, Palm Beach County, Florida, Approving Award of Selection Committee Recommendation To Evergreen Solutions, LLC that Will Provide Town-Wide Employee Benefit And Compensation Study, RFP 2018-49; and Request Approval To Fund The Project From General Contingency For Amount Of \$32,500 And Establishing A Project Budget of \$40,000 And Authorizing The Town Manager To Execute The Same on Behalf of The Town.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated October 2, 2018, from Dean Mealy, Purchasing Manager**
- ▣ **Score Sheets**
- ▣ **RFP Proposal**
- ▣ **Resolution No. 182-2018**

Information for Town Council Meeting on October 9, 2018

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II, CPPO, Purchasing Manager

DATE: October 2, 2018

RE: Resolution Awarding of Selection Committee Recommendation to Evergreen Solutions, LLC that will provide Town-wide Employee Benefit and Compensation Study, RFP 2018-49
Resolution No. 182-2018

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 182-2018, Selection Committee Recommendation to award contract to Evergreen Solutions, LLC to conduct Town-wide Employee Benefit and Compensation Study, RFP 2018-49; and seek approval for General Contingency Funding for the project.

SUMMARY EXPLANATION/BACKGROUND

The Purchasing Division issued RFP 2018-49 on July 13, 2018. The solicitation was broadcast out to 836 potential vendors via Public Purchase, Demand Star, Town website and recommended vendors provided by Human Resource Department. A total of eight proposers submitted. All eight firms were reviewed by the Selection Committee. The Selection Committee consisted of:

- **Voting** – Danielle Olson, Director of Human Resources; Jane Le Clainche, Director of Finance; Paul Brazil, Director of Public Works; Joshua Martin, Director of Planning, Zoning and Building; Darrel Donatto, Fire Rescue Chief; Nicholas Caristo, Acting Police Chief
- **Non-Voting** – Kirk Blouin, Town Manager; Jay Boodheshwar, Deputy Town Manager; Dean Mealy, Purchasing Manager – Facilitator

The Selection Committee met on September 11, 2018. The Selection Committee shortlisted the following firms for oral presentations:

- Evergreen Solutions, LLC
- Management Advisory Group International, Inc.

For the oral presentation, the Selection Committee utilized ordinal scoring and ranked Evergreen

Solutions, LLC as the recommended vendor. It should be noted that the decision was unanimous to award to Evergreen Solutions, LLC.

FISCAL IMPACT/FUNDING SOURCE

Town Council approval is sought for funding from the General Contingency to award this solicitation in the amount not to exceed \$40,000.

USER DEPARTMENT CONCURRENCE

The RFP scope was drafted by the Human Resource Department and approved by the Town Manager. The Human Resource Department is in concurrence with the Selection Committee Recommendation as they will be the lead for the project.

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

Resolution is in form previously approved by Town Attorney.

CC: Jay Boodheshwar, Deputy Town Manager
Department Directors

RFP No. 2018-49 - Compensation and Benefits Study

SELECTION COMMITTEE RANKINGS

Committee Member	Jano Le Clainche	Danielle Olson	Nicholas Caristo	Darrel Donatto	H. Paul Brazil	Joshua Martin	Total
Company	Rating	Rating	Rating	Rating	Rating	Rating	Average Rating
1 Evergreen Solutions, LLC	4.53	4.40	4.70	4.15	4.65	4.70	4.52
2 Management Advisory Group International, Inc.	4.50	4.40	3.85	4.60	3.55	3.25	4.03
3 Mercer (US) Inc.	3.23	2.80	3.75	3.20	2.45	3.05	3.08
4 Cody & Associates, Inc.	3.35	2.65	2.95	4.45	2.00	2.80	3.03
5 Grant Thornton LLP	3.15	2.60	3.50	3.00	2.30	3.05	2.93
6 Springsted Human Capital Advisors Inc.	2.75	2.65	3.35	3.30	2.65	2.50	2.87
7 SSA Consultants, LLC	2.78	2.15	3.10	2.90	2.15	2.15	2.54
8 Cowden Associates, Inc.	3.00	1.95	2.80	2.80	2.20	2.00	2.46

Short-Listed Firm

**RFP No. 2018-49 - Compensation and Benefits Study
- ORAL INTERVIEWS -**

Committee Member: Jane LeClainche

Proposer	Rank*
Evergreen Solutions, LLC	1
Management Advisory Group International, Inc.	2

Jane LeClainche
Signature

9/28/18
Date

* Rank responses with 1 (First Place) or 2 (Second Place)

Comments:

**RFP No. 2018-49 - Compensation and Benefits Study
- ORAL INTERVIEWS -**

Committee Member: Danielle Olson

Proposer	Rank*
Evergreen Solutions, LLC	1
Management Advisory Group International, Inc.	2

Danielle Olson
Signature

9/28/2018
Date

* Rank responses with 1 (First Place) or 2 (Second Place)

Comments:

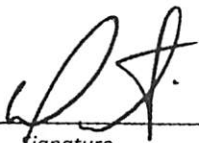
MAG missing information requested

**RFP No. 2018-49 - Compensation and Benefits Study
- ORAL INTERVIEWS -**

Committee Member: _____

NICHOLAS CARISTO

Proposer	Rank*
Evergreen Solutions, LLC	1
Management Advisory Group International, Inc.	2


Signature

9/28/18
Date

* Rank responses with 1 (First Place) or 2 (Second Place)

Comments:

**RFP No. 2018-49 - Compensation and Benefits Study
- ORAL INTERVIEWS -**

Committee Member: Dorel Dwaib

Proposer	Rank*
Evergreen Solutions, LLC	1
Management Advisory Group International, Inc.	2


Signature

9/28/18
Date

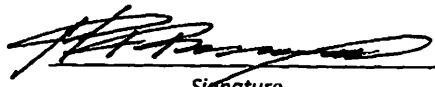
* Rank responses with 1 (First Place) or 2 (Second Place)

Comments:

**RFP No. 2018-49 - Compensation and Benefits Study
- ORAL INTERVIEWS -**

Committee Member: BRAZIL, H. P.

Proposer	Rank*
Evergreen Solutions, LLC	1
Management Advisory Group International, Inc.	2


Signature

9/28/18
Date

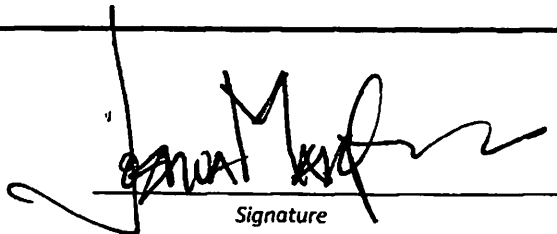
* Rank responses with 1 (First Place) or 2 (Second Place)

Comments:

**RFP No. 2018-49 - Compensation and Benefits Study
- ORAL INTERVIEWS -**

Committee Member: JOSHUA MARTIN (PLANNING, ZONING, BUILDING)

Proposer	Rank*
Evergreen Solutions, LLC	1
Management Advisory Group International, Inc.	2


Signature

28 SEPTEMBER 2018
Date

* Rank responses with 1 (First Place) or 2 (Second Place)

Comments:

EVERGREEN ANSWERED THE KEY QUESTIONS FOR INTERVIEW
MAG DID NOT.

A Proposal to Conduct a
Compensation and Benefits Study
for the Town of Palm Beach, FL
RFP #2018-49

ORIGINAL



Evergreen Solutions, LLC

August 15, 2018

A Proposal to Conduct a Compensation and Benefits Study for the Town of Palm Beach, FL RFP #2018-49

Submitted to:

Town of Palm Beach
Purchasing Office
951 Okeechobee Road, Suite D
West Palm Beach, Florida 33401

Submitted by:



Dr. Jeff Ling, Executive Vice-President
Evergreen Solutions, LLC
2878 Remington Green Circle
Tallahassee, Florida 32308
(850) 383-0111 (ph) / (750) 383-1511 (fax)

August 15, 2018

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APPENDIX: DETAILED RESUMES



Evergreen Solutions, LLC

2878 Remington Green Circle - Tallahassee, Florida 32308
850.383.0111 - fax 850.383.1511

August 13, 2018

Town of Palm Beach
Purchasing Office
951 Okeechobee Road, Suite D
West Palm Beach, Florida 33401

To Whom It May Concern:

Evergreen Solutions, LLC is pleased to submit a proposal to conduct a Compensation and Benefits Study for the Town of Palm Beach. Our response is based on our review of your Request for Proposal (RFP #2018-49), our understanding of the Florida labor market, our experience in working with hundreds of local governments and other public sector organizations, including the Town of Palm Beach, and our knowledge of best practices in human resources management.

Evergreen was formed in 2004 and is a limited liability company that is certified as a W/MBE firm in Florida. We provide an innovative and effective option by focusing on clients needing partners and not simply another service provider. Evergreen employs 14 full-time professionals who provide human resources management consulting.

As a national firm, Evergreen Solutions continues to grow and our territory now includes clients in 45 states. In the State of Florida, Evergreen has conducted over 200 compensation and/or benefits studies for local governments and other public sector organizations.

The following is a list of some of the Florida local government clients that our consultant team has worked with, or is currently on contract to work with, that involved services similar in scope to those being requested: **Town of Palm Beach; City of Palm Beach Gardens; Palm Beach County; Village of North Palm Beach; Solid Waste Authority of Palm Beach County; Health Care District of Palm Beach County; Palm Beach County Clerk's Office; City of Dania Beach; City of Sunrise; City of Coral Springs; City of Tamarac; City of North Miami Beach; City of Hollywood; City of Plantation; City of Sunny Isles Beach; City of Key West; City of Holly Hill; City of Cocoa; City of Daytona Beach; City of Orlando; City of Orange City; City of Winter Park; City of Ocala; City of St. Cloud; City of Kissimmee; City of Maitland; City of Lake City; City of Bartow; City of St. Petersburg; City of Dunedin; City of Bunnell; City of Bushnell; City of High Springs; City of Gainesville; City of Fort Walton Beach; City of Ft. Myers; City of North Port; City of Melbourne; City of West Melbourne; City of Sarasota; City of Fort Walton Beach; City of Panama City; City of Panama City Beach; City of Destin; Bay County; Santa Rosa County; Gadsden County; Gulf County; Pinellas County; Lake County; Alachua County; Hernando County; Osceola County; Citrus County; Seminole County; Manatee County; Martin County; Sarasota County; Charlotte County; Monroe County; Highlands County; Miami-Dade County; Flagler County; Town of Jupiter; Town of Cutler Bay; Town of Davie; Town of Longboat Key; Village of Pinecrest; Miami Shores Village; and many others.** A description of the services provided to these clients as well as other similar organizations can be found in **Tab 4** of our proposal.

The Evergreen Team is able to fully comprehend the challenges and goals of the Town of Palm Beach because of our vast understanding of public sector human resources, and the fact that we possess the

necessary experience and expertise. Information regarding our team's qualifications and experience can be found in **Tab 4**. Detailed resumes are included in the **Appendix**.

Some of the human resource services Evergreen has focused on include: compensation and benefits studies; classification studies; performance management studies; recruitment, hiring, and retention studies; strategic and workforce planning; staffing studies; and disparity studies.

Through our experiences in conducting this wide range of projects, we have gained the knowledge of every aspect of the management and operations involved in public sector human resources. As a result, our team knows how critical a compensation system is to the overall operation of a proficient and progressive local government. We have developed helpful methods and tools that assist our clients in implementing and maintaining our study recommendations and results.

Evergreen understands that the Town of Palm Beach is seeking an outside consultant to conduct a Compensation and Benefits Study in order to attract and retain high quality employees. The hired consultant will determine the effectiveness of the Town's current compensation and benefits plans and recommend changes that will support the Town's goal of being competitive in the marketplace. We have developed an approach and detailed work plan in **Tab 4** of our proposal that addresses all of the requirements in the scope of work of the RFP.

Some of the key facets of our approach include:

- We emphasize communication as the key to successful study completion as well as implementation. Our team understands that compensation by its very nature creates anxiety in staff and managers alike. In order to ensure a successful study process and "buy-in" at implementation, Town administrators, department heads, and employees should be involved in the process. This is a critical component of our communication plan. Continuous communication is ensured through the use of meetings/conference calls and the submission of written progress reports.
- Our methodology utilizes the latest in technology. In order to reduce the cost to our client partners and enhance wider participation, we offer all of our tools in an electronic format. In essence, every step of the process can be done on the Web.
- We understand that one size does not fit all. Some consultants provide the same overall solution to every client; however, we provide a variety of alternatives that allow our client partners to select the solution that best meets their business and human capital needs.

As President of Evergreen Solutions, I am authorized to commit our firm contractually to this engagement. We have reviewed your general terms and conditions, and we acknowledge that we would be able to work within your requirements. Our proposal is valid for 180 days upon receipt of proposals.

We would love the opportunity to again work with the Town of Palm Beach and pledge to you our best effort if selected for this study. If you have any questions, please contact me at (850) 383-0111 or via email at linda@consultevergreen.com.

Sincerely,


Dr. Linda Recio, President
Evergreen Solutions, LLC



4.0 Detailed Technical Proposal

Evergreen is well qualified to conduct a Compensation and Benefits Study for the Town of Palm Beach as we have conducted similar studies throughout the country, including over 200 in the State of Florida. In this section we provide our company's qualifications, a list of similar studies we have conducted or are currently on contract to conduct, the qualifications of our proposed project team, our overall approach for completing this study; a detailed work plan—identifying the tasks, activities, and milestones necessary to accomplish the deliverables included in the scope of services of the Request for Proposal (RFP)—and a proposed timeline.

4.1 Evergreen's Qualifications

Evergreen Solutions is a national, multidisciplinary, public sector management consulting firm, which specializes in working with local governments across the nation. We provide a unique approach, rather than the "consulting as usual" approach, by partnering with our clients to find innovative, real world solutions to public management.

Evergreen Solutions is a limited liability company (LLC) that was formed in 2004 to provide a modern, practical alternative to the typical consulting options. The firm is made up of management and information technology professionals as well as strategic partners who came together to form an innovative alternative that places clients and their needs before any individual, model, or corporate goal.

Evergreen Solutions is a female-owned business, certified as an M/WBE in many states and municipalities across the country, including Florida.

Our main focus is on people, management, and technology. This focus allows our team to provide a broad variety of services, including, but not limited to: compensation and benefits studies; classification studies; performance appraisal system design; workload analyses; recruitment, hiring, and retention studies; strategic and workforce planning; staffing studies; and labor pool availability.

We invite you to browse our Web site at www.ConsultEvergreen.com or visit us on Facebook at www.facebook.com or LinkedIn at www.linkedin.com for more information about our services, staff, and past experience.



Linked 

Evergreen Solutions assists public sector professionals in exercising control over the inter-related elements that determine success or failure. We do that by applying a situation-responsive discipline that emphasizes:

-
- full visibility into the entire organization through research and discovery;
 - a spirit of partnership with local government staff and leadership;
 - sound recommendations based on best practices and proven methods; and
 - a practical go-forward plan that leads to quantifiable results.

Collectively, the members of the Evergreen Solutions Team have:

- extensive experience in conducting compensation and benefits studies for local governments and other public sector organizations throughout the country, especially in the State of Florida;
- comprehensive experience in all components vital to the successful completion of this project;
- knowledge of relevant Florida statutes and state regulations as well as federal regulations;
- objectivity and flexibility due to the fact that we have no vested interests; and
- specialized analytical tools that we bring to the project.



Clients nationwide have been successfully implementing recommendations from our team of professional consultants for decades. Evergreen has contracted with public sector, quasi-governmental, and non-profit organizations in 45 states throughout the country in providing a variety of human resources consulting.

Exhibit 4-1 includes a list of some of the local government and other public sector clients in the State of Florida that our consultant team has worked with, or is currently on contract to work with, that involved similar services to those being requested.

Exhibit 4-1
Select Florida Public Sector Clients

Florida Sheriff's Association	City of Dunedin	Flagler County
Florida Association of Counties	City of Bartow	Hernando County
Florida League of Cities	City of Holmes Beach	Citrus County
Florida Board of Bar Examiners	City of Ft. Myers	Pinellas County
FL Assoc. of Court Clerks & Comptrollers	City of St. Petersburg	Sarasota County
FL Clerk of Court Operations Corporation	City of Daytona Beach	Martin County
Florida Prepaid Tuition	City of Orange City	Bay County
Association for Institutional Research	City of Pensacola	Gulf County
Confidential Office Personnel Association	City of Plant City	Village of Pinecrest
Manatee County Sheriff's Office	City of Plantation	Village of North Palm Beach
Okaloosa County Sheriff's Office	City of Sarasota	Village of Islamorada
Martin County Sheriff's Office	City of Sunny Isles Beach	Town of Ponce Inlet
Nassau County Sheriff's Office	City of Punta Gorda	Town of Juno Beach
Alachua County Sheriff's Office	City of Deltona	Town of Palm Beach
Clay County Sheriff's Office	City of Temple Terrace	Town of Cutler Bay
Marion County Sheriff's Office	City of Kissimmee	Town of Davie
Collier County Sheriff's Office	City of High Springs	WorkNet Pinellas (a/k/a CareerSource Pinellas)
Pasco County Sheriff's Office	City of Clermont	Sarasota-Manatee Airport Authority
Flagler County Sheriff's Office	City of Orlando	Hillsborough Area Transit Authority
Gadsden County Sheriff's Office	City of North Port	Toho Water Authority
Bay County Sheriff's Office	City of Gainesville	Tampa Bay Water
Walton County Sheriff's Office	City of Key West	Health Care District of Palm Beach County
Monroe County Sheriff's Office	City of Coral Springs	Keys Energy Services
City of Fort Walton Beach	City of Clermont	Orlando-Orange County Expressway Authority
City of Panama City	City of Cocoa	Tampa Housing Authority
City of Destin	City of North Miami Beach	Pinellas County Housing Authority
City of Sebring	City of Dania Beach	Manatee County Utility
City of Winter Park	City of Doral	Manatee County Clerk's Office
City of Palm Beach Gardens	City of Sunrise	Palm Beach County Clerk's Office
City of Bunnell	Manatee County	Hillsborough County Clerk of Court & Comptroller
City of Bushnell	Sumter County	Loxahatchee River District
City of Tallahassee	Seminole County	Southwest Florida Water Management District
City of Ocala	Leon County	St. Johns River Water Management District
City of Venice	Gadsden County	South Florida Water Management District
City of Tamarac	Monroe County	Florida Keys Aqueduct Authority
City of St. Cloud	Charlotte County	Brevard County Property Appraiser's Office
City of Lake City	Osceola County	Gadsden County Property Appraiser's Office
City of Cape Coral	Alachua County	Jacksonville Aviation Authority
City of Largo	Santa Rosa County	Solid Waste Authority of Palm Beach County
City of Hollywood	Palm Beach County	Community Action Stops Abuse
City of Maitland	Miami-Dade County	



4.2 Select Relevant Experience in Florida

Evergreen Solutions has conducted hundreds of classification and compensation studies for local governments and other public sector organizations across the country, especially in the State of Florida. Because of this, we include in this section only a sample of some of Evergreen's more recent work in the State of Florida that involved services similar in scope to the services being requested.

Job Analysis and Position Description Development Town of Palm Beach

Evergreen Solutions was retained by the Town of Palm Beach to conduct an evaluation and update of their classification plan. Employees participated by participating in orientation and focus group meetings, completing Job Assessment Tool (JAT) surveys. Analysis was conducted of these surveys and recommendations were made to improve internal equity and accuracy of the job classification descriptions. After analysis was completed, information from the JAT process was used to update and revise class descriptions appropriately.



Classification and Compensation Study Palm Beach County

Evergreen Solutions is retained by Palm Beach County to conduct a Classification and Compensation Study in order to update the current classification and compensation structure. Evergreen will perform the following tasks:

- conduct a job analysis across the County to ensure job descriptions match the duties performed by the employee;
- provide an analysis of all positions—assigning an appropriate salary grade to ensure fairness and equity—and include recommendations for all positions that are found to be above or below the assigned salary grade; and
- conduct a market compensation analysis of salaries and wages of like or similar jobs of comparable Florida public organizations with similar position and organizational characteristics.



Compensation Study Village of North Palm Beach

Evergreen Solutions was retained to conduct a compensation study for the Village of North Palm Beach. The study included evaluating private and public labor market, and making recommendations to improve competitiveness in alignment with the Village's strategic goals. Evergreen's recommendations improved the competitiveness of the Village and helped prepare it for future recruitment challenges.



Compensation and Classification Study City of Palm Beach Gardens

The City of Palm Beach Gardens hired Evergreen Solutions to conduct a comprehensive Compensation and Classification Study to assess the city's internal and external equity. The City had an established track record of regular studies of this nature and sought up-to-date competitive salary and benefits information from both the private and public sector. A salary survey of peer organizations in the local and regional market, to include benefits and total compensation, was conducted to ascertain the City's relative market position. The City maintained the objective of being among the compensation leaders in Palm Beach County, and regular evaluation of this kind was essential in achieving this progressive goal.

The study included a complete classification analysis using Evergreen Solutions' Job Assessment Tool job valuation methodology in addition to a statistical assessment of current conditions. The study concluded with a series of findings and recommendations in a written report which was designed to identify and recommend resolution of any inequities in the system and, if necessary, update the existing classification structure. The City had gone through a considerable reduction in force, which had caused many responsibilities to be shuffled. Job Assessment Tool analysis allowed those duties to be clarified and classifications to be updated as appropriate.



Compensation and Classification Study (Update) City of Palm Beach Gardens

The City of Palm Beach Gardens again hired Evergreen Solutions to conduct a Compensation and Classification Study to assess the city's internal and external equity. A salary survey of peer organizations in the local and regional market was conducted to ascertain the City's relative market position. The City maintained the objective of being among the compensation leaders in Palm Beach County, and regular evaluation of this kind was essential in achieving this progressive goal.

The study included a complete classification analysis using Evergreen Solutions' Job Assessment Tool job valuation methodology in addition to a statistical assessment of current conditions. The study concluded with a series of findings and recommendations in a written report which was designed to identify and recommend resolution of any inequities in the system and, if necessary, update the existing classification structure.



Employee Compensation Study Solid Waste Authority of Palm Beach County

Evergreen Solutions was engaged with the Solid Waste Authority of Palm Beach County (Authority) to conduct an Employee Compensation Study. Evergreen conducted a market-based review and analysis of the Authority's current compensation and classification structure to test the competitiveness of the salaries offered by the Authority, as compared to public and private employers in local and regional markets and benchmarked to the geographic labor market with which they competed. Evergreen consultants also reviewed existing classification/compensation structure and policies (i.e., method of determining individual salary ranges, calculating pay rates for promotions and demotions, methods for across-the-board pay increases and progression through pay ranges, etc.) to determine what policy revisions were necessary and assigned non-benchmark jobs to the pay structure (those jobs for which there was no data or limited market data) based on the Authority's internal equity. Evergreen reviewed the current administrative and classification maintenance procedures and methods to ensure continued equity in the fairness and competitiveness of the salary plan and recommended modifications and assisted with the development of policy and prepared implementation strategy and cost analysis.

Note: Evergreen continues to provide compensation consulting to the Authority on an as needed basis.



Compensation Analysis Health Care District of Palm Beach County

Evergreen Solutions was retained to conduct an executive compensation analysis for the Palm Beach Health Care District. A salary survey was conducted for similar organizations and current compensation levels were compared.

Note: Previous to this study, Evergreen conducted an Executive Compensation Study for the District.



Compensation and Classification Study Town of Davie

Evergreen Solutions was engaged with the Town of Davie to conduct a Compensation and Classification Study. Evergreen conducted a comparison analysis of all employees within the Town and analyzed the job tasks for each position surveyed by best match and benchmark pay ranges to local public sector markets. Evergreen conducted a review of job classifications for appropriate internal equity and identified functional overlap and efficiencies in departmental structures and relationships. Evergreen further conducted a job task analysis/job audit of all employee positions to



verify and validate information from existing job descriptions and conduct personal interviews with employees, supervisors, and directors, as needed. Evergreen identified and designated all high-risk and/or safety-sensitive classifications and included the appropriate pre-employment screening requirements as mandated by federal, state and local statutes.

Evergreen reviewed existing salaries to determine proper placement within proposed classifications, and recommended appropriate "equity adjustments" as needed. Evergreen determined if classifications were correctly placed in organizational hierarchy and reviewed whether individual positions were classified correctly. In the end, Evergreen provided the Town a recommended classification and compensation structure and a system for maintaining the recommended structure.



Classification and Compensation Study Miami Shores Village

Evergreen was retained by Miami Shores Village to conduct a Classification and Compensation Study for all employees. Employees participated in focus groups, interviews, and a job analysis to determine the best classifications for the work performed. Pay ranges were analyzed in the public and private sector to determine the appropriate pay levels for all included jobs. Recommendations were provided to improve the fairness and equity within the Village.



Compensation and Classification Analysis Village of Pinecrest

Evergreen Solutions was hired by the Village of Pinecrest to conduct Classification Reviews and compensation market analysis utilizing Job Assessment Tool responses and salary survey processes. Evergreen Solutions consultants conducted on-site orientation sessions and focus group meetings where employees were informed of the content of the JAT and coordinated with Village representatives to conduct the JAT in a timely manner. The Village also contributed to a list of benchmark classifications and targeted peer organizations for the external market analysis. At the conclusion of the study the Village was presented with revised and formatted Job Descriptions which reflect up-to-date job tasks and requirements as well as recommendations and implementation strategies for addressing internal and external equity. Each classification was also reviewed for FLSA compliance.



Employee Compensation Consultant Services City of Coral Springs

Evergreen Solutions was engaged with the City of Coral Springs to provide employee compensation consultant services. The purpose and intent of the study was to compare and contrast the City's current salary structure and levels with those of key competing employers and to determine the City's competitive position within the marketplace. Evergreen analyzed each position within the City by conducting interviews and evaluating position descriptions and duties. Evergreen also interviewed department heads and assessed classifications within positions to determine whether classifications need to be revised. Based on the review, Evergreen recommended pay and classification strategies for the City in order to attract and retain talented employees.



Salary Survey City of Dania Beach

Evergreen Solutions was retained by the City of Dania Beach to conduct a salary survey to compare 40 benchmark positions against municipalities of comparable size within the tri-county area, and to make recommendations to improve the competitiveness of the City in recruiting and retaining qualified staff.



Job Classification and Compensation Study City of Sunrise

Evergreen Solutions is engaged with the City of Sunrise to conduct a Job Classification and Compensation Study of its 1,200 employees. The City is at the geographic center of the tri-county metropolitan area comprised of Miami-Dade, Broward and Palm Beach Counties and has a reputation for strong financial management, aggressive economic development, outstanding police and fire rescue services, leadership on regional issues, and support for its public schools.

Evergreen will conduct a comprehensive evaluation of the City's current classification structure and related policies and practices as well as comparative analysis of position classifications to determine relative work within the organization and for the establishment of appropriate pay grades. Evergreen will work with the City to identify the proposed labor market and benchmark classes and public and private agencies/markets that are similarly situated to the City to include in the salary survey. A comprehensive total compensation and benefits survey will be distributed to comparable peers that not only assess job titles but also accounts for actual corresponding job duties and responsibilities.



Evergreen will further conduct interviews with employees in single position classifications, a representative sample of employees in multiple position classifications, and appropriate management personnel in order to validate the information pertaining to job duties. Information will be obtained from employees through the distribution of a job assessment tool Evergreen will use the information obtained from the JAT to perform a job analysis to verify and validate information with existing job descriptions to determine if classifications are correctly allocated in an organizational hierarchy.

In the end, Evergreen will summarize the methodology, techniques, and data used to develop the proposed compensation and classification plan and will provide recommendations for a classification and compensation structure that reflects the City's overall classification and compensation strategies. Evergreen will further recommend pay grades, grade pricing and salary ranges for all existing and proposed classification. **Note:** This project is nearing completion.



Compensation Study City of Hollywood

The City Hollywood retained Evergreen to conduct a compensation study of all non-represented employees and then again for AFSCME employees (i.e., approximately 66 Professional and Supervisory employees in 38 different job classifications). A job-task analysis/job audit was conducted to determine whether classifications were correctly placed in the organizational hierarchy and whether individual job positions were classified correctly. Evergreen reviewed job descriptions using the Job Assessment Tool job valuation methodology and conducted a statistical assessment of current conditions to ensure compliance with federal and state laws including proper designation of classifications as "exempt" vs. "non-exempt". Evergreen conducted a comprehensive survey to ensure that the City of Hollywood's compensation plan was equitable and competitive in its total compensation package relative to internal factors and external markets (The City's goal was to be in the top 25% in salary). Evergreen's consultants reviewed existing salaries to determine proper placement within proposed classifications, and recommend appropriate "equity adjustments" as needed, based upon the results of the salary survey and the recommended pay plan.

Evergreen concluded the study with recommendations designed to alleviate any strains on the current compensation and classification system. Evergreen further recommended procedures, policies, and methods to maintain an on-going Classification & Compensations Plan that was performance based, fair and competitive. In addition, Evergreen's consultants developed policies and procedures for developing and maintaining a career track/progression/retention program and reviewed existing performance appraisal system in order to make recommendations to integrate the performance appraisal system with new Classification & Compensation Plan.



Benchmark Compensation Study City of Plantation

Evergreen Solutions was retained by the City of Plantation to conduct a Benchmark Compensation Study and develop a city-wide compensation plan for the City, taking into account internal and external equity. Evergreen developed recommendations and guidelines for the continued administration and maintenance of the compensation structure, including recommendations and guidelines related to how employees will move through the pay structure/system as a result of transfers, promotions, demotions and employees whose base pay is at the maximum of their pay range in their positions; including proposal for the proper mix of pay, how often to adjust pay scales and survey the market, and how to keep the system fair and competitive over time.



