TOWN OF PALM BEACH

Minutes of the
Town Council Meeting
Held on May 13, 2025

I. CALL TO ORDER AND ROLL CALL (00:36)

Council President Lindsay called the Town Council meeting to order at 9:30 a.m. On roll call, all council members were found to be present.

II. INVOCATION AND PLEDGE OF ALLEGIANCE (00:56)

Town Clerk Churney gave the invocation, and Council President Lindsay led the Pledge of Allegiance.

III. MODIFICATIONS TO THE AGENDA (01:41)

The following time certain items were announced for the day:

- 10:30 a.m. – Board and Commission Annual Reports
- 11:00 a.m. – Annual Comprehensive Financial Report (ACFR) for Fiscal Year Ended September 30, 2024
- 11:30 a.m. – Traffic Mitigation Discussion
- 2:00 p.m. – Sustainable Dune Construction Program Reach 8
- 2:30 p.m. – Status Update Regarding Riviera Beach Mooring Permit

Resolution No. 074-2025 was deferred to June 10, 2025.

IV. APPROVAL OF AGENDA (04:23)

A motion was made by Council Member Cooney and seconded by Council Member Araskog to approve the amended agenda. The motion carried unanimously, 5-0.

V. PRESENTATIONS (04:56)

A. Presentation by Laura Beebe, PBC Director of the Palm Beach County Department of Airports

Mayor Moore introduced Laura Beebe, who gave an update on the airport to the League of Cities a few weeks ago. She invited Ms. Beebe to present on the airport's current conditions and discuss plans to expand the airport.

Ms. Beebe gave a brief overview of the Palm Beach County airport system and then discussed its operations. She also discussed future plans for expansion to accommodate growth, noting that the airport is nationally recognized as one of the top domestic airports in the United States.

The Town Council asked Ms. Beebe to return every 12 to 18 months to provide an update on the Palm Beach County Airport.

This discussion lasted approximately 25 minutes. To listen, please click the link on the agenda topic above.

VI. BOARD AND COMMISSIONS PRESENTATIONS AND APPOINTMENTS (30:14)

A. Presentations by the Applicants and Appointments to the Recreation Advisory Commission

Patricia Garvey, Ellen Howe, Joan Parker, Carolyn Ryan, and Patricia Silver presented their credentials for a possible appointment to the Recreation Advisory Commission.

A motion was made by Council Member Cooney and seconded by Council Member Moran to appoint Millie Dayton, Patricia Garvy, and Carolyn Ryan as members of the Recreation Advisory Commission. The motion carried unanimously, 5-0.

This discussion lasted approximately 30 minutes. To listen, please click the link on the agenda topic above.

VII. COMMENTS OF MAYOR DANIELLE H. MOORE (57:06 & 1:51:35)

Mayor Moore expressed sympathy for the passing of John Tatooles, who lost his battle to cancer. She also expressed sympathy for the passing of longtime resident Jim Arnold.

She announced employee milestones for May, including James Weber (FR) for 20 years of service, Jesse Jones (PW), and Michael Olbrych (PZB) for 30 years of service.

She discussed preparing for the upcoming Hurricane Season, June 1st through November 30th. She reminded staff how to stay connected by signing up for Town alerts and announced that the 2025 white parking decal was available for purchase.

She announced the following awards and congratulated Mike Roach on receiving the 2025 Frank J. Garguilo Government Engineer of the Year Award, the Town on receiving the 2025 Bell Seal Siver Award, the Town on receiving the GFOA Triple Crown for Financial Reporting, the Town on receiving the 2025 Project of the Year by the American Society of Civil Engineers for the North Fire Station, and the Town on earning the South Florida Top Workplaces award.

VIII. COMMENTS OF TOWN COUNCIL MEMBERS (3:15:46)

Council Member Moran thanked the Mayor for the Employee Appreciation Party she held at her home. She thanked the Police and Fire Foundation for their donation.

Council President Pro Tem Crampton agreed with the comment on the employee appreciation party and took advantage of the opportunity to speak to staff with whom he does not normally interact on a regular basis. He thanked the Garden Club of Palm Beach for their $575,000 contribution to the Royal Poinciana Median improvements and Jorge Sanchez for his contribution to the work.

