TOWN COUNCIL MEETING

TOWN OF PALM BEACH

AUGUST 11, 2026

9:30 AM

TOWN HALL COUNCIL CHAMBERS, 2ND FLOOR | 360 SOUTH COUNTY RD | PALM BEACH, FL 33480

Danielle H. Moore, Mayor
Ted Cooney, President
Lew Crampton, President Pro Tem
Julie Araskog
Nicki McDonald
Bridget Moran

AGENDA

CALL TO ORDER AND ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

1. Minutes of the July 14, 2026, Town Council Meeting
2. Minutes of the July 15, 2026, Local Planning Agency Meeting
3. Minutes of the July 15, 2026, Town Council Development Review Meeting
4. Minutes of the July 16, 2026, Special Town Council Meeting
5. Approval of the Major Matters from the July 29, 2026, Architectural Commission Meeting
6. **92-2026** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees for the Town of Palm Beach.
7. **93-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a retroactive spending authorization for FY26 in the amount of $500,000 associated with approved Resolution No. 111-2024 related to Plans, Review, and Inspection Services for the Planning, Zoning, and Building Department.
8. **94-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving the award of ITB No. 2026-028 for Palm Tree Trimming and Pruning Services for a five-year contract award to Brightview Landscape Services as the primary vendor in the amount of $795,467 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $970,467, Zimmerman Tree Services as the secondary vendor in the amount of $865,363 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $1,040,363 and Sherlock Tree Company, Inc. as the tertiary vendor

in the amount of $1,071,096 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $1,208,071 based on annual budget authorization and satisfactory performance.

9. **95-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving the proposal for the 2026 hardbottom monitoring and report required by the Palm Beach Island Beach Management Agreement (BMA)- 2026 Mid-Town Beach Nourishment Project and 2025 Palm Beach Harbor Operations and Maintenance Project to Coastal Eco-Group, Inc, in the amount of $153,919.

10. **96-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a contract with Coastal Protection Engineering for the 2026 FDEP Beach Management Agreement Cell-wide Hardbottom Monitoring and 2026 Hardbottom Map in the amount of $198,857.

11. Approval of Landmarks Preservation Commission Action Regarding a Landmark Adjustment for 1047 S Ocean Blvd.

APPROVAL OF AGENDA

COMMENTS

12. MAYOR AND TOWN COUNCIL MEMBERS

13. PUBLIC - 3 MINUTE LIMIT

For those unable to attend in person: Submit a written comment Register to comment virtually

GENERAL BUSINESS

14. Legislative Update from Mathew Forrest, Ballard Partners

15. **MATTERS PULLED FROM CONSENT AGENDA**

UNFINISHED BUSINESS

16. Boards and Commissions Review - Tranche 3, Governance Framework

16.1 **23-2026** An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 2 – Administration, Article IV – Boards And Commissions, Division 2 – Planning And Zoning Commission By Repealing Section 2-330 To Remove Term Limits On Members Of The Planning And Zoning Commission; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

NEW BUSINESS

17. Proposed 2027 Town Council Meeting Schedule

18. Midtown Beach Linear Park

19. Filming Permits

ORDINANCES

20. FIRST READING

20.1 21-2026 An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Code of Ordinances of the Town of Palm Beach By Creating Division 5. – Commercial Beach Amenity Permit Program, Sections 74-229 Through 74-243 Of Article II, Chapter 74, Establishing An Annual Beach Amenity Permit Program For The Commercial Use Of Municipal Beaches; Providing For The Issuance Of Annual Permits To Hotels And Other Commercial Businesses To Operate Beach Furniture Within Designated Areas Of Municipal Beaches; Providing For An Annual Beach Amenity Permit Fee To Be Established By Resolution Of The Town Council; Providing For Permit Requirements, Enforcement, And Penalties; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; And Providing For An Effective Date.

20.2 24-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Providing for Amendments to the Town's Budget Adopted For The Fiscal Year Commencing October 1, 2025, and Providing An Effective Date.

ANY OTHER BUSINESS

ADJOURNMENT

Access this meeting video on the 'Public Meetings' page at www.townofpalmbeach.com.

If a person decides to appeal any decision made with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made for such purposes, which shall include the testimony and evidence upon which the appeal is to be based.

Disabled persons needing accommodations to participate in this meeting should contact the Town Clerk's Office at (561) 838-5416 at least one day prior to the meeting.

TOWN OF PALM BEACH

Minutes of the Town Council Meeting
Held on July 14, 2026

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 09:30 AM in the Town Council Chambers.

Members Present: Bridget Moran, Ted Cooney, Lewis Crampton, Danielle Moore, Julie Araskog, Nicki McDonald

Staff Present: Kirk Blouin, Carolyn Stone, Bob Miracle, Jason Debrincat, Kelly Churney, and Town Attorney Joanne O'Connor

INVOCATION AND PLEDGE OF ALLEGIANCE

Town Clerk Churney led the invocation, and Council President Cooney led the pledge of allegiance.

APPROVAL OF CONSENT AGENDA

Council Member Araskog asked to remove Resolution No. 080-2026 for discussion.

A motion was made by Council Member McDonald and seconded by Council President Pro Tem Crampton to approve the consent agenda as amended, with the removal of Resolution No. 080-2026 for discussion. The motion was carried unanimously, 7-0.

1. Minutes of the June 9, 2026, Town Council Meeting
2. Minutes of the June 10, 2026, Local Planning Agency Meeting
3. Minutes of the June 10, 2026, Town Council Development Review Meeting
4. Approval of the Major Matters from the June 24, 2026, Architectural Commission Meeting
5. Request to Hear Proposed Ordinance Nos. 012-2026, 013-2026, and 020-2026, prior to 5:00 p.m. on Wednesday, July 15, 2026, Town Council Development Review

Meeting agenda.

6. Approval of the Landmarks Preservation Commission Action Regarding a Landmark Adjustment for 151 Root Trail

7. Approval of the Landmarks Preservation Commission Action Regarding a Landmark Adjustment for 480 S Ocean Blvd.

8. **78-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving an agreement and approving a purchase order to Sentinel Technologies for thirty-eight network switches in the amount of $384,560.52

10. **81-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving the Selection Committee Recommendation for the award of RFP 2026-038, Security Guard Services for the Town Marina for a five-year period in the amount of $853,336.50 to Regions Security Services, Inc. based on satisfactory performance and annual budget authorization.

11. **82-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving award authority for Shamrock Pool Services, Inc. in the amount of $300,000.

12. **84-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2027-2028 Annual Funding Applications to the Florida Department of Environmental Protection Beach Management Funding Assistance Program

13. **86-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Approving the Fiscal Year 2027-2028 Applications to the Florida Department of Environmental Protection Resilient Florida Program

14. Consideration of Waivers to Town Code for Construction Dates, Hours, and Noise for Staging and Construction of the 2027 USACE Inlet Maintenance Dredging Event

15. **90-2026** 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

16. **91-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, authorizing the purchase of two (2) additional Automated License Plate Recognition (ALPR) systems from Gtechna to support the expansion of the Town's Parking Enforcement fleet in a total five-year amount of $178,877.35.

APPROVAL OF AGENDA

Council Member Araskog requested changing the time certain of item 32 to 1 p.m. rather than 2 p.m., so that the Town Council would not take lunch but would keep the meeting until finished.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to approve the agenda as amended. The motion was carried unanimously, 7-0.

COMMENTS

17. MAYOR AND TOWN COUNCIL MEMBERS

Mayor Moore recognized employees celebrating service milestones, including Demetrius Kelley (5 years, Public Works), Carla Marcote (20 years, Police Department), Mary McQuaig (30 years, Finance Department), and John Moriarty (15 years, Code Enforcement), and thanked them for their dedicated service. She announced that the Town had received the 2026 Cultural Excellence Award from Top Workplaces, based on employee feedback, and congratulated staff on the achievement. She also recognized the Procurement and Contract Management Division for receiving the Achievement of Excellence in Procurement Award for the sixth time, reminded residents of the upcoming Technology Open House sessions on July 28 and August 25, thanked Public Works and Florida Power & Light for the continued progress of the underground utility project, and the recent utility pole removals along South County Road.

Council Member Moran congratulated the Police Department on its efforts to address illegal moorings, welcomed Public Works Director Jason Debrincat in his new role, and commended the Town Attorney's Office and staff for their successful litigation efforts. She also expressed hope that everyone had enjoyed the Independence Day holiday.

Council President Pro Tem Crampton congratulated the Town Manager and staff on the Town's receipt of the 2026 Cultural Excellence Award, noting that it reflects the significant progress made over the past decade in strengthening the Town's financial position, improving employee recruitment and retention, and fostering a strong partnership between the Town Council and staff. He commended the collective efforts that contributed to the Town's positive workplace culture and organizational success.

Council Member Araskog recognized the Town's department directors and public safety chiefs for their leadership and contributions to the Town's positive workplace culture. She requested that staff remind residents of the importance of yielding to emergency vehicles, avoiding distracted driving, and properly disposing of food waste in public areas to protect pets. She also advised that the upcoming budget workshop would include a discussion of the potential impacts of the proposed homestead tax amendment on municipal finances and suggested that the Town explore establishing historic districts.

Council Member McDonald congratulated Jason Debrincat on his appointment as Public Works Director and acknowledged the traffic delays and road closures associated with the Town's extensive summer infrastructure improvement projects. She noted that the work includes roadway reconstruction, drainage, paving, water and sewer infrastructure improvements, utility undergrounding, and facility upgrades, and expressed appreciation to Public Works and Town staff for advancing these projects during the summer months to minimize disruptions during the busy season.

18. PUBLIC - 3 MINUTE LIMIT

Diane Buehler, Friends of Palm Beach, provided an update on beach conditions, noting that lighter winds had reduced sargassum and marine debris, although accumulated sargassum continues to create obstacles for sea turtle hatchlings. She also discussed concerns regarding

distracted driving, encouraged support for hands-free driving legislation, commented on discarded chicken bones in public areas, and announced the upcoming Turtle Tuesday beach cleanup event.

Taniel Koushakjian, 441 32nd Street, and a candidate for the Port of Palm Beach, introduced himself as a candidate for the vacant Group 5 seat on the Port of Palm Beach District Commission. He provided a brief overview of his professional background in government and public infrastructure, expressed his commitment to transparent governance and balanced growth, and stated that he looked forward to serving the community if appointed or elected.

GENERAL BUSINESS

19. Presentation by State Representative Emily Gregory

State Representative Emily Gregory provided an overview of the proposed constitutional amendment regarding Florida's homestead property tax exemption, which is expected to appear on the November 2026 ballot. She explained the current property tax system, outlined the proposed phased expansion of the homestead exemption, and discussed the potential fiscal impacts on local governments, including reduced property tax revenues, possible shifts in the tax burden, reductions in municipal services, and alternative funding mechanisms. Representative Gregory also noted that legal challenges regarding the ballot language remain pending and encouraged residents to stay informed about the proposed amendment.

Council members thanked Representative Gregory for her presentation and discussed the potential impacts of the proposed constitutional amendment on local governments and municipal services. Concerns were expressed regarding the preservation of home rule, the potential shift of tax burdens to other sources, the financial impacts on municipalities, and the absence of a legislative plan to replace lost property tax revenue if the amendment is approved. Representative Gregory confirmed that no implementing funding plan has been developed, and emphasized that significant fiscal questions remain unresolved.

20. Annual Report of the Code Enforcement Board (CEB)

Code Enforcement Board Chair Dave Brooker presented the Code Enforcement Board's 2025 Annual Report, highlighting increased enforcement activity, a greater emphasis on proactive code enforcement, and improved compliance efforts through targeted violation notices and enforcement actions. He reported that staff handled more cases and inspections than the previous year while increasing self-initiated investigations and focusing on significant and repeat violations. Council members commended the Code Enforcement Board and staff for the significant improvements made to the Town's code enforcement program, particularly the shift toward proactive enforcement that reduces the need for resident complaints and emphasizes voluntary compliance. Council also requested that reports of outstanding code enforcement fines and liens be included in future agenda backup materials, and staff agreed to provide that information.

Council members discussed visibility concerns at intersections where existing hedges and other landscaping obstruct sight lines, particularly in the North End. Staff explained that many of the affected properties are legally nonconforming because they predate the current sight triangle requirements and, therefore, cannot be required to relocate existing landscaping. However, staff

continues to work proactively with property owners to encourage voluntary trimming to improve visibility and pedestrian safety. Council also discussed potential measures to improve safety, including public education, the possible use of mirrors at selected locations, and opportunities to reduce barriers for property owners willing to install safety improvements. Staff was asked to continue evaluating potential options to address visibility concerns where feasible.

A motion was made by Council Member Araskog and seconded by Council Member Moran to approve the Annual Report of the Code Enforcement Board as presented. The motion was carried unanimously, 5-0.

21. Quarterly Litigation Report by Town Attorney Joanne O'Connor

Town Attorney Joanne O'Connor presented the quarterly litigation update and reported that both the state and federal courts ruled in favor of the Town in litigation involving the beach area between Wells Road and Sunset Avenue. She explained that the courts concluded the public has customary recreational use rights in that specific area based on its historical public use and prior beach renourishment activities, resulting in the dismissal of the plaintiffs' claims for monetary damages. She recognized the efforts of the Town's legal team, staff, and resident witnesses whose testimony contributed to the successful outcome. She also noted that certain aspects of the litigation remain subject to potential appeal and that the Town is evaluating its legal options.

Council members congratulated the Town Attorney's Office, staff, and residents who participated in the litigation and discussed the implications of the First Amendment ruling related to beach signage. Staff advised that the Town is evaluating amendments to its beach signage regulations to address the court's decision while protecting public access and safety. Ms. O'Connor also provided updates on the pending Paramount/WEG litigation and the Town's participation in the FAA temporary flight restriction litigation, noting upcoming briefing deadlines.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to approve the Quarterly Litigation Report as presented. The motion was carried unanimously, 5-0.

22. Palm Beach Chamber of Commerce Request to Use Mar-a-Lago on a Trial Basis

Doug Evans, President and CEO of the Palm Beach Chamber of Commerce, requested approval to conduct a pilot program for the Chamber's October breakfast event at Mar-a-Lago by opening attendee access 30 minutes earlier to improve vehicle processing and eliminate the need for shuttle service. Staff reviewed the request and discussed potential traffic impacts, noting concerns about morning peak traffic, security screening delays, and consistency with the existing traffic management plan. The Town Attorney advised that the current agreement did not contemplate morning peak-hour events and indicated that any change should be formally addressed through an amendment to the agreement. Council members discussed the potential benefits and drawbacks of a pilot program, including its impact on residents, commuters, and Town-serving businesses. While some members supported allowing a one-time pilot to evaluate its effectiveness, others expressed concern that October traffic conditions would not accurately reflect peak season and could create additional congestion.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem

Crampton to deny the request from the Palm Beach Chamber of Commerce. The motion was carried 3-2, with Council President Cooney, and Council Member McDonald dissenting.

**Note: A short break was taken at 11:20 a.m. and the meeting resumed at 11:30 a.m.*

23. MATTERS PULLED FROM CONSENT AGENDA

9. 80-2026 A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a Change Order to Kimley-Horn and Associates, Inc, in the amount of $100,000 for a new award authority of $866,380 for Water Supply Study - Post Study Support Services

Public Works Director Jason Debrincat presented Resolution No. 80-2026, authorizing a continuing services agreement with Kimley-Horn for consulting support related to the Town's ongoing evaluation and negotiation of future water utility services. He explained that the agreement provides technical and engineering support on an as-needed basis during contract negotiations with prospective utility providers and is not a continuation of the feasibility study itself. Staff advised that negotiations remain active and that a recommended agreement will be presented to the Town Council once negotiations are complete. No public comment was received.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to approve Resolution 080-2026. The motion was carried unanimously, 5-0.

PUBLIC HEARINGS

24. 89-2026 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning Existing Public Utility Easements Within Phase 5 South Utility Undergrounding Project Limits, in the Town of Palm Beach, Florida.

Town Engineer Patricia Strayer presented Resolution No. 89-2026, authorizing the abandonment of public utility easements within Phase 5 South of the Utility Undergrounding Project. She reported that 16 participating properties were included in the request, 623 neighboring property owners were notified, and no public comments or objections were received. Staff recommended approval. No public comment was offered.

A motion was made by Council Member Moran and seconded by Council Member McDonald to approve Resolution 089-2026. The motion was carried unanimously, 5-0.

25. 88-2026 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Vacating and Abandoning Existing Public Utility Easements Within Phase 5 North Utility Undergrounding Project Limits, in the Town of Palm Beach, Florida.

Town Engineer Patricia Strayer presented Resolution No. 88-2026, authorizing the abandonment of public utility easements within Phase 5 North of the Utility Undergrounding Project. She reported that 58 participating properties were included in the request, 188 neighboring property owners were notified, and no public comments or objections were received. Staff recommended

approval. No public comment was offered.

A motion was made by Council Member McDonald and seconded by Council Member Moran to approve Resolution 088-2026. The motion was carried unanimously, 5-0.

UNFINISHED BUSINESS

26. Boards and Commissions Review - Tranche 2, Historical Review of Advisory Boards and Governance Practices

Deputy Town Manager Carolyn Stone presented background information regarding the Shore Protection Board and Recreation Advisory Commission as part of the Town Council's ongoing review of boards and committees. She explained that the discussion was intended to provide historical context and gather Council feedback on governance topics, including board responsibilities, qualifications, meeting frequency, and term limits, with additional recommendations to be presented at a future meeting.
Council members expressed a preference to postpone the discussion to allow current board members and the public an opportunity to review the historical information and participate in the conversation before any potential changes are considered. Staff advised that the Shore Protection Board had previously requested clarification regarding its role and that the current direction remains focused on communication and public education. There were conversations about possibly rescheduling the next advisory board meetings to fall after the November Town Council meeting.

A motion was made by Council Member Moran and seconded by Council President Pro-Tem Crampton to defer Tranche 2, Historical Review of Advisory Boards, to November. The motion was carried unanimously, 5-0.

After the motion, Council members also considered the upcoming expiration of several Planning and Zoning Commission terms and discussed whether the Commission's term limit provisions should be reviewed before appointments are made. Staff advised that any changes to term limits would require an ordinance amendment and could be considered by the Town Council in August and September before the current terms expire. Council directed staff to include the topic in the August agenda for further public discussion and consideration.

27. Undergrounding Update

Town Engineer Patricia Strayer provided an update on the Town's summer infrastructure projects, reporting that utility undergrounding work has resumed in Phase 6 South, with only a limited number of utility poles remaining on South County Road before Phase 7 North pole removal begins. She reviewed the status of ongoing sewer lining, drainage, roadway resurfacing, utility undergrounding, and sidewalk improvement projects throughout the Town, noting that construction activities are being coordinated to minimize impacts while maintaining project schedules. She also advised that the Phipps Ocean Park project remains on schedule for completion by October 1.

Mel Pollock, representing the Florida Department of Transportation (FDOT), provided an update on the State Road A1A resurfacing project, including the upcoming sidewalk replacement between Brazilian Avenue and Royal Poinciana Way. He explained that FDOT is coordinating

closely with the Town and adjacent businesses to minimize disruptions and continue performing work at night where feasible. Council members discussed construction coordination, bicycle safety improvements, minimizing roadway signage through the use of pavement markings, and the potential for future sidewalk improvements in the South End. Staff agreed to provide additional information regarding the feasibility and potential cost of future sidewalk improvements and to follow up on a private construction project referenced during the discussion.

28. **87-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving the proposal from Murray Logan Construction, LLC for Phase 1 Progressive Design-Build Team scope and fee proposal for pre-construction services for Town of Palm Beach Mid-Town Seawall project in the amount of $1,384,911, approving contingency of $138,491 and approving a project budget for pre-construction services of $1,523,402

Town Engineer Patricia Strayer introduced Jake Hurley, who will serve as the project manager for the Town's seawall replacement project, and presented Resolution No. 87-2026, authorizing the first phase of the Progressive Design-Build contract with the selected contractor. She explained that this phase includes design development, surveying, geotechnical investigations, permitting, and other pre-construction services necessary to develop a guaranteed maximum price for construction, which is expected to be presented to the Town Council later this year. Staff advised that monthly progress updates will be provided throughout the design process.

Council members discussed the benefits of the Progressive Design-Build delivery method, noting that early contractor involvement is intended to reduce project risk, improve cost certainty, and minimize unforeseen conditions during construction. Staff explained that the contractor's responsibility for the design, surveying, and geotechnical work shifts much of the project risk to the design-build team and supports development of a guaranteed maximum price. Council also discussed maintaining the seawall's existing aesthetic appearance, coordinating construction with the future Linear Park project, managing traffic impacts, and ensuring regular project updates throughout construction. No public comment was offered.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to approve Resolution 087-2026, as amended with the addition of specifying that the Town Attorney is directed to negotiate the terms of the contract for phase one with Murray Logan LLC. The motion was carried unanimously, 5-0.

29. **83-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Authorizing the Mayor to Execute the Amendment Number 2 to the Project Partnership Agreement Between the Department of the Army and the Town of Palm Beach for Renourishment of the Palm Beach County Federal Shore Protection Project, Mid-Town Segment the Mid-Town Beach Renourishment Project

Town Engineer Patricia Strayer presented Resolution No. 83-2026, authorizing Amendment No. 2 to the Project Partnership Agreement between the Town and the Department of the Army for the Midtown Beach Renourishment Project. She explained that recent policy changes by the Assistant Secretary of the Army now allow the project to utilize easements that are limited to the life of the project and do not require perpetual public use, provided the affected properties are considered incidental to the federal project. Staff advised that the amendment enables the Town

to proceed with the federal beach nourishment project despite not obtaining perpetual public-use easements from all affected properties and recommended approval. Council members expressed appreciation to staff and those who assisted in securing the policy change, recognizing that it preserves the Town's ability to move forward with the federally funded project. No public comment was offered.

A motion was made by Council Member Araskog and seconded by Council Member McDonald to approve Resolution 083-2026. The motion was carried unanimously, 5-0.

NEW BUSINESS

30. Discussion of Potential West Palm Beach Projects (Flagler Drive)

Jennifer Hofmeister, Planner III, presented an overview of current and proposed development activity in the City of West Palm Beach in response to a prior Town Council request. She reviewed GIS mapping and summary data identifying approved, proposed, under-construction, and completed projects, with particular emphasis on developments south of Palm Beach Lakes Boulevard that may have the greatest regional impact. Ms. Hoffmeister also provided links to the City's interactive development map, Downtown Master Plan, Community Redevelopment Agency information, and Downtown Development Authority resources for future reference.

Council members discussed the importance of monitoring regional development, participating in countywide and regional planning initiatives, and maintaining communication with neighboring jurisdictions regarding transportation and growth management. The discussion focused on the potential traffic impacts of continued development in downtown West Palm Beach, the need to remain engaged in regional planning efforts, and the importance of balancing growth with infrastructure capacity. Council also discussed the proposed Downtown Master Plan and expressed interest in continuing to monitor future proposals that could affect traffic and mobility between West Palm Beach and the Town. No public comment was offered.

31. Discussion of Establishment of a Beach Amenity Fee for Commercial Placement of Beach Furniture on Municipal Beaches

Police Chief Nick Caristo presented a discussion item regarding the increasing use of the Town's municipal beaches by hotels providing beach chairs, umbrellas, and related amenities for their guests. He explained that the activity has expanded in recent years, resulting in complaints from residents, conflicts involving encroachment onto private property, commercial rental activity, and operational concerns related to emergency access and public use of the beach. Chief Caristo suggested that the Town consider adopting an ordinance establishing a permitting program and annual fee to regulate hotel beach amenities, designate appropriate locations, and help offset the Town's costs for maintaining and providing services on the municipal beaches.

Council members expressed general support for developing an ordinance to regulate hotel use of municipal beaches while preserving public access and preventing the commercialization of public beach areas. The discussion included potential permit requirements, annual fees, limitations on the number and placement of beach chairs and umbrellas, designated loading areas, restrictions on commercial activity, and measures to ensure emergency access and prevent the appearance of exclusive beach areas. Staff advised that comparable regulations exist in other Florida municipalities. Chief Caristo stated he would return with a draft ordinance for Town Council

consideration.

**Note: A short break was taken at 12:59 p.m. and the meeting resumed at 1:06 p.m.*

32. Presentation of Pavement Management Master Plan
TIME CERTAIN: 2:00 PM

Town Engineer Patricia Strayer introduced the Town's Pavement Management Plan, explaining that the study evaluated the condition of approximately 49 miles of Town roadways and assessed long-term maintenance needs. She noted that the analysis confirmed the Town's roadway resurfacing program over the past eight years has been effective in preserving pavement conditions and extending the useful life of Town streets. Ms. Strayer then introduced Brent Whitfield of Chen Moore to present the findings and recommendations of the study.

Brent Whitfield of Chen Moore presented the findings of the Town's Pavement Management Plan, which evaluated the condition of approximately 49 miles of Town roadways and established a long-term strategy for roadway maintenance and reconstruction. He explained the methodology used to assess pavement conditions, including roadway inspections, pavement core samples, historical maintenance data, and industry-standard pavement condition indices. The study concluded that the Town's resurfacing program has been effective in preserving roadway conditions but identified several older roadways with inadequate base material that will require full reconstruction rather than resurfacing alone. Staff recommended maintaining an annual roadway resurfacing program while implementing a five-year reconstruction program to address deficient roadways and preserve the Town's overall roadway network.

Council members commended staff and the consultant for preparing a comprehensive long-term planning tool to support future capital budgeting decisions. The discussion focused on establishing predictable annual funding for roadway maintenance, prioritizing reconstruction projects based on roadway conditions, coordinating future roadway reconstruction with other infrastructure improvements, and incorporating the recommendations into upcoming budget discussions. Council also discussed the condition of Bradley Place and other deficient roadways, the long-term cost savings associated with preventive maintenance, and the importance of maintaining a consistent resurfacing program to avoid more costly reconstruction in the future.

ORDINANCES

33. SECOND READING

33.1 19-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending Chapter 18, Buildings And Building Regulations, Article IV, Florida Building Code, Division 1, Generally, By Amending Sections 18-237, Agreed Maximum Time Schedule For Completion Of Major Construction, Table 1, Construction Schedule, And 18-238(A), Agreed Maximum Time Schedule For Completion Of Minor Construction; Providing For Severability; Providing For The Repeal Of Ordinances In Conflict; Providing For Codification; And Providing An Effective Date.

Council President Cooney read Ordinance 019-2026 by title only. No public comment was offered.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to adopt Ordinance 019-2026. The motion was carried unanimously, 5-0.

33.2 18-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 42 – Environment, Article V – Noise By Amending Section 42-197 To Remove The Prohibition On Gasoline Powered Leaf Blowers; By Amending Section 42-198 To Conform The Title To The Substance Of The Code Provision; By Amending Section 42-199 To More Clearly Outline Permitted Hours Of Construction, And To Further Define Construction Work, And To Prohibit Construction Work From December 24 Through January 1 Of Each Year; And By Repealing And Replacing Section 42-230 To Provide A Standalone Regulation Governing Hours Of Lawn Maintenance Work, To Define Lawn Maintenance Work And Quiet Lawn Maintenance Work, To Permit Lawn Maintenance Work On Town-Observed Holidays That Are Not Federal Holidays Subject To Certain Restrictions, To Modify The Hours And Work Permitted On Saturdays In Summer, And To Identify Tree Trimming And Lawn Maintenance Work In Or Along Public Rights-Of-Way As Essential Services Of The Town.

Council President Cooney read Ordinance 018-2026 by title only.

Town Attorney Joanne O'Connor provided an update regarding the Town's seasonal lawn maintenance and construction hour regulations. She advised that representatives of the lawn maintenance industry were unable to remain for the discussion but had requested that the Town consider allowing winter lawn maintenance activities to begin at 8:30 a.m., consistent with the current summer start time. She also noted that summer construction hours remain in effect under a temporary resolution and that a subsequent agenda item would consider extending those temporary provisions. There was a request that the lawn maintenance hours be included as a discussion item at the November Ordinances, Rules and Standards Committee meeting. No public comment was offered.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to adopt Ordinance 018-2026. The motion was carried 4-1, with Council Member Araskog dissenting.

ANY OTHER BUSINESS

34. 79-2026 A Resolution Of The Town Council Of The Town Of Palm Beach, Florida, Temporarily Amending The Hours For Construction Work Set Forth In Section 42-199 Of The Town's Code Of Ordinances For The Benefit Of The Health, Safety and Welfare Of The Residents; And Providing An Effective Date.

Council President Cooney introduced Resolution 079-2026. No public comment was offered.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to approve Resolution 079-2026. The motion was carried unanimously, 5-0.

ADJOURNMENT

A motion was made by Council Member Moran and seconded by Council President Pro-Tem Crampton to adjourn the meeting at 01:57 PM. The motion was carried unanimously, 5-0.

APPROVED:

_____
Edward A. Cooney, Town Council President

APPROVED:

_____
Kelly Churney, CMC, Town Clerk
Date: _____

TOWN OF PALM BEACH

Minutes of the Local Planning Agency Meeting
Held on July 15, 2026

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 09:31 AM in the Town Council Chambers.

Members Present: Bridget Moran, Ted Cooney, Lewis Crampton, Danielle Moore, Julie Araskog, Nicki McDonald

Staff Present: Wayne Bergman, Jennifer Hofmeister, Kelly Churney, and Town Attorney Joanne O'Connor

PLEDGE OF ALLEGIANCE

Council President Cooney led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

COMMENTS

1. MAYOR AND TOWN COUNCIL MEMBERS

No comments were heard at this time.

2. PUBLIC - 3 MINUTE LIMIT

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

ORDINANCES

Jennifer Hofmeister presented three ordinances for consideration by the Local Planning Agency. Ordinances 12-2026 and 13-2026 constituted the second transmittal of the Town's 2024 Comprehensive Plan amendments, including updates to the Future Land Use, Historic

Preservation, and Infrastructure Elements, the Water Supply Facilities Work Plan, and the Comprehensive Plan map series. She explained that the second transmittal was necessary to address state agency comments on resiliency, potable water standards, and the restoration of fractional residential density calculations, in response to concerns regarding Senate Bill 180, noting that all previously proposed Comprehensive Plan amendments remained unchanged except for the restoration of the fractional density calculations. Ms. Hofmeister also presented Ordinance 20-2026, which would remove public and private schools from the permitted or special exception uses in the RD-1 and RD-2 residential zoning districts, while retaining them in the C-TS zoning district. During the presentation, Council members requested clarification regarding the restoration of fractional density calculations, the updated residential land use terminology, and the zoning districts where schools would continue to be permitted. Following the discussion, the Local Planning Agency expressed support for the proposed ordinances and raised no further comments.

3. FIRST READING

3.1 12-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Adopted 2024 Town Of Palm Beach Comprehensive Plan, Pursuant To Chapter 163.3191, Florida Statutes, By Amending The Future Land Use Element, The Historic Preservation Element, And The Infrastructure Element And By Amending The Adopted 2024 Comprehensive Plan Map Series To Replace The Future Land Use Map, The Zoning Map And The Archaeological Sites Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date.

Jennifer Hofmeister, Planner III, explained the proposed changes with Ordinance 12-2026. Council President Cooney called for public comment, but none was offered.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to recommend approval of Ordinance 12-2026 to the Town Council. The motion was carried unanimously, 5-0.

3.2 13-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Official Zoning Map By Replacing The Existing 1974 Official Zoning Map Of The Town Of Palm Beach Last Updated September 2024 With A New 2026 Official Zoning Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date.

Jennifer Hofmeister, Planner III, explained the proposed changes with Ordinance 13-2026. Council President Cooney called for public comment, but none was offered.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to recommend approval of Ordinance 13-2026 to the Town Council. The motion was carried unanimously, 5-0.

3.3 20-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, Article Vi, District Regulations, At Division 6. - R-D(1) High Density Residential District, Section 134-1000; And At Division 7. - R-D(2) High Density Residential District, Section 134-1055, To Remove Public And Private Academic School As Special Exception Uses In The R-D(1) And R-D(2), Respectively; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Jennifer Hofmeister, Planner III, explained the proposed changes with Ordinance 20-2026. Council President Cooney called for public comment, but none was offered.

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to recommend approval of Ordinance 20-2026 to the Town Council. The motion was carried unanimously, 5-0.

ANY OTHER BUSINESS

No other business was discussed at this time.

ADJOURNMENT

A motion was made by Council President Pro Tem Crampton and seconded by Council Member McDonald to adjourn the meeting at 9:44 a.m. The motion was carried unanimously, 5-0.

APPROVED:

_____
Edward A. Cooney, Town Council President

APPROVED:

_____
Kelly Churney, CMC, Town Clerk
Date: _____

TOWN OF PALM BEACH

Minutes of the Town Council Meeting
Held on July 15, 2026

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 09:47 AM in the Town Council Chambers.

Members Present: Bridget Moran, Ted Cooney, Lewis Crampton, Danielle Moore, Julie Araskog, Nicki McDonald

Staff Present: Wayne Bergman, James Murphy, Abraham Fogel, Kelly Churney, and Town Attorney Joanne O'Connor

INVOCATION AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

ADMINISTRATION OF THE OATH

Town Clerk Churney swore in all those intending to speak and continued to do so throughout the meeting, as necessary.

COMMENTS

1. MAYOR AND TOWN COUNCIL MEMBERS

Council Member Araskog encouraged residents to yield to emergency vehicles with flashing lights, emphasizing that every second can be critical during an emergency response. She also requested that the Town issue a public reminder to help increase awareness and improve compliance with this requirement.

Council Member Crampton requested that the Town Council revisit the issue of sight-distance obstructions caused by hedges at intersections, citing ongoing public safety concerns. He recommended scheduling a future discussion, reviewing the existing angle-of-vision standards, evaluating the applicability of nonconforming properties, and requesting an informal survey of potentially hazardous locations. Town Attorney O'Connor explained that existing nonconforming hedges have vested rights and that recent state law further limits the Town's ability to impose more restrictive regulations. Assistant Director James Murphy suggested proactively addressing the issue by reviewing nonconforming hedges when redevelopment or other applications are submitted. Council members discussed the challenges of requiring existing hedges to be modified, the fairness of identifying property owners who complied with prior regulations, and the value of educating residents. The Council agreed that staff would continue evaluating the issue and report back with potential options for future consideration.

2. PUBLIC - 3 MINUTE LIMIT

Rick Smith, 130 Sunrise Avenue, expressed concerns regarding the approval process for the Paramount project, specifically the Construction Management Agreement, Declaration of Use, and Settlement Agreement. He questioned the transparency of the process, the opportunity for public participation, and compliance with the Comprehensive Plan and quasi-judicial procedures. Mr. Smith stated that he had submitted a letter outlining his concerns for the public record and urged that building permits not be issued until the procedural issues had been addressed and Comprehensive Plan compliance had been demonstrated.

PUBLIC HEARINGS

GENERAL BUSINESS

3. PROJECT UPDATE: ZON-24-0046 (ARC-24-0090) 2720-2730 S OCEAN BLVD. - EDGEWATER / AMBASSADOR SITE

Assistant Director James Murphy provided a courtesy update on the Ambassador/Edgewater redevelopment project, advising that demolition permit applications had been submitted and were under review, with demolition activities expected to begin following the required public notifications. He reviewed the project's approval history, including the Architectural Commission's multiple reviews of the rooftop mechanical equipment screening, noting that the Commission's requested design refinements reduced the height, footprint, and overall appearance of the rooftop equipment. Mr. Murphy explained that the project highlighted the need to evaluate current code provisions governing rooftop mechanical equipment as part of the ongoing code rewrite, particularly for multi-building developments where modern equipment requirements continue to increase. Council members expressed appreciation for the update and supported incorporating the issue into the code review process. They discussed balancing modern mechanical equipment needs with maintaining the Town's building scale and character, including whether future regulations should address rooftop equipment size, setbacks, screening, or its relationship to allowable building height and story limitations. Members also noted that the Ambassador project provided a valuable learning opportunity for both the Town and the Architectural Commission, as similar redevelopment projects are considered in the future.

UNFINISHED BUSINESS

4. ZON-26-0015 (COA-26-0004) 151 ROOT TRAIL (COMBO) – VARIANCES The applicant, Julie Phillips (Brian Brady with Brady Design, Representative), has filed an application requesting Town Council review and approval of two (2) variances to reduce the east side yard and west side yard setbacks for a new second-story addition to the existing one-story residence for property under consideration to be landmarked. The Landmarks Preservation Commission shall perform design review of the application impacting the property under consideration to be landmarked. *[The Landmark Preservation Commission Recommendation: Implementation of the proposed variances will not cause a negative impact on the subject property. Carried 7-0.] [The Landmark Preservation Commission approved with conditions. Carried 7-0.]*

Council Member McDonald and Council President Cooney disclosed ex parte communications.

Staff presented a request for a Certificate of Appropriateness and associated variances for the property at 151 Root Trail, previously approved by the Landmarks Preservation Commission. The proposal includes exterior alterations and a second-story addition within the existing footprint of the historic residence, requiring variances to maintain the existing nonconforming side-yard setbacks. Council members requested clarification regarding neighboring setbacks, the height of the addition, compatibility with the surrounding streetscape, the hardship supporting the variances, and potential privacy impacts on adjacent properties. Architect Brian Brady explained that the addition had been designed to minimize its visual impact by setting the second story back from the street, preserving the existing footprint, and reducing the building's height while providing additional living space. Following the discussion, Council members generally agreed that the proposal was compatible with the historic character of Root Trail, maintained the established streetscape, and appropriately balanced preservation with the residents' functional needs. There was no public comment.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member McDonald that Variance No. ZON-26-0015, 151 Root Trail shall be granted and find, in support thereof, that all the criteria applicable to this application as set forth in Section 134-201 (a), items 1 through 7, have been met. The motion was carried 3-2, with Council President Cooney and Council Member Araskog dissenting.

5. ZON-26-0016 (COA-26-0005) 1047 S OCEAN BLVD. (COMBO) – VARIANCE The applicant, Maura Ziska (Trustee of 1047 South Ocean Boulevard Trust), has filed an application requesting Town Council review and approval for one (1) variance to increase lot coverage associated with a two-story addition for the Landmarked property. The Landmarks Preservation Commission shall perform design review of the application. *This project is deferred to the August 12, 2026, Town Council meeting, pending architectural review.*

Note: This item was deferred to August 12, 2026, upon the approval of the agenda.

NEW BUSINESS

6. ZON-25-0074 376 S COUNTY RD, THE CHURCH MOUSE– SPECIAL EXCEPTION. The applicant, Church of Bethesda-By-The Sea (Kyle Fant, Bartholemew & Partners, Representative), has filed an application requesting Town Council review and approval

for a Special Exception for a merchant retail takeout in order to operate a coffee to go counter within the existing Church Mouse retail space in the CTS zoning district, within the landmarked building.

Council Members Araskog, McDonald, Moran, Council President Pro Tem Crampton, Council President Cooney, and Mayor Moore disclosed ex parte communications.

Staff presented a request for a special exception to allow a coffee-to-go counter within the Church Mouse retail space at 376 S. County Road, a landmarked property owned by the Church of Bethesda-by-the-Sea. The proposal includes no exterior alterations, food service, or seating, with coffee to be offered for takeout only during the Church Mouse's regular business hours. Reverend Tim Schenck of the Church of Bethesda-By-The-Sea explained that the intent is to enhance the shopping experience, foster community interaction, and generate additional revenue to support the Church's charitable mission. Council members discussed the proposal's compatibility with the surrounding area, the absence of signage, the potential for intensification of use, and the precedent of allowing retail coffee sales. The Town Attorney reminded the Council that the request should be evaluated based on the special exception criteria established in the Code. Council members generally concluded that the proposal was a compatible accessory use, would not adversely affect the surrounding neighborhood, and would provide a community benefit while supporting the Church Mouse's longstanding charitable mission. There was no public comment.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran that Special Exception and Site Plan Review No. ZON-25-0074, 376 S. County Road, meets the criteria set forth in sections 134-229 and 134-329, respectively, of the Town Code and finds that approval of the Site Plan will not adversely affect the public interest, that all zoning requirements governing the use have been met, and that satisfactory provision and arrangement has been made concerning items (1) through (11) of section 134-329, conditioned upon no exterior signage for the coffee bar. The motion was carried 5-0.

ORDINANCES

7. FIRST READING

7.1 12-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Adopted 2024 Town Of Palm Beach Comprehensive Plan, Pursuant To Chapter 163.3191, Florida Statutes, By Amending The Future Land Use Element, The Historic Preservation Element, And The Infrastructure Element And By Amending The Adopted 2024 Comprehensive Plan Map Series To Replace The Future Land Use Map, The Zoning Map And The Archaeological Sites Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date.

Council President Cooney read Ordinance 012-2026 by title only. Council President Cooney called for public comment.

Anita Seltzer, 44 Cocoanut Row, reiterated her position that, while the Future Land Use Map identifies a property's land use designation, projects must also demonstrate consistency with the

Comprehensive Plan's goals, objectives, and policies, rather than relying solely on the property's location within a designated land use category. Council President Cooney acknowledged that Ms. Seltzer was restating comments she had made previously, and Ms. Seltzer confirmed that her intent was to emphasize the importance of Comprehensive Plan compliance. In response to Council Member Araskog's request for clarification, Wayne Bergman explained that staff's reports state whether a proposed use is consistent with the property's Future Land Use designation, but that all projects are also evaluated for consistency with the Comprehensive Plan as a whole. Council Member Araskog suggested revising the standard language in future staff reports to more clearly reflect this broader Comprehensive Plan review, and staff agreed to consider the change.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Araskog to approve Ordinance 012-2026 on first reading. The motion was carried unanimously, 4-0. *(Council Member McDonald was not in the room during the vote)*

7.2 13-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Official Zoning Map By Replacing The Existing 1974 Official Zoning Map Of The Town Of Palm Beach Last Updated September 2024 With A New 2026 Official Zoning Map; Providing For Incorporation Of Recitals; Providing For Severability; Providing For Repeal Of Ordinances In Conflict Here Within; Providing For Codification; Providing An Effective Date.

Director Wayne Bergman read Ordinance 013-2026 by title only. There was no public comment.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member McDonald to approve Ordinance 013-2026 on first reading. The motion was carried unanimously, 5-0.

7.3 20-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, Article Vi, District Regulations, At Division 6. - R-D(1) High Density Residential District, Section 134-1000; And At Division 7. - R-D(2) High Density Residential District, Section 134-1055, To Remove Public And Private Academic School As Special Exception Uses In The R-D(1) And R-D(2), Respectively; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Director Wayne Bergman read Ordinance 020-2026 by title only. There was no public comment.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member McDonald to approve Ordinance 020-2026 on first reading. The motion was carried unanimously, 5-0.

8. SECOND READING

8.1 17-2026 An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 134, Zoning, Article V, District Regulations, At Division 4. - R-B Low Density Residential District, Section 134-890(13); At Division 5.- R-C Medium Density Residential District, Section 134-945; At Division 6. - R-D(1) High Density Residential District, Section 134-1000; And At Division 7. - R-D(2) High Density Residential District, Section 134-1055 To Reinstate The Changes Made By Ordinance 06-2025 Removing Private And Public Academic School As Special Exception Uses In Certain Residential Zoning Districts And Geographic Areas Of Same And To Clarify The Prior Governmental Approval Condition On A Special Exception Use For Pedestrian Access Tunnels To The Beach In Section 134-890; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.

Director Wayne Bergman read Ordinance 017-2026 by title only. There was no public comment.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member McDonald to adopt Ordinance 017-2026 on second reading. The motion was carried unanimously, 5-0.

ANY OTHER BUSINESS

No other business was discussed at this time.

ADJOURNMENT

A motion was made by Council Member Araskog and seconded by Council President Pro Tem Crampton to adjourn the meeting at 11:10 AM. The motion was carried unanimously, 5-0.

APPROVED:

_____
Edward A. Cooney, Town Council President

APPROVED:

_____
Kelly Churney, CMC, Town Clerk
Date: _____

TOWN OF PALM BEACH

Minutes of the Special Town Council Meeting
Held on July 16, 2026

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 09:31 AM in the Town Council Chambers.

Members Present: Bridget Moran, Ted Cooney, Lewis Crampton, Danielle Moore, Julie Araskog, Nicki McDonald

Staff Present: Kirk Blouin, Carolyn Stone, Bob Miracle, Kelly Churney, and Town Attorney Joanne O'Connor

INVOCATION AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

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

COMMENTS

1. MAYOR AND TOWN COUNCIL MEMBERS

Mayor Moore thanked Deputy Town Manager Bob Miracle and staff for the clear and informative budget presentation. She also noted the uncertainty surrounding the proposed property tax reform legislation and its potential implications, emphasizing the importance of the budget discussion. Additionally, she reminded residents who will be away during the election on August 18 to request a vote-by-mail ballot before the application deadline.