Pay and Classification Study City of Doral

Evergreen Solutions was engaged with the City of Doral to conduct a Pay and Classification Study. Employees participated in focus groups, interviews, and a job analysis was conducted to determine the best classifications for the work performed. In addition, salaries were analyzed in the public and private sector to determine the appropriate salary for all included jobs. Recommendations were provided to improve the fairness and equity in the current classification and compensation system. **Note:** Evergreen was also hired in 2007 to conduct a Compensation, Classification, and Value Engineering Study.



Compensation Study City of North Miami Beach

Evergreen Solutions was retained by the City of North Miami Beach to conduct a compensation study. Evergreen consultants reviewed pay ranges in the public and private sector to determine the appropriate pay levels for all included jobs (up to 60 benchmarks). Recommendations were provided to improve the fairness and equity within the City. Evergreen provided City staff with the necessary training and materials so that an understanding of the methodology—and how to implement, administer, and maintain the recommended compensation system—was accomplished.



Classification and Compensation Study City of Sunny Isles Beach

Evergreen Solutions was retained by the City of Sunny Isles Beach to conduct a classification and compensation study for all its employees. Employees participated in focus groups, interviews, and a job analysis was conducted to determine the best classifications for the work performed. Pay ranges were analyzed in the public and private sector to determine the appropriate pay levels for all included jobs and recommendations were provided to improve the fairness and equity in the current system.



Classification and Compensation Study City of Lake City

Evergreen Solutions was retained by the City of Lake City to conduct a Classification and Compensation Study. Evergreen's consultants reviewed the City's current classification and compensation plan and identified and recommended a consistent and competitive market position that the City could strive to maintain based on a salary survey results from peer organizations. Evergreen recommended an appropriate salary range for each position in the City based on a review and analysis of the classification plan, the compensation survey results, internal relationships, and external and internal equity. Evergreen further provided recommendations for the ongoing internal administration and maintenance of the proposed compensation and classification plan.



Salary and Benefits Survey City of St. Cloud

Evergreen Solutions was retained by the City of St. Cloud to conduct a Salary and Benefits Survey. Evergreen's consultants reviewed the effectiveness of the City's current salary and benefits plan as it related to the market competitiveness for attracting and retaining quality employees. Pay ranges were analyzed in the public and private sector to determine the appropriate pay levels for all included jobs and recommendations were provided to improve the fairness and equity in the current system.

Previously Evergreen was hired to conduct a Compensation and Classification Study for the City.



Classification, Compensation and Other Related Services Study City of Maitland

Evergreen Solutions was retained by the City of Maitland to conduct a comprehensive evaluation of their compensation and classification plans and practices. Employees participated in the project by attending focus groups, participating in interviews, and completing Job Assessment Tool surveys to determine the accuracy and equity of the classification plan. In addition, pay ranges were analyzed in the public and private sector to determine the competitiveness of the City's pay plan for all included jobs. Recommendations were provided to improve the accuracy, fairness and equity of the overall plan.



Salary Survey and Job Analysis on Selected Positions City of Kissimmee

Evergreen Solutions was hired last year by the City of Kissimmee to conduct a Salary Survey as well as a Job Analysis on selected positions (i.e., Police and Fire). The intent of the study was to compare and contrast the City's current salary structure and levels with those of key competing employers so that a determination could be made regarding the City's competitive position within the marketplace.

Note: Evergreen also conducted a Salary, Benefits, and Classification Study for the City.



Classification and Compensation Job Classification Analysis City of St. Petersburg

Evergreen Solutions was retained by the City of St. Petersburg to conduct a Job Classification Analysis in order to update and produce approximately 648 legally-compliant job descriptions that would include 6 – 8 core competencies each. Evergreen's consultants: analyzed all city job descriptions, both full-time and part-time positions, and determined the core competencies for each classification; and revised classifications and competencies that formed the foundation of the City's recruitment, learning management, performance management, and succession planning programs.

Evergreen met with HR staff and department heads to discuss roles, competency model options, and project processes and adjusted the competency survey that was used in conjunction with the Job Assessment Tool (JAT) that was administered to a representative sample of the City's 3,150 full- and part-time staff. Evergreen



reviewed the work performed by each classification and scored and reviewed supervisory comments for any anomalies or discrepancies discovered. Evergreen created task inventory and job families based on JAT responses and organizational charts and identified the degree of overlap in tasks between jobs in similar job families. From this, Evergreen identified root factors in each task grouping and linked to any underlying behavioral factors.



Classification and Compensation Services City of Dunedin

Evergreen Solutions was engaged with the City of Dunedin to provide and Classification and Compensation Services. Evergreen analyzed each position within the City by conducting interviews; evaluating employee position descriptions and duties; interviewing department heads; assessing classifications within positions; and making FLSA determinations. Evergreen presented a proposed classification structure to City management, including a cost analysis for positions that would require adjustments. Evergreen also conducted a comprehensive survey of public and private labor market comparables designed to include salary ranges, and actual salaries to ensure that the City's compensation was equitable and competitive relative to internal factors and external markets.



Classification and Compensation Study City of Cocoa

Evergreen Solutions was hired by the City of Cocoa, located in Brevard County, to conduct a Classification and Compensation Study for its 444 employees. Evergreen's consultants performed a comprehensive survey of the City's job classifications, pay structures and benefits and provided recommendations to the City for implementation of the proposed changes in order for the City to maintain internal and external equity. The City's objectives for the study was: to attract and retain qualified workers who will be paid an equitable salary and benefit package; provide fair salaries for all workers of the City; and provide a salary structure that enables the City to maintain a competitive position with other cities and companies within the same geographic area.

The City's current Pay and Classification Plan consisted of four different classifications:

- General Employees: The current pay structure is set up in pay grades with steps (varying in numbers, up to 16 steps).



- Laborers' International Union of North America (LIUNA): These positions consist of 16 different pay grades with established minimum and maximum pay ranges.
- Coastal Florida Police Benevolent Association (PBA): These positions consist of three (3) different pay grades with established minimum and maximum pay ranges.
- International Association of Firefighters (IAFF): These positions consist of two different pay grades with established minimum and maximum pay ranges.



Human Resource Consulting Services (Compensation Study) City of Orlando

Evergreen was retained by the City of Orlando to provide human resources consulting services by conducting a compensation study. Evergreen reviewed the City's compensation system, selected targets and benchmarks for market comparison, conducted a market survey, and developed strategic positioning recommendations to keep the City's compensation plan competitive.



Compensation Analysis City of Orange City

Evergreen Solutions was engaged with the City of Orange City to conduct a Compensation Analysis. Evergreen's consultants estimated the City's market position, refined pay plan, and slotted incumbents based on data that was collected from the region.



Classification and Compensation Study City of Winter Park

Evergreen Solutions assisted the City of Winter Park's Human Resources Department with conducting a comprehensive classification and compensation study for all full-time employees. The project centered on providing the City with a revised system that was characterized by internal and external equity. To ensure internal equity, Evergreen utilized its Job Assessment Tool (JAT) and Management Issues Tool (MIT) to properly classify work performed and highlight issues to be addressed by management. Employees at all levels were also provided a forum to voice



concerns with the current system through focus groups. Evergreen also selected benchmarks and peer organizations to survey for wages in comparison to the market. This information was combined with the job analysis to provide a comprehensive solution. The recommended solutions were costed out and presented to the City for review.



Compensation and Classification Study City of North Port

Evergreen Solutions was retained by the City of North Port to conduct a Compensation and Classification Study by performing a market study to assess the City's existing compensation and classification plan. The goals for the study were to:

- assess the current compensation and classification structure;
- identify and address internal compensation inequities and recommend adjustments to job titles to better fit assigned duties where necessary;
- review job families/hierarchies throughout the organization;
- support a market-driven compensation plan and system that is designed to incentivize, recognize and retain its employees;
- recommend changes to pay plan and classification structure;
- review the total compensation package (salary plus benefits);
- recommend how to implement tools and techniques to support an ongoing reclassification process that will enable the organization to maintain its competitive place in the market; and
- provide findings and recommendations in a comprehensive report.



Classification and Compensation Study City of Ft. Myers

Evergreen Solutions was retained by the City of Ft. Myers to conduct a Classification and Compensation Study for all employee groups (i.e., Police Union – Sworn only; Fire Union and General Union and Non-bargaining). The study included a comprehensive classification analysis using Evergreen Solutions' Job Assessment Tool job valuation methodology in addition to a statistical assessment of current conditions. An evaluation of external equity including a salary survey of competing organizations was conducted. The project concluded with a series of findings and recommendations designed to identify and recommend resolution of any inequities in the system and, if necessary, redesign the existing system in place for the City.



Classification and Compensation Study City of Sarasota

Evergreen Solutions was retained by the City of Sarasota to conduct a classification and compensation analysis of its workforce. Employees participated in focus groups, interviews, and a job analysis was conducted to determine the best classifications for the work performed. In addition, pay ranges were analyzed in the public and private sector to determine the appropriate pay levels for all included jobs. Recommendations were provided to improve the fairness and equity in the current system.



Pay and Classification Study City of Fort Walton Beach

Evergreen Solutions was hired by the City of Fort Walton Beach to conduct a Pay and Classification Study for its 320 employees. Evergreen conducted a job-task analysis/job audit of all employee positions to verify and validate information from existing job descriptions and conducted personal interviews with employees, supervisors, and directors to determine whether classifications were correctly placed in organizational hierarchy and if individual positions were classified correctly.

Evergreen conducted a comprehensive survey of public and private labor market comparables designed to include salary ranges, actual salaries, and benefits information to ensure the City of Fort Walton Beach's compensation was equitable and competitive in its total compensation package relative to internal factors and external markets. Evergreen conducted a comparison of existing benefits with market data and comment.



Evergreen recommended and implemented a classification system that could be utilized by City staff at the conclusion of the project. To accomplish this Evergreen's consultants:

- grouped positions based upon duties performed, knowledge, skills and abilities for the position;
- conducted an analysis that addressed the issue of internal equity;
- recommended the assignment of each classification to a pay grade;
- reviewed current job descriptions and revised/updated as necessary;
- reviewed the City's current assignment of exempt versus non-exempt status as it related to the FLSA and made appropriate recommendations with justification; and
- provided appropriate adjustments to account for regional cost of living variations.



Comprehensive Classification and Compensation Study City of Panama City

Evergreen was retained by the City of Panama City to conduct a Comprehensive Classification and Compensation Study for 545 non-union positions/employees, including approximately 79 firefighters, 92 police officers, and 5 elected officials in 190 job classifications. Employees participated in focus groups, interviews, and a job analysis to determine the best classifications for the work performed. Pay ranges were analyzed in the public and private sector to determine the appropriate pay levels for all included jobs. Evergreen reviewed the City's current performance evaluation system, tools and procedures, and made recommendations for necessary changes to the system. Recommendations were also provided to improve fairness and equity of all jobs within the City. Select City staff were provided the necessary training and materials so that an understanding of the methodology and how to implement, administer, and maintain the recommended total classification and compensation system were accomplished. Evergreen made recommendations regarding enhancements to the City's current performance evaluation system and provided the City with a performance evaluation tool.



Comprehensive Classification and Compensation Study City of Panama City Beach

Evergreen Solutions was hired by the City of Panama City Beach to conduct a Comprehensive Classification and Compensation Study by reviewing job descriptions, position classification schedules, pay plans, and compensation programs for approximately 255 non-union City employees. Evergreen presented a methodology that accurately and fairly measured compensable factors, allowed proper and equitable cross comparisons of compensable factors for classes, and minimized the appearance of possible prejudices on the part of the City administration.

In the end, Evergreen provided written procedures for maintaining pay plans, reviewed general practices, and made recommendations for improvements to the current classification and compensation structure based upon the results of the market and benefit survey and the classification analysis. Further, Evergreen designed and recommended an implementation plan for the updated compensation strategy with the lowest impact to both the minimum and maximum points of the updated pay plan and the greatest gain to positions that fell outside of the updated and designated range. Evergreen also recommended administrative procedures to maintain fairness and competitiveness of the position classification and compensation plan after implementation and recommended final pay schedules with projected costs based on a range of alternative implementation plans.



Compensation Study City of Panama City Beach

Evergreen Solutions was again hired by the City of Panama City Beach to conduct a Compensation Study. Evergreen will collect relevant data; identify up to 15 targets and 30 classifications for a market salary survey; develop and conduct a salary survey and analyze results; review up to 10 job descriptions for possible reclassification; provide recommendations for updates/changes to the pay plan, including implementation options, based on market survey results; and prepare and deliver a draft and final report.



Classification and Compensation Study City of Destin

Evergreen Solutions was hired by the City of Destin to conduct a Classification and Compensation Study. Evergreen's consultants evaluated jobs, updated job classifications, assessed the labor market for competitiveness, and made recommendations for changes to the current classification and compensation structure. Evergreen's recommendations improved the competitiveness of the City and assisted the City in attracting and retaining the best and brightest employees.



Compensation and Classification Study Services Monroe County

Evergreen was retained by Monroe County to conduct a Compensation and Classification Study for 265 non-union employees in 178 classifications as well as 124 union employees in 46 classifications who are represented by the Teamsters bargaining unit. Employees participated in focus groups, interviews, and a job analysis to determine the best classifications for the work performed. Evergreen's consultants compared the County's positions to other similar positions within other County departments to determine the relative value of each position to every other position in the County. Comparisons were made with regard to the actual work being performed and based on the current job description. In addition, positions were compared to other similar positions in other private and public sector organizations throughout the Florida Keys and South Florida. Characteristics such as size of the organization, geographic proximity, economic and budget characteristics, and other appropriate demographic data were taken into consideration when making comparisons. Evergreen's consultants analyzed pay ranges in the public and private sector to determine the appropriate pay and benefit levels for all included jobs.

Recommendations were provided to improve fairness and equity of all jobs within the County. Select County staff were provided the necessary training and materials so that an understanding of the methodology and how to implement, administer, and maintain the recommended total classification and compensation system could be accomplished.

Note: Evergreen was again hired by Monroe County in September of 2016 to implement a minimum Living Wage of \$31,200 year/\$15.00 an hour (This included a determination of issues that arose with supervisory duties or compression of positions; what needed to be done to fix those issues; cost for County implementation with variable options; and publication of analysis). In addition, Evergreen is currently updating the County's compensation and classification plan.



Classification and Compensation Study Pinellas County

Evergreen Solutions was retained by Pinellas County to conduct a comprehensive classification and compensation study that included recommendations and suggestions for an implementation and maintenance process that effectively provided the County with the resources and expertise to further enhance its classification and compensation program. A comprehensive job classification and pay study hadn't been conducted since 2004 so the County believed it was important to invest in a study that would look at both internal and external equity.

The objective of the study was to have a credible classification and compensation plan that: allowed positions performing similar work with similar levels of complexity, responsibility, and knowledge, skills



and abilities to be classified appropriately; identified salaries for assigned duties; outlined promotional opportunities and possible compensation growth; identified pay differential between individual classifications; and identified relevant labor markets.



Compensation, Classification, and Performance Management Study Manatee County

Evergreen Solutions was hired by Manatee County to assist with a county-wide Compensation and Classification Study. At the time of the study, Manatee County was a growing county with a population of over 300,000 located on the southwestern coast of FL between Pinellas and Sarasota Counties. An appointed County Administrator oversaw 16 departments, with approximately 2,900 employees within approximately 600 classifications and 58 pay ranges/grades.

The study included all employees that serve in capacities for the Board of County Commissioners. As part of the review, orientation sessions, focus groups, and interviews were conducted in throughout the county. All employees were asked to complete the Job Assessment Tool (JAT) and job analysis was conducted with the results in order to create a classification plan. A salary survey was issued to local and regional employers to assess competitiveness. Based on the classification and compensation findings, a new pay plan as well as policies and procedures were recommended to the County. Evergreen Solutions helped the County attain their goal of maintaining a sound process providing a classification and pay structure that is fair, equitable, and systematic with a compensation plan comparable with other governmental jurisdictions and the private sector. In addition, Evergreen reviewed the performance management system in place within the County, and provided recommendations for improvement.

Note: Evergreen completed a market survey and compensation analysis update and also conducted a Compensation and Classification study of the Information Technology Services Department.



Compensation Study Sarasota County

Evergreen Solutions was retained by Sarasota County to conduct a Compensation Study. Pay ranges were analyzed in the public and private sector to determine the appropriate pay levels for all included jobs. Recommendations were provided to improve the fairness and equity in the current system.



Compensation and Benefits Study Seminole County

The Evergreen Solutions Team was hired by Seminole County to assist with a county-wide Compensation and Benefits Study. The study included employees who served in various capacities for the Board of County Commissioners. As part of the review, orientation sessions, focus groups, and interviews were conducted throughout the county. All employees were asked to complete the Job Assessment Tool (JAT) and job analysis was conducted with the results in order to create a classification plan. A salary survey was issued to local and regional employers to assess competitiveness. Based on the classification and compensation findings, a new pay plan as well as policies and procedures were recommended to the County.

Note: Evergreen also conducted two other projects for Seminole County (i.e., Compensation and Classification Study and a Performance Evaluation Study).



Compensation Study Lake County

Evergreen Solutions was retained by Lake County to conduct and furnish a comprehensive compensation survey for Lake County government itself, and for select positions at Lake Emergency Medical Services, Inc. Evergreen made recommendations for improvements and modifications to the current compensation and overall pay structure, including number of pay grades, and appropriate pay ranges (minimum, maximum, percentage between grades, etc.). The recommendations also included appropriate salary ranges and midpoints for each job classification and recommendations for ranges that lagged, matched, or led the relevant labor market. Evergreen surveyed the relevant labor market for merit pay practices being used and recommended pay administration practices to include consideration of merit pay, alternative reward strategies, including non-monetary rewards and cost savings/efficiency incentives as may be suitable.



Compensation Study Osceola County

Evergreen Solutions was retained by Osceola County to review its compensation system and structure for areas of improvement. The Evergreen team examined current pay plan's organization, market responsiveness, and adaptability. A detailed report was prepared to that summarized findings and recommendations for improvement.



Salary and Benefits Review Hernando County

Evergreen Solutions was retained by Hernando County to conduct a Salary and Benefits Review of its workforce. Evergreen's consultants reviewed the effectiveness of the County's current salary and benefits plan as it related to the market competitiveness for attracting and retaining quality employees. To accomplish this, Evergreen conducted a comprehensive survey of public and private labor market comparables designed to include salary ranges, pay grade factoring system, actual salaries, and benefits (retirement plans, health and dental insurance) information to ensure the County's compensation was equitable and competitive in its total compensation package relative to internal factors and external markets for substantially similar classifications.

Evergreen also conducted a job-task analysis/job audit of all 766 employee positions to verify and validate information from existing job descriptions. Personal interviews with employees, supervisors, and directors were conducted to determine whether classifications were correctly placed in organizational hierarchy and whether individual positions were classified correctly. Pay ranges were analyzed in the public and private sector to determine the appropriate pay levels for all included jobs and recommendations were provided to improve the fairness and equity in the current system.



Classification and Compensation Study Charlotte County

Evergreen Solutions was retained by Charlotte County to conduct a classification and compensation study for approximately 900 full-time and part-time employees in 250 classification specifications. Employees participated in focus groups, interviews, and a job analysis was conducted to determine the best classifications for the work performed. A review of all current classification specifications and job descriptions was made to ensure consistency, compliance with current industry best practices as to form, and compliance with applicable provisions of the Fair Labor Standards Act (FLSA), ADA, PERC (Florida Statute 447.203), and other applicable State and federal laws.

A salary survey was conducted within the appropriate public and private job markets to determine current market pay grade assignment and salary structure commensurate with the job assignment. Evergreen offered criteria for a candidate's or an employee's placement within corresponding zones of the pay range. Recommendations were made for resolving pay compression issues that had been created due to 5 – 6 years of wage freezes compounded by ever-increasing market competitiveness. **Note:** Prior to this study, Evergreen was hired in 2011 by the County to conduct a Market Salary Survey.



Salary Study Highlands County

Evergreen Solutions was retained by Highlands County to conduct a Salary Study for its workforce. The primary goal of the study was to ensure that the County maintained a sound process that provided a classification and pay structure that was fair, equitable, and systematic with a compensation plan that was comparable with other governmental jurisdictions as well as the private sector. The County desired a pay program that was fair, equitable, and competitive with both public and private employers in the surrounding geographic market area from which the County recruited, and was supportive of the County's compensation philosophy to be competitive with area markets in order to attract, motivate, and retain quality employees.

Evergreen's consultants evaluated current pay grades (i.e., number of pay grades, including additions, deletions, and/or consolidations) and recommended a strategy for improvements. Evergreen further developed a classification system that facilitated ongoing compensation analysis and reporting and was based on similarly-situated employees, similar skills, qualifications, responsibilities, and pay, using job family groupings and EEO job categories that comported with EEOC guidelines for government employers. Evergreen reviewed position titles (including supervisory/management) and recommended a titling structure which defined consistent levels of responsibility across the County.



Pay and Classification Study Bay County

Evergreen Solutions was engaged with Bay County to conduct a Pay and Classification study. A job analysis was conducted using existing job descriptions to determine the best classifications for the work performed. In addition, a salary survey was conducted in the public sector to determine the appropriate pay ranges for 30 benchmarked positions. Recommendations were provided to improve the fairness and equity in the current classification and compensation system.



Compensation Study Santa Rosa County

Evergreen Solutions is retained by Santa Rosa County to conduct a Comprehensive Compensation Study. The study will include the following tasks:

- establish criteria for the selection of survey participants;
- conduct salary survey prepare an analysis based on the results;



- establish equitable salary ranges to provide for the recruitment and retention of qualified staff, equitable relationships of one job to another within the organization, and address compression/equity issues between pay grades and classifications;
- evaluate existing compensation policies and propose any recommended changes; and
- prepare and deliver the final report to the County Commission.

Note: This project is nearing completion.



Pay and Classification Study Gulf County

Evergreen Solutions was engaged with Gulf County to conduct a Pay and Classification Study for its workforce. Evergreen analyzed each position within the County by conducting interviews; evaluating employee position descriptions and duties; interviewing department heads; and assessing classifications within positions. In addition, Evergreen reviewed current job descriptions, focusing on the purpose, job scope, essential duties and responsibilities, education/training requirements, physical job requirements, and working conditions, and determined FLSA status (exempt/non-exempt) for positions under federal regulations. Based on this review, Evergreen presented a proposed classification structure to County management, including a cost analysis for positions that required adjustments.

Evergreen also conducted a comprehensive survey of public and private labor market comparables designed to include salary ranges, and actual salaries to ensure that Gulf County's compensation was equitable and competitive in its total compensation package relative to internal factors and external markets.



Compensation and Classification Study Alachua County

Evergreen Solutions was engaged with Alachua County to conduct a Compensation and Classification Study of jobs under the Board of County Commissioners, the Sheriff, Tax Collector, Property Appraiser, Supervisor of Elections, and the Library District. Specifically, the County desired the following services to be performed by Evergreen:

- develop and administer a job analysis questionnaire for the purpose of having employees state their job duties and qualifications including education, experience, licenses and certificates; working conditions (physical and environmental) and all other pertinent information;
- prepare and present to the Board of County Commissioners a report documenting the results of the job analysis by



classification and recommendations concerning a classification structure and pay adjustments;

- allocate each employee with regard to the new classification structure;
- identify benchmark classifications to be used to determine appropriate markets for salary survey purposes, as well as to determine the position of the county with regard to salaries for comparable jobs in appropriate markets;
- administer a salary survey for the purpose of recommending appropriate salaries based on external (market) and internal (equity) considerations;
- recommend a salary structure, including the number of pay grades, and pay ranges;
- recommend salaries for each classification, as well as recommended salaries for each employee;
- provide a classification maintenance plan;
- provide guidelines and procedures for administering the resulting classification plan to include the following: Initial placement in the salary range and means for movement through the range; and
- train HR and departmental staff on the methodology and maintenance of the recommended classification and pay plan.



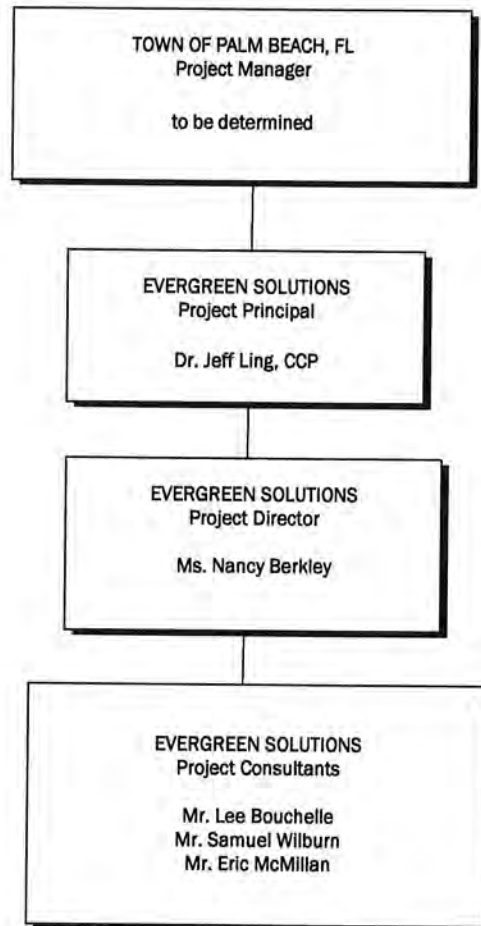
4.3 Proposed Project Team

In this section we provide you with the qualifications of our proposed project team. Detailed resumes are included in the **Appendix**.

Exhibit 4-2 shows our proposed project management organization and personnel assignments. The structure has been designed to clearly define the roles and responsibilities of each part of the Compensation and Benefits Study for the Town of Palm Beach so that there will be no confusion as to who is responsible for any aspect of this engagement.



**Exhibit 4-2
Proposed Project
Management
Organization and
Personnel
Assignments**



Town of Palm Beach Project Manager. With each project engagement, we work with the client to identify one specific point of contact to serve as a Project Manager. The Town's Project Manager will be our reference point throughout the engagement. We will take project direction, leadership, and guidance from the Town's Project Manager and all project deliverables will be filtered through the Town's Project Manager throughout the duration of the project.

Evergreen Solutions Project Principal. Our Project Principal will have ultimate accountability for the success of this project. Evergreen Solutions' Project Principal is always a senior leader in our firm, most often a Vice President or higher. The Project Principal will have contractual authority over the contract, and will be our top level of project responsibility.

Evergreen Solutions Project Director. Evergreen designates a Project Director for each HR consulting project. The Project Director will work with the Project Principal regarding the scheduling of the project with the Town's Project Manager. The Project Director will have the most frequent contact with the Town and will assign project activities to the Project Consultants, and will ensure that deliverables are met within specified timelines.

Evergreen Solutions Project Consultants. Our Project Consultants are a team of consultants who have worked together on numerous projects, and who will provide consulting and analytical work on all project activities. The Project Consultants will review compensation and benefits plans and policies, collect the data for the market salary and benefits survey, and prepare draft materials for the Project Principal and Project Director to review.

Consultant Team Members must be thoroughly knowledgeable in the portion of the project they are responsible for, as well as have expertise in the issues that are unique to each individual client. Evergreen is proposing an exceptional team of consultants who have worked together on many similar projects. Evergreen Solutions always makes sure each project is sufficiently staffed to handle any additional tasks or unforeseen issues that may arise during the course of the study. The combination of our individual knowledge and skills form a superior team who will be able to competently perform all of the pieces of the Compensation and Benefits Study for the Town of Palm Beach.

Key Staff

In this section we provide you with the qualifications of each member of our proposed project team.

Project Principal Dr. Jeff Ling, CCP

Dr. Ling is Executive Vice-President of Evergreen Solutions and has been with the firm since its inception. He is a Certified Compensation Professional (CCP) with more than 25 years of consulting experience in the following areas: human resources; performance improvement; process analysis; strategic planning; statistical analysis; research methodology; data management; surveys and polling; technology analysis; change management; and risk analysis.

Dr. Ling has planned, organized, and managed studies on human resources assessment, survey analysis, government efficiency, technology planning, information utilization, public opinion, market expansion, and privatization. Each of these studies dealt with summarizing major alternatives for decision makers and providing viable recommendations. He has consulting experience in public sector evaluation, research management, efficiency analysis, survey analysis, statistical modeling, and technology planning.

Dr. Ling has worked with a multitude of clients in the capacity of Project Principal. He has worked on hundreds of engagements across the nation and includes work in state and local governments, school districts, institutions of higher education, quasi-governmental agencies, and private industry.

Dr. Ling has been instrumental in creating, reviewing, and evaluating the methodology employed by Evergreen Solutions on all human resource engagements. His background and skill set make him uniquely qualified for assessing organizational critical needs and



strategy. He is also an expert in policy development and long-term planning.