Council President Lindsay stated that she is a member of the Garden Club, and the donation for the Royal Poinciana Median improvements was the most significant donation for town beautification to date. She paid tribute to John Tatooles and his contributions to the Planning and Zoning Commission.

Council Member Cooney thanked the Garden Club and Police and Fire Foundation for their donations. He also stated that John Tatooles attended the commission meetings until the end of his life.

Council Member Araskog thanked the Police and Fire Foundation for donating and urged residents to sign up for Town alerts. She also thanked the mayor for her party, which was very special. She discussed John Tatooles's contributions and stated he would be missed.

IX. COMMUNICATIONS FROM CITIZENS - 3 MINUTE LIMIT PLEASE (3:23:33)

Robert Andrew Roddy, 231 Kenlyn Road, spoke about his experiences working on the island. He thanked Messrs. Bergman, Blouin, and Brazil for working with him on his 332 S. County Road project.

X. APPROVAL OF CONSENT AGENDA (3:26:25)

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve the amended consent agenda. The motion carried unanimously, 5-0.

A. MINUTES

1. Town Council Meeting Minutes
   Kelly Churney, CMC, Town Clerk

a. April 8, 2025, Town Council Meeting Minutes

b. April 9, 2025, Town Council Development Review Meeting Minutes

2. Approval of Major Matters Considered by the Architectural Review Commission at its Meeting of April 23, 2025.
Wayne Bergman, Director of Planning, Zoning, and Building

B. <u>RESOLUTIONS</u>

1. <u>RESOLUTION NO. 037-2025</u> A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding ITB No. 2025-009, Royal Poinciana Landscape Improvements to A CUT ABOVE LANDSCAPE & MAINTENANCE, INC. in the amount of $737,987.50, approving a contingency in the amount of $110,698 and approving a project budget in the amount of $848,685.50 and accepting a donation from the Garden Club of Palm Beach in the amount of $575,000 for the project.
Dean Mealy, II, Procurement and Contract Manager
This item was pulled and not included in the approval of the consent agenda.

2. <u>RESOLUTION NO. 043-2025</u> A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting An Amendment To The Town Of Palm Beach Retirement System Investment Policy Statement; Providing For Repeal Of Conflicting Resolutions; And Providing An Effective Date.
Bob Miracle, Deputy Town Manager - Finance and Administration

3. <u>RESOLUTION NO. 044-2025</u> A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing A Retroactive Purchase Order to Hedrick Brothers to Provide Construction Services Related to the Removal and Restoration of the Temporary Trailer Site at the North Fire Station in the Amount of $231,618.33, Approving a Contingency of $34,742 and approving a Project Budget of $266,360.
Dean Mealy, II, Procurement and Contract Manager
This item was pulled and not included in the approval of the consent agenda.

4. <u>RESOLUTION NO. 045-2025</u> A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, authorizing a retroactive purchase order to Chen Moore and Associates for Construction Phase Services for N. County Rd. Drainage - Phase 1

in the Amount of $187,080, approving a Contingency in the Amount of $28,062 and Approving a Project Budget in the Amount of $215,142.
Dean Mealy, II, Procurement and Contract Manager

5. RESOLUTION NO. 047-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding ITB No. 2025-16, Phase 5N and 6N Milling and Paving Improvements to Janice M Riley, DBA The Paving Lady in the amount of $1,815,042.90, approving a contingency in the amount of $272,256 and approving a project budget in the amount of $2,087,298.90 and authorizing waivers for the following Town Code of Ordinances for related work, Section 42-198, Section 42-199 and Sections 42-226 through 229.
Dean Mealy, II, Procurement and Contract Manager
This item was pulled and not included in the approval of the consent agenda.

6. RESOLUTION NO. 048-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, authorizing a Purchase Order for Construction Phase Services to Chen Moore and Associates for 5N and 6N Milling and Paving Improvements in the amount of $244,030, approving a contingency in the amount of $36,604 and approving a project budget in the amount of $280,634.
Dean Mealy, II, Procurement and Contract Manager

7. RESOLUTION NO. 049-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding ITB No. 2025-010 and approving a purchase order to East Coast Construction Group for PAR 3 Balcony Structural Column Repairs in the amount of $372,778.85, approving a contingency in the amount of $74,555 and approving a project budget in the amount of $447,333.
Dean Mealy, II, Procurement and Contract Manager