2. PUBLIC - 3 MINUTE LIMIT

Rick Salvadore and Skip Aldridge, Co-Chairs of the Citizens Association of Palm Beach, outlined the organization's three budget priorities for Fiscal Year 2027. He urged the Town to address safety concerns along Reach 8 caused by erosion and exposed structural remnants, continue

improvements to the deteriorated sidewalk south of the Lake Worth Bridge, and pursue a collaborative, long-term approach to shoreline resilience involving Town staff, the Shore Protection Board, and the Citizens Association. They thanked the Town Council and staff for their continued support.

GENERAL BUSINESS

3. Fiscal Year 2027 Proposed Budget

Town Manager Kirk Blouin introduced the Fiscal Year 2027 budget workshop, explaining that the purpose of the session was to review the proposed budget and ensure alignment before the September budget hearings. He thanked Deputy Town Manager Bob Miracle and staff for their work preparing the budget and presentation and noted that he would provide clarification or historical context as needed during the discussion.

Deputy Town Manager Bob Miracle presented the proposed Fiscal Year 2027 budget, outlining projected revenues, expenditures, staffing recommendations, capital improvements, equipment replacement, and reserve balances. He proposed reducing the millage rate from 2.6110 to 2.5345, noting that the recommendation would result in no tax increase for homesteaded properties while continuing to support essential Town services. Mr. Miracle explained that property tax revenues remain the Town's primary source of funding and reviewed the major revenue and expenditure changes, including salary and benefit adjustments, contractual services, capital transfers, and equipment replacement. He discussed the recommendation to add new staff positions, including bringing certain landscaping services in-house to improve service quality, operational flexibility, and achieve long-term cost savings, while also highlighting positions that were deferred pending further evaluation. Mr. Miracle reviewed planned vehicle and equipment replacements, highlighting the extraordinary increases in acquisition costs and extended delivery times for public safety and public works equipment, which continue to place pressure on the Town's long-term capital planning. He also summarized the proposed Capital Improvement Program, including ongoing investments in roads, utilities, facilities, parks, and coastal infrastructure, identified projects included and excluded from the proposed budget, and concluded with an overview of the Town's reserve balances, emphasizing the Town's strong financial position. Town Manager Kirk Blouin provided historical context regarding service delivery, the transition from contracted to in-house services, when cost-effective, and the Town's continued commitment to maintaining critical infrastructure through long-term capital planning.

Council members thanked staff for the comprehensive budget presentation and expressed appreciation for the collaborative budget development process. There was broad support for the recommendation to bring certain landscaping services in-house, citing anticipated long-term cost savings, improved quality control, and operational efficiency. Council members also discussed staffing needs within the Planning, Zoning, and Building Department, particularly in light of new state permitting requirements, rising costs, and extended delivery times for public safety vehicles and equipment, future capital improvement priorities, the proposed Bethesda-by-the-Sea traffic signal, the Lake Trail elevation project, and the importance of maintaining adequate reserve balances.

The Council engaged in extensive discussion regarding the proposed millage rate reduction. Council President Pro Tem Crampton expressed support for reducing the millage rate as

proposed, citing the Town's history of budget surpluses, rising property values, strong reserve balances, improved pension funding, stabilized healthcare costs, and the desire to continue reducing the tax burden on residents while demonstrating fiscal stewardship. The remaining Council members generally favored maintaining the current millage rate, citing uncertainty surrounding potential state property tax reform, inflationary pressures, rising equipment and construction costs, future capital and infrastructure needs, continued pension funding, emergency preparedness, and the importance of preserving the Town's financial flexibility and reserve levels. Council members agreed that the budget was well-prepared and looked forward to continuing the discussion during the upcoming budget hearings.

Mr. Miracle presented an overview of the potential impacts of the proposed state property tax amendment on the Town's long-term financial outlook. He explained that the proposed increase in the homestead exemption and reduction of the non-homestead assessment cap could significantly reduce future property tax revenues, with an estimated annual impact of approximately $3.3 million once fully implemented. Mr. Miracle emphasized that additional legislative changes could further increase those impacts over time. He outlined potential strategies to address future revenue reductions, including expenditure reductions, increased or new user fees, special assessments, adjustments to the millage rate, or a combination of those approaches. He also compared Palm Beach's reliance on property tax revenues with other municipalities, noting that while the Town remains in a relatively strong financial position and maintains one of the lowest millage rates in the region, property taxes remain its primary source of General Fund revenue. Finally, Mr. Miracle reviewed recently adopted state legislation affecting local governments, including new budget transparency requirements, mandated budget reduction exercises, expanded online financial reporting, and future quarterly salary reporting requirements, before concluding with the schedule for the September budget hearings.

Public Works Director Jason Debrincat explained that the increased funding for the sanitary sewer ejector station program reflects rising construction costs and a long-term initiative to replace the Town's aging air-operated ejector stations with more reliable and efficient mechanical pumping systems. He noted that replacement priorities are based on comprehensive condition assessments and asset management data. During the discussion, Council asked about the flexibility of the five-year replacement schedule, and Mr. Debrincat explained that while project timing could be adjusted, the priorities are driven by engineering evaluations, asset condition, and long-term operational needs.

Council members discussed several potential capital projects and budget priorities, including improvements to the South End sidewalk, athletic field lighting, roadway resurfacing, and the proposed traffic signal at Via Bethesda. Staff responded to questions regarding project costs, funding responsibilities, and implementation timelines, noting that the Town will continue coordinating with the Florida Department of Transportation regarding the South End sidewalk and would prepare additional cost estimates for potential interim improvements. Staff also explained the history of the Via Bethesda traffic signal proposal, related funding discussions, and the status of other deferred capital projects. Council members also discussed the importance of advancing the Town's pavement management program and continuing to prioritize long-term infrastructure investments.

Council members also discussed the Town's overall budget growth over recent years and requested additional context regarding the factors contributing to increased expenditures. Staff

explained that the growth reflects a combination of rising personnel and benefit costs, pension funding, healthcare expenses, inflation, increased capital project and technology investment costs, contractual services, and expanded service levels, while noting that many operational enhancements have also generated corresponding increases in revenue. Staff further confirmed that an analysis comparing contracted services with in-house staffing includes all associated personnel, equipment, and operational costs to ensure accurate financial comparisons.

Council President Cooney called for public comment.

Mark Zeidman, 229 Barton Avenue, encouraged the Council to maintain the current millage rate, citing uncertainty surrounding the proposed property tax amendment, future capital funding needs, and potential revenue shortfalls. He emphasized the importance of maintaining the Town's strong financial position, stable tax policy, and high level of services while avoiding the need for future millage increases or deferred infrastructure projects.

Kristy Pressly, Counsel for the Breakers and a resident of Seaspray Avenue, spoke in support of the proposed Via Bethesda traffic signal, emphasizing that it is a public-safety improvement benefiting pedestrians, residents, visitors, and motorists. She stated that the Breakers collaborated with Town staff on the project for several years and noted that the Breakers agreed to forgo previously budgeted improvements to help facilitate the installation of the traffic signal.

Council members continued discussing the proposed FY2027 budget, including long-term funding for the pavement management program and other future capital projects. Questions were raised regarding the Town's future bonding capacity as a potential financing option for major infrastructure improvements. Additional discussion focused on reserve levels, future budget flexibility, pension funding, and the proposed millage rate. While one Council member reiterated support for a modest millage rate reduction, the majority continued to favor maintaining the current rate, citing uncertainty surrounding the proposed state property tax amendment, future capital needs, and the importance of preserving the Town's long-term financial stability.

Council reviewed the proposed budget items and reached consensus on several funding priorities. The Council concurred with the items recommended for inclusion in the proposed budget and directed staff to maintain the current millage rate. The additional revenue generated by maintaining the current rate will be allocated equally between the Coastal Fund and the pavement management program. Council also agreed to defer consideration of the Seaview Park field lighting project, Lake Trail resiliency improvements, and other future capital initiatives pending additional information and further discussion. Staff was directed to continue evaluating the pavement management program, including funding needs and project priorities, for future budget cycles.

4. **71-2026** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Approving A Proposed Operating Millage Rate Of 2.6110 For The Tentative Fiscal Year 2027 Budget; Approving The Computed Rolled-Back Millage Rate Of 2.4094 To Be Provided To The Property Appraiser In Accordance With F.S. 200.065; Establishing The Date, Time And Place Of The First And Final Budget Hearings To Consider The Proposed Millage Rates And Tentative Fiscal Year 2027 Budget And Directing The Town Manager To Transmit This Information To The

Property Appraiser Of Palm Beach County In Accordance With The Requirements Of F.S. 200.065.

A motion was made by Council Member Araskog and seconded by Council Member Moran to approve Resolution 071-2026. The motion was carried unanimously, 4-1, with Council President Pro Tem Crampton dissenting.

5. **72-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, Amending Golf Fees for Fiscal Year 2026.

A motion was made by Council Member Araskog and seconded by Council Member Moran to approve Resolution 072-2026. The motion was carried unanimously, 5-0.

6. **73-2026** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Establishing Marina Annual and Transient Dockage Rates for the Fiscal Year 2026.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to approve Resolution 073-2026. The motion was carried unanimously, 5-0.

7. **74-2026** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending Recreation Department Fees for Fiscal Year 2026.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to approve Resolution 074-2026. The motion was carried unanimously, 5-0.

8. **75-2026** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Relating To The Worth Avenue Improvement Project; Providing Authority, Purpose And Definitions And Interpretation; Providing Certain Findings; Establishing A Public Hearing To Consider Approval Of The Assessment Rolls And Reimposition Of The Maintenance Assessments And Their Collection Pursuant To The Uniform Assessment Collection Act; Directing The Provision Of Notice; Providing For Collection Of The Improvement Assessments And Preparation Of An Updated Improvement Assessment Roll; Establishing The Estimated Maintenance Cost And Providing For Imposition Of Maintenance Assessments For The Fiscal Year Beginning October 1, 2026; Directing Preparation Of An Updated Maintenance Assessment Roll; Directing The Method Of Collection; Providing For Revisions To Assessments; Providing Conflicts, Severability, And An Effective Date.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to approve Resolution 075-2026. The motion was carried unanimously, 5-0.

9. **76-2026** A Resolution Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Relating To Maintenance Of The Peruvian Avenue Improvement Project; Providing Authority, Purpose And Definitions And Interpretation; Providing Certain Findings; Establishing A Public Hearing To Consider Approval Of The Assessment Roll And Reimposition Of The Maintenance Assessments And Their Collection Pursuant To The Uniform Assessment Collection Act; Directing The

Provision Of Notice; Establishing The Estimated Maintenance Cost And Providing For Imposition Of Maintenance Assessments For The Fiscal Year Beginning October 1, 2026; Directing Preparation Of An Updated Maintenance Assessment Roll; Directing The Method Of Collection; Providing For Revisions To Assessments; Providing Conflicts, Severability, And An Effective Date.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to approve Resolution 076-2026. The motion was carried unanimously, 5-0.

10. **77-2026** 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 Estimated Assessed Cost Against The Properties That Will Be Benefitted Thereby; Directing The Town Manager To Prepare An Updated Solid Waste Assessment Roll; Establishing A Public Hearing To Consider Approval Of The Assessment Roll And Reimposition Of The Service Assessments And Their Collection Pursuant To The Uniform Assessment Collection Act; Directing The Provision Of Notice; And Providing For An Effective Date.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to approve Resolution 077-2026. The motion was carried unanimously, 5-0.

ANY OTHER BUSINESS

Deputy Town Manager Bob Miracle announced the dates of the Town's upcoming budget hearings for the public record. The first budget hearing will be held on Tuesday, September 8, at 5:01 p.m., and the second on Thursday, September 17, at 5:01 p.m.

ADJOURNMENT

A motion was made by Council Member Moran and seconded by Council President Pro-Tem Crampton to adjourn the meeting at 12:40 PM. The motion was carried unanimously, 5-0.

APPROVED:

_____
Edward A. Cooney, Town Council President

APPROVED:

_____
Kelly Churney, CMC, Town Clerk
Date: _____

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Wayne Bergman, MCP, LEED® AP, Director of Planning, Zoning & Building

Re: Approval of the Major Matters from the July 29, 2026, Architectural Commission Meeting

Date: 7/31/2026

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the major items approved by the Architectural Commission at the regularly scheduled meeting on July 29, 2026.

BOARD OR COMMISSION RECOMMENDATION

The Architectural Commission recommends that the Town Council approve major items considered at the regularly scheduled meeting on July 29, 2026.

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.

STRATEGIC PLAN

Strategic Priorities:
Governmental Leadership and Innovation

Strategic Focus Areas:
Collaborative Town Government

FUNDING

No Fiscal Impact

TOWN OF PALM BEACH

Minutes of the Architectural Commission Meeting
Held on July 29, 2026

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 09:00 AM in the Town Council Chambers.

Members Present: Elizabeth Connaughton, Jeffery Smith, Claudia Visconti, Kenn Karakul, Kathy Georgas, David Phoenix, Greg Tankersley

Members Absent: Richard Sammons, KT Catlin

Members Excused: Sue Patterson

Staff Present: Friederike Mittner, Sarah Pardue, Bradley Falco, Kelly Churney, and Assistant Town Attorney Lainey Francisco

PLEDGE OF ALLEGIANCE

Chair Smith led the Pledge of Allegiance.

MINUTES

1. Minutes of the June 24, 2026, Architectural Commission Meeting

A motion was made by Mr. Phoenix and seconded by Mr. Karakul to approve the minutes of the June 24, 2026, meeting as presented. The motion was carried unanimously, 7-0.

APPROVAL OF CONSENT AGENDA

Mr. Phoenix disclosed ex parte communications. *Claudia Visconti declared a conflict of interest for ARC-26-0040, 13 Via Vizcaya, and Jeffery Smith declared a conflict of interest for ARC-26-0038, 218 Miraflores Drive. Both members left the dais during the approval of the consent agenda.*

Mr. Phoenix requested that EXTPLAN-26-0003, 203 Via Vizcaya, be removed from discussion.

A motion was made by Mr. Karakul and seconded by Mr. Phoenix to approve the consent

agenda as amended, with EXTPLAN-26-0003, 203 Via Vizcaya removed for discussion. The motion was carried unanimously, 5-0.

3. ARC-26-0038 218 MIRAFLORES DR. The applicant, Brian & Christina Flaherty (Fernando Wong Outdoor Living Design), has filed an application requesting Architectural Commission review and approval for sitewide landscape and hardscape modifications.

4. ARC-26-0039 (ZON-26-0040) 1236 S OCEAN BLVD. (COMBO) The applicant, John & Margaret Thornton (Kyle Fant, Bartholemew & Partners, architect), has filed an application requesting Architectural Commission review and approval for an office expansion on an existing roof terrace and the addition of a window in the guest bathroom, which requires a variance to expand the non-conforming third floor. The Town Council shall review the application as it pertains to zoning relief/approval.

5. ARC-26-0040 13 VIA VIZCAYA The applicant, 13 Via Vizcaya Investments LLC (Kevin McAlarnen, Representative, Peter Pennoyer, Architect, SMI, Landscape Architect), has filed an application requesting Architectural Commission review and approval for exterior modifications, including a new glazed barrel tile roof, new fenestration openings, modified pergolas, a new entry design, as well as hardscape and landscape adjustments.

APPROVAL OF AGENDA

Ms. Pardue stated that she had two modifications to the agenda: ARC-26-0033, 173 Inlet Drive, would be deferred to August 26, 2026, and the applicant for ARC-26-0027, 300 Colonial Lane, asked that the project be relocated to the end of the agenda.

A motion was made by Mr. Karakul and seconded by Ms. Visconti to approve the agenda as amended. The motion was carried unanimously, 7-0.

ADMINISTRATION OF THE OATH

Town Clerk Churney swore in all those intending to speak and continued to do so throughout the meeting, as necessary.

COMMENTS

6. OFFICIALS

No comments were heard at this time.

7. STAFF

Patricia Strayer, Town Engineer, explained that the new mast-arm traffic signal poles were designed to meet current FDOT engineering standards and updated wind-load requirements for barrier-island conditions. She stated that the Town worked with FDOT to incorporate decorative fluting and black finishes to better complement the Town's existing infrastructure and described the engineering, right-of-way, utility, and ADA constraints that influenced the poles' size and placement. Commissioners expressed concerns about the scale, massing, placement, and overall aesthetics of the mast arms and streetlights, and questioned whether additional architectural

review or design input should be incorporated into similar infrastructure projects in the future. While acknowledging the engineering requirements, several commissioners remained dissatisfied with the visual impact of the installations and encouraged staff to continue pursuing design solutions that better reflect the Town's architectural character.

8. PUBLIC - 3 MINUTE LIMIT

Patrick Segraves, 2500 South Ocean Boulevard, expressed concerns about the size and number of the new mast-arm traffic signal poles, particularly at the intersection of Peruvian Avenue and County Road. He questioned why the project was not reviewed by the Architectural Commission, noting that other public infrastructure projects had previously received design review, and encouraged the Commission to consider the overall visual impact of the poles and associated traffic signal equipment.

UNFINISHED BUSINESS

9. ITEMS PULLED FROM THE CONSENT AGENDA

2. EXTPLAN-26-0003 203 VIA VIZCAYA The applicant, PAUL Z. OKEAN (Trustee, under Trust Agreement dated 5/21/91 as the Paul Z. Okean Revocable Living Trust), has filed an application requesting an Extension of Time for a previously issued Architectural Commission approval for a new, two-story, single-family residence with final hardscape, landscape, and swimming pool improvements. (ORIGINALLY ARC-24-0128 AND APPROVED AT THE MAY 28, 2025 MEETING)

Mr. Phoenix disclosed ex parte communications. Ms. Pardue presented a request for a one-year extension of Architectural Commission approval for a new residence, explaining that the extension would allow the applicant until May 28, 2027, to obtain a building permit. She advised that, under the Town's 2024 ordinance, applicants are limited to a single one-year extension and, if additional time is needed after the extension expires, a new application must be submitted and reviewed as a new case. In response to Commissioner Phoenix's questions, Ms. Pardue clarified the timing of the ordinance, the applicable grace period, and the process for expired approvals, noting that the current request met the requirements for consideration under the existing regulations.

A motion was made by Ms. Visconti and seconded by Mr. Karakul to approve the extension of time as requested. The motion was carried 6-1, with Mr. Phoenix dissenting.

10. ARC-26-0012 (ZON-26-0023) 150 DUNBAR RD & 151 ATLANTIC AVE. (COMBO) The applicants, Heavenly Partners LLC & Happy Isles Dreams LLC (Maura Ziska, Authorized Representative), have filed an application requesting Architectural Commission review and approval for renovations and modifications, including change to architectural style, at two (2) existing structures with a second floor addition at the existing two-story residence at 150 Dunbar Road and exterior renovations to the existing one-story residence at 151 Atlantic Avenue with new hardscape and landscape design across the to-be unified parcel with lot coverage and Cubic Content variances required to achieve the scope of work. The Town Council shall review the application as it pertains to zoning relief/ approval.

Mr. Falco provided staff comments on the project. Several members disclosed ex parte communications.

Michael Perry, MP Design & Architecture, presented revised plans for the proposed residence, highlighting changes made in response to the Commission's previous comments, including refinements to the building massing, front entry, architectural detailing, exterior color, and site layout. Cory Meyer, Nievera Williams Design, presented minor landscape revisions, including enhancements to the front garden and screening of relocated mechanical equipment. Commissioners discussed the proposed fountain, material selections, exterior color, lighting, landscaping, and requested variances. Attorney Maura Ziska clarified that the cubic content variance would likely be withdrawn upon the recording of the Unity of Title and explained that the remaining lot coverage variance reflected an existing nonconformity that had been reduced through the revised design. Commissioners generally found the revisions responsive to their previous comments while recommending additional refinements to the fountain, landscaping, and exterior finishes. No public comments were offered.

Commissioners acknowledged that the applicant had incorporated several of the Commission's previous recommendations but concluded that the overall design still lacked cohesion and compatibility with the surrounding neighborhood. Discussion focused on the building's massing, architectural detailing, exterior color, material palette, fountains, railings, landscaping, and relationship to the streetscape. Commissioners encouraged the applicant to simplify the design, refine the architectural details and materials, soften the overall appearance through additional landscape study, and further evaluate the home's scale and composition to create a more unified and contextually appropriate design. Several commissioners noted that the rear elevation and pool area were successful elements of the proposal and encouraged the applicant to build upon those strengths.

A motion was made by Ms. Visconti and seconded by Mr. Karakul to defer the project to August 26, 2026, for a restudy of the following: the cornice, the front fountain, the exterior paint color, and the materials. The motion failed 3-4, with Ms. Connaughton, Mr. Smith, Mr. Phoenix, and Mr. Tankersley dissenting.

A motion was made by Ms. Visconti and seconded by Mr. Karakul to defer the project to September 23, 2026, for a restudy of the following: scale, materials, massing, details, lighting, the color of the stucco, returning to the commission with samples, and a 3-D model of the home. The motion was carried unanimously, 7-0.

11. ARC-26-0021 222 CHERRY LN. The applicant, 222 Cherry Lane PB LLC (Kevin Asbacher, Architect), has filed an application requesting Architectural Commission review and approval for construction of a new, two-story, single-family residence with final hardscape, landscape and swimming pool improvements.

Mr. Falco provided staff comments on the project. Ms. Connaughton and Mr. Phoenix disclosed ex parte communications.

Dustin Mizell of Environment Design Group presented revised plans on behalf of Architect Kevin Asbacher for the proposed residence at 222 Cherry Lane, highlighting changes made in response to the Commission's previous comments, including reductions to the garage eave and chimney height, refinements to the front entry, window proportions, driveway materials, lighting, and

architectural details. Richard True, the property owner, thanked the Commission for its guidance throughout the review process, stating that the revisions had strengthened the design and reaffirming his commitment to constructing a residence that complements Palm Beach's character. During the discussion, Kevin Asbacher participated remotely to answer questions about the roof design, explaining that the varying roof pitches were intended to reduce the residence's perceived height and overall scale. Commissioners generally supported the revisions while recommending additional refinements to the driveway design, garage detailing, awning fabric, and exterior lighting selections. No public comments were offered.

Commissioners commended the applicant for incorporating many of the Commission's previous recommendations and agreed that the revisions represented a significant improvement. Discussion focused on further refining the front entry, roof pitches, garage doors, driveway pattern, awning fabric, lighting fixtures, and chimney proportions. Commissioners encouraged the applicant to strengthen the prominence of the front entrance, simplify the driveway design while maintaining its character, and continue refining the architectural details to create a more cohesive design consistent with the traditional character of Cherry Lane.

A motion was made by Mr. Phoenix and seconded by Ms. Connaughton to defer the project to August 26, 2026, for a restudy of the following: the front door, the chimney, the awnings, the driveway pattern and materiality, the roof, and garage doors. The motion was carried unanimously, 7-0.

12. ARC-26-0020 1066 N OCEAN BLVD. The applicant, Creekshore LLC (Jamie Solem , Authorized Representative), has filed an application requesting Architectural Commission review and approval for complete renovation and modifications to the existing two-story single-family residence with complete hardscape and landscape redesign.

Mr. Falco provided staff comments on the project. Ms. Connaughton, Mr. Smith, and Mr. Phoenix disclosed ex parte communications.

Roger Janssen, Dailey Janssen Architects, presented revised plans for the proposed residence, highlighting modifications made in response to the Commission's previous comments, including redesigning the front entry portico, revising window patterns and front door detailing, changing the roof tile color, and refining architectural details. Dustin Mizell, Environment Design Group, presented landscape revisions that included additional canopy trees, coconut palms, and enhanced screening to improve the property's balance and provide greater buffering for adjacent properties. During the discussion, commissioners focused on the front façade composition, window placement and proportions, exterior materials, and landscaping, recommending additional refinements to the window arrangement, architectural symmetry, and landscape design while expressing support for the overall direction of the revisions.

Mr. Smith provided staff comments on the project.

Martin Klein, 1060 N. Ocean Blvd., expressed support for the proposed residence but requested that the Commission consider measures to preserve the privacy of his property. He asked that the second-story windows on the south elevation be designed to prevent views into his backyard and pool area, suggesting faux or non-transparent windows as a potential solution. He noted that while additional landscaping was proposed, he did not believe landscaping alone

would provide a permanent privacy buffer.

Commissioners generally agreed that the revised design represented an improvement and expressed support for the updated roof tile, landscaping, and overall architectural direction. Discussion focused on additional refinements to the front façade, including the entry portico, window proportions and placement, roof pitches, wood finishes, and architectural rhythm. Commissioners encouraged further study of the front elevation to strengthen the entry's prominence, simplify the window composition, and enhance the home's overall cohesion. In response to public comment regarding privacy, the applicant agreed to evaluate potential solutions with the neighboring property owner.

A motion was made by Ms. Visconti and seconded by Mr. Phoenix to defer the project to August 26, 2026, for a restudy of the following: the upper windows, the possible use of Pecky Cypress, and to meet with the concerned neighbor. The motion was carried 6-1, with Mr. Tankersley dissenting.

14. ARC-26-0024 230 PLANTATION RD. The applicants, G. Kent Kahle & Cynthia V. Kahle, have filed an application requesting Architectural Commission review and approval for construction of a new, two-story, single-family residence with final hardscape, landscape and swimming pool improvements. *This item has been deferred to the August 29, 2026 meeting.*

Town Clerk Churney noted a Scrivener's error, which deferred the project to an incorrect date in August. She requested a motion to defer the project to the August 26, 2026, meeting.

A motion was made by Ms. Visconti and seconded by None to defer the project to the August 26, 2026, meeting. The motion was carried unanimously, 7-0.

15. ARC-26-0034 334 CHILEAN AVE. The applicant, Overflow Pad Too LLC (Environment Design Group), has filed an application requesting Architectural Commission review and approval for installation of a vehicular gate with gas lanterns. *This item has been deferred to the August 26, 2026, meeting.*

Note: This item was deferred to the August 26, 2026, meeting upon the approval of the agenda.

16. ARC-26-0004 (ZON-26-0008) 108 EL MIRASOL (COMBO) The applicant, 108 El Mirasol LLC (Tara B. Mulrooney, Authorized Representative), has filed an application requesting Architectural Commission review and approval for construction of a new, two -story, single-family residence with accessory structures and basement (over 10,000 square feet) with final hardscape, landscape and swimming pool improvements on an ocean-front parcel exceeding 20,000 square feet in the R-B zoning district, with variances requested to exceed the amount of lot fill permitted within the setbacks, special exception for reduced vehicle queueing at the driveway gate, and site plan review for a generator over 100kW. Town Council shall review the application as it pertains to zoning relief/approval. *This item has been deferred to the September 23, 2026, meeting.*

Note: This item was deferred to the September 23, 2026, meeting upon the approval of the agenda.

NEW BUSINESS

17. ARC-26-0033 (ZON-26-0029) 173 E INLET DR. (COMBO) The applicant, 173 E Inlet Land Trust (Daniel P. Tighe, Trustee), has filed an application requesting Architectural Commission review and approval for construction of a second-story addition to an existing single-story residence, requiring variances. Town Council shall review the application as it pertains to zoning relief/approval.

Note: This item was deferred to the August 26, 2026, meeting upon the approval of the agenda.

18. ARC-26-0035 (ZON-26-0028) 1740 S OCEAN BLVD. (COMBO) The applicant, 149 BRAZILIAN LLC (SKA Architect & Planner), has filed an application requesting Architectural Commission review and approval for the addition of a second floor, necessitating three (3) variances. The Town Council shall review the application for zoning relief/approval.

Ms. Mittner provided staff comments on the project. Several members disclosed ex parte communications.

M. Timothy Hanlon, attorney for the applicant, introduced the request for a second-story addition to the existing residence and explained that the application included variances for existing nonconformities and an increase in parapet height. Patrick Segraves, SKA Architect + Planner, presented the proposed design, explaining that the project would retain the existing building footprint while adding a second story, simplifying the architectural style, updating exterior materials, and preserving the existing courtyard, driveway, gates, and much of the mature landscaping with minor enhancements. During the discussion, commissioners asked questions regarding the requested variances, parapet height, façade composition, window proportions, exterior materials, lighting, landscaping, and the relationship of the contemporary design to the surrounding neighborhood. Commissioners encouraged the applicant to further study the proportions of the front façade and second-story openings while expressing support for the overall design approach. No public comments were offered.

Commissioners expressed concern that, while the proposed contemporary design had merit, it lacked the architectural character and residential detailing necessary to complement the surrounding neighborhood. Discussion focused on the front entry, balcony, window proportions, railing design, and façade detailing, with several commissioners noting that the building appeared too commercial in character. Commissioners encouraged the applicant to strengthen the prominence of the front entrance, incorporate additional architectural detailing and residential elements, and further refine the proportions and materials to create a design more compatible with the Palm Beach streetscape.

A motion was made by Ms. Visconti and seconded by Ms. Georgas to defer the project to August 26, 2026, for a restudy of the front entry. The motion was carried 6-1, with Ms. Connaughton dissenting.

13. ARC-26-0027 300 COLONIAL LN. The applicant, Richard and Dragana Connaughton (Elizabeth Connaughton), has filed an application requesting Architectural Commission review and approval for modifications to a previously approved new single-family

residence site plan.

Ms. Pardue provided staff comments on the project. Several members disclosed ex parte communications. *Elizabeth Connaughton declared a conflict of interest and left the dais during the discussion of the project.* Ms. Pardue explained that, under the Town Council's adopted Project Designation Matrix, applications involving property line modifications require Commission review unless written consent is obtained from the affected neighboring property owner. Because consent had not been obtained, the application was presented to the Commission for review.

Dustin Mizell, Environment Design Group, presented a request to modify a previously approved site wall by replacing a portion of the wall with a drainage curb while maintaining screening around the equipment and outdoor shower areas. He explained that the revision would preserve existing vegetation, avoid impacts to mature trees and their root systems, improve access and maintenance, and maintain the neighboring property's privacy through existing fencing and landscaping. He stated that the proposed modification would not substantially alter the appearance or screening of the property while providing a more practical site solution.

Mr. Smith called for public comment.

Susan Leas, 292 Colonial Lane, stated that she supported improvements to the property but opposed replacing the previously approved masonry wall with a drainage curb and landscaping. She expressed concern that the proposed modification would reduce privacy, noise attenuation, and screening between the properties, and requested that the masonry wall remain as originally approved. She also expressed concerns regarding the review process.

Dragana Connaughton, owner, stated that the residence was being constructed as her family's home rather than as a speculative project. She explained that the requested modification was intended to preserve the existing mature vegetation, avoid damage to established trees, and maintain privacy between the properties. She stated that the proposed screening and relocation of the site wall would continue to provide an effective buffer, that the mechanical equipment would remain screened, and that the modification would not adversely affect the neighboring property.

Commissioners discussed the request in the context of maintaining the existing visual screening and balancing the interests of neighboring property owners. While acknowledging the concerns raised by the adjacent property owner, commissioners concluded that the proposed modification would not result in a significant aesthetic change, as the existing hedge and the required screening wall around the mechanical equipment would remain. The Commission encouraged the applicant to continue working with the neighboring property owner regarding additional screening.

A motion was made by Mr. Karakul and seconded by Mr. Tankersley to approve the project as presented. The motion was carried unanimously, 6-0.

ANY OTHER BUSINESS

Ms. Churney announced that Elizabeth Connaughton declared a conflict of interest for ARC-26-0027, 300 Colonial Lane, at the June 24, 2026, meeting and had correctly completed the 8B

form in accordance with State Law.

Ms. Connaughton expressed concern about the increasing turnover of locally owned businesses along South County Road and the potential impact of rising rents and the presence of national retailers on the Town's commercial character. Staff noted that commercial uses are governed by the Town's zoning regulations and that related policy issues are considered by the Town Council and Planning and Zoning Commission.

MEETING SCHEDULE

19. The next meeting is scheduled for August 26, 2026

ADJOURNMENT

A motion was made by Ms. Visconti and seconded by Mr. Phoenix to adjourn the meeting at 11:59 a.m. The motion was carried unanimously, 7-0.

Respectfully Submitted,

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Jeffery W. Smith, Chair

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Kirk Blouin, Town Manager

From: Bob Miracle, Deputy Town Manager, Finance and Administration

Re: A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Adopting Revised Fees for the Town of Palm Beach. 92-2026

Date: 8/10/2026

GENERAL INFORMATION

The Finance Department is recommending several minor revisions to the Master Fee Schedule as part of its regular review process. Below is a summary of the proposed updates to each section and the attached draft highlighting the changes in red—new items are underlined and deletions are shown with strikethrough.

ADDED

PARKING METER FEES		
Phipps Ocean Parkmobile Zone*	$10.00/hour	FIN
PERMITS, CONSTRUCTION		
Flooring, only (Plus Applicable Compliance Fees, Technology Fee, Surcharges)	50 cents per sq.ft.	PZB
PUBLIC SAFETY SERVICES, POLICE		
Marine Special Assignment Details (3 hour minimum)*	$400.00/hr.	PD
Marine Special Assignment Details (3 hour minimum) - Premium Days (requests within 4 days, or on special dates/holidays will be considered Premium Days, as defined by Res. No. 176-2015)*	$500.00/hr.	PD

REVISED

PARKING METER FEES		
Sunrise (100 Block), South Ocean Blvd (Mid-Town Beach) and a portion of the 100 Blocks of Brazilian, Australian, Chilean, Peruvian, Worth and Hammon in the ParkMobile zone 46100, remaining 100 block of Hammon, 100 Block of Royal Palm	$7.00/hour	FIN
PERMITS, CONSTRUCTION		
Construction Permit, New Building or Building Addition (Plus Applicable Compliance Fees, Technology Fee, Surcharges) Separate Fees for Electric, Plumbing, Mechanical, and Fire May Apply**	$1.00/Sq Ft of Area ~~Sq Ft of Bldg per ICC Table - Applicable Use Group~~	PZB
Demolition - ALL Interior or Exterior. Does Not Include Utility Cap-Offs. (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$1.00/Sq Ft of Area ~~Sq Ft of Bldg per ICC Table - Applicable Use Group~~	PZB
Dock, Residential & Commercial (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$1.00/Sq Ft of Area ~~Sq Ft of Bldg per ICC Table - "U" Use Group~~	PZB
Reroof (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	~~Sq Ft per ICC Table - "U" Use Group~~ Pitched Roof - $0.75/sq. ft., Flat Rook - $0.50 /Sq. Ft.	PZB
PUBLIC SAFETY SERVICES, POLICE		
Special Assignment Details (3 hour minimum)	~~$90.00/hr.~~ $95.00/hr.	PD
Special Assignment Details (3 hour minimum) - Premium Days (requests within 4 days, or on special dates/holidays will be considered Premium Days, as defined by Res. No. 176-2015)	~~$130.00/hr.~~ $135.00/hr.	PD

REMOVED
N/A

STAFF RECOMMENDATION
Staff recommends that the Town Council review and approve the proposed updates to the Master Fee Schedule. Staff also recommends that the Town Council adopt Resolution No. 92-2026 to implement the revised fees.

STRATEGIC PLAN
Strategic Priorities:
Safe and Resilient Community, Community Culture and Character

Strategic Focus Areas:
Sound Fiscal Management
Cooperative Relationships

FUNDING
No Funding

RESOLUTION NO. 92-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, ADOPTING REVISED FEES FOR THE TOWN OF PALM BEACH.

WHEREAS, the Town Council has adopted the Town of Palm Beach Master Fee Schedule; and

WHEREAS, Town staff has proposed revisions to several of the Fees contained within the Master Fee Schedule, 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 Town of Palm Beach Master Fee Schedule is revised with the changes found in Exhibit "A" (attached). Section 2: This resolution shall become effective immediately.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on August 11, 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

Julie Araskog, Town Council Member

Nicki McDonald, Town Council Member

Bridget Moran, Town Council Member

ATTEST:

Kelly Churney, CMC, Town Clerk

Town of Palm Beach Master Fee Schedule

Fee Categories
Business Tax Receipts
Data Processing Services (Labels)
Development Review Fees (Includes Architectural and Landmark Reviews)
Environmental & Sanitation Fees
Liens & Open Permit Searches
Notarization Services
Parking Meter Fees
Permits, Construction (Includes Dune Construction)
Permits, Parking & Transportation (Includes Parking Placards)
Permits, Other
Public Safety Services, Alarms (Fire and Burglar)
Public Safety Services, Fire-Rescue
Public Safety Services, Police
Records Request Fees
Recreation Fees
Returned Check Fees
Rights-of-Way Fees
Violations, Fines, Penalties, & Late Fees (All)

Department Codes & Contact Information	
Code Enforcement Department (CE)	(561) 227-7080
Finance Department (FIN)	(561) 838-5444
Fire-Rescue Department (FR)	(561) 838-5420
Police Department (PD)	(561) 838-5454
Public Works Department (PW)	(561) 838-5440
Planning, Zoning, & Building Department (PZB)	(561) 838-5431
Town Clerk's Office (TCO)	(561) 838-5416

Fee Category	Fee	Dept.
BUSINESS TAX RECEIPTS		
BUSINESS TYPE:		
Abstractors of Title	$489.00	PZB
Accountant/Auditor/C.P.A., Firm (includes one professional)	$489.00	PZB
Accountant/Auditor/C.P.A.	$489.00	PZB
Adult Entertainment	$1,413.00	PZB
Administrative Office	$396.00	PZB
Answer Phone (support business services)	$489.00	PZB
Apartments (see Rental Dwellings)		PZB
Architect	$489.00	PZB
Art Gallery, up to 400 sq ft	$208.00	PZB
Art Gallery, 401 - 2,000 sq ft	$489.00	PZB
Art Gallery, 2,001 - 4,000 sq ft	$564.00	PZB
Art Gallery, 4,001 - 8,000 sq ft	$1,129.00	PZB
Art Gallery, over 8,000 sq ft	$1,697.00	PZB
Artist	$376.00	PZB
Astrologer, Phrenologist, Crystal Reading, Palm Reader, Soothsayer, Fortune Teller and Clairvoyant	$512.00	PZB
Bakery	$245.00	PZB
Bank, Trust Company	$1,415.00	PZB
Barber	$187.00	PZB
Barber, Shop (includes one Barber)	$187.00	PZB
Beauty, Shop (see Cosmetology Salon)		PZB
Bicycle Shop Rentals	$187.00	PZB
Bicycle Shop, Sales (see Merchants)		PZB
Boat Dealer (Yacht Broker)	$376.00	PZB
Broadcasting Station (Radio or TV)	$543.00	PZB
Broker	$489.00	PZB
Brokerage/Investment Company (includes one Broker)	$1,415.00	PZB
Business Office Only (two people maximum)	$245.00	PZB
Car Rental Agency	$753.00	PZB

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Catering	$245.00	PZB
Chiropractor	$489.00	PZB
Coin-Operated Machines (inside, exclusive of news racks)	$130.00	PZB
Consultant	$489.00	PZB
Contractor Office (Construction)	$543.00	PZB
Cosmetologist	$187.00	PZB
Cosmetology Salon (includes one Cosmetologist)	$187.00	PZB
Dance Instructor	$245.00	PZB
Dance Studio/School	$489.00	PZB
Dentist	$489.00	PZB
Dining Room, 40 chairs or less (hotel, business, etc.)	$245.00	PZB
Plus, for each chair up to 40	$3.83	PZB
Dining Room, over 40 chairs (hotel, business, etc.)	$489.00	PZB
Plus, for every chair	$3.83	PZB
Dining, Club (see Dining Room)		PZB
Electric Light Company	$424.00	PZB
Employment Agency	$489.00	PZB
Engineer	$489.00	PZB
Facialist, Registered (FA) or Specialist (FB)	$55.25	PZB
Full Specialist	$55.25	PZB
Full Registration	$55.25	PZB
Gas Company	$424.00	PZB
Golf Course	$543.00	PZB
Health Studio	$489.00	PZB
Hotel, 10 rooms or less	$74.00	PZB
Hotel, more than 10 rooms	$74.00	PZB
Plus, each additional room	$9.00	PZB
Insurance Broker, Company/Agency	$489.00	PZB
Insurance Salesperson	$245.00	PZB
Interior Decorator	$489.00	PZB
Interior Designer	$489.00	PZB
Jeweler	$850.00	PZB
Law Firm (includes one Lawyer)	$489.00	PZB
Lawyer	$489.00	PZB
Massage Therapist	$489.00	PZB
Massage Establishment (includes one Massage Therapist)	$489.00	PZB
Merchant, up to 400 sq ft	$208.00	PZB
Merchant, 401 - 2,000 sq ft	$489.00	PZB
Merchant, 2,001 - 4,000 sq ft	$564.00	PZB
Merchant, 4,001 - 8,000 sq ft	$1,129.00	PZB
Merchant, over 8,000 sq ft	$1,697.00	PZB
Mortgage Broker	$489.00	PZB
Mortgage Company	$489.00	PZB
Motor Scooter and Motorcycle Rental	$1,530.00	PZB
Music Service	$489.00	PZB
Nail Registration (FV) or Nail Specialist (FT)	$55.25	PZB
Newspaper (see Publisher)		PZB
Nightclub, with Dance Floor	$1,412.00	PZB
Nightclub, without Dance Floor	$925.00	PZB
Nurse	$489.00	PZB
Nursing Agency (includes one Nurse)	$489.00	PZB
Optician	$489.00	PZB
Optometrist	$489.00	PZB
Parking Garage	$489.00	PZB
Parking Lot (see Chapter 22, Article VI, Parking Lots for further provisions)	$245.00	PZB
Pharmacist (Individual)	$489.00	PZB
Pharmacy (includes one Pharmacist)	$489.00	PZB
Photographer	$245.00	PZB
Physician	$489.00	PZB

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Printing Company	$489.00	PZB
Profession, Not Listed	$489.00	PZB
Property Management	$245.00	PZB
Public Relations	$489.00	PZB
Publisher	$489.00	PZB
Real Estate Broker	$489.00	PZB
Rental Dwellings, per unit (minimum two units)	$48.00	PZB
Repair Shop (other than Auto Repair)	$489.00	PZB
Restaurant, 40 chairs or less	$245.00	PZB
Plus, for each chair up to 40	$4.00	PZB
Restaurant, more than 40 chairs	$489.00	PZB
Plus, for each chair	$4.00	PZB
Savings and Loan Association	$1,415.00	PZB
School, Private	$489.00	PZB
Security Agency, Private (includes one Security Officer)	$245.00	PZB
Security Officer, Private	$36.00	PZB
Service Station (includes Auto Repair)	$543.00	PZB
Services, Not Listed	$245.00	PZB
Swimming Pools, Public	$489.00	PZB
Talent Agency	$489.00	PZB
Taxicabs, each Company or Stand	$376.00	PZB
Telecommunications Company (formerly Telegraph)	$424.00	PZB
Telephone Company (nothing in this chapter will be construed as requiring a license tax for coin-operated telephones)	$424.00	PZB
Theater	$1,697.00	PZB
Plus, for each seat	$2.60	PZB
Travel Bureau/Agency	$489.00	PZB
Trust Agency	$1,415.00	PZB
Unclassified, Business Not Listed	$397.00	PZB
Veterinarian	$489.00	PZB
Veterinary Establishment	$489.00	PZB
TRANSFER FEE:		
Technology Fee (a 4% technology fee is added to all transactions)	4% of Fee	PZB
Transfer BTR to New Owner or Location	10% of Fee, Max. $25.00	PZB
DATA PROCESSING SERVICES (LABELS)		
Data Processing/Address Labels Services	$50.00	PZB
eRecording Fee (up to 6 pages)	$100 + $10/pg thereafter	PZB
Labels	$5.00/sheet	PZB
DEVELOPMENT REVIEW FEES		
Address Assignment; New or Change	$500.00	PZB
Agreement or Agreement Termination: Unity of Control, Unity of Title	$1,000.00	PZB
Agreement, Declaration of Use	$2,500 plus actual Town attorney fees	PZB
Agreement, Kitchen	$500.00	PZB
Agreement, Other (Restrictive Covenant, Deed Restriction, etc)	$750.00	PZB
Appeal, Administrative Decision	$2,000.00	PZB
ARCOM After-the-Fact Approval for work that deviates from previously approved plan; Administrative or Commission	200% of total fees	PZB
ARCOM Appeal of Administrative Review	$2,000.00	PZB
ARCOM Appeal of Board Determination	$2,000.00	PZB
ARCOM Application, Administrative Review for Compliance of Conditions of Approval of Development Order	$450.00	PZB
ARCOM Application, Major	$3,000.00	PZB
ARCOM Application, Minor	$2,000.00	PZB
ARCOM Extension of Time	$500.00	PZB
ARCOM Resubmittal Fee, Major (Major projects may be subject to Minor Resubmittal Fee)	$1,000.00	PZB
ARCOM Resubmittal Fee, Minor	$500.00	PZB
ARCOM Square Footage Fee - Commercial/Other, New Construction	0.50 per sq ft - Max. $75k	PZB
ARCOM Square Footage Fee - Residential Single Family over 10,000 sq.ft., New Construction	0.15 per sq ft - Max. $75k	PZB