A sample of the types of studies Dr. Ling has been involved with include:

- Classification/Compensation– He developed the methodology and techniques for organizations to employee for successful data collection and implementation based on internal and external equity needs. He has been the Project Principal for numerous projects related to compensation and/or classification. Some of the public sector clients that he has worked with, or is currently on contract to work with, include: Town of Palm Beach, FL; City of Palm Beach Gardens, FL; Village of North Palm Beach, FL; Palm Beach County Clerk's Office, FL; Health Care District of Palm Beach County, FL; Solid Waste Authority of Palm Beach County, FL; City of Sunrise, FL; City of Winter Park, FL; City of Clermont, FL; City of Hollywood, FL; City of North Port, FL; City of Orlando, FL; City of Sunrise, FL; City of Coral Springs, FL; City of Key West, FL; City of Bushnell, FL; City of Sarasota, FL; City of Tamarac, FL; Town of Jupiter, FL; Town of Cutler Bay, FL; Town of Davie, FL; Miami Shores Village, FL; Village of Pinecrest, FL; City of Fort Walton Beach, FL; City of Panama City, FL; City Panama City Beach, FL; City of Destin, FL; City of St. Petersburg, FL; City of Dunedin, FL; City of Gainesville, FL; City of High Springs, FL; City of Holly Hill, FL; City of Ocala, FL; City of Kissimmee, FL; City of Lake City, FL; City of Plant City, FL; City of Orange City, FL; City of Ft. Myers, FL; City of Cape Coral, FL; City of Dania Beach, FL; City of Melbourne, FL; City of St. Cloud, FL; City of Daytona Beach, FL; City of Cocoa, FL; City of Bartow, FL; Bay County, FL; Santa Rosa County, FL; Gadsden County, FL; Pinellas County, FL; Alachua County, FL; Manatee County, FL; Charlotte County, FL; Monroe County, FL; Osceola County, FL; Miami-Dade County, FL; Palm Beach County, FL; Seminole County, FL; Hernando County, FL; Sarasota County, FL; Forsyth County, GA; Lumpkin County, GA; Douglas County, GA; Cherokee County, GA; City of Kingsland, GA; City of Alpharetta, GA; City of Douglasville, GA; City of Roswell, GA; City of Brookhaven, GA; City of Savannah, GA; City of Fayetteville, GA; City of Dunwoody, GA; City of Stockbridge, GA; City of Dublin, GA; Sedgwick County, KS; City of Bloomington, IN; City of Branson, MO; City of Lee's Summit, MO; Clay County, MO; Jefferson County, MO; St. Charles County, MO; City of Pittsburg, PA; County of Montgomery, PA; County of Allegheny, PA; Mahoning County, OH; Blount County, TN; City of Albany, OR; City of Austin, TX; City of Pearland, TX; City of Sunset Valley, TX; City of Rowlett, TX; City of Seguin, TX; Denton County, TX; Travis County, TX; Ft. Bend County, TX; Denton County, TX; City of Santa Fe, NM; City of Carlsbad, NM; City of Page, AZ; Town of Sahuarita AZ; Gloucester County, VA; Prince George County, VA; Surry County, VA; Essex County, VA; James



City County, VA; County of Culpeper, VA; Isle of Wight County, VA; City of Fredericksburg, VA; City of Williamsburg, VA; City of Suffolk, VA; Spotsylvania County, VA; Loudoun County, VA; King George County, VA; Gaston County NC; Guilford County, NC; Buncombe County, NC; Union County, NC; Berkeley County, SC; Charleston County, SC; City of Columbia, SC; City of Lancaster, SC; City of Mauldin, SC; City of Chester, SC; Town of Mount Pleasant, SC; Town of Hilton Head Island, SC; Town of Moncks Corner, SC; Tri-County Council for Southern Maryland; Allegany County, MD; Washington County, MD; City of Westminster, MD; City of Annapolis, MD; City of Hyattsville, MD; and many others.

- Performance Evaluation – He has provided the framework for many organizations transitioning into goal based performance evaluation systems or fully functional merit-based pay structures. He understands the importance of a well stratified, objective based review process and has been instrumental in assisting a number of large organizations transition from traditional systems into merit-based pay structures with minimal transitional costs and interruption. Some of the public organizations he has provided these services to include, but are not limited to, the following: City of Cape Coral, FL; City of Hollywood, FL; Seminole County, FL; Manatee County, FL; Brunswick County, NC; City of Lee's Summit, MO; and City of Mont Belvieu, TX.
- Market Research – He provided the basis for which market research was collected, analyzed, and review. He ensured that data collection procedures and methods were statistically reliable using his knowledge of statistics and overall market research.
- Policy Development – He has a thorough and firm understanding of policy development and has assisted many clients with implementing tailored policies and practices that reflect best practices.

Dr. Ling holds a Doctorate's Degree from Florida State University in Political Science and has taught courses addressing research methodology, statistical analysis, technological innovations, and political economy at various universities.

Project Director
Ms. Nancy Berkley

Ms. Berkley is a Manager at Evergreen Solutions who has over 30 years human resources experience demonstrating a thorough knowledge of multiple HR disciplines including, recruiting and staffing, workforce planning and retention, on-boarding, compensation and benefits, employee and labor relations, employee leave administration, voluntary and in-voluntary employee separations, performance management, employee surveys, organizational design and development, organization effectiveness, employee learning, training, and development, employee records administration and



retention, and awards and recognition programs. She has consistently enhanced organizational capability by integrating HR with strategic business planning, development and assessment. She has provided individualized executive coaching and led HR team development and high performance teams. She has led corporate change initiatives and built talent-rich organizations by strengthening people and integrating processes and has directed human resources in high-volume, transactional service organizations and high-level, consulting organizations. She has excellent conflict resolution, negotiation, and influencing skills.

Ms. Berkley possesses expertise in the following HR areas:

- Designing and implementing a shared service, centralized virtual staffing organization, increasing efficiency of staffing function for hiring managers.
- Analyzing and responding to employee relation trends—positively influenced work environments reducing employee complaints by ~90 percent.
- Consulting with senior leaders and successfully leading project teams to develop new policies, programs and tools—including total revision and communication of a company's HR policies and practices to be in accordance with state and federal laws;
- Creating HR metrics reviews utilizing business goals and human resources information systems data—set improvement goals and developed action plans for unique business requirements.
- Conceptualizing and implementing complex workforce reduction plans—then redeployed ~50 percent of the affected employees.
- Representing companies in state and federal agency reviews, e.g. Office of Federal Contract Compliance Program (OFCCP) reviews—Equal Employment Opportunity Commission (EEOC) charges, workers compensation charges, and unemployment compensation claims.

Recent public sector projects that Ms. Berkley has directed or served on the Evergreen Team include: ; a Compensation Study for the Village of North Palm Beach, FL; a Compensation Study for the City of Hollywood, FL; a Salary Survey for the City of Dania Beach, FL; a Classification, Compensation, and Benefits Study for the Town of Jupiter, FL; a Compensation and Classification Study for Miami Shores Village, FL; a Pay and Classification Study for the City of Fort Walton Beach, FL; a Comprehensive Compensation and Classification Study for the City of Panama City, FL; a Comprehensive Compensation and Classification Study for the City of Panama City Beach, FL; a Compensation Plan Update for the City of Panama City Beach, FL; a Classification and Compensation Study for the City of Destin, FL; a Classification and Compensation Study for the Town of Cutler Bay, FL;



Job Audits for the City of Gainesville, FL; a Compensation Study for Lake County, FL; a Performance Evaluation Study for Lake County, FL; Compensation Consulting Services for the Town of Longboat Key, FL; Collection and Analysis of Market Data for the Confidential Office Personnel Association, FL; a Salary Plan Update for the Flagler County Sheriff's Office, FL; a Classification and Compensation Study for Pasco County Sheriff's Office, FL; a Pay Plan Market Value Study for the Florida Board of Bar Examiners; a Compensation and Classification Study for Highlands County, FL; a Compensation and Classification Study for the City of North Port, FL; Compensation and Classification Study Services for Monroe County, FL; a Compensation and Classification Study for Highlands County, FL; a Pay and Classification Study for Martin County, FL; a Compensation and Classification Study for Alachua County, FL; a Position and Compensation Study for the Florida Keys Aqueduct Authority; a Pay and Classification Study for the Florida Keys Aqueduct Authority; FLSA Audits for the Southwest Florida Water Management District; FLSA Audits and Salary Survey for the South Florida Water Management District; a Compensation and Benefits Study and Analysis for the City of Dahlgonega, GA; a Compensation Analysis for the City of Alpharetta, GA; Employee Classification and Compensation Study for the City of Savannah, GA; Comprehensive Classification and Compensation Study for the City of Garden City, GA; a Compensation and Classification Study for the City of Brookhaven, GA; a Comprehensive Compensation and Classification Study for the City of Tybee Island, GA; a Pay and Classification Study for the City of Chamblee, GA; a Pay and Classification Study for the City of Fayetteville, GA; a Wages and Salaries Compensation Study the City of Stockbridge, GA; a Compensation and Classification Study and Analysis for the City of Dublin, GA; a Classification and Compensation Study and Analysis for the City of Villa Rica, GA; a Classification and Compensation Study and Analysis for the City of Douglasville, GA; a Salary Survey for the City of Dunwoody, GA; a Compensation Study for the City of Statesboro; a Salary and Benefits Survey for the City of Roswell, GA; a Compensation and Benefits Survey for Forsyth County, GA; a Classification and Compensation Study and Analysis for Douglas County, GA; a Job Description/Classification Study and Analysis for Douglasville-Douglas County Water and Sewer Authority, GA; a Classification and Compensation Study for Lumpkin County, GA; a Classification and Compensation Study for Berkeley County, SC; a Comprehensive Classification, Compensation, Performance Management, and Benefits Study for the City of Columbia, SC; a Classification and Compensation Study for the City of Goose Creek, SC; Classification and Compensation Plan Review for the City of Annapolis, MD; a Wages and Salary Scale Study for Washington County, MD; a Classification and Compensation Study for Gloucester County, VA; a Compensation Study for King George County, VA; a Pay and Classification Study for the Isle of Wight County, VA; a Classification and Compensation Study for Essex County, VA; a Compensation and Classification Study for Montgomery County, VA; a Classification and Compensation Study for Alleghany County and the City of Covington, VA; a Pay and Classification Study for the City of Williamsburg, VA; a Salary Scale Study for Loudoun County Public Schools, VA; a Salary Equity Study for Guilford County, NC; a Position Classification and Compensation Study for Gaston County, NC; a Classification and Compensation Study and Benefits Survey for New



Hanover County and New Hanover ABC Board, NC; a Performance Management Review for Morehead State University, KY; a Classification and Compensation Study for Sedgwick County, KS; a Classification and Compensation Study for Jefferson County, MO; a Classification and Compensation Study for Blount County, TN; a Classification Study and a Compensation Survey for the City of Page, AZ; a Classification and Compensation Study for the Town of Little Elm, TX; a Human Resources Department Assessment for the City of Buda, TX; a Classification and Compensation Study for the City of Pflugerville, TX; a Comprehensive Compensation and Classification Study for the City of Farmers Branch, TX; and a Comprehensive Compensation and Benefits Study for the City of Rowlett, TX.

Ms. Berkley has a Bachelor's Degree in Psychology from Florida State University and was certified as SPHR from 1997 to 2012.

**Project Consultant
Mr. Lee Bouchelle**

Mr. Bouchelle is a Consultant at Evergreen Solutions. He has a strong background in Applied Labor Economics and quantitative analysis, which provides him with the ability to provide knowledge on a variety of public sector Human Resource studies. His research and data analysis skills at Evergreen have focused on human resource analysis, such as studying the internal equity of employee compensation and classification for public sector clients as well as comparing client practices to peers in the labor market. He is proficient in a variety of qualitative and quantitative tools necessary to complete the studies.

Recent public sector projects for Evergreen in which Mr. Bouchelle has been involved include: a Classification and Compensation Study for the City of Delray Beach, FL; a Job Classification and Compensation Study for the City of Sunrise, FL; a Classification and Compensation Study for the City of Destin, FL; a Compensation Study for the Walton County Sheriff's Office, FL; a Job Classification and Compensation Study for the City of Melbourne, FL; a Classification and Compensation Study for the City of High Springs, FL; a Compensation and Classification Study for the City of North Port, FL; a Pay and Classification Study for the City of Holly Hill, FL; Compensation Consulting Services for the Town of Longboat Key, FL; FLSA Audits for the Southwest Florida Water Management District; a Classification and Compensation Study for Gadsden County, FL; a Compensation and Classification Study for Alachua County, FL; a Pay and Classification Study for Monroe County, FL; a Compensation Plan Update for the City of Garden City, GA; a Classification and Compensation Study and Analysis for Douglas County, GA; a Classification and Compensation Study for Lumpkin County, GA; and an Employee Classification and Compensation Study for the City of Savannah, GA; a Pay and Classification Study for the City of Chamblee, GA; a Classification and Compensation Study for Alleghany County and the City of Covington, VA; a Classification and Compensation Study for the City of Fredericksburg, VA; a Pay and Classification for the City of Williamsburg, VA; a Pay and Classification Study for the District 19 Community Services Board, VA; Classification and



Compensation Plan Review for the City of Annapolis, MD; a Wages and Salary Scale Study for Washington County, MD; a Position Classification and Compensation Study for Gaston County, NC; a Classification and Compensation Study for Berkeley County, SC; a Classification and Compensation Study for Dorchester County, SC; a Pay and Classification Study for the Town of Moncks Corner, SC; a Compensation Update for the Central Ohio Transit Authority; an Employee Classification and Compensation Study for Blount County, TN; a Classification and Compensation Study for Jefferson County, MO; a Compensation and Classification Study for Clay County, MO; a Human Resources Department Assessment for the City of Buda, TX; a Classification and Compensation Study for the City of Athens, TX; a Comprehensive Compensation and Classification Study for the City of Farmers Branch, TX; and a Classification Study and a Compensation Survey for the City of Page, AZ.

Prior to joining Evergreen Solutions, Mr. Bouchelle was a Consultant at ERS Group, where he was involved in the development of large and complex economic and statistical research projects which analyzed the effects of various business practices or economic programs. He also participated in data analytics projects that sought to identify fraud, waste, and abuse in the healthcare industry and state income tax filings. In addition, he prepared OFCCP compliant Affirmative Action Plans, evaluated AAP software for statistical accuracy, and estimated economic damages from various events.

Mr. Bouchelle has a Master's Degree in Resource Economics and a Bachelor's Degree in Political Science/International Relations both from the University of Florida.

**Project Consultant
Mr. Samuel Wilburn**

Mr. Wilburn is a Consultant with Evergreen. He is a former engineer who possesses a strong background in qualitative and quantitative analysis at the professional level. He is able to apply his knowledge and skills as a Consultant for Evergreen through various functions including: conducting market research and collecting compensation data, utilizing job assessment tools to analyze different job classifications, running regression analyses and recommending appropriate pay grades, editing job descriptions, and preparing performance evaluation files. He is also responsible for developing and maintaining project solution files which comprise of multiple alternatives geared toward bringing salaries to more market-competitive levels and their total cost estimates for implementation. In addition, he assists in preparing presentations and research reports for clients.

Recent Projects that Mr. Wilburn has been involved with include: a Classification and Compensation Study for the City of Conroe, TX; an Employee Evaluation System for the North Charleston Sewer District, SC; a Pay and Classification Study for Buncombe County, NC; Classification and Compensation Study Services for the City of



Westminster, MD; a Classification and Compensation Study and Analysis for the City of Douglasville, GA; a Compensation and Classification Study and Analysis for the City of Dublin, GA; a Pay and Classification Study for the City of Fayetteville, GA; a Wages and Salaries Compensation Study for the City of Stockbridge, GA; a Compensation and Benefits Study for Cherokee County, GA; a Pay and Classification Study for the Florida Keys Aqueduct Authority; a Classification and Compensation Study and Analysis for the City of Villa Rica, GA; a Salary Survey for the City of Dunwoody, GA; and a Salary Survey for the School Board of Sarasota County, FL.

Mr. Wilburn has an MBA with emphasis in Human Resources and a Bachelor's of Science dual degree in Civil and Environmental Engineering from Florida State University. He also holds a Building Contractor's license in the State of Florida.

**Project Consultant
Mr. Eric McMillan**

Mr. McMillan is a Senior Analyst at Evergreen Solutions. His background has been in the study of financial reporting, data analysis, and market research using techniques in accounting, analytics, and research. This allows him to communicate and engage with clients through data and design.

Mr. McMillan's role with Evergreen has focused on compensation and classification studies utilizing market data. His primary responsibilities include:

- working closely with project teams and project managers in coordinating salary and benefit survey initiatives;
- evaluating market data from surveys, government agencies, and private sector databases to provide comprehensive reviews of compensation packages; and
- designing clear and concise reports and displays to communicate nuanced results.

Recent public sector projects that Mr. McMillan has been involved with include: a Compensation Plan Update for the City of Panama City Beach, FL; a Classification and Compensation Study for the City of Delray Beach, FL; a Classification and Compensation Study for Pasco County Sheriff's Office, FL; Compensation Consulting Services for the Town of Longboat Key, FL; a Compensation Plan Update and Performance Evaluation Study for Lake County, FL; a Compensation and Classification Study for the City of North Port, FL; FLSA Audits for the Southwest Florida Water Management District; a Pay and Classification Study for the City of Chamblee, GA; a Comprehensive Classification and Compensation Study for the City of Garden City, GA; a Wages and Salaries Compensation Study for the City of Stockbridge, GA; a Pay and Classification Study for the City of Fayetteville, GA; a Salary Survey for the City of Dunwoody, GA; a Compensation and Classification Study and Analysis for the City of Dublin, GA; a Classification and Compensation Study for Lumpkin County, GA; a



Classification and Compensation Study and Analysis for Douglas County, GA; a Compensation and Benefits Study for Cherokee County, GA; a Job Description/Classification Study and Analysis for Douglasville-Douglas County Water and Sewer Authority, GA; a Classification and Compensation Study for Blount County, TN; a Classification and Compensation Study for Alleghany County and the City of Covington, VA; a Pay and Classification Study for the District 19 Community Services Board, VA; a Pay and Classification Study for the City of Williamsburg, VA; a Classification and Compensation Study for the City of Fredericksburg, VA; a Compensation Study for King George County, VA; a Classification and Compensation Plan Review for the City of Annapolis, MD; Wages and Salary Scale Study for Washington County, MD; a Position Classification and Compensation Study for Gaston County, NC; a Compensation and Classification Study for Union County, NC; a Pay and Classification Study for the Town of Moncks Corner, SC; a Classification and Compensation Study for the City of Goose Creek, SC; a Classification and Compensation Study for Berkeley County, SC; a Human Resources Department Assessment for the City of Buda, TX; a Comprehensive Compensation and Classification Study for the City of Farmers Branch, TX; a Classification Study and a Compensation Survey for the City of Page, AZ; and a Classification and Compensation Study for Jefferson County, MO.

Mr. McMillan holds a Bachelor Degree in Accounting and Marketing from Florida State University and is working toward a Master's Degree in Human Resources.



A team of experienced analytical and clerical support staff will contribute to this study, as needed.

4.4 Evergreen's Approach

Evergreen Solutions is uniquely qualified to conduct a Compensation and Benefits Study for the Town of Palm Beach as our team includes recognized experts in local government human resources management and understands that there is not a "one size fits all" solution to compensation management. Our approach is built on working collaboratively with all parties to make sound, implementation-focused recommendations. Specifically, we have developed a methodology that:

- focuses on market competitiveness;
- is based on the organization's compensation philosophy;
- recognizes that compensation is comprised of more than just base pay levels;
- reflects changes in recent compensation strategies;



- designs custom solutions that take into account the diversity of needs present in the organization and allows you to select the components and options that best meet your overall needs; and
- produces a structure that improves the organization's ability to recruit, reward, motivate, and retain talent in a competitive environment that includes both public and private sector employers.

We will work closely with the Town's designated Project Manager and the Human Resources Department, and the Town Council throughout the process to ensure constant communication of issues, concerns, and potential outcomes. We work closely with your staff to gain a solid understanding of your current operational realities, challenges, and desired outcomes. Moreover, Evergreen Solutions will work with you to balance your need to meet your performance goals while carefully managing the organization's resources.

Compensation management has undergone significant transformation in the private sector and over time public sector organizations have mirrored these changes. While compensation once centered on the separate administration of base pay and core benefits, a shift has occurred that has transformed compensation management. Progressive organizations now recognize that to effectively recruit, reward, motivate, and retain employees, compensation management requires strategic thinking and planning.

Compensation management must support an organization's overall strategic direction. To accomplish this, effective organizations design a compensation philosophy that spells out where an organization wants to be in relation to the market in key areas. These key areas include cash compensation, benefits, and work/life balance. Compensation is thus a reflection of the organization's philosophy.

Evergreen Solutions realizes that we will need to tailor our approach to fit the operating, fiscal, and competitive needs of the organization. Recommendations must always reflect competitive needs while supporting the organization's overall mission.

Listed below is an overview of the typically recommended approach that Evergreen takes when conducting a study of this nature.

Kick Off Meeting

Evergreen Solutions begins each engagement by meeting with our client's leadership team as well as the person designated as the Project Manager for the client. Frequently, this initial meeting will accomplish several goals, including:

- finalizing the project work plan;
- identifying milestone and deliverable dates;
- gaining insight into the management structure and approach;
- collecting compensation and benefits data;



- identifying additional data needs; and
- developing preliminary schedules for subsequent tasks.

We will also request a copy of the employee database that reflects current classification and compensation data.

Communication Plan

Communication is a critical component of any compensation and benefits study. Communicating with select employees directly and early in the process builds support for the process and the accompanying outcomes. As part of our communication plan, we meet first with key project staff to fully understand the nature and scope of the project. Regular updates will be provided to the client's Project Manager and can be posted on the client's intranet site, if desired. Additionally, the communication plan for the distribution of the end product, particularly how the results will be distributed to employees, is also critical.

Developing the Compensation Philosophy

An organization's compensation philosophy is designed to support the overall business strategy. It can take many forms, but ultimately the compensation philosophy selected will guide the structure of the overall compensation system. Evergreen Solutions will meet with the client's leadership team to ascertain the organization's overall business strategy and document the various alternatives that are available to support that strategy. Based on the client's needs, Evergreen Solutions will provide the client with a comprehensive compensation philosophy to guide subsequent decisions. Typically, a consultant can facilitate the process and make recommendations for the compensation philosophy, but the decision will ultimately rest with the organization itself. It is imperative for the client to agree upon a compensation philosophy prior to establishing the remaining components of the compensation system.

Compensation

Our approach to compensation analysis is based on the belief that compensation should be organization-specific, fair, equitable, and directly tied to strategic goals. To ensure that all these criteria are met, we will conduct an extensive analysis on the relevant labor market, the internal structure and inter-relatedness of jobs within the organization, and the relative worth of jobs within the organization vis-à-vis the compensation philosophy.

The most traditional component of a total compensation program is base pay (fixed pay). However, inclusion of benefits in total compensation strategy is not a new concept. Provision of benefits was originally a recruitment tool, though over time the provision of core benefits has become an expectation. Research shows that public sector organizations commonly use superior benefits packages as a way to offset structural disadvantages in base pay. The purpose of the survey is to collect information for comparison to current offerings, and making recommendations for change consistent with the parameters of the compensation philosophy.

Market and Benefits Surveys

A key component of assessing compensation is to consider market position, which is sometimes referred to as external equity or competitiveness. Evergreen's consultants wait until well into the

classification analysis to design the market survey to ensure that jobs are understood, anomalies in classification characteristics are documented, and sufficient input has been received. The market survey will obtain standard range information related to minimum, midpoint, and maximum salaries. Data collection will focus on the public sector, but will include information from the private sector where applicable. Further, we will look to include any employers to whom the organization has recently lost employees.

In addition, a benefits survey will also be administered in tandem with the market survey. Special consideration can be given to select highly competitive, market-driven positions if necessary.

Benchmarks

One of the most important components of the external assessment is in the selection and utilization of benchmark positions for the labor market survey. We will work with the client to identify the appropriate number of benchmark positions to best fit their needs in the labor market survey. Based on our experience, we have found that it is simply not practical to survey all positions within the organization– the resulting surveys become too cumbersome for labor market peers to complete, and the response rate on the whole suffers. We ensure, through multiple checks and balances, that the benchmark positions chosen will represent a broad spectrum of positions across the organization, from all job families, pay levels, and functional areas.

Targets

To conduct an external labor market assessment, we work with the organization to identify the most appropriate targets to survey. Evergreen Solutions selects peer organizations based on the local labor competition, regional markets, and class-specific markets. Peer organizations should be those organizations that compete with the client for labor in at least one job family. Peers in the public sectors will be included in the survey, and if necessary, augmented with published secondary data sources.

Typically, Evergreen Solutions waits until the outreach process has been completed to identify the complete list of market peers. This is because we often will uncover specific information during the focus group and interview sessions that identifies potentially critical survey targets. Ideally, we would like to work with the client after the outreach has been concluded to identify the final list of potential market peers.

An important factor of our methodology is that the client has the final approval of all aspects of the study. We will not proceed with the analysis unless the client is completely comfortable with the survey targets chosen. Often, there are different factors impacting an organization, such as proximity to a major metropolitan area, technology corridor, or specific market (i.e., military base), that have a direct effect on its ability to recruit and retain employees in specific positions. These factors have to be taken into account when selecting survey targets. Once the targets are selected and approved, the survey instrument is developed and sent to the client for final approval. Subsequent to client approval, the survey is then distributed to the targets in both paper and electronic formats.



Compensation Administration Guidelines

Evergreen Solutions uses a four-fold method of communicating with respondents. Our staff notifies the target group that the survey is being sent or made available, confirms receipt, and encourages participation. Once the data are received, they are cleaned, validated, and summarized. A separate report is issued that shows the results of the salary survey.

In order for clients to maintain the recommended compensation system, Evergreen Solutions develops compensation administration guidelines for use by the client after completion of the study. The guidelines will include recommendations on installation and continuing administration of the system. The team first conducts a review of current practices and procedures then assesses their effectiveness, compliance with legal guidelines, and applicability to the recommended system.

Once this review and assessment are complete, revisions to the current practices and/or new guidelines can be recommended, as needed. At a minimum, the recommendations will address areas such as:

- how employees will move through the pay structure/system as a result of transfers, promotions, or demotions;
- how to pay employees whose base pay has reached the maximum of their pay range or value of their position;
- the proper mix of pay and benefits;
- how often to adjust pay scales and survey the market;
- timing of implementation; and
- how to keep the system fair and competitive over time.

4.5 Detailed Work Plan

Evergreen has provided a detailed work plan to conduct the Compensation and Benefits Study for the Town of Palm Beach in this section.

Our work plan consists of the following eight tasks:

- Task 1: Project Initiation
- Task 2: Evaluate the Current System
- Task 3: Identify List of Market Survey Benchmarks and Approved List of Targets
- Task 4: Conduct Market Survey and Provide External Assessment Summary
- Task 5: Conduct a Benefits Survey
- Task 6: Develop Strategic Positioning Recommendations
- Task 7: Develop and Submit Draft and Final Reports
- Task 8: Develop Recommendations for Compensation Administration



Task 1.0
Project Initiation

TASK GOALS

- Finalize the project plan with the Town of Palm Beach (Town).
- Gather all pertinent data.
- Finalize any remaining contractual negotiations.
- Establish an agreeable final time line for all project milestones and deliverables.

TASK ACTIVITIES

- 1.1 Meet with the Town's Project Manager to discuss the following objectives:
- understand the mission and current compensation philosophy for the Town;
 - identify and specific concerns with respect to the development of a compensation plan;
 - review our proposed methodology, approach, and project work plan to identify any necessary revisions and to assess any concerns;
 - reach agreement on a schedule for the project including all assignments and project milestones/deliverables; and
 - establish an agreeable communication schedule.
- 1.2 Identify potential challenges and opportunities for the study. Discuss the strategic direction of the Town and some of the short- and long-term priorities. This activity serves as the basis for assessing where the Town is going and what type of pay plan will reinforce current and future goals.
- 1.3 Obtain relevant materials, including:
- any previous projects, research, evaluations, or other studies that may be relevant to this project;
 - organizational charts for the departments and divisions, along with related responsibility descriptions;
 - current position and classification descriptions and salary schedule(s);
 - benefits plans; and
 - policies and procedures.



**Task 2.0
Evaluate the
Current System**

- 1.4 Review and edit the project work plan and submit a schedule for the completion of each project task.

KEY PROJECT MILESTONES

- Comprehensive project management plan
- Comprehensive database of Town employees

TASK GOAL

- Conduct a comprehensive preliminary evaluation of the existing compensation plan for of the Town of Palm Beach.

TASK ACTIVITIES

- 2.1 Obtain the existing pay structure and compensation philosophy for the Town. Look for potential problems and issues to be resolved.
- 2.2 Determine the strengths and weaknesses of the current pay plans for the Town and review current pay grades and identify any pay compression issues that need to be addresses.
- 2.3 Review compensation policies and procedures and discuss any changes that need to be made.
- 2.4 Complete an assessment of current conditions that details the pros and cons of the current system for the Town as well as highlights areas for potential improvement in the final adopted solution.

KEY PROJECT MILESTONES

- Review of existing compensation plan(s)
- Assessment of current conditions

**Task 3.0
Identify List of
Market Salary
Benchmarks and
Approved List of
Targets**

TASK GOALS

- Identify the proper benchmark positions for the external labor market assessment.
- Identify and develop a comprehensive list of targets for conducting a successful external labor market assessment.

TASK ACTIVITIES

- 3.1 Identify the list of classifications (benchmarks) to include in the labor market assessment. **Note:** Evergreen will work with the Town's Project Manager to select up to 60 classifications to use and benchmarks for the salary survey.