8. RESOLUTION NO. 050-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding RFP No. 2025-012, Disaster Debris Services, First Pass, Cut and Toss, Sand and Vegetation to Arbor Tree and Land, Inc. and Ceres Environmental Services, Inc. for a five-year award based on satisfactory work and mutual agreement of extension of contract.
Dean Mealy, II, Procurement and Contract Manager

9. RESOLUTION NO. 051-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving a

Purchase Order to Rechtien International Truck Sales for a rear steer crane truck in the amount of $251,195 and approving a contingency in the amount of $25,111 and approving a project budget in the amount of $276,306.
Dean Mealy, II, Procurement and Contract Manager

10. RESOLUTION NO. 052-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, approving an extension to Contract Awarded RFP No. 2020-09, Audit Services for the Town of Palm Beach for one year in the amount of $97,802 to CBIZ CPAs P.C.
Dean Mealy, II, Procurement and Contract Manager

11. RESOLUTION NO. 074-2025 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees Related to the Planning, Zoning & Building Department.
Wayne Bergman, Director of Planning, Zoning, and Building
This item was removed from the consent agenda and will be heard in June; it was not included in the consent agenda's approval.

C. **OTHER**

1. Town-wide Undergrounding Project - Review of Project and Dashboard, Summary of Project Status
H. Paul Brazil, P.E., Director of Public Works

2. Donation Acceptance from The Palm Beach Police and Fire Foundation
Nicholas Caristo, Chief of Police

XI. BOARD/COMMISSION ANNUAL REPORT

A. Annual Report of the Code Enforcement Board (1:01:13)
Martin Klein, Chair

Mr. Klein presented the Code Enforcement Board's annual report and answered questions from the Town Council.

A motion was made by Council Member Cooney and seconded by Council Member Moran to accept the Code Enforcement Board's Annual Report. The motion carried unanimously, 5-0.

B. Annual Report of the Planning and Zoning Commission (1:05:17)
Gail Coniglio, Chair
Ms. Coniglio presented the Planning and Zoning Commission's annual report

and answered questions from the Town Council.

A motion was made by Council Member Cooney and seconded by Council Member Araskog to accept the Planning and Zoning Commission's Annual Report. The motion carried unanimously, 5-0.

C. Annual Report of the Retirement Board of Trustees (1:09:13)
Daniel W. Stanton, Chair

Mr. Stanton presented the Retirement Board of Trustees' annual report and answered questions from the Town Council.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to accept the Retirement Board of Trustees' Annual Report. The motion carried unanimously, 5-0.

This discussion lasted approximately 38 minutes. To listen, please click the link on the agenda topic above.

Clerk's note: A short break was taken at 11:07 a.m. and resumed at 11:12 a.m.

XII. REGULAR AGENDA

A. Matters Pulled From Consent Agenda: If needed

1. RESOLUTION NO. 037-2025 (3:28:14) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding ITB No. 2025-009, Royal Poinciana Landscape Improvements to A CUT ABOVE LANDSCAPE & MAINTENANCE, INC. in the amount of $737,987.50, approving a contingency in the amount of $110,698 and approving a project budget in the amount of $848,685.50 and accepting a donation from the Garden Club of Palm Beach in the amount of $575,000 for the project.
Dean Mealy, II, Procurement and Contract Manager

Council Member Araskog asked about the town's financial portion of the project. She thought the money could be used for other allocated items. She wondered if the project could be made smaller and stated she could not support this item.

Council Member Moran stated she raised the same question to Mr. Miracle. She did not believe the town should reject the donation.

Council Member Cooney supported the area and was excited about the project.

Mayor Moore stated she walked the area and saw that it was not up to town standards, and the area desperately needed refurbishment.

Council President Lindsay agreed with Mayor Moore's comments. She noted that the town would have to improve the area with or without donations from the Garden Club.

Council Member Araskog asked about the cost of maintenance, to which Mr. Brazil responded. Council Member Araskog asked if the money identified for the project could be used for other needs. Mr. Blouin responded.

Council President Lindsay called for public comment. No one indicated a desire to speak at this time.

A motion was made by Council Member Cooney and seconded by Council President Pro Tem Crampton to approve Resolution No. 037-2025. The motion carried 4-1, with Council Member Araskog dissenting.