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Clarification Hearing Request, by Applicant	$1,000.00	PZB
Comp Plan, FLUM Amendment, Large-Scale	$6,000.00	PZB
Comp Plan, FLUM Amendment, Small-Scale	$5,000.00	PZB
Comp Plan, Text Amendment	$5,000.00	PZB
DEP Permit Zoning Determination Letter Request	$500.00	PZB
Historically Significant Building After-the-Fact Approval for work that deviates from previously approved plan; Administrative or Commission	200% of total fees	PZB
Historically Significant Building Application	$750.00	PZB
Historically Significant Building Determination Letter	$250.00	PZB
Historically Significant Building Extension of Time	$500.00	PZB
Historically Significant Building Resubmittal	$250.00	PZB
Historically Significant Building Square Footage Fee - Commercial/Other, New Construction	0.50 per sq ft - Max. $75k	PZB
Historically Significant Building Square Footage Fee - Residential Single Family over 10,000 sq.ft., New Construction	0.15 per sq ft - Max. $75k	PZB
Historically Significant Building, Administrative Review	$150.00	PZB
Historically Significant Building, Administrative Review Appeal	$2,000.00	PZB
Landmark Adjustment *	$1,500.00	PZB
Landmark COA After-the-Fact Approval for work that deviates from previously approved plan; Administrative or Commission	200% of total fees	PZB
Landmark COA Amendment	$750.00	PZB
Landmark COA Appeal of Board Determination	$2,000.00	PZB
Landmark COA Application	$1,000.00	PZB
Landmark COA Application, Administrative Review	$150.00	PZB
Landmark COA Extension of Time	$500.00	PZB
Landmark COA Resubmittal Fee	$250.00	PZB
Landmark Commission Square Footage Fee - Commercial/Other, New Construction	0.50 per sq ft - Max. $75k	PZB
Landmark Commission Square Footage Fee - Residential Single Family over 10,000 sq.ft., New Construction	0.15 per sq ft - Max. $75k	PZB
Landmark Manual, Non-Owners	Actual Cost	PZB
Landmark Manual, Owner, all subsequent ones	Actual Cost	PZB
Landmark Manual, Owner, first one	No Charge	PZB
Landmark Plaque, Owner, all subsequent ones	Actual Cost	PZB
Landmark Plaque, Owner, first one	No Charge	PZB
Landmark Tax Abatement Fee	$1,500.00	PZB
Landmark Commission Appeal of Administrative Review	$2,000.00	PZB
Lot Split Application	$3,000.00	PZB
Outdoor Café - Per Seat	$50.00	PZB
Outdoor Café Permit, Annual, Plus Per Seat Below	$1,000.00	PZB
Planned Unit Development Amendment	$6,000.00	PZB
Plat	$5,000.00	PZB
Replat	$5,000.00	PZB
Site Plan Review, Administrative	$1,500.00	PZB
Site Plan Review, All SFD; and PUD/MFD/Commercial, 200 sq ft or less	$2,250.00	PZB
Site Plan Review, PUD, MFD/Commercial, over 200 sq ft	$5,000.00	PZB
Site Plan Review, Resubmittal	$1,000.00	PZB
Special Exception	$3,000.00	PZB
Special Exception, MFD/Commercial	$3,500.00	PZB
Special Exception, Resubmittal	$1,000.00	PZB
Special Exception, Use, Modification, and/or Expansion	$2,000.00	PZB
Subdivision, Final	$5,000.00	PZB
Subdivision, Impact Study	Minimum 2% of Estimate of Sub-Division Improvements Plus Either $300/Platted Lot or $10/FF/Lot, Whichever is Greater	PZB
Subdivision, Preliminary	$5,000.00	PZB
Technology Fee (a 4% technology fee is added to all transactions)	4% of Fee	PZB

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Town Council After-the-Fact Approval for work that deviates from previously approved plan; Administrative or Commission	200% of total fees	PZB
Town Council Extension of Time	$500.00	PZB
Traffic Concurrency Determinations and Escrow:		
Parking Review Statement*	$1,000.00	PZB
Parking Study Review	$9,000.00	PZB
Traffic Impact Assessment Review (less than 20 peak hour trips)	$5,500.00	PZB
Traffic Impact Study Review (more than 20 peak hour trips)	$9,000.00	PZB
Valet Parking Analysis Review	$6,000.00	PZB
Variance, Flood	$2,500.00	PZB
Variance, MFD/Commercial	$3,000.00	PZB
Variance, Resubmittal	$1,000.00	PZB
Variance, SFD	$2,000.00	PZB
Variance, Uses or Structures	$3,000.00	PZB
Waiver, Dimensional	$2,000.00	PZB
Zoning Code, Text Amendment-Proposed	$1,500.00	PZB
Zoning Code, Text Amendment-Studied	$5,000.00	PZB
Zoning Code, Zoning District Change	$5,000.00	PZB
Zoning Verification Letter (per parcel or address)	$1,000.00	PZB
ENVIRONMENTAL & SANITATION FEES		
Technology Fee (a 4% technology fee is added to all transactions)	4% of Fee	PZB
HISTORIC TREES:		
Annual Inspection and Maintenance, per tree	$221.00	PW
INDUSTRIAL WASTE SURCHARGE RATES:**		
BOD (biochemical oxygen demand in mg/L)	$0.40/pound	PW
TSS (total suspended solids in mg/L)	$0.40/pound	PW
OG (oil and grease in mg/L)	$7.30/pound	PW
**Monthly surcharges shall be calculated as follows: IWS= 8.34(V)($0.40x(BOD-400)=$0.40y(TSS- 400)+$7.30z(OG-100) IWS= Monthly industrial surcharge rate V= Volume of industrial flow in million gallons per month based on metered water X= Capital and operating costs per pound of BOD greater than 400 mg/L Y= Capital and operating costs per pound of TSS greater than 400 mg/L Z= Capital and operating costs per pound of oil and grease greater than 100 mg/L		
SANITARY SEWER CAPITAL CONNECTION FEES (Based on Water Meter Size):		
5/8"	$550.00	PW
3/4"	$825.00	PW
1"	$1,375.00	PW
1 1/2"	$2,750.00	PW
2"	$4,400.00	PW
3"	$8,250.00	PW
4"	$13,750.00	PW
6"	$27,500.00	PW
8"	$44,000.00	PW
SEWER CONNECTION FEES (SANITARY OR STORM):		
Connections:		
Up to 5" pipe	$150.00	PW
Up to 12" pipe	$180.00	PW
13" to 18" pipe	$225.00	PW
Larger than 18"	$300.00	PW
Connection Re-inspections (post failed inspections):	$300.00	PW
Construction Catch Basin	$150.00	PW
Construct Manhole	$150.00	PW
De-Watering to Gravity System:		
Up to 2" Discharge, per month	$150.00	PW
Up to 6" Discharge, per month	$180.00	PW
Larger than 6" discharge, per month	$225.00	PW
De-watering to Pump Station (cost per 1000 gallons; contractor must submit pumping calculations)	Rate TBD by Public Works PW	PW

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Initial Cap-off and connection fee	$150.00	PW
Cap-off and connection re-inspection fee	$300.00	PW
Disconnect or Cap Off	$150.00	PW
Inspection of Building Sewer Lateral Flushing Operation for Discontinuing the Use of Detention and Screening Chambers, Where Required	$150.00	PW
Re-Inspection Fee	$300.00	PW
Occupancy Fee, if required	Rate TBD by Town Council	PW
Private Sanitary Sewer Lateral Locate (Existing)	$250.00	PW
SPECIAL TRASH PICK-UPS (White Goods, etc.):		
1/4 Truck	$105.60	PW
1/2 Truck	$211.20	PW
3/4 Truck	$316.80	PW
Full Truck	$420.00	PW
SPECIAL VEGETATIVE TRASH PICK-UPS (Ficus Hedge Collection & Disposal):		
Collection & Disposal Fee - First 100' of Hedge Material (3-hour crew minimum)	$700.00	PW
Collection & Disposal Fee - Each Additional Hour	$300.00	PW
SPECIAL GARBAGE COLLECTION (Multi-Family Weekend Service):		
Weekend Service (Fee for Condo Weekend Service is Based on Assessment Rate Set by the Town Council Every September)		PW
LIENS & OPEN PERMIT SEARCHES		
Lien Searches (within 7 days)	$100.00	FIN
Lien Searches, expedited (within 2 days)	$200.00	FIN
Open Permit Searches (within 7 days)	$100.00	PZB
Open Permit Searches, expedited (within 2 days)	$200.00	PZB
NOTARIZATION SERVICES		
Notarization, per document, Residents, Employees, & Town Project or Contract Documents	No Charge	Notaries
Notarization, per document, All Other Individuals & Documents	$10.00	Notaries
PARKING METER FEES		
All other ParkMobile Spaces	$5.00/hour	FIN
Sunrise (100 Block), South Ocean Blvd (Mid-Town Beach) and a portion of the 100 Blocks of Brazilian, Australian, Chiliean, Peruvian, Worth and Hammon in the ParkMobile zone 46100, remaining 100 block of Hammon, 100 Block of Royal Palm	**$7.00/hour**	**FIN**
Royal Palm Way/Recreation Center Lot	$3.00/hour	FIN
Phipps Ocean Parkmobile Zone*	**$10.00/hour**	**FIN**
PERMITS, CONSTRUCTION		
Technology Fee (a 4% technology fee is added to all transactions)	4% of Fee	PZB
A/C Cooling Tower & Chiller, Includes Electric and Plumbing (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$2,000.00	PZB
A/C Units (each, split system), Includes Electric (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$200.00	PZB
Agreement, Construction Management (Commercial/Multi-Family)	$1,500.00	PZB
Agreement, Construction Management (Single Family)*	$500.00	PZB
Agreement, Electrical Release	$300.00	PZB
Agreement, Hold-Harmless	$1,000.00	PZB
Agreement, Mechanical Equipment Screening	$500.00	PZB
Annual License/Registration Fee - Private Providers, Contract Plan Reviewers/Inspectors for EPL Access	$2,500.00	PZB
Antenna (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$200.00	PZB
Awning, Multi-Family & Commercial (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$400.00	PZB
Awning, Residential (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$200.00	PZB
Backflow Preventer (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$100.00 each	PZB
Boatlift, Includes Electric (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$300.00	PZB
Bond Processing Fee, Demolition or Work Completion Bond Processing Fee	$200.00	PZB
Bond, Demolition or Work Completion	135% of Construction Value	PZB
Building Board of Adjustments, Appeal of Building Official Determination	$1,000.00	PZB
Building Code Administrators & Inspectors Fund (BCAIF) Surcharge (F.S. 468.631)	1.5% of Permit Fee, Minimum $2.01	PZB

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Compliance Fee, Design Review - (Based on Percentage of Permit Fee)**	15%	PZB
Compliance Fee, Drainage - (Based on Percentage of Permit Fee)**	15%	PZB
Compliance Fee, Engineering - (Based on Percentage of Permit Fee)**	20%	PZB
Compliance Fee, Fire Protection - (Based on Percentage of Permit Fee)**	10%	PZB
Compliance Fee, Floodplain - (Based on Percentage of Permit Fee)**	8%	PZB
Compliance Fee, Landscape - (Based on Percentage of Permit Fee)**	8%	PZB
Compliance Fee, Submittal - (Based on Percentage of Permit Fee)**	8%	PZB
Compliance Fee, Zoning - (Based on Percentage of Permit Fee)**	10%	PZB
Construction Permit, Minimum Permit Fee (Plus Applicable Compliance Fees, Technology Fee, Surcharges). Separate Fees for Electric, Plumbing, Mechanical, and Fire May Apply**	$100.00 Minimum	PZB
Construction Permit, New Building or Building Addition (Plus Applicable Compliance Fees, Technology Fee, Surcharges) Separate Fees for Electric, Plumbing, Mechanical, and Fire May Apply**	**$1.00/Sq Ft of Area ~~Sq Ft of Bldg per ICC Table - Applicable Use Group~~**	**PZB**
Construction Permit, Reactivation Fee, Processing Fee, Re-inspection Fee, Re-issuance Fee, and Renewal Fee	$300.00	PZB
Construction Permit, Refund Processing Fee	$200.00	PZB
Construction Permit, Renovation of Existing Building or Portion Thereof (Plus Applicable Compliance Fees, Technology Fee, Surcharges) Separate Fees for Electric, Plumbing, Mechanical, and Fire May Apply**	Sq Ft of Bldg per ICC Table - Applicable Use Group	PZB
Construction Permit, Revision Fee (includes one page)	$150 + $50/pg. thereafter	PZB
Construction Permit, Transfer Fee	$200.00	PZB
Construction Product Approval Review	$2,000.00	PZB
Demolition - ALL Interior or Exterior. Does Not Include Utility Cap-Offs. (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	**$1.00/Sq Ft of Area ~~Sq Ft of Bldg per ICC Table - Applicable Use Group~~**	**PZB**
Dock, Residential & Commercial (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	**$1.00/Sq Ft of Area ~~Sq Ft of Bldg per ICC Table - "U" Use Group~~**	**PZB**
Door Replacement - Exterior (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$300.00 each	PZB
Door, Garage (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$400.00 each	PZB
Driveway / Hardscape (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$1.00/Sq Ft of Area	PZB
Ductwork (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$3.00 per linear foot	PZB
Electric EV Charging Station (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$200.00 each	PZB
Electric Misc - Multi-Family & Commercial (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$7.00 per load bearing device	PZB
Electric Misc - Residential (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$5.00 per load bearing device	PZB
Electric Power Wall - Battery Storage (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$500.00 each	PZB
Electric Service - Single Phase/Residential (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$400.00 per service	PZB
Electric Service - Three Phase/Commercial (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$700.00 per service	PZB
Elevator (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$2,500.00 per elevator car	PZB
Fence (Plus, Each Gate) (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$7.00 per linear foot	PZB
Fire Alarm (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$7.00 per device	PZB
Fire Alarm Panel (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$150.00 each	PZB
Fire Sprinkler (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$7.00 per sprinkler head	PZB
Flood Zone Certification (FIRM) Letter	$250.00	PZB
Flow Hydrant (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$100.00 each	PZB
Flooring, only (Plus Applicable Compliance Fees, Technology Fee, Surcharges)*	**50 cents per sq.ft.**	**PZB**
Gas Line (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$3.00 per linear foot	PZB
Gate - Driveway (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$700.00 each	PZB
Gate - Pedestrian (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$300.00 each	PZB
Generator - up to 30KW, Includes Gas, Electric & Structure (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$300.00 each	PZB

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Generator - 31KW to 75KW, Includes Gas, Electric & Structure (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$600.00 each	PZB
Generator - 76KW to 150KW, Includes Gas, Electric & Structure (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$1,000.00 each	PZB
Generator - Over 150KW, Includes Gas, Electric & Structure (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$3,000.00 each	PZB
(HMWR) Department of Business and Professional Regulation Surcharge (F.S. 553.721)	1.0% of Permit Fee, Minimum $2.00	PZB
Irrigation (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$5.00 per sprinkler device	PZB
Mechanical - Misc. (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$20.00 per supply & return vent; A/C Stand	PZB
Milestone Inspection Report Review Fee, Phase I or Phase II	$500.00	PZB
Phased Occupancy (at each phase)*	$1,000.00	PZB
Pipelining (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$3.00 per linear foot	PZB
Plumbing - Misc. (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$20.00 per fixture	PZB
Preliminary Plan Review Fee (separate from Plans Examination Fee)	$1,500.00	PZB
Private Provider Discount - Commercial - Private Provider Plan Review AND Private Provider Inspections (No Discount on Compliance Fees) **	50% Reduction, Minimum $100.00; PLUS Compliance Fees, Technology Fee & Surcharges	PZB
Private Provider Discount - Residential / Multi-Family - Private Provider Plan Review AND Private Provider Inspections (No Discount on Compliance Fees) **	37.5% Reduction, Minimum $100.00; PLUS Compliance Fees, Technology Fee & Surcharges	PZB
Private Provider Discount - Residential / Multi-Family / Commercial - Town Plan Review and Private Provider Inspections OR Private Provider Plan Review and Town Inspections (No Discount on Compliance Fees) **	25% Reduction, Minimum $100.00; PLUS Compliance Fees, Technology Fee & Surcharges	PZB
Project/Permit Time Extension	1% of remaining value of work to complete project	PZB
Reroof (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	~~**Sq Ft per ICC Table - "U" Use Group**~~ **Pitched Roof - $0.75/sq. ft., Flat Rook - $0.50 /Sq. Ft.**	**PZB**
Screen Enclosure (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	Sq Ft per ICC Table - "U" Use Group	PZB
Sewer Connection (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$200.00 each	PZB
Shutter (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$50.00 each	PZB
Sign - Freestanding (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$400.00 each	PZB
Sign - Illuminated, Includes Electric (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$600.00 each	PZB
Sign - Wall (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$200.00 each	PZB
Sign - Window (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$100.00 per window	PZB
Site & Retaining Walls up to 7' in Height (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$15.00 per linear foot	PZB
Site Walls over 7' in Height (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$25.00 per linear foot	PZB
Solar Panels / Photovoltaic (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$25.00 per panel or per Sq Ft per ICC Table - "U" Use Group	PZB
Spa / Fountain, Includes Electric & Plumbing (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$500.00 each	PZB
Special Inspector Overtime (up to 4 hours)	$400.00	PZB
Stocking/Training Permit (Prior to CO Issuance, Commercial Only)*	$1,000.00	PZB
Swimming Pool (New), Includes Electric, Plumbing, Gas (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$3,000.00 each	PZB

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Swimming Pool (Resurface), Includes Electric, Plumbing, Gas (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$400.00 each	PZB
Temp Power - Single Phase / Residential (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$300.00 each	PZB
Temp Power - Three Phase / Commercial (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$600.00 each	PZB
Temporary Certificate of Completion or Temporary Certificate of Occupancy (TCC/TCO)*	$1,000.00	PZB
Temporary Structure / Pods / Tents / Portable Bathroom (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$100.00 each	PZB
Tent Permit, Extension Fee (Use over 15 days)	$1,500/month, or portion thereof	PZB
Tent Permit, Re-inspection Fee for Multiple Events, Per Event	$100.00	PZB
Waiver of Construction Hours **	TBD or $10,000	PZB
Water Heater Replacement (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$150.00 each	PZB
Window Replacement (Plus Applicable Compliance Fees, Technology Fee, Surcharges)**	$200.00 per window	PZB
PERMITS, PARKING & TRANSPORTATION (Includes Parking Placards)		
Parking, Construction (see Rights-of-Way Fees section) :		
Parking Permit, Residential	$50.00	FIN
Parking Permit, Group, Temporary (required to have 2 visitor/service permits before issuance)	No Charge	CE
Parking Permit, Valet, annual permit application fee, for each staging area	$400.00	FIN
Parking Permit, Valet, Temporary, application fee, for each staging area	$50.00	FIN
Parking Permit, Valet, transfer fee for revocable annual valet permit	$300.00	FIN
Parking Permit, Visitor/Service	$50.00	FIN
Parking Placard, 1 month period	$165.00	FIN
Parking Placard, 4 month period	$554.00	FIN
Parking Placard, 6 month period	$777.00	FIN
Parking Placard, 12 month period	$1,454.00	FIN
Vehicle Permit, Limousine, per vehicle	$225.00	FIN
Vehicle Permit, Taxi Cab, per vehicle	$225.00	FIN
Vehicle Permit, Taxi Cab, Transfer Fee, per vehicle	$225.00	FIN
PERMITS, OTHER		
Auction Permit	$200.00	TCO
CHARITABLE SOLICITATION PERMIT		
Application Fee, 60 days or greater from event	$500.00	TCO
Application Fee, less than 60 days from event	$750.00	TCO
Closing Out/Distress Sale Permit	$200.00	TCO
Commercial Motion Picture Filming Permit	$1,500.00, in addition to $1,000.00/day filming fee	TCO
Door-to-Door Solicitation (requires Livescan fingerprinting, additional $50 fee)	$50.00	CE
Erection and Display of Unattended Symbols Relating to Religious Holidays Permit	$150.00	TCO
Garage Sale Permit	$30.00	FIN
Newsrack Administration Fee	$25.00	FIN
Parade Permit	$360.00	CE
TEMPORARY ANIMAL PERMIT		
Application Fee, 60 days or greater from event	$300.00	TCO
Application Fee, less than 60 days from event	$500.00	TCO
Application Fee, Annual	$3,500.00	TCO
SPECIAL EVENTS PERMITS		
Application Fee, 60 days or greater from event	$500.00	TCO
Application Fee, less than 60 days from event	$750.00	TCO
Damage Deposit Fees - All Locations	$2,500.00	TCO
Usage Fees, residents-all locations	$500.00/hour	TCO
Usage Fees, non-residents - all locations	$750.00/hour	TCO
Technology Fee (a 4% technology fee is added to all transactions)	4% of Fee	PZB
PUBLIC SAFETY SERVICES, ALARMS (FIRE & BURGLAR)		
REGISTRATION FEES:		
Security Alarms, per year	$50.00	FIN
Direct Connect Business, Under 1000 sq ft, per year	$100.00	FIN

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Direct Connect Business, 1000+ sq ft, per year	$250.00	FIN
Direct Connect Residential, annual fee (service available 10/1/2014)	$100.00	FIN
Direct Connect Residential, one-time Administrative Fee for initial set-up	$100.00	FIN
FALSE ALARM FEES, BURGLAR:		
3-4 times, each instance	$150.00	FIN
5-10 times, each instance	$300.00	FIN
11-15 times, each instance	$750.00	FIN
16 or more times, each instance	$1,000.00	FIN
FALSE ALARM FEES, DIRECT CONNECT BURGLAR:		
16-17 times, each instance	$150.00	FIN
18-23 times, each instance	$300.00	FIN
24-28 times, each instance	$750.00	FIN
29 or more times, each instance	$1,000.00	FIN
FALSE ALARM FEES, FIRE:		
3-4 times, each instance	$250.00	FIN
5-10 times, each instance	$500.00	FIN
11-15 times, each instance	$1,000.00	FIN
16 or more times, each instance	$1,750.00	FIN
PUBLIC SAFETY SERVICES, FIRE-RESCUE		
ANNUAL FIRE & LIFE SAFETY INSPECTION FEES:		
Educational Schools and Day Care		
Small 50 students or less	$125.00	FR
Large 51 students or greater	$250.00	FR
Lodging, Rooming Houses, Hotels, Dormitories, and Condominiums		
Condo Small 20 units or less	$125.00	FR
Condo Large 21 units or greater	$250.00	FR
Hotel, Transient Lodging Small 10 rooms or less	$125.00	FR
Hotel, Transient Lodging Large 11 rooms or more	$250.00	FR
Marinas and Docks	$75.00	FR
Mercantile, Business and Retail		
Business Small 4,000 sq ft or less	$125.00	FR
Business Large 4,001 sq ft or greater	$250.00	FR
Retail Small 4,000 sq ft or less	$125.00	FR
Retail Large 4,001 sq ft or greater	$250.00	FR
Restaurants, Cafes, Public Eating Places, Dining, Nightclub, Theater, Assembly		
Small 40 chairs or less	$150.00	FR
Large 41 chairs or greater	$250.00	FR
Unclassified Businesses or Properties	$125.00	FR
Re-Inspection Fee	$125.00	FR
EMS TRANSPORTATION FEES:		
Basic Life Support Transportation Fee	$750.00	FR
Advanced Life Support-Level 1 Transportation Fee	$750.00	FR
Advanced Life Support-Level 2 Transportation Fee	$850.00	FR
Ambulance Ground Mileage, in Addition to Transportation Fee	$12.00/mile	FR
FIRE PREVENTION FEES:		
Technical Fire Inspections	$250.00	FR
Fixed Fire Suppression Systems	$250.00	FR
Hazardous, Flammable or Explosive Materials		
Fire hydrant flow test witness	$275.00	FR
Bonfire permit	$300.00	FR
Fireworks and pyrotechnic displays Permit Fee	$2,000.00	FR
Hot work operation permit	$100.00	FR
Public assembly plans review and inspection	$75.00	FR
MISCELLANEOUS FEES:		
Meeting Room Rental-South Fire Station	$28.00/hr.	FR
Meeting Room Rental Deposit-South Fire Station (required for rental)	$200.00	FR
SPECIAL ASSIGNMENT (OFF-DUTY) DETAILS FEE:		
Special Assignment Details (3 hour minimum)	$80.00/hr.	FR
Special Assignment Details (3 hour minimum) - Premium Days (as defined by Res. No. 176-2015)	$110.00/hr.	FR

* New

** Legislative Requirement

Fee Category	Fee	Dept.
PUBLIC SAFETY SERVICES, POLICE		
FINGERPRINTING FEES:		
Fingerprinting-physical card, Town Resident Civilians (except employee applicants)	$30.00	PD
Fingerprinting-Livescan, Town Required (except employee applicants)	$50.00	PD
Fingerprinting, Children	No Charge	PD
MISCELLANEOUS FEES:		
Identification Cards, each (good for 1 year)	$50.00	PD
Passport Photos, for 2 photos	$15.00	PD
SPECIAL ASSIGNMENT (OFF-DUTY) DETAILS FEE:		
Special Assignment Details (3 hour minimum)	**~~$90.00/hr.~~ $95.00/hr.**	**PD**
Special Assignment Details (3 hour minimum) - Premium Days (requests within 4 days, or on special dates/holidays will be considered Premium Days, as defined by Res. No. 176-2015)	**~~$130.00/hr.~~ $135.00/hr.**	**PD**
Marine Special Assignment Details (3 hour minimum)*	**$400.00/hr.**	**PD**
Marine Special Assignment Details (3 hour minimum) - Premium Days (requests within 4 days, or on special dates/holidays will be considered Premium Days, as defined by Res. No. 176-2015)*	**$500.00/hr.**	**PD**
RECORDS REQUEST FEES		
These costs vary by department and scope of the request.	Based on actual costs	TCO
NOTE: All Duplication Fees are Subject to F.S. Ch. 119, as May be Amended From Time to Time		
RECREATION FEES		
The Town of Palm Beach is proud to offer the best recreational programs and facilities around! As our recreation programs and fees fluctuate, please check out www.palmbeachrecreation.com, www.golfonthecean.com, or www.townofpalmbeachmarina.com		
RETURNED CHECK FEES		
Check Amount $0.01 to $50.00	$25.00	FIN
Check Amount $50.01 to $300.00	$30.00	FIN
Check Amount $300.01 to $800.00	$40.00	FIN
Check Amount Greater than $800.00	5% of check	FIN
If payment is not received within 30 days, the Town may file a civil action against the check writer for three times the amount of the check.		
RIGHTS-OF-WAY FEES		
Application Fee for ALL Right-of-Way Permit Types (other than Delivery, by hand), non-refundable	$25.00	PW
BOND, Mill or Resurface, Performance or Maintenance, or Other	135% of estimated value	PW
Delivery of Material (2-hours maximum, by hand, using no equipment)	$30.00	PW
Re-inspection/Re-Test Fee	$200.00	PW
Restoration/repair of Right-of-Way following construction/excavation activities	$36.00/day until restoration is complete	PW
Work in Right-of-Way BEFORE Permit Issuance	200% of Permit Fee PLUS $150.00/day	PW
ABANDONMENTS & EASEMENTS:		
Technology Fee (a 4% technology fee is added to all transactions)	4% of Fee	PZB
Abandonment of Streets Rights of Way & Easements Application	$1,200.00	PW
PUBLIC WORKS AGREEMENTS:		
Preparation and/or Review (Stormwater Management, Stormwater Management Recertifications, Driveway/Walkway)	$100.00	PW
Preparation and/or Review (Easement Installation & Removal, Wall Maintenance, ROW Installation & Maintenance, etc.)	$250.00	PW
Recordation (up to 6 pages)	$100 + $10/pg thereafter	PW
CONSTRUCTION PARKING - METERED SPACES (Excludes Worth Avenue):		
Per Vehicle (3 vehicles maximum)	$48.00	PW
Per Month (3 vehicles maximum)	$1,056.00/vehicle	PW
CONSTRUCTION PARKING - MID-TOWN BEACH & PHIPPS OCEAN PARK:		
Per Vehicle (3 vehicles maximum)	$48.00/day	PW
Per Month (3 vehicles maximum)	$1,056.00/vehicle	PW
CONSTRUCTION PARKING - NON-METERED SPACES (Excludes Worth Avenue):		
Up to 3 Days, per vehicle (3 vehicles maximum)	$180.00	PW
4 or More Days, per vehicle	$36.00/per day	PW
Per Month	$540.00/per vehicle	PW

* New

** Legislative Requirement

Fee Category	Fee	Dept.
CONSTRUCTION PARKING - NON-METERED SPACES, ADDITIONAL PERMITS (Excludes Worth Avenue):		
During 3 Week Close-Out Period, per vehicle	$90.00/per week	PW
Owner's Permit, per month, (1 vehicle maximum)	$90.00/per vehicle	PW
CONSTRUCTION PARKING - WORTH AVENUE ONLY:		
Per Space, Per Month or Any Lesser Period (2 spaces max., active loading/unloading and essential construction activities only)	$360.00	PW
DRIVEWAY APPROACH, USE, & EXCAVATION PERMIT FEES:		PW
Driveway Approach, up to 20 lineal ft width	$180.00	PW
Driveway Approach, 20+ lineal ft width, per lineal ft	$3.60	PW
Delivery of Materials (2 hours or less, will not block a major roadway or a moving lane of traffic.)	$30.00	PW
ROW Use, up to 3 days	$180.00	PW
ROW Use, 4 or more days, per day	$36.00	PW
ROW Use, per month	$540.00	PW
ROW Excavation*, up to 3 days	$180.00	PW
ROW Excavation*, 4 or more days, per day until ROW is completely restored to original or better condition	$36.00	PW
* ROW Restoration Includes Sidewalks, Medians, and Roads.		
VIOLATIONS, FINES, PENALTIES, & LATE FEES (ALL)		
BUSINESS TAX RECEIPT, ANNUAL CAFE SEATING PERMIT and FIRE PREVENTION & LIFE SAFETY LATE FEES:		
1 - 31 Days Late	10% of Annual Fee	PZB
32 - 61 Days Late	15% of Annual Fee	PZB
62 - 92 Days Late	20% of Annual Fee	PZB
93 Days Or More Late	25% of Annual Fee	PZB
Failure to Pay Within 150 Days of Initial Notice of Tax Due (Owner may also be subject to code enforcement board actions relating to violation of this section and may also be subject to civil actions and penalties, including court costs, reasonable attorney's fees, and additional administrative costs incurred as a result of collection efforts).	$250.00 in Addition to any other Penalty	PZB
CHARITABLE SOLICITATION PERMIT LATE FEES:		
Technology Fee (a 4% technology fee is added to all transactions)	4% of Fee	PZB
CODE VIOLATION FINES:		
Class I Violations:		
First Offense	$75.00	CE
Second Offense	$125.00	CE
Third Offense	$250.00	CE
Fourth and subsequent offense	$500.00	CE
Class II Violations:		
First Offense	$125.00	CE
Second Offense	$250.00	CE
Third Offense	$400.00	CE
Fourth and subsequent offense	$500.00	CE
Class III Violations:		
First Offense	$250.00	CE
Second Offense subsequent offense	$500.00	CE
Class IV Violations:		
First and Subsequent Offenses	$500.00	CE
CONSTRUCTION PERMIT (AFTER THE FACT) CONSTRUCTION:		
Construction Without a Permit	300% of Permit Fee PZB	PZB
CONSTRUCTION WORK IN RIGHTS-OF-WAY EXCEEDING TIME PERMITTED PENALTY FEE:		
Work Performed After the Time Allowed in the Applicable Permit	$1,000.00/per day PZB	PZB
DEMOLITION PERMIT VIOLATIONS:		
Violations of Conditions Placed Upon Granting of Demolition Permit, per violation	$250.00/per day PZB	PZB
FIRE & LIFE SAFETY INSPECTION LATE FEE:		
Late Payments Finance Charge	10% of Inspection Fee FR	FR
PARKING FINES - COMMERCIAL ZONING DISTRICTS:		
Overtime Parking as Referenced in Section 118-92 (a)(1)	$60.00	FIN
Parking on Wrong Side of Street as Referenced in Section 118-92 (a)(2)	$60.00	FIN
Parking at Yellow Curb as Referenced in Section 118-92 (a)(3)	$60.00	FIN

* New

** Legislative Requirement

Fee Category	Fee	Dept.
Blocking Driveway as Referenced in Section 118-92 (a)(4)	$60.00	FIN
Parking on Sidewalk as Referenced in Section 118-92 (a)(5)	$60.00	FIN
Trespassing by Vehicle as Referenced in Section 118-92 (a)(6)	$60.00	FIN
No Parking (designated hours) as Referenced in Section 118-92 (a)(7)	$60.00	FIN
Parking Too Close to Fire Hydrant as Referenced in Section 118-92 (a)(8)	$60.00	FIN
No Parking Anytime as Referenced in Section 118-92 (a)(9)	$60.00	FIN
Double Parking as Referenced in Section 118-92 (a)(10)	$60.00	FIN
Obstructing Traffic as Referenced in Section 118-92 (a)(11)	$60.00	FIN
Parking in Loading Zone as Referenced in Section 118-92 (a)(12)	$60.00	FIN
Residential Parking as Referenced in Section 118-92 (a)(13)	$60.00	FIN
Vehicle Parked Across Lines Designating Parking Space as Referenced in Section 118-92 (a)(14)	$60.00	FIN
Vehicle Parked in Wrong Direction on One-Way Street as Referenced in Section 118-92 (a)(15)	$60.00	FIN
Parking at Curbs Designated in Red as Referenced in Section 118-92 (a)(16) Expired Meter as Referenced in Section 118-92 (a)(17)	$60.00	FIN
Official Parking Only as Referenced in Section 118-92 (a)(18)	$60.00	FIN
Parking in Crosswalk as Referenced in Section 118-92 (a)(19)	$60.00	FIN
Parking in Passenger Loading Zone as Referenced in Section 118-92 (a)(20)	$60.00	FIN
Overtime Parking in a Designated Parking Zone (in addition to any other parking regulation violation noted at the time of fine issuance) as Referenced in Section 118-92 (a)(21)	$60.00	FIN
All Other Parking Violations as Prescribed by Appropriate State Statue or Other Town Ordinance as Referenced in Section 118-92 (b)	$60.00	FIN
PARKING FINES - RESIDENTIAL ZONING DISTRICTS:		
Overtime Parking as Referenced in Section 118-92 (a)(1)	$75.00	FIN
Parking on Wrong Side of Street as Referenced in Section 118-92 (a)(2)	$75.00	FIN
Parking at Yellow Curb as Referenced in Section 118-92 (a)(3)	$75.00	FIN
Blocking Driveway as Referenced in Section 118-92 (a)(4)	$75.00	FIN
Parking on Sidewalk as Referenced in Section 118-92 (a)(5)	$75.00	FIN
Trespassing by Vehicle as Referenced in Section 118-92 (a)(6)	$75.00	FIN
No Parking (designated hours) as Referenced in Section 118-92 (a)(7)	$75.00	FIN
Parking Too Close to Fire Hydrant as Referenced in Section 118-92 (a)(8)	$75.00	FIN
No Parking Anytime as Referenced in Section 118-92 (a)(9)	$75.00	FIN
Double Parking as Referenced in Section 118-92 (a)(10)	$75.00	FIN
Obstructing Traffic as Referenced in Section 118-92 (a)(11)	$75.00	FIN
Parking in Loading Zone as Referenced in Section 118-92 (a)(12)	$75.00	FIN
Residential Parking as Referenced in Section 118-92 (a)(13)	$75.00	FIN
Vehicle Parked Across Lines Designating Parking Space as Referenced in Section 118-92 (a)(14)	$75.00	FIN
Vehicle Parked in Wrong Direction on One-Way Street as Referenced in Section 118-92 (a)(15)	$75.00	FIN
Parking at Curbs Designated in Red as Referenced in Section 118-92 (a)(16) Expired Meter as Referenced in Section 118-92 (a)(17)	$75.00	FIN
Official Parking Only as Referenced in Section 118-92 (a)(18)	$75.00	FIN
Parking in Crosswalk as Referenced in Section 118-92 (a)(19)	$75.00	FIN
Parking in Passenger Loading Zone as Referenced in Section 118-92 (a)(20)	$75.00	FIN
Overtime Parking in a Designated Parking Zone (in addition to any other parking regulation violation noted at the time of fine issuance) as Referenced in Section 118-92 (a)(21)	$75.00	FIN
All Other Parking Violations as Prescribed by Appropriate State Statue or Other Town Ordinance as Referenced in Section 118-92 (b)	$75.00	FIN
PARKING FINES - RIGHT-OF-WAY CONSTRUCTION PARKING:		
First Offense, per day, per vehicle	$150.00	CE & PW
Second Offense, per day, per vehicle	$250.00	CE & PW
Third and All Subsequent Offenses, per day, per vehicle (may also result in a stop work order)	$500.00	CE & PW
Fee for Strike 2 (in addition to Fine for Strike)	$250.00	PW
Fee for Strike 3 (in addition to Fine for Strike)	$500.00	PW
Fee for Strike 4 (in addition to Fine for Strike)	$2,500.00	PW
Fee for Strike 5 and subsequent (in addition to Fine for Strike)	$5,000.00	PW
PARKING FINES - FAILURE TO PAY CITATION (Does Not Include ROW Parking Violations):		
Failure to Pay Penalties for Violations of Sections 118-91 and 118-92 Within Fourteen Days from the Time of Issuance of the Violation Shall Result in an Additional Delinquency Penalty to the Violator as	$20.00	FIN

* New

** Legislative Requirement

Fee Category	Fee	Dept.
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 as Referenced in Section 118-94	$20.00	FIN
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	$25.00	FIN
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 of the	$25.00	FIN
Fee for Removal of an Immobilizing Device as Referenced in Section 118-95(2)	$350.00	FIN
PUBLIC SAFETY SPECIAL ASSIGNMENT (Off-Duty) DETAILS FEES - FAILURE TO PAY BILL WITHIN 30 DAYS:		
In the event said fees are not paid within 30 days of billing, an automatic ten percent penalty per month shall be assessed for nonpayment of said delinquent fees (Applies to both regular and premium day assignments)	10% per month delinquent	PD or FR, based on detail
SEWAGE DISPOSAL VIOLATION FINES:		
Failure to Comply with the 24 Hour Notification Requirement for the Industrial User Out of Compliance as Referenced in Section 122-118 (2)	$100.00	PW
Failure to comply with resampling rules as referenced in Section 122-118 (3)	$150.00	PW
Failure to Comply with Waste Water Facility (WWF) Monitoring and 45 Day Compliance Schedule as Referenced in Section 122-118 (4)	$250.00	PW
Fine for significant noncompliance for industrial user in violation as referenced in Section 122-118 (5)	$400.00	PW
Failure to Respond within 15 Days to Formal Notice of Significant Non-Compliance for Industrial User as Referenced in Section 122-118 (6)	$500.00	PW
Failure to Respond within 15 Days for Failure to Demonstrate Compliance with Notice of Significant Violation (NOSV) During the 90 Day Schedule for Industrial User as Referenced in Section 122-118 (7)	$500.00	PW
Construction of Pretreatment Facilities Does Not Achieve Compliance as Referenced in Section 122-118 (8)	$500.00	PW
Industrial User Failure to Show Cause to Comply as Referenced in Section 122-118 (8)	Up to $500.00/day	PW
WATER CONSERVATION/RESTRICTIONS VIOLATION FINES:		
First Offense, within any 180-day period	$75.00	CE
Second Offense, within any 180-day period	$125.00	CE
Third Offense, within any 180-day period	$250.00	CE
Fourth and Subsequent Offenses, within any 180-day period	$500.00	CE
WATER CONSERVATION/RESTRICTIONS VIOLATION FINES: CURTAILMENT AUTHORIZED (Emergency Order):		
First Offense	$125.00	CE
Second Offense	$250.00	CE
Third Offense	$400.00	CE
Fourth and subsequent offense	$500.00	CE
VEHICLE PERMIT PENALTIES:		
Late Annual Renewal	$100.00	FIN

* New
** Legislative Requirement

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Robert Miracle, CPA Deputy Town Manager, Finance and Administration
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO, FCCM Town Procurement and Contract Division Director

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a retroactive spending authorization for FY26 in the amount of $500,000 associated with approved Resolution No. 111-2024 related to Plans, Review, and Inspection Services for the Planning, Zoning, and Building Department.
93-2026

Date: 7/26/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 093-2026, approving a retroactive spending authorization for FY26 in the amount of $500,000 associated with approved Resolution No. 111-2024 related to Plans, Review, and Inspection Services for the Planning, Zoning, and Building Department.

SUMMARY EXPLANATION/BACKGROUND

As Procurement and Contract Management review existing contracts for renewal or rebid, we review all backup associated to the award. On September 10, 2024, Town Council approved Resolution No. 111-2024, awarding RFP No. 2024-25 for Plans, Review, and Inspection Services to a variety of firms that were determined to be pre-qualified for a five-year period. For FY25, the resolution reflected annual approved spending.

During the budget review and subsequent approval in September 2025, Town Council approved the continuation of these services and provided funding. What didn't happen was associating the approved budget authorization to the awarded RFP for FY26.

The purpose of this request is to have all paperwork aligned to ensure a clean audit or oversight review. PCM will be coming back in September 2026 once the budget is approved to adjust the resolution to the approved spending authority.

FUNDING/FISCAL IMPACT

No additional funds are required as the services were budgeted. However, the authorization was not reflected to the Resolution.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:
Community Culture and Character, Safe and Resilient Community

Strategic Focus Areas:
Sound Fiscal Management

FUNDING

Funded

RESOLUTION NO. 93-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A RETROACTIVE SPENDING AUTHORIZATION FOR FY26 IN THE AMOUNT OF $500,000 ASSOCIATED WITH APPROVED RESOLUTION NO. 111-2024 RELATED TO PLANS, REVIEW, AND INSPECTION SERVICES FOR THE PLANNING, ZONING, AND BUILDING DEPARTMENT.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Town Council of the Town of Palm Beach hereby approves Resolution No. 093-2026, approving a retroactive spending authorization for FY26 in the amount of $500,000 associated with approved Resolution No. 111-2024 related to Plans, Review, and Inspection Services for the Planning, Zoning, and Building Department.

Section 2: The Town Manager or designee is hereby authorized to execute the Resolution adjustment on behalf of the Town of Palm Beach for these improvements. .

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on the 11th day of August 2026.

_____
Danielle H. Moore, Mayor

_____
Edward A. Cooney, Town Council President

_____
Lewis S.W. Crampton, Council President Pro Tem

_____
Julie Araskog, Town Council Member

ATTEST:

_____
Nicki McDonald, Town Council Member

_____
Kelly Churney, CMC, Town Clerk

_____
Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Robert Miracle, CPA Deputy Town Manager, Finance and Administration
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO, FCCM Town Procurement and Contract Division Director

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving the award of ITB No. 2026-028 for Palm Tree Trimming and Pruning Services for a five-year contract award to Brightview Landscape Services as the primary vendor in the amount of $795,467 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $970,467, Zimmerman Tree Services as the secondary vendor in the amount of $865,363 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $1,040,363 and Sherlock Tree Company, Inc. as the tertiary vendor in the amount of $1,071,096 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $1,208,071 based on annual budget authorization and satisfactory performance.
94-2026

Date: 7/26/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 094-2026, approving the award of ITB No. 2026-028 for Palm Tree Trimming and Pruning Services for a five-year contract award to Brightview Landscape Services as the primary vendor in the amount of $795,467 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $970,467, Zimmerman Tree Services as the secondary vendor in the amount of $865,363 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $1,040,363 and Sherlock Tree Company, Inc. as the tertiary vendor in the amount of $1,071,096 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $1,208,071 based on annual budget authorization and satisfactory performance.

SUMMARY EXPLANATION/BACKGROUND

The existing five-year contract for Palm Tree Trimming and Pruning Services, which was

issued in August 2021, has no additional renewal periods. Procurement and Contract Management (PCM) and Public Works Facilities reviewed and updated the scope and PCM issued a new Invitation to Bid.

The Town received four responsive and responsible bid submissions. Under Section 287.057 of the Florida Statutes, it requires an Invitation to Bid (ITB) to be awarded strictly to the lowest responsive and responsible bidder without a "Best and Final" BAFO negotiation. PCM has historically requested award by primary, secondary, and tertiary awardees in the event that a vendor cannot supply the services. This allows for a smooth transition of vendor and workflow.

The new bid has established pricing for each of the five-year contract period which eliminates CPI adjustments each year. This also provides a good tool for budget preparation.