**Task 4.0
Conduct Market
Survey and Provide
External
Assessment
Summary**

- 3.2 Finalize the list of positions with the Town's Project Manager.
- 3.3 For each employee group review with the Town's Project Manager up to 20 peer organizations to use as targets for the salary and benefits survey.
- 3.4 Develop a preliminary list of organizations for the external labor market survey, placing a comparative emphasis on characteristics such as:
 - size of the organization;
 - geographic proximity to the West Palm Beach area;
 - economic and budget characteristics; and
 - other demographic data.
- 3.5 Develop a list of survey targets by employee group. Develop a system for use of secondary data including potential sources and weighting of secondary data, if necessary.
- 3.6 Review survey methodology with the Town's Project Manager and refine survey methodology prior to distribution of survey.
- 3.7 After approval of survey methodology, develop contact list of peer organizations and notify peers of impending survey.

KEY PROJECT MILESTONES

- Final list of benchmark positions for the external labor market assessment
- Initial list of survey peers
- Survey methodology
- Final list of survey organizations and contacts

TASK GOALS

- Conduct the external labor market salary survey.
- Provide a summary of the survey results to the Town's Project Manager for review.

TASK ACTIVITIES

- 4.1 Prepare a customized external labor market salary survey for the Town Project Manager's approval. Discuss questions and categories for the market survey.



- 4.2 Contact the targets for electronic completion of the survey. Provide paper copies by fax, if requested.
- 4.3 Conduct necessary follow-up through e-mails, faxes, and phone calls.
- 4.4 Collect and enter survey results into Evergreen's electronic data analysis tools.
- 4.5 Validate all data submitted.
- 4.6 Develop summary report of external labor market assessment results.
- 4.7 Submit summary report (i.e., executive summary) of the external labor market assessment results that identifies whether the Town is in alignment, above, or below the market to the Town's Project Manager.

KEY PROJECT MILESTONES

- Market survey instrument
- Summary report of external labor market assessment results

Task 5.0 Conduct a Benefits Survey

TASK GOALS

- Conduct an external labor market benefits survey.
- Provide a summary of the benefits survey results to the Town's Project Manager for review.

TASK ACTIVITIES

- 5.1 Develop a listing of the benefits (i.e., defined benefit and hybrid pension plans, deferred compensation plans 401(a), 457, executive benefits, employee contributions, vesting, and other elements associated with employee retirement benefit plans, provided by the Town that will be compared to competitive employers. **Note:** Evergreen will evaluate all benefits for general and public safety employees separately.
- 5.2 Evergreen will evaluate Group Insurance (i.e., medical, Rx, dental, vision including premiums, cost sharing, and coverage levels for each, Ancillary insurance (life, LTD, AD&D, etc.) FSA, HSAs, executive insurance benefits, health risk assessments, disease management programs, and other elements associated with employee group insurance plans) as compared to competitive employers.



**Task 6.0
Develop Strategic
Positioning
Recommendations**

- 5.3 Evergreen will evaluate Employee Leave Benefits such as vacation, sick, PTO, holidays, purchase or conversion plans, payouts upon separation/retirement, bereavement, etc., as compared to competitive employers.
- 5.4 Evergreen will further evaluate other pay practices such as cell phone stipends, educational assistance, degree recognition, specialty assignment stipends, certification incentives, mentoring/career counseling, work related travel reimbursement and per diem, etc., as compared to competitive employers.
- 5.5 Prepare benefits survey to be included with salary survey developed in **Task 4.0**.
- 5.6 Conduct a survey of benefits in use by competitive employers, to include both private and public employers, and make recommendations regarding the benefits which the Town might competitively employ in its market.
- 5.7 Submit benefits survey to the Town's Project Manager for review.
- 5.8 Revise benefits survey.
- 5.9 Distribute benefits survey in conjunction with salary survey.
- 5.10 Develop summary report of external labor market benefits results.
- 5.11 Submit summary report (i.e., executive summary) of external labor market benefits results to the Town's Project Manager. The summary report will include details regarding: agencies surveyed; position salary range surveyed; retirement and other benefits surveyed; benefits where the Town is in alignment, above, or below the market and the rationale for the same; and ranking of each benefit for all agencies surveyed.

KEY PROJECT MILESTONES:

- Catalogue of existing Town benefits
- Benefits survey instrument
- Summary report of external labor market benefits results

TASK GOALS

- Assess the appropriateness of the current compensation philosophy for the employees of the Town.
- Develop a plan for employees, providing issue areas and preliminary recommendations for strategic improvement.



**Task 7.0
Develop and
Submit Draft and
Final Reports**

TASK ACTIVITIES

- 6.1 Identify the compensation philosophy and accompanying thresholds.
- 6.2 Using the market salary and benefits data collected in **Tasks 4.0 and 5.0**, determine the proper pay plans, including number of grades, steps, and ranges for the Town's employees.
- 6.3 Identify highly competitive positions within the Town and customize recommendations for compensation where required.
- 6.4 Produce pay plans that best meet the needs of the Town from an external equity standpoint.

KEY PROJECT MILESTONES

- Proposed compensation strategic direction, taking into account external equity
- Plan for addressing unique, highly competitive positions

TASK GOALS

- Develop and submit a draft and final report of the Compensation and Benefits Study to the Town of Palm Beach.
- Present the final report.

TASK ACTIVITIES

- 7.1 Produce a comprehensive draft report that captures the results of each previous step. **Note:** The draft report will include the costs associated with the implementation of the recommended compensation plan. The report will also include an executive summary that includes the study's methodology, assumptions, and results, separating general employee data from public safety data, where applicable.
- 7.2 Submit the comprehensive draft report to the Town's Project Manager for review and approval.
- 7.3 Make edits and submit necessary copies of the final report.
- 7.4 Present the final report to Town management and the Town Council.
- 7.5 Develop a communication plan for sharing study results with employees.



**Task 8.0
Develop
Recommendations
for Compensation
Administration**

- 7.6 Develop implementation database to communicate the process and progress of this project to the Town's Project Manager.
- 7.7 Develop a plan for maintaining recommendations over time.

KEY PROJECT MILESTONES

- Draft and final reports
- Final presentation
- Communication plan
- Implementation and maintenance database

TASK GOAL

- Develop recommendations for the continued administration by Town staff to sustain the recommended compensation plan.

TASK ACTIVITIES

- 8.1 Develop recommendations and guidelines for the continued administration and maintenance of the compensation plan, including recommendations and guidelines related to:
- how employees will move through the pay structure/system as a result of transfers, promotions, or demotions;
 - how to pay employees whose base pay has reached the maximum of their pay range or value of their position;
 - the proper mix of pay;
 - how often to adjust pay scales and survey the market;
 - the timing of implementation; and
 - how to keep the system fair and competitive over time.
- 8.2 Recommend recruitment/retention strategies, where appropriate.
- 8.3 Present recommendations to the Town's Project Manager for review.

KEY PROJECT MILESTONES

- Recommendations for compensation administration
- Recommendations for recruitment/retention policies



4.6 Proposed Timeline

Evergreen Solutions possesses the ability, staff, skills, and tools to conduct the Compensation and Benefits Study for the Town of Palm Beach in three months of the project start date and following the signing of the contract. This is based on a tentative start date of October 1, 2018, and a completion date of December 30, 2018.

This project timeline can be modified in any way to best meet the needs of the Town of Palm Beach.



5.0 *Financial Information*

Evergreen possesses the financial and fiscal stability to undertake this engagement for the Town of Palm Beach. Evergreen has continued to experience steady financial growth over the years even in spite of the market's current economic instability. We continue to invest in the financial stability of the firm to ensure that our overall financial health can be maintained in periods of economic uncertainty. As such, our firm has never incurred any debts and has never borrowed against our line of credit. We continue to maintain a healthy 20 percent reserve to be able to address any potential fiscal issues that may arise.

We have attached a copy of our most recent tax return to demonstrate our financial stability.



Form **1065**Department of the Treasury
Internal Revenue Service

U.S. Return of Partnership Income

For calendar year 2017, or tax year beginning

, ending

OMB No. 1545-0123

2017Go to www.irs.gov/Form1065 for instructions and the latest information.

A Principal business activity

CONSULTINGType
or
Print

Name of partnership

EVERGREEN SOLUTIONS, LLC

D Employer identification number

**** - *** 3438**

B Principal product or service

CONSULTING

Number, street, and room or suite no. If a P.O. box, see the instructions.

2878 REMINGTON GREEN CIRCLE

E Date business started

07/01/2005

C Business code number

541600

City or town, state or province, country, and ZIP or foreign postal code

TALLAHASSEE**FL 32308**

F Total assets (see the instructions)

\$ 266,237G Check applicable boxes: (1) ☐ Initial return (2) ☐ Final return (3) ☐ Name change (4) ☐ Address change (5) ☐ Amended return
(6) ☐ Technical termination - also check (1) or (2)H Check accounting method: (1) ☒ Cash (2) ☐ Accrual (3) ☐ Other (specify) ▶I Number of Schedules K-1. Attach one for each person who was a partner at any time during the tax year ▶ **2**J Check if Schedules C and M-3 are attached ☐

Caution. Include only trade or business income and expenses on lines 1a through 22 below. See the instructions for more information.

Income	1a	Gross receipts or sales	1a	2,389,864	
	b	Returns and allowances	1b		
	c	Balance. Subtract line 1b from line 1a	1c		2,389,864
	2	Cost of goods sold (attach Form 1125-A)	2		
	3	Gross profit. Subtract line 2 from line 1c	3		2,389,864
	4	Ordinary income (loss) from other partnerships, estates, and trusts (attach statement)	4		
	5	Net farm profit (loss) (attach Schedule F (Form 1040))	5		
	6	Net gain (loss) from Form 4797, Part II, line 17 (attach Form 4797)	6		
Deductions (see the instructions for limitations)	7	Other income (loss) (attach statement)	7		
	8	Total income (loss). Combine lines 3 through 7	8		2,389,864
	9	Salaries and wages (other than to partners) (less employment credits)	9		671,926
	10	Guaranteed payments to partners	10		637,682
	11	Repairs and maintenance	11		1,242
	12	Bad debts	12		
	13	Rent	13		70,995
	14	Taxes and licenses	14		55,384
	15	Interest	15		
	16a	Depreciation (if required, attach Form 4562)	16a		
	b	Less depreciation reported on Form 1125-A and elsewhere on return	16b		
	16c		16c		
	17	Depletion (Do not deduct oil and gas depletion.)	17		
	18	Retirement plans, etc.	18		44,533
19	Employee benefit programs	19		59,111	
20	Other deductions (attach statement)	20	SEE STATEMENT 1	478,067	
21	Total deductions. Add the amounts shown in the far right column for lines 9 through 20	21		2,018,940	
22	Ordinary business income (loss). Subtract line 21 from line 8	22		370,924	

Sign
Here

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than partner or limited liability company member) is based on all information of which preparer has any knowledge.

Signature of partner or limited liability company member

Date

May the IRS discuss this return
with the preparer shown below (see
instructions)? ☒ Yes ☐ No**COPY**

Paid

Preparer

Use Only

Print/Type preparer's name

GREGORY J. COCHRAN

Preparer's signature

Gregory J. Cochran, CPA

Date

3-30-18Check ☐ if
self-employed

PTIN

*********Firm's name ▶ **THOMSON BROCK LUGER & COMPANY**Firm's EIN ▶ **** - *** 9573**Firm's address ▶ **3375G CAPITAL CIR NE****TALLAHASSEE, FL****32308-3736**Phone no. **850-385-7444**

For Paperwork Reduction Act Notice, see separate instructions.

Form **1065** (2017)

Schedule B Other Information

1 What type of entity is filing this return? Check the applicable box:

- a ☐ Domestic general partnership b ☐ Domestic limited partnership
 c ☒ Domestic limited liability company d ☐ Domestic limited liability partnership
 e ☐ Foreign partnership f ☐ Other ▶

Yes	No

2 At any time during the tax year, was any partner in the partnership a disregarded entity, a partnership (including an entity treated as a partnership), a trust, an S corporation, an estate (other than an estate of a deceased partner), or a nominee or similar person?

X

3 At the end of the tax year:

a Did any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, or tax-exempt organization, or any foreign government own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If "Yes," attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership

X

b Did any individual or estate own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership? For rules of constructive ownership, see instructions. If "Yes," attach Schedule B-1, Information on Partners Owning 50% or More of the Partnership

X

4 At the end of the tax year, did the partnership:

a Own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of stock entitled to vote of any foreign or domestic corporation? For rules of constructive ownership, see instructions. If "Yes," complete (i) through (iv) below

X

(i) Name of Corporation

(ii) Employer Identification Number (if any)

(iii) Country of Incorporation

(iv) Percentage Owned in Voting Stock

b Own directly an interest of 20% or more, or own, directly or indirectly, an interest of 50% or more in the profit, loss, or capital in any foreign or domestic partnership (including an entity treated as a partnership) or in the beneficial interest of a trust? For rules of constructive ownership, see instructions. If "Yes," complete (i) through (v) below

X

(i) Name of Entity

(ii) Employer Identification Number (if any)

(iii) Type of Entity

(iv) Country of Organization

(v) Maximum Percentage Owned in Profit, Loss, or Capital

5 Did the partnership file Form 8893, Election of Partnership Level Tax Treatment, or an election statement under section 6231(a)(1)(B)(ii) for partnership-level tax treatment, that is in effect for this tax year? See Form 8893 for more details

Yes	No

6 Does the partnership satisfy all four of the following conditions?

- a The partnership's total receipts for the tax year were less than \$250,000.
 b The partnership's total assets at the end of the tax year were less than \$1 million.
 c Schedules K-1 are filed with the return and furnished to the partners on or before the due date (including extensions) for the partnership return.
 d The partnership is not filing and is not required to file Schedule M-3
 If "Yes," the partnership is not required to complete Schedules L, M-1, and M-2; Item F on page 1 of Form 1065; or Item L on Schedule K-1.

X

7 Is this partnership a publicly traded partnership as defined in section 469(k)(2)?

X

8 During the tax year, did the partnership have any debt that was cancelled, was forgiven, or had the terms modified so as to reduce the principal amount of the debt?

X

9 Has this partnership filed, or is it required to file, Form 8918, Material Advisor Disclosure Statement, to provide information on any reportable transaction?

X

10 At any time during calendar year 2017, did the partnership have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? See the instructions for exceptions and filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR). If "Yes," enter the name of the foreign country. ▶

X

Schedule B Other Information (continued)

	Yes	No
11 At any time during the tax year, did the partnership receive a distribution from, or was it the grantor of, or transferor to, a foreign trust? If "Yes," the partnership may have to file Form 3520, Annual Return To Report Transactions With Foreign Trusts and Receipt of Certain Foreign Gifts. See instructions		X
12a Is the partnership making, or had it previously made (and not revoked), a section 754 election? See instructions for details regarding a section 754 election.		X
b Did the partnership make for this tax year an optional basis adjustment under section 743(b) or 734(b)? If "Yes," attach a statement showing the computation and allocation of the basis adjustment. See instructions		X
c Is the partnership required to adjust the basis of partnership assets under section 743(b) or 734(b) because of a substantial built-in loss (as defined under section 743(d)) or substantial basis reduction (as defined under section 734(d))? If "Yes," attach a statement showing the computation and allocation of the basis adjustment. See instructions		X
13 Check this box if, during the current or prior tax year, the partnership distributed any property received in a like-kind exchange or contributed such property to another entity (other than disregarded entities wholly owned by the partnership throughout the tax year) ▶ ☐		
14 At any time during the tax year, did the partnership distribute to any partner a tenancy-in-common or other undivided interest in partnership property?		X
15 If the partnership is required to file Form 8858, Information Return of U.S. Persons With Respect To Foreign Disregarded Entities, enter the number of Forms 8858 attached. See instructions ▶		
16 Does the partnership have any foreign partners? If "Yes," enter the number of Forms 8805, Foreign Partner's Information Statement of Section 1446 Withholding Tax, filed for this partnership. ▶		X
17 Enter the number of Forms 8865, Return of U.S. Persons With Respect to Certain Foreign Partnerships, attached to this return. ▶		
18a Did you make any payments in 2017 that would require you to file Form(s) 1099? See instructions	X	
b If "Yes," did you or will you file required Form(s) 1099?	X	
19 Enter the number of Form(s) 5471, Information Return of U.S. Persons With Respect To Certain Foreign Corporations, attached to this return. ▶ 0		
20 Enter the number of partners that are foreign governments under section 892. ▶ 0		
21 During the partnership's tax year, did the partnership make any payments that would require it to file Form 1042 and 1042-S under chapter 3 (sections 1441 through 1464) or chapter 4 (sections 1471 through 1474)?		X
22 Was the partnership a specified domestic entity required to file Form 8938 for the tax year (See the instructions for Form 8938)?		X

Designation of Tax Matters Partner (see instructions)

Enter below the general partner or member-manager designated as the tax matters partner (TMP) for the tax year of this return:

Name of designated TMP	▶ LINDA A. RECIO	Identifying number of TMP	▶ ***-**-3148
If the TMP is an entity, name of TMP representative	▶	Phone number of TMP	▶ 850-383-0111
Address of designated TMP	▶ 1432 VIEUX CARRE DRIVE TALLAHASSEE FL 32308		

Schedule K Partners' Distributive Share Items

		Total amount
Income (Loss)	1 Ordinary business income (loss) (page 1, line 22)	1 370,924
	2 Net rental real estate income (loss) (attach Form 8825)	2
	3a Other gross rental income (loss)	3a
	b Expenses from other rental activities (attach statement)	3b
	c Other net rental income (loss). Subtract line 3b from line 3a	3c
	4 Guaranteed payments	4 637,682
	5 Interest income	5 30
	6 Dividends: a Ordinary dividends	6a
	b Qualified dividends	6b
	7 Royalties	7
	8 Net short-term capital gain (loss) (attach Schedule D (Form 1065))	8
Deductions	9a Net long-term capital gain (loss) (attach Schedule D (Form 1065))	9a
	b Collectibles (28%) gain (loss)	9b
	c Unrecaptured section 1250 gain (attach statement)	9c
	10 Net section 1231 gain (loss) (attach Form 4797)	10
	11 Other income (loss) (see instructions) Type ▶	11
	12 Section 179 deduction (attach Form 4562)	12 7,088
	13a Contributions SEE STATEMENT 2	13a 250
	b Investment interest expense	13b
	c Section 59(e)(2) expenditures:	
	(1) Type ▶ (2) Amount ▶	13c(2)
	d Other deductions (see instructions) Type ▶ SEE STATEMENT 3	13d 42,000
Self-Employment	14a Net earnings (loss) from self-employment	14a 1,008,606
	b Gross farming or fishing income	14b
	c Gross nonfarm income	14c 2,389,864
Credits	15a Low-income housing credit (section 42(j)(5))	15a
	b Low-income housing credit (other)	15b
	c Qualified rehabilitation expenditures (rental real estate) (attach Form 3468, if applicable)	15c
	d Other rental real estate credits (see instructions) Type ▶	15d
	e Other rental credits (see instructions) Type ▶	15e
	f Other credits (see instructions) Type ▶	15f
Foreign Transactions	16a Name of country or U.S. possession ▶	
	b Gross income from all sources	16b
	c Gross income sourced at partner level	16c
	Foreign gross income sourced at partnership level	
	d Passive category ▶ e General category ▶ f Other ▶	16f
	Deductions allocated and apportioned at partner level	
	g Interest expense ▶ h Other ▶	16h
	Deductions allocated and apportioned at partnership level to foreign source income	
	i Passive category ▶ j General category ▶ k Other ▶	16k
	l Total foreign taxes (check one): ▶ Paid ☐ Accrued ☐	16l
	m Reduction in taxes available for credit (attach statement)	16m
n Other foreign tax information (attach statement)		
Alternative Minimum Tax (AMT) Items	17a Post-1986 depreciation adjustment	17a -228
	b Adjusted gain or loss	17b
	c Depletion (other than oil and gas)	17c
	d Oil, gas, and geothermal properties – gross income	17d
	e Oil, gas, and geothermal properties – deductions	17e
	f Other AMT items (attach statement)	17f
Other Information	18a Tax-exempt interest income	18a
	b Other tax-exempt income	18b
	c Nondeductible expenses SEE STATEMENT 4	18c 25,369
	19a Distributions of cash and marketable securities	19a 324,091
	b Distributions of other property	19b
	20a Investment income	20a 30
	b Investment expenses	20b
c Other items and amounts (attach statement)		

Analysis of Net Income (Loss)

1 Net Income (loss). Combine Schedule K, lines 1 through 11. From the result, subtract the sum of Schedule K, lines 12 through 13d, and 16l						1	959,298
2 Analysis by partner type:		(i) Corporate	(ii) Individual (active)	(iii) Individual (passive)	(iv) Partnership	(v) Exempt Organization	(vi) Nominee/Other
a General partners							
b Limited partners			959,298				

Schedule L Balance Sheets per Books		Beginning of tax year		End of tax year	
Assets		(a)	(b)	(c)	(d)
1	Cash		111,724		67,196
2a	Trade notes and accounts receivable				
b	Less allowance for bad debts				
3	Inventories				
4	U.S. government obligations				
5	Tax-exempt securities				
6	Other current assets (attach statement) SEE STMT 5		126,991		195,000
7a	Loans to partners (or persons related to partners)				
b	Mortgage and real estate loans				
8	Other investments (attach statement)				
9a	Buildings and other depreciable assets	78,385		85,473	
b	Less accumulated depreciation	78,385	0	85,473	0
10a	Depletable assets				
b	Less accumulated depletion				
11	Land (net of any amortization)				
12a	Intangible assets (amortizable only)				
b	Less accumulated amortization				
13	Other assets (attach statement) SEE STMT 6		2,050		4,041
14	Total assets		240,765		266,237
Liabilities and Capital					
15	Accounts payable				
16	Mortgages, notes, bonds payable in less than 1 year				
17	Other current liabilities (attach statement) SEE STMT 7				11,316
18	All nonrecourse loans				
19a	Loans from partners (or persons related to partners)				
b	Mortgages, notes, bonds payable in 1 year or more				
20	Other liabilities (attach statement)				
21	Partners' capital accounts		240,765		254,921
22	Total liabilities and capital		240,765		266,237

Schedule M-1 Reconciliation of Income (Loss) per Books With Income (Loss) per Return

Note. The partnership may be required to file Schedule M-3 (see instructions).

1	Net income (loss) per books	338,247	6	Income recorded on books this year not included on Schedule K, lines 1 through 11 (itemize):	
2	Income included on Schedule K, lines 1, 2, 3c, 5, 6a, 7, 8, 9a, 10, and 11, not recorded on books this year (itemize):		a	Tax-exempt interest \$	
3	Guaranteed payments (other than health insurance)	637,682	7	Deductions included on Schedule K, lines 1 through 13d, and 16l, not charged against book income this year (itemize):	
4	Expenses recorded on books this year not included on Schedule K, lines 1 through 13d, and 16l (itemize):		a	Depreciation \$	
a	Depreciation \$			SEE STATEMENT 9	
b	Travel and entertainment \$ 11,810			42,000	42,000
	SEE STATEMENT 8		8	Add lines 6 and 7	42,000
	13,559	25,369	9	Income (loss) (Analysis of Net Income (Loss), line 1). Subtract line 8 from line 5	959,298
5	Add lines 1 through 4	1,001,298			

Schedule M-2 Analysis of Partners' Capital Accounts

1	Balance at beginning of year	240,765	6	Distributions: a Cash	324,091
2	Capital contributed: a Cash		b	Property	
	b Property				
3	Net income (loss) per books	338,247	7	Other decreases (itemize):	
4	Other increases (itemize):				
			8	Add lines 6 and 7	324,091
5	Add lines 1 through 4	579,012	9	Balance at end of year. Subtract line 8 from line 5	254,921

SCHEDULE B-1
(Form 1065)

(Rev. September 2017)

Department of the Treasury
Internal Revenue Service**Information on Partners Owning 50% or
More of the Partnership**

▶ Attach to Form 1065.

▶ Go to www.irs.gov/Form1065 for the latest information.

OMB No. 1545-0123

Name of partnership

EVERGREEN SOLUTIONS, LLC

Employer identification number (EIN)

****-***3438****Part I** **Entities Owning 50% or More of the Partnership** (Form 1065, Schedule B, Question 3a)

Complete columns (i) through (v) below for any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, tax-exempt organization, or any foreign government that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Maximum Percentage Owned in Profit, Loss, or Capital

Part II **Individuals or Estates Owning 50% or More of the Partnership** (Form 1065, Schedule B, Question 3b)

Complete columns (i) through (iv) below for any individual or estate that owns, directly or indirectly, an interest of 50% or more in the profit, loss, or capital of the partnership (see instructions).

(i) Name of Individual or Estate	(ii) Identifying Number (if any)	(iii) Country of Citizenship (see instructions)	(iv) Maximum Percentage Owned in Profit, Loss, or Capital
LINDA A. RECIO	***-**-3148	UNITED STATES	66.666700

For Paperwork Reduction Act Notice, see the Instructions for Form 1065.

Schedule B-1 (Form 1065) (Rev. 9-2017)

Schedule K-1
(Form 1065)Department of the Treasury
Internal Revenue Service

2017

For calendar year 2017, or tax year

☐ Final K-1☐ Amended K-1651113
OMB No. 1545-0123

beginning

ending

Partner's Share of Income, Deductions,
Credits, etc.

▶ See back of form and separate instructions.

Part I Information About the Partnership

A Partnership's employer identification number

-*3438

B Partnership's name, address, city, state, and ZIP code

EVERGREEN SOLUTIONS, LLC

2878 REMINGTON GREEN CIRCLE
TALLAHASSEE FL 32308

C IRS Center where partnership filed return

E-FILE

D ☐ Check if this is a publicly traded partnership (PTP)

Part II Information About the Partner

E Partner's identifying number

***-**-3148

F Partner's name, address, city, state, and ZIP code

LINDA A. RECIO

1432 VIEUX CARRE DRIVE
TALLAHASSEE FL 32308G ☒ General partner or LLC
member-manager☐ Limited partner or other LLC
memberH ☒ Domestic partner☐ Foreign partnerI What type of entity is this partner? INDIVIDUALJ If this partner is a retirement plan (IRA/SEP/Keogh/etc.), check here ☐

K Partner's share of profit, loss, and capital (see instructions):

	Beginning	Ending
Profit	66.666700 %	66.666700 %
Loss	66.666700 %	66.666700 %
Capital	66.666700 %	66.666700 %

K Partner's share of liabilities at year end:

Nonrecourse	\$
Qualified nonrecourse financing	\$
Recourse	\$

L Partner's capital account analysis:

Beginning capital account	\$	166,838
Capital contributed during the year	\$	
Current year increase (decrease)	\$	223,979
Withdrawals & distributions	\$	(180,291)
Ending capital account	\$	210,526

☒ Tax basis ☐ GAAP ☐ Section 704(b) book
☐ Other (explain)

M Did the partner contribute property with a built-in gain or loss?

☐ Yes ☒ No

If "Yes," attach statement (see instructions)

Part III Partner's Share of Current Year Income,
Deductions, Credits, and Other Items

1	Ordinary business income (loss)	15	Credits
	247,283		
2	Net rental real estate income (loss)		
3	Other net rental income (loss)	16	Foreign transactions
4	Guaranteed payments		
	335,960		
5	Interest income		
	20		
6a	Ordinary dividends		
6b	Qualified dividends		
7	Royalties		
8	Net short-term capital gain (loss)		
9a	Net long-term capital gain (loss)	17	Alternative minimum tax (AMT) items
		A	-152
9b	Collectibles (28%) gain (loss)		
9c	Unrecaptured section 1250 gain		
10	Net section 1231 gain (loss)	18	Tax-exempt income and nondeductible expenses
11	Other income (loss)	C*	STMT
12	Section 179 deduction	19	Distributions
	4,725	A	180,291
13	Other deductions	20	Other information
A	167		
R	24,000	A	20
14	Self-employment earnings (loss)		
A	583,243		
C	1,593,243		

*See attached statement for additional information.

For IRS Use Only

Schedule K-1, Line 18 - Tax-Exempt Income and Nondeductible Expenses

<u>Code</u>	<u>Description</u>	<u>Amount</u>
C	MEMBER LIFE INSURANCE	\$ 10,559
C	NONDEDUCTIBLE MEALS AND ENTERTAINMENT	7,873

Schedule K-1
(Form 1065)

2017

Department of the Treasury
Internal Revenue Service

For calendar year 2017, or tax year

beginning

ending

Partner's Share of Income, Deductions,
Credits, etc.

▶ See back of form and separate instructions.

Part I Information About the Partnership

A Partnership's employer identification number

-*3438

B Partnership's name, address, city, state, and ZIP code

EVERGREEN SOLUTIONS, LLC

2878 REMINGTON GREEN CIRCLE
TALLAHASSEE FL 32308

C IRS Center where partnership filed return

E-FILE

D ☐ Check if this is a publicly traded partnership (PTP)

Part II Information About the Partner

E Partner's identifying number

***-**-5804

F Partner's name, address, city, state, and ZIP code

JEFFREY LING

1400 VILLAGE SQUARE BLVD. 3-515
TALLAHASSEE FL 32312-1250G ☒ General partner or LLC
member-manager☐ Limited partner or other LLC
memberH ☒ Domestic partner☐ Foreign partnerI1 What type of entity is this partner? INDIVIDUALI2 If this partner is a retirement plan (IRA/SEP/Keogh/etc.), check here ☐

J Partner's share of profit, loss, and capital (see instructions):

	Beginning	Ending
Profit	33.333300 %	33.333300 %
Loss	33.333300 %	33.333300 %
Capital	33.333300 %	33.333300 %

K Partner's share of liabilities at year end:

Nonrecourse	\$
Qualified nonrecourse financing	\$
Recourse	\$

L Partner's capital account analysis:

Beginning capital account	\$	73,927
Capital contributed during the year	\$	
Current year increase (decrease)	\$	114,268
Withdrawals & distributions	\$	(143,800)
Ending capital account	\$	44,395

☒ Tax basis ☐ GAAP ☐ Section 704(b) book
☐ Other (explain)

M Did the partner contribute property with a built-in gain or loss?