This discussion lasted approximately 12 minutes. To listen, please click the link on the agenda topic above.

3. RESOLUTION NO. 044-2025 (3:40:22) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Authorizing A Retroactive Purchase Order to Hedrick Brothers to Provide Construction Services Related to the Removal and Restoration of the Temporary Trailer Site at the North Fire Station in the Amount of $231,618.33, Approving a Contingency of $34,742 and approving a Project Budget of $266,360.
Dean Mealy, II, Procurement and Contract Manager

Jason Debrincat, Assistant Director of Public Works, explained the proposed purchase order for Hedrick Brothers.

Council Member Araskog asked if the Town Council had approved this item. Mr. Debrincat stated that the project falls within the budget approved by the Town Council. He said it was never in the guaranteed maximum price. He said it was complex because the Fire Department had to remain operational.

Council President Lindsay called for public comment. No one indicated a desire to speak at this time.

A motion was made by Council Member Cooney and seconded by Council Member Moran to approve Resolution No. 044-2025. The motion carried unanimously, 5-0.

This discussion lasted approximately 4 minutes. To listen, please click the link on the agenda topic above.

5. RESOLUTION NO. 047-2025 (3:44:42) A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, awarding ITB No. 2025-16, Phase 5N and 6N Milling and Paving Improvements to Janice M Riley, DBA The Paving Lady in the amount of $1,815,042.90, approving a contingency in the amount of $272,256 and approving a project budget in the amount of $2,087,298.90 and authorizing waivers for the following Town Code of Ordinances for related work, Section 42-198, Section 42-199 and Sections 42-226 through 229.
Dean Mealy, II, Procurement and Contract Manager

Patricia Strayer, Town Engineer, explained the request and answered questions asked by the town council members.

Council Member Araskog thought the cost was excessive, but Ms. Strayer noted that it was not bad for the two phases of undergrounding being milled and resurfaced.

Council President Lindsay asked if the milling would make the project last longer, and Ms. Strayer said a pavement management program would be thoroughly discussed during the budget.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Cooney to approve Resolution No. 047-2025. The motion carried unanimously, 5-0.

This discussion lasted approximately 6 minutes. To listen, please click the link on the agenda topic above.

B. Old Business

1. Traffic Mitigation Discussion (1:58:09)
TIME CERTAIN:11:30AM
Kirk Blouin, Town Manager

   a. Update on Meeting with Local Contractors Regarding Construction Work Hours and the CMA Ordinance

Director of Planning, Zoning, and Building, Wayne Bergman, stated that he met with representatives from the building community. He noted that they were not in favor of the Construction Management Agreement. He added that the group said they could agree to remove the work hours between Christmas and New Year holidays, and they asked the Town Council to consider the following: Saturday interior quiet work hours, the extended hours through the summer months, parking at the marina, and small projects to be completed only in the summer months.

Council Member Araskog was not in favor of allowing Saturday work hours. She did not believe the extended hours were necessary over the summer months since the traffic would not be an issue. Council Member Araskog asked Deputy Town Manager Stone about parking in the marina spaces. Ms. Stone stated that the parking was quite full, but there probably could be a few available spaces that could be worked out with a detailed plan.

Council President Pro Tem Crampton appreciated the spirit of cooperation. However, he felt that town staff should devise baselines to create standards from which to work and that construction management agreements were effective.

Council Member Moran was leaning toward using construction management agreements. She did not favor allowing marina parking and did not support small jobs only in the summer. She was okay with quiet Saturday work as long as all parking was on site and there was no reverse beeping, and she supported extending work hours year-round.

Mayor Moore supported extending the work hours year-round and the quiet Saturday work hours. She said she would prefer quiet work on Saturday if it means completing the construction sooner.

Council Member Cooney agreed with Council Member Moran. He supported extending hours year-round and expressed concern for interior quiet work. He did recommend limiting what work would be allowed.

Council President Lindsay was more aligned with her fellow council members. She thought the contractors in the north end were trying very hard to keep the hours that they had earned. She suggested a probationary trial basis. She also noted the sensitivity among contractors that she had not sensed before now. She wondered if there could be a way to manage offenders by removing their summer work privileges. Town Manager Blouin stated that the noise ordinance could be enforced. He noted that staff could bring some information back to the Town Council for consideration.

Council Member Araskog thought that ORS should study any change in work hours.