As Public Works Facilities begins insourcing certain landscaping functions, Palm Tree Trimming and Pruning Services will not be one of the services insourced.

FUNDING/FISCAL IMPACT

This annual service will be funded by the Public Works Operating Budget.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:
Governmental Leadership and Innovation, Community Culture and Character, Safe and Resilient Community, Environmental Stewardship

Strategic Focus Areas:
Quality of Life
Community Preservation

FUNDING

Operating

RESOLUTION NO. 94-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE AWARD OF ITB NO. 2026-028 FOR PALM TREE TRIMMING AND PRUNING SERVICES FOR A FIVE-YEAR CONTRACT AWARD TO BRIGHTVIEW LANDSCAPE SERVICES AS THE PRIMARY VENDOR IN THE AMOUNT OF $795,467 AND APPROVING AN ANNUAL CONTINGENCY IN THE AMOUNT OF $35,000 FOR FIVE-YEAR PROJECT BUDGET IN THE AMOUNT OF $970,467, ZIMMERMAN TREE SERVICES AS THE SECONDARY VENDOR IN THE AMOUNT OF $865,363 AND APPROVING AN ANNUAL CONTINGENCY IN THE AMOUNT OF $35,000 FOR FIVE-YEAR PROJECT BUDGET IN THE AMOUNT OF $1,040,363 AND SHERLOCK TREE COMPANY, INC. AS THE TERTIARY VENDOR IN THE AMOUNT OF $1,071,096 AND APPROVING AN ANNUAL CONTINGENCY IN THE AMOUNT OF $35,000 FOR FIVE-YEAR PROJECT BUDGET IN THE AMOUNT OF $1,208,071 BASED ON ANNUAL BUDGET AUTHORIZATION AND SATISFACTORY PERFORMANCE.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Town Council of the Town of Palm Beach hereby approves Resolution No. 094-2026, approving the award of ITB No. 2026-028 for Palm Tree Trimming and Pruning Services for a five-year contract award to Brightview Landscape Services as the primary vendor in the amount of $795,467 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $970,467, Zimmerman Tree Services as the secondary vendor in the amount of $865,363 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $1,040,363 and Sherlock Tree Company, Inc. as the tertiary vendor in the amount of $1,071,096 and approving an annual contingency in the amount of $35,000 for five-year project budget in the amount of $1,208,071 based on annual budget authorization and satisfactory performance.

Section 2: The Town Manager or designee is hereby authorized to execute the purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on the 11th day of August 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Nicki McDonald, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

Town of Palm Beach
ITB No. 2026-028
Palm Tree Trimming and Pruning Services

Brightview Landscape Services

#	Items	Unit of Measure	Estimated Quantity	Year 1 Unit Price	Year 2 Unit Price	Year 3 Unit Price	Year 4 Unit Price	Year 5 Unit Price	Year 1 Total Price	Year 2 Total Price	Year 3 Total Price	Year 4 Total Price	Year 5 Total Price
1	Basis of Award (8)								$149,290.00	$149,290.00	$153,795.20	$153,795.20	$158,408.86
#1-1	Coconut Tree, Fronds piled and stacked for pickup as specified herein, spring trimming	Tree	2450	$27.50	$27.50	$28.33	$28.33	$29.18	$67,375.00	$67,375.00	$69,408.50	$69,408.50	$71,491.00
#1-2	Coconut Tree, Fronds piled and stacked for pickup as specified herein, fall trimming	Tree	2450	$27.50	$27.50	$28.33	$28.33	$29.18	$67,375.00	$67,375.00	$69,408.50	$69,408.50	$71,491.00
#1-3	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, spring trimming	Tree	200	$27.50	$27.50	$28.33	$28.33	$29.18	$5,500.00	$5,500.00	$5,666.00	$5,666.00	$5,836.00
#1-4	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, fall trimming	Tree	200	$27.50	$27.50	$28.33	$28.33	$29.18	$5,500.00	$5,500.00	$5,666.00	$5,666.00	$5,836.00
#1-5	Sylvester Date Palms, spring Trimming	Tree	3	$65.00	$65.00	$66.95	$66.95	$68.96	$195.00	$195.00	$200.85	$200.85	$206.88
#1-6	Sylvester Date Palms, fall trimming	Tree	3	$65.00	$65.00	$66.95	$66.95	$68.96	$195.00	$195.00	$200.85	$200.85	$206.88
#1-7	Foxtail Palms, spring trimming	Tree	105	$15.00	$15.00	$15.45	$15.45	$15.91	$1,575.00	$1,575.00	$1,622.25	$1,622.25	$1,670.55
#1-8	Foxtail Palms, fall trimming	Tree	105	$15.00	$15.00	$15.45	$15.45	$15.91	$1,575.00	$1,575.00	$1,622.25	$1,622.25	$1,670.55
2	Alternate Pricing for Additional Services (5)								$6,057.50	$6,057.50	$6,194.05	$6,194.05	$6,384.87
#2-1	Sabal Palms as needed	Tree	45	$27.50	$27.50	$28.33	$28.33	$29.18	$1,237.50	$1,237.50	$1,274.85	$1,274.85	$1,313.10
#2-2	Chip truck disposal fee	Each	4	$320.00	$320.00	$329.60	$329.60	$339.49	$1,280.00	$1,280.00	$1,318.40	$1,318.40	$1,357.96

Town of Palm Beach
ITB No. 2026-028
Palm Tree Trimming and Pruning Services

#	Items	Unit of Measure	Estimated Quantity	Total Price of Contract
1	Basis of Award (8)			$764,579.26
#1-1	Coconut Tree, Fronds piled and stacked for pickup as specified herein, spring trimming	Tree	2450	$345,058.00
#1-2	Coconut Tree, Fronds piled and stacked for pickup as specified herein, fall trimming	Tree	2450	$345,058.00
#1-3	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, spring trimming	Tree	200	$28,168.00
#1-4	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, fall trimming	Tree	200	$28,168.00
#1-5	Sylvester Date Palms, spring Trimming	Tree	3	$998.58
#1-6	Sylvester Date Palms, fall trimming	Tree	3	$998.58
#1-7	Foxtail Palms, spring trimming	Tree	105	$8,065.05
#1-8	Foxtail Palms, fall trimming	Tree	105	$8,065.05
2	Alternate Pricing for Additional Services (5)			$30,887.97
#2-1	Sabal Palms as needed	Tree	45	$6,337.80
#2-2	Chip truck disposal fee	Each	4	$6,554.76

Town of Palm Beach
ITB No. 2026-028
Palm Tree Trimming and Pruning Services

Zimmerman Tree Service

#	Items	Unit of Measure	Estimated Quantity	Year 1 Unit Price	Year 2 Unit Price	Year 3 Unit Price	Year 4 Unit Price	Year 5 Unit Price	Year 1 Total Price	Year 2 Total Price	Year 3 Total Price	Year 4 Total Price	Year 5 Total Price
1	Basis of Award (8)								$156,404.50	$161,112.40	$165,943.40	$170,876.50	$175,971.06
#1-1	Coconut Tree, Fronds piled and stacked for pickup as specified herein, spring trimming	Tree	2450	$28.85	$29.72	$30.61	$31.52	$32.46	$70,682.50	$72,814.00	$74,994.50	$77,224.00	$79,527.00
#1-2	Coconut Tree, Fronds piled and stacked for pickup as specified herein, fall trimming	Tree	2450	$28.85	$29.72	$30.61	$31.52	$32.46	$70,682.50	$72,814.00	$74,994.50	$77,224.00	$79,527.00
#1-3	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, spring trimming	Tree	200	$28.85	$29.72	$30.61	$31.52	$32.46	$5,770.00	$5,944.00	$6,122.00	$6,304.00	$6,492.00
#1-4	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, fall trimming	Tree	200	$28.85	$29.72	$30.61	$31.52	$32.46	$5,770.00	$5,944.00	$6,122.00	$6,304.00	$6,492.00
#1-5	Sylvester Date Palms, spring Trimming	Tree	3	$60.00	$61.80	$63.65	$65.55	$67.51	$180.00	$185.40	$190.95	$196.65	$202.53
#1-6	Sylvester Date Palms, fall trimming	Tree	3	$60.00	$61.80	$63.65	$65.55	$67.51	$180.00	$185.40	$190.95	$196.65	$202.53
#1-7	Foxtail Palms, spring trimming	Tree	105	$14.95	$15.36	$15.85	$16.32	$16.80	$1,569.75	$1,612.80	$1,664.25	$1,713.60	$1,764.00
#1-8	Foxtail Palms, fall trimming	Tree	105	$14.95	$15.36	$15.85	$16.32	$16.80	$1,569.75	$1,612.80	$1,664.25	$1,713.60	$1,764.00
2	Alternate Pricing for Additional Services (5)								$6,698.85	$6,883.30	$6,990.50	$7,183.55	$7,298.72
#2-1	Sabal Palms as needed	Tree	45	$24.00	$24.66	$24.66	$25.33	$25.33	$1,080.00	$1,109.70	$1,109.70	$1,139.85	$1,139.85
#2-2	Chip truck disposal fee	Each	4	$200.00	$205.50	$210.65	$216.44	$222.39	$800.00	$822.00	$842.60	$865.76	$889.56

Town of Palm Beach
ITB No. 2026-028
Palm Tree Trimming and Pruning Services

#	Items	Unit of Measure	Estimated Quantity	Total Price of Contract
1	Basis of Award (8)			$830,307.86
#1-1	Coconut Tree, Fronds piled and stacked for pickup as specified herein, spring trimming	Tree	2450	$375,242.00
#1-2	Coconut Tree, Fronds piled and stacked for pickup as specified herein, fall trimming	Tree	2450	$375,242.00
#1-3	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, spring trimming	Tree	200	$30,632.00
#1-4	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, fall trimming	Tree	200	$30,632.00
#1-5	Sylvester Date Palms, spring Trimming	Tree	3	$955.53
#1-6	Sylvester Date Palms, fall trimming	Tree	3	$955.53
#1-7	Foxtail Palms, spring trimming	Tree	105	$8,324.40
#1-8	Foxtail Palms, fall trimming	Tree	105	$8,324.40
2	Alternate Pricing for Additional Services (5)			$35,054.92
#2-1	Sabal Palms as needed	Tree	45	$5,579.10
#2-2	Chip truck disposal fee	Each	4	$4,219.92

Town of Palm Beach
ITB No. 2026-028
Palm Tree Trimming and Pruning Services

Sherlock Tree Company, Inc.

#	Items	Unit of Measure	Estimated Quantity	Year 1 Unit Price	Year 2 Unit Price	Year 3 Unit Price	Year 4 Unit Price	Year 5 Unit Price	Year 1 Total Price	Year 2 Total Price	Year 3 Total Price	Year 4 Total Price	Year 5 Total Price
1	Basis of Award (8)								$192,646.60	$198,668.60	$206,281.20	$213,386.00	$222,088.60
#1-1	Coconut Tree, Fronds piled and stacked for pickup as specified herein, spring trimming	Tree	2450	$35.45	$36.55	$37.95	$39.25	$40.85	$86,852.50	$89,547.50	$92,977.50	$96,162.50	$100,082.50
#1-2	Coconut Tree, Fronds piled and stacked for pickup as specified herein, fall trimming	Tree	2450	$35.45	$36.55	$37.95	$39.25	$40.85	$86,852.50	$89,547.50	$92,977.50	$96,162.50	$100,082.50
#1-3	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, spring trimming	Tree	200	$35.45	$36.55	$37.95	$39.25	$40.85	$7,090.00	$7,310.00	$7,590.00	$7,850.00	$8,170.00
#1-4	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, fall trimming	Tree	200	$35.45	$36.55	$37.95	$39.25	$40.85	$7,090.00	$7,310.00	$7,590.00	$7,850.00	$8,170.00
#1-5	Sylvester Date Palms, spring Trimming	Tree	3	$98.85	$102.85	$106.95	$111.25	$116.85	$296.55	$308.55	$320.85	$333.75	$350.55
#1-6	Sylvester Date Palms, fall trimming	Tree	3	$98.85	$102.85	$106.95	$111.25	$116.85	$296.55	$308.55	$320.85	$333.75	$350.55
#1-7	Foxtail Palms, spring trimming	Tree	105	$19.85	$20.65	$21.45	$22.35	$23.25	$2,084.25	$2,168.25	$2,252.25	$2,346.75	$2,441.25
#1-8	Foxtail Palms, fall trimming	Tree	105	$19.85	$20.65	$21.45	$22.35	$23.25	$2,084.25	$2,168.25	$2,252.25	$2,346.75	$2,441.25
2	Alternate Pricing for Additional Services (5)								$7,035.25	$7,303.30	$7,592.75	$7,885.55	$8,207.85
#2-1	Sabal Palms as needed	Tree	45	$35.45	$36.55	$37.95	$39.25	$40.85	$1,595.25	$1,644.75	$1,707.75	$1,766.25	$1,838.25
#2-2	Chip truck disposal fee	Each	4	$395	$410.95	$427.45	$444.50	$462.35	$1,580.00	$1,643.80	$1,709.80	$1,778.00	$1,849.40

Town of Palm Beach
ITB No. 2026-028
Palm Tree Trimming and Pruning Services

#	Items	Unit of Measure	Estimated Quantity	Total Price of Contract
1	Basis of Award (8)			$1,033,071.00
#1-1	Coconut Tree, Fronds piled and stacked for pickup as specified herein, spring trimming	Tree	2450	$465,622.50
#1-2	Coconut Tree, Fronds piled and stacked for pickup as specified herein, fall trimming	Tree	2450	$465,622.50
#1-3	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, spring trimming	Tree	200	$38,010.00
#1-4	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, fall trimming	Tree	200	$38,010.00
#1-5	Sylvester Date Palms, spring Trimming	Tree	3	$1,610.25
#1-6	Sylvester Date Palms, fall trimming	Tree	3	$1,610.25
#1-7	Foxtail Palms, spring trimming	Tree	105	$11,292.75
#1-8	Foxtail Palms, fall trimming	Tree	105	$11,292.75
2	Alternate Pricing for Additional Services (5)			$38,024.70
#2-1	Sabal Palms as needed	Tree	45	$8,552.25
#2-2	Chip truck disposal fee	Each	4	$8,561.00

Town of Palm Beach
ITB No. 2026-028
Palm Tree Trimming and Pruning Services

Superior Landscaping & Lawn Service, Inc.

#	Items	Unit of Measure	Estimated Quantity	Year 1 Unit Price	Year 2 Unit Price	Year 3 Unit Price	Year 4 Unit Price	Year 5 Unit Price	Year 1 Total Price	Year 2 Total Price	Year 3 Total Price	Year 4 Total Price	Year 5 Total Price
1	Basis of Award (8)								$255,718.00	$255,718.00	$255,718.00	$293,730.00	$293,730.00
#1-1	Coconut Tree, Fronds piled and stacked for pickup as specified herein, spring trimming	Tree	2450	$47.00	$47.00	$47.00	$54.00	$54.00	$115,150.00	$115,150.00	$115,150.00	$132,300.00	$132,300.00
#1-2	Coconut Tree, Fronds piled and stacked for pickup as specified herein, fall trimming	Tree	2450	$47.00	$47.00	$47.00	$54.00	$54.00	$115,150.00	$115,150.00	$115,150.00	$132,300.00	$132,300.00
#1-3	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, spring trimming	Tree	200	$47.00	$47.00	$47.00	$54.00	$54.00	$9,400.00	$9,400.00	$9,400.00	$10,800.00	$10,800.00
#1-4	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, fall trimming	Tree	200	$47.00	$47.00	$47.00	$54.00	$54.00	$9,400.00	$9,400.00	$9,400.00	$10,800.00	$10,800.00
#1-5	Sylvester Date Palms, spring Trimming	Tree	3	$88.00	$88.00	$88.00	$100.00	$100.00	$264.00	$264.00	$264.00	$300.00	$300.00
#1-6	Sylvester Date Palms, fall trimming	Tree	3	$88.00	$88.00	$88.00	$100.00	$100.00	$264.00	$264.00	$264.00	$300.00	$300.00
#1-7	Foxtail Palms, spring trimming	Tree	105	$29.00	$29.00	$29.00	$33.00	$33.00	$3,045.00	$3,045.00	$3,045.00	$3,465.00	$3,465.00
#1-8	Foxtail Palms, fall trimming	Tree	105	$29.00	$29.00	$29.00	$33.00	$33.00	$3,045.00	$3,045.00	$3,045.00	$3,465.00	$3,465.00
2	Alternate Pricing for Additional Services (5)								$11,435.00	$11,435.00	$11,435.00	$13,112.00	$13,112.00
#2-1	Sabal Palms as needed	Tree	45	$49.00	$49.00	$49.00	$56.00	$56.00	$2,205.00	$2,205.00	$2,205.00	$2,520.00	$2,520.00
#2-2	Chip truck disposal fee	Each	4	$770.00	$770.00	$770.00	$885.00	$885.00	$3,080.00	$3,080.00	$3,080.00	$3,540.00	$3,540.00

Town of Palm Beach
ITB No. 2026-028
Palm Tree Trimming and Pruning Services

#	Items	Unit of Measure	Estimated Quantity	Total Price of Contract
1	Basis of Award (8)			$1,354,614.00
#1-1	Coconut Tree, Fronds piled and stacked for pickup as specified herein, spring trimming	Tree	2450	$610,050.00
#1-2	Coconut Tree, Fronds piled and stacked for pickup as specified herein, fall trimming	Tree	2450	$610,050.00
#1-3	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, spring trimming	Tree	200	$49,800.00
#1-4	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein, fall trimming	Tree	200	$49,800.00
#1-5	Sylvester Date Palms, spring Trimming	Tree	3	$1,392.00
#1-6	Sylvester Date Palms, fall trimming	Tree	3	$1,392.00
#1-7	Foxtail Palms, spring trimming	Tree	105	$16,065.00
#1-8	Foxtail Palms, fall trimming	Tree	105	$16,065.00
2	Alternate Pricing for Additional Services (5)			$60,529.00
#2-1	Sabal Palms as needed	Tree	45	$11,655.00
#2-2	Chip truck disposal fee	Each	4	$16,320.00

TOWN OF PALM BEACH

ITB No. 2026-028 Palm Tree Trimming and Pruning Services



I.PURPOSE AND INTENT

The Town of Palm Beach, Florida, is hereby requesting sealed bids from qualified bidders to furnish all labor, management, materials, and equipment to provide for Tree Trimming & Pruning Services at various sites throughout the Town of Palm Beach. Tree trimming and pruning services shall be in accordance with the American National Standards Institute (ANSIZ133-2017) and Palm Beach County Landscape Code 500-35, Number Four (4). Any fees or fines resulting from violations due to the performance of the contractor will be the contractor's sole responsibility. The successful contractor shall provide all necessary materials, labor, management, supervision, trucks, gas, oil, safety equipment and any other materials and equipment necessary to complete the work as specified.

1) Equipment

Equipment shall include, but not be limited to the following:

a) Vehicle mounted aerial lift (minimum working height 45 feet). Contractor should have available a minimum of three (3) of this type of truck.

b) Chip truck and chipper. Successful contractor shall have available a minimum of one (1) chip truck and one (1) chipper.

c) All necessary power and hand tools: saws, rakes, shovels, ropes, buckets, blowers, tool cleaning equipment, etc.

2) Scheduling

All work shall be scheduled by the Contract Coordinator. Hours of work shall comply with Town Ordinance Section No. 42-199. Any work performed in the summer between Easter and Thanksgiving will require a one (1) week written advance notice to be published on the Town website. The awarded vendor must follow that published schedule without deviation unless approved by the Contract Coordinator.

3) Clean Up

The Contractor shall perform cleanup at each site in coordination with the trimming work, ensuring that debris removal occurs immediately following trimming so that both tasks are completed within the same timeframe and the site is left in a neat, aesthetically pleasing condition. Disposal in a proper manner shall be the responsibility of the Contractor. Debris can be placed adjacent to the work area or transported to Town owned landscape debris sites as directed by the Contract Coordinator. The contractor must abide by the Town's Trash Set-Out Schedule while trimming palms. Information on the set-out schedule may be found at Town of Palm Beach website.

4) Leaf Blowers

Leaf Blowers shall comply with Town Ordinance Section 42-230 (Lawn Maintenance Equipment Noise) and 42-197 restricting the use of gas-powered blowers.

II. SCOPE OF WORK

1) All palm trees (fronds, foliage, branches, limbs, nuts, inflorescence, boots and dead materials) shall be cut, trimmed and stacked neatly. Work areas (directly under trees) shall be cleaned free of debris (raked and blown). The contractor is expected to limit the number of debris piles wherever possible and no more than one [1] debris pile per six [6] palm trees will be permitted. All piles must be on the same side of the road. Any deviation from this requirement must be approved by the Town's contract coordinator. Trimming and cleaning should be performed concurrently. Palms are to be trimmed at the three (3) and nine (9) o'clock positions.

2) The successful contractor may leave trimming piles, neatly stacked, on any street in accordance with the trash pickup schedule with the following noted exceptions: The contractor may leave debris along South Ocean Blvd. (Midtown Beach), North County Road [between Miraflores Drive and Country Club Dr], when scheduled and coordinated for removal. Royal Palm Way [100 block] and S. Lake Drive/Lakeside Park are to be chipped and removed. Worth Ave between South Ocean and Cocoanut Row will be dropped into back of Town truck and removed from site. Should the contractor perform trimming services on the same day as the trash pickup for a given area, or outside the three-day set out schedule, the contractor shall not leave any debris and is expected to remove debris in progress and haul all trimmings and debris to a location within Town limits and designated by the Contract Coordinator.

3) The Town, at its option, may provide 30-yard capacity trucks for the collection of fronds and trimmings. The trucks will be placed immediately adjacent to the palm tree and bucket truck and the successful vendor will drop the trimmings directly into the vehicle. Town staff will transport the debris for disposal. This will eliminate the need for sweeping, stacking and collection at a later time.

4) Palms shall be trimmed utilizing tree trucks with at least a minimum 45 ft. boom. No more than three (3) trucks shall be used at one site (location/street) without prior approval by the Contract Coordinator. Climbing of trees utilizing spiked boots shall not be allowed.

5) Approximately 2,800 coconut palms require trimming. A detailed list is attached and shows the general breakdown of the number of trees on each road and other Town locations.

6) "Skipping of palms" shall not be allowed unless specifically authorized by the Contract Coordinator or their representative. All palms must be trimmed on a given street before starting on the next street, with the exception of palm trees that are blocked by a parked vehicle (shall be trimmed at a later time). The Town will assist with placement of No Parking signs and notifying residents during trimming operations.

7) Work shall commence no earlier than 6:00 A.M. and must be completed by no later than 6:00 P.M., Monday through Friday. Hours may vary depending on dignitary presence.

8) The successful contractor shall provide sufficient equipment and staff to complete the trimming in the time specified.
   a. The awarded contractor is required to have a minimum of nine (9) employees available for this contract. Individual crews are to have three (3) men, minimum, assigned to each single-boom/aerial lift truck.
   b. The awarded contractor must own and make available for this contract, at least three (3) 'bucket' trucks or aerial-lift trucks with 45-foot boom. In addition, the awarded contractor must own three (3) pieces of equipment with a minimum carrying capacity of 20 cubic yards (each). Include make, model and year of manufacture. Provide evidence of adequate maintenance and storage facilities available relative to completion of the work.

9) The successful contractor shall rinse and/or wash their cutting devices (chainsaw, pole saw, hand snip etc.) after each single tree with a rubbing alcohol, a solution of 1 part bleach to 9 parts water or a 50/50 mix of Pine Sol and water to prevent the spread of biotic and abiotic diseases. This practice shall be performed every time with every tree, Town-wide throughout this entire contract.

Coconut Palm Trees

The twice-annual trimming is to be performed once during the spring (approximately April) and once again during the fall (approximately October). The work must be started and completed within eight [8] consecutive weeks. A list of all equipment available to complete the services of this contract must be included with the bid.

The contractor shall not leave any debris and is expected to remove debris in progress and haul all chipped materials and debris to Skees Landfill during normal hours of operation and coordination between the facility operator and the Contract Coordinator.

Date Palms

The Town has several Sylvester date palms in the service areas of the coconuts and would like these trees included in the twice annual trimmings. The same criteria shall apply. Peruvian Avenue 400 block (3).

Foxtail Palms

S County Road east and west side between Hammon Avenue and Sunrise Ave. 105(+/-) Foxtails palms along the roadway to be trimmed and materials disposed of. Same criteria of trimming scope shall apply. We request a per tree price for trimming at least once annually. The same criteria shall apply.

Sabal Palms

Sunset Avenue 100 block has 45(+/-) Sabal palms on the north and south side of the street. We request a per tree price for trimming anticipated annually. The same criteria shall apply.

Alternate Pricing for Additional Services

All hourly equipment rates shall be fully inclusive of the cost of the operator(s) required to operate the equipment.

III. WORTH AVENUE COMMERCIAL DISTRICT

The Worth Avenue Commercial District is located on a historic and iconic street known for its luxury, elegance, Mediterranean-style architecture, boutique shops, and long-standing cultural significance. It serves as a premier destination for affluent shoppers and visitors worldwide.

1) Contractor's employees must maintain a clean, professional appearance with visible company identification and only take breaks in designated, non-public areas.
2) Smoking, vaping, and tobacco use are prohibited within 25 feet of entrances or pedestrian zones and allowed only in approved off-stage areas.
3) Employees must avoid blocking storefronts or pedestrian pathways, refrain from congregating in visible retail areas, and conduct themselves courteously at all times.
4) Work areas must be kept clean and unobstructed, with noise, visual impact, and public interaction minimized to protect the pedestrian-sensitive Worth Avenue environment.

IV. OTHER

1) Bidders shall provide, with their proposal, a copy of a current license that shows a principal in the firm or an employee is an ISA Certified Arborist. This Certification shall be current at all times during the duration of this contract.

2) Bidder must inspect sites before submitting proposal.

3) The Town of Palm Beach will designate a Contract Coordinator for the Public Works Department. The Contract Coordinator shall act on behalf of the Town with respect to monitoring contractor performance under this contract. The administration of this contract is vested in the Contract Coordinator.

4) No equipment shall be allowed to remain overnight on rights-of-way, parking stalls, parking lots or public walkways.

5) No equipment shall be cleaned or maintained on rights-of-way, parking stalls, parking lots or public walkways.

6) Any questions regarding this project shall be directed to the Contract Coordinator.

7) The Contractor shall notify the Contract Coordinator in the event of scheduling delays, changes or comments/complaints received from the general public or business owners.

8) The Contract Coordinator shall meet with the contractor to review areas serviced by contractor's employees.

9) Contractor's employees shall obtain a photo ID from the Town of Palm Beach Police Department before beginning any work for the Town.

10) Contractor's employees shall present a neat, clean, well-groomed appearance and shall conduct themselves in a respectable manner while performing the duties of this bid and while on Town Property.

11) Contractor's employees shall wear uniforms at all times while on the job. Name of contractor shall be on shirts. Shirts are to be worn at all times while working in the Town of Palm Beach.

12) A safety vest or shirt, meeting FDOT standards, shall be worn at all times when employee is working in roadways or rights-of-way.

13) Successful contractor is responsible for obtaining right-of-way permits.

14) Successful contractor is responsible for Maintenance of Traffic (MOT): signs, flag men etc., at no additional cost to the Town.

15) All vehicles shall be plainly marked with the company name.

16) The successful contractor shall ensure that the crew is supervised at all times by a qualified foreman who fluently speaks the English language. As the Contractor's authorized on-site representative, the foreman must maintain immediate on-site presence throughout the workday, remaining physically available at the project site at all times to make prompt decisions and to discuss project matters as situations arise. As a fully authorized agent of the Contractor, the foreman must be capable of making real-time, on-site decisions to perform the work in accordance with the specifications contained in this bid.

17) If any area that the successful contractor's services does not meet Town specifications, Contractor will be required to perform the work until specifications are met at no additional cost to the Town of Palm Beach. Failure to comply with this requirement will result in contract termination.

18) Any damaged or hanging fronds must be corrected prior to completion of the trimming schedule.

19) All equipment shall be commercial grade and shall be maintained in good, safe operating conditions. The contractor shall provide enough equipment and manpower to meet the requirements of the job. Any loss of materials or equipment due to theft, vandalism, etc., shall be the responsibility of the successful contractor. Such losses shall be replaced or repaired by the contractor with no additional charges to the Town of Palm Beach.

20) Contractor shall be responsible for the cost of any repair or restoration for any property damage caused by the Contractor, at the Town's discretion.

21) Hours of work shall comply with Town's ordinance No. 42-199. If for any reason services must be performed on Saturday, it will be necessary to acquire prior authorization from the Contract Coordinator.

22) There will be NO work performed on Sundays or holidays.

23) Parking permits will be issued through the Public Works Department; otherwise, regulatory signs for parking shall be followed.

24) Successful Contractor shall provide a daily log of activities for each respective area after completion of a cycle of work.

25) Successful contractor shall give **"first priority"** to the TOWN for all services under this contract during and after a public emergency, disaster, hurricane, wind event, flood or acts of God.

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Robert Miracle, CPA Deputy Town Manager, Finance and Administration
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO, FCCM Town Procurement and Contract Division Director

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving the proposal for the 2026 hardbottom monitoring and report required by the Palm Beach Island Beach Management Agreement (BMA)- 2026 Mid-Town Beach Nourishment Project and 2025 Palm Beach Harbor Operations and Maintenance Project to Coastal Eco-Group, Inc, in the amount of $153,919.
95-2026

Date: 7/26/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 095-2026, approving the Proposal for the 2026 hardbottom monitoring and report required by the Palm Beach Island Beach Management Agreement (BMA)- 2026 Mid-Town Beach Nourishment Project and 2025 Palm Beach Harbor Operations and Maintenance Project to Coastal Eco-Group, Inc, in the amount of $153,919.

SUMMARY EXPLANATION/BACKGROUND

The scope of work is to complete monitoring required by the Beach Management Agreement for the 2026 Mid-Town Beach Nourishment Project and 2025 Palm Beach Harbor Operations and Maintenance Project in Reach 2. This includes the regulatory monitoring for the 2026 Mid-Town Beach Nourishment Project and data analysis/report preparation of the 2026 annual report. The report will include the evaluation of potential project-related effects of the 2026 Mid-Town Nourishment Project relative to variability documented in the BMA transects in the evaluation of project-related effects.

The 2026 survey is also the Year 1 post-construction survey of the two regulatory transects for the 2025 Palm Beach Harbor Operations and Maintenance Project in Reach 2. Coastal Eco Group, Inc. was awarded for the same service in 2025 and performed with a high level of satisfaction.

FUNDING/FISCAL IMPACT

This project will be funded by the Coastal Fund.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:
Safe and Resilient Community, Environmental Stewardship

Strategic Focus Areas:
Quality of Life
Community Preservation
Management of Environmental Threats

FUNDING

Coastal

RESOLUTION NO. 95-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE PROPOSAL FOR THE 2026 HARDBOTTOM MONITORING AND REPORT REQUIRED BY THE PALM BEACH ISLAND BEACH MANAGEMENT AGREEMENT (BMA)- 2026 MID-TOWN BEACH NOURISHMENT PROJECT AND 2025 PALM BEACH HARBOR OPERATIONS AND MAINTENANCE PROJECT TO COASTAL ECO-GROUP, INC, IN THE AMOUNT OF $153,919.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Town Council of the Town of Palm Beach hereby approves Resolution No. 095-2026, approving the Proposal for the 2026 hardbottom monitoring and report required by the Palm Beach Island Beach Management Agreement (BMA)- 2026 Mid-Town Beach Nourishment Project and 2025 Palm Beach Harbor Operations and Maintenance Project to Coastal Eco-Group, Inc, in the amount of $153,919.

Section 2: The Town Manager or designee is hereby to execute the contract and the purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on the 11th day of August 2026.

_____
Danielle H. Moore, Mayor

_____
Edward A. Cooney, Town Council President

_____
Lewis S.W. Crampton, Council President Pro Tem

_____
Julie Araskog, Town Council Member

_____
Nicki McDonald, Town Council Member

ATTEST:

_____
Kelly Churney, CMC, Town Clerk

_____
Bridget Moran, Town Council Member

Coastal Eco-Group, Inc.
665 SE 10th St. Suite 104
Deerfield Beach, FL 33441
(954)591.1219 Phone • (954)653-2981 Fax
www.coastaleco-group.com

June 30, 2026

Ms. Sara Westphal, Coastal Coordinator
Town of Palm Beach Public Works Department
951 Old Okeechobee Road
West Palm Beach, FL 33401

Re: Proposal for the 2026 hardbottom monitoring and report required by the Palm Beach Island Beach Management Agreement (BMA)- 2026 Mid-Town Beach Nourishment Project & 2025 Palm Beach Harbor Operations and Maintenance Project

Dear Ms. Westphal:

Coastal Eco-Group Inc. (CEG) is pleased to provide the Town of Palm Beach with the following proposal for the 2026 monitoring required by the BMA for the 2026 Mid-Town Beach Nourishment Project and 2025 Palm Beach Harbor Operations and Maintenance Project in Reach 2. This proposal is being submitted to the Town on a Time and Materials–Not to Exceed basis for the services as described herein.

This scope covers the 2026 regulatory monitoring for the 2026 Mid-Town Beach Nourishment Project and data analyses/report preparation of the 2026 annual report. The 2026 monitoring is the immediate post-construction monitoring for the 2026 Mid-Town Beach Nourishment Project relative to variability documented at the BMA transects (data/report to be provided by others). The 2026 monitoring is also the Year 1 post-construction survey of the two regulatory transects for the 2025 Palm Beach Harbor Operations and Maintenance Project in Reach 2.

The specific scope of work to be implemented is based on the 2021 BMA Cell-Wide Monitoring and Mitigation Plans (Appendix B of the BMA). Methods repeated directly from the BMA cell-wide monitoring plan are shown in italics below.

Nearshore hardbottom edge survey
The nearshore hardbottom edge adjacent to the Mid-Town project area (FDEP control monument R-87 south to R-105) and Palm Beach Harbor Operations and Maintenance Project (Palm Beach Inlet south to R-82) will be mapped by CEG divers. The nearshore hardbottom edge is defined as the western border of exposed hardbottom areas, or the position of the most landward visible border between sand and hardbottom defined by emergent biota. Survey mapping methods are compliant with the BMA cell-wide monitoring plan for mapping of the nearshore hardbottom edge.

A two-person dive team (one scuba diver/one surface snorkeler) will follow the nearshore edge: the diver will follow the edge on the bottom and collect digital video documentation while the snorkeler on the surface pushes a float with a Juniper Systems Geode GNS3 receiver. The float is positioned directly above the diver on bottom. The Geode receiver transmits continuous, corrected positions to the survey vessel via Bluetooth with a range extender. These positions are transmitted to a handheld tablet on the vessel via Bluetooth technology. The positions are simultaneously viewed and stored as a GIS shapefile with Juniper Uinta software on the tablet. This system allows the dive team to map the hardbottom edge untethered to the vessel.

The hardbottom video and relief characterization points will be georeferenced in the field. The video diver will record periodic relief measurements along the hardbottom edge. The snorkeler will signal to the vessel to record a GPS point at the location of each relief measurement, and each point will be assigned a number, which is then relayed back to the dive team. Coordinates will also be taken to georeference the video record. The surface diver on snorkel will signal the boat at the beginning of each video segment, and a coordinate will be recorded. In the office, navigational data collected with Uinta will be imported into ArcGIS and exported as a single shapefile containing numerous line segments. Relief measurements will be exported as a separate point shapefile. The final video record will be georeferenced with the video reference points, and the video will be hyperlinked in the attribute table of the GIS point shapefile. An ArcMap document with video hyperlinks will be submitted to the FDEP and Town on an external hard drive with the survey data deliverable.

Permanent Transects

Mid-Town Project Area

Table 1 provides a list of the regulatory benthic and sediment transects in the Mid-Town Project monitoring area that will be monitored during the 2026 survey. The regulatory transects extend for a maximum distance of 150 m from the nearshore hardbottom edge. The updrift/downdrift transects at R-88 and R-103 and two former BMA transects within the Mid-Town Project area, R-94 and R-95 natural, were re-classified as Mid-Town regulatory transects in 2021 and will be used to evaluate project-related effects. CEG will sample the entire artificial reef transect at R-95 Breaker's Rockpile; the transect extends approximately 185 m from the shoreline. In consultation with FDEP staff, the 60-m natural hardbottom transect at R-95, which starts immediately waterward of the Breaker's Rockpile transect, has been re-numbered as 0 to 60 m since the transect begins at the natural hardbottom edge at R-95.

Reach 2 Project Area

There are two regulatory transects in Reach 2, R-80.5 and R-82, that are monitored for the Palm Beach Harbor Operations and Maintenance Project. The 2026 survey is the Year 1 post-construction monitoring for the 2025 project.

Table 1. Town of Palm Beach Mid-Town Regulatory Benthic and Sediment Transects

Transect	Length (m)	Date of Installation	Baseline Survey Date
R-88	150	10/30/2014	12/17/2014
R-90	150	10/20/2014	12/16/2014
T-14	150	10/3/2014	12/14/2014
T-13	150	10/2/2014	12/15/2014
R-91	150	10/3/2014	12/16/2014
R-92	150	10/17/2014	12/15/2014
R-93	150	10/17/2014	12/15/2014
R-94	150	10/29/2014	12/17/2014
R-95- Breaker's Artificial Rockpile	185	10/22/2014	12/17/2014
R-95 Natural	60	10/22/2014	12/17/2014
T-9	150	10/2/2014	12/14/2014
T-8	56	10/1/2014	12/14/2014
T-7	62	10/1/2014	12/13/2014
R-97	75.2	10/22/2014	12/15/2014
T-6	83	10/1/2014	12/13/2014
R-98	94	10/20/2014	12/15/2014
T-5	78	9/30/2014	12/13/2014
R-99	95	10/20/2014	12/16/2014
T-4	90	9/30/2014	12/13/2014
R-100	117	10/22/2014	12/16/2014
R-101	107	10/22/2014	12/16/2014
R-103	151	10/29/2014	12/17/2014

Note: Because the total length of Transect R-103 is 151 m, CEG will sample the final quadrat at 150.5 m and provide the data to CPE for evaluation of the BMA transect data.

BMA ENVIRONMENTAL MONITORING SURVEY METHODS

Line Intercept Survey

In order to document larger areas of uninterrupted sand (physical transitions along the monitoring transects between sand and hardbottom) and to track changes in sediment cover on the hardbottom, line-intercept surveys shall be conducted along all permanent transects. During each monitoring event, the landward and seaward position of each sand patch/trough at least 0.5 m in length shall be recorded along each transect by reference to transect tape meter marks. Meter mark references will be to one decimal place (e.g., patch from 2.4 to 3.2 m).

Interval Sediment Depth Measurements

In order to track changes in sediment depth associated with changes in sediment cover, each monitoring event will include collection of interval sediment depth measurements along each permanent transect. Sediment depth shall be measured and recorded to the nearest centimeter at two (2) meter intervals (e.g., 0m, 2m, 4m, etc.) along the length of each transect. For each measurement, a ruler graduated in centimeters (0 to 30 cm) shall be pressed through the

sediment until the ruler reaches the surface of hard substrata or is totally immersed in sand. Depth measurements shall be rounded to the nearest cm (i.e., sediment thickness of less than 0.5 cm will be recorded as "0 cm" while thickness greater than 0.5 cm but equal or less than 1 cm shall be recorded as "1 cm", etc.). Measurements greater than 30 cm will be recorded as ">30 cm". Measurements may be truncated to the first and last few meters of each trough in areas of Mid-Town known to contain large, deep sand troughs.

Video Transect Survey

Video survey data collected as part of required biological monitoring functions as an archival dataset that can be used for general reference purposes or to help resolve potential impacts suggested by quadrat and sediment survey data. As such, video data could be reviewed and compared between surveys and must be of a quality sufficient to allow for post-collection quantitative image analysis using point count procedures.

Video surveys shall be conducted along all permanent monitoring transects using a digital video camera. Video of the seafloor along each transect shall progress no faster than 5 meters per minute over hardbottom and 10 m per minute over large sand patches (troughs). A convergent laser guidance system shall be used to indicate the precise height of the camera at 40 cm from the bottom. The transect line shall be clearly visible in all video so that locations may be accurately referenced. A 360° panoramic view at an angle of roughly 30° to the horizon shall be recorded both at the beginning and end of each transect from an elevation of roughly 1 m above the bottom. At the beginning and end of each transect, a standard underwater display shall also be recorded and integrated directly onto the digital video track. The standard display shall report: 1) the BMA transect number; 2) the survey date (e.g., 06/25/2021); 3) the water depth in meters for both the beginning (transect meter 0) and end (final meter) of the transect (e.g., start depth = 2 m, end depth = 4.5 m); and 4) any pertinent notes (e.g., poor visibility, large swell, etc.). Video data (files) will be supplied to FEDP during raw data submittal. Video shall be reviewed at the end of each transect surveyed to ensure the quality is acceptable for general characterization of the benthos; poor quality video shall be re-filmed.

Quadrat Sampling

Table 2 shows the number of quadrats that will be sampled at the Reach 2 and Mid-Town regulatory transects. All quadrats measure 0.5 m^2 (0.7 m x 0.7 m) in area.

Benthic communities and their habitats will be characterized quantitatively using the quadrat method, which samples benthic habitat and assemblages within permanently positioned quadrats along all nonregulatory transects and along each biological regulatory transect. This method ensures the same quadrats (same location, same size) are sampled in each monitoring event in order to document changes in hardbottom/sediment and benthic communities over time. The sampling protocol is similar to that used in the Benthic Ecological Assessment for Marginal Reefs (BEAMR) (Lybolt and Baron, 2006). Similar to all other non-invasive and non-consumptive methods of sampling, the quadrat method is limited to physical characteristics and organisms that can be visually recorded and identified in the field. As described below, three (3) main benthic characteristics will be assessed in each quadrat during sampling: physical structure, planar percent cover of sessile benthos, and coral (scleractinian and octocoral) size and density.

Table 2. Number of quadrats to be sampled at each regulatory transect.

Transect	Total No. of Quadrats	Length (m)
R-80.5	15	150
R-82	5	24
R-88	24	150
R-90	25	150
R-91	20	150
R-92	22	150
R-93	22	150
R-94	23	150
R-95 Breaker's Rockpile	9	185
R-95 Natural	20	60
R-97	20	75.2
R-98	20	94
R-99	20	95
R-100	20	117
R-101	20	107
R-103	25	151

Physical structure

Maximum topographic relief and mean sediment depth (average of five [5] depth measurements) shall be measured (in centimeters) within each quadrat to document physical structure.

Cover (Percent) of Functional Groups

The distribution of substrata and composition of the benthic community within each quadrat

shall be documented by estimating the planar cover (percent) of functional groups. Specifically, the following 15 major functional groups shall be assessed: sediments, bare hardbottom, macroalgae, turf algae, encrusting red algae, sponges, scleractinian corals, octocorals, zoanthids, hydroids, hydrocorals Millepora sp., sessile worms (including wormrock, Phragmatopoma spp.), bivalves, bryozoans, and tunicates. Each functional group shall be assigned a cover value (percent) from 0%-100%, with the total of all functional groups in each quadrat equaling 100%. Macroalgae with at least 1% cover shall be identified to genus and the cover (percent) of each genus shall be recorded. Unattached or floating macroalgae shall be disregarded and shall be removed from quadrats prior to sampling. The cover (percent) of cyanobacteria shall also be assessed but will be recorded separately from other cover estimates (i.e., not included with the main 15 functional groups).

Coral Size and Density

Monitoring staff shall also measure and record to the nearest centimeter (cm) the maximum dimension (height or width) of each scleractinian coral and octocoral colony within each quadrat. The smallest size recorded shall be one (1) cm; for colonies less than one (1) cm in size, the measurement recorded shall be "< 1 cm". Each colony within each quadrat shall also be enumerated and identified (by species for scleractinians, by genus for octocorals) to determine coral density and composition. Abnormal colony conditions shall also be recorded (e.g., bleaching, disease, predation, etc.) when encountered.

Data Analyses

The Mid-Town and Reach 2 regulatory data deliverables (Microsoft Access database of monitoring data, Excel summary sheets, electronic library of raw monitoring data (scanned field datasheets), GIS shape files, still photos and video, shall be prepared according to the requirements of the BMA cell-wide monitoring plan. The survey data will be entered into the BMA Access database with two rounds of QAQC review of all entered data by different observers. The data will be exported and summarized in individual Excel spreadsheets. The survey data deliverable shall be submitted to the FDEP and the Town on an external hard drive within 45 days of survey completion.

