

TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE UNDERGROUND UTILITIES TASK FORCE MEETING HELD ON TUESDAY, DECEMBER 1, 2015

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

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3 The Underground Utilities Task Force meeting was called to order on Tuesday,
4 December 1, 2015, at 9:00 a.m., in the Town Council Chambers. On roll call, all Task
5 Force Members were found to be present.
6

7 **II. PLEDGE OF ALLEGIANCE**

8
9 Chair Smith led the Pledge of Allegiance.
10

11 **III. APPROVAL OF AGENDA**

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13 Motion was made by Task Force Member Dowell, and seconded by Task Force
14 Member Bottorff, to approve the Agenda. On call for a vote, the motion carried
15 unanimously.
16

17 **IV. COMMUNICATIONS FROM CITIZENS (3 Minute Limit, Please) – None**

18
19 **V. MINUTES**

20
21 A. UUTF Meeting Minutes of November 3, 2015.
22

23 Motion was made by Task Force Member Dowell, and seconded by Task Force
24 Member Gulbrandsen, to approve the minutes of the November 3, 2015,
25 Underground Utilities Task Force meeting. On call for a vote, the motion carried
26 unanimously.
27

28 **VI. PRESENTATION BY COMCAST ON UNDERGROUNDING AND THE TOWN**
29 **PROPOSED PROJECT WITH FOLLOW-UP QUESTIONS FROM TASK FORCE**
30 **MEMBERS**

31 *Jeannine McEnroe, Construction Manager West Palm Beach*
32

33 Jeannine McEnroe, Comcast Construction Manager, provided an overview of how
34 Comcast approaches undergrounding.

Discussion ensued regarding service conflicts during the transition, feeder lines across the Intracoastal, replacing copper with fiber optic cables, the speed of the fiber optic cables, reliability of fiber optic cables, utilizing dark fibers, current Comcast architecture, service speed, RG6 cable abilities, cable sizes, fiber optic cable capabilities, Comcast services provided, Tim Frederick being the point person for Comcast starting in January, contractual arrangements with customers, fiber optics terminating at nodes, whether the fiber optic cable will provide increased speeds, capacity issues, need for horizontal boring, Comcast following FPL's project route, recommendations to the Town that will facilitate services in the future, laying empty conduits for future use, lease, or sale, homes serviced by fiber optic cable from Comcast at the completion of the undergrounding, Comcast's acceptance of the Town starting the undergrounding at the north and south ends of the island and working inwards in a sequential manner, the location, size and look of Comcast's lock boxes, placing lock boxes on the same easements as FPL's, connecting future Comcast customers, Comcast having no plans to provide additional fiber optic cable to homes at this time, and Comcast's ability to provide the same services that AT&T provides.

VII. REVIEW OF SPECIAL NON-AD VALOREM ASSESSMENT METHODOLOGY

Habib Isaac, Manager, Raftelis Financial Consultants, Inc.

Town Manager Bradford spoke regarding Habib Isaac's previous work on the Wildan Report and stated that he has asked Mr. Isaac to update the property data in the Report.

Habib Isaac, Manager, Raftelis Financial Consultants, Inc., provided an overview of his background and spoke regarding the goal of the special assessment methodology, adjusting for properties that have already undergrounded, the three benefit categories and how they relate to the assessments and are calculated, and the two proposed alternatives for updating the methodology.

Discussion ensued regarding including electrical consumption in the benefit calculation, the existing methodology already being validated by the Courts, alternative two being the most defensible of the alternatives in Court, calculating reliability benefits, adjusting for changes over time, using the special assessment methodology Town-wide versus case-by-case, Everglade Island's electrical reliability since undergrounding, the need for a Town-wide undergrounding project to really improve reliability, the need for statistics on how much more reliable the system will be after undergrounding, problems with changing the special assessment methodology, those with lower property values supporting an ad valorem assessment and those with higher property values supporting a special assessment, eliminating the base fee, reliability calculations, the Edison Electrical Institute Study showing an improvement in service reliability after undergrounding, Everglades Island's hybrid underground system, and calculating aesthetic benefits based on population density.