Council President Lindsay called for public comment.

Attorney Jamie Crowley advocated extending the construction work hours. He said it has significantly impacted the jobs.

Robert Andrew Roddy, 231 Kenlyn Road, thought quiet work would be okay.

DJ Fairfax, 138 Seaview Avenue, agreed that lighter traffic had made a difference in the town. He was not in favor of quiet work on Saturdays, and if work was to be done and quiet work was being done, the neighbor could call Code Enforcement if any noise was heard.

Fred Wright, 44 Cocoanut Row, thought that with the number of homes in the town that were for sale, particularly on the north end of the island, would be sold, and the new owners would want to remodel.

Peter McKelvy, 1295 N. Lake Way, opposed extending the temporary work hours. He felt that the 7:30 a.m. start time was disruptive.

Council President Pro Tem Crampton shared his thoughts on construction management agreements and shuttles. He thought a good approach would be to have criteria that, if met, would require a construction management agreement.

Council Member Araskog expressed her opposition to Saturday work and thought the issue should be discussed during the season so residents may express their opinions.

Town Attorney O'Connor discussed the current Saturday work hours as allowed by the Code.

There was a consensus to prohibit construction work between Christmas Eve and New Year's Day.

There was a consensus not to allow quiet interior work on Saturdays during the season.

There was consensus to extend the current temporary construction hours through the summer months. Workers should arrive at 7:00 a.m., start quiet work at 7:30 a.m., and start full work at 8:00 a.m.; work should stop at 5:30 p.m. year-round.

The town agreed to consider allowing summer parking for contractors at the marina when the volume of parking there is low.

b. <u>2025 Traffic Counts Report</u>

Adam Kerr of Kimley-Horn presented the 2025 Traffic Counts Report. He indicated that the data was collected from 14 locations in town for a few days during the season. He added that this data was beneficial for determining the growth rate. Mr. Kerr stated that there were five locations in town where the traffic counts more than doubled. These locations were in the areas of Royal Poinciana Way (north bridge), Royal Palm Way (south bridge), and South County Road (north of Peruvian Avenue).

Mr. Brazil stated that the report validated the traffic situation. He noted that some roads are at a D or F level.

Council Member Cooney asked about the integrity of the numbers, and Mr. Kerr said he was alarmed by the discrepancy from past years, so the data was re-collected in early April, and the same trend was observed.

Council Member Moran asked Mr. Kerr to explain why level D would be acceptable. Mr. Kerr explained. Mr. Brazil stated that the level D did not occur all day, but mainly at peak hours. Council Member Moran asked if this information would be shared when considering the ZIP code review.

Council Member Araskog wondered if the town could work with the lobbyist to change legislation.

Mayor Moore wondered if the directional change on Sunset would help the road level of service. Mr. Brazil explained that the traffic volume would still exist but could be managed differently.

Council President Pro Tem Crampton said the numbers demonstrated that the Town did not control the traffic.

Colin Goldsmith of Botanica asked permission to use electric chainsaws on Saturday for landscape work. The Town Council's consensus was not to allow them.

Andrew Roddy, 231 Kenlyn Road, noted that battery-operated and electric equipment do not produce much noise.

c. <u>FDOT Waiver for WorkHours</u>

Mr. Brazil said the FDOT presentation would be at the June Town Council Meeting.

After the discussion, the Town Council agreed to the proposal that no construction work be done between Christmas Eve and New Year's Day. Staff will return with guidelines for initiating a construction management agreement.

This discussion lasted approximately 78 minutes. To listen, please click the link on the agenda topic above.

Clerk's note: A lunch break was taken at 12:47 p.m. and resumed at 1:32 p.m.