According to the regulatory monitoring described in the BMA cell-wide monitoring plan, *temporal comparisons by way of univariate and multivariate tests will be confined to data collected during the most recent monitoring event (current event) and the baseline monitoring event (i.e., statistical tests will not be used to compare results between different post-construction monitoring events). Such a comparison represents repeated measures and, depending on the statistical test, these data are to be analyzed accordingly (e.g., paired T-test, repeated measures ANOVA/ANCOVA, linear mixed-effects models, MANOVA, etc.). Multivariate analysis by way of PRIMER does not require such repeated measures tests, due to the non-parametric permutation-based nature of its routines. Comparison among all monitoring events should solely be through descriptive/summary statistics, presented in graphical or tabular form in the report. The Breaker's artificial reef regulatory transect should be assessed separately from other Midtown regulatory transects due to its proximity to shore.*

Statistical Tests

The following includes a list of suggested data treatments and statistical analyses to be performed with each single survey dataset to effectively compare between annual surveys as well as between annual survey and the Habitat Map of Hardbottom. Temporal comparisons by way of univariate and multivariate tests shall be confined to data collected during the 2025 monitoring event (current survey) and the baseline survey. Statistical tests will not be used to compare results between different post-construction monitoring events. All data treatment and statistical analyses will be conducted according to the 2021 BMA cell-wide monitoring plan.

Descriptive Statistics

Unlike inferential statistics (hypothesis tests [see univariate and multivariate tests below]), descriptive statistics aim to provide simple quantitative summaries of a sample (i.e., they describe the main features of a collection of information). Such summaries may be either quantitative i.e., summary statistics) or visual (i.e., straightforward graphics). These statistics generally include measurements of central tendency (e.g., mean, median, and mode) and dispersion (e.g., variance and/or standard deviation). Numerical descriptors like mean and standard deviation are good for summarizing continuous data (like the density [n/m^2] of a particular species), while frequency and percentage are more useful in terms of describing categorical data.

*One of the most useful and effective statistical calculations is the estimation of percentage change. For example, in the assessment of change in percent cover, size class distribution, and sediment depth over time. The following example provides the formula for calculating percent change over time for sediment depth: %Change = ((Depth F – Depth I)/Depth I)*100; where Depth F is the final sediment depth (depth during the most recent monitoring event), and Depth I is the initial sediment depth (depth during the baseline survey). Changes expressed as percentages provide useful summaries for changes occurring in hardbottom communities as a result of beach nourishment. Percent change may be presented in tabular and/or graphical form, and can be used as the dependent variable in analyses of sediment depth, sand patch size, percent cover, etc.*

Univariate tests

These consist of both parametric and non-parametric hypothesis tests. While the results of such tests are useful in determining whether impacts from nourishment have occurred, the statistical significance of change in the absolute value of a parameter or in percentage does not necessarily reflect a critical, biologically meaningful threshold. Thus, while tests can indicate significant differences, non-significant differences can still be meaningful. Several useful univariate tests are provided below.

T-test

Simple hypothesis test that operates on the mean. One-sample, Two-sample, and Paired tests are possible; Homoscedastic (equal variance) and Heteroscedastic (unequal variance) tests are also available. Programs should provide a p-value to compare to a pre-determined alpha (usually 0.05). While inappropriate for other, more complex statistical tests, Microsoft Excel may be used to run T-tests.

ANOVA
More advanced hypothesis test that also operates on means. In the event assumptions of general linear models are not met, non-parametric Analysis of Variance (ANOVA), generalized linear, or mixed-effects models may be used to account for the nature of the data. Analysis of covariance (ANCOVA) may also be useful. Repeated measures (i.e., violation assumption of independence) must be handled appropriately.

Multivariate Statistics
These statistics encompass the simultaneous observation and analysis of more than one outcome/dependent variable. Multivariate analysis of variance (MANOVA) models may be used, though analysis via PRIMER routines is more common. Various PRIMER routines are described in 1-6 below. MANOVA and PERMANOVA are suggested for complex multivariate hypothesis tests.

Similarity Matrix
The original data matrix should include data from the current survey as well as from the baseline survey. Bray-Curtis similarity should be used to produce the resemblance matrix. In order to even out the influence of dominant and rare species, data should be square root, fourth root, or log (x+1) transformed prior to producing the resemblance matrix.

Cluster Analysis with Similarity Profile (SIMPROF) Test
Based on simple agglomerative hierarchal clustering, creates a dendrogram from a similarity matrix. Group average linking should be used. Similarity profile analysis (SIMPROF) should be used in conjunction with cluster analysis (tree production). The pi statistic and the results of the associated hypothesis test should be presented in the results section of the monitoring report.

nMDS Ordination
A technique for mapping samples in a low dimensional space (typically 2-D) such that the distance between samples approximately reflects (to one degree or another) similarity in community structure. Model checking should include interpreting the resultant Shepard Diagrams (smooth increasing curves are best) and Stresses (2-D and 3-D), which provide information on the distortion between the ranked dissimilarities and corresponding distances in the plot. Stress scores are to be reported; as a rule of thumb, a score of: < 0.05 suggests excellent representation; < 0.1 suggests a good fit; < 0.2 suggests the pattern is still useful, but should not be completely trusted; and > 0.3 suggests the pattern is little better than random points.

Analysis of Similarity (ANOSIM)
Compares the variation in species abundance and composition among sampling units in terms of grouping factors (or experimental treatment levels). The histogram, R-statistic, and p-values provided as outputs should be reported.

Similarity of Percentage (SIMPER)
Used to determine the role of individual taxa in contributing to the separation (dissimilarity) between two groups of samples (e.g., Artificial vs. Natural, Baseline vs. Year 1 post-construction).

Second Stage Analysis (2STAGE)
Provides a succinct summary in a 2-d picture of the relationship between the multivariate sample patterns under various choices.

Reporting

The 2026 report will include hardbottom distribution maps based on interpretation of 2026 aerial photography (GIS shapefiles provided by others) with the summer 2026 diver-mapped hardbottom edge as an overlay; sediment analyses including bar graphs depicting sediment patch data and average sediment depths at transects and depth zones; benthic community analyses and change, and statistical analyses. The 2026 report will summarize the regulatory monitoring results with comparisons to the baseline survey and 2026 BMA transect data (provided by others). The final report will be submitted to the Town and FDEP as a PDF file within 30 days of acceptance of the final GIS shapefiles of exposed hardbottom created from interpretation/ delineation of the 2026 aerial photography survey.

The total estimated cost of this proposal is **$153,919** and is submitted on a Time & Materials – Not to Exceed basis. The commencement dates of the surveys will be reported to the FDEP approximately 7 days prior to beginning the work effort, and the FDEP will be notified of survey completion.

Thank you for the opportunity to work with the Town of Palm Beach. Please contact me at 954-591-1219 or via email at cmiller@coastaleco-group.com if you have any questions regarding this proposal.

Sincerely,

Cheryl L Miller

Cheryl L. Miller
President, Principal Scientist
Coastal Eco-Group, Inc.

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Robert Miracle, CPA Deputy Town Manager, Finance and Administration
Kirk W. Blouin, Town Manager

From: Dean Mealy, II NIGP-CPP, CPPO, FCCM Town Procurement and Contract Division Director

Re: A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a contract with Coastal Protection Engineering for the 2026 FDEP Beach Management Agreement Cell-wide Hardbottom Monitoring and 2026 Hardbottom Map in the amount of $198,857.
96-2026

Date: 7/26/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 096-2026, approving a contract with Coastal Protection Engineering for the 2026 FDEP Beach Management Agreement Cell-wide Hardbottom Monitoring and 2026 Hardbottom Map in the amount of $198,857.

SUMMARY EXPLANATION/BACKGROUND

Towb Council awarded Coastal Protection Engineering, LLC as a provider under RFQ No. 2025-002 for Coastal Engineering Services to multiple firms.

Coastal Protection Engineering LLC was awarded the same service in 2025 and performed with a high level of satisfaction.

The scope of services is for the 2026 hardbottom monitoring required by the Beach Management Agreement for a portion of Reach 2 and Reaches 6-11. The scope includes the creation of a hardbottom map based on the delineation of exposed hardbottom in aerial photography and nearshore edge mapping of the entire Beach Management Agreement, biological monitoring of transects and offshore stations, data analysis, and preparing a report.

FUNDING/FISCAL IMPACT

This project will be funded by the Coastal Program Fund.

TOWN ATTORNEY REVIEW

This format has been utilized by the Town in previous recommendations and was approved by the Town Attorney.

STRATEGIC PLAN

Strategic Priorities:
Safe and Resilient Community, Environmental Stewardship

Strategic Focus Areas:
Quality of Life
Community Preservation
Management of Environmental Threats

FUNDING

Coastal

RESOLUTION NO. 96-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CONTRACT WITH COASTAL PROTECTION ENGINEERING FOR THE 2026 FDEP BEACH MANAGEMENT AGREEMENT CELL-WIDE HARDBOTTOM MONITORING AND 2026 HARDBOTTOM MAP IN THE AMOUNT OF $198,857.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1: The Council of the Town of Palm Beach hereby approves Resolution 096-2026, approving a contract with Coastal Protection Engineering for the 2026 FDEP Beach Management Agreement Cell-wide Hardbottom Monitoring and 2026 Hardbottom Map in the amount of $198,857.

Section 2: The Town Manager or designee is hereby authorized to execute the contract and purchase order on behalf of the Town of Palm Beach for these improvements.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled on the 11th day of August 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Nicki McDonald, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

COASTAL PROTECTION ENGINEERING
5301 N. FEDERAL HWY, SUITE 335
BOCA RATON, FL 33487
561-565-5100

July 23, 2026

Sent via Email

Sara Westphal
Town of Palm Beach Public Works Department
951 Old Okeechobee Road
West Palm Beach, Florida 33401
Submitted via email to:

Re: Proposal for the 2026 FDEP Beach Management Agreement Cell-Wide Hardbottom Monitoring and 2026 Hardbottom Map

Dear Ms. Westphal,

This proposal is being provided to the Town of Palm Beach (Town) for Coastal Protection Engineering LLC (CPE) to provide professional environmental services in support of the Beach Management Agreement (BMA) annual monitoring and reporting. This proposal has been divided into two tasks that will result in the creation of the 2026 BMA Hardbottom Map and production of the 2026 BMA Annual Hardbottom Monitoring Report. Language repeated directly from the BMA is shown in italics.

Scope of Services

The scope of services outlined below will include creation of the 2026 hardbottom map based on delineation of exposed hardbottom in aerial photography and nearshore edge mapping of the entire BMA cell, participation in monthly and the annual public meetings, biological monitoring of transects and offshore stations, data analysis, and reporting required by the BMA. The specific scope of work to be implemented is described in the BMA, Appendix B - Cell-Wide Monitoring and Mitigation Plans.

Task 1. 2026 Hardbottom Mapping and Creation of 2026 BMA Hardbottom Map

Task 1 includes in situ hardbottom edge mapping, digitization of exposed hardbottom from aerial photographs, and development of the 2026 BMA Hardbottom Map. This corresponds to the BMA requirements as presented in Section 1.2.51 Aerial Photograph Survey and 1.2.5.2 Hardbottom Edge Survey of the BMA Appendix B.

In situ Nearshore Hardbottom Edge Survey

CPE divers will map the nearshore hardbottom edge from R-82 to R-87 and R-110 to R-151. The hardbottom edge between R-76 and R-82 and in the Mid-Town Project area between R-87 and R-106 will be mapped by others (under separate contract) and the resulting shapefiles will be provided to CPE for inclusion in BMA cell-wide maps. The nearshore hardbottom edge is defined as the visible border between sand and hardbottom. A two-person dive team will follow the nearshore edge while towing a buoy with a survey-grade DGPS, which transmits continuous positions to hydrographic survey software on board the survey vessel. The buoy shall be on the shortest possible tether, such that the buoy is directly over the diver. In areas where the nearshore edge is located in the intertidal/subtidal zone, the nearshore edge

will be mapped by qualified biologists using a handheld Trimble Geo 7x DGPS (or comparable) system. The biologists will carry the DGPS unit as they walk/wade around the hardbottom features at the sand/rock interface. The DGPS unit shall collect data every second during edge mapping. During the edge mapping, divers will take periodic relief measurements or assign a relief category along segments with obvious changes in relief along the hardbottom edge. The relief features will be included in the geodatabase and BMA maps. As conditions allow, representative photographs and/or video will be recorded and notes will be taken to document conditions of the nearshore edge regarding relief, benthic communities, and sediment conditions. Survey mapping methods are compliant with the BMA cell-wide monitoring plan for mapping of the nearshore hardbottom edge.

Aerial Delineation of Exposed Hardbottom

Exposed hardbottom will be digitized from one set of 2026 aerial photography (Town's boundaries) provided by the Town using ArcGIS, including inter-observer QAQC, following the standards used to develop the Town's historic hardbottom GIS database in the BMA. The area south of the Town's boundaries will be digitized using aerial imagery from the County-wide aerial photographs, if acceptable.

2026 BMA Hardbottom Map

The delineation of exposed hardbottom from the 2026 aerial photographs and the in situ hardbottom edge mapping will be used to generate the final 2026 BMA Hardbottom Map. A geodatabase with the hardbottom edge and relief designations will be submitted to FDEP and the Town on an external hard drive.

Task 2. BMA Biological Monitoring (Transects and Offshore Stations), Data Analysis and Annual Report Development

Task 2 includes biological monitoring of the BMA transects and offshore stations, along with data analysis and report development of the 2026 Annual Hardbottom Monitoring Report.

BMA Biological Monitoring – Transects, Mid-Town Transect Extensions, and Offshore Stations

CPE will monitor the BMA transects, Mid-Town transect extensions, and offshore stations as listed in Table 1. If exposed hardbottom is observed seaward of the BMA transects listed in Table 1 during the 2026 survey, the transects will be extended to the length of exposed hardbottom, and sediment depth and line intercept monitoring will be performed across the full cross-shore extent of the hardbottom. Transects T-14, T-13, T-9 are sediment only transects and will not be extended if hardbottom is exposed beyond the transect end point. The seaward end of exposure in 2026 will be marked with a 6-inch PK nail, and DGPS coordinates will be recorded.

Table 1. BMA transects, offshore stations, and Mid-Town BMA extensions to be monitored in 2026.

Transect	Length (m)	Date of Installation	Baseline Survey Date
R-83	156.8	6/22/2015	7/16/2015
R-88 ext.	21.5	10/30/2014	12/17/2014
R-90 ext.	132	10/20/2014	12/16/2014
T-14	50	10/3/2014	12/14/2014
T-13	50	10/2/2014	12/15/2014
R-91 ext.	158	10/3/2014	12/16/2014
R-92 ext.	175.6	10/17/2014	12/15/2014
R-93 ext.	53	10/17/2014	12/15/2014
R-94 ext.	131	10/29/2014	12/17/2014
Station R-92	22	6/22/2015	7/16/2015
Station R-94	22	6/22/2015	7/16/2015
T-9	44	10/2/2014	12/14/2014
R-113	2.2	10/30/2014	12/18/2014
R-115	15.5	10/30/2014	12/18/2014
R-116	29.5	10/30/2014	12/18/2014
R-132	117	10/30/2014	12/18/2014
R-133	143	10/30/2014	12/18/2014
R-136	137	6/19/2015	7/16/2015
R-139	67	6/19/2015	7/16/2015
R-142	125.5	6/19/2015	7/15/2015
R-145	157.4	6/19/2015	7/15/2015

Transect Survey Methods

Cell-wide hardbottom monitoring shall occur along non-regulatory biological transects (and, when occurring, along sections of regulatory transects beyond 150 m [see Section 1.2.4.3]). Monitoring of specific projects within the BMA shall occur along regulatory transects of two types — biological and sediment only. All survey methods described below apply to biological transects while only line-intercept, interval sediment depth, and video collection apply to sediment only transects. To obtain the most accurate information on sediment depth and the location of sediment and hardbottom, line-intercept and interval sediment depth shall be the first surveys conducted along each transect. For biological transects, initial surveys (line-intercept, interval sediment depth, video) shall be followed by benthic quadrat and belt transect sampling.

Line-Intercept Survey

In order to document larger areas of uninterrupted sand (physical transitions along the monitoring transects between sand and hardbottom) and to track changes in sediment cover on the hardbottom, line-intercept surveys shall be conducted along all permanent transects. During each monitoring event, the landward and seaward position of each sand patch / trough at least 0.5 m in length shall be recorded along each transect by reference to transect tape meter marks. Meter mark references will be to one

decimal place (e.g., patch from 2.4 to 3.2 m).

Interval Sediment Depth Measurements

In order to track changes in sediment depth associated with changes in sediment cover, each monitoring event will include collection of interval sediment depth measurements along each permanent transect. Sediment depth shall be measured and recorded to the nearest centimeter at two (2) meter intervals (e.g., 0m, 2m, 4m, etc.) along the length of each transect. For each measurement, a ruler graduated in centimeters (0 to 30 cm) shall be pressed through the sediment until the ruler reaches the surface of hard substrata or is totally immersed in sand. Depth measurements shall be rounded to the nearest cm (i.e., sediment thickness of less than 0.5 cm will be recorded as "0 cm", while thickness greater than 0.5 cm but equal or less than 1 cm shall be recorded as "1 cm", etc.). Measurements greater than 30 cm will be recorded as ">30 cm". Measurements may be truncated to the first and last few meters of each trough in areas of Mid-Town known to contain large, deep sand troughs.

Video Survey

Video survey data collected as part of required biological monitoring functions as an archival data set that can be used for general reference purposes or to help resolve potential impacts suggested by quadrat and sediment survey data. As such, video data could be reviewed and compared between surveys and must be of a quality sufficient to allow for post-collection quantitative image analysis using point count procedures.

Video surveys shall be conducted along all permanent monitoring transects using a digital video camera. Video of the seafloor along each transect shall progress no faster than 5 meters per minute over hardbottom and 10 m per minute over large sand patches (troughs). A convergent laser guidance system shall be used to indicate the precise height of the camera at 40 cm from the bottom. The transect line shall be clearly visible in all video so that locations may be accurately referenced. A 360° panoramic view at an angle of roughly 30° to the horizon shall be recorded both at the beginning and end of each transect from an elevation of roughly 1 m above the bottom. At the beginning and end of each transect, a standard underwater display shall also be recorded and integrated directly onto the digital video track. The standard display shall report: 1) the BMA transect number; 2) the survey date (e.g., 06/25/2021); 3) the water depth in meters for both the beginning (transect meter 0) and end (final meter) of the transect (e.g., start depth = 2 m, end depth = 4.5 m); and 4) any pertinent notes (e.g., poor visibility, large swell, etc.). Video data (files) will be supplied to FEDP during raw data submittal. Video shall be reviewed at the end of each transect surveyed to ensure the quality is acceptable for general characterization of the benthos; poor quality video shall be re-filmed.

Quadrat Sampling

Benthic communities and their habitats will be characterized quantitatively using the quadrat method, which samples benthic habitat and assemblages within permanently positioned quadrats along all nonregulatory transects and along each biological regulatory transect. This method ensures the same quadrats (same location, same size) are sampled in each monitoring event in order to document changes in hardbottom/sediment and benthic communities over time. The sampling protocol is similar to that used in the Benthic Ecological Assessment for Marginal Reefs (BEAMR) (Lybolt and Baron, 2006). Similar to all other non-invasive and non-consumptive methods of sampling, the quadrat method is limited to

physical characteristics and organisms that can be visually recorded and identified in the field. As described below, three (3) main benthic characteristics will be assessed in each quadrat during sampling: physical structure, planar percent cover of sessile benthos, and coral (scleractinian and octocoral) size and density. Datasheets have a standardized layout similar to that used in BEAMR (Baron and Lybolt, 2006) and will simplify data collection and entry for statistical treatment.

Physical Structure: *Maximum topographic relief and mean sediment depth (average of five [5] depth measurements) shall be measured (in centimeters) within each quadrat to document physical structure.*

Cover (Percent) of Functional Groups: *The distribution of substrata and composition of the benthic community within each quadrat shall be documented by estimating the planar cover (percent) of functional groups. Specifically, the following 15 major functional groups shall be assessed: sediments, bare hardbottom, macroalgae, turf algae, encrusting red algae, sponges, scleractinian corals, octocorals, zoanthids, hydroids, hydrocorals* Millepora *sp., sessile worms (including wormrock, Phragmatopoma spp.), bivalves, bryozoans, and tunicates. Each functional group shall be assigned a cover value (percent) from 0%-100%, with the total of all functional groups in each quadrat equaling 100%. Macroalgae with at least 1% cover shall be identified to genus and the cover (percent) of each genus shall be recorded. Unattached or floating macroalgae shall be disregarded and shall be removed from quadrats prior to sampling. The cover (percent) of cyanobacteria shall also be assessed but will be recorded separately from other cover estimates (i.e., not included with the main 15 functional groups).*

Coral Size and Density: *Monitoring staff shall also measure and record to the nearest centimeter (cm) the maximum dimension (height or width) of each scleractinian coral and octocoral colony within each quadrat. The smallest size recorded shall be one (1) cm; for colonies less than one (1) cm in size, the measurement recorded shall be "< 1 cm". Each colony within each quadrat shall also be enumerated and identified (by species for scleractinians, by genus for octocorals) to determine coral density and composition. Abnormal colony conditions shall also be recorded (e.g., bleaching, disease, predation, etc.) when encountered.*

Offshore Station Survey Methods

The sampling protocol for stations very far offshore will follow the protocol employed by the Southeast Coral Reef Evaluation and Monitoring Project (SECREMP). The monitoring stations will be established with permanent stainless-steel markers and will include permanent, shore-parallel 22-m long photo-transects (N=3 per station), and a 1-m wide belt transect (N=1 per station).

Photo Transects

The three photo-transects will be sampled using a digital camera. Non-overlapping consecutive photographs will be taken along the full length of each transect at a height above the reef substrate to yield images approximately 40 cm wide by 30 cm in height. A constant distance above the substrate will be maintained using an aluminum bar affixed to the bottom of the camera housing or converging lasers which confirm the 40-cm distance. Percent cover of benthic functional groups

is analyzed post-collection by way of image analysis software based on the point-count methodology.

Belt Transects

The 1-m wide belt transect will be surveyed in the field to assess stony coral, octocoral and barrel sponge populations. All scleractinian coral colonies greater than 4 cm in maximum dimension will be identified and counted along the entire 22-m belt transect, maximum height and diameter of each colony will be recorded, and each colony will be visually assessed for the presence of diseases, bleaching and other conditions. Where these conditions result in partial mortality, the percentage will be visually estimated. All octocoral colonies will be counted along the first 10 m of the belt transect to provide an estimate of overall density. Following the octocoral colony count, erect octocorals listed as target species will be identified, measured, and their condition (presence of disease/predation) recorded along the first 10 m of the transect. Target octocoral species are Eunicea calyculata, Antillogorgia americana *(formerly* Pseudopterogorgia americana), Eunicea flexuosa *(formerly* Plexaura flexuosa*),* Pseudoplexaura porosa*, and* Gorgonia ventalina*.*

*Barrel sponge (*Xestospongia muta*) density will be assessed by counting all sponges within the 1 m x 22 m belt transect. For each sponge colony, maximum diameter, maximum base diameter, and maximum height will be measured, and the sponge will be visually assessed for the presence of disease, bleaching and other conditions (i.e. damage/injury, predation). The percent of the sponge affected by injury, disease, and/or bleaching will be recorded.*

Raw Data Deliverables, Data Analyses, and Annual Report Development

Raw Data

All raw post-construction monitoring data will be provided to FDEP on portable hard drives or via an FTP site). All data submitted shall be provided in standard formats. All transect monitoring data submitted shall have been checked against field datasheets and corrected (if necessary) to ensure accuracy. Raw data provided shall consist of aerial photographs, hardbottom edge survey data, raw transect and quadrat survey data, underwater video and photographs, and field datasheets, and survey logs.

Data Analysis

Descriptive statistics along with univariate and multivariate analyses will be conducted on the data collected based on the list of suggested data treatments and statistical analysis in Section 1.5.3 of the BMA Appendix B. Temporal comparisons by way of univariate and multivariate tests shall be confined to data collected during the most recent monitoring event (current survey) and the baseline survey.

Report

The 2026 BMA Annual Report will include hardbottom distribution maps based on the 2026 aerial delineation and diver-mapped hardbottom edge survey. It will also include a comparative analysis of sediment cover, sediment depth, and benthic community data between the baseline survey and the 2026 survey. The report will provide results in appropriate graphical, tabular and text formats. The

final report will be submitted as a PDF file to the Town and FDEP.

Cost Estimate

CPE proposes to provide these services as detailed in Attachment 1 on a Time and Materials basis with the support of our subcontractor Aptim Environmental & Infrastructure, LLC (APTIM) for an estimated Not-To-Exceed amount $194,856.50. to be performed in accordance with this proposal and Professional Services Agreement (PSA) 2026-08 between the Town of Palm Beach and CPE. The compensation for services rendered under this proposal will be based on the Rate Schedule of the PSA as shown in Attachment 1. Although this proposal is detailed by separable items and estimated by specific staff and categories, it is anticipated that some work elements will exceed the estimate while others fall below the estimate to complete. Our staff and subconsultant will be used as needed to achieve the scope of services and to meet the stated objectives and timelines within the proposed budget. Should the Town desire additional services beyond this scope, CPE will be available to discuss adjustments as appropriate.

Thank you for the opportunity to serve the Town of Palm Beach. If you have any questions, please feel free to contact me directly at 561-632-1210.

Sincerely,



Stacy Buck
Senior Marine Biologist
Coastal Protection Engineering LLC
Mobile: 561-632-1210
sbuck@coastalprotectioneng.com

Cc: Lindino Benedet, PhD, CPE
Thomas Pierro, PE, D.CE., CPE

Attachment 1

CPE Cost Proposal

Town of Palm Beach
2026 BMA Monitoring

CPE Cost Proposal		LABOR			MATERIALS	SUBCONTRACTOR
		Principal Engineer Hours	Senior Marine Biologist Hours	Jr. Marine Biologist Hours	Equipment & Insurance diver/day	APTIM Cost
Task 1	Hardbottom Edge Mapping		44	48	6	$ 17,334.00
	Aerial Analysis		16	24		$ 8,700.00
	Map		60			$ 5,800.00
	BMA Meetings	16	24			
Task 2	Transect Monitoring and Offshore Stations		80	80	12	$ 32,701.00
	Data Entry and Raw Data Submittal		64	96		$ 4,260.00
	Data Analysis and Annual Report	2	60	64		$ 6,320.00
	TOTAL	18	348	312	18	$ 75,115.00
	RATE	$ 300.00	$ 200.00	$ 115.00	$ 75.00	$ 1.10
	COST	$ 5,400.00	$ 69,600.00	$ 35,880.00	$ 1,350.00	$ 82,626.50

LABOR	$	110,880.00
MATERIALS	$	1,350.00
SUBCONTRACTOR	$	82,626.50
TOTAL	**$**	**194,856.50**

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Wayne Bergman, Director of Planning, Zoning, & Building

From: Friederike H. Mittner, FAICP, Architectural Review & Historic Preservation Manager
Abraham Fogel, AICP, GGEP, Design & Preservation Planner

Re: Approval of Landmarks Preservation Commission Action Regarding a Landmark Adjustment for 1047 S Ocean Blvd.

Date: 7/23/2026

STAFF RECOMMENDATION

Staff recommends that the Town Council approve the Landmark Adjustment for 1047 South Ocean Boulevard (COA-26-0005), which was granted at the July 22, 2026, Landmarks Preservation Commission meeting.

COMMISSION RECOMMENDATION

The Landmarks Preservation Commission granted (7-0), one (1) Landmark Adjustment for 1047 South Ocean Boulevard (COA-26-0005). The minimum side yard setback for a property zoned R-A is 15 feet. The south side of the landmarked structure has a non-conforming side (south) yard setback and an exterior staircase that further encroaches into this setback. Additionally, the previously approved project was granted a variance (ZON-25-0014) that allowed construction of a second-story addition over an existing one-story portion of the residence in this location. The current project proposes a setback of 7.25', which does not further reduce the existing non-conforming south side yard setback.

GENERAL INFORMATION

This item is submitted to the Town Council for approval pursuant to Chapter 54 of the Town of Palm Beach Code of Ordinances.

STRATEGIC PLAN

Strategic Priorities:
Community Culture and Character

Strategic Focus Areas:
Quality of Life
Community Preservation

FUNDING
Fee-Related

Public Comment - Town Council

08/07/2026 4:30 PM (EDT)

Public Comment

To allow the Town Council enough time to review all comments, please submit this form by **the Friday before the public meeting** you are commenting on.

All form submissions are added to the official public record and are sent directly to the Town Council. Please note that comments submitted through other methods or after the deadline may take longer to process and may be reviewed after the public meeting.

Month of Meeting	August
Please select the agenda item you would like to comment on.	Other
Comment	Good job denying the request for a waiver. We need to stop granting variances merely for convenience and not for true hardships. Do everything you can to relieve traffic and aircraft negative impact on our quality of life. Residents are more important than Mara Largo business owners. Palm Beach council right to deny Mar-a-Lago parking waiver | Editorial https://urldefense.proofpoint.com/v2/url?u=https-3A__www.palmbeachdailynews.com_story_opinion_editorials_2026_07_19_palm-2Dbeach-2Dcouncil-2Dright-2Dto-2Ddeny-2Dmar-2Da-2Dlago-2Dparking-2Dwaiver-2Deditorial_90944608007_&d=DwIGaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=g7iPe3VnvIDQC0sE3OqrwIcWPaIOkVMGv9NnAND3JNo&m=u6djEjYcK0gW8lMEjbbGuzv8lahjObnR-YcK4QmejlavtxLvQupp2yr61Bn8Szon&s=imB4nwi-I1pF7BpvNoPXv8SVQJoRQkYBKLz6J8DDz-Y&e= Robert H. Josephberg
Your Position	Neutral
First and Last Name	Robert H. Josephberg
Address	Not provided

Public Comment - Town Council

08/07/2026 4:27 PM (EDT)

Public Comment

To allow the Town Council enough time to review all comments, please submit this form by **the Friday before the public meeting** you are commenting on.

All form submissions are added to the official public record and are sent directly to the Town Council. Please note that comments submitted through other methods or after the deadline may take longer to process and may be reviewed after the public meeting.

Month of Meeting	August
Please select the agenda item you would like to comment on.	Other
Comment	Hi, I've lived in West Palm for eight years, it takes me about seven minutes from my house to get to the palm beach public beach. I am gathering people to come to the next town hall/City council meeting to discuss moving forward with parking passes for West Palm Beach residents who use the public Ocean access on palm beach regularly. As it currently stands, if residents were to visit the ocean for even a few hours a week, every week, the parking fees would total over $2000 per year. To charge between $6 and $10 + an hour for West Palm Beach residents is outrageous. I don't understand why West Palm Beach beachgoers are being punished in this way. We are not tourists. This is our public beach access. We are not West Singer Island. We are not West Lake Worth. Surely there's some type of "Friends of the Ocean" parking pass that can be created for WPB Residents, if not free, the cost can easily be less than $2000 for a year! Again, this is not a private beachfront. This is the public beach access and West Palm Beach residents deserve to access the ocean for a reasonable amount of time with reasonable parking options in place. If someone rarely goes to the beach, the parking fees would not be that outrageous, the same is true for tourists who are only here for a few days, especially those who are close enough to simply walk to the beach. I see many beachgoers illegally parking to access the ocean and many of us do not want to take part in that. The Ocean access on Palm Beach Island is not preserved for Palm Beach Island residents only. West Palm Beach residents need a reasonable way to park at our ocean access, and in turn, we will be much more likely to frequent the shops and other businesses on the Island, which are seeing less business due to the fact that many people are not going over to the Island for the ocean as much and have no reason to do business on the Island if not already there. Please make a note of this growing concern, I hope to speak about them in person during the next meetings in August. As a separate note, thank you to whoever decided to reopen Sunset Ave to two-way traffic. It has absolutely improved the flow of traffic around the area of the Publix. Etc. Thank you. ~Amy
Your Position	Neutral
First and Last Name	Amy
Address	Not provided

BALLARD | PARTNERS

Town of Palm Beach
Post-Session Report

March 24, 2026

2026 Post-Session Report

The 2026 Florida Legislative Session has officially concluded its scheduled 60-day run. However, lawmakers adjourned without adopting a final State budget. Legislative leadership has indicated that members are expected to return following the Easter and Passover holidays in mid-April, but a specific date has not been set yet. The Legislature must finalize and pass a balanced budget ahead of the July 1 start of the new fiscal year, with the Governor required to review the appropriations bill and exercise his line-item veto authority prior to that date.

During the final weeks of Session, several key policy areas saw continued movement, particularly in areas impacting local governments. The Legislature passed bills relating to sovereign immunity, land use and development, agricultural enclaves, affordable housing, building permitting and inspections, local government finances, and greenhouse gas regulations. Conversely, proposals related to local business taxes, post-disaster land use, centralized 911, open carry of firearms, and water management did not ultimately pass, though elements of these issues may reemerge in future sessions.

Property tax reform was a central issue in the media throughout Session, but in the end, nothing was passed on the issue, in fact few bills were even heard on the issue. Discussions between legislative leadership and stakeholders are ongoing, and it is widely anticipated that a Special Session will be called to address property tax policy in the coming months.

Although the Legislature successfully advanced a number of policy priorities, the absence of a final budget leaves several issues unresolved and subject to further negotiation. Both chambers had released and begun advancing their respective budget proposals, but differences between the House and Senate—particularly around overall spending levels ultimately prevented the chambers from reaching agreement before adjournment. As budget conference discussions resume in the coming weeks, leadership will work to reconcile these differences and produce a final appropriations package.

Below is a summary of legislation that may be of particular interest to local governments. In the interest of space, this report provides a high-level overview only. We encourage everyone to have their appropriate staff review the full bill language of any bills of interest.

We will continue to monitor developments as the Legislature prepares to reconvene for budget negotiations and potential Special Sessions in the coming months. As always, please feel free to contact us if you need further information on any issue.

Property Tax Bills

As reported in our Pre-Session and Mid-Session report, there was significant public discussion regarding potential changes to Florida's property tax structure, including proposals advanced by House Leadership. The House did hear a few bills on the subject in committee however, only one bill (**HJR 203**) passed off the House floor before dying in the Senate. The Senate did not hear any bills related to property tax changes this Session.

Gov. Ron DeSantis has also not released details on a property tax proposal that he would support. He has said publicly that there isn't a rush to move legislation on this topic but supports doing something before the November General Election.

It looks like this will likely be an issue brought up in a Special Session later this Spring.

Below are summaries of the House Leadership Bills related to Property Taxes:

CATEGORICAL ELIMINATIONS

FAILED HJR 201 by Rep. Steele eliminates non-school homestead property taxes.

- It passed 2 of 3 committees but died waiting to be heard in the third.

FAILED HJR 203 by Rep. Miller originally phased out non-school homestead property taxes over a ten-year period. Each year homeowners would have received an additional $100,000 exemption. After ten years, all non-school homestead property taxes would have been eliminated. The bill was amended on the House floor to immediately eliminate all non-school related ad-valorem taxes.

- It passed all three committees of reference and passed the House by a vote of 80-30.
- Died before being heard in the Senate

FAILED HJR 205 by Rep. Porras exempts Florida residents over the age of 65 from paying non-school homestead property taxes.

- It passed 2 of 3 committees but died waiting to be heard in the third.

ADDITIONAL EXEMPTIONS

FAILED HJR 207 by Rep. Abbott creates a new homestead exemption for non-school property taxes equal to 25% of the assessed value of the house. In addition to providing relief to current homeowners, it would also benefit first-time homebuyers.

- It passed 1 of 3 committees and died at the end of Session.

FAILED HJR 209 by Rep. Busatta creates a new property insurance relief homestead tax exemption. Homestead property owners who have property insurance will be entitled to an additional $200,000 exemption on non-school property taxes.

- It passed 3 of 3 committees but died waiting to be heard on the House Floor

REFORMS

FAILED HJR 211 by Rep. Overdorf eliminates the cap on portability, allowing a homeowner to transfer their entire accumulated Save Our Homes benefit to their new home, even if that home has a lesser value.

- It passed 2 of 3 committees but died waiting to be heard in the third.

FAILED HJR 213 by Rep. Griffitts limits the growth in assessed value of non-school homestead property taxes to 3% over three years for homestead property (currently it is 3% per year) and 15% over three years for non-homestead property (currently it is 10% per year).

- It passed 3 of 3 committees but died waiting to be heard on the House Floor

FAILED HB 215 by Rep. Albert makes various statutory changes including requiring a 2/3 vote for any increase in the millage rate and allowing newly married couples to combine their accumulated Save Our Homes benefits.

- It passed 1 of 3 committees and died at the end of Session.

It is unknown at this time what Resolutions, if any, will be placed on the ballot. Leadership in both chambers have stated that they know the role that property taxes play with local governments, including public safety.

Those factors will remain in their consideration as legislation is considered possibly during Special Sessions in the Spring of 2026.

Appropriations

During the 2026 Session, the Legislature took initial steps in the budget process with each chamber releasing its respective spending proposals. However, the chambers did not reconcile their differences prior to adjournment and did not adopt a final budget for the 2026-2027 fiscal year.

Legislative leadership have indicated that the Legislature is expected to reconvene following the Easter and Passover holidays in mid-April, contingent upon agreement on overall budget allocations. At that time, the House and Senate are expected to enter budget conference to negotiate and finalize a unified spending plan ahead of the July 1 start of the new fiscal year.

We have been actively engaging with members, committee staff, and budget decision makers to advocate for the Town's North Lake Way Living Shoreline project. The project is part of the Lake Worth Lagoon Initiative which seeks to improve and protect the natural resources within the lagoon. This $262,500 request would help with construction of a living shoreline including mangrove planters and other components to restore an eroded, degraded shoreline and create valuable intertidal and emergent habitat.

The project is currently fully funded in the House proposed budget. No final funding decisions have been made, and all appropriations requests are effectively paused pending budget conference negotiations when the Legislature reconvenes.

Legislation of Note

Below is a summary of legislative issues and proposals that may be of interest to local governments, including measures that passed or failed during the 2026 Legislative Session. In the interest of space, this report provides a high-level overview of select bills. We will continue to monitor developments as the Legislature prepares to reconvene for budget negotiations and potential Special Sessions in the coming months. As always, please feel free to contact us if you have questions or would like additional information on any issue included in this report or others you may have been tracking.

PASSED **HB 145 Suits Against the Government by Rep. McFarland (R-Sarasota) / SB 1366 by Sen. Brodeur (R-Seminole)**

For another session, Sovereign Immunity continued to be an issue of discussion. HB 145 amended statutory limits on liability for tort claims against the state, its agencies, and subdivisions, including local governments. In our review, the bill did the following, but we recommend having your staff review the bill if it is of interest.

The bill increases the statutory caps on liability for tort claims to $350,000 per person (current law is $200,000) and $500,000 per incident (current law is $300,000) for causes of action accruing on or after October 1, 2026.

The bill also revises claims administration procedures, including shortening the timeframe for State action on claims. Specifically, the bill reduces the period in which a claim is deemed denied from 6 months to 4 months after filing. In addition, the bill shortens the timeframe for providing notice of a claim to the state from 3 years to 18 months after the claim accrues.

The bill clarifies that governmental entities may settle claims within insurance coverage limits without requiring a claims bill, while maintaining that amounts above the statutory caps still require legislative approval.

HB 145 passed both chambers with broad support, passing the House by a 108-1 vote and the Senate by a 36-0 vote. It has not been sent to the Governor yet. If approved, it is effective October 1, 2026

PASSED **SB 290 - Department of Agriculture and Consumer Services by Sen. Truenow (R – Lake)/HB 433 by Rep. Alvarez (R – Hillsborough)**

SB 290 is the 2026 Florida Department of Agriculture and Consumer Services (FDACS) bill. It is a large bill that contains many provisions, most of which relate to issues that are not relevant to local governments. Several provisions, however, are directly related to local governments:

The bill preempts counties and municipalities from enacting or enforcing laws that prohibit or restrict the use of gasoline-powered farm and landscape equipment. This preemption applies broadly to any local law, policy, or action and also prohibits local governments from creating different regulatory standards between gasoline-powered equipment and electric or similar equipment in commercial settings. The bill includes definitions for both gasoline-powered farm equipment and gasoline-powered landscape equipment and clarifies that local governments may encourage, but not require, the use of alternative equipment:

(2) A municipality may not enact or enforce a resolution, an ordinance, a rule, a code, or a policy or take any action that restricts or prohibits the use of gasoline-powered farm equipment or gasoline-powered landscape equipment and may not create differing standards for such equipment or distinguish such equipment from any electric or similar equipment in a retail, manufacturer, or distributor setting.

The bill also updates surplus land procedures to restrict local government actions related to lands determined to be suitable for bona fide agricultural purposes. It requires the Acquisition and Restoration Council to evaluate lands surplused by local governments on or after January 1, 2024, for agricultural suitability. If such lands are determined to be suitable for bona fide agricultural purposes, local governments are prohibited from transferring future development rights associated with those lands.

(19) "The Acquisition and Restoration Council shall determine whether any lands surplused by a local governmental entity, as defined in s. 218.72, on or after January 1, 2024, are suitable for bona fide agricultural purposes, as defined in s. 193.461(3)(b). A local governmental entity may not transfer future development rights for any surplused lands determined to be suitable for bona fide agricultural purposes on or after January 1, 2024.

Additionally, the bill expands this concept beyond local governments to include state-owned lands. The Department of Environmental Protection, in coordination with FDACS, must evaluate certain state-owned conservation lands acquired on or after January 1, 2024, to determine whether they are suitable for bona fide agricultural purposes. If such lands are determined to be suitable, the Department of Environmental Protection is authorized to surplus those lands. However, any such disposition must include the retention of a rural-lands-protection easement and proceeds from the sale must be deposited into the FDACS Incidental Trust Fund for specified land acquisition purposes.

The bill also expressly excludes certain categories of conservation lands, including state parks, state forests, wildlife management areas, and lands within the Comprehensive Everglades Restoration Plan, from being surplused under this authority.

The bill also includes provisions related to land use and development in certain small, low-density municipalities. It creates a new requirement that development applications on "ecologically significant parcels" in municipalities meeting certain size and population thresholds may not be administratively approved unless the applicant provides an attestation, under penalty of perjury, that the development will not exceed a density of one residential unit per 20 acres. The bill provides a limited exception for housing intended for family members and allows a local governing body to waive the density requirement by unanimous vote.

As stated, this is a large bill with many components, and the bill was amended multiple times throughout Session. While many of the amendments are not directly relevant to local governments, we recommend that your legal department fully review SB 290 and its amendments and opine as to how other components of the bill may affect you.

SB 290 passed both chambers of the Legislature, passing the House by a 94-10 vote and the Senate by a 38-0 vote, and was signed into law by the Governor on March 23. It is effective July 1, 2026.

FAILED **HB 103 Local Business Taxes by Rep. Botana (R-Lee)/ SB 122 by Rep. Trunenow (R-Lake)**

This bill had been filed in many previous Sessions and saw some movement last year before dying in the Senate, again. The bill did the following, but we recommend that your staff review the bill if it was of interest, as it will likely be back again next Session. Please follow the link above to see the full bill.

- It repealed the current authority to impose local business taxes, formerly referred to as Occupational Taxes, while allowing certain municipalities to continue imposing a gross-receipts-based business tax on merchants

- Repealed Chapter 205, ending the statewide framework for local business taxes

- Created s. 218.150 to provide limited continuation authority for certain local governments:

    - The bill authorizes a municipality that imposes a business tax on merchants measured by gross receipts from the sale of merchandise or services to continue imposing such tax. The municipality may revise the definition of "merchant" by ordinance but may not revise the rate of the tax measured by gross sales.

    - The bill authorizes a county that levied an additional business tax pursuant to former s. 205.033(6) as of January 1, 2026, to continue to levy such tax under the same exemptions, categories, rates, and provisions that were in effect on that date.

    - The bill requires that proceeds from such county tax continue to be placed in a separate interest-bearing account and distributed annually to the organization or agency designated by the county as of January 1, 2026, to oversee and implement a comprehensive economic development strategy through advertising, promotional activities, and other sales and marketing techniques.

    - The bill authorizes a county to repeal such additional business tax by ordinance; however, once repealed, the authority to levy the tax expires and may not be reinstated.

HB 103 has passed each of its committees in the House and passed off of the House Floor by a 82-26 vote. The bill was sent to the Senate and was not heard again. The bill died at the end of Session.

PASSED HB 4071 Local Bill / Palm Beach County relating to MSTU's.

A local bill relating to how fire rescue services are transitioned in areas annexed in Palm Beach County started out as controversial but with amendments eventually passed without issue.

Rep. Snyder incorporated several amendments into the bill at the request of local municipalities here in Palm Beach County. Those amendments:

- Lessened the proposed time which County Rescue may remain the service provider;
- Exempted the annexation of an enclave of 10 acres or less.
- Specified that the data and levels of service be mutually agreed upon by the County and annexing municipality;
- Created a dispute resolution mechanism to address situations in which parties are unable to agree.

