TOWN OF PALM BEACH

Office of the Town Clerk

**MINUTES OF THE UNDERGROUND UTILITIES TASK FORCE MEETING
HELD ON TUESDAY, JANUARY 5, 2016**

I. CALL TO ORDER AND ROLL CALL

The Underground Utilities Task Force meeting was called to order on Tuesday, January 5, 2015, at 9:00 a.m., in the Town Council Chambers. On roll call, all Task Force Members were found to be present, with the exception of Vice Chair Ross, who arrived at 9:15 a.m.

II. PLEDGE OF ALLEGIANCE

Chair Smith led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

ADDED: Report from Task Force Member Parker regarding discussions with representative from San Diego's undergrounding project.

Motion was made by Task Force Member Gary, and seconded by Chair Smith, to approve the Agenda, as amended above. On call for a vote, the motion carried 6-0, with Vice Chair Ross absent.

IV. COMMUNICATIONS FROM CITIZENS – *None*

V. MINUTES

A. UUTF Meeting Minutes of December 1, 2015.

Town Manager Bradford stated that the minutes have been completed, but that he did not receive them in time to review them and provide them to the Task Force prior to the meeting.

It was the consensus of the Task Force to defer the UUTF meeting minutes of December 1, 2015, to the February 2, 2016, Task Force meeting.

VI. PRESENTATION BY AT&T WIRELESS ON SMARTPOLE DAS (SMALL CELL SITES) IN RELATION TO THE TOWN'S PROPOSED UNDERGROUND PROJECT WITH FOLLOW-UP QUESTIONS FROM TASK FORCE MEMBERS

George Brosseau, Principal RF Engineer, AT&T Wireless – South Florida

George Brosseau, AT&T Wireless, provided his background and an overview of smartpoles, the work being done to upgrade to them, and how they would fit into the undergrounding project.

(Clerk's Note: Vice Chair Ross arrived at approximately 9:15 a.m.)

Discussion ensued regarding use of the smartpoles by other carriers, flexibility of the system, coverage range of the poles, AT&T's 3-yr plan for the area, network fiber needs for the cell sites, how the poles relate to the undergrounding project, the economics of the situation, funding for the poles, AT&T's obstacles in locating a cell tower site on Royal Palm Way, the Zoning Code, putting small towers on residences, incorporating AT&T's plans into the undergrounding project, getting proposals from Phillips, aesthetics, refitting the current poles, whether the Town could make money off the lease of the poles, and the pace of miniaturization.

Task Force Member Parker requested that AT&T provide the Town with a contact person for when issues arise.

Discussion continued regarding cell service in the Town, changing technologies and needs, whether to delay the project in favor of future technologies, whether the Town should utilize a third-party or communicate directly with each carrier, this being a planning issue, and possible Zoning Code revisions being needed if smartpoles are to be installed.

Motion was made by Task Force Member Gary, and seconded by Vice Chair Ross, to recommend that the Town Council incorporate the concept of smartpoles into the undergrounding project, and direct Staff to develop a plan for them moving forward. On call for a vote, the motion carried unanimously.

VII. UPDATE ON STATUS OF SPECIAL NON-AD VALOREM ASSESSMENT METHODOLOGY

Thomas G. Bradford, Town Manager

Town Manager Bradford provided an overview of the assessment methodology adjustments made by the Town Council.

Discussion ensued regarding equivalent benefit unit (EBU) allocations and their effect on the costs to taxpayers, square footage of land being the right way to allocate safety EBUs, whether consumption would be a good EBU, credits for properties with generators, property appreciation differences, cost allocations, soliciting comments from the higher valued property owners, the urgency of the referendum, what might occur if the referendum is defeated, the Task Force's objective, why other communities have undergrounded, working for the broader good of the community, and finding a fair assessment methodology.

Anita Seltzer, 44 Coconut Row, requested that the Task Force have public comment before any vote and spoke regarding getting input from the community, the EBU allocations seeming to be in flux, qualitative versus quantitative benefits, pole replacement costs, generator credits, and the costs for moving and replacing the poles.

Michael Pucillo, 224 Dunbar Rd., spoke regarding how safety EBUs are calculated and the consultant's recommended EBU allocations.

Discussion ensued regarding the possibility of people getting rid of their generators if the utility poles are hardened, why most people installed generators, whether properties with generators should get credits, the difference between giving someone a credit for already undergrounding versus having a generator, the need to focus on what's good for the whole Town, and how the 2015 property data will affect the allocations of individual and common benefits.

Motion was made by Vice Chair Ross, seconded by Task Force Member Bottorff, to recommend that the Town Council provide a credit to properties with generators. On roll call, the motion carried 6-1, with Task Force Member Gary dissenting.

VIII. UPDATE ON PUBLIC UTILITY PROJECT EASEMENTS

Thomas G. Bradford, Town Manager

Town Manager Bradford provided an overview of the options for securing easements.

Discussion ensued regarding how Virginia Dominion secured their easements and looking to them to resolve any easement issues.

IX. UPDATE ON RFP FOR PROJECT DESIGN CONSULTANT SELECTION PROCESS

Thomas G. Bradford, Town Manager

Town Manager Bradford provided an update on the selection process, notating that he was prohibited from saying more due to the RFP still being under a "Cone of Silence".

Discussion ensued regarding having enough time to have an effective public information program before the election.

X. UPDATE ON UNDERGROUND UTILITIES PUBLIC INFORMATION PROGRAM

Rick Asnani, Cornerstone Solutions

Rick Asnani, Cornerstone Solutions, stated that the Town will have time to run an effective public information program prior to the election, and provided an update on the Program.

Discussion ensued regarding the divisiveness that has occurred over individual assessments and what can be done to show people how the project will benefit the whole Town and encourage people to look past their own interests.

Mr. Asnani spoke regarding when the absentee ballots will be going out and the new program component entitled "One Town, One Plan".

XI. ANY OTHER MATTERS

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

A. Report on Meeting with Representatives from the City of San Diego's Undergrounding Project
Task Force Member Parker

Task Force Member Parker provided an overview of his meeting with Dave Emerson and San Diego Gas & Electric and spoke regarding how San Diego funded its undergrounding project, disruptions from pole hardening being worse than disruptions from undergrounding, pole hardening potentially creating ADA issues along sidewalks, connecting to sections that are already reliable, getting the Planning, Zoning, and Building Department on board early to inspect service condition first, and continuing to hear from others who have undergrounded and take advantage of their experiences.

Discussions ensued regarding whether a surcharge on electricity could be considered a sales tax and whether it would be deductible from income taxes.

John Lehr, FP&L, stated that creating an electricity surcharge would require the approval of the Public Service Commission.

Town Manager Bradford added that the Town is already at the maximum public service tax of 10%.

(Clerk's Note: The following are general comments made at the end of the meeting.)

Richard Kleid, 2660 S. Ocean Blvd., suggested constructing a hardened pole next to an existing pole for people to compare.

Ira Smith, 3170 S. Ocean Blvd., stated that most residents favor the undergrounding and spoke regarding the opposition to ad valorem assessments.

Task Force Member Parker referred Mr. Smith to the article he had written for the Palm Beach Daily News delineating why ad valorem assessment is not the fairest assessment method.

XII. ADJOURNMENT

There being no further business, the Underground Utilities Task Force Meeting of Tuesday, January 5, 2016, was adjourned at 10:56 a.m.

APPROVED:

Jeffery Smith
Chair

ATTEST:

Susan A. Owens

Susan A. Owens, MPA, MMC
Town Clerk

2/2/16

Date