2. Sustainable Dune Construction Program Reach 8 (3:50:30)
TIME CERTAIN: 2:00 PM
H. Paul Brazil, P.E., Director of Public Works

Sara Gutekunst, Coastal Coordinator, discussed the Reach 8 sustainable dune construction program. She said sand was supposed to be placed for dunes in Reach 8 in coordination with the Phipps Beach Nourishment project for storm protection as part of the beach management program. However, challenges had occurred and seemed to be recurring in Reach 8 each time there was an attempt to place sand for dunes. She proposed some solutions for long-term access in Reach 8. The Phipps project has been completed, and there was surplus sand. Some sand was used to restore dunes in Reach 7, and some will also go to Reach 8. She discussed some options for access, which included continuing to pursue an interlocal agreement with Lake Worth Beach for using their south road access to get onto the beach south of the pier; she noted that conversations were continuous with Lake Worth Beach representatives, educating them about the program and its successes. Another option would be to use a conveyor system, which would be within a ten-foot-wide strip of land that would connect the town boundary in the northern part to the southern part, traversing through Lake Worth Beach. She noted this would be part of the town's jurisdictional boundary and limited to the ten-foot area. A third option would be to identify condominiums within Reach 8 where it was feasible to convey sand across properties and condominiums willing to participate in a long-term program to provide long-term easements. There would be a rotation between condominiums for using their property each time a dune sand placement is needed. She said all condominiums have been visited, and Ms. Gutekunst has identified eight condominiums where it may be feasible to use conveyor belts. That would have to be coordinated with the condominium associations.

Mayor Moore thought the best option would be to use the town's property to accomplish the task. Mr. Blouin stated that out of all eight condominiums, most wanted compensation to allow the town to use their property. Mr. Brazil added that all condominiums had been contacted, and conversations had taken place with three of them. One said no, and the other two were contemplating compensation. Mr. Blouin advised against providing compensation. He stated the intent was to return to Lake Worth to clarify any community misunderstandings about the project. He said this was a dune restoration project that was not environmentally unfriendly.

Council Member Moran asked about the timeline and how the conversations with Lake Worth Beach went. Mr. Blouin stated that staff were asked to wait until after the election, but would restart communications soon. Town Attorney O'Connor said the charter amendment passed by Lake Worth Beach was specific to beach renourishment projects, dredging, and fill-type projects. Mr. Brazil stated that the project needed to occur by November.

Council President Pro Tem Crampton thought the decision needed to be made promptly, noting that time was required to complete the work. He expressed concern that the three options presented seemed counterproductive. He shared his thoughts about using a conveyor system, which he thought would prompt confrontation. He felt that compensation needed to be considered for the condominiums.

Council President Lindsay noted that the recent project by the federal government to place high-quality sand in the far north end disrupted beach access and use for all beachgoers and neighbors near the project and created inconvenience, light, and noise issues while depositing much-needed sand in the area. She did not believe the condominiums should be compensated for access through their land. She thought all residents should participate for the greater good, noting that everyone was more vulnerable without cooperation.

Mr. Blouin stated that a structural engineer would assess all buildings before and after the project. He thought paying the condominiums would set a bad precedent.

Council Member Cooney asked Mr. Brazil about other reaches for shoreline restoration projects and whether the town was regularly pursuing easements over private property. Mr. Brazil noted two different types of easements and explained them. He classified the subject easements as temporary construction easements.

Council Member Araskog agreed that compensation should not be given to the condominiums. She asked if Lake Worth Beach would benefit from the sand, to which Mr. Blouin stated they would benefit from the restoration project. Council Member Araskog asked for further clarification about the conveyor. Mr. Brazil responded. He said if the town were working in the ten-foot strip under the pier, there would likely be some legal challenge by Lake Worth, and if they timed it right, the project would be halted. Town Attorney O'Connor agreed with Mr. Brazil that the town's property and Lake Worth would be put on notice. Mr. Blouin noted that it would not be the desired option; he stated that cooperation would be the best option.

Council Member Moran thought an interlocal agreement would be the best path. She also felt the conveyor belt would work. Mr. Blouin stated that the staff was actively pursuing all options.

Council President Lindsay called for public comment.

Fred Kamel, 3400 S. Ocean Blvd., President of the Atriums Condominium, noted he met with Mr. Brazil and Ms. Gutekunst about possibly using the conveyor belt through the Atriums property. He understood the apprehension about compensation and further discussed his thoughts about compensation as an incentive to condominium residents.

Dr. Howard Spector, 3170 S. Ocean Blvd., expressed health concerns about the movement of sand on a conveyor belt. He thought there could be lawsuits if the sand was moved on a conveyor belt.

Mr. Blouin stated that the sand movement had to be done without interfering with turtle season.

Attorney David Spector, representing the residents at 3360 S. Ocean Blvd., stated that his clients had latent damage discovered after the final inspection. Mr. Brazil stated that the town trucked sand across this property.