Town Manager Bradford clarified that the recommendation being sought today is whether or not to update the assessment methodology and, if so, which proposed alternative should be used.

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1 Discussion ensued regarding how often the methodology is updated, this method being
2 used in Gulf Stream, the number of equivalent benefit units (EBUs) assigned to common
3 areas, and the reliability reports submitted by FP&L to the Public Service Commission
4 (PSC).

5
6 John Lehr, FP&L, stated that FP&L submits annual reports to the PSC and that he can get
7 the statistics specific to the Town.

8
9 Discussion ensued regarding other validated assessment methodologies, foreseeable
10 problems with the proposed methodology, and how to weigh the three project benefits.

11
12 Eileen Curran, 2778 S. Ocean Blvd., spoke in support of the ad valorem assessment
13 methodology.

14
15 Lew Crampton, 2335 S. Ocean Blvd., Citizens Association President, spoke regarding the
16 use of EBUs in a Town-wide project, the amount and cost of the work needing to be done
17 in the South End being less than the rest of the Town, and the project having less of an
18 impact in the South End.

19
20 Carol Kosberg, 3400 S. Ocean Blvd., spoke in opposition to the Wildan methodology.

21
22 William McVeigh, 3456 S. Ocean Blvd., spoke in opposition to the Wildan methodology
23 and spoke regarding service reliability.

24
25 Madelyn Shapiro, 3300 S. Ocean Blvd., Meridian of Palm Beach Condominium
26 President, spoke in opposition to the Wildan methodology.

27
28 Madelyn Greenberg, 3360 S. Ocean Blvd., SOS Board Member, spoke in opposition to
29 the Wildan methodology and spoke regarding the South End of Town having different
30 needs than the North End.

31
32 Bukk Carleton, 3400 S. Ocean Blvd., spoke regarding the positives and negatives of
33 undergrounding, the South End of Town having different needs than the North End,
34 leaving the decision to underground to individual neighborhoods, precedent, and in
35 opposition to the Wildan methodology.

36
37 Discussion ensued regarding the differences in cost to underground at the South End of
38 Town.

39
40 Lew Crampton, 2335 S. Ocean Blvd., Citizens Association President, provided the
41 following options to the Task Force: utilizing an ad valorem assessment methodology,
42 not undergrounding the South End, and counting condominiums as one property for
43 assessment purposes.

44
45 Discussion ensued regarding the benefits of using general obligation bonds and doing
46 case-by-case neighborhood projects using methodologies that consider unique

neighborhood characteristics.

John Lehr, FP&L, spoke regarding the feeder lines into the Town and FP&L's grid system.

Discussion ensued regarding the bond referendum, the feasibility of not including the South End in the project, the number of single-family homes in the South End, how many voters live in the South End, treating everything south of Sloan's Curve as a separate assessment area, and the possibility of those in the South End still having to pay even if the South End is removed from the project.

Town Manager Bradford stated that the Town has been using the Wildan assessment methodology for years, it is viable, and that the matter before the Task Force is only whether or not to update it and, if so, how. He added that it does not make sense to leave the South End of the Town out of the project, but that it could be broken off into a separate assessment area from Sloan's Curve south. He spoke regarding needing to stick with the special assessment methodology so that those properties that have already undergrounded do not have to pay twice.

Habib Isaac spoke regarding how the project costs would be assessed if the project was split into two separate areas.

Discussion ensued regarding balkanization of the Town by separating the project and fairness to those condominiums north of Sloan's Curve.

Motion was made by Task Force Member Gary, and seconded by Task Force Chair Smith, to recommend that the Town Council create a separate assessment area from Sloan's Curve south and that the property owners in said assessment area only be assessed for project costs incurred in that assessment area. On call for a vote, the motion failed 1-6, with only Task Force Member Gary voting in the affirmative.

Motion was made by Task Force Member Ross, and seconded by Task Force Member Gulbrandsen, to recommend that the Town Council approve the assessment methodology updates in alternative two. On call for a vote, the motion carried unanimously.