According to the Staff Analysis, as passed the bill now does this:
Provides that a municipal service taxing unit (MSTU) in Palm Beach County whose primary purpose is the provision of fire rescue and emergency medical services may continue to provide services to real property in the county annexed after January 1, 2027, for six years.

If parcels are annexed by a municipality that does not have a charter provision, ordinance, or interlocal agreement allowing a Palm Beach County MSTU to provide fire rescue and emergency medical services in the entirety of the municipality, the bill provides that such parcels are contracted from the MSTU and the county will no longer levy ad valorem taxes on the property. Instead, the bill requires the annexing municipality to make an annual payment equal to the actual cost of the service provided.

These provisions are similar to, but with a longer time frame than, current law provisions concerning municipal annexation areas contained within an independent special district.

The bill allows the county, through the MSTU, to continue to collect fire rescue impact fees on annexed real property that would have been collectable prior to annexation.

After the six-year transition period, the bill provides that the provision of services by the MSTU, the annual payment from the municipality to the MSTU, and the authority to collect impact fees on the annexed parcels terminates unless:

- The annexing municipality advises the county that it will not provide fire rescue and emergency medical services;
- The county and the annexing municipality enter into an interlocal agreement providing for fire rescue and emergency medical services in the annexed area; or
- The data from the analysis established by the good faith negotiations described below demonstrates that the transfer for fire rescue and emergency medical services to the annexing municipality should occur prior to the six-year term or the six-year term is extended by an interlocal agreement between Palm Beach County and the annexing municipality.

The bill requires Palm Beach County and the annexing municipality to enter into good faith negotiations and discussions regarding the time period for transitioning fire rescue and emergency medical services, as well as the expenditure of assets for capital and operational purposes by both

the county and the annexing municipality in the annexed areas. These discussions are intended to ensure residents of the annexed areas enjoy appropriate levels of service without the inefficient expenditure of both county and municipal assets by preventing duplicative and unnecessary expenditures and duplicative collection of fire rescue impact fees and other fees.

Lastly, the bill provides that if the Palm Beach County Board of County Commissioners and annexing municipality are unable to enter into an interlocal agreement, either party may initiate conflict resolution procedures established in ch. 164, Florida Statutes. If the conflict is not resolved within 120 days, the bill authorizes the parties to file an action in circuit court.

The bill passed all committees and both Chambers unanimously. If approved by the Governor, it is effective upon becoming law.

FAILED **SB 840 - Land Use Regulations for Local Governments Affected by Natural Disasters by Sen. DiCeglie (R– Pinellas) / HB 1465 by Rep. Andrade (R-Escambia)**

The passage of SB 180 during the 2025 Florida Legislative Session was met with concern from many local governments, primarily due to uncertain legislative intent regarding development restrictions for non-hurricane related issues. SB 840 was introduced during the 2026 Session as an attempt to address this uncertainty by clarifying or modifying several aspects of SB 180 to more specifically limit development preemptions to post-hurricane recovery. As with all proposed legislation, we recommend that your legal department fully review the bill language and consider how similar provisions may be addressed in future legislation. Key provisions of the bill included:

- Narrowed the definition of "impacted local government" from those within 100 miles of a hurricane's track to those within 50 miles and required that the jurisdiction be included in a federal major disaster declaration
- Prohibited impacted local governments, for one year after a hurricane makes landfall, from:
    - Enforcing moratoriums that prevent or delay the repair, reconstruction, or redevelopment of hurricane-damaged improvements, except for limited purposes related to stormwater, potable water, or sewer systems
    - Requiring repairs or reconstruction to comply with more restrictive comprehensive plan or land development regulation amendments adopted after the hurricane
    - Enforcing more restrictive or burdensome procedural changes that increase approval timelines for site plans, development permits, or development orders
- Provided exceptions allowing certain actions to proceed, including:
    - Applications initiated by private property owners
    - Amendments submitted for state review prior to landfall
    - Amendments required to comply with state or federal law
    - Floodplain management standards consistent with the National Flood Insurance Program
- Limited applicability of certain restrictions to properties that sustained damage requiring permits and authorized local governments to require documentation demonstrating hurricane-related damage
- Clarified that changes to the Florida Building Code and local technical amendments remained allowable
- Revised and extended provisions related to previously declared disaster areas, including:

- Extending prohibitions on moratoria and restrictive land use actions for specified counties and municipalities
- Moving the expiration of those provisions from 2028 to June 30, 2026
- Revised enforcement mechanisms allowing only residents or business owners to seek injunctive relief and attorney fees under certain conditions

SB 840 moved well in the Senate unanimously passing all of its votes. Unfortunately the House made it clear from the start they don't support a change in this area. HB 1465 was never heard in the House and the Senate bill died in messages at the end of Session.

Sen. DiCeglie fought for the issue up to the final days of the Session and attempted to amend HB399 with similar language but again the measure died without support in the House.

PASSED **SB 208- Land Use and Development Regulations by Sen. McClain (R– Marion)** / **HB 399 by Rep. Borrero (R– Miami-Dade)**

Land use and housing regulation continued to be a focus of the Legislature. SB 208 / HB 399 make several changes to how counties and municipalities regulate development under the Community Planning Act and related statutes, directly affecting local government authority over development approvals, permitting, and zoning.

The bill revises requirements related to development application fees by requiring that such fees reasonably relate to the direct and reasonable indirect costs associated with review, processing, and final disposition of the application, must be published on the local government's fee schedule, and may not be based on a percentage of construction costs, site costs, or project valuation.

The bill establishes new requirements related to compatibility determinations for residential development. Local governments must include objective factors in their comprehensive plans and land development regulations to assess compatibility within residential zoning districts and must incorporate measures to mitigate potential incompatibility.

The bill further limits the ability of local governments to deny applications based on compatibility by requiring:

- Identification of specific areas of incompatibility before recommending denial
- Consideration of mitigation measures proposed by the applicant
- Written findings stating why mitigation is inadequate if a denial is issued
- That generalized concepts such as "community character" or "neighborhood feel" may not be used as the sole basis for denial

The bill authorizes local governments to approve applications with conditions to address compatibility concerns and clarifies that these provisions apply within the same residential land use category.

The bill also creates provisions related to large destination resorts, requiring local governments to administratively approve, without further quasi-judicial or administrative review, applications for minor special exceptions or variances for qualifying resorts meeting statutory criteria, including public lodging establishments comprised of 5 acres and 500 guest rooms with an average occupancy of at least 70 percent over the preceding 3 years. These provisions expire July 1, 2031. (This provision of HB 399, some stakeholders claim, is specifically directed towards one particular resort project located in Miami-Dade County).

The bill includes provisions related to compost processing facilities, prohibiting local governments from conditioning permits on the purchase of additional property for road expansion and prohibiting revocation of existing permits if the facility complies with applicable state-adopted best management practices.

The bill also requires public school interlocal agreements to address reasonable access to public easements and rights-of-way necessary for school facilities.

In addition, the bill expands housing-related preemptions by:

- Prohibiting denial of building permits for certain residential manufactured buildings on specified lots
- Requiring off-site constructed residential dwellings to be permitted as of right in zoning districts allowing single-family detached dwellings
- Prohibiting local governments from regulating such dwellings differently based on construction method or location
- Limiting design standards to specific objective criteria and requiring that such standards be applied uniformly

The bill further provides that local governments may not adopt or enforce ordinances, regulations, or policies that conflict with these provisions, and any such conflicting regulations are void and unenforceable.

HB 399 passed the Senate by a 27-11 vote and the House by a 73-27 vote. It was sent to the Governor on March 18, and he has until April 2. If approved, it is effective immediately.

PASSED SB 1628 – Net Zero Policies by Governmental Entities by Sen. Avila (R-Miami-Dade) / HB 1217 by Rep. Snyder (R- Martin)

HB 1217 provides that a governmental entity may not enact or enforce or require any person or legal entity to enact or enforce a resolution, ordinance, rule, code, or policy to support a "net zero" policy, including as a condition of any contract or agreement between the governmental entity and a third party. "Net zero policy" is defined in the bill as any policy, program, or initiative designed to achieve a balance between total amount of greenhouse gas emitted into the atmosphere with an equal amount removed from the atmosphere.

The bill prohibits a governmental entity from implementing, administering, or enforcing any program or joining any organization that has a policy of:

- Establishing a statewide, regional, or geographic limit or cap on the amount of greenhouse gas emissions that results from the use, production, or consumption of any product or from any activity.
- Requiring or incentivizing a governmental entity or any person in this state to participate in an emissions trading program.

The bill also prohibits a governmental entity from using, paying, or distributing public funds in any manner that supports, implements, or advances a net zero policy by doing any of the following:

- Providing procurement or purchasing preferences for a product or vendor on the basis that the procurement or purchase of such product or from such vendor will advance or support a net zero policy.

- Providing procurement or purchasing preferences for any goods, including, but not limited to, vehicles, equipment, appliances, or other products, based solely on the types or sources of fuel used by, or used in the production of, such goods.
- Using public funds to pay dues, membership fees, subscription fees, or charitable contributions to any nongovernmental agency or other private organization, including any trade association or organization, that:
    - Adopts a net zero policy;
    - Requires adoption of, or any commitment to support, a net zero policy as a condition of membership or of receiving any benefit of membership; or
    - Uses such funds to advocate for a net zero policy.

Finally, HB 1217 prohibits a governmental entity from imposing any charge, including a tax, fee, penalty, offset, or assessment, to advance a net zero policy, including, but not limited to:

- A charge based on the carbon content of a fuel.
- A charge based on the emission of greenhouse gases that results from the use, production, or consumption of any product, service, or activity.
- A charge assessed in connection with an emission trading program.

HB 1217 requires each governmental entity to annually submit to the Department of Revenue an affidavit attesting to compliance with the bill's provisions on prohibited charges.

HB 1217 passed the House by an 80-29 vote and passed the Senate by a 24-12 vote. If approved by the Governor, it is effective July 1, 2026.

PASSED SB 1134 – Official Actions of Local Governments by Sen. Yarborough (R-Jacksonville)

CS/CS/SB 1134 prohibits counties and municipalities from funding, promoting, or taking official actions such as adopting ordinances, resolutions, rules, regulations, programs, or policies, related to diversity, equity, and inclusion (DEI). It also prohibits a county or municipality from expending any funds, regardless of the source, to establish, support, sustain, or staff a DEI office or officer. It also prohibits counties and municipalities from allowing their funds to be used by employees, contractors, and others to promote DEI initiatives.

The bill also requires the potential recipients of a county or municipal contract or grant to certify that they do not and will not use local government funds to require employees, contractors, volunteers, vendors, or agents to ascribe to, study, or be instructed using materials related to DEI. Included in the bill is an extensive list of exceptions, including recognizing or promoting holidays designated by federal law, including those designated in 5 U.S.C. s. 6103; recognizing or promoting state holidays and special observances designated by state law, including those designated in chapter 683. This bill does not prohibit official action required for compliance with general or federal law.

The statute created by the bill applies to any contract between a county or municipality and a diversity, equity, and inclusion officer which is in existence on January 1, 2027. With respect to all other contracts, the statute applies to contracts executed or renewed after January 1, 2027. The bill provides that a member of a county or municipal governing body acting in his or her official capacity who violates the prohibitions commits misfeasance or malfeasance in office.

The bill takes effect January 1, 2027.

The bill passed the Senate by a 25-11 vote and the House by a 77-37 vote. If approved by the Governor, it is effective on January 1, 2027.

PASSED **HB 1329 – Local Government Finances by Rep. Benarroch (R-Collier)**

As originally filed, the intent of HB 1329 and SB 1566 were to increase transparency of local government budget decision-making and documentation, requiring the assembling and posting of a great degree of information online for public access. While the final enrolled version of HB 1329 still speaks to this intent, HB 1329 bill was amended heavily during the Legislative process and, according to bill sponsors, the final enrolled bill addresses local government concerns that the information required to be compiled and made available was too burdensome and time consuming.

HB 1329, as enrolled, enhances transparency and accountability in local government finances through expanded budget posting requirements, mandatory reduction exercises, and stricter impact fee regulations.

- Requires counties and municipalities to post tentative budgets online at least 5 days before public hearings, and final budgets must remain posted for at least 5 years (increased from 2).
- Mandates a budget workshop for both county and municipal governments to explore a 10% reduction exercise, with documentation posted online.
- Obliges counties and municipalities to publish quarterly compensation summaries for all funded employees and to publish annual budget development calendars, detailing key budget deadlines.
- Updates procedures for county budget amendments, including a 5-day notice on proposed changes and extending the required online posting of adopted amendments to 5 years.

HB 1329 was also amended to include much of the language that was originally found in HB 1139/SB 548 regarding the limitation of and criteria to impact fee increases, including:

- Creates new definitions of "impact fee" and "plan-based methodology" for concurrency and outlines allowable alternative transportation planning options, including explicit use of impact fees.
- Implements stricter rules on adopting or increasing impact fees, including using a plan-based methodology, limiting the use of data older than 4 years, and capping fee increases beyond certain levels without demonstrating extraordinary circumstances.
- Establishes refunds or credits for impact fee overpayments, with specific timelines for local governments, school districts, and special districts to respond.

As with all bills, we recommend that your legal department read the bill in its entirety to best determine your interpretation of how the bill affects the Town.

HB 1329 passed the House by a 87-19 vote and the Senate by a 34-0 vote. The bill now awaits the Governor's signature.

PASSED **HB 803 – Building Permits and Inspections by Rep. Trabulsky (R-St. Lucie)**

CS/CS/HB 803 makes substantial changes related to the Florida Building Code, building permit requirements, and requirements related to inspections and private providers. We strongly recommend your staff review this comprehensive bill, but believe the bill:

- Requires the Florida Building Commission to develop statewide uniform commercial and residential building permit applications by July 1, 2027.
- Requires a 5-day response timeframe for permit applications for work valued less than $15,000.
- Provides for 1-year expiration for building permits for single-family dwellings.
- Provides building permit requirements for placement of manufactured housing in certain locations including mobile home lots and single-family zoning districts.
- Provides various limitations for the calculation of local government building inspection fees.
- Requires local governments, except in flood hazard areas, to exempt from building permitting:
    - Work on single-family residential property valued at $7,500 or less, excluding any electrical, plumbing, structural, mechanical, or gas work; and
    - The installation of temporary residential hurricane and flood walls meeting specified standards.
- Requires issuance of a building permit for a retaining wall spanning more than one lot or parcel for the project as a whole.
- Restricts local government glazing requirements for new commercial or mixed-use projects.
- Prohibits homeowners' associations from requiring the issuance of a building permit as a prerequisite for review of construction on a parcel.
- As it relates to Building Code inspection and private provider services, the bill:
- Substantially revises requirements related to private provider services, including:
    - Limitations on local government authority related to supervision and application reviews.
    - Requirements related to notifications related to applications and corrective actions.
    - Revisions of local government fee calculations when private provider services are used.
- Requires the Department of Management Services to enter into state term contracts with vendors to provide building code inspection services.
- Authorizes persons meeting minimum requirements to perform building inspection and plans examination services for 1 year following state of emergency declarations.
- Requires a local government, rather than optionally allowing it, to establish a registration system for private providers and private provider firms operating in the local government's jurisdiction.
- Requires local governments to reduce commercial construction permit fees by specified percentages.

Both the House and Senate passed the bill unanimously, and the bill now awaits the Governor's signature.

PASSED HB 927 - Local Land Planning and Development by Rep. Sapp (R; Clay, Marion, Putnam, St. Johns) and Sen. Massullo (R; Citrus, Hernando, Pasco, Sumter)

A constant theme in many of the land use bills, and during comments in committees, is speeding up the permitting process at the local level.

HB 927 requires local governments to create a list of qualified professionals that can provide preapplication consultations and certifications. It also makes more changes to expedited reviews, and establishes timeframes for application approvals. In summary, the bill:

- Requires counties with 75,000+ residents and municipalities with 10,000+ residents to create development preapplication consultation programs, with specified timelines and automatic approval if deadlines are not met.

- Authorizes qualified contractors or qualified contractor firms to assist with preapplication reviews and application processing, preventing local governments from imposing added conditions or delays on their use.

- Establishes a mandatory registry of qualified contractors to supplement local government staff in reviewing certain development permits, plats, and preapplication services.

- Clarifies that local governments must accept common forms of financial assurance for infrastructure improvements and cannot unreasonably delay or condition building permits on completion of certain infrastructure.

- Expands expedited building permit review for subdivisions or phased planned communities, including provisions that allow for up to 50% (or more in certain circumstances) of building permits to be issued before a final plat is recorded.

- Adopts standardized refund schedules when local governments fail to meet application review deadlines, with partial or full refunds based on delays.

- Clarifies that local governments may not require physical completion of infrastructure or related certifications before issuing some building permits, except for specific emergency accessibility requirements.

- Provides a period of vested rights for approved preliminary plats under certain conditions, ensuring applicants can proceed in good faith with development.

The bill does make an exception for projects with certain historical declarations.

As always, I encourage you to read the full bill. It unanimously passed the House and Senate. If approved by the Governor, it is Effective Date: July 1, 2026.

FAILED SB 718 - Water Management by Sen. McClain (R– Marion)/HB 479 by Rep. Maggard (R – Pasco)

SB 718 would have prohibited counties and municipalities from adopting laws, regulations, rules, or policies relating to water quality or quantity, pollution control, pollutant discharge prevention or removal, or wetlands, and would have preempted all such regulation to the Florida Department of Environmental Protection (FDEP). The bill also would have required FDEP to notify the Chief Financial Officer if a local government adopted conflicting policies, which could have resulted in the withholding of state funds.

The House companion, HB 479, was amended in the House Natural Resources & Disasters Subcommittee to significantly narrow the bill by removing provisions preempting the regulation of water quality, water quantity, pollution control, pollutant discharge prevention and removal, and wetlands. The amendment instead included provisions prohibiting local governments from restricting certain adjacent development near wetlands and removed the penalty provisions for noncompliance.

HB 479 passed its first committee of reference but was not taken up in its remaining committees prior to adjournment. SB 718 was referred to three committees in the Senate but was not heard in its first committee of reference. Both bills died at the end of Session.

FAILED SB 1444 - Preemption to the State by Sen. Martin (R- Lee) / HB 1227 by Rep. Oliver (R-Charlotte)

SB 1444 / HB 1227 related to state preemption and proposed significant limitations on local government authority across several areas, including religious gatherings, parking, permitting, and regulation of certain private entities.

The bills would have preempted to the state all matters relating to the regulation of religious services and gatherings and prohibited counties, municipalities, and special districts from adopting or enforcing ordinances, regulations, rules, or policies that substantially burden the free exercise of religion.

The bills also prohibited local governments from restricting parking associated with attendance at religious services or gatherings, provided such parking is consistent with public safety and access requirements.

The bills also would have limited local government authority over parking on certain residential properties. Specifically, the bills provided that local governments may not regulate the parking of vehicles or trucks on land zoned as residential if the parcel size is greater than 2 acres, and may not regulate the parking of trailers or heavy equipment on land zoned as residential if the parcel size is greater than 5 acres.

In addition, the bills included several provisions related to permitting and post-disaster recovery. The bills prohibited local enforcement agencies from denying certificates of occupancy based on noncompliance with Florida-friendly landscaping requirements under certain conditions following a declared state of emergency. The bills also prohibited local enforcement agencies from denying building permits for certain repairs to single-family residential structures damaged by a natural disaster if specified criteria are met.

The bills further limited local permitting authority by prohibiting local governments from requiring building permits for certain improvements on residential property, including playground equipment, fences, and landscape irrigation systems, and from requiring permits for work valued at less than $7,500, subject to exceptions for electrical, plumbing, or structural work. However, these provisions were successfully amended into HB803, which did pass.

Additionally, the bills created state preemption over the regulation of mutual benefit corporations, including private membership clubs such as country clubs, yacht clubs, and similar entities. The bills prohibited local governments from regulating such entities differently from other businesses, including restrictions on events, access, or internal governance. The bills also provided a civil cause of action for persons adversely affected by a violation and authorized recovery of attorney fees and costs and included a limited waiver of sovereign immunity for such claims.

SB 1444 was voted favorably out of its first committee stop, while HB 1227 was not heard in committee prior to adjournment. Both bills died at the end of Session.

FAILED BUT SOME PROVISIONS INCLUDED IN HB 1329 SB 548 – Growth Management by Sen. McClain (R-Marion) / HB 1139 – Impact Fees by Rep. Gentry (R-Volusia)

CS/SB 548 and CS/HB 1139 would have implemented additional requirements and limitations on local governments, school districts, and special districts related to the adoption and increase of impact fees, particularly when relying on "extraordinary circumstances" to exceed statutory phase-in limitations.

The bills defined "extraordinary circumstances" as measurable effects of development requiring mitigation that exceed the total of the current adopted impact fee amount and allowable increases within a 4-year period.

The bills required that any demonstrated-need study used to justify an impact fee increase beyond statutory limits:

- Use a plan-based methodology utilizing the most recent and localized data to project growth over a 10-year period and identify capital projects needed to address capacity impacts
- Specify the capacity standards supporting the existence of extraordinary circumstances
- Be accompanied by a declaration identifying how and the timeframe within which the impact fee increase will be used to construct or purchase improvements needed to increase capacity
- Use localized data reflecting differences in costs and project types across urban, emerging urban, and rural areas
- Prohibit the use of data older than 4 years

The bills maintained the requirement that any impact fee increase adopted under extraordinary circumstances must be approved by a unanimous vote of the governing body and implemented in 2 to 4 equal annual increments.

The bills also imposed additional limitations on impact fee increases, including:

- Prohibiting increases of more than 100 percent over a 4-year period
- Prohibiting the inclusion of previously authorized deductions in calculating increases
- Restricting increases if the jurisdiction had not increased fees within the prior 5 years (subject to limited exceptions)

In addition, the bills provided for refunds, interest, and attorney fees under certain circumstances if deemed by a court.

CS/HB 1139 advanced through the House and passed its committees of reference, while CS/SB 548 did not advance through the Senate. Neither bill passed both chambers prior to the end of the 2026 Regular Session and therefore died.

However, several provisions from CS/HB 1139 were incorporated into HB 1329 (Local Government Finances), which did pass, including:

- Creates new definitions of "impact fee" and "plan-based methodology" for concurrency and outlines allowable alternative transportation planning options, including explicit use of impact fees.
- Implements stricter rules on adopting or increasing impact fees, including using a plan-based methodology, limiting the use of data older than 4 years, and capping fee increases beyond certain levels without demonstrating extraordinary circumstances.
- Establishes refunds or credits for impact fee overpayments, with specific timelines for local governments, school districts, and special districts to respond.

PASSED **HB 1389 - Affordable Housing** by Rep. Redondo (R, Miami) and Sen. Calatayud (R, Miami) makes more changes to the Live Local Act which was started a few years ago to address the need for affordable housing. This years bill further mandates that local governments authorize certain affordable multifamily and mixed-use housing in commercial and industrial zones along with other changes.

According to the Senate Staff Analysis, the bill does the following:

- Provides that the preemptions of the Live Local Act permitting the development of affordable housing apply on any property owned by a county, municipality, or school district;
- Provides that the preemptions of the Live Local Act permitting the development of affordable housing applies on a property which is more than 3 acres in size, owned by a religious institution, and has contained a house of public worship for 10 years;
- Provides that, through July 1, 2030, a multifamily or mixed-use development using the preemptions of the Live Local Act may consist of an assemblage of parcels under common ownership or control which are separated by no more than 15 feet of land and limited public pedestrian access;
- Provides that the preemptions of the Live Local Act do not apply in an area subject to a land development regulation intended to retain the open character of land, any area of critical state concern, or any portion of property under a conservation easement;
- Provides that a local government may not utilize other dimensional means such as setbacks or set-backs to constructively restrict the height of a project authorized by the Live Local Act;
- Provides that farming and farm operations, including the packaging and sale of those products raised on the premises, are excluded from the definitions of commercial, industrial, or mixed-use zoning which would require the local government to approve affordable housing developments; and
- Provides that the Live Local Act may apply if the development is approved by the governing body of an airport where the proposed development is near an airport runway or noise zone.

The bill had bi-partisan support. It passed the Senate unanimously, both in committee and on the Floor. Once the House bill was changed to remove a controversial measure that relaxed restrictions on ancillary dwelling units, it passed the House by a vote of 98 to 4.

If approved by the Governor, it is effective on July 1, 2026.

What's Next ?

We actually end the Session in about the same position as when it started. None of the divisive issues between the House, Senate, and Governor have been resolved.

The immediate issue is the Budget but until they reach an agreement on the final budget allocations, negotiations can't even begin. They will need to complete their Budget work before July 1 so it's possible they come back in April, May or even June.

In addition to the Budget, legislation related to property taxes is still expected to be addressed by the Legislature in the coming months. However, as of today, nothing has been filed and a date for that topic has not been set.

The Governor has called for a Special Session to consider congressional redistricting. That will take place April 20 to 24, 2026. It's possible that the call for this Special Session could be expanded to address more topics.

So, the Regular Session is over, but stay tuned for possibly many more Special Sessions.

###

BALLARD | PARTNERS

Special Session F
Regarding Property Taxes

June 2, 2026

2026 Special Session F Report

In 2025, Governor DeSantis began publicly discussing his desire for the Legislature to pass changes to property taxes. Since then, the issue has been prominent in the media, but there was limited legislative action on the topic. That finally changed last week on May 27th when the Governor made his proposal public and officially issued a proclamation calling a Special Session for June 1st to 3rd to address the issue.

On May 28th, legislation was filed in the House and Senate that reflected the Governor's proposal, and there was immediate public opposition to the proposal from local governments, special districts, and other impacted organizations. After bill filing, multiple unintended consequences were immediately identified such as funding for Constitutional Officers, and the omission of local services that were not explicitly covered in the list of permissible core government services which could utilize property tax dollars.

Following the House and Senate Committee meetings on the filed legislation, several provisions from the Governor's proposal were amended and/or removed entirely. You will find a complete list of amendments in the summaries below.

As always, we highly recommend your legal team fully review the complete language of the bills. You can follow the links below. In summary, the bills that were heard in the House & Senate today and passed did the following:

- The question will go on the ballot for the general election in November 2026.
    - It must pass with 60%

If passed:

- It will phase in an exemption for the first $250,000 of a homesteaded property's value from taxation for local governments and Special Districts. NOT Schools.
    - 2027… $150,000
    - 2028… $250,000
    - 2029… TBD
- The above exemptions are limited to any person who has Florida residency prior to January 1, 2027, or who establishes Florida residency after January 1, 2027, to maintain Florida residency for up to five years prior to receiving the full increased homestead exemption.
    - Residents declaring residency after January 1, 2027, are eligible for a smaller exemption of up to $25,000 for school district levies and up to $50,000 for all other levies.
- Reduces the current annual 10% cap to 5% for non-homesteaded property increases.

Bills from Special Session F

HJR 1F Save Our Homes from Excessive Property Taxes by Rep. Overdorf (R-Martin) / SJR 2F by Sen. Avila (R-Miami-Dade)

HJR 1F and SJR 2F are joint resolutions that propose a constitutional amendment addressing homestead exemptions, non-homestead property assessment limits, and the allowable uses of county and municipal ad valorem tax revenues. If approved by at least 60 percent of the voters at the November 2026 general election, the amendment would take effect January 1, 2027. In our review, the joint resolution does the following, but we recommend having your staff review the joint resolution to determine how it will specifically affect your operations.

The joint resolution would reduce the annual assessment cap for certain non-homestead properties from 10% to 5% beginning January 1, 2027. Under the amendment, assessments subject to this subsection would continue to change annually on the date of the assessment provided by law, but those changes could not exceed 10% before January 1, 2027, and 5% beginning January 1, 2027.

HJR 1F -

ARTICLE VII 19 FINANCE AND TAXATION 20 SECTION 4. Taxation; assessments.

(1) Assessments subject to this subsection shall be changed annually on the date of assessment provided by law; but those changes in assessments shall not exceed the following percentages ~~ten percent (10%)~~ of the assessment for the prior year:

a. Before January 1, 2027, ten percent (10%).

b. Beginning January 1, 2027, five percent (5%).

The proposed amendment increases the homestead exemption for all levies other than school district levies. Beginning January 1, 2027, the exemption would apply up to the assessed valuation of **$150,000**. Beginning January 1, 2028, the exemption would apply up to the assessed valuation of **$250,000**.

For individuals who establish Florida residency after January 1, 2027, the joint resolution created a delayed benefit structure. A person who did not maintain permanent residence in Florida as of December 31, 2026, but later establishes Florida residency, would initially be exempt from taxation up to $25,000 for school district levies and up to $50,000 for all levies other than school district levies. Unless otherwise revised by general law, beginning with the fifth year of exemption, such person would be eligible for the increased homestead exemption amount provided under the joint resolution.

HJR 1F -

SECTION 6. Homestead exemptions.

2. ~~b.~~ For all levies other than school district levies:, I. Beginning on January 1, 2027, up to the assessed valuation of one hundred and fifty thousand dollars.

II. Beginning on January 1, 2028, up to the assessed valuation of two hundred and fifty thousand dollars.

b. Every person who, on or after January 1, 2027, has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, who had not maintained a permanent residence in this state as of December 31, 2026, shall be exempt from taxation thereon, except assessments for special benefits, as follows:

1. For school district levies, up to the assessed valuation of twenty-five thousand dollars; and

2. For all levies other than school district levies, up to the assessed valuation of fifty thousand dollars. Unless otherwise revised under sub-subparagraph (4)a.2., beginning with the fifth year of exemption under this subparagraph, such person shall be exempt up to the amount of assessed valuation provided by sub-sub-subparagraph a.2.II., as adjusted pursuant to subparagraph (2)a. The legislature shall, by general law, prescribe uniform procedures to administer this subparagraph.

The joint resolution also limits the allowable uses of ad valorem taxes levied by counties and municipalities. County and municipal ad valorem taxes may be used only to:

SECTION 9. Local taxes—

(2) Ad valorem taxes levied by counties and municipalities shall be used only to:

a. Provide for public safety, including law enforcement, fire service, and emergency medical service;

b. Provide funding for education and public schools;

c. Finance or refinance infrastructure, including expenditures on road and bridge construction and maintenance and stormwater control;

d. Finance or refinance natural resource projects, including flood control measures;

e. Issue local bonds for uses consistent with this paragraph and to make debt service payments for existing obligations;

f. Meet obligations for retirement benefits of local government employees; or

g. Fund the operations and administration of county officers and commissioners established under Article VIII and municipalities, and the expenditures approved by such county officers or county or municipal governing bodies, except those expenditures prohibited by general law.

Lastly, the ballot language for the proposed constitutional amendment describes the measure as "Save Our Homes From Excessive Property Taxes." The ballot summary from the joint resolution is listed below.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VII, SECTIONS 4, 6, AND 9

ARTICLE XII

SAVE OUR HOMES FROM EXCESSIVE PROPERTY TAXES.—

This amendment benefits Florida taxpayers by:

Exempting homestead properties from taxation. Exempts the first $250,000 of a homestead's value from taxation for all levies other than school district levies and requires, through general law, a schedule for full elimination.

Ensuring funding for core services. Requires local governments to use remaining property taxes solely for core public needs, including public safety, education and schools, infrastructure, and natural resources.

Protecting small businesses. Limits future property tax assessments on businesses.

Ensuring fairness for Florida residents. Requires any person who establishes Florida residency after January 1, 2027, to maintain Florida residency for five years prior to receiving the increased homestead exemption.

If approved, the amendment would take effect on January 1, 2027.

When the House and Senate bills were heard on Monday, June 1st, in their only committee of reference, they were amended to address some of these issues. In summary, the scope of the bills were reduced as follows:

- Removed funding for schools from the increased homestead exemption.
- Removed language related to the creation of a Trust Fund.
- Clarified and expanded what government services could be funded from ad valorem revenue.

Both Joint Resolution bills passed their respective Chambers by a super majority. The vote was mostly along party lines with the exception of one Democrat in the House and three in the Senate. It passed the Senate by a vote of 30 to 9 and the House by a vote of 75 to 26.

In addition to the Constitutional changes proposed in HJR 1F & SJR 2F, general legislation was also considered and passed that address property Tax Administration.

SB 4F by Sen. Avila (R-Miami-Dade) / HB 3F Property Tax Administration by Rep. Overdorf (R-Martin)

Following a protracted debate over the past year, the Legislature passed SB4F and its House companion HB 3F, which revise Florida's property tax administration statutes related to local government millage rates. In our review, the bill does the following, but we recommend having your staff review the bill to determine how it will specifically affect your operations.

The bill amends the definitions of "maximum total county ad valorem taxes levied" and "maximum total municipal ad valorem taxes levied" to conform with changes made to the state's millage calculation process.

The bill revises s. 200.065, F.S., to provide that the maximum millage rate a county, municipality, municipal service taxing unit, dependent special district, or independent special district may levy is the rolled-back rate. A higher rate may still be adopted if approved by the required vote threshold. A rate of not more than 110% of the rolled-back rate may be adopted by a two-thirds

vote of the governing body. A rate above 110% may be adopted by unanimous vote, by a three-fourths vote if the governing body has nine or more members, or by referendum.

The bill also preserves existing flexibility for certain county, municipal, MSTU, and dependent special district millage rates to exceed the individual maximum millage rate if the total county or municipal ad valorem taxes levied do not exceed the applicable maximum total amount.

Additionally, SB 4F conforms the Department of Revenue certification process for local taxing authorities and reenacts several provisions related to fiscally constrained counties to incorporate the revised references to s. 200.065, F.S.

The bill also authorizes the ballot summary for a related proposed constitutional amendment addressing Article VII, sections 4, 6, and 9 of the Florida Constitution to exceed the usual 75-word limit. The proposed constitutional amendment would be submitted to voters at the November 3, 2026, general election.

Both bills were amended in both the House State Affairs Committee and the Senate Appropriations Committee to remove provisions that would have: (1) required the Department of Revenue to create a state website related to the proposed constitutional amendment; (2) required property appraisers to mail notices to taxpayers regarding the amendment; and (3) appropriated funds to the Department of Revenue to reimburse property appraisers for mailing costs associated with those notices.

SB 4F takes effect upon becoming law**.**

SB 4F passed Senate by a 30-8 vote and the House by a 75-27 vote. The bill now goes to the Governor for his signature.

What's Next?

These Joint Resolutions will now proceed through the normal process of going on the November ballot. It is possible that there could be independent legal challenges to these provisions, most likely focused on the ballot language. If a court strikes down the language, the Florida Attorney General will likely have an opportunity to make edits to the ballot language, not the scope of the proposal.

Lastly, all of these changes require voter approval. They must pass in November by a vote of at least 60% of votes cast during the 2026 General Election.

If passed, there will be most likely be additional legislative changes proposed in the 2027 Session. It could cover a possible Trust Fund to assist local governments with shortages and how local governments can implement fees or surcharges.

We look forward to continuing to assist you as we navigate this significant policy proposal that impacts all local governments in Florida.

###

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Carolyn Stone, Deputy Town Manager, Business Enterprise and Culture

Re: Boards and Commissions Review - Tranche 3, Governance Framework

Date: 7/7/2026

EXECUTIVE SUMMARY

As part of the Town Council's ongoing review of the Town's boards and commissions, staff have evaluated governance practices across all nine boards and commissions to identify opportunities for greater consistency, administrative efficiency, and effective governance. Current governance provisions have evolved independently, resulting in inconsistent practices.

This discussion is intended to obtain policy direction regarding whether the Town should establish a more standardized governance framework while recognizing that certain boards may warrant unique provisions. The discussion is organized around five governance topics:

- Term limits
- Term lengths
- Appointments and reappointments
- Meeting frequency
- Attendance and voting

No action is requested at this meeting. Staff is seeking policy direction that may guide future recommendations and potential Code amendments.

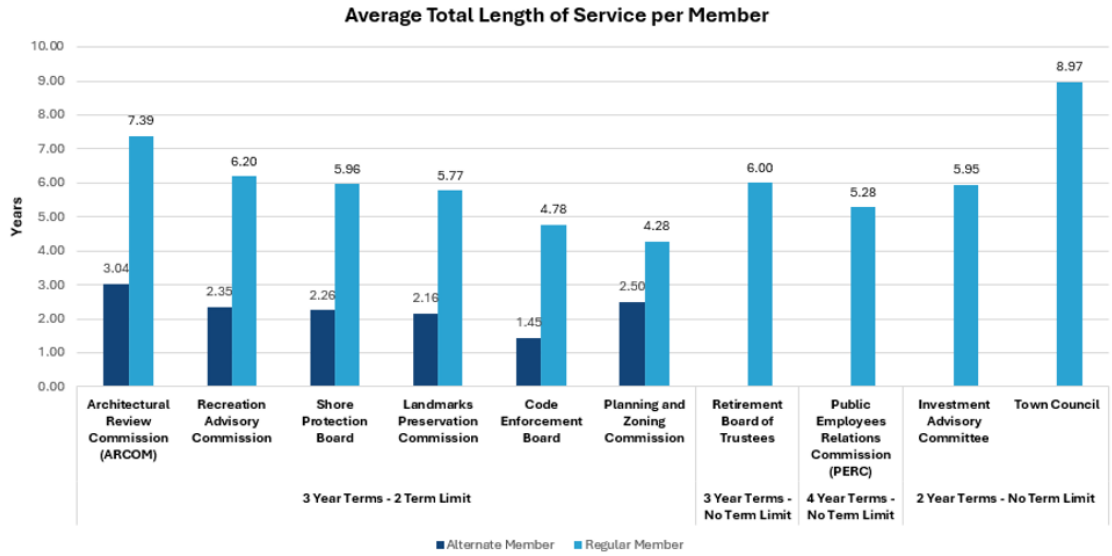
DECISION POINT 1 – TERM LIMITS

Current State

Six of the Town's nine boards currently have term limits, while three do not (the Investment Advisory Committee, the Retirement Board of Trustees, and the Public Employees Relations Commission). Two of these boards are fiduciary boards where continuity and institutional knowledge are particularly valuable, while PERC meets only as needed.

Historical data compiled since 1985 indicates an overall mid-term resignation rate of

approximately 4.1%, suggesting members generally complete their terms. Boards with alternate members may currently allow an individual to serve up to 12 consecutive years if they complete two terms as an alternate member and a regular member.



*Alternate member positions were removed from the Recreation Advisory Commission and Shore Protection Board in 2021

Policy Question
Should the Town eliminate board term limits and instead rely on the reappointment process as the primary mechanism for evaluating continued service?

Considerations
Maintaining term limits may:

- encourage new perspectives and community participation;
- promote leadership rotation; and
- create regular opportunities for new volunteers.

Eliminating term limits may:

- preserve institutional knowledge and specialized expertise;
- improve continuity for long-term initiatives; and
- allow Council to retain highly effective volunteers through its existing reappointment process.

Council may wish to:

- maintain current term limits;
- eliminate term limits for all boards; or
- eliminate term limits only for selected board classifications, such as fiduciary boards.

DECISION POINT 2 – TERM LENGTHS

Nearly every board currently utilizes three-year terms. Exceptions include the Investment Advisory Committee (two-year terms) and the Public Employees Relations Commission (four-year terms).

Council may wish to consider whether to:

- maintain the current structure;
- standardize three-year terms for all boards for consistency; or
- establish different term lengths based on board classification.

DECISION POINT 3 – APPOINTMENTS AND REAPPOINTMENTS

Appointments currently occur throughout the year, though most take place during season. When board members resign prior to the end of their term, positions are advertised and filled promptly rather than according to the regular schedule.

	Architectural Review Commission (ARCOM)	Recreation Advisory Commission	Shore Protection Board	Landmarks Preservation Commission	Code Enforcement Board	Planning and Zoning Commission	Retirement Board	Public Employees Relations Commission (PERC)	Investment Advisory Committee	Town Council	Grand Total
Mid-term Resignation Rate	5.95%	1.61%	5.00%	4.52%	6.82%	6.58%	5.26%	0.00%	0.00%	0.00%	4.09%

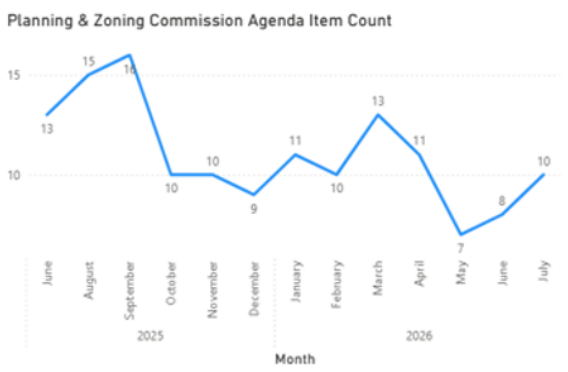
Council may wish to consider:

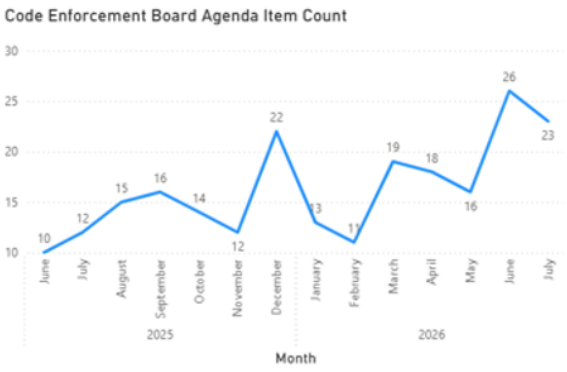
- establishing a consistent annual recruitment period;
- whether current board sizes remain appropriate, including the appointment of alternate members;
- whether board qualifications should be more clearly defined and enforced;
- whether members filling partial terms should serve the remainder of the existing term or begin a new full term; and
- whether Council should have the option to defer appointments in order to recruit a broader applicant pool.

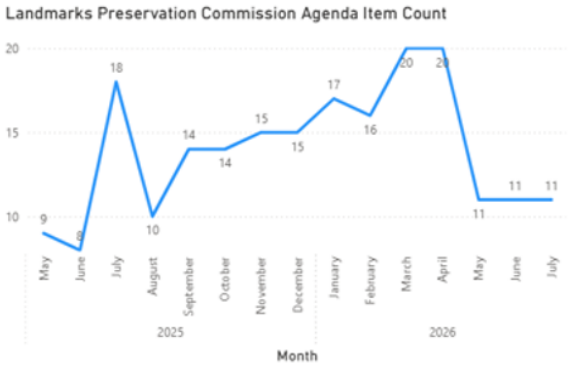
One potential approach would be to establish a coordinated annual recruitment and appointment cycle between October and April to improve recruitment, public awareness, consistency, and onboarding.

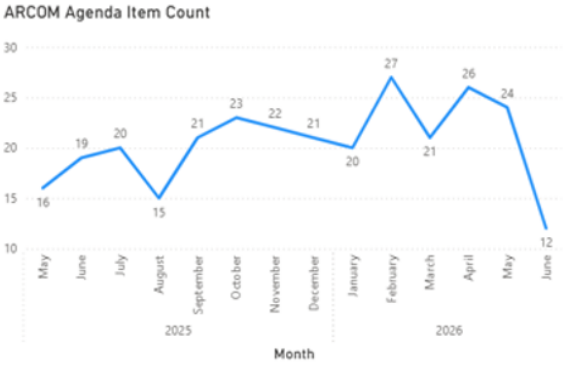
DECISION POINT 4 – MEETING FREQUENCY

Several boards have meeting frequencies established in the Town Code; however, board workloads vary significantly based on development activity, work programs, and Council priorities.









Council may wish to consider allowing meeting schedules to be established administratively (and remove the code language which currently dictates the meeting cadence), with meetings held as directed by the Town Council, Town Manager, or Department Director as necessary to accomplish each board's responsibilities.

This approach could provide greater flexibility, reduce future Code amendments, and better align meetings with workload.

DECISION POINT 5 – ATTENDANCE AND VOTING

Several boards distinguish between excused and unexcused absences, which can result in subjective and inconsistent administration. In addition, alternate members may vote on an item at one meeting or application before returning to alternate status, potentially affecting continuity.

Historical attendance across the Town's quasi-judicial boards has remained high (approximately 92%), while conflict-of-interest recusals have averaged approximately 6% of voting records.