Roy Lipson, 3250 S. Ocean Blvd., asked about the agreement with Lake Worth to truck sand on the south end of Lake Worth Beach. Mr. Blouin said there was an interlocal agreement with the City of Lake Worth. Town Attorney O'Connor stated the agreement would become effective once executed, which never happened.

Henry Ristuccia, 3400 S. Ocean Blvd., and Treasure of the Atriums Condominium thought the condominiums should be compensated.

Louis Scott, 3160 S. Ocean Blvd., formerly lived at the Reef and has served as a member of the Shore Protection Board. He spoke about hurricane season and the importance of beach restoration. He thought the condominiums should have shown more flexibility and understanding because their fiduciary responsibility was the safety of their property.

Erwin Mizner, 3250 S. Ocean Blvd., President of Dorchester Palm Beach, discussed the dune restoration project.

Ali Amirniroumand, 3400 S. Ocean Blvd., thought that part of the Palm Beach community should work together rather than postponing the project. He stated that the town project had benefits for the entire community.

Lawrence Kaplan, 2299 Ibis Isle Road, thought this project was for dune protection and should be done soon. He noted this project was about safety and well-being for the buildings.

Skip Aldrich, 2295 S. Ocean Blvd., agreed with Mr. Kaplan and thought the town should act soon on the project.

Kimberly Fishman, the General Manager of The Enclave, stated on behalf of the owners that she had residents who were both for and against the project. She thought there should be conversations about the conveyor belt and compensation.

Fred Kamel, 3400 S Ocean Blvd., President of Atriums Palm Beach, said he would happily assist with communications, brainstorming, and hosting the Atriums.

Rick Salvatore, 3300 S. Ocean Blvd., agreed with many comments. He thanked Mr. Blouin, Mr. Brazil, and the town staff for their work on this project. He encouraged the Town Council to reach an agreement with the City of Lake Worth. He also thought compensation should be considered.

Mr. Blouin explained the easements required for beach nourishment projects. He noted that all condominiums had received communications.

Mr. Brazil discussed the $80,000, noting that the Town of Palm Beach would receive state grant reimbursement for working Reach 8 because of Lake Worth Beach access. He noted that Lake Worth Beach contacted the Town of Palm Beach. He said he could work with Mr. Kamel to get the eight condominiums in one room to negotiate the project.

Council Member Moran hoped an agreement could be reached as soon as possible.

Council President Pro Tem Crampton thought it was a good idea for Mr. Brazil to work with Mr. Kamel.

Council Member Araskog asked about the EIS and holding the sand to prevent it from passing through to Lake Worth. Mr. Brazil said the EIS had been finalized, the town had already obtained a permit, and structures were omitted, but the negative impact outweighed the benefit. He said reapproaching was not legally possible, but would be at some point in the future.

Council Member Cooney asked about the project schedule and wondered how soon Mr. Brazil could meet with the representatives. Mr. Brazil responded that the town had a good contractor and had negotiated an extension of the existing contract, and the town owned sand.

Council President Lindsay asked if the city would repair damage to an appropriately maintained access point when the town passed through it. Mr. Brazil said a preconstruction survey was conducted, and the town's responsibility was to return the area to as good or better condition as it was discovered in the preconstruction survey.

Ms. Gutekunst began to estimate the timeline and said construction restrictions would be impactful, but the project would have to be completed by the end of April.

Dr. Mike Jenkins, the town's coastal consultant, discussed the project's lead time. He said an answer about an access point would be needed by the beginning of July.

Mike Lyle, 3400 S. Ocean Blvd., spoke about meetings with residents and thought it would be important to be realistic. He thought some form of motivation would be needed to achieve a productive outcome.

Roy Lipson, 3250 S. Ocean Blvd., said that his building no longer had a beach, and the building was sitting on rocks.

The Town Council agreed to allow Director Paul Brazil to meet with the eight condominium association representatives to discuss possible resolutions. Mr. Brazil will provide an update at the June Town Council meeting.

This discussion lasted approximately 100 minutes. To listen, please click the link on the agenda topic above.

3. Flood Vulnerability Assessment Update Presentation (6:03:03)

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

Julie Parham, Engineer, introduced the President of Woods Hole Group, Bob Hamilton. She stated that this was an outreach meeting as part of the requirement for grant funding.