☐ Yes ☒ No

If "Yes," attach statement (see instructions)

☐ Final K-1☐ Amended K-1Part III Partner's Share of Current Year Income,
Deductions, Credits, and Other Items

1	Ordinary business income (loss)	15	Credits
	123,641		
2	Net rental real estate income (loss)		
3	Other net rental income (loss)	16	Foreign transactions
4	Guaranteed payments		
	301,722		
5	Interest income		
	10		
6a	Ordinary dividends		
6b	Qualified dividends		
7	Royalties		
8	Net short-term capital gain (loss)		
9a	Net long-term capital gain (loss)	17	Alternative minimum tax (AMT) items
		A	-76
9b	Collectibles (28%) gain (loss)		
9c	Unrecaptured section 1250 gain		
10	Net section 1231 gain (loss)	18	Tax-exempt income and nondeductible expenses
11	Other income (loss)	C*	STMT
12	Section 179 deduction	19	Distributions
	2,363	A	143,800
13	Other deductions	20	Other information
A	83		
R	18,000	A	10
14	Self-employment earnings (loss)		
A	425,363		
C	796,621		

*See attached statement for additional information.

For IRS Use Only

Schedule K-1, Line 18 - Tax-Exempt Income and Nondeductible Expenses

<u>Code</u>	<u>Description</u>	<u>Amount</u>
C	MEMBER LIFE INSURANCE	\$ 3,000
C	NONDEDUCTIBLE MEALS AND ENTERTAINMENT	3,937

Depreciation and Amortization
(Including Information on Listed Property)

▶ Attach to your tax return.

▶ Go to www.irs.gov/Form4562 for instructions and the latest information.

Name(s) shown on return

EVERGREEN SOLUTIONS, LLC

Identifying number

****-***3438**

Business or activity to which this form relates

FORM 1065, PAGE 1**Part I Election To Expense Certain Property Under Section 179****Note:** If you have any listed property, complete Part V before you complete Part I.

1	Maximum amount (see instructions)	1	510,000
2	Total cost of section 179 property placed in service (see instructions)	2	7,088
3	Threshold cost of section 179 property before reduction in limitation (see instructions)	3	2,030,000
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	0
5	Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	510,000
6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost
	2 DELL COMPUTERS-LATITUDE 7480	4,790	4,790
	DELL LATITUDE 5480	2,298	2,298
7	Listed property. Enter the amount from line 29	7	
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	7,088
9	Tentative deduction. Enter the smaller of line 5 or line 8	9	7,088
10	Carryover of disallowed deduction from line 13 of your 2016 Form 4562	10	
11	Business income limitation. Enter the smaller of business income (not less than zero) or line 5 (see instructions)	11	510,000
12	Section 179 expense deduction. Add lines 9 and 10, but don't enter more than line 11	12	7,088
13	Carryover of disallowed deduction to 2018. Add lines 9 and 10, less line 12	13	

Note: Don't use Part II or Part III below for listed property. Instead, use Part V.**Part II Special Depreciation Allowance and Other Depreciation (Don't include listed property.) (See instructions.)**

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)	14	
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	

Part III MACRS Depreciation (Don't include listed property.) (See instructions.)**Section A**

17	MACRS deductions for assets placed in service in tax years beginning before 2017	17	0
18	If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here		

Section B—Assets Placed In Service During 2017 Tax Year Using the General Depreciation System

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only—see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g 25-year property			25 yrs.		S/L	
h Residential rental property			27.5 yrs.	MM	S/L	
			27.5 yrs.	MM	S/L	
i Nonresidential real property			39 yrs.	MM	S/L	
				MM	S/L	

Section C—Assets Placed In Service During 2017 Tax Year Using the Alternative Depreciation System

20a Class life				S/L	
b 12-year		12 yrs.		S/L	
c 40-year		40 yrs.	MM	S/L	

Part IV Summary (See instructions.)

21	Listed property. Enter amount from line 28	21	
22	Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. Enter here and on the appropriate lines of your return. Partnerships and S corporations—see instructions	22	
23	For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

For Paperwork Reduction Act Notice, see separate instructions.

Form **4562** (2017)

Statement 1 - Form 1065, Page 1, Line 20 - Other Deductions

<u>Description</u>	<u>Amount</u>
BANK SERVICE CHARGES	\$ 302
CLEANING / JANITORIAL	5,450
DUES & SUBSCRIPTIONS	6,394
INSURANCE	13,704
ADVERTISING AND MARKETING	58,239
OFFICE SUPPLIES AND EXPENSE	14,217
PRINTING AND PRODUCTION	6,181
PROFESSIONAL DEVELOPMENT	5,872
PROFESSIONAL FEES - ACCTG	4,095
OUTSIDE SERVICES	161,820
TECHNOLOGY	25,876
TELEPHONE & FAX	13,617
TRAVEL	129,079
UTILITIES	6,467
POSTAGE & DELIVERY	220
PRC: DATA PURCHASE	8,030
EMPLOYEE BENEFITS	3,992
OFFICE EQUIPMENT	536
PROFESSIONAL FEES - OTHER	1,024
PROFESSIONAL FEES - LEGAL	890
PRC: SOFTWARE PURCHASES	251
MEALS AND ENTERTAIN (50%)	11,811
TOTAL	<u>\$ 478,067</u>

Federal Statements

Statement 2 - Form 1065, Schedule K, Line 13a - Contributions

Description	100%	50%	30%	20%	Total
CHARITABLE CONTRIBUTIONS	\$ 0	\$ 250	\$ 0	\$ 0	\$ 250
TOTAL	\$ 0	\$ 250	\$ 0	\$ 0	\$ 250

Statement 3 - Form 1065, Schedule K, Line 13d - Other Deductions

Description	Amount
PENSIONS AND IRA'S	\$ 42,000
TOTAL	\$ 42,000

Statement 4 - Form 1065, Schedule K, Line 18c - Nondeductible Expenses

Description	Amount
NONDEDUCTIBLE MEALS AND ENTERTAINMENT	\$ 11,810
MEMBER LIFE INSURANCE	13,559
TOTAL	\$ 25,369

Statement 5 - Form 1065, Schedule L, Line 6 - Other Current Assets

Description	Beginning of Year	End of Year
DUE FROM LINDA RECIO	\$ 125,000	\$ 195,000
PREPAID CALIFORNIA INCOME TAX	1,991	
TOTAL	\$ 126,991	\$ 195,000

Statement 6 - Form 1065, Schedule L, Line 13 - Other Assets

Description	Beginning of Year	End of Year
DEPOSITS	\$ 2,050	\$ 4,041
TOTAL	\$ 2,050	\$ 4,041

Statement 7 - Form 1065, Schedule L, Line 17 - Other Current Liabilities

Description	Beginning of Year	End of Year
PAYROLL LIABILITIES	\$	\$ 232
RETIREMENT CONTRIBUTION PAYAB		11,084
TOTAL	\$ 0	\$ 11,316

Statement 8 - Form 1065, Schedule M-1, Line 4 - Expenses Recorded on Books, Not on Sch K

Description	Amount
MEMBER LIFE INSURANCE	\$ 13,559
TOTAL	\$ 13,559

Statement 9 - Form 1065, Schedule M-1, Line 7 - Deductions Included on Sch K, Not on Books

Description	Amount
PENSIONS AND IRAS CONSIDERED GUARANTEED PAYMENTS	\$ 42,000
TOTAL	\$ 42,000

Evergreen Solutions, LLC
2878 Remington Green Circle
Tallahassee, FL 32308

Section 1.263(a)-1(f) De Minimis Safe Harbor Election

Under Regulation 1.263(a)-1(f), the taxpayer hereby elects to apply the de minimis safe harbor election to all qualifying property placed in service during the tax year.

6.0 *Variations and Exceptions*

Evergreen will comply with all requirements included in the scope of work of the Request for Proposal. Evergreen doesn't take any variations or exceptions to any section of the RFP.



7.0 *Litigation Statement*

No litigation or regulatory action has been filed against Evergreen Solutions in the last three years.



8.0 Experience

As required in the Request for Proposal, we have provided five references on the attached form that we feel demonstrate the breadth and quality of the work our team has performed within the past five years or that we are currently on contract to perform as it relates to the services being requested by the Town of Palm Beach. We invite you to contact our client references as to the quality and timeliness of our consulting projects. Additional references are available upon request.





TOWN OF PALM BEACH
RFP No. 2018-49

COMPENSATION AND BENEFITS STUDY

LIST OF CURRENT & PERTINENT PROFESSIONAL REFERENCE

The following is a list of at least **five (5)** current (within last five years) and pertinent professional references (preferably public entities) that the Town can contact in relation to Proposer's Proposals, 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:	Classification & Compensation Study
Palm Beach County	Date(s):	4/1/18 to Present
100 Australian Avenue, Suite 300	Amount:	\$189,000
West Palm Beach, Florida 33406	Contact:	Maria Figueroa
	Telephone No:	(561) 616-6873
	Email:	MFiguroa@pbcgov.org
For Town Use Only: Comments:		
Reference Verified: Yes ___ No ___		

2. Name and Address of Firm, City, County, or Agency	Scope of Work:	Pay & Classification Study
City of Doral	Date(s):	9/15/14 to 1/15/15
8401 NW 53 rd Terrace	Amount:	\$39,000
Doral, Florida 33166	Contact:	Francisco Rios
	Telephone No:	(305) 593-6725 x.1500
	Email:	Francisco.Rios@cityofdoral.com
For Town Use Only: Comments:		
Reference Verified: Yes ___ No ___		

3. Name and Address of Firm, City, County, or Agency	Scope of Work:	Employee Compensation Services
City of Coral Springs	Date(s):	4/1/15 to 8/1/15
City Hall	Amount:	\$38,000
9551 West Sample Road	Contact:	Dale Pazdra
Coral Springs, Florida 33065	Telephone No:	(954) 344-1152
	Email:	DPazdra@coralsprings.org
For Town Use Only: Comments:		
Reference Verified: Yes ___ No ___		

4. Name and Address of Firm, City, County, or Agency	Scope of Work:	Compensation & Classification Study
Town of Davie	Date(s):	2/15/17 to 2/14/18
6591 Orange Drive	Amount:	\$48,500
Davie, Florida 33314	Contact:	Grace Garagozzo
	Telephone No:	(954) 797-1100
	Email:	ggaragozzo@davie-fl.org
For Town Use Only: Comments:		
Reference Verified: Yes ___ No ___		

5. Name and Address of Firm, City, County, or Agency	Scope of Work:	Compensation & Classification Study
City of Palm Beach Gardens	Date(s):	12/1/15 to 6/1/16
10500 North Military Trail	Amount:	\$34,500
Palm Beach Gardens, Florida 33410	Contact:	Sheryl Stewart
	Telephone No:	(561) 799-4132
	Email:	sstewart@pbgfl.com
For Town Use Only: Comments:		
Reference Verified: Yes ___ No ___		

Company Name: Evergreen Solutions, LLC

9.0 Cost Detail

Evergreen Solutions, LLC is pleased to present our proposed costs to conduct a Compensation and Benefits Study for the Town of Palm Beach. Evergreen Solutions is committed to providing the highest quality consulting services to our client partners for a reasonable price. Evergreen Solutions is fortunate that our overhead is minimal and our expenses are reasonable so we can pass that cost savings on to our clients.

As required in the Request for Proposal (RFP), we have attached the "Cost Proposal Form" that identifies our costs based on the description of services outlined in the scope of work of the RFP. Our cost is all inclusive, and includes travel costs (meals and lodging), transportation, fringe benefits, indirect cost (overhead), clerical support, and all other out-of-pocket expenses. Our cost also includes two onsite visits to the Town of Palm Beach to perform the requested work.

The following is our preferred invoicing schedule:

- 33% - upon completion of Tasks 1 – 2 of our work plan
- 33% - upon completion of Tasks 3 – 5 of our work plan
- 34% - upon completion of Tasks 6 – 8 of our work plan

We are willing to negotiate the time, scope, and cost of the basic tasks, or any other options that the Town of Palm Beach wishes to identify. Evergreen Solutions federal employer identification number is 20-1833438.





TOWN OF PALM BEACH

RFP No. 2018-49

COMPENSATION AND BENEFITS STUDY

COST PROPOSAL PAGES

Item	Description of services	Amount
1	Salary Range Evaluation	\$26,000 ⁰⁰
2	Retirement Benefits Evaluation	\$4,825 ⁰⁰
3	Other Pay Practices Evaluation	\$1,625 ⁰⁰
TOTAL:		\$32,500

Note: Town may request for the study to be completed in sections (salary range, retirement, and other pay practices) based on organizational needs.

The hereby undersigned representative submits this proposal and certifies that they are an authorized representative of the proposer who may legally bind the proposer:

***SIGNATURE:**

Date:

Name:

Title:

Company:

Address:

City:

State:

Zip:

Telephone No:

Fax No:

Email:

Federal ID #:

Dun Bradstreet #:

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

10.0 *Forms*

As required in the Request for Proposal (RFP), we have attached the following forms from the RFP:

- Proposer's Checklist
- Acknowledgement of Addendums 1 and 2
- Proposer's Qualifications Form
- Drug-Free Work Place Certification
- List of Proposed Subcontractors
- Certificate of Insurance



Name of Company Representative: Dr. Jeff Ling, Exec. Vice President
 Address: 2878 Remington Green Cir., Tallahassee, FL 32308
 Phone Number: (850) 383-0111 Fax Number: (850) 383-1511
 E Mail: jeff@consultevergreen.com Date 8/13/18

Acknowledgement is hereby made of the following Addenda received since issuance of this Request for Proposals:

Addendum No. 1 Dated: 7/25/18 Addendum No. 2 Dated: 8/10/18

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

PROPOSER'S CHECKLIST

All proposals shall include the Town provided forms. Failure to do so may cause the proposal to be rejected. All blanks on the forms must be completed. Supplemental information may be attached to the forms. This list is not meant to be all-inclusive of all items required.

Is a Title Page included?	☒ Yes	☐ No
Is a Table of Contents provided?	☒ Yes	☐ No
Have 6 copies been provided?	☒ Yes	☐ No
Transmittal/Introduction Letter submitted?	☒ Yes	☐ No
Technical Proposal Section with Qualifications & Approach?	☒ Yes	☐ No
Financial Information Section with Indication of Resources?	☒ Yes	☐ No
Variations/Exceptions Section?	☒ Yes	☐ No
Litigation Section?	☒ Yes	☐ No
Proposer's Experience Section with 5 References?	☒ Yes	☐ No
Minimum 5 clients shown?	☒ Yes	☐ No
Staffing levels been explained?	☒ Yes	☐ No
Qualifications of personnel provided?	☒ Yes	☐ No
List of Current Contracts and Schedule Requirements?	☒ Yes	☐ No
Cost Proposal completed with fee schedule?	☒ Yes	☐ No
Proposer's Qualifications Form submitted?	☒ Yes	☐ No
Business Tax Receipt included?	☒ Yes	☐ No
Form W-9 included?	☒ Yes	☐ No
Is Drug-Free Workplace Certification form submitted?	☒ Yes	☐ No
Is Professional References form submitted?	☒ Yes	☐ No
Do References include current clients?	☒ Yes	☐ No
List of Subcontractors provided?	☒ Yes	☒ No N/A
Verification/acknowledgement of insurance capabilities?	☒ Yes	☐ No
Are all proposal pages signed?	☒ Yes	☐ No
Are addenda acknowledged?	☒ Yes	☐ No



**TOWN OF PALM BEACH
RFP No. 2018-49
COMPENSATION AND BENEFITS STUDY**

July 25, 2018

Addendum No. 1

This addendum shall modify and become a part of the original Solicitation Document.

The purpose of this addendum is to share information discussed at the pre-proposal meeting and answer questions received.

The due date remains August 15, 2018, at 2:00 p.m.

CLARIFICATIONS

Additional Requirements – As outlined on page 16 of the RFP document, the selected consultant will be required to make presentations to Town Staff and Town Council with the study findings. Any fees associated with these presentations are to be included the costs submitted on the Cost Proposal Page (pg. 21). If the consultant is required to prepare an implementation and cost analysis they may submit a separate cost proposal.

Innovative Concepts and Recommendations – If the consultant is recommending innovations with added costs they may submit them as an additional fee schedule.

Time Frame – We anticipate an award will be made in September with an agreement signed by October. The study should be completed as soon as possible.

Protected Salary Information – Any supporting data obtained from private sources may be kept confidential. At a minimum the Town will need to know the industry sampled, the size of the organization sampled, the type of organization sampled and their location. All material submitted with your proposal will become public record unless exempted as allowed by Florida State Statute Chapter 119.

Job Study – A review of job/position descriptions is not part of the study.

ERP System – The Town uses Eden software (Tyler Technologies) as their Enterprise Resource Planning system. In addition, the Town utilizes Insight (NeoGov) for applicant tracking and job classification specifications.

Regional Talent – The Town considers Palm Beach County as their primary geographical area for employees. This area may also extend to Southern Martin County and Northern Broward County.

Budget – The Town does not have a specific budget, at this time, for this study.

Past Salary Surveys – The Town has not contracted for a formal salary survey over the past several years.

Any questions concerning this document should be addressed to the undersigned Purchasing Coordinator via facsimile to (561) 835-4688 or e-mail to: dbasha@townofpalmbeach.com

Duke Basha
Assistant Purchasing Manager

All Proposers shall acknowledge receipt of this addendum by annotating the Schedule of Bid Items/Proposal signature page with the addendum number and completing the following section and returning with the Proposal Documents to verify receipt.

Company Name: Evergreen Solutions, LLC

2878 Remington Green Circle

Address: Tallahassee, FL 32308

City, State, and Zip Code:

Authorized Signature:

Dr. Jeff King, Executive Vice-President

Print Name and Title:

Telephone: (850) 383-0111 Date: 8/13/18



**TOWN OF PALM BEACH
RFP No. 2018-49
COMPENSATION AND BENEFITS STUDY**

August 10, 2018

Addendum No. 2

This addendum shall modify and become a part of the original Solicitation Document.

The purpose of this addendum is to answer questions received.

The due date remains August 15, 2018, at 2:00 p.m.

CLARIFICATIONS

Q1: Where does the Town typically hire / recruit from, and lose talent to? Does this differ by type of classification/job? If so, how?

A1: The Town's primary recruitment market is Palm Beach County. However, we have also both recruited and lost talent to Broward and Martin Counties. Further details about turnover and market conditions with respect to recruitment will be supplied to the awarded firm.

Q2: Is the Town open to conducting a custom survey to capture all peer organizations? If so, is the Town open to providing custom survey participants with a summary report, in order to help increase participation? Recognizing that the fee for a custom survey is generally more than gathering data from general resources how would we ensure that the Town is able to properly compare RFP responses that might differ in this regard?

A2: Florida's broad public record law provides access via record requests to public entity salary and job data. Therefore, the Town has no concern with protected salary data and sharing survey results is in alignment with public record disclosure. The consultant shall provide the Town with the method by which they will obtain and analyze salary data and submit pricing they believe to be in alignment with the work they propose to perform.

Q3: Are there specific organizations that must be included in this study, and if so, who are they?

A3: Additional information will be supplied to the awarded firm.

Q4: Does the [Town] wish to include retiree health and welfare benefits in the study?

A4: No.

Q5: What classifications/jobs or employee segments are considered critical to the Town? Why are these groups critical (e.g. challenging to hire/scare talent in the market, visibility of role to our external constituents, etc.)?

A5: The Town places a high value on all of its employees and believes that the entire team is essential to providing on-going exceptional public service to its residents. Public Safety is of utmost importance, along with Public Works and administrative operations. Familiarity with the labor market, unemployment, and total compensation trends in the local market would be beneficial to a consultant performing this work. As mentioned in the pre-bid meeting, the Town will provide turnover and recruitment needs data to the awarded firm.

Q6: Does the Town have an expectation for how the Town's Senior Leadership Team will be involved in this project?

A6: The requested information will be supplied to the awarded firm.

Q7: Please describe the Town's stakeholders (e.g. Senior Leadership Team, Human Resources, Managers, Employees, Cross-Functional Teams, etc.) and any expectations on how they will be involved in the project, and when.

A7: The requested information will be supplied to the awarded firm.

Q8: Additionally, what is currently effective about the Town's reward policies and practices? What, if anything needs to change?

A8: The requested information will be supplied to the awarded firm.

Q9: Does the Town need an analysis around FLSA designations? If so, does the Town have any specific concerns? If so, what are they and how have they been addressed in the past, if at all?

A9: No.

Q10: Does a job family structure currently exist? If so please provide a list of the job families and how it is currently structured?

A10: Refer to the attached list of all current Job Titles with Job Classifications.

Q11: Does the Town currently have a process for “leveling” jobs (separate from the compensation structure) based on scope, complexity of work and other job dimensions? If so, please explain and provide.

A11: Job analysis and classification determination will be supplied to the awarded firm.

Q12: With regard to implementation of any compensation recommendations that result from this study, does the Town have any priorities or critical requirements?

A12: The requested information will be supplied to the awarded firm.

Q13: Are there current classifications or groups of classifications of jobs that receive “extra pay”/bonuses for “advanced skill/responsibilities”? If so, what are they and why?

A13: The requested information will be supplied to the awarded firm.

Q14: What is the Town’s budget for this project? Is there a “cannot exceed limit” based on the Town’s expectation for this project’s investment?

A14: There is no established budget or cannot exceed limit for this project. The Town expects the consultants proposing for the work to present well considered outline of the project as proposed and their best pricing to accomplish the goals of the same.

Q15: Is the Town currently partnering with any external vendors on related human resources projects? If so, who are the vendor(s) and what is the work? Is there any expectation that this project will integrate with those projects?

A15: There is no expectation that this project will integrate with any other human resources projects.

Q16: What method does the Town currently use to communicate changes? What has worked well in the past? What has not worked as well? Are there new communications methods that the Town would like to consider? Please describe.

A16: The Town maintains open communication with employees by all means possible including but not limited to email, group meetings, individual meetings, and printed notices. The Town is open to consider any options that are within the scope of this project.

Q17: Can Contractor submit its form Engagement Letter and SOW as part of its response to the RFP as the basis for contract negotiations, should Contractor win the work?

A17: As stated in the RFP document: Any additional contract or agreement requested for consideration by the Proposer must be attached and enclosed as part of the proposal.

Q18: Recognizing that the Town requests that the study be completed as soon as possible after the agreement is signed in October, are there any timing limitations for the completion of the study? For example, must the study be completed before an already agreed to meeting date or start date for any changes?

A18: There are no specific timing limitations for the study. The Town would like the project, in part or whole, completed as soon as possible so decisions, especially those with financial implications, can be vetted prior to implementation and the budget planning for the next fiscal year. Typically, budget planning begins in late March for the next fiscal year, which begins annually on October 1.

Q19: Would the Town consider any negotiation of the extremely broad indemnification obligations set forth in section 1-14?

A19: The Town prefers that the Indemnification clause remain, as stated. However, proposers may note any exceptions or variations in their submittal.

Q20: Would the Town allow negotiation of a reasonable limitation of the contractor’s liability (to include its obligations under section 1-14)?

A20: See response to Question #19, above.

Any questions concerning this document should be addressed to the undersigned Purchasing Coordinator via facsimile to (561) 835-4688 or e-mail to: dbasha@townofpalmbeach.com

Duke Basha
Assistant Purchasing Manager

All Proposers shall acknowledge receipt of this addendum by annotating the Schedule of Bid Items/Proposal signature page with the addendum number and completing the following section and returning with the Proposal Documents to verify receipt.

Company Name: Evergreen Solutions
Address: 2878 Remington Green Circle
Tallahassee, FL 32308
City, State, and Zip Code:
Authorized Signature: [Signature]
Print Name and Title: Exec. Vice-President
Telephone: (850) 383 0111 Date: 8/10/18

Job Title	Job Family
Accountant	Administrative (Clerical/Fiscal)
Accounting Technician	Administrative (Clerical/Fiscal)
Acting Director Of Pzb	Executive
Acting Police Chief	Executive
Activity Leader	Recreation/ Public Welfare
Administrative Aide	Administrative (Clerical/Fiscal)
Administrative Assistant	Administrative (Clerical/Fiscal)
Administrative Assistant li/Assistant To Mayor & Town Council	Administrative (Clerical/Fiscal)
Administrative Clerk	Administrative (Clerical/Fiscal)
Administrative Coordinator	Administrative (Clerical/Fiscal)
Administrative Manager	Administrative (Clerical/Fiscal)
Assistant Director Of Finance	Executive
Assistant Director Of Human Resources	Executive
Assistant Director Of Public Works	Executive
Assistant Director Of Recreation	Executive
Assistant Fire-Rescue Chief	Executive
Assistant Information Technology Manager	Professional/Technical/Supervisory
Assistant Purchasing Manager	Professional/Technical/Supervisory
Battalion Chief	Executive
Budget Analyst	Administrative (Clerical/Fiscal)
Building Maintenance Worker	Trades/Maintenance
Building Official	Executive
Bus Driver	Recreation/ Public Welfare
Buyer	Administrative (Clerical/Fiscal)
Chief Building Inspector	Professional/Technical/Supervisory
Chief Electrical Inspector	Professional/Technical/Supervisory
Chief Plumbing Inspector	Professional/Technical/Supervisory
Civil Engineer	Professional/Technical/Supervisory
Coastal Program Manager	Professional/Technical/Supervisory
Code Compliance Officer I	Administrative (Clerical/Fiscal)
Combination Building Inspector	Professional/Technical/Supervisory
Combination Plan Reviewer	Professional/Technical/Supervisory
Courier/Warehouse Assistant	Administrative (Clerical/Fiscal)
Crane Operator	Laborer/Equipment Operator
Crew Foreman/Irrigation Specialist	Trades/Maintenance
Crime Intelligence Analyst	Professional/Technical/Supervisory
Crime Scene Evidence Manager	Professional/Technical/Supervisory
Crime Scene Evidence Tech II	Professional/Technical/Supervisory
Deputy Town Clerk	Administrative (Clerical/Fiscal)
Deputy Town Manager	Executive
Development Geoprocessor Technician	Administrative (Clerical/Fiscal)
Development Permit Coordinator	Administrative (Clerical/Fiscal)
Director Of Finance	Executive
Director Of Human Resources	Executive
Director Of Planning Zoning & Building	Executive
Director Of Public Works	Executive
Director Of Recreation	Executive
Division Chief - EMS Coordinator	Executive
Division Chief - Trng & Safety	Executive
Dock Attendant	Laborer/Equipment Operator
Dockmaster	Trades/Maintenance
Document Management Coordinator	Professional/Technical/Supervisory
Electrician Supervisor	Trades/Maintenance
Equipment Operator	Laborer/Equipment Operator
Equipment Operator I	Laborer/Equipment Operator
Equipment Operator II	Laborer/Equipment Operator
Equipment Operator II/Beach Cleaner	Laborer/Equipment Operator
Equipment Operator III	Laborer/Equipment Operator
Facilities Maint Div Manager	Executive
Ff Driver/Engineer	Fire Rescue (non-admin)

Job Title	Job Family
Ff Driver/Engineer Paramedic	Fire Rescue (non-admin)
Fire Inspector	Fire Rescue (non-admin)
Fire Marshal	Executive
Firefighter Emt	Fire Rescue (non-admin)
Firefighter Paramedic	Fire Rescue (non-admin)
Fire-Rescue Chief	Executive
Fleet Manager	Trades/Maintenance
Fleet Mechanic	Trades/Maintenance
Fleet Mechanic Supervisor	Trades/Maintenance
General Maintenance Supervisor	Trades/Maintenance
Gis Coordinator	Professional/Technical/Supervisory
Golf Course Associate	Recreation/ Public Welfare
Golf Course Mechanic	Trades/Maintenance
Golf Course Superintendent	Trades/Maintenance
Golf Manager	Recreation/ Public Welfare
Grounds Supervisor	Trades/Maintenance
Grounds Technician	Laborer/Equipment Operator
Human Resources Analyst	Professional/Technical/Supervisory
Human Resources Coordinator	Administrative (Clerical/Fiscal)
Human Resources Specialist	Administrative (Clerical/Fiscal)
Industrial Electrician	Trades/Maintenance
Information Technology Manager	Executive
Information Technology Specialist	Professional/Technical/Supervisory
Instructor	Recreation/ Public Welfare
Irrigation And Spray Technician	Laborer/Equipment Operator
Junior Buyer	Administrative (Clerical/Fiscal)
Laborer I	Laborer/Equipment Operator
Landfill Operator	Trades/Maintenance
Lead Parking Enforcement Officer	Administrative (Clerical/Fiscal)
Lead Telecommunications Supervisor	Administrative (Clerical/Fiscal)
Lieutenant/Paramedic	Fire Rescue (non-admin)
Lifeguard	Recreation/ Public Welfare
Lifeguard On-Call	Recreation/ Public Welfare
Maintenance Associate	Recreation/ Public Welfare
Maintenance Worker	Trades/Maintenance
Master Mechanic/PD	Trades/Maintenance
Occupational Health & Wellness Nurse	Recreation/ Public Welfare
Office Assistant II	Administrative (Clerical/Fiscal)
Office Assistant III	Administrative (Clerical/Fiscal)
Office Manager	Administrative (Clerical/Fiscal)
Parking Enforcement Officer	Administrative (Clerical/Fiscal)
Parking/Code Enforcement Manag	Professional/Technical/Supervisory
Parking/Code Enforcement Specialist	Administrative (Clerical/Fiscal)
Part Time Police Officer	Police (non-admin)
Planning Administrator	Professional/Technical/Supervisory
Police Captain	Executive
Police Lieutenant Prof Standards	Police (non-admin)
Police Major	Executive
Police Officer	Police (non-admin)
Police Planner	Professional/Technical/Supervisory
Police Records Specialist	Administrative (Clerical/Fiscal)
Police Sergeant	Police (non-admin)
Police Trainee	Police (non-admin)
Project Engineer	Professional/Technical/Supervisory
Pro-Shop Assistant	Recreation/ Public Welfare
Purchasing Coordinator	Professional/Technical/Supervisory
Purchasing Manager	Professional/Technical/Supervisory
Pw Systems Specialist	Professional/Technical/Supervisory
Records Assistant I	Administrative (Clerical/Fiscal)
Recreation Associate	Recreation/ Public Welfare

Job Title	Job Family
Recreation Associate II	Recreation/ Public Welfare
Recreation Supervisor	Recreation/ Public Welfare
Right Of Way Inspector II	Professional/Technical/Supervisory
Risk Manager	Professional/Technical/Supervisory
Senior Golf Associate	Recreation/ Public Welfare
Senior Project Engineer	Professional/Technical/Supervisory
Services Division Manager	Executive
Sr Industrial Electrician	Trades/Maintenance
Street & Sign Painter	Trades/Maintenance
Supervisor Lifeguard	Recreation/ Public Welfare
Supervisor/Sanitation	Trades/Maintenance
Supervisor/Trash	Trades/Maintenance
Systems Administrator	Professional/Technical/Supervisory
Telecommunicator	Administrative (Clerical/Fiscal)
Telecommunicator Supervisor	Administrative (Clerical/Fiscal)
Tennis Attendant	Recreation/ Public Welfare
Tennis Facility Assistant	Administrative (Clerical/Fiscal)
Tennis Facility Supervisor	Recreation/ Public Welfare
Town Clerk	Professional/Technical/Supervisory
Town Engineer	Executive
Town Manager	Executive
Training & Comm Relations Coor	Professional/Technical/Supervisory
Transfer Station Operator	Laborer/Equipment Operator
Underground Utilities Project Manager	Professional/Technical/Supervisory
Utilities Maint Supervisor	Trades/Maintenance
Vehicle Technician	
Warehouse Coordinator	Administrative (Clerical/Fiscal)
Water Resource Technician I	Trades/Maintenance
Water Resource Technician II	Trades/Maintenance
Water Resources Division Manager	Executive
Zoning Administrator	Professional/Technical/Supervisory
Zoning Technician / Special Assistant To Director	Administrative (Clerical/Fiscal)



TOWN OF PALM BEACH

RFP No. 2018-49

COMPENSATION AND BENEFITS STUDY

PROPOSER'S QUALIFICATIONS

The Proposer, as a result of this 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: Evergreen Solutions, LLC
Address: 2878 Remington Green Circle
City, State, Zip: Tallahassee, FL 32308 Phone (850) 383-0111 Fax: (850) 383-1511

2. Check One: Corporation () Partnership ☒ Individual () See attached license

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:

Dr. Linda Recio, President
Dr. Jeff Ling, Exec. V. P.