Year	Landmarks Preservation Commission				Planning & Zoning Commission				Architectural Commission				Code Enforcement Board			
	Absences	%	Conflicts	%	Absences	%	Conflicts	%	Absences	%	Conflicts	%	Absences	%	Conflicts	%
2026*	1	2%	1	1%	2	4%	0	0%	0	0%	7	9%	3	7%	1	2%
2025	11	9%	6	6%	12	10%	4	21%	12	10%	12	7%	10	9%	3	3%
2024	17	14%	9	9%	6	5%	6	32%	16	13%	17	7%	13	12%	0	0%
2023	8	7%	5	5%	5	6%	2	12%	16	13%	16	7%	14	13%	0	0%
2022	16	13%	21	19%	8	13%	0	0%	16	13%	28	8%	3	3%	3	2%
2021	5	4%	30	23%	2	2%	0	0%	6	5%	21	6%	3	3%	2	3%
2020	8	7%	21	24%	1	2%	0	0%	1	1%	10	4%	2	2%	0	0%
2019	12	10%	8	11%	5	8%	0	0%	10	8%	1	1%	10	9%	0	0%
2018	10	8%	14	13%	7	12%	1	14%	11	9%	1	0%	6	6%	2	2%
2017	11	9%	11	10%	7	12%	0	0%	7	6%	7	3%	6	6%	0	0%
2016	18	15%	12	11%	14	18%	0	0%	10	8%	5	2%	10	9%	0	0%

*Data as of May 2026

Council may wish to consider:

- eliminating distinctions between excused and unexcused absences and shifting focus to overall participation;
- establishing a maximum number of absences;
- allowing Council discretion when determining whether a vacancy should be declared based on an absence record; and
- transitioning to a process where designated members consistently vote on individual applications or projects when alternate participation is required.

NEXT STEPS

Staff is seeking Town Council feedback on these governance concepts. Based on Council direction, staff can prepare recommendations and potential Code amendments addressing:

- term limits;
- term lengths;
- appointments and reappointments;
- meeting frequency;
- attendance and voting;

Further deliberation regarding board composition and qualifications may be scheduled for future meetings, as directed by the Council.

Attachment: Code of Ordinances related to Boards and Commissions

STRATEGIC PLAN

Strategic Priorities:
Governmental Leadership and Innovation, Community Culture and Character

Strategic Focus Areas:
Cooperative Relationships
Community Preservation
Quality of Life

FUNDING
No Fiscal Impact

Boards and Commissions Tranche 3: DRAFT PRESENTATION, SUBJECT TO CHANGE

- Term limits
- Term lengths
- Appointments
- Meeting frequency
- Attendance/voting

August 11, 2026, Town Council

Introduction – Why This Review?

Current State: The Town has nine boards and commissions established over many decades. Governance provisions have evolved independently, resulting in inconsistent practices. Differences exist in:

- term lengths
- term limits
- appointment timing
- meeting frequency
- attendance requirements
- other operational provisions

Policy Question: Should the Town establish a standardized governance framework across boards and commissions whenever practical?

Should the Code of Ordinances contain a standalone Boards and Commissions *Administrative* Section?

Council Decisions to be made: Maintain individual provisions for each board; or adopt consistent governance standards with limited exceptions. Establish a new code section for administrative items of the boards and commissions or leave as is.

Discussion and Decision Points

1. Term Limits
2. Term Lengths
3. Appointments and Reappointments
4. Meeting Frequency
5. Attendance/Voting

Decision Point 1: Term Limits

Current State

- Six of the Town's nine boards currently have term limits.
- Three boards do not.
- Two of the three exceptions are fiduciary boards, where continuity and institutional knowledge are particularly valuable.
- The third is the Public Employees Relations Commission (PERC), which meets only as needed.
- The current structure reflects a variety of approaches that have developed over time rather than a single governance philosophy.

Decision Point 1: Term Limits

Policy Question

- Should the Town eliminate board term limits and instead rely on the annual reappointment process as the mechanism for evaluating continued service?
- Rather than requiring members to rotate off after a prescribed number of terms, the Town Council would continue to evaluate each member's performance, attendance, qualifications, and willingness to serve at the time of reappointment.

Decision Point 1: Term Limits

Policy Considerations

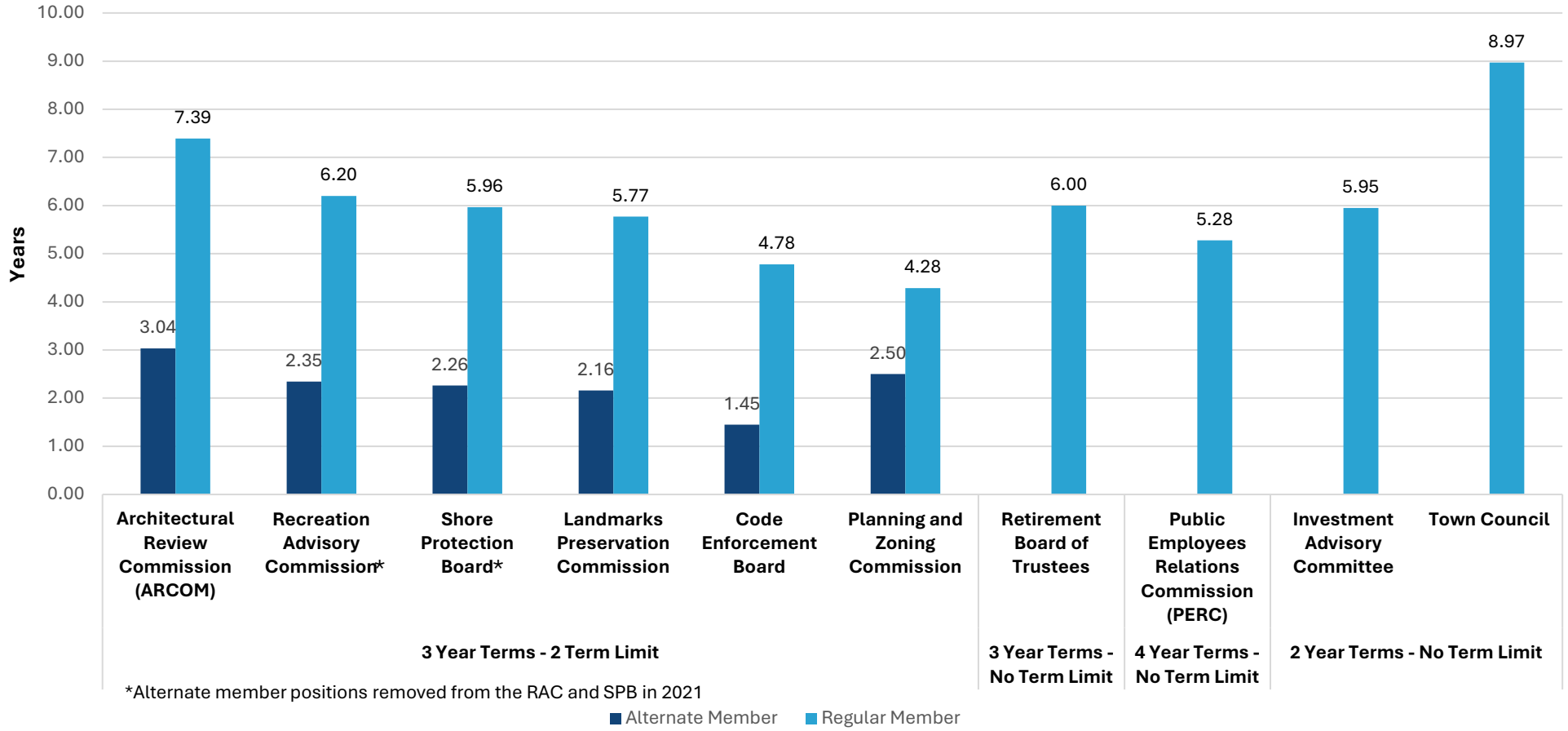
Potential benefits include:

- Preserves institutional knowledge and subject matter expertise.
- Allows the Town Council to retain highly effective volunteers.
- Avoids the loss of experienced members solely because a term limit has been reached.
- Recognizes that volunteer service should be based on continued contribution rather than length of service.
- Maintains accountability because every appointment and reappointment remains subject to Town Council approval.

Potential considerations include:

- Regular recruitment remains important to incorporate new perspectives.
- The reappointment process should include a thoughtful review of member participation, attendance, and contributions.
- Public advertising of vacancies and expiring terms continues to provide opportunities for new applicants.

Average Total Length of Service per Member



	Architectural Review Commission (ARCOM)	Recreation Advisory Commission	Shore Protection Board	Landmarks Preservation Commission	Code Enforcement Board	Planning and Zoning Commission	Retirement Board	Public Employees Relations Commission (PERC)	Investment Advisory Committee	Town Council	Grand Total
Mid-term Resignation Rate	5.95%	1.61%	5.00%	4.52%	6.82%	6.58%	5.26%	0.00%	0.00%	0.00%	4.09%

Board and Commission

Board / Commission	Nature	Members / Alternates	Quorum	Term Length	Term Limits	Meetings 2026	Code Section
Architectural Commission (ARCOM)	Quasi-judicial	7 regular, 3 alternates	4	3 years	2 consecutive	12	Ch. 18, Art. III (§18-166 through §18-176)
Landmarks Preservation Commission (LPC)	Quasi-judicial	7 regular, 3 alternates	4	3 years	2 consecutive	12	Ch. 54, Art. II & IV (§54-36 through §54-41, §54-163)
Planning & Zoning Commission (PZC)	Advisory; Can be Quasi-judicial	7 regular, 3 alternates	4	3 years	2 consecutive	10-12	Ch. 2, Art. IV, Div. 2 (§§2-326 through §2-334)
Shore Protection Board (SPB)	Advisory	7 regular	4	3 years	2 consecutive	5	Ch. 2, Art. X (§2-636)
Recreation Advisory Commission (RAC)	Advisory	7 regular	4	3 years	2 consecutive	4	Ch. 74, Art. I (§74-1)
Code Enforcement Board (CEB)	Quasi-judicial	7 regular, 2 alternates	4	3 years	2 consecutive	12	Ch. 2, Art. V, Div. 2 (§2-401 through §2-405)
Investment Advisory Committee (IAC)	Fiduciary/Advisory	5 members	3	2 years	No term limit	4	Ch. 2, Art. VI, Div. 6 (§2-567)
Retirement Board of Trustees	Fiduciary/Advisory	9 members (5 residents, 4 employees)	5	3 years	No term limit	4	Ch. 82, Art. II, Div. 2, §82-57
Public Employees Relations Commission (PERC)	Quasi-judicial	3 members	2	4 years	No term limit	-	Appendix A (§§1.003–1.004)

Decision Point 1: Term Limits

Council Decision

Should the Town:

- Maintain existing term limits;
- Remove term limits for all boards and rely on the reappointment process as the primary governance mechanism; or
- Remove term limits for certain board classifications only (e.g., fiduciary boards)?

- Members would not serve indefinitely without oversight. Rather, the Council's reappointment process serves as the governance tool in place of automatic term limits. Every reappointment would remain an affirmative decision of the Town Council, providing an opportunity to evaluate attendance, participation, expertise, and the board's continued needs. This approach emphasizes merit and continuity while preserving the Council's authority over appointments.

Decision Point 2 – Term Length

Current State

- Nearly every board has three-year terms.
- The Investment Advisory Commission has two-year terms.
- The Public Employees Relations Commission has four-year terms.

Policy Question

- Should the Town standardize board terms? Potential options:
  - Maintain existing structure.
  - Three-year terms for all boards.
  - Different terms based on board classification.

Decision Point 3 – Appointments & Reappointments

Current State

- Appointments occur throughout the year. Because Palm Beach is highly seasonal:
  - Resident participation fluctuates
  - Volunteer recruitment could be strongest during the season
  - Appointments occur on varying schedules
  - Members appointed to fill unfinished terms serve the remainder of the existing term

	Architectural Review Commission (ARCOM)	Recreation Advisory Commission	Shore Protection Board	Landmarks Preservation Commission	Code Enforcement Board	Planning and Zoning Commission	Retirement Board	Public Employees Relations Commission (PERC)	Investment Advisory Committee	Town Council	Grand Total
Mid-term Resignation Rate	5.95%	1.61%	5.00%	4.52%	6.82%	6.58%	5.26%	0.00%	0.00%	0.00%	4.09%

Decision Point 3 – Appointments & Reappointments

Policy Question

- Should appointments and reappointments occur during a consistent annual recruitment period?
- Are the boards the appropriate size?
- Should we have consistent board sizes?
- Should we have required qualifications?
- Should members appointed to fill incomplete terms continue to serve the remainder of the existing term or begin a new full term?
- If we didn't move to a once or twice per year recruitment period, should the TC have the option not to appoint a candidate if they want more in the pool to choose from? (Basically, adding space on the ballot to select – no appointment at this time)
- Possible concept:
  - Annual recruitment and appointments between October and April.
  - Benefits include:
    - improved recruitment
    - greater public awareness
    - consistent appointment process
    - coordinated onboarding

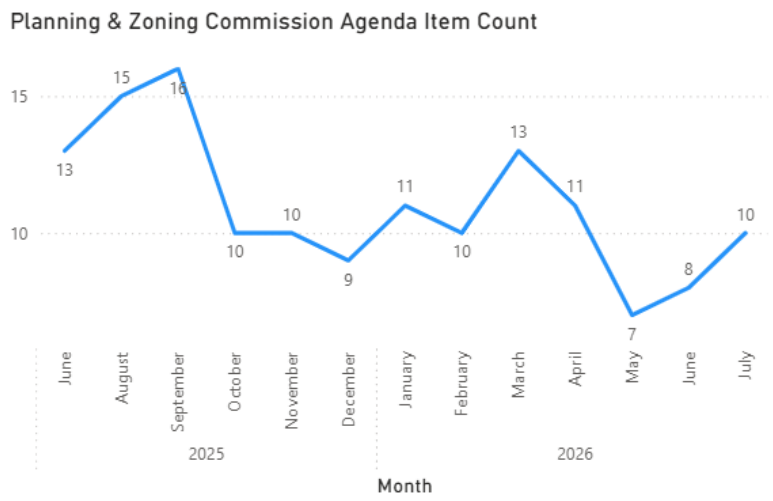
Decision Point 4 – Meeting Frequency

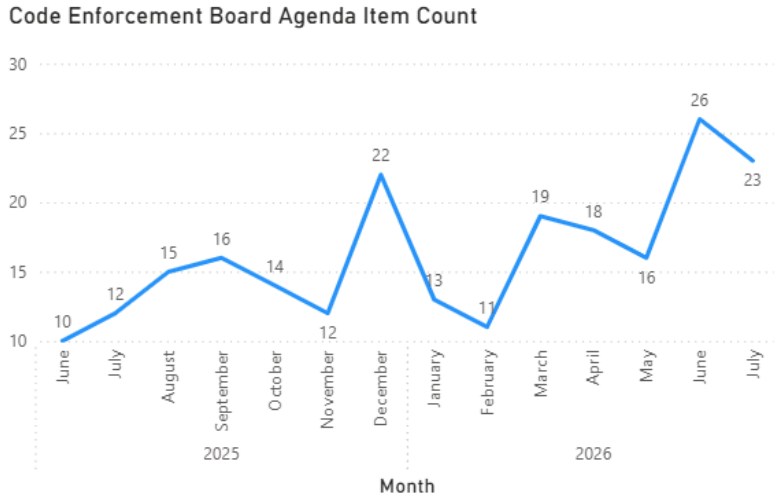
Current State

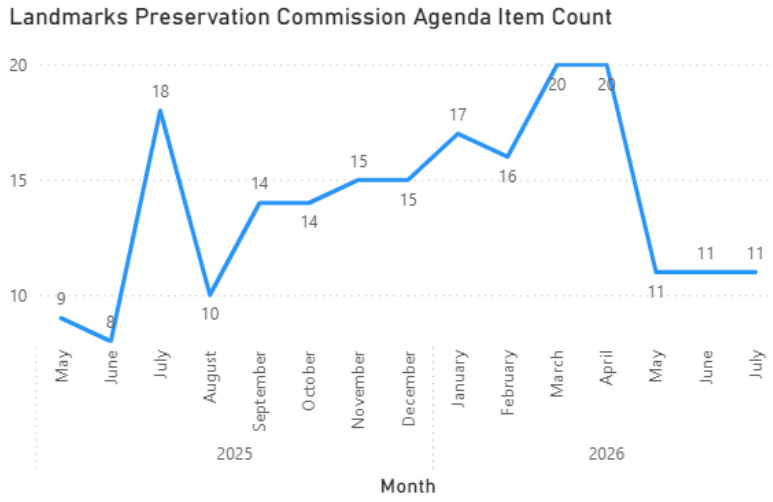
- Much of the board code prescribes specific meeting frequencies.
- In practice:
  - meeting needs vary
  - work programs fluctuate
  - Council priorities evolve

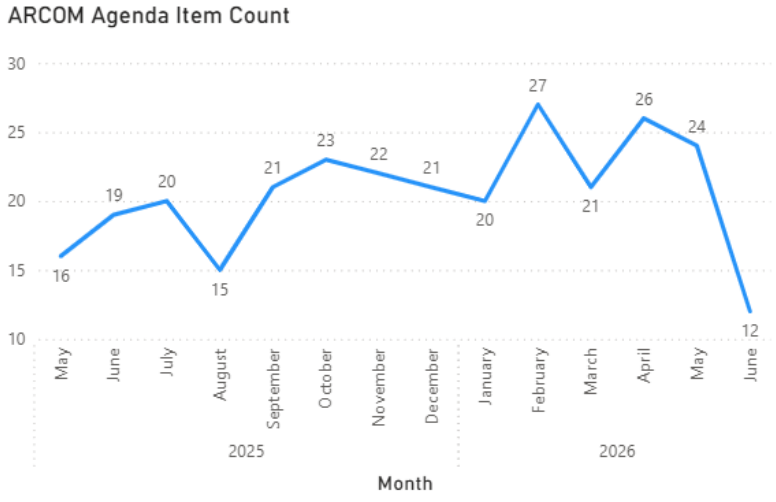
Policy Question

- Should meeting schedules be established administratively rather than by the Code? Possible Code concept:
  - Meetings shall be held at the direction of the Town Council, Town Manager, and/or Department Director as necessary to accomplish the board's responsibilities.
- Benefits:
  - flexibility
  - fewer future code amendments
  - meetings driven by workload rather than minimum requirements
  - Provides for the option of not having summer meetings



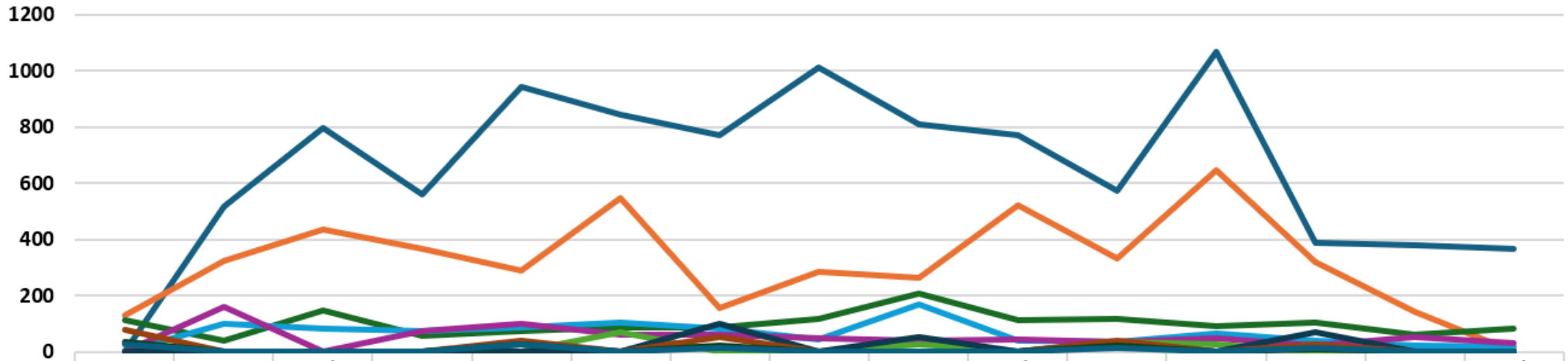






Workload of Monthly Boards

Public Meeting Views



	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
	2025								2026						
Town Council		517	797	560	942	844	771	1011	808	773	573	1069	390	380	368
Architectural Commission	132	326	437	367	291	549	157	287	262	523	333	645	321	143	
Landmarks Preservation Commission	115	41	147	60	73	90	88	116	207	112	117	93	107	62	82
Code Enforcement Board		103	82	76	88	106	85	43	170	41	36	68	41	22	20
Planning and Zoning Commission		160		75	100	64	61	49	42	43	36	50	23	52	33
Recreation Advisory Commission						70			29		35	27			
Shore Protection Board							99		54		37		70		
Retirement Board of Trustees	80				42		52				41		28		
Investment Advisory Committee	36				29		23				24		9		
Defined Contribution Plan Committee	29			0	28		15				15		15		

Planned Meetings 2026	
Town Council	
TCM-Regular Business	12
TCM-Development Review	12
LPA	
TCM-Special	5
Total Town Council	**29**
Planning, Zoning, & Building related	
ARCOM	12
LPC	12
PZC	11
Total PZB related	**35**
Other	
Code Enforcement/Special Magistrate	21
DCPC	4
IAC	4
RAC	4
RBT	4
SHORE	5
Total Other	**42**
Town Council Committees	
BAC	
PW	
ORS	
Finance & Tax	
Total Council Committees	**0**
Total Public Meetings	**106**

*247 work days per year

Meetings 2025	
Town Council	
TCM-Regular Business	12
TCM-Development Review	12
LPA	
TCM-Special	5
Total Town Council	**29**
Planning, Zoning, & Building related	
ARCOM	12
LPC	12
PZC	12
Total PZB related	**36**
Other	
Code Enforcement Board	12
DCPC	4
IAC	4
RAC	3
RBT	4
SHORE	3
Total Other	**30**
Town Council Committees	
BAC	
PW	
ORS	
Finance & Tax	
Total Council Committees	**0**
Total Public Meetings	**95**

*247 work days per year

Meetings 2024	
Town Council	
TCM-Regular Business	12
TCM-Development Review	12
LPA	
TCM-Special	6
Total Town Council	**28**
Planning, Zoning, & Building related	
ARCOM	12
LPC	12
PZC	11
Total PZB related	**35**
Other	
Code Enforcement Board	12
DCPC	4
IAC	4
RAC	3
RBT	4
SHORE	3
Total Other	**30**
Town Council Committees	
BAC	
PW	
ORS	
Finance & Tax	
Total Council Committees	**0**
Total Public Meetings	**93**

*247 work days per year

Decision Point 5 – Attendance/Voting

Current State

- Several boards distinguish between "excused" and "unexcused" absences. Administration can become subjective, inconsistent, awkward, and invasive.
- Absent members are filled with an alternate that votes at one meeting, but the member returns to a voting member.

Policy Question

- Should attendance provisions instead focus on participation without categorizing absence types?
- Should the voting members stay consistent for that item/project? (ARCOM examples)
- Potential direction:
  - establish a maximum number of absences
  - eliminate excused/unexcused distinctions
  - allow Council to determine when vacancies should be declared
  - Voting by item consistency

Attendance/Conflicts Data Tables

Year	Landmarks Preservation Commission				Planning & Zoning Commission				Architectural Commission				Code Enforcement Board			
	Absences	%	Conflicts	%	Absences	%	Conflicts	%	Absences	%	Conflicts	%	Absences	%	Conflicts	%
2026*	1	2%	1	1%	2	4%	0	0%	0	0%	7	9%	3	7%	1	2%
2025	11	9%	6	6%	12	10%	4	21%	12	10%	12	7%	10	9%	3	3%
2024	17	14%	9	9%	6	5%	6	32%	16	13%	17	7%	13	12%	0	0%
2023	8	7%	5	5%	5	6%	2	12%	16	13%	16	7%	14	13%	0	0%
2022	16	13%	21	19%	8	13%	0	0%	16	13%	28	8%	3	3%	3	2%
2021	5	4%	30	23%	2	2%	0	0%	6	5%	21	6%	3	3%	2	3%
2020	8	7%	21	24%	1	2%	0	0%	1	1%	10	4%	2	2%	0	0%
2019	12	10%	8	11%	5	8%	0	0%	10	8%	1	1%	10	9%	0	0%
2018	10	8%	14	13%	7	12%	1	14%	11	9%	1	0%	6	6%	2	2%
2017	11	9%	11	10%	7	12%	0	0%	7	6%	7	3%	6	6%	0	0%
2016	18	15%	12	11%	14	18%	0	0%	10	8%	5	2%	10	9%	0	0%

Expiring terms/vacancies

Boards	Type of Board	Historic Month of Appointments	Curent Number of Members	Upcoming Term Expirations in 2026	Upcoming Term Expirations in 2027	Term Limits	# of Meetings a Month Set by Code	Notes
Architectural Commission (ARCOM)	Quasi-Judicial	March	10 (7 regular, 3 alternate)	0	3, 1 architect member will term out	Yes	Yes	All terms begin in March and expire in March
Code Enforcement Board (CEB)	Quasi-Judicial	April	9 (7 regular, 2 alternate)	0	3; 2 members will term out	Yes	Yes	Most terms were appointed in March or April, with one in January
Landmarks Preservation Commission (LPC)	Quasi-Judicial	March, but recently moved to February	10 (7 regular, 3 alternate)	0	2; the NR expert yearly term will expire and 1 member will term out	Yes	No	All terms begin in March and expire in March
Planning and Zoning Commission (PZC)	Advisory/Quasi-Judicial when discussing PUDs	October, but recently moved to September	10 (7 regular, 3 alternate)	4; 1 landscape architect and 1 member will term out	4; 1 member will term out	Yes	No	Most terms begin in Sept or October with 2 outliers
Investment Advisory Committee (IAC)	Fiduciary	May	5 regular	0	3	No	Yes	No term limits
Retirement Board of Trustees (RBT)	Fiduciary	March through May	9 (5 regular, 4 employees)	0	2	No	Yes	All terms begin/end in March through May; 3 employees and 1 ex-officio member
Public Employees Relations Comission (PERC)	Employee Related	?	3 regular	1	0	No	No	2 Members - one appointed in March and one in November. Has not met in years.
Recreation Advisory Commission (RAC)	Advisory	May	7 regular	0	2; 2 members will term out	Yes	No	All terms begin in May and expire at the end of April
Shore Protection Board (SPB)	Advisory	December	6 regular	0	3; 1 member will term out	Yes	No	All terms begin/end in December with the exception of one term beginning in January

DIVISION 2. PLANNING AND ZONING COMMISSION[1]

Sec. 2-326. Created; membership; requirements; term.

(a) There is created a town planning and zoning commission consisting of seven members to be appointed by the town council, each member of which shall be a resident of the town.

(b) Four voting members of the commission shall constitute a quorum; however, the affirmative or negative vote of a majority of the entire membership of the commission shall be necessary for it to take action.

(c) The commission shall be deemed to be, in all events and in all transactions, directly under the supervision of the town council, which shall have power to alter, modify or change any action or ruling of the commission.

(d) The persons initially appointed to the commission shall forthwith assemble and determine by lot:

(1) The two members who shall hold office until the first Tuesday after the first Monday in February next thereafter;

(2) The two members who shall hold office until the first Tuesday after the first Monday in the second February thereafter;

(3) The two members who shall hold office until the first Tuesday after the first Monday in the third February thereafter;

(4) The one member who shall hold office until the first Tuesday after the first Monday in the fourth February thereafter.

Thereafter, members of the commission shall serve for terms of three years. All persons appointed pursuant to subsections (d)(1)—(4) shall hold office until October 1 of the year in which their term expires.

(e) The commission shall elect a chair and vice-chair in March of each year. The chair shall approve the agenda for each meeting and conduct the meetings of the commission pursuant to Robert's Rules of Order, Newly Revised, the latest edition. The vice-chair shall serve as chair in the absence of the chair.

(Code 1982, § 16-1(a); Ord. No. 13-95, § 1(a), 9-12-95; Ord. No. 13-03, § 1, 8-12-03; Ord. No. 25-07, § 1, 1-8-08; Ord. No. 11-10, § 3, 7-13-10)

Sec. 2-327. Alternate members.

The town council may, in its discretion, appoint three alternate members to the planning and zoning commission, who shall serve when called upon by the chair of the commission in the absence of any regular member. Alternate members are required to attend all meetings of the commission and are subject to the same attendance requirements as regular members with the same provisions relating to excused absences being applicable. Alternate members shall not vote on any matter unless they are sitting to fill the position of a regular member of the commission in the event of absence or in the event of a conflict of interest; however, alternate

[1]Cross reference(s)—Zoning, ch. 134.

members may participate in the discussion of matters coming before the commission whether they are sitting as a voting member or not.

(Code 1982, § 16-1(b); Ord. No. 13-95, § 1(b), 9-12-95; Ord. No. 13-03, § 1, 8-12-03)

Sec. 2-328. Removal provisions; absences; conflicts of interest.

(a) All members of the planning and zoning commission, including alternates, serve at the pleasure of the town council and may be removed from the commission with or without cause. Members of the commission shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three regularly scheduled meetings in any one calendar year. Excused absences due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. The member shall notify the director of planning, building and zoning office in writing of the board member's intended absence at least seven business days prior to the regularly scheduled meeting. Failure to do so, absent an emergency which prevents timely notice, will cause the absence to be unexcused. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the commission after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this section.

(b) In the event of excessive conflicts of interest during any one calendar year, the commission member shall be automatically removed from the commission. Excessive conflicts of interest are defined as three or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application, once declared, shall not be counted as additional conflicts of interest. This rule shall apply from the date of adoption to the end of the 2009 calendar year and shall be applicable, thereafter, on a calendar year basis.

(c) If a member of the commission has a conflict of interest resulting from that member or the member's firm representing an applicant before the commission, it shall be the duty and obligation of the member having the conflict to comply with the following requirements:

    (1) Notification of the conflict of interest shall be noted on the application form at the time of the submission of the application. The conflict will be identified on the commission agenda.

    (2) The member having the conflict of interest shall not participate in the discussion and shall leave the chamber or the dais until the item is concluded.

    (3) The member having the conflict shall not present the project to the commission, except in a case where the commission member is a sole practitioner who is unable to represent a client through an associate.

(Code 1982, § 16-1(c); Ord. No. 13-95, § 1(c), 9-12-95; Ord. No. 11-99, § 1, 11-9-99; Ord. No. 13-03, § 1, 8-12-03; Ord. No. 18-04, § 1, 10-1-04; Ord. No. 13-09, § 1, 7-14-09; Ord. No. 16-2011, § 1, 9-13-11)

Sec. 2-329. Registered voter requirement.

Each member of the planning and zoning commission is required to be a registered voter in the town.

(Code 1982, § 16-1(d); Ord. No. 13-95, § 1(d), 9-12-95; Ord. No. 13-03, § 1, 8-12-03)

Sec. 2-330. Consecutive terms.

No member of the planning and zoning commission may serve more than two consecutive terms. This section shall not preclude any person from being appointed to a successive term, subsequent to the serving of two consecutive three-year terms, if such person has ceased to be a member of the commission for a period of time

not less than nine months. Further, if a member has been appointed to fill a vacant term of office, which term is for a period of time less than 50 percent of a full three-year term, that person shall not be precluded from serving for two successive three-year terms. Additionally, although an alternate member may not serve more than two three-year terms as an alternate, the alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-year terms thereafter.

(Code 1982, § 16-1(e); Ord. No. 13-95, § 1(e), 9-12-95; Ord. No. 11-99, § 2, 11-9-99; Ord. No. 5-01, § 1, 4-10-01; Ord. No. 13-03, § 1, 8-12-03)

Sec. 2-331. Filling vacancies.

In the event of a vacancy on the planning and zoning commission, the town council shall appoint a successor to the vacancy to serve for the remainder of the term so left vacant.

(Code 1982, § 16-2; Ord. No. 13-03, § 1, 8-12-03)

Sec. 2-332. Organization, procedures.

The town council shall make and alter rules and regulations for the organization and procedure of the planning and zoning commission; however, the planning and zoning commission may make such rules and regulations regarding the manner of conducting its meetings and other rules and regulations as are not in conflict with the rules and regulations made and prescribed by the town council.

(Code 1982, § 16-3; Ord. No. 13-03, § 1, 8-12-03)

Sec. 2-333. Powers, duties.

The planning and zoning commission shall act in an advisory capacity to the town council in all matters relating to municipal planning and development. The commission shall 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.

(Code 1982, § 16-4; Ord. No. 13-03, § 1, 8-12-03)

Sec. 2-334. Reports.

The planning and zoning commission shall make an annual report to the town council each year and shall make such other reports as may be requested by the town council.

(Code 1982, § 16-5; Ord. No. 13-03, § 1, 8-12-03; Ord. No. 11-10, § 4, 7-13-10)

Secs. 2-335—2-365. Reserved.

DIVISION 2. CODE ENFORCEMENT BOARD AND SPECIAL MAGISTRATE[2]

[2]Ord. No. 11-2026, § 2, adopted March 30, 2026, amended the title of Div. 2 to read as herein set out. The former Div. 2 title pertained to code enforcement board.

Cross reference(s)—Boards and commissions, § 2-306 et seq.

Sec. 2-401. Organization.

(a) The town council shall appoint a seven-member code enforcement board and legal counsel for the board. The members shall have the qualifications and terms of office specified in this section.

(b) Members of the enforcement board shall be residents of the town. Appointments shall be made by the town council on the basis of experience or interest in the fields of zoning and building control. The membership of the enforcement board shall, whenever possible, include:

(1) An architect.

(2) A businessperson.

(3) An engineer.

(4) A general contractor.

(5) A realtor.

(6) A subcontractor.

(7) A general member.

In consideration of the appointment of a general member, or if it is not possible to fill a selection from any of the other categories set forth above, the town council shall give consideration to the appointment of a member to the code enforcement board with experience in the field of public health.

(c) In addition, the town council may appoint two alternate members for the purpose of serving in the absence of any of the board members specified above. The alternate members shall be appointed for a term of three years and shall serve in the absence of any regular member of the enforcement board. Alternate members may be appointed from the general public and need not be selected from any specific category of profession, but must be a resident of the town.

(d) In lieu of, or in addition to the enforcement board, in accordance with F.S. Ch. 162, the town council may appoint special magistrates who are licensed to practice law in the state and are members in good standing of the Florida Bar.

More than one special magistrate may be appointed.

(Code 1982, § 2-177(a); Ord. No. 14-95, § 1(2-177(a)), 9-12-95; Ord. No. 15-99, § 1, 11-9-99; Ord. No. 11-2026, § 2, 3-30-26)

State law reference(s)—Similar provisions, F.S. § 162.05(1)—(3).

Sec. 2-402. Terms; removal provisions; absences; conflicts of interest.

(a) In order that terms of office of all members of the enforcement board will not expire at the same time, the initial appointments to the board shall be staggered. Thereafter, members shall be appointed for terms of three years. A member of the enforcement board shall not be appointed for more than two consecutive three-year terms, but shall be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term. For members who have already served two three-year terms upon the date of the adoption of this Code, they may serve one additional three-year term. The town council has the ability to waive this term limitation in the event the town council determines that it is necessary to extend the term in order to maintain the required number of persons on the enforcement board.

(b) All members of the enforcement board, including alternates, serve at the pleasure of the town council and may be removed from the board with or without cause. Members of the board shall be automatically removed for lack of attendance. Lack of attendance is defined as failure to attend three regularly scheduled meetings in any one calendar year. Excused absences due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. The member shall notify the office of the chief of police in writing of the board member's intended absence at least seven business days prior to the regularly scheduled meeting. Failure to do so, absent an emergency which prevents timely notice, will cause the absence to be unexcused. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the board after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this section.

(c) In the event of excessive conflicts of interest during any one calendar year, the board member shall be automatically removed from the board. Excessive conflicts of interest are defined as five or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application once declared shall not be counted as additional conflicts of interest. This rule shall apply from the date of adoption to the end of the 2013 calendar year and shall be applicable, thereafter, on a calendar year basis.

(d) Any appointed special magistrate may be removed by a majority vote of the town council.

(Code 1982, § 2-177(b); Ord. No. 14-95, § 1(2-177(b)), 9-12-95; Ord. No. 15-99, § 2, 11-9-99; Ord. No. 18-04, § 6, 10-1-04; Ord. No. 13-09, § 2, 7-14-09; Ord. No. 16-2011, § 2, 9-13-11; Ord. No. 10-2013, § 1, 7-9-13; Ord. No. 11-2026, § 2, 3-30-26)

Editor's note(s)—Ord. No. 13-09, § 2, adopted July 14, 2009, changed the title of section 2-402 from "Terms; removal provisions; absences" to "Terms; removal provisions; absences; conflicts of interest."

State law reference(s)—Similar provisions, F.S. § 162.05(3).

Sec. 2-403. Officers.

(a) The members of the enforcement board shall elect a chair. The presence of four or more members shall constitute a quorum of the enforcement board. Members shall serve without compensation but may be reimbursed for such travel expenses, mileage expenses, and per diem expenses as may be authorized by the town council.

(b) The town attorney shall be counsel to the enforcement board.

(c) The town attorney shall be counsel to the town for any special magistrate hearings.

(Code 1982, § 2-177(c), (d); Ord. No. 14-95, § 1(2-177(c), (d)), 9-12-95; Ord. No. 11-2026, § 2, 3-30-26)

State law reference(s)—Similar provisions, F.S. § 162.05(4), (5).

Sec. 2-404. Jurisdiction.

The enforcement board shall enforce and have jurisdiction of all chapters of the Code and ordinances of the town except offenses and parking and statutory violations of the traffic code and any violations under Chapter 74 of the Code. Appointed special magistrates shall have exclusive jurisdiction of enforcement cases brought for violations of Chapter 74 of this Code.

(Code 1982, § 2-178; Ord. No. 11-2026, § 2, 3-30-26)

State law reference(s)—Similar provisions, F.S. §§ 162.02, 162.03.

Sec. 2-405. Powers.

The enforcement board and special magistrate shall have the power to:

(1) Adopt rules for the conduct of its hearings.

(2) Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by town's police department.

(3) Subpoena records, surveys, plats and other material.

(4) Take testimony under oath.

(5) Issue orders having the force of law commanding whatever steps are necessary to bring a violation into compliance.

(Code 1982, § 2-179; Ord. No. 11-2026, § 2, 3-30-26)

State law reference(s)—Similar provisions, F.S. § 162.08.

Secs. 2-406—2-425. Reserved.

DIVISION 6. INVESTMENT ADVISORY COMMITTEE

Sec. 2-567. Investment advisory committee created; appointments; terms; qualifications; advisory function; requirements; officers; procedure.

(a) *Generally.* A committee of the town to be known as the "investment advisory committee" is hereby created; such committee to be composed of five members to be appointed by the town council. Three of such committee members shall hold office from the date of their appointment for a period of three years and two of such committee members shall hold office from the date of their appointment for two years. Thereafter, members of the investment advisory committee shall hold office for two year terms. Members of the committee shall be residents of the town and shall have prior fixed income investment experience. If a vacancy shall occur other than by the expiration of a term, it shall be filled by the town council for the unexpired term.

(b) *Removal provisions; absences.* All members of the investment advisory committee serve at the pleasure of the town council and may be removed from the committee with or without cause. Members of the committee shall be automatically removed for lack of attendance. Lack of attendance shall be defined as a failure to attend two scheduled meetings in any 12-month period. Excused absence due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. The member shall notify the finance director in writing of the board member's intended absence at least seven business days prior to the regularly scheduled meeting. Failure to do so, absent an emergency which prevents timely notice, will cause the absence to be unexcused. Excused absences shall be entered into the minutes of the next regularly scheduled meeting of the committee after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this section.

(c) *Conflicts of interest.* In the event of excessive conflicts of interest during any one calendar year, such committee member shall be automatically removed from the committee. Excessive conflicts of interest are defined as three or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application, once declared, shall not be counted as additional conflicts of interest. This rule shall apply

from the date of adoption to the end of the 2009 calendar year and shall be applicable, thereafter, on a calendar year basis.

(d) *Related employment.* The town will not do business directly or indirectly with a committee member or a committee member's employer or business while they are serving on the committee and for at least two years after the member's term has expired.

(e) *Frequency of meetings.* The committee shall hold at least four meetings per year and more if it is deemed necessary. The committee shall determine the dates on which it shall meet.

(f) *Officers, rules of procedure.* The investment advisory committee shall elect a chairman and a vice chairman and may adopt procedures for the conduct of its meetings.

Three voting members of the committee shall constitute a quorum, however, the affirmative or negative vote of a majority of the entire membership of the committee shall be necessary for it to take action.

(g) *Duties, obligations and functions.*

(1) The investment advisory committee shall act in an advisory capacity and shall make recommendations to the town council on matters relating to the town's investment policy. The investment advisory committee shall advise the director of finance on the investment of the town's surplus funds. All recommendations must be made within the constraints and limitations of F.S. § 218.415.

(2) The investment advisory committee shall also act as a citizens' oversight committee in regard to the one-cent sale surtax which, by law, commences on January 1, 2017. The committee, acting as a citizen oversight committee, shall serve to review the revenues and expenditures of surtax proceeds by the town; and shall provide annually, a report to the town council relating to same.

(Ord. No. 4-04, § 1, 3-9-04; Ord. No. 18-04, § 2, 10-1-04; Ord. No. 13-09, § 3, 7-14-09; Ord. No. 11-10, § 11, 7-13-10; Ord. No. 16-2011, § 3, 9-13-11; Ord. No. 05-2017, § 1, 2-14-17)

ARTICLE X. SHORE PROTECTION BOARD[3]

Sec. 2-636. Shore protection board created; appointments; terms; qualifications; advisory function; requirements; officers; procedure.

(a) *Generally.* A board of the town to be known as the "Shore Protection Board" is hereby created; such board to be composed of seven members to be appointed by the town council. Members of the shore protection board shall hold office for three year terms. Any member who has served two full three year terms shall no longer be eligible for reappointment, however, a member may be reappointed by town council upon the expiration of one full year subsequent to their terms having expired. Members of the board shall be residents of the town. If a vacancy shall occur other than by the expiration of a term, it may be filled by the town council for the unexpired term.

(b) *Removal provisions.* All members of the shore protection board serve at the pleasure of the town council and may be removed from the board with or without cause. Members of the board shall be automatically removed for lack of attendance. Lack of attendance shall be defined as a failure to attend three regularly scheduled meetings in any one calendar year. Excused absence due to illness, a death in the family, religious

[3]Editor's note(s)—Ord. No. 1-08, § 1, adopted June 10, 2008, enacted provisions intended for use as article IX, § 2-615. Inasmuch as there are already provisions so designated as article IX, and at the discretion of the editor, said provisions have been redesignated as article X, § 2-636.

holidays and requirements of legal process shall not constitute lack of attendance. The member shall notify the town manager's office in writing of the board member's intended absence at least seven business days prior to the regularly scheduled meeting. Failure to do so, absent an emergency which prevents timely notice, the absence will be unexcused. Excused absences shall be entered into the minutes of the next regularly scheduled meeting of the board after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this Code.

(c) *Frequency of meetings.* The board shall meet on an irregular schedule, whenever such meetings shall be called either at the discretion of the chairman or at the direction of the town council.

(d) *Officers, rules of procedure.* The shore protection board shall elect a chairman and a vice chairman and may adopt procedures for the conduct of its meetings. Four voting members of the board shall constitute a quorum, however, the affirmative or negative vote of a majority of the entire membership of the board shall be necessary for it to take action.

(e) *Advisory capacity.* The shore protection board shall act in an advisory capacity to the town council and shall make recommendations to the town council on all matters relating to shore protection in the town including, but not limited to, issues relating to the beaches and specific resiliency matters along the town's Lake Worth Lagoon shoreline as directed by town council. In addressing these matters, the scope of the shore protection board's duties shall include long term planning, public education, and assisting town staff in applicable communication with the public.

(Ord. No. 1-08, § 1, 6-10-08; Ord. No. 16-2011, § 4, 9-13-11; Ord. No. 17-2014, § 1, 11-13-14; Ord. No. 06-2017, § 1, 2-14-17; Ord. No. 2-2018, § 1, 3-20-18; Ord. No. 03-2021, § 1, 2-9-21; Ord. No. 006-2022, § 1, 5-10-22)

ARTICLE III. ARCHITECTURAL REVIEW

DIVISION 1. GENERALLY

Sec. 18-146. Statement of findings and purpose.

(a) The town council has found that Palm Beach is internationally known and has become a worldwide synonym for beauty, quality and value.

(b) In recognition of the fact that beautiful communities can be created only through a deliberate search for beauty on the part of the community leadership, architects, planners, realtors and the building industry, backed by an appreciation of the visual world by the people, the town council has created the architectural commission.

(c) Public action for improving community appearance, as embodied in the architectural commission, will provide the ultimate designers of individual structures with the larger contexts in which their particular works will be viewed. Since the beauty of a community involves the aesthetic quality of all one sees in moving about, it goes far beyond the design of individual architectural facades.

(d) The comprehensive plan and zoning codes are the most powerful legal enforcement of an overall urban concept, but alone they do not create beauty, aesthetic order, or amenity. The task of the architectural commission is therefore to preserve various elements of urban beauty and require that new projects enhance the existing elements.