Bob Hamilton of Woods Hole Group presented updates on the Resilient Florida Vulnerability Assessment.

Alex Shaw of Woods Hole Group presented the surge barrier at Lake Worth Inlet.

The following steps and schedule for the assessment were presented. Mr. Brazil stated all grant requirements were met, and staff and Woods Hole will be back to discuss resiliency related to the intercoastal side.

Susan Gary, 229 Onondaga Avenue, asked about getting some sense of cooperation with what other jurisdictions would be impacted by flooding in the lake. She thought it would be helpful if there were some way to expand the scope to identify other jurisdictions that may be affected by flooding.

This discussion lasted approximately 42 minutes. To listen, please click the link on the agenda topic above.

Clerk's note: A short break was taken at 3:45 p.m. and resumed at 3:53 p.m.

4. Status Update Regarding Riviera Beach Mooring Permit (5:28:36)
H. Paul Brazil, P.E., Director of Public Works

Mr. Brazil provided an update on Riviera Beach's South Mooring Field, which was proposed within the Town of Palm Beach municipal limits in the Lake Worth Lagoon. He provided detailed information and discussed objection letters that had been sent to the Florida Department of Environmental Protection and the Army Corps of Engineers.

Council Member Cooney asked who the governor would appoint to the hearing and wondered if the Town could participate. Mr. Blouin confirmed it was a public meeting and responded regarding participation.

Council Member Araskog wondered if a public comment period was open. Mr. Brazil said that this was an objection to the action that had already been taken. He noted the comment period was over.

Council President Lindsay called for public comment.

Bradford Gary, 229 Onondaga Avenue, discussed his concerns about the proposed mooring field and urged the Town Council to take substantial action against this project.

Keith Beaty, 395 Caribbean Avenue, urged the Town Council to follow the actions laid out by Mr. Blouin.

Fane Lozman, 5101 N. Ocean Blvd., Singer Island, discussed concerns about the mooring field project.

Susan Gary, 229 Onondaga Avenue, discussed a meeting she and her husband had attended. She encouraged the elected officials to interact with other local officials of various agencies.

There was a consensus of the Town Council to direct town staff to file an objection with the Florida Department of Environmental Protection regarding the regulatory approval that was granted, and to follow the legal process through the Florida Department of Administrative Hearings (DOAH) while monitoring the Army Corps of Engineers application and the submerged land lease hearing.

This discussion lasted approximately 35 minutes. To listen, please click the link on the agenda topic above.

C. New Business

1. Annual Comprehensive Financial Report (ACFR) for Fiscal Year Ended September 30, 2024 (1:39:24)
   TIME CERTAIN: 11:00 AM
   Bob Miracle, Deputy Town Manager - Finance and Administration

   Nicholas Martin, from Marcum LLP, reviewed and highlighted certain sections of the financial report.

   A motion was made by Council Member Moran and seconded by Council Member Cooney to accept the Annual Comprehensive Financial Report for Fiscal Year ended September 30, 2024. The motion carried unanimously, 5-0.

   This discussion lasted approximately 12 minutes. To listen, please click the link on the agenda topic above.

Clerk's note: A short break was taken at 5:11 p.m. and resumed at 5:13 p.m.

2. 249 Bahama Lane - Three Strikes & Stop Work Order (6:45:41)

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

Jeremy Vassalotti of Jeremy Vassalotti Inc. explained the three strikes the project had received and requested forgiveness for the third strike.

Council President Lindsay called for public comment. No one indicated a desire to speak.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to waive the third strike for 249 Bahama Lane, that right-of-way permits may be issued again, work can resume, and applicable fines must be paid. The motion was carried unanimously, 5-0.

This discussion lasted approximately 5 minutes. To listen, please click the link on the agenda topic above.

XIII. ANY OTHER MATTERS (6:50:59)

There were no other matters discussed at this time.

XIV. ADJOURNMENT (6:51:51)

A motion was made by Council Member Cooney and seconded by Council Member Araskog to adjourn the meeting at 5:19 p.m. The motion was carried unanimously, 5-0.

SEAL OF THE TOWN OF PALM BEACH FLORIDA INCORPORATED APRIL 17, 1911

APPROVED:

Bobbie D. Lindsay, Town Council President

ATTEST:

Kelly Churney, Town Clerk

Date: 6/10/25