VIII. OVERVIEW OF THE TOWN STREETLIGHT SYSTEM AND PROPOSED PLAN OF ACCOMODATION, EXTENSION AND REPLACEMENT OF SAME IN CONJUNCTION WITH TOWNWIDE UNDERGROUND PROJECT

Patricia Strayer, Senior Projects Engineer

Senior Projects Engineer Strayer provided an overview of the system and alternates, and stated that more research is needed.

Discussion ensued regarding improving services along South Ocean Boulevard and getting more information on smart poles.

(Clerk's Note: Task Force Member Gary left the meeting at approximately 11:48 a.m.)

Town Manager Bradford spoke regarding the decision regarding decorative lighting being made through the neighborhood petition process in conjunction with the Undergrounding Project and having an AT&T representative attend an upcoming meeting to explain the new lighting technologies.

IX. DISCUSSION ON PUBLIC UTILITY EASEMENT ABANDONMENT

Thomas G. Bradford, Town Manager

Town Manager Bradford spoke regarding options for obtaining the front yard easements needed for the undergrounding project.

Discussion ensued regarding how much of a front yard easement will be needed, the probability that the Town will already have a rear yard easement on the same property where a front yard easement is needed, whether the transformers can be placed in the rear easements, and neighbor peer pressure.

X. REVIEW OF DRAFT PROJECT MANAGEMENT TIMELINE (GANTT CHART)

Thomas G. Bradford, Town Manager

Town Manager Bradford stated that the timeline is currently only a draft, and that he will have more Staff input prior to the next meeting.

XI. REVIEW OF REVISED BALLOT LANGUAGE

Richard Miller, Bond Counsel, Locke, Lord

Bond Counsel Miller provided an overview of the ballot language revisions.

Motion was made by Task Force Member Ross, and seconded by Task Force Member Gulbrandsen, to recommend that the Town Council approve the revised ballot language. On call for a vote, the motion carried 6-0, with Task Force Member Gary absent.

XII. REVIEW OF PRELIMINARY COMMUNICATIONS MATERIALS

Rick Asnani, Cornerstone Solutions

Rick Asnani, Cornerstone Solutions, provided an overview of the preliminary communications materials.

Discussion ensued regarding communicating what the project will cost taxpayers in dollars and cents per day.

XIII. CONSIDERATION OF THIRD PARTY NEGOTIATOR FOR DESIGN CONSULTANT AND GENERAL CONTRACTOR

Thomas G. Bradford, Town Manager

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Town Manager Bradford provided an overview of the need for a third party negotiator.

Discussion ensued regarding the appropriate amount to spend and who to use.

Motion was made by Task Force Member Ross, and seconded by Task Force Member Dowell, to recommend that the Town Council approve the acquisition of a third party negotiator for design consultant and general contractor services contract negotiations related to the Town-wide Undergrounding Project. On call for a vote, the motion carried 6-0, with Task Force Member Gary absent.

XIV. REVIEW OF NINE-YEAR PROJECT SEQUENCING PLAN WITH FPL HARDENING OVERLAY

Thomas G. Bradford, Town Manager

Town Manager Bradford provided an overview of the plan and overlay and stated that the Town needs to wait for the project engineers to be brought onboard before proceeding further.

XV. ANY OTHER MATTERS

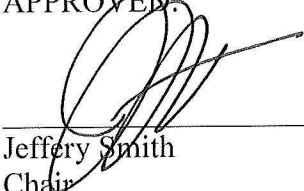
Discussion ensued regarding decorum at the Task Force meetings, informing the public that these meetings are not an opportunity for debate, and limiting public comments to three minutes per speaker.

Chair Smith stated that he will chair the next meeting better.

XVI. ADJOURNMENT

There being no further business, the Underground Utilities Task Force Meeting of Tuesday, December 1, 2015, was adjourned at 12:10 p.m.

APPROVED:



Jeffery Smith
Chair

ATTEST:



Susan A. Owens, MPA, MMC
Town Clerk

2/2/16

Date