2004
2004

6. The Vendor's length of time in business: 13 1/2 years

7. The Vendor's length of time (continuous) in business as a service organization in Florida: 13 1/2 years

8. All proposers must disclose with their proposal the name of any officer, director or agent who is also an employee of the Town. Further, all proposers 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 N/A 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.

City of Tallahassee no longer provides as of 2017 - See attached

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.

State of Florida

Department of State

I certify from the records of this office that EVERGREEN SOLUTIONS, LLC is a limited liability company organized under the laws of the State of Florida, filed on October 8, 2004.

The document number of this limited liability company is L04000073478.

I further certify that said limited liability company has paid all fees due this office through December 31, 2018, that its most recent annual report was filed on January 4, 2018, and that its status is active.

*Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capital, this
the Fourth day of January, 2018*



Ken DeFuria
Secretary of State

Tracking Number: CC0852599265

To authenticate this certificate, visit the following site, enter this number, and then follow the instructions displayed.

<https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication>



*Business
Tax Certificate*

EVERGREEN SOLUTIONS, LLC
LINDA RECIO
2878 REMINGTON GREEN CIR
TALLAHASSEE FL 32308

Account Number: 63438

The Business Tax Certificate for tax year 2017 is attached below.

This certificate expires September 30th, 2017.

Please detach and display in a prominent place at the business location.

To cancel a business account with the City of Tallahassee, please return this certificate with a letter identifying the final day of business.

To transfer ownership or location, please follow the instructions on the reverse side of the tax certificate.

Each April the "Declaration of Information Form" is mailed to all non-professional, commercial locations. This Declaration must be completed and returned prior to June 15th. Failure to accurately complete the Declaration of Information can result in a 25% tax increase.

For information concerning the Business Tax, please visit Talgov.com or call the Revenue Division at (850) 891-6488.

Thank you for your Payment

2016-17

CITY OF TALLAHASSEE BUSINESS TAX CERTIFICATE
LOCAL BUSINESS TAX RECEIPT

2016-17

TAX CERTIFICATE EXPIRES SEPTEMBER 30, 2017

DBA: EVERGREEN SOLUTIONS, LLC
Location: 2878 REMINGTON GREEN CIR
Address: TALLAHASSEE FL 32308

Account Number: 63438

Type Code	Sub Code	Type Description
850	J	Service - Consultants

EVERGREEN SOLUTIONS, LLC
LINDA RECIO

The firm, corporation, organization, business or individual whose name appears herein has paid a business tax for the business activities indicated above, subject to city, state and federal laws. This certificate must be conspicuously displayed at the location of the business activity. A change of location from the stated business location on this certificate as well as a change in ownership requires a transfer. (See reverse side.)

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. EVERGREEN SOLUTIONS, LLC	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate ☒ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) P Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) ►	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
	5 Address (number, street, and apt. or suite no.) See instructions. 2878 REMINGTON GREEN CIRCLE	Requester's name and address (optional)
	6 City, state, and ZIP code TALLAHASSEE, FLORIDA 32308	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

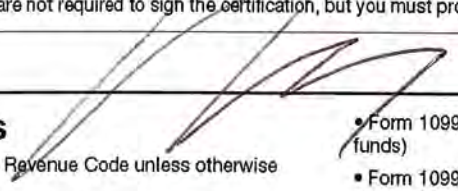
Social security number								
			-				-	
or								
Employer identification number								
2	0	-	1	8	3	3	4	8

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► 	Date ► 8/13/2018
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



TOWN OF PALM BEACH

RFP No. 2018-49

COMPENSATION AND BENEFITS STUDY

DRUG-FREE WORK PLACE 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.
1. 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.
2. Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in number (1).
3. 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.
4. 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.
5. 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 Dr. Jeff Ling the
(Individual's Name)

Exec. Vice-President of Evergreen Solutions, LLC
(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.

8/13/18
Date

[Signature]
Signature



TOWN OF PALM BEACH

RFP No. 2018-49

COMPENSATION AND BENEFITS STUDY

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. N/A *		
2.		
3.		
4.		
5.		

Signature and Date

8/13/18

Title/Company

Evergreen Solutions, LLC

* Evergreen will not be utilizing any subcontractors



EVERSOL-01

TMESSER

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

08/07/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hub International Florida 1117 Thomasville Road Tallahassee, FL 32303	CONTACT NAME:	
	PHONE (A/C, No, Ext): (850) 386-1111	FAX (A/C, No): (850) 385-9827
INSURED Evergreen Solutions, LLC 2878 Remington Green Circle #101 Tallahassee, FL 32308	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: MAPFRE Insurance Company of Florida	NAIC # 34932
	INSURER B: Foremost Insurance Company Grand Rapids	11185
	INSURER C: Hartford Accident and Indemnity Company	22357
	INSURER D:	
INSURER E:		
INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X		CP0008008577	08/17/2017	08/17/2018	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 0 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ Included
A	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY			5204070000654	08/17/2017	08/17/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 10,000			42600500005902	08/17/2017	08/17/2018	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ Aggregate \$ 1,000,000
B	☐ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC0267520710	10/24/2017	10/24/2018	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Professional Errors			21PG0258846	08/17/2017	08/17/2018	Each Claim 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Professional Liability has a \$2,000,000 Aggregate limit

CERTIFICATE HOLDER

CANCELLATION

Town of Palm Beach
951 Old Okeechobee Road
West Palm Beach, FL 33401

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Dr. Jeffrey Ling, CCP

Project Consultant

Evergreen Solutions, LLC

Dr. Ling's experience includes human resources, strategic planning, research methodology, and change management. He has taught courses addressing human resources, research methodology, statistical analysis, and political economy at various universities. Similarly, he has planned, organized, and managed studies on human resources assessment, and government efficiency. Each of these studies dealt with summarizing major alternatives for decision makers and providing viable recommendations.

Education / Certifications

Ph.D., Political Science, Florida State University, 1996

M.S., Political Science, Florida State University, 1993

B.A., Political Science, University of Tampa, 1990

Certified Compensation Professional (CCP), 2016

Professional and Business History

Evergreen Solutions, LLC, Executive Vice President, August 2005 – present

MGT of America, Inc., Partner, May 2004–July 2005; Principal, September 2000–April 2004; Senior Associate, November 1999–September 2000; Senior Consultant, April 1999–November 1999; Consultant, 1998–1999; Senior Analyst, May 1998–November 1998

The College of Wooster, Assistant Professor, 1997–1998

Iowa State University, Visiting Scholar, 1995–1997

Florida State University, Research Assistant, 1992–1995

Stinger Systems, Market Analyst, 1990–1992

Selected Relevant Project Experience

Florida Local Government and Public Sector Experience (He has conducted hundreds of other similar studies throughout the country)

Project Director of a Job Analysis and Description Development for the Town of Palm Beach, Florida

Project Director of a Classification, Compensation, and Benefits Study for the City of Palm Beach Gardens, Florida

Project Principal of a Classification and Compensation Study for Palm Beach County, Florida

Project Director of a Compensation Study for the City of Hollywood, Florida

Project Principal of an Executive Compensation Study for the Health Care District of Palm Beach County, Florida

Project Director of a Market Salary Survey for the Solid Waste Authority of Palm Beach County, Florida

Project Director of a Critical Classification Analysis and an Executive Compensation Analysis for the Health Care District of Palm Beach County, Florida

Project Principal of an Executive Compensation Study for the Palm Beach County Health Care District, Florida

Project Principal of a Classification and Compensation Study for the Town of Cutler Bay, Florida

Project Principal of a Compensation and Classification Study for the Town of Davie, Florida

Project Principal of a Classification and Compensation Study and Merit Pay System Development for Keys Energy Services, Florida

Project Director of a Salary Analysis for Manatee County Utility, Florida

Project Principal of a Performance Management Study for the Palm Beach County Clerk and Comptroller's Office, Florida

Project Director of a Markey Salary Study Update for Manatee County, Florida

Project Principal of a Comprehensive Classification and Compensation Study (IT positions) for Manatee County, Florida

Project Principal of a Classification and Compensation Study for the Hillsborough County Clerk of Court and Comptroller, Florida

Project Principal of a Classification and Compensation Study for Pinellas County, Florida

Project Principal of a Compensation Study for Santa Rosa County, Florida

Project Principal of a Compensation and Classification Study for Alachua County, Florida

Project Principal of a Compensation, Classification and Performance Management Study for Manatee County, Florida

Project Principal of a Compensation Study and Pay for Performance System for Clay County Sheriff's Office, Florida

Project Principal of a Compensation and Classification Study for the Alachua County Sheriff's Office, Florida

Project Principal of Job Audits for the City of Gainesville, Florida

Project Principal of a Compensation Analysis for the City of Orange City, Florida

Project Principal of a Compensation and Classification Study for the Martin County Sheriff's Office, Florida

Project Principal of a Salary Survey for Pasco County Sheriff's Office, Florida

Project Principal of a Classification and Compensation Study for Pasco County Sheriff's Office, Florida

Project Principal a Compensation Study for the Bay County Sheriff's Office, Florida

Project Principal of a Compensation Study for the Walton County Sheriff's Office, Florida

Project Principal of a Pay and Classification Study for the Lake County Sheriff's Office, Florida

Project Principal of a Compensation Study for the Manatee County Sheriff's Office, Florida

Project Principal of Compensation and Classification Systems Consulting Services for the Collier County Sheriff's Office, Florida

Project Principal of a Salary Survey for the Marion County Sheriff's Office, Florida

Project Principal of a Compensation Study for the Nassau County Sheriff's Office, Florida

Project Principal of a Human Resource Audit for the Okaloosa County Sheriff's Office, Florida

Project Principal of a Pay and Classification Study for Monroe County and Monroe County Sheriff's Office, Florida

Project Principal of a Wage, Salary, and Compensation Study for the Pinellas County Housing Authority, Florida

Project Principal of a Salary Survey for WorkNet Pinellas (d/b/a CareerSource Pinellas), Florida

Project Principal of a Compensation and Classification Study for WorkNet Pinellas, Florida

Project Principal of a Compensation Survey for CareerSource Northeast Florida

Project Principal of a Pay and Classification Study for Gulf County, Florida

Project Principal of a Classification and Compensation Study for the City of Sunny Isles Beach, Florida

Project Principal of a Salary, Benefit and Position Reclassification Study for the City of Kissimmee, Florida

Project Principal of a Salary and Benefits Study for the City of Ocala, Florida

Project Principal of a Salary, Benefit and Position Reclassification Study for the City of St. Cloud, Florida

Project Principal of a Compensation and Classification Study for the City of Bunnell, Florida

Project Principal of a Compensation Study for the City of Bushnell, Florida

Project Principal of a Compensation and Classification Study for the City of Clermont, Florida

Project Principal of a Compensation Study for the City of Winter Park, Florida

Project Principal of Classification and Compensation Services for the City of Dunedin, Florida

Project Principal of a Classification and Compensation Study for the City of Zephyrhills, Florida

Project Principal of a Job Classification Analysis for the City of St. Petersburg, Florida

Project Principal of Compensation Consultant Services for the City of Coral Springs, Florida

Project Principal of a Classification and Compensation Study for the City of Sebring, Florida

Project Principal of a Salary Study for Highlands County, Florida

Project Director of a Compensation and Classification Analysis for the City of Pinecrest, Florida

Project Principal of a Market Salary Survey for the Peace River
Manasota Regional Water Supply Authority, Florida

Project Principal of a Human Resources Performance Review for the
City of Cape Coral, Florida

Project Principal of a Compensation and Classification Study for the
City of Deltona, Florida

Project Principal of a Performance Improvement Training and Study for
the City of Destin, Florida

Project Director of a Comprehensive Compensation and Classification
Study for the City of Panama City, Florida

Project Principal of a Pay and Classification Study for the City of Fort
Walton Beach, Florida

Project Principal of a Classification, Compensation, and Staffing Study
for the City of Lake City, Florida

Project Principal of a Classification and Compensation Study for the
City of Lake City, Florida

Project Director of a Comprehensive Compensation and Benefits
Analysis for the City of Bartow, Florida

Project Principal of a Compensation Survey for the City of Tamarac,
Florida

Project Principal of a Compensation and Classification Study for the
City of Delray Beach, Florida

Project Principal of a Compensation Study for the City of Key West,
Florida

Project Principal of a Salary Survey for the City of Kissimmee, Florida

Project Principal of a Salary Survey for the City of Temple Terrace,
Florida

Project Principal of a Compensation Study for the Town of Juno Beach,
Florida

Project Principal of a Classification and Compensation Study for the
City of Sarasota, Florida

Project Principal of a Compensation Study for Sarasota County, Florida

Project Principal of Classification and Compensation Services for the
City of Dunedin, Florida

Project Principal of a Staffing, Compensation and Classification Study for the Town of Ponce Inlet, Florida

Project Principal of Salary Survey (Compensation Plan Update) for the Town of Ponce Inlet, Florida

Project Principal of a Classification, Compensation, and Benefits Study for the Town of Jupiter, Florida

Project Principal of a Classification and Compensation Study for the Village of Islamorada, Florida

Project Principal of a Compensation, Classification, and Value Engineering Analysis for City of Doral, Florida

Project Principal of a Benchmark Compensation Study for the City of Plantation, Florida

Project Principal of a Police Force Compensation and Benefits Study for the City of Doral, Florida

Project Principal of a Compensation Analysis for the City of Holmes Beach, Florida

Project Principal of a Classification and Compensation Study for the City of Ft. Myers, Florida

Project Principal of a Classification and Compensation Study for the City of Zephyrhills, Florida

Project Principal of a Classification and Compensation Study for the City of Destin, Florida

Project Principal of a Compensation Study for Lake County, Florida

Project Principal of a Classification and Compensation Study for the Health Care District of Palm Beach County, Florida

Project Principal of an Organizational Review for the Health Care District of Palm Beach County, Florida

Project Principal of a Strategic Planning Study for the Health Care District of Palm Beach County, Florida

Project Principal of a Merit Based Performance Management System for the Health Care District of Palm Beach County, Florida

Project Principal of an Employee Engagement Study for the Health Care District of Palm Beach County, Florida

Project Principal of a Compensation Study for Glades General Hospital, Florida

Project Principal of a Compensation Market Analysis for the St. Johns River Water Management District, Florida

Project Principal of a Total Compensation Study for the Southwest Florida Water Management District

Project Principal of a Salary, Benefit and Position Reclassification Study for the Toho Water Authority, Florida

Project Principal of a Pay and Classification Study for Tampa Bay Water, Florida

Project Principal of a Position and Compensation Study for the Florida Keys Aqueduct Authority

Project Principal of a Pay and Classification Study for the Florida Keys Aqueduct Authority

Project Principal of a Comprehensive Employee Study for the Ft. Pierce Housing Authority, Florida

Project Principal of a Classification and Compensation Study for the Tampa Housing Authority, Florida

Project Director of a Compensation Trends Survey and Benefits Survey for the Tampa Bay Water Authority, Florida

Project Principal of a Compensation Study for the Hillsborough Area Transit Authority, Florida

Project Principal of a Market Salary Survey for the Peace River Manasota Regional Water Supply Authority, Florida

Project Principal of a Compensation and Classification Study for the Ft. Pierce Utilities Authority, Florida

Project Principal of a Software Training Services for Seminole County, Florida

Project Principal of a Compensation and Classification Study for Seminole County, Florida

Project Principal of a Job Classification and Pay Study for Flagler County, Florida

Project Principal of a Compensation and Benefits Study for Seminole County, Florida

Project Principal of a Performance Management Study for Seminole County, Florida

Project Principal of a Compensation and Classification Study for Gadsden County, Florida

Project Principal of a Market Salary Survey for Charlotte County, Florida

Project Principal of a Pay and Classification Study for Martin County, Florida

Project Principal of a Comprehensive Classification and Compensation Study for Bay County, Florida

Project Principal of a Classification and Performance Management System Review for Citrus County, Florida

Project Director of Management Consulting Services for Osceola County, Florida

Project Principal of a Compensation Study for Osceola County, Florida

Project Principal of a Compensation Survey for Miami-Dade County, Florida

Project Principal of an Employee Engagement Survey for the City of Daytona Beach, Florida

Project Principal of a Compensation Study for the City of North Miami Beach, Florida

Project Principal of an Employee Total Compensation Study for the Loxahatchee River District, Florida

Project Principal of a Compensation and Classification Study for the Orlando-Orange County Expressway Authority, Florida

Project Principal of an Emergency Management Operations Survey for the City of Orlando, Florida

Project Principal of Human Resource Consulting Services to the City of Orlando, Florida

Project Principal of a Pay and Classification Study for the City of Holly Hill, Florida

Project Principal of a Classification and Compensation Study for the City of High Springs, Florida

Project Principal of a Classification and Compensation Study for the City of Dania Beach, Florida

Project Principal of a Compensation and Classification Study for the City of North Port, Florida

Project Principal of a Job Classification and Compensation Study for the City of Sunrise, Florida

Project Principal of a Job Classification and Compensation Study for the City of Melbourne, Florida

Project Principal of a Classification and Compensation Study for the City of West Melbourne, Florida

Project Principal of a Compensation Study for Florida Virtual School

Project Principal of Classification and Compensation Study Services for Hillsborough Community College, Florida

Project Principal of a Compensation and Classification Study for Edison State College, Florida

Project Principal of a Compensation and Classification Study for Palm Beach State College, Florida

Project Principal of a Salary Analysis for Palm Beach State College, Florida

Project Principal of a Performance Management Study for Seminole State College, Florida

Project Principal of Compensation Consulting Services for the State College of Florida – Sarasota-Manatee

Team Leader of Information Technology Supplemental Staffing Services for Hillsborough County Public Schools, Florida

Project Principal of a Compensation and Classification Study for Brevard County Schools, Florida

Project Principal of a Districtwide Job Classification and Compensation Study for the Escambia County School District, Florida

Project Principal of a Position Classification Study of St. Lucie County Schools, Florida

Team Leader for the Human Resources Review of an Administrative Study of the Monroe County School District, Florida

Florida State Government Experience

Team Leader of an Evaluation of the Implementation of the Race to the Top Grant for the Florida Department of Education.

Project Principal of a Business Case Analysis for the Florida Department of Veteran Affairs

Project Principal of a Child Care Inspection Assessment for the Florida Department of Children and Families

Project Principal of an Affirmative Action Planning Project for the Department of Management Services, Florida

Project Principal of an Information Technology Change Management Study for the Florida Department of Business and Professional Regulation

Project Principal of a Compensation and Classification Study for the Florida State Board of Administration, Florida

Project Principal of a Human Resources Best Practices Study for the Florida Department of Management Services

Project Principal of a Statewide Human Resources Strategic Plan for the Florida Department of Management Services

Other Florida Experience

Project Principal of a Human Resources Audit for the Association for Institutional Research

Project Principal of an IT Strategic Plan for the Florida Association of Counties

Project Principal of a Compensation Study for the Florida Association of Counties

Project Principal of a Human Resources Consulting Services Study for the FACC Services Group, Florida

Project Principal of a Rate Competitiveness Assessment Study for the Florida Association of Court Clerks (FACC)

Project Principal of an Organizational Study for the Florida Clerks of Court Operations Corporation (FCCOC)

Project Principal of a Compensation and Classification Analysis for FACC

Project Director of a Pay Plan Market Value Study for the Florida Board of Bar Examiners

Project Principal of a Business Model Assessment for the Florida Institute of Certified Public Accountants, Florida

Project Principal of the Collection and Analysis of Market Data for the Confidential Office Personnel Association

Project Principal of a Compensation and Classification Plan Update for the Florida League of Cities

Project Principal of a Compensation Study for the Florida League of Cities

Project Principal of an Organizational Review for Florida Prepaid College Fund

Project Principal of a Compensation Study for the Florida Association of Counties

Project Principal of a Compensation and Classification Study for Community Action Stops Abuse (CASA), a non-profit organization dealing with domestic violence issues

Project Principal of a Pay, Compensation, and Classification Study for Community Action Stops Abuse, Florida

Employee Training to the City of Tallahassee, Florida for *Doing More with Less, Emotional Intelligence, and Goal Setting*

Employee Training for the City of Destin, Florida for *How to Conduct an Environmental Scan and Strategic Planning Facilitation*

Presentations

American Political Science Association
International Personnel Management Association
Florida State Personnel Association
Florida Professional Association for Human Resources
Florida Public Human Resources Association, Inc
National Association of State Personnel Executives
Florida Government Technology Conference
Florida Government Information Services Association
Georgia Board of Health Conference
National Association of Workforce Boards
Kansas Public Personnel Conference
Texas County Leadership Institute
Workforce Planning for the 21st Century

Ms. Nancy B. Berkley

Project Director

Evergreen Solutions, LLC

Ms. Berkley has 30 years HR experience demonstrating knowledge of multiple human resources (HR) disciplines including, recruiting and staffing, workforce planning and retention, on-boarding, compensation and benefits, employee and labor relations, employee leave administration, voluntary and in-voluntary employee separations, performance management, employee surveys, organizational design and development, organization effectiveness, employee learning, training, and development, employee records administration and retention, and awards and recognition programs. She has consistently enhanced organizational capability by integrating HR with strategic business planning, development and assessment. She has provided individualized executive coaching and led HR team development and high performance teams. She has led corporate change initiatives and built talent-rich organizations by strengthening people and integrating processes and has directed human resources in high-volume, transactional service organizations and high-level, consulting organizations. She has excellent conflict resolution, negotiation, and influencing skills.

Education

Bachelor's Degree in Psychology, Florida State University

Certifications / Memberships

SPHR (1997 - 2012); Member, Society of Human Resources Management

Professional and Business History

Manager, Evergreen Solutions, Tallahassee, FL, January 2013 to Present

Project Director of a Classification and Compensation Study for the Town of Cutler Bay, Florida

Project Consultant of a Salary Survey for the City of Dania Beach, Florida

Assistant Project Director of a Compensation and Classification Study for Miami Shores Village, Florida

Project Director of a Classification and Compensation Study for the City of Delray Beach, Florida

Project Director of a Classification, Compensation, and Benefits Study for the Town of Jupiter, Florida

Project Director of a Compensation and Classification Study for the City of North Port, Florida

Project Director of a Classification and Compensation Study for the City of Destin, Florida

Assistant Project Director of a Comprehensive Compensation and Classification Study for the City of Panama City, Florida

Project Director of Compensation Consulting Services for the Town of Longboat Key, Florida

Project Director of a Comprehensive Compensation and Classification Study for the City of Panama City Beach, Florida

Project Director of a Compensation Plan Update for the City of Panama City Beach, Florida

Project Director of a Salary Plan Update for the Flagler County Sheriff's Office, Florida

Project Director of a Classification and Compensation Study for Pasco County Sheriff's Office, Florida

Project Director of a Pay and Classification Study for the City of Fort Walton Beach, Florida

Project Director of a Compensation Study for Lake County, Florida

Project Consultant for the Collection and Analysis of Market Data for the Confidential Office Personnel Association, Florida

Project Director of a Position and Compensation Study for the Florida Keys Aqueduct Authority

Project Director of a Pay and Classification Study for the Florida Keys Aqueduct Authority

Project Director of a Compensation Update and Performance Evaluation Study for Lake County, Florida

Project Consultant for Compensation Consulting Services for the State College of FL – Sarasota-Manatee

Project Director of a Salary Survey for the School Board of Sarasota County, Florida

Assistant Project Director of a Pay Plan Market Value Study for the Florida Board of Bar Examiners

Project Director of FLSA Audits for the Southwest Florida Water Management District

Project Director of FLSA Audits and Salary Survey for the South Florida Water Management District

Project Consultant of Human Resources Consulting Services for the Orange County Library System, Florida

Project Director of a Pay and Classification Study for Martin County, Florida

Project Director of a Compensation and Classification Study for Highlands County, Florida

Project Consultant of a Compensation Study for the Village of North Palm Beach, Florida

Assistant Project Director of a Compensation Study for the City of Hollywood, Florida

Project Director of the Development of a Step Pay Plan for the Flagler County Sheriff's Office, Florida

Project Director of Job Audits for the City of Gainesville, Florida

Project Director of Compensation and Classification Study for Alachua County, Florida

Project Consultant of Compensation and Classification Study Services for Monroe County, Florida

Assistant Project Director of a Salary Equity Study for Guilford County, North Carolina

Project Director of a Position Classification and Compensation Study for Gaston County, North Carolina

Project Director of a Compensation and Classification Study for Union County, North Carolina

Project Director of a Pay and Classification Study for Buncombe County, North Carolina

Project Consultant of a Classification and Compensation Study and Benefits Survey for New Hanover County and New Hanover ABC Board, North Carolina

Project Consultant of a Classified Employment Study for Chapel Hill-Carrboro City Schools, North Carolina

Project Director of a Classification and Compensation Study for Berkeley County, South Carolina

Project Director of a Pay and Classification Study for the Town of Moncks Corner, South Carolina

Project Director of a Classification and Compensation Study for the Town of Hilton Head Island, South Carolina

Project Director of a Classification and Compensation Study for the City of Goose Creek, South Carolina

Project Director of a Comprehensive Classification, Compensation, Performance Management, and Benefits Study for the City of Columbia, South Carolina

Project Director of a Classification and Compensation Study for the Richland Library, South Carolina

Project Director of an Employee Evaluation System for the North Charleston Sewer District, South Carolina

Project Director of a Classification and Compensation Plan Review for the City of Annapolis, Maryland

Project Director of Classification and Compensation Study Services for the City of Westminster, Maryland

Project Director of a Wages and Salary Scale Study for Washington County, Maryland

Assistant Project Director of a Pay Compression Study for Allegany College of Maryland

Project Consultant of a Job Classification and Compensation Study for Chesapeake College, Maryland

Assistant Project Director of a Job Classification and Compensation Review for Morgan State University, Maryland

Project Director of a Pay and Classification Study for the City of Williamsburg, Virginia

Project Director of a Pay and Classification Study for the Isle of Wight County, Virginia

Project Director of a Compensation Study for King George County, Virginia

Project Consultant of a Classification and Compensation Study for Gloucester County, Virginia

Project Director of a Classification and Compensation Study for Essex County, Virginia

Project Consultant of a Compensation and Classification Study for Montgomery County, Virginia

Project Director of a Classification and Compensation Study for Alleghany County and the City of Covington, Virginia

Project Consultant of a Salary Scale Study for Loudoun County Public Schools, Virginia

Project Consultant of a Compensation Study for the York County School Division, Virginia

Project Consultant of a Classification and Compensation Study for Culpeper County Public Schools, Virginia

Project Consultant of a Salary Market Study and Personnel Systems Study for Virginia's Region 2000 Local Government Council

Project Director of a Compensation Analysis for the City of Alpharetta, Georgia

Project Director of a Classification and Compensation Study and Analysis for the City of Douglasville, Georgia

Project Director of a Compensation and Classification Study and Analysis for the City of Dublin, Georgia

Project Director of an Employee Classification and Compensation Study for the City of Savannah, Georgia

Project Director of a Pay and Classification Study for the City of Fayetteville, Georgia

Project Director of a Compensation and Classification Study for the City of Brookhaven, Georgia

Project Director of a Wages and Salaries Compensation Study for the City of Stockbridge, Georgia

Assistant Project Director of a Compensation Study for the City of Statesboro, Georgia

Project Director of a Comprehensive Compensation and Classification Study for the City of Tybee Island, Georgia

Project Director of a Comprehensive Classification and Compensation Study for the City of Garden City, Georgia

Project Director of a Salary and Benefits Survey for the City of Roswell, Georgia

Project Director of a Compensation and Benefits Study for Cherokee County, Georgia

Project Director of a Compensation and Benefits Study and Analysis for the City of Dahlonega, Georgia

Project Director a Classification and Compensation Study and Analysis for the City of Villa Rica, Georgia

Project Director of a Pay and Classification Study for the City of Chamblee, Georgia

Project Director of a Salary Survey for the City of Dunwoody, Georgia

Project Director of a Classification and Compensation Study and Analysis for Douglas County, Georgia

Project Director of a Job Description/Classification Study and Analysis for Douglasville-Douglas County Water and Sewer Authority, Georgia

Project Director of a Compensation and Benefits Survey for Forsyth County, Georgia

Project Director of a Classification and Compensation Study for Lumpkin County, Georgia

Project Consultant of a Performance Management Review for Morehead State University, Kentucky

Project Consultant of a Classification and Compensation Study for Sedgwick County, Kansas

Project Director of a Classification and Compensation Study for Jefferson County, Missouri

Project Director of a Compensation and Classification Study for the Central Ohio Transit Authority

Project Director of a Compensation Update for the Central Ohio Transit Authority

Project Consultant of a Comprehensive Non-Union Pay and Classification Study for the City of Evanston, Illinois

Project Director of a Classification and Compensation Study for Blount County, Tennessee

Assistant Project Director of a Compensation and Classification Study for Tuscaloosa City Schools, Alabama

Project Consultant of a Comprehensive Compensation, Classification, and Organizational Design and Structure Study for Portland Public Schools, Maine

Project Consultant of a Compensation and Classification Study for the Liberty Public School District No. 53, Missouri

Assistant Project Director of a Classification and Compensation Study for the Town of Little Elm, Texas

Project Director of a Comprehensive Compensation and Classification Study for the City of Farmers Branch, Texas

Project Director of a Comprehensive Compensation and Benefits Study for the City of Rowlett, Texas

Project Director of a Human Resources Department Assessment for the City of Buda, Texas

Project Director of a Classification and Compensation Study for the City of Pflugerville, Texas

Project Director of a Classification and Compensation Study for the City of Conroe, Texas

Project Consultant of a Classification and Compensation Study for the Lone Star College System, Texas

Project Consultant of a Job Classification and Compensation Study for El Paso Community College District, Texas

Project Consultant of a Compensation Study for South Texas College

Project Consultant of a Non-Faculty Compensation Review for Austin Community College, Texas

Project Consultant of Classification and Compensation Advisory Services for Maricopa County Community College District, Arizona

Project Director of a Classification Study and a Compensation Survey for the City of Page, Arizona

HR Director, Children's Home Society of Florida, Tallahassee, FL, June 2010-February 2012

Directed all human resources field operations for a region in Florida while ensuring efficient delivery of human resources support to include new hire orientation, staffing, workforce management, performance management, associate relations, supervisory training, and executive coaching. Built strong relationships with executive leaders and local management to provide superior, business specific human resources support. Investigated complex employee relation issues and recommended positive resolutions, followed by zero employee actions taken outside the agency.