(e) The essential foundation of beauty in communities is harmony. The plan for achieving beauty must grow out of special local characteristics of site, aesthetic tradition and development potential. Some local areas of

natural beauty are the beaches, ocean and intracoastal waterway. The vistas and visual delight of these should be allowed only to be enhanced. It is the intent of this article to achieve a pleasant and comprehensive cohesiveness in community development.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Secs. 18-147—18-165. Reserved.

DIVISION 2. ARCHITECTURAL COMMISSION

Sec. 18-166. Membership; appointment.

(a) The architectural commission shall consist of seven members. At least two members, but not more than three members, of such commission shall be registered architects in the state. In the event there are in the discretion of the town council, no bona tide applicants who are registered architects in the State of Florida, the town may solicit and appoint architects registered outside the State of Florida to fill one of the architect seats. In addition to the two registered architects, one member of such commission shall be a landscape architect, if available. However, in the event a landscape architect is not available, then one member of such commission shall be a master gardener or someone with equivalent expertise in landscape.

(b) The members of such commission shall be appointed by the town council, and the commission shall designate a chair and a vice-chair.

(Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 07-2018, § 1, 6-12-18)

Sec. 18-167. Qualifications of members.

(a) All members of the architectural commission shall be specially qualified by reason of training or experience in art, architecture, community planning, land development, real estate, landscape architecture, or other relevant business or profession, or by reason of civic interest and sound judgment to judge the effects of a proposed building upon the desirability, property values and development of surrounding areas.

(b) Each member of the commission is required to be a registered voter in the town; however, one member may be a non-resident of the town in the event it is determined by the town council that said individual has a special expertise as a State of Florida licensed architect or landscape architect that will benefit the commission and the town.

(Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 07-2018, § 1, 6-12-18)

Sec. 18-168. Terms.

(a) Members of the architectural commission shall be appointed for terms of three years from and after the expiration of each term. If a vacancy shall occur otherwise than by the expiration of a term, it shall be filled by the town council for the unexpired term.

(b) No member of the commission may serve more than two consecutive terms; but this subsection shall not preclude any person from being appointed to a successive term, subsequent to the serving of two consecutive three-year terms, if such person has ceased to be a member of the commission for a period of time not less than nine months. Further, if a member has been appointed to fill a vacant term of office, which term is for a period of time less than 50 percent of a full three-year term, that person shall not be

precluded from serving for two successive three-year terms. Additionally, although an alternate member may not serve more than two three-year terms as an alternate, the alternate member may be appointed to serve as a regular member of the commission and shall be entitled to serve two full three-year terms thereafter.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-169. Removal provisions; absences.

All members of the architectural commission, including alternates, serve at the pleasure of the town council and may be removed from the commission with or without cause. Members of the commission shall be automatically removed for lack of attendance, which is defined as failure to attend three regularly scheduled meetings in any one calendar year. Excused absences due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. The member shall notify the director of planning, zoning and building in writing of the board member's intended absence at least seven business days prior to the regularly scheduled meeting. Failure to do so, absent an emergency which prevents timely notice, will cause the absence to be unexcused. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the commission after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this Code.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-170. Conflicts of interest.

(a) If excessive conflicts of interest arise during any one calendar year, the architectural commission member shall be subject to being removed by the town council upon the Council's review and consideration of the matter. The town council shall have the sole discretion as to whether removal shall be required. Excessive conflicts of interest are defined as five or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application, once declared, shall not be counted as additional conflicts of interest. This rule shall apply from the date of adoption to the end of the 2013 calendar year and shall be applicable, thereafter, on a calendar year basis. Conflicts declared in regard to "minor projects" shall not be consideredin the definition of "excessive conflicts" referenced above for those members of the Commission (architects and master gardeners, or their equivalent) who meet the requirements of section 18-166 of this chapter.

(b) If a member of the commission has a conflict of interest resulting from that member or the member's firm representing an applicant before the commission, it shall be the duty and obligation of the member having the conflict to comply with the following requirements:

    (1) Notification of the conflict of interest shall be noted on the application form at the time of the submission of the application. The conflict will be identified on the commission agenda.

    (2) The member having the conflict of interest shall not participate in the discussion and shall leave the chamber until the item is concluded.

    (3) The member having the conflict shall not present the project to the commission, except in a case where the commission member is a sole practitioner who is unable to represent a client through an associate.

(Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 09-2021, § 1, 6-9-21)

Sec. 18-171. Alternate members.

The town council may, in its discretion, appoint three alternate members to the architectural commission, who shall serve when called upon by the chair of the commission in the absence of any regular member. Alternate members are required to attend all meetings of the commission and are subject to the same attendance requirements as regular members with the same provisions relating to excused absences being applicable. Alternate members shall not vote on any matter unless they are sitting to fill the position of a regular member of the commission who is absent or in the event of a conflict of interest; however, alternate members may participate in the discussion of matters coming before the commission whether they are sitting as voting members or not.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-172. Rules.

The architectural commission shall adopt rules and regulations for the conduct of its business. Four voting members shall constitute a quorum. The affirmative or negative vote of a majority of the entire membership of the commission shall be necessary for it to take action.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-173. Record of proceedings.

The records of all proceedings and the basis for all findings shall be available to the town council and to the public.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-174. Meetings.

The architectural commission shall meet monthly and may schedule additional meetings in order to process applications within the time required by this Code. All meetings shall be open to the public.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-175. Issuance of permits.

(a) Approval of request. Unless requests for demolition of structures, other than single-family residential (request shall be reviewed considering proposed date to demolish, construct, and future use of new construction), building and landscaping plans, elevations and proposed signs for buildings or structures, or alterations thereto, including reroofing that involves a significant change in materials or appearance, have been approved by the architectural commission, or by the town council on appeal, no permit shall be issued for any such demolition of structures, other than single-family residential, building, structure, sign, or other development of property, or appurtenances or alterations thereto. In addition to the criteria outlined in sections 18-113 and 18-205, such requests will be reviewed in accordance with the procedures set forth in the ARCOM Project Designation Manual, as adopted by the town council by resolution and amended by the town council from time to time by resolution after review and recommendation by the architectural commission.

(b) Prior to approval of a building permit for construction for all primary structures other than single family structures in the town, the owner/applicant shall provide financial proof of ability to complete the construction. In addition, the owner/applicant shall provide to the town a financial guarantee in writing executed by all parties in interest to the property, including mortgagees, if any, in an amount to be adopted by resolution of the town council and amended by adoption of a resolution by the town council representing a percentage of the estimated cost of demolition of the construction when complete as verified by the town's building official, as well as the cost of returning the property to grade, and to be sodded, landscaped and irrigated. The financial guarantee shall provide that in the event the construction is not completed within 12 months of the maximum time permitted for construction as set forth in section 18-237 of this Code, the town may call in the financial guarantee which shall be secured in the form of a bond, cash deposit or clean, irrevocable letter of credit, and cause the demolition of the structure permitted herein, including bringing the property back to grade, sodded, irrigated and landscaped as required. The financial guarantee shall be recorded in the public records of Palm Beach County, Florida, so as to provide notice of said guarantee to all who may have or obtain an interest in the property. This subsection, requiring a financial guarantee, shall apply only to new construction on vacant lots and shall not be required for restoration or renovation of existing structures or structures accessory to an existing primary structure.

(c) Exceptions.

(1) When in the opinion of the planning, zoning and building department director or his or her designee, the improvements contemplated in an application for a construction permit are minimal in nature, and are not included in the listing of projects subject to architectural review contained within the ARCOM Project Designation Manual, and such improvements do not defeat the purposes and objectives of this article, he or she may grant the permit without requiring architectural review, notwithstanding any other provisions of this section or this article. The decision of the planning, zoning and building department director or his/her designee shall be subject to appeal made to the town council in accordance with the provisions of section 18-177.

(2) Individual structures and/or properties that have been designated or are under consideration or in an historic district are subject to review by the landmark preservation commission and shall not be subject to review by the architectural commission.

(Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 013-2022, § 1, 8-10-22)

Sec. 18-176. Building relocation.

The architectural commission shall review all plans submitted with applications for moving buildings within or into the town. Color photographs in a format specified by the town, shall be included with the application showing all elevations, the structure proposed to be moved, the proposed site, and the buildings adjacent to the proposed site. The commission shall determine whether the building proposed to be moved will fit harmoniously into the neighborhood wherein it is to be located. It may approve, approve with conditions, or disapprove the issuance of a permit to move such building.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-177. Appeals and review.

An applicant or any interested party may file an appeal to the town council on any rendered decision to approve, to approve with conditions, or to deny by the architectural commission or the director of the planning, zoning and building department or his/her designee made pursuant to this article. The appeal shall take the form of a letter addressed to the town clerk. The appeal shall be filed or made within 30 calendar days of the date of the rendered development order or written decision. Appeals shall set forth the alleged inconsistency or

nonconformity with procedures, criteria, or standards set forth in this article. The town council shall decide an appeal within 45 calendar days of the filing of such appeal unless an extension of time is consented to by the applicant, and such filing shall suspend any building permit issued pursuant to the ruling of the architectural commission or director of the planning, zoning and building department or his/her designee until the town council has decided the appeal. The town council may review any decision of the architectural commission or the director of the planning, zoning and building department. The disposition of such matters by the town council shall be final. Appeals filed pursuant to this section shall be based on the record of the proceedings below and shall not be presented de novo. The time allotted for presentation of an appeal shall be determined by the town council president.

In addition to appeals, the town council shall consider major projects as defined in the ARCOM Project Designation Manual at the next regularly scheduled town council meeting, subsequent to the meeting of the commission.

(Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 013-2025, § 1, 10-15-25)

Secs. 18-178—18-200. Reserved.

DIVISION 3. PROCEDURE AND REQUIREMENTS

Sec. 18-201. Construction screening.

A construction screening plan shall be submitted as part of all major ARCOM projects that demonstrates how the adjacent neighbors will be screened from the construction activity through the use of landscaping and construction fencing/gates. Said construction screening plan must be approved by ARCOM, and the applicant must submit a permit for the approved landscaping and/or fencing/gates, install said material, have it pass inspection, and the permit closed-out prior to the issuance of a building permit for the new construction and/or renovation work associated with the major ARCOM application. See Section 18-353. Construction Screening Required for detailed construction screening requirements.

(Ord. No. 06-2021, § 1(Exh. A), 6-9-21; Ord. No. 016-2024, § 3, 5-14-24)

Ord. No. 06-2021, 1(Exh. A), adopted June 9, 2021, repealed the former § 18-201, and enacted a new § 18-201 as set out herein. The former § 18-201 pertained to preliminary sketch; site plan; final plan and derived from Ord. No. 11-2015, § 1 (Att.), 4-15-15; Ord. No. 19-2016, § 1, 11-8-16; Ord. No. 29-2017, § 1, 11-14-17; Ord. No. 12-2019, § 1, 4-10-19.

Sec. 18-202. Uniform development review procedure.

(a) *Application.* All applications for development review by ARCOM shall be filed with the director of planning, zoning and building by the property owner or a designee, agent, or representative who is authorized to file an application by power of attorney, which must be filed with the director of planning, zoning and building. Applications shall be completed and submitted per the application instructions and shall include all items identified in the application checklist, which can be amended by town staff from time to time. All applications shall include the application fee as set forth in the town fee schedule. The classification of the application is designated within the ARCOM Project Designation Manual, adopted by the town council, and amended from time to time.

(b) *Determination of sufficiency.* The director of planning, zoning and building, or their designee, shall review the application and required documents and determine whether it is competent and complete. If the director, or

their designee, determines that the application is not competent or complete, the director of planning, zoning and building, or their designee, shall notify the applicant as to the nature of the deficiency. In this case, no other action shall be taken on the application until the deficiency is remedied. If the director, or their designee, determines that the application is competent and complete, the department will process the application.

(c) *Schedule of meetings and deadlines.* The director of planning, zoning and building shall produce each year a schedule of public meetings and deadlines for all development review applications, which can be amended from time to time. The director shall place the schedule of meetings and deadlines on the town website.

(d) *Notice of public hearings.* Public hearings for all development review projects, which includes the ARCOM major projects, landmarks preservation commission certificates of appropriateness, and town council special exceptions, variances, and site plan review, shall be noticed in accordance with the following provisions:

(1) Advertisement. At least 30 days prior to the public hearing date, a description of the project or request, the date, start time of the meeting and location of the hearing shall be noticed in a newspaper of general circulation. The notice will be prepared and placed in the newspaper by town staff.

(2) Mail notice. At least 30 days prior to the public hearing date, the applicant shall mail a notice containing a description of the request, the date, start time of the meeting and location of the hearing, to the owners of record of property lying within 300 feet of the property subject to the application. Applicants shall submit all information and certifications necessary to meet this requirement, as determined by the department and identified in the application instructions.

(3) Posting. At least 30 days prior to the public hearing, the town will post a copy of the hearing notice within a conspicuous place in Town Hall.

(d) ARCOM minor projects with notice shall meet the advertisement and mail notice provisions of (a) and (b) above, except that the mail notice is only required to be provided to owners of property adjacent to and across the street from the subject property.

(e) ARCOM minor projects without notice are not required to meet the advertisement and mail notice provisions of (a) and (b) above, and a competent and complete application may be submitted in accordance with the scheduled "Final Submittal" date, shown on the schedule of public meetings and deadlines, or a date otherwise determined by the director of planning, zoning and building.

(Ord. No. 06-2021, § 1(Exh. A), 6-9-21)

Ord. No. 06-2021, 1(Exh. A), adopted June 9, 2021, repealed the former § 18-202, and enacted a new § 18-202 as set out herein. The former § 18-202 pertained to notice; photographs and derived from Ord. No. 11-2015, § l(Att.), 4-15-15; Ord. No. 19-2016, § 2, 11-8-16.

Sec. 18-203. Duration of approval; time extension; denial of application; determination; clarification; deferral.

(1) The applicant's approval will expire 24 months from the date of the rendered development order or written decision unless a building permit has been obtained. If the building permit expires or is voided, or if a building permit has not been issued within 24 months from the date of the rendered development order or written decision, the commission approval becomes void. In the event such approval becomes void, an application for approval shall be required in the same form and manner as if submitted as a new project. The director of planning, zoning and building may, based upon demonstrated good cause, grant a 30-day administrative extension of the duration of approval.

(2) A maximum of one-time extension, for up to one year in duration from the original expiration date, from any of the requirements in subsection (1), may be granted or denied by the architectural commission for just

cause. Said single time extension request shall be submitted within the timeframe set forth in chapter 18 to the planning, zoning and building department which must occur prior to the expiration date.

(3) If the application is denied, an application in substantially the same form may not be submitted until 12 months has elapsed from the date of denial.

(4) Determinations of the architectural commission shall be rendered in writing.

(5) Should a question arise as to compliance with the conditions as outlined by the architectural commission actions, a clarification hearing before the architectural commission may be called at the request of the director of the planning, zoning and building department, or by the applicant, and placed on the next available agenda.

(6) Deferrals for a specific application shall not exceed one year cumulatively for all such deferrals made by the architectural commission, or the application shall be deemed null and void.

(7) An initial deferral request received by the town more than seven days prior to scheduled commission hearing date may be granted for one month only or the next succeeding regular commission meeting, if that should occur on a different date. Any deferred action request received seven days or less from the scheduled meeting date shall be made in person at the commission meeting at the time the action item appears on the agenda. The applicant must explain or justify the request, which the commission may approve or deny. A second request for deferral shall be made in person at the commission meeting at the time the item appears on the agenda. The applicant must explain or justify the request, which the commission may approve or deny. A third request for deferral shall be denied unless the applicant can demonstrate to the commission that a compelling reason exists.

(Ord. No. 06-2021, § 1(Exh. A), 6-9-21; Ord. No. 012-2024, § 1, 5-14-24; Ord. No. 014-2025, § 2, 10-15-25)

Ord. No. 06-2021, 1(Exh. A), adopted June 9, 2021, repealed the former § 18-203, and enacted a new § 18-203 as set out herein. The former § 18-203 pertained to referral of plans to commission and derived from Ord. No. 11-2015, § l(Att.), 4-15-15; Ord. No. 19-2016, § 3, 11-8-16.

Sec. 18-204. Stop work order authorized.

If work being performed is not in accordance with the approved plan, the building official or his designated representative shall issue a stop work order, and all work shall cease. No person shall undertake any work on such project as long as such stop work order shall continue in effect.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-205. Criteria for building permit.

(a) The architectural commission may approve, approve with conditions, or disapprove the issuance of a building permit in any matter subject to its jurisdiction only after consideration of whether the following criteria are complied with:

(1) The plan for the proposed building or structure is in conformity with good taste and design and in general contributes to the image of the town as a place of beauty, spaciousness, balance, taste, fitness, charm and high quality.

(2) The plan for the proposed building or structure indicates the manner in which the structures are reasonably protected against external and internal noise, vibrations, and other factors that may tend to make the environment less desirable.

(3) The proposed building or structure is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.

(4) The proposed building or structure is in harmony with the proposed developments on land in the general area, with the comprehensive plan for the town, and with any precise plans adopted pursuant to the comprehensive plan.

(5) The proposed building or structure is not excessively similar to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features of exterior design and appearance:

a. Apparently visibly identical front or side elevations;

b. Substantially identical size and arrangement of either doors, windows, porticos or other openings or breaks in the elevation facing the street, including reverse arrangement; or

c. Other significant identical features of design such as, but not limited to, material, roof line and height of other design elements.

(6) The proposed building or structure is not excessively dissimilar in relation to any other structure existing or for which a permit has been issued or to any other structure included in the same permit application within 200 feet of the proposed site in respect to one or more of the following features:

a. Height of building or height of roof.

b. Other significant design features including, but not limited to, materials or quality of architectural design.

c. Architectural compatibility.

d. Arrangement of the components of the structure.

e. Appearance of mass from the street or from any perspective visible to the public or adjoining property owners.

f. Diversity of design that is complimentary with size and massing of adjacent properties.

g. Design features that will avoid the appearance of mass through improper proportions.

h. Design elements that protect the privacy of neighboring property.

(7) The proposed addition or accessory structure is subservient in style and massing to the principal or main structure.

(8) The proposed building or structure is appropriate in relation to the established character of other structures in the immediate area or neighboring areas in respect to significant design features such as material or quality or architectural design as viewed from any public or private way (except alleys).

(9) The proposed development is in conformity with the standards of this Code and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.

(10) The project's location and design adequately protects unique site characteristics such as those related to scenic views, rock outcroppings, natural vistas, waterways, and similar features.

(b) If the above criteria are met, the application shall be approved. Conditions may be applied when the proposed building or structure does not comply with the above criteria and shall be such as to bring such building or structure into conformity. If an application is disapproved, the architectural commission shall detail in its findings the criterion or criteria that are not met. The action taken by the architectural

commission shall be reduced to writing, and a copy thereof shall be made available to the applicant upon request.

(c) A decision or order of the commission or the planning, zoning and building department director or his/her designee shall not become effective until the expiration of ten working days after the date upon which a ruling of the commission or the planning, zoning and building department director or his/her designee has been made.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Sec. 18-206. Reserved.

Ord. No. 013-2022, § 2, adopted August 10, 2022, renumbered the former § 18-206, as § 18-113, as set out herein. The former § 18-206 pertained to criteria for demolition permit and derived from Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 04-2019, § 1, 3-19-19.

Sec. 18-207. Site plans.

(a) A site plan shall be illustrated to scale and shall sufficiently indicate the following for consideration of visual, safety and economic factors:

(1) Dimensions and orientation of the parcel;

(2) Location of buildings and structures, both existing and proposed;

(3) Location of off-street parking and loading facilities;

(4) Location and dimensions of present and proposed street and highway dedications required to handle the traffic generated by the proposed uses;

(5) Location of points of entry and exit for motor vehicles and internal circulation pattern;

(6) Location of walls and fences and the indication of their height and the materials of their construction;

(7) Indication of exterior lighting standards and devices adequate to review possible hazards and disturbances to the public and adjacent properties;

(8) Location and size of exterior signs and outdoor advertising;

(9) A preliminary landscaping plan, and a drainage statement by a professional engineer registered in the state that the landscape plan is not in conflict with the stormwater management plan;

(10) Grading and slopes where they affect the relationship of the buildings;

(11) Indication of the heights of buildings and structures;

(12) Indication of the proposed use of the buildings shown on the site; and

(13) The location and description of all elements of an approved stormwater management plan.

(14) Such other architectural and engineering data as may be required to permit necessary findings that the provisions of this Code are being complied with.

(15) Three-dimensional (3-D) plans may be required if the architectural commission has determined that such illustrations are necessary for consideration of the project.

(16) A physical model or a virtual model for any project involving 10,000 square feet or more of new construction.

(17) The use of story-poles or height-poles may be required for any commercial or residential new building, building addition, or building expansion.

Any of the above requirements may be waived by the planning, zoning and building director if he or she deems the information not essential.

(b) Where an attachment or minor addition to an existing building or structure is proposed, the site plan shall indicate the relationship of such proposal to the existing development.

(Ord. No. 11-2015, § 1(Att.), 4-15-15; Ord. No. 06-2021, § 1(Exh. A), 6-9-21)

Sec. 18-208. Encroachments.

Applications for permission to encroach upon town property or public rights-of-way, such as refacing a building, may be referred to the architectural commission. The commission shall make recommendations to the town council in such cases as to whether the alterations proposed would conform to the standards outlined in this article.

(Ord. No. 11-2015, § 1(Att.), 4-15-15)

Secs. 18-209—18-230. Reserved.

ARTICLE II. LANDMARKS PRESERVATION COMMISSION[4]

Sec. 54-36. Created; appointment; qualifications; terms; compensation; filling vacancies; reappointment.

(a) A landmarks preservation commission is created consisting of seven members. At least two members, but not more than three members, of such commission shall be registered architects in the state. In the event there are, in the discretion of the town council, no bona fide applicants who are registered architects in the state, the town may solicit and appoint architects registered outside the state to fill one of the architect seats. A majority of the members shall have, to the highest extent practicable, a special knowledge of and a known interest in landmarks preservation. Each member shall be a registered voter in the town, however, one member may be a non-resident of the town in the event it is determined by the town council that said individual has a special expertise in historic landmarks preservation. Each member other than the individual, if any, appointed by the town council as an expert, shall be a registered voter in the town. The members shall serve staggered terms of three years, and each will serve without compensation, except in the event of the appointment of an outside expert who will serve a term of only one year, but who may be reappointed by the town council on an annual basis for up to six total years. Each member shall serve without compensation. The town council shall appoint the members. If a vacancy shall occur otherwise than by the expiration of a term, it shall be filled by the town council for the unexpired term.

(b) A member shall not be appointed for more than two consecutive three-year terms but shall be eligible for reappointment upon the lapse of nine months after the expiration of the member's second consecutive three-year term.

[4]Cross reference(s)—Boards and commissions, § 2-306 et seq.

(Code 1982, § 16-35; Ord. No. 12-95, § 1(a), 9-12-95; Ord. No. 8-99, § 1, 11-9-99; Ord. No. 7-00, § 1, 6-13-00; Ord. No. 6-01, § 1, 4-10-01; Ord. No. 19-01, § 1, 10-9-01; Ord. No. 19-2013, § 1, 10-8-13; Ord. No. 09-2020, § 1, 5-13-20)

Sec. 54-37. Alternate members.

(a) *Appointment.* The town council may, in its discretion, appoint three alternate members with similar qualifications who shall serve when called upon the chair of the commission in the absence of any regular members.

(b) *Attendance requirements.* Alternate members are required to attend all meetings of the commission and are subject to the same attendance requirements, as regular members with the same provisions relating to excused absences being applicable.

(c) *Voting.* Alternate members shall not vote on any matter unless they are sitting to fill the position of a regular member of the commission in the event of absence or in the event of a conflict of interest; however, alternate members may participate in the discussion of matters coming before the commission whether they are sitting as a voting member or not.

(d) *Terms of office.* Although an alternate member may not serve more than two three-year terms as an alternate, an alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-years terms thereafter.

(Code 1982, § 16-35; Ord. No. 12-95, § 1(b), 9-12-95; Ord. No. 8-99, § 2, 11-9-99; Ord. No. 6-01, § 2, 4-10-01)

Sec. 54-38. Removal provisions; absences; conflicts of interest.

(a) All members of the commission, including alternates, serve at the pleasure of the town council and may be removed from the commission with or without cause. Members of the commission shall be automatically removed for lack of attendance, which is defined as failure to attend three regularly scheduled meetings in any one calendar year. Excused absences due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. The member shall notify the director of planning, building and zoning office in writing of the board member's intended absence at least seven business days prior to the regularly scheduled meeting. Failure to do so, absent an emergency which prevents timely notice, will cause the absence to be unexcused. Excused absences shall be entered into the minutes at the next regularly scheduled meeting of the commission after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this article.

(b) In the event of excessive conflicts of interest during any one calendar year, the commission member shall be subject to being removed by the town council upon the council's review and consideration of the matter. The town council shall have the sole discretion as to whether removal shall be required. Excessive conflicts of interest are defined as five or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application, once declared, shall not be counted as additional conflicts of interest. This rule shall apply from the date of adoption to the end of the 2013 calendar year and shall be applicable, thereafter, on a calendar year basis.

(c) If a member of the commission has a conflict of interest resulting from that member or the member's firm representing an applicant before the commission, it shall be the duty and obligation of the member having the conflict to comply with the following requirements:

    (1) Notification of the conflict of interest shall be noted on the application form at the time of the submission of the application. The conflict will be identified on the commission agenda.

(2) The member having the conflict of interest shall not participate in the discussion and shall leave the chamber until the item is concluded.

(3) The member having the conflict shall not present the project to the commission, except in a case where the commission member is a sole practitioner who is unable to represent a client through an associate.

(Code 1982, § 16-35; Ord. No. 12-95, § 1(c), 9-12-95; Ord. No. 8-99, § 3, 11-9-99; Ord. No. 18-04, § 4, 10-1-04; Ord. No. 13-09, § 5, 7-14-09; Ord. No. 19-2011, § 1, 9-13-11; Ord. No. 9-2013, § 1, 7-9-13; Ord. No. 10-2021, § 1, 6-9-21)

Sec. 54-39. Officers, rules of procedure for commission.

The commission shall elect a chair and a vice-chair and may adopt rules for the conduct of its meetings. Four voting members of the commission shall constitute a quorum; however, the affirmative or negative vote of a majority of the entire membership of the commission shall be necessary for it to take action. In cases of emergency, if a quorum cannot be obtained, the chair, or vice-chair in his absence, and one other member of the commission may act to prevent an imminent or irreparable violation of the provision of this chapter.

(Code 1982, § 16-36; Ord. No. 19-2011, § 2, 9-13-11)

Sec. 54-40. Commission enforcement powers.

(a) In the performance of their duties, members of the commission or their designees shall have the right to enter upon properties in the town at reasonable times and upon reasonable notice to the owners thereof.

(b) Upon request of the commission, the building official shall aid the commission in making necessary inspections in connection with the enforcement of this chapter, shall furnish the commission with copies of reports of his inspections, and shall send notices to all persons who may be in violation of the provisions of this chapter to inform them of such violations.

(c) Failure to comply with the provisions of this chapter shall constitute a violation hereof, and the violator shall be prosecuted under the provisions of chapter 2, article V of this Code.

(Code 1982, § 16-45)

Sec. 54-41. Appeals and review.

The applicant or any interested party may file an appeal to the town council on any rendered decision to approve, to approve with conditions, or to deny by the landmark preservation commission or the director or planning, zoning and building department or his/her designee made pursuant to this chapter. The appeal shall take the form of a letter addressed to the town clerk and shall be based upon the record. The appeal shall be filed or made within 30 calendar days of the date of the rendered development order or written decision. Appeals shall set forth the alleged inconsistency or nonconformity with procedures or criteria set forth in this chapter. The town council shall decide an appeal within 45 calendar days of the filing of such appeal unless an extension of time is consented to by the applicant, and such filing shall suspend any building permit issued pursuant to the ruling of the landmark preservation commission or director of the planning, zoning and building department until the town council has decided the appeal. The town council may review any decision of the landmark preservation commission or the director of planning, zoning and building department, and their disposition of the matter shall be final. Appeals filed pursuant to this section shall be based on the record of the proceedings below and shall not be presented de novo. The time allotted for presentation of an appeal shall be determined by the town council president.

(Code 1982, § 16-46; Ord. No. 6-06, § 1, 7-11-06; Ord. No. 15-2014, § 1, 10-14-14; Ord. No. 013-2025, § 2, 10-15-25)

Secs. 54-42—54-70. Reserved.

Sec. 74-1. Recreation advisory commission created; appointments; terms; qualifications; advisory function; alternates; requirements; officers; procedure.

(a) *Generally.* An agency of the town to be known as the recreation advisory commission is hereby created; such commission to be composed of seven members to be appointed by the town council. Two of such commission members shall hold office from the date of their appointment for a period of one year; two of such commission members shall hold office from the date of their appointment for two years; and three of such commission members shall hold office from the date of their appointment for a period of three years. Thereafter, members of the recreation advisory commission shall hold office for three year terms. Members of the commission shall possess a knowledge or interest in town recreation programs and facilities. Preference shall be given to candidates who are enrolled or have their children enrolled in a recreation department program or are a regular participant or volunteer at a town recreation department facility. If a vacancy shall occur otherwise than by the expiration of a term, it shall be filled by the town council for the unexpired term.

(b) *Registered voter requirement.* Each member of the recreation advisory commission is required to be a registered voter in the town.

(c) *Removal provisions.* All members of the recreation advisory commission serve at the pleasure of the town council and may be removed from the commission with or without cause. Members of the commission shall be automatically removed for lack of attendance, which is defined as a failure to attend three regularly scheduled meetings in any one calendar year. Excused absence due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. In order for an absence to be excused, the member must notify the director of recreation by letter no later than noon on the Friday prior to a regularly scheduled meeting, unless the absence is an emergency. Failure to notify the director of recreation via letter will cause the absence to be unexcused. Excused absences shall be entered into the minutes of the next regularly scheduled meeting of the commission after the absence. A member may petition the town council, in the event of extenuating circumstances, to excuse an absence otherwise not automatically excused pursuant to the provisions of this Code.

(d) *Conflicts of interest.* In the event of excessive conflicts of interest during any one calendar year, such commission member shall be automatically removed from the commission by the town council or, in the event of excessive conflicts of interest during any one term, a commission member may not be reappointed to a successive term. Excessive conflicts of interest are defined as three or more conflicts of interest in any one calendar year. Continuing conflicts of interest on a single application, once declared, shall not be counted as additional conflicts of interest. This rule shall apply from the date of adoption to the end of the 2009 calendar year and shall be applicable, thereafter, on a calendar year basis.

(e) *Consecutive terms.* No member of the recreation advisory commission may serve more than two consecutive three-year terms. This section shall not preclude any person from being appointed to a successive term, subsequent to the serving of two consecutive three-year terms, provided said person has ceased to be a member of said commission for a period of time not less than nine months. Further, in the event a member has been appointed to fill a vacant term of office, which term is for a period of time less than 50 percent of a full two-year term, that person shall not be precluded from then serving two successive three-year terms.

(f) *Officers, rules of procedure.* The recreation advisory commission shall elect a chairman and a vice chairman and may adopt procedures for the conduct of its meetings.

Four voting members of the commission shall constitute a quorum, however, the affirmative or negative vote of a majority of the entire membership of the commission shall be necessary for it to take action.

(g) *Advisory capacity.* The recreation advisory commission shall act in an advisory capacity and shall make recommendations to the town council on matters relating to town recreation programs and facilities.

(Ord. No. 18-98, § 2, 1-12-99; Ord. No. 10-99, § 1, 11-9-99; Ord. No. 21-00, § 1, 8-8-00; Ord. No. 10-01, § 1, 5-8-01; Ord. No. 18-04, § 5, 10-1-04; Ord. No. 13-09, § 6, 7-14-09; Ord. No. 12-2012, § 1, 8-14-12; Ord. No. 02-2021, § 1, 2-9-21)

Sec. 82-57. Board of trustees; administrative duties; investment of retirement system assets.

(a) Effective upon the adoption of the ordinance from which this section derives, a new board of trustees shall be established in accordance with subsection (b) below. Effective April 1, 2012, the firefighter board of trustees, police officer board of trustees and general employee/lifeguard board of trustees shall be abolished, and the board of trustees established in accordance with subsection (b) below shall be responsible for administering the retirement system and investing all assets of the system in accordance with subsections (c) through (k) below, for all employee benefit groups.

(b) The board of trustees (the "board") shall consist of nine members selected as follows:

(1) One employee who is a member of benefit group general or benefit group lifeguard elected by the members of those benefit groups.

(2) One employee who is a member of benefit group firefighter elected by the members of that benefit group.

(3) One employee who is a member of benefit group police officer elected by the members of that benefit group.

(4) Five residents of the town who are not officers or employees of the town, retirants or beneficiaries of the retirement system, appointed by the town council.

(5) The town's finance director, who shall serve as a voting ex-officio member.

(c) The board shall meet at least quarterly, shall adopt its own rules of procedure and shall keep records of its proceedings. Five trustees shall constitute a quorum at any meeting of the board, and a vote of the majority of the quorum present at any meeting shall be necessary for a decision of the board. Each trustee shall be entitled to one vote on each question before the board. The trustees shall not receive any compensation but may receive expenses and per diem as provided by town ordinance.

(d) Trustees other than the town manager or acting town manager shall serve staggered three-year terms, and may succeed themselves in office. To implement the staggered terms, the first elected trustee who is a member of benefit group police officer shall serve a one-year term; the first elected trustee who is a member of benefit group firefighter shall serve a two-year term; and the first elected trustee who is a member of benefit group general or benefit group lifeguard shall serve a three-year term. The staggered terms for the appointed trustees shall be implemented as follows: two appointed trustees shall serve an initial term of one year; two appointed trustees shall serve an initial term of two years; and one appointed trustee shall serve an initial term of three years; as determined by the town council. Trustees who are elected or appointed following the initial terms shall serve a term of three years. Each trustee shall, before assuming the duties of trustee, qualify by taking an oath of office to be administered by the town clerk.

(e) A vacancy shall occur on the board if:

(1) A member-elected trustee ceases to be a member or ceases to be included in the appropriate benefit group;

(2) A resident appointed by the town council fails to maintain town residency as determined by the town council; or

(3) Any trustee resigns or is removed from office.

(4) A trustee fails to attend more than two scheduled meetings in any 12-month period without an excused absence. Excused absence due to illness, a death in the family, religious holidays and requirements of legal process shall not constitute lack of attendance. In order for an absence to be excused, the member must notify the plan administrator in writing no later than noon on the Friday prior to a scheduled meeting, unless the absence is an emergency. Failure to timely notify the plan administrator in writing of an absence will result in an unexcused absence, unless the absence is an emergency. Excused and unexcused absences shall be recorded in the minutes of the meeting at which the absence occurred. The plan administrator may excuse an absence at the next regularly scheduled meeting for good cause shown.

(f) If a vacancy occurs on the board, the vacancy shall be filled within 90 days, for the unexpired term, in the same manner as the position was previously filled.

(g) The board shall be a legal entity with, in addition to other powers and responsibilities contained herein, the power to bring and defend lawsuits of every kind, nature and description, and to administer the retirement system for the benefit of its members, retirants and beneficiaries.

(h) The officers and advisors of the board shall be as follows:

(1) *Chair.* The board shall annually elect a chair and a chair pro tem from its members.

(2) *Secretary.* The board shall annually elect a secretary from among its members.

(3) *Finance director and treasurer.* The town finance director and treasurer shall be finance director and treasurer of the board.

(4) *Legal advisor.* The town attorney or an attorney designated by the town attorney shall be legal advisor to the board.

(5) *Actuary.* The board shall appoint an actuary who shall be the technical advisor to the board regarding the operation of the retirement system on an actuarial basis and who shall perform such services as are required in that connection. The term "actuary" as used in this article shall mean an enrolled actuary as defined in F.S. § 112.625. A partnership or corporation may be appointed actuary if the duties of the actuary are performed by or under the direct supervision of an individual who meets the preceding qualifications.

(6) *Services.* The board is authorized and empowered to employ such professional and other services as are required for the proper administration of the retirement system at the fund's expense.

(7) *Plan administrator.* The board is authorized to contract for the professional services of a plan administrator. In the event the board does not contract for the professional services of a plan administrator, or in the event of any lapse in such services, the human resources director shall be the plan administrator.

(i) The board shall direct the investment of retirement system assets in accordance with the following provisions:

(1) The board shall adopt an investment policy in accordance with F.S. § 112.661, and shall regularly review, evaluate and, if deemed in the best interest of the retirement system, revise the investment policy, subject to the approval of the town council.

(2) In exercising its discretionary authority with respect to the management of the moneys and assets of the retirement system, the board shall exercise the care, skill, prudence and diligence under the circumstances then prevailing, that a person of prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of like character and with like aims.

(3) The board shall have full power and authority to invest and reinvest the moneys and assets held for the benefit of the members, retirants and beneficiaries of the system, subject to all terms, conditions, limitations and restrictions imposed by law on the investments of public employee retirement system assets, and subject to investment policy adopted by the board.

(4) The board may invest in securities of, or other interests in, any open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940, 15 USC § 80A-1 et seq., and in such other investments authorized by law and by the board's investment policy, including alternative investments.

(5) a. The Retirement Board may, unless restricted by law, transfer all or any portion of the assets of the Retirement Fund to a collective or common group trust, as permitted under Revenue Ruling 81-100, Revenue Ruling 2011-1, and Revenue Ruling 2014-24 (or subsequent guidance), that is operated or maintained exclusively for the commingling and collective investment of monies, provided that the funds in the group trust consist exclusively of trust assets held under plans qualified under section 401(a) of the Internal Revenue Code, individual retirement accounts that are exempt under section 408(e) of the Internal Revenue Code, eligible governmental plans that meet the requirements of section 457(b) of the Internal Revenue Code, and governmental plans under section 401(a)(24) of the Internal Revenue Code. For this purpose, a trust includes a custodial account or separate tax-favored account maintained by an insurance company that is treated as a trust under section 401(f) or under section 457(g)(3) of the Internal Revenue Code.

b. Any collective or common group trust to which assets of the retirement fund are transferred pursuant to subsection (a) above shall be adopted by the retirement board as part of the plan by executing appropriate participation, adoption agreements, and/or trust agreements with the group trust's trustee.

c. The separate account maintained by the group trust for the plan pursuant to subsection (a) above shall not be used for, or diverted to, any purpose other than for the exclusive benefit of the members and beneficiaries of the plan.

d. For purposes of valuation, the value of the separate account maintained by the group trust for the plan shall be the fair market value of the portion of the group trust held for the plan, determined in accordance with generally recognized valuation procedures.

(6) The board shall retain an independent consultant professionally qualified to advise the board on all investment matters and evaluate the performance of professional money managers. The independent consultant shall assist the board in developing and revising its investment policy, and make recommendations regarding the selection of money managers. These recommendations shall be considered by the board at its meetings.

(j) The date, time, place and subject of regular board meetings shall be posted at least ten days prior to the date of such meetings.

(k) If a claim for benefits is denied by the board, the claimant shall be notified of the denial, in writing, within 30 days following the board's action. The notification shall set forth the reasons for denial. The claimant may appeal the denial and request a hearing before the board. The appeal shall be in writing to the town clerk and filed within 90 days of the board's denial. The request shall contain a written statement of the claimant's position regarding the claim. The board shall schedule a hearing within 60 days of receipt of the appeal. The

hearing shall be conducted in accordance with rules adopted by the board. The board's action following the hearing shall be final and binding on all affected parties.

(Ord. No. 21-04, § 1, 10-1-04; Ord. No. 4-2012, § 2, 3-14-12; Ord. No. 14-2012, § 1, 8-14-12; Ord. No. 7-2013, § 1, 7-9-13; ; Ord. No. 14-2018, § 1, 8-15-18; Ord. No. 35-2019, § 2, 9-10-19)

Editor's note(s)—Ord. No. 4-2012, § 2, adopted March 14, 2012, changed the title of section 82-57 from "Investment of retirement system assets" to "Board of trustees; administrative duties; investment of retirement system assets." The historical notation has been preserved for reference purposes.

APPENDIX A PUBLIC EMPLOYEE RELATIONS[5]

ORDINANCE NO. 6-80

AN ORDINANCE AMENDING ORDINANCE NOS. 11-74, 6-75, 2-76, 6-77, 8-77, 15-79 and 20-79

TO BE ENTITLED:

AN ORDINANCE PURSUANT TO THE PROVISIONS OF SECTION 447.603 FLORIDA STATUTES [F.S. § 447.603], CHAPTER 77-343 [LAWS OF FLA., CH. 77-343], PROVIDING TO MUNICIPAL EMPLOYEES THE RIGHT TO ORGANIZE AND BARGAIN COLLECTIVELY AS TO TERMS AND CONDITIONS OF EMPLOYMENT; PROVIDING METHOD OF BARGAINING PROCEDURE; CREATING AND PROVIDING ADMINISTRATION BY THE TOWN OF PALM BEACH PUBLIC EMPLOYEES RELATIONS COMMISSION; PROVIDING FOR TOWN COUNCIL REVIEW OF COMMISSION RULES; DEFINING RIGHTS OF PUBLIC EMPLOYEES AND EMPLOYERS; PROVIDING PAYROLL DUES DEDUCTION; PROVIDING REQUIREMENT OF COMPLIANCE WITH THE RULES AND PROCEDURES FOR REGISTRATION UNDER CHAPTER 77-343, FLORIDA STATUTES [LAWS OF FLA., CH. 77-343]; PROVIDING PROCEDURES FOR RECOGNITION, AND CERTIFICATION OF EMPLOYEE ORGANIZATIONS AND BARGAINING AGENTS; PROVIDING PAYMENT OF FEES AND EXPENSES IN COLLECTIVE BARGAINING PROCESS; PROVIDING GRIEVANCE PROCEDURES; PROVIDING PROCEDURES FOR RESOLUTION OF IMPASSES; PROVIDING FACTORS TO BE CONSIDERED BY THE SPECIAL MASTER; PROVIDING FOR COMPENSATION AND RECORDS; ESTABLISHING UNFAIR LABOR PRACTICES BY EMPLOYERS AND EMPLOYEE ORGANIZATIONS; PROVIDING PROCEDURES TO RESOLVE UNLAWFUL ACTIONS AND PRACTICES, PENALTIES AND REMEDIES; PROVIDING INJUNCTIVE RELIEF; PROVIDING EFFECT ON MERIT AND CIVIL SERVICE SYSTEMS AND STATE AND LOCAL CONTROL OF SAME; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Be it known that:

WHEREAS, Section 447.022 of the Public Employment Relations Act, a part of chapter 74-100, Laws of Florida [Laws of Fla., ch. 74-100, § 447.002] provided for the adoption of a local ordinance, resolution or Charter amendment, in lieu of the requirements of the state Public Employment Relations Act; and

WHEREAS, the town council adopted Ordinance No. 11-74 and thereafter effectuated amendments through Ordinance Nos. 6-75, 2-76, 6-77, 8-77, 15-79 and 20-79, and it is now deemed desirable to amend said ordinances;

[5]Editor's note(s)—Printed herein is the public employee relations provisions, as adopted by Ordinance Number 6-80 on November 25, 1980. Amendments to the ordinance are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original ordinance. Obvious misspellings and punctuation errors have been corrected without notation. For stylistic purposes, a uniform system of headings, catchlines, capitalization, citation to state statutes, and expression of numbers in text has been used to conform to the Code of Ordinances. Additions made for clarity are indicated by brackets.

Cross reference(s)—Administration, ch. 2; officers and employees, § 2-136 et seq.; personnel, ch. 82.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH THAT ORDINANCE NO. 11-74 AS AMENDED BY ORDINANCE NOS. 6-75, 2-76, 6-77, 8-77, 15-79 AND 20-79, BE AND IT HEREBY IS, AMENDED IN ITS ENTIRETY TO READ AS FOLLOWS:

1.001. Statement of policy.

It is declared that the public policy of the Town of Palm Beach and the purpose of this ordinance is to provide implementation of section 447.603, Florida Statutes, chapter 77-343 [Laws of Fla., ch. 74-100, § 447.022] and to provide harmonious and cooperative relationships between government and its employees, both collectively and individually, and to protect the public by assuring, at all times, the orderly and uninterrupted operations and functions of government. It is the intent of the town council that nothing herein shall be construed to either encourage or discourage organization of public employees. These policies are best effectuated by:

(1) Granting to public employees the right to organization and representation;

(2) Requiring the Town of Palm Beach or its authorized designees to negotiate with bargaining agents duly certified to represent public employees;

(3) Creating a public employees relations commission to assist in resolving disputes between public employees and the Town of Palm Beach; and

(4) Recognizing the constitutional prohibition against strikes by public employees and providing remedies for violation of such prohibition.

1.002. Definitions.

As used in this ordinance:

(1) *Commission* means the public employees relations commission created by section 1.003 of this ordinance.

(