Consultant & Healthcare Advocate, Health First Aging Institute, Merritt Island, FL, February 2009-May 2010

Developed strategy for corporate effort to increase resources for employee and community caregivers of the elderly; based on feedback from facilitated caregiver focus groups. Served as an advocate, managing health, financial, and legal matters on specific case-by-case basis for adults suffering from dementia. (Provided in-home, 24/7 care for elderly parents during this period.)

District HR Manager, The Home Depot, Lake Wales, FL, February 2007-Aug 2008

Managed, administered, and provided day-to-day human resources services for a store. Influenced positive associate relations in a

store that was experiencing low morale and numerous employee issues. Actively led strategies and modeled behavior to create an environment that rewarded and recognized individual and team success. Promoted to district manager for associate relations supporting eight-store district. Facilitated fair and consistent resolution of employee concerns across the district. Coached store leaders on effective staff management, motivation, and retention, and designed a district-wide process to improve associate attendance and engagement.

Diversity Program Manager/Senior HR Business Partner, Rockwell Collins, Cedar Rapids, IA, Oct 2005-February 2007

Strategically partnered with engineering business leaders in providing advice and guidance on HR policies, administration, organization design, change management, and team development. Trusted to design specific approach to increase teamwork in high tech leader group. Selected as corporate Diversity Program Manager to plan diversity program strategy and educate management on Equal Employment Opportunity (EEO) and Affirmative Action Plan (AAP) plans, programs, and areas for improvement. Successfully developed EEO training program for leaders across the company.

HR Senior Manager/Employee Involvement Program Manager, The Boeing Company, Kennedy Space Center, FL, July 1996-September 2005

Directed post-acquisition integration of human resources activities following McDonnell Douglas merger with Boeing. Selected to integrate six organization's human resources staff, policies, processes and practices. Recognized by senior leaders for forward thinking, flexible, integrated approach to developing teams of generalists and specialists responsible for staffing, on boarding, development, performance management, succession planning, and total compensation. Selected to utilize broadly defined employee involvement strategies to construct viable, business specific approach for Boeing employees at the Kennedy Space Center (~3000 employees.) Recognized by site leaders for facilitating a cultural shift to team-based program environment. Consulted with Boeing Leadership Center as a member of the corporate learning council. Managed various human resources and learning budgets of approximately \$1M+.

HR Senior Manager, McDonnell Douglas Corporation, Kennedy Space Center, FL, December 1980-July 1996

Progressed through increasingly responsible positions as human resources expert and business partner supporting business goals while managing teams, programs, and human resources information systems (HRIS.) Designed, implemented, and monitored the company's first job posting program. Procured and administered an applicant tracking system, and gained autonomous HRIS capability for unique business needs. Designed monitoring system for Affirmative Action Program (AAP) goal efforts. Created recruitment strategies that increased representation of women and minorities.

Key Achievements, Responsibilities

- Designed and implemented a shared service, centralized virtual staffing organization for statewide agency, increasing efficiency of staffing function for hiring managers.
- Analyzed and responded to employee relation trends; positively influenced work environments reducing employee complaints by ~90 percent.
- Consulted with senior leaders and successfully led project teams to develop new policies, programs and tools; including total revision and communication of a company's HR policies and practices to be in accordance with state and federal laws.
- Created HR metrics reviews utilizing business goals and human resources information systems data; set improvement goals and developed action plans for unique business requirements.
- Designed succession and development plans for high tech engineering leaders, and multi-level business units; compiling all data for senior executive delivery and review.
- Developed and implemented Employee Involvement (EI) (Engagement) strategy; measured its success, and applied EI tools with Lean manufacturing processes to facilitate objective results.
- Conceptualized and implemented complex workforce reduction plans; then redeployed ~50 percent of the affected employees.
- Integrated three training groups into one cohesive team; concept was replicated in other business units.
- Participated on Boeing company-wide learning council; provided unique perspective of a location site with multiple operating business units with different or competing needs.
- Represented companies in state and federal agency reviews, e.g. Office of Federal Contract Compliance Program (OFCCP) reviews, Equal Employment Opportunity Commission (EEOC) charges, workers compensation charges, and unemployment compensation claims.
- Participated on company labor negotiations teams and interpreted and implemented contract language for work performed on service contracts.

Mr. Lee Bouchelle

Project Consultant

Evergreen Solutions, LLC

Education

Master's Degree, Resource Economics, University of Florida, 1989 – 1992

- 1992 Dr. Frederick J. Prochaska Outstanding Masters Thesis Award for “An economic analysis of harvest restrictions in the North Atlantic swordfish fishery”
- Aylesworth Scholarship

Bachelor of Arts, Political Science/International Relations, University of Florida, 1986 - 1988 (Minor in Business)

Professional and Business History

Evergreen Solutions, LLC, Consultant, May 2016 - Present

Project Consultant of a Classification and Compensation Study for the City of Delray Beach, Florida

Project Consultant of a Classification and Compensation Study for the City of Holly Hill, Florida

Project Consultant of a Compensation and Classification Study for the City of North Port, Florida

Project Consultant of a Classification and Compensation Study for the City of High Springs, Florida

Project Consultant of a Job Classification and Compensation Study for the City of Sunrise, Florida

Project Consultant of a Job Classification and Compensation Study for the City of Melbourne, Florida

Project Consultant of a Classification and Compensation Study for the City of West Melbourne, Florida

Project Consultant of a Classification and Compensation Study for the City of Dania Beach, Florida

Project Consultant of a Pay and Classification Study for Monroe County, Florida

Project Consultant of a Job Classification and Pay Study for Flagler County, Florida

Project Consultant of a Compensation and Classification Study for Alachua County, Florida

Project Consultant of a Classification and Compensation Study for Gadsden County, Florida

Project Consultant of a Classification and Compensation Study for the Hillsborough County Clerk of Court and Comptroller, Florida

Project Consultant of a Pay and Classification Study for the Lake County Sheriff's Office, Florida

Project Consultant of a Classification and Compensation Study for the Pasco County Sheriff's Office, Florida

Project Consultant of a Compensation Study for the Bay County Sheriff's Office, Florida

Project Consultant of a Compensation Study for the Walton County Sheriff's Office, Florida

Project Consultant of a Compensation and Job Grading Analysis for the Jacksonville Aviation Authority, Florida

Project Consultant of FLSA Audits for the Southwest Florida Water Management District

Project Consultant of a Classification and Compensation Study for the City of Destin, Florida

Project Consultant of an IT Salary Study for the City of Miramar, Florida

Project Consultant of Compensation Consulting Services for the Town of Longboat Key, Florida

Project Consultant of a Compensation and Benefits Study for Forsyth County, Georgia

Project Consultant of a Classification and Compensation Study and Analysis for Douglas County, Georgia

Project Consultant of a Classification and Compensation Study for Lumpkin County, Georgia

Project Consultant of a Pay and Classification Study for the City of Chamblee, Georgia

Project Consultant of a Compensation Plan Update for the City of Garden City, Georgia

Project Consultant of an Employee Classification and Compensation Study for the City of Savannah, Georgia

Project Consultant of an Employee Classification and Compensation Study for Blount County, Tennessee

Project Consultant of a Classification and Compensation Plan Review for the City of Annapolis, Maryland

Project Consultant of a Wages and Salary Scale Study for Washington County, Maryland

Project Consultant of a Position Classification and Compensation Study for Gaston County, North Carolina

Project Director of a Salary and Compensation Study for Jefferson County Schools, West Virginia

Project Consultant of a Pay and Classification for the City of Williamsburg, Virginia

Project Consultant of a Classification and Compensation Study for the City of Fredericksburg, Virginia

Project Consultant of a Compensation Study for King George County, Virginia

Project Consultant of a Classification and Compensation Study for Alleghany County and the City of Covington, Virginia

Project Consultant of a Classification and Compensation Study for Berkeley County, South Carolina

Project Consultant of a Classification and Compensation Study for Dorchester County, South Carolina

Project Consultant of a Pay and Classification Study for the Town of Moncks Corner, South Carolina

Project Consultant of an Employee Compensation and Job Classification Study for the City of Conway, South Carolina

Project Consultant of a Salary Comparability Study for the Housing Authority of Florence, South Carolina

Project Consultant of a Compensation Update for the Central Ohio Transit Authority

Project Consultant of a Salary Comparability Study for the Springfield Housing Authority, Illinois

Project Consultant of a Classification and Compensation Study for Jefferson County, Missouri

Project Consultant of a Compensation and Classification Study for Clay County, Missouri

Project Consultant of a Human Resources Department Assessment for the City of Buda, Texas

Project Consultant of a Comprehensive Compensation and Classification Study for the City of Farmers Branch, Texas

Project Consultant a Classification and Compensation Study for the City of Athens, Texas

Project Consultant of a Classification Study and a Compensation Survey for the City of Page, Arizona

Project Consultant of a Job Classification and Compensation Study for the Davis School District, Utah

Project Consultant of a Job Analysis, Classification, and Compensation Study for the Ogden City School District, Utah

Consultant, ERS Group, Tallahassee, FL, April 2011 – 2015

Participated in the development of large and complex economic and statistical research projects which analyze the effects of various business practices or economic programs.

Research Associate II, ERS Group, Tallahassee, FL, December 2005 – April 2011

Collected, compiled, analyzed and interpreted data from different sources, assists in analyzing and summarizing employment data, maintains and updates data project files, and assisted in the preparation of research reports.

Senior Research Consultant, Ben Johnson Associates, Inc. Tallahassee, FL, 1995 – December 2005

Assisted with the preparation and review of expert testimony, economic cost studies, rate cases, and financial analyses in various regulated utility proceedings throughout the country. Primary Excel developer of the Telecom Economic Cost Model that was submitted to the FCC and in numerous state local exchange cost dockets. Conducted Separations studies for small rural telephone companies in Arizona and Idaho and Productivity studies of the Telecommunications industry.

Prepared discovery requests and responses and provided cross-examination assistance to clients. Designed and managed a MYSQL database and prepared SQL queries for data-driven websites.

Economic Consultant, Resource Economics Consultants, Inc., Gainesville, FL, 1993 - 1995

- Analyzed a variety of different economic issues, including contingent valuations and econometric analysis for the Indian River Lagoon National Estuary Program (funded by the SJRWMD)

in which I used an innovative modeling approach to assess fisheries impacts of water quality deterioration; and analyzed economic impacts associated with water quality programs in the Lake Okeechobee watershed for the South Florida Water Management District (SFWMD). Also analyzed the economic impacts of SWFWMD water supply restrictions on municipal public utilities.

**Software
Skills**

SAS (Certified Base Programmer) , Excel (Expert user), Access, MYSQL, MS Office

Mr. Samuel Aaron Wilburn

Project Consultant

Evergreen Solutions, LLC

Education

MBA., Florida State University, Tallahassee, FL, May 2018

B.S., Civil and Environmental Engineering, Florida State University, Tallahassee, FL, May 2014

A.A., College of Central Florida, Ocala, FL, August 2009- July 2011

Professional and Business History

Evergreen Solutions, LLC, Consultant, May 2018 to present.

Project Consultant of a Salary Survey for the School Board of Sarasota County, Florida

Project Consultant of a Pay and Classification Study for the Florida Keys Aqueduct Authority

Project Consultant of a Classification and Compensation Study and Analysis for the City of Douglasville, Georgia

Project Consultant of a Compensation and Classification Study and Analysis for the City of Dublin, Georgia

Project Consultant of a Pay and Classification Study for the City of Fayetteville, Georgia

Project Consultant of a Wages and Salaries Compensation Study for the City of Stockbridge, Georgia

Project Consultant of a Compensation and Benefits Study for Cherokee County, Georgia

Project Consultant of a Classification and Compensation Study and Analysis for the City of Villa Rica, Georgia

Project Consultant of and a Salary Survey for the City of Dunwoody, Georgia

Project Consultant of a Classification and Compensation Study for the City of Conroe, Texas

Project Consultant of an Employee Evaluation System for the North Charleston Sewer District, South Carolina

Project Consultant of a Pay and Classification Study for Buncombe County, North Carolina

Project Consultant of Classification and Compensation Study Services for the City of Westminster, Maryland

**Civil/Environmental Engineer, Wilburn Construction, Inc., Inverness, FL
May 2014 - May 2018**

- Acted as Project Superintendent overseeing new construction from ground-up or remodel jobs. Created draft detailed construction drawings with full sets of residential and commercial floor plans, and site/civil drawings projects including drainage and land grading.
- Performed drainage calculations for appropriate size and location of retention ponds.
- Coordinated and consulted with customers on design, layout and/or detail components.

Intern, FSU Friends of Internationals, May - August 2013

- Planned and coordinated social activities, events, and conversation partners for international students.
- Organized grocery-related transportation schedule for international students.

Draftsman, Wilburn Construction, Inc., Inverness, FL, August 2008 – July 2011

- Prepared detailed drawings for floor plans, elevations, sections and details.
- Developed skills for framing, plumbing, drywall, demolition, site work and grading.

**Proactive/
Volunteer
Experience**

Assistant Coach, Inverness Little League, Inverness, FL, February 2017- May 2017

- Helped head coach with weekly games and practices for co-ed Rookie League baseball team (ages 6-8).

Personnel Team Member, Cornerstone Baptist Church, Inverness, FL, May 2016- May 2017

- Assisted in interviewing and hiring process of new Youth Minister and new Children's Director.

Sunday School Teacher, Cornerstone Baptist Church, Inverness, FL,
March 2015-May 2017

- Grew weekly attendance from 2 to 27 for College/Young Adult class over 2 years.
- Community service, Dedicated 400+ hours towards natural disaster relief, child daycares and orphanages, senior nursing homes, and poverty-stricken areas including, but not limited to the following mission trips:
- Mission Fuge; Charleston, SC and West Palm Beach, FL (Trip Leader), June 2007, June 2016
- Kids International Ministries; Cointa, Philippines, July 2015
- World Changers; New Orleans, LA and Juana Diaz, Puerto Rico July 2007, June 2008

Academic Clubs

MBA Association (MBAA), Vice President, Florida State University, Summer 2017

Baptist Collegiate Ministry (BCM), Florida State University, Fall 2011 - Spring 2014

Positions held: Treasurer, Facilitator, Garnet and Gold Guys, FSU State-wide Student Representative

Physics, Calculus, and Engineering Club (PCE), Member, College of Central Florida, Fall 2010 - Summer 2011

Licenses/Skills

Certified Building Contractor- FL License Number: CBC1261786

Engineering Intern (E.I.)- FL License Number: 1100019046, August 2008 - July 2011

Proficient in Microsoft Word, Excel, PowerPoint, AutoCAD, Autodesk Inventor, Modret, ProPresenter, QuickBooks

Experienced Excavator and Tractor Operator

Eric C. McMillan

Project Consultant

Evergreen Solutions, LLC

Education	B.S in Accounting and Marketing, Florida State University, 2016
Professional and Business History	Evergreen Solutions, LLC, Senior Analyst, May 2018 to Present; Analyst, June 2017 to May 2018; Data Analyst, April 2016 – June 2017. Project Consultant of a Pay and Classification Study for the City of Chamblee, Georgia Project Consultant of a Comprehensive Classification and Compensation Study for the City of Garden City, Georgia Project Consultant of a Wages and Salaries Compensation Study for the City of Stockbridge, Georgia Project Consultant of a Compensation and Classification Study and Analysis for the City of Dublin, Georgia Project Consultant of a Pay and Classification Study for the City of Fayetteville, Georgia Project Consultant of a Salary Survey for the City of Dunwoody, Georgia Project Consultant of a Classification and Compensation Study for Lumpkin County, Georgia Project Consultant of a Classification and Compensation Study and Analysis for Douglas County, Georgia Project Consultant of a Compensation and Benefits Study for Cherokee County, Georgia Project Consultant of a Job Description/Classification Study and Analysis for Douglasville-Douglas County Water and Sewer Authority, Georgia Project Consultant of a Classification and Compensation Study for Alleghany County and the City of Covington, Virginia Project Consultant of a Pay and Classification Study for the City of Williamsburg, Virginia Project Consultant of a Classification and Compensation Study for the City of Fredericksburg, Virginia

Project Consultant of a Compensation Study for King George County, Virginia

Project Consultant of a Classification and Compensation Plan Review for the City of Annapolis, Maryland

Project Consultant of a Wages and Salary Scale Study for Washington County, Maryland

Project Consultant of a Position Classification and Compensation Study for Gaston County, North Carolina

Project Consultant of a Compensation and Classification Study for Union County, North Carolina

Project Consultant of a Pay and Classification Study for the Town of Moncks Corner, South Carolina

Project Consultant of a Classification and Compensation Study for the City of Goose Creek, South Carolina

Project Consultant of a Classification and Compensation Study for Berkeley County, South Carolina

Project Consultant of a Classification and Compensation Study for Blount County, Tennessee

Project Consultant of a Human Resources Department Assessment for the City of Buda, Texas

Project Consultant of a Comprehensive Compensation and Classification Study for the City of Farmers Branch, Texas

Project Consultant of a Classification Study and a Compensation Survey for the City of Page, Arizona

Project Consultant of a Classification and Compensation Study for the City of Conroe, Texas

Project Consultant of a Classification and Compensation Study for Jefferson County, Missouri

Mark Carr CPA 's & Associates, Accountant, February 2015 - May 2016

- Completed over 50 individual/business income tax returns
- Performed bookkeeping/bank reconciliations monthly using QuickBooks
- Prepared financial statements such as Income Statements and Balance Sheets

-
- Completed Payroll, 940s, 941s, and Form RT-6 reports using CFS software

**Florida State University, Systems Representative, Financial Aid Office,
May 2014 - Present**

- Fix software, hardware, and networking issues with all PC's/printers
- Report network issues including, access port, wireless network, etc.
- Create and design Excel workbook projects for budget purposes during financial aid fiscal years

Wal-Mart, Tallahassee, FL, Deli Associate, March 2014-March 2015

- Managed inventory counts as well as restocking products
- Performed cost inventory at the end of every month

Aramark, Tallahassee, FL, Cashier, September 2011 - May 2012

- Counted drawers at the end of every game as well as calculated debit/credit transactions and handled money efficiently
- Effectively totaled sales/costs and calculated net profit after each game
- Transported money to drop office

**Professional
Skills Profile**

- Coursework in Financial Management
- Effective Communication Abilities
- Experienced with Computer Software/Networking
- Budget Proposal Experience
- Proficient with QuickBooks
- Cost Inventory Experience

Affiliations

- Member, Minority Business Society, Florida State University
May 2013 - Present
- Member, National Association Black Accountants, Florida
State University July 2013 - Present

RESOLUTION NO. 182-2018

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AWARD OF SELECTION COMMITTEE RECOMMENDATION TO EVERGREEN SOLUTIONS, LLC THAT WILL PROVIDE TOWN-WIDE EMPLOYEE BENEFIT AND COMPENSATION STUDY, RFP 2018-49; AND REQUEST APPROVAL TO FUND THE PROJECT FROM GENERAL CONTINGENCY FOR AMOUNT OF \$32,500 AND ESTABLISHING A PROJECT BUDGET OF \$40,000 AND AUTHORIZING THE TOWN MANAGER TO EXECUTE THE SAME ON BEHALF OF THE TOWN.

WHEREAS; RFP 2018-49 was issued for a Town-wide Employee Benefit and Compensation Study, and;

WHEREAS; The Selection Committee has recommended award to Evergreen Solution, LLC to complete the study in an amount not to exceed \$40,000; and

WHEREAS; Town Council approval is sought for funding from the General Contingency to award this solicitation in an amount not to exceed \$40,000.

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

Section 1. The award of RFP 2018-49 to Evergreen Solutions, LLC, is hereby approved.

Section 2. The Town Council approves General Contingency Funding in the amount of \$40,000 to perform the study.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further action as may be necessary to effectuate the implementation of these services.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 10th day of October, 2018.

Gail L. Coniglio, Mayor

ATTEST:

Kathleen Dominguez, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Regular Agenda - New Business

Agenda Title

RESOLUTION NO. 183-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing New Purchasing Thresholds for Town Manager and Purchasing Manager.

Presenter

Dean Mealy, Purchasing Manager

ATTACHMENTS:

- ▣ **Memorandum Dated October 2, 2018, from Dean Mealy, Purchasing Manager**
- ▣ **Power Point Backup for Thresholds**
- ▣ **Resolution No. 183-2018**

Information for Town Council Meeting on October 9, 2018

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

VIA: Jane Le Clainche, CPA, Director of Finance

FROM: Dean Mealy, II, CPPO, Purchasing Manager

DATE: October 2, 2018

RE: Approval of Resolution for Updated Purchasing Thresholds
Resolution No. 183-2018

STAFF RECOMMENDATION

Staff recommends approval of Resolution No. 183-2018, establishing new Purchasing Thresholds for fiscal year 2019.

SUMMARY EXPLANATION/BACKGROUND

At the beginning of fiscal year 2018, a recommendation was made to Town Council to implement new Purchasing Thresholds for the Town Manager and for the Purchasing Manager. The Town Manager's threshold was re-established at \$35,000, which is the state's threshold for level two review and approval. It is being recommended that the Town Manager's threshold be raised to \$65,000 for goods and services, which is the state's threshold for level three review and approval. The Town Purchasing Manager's authority was set at \$15,000. It is recommended to move this amount to \$25,000.

All contracts that are multi-year or greater than \$65,000 in value, will still be presented to the Town Council for review and approval.

The \$65,000 threshold, level three, established by the State is for contractual work such as services being provided. It should be noted that 99% of all contracts are multi-year and will come before the Town Council. This new threshold will provide the Town Manager with authority to make approvals for amounts up to, and including \$65,000. All requisitions processed regardless of amount, are still required to be routed through the Town financial system for review and approval to ensure the budget line exists.

All existing thresholds for formal bidding will remain in effect. The new approval authorities for the Purchasing Manager and Town Manager will be within the established guidance.

FISCAL IMPACT/FUNDING SOURCE

There is no fiscal impact or funding source issue. All requisitions for goods and services are routed through Finance for budget check and secondary review regardless of dollar value.

TOWN ATTORNEY REVIEW

Resolution is in form previously approved by Town Attorney.

CC: Jay Boodheshwar, Deputy Town Manager

TOWN COUNCIL
OCTOBER 9, 2018

PROCESS IMPROVEMENT – PURCHASING THRESHOLDS



Efficiency and Process Improvement

Purchasing is recommending streamlining the approval threshold for the Purchasing Manager, Town Manager and Town Council based on the SE Florida National Institute of Government Purchasing Survey (NIGP).

Recommended Change	Efficiencies Gained
Increase Purchasing Manager threshold for requisitions and contracts from \$14,999 to \$24,999.	Currently Purchasing Manager approves 85% of all requisitions, the requested change will change that amount to 93%. Requisitions will be able to be processed faster enabling staff to complete work more efficiently.
Increase Town Manager threshold for requisitions and contracts from \$34,999 to \$64,999.	Currently the Town Manager approves 7% of all requisitions. With the requested new authority, the manager will approve 2% of all requisitions.
Increase Town Council threshold for all new requisitions, contracts and renewals for amounts greater than \$65,000.	The Town Council currently reviews 8% of all requisitions and contracts. The requested change would decrease the amount to 5%. Town Council will still review all multi-year contracts valued greater than \$65,000.

Comparison of Recommended Changes

Current Threshold Dollar Amount	Total No. of Purchase Orders	%	Current Approver	Proposed Threshold Dollar Amount	Total No. of Purchase Orders	%	Proposed Approver
<2,500	851	61%	Purchasing Mgr.	No change	No change	61%	No Change
\$2,500 to \$14,999	348	25%	Purchasing Mgr.	\$2,500 - \$34,999	447	32%	Purchasing Mgr.
\$14,999 to \$34,999	99	7%	Town Manager	\$35,000 - \$64,999	35	2%	Town Manager
>34,999	106	7%	Town Council	>\$65,000	70	5%	Town Council

SE Chapter of NIGP Purchasing Threshold Comparison 2017 Study

Cooperative Survey	Town of Palm Beach	Boca Raton	City of Palm Beach Gardens	City of Delray Beach	Town of Jupiter (see note 3)	Village of Wellington	City of West Palm Beach
What is the threshold for a non-competitive quote	under 2,500	5,000	2,500	under 2,500	under \$2,500	under 2,499	10,000 10,000-50,000 and 100,000 for construction
What is the threshold for a competitive quote	2,500 and greater	5000-49,999	greater than 2500	\$2,500-\$64,999	25,000	2,500 to 25,000	
Who obtains the quotes, Purchasing or the end-user Department	End User and Purchasing	End User under 5, Purchasing	End User & Purchasing	End user < \$10K, Purchasing >10K	user department	End User and Purchasing	end user and purchasing greater than 50,000 and 100, 000 for construction
What is the threshold for an advertised competitive bid	35/50/100 (See note 2)	25/50/100 (See note 1)	10,000	64,999	49,999	25,000	50,000 and 100,000 for construction
What is city/town/village manager threshold	35/50/100 (See note 2)	49,999	64,999	64,999	49,999	25,000	for construction greater than 50,000 and 100,000 for construction
What is the threshold for Council/Commission approval	35/50/100 (See note 2)	50,000	65,000	65,000	50,000	25,000	

Notes:

- 1) 35,000 Term Contract, 50,000 Services/Supplies, 100,000 Construction
- 2) 35,000 Services/Supplies, 50,000 Vehicles & Electrical Construction , 100,000 Construction
- 3) Town of Jupiter does not participate in SE FL NIGP, thresholds pulled from their website

Village of Wellington is currently reviewing threshold approval.

Efficiencies Achieved by Change of Threshold in 2017

Changes Implemented in November 2017	Efficiencies Gained
Increased one quote threshold from \$1,000 to \$2,500 that user departments secure	User departments spent less time securing quotes for goods or services. This will allowed requisitions and purchase orders to be processed faster to obtain necessary goods and services. Note that purchasing still verified pricing submitted to ensure that best value is obtained for Town.
Increased quote threshold from \$4,999 to \$9,999 that user departments secure	The majority of all purchases processed by purchasing fall within this category. This expedited the timeline to secure the goods or services. Note that purchasing still verified pricing submitted to ensure that best value is obtained for the Town.
Increased approval threshold for Purchasing Manager, Town Manager and Town Council	Increased approval thresholds brought us in line with other local municipalities. User departments benefited by expedited approval process. The Town has sound internal controls within Eden to ensure review of all purchases. Process provided streamlined approach to approvals.

Highlight of Efficiencies Gained by Change of Threshold

- Town Council approves the operating and capital budgets when the budget is reviewed and approved. For FY 19, all multi-year contracts were presented to Town Council for review and approval. This procedure change provided fuller transparency.
- In a survey issued to Town users in September 2017, the biggest assistance to end users has been the increase of one quote up to \$2,499 which has eliminated additional time required by them to address small dollar purchase needs.

Internal Controls/ Check and Balances

All purchases for goods and services are processed by means of a requisition before a purchase order can be issued within the ERP Software, Tyler Eden regardless of dollar amount.

For the majority of requisition approvals, the requesting employee's supervisor, the division manager, department director have to approve the requisition before it can be sent to purchasing for processing.

Once purchasing approves the requisition within Eden, the requisition is forwarded electronically to Finance, and depending on amount, Town Manager for approval.

- Finance verifies if the budget exists to move the requisition forward for approval and reviews whether the item is a capital asset for asset tracking. Finance reviews Information Technology purchases greater than \$1,500 and general commodities and services valued at \$2,500 or more.
- Purchasing verifies if the appropriate vendor was contacted for quote and that all subsequent paperwork is properly attached to requisition to ensure a good audit trail. More importantly, purchasing ensures that competition for goods and services is sought.

Next Steps

Update Purchasing Threshold within Purchasing Manual.

RESOLUTION NO. 183-2018

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN
OF PALM BEACH, PALM BEACH COUNTY, FLORIDA,
AUTHORIZING NEW PURCHASING THRESHOLDS FOR
TOWN MANAGER AND PURCHASING MANAGER**

WHEREAS, the Town Council reviewed and approved new Purchasing Thresholds in November 2017; and

WHEREAS, Town Council directed staff to provide an update on the effectiveness of the thresholds after one year; and

WHEREAS, a review was made of other local municipalities and also to State of Florida thresholds in September 2018; and

WHEREAS, a recommendation is being made to adjust the thresholds for the Town Manager to \$65,000 and the Purchasing Manager to \$35,000.

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

Section 1: The new purchasing thresholds shall take effect upon approval.

Section 2: The Town Purchasing Manual will be adjusted to reflect the new thresholds.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 9th day of October, 2018.

Gail L. Coniglio, Mayor

ATTEST:

Kathleen Dominguez, Town Clerk

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Ordinances - Second Reading

Agenda Title

ORDINANCE NO. 17-2018 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, 2017, and Providing an Effective Date.

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

- ▣ **Ordinance No. 17-2018**
- ▣ **Exhibit A**

ORDINANCE NO. 17-2018

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, 2017, 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, 2017; 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, 2018; and

WHEREAS, the budget amendment is necessary to fund unanticipated costs associated with the Health Insurance Trust (OPEB); 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 Health Insurance Trust (OPEB) for the fiscal year commencing October 1, 2017, is hereby amended and adopted pursuant to the attached Exhibit "A", attached hereto and made a part of this ordinance.

Section 3. Effective Date. This ordinance shall take effect immediately upon passage and approval as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of the Palm Beach on first reading this 13th day of September, 2018, and for second and final reading on this 9th day of October, 2018.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S. W. Crampton, Town Council Member

Kathleen Dominguez, Town Clerk

Bobbie Lindsay, Town Council Member

Town of Palm Beach, Florida
Health Insurance Trust
Budget Amendment
October 1, 2017 - September 30, 2018

	Adopted Budget FY2018	Change	Amended Budget FY2018
Revenues			
Town Funding	960,000	-	960,000
Retiree Funding	1,184,835	-	1,184,835
Medicare Reimbursement	-	-	-
Miscellaneous Revenue	-	-	-
Gain/(Loss) on Investments	500,000	-	500,000
Total Revenues	2,644,835	-	2,644,835
Expenditures			
Salaries and Wages	80,986	-	80,986
Employee Benefits	2,048,557	525,000	2,573,557
Contractual	87,627	-	87,627
Commodities	300	-	300
Total Expenditures	2,217,470	525,000	2,742,470
 Total Revenues over/(under) Expenses	 427,365	 -	 (97,635)
 Beginning Net Assets	 29,304,772	 -	 29,304,772
 Ending Net Assets	 29,732,137	 -	 29,207,137

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Ordinances - Second Reading

Agenda Title

ORDINANCE NO. 18-2018 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Town Code of Ordinances at Chapter 118, Traffic and Vehicles, Article III, Parking, Stopping and Standing, Division 1, Generally, At Section 118.93, Delinquency Penalty for Nonpayment of Parking Violation Penalties; Section 118-94, Service Charge for nonpayment of parking violation penalties, Division 2, Parking Meters, At section 118-127, Expired Meter; Section 118-128, Service Charge for Nonpayment of Parking Violation Penalties; Section 118-133, Violations, Penalty; Providing for Severability; Providing for Repeal of Ordinances in Conflict; Providing for Codification; Providing an Effective Date.

Presenter

Jane Le Clainche, Director of Finance

ATTACHMENTS:

▣ **Ordinance No. 18-2018**

ORDINANCE NO. 18-2018

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 118, TRAFFIC AND VEHICLES, ARTICLE III, PARKING, STOPPING AND STANDING, DIVISION 1, GENERALLY, AT SECTION 118-93, DELINQUENCY PENALTY FOR NONPAYMENT OF PARKING VIOLATION PENALTIES; SECTION 118-94, SERVICE CHARGE FOR NONPAYMENT OF PARKING VIOLATION PENALTIES, DIVISION 2, PARKING METERS, AT SECTION 118-127, EXPIRED METER; SECTION 118-128, SERVICE CHARGE FOR NONPAYMENT OF PARKING VIOLATION PENALTIES; SECTION 118-133, VIOLATIONS, PENALTY; 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 118, Traffic and Vehicles, Article III, Parking, Stopping and Standing, Division 1, Generally, at Section 118-93, Delinquency Penalty for Nonpayment of Parking Violation Penalties and at Section 118-94, Service Charge for Nonpayment of Parking Violation Penalties, in the manner and form set forth below (as shown in the strikeouts and underlined):

"Division 1. Generally

Sec. 118-93. - Delinquency penalty for nonpayment of parking violation penalties.

Failure to pay penalties for violations of sections 118-91 and 118-92 within ~~seven~~ fourteen days from the time of issuance of the violation shall result in an additional delinquency penalty to the violator. The amount of the delinquency penalty for the violation of parking regulations

enumerated herein shall be established by resolution of the town council and may be amended from time to time by resolution of the town council. Failure to pay the full penalty within ~~seven~~ fourteen days of notice of such obligation may result in a summons being issued ordering and directing the violator to appear in county court, or civil proceedings may be commenced to effectuate collection. The violator shall be responsible for all costs incurred by the town to enforce the provisions of this section.

Sec. 118-94. - Service charge for nonpayment of parking violation penalties.

(a) Failure to pay penalties and delinquency assessments for violations of sections 118-91 and 118-92 and in accordance with section 118-93 within 60 days of issuance of the parking violation shall result in a service charge to the violator per citation in addition to the cost of the violation and delinquent penalty. The amount of the service charge for the violation of parking regulations enumerated herein shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.

(b) Failure to pay penalties and delinquency assessments for violations of sections 118-91 and 118-92 and in accordance with section 118-93 within 90 days of issuance of the parking violation shall result in an additional service charge to the violator per citation in addition to the cost of the violation, the original delinquent penalty and service charge. The amount of the additional service charge for the violation of parking regulations enumerated herein shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.

(c) Failure to pay penalties and delinquency assessments for violations of sections 118-91 and 118-92 and in accordance with section 118-93 within 120 days of issuance of the parking violation shall result in an additional service charge to the violator per citation in addition to the cost of the violation, the original delinquent penalty and service charge. The amount of the additional service charge for the violation of parking regulations enumerated herein shall be established by resolution of the town council and may be amended from time to time by resolution of the town council."

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended at Chapter 118, Traffic AND Vehicles, Article III, Parking, Stopping and Standing, Division 2, Parking Meters, at Section 118-127, Expired Meter; Section 118-

128, Service Charge for Nonpayment of Parking Violation Penalties and at Section 118-133, Violations, Penalty, in the manner and form set forth below (as shown in the strikeouts and underlined):

“Division 2. Parking Meters

Sec. 118-127. - Expired meter.

(a) *Prohibited.* It shall be unlawful for any person to cause, allow, permit or suffer any vehicle registered in the name of such person to be parked overtime or beyond the period of legal time established for any parking meter zone or for any parking area for which the length of time of parking is regulated.

(b) *Penalty.* The civil penalty for parking overtime in violation of subsection (a) shall be as set forth in section 118-92, as may be amended from time to time. Failure to pay such penalty within the time provided in section 118-133 shall result in an additional delinquency penalty to the violator in the amount established or amended by resolution of the town council. Failure to pay the full penalty within ~~seven~~ fourteen days of notice of such obligation may result in a summons being issued ordering and directing the violator to appear in county court, or civil proceedings may be commenced to effectuate collection. The violator shall be responsible for all costs incurred by the town to enforce the provisions of this section.

Sec. 118-128. - Service charge for nonpayment of parking violation penalties.

(a) Failure to pay penalties and delinquency assessments for violations of section 118-127 and in accordance with section 118-133, within 60 days of issuance of the parking violation shall result in a service charge to the violator per citation in addition to the cost of the violation and delinquent penalty. The service charge to the violator shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.

(b) Failure to pay penalties and delinquency assessments for violations of section 118-127 and in accordance with section 118-133, within 90 days of issuance of the parking violation shall result in an additional service charge to the violator per citation in addition to the cost of the violation, the original delinquent penalty and service charge. The additional service charge to the violator shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.

(c) Failure to pay penalties and delinquency assessments for violations of section 118-127 and in accordance with section 118-133, within 120 days of issuance of the parking violation shall result in an additional service charge to the violator per citation in addition to the cost of the violation, the original delinquent penalty and service charge. The additional service charge to the violator shall be established by resolution of the town council and may be amended from time to time by resolution of the town council.

Sec. 118-133. - Violations, penalty.

(a) It shall be the duty of police officers and parking enforcement personnel of the town, acting in accordance with instructions issued by the chief of police, to report:

(1) The number of each parking meter that indicates that the vehicle occupying the parking space is or has been parked in violation of any of the provisions of this division.

(2) The state license plate number of such vehicle.

(3) The length of time during which such vehicle is known to have been parked in violation of any of the provisions of this division.

(4) Any other facts or knowledge which is necessary to provide a thorough understanding of the circumstances pertaining to such violation.

(b) Each such police officer or parking enforcement officer shall also attach to such vehicle a notice to the owner thereof that such vehicle has been parked in violation of the provision of this division and instructing such owner to report to the finance department of the town in regard to such violations.

(c) Each such owner shall, within ~~seven~~ fourteen calendar days of the time when such notice was attached to such vehicle, pay to the finance department as a penalty for and in full satisfaction of such violation an amount as specified by the town council ~~multiplied by the number of periods of parking time established as the legal time for such parking space, and during which such vehicle occupied such parking space in violation of any of the provisions of this division.~~ The failure of such owner to make such payment to the finance department within ~~seven~~ fourteen calendar days shall render such owner subject to the penalties provided in section 1-14."

Section 3. Severability

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict

All other ordinances of the Town of Palm Beach, Florida, or parts thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Codification

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach

Section 6. Effective Date

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session on first reading this 13th day of September, 2018, and for a second and final reading on this 9th day of October, 2018.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie K. Araskog, Town Council Member

ATTEST:

Lew Crampton, Town Council Member

Kathleen Dominguez, Town Clerk

Bobbie Lindsay, Town Council Member

TOWN OF PALM BEACH

Town Council Meeting on: October 9, 2018

Section of Agenda

Ordinances - Second Reading

Agenda Title

ORDINANCE NO. 19-2018 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 82-99, Deferred Retirement Option Program For Firefighters; 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 82-139, Deferred Retirement Option Program For Members Of 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

Kirk W. Blouin, Town Manager

ATTACHMENTS:

- ▣ **No Impact Statement from GRS**
- ▣ **E-mail Dated September 20, 2018, from Mark Floyd**
- ▣ **Ordinance No. 19-2018**

October 3, 2018

William P. Hanes, Esq.
Administrator
Town of Palm Beach Retirement System
P.O. Box 2112
Palm Beach, Florida 33480

Re: Town of Palm Beach Retirement System – Ordinance 19-2018

Dear Bill:

We have reviewed the proposed Ordinance which amends Section 82-99, *Deferred retirement option program for firefighters*; Section 82-119, *Deferred retirement option program for police officers*; and Section 82-139, *Deferred retirement option program for members of benefit group general and benefit group lifeguard*, of the Town's Code of Ordinances with regard to the Town of Palm Beach Retirement System (Plan).

This Ordinance introduces additional language which would extend DROP participation for up to 36 calendar months beyond the maximum DROP participation period of 60 months, effective on and after January 1, 2019 and until January 1, 2022, if authorized by the Town Manager. The Town Manager's decision to authorize the extension of a member's DROP period is based on the operational needs of the Town and is not subject to grievance or other review.

In our opinion, these proposed changes would not have an immediate actuarial impact on the current cost of the Plan for prefunding purposes. If an extension of a member's DROP participation period delays the employment of a replacement employee, then this could reduce the cost of the Plan in future years, but this depends on future experience and is difficult to measure at this time.

Furthermore, if a member's DROP participation is extended by 1 to 3 years, the impact of the Internal Revenue Code Section 415(b) limit would need to be analyzed. If a member is close to or at the 415(b) limit before extending their DROP participation period, such an extension may cause their total benefit to exceed the 415(b) limit. This would need to be analyzed on a case-by-case basis. If a member's benefit is impacted by Section 415(b) due to an extension of their DROP participation period, then the actuarial liability in this Plan may be reduced as a result of the 415(b) limit.

Based on the above, it is our opinion that a formal Actuarial Impact Statement is not required. However, we recommend that you send a copy of this letter and the Ordinance to the Bureau of Local Retirement Systems before the final public hearing on the Ordinance.

Peter N. Strong is a member of the American Academy of Actuaries and meets the Qualification Standards of the American Academy of Actuaries to render the actuarial opinions contained herein. The undersigned actuary is independent of the plan sponsor.

If there are any questions, please let us know.

Respectfully submitted,

A handwritten signature in black ink that reads "Pete Strong". The signature is written in a cursive, flowing style.

Peter N. Strong, FSA, EA, MAAA
Senior Consultant and Actuary

The above communication shall not be construed to provide tax advice, legal advice or investment advice.

From: Mark Floyd
To: [Danielle Olson](#); [Brian Lebrun](#); sbielecky@iaff2928.com
Cc: [Mandel, Jeffrey](#); [Darrel Donatto](#)
Subject: RE: Proposal to Revise the Deferred Retirement Option Program
Date: Thursday, September 20, 2018 7:44:44 AM

Danielle:

Local 2928 has reviewed the proposed ordinance amending the DROP within the Retirement plan. Local 2928 has no objection to the amendment being applied to all employees, including those in the bargaining unit represented by Local 2928. Accordingly, Local 2928 waives its right to bargain over this matter.

If there is anything we can do to assist in implementation, please let us know.

Thank you,

Mark W. Floyd
Attorney at Law
MIERZWA & FLOYD, P.A.
3900 Woodlake Boulevard
Suite 212
Lake Worth, Florida 33463-3010
Telephone: (561) 966-1200
Facsimile: (561) 966-1231
e-mail: mfloyd@mierzwalaw.com

From: Danielle Olson <DOlson@TownofPalmBeach.com>
Sent: Monday, September 17, 2018 9:00 AM
To: Mark Floyd <mfloyd@mierzwalaw.com>; Brian Lebrun <BLebrun@townofpalmbeach.com>; sbielecky@iaff2928.com
Cc: Mandel, Jeffrey <jmandel@fisherphillips.com>; Darrel Donatto <DDonatto@TownofPalmBeach.com>
Subject: Proposal to Revise the Deferred Retirement Option Program

Please be advised that the Town proposed an ordinance amending the Deferred Retirement Option Program within the Retirement plan. Attached you will find a copy of the amended ordinance #19-2018 that is scheduled for second reading and final approval at the October 9, 2018 Town Council meeting. The Town is seeking your position regarding implementation of the same for the bargaining unit employees. If you would please review and provide a response on or before end of business on Friday, September 21, 2018.

Thank you.

Danielle Olson, M.A., SPHR, SHRM-SCP
Director of Human Resources

Town of Palm Beach
Human Resources Department
360 S. County Road
Palm Beach, FL 33480
Phone: 561-838-5450
Direct: 561-227-6322
Fax: 561-838-5451
www.townofpalmbeach.com

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.

ORDINANCE NO. 19-2018

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 82-99, DEFERRED RETIREMENT OPTION PROGRAM FOR FIREFIGHTERS; 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 82-139, DEFERRED RETIREMENT OPTION PROGRAM FOR MEMBERS OF 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 82-99 to read as follows:

Sec. 82-99. - Deferred retirement option program for firefighters.

* * *

(c) *Participation in the DROP.*

- (1) The date on which participation in the DROP must terminate is within 120 months of the commencement of the election period provided in subsection (b)(1) of this section. Except as provided in subsection (c)(4) below, P-participation in the DROP may not exceed a maximum of 60 months. No DROP participant may ~~continue to be eligible to~~ participate in the DROP for more than 60 months or for any time after 120 months following the date on which the member first reaches normal retirement age or date, except as provided in subsection (c)(4) below, unless the member first reached normal retirement age or date prior to the effective date of the ordinance from which this section derives. Notwithstanding the preceding sentence, effective October 1, 2016 for non-bargaining unit members who are participating in the DROP on that date or who enter the DROP after that date, the maximum DROP participation period shall be 60 months, but such members may continue to participate in the DROP beyond 120 months following the date on which the member first reaches normal retirement age or date.
- (2) Submission of required information. Upon electing to participate in the DROP, the member shall submit on forms required by the retirement system:

- a. A written election to retire effective no more than 60 months after entering participation in the DROP;
 - b. A written election to participate in the DROP;
 - c. An irrevocable resignation from service to the town and withdrawal from the DROP, both effective after no more than 60 months participation in the DROP;
 - d. A properly completed DROP application for service retirement as provided in this section; and
 - e. Any other information required by the retirement system.
- (3) Re-employed retirants. Re-employed retirants of the town's retirement system are not eligible to participate in DROP.
- (4) Effective on and after January 1, 2019 until January 1, 2022, members who are participating in the DROP may, if authorized by the Town Manager, extend their DROP participation for up to 36 months, in 12 month increments, beyond the 60 month maximum DROP participation period. Members who seek to extend their DROP participation must submit, at least 30 days before the termination of the current DROP period, the following information to the town manager on forms provided by the town:
- a. A revised, written election to retire effective up to 12 months after the end of the current DROP period;
 - b. A written election to extend DROP participation by up to 12 months;
 - c. The member's new DROP termination date (not more than 12 months after the end of the current DROP period);
 - d. The member's new DROP termination date;
 - e. A revised, irrevocable resignation from service to the town and withdrawal from the DROP, effective on or before the new DROP termination date; and
 - f. Any other information required by the town or retirement system.

The town manager's decision to authorize the extension of a member's DROP period shall be based on the operational needs of the town, and shall not be subject to grievance or other review. Extended DROP participation is not a guarantee of continued employment for any specified period. DROP participants who have not been approved for the 36-month extended DROP participation period pursuant to this subsection (c)(4) by January 1, 2022 are not eligible for extended DROP. All provisions of the DROP shall continue to apply during any period of extended DROP participation.

- (d) *Compensation for work performed while participating in the DROP.* Starting pay shall be at the base pay rate in effect on the employee's last working day of employment, prior to participation in the DROP. Job performance will be evaluated under the town's pay for performance system, and performance pay increases will be permitted as established by town policy. General pay increases shall also be awarded, as approved

by the town council and the town manager. The base pay rate for DROP participants who are authorized by the Town Manager to extend DROP participation for up to 36 calendar months beyond the 60-month period shall be the rate of pay in effect at the end of 60-month DROP period; and that rate shall not be eligible for performance pay increase, general pay increases approved by the Town Council, or future Longevity Pay or Longevity Bonuses. Performance pay increases and general pay increases awarded to DROP participants will be reflected in their salary but will not be reflected in pension payments made to DROP accounts or made after DROP participation.

* * *

- (3) Except as otherwise provided in this subsection (d), ~~Employee~~ benefits, other than benefits under the retirement system, which are normally granted to employees, will be provided to DROP participants. Such DROP participants are members of the retirement system.
- (4) At the conclusion of the participant's DROP, any credits made to a DROP participant's account will cease. Membership in the DROP will automatically terminate 60 months after the effective date of participation in the DROP, except as provided in subsections (c)(1) and (c)(4) above. DROP participants may elect to discontinue membership in the DROP at any time, provided a two-week written notice of termination of employment has been submitted to the town and notice has been submitted to the plan administrator.

* * *

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 IV. - Police Officers; by amending Section 82-119 to read as follows:
Sec. 82-119. - Deferred retirement option program for police officers.

* * *

(c) Participation in the DROP.

- (1) The date on which participation in the DROP must terminate is within 120 months of the commencement of the election period provided in subsection (b)(1) of this section. Except as provided in subsection (c)(4) below, ~~P~~-participation in the DROP may not exceed a maximum of 60 months. No DROP participant may ~~continue to be eligible to~~ participate in the DROP for more than 60 months or for any time after 120 months following the date on which the member first reaches normal retirement age or date, except as provided in subsection (c)(4) below, unless the member first reached normal retirement age or date prior to the effective date of the ordinance from which this section derives. Notwithstanding the preceding sentence, effective October 1, 2016 for members who are participating in the DROP on that date or who enter the DROP after that date, the maximum DROP participation period shall be 60 months, but such members may continue to participate in the DROP beyond 120 months following the date on which the member first reaches normal retirement age or date.

- (2) Submission of required information. Upon electing to participate in the DROP, the member shall submit on forms required by the retirement system:
- a. A written election to retire effective no more than 60 months after entering participation in the DROP;
 - b. A written election to participate in the DROP;
 - c. An irrevocable resignation from service to the town and withdrawal from the DROP, both effective after no more than 60 months participation in the DROP;
 - d. A properly completed DROP application for service retirement as provided in this section; and
 - e. Any other information required by the retirement system.

- (3) Re-employed retirants. Re-employed retirants of the town's retirement system are not eligible to participate in DROP.

- (4) Effective on and after January 1, 2019 until January 1, 2022,, members who are participating in the DROP may, if authorized by the town manager, extend their DROP participation for up to 36 months, in 12 month increments, beyond the 60 month maximum DROP participation period. Members who seek to extend their DROP participation must submit, at least 30 days before the termination of the current DROP period, the following information to the town manager on forms provided by the town:

- a. A revised, written election to retire effective upon termination of the member's participation in the DROP;
- b. A written election to extend DROP participation, approved and signed by the town manager;
- c. The maximum term of the extended DROP participation;
- d. The member's new DROP termination date;
- e. A revised, irrevocable resignation from service to the town and withdrawal from the DROP, effective on or before the end of the maximum DROP participation period as extended; and
- f. Any other information required by the retirement system.

The town manager's decision to authorize the extension of a member's DROP period shall be based on the operational needs of the town, and shall not be subject to grievance or other review. Extended DROP participation is not a guarantee of continued employment for any specified period. DROP participants who have not been approved for the 36-month extended DROP participation period pursuant to this subsection (c)(4) by January 1, 2022 are not eligible for extended DROP. All provisions of the DROP shall continue to apply during any period of extended DROP participation.

- (d) *Compensation for work performed while participating in the DROP.* Starting pay shall be at the base pay rate in effect on the employee's last working day of employment,

prior to participation in the DROP. Job performance will be evaluated under the town's pay for performance system, and performance pay increases will be permitted as established by town policy. General pay increases shall also be awarded, as approved by the town council and the town manager. The base pay rate for DROP participants who are authorized by the town manager to extend DROP participation for up to 36 calendar months beyond the 60-month period shall be the rate of pay in effect at the end of 60-month DROP period; and that rate shall not be eligible for performance pay increase, general pay increases approved by the Town Council, or future Longevity Pay or Longevity Bonuses. Performance pay increases and general pay increases awarded to DROP participants will be reflected in their salary but will not be reflected in pension payments made to DROP accounts or made after DROP participation.

* * *

- (3) Except as otherwise provided in this subsection (d), ~~E~~employee benefits, other than benefits under the retirement system, which are normally granted to employees, will be provided to DROP participants. Such DROP participants are members of the retirement system.
- (4) At the conclusion of the participant's DROP, any credits made to a DROP participant's account will cease. Membership in the DROP will automatically terminate 60 months after the effective date of participation in the DROP, except as provided in subsections (c)(1) and (c)(4) above. DROP participants may elect to discontinue membership in the DROP at any time, provided a two-week written notice of termination of employment has been submitted to the town, and notice has been submitted to the plan administrator.

* * *

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 V. – General Employees and Lifeguards; by amending Section 82-139 to read as follows:

Sec. 82-139. - Deferred retirement option program for members of benefit group general and benefit group lifeguard.

* * *

(c) Participation in the DROP.

- (1) Except as provided in subsection (c)(4) below, ~~P~~-participation in the DROP may not exceed a maximum of 60 months.
- (2) Submission of required information. Upon electing to participate in the DROP, the member shall submit on forms required by the retirement system:
 - a. A written election to retire effective no more than 60 months after entering participation in the DROP;
 - b. A written election to participate in the DROP;

- c. An irrevocable resignation from service to the town and withdrawal from the DROP, both effective after no more than 60 months participation in the DROP;
 - d. A properly completed DROP application for service retirement as provided in this section; and
 - e. Any other information required by the retirement system.
- (3) Re-employed retirants. Re-employed retirants of the town's retirement system are not eligible to participate in DROP.

(4) Effective on and after January 1, 2019 until January 1, 2022, members who are participating in the DROP may, if authorized by the town manager, extend their DROP participation for up to 36 months, in 12 month increments, beyond the 60 month maximum DROP participation period. Members who seek to extend their DROP participation must submit, at least 30 days before the termination of the current DROP period, the following information to the town manager on forms provided by the town:

- a. A revised, written election to retire effective upon termination of the member's participation in the DROP;
- b. A written election to extend DROP participation, approved and signed by the town manager;
- c. The maximum term of the extended DROP participation;
- d. The member's new DROP termination date;
- e. A revised, irrevocable resignation from service to the town and withdrawal from the DROP, effective on or before the end of the maximum DROP participation period as extended; and
- f. Any other information required by the retirement system.

The town manager's decision to authorize the extension of a member's DROP period shall be based on the operational needs of the town, and shall not be subject to grievance or other review. Extended DROP participation is not a guarantee of continued employment for any specified period. DROP participants who have not been approved for the 36-month extended DROP participation period pursuant to this subsection (c)(4) by January 1, 2022 are not eligible for extended DROP. All provisions of the DROP shall continue to apply during any period of extended DROP participation.

- (d) Compensation for work performed while participating in the DROP.* Starting pay shall be at the base pay rate in effect on the employee's last working day of employment, prior to participation in the DROP. Job performance will be evaluated under the town's pay for performance system, and performance pay increases will be permitted as established by town policy. General pay increases shall also be awarded, as approved by the town council and the town manager. The base pay rate for DROP participants who are authorized by the Town Manager to extend DROP participation for up to 36 calendar months beyond the 60-month period shall be the rate of pay in effect at the

end of 60-month DROP period; and that rate shall not be eligible for performance pay increase, general pay increases approved by the Town Council, or future Longevity Pay or Longevity Bonuses. Performance pay increases and general pay increases awarded to DROP participants will be reflected in their salary but will not be reflected in pension payments made to DROP accounts or made after DROP participation.

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- (3) Except as otherwise provided in this subsection (d), ~~Employee~~ benefits, other than benefits under the retirement system, which are normally granted to employees, will be provided to DROP participants. Such DROP participants are members of the retirement system.
- (4) At the conclusion of the participant's DROP, any credits made to a DROP participant's account will cease. Membership in the DROP will automatically terminate 60 months after the effective date of participation in the DROP, except as provided in subsections (c)(1) and (c)(4)~~a~~ above. DROP participants may elect to discontinue membership in the DROP at any time, provided a two-week written notice of termination has been submitted to the plan administrator.

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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 Code of Ordinances of the Town of Palm Beach.

Section 7. 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 13th day of September, 2018, and for second and final reading on this 9th day of October, 2018.

Gail L. Coniglio, Mayor

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Lewis S.W. Crampton, Town Council Member

Kathleen Dominguez, Town Clerk

Bobbie Lindsay, Town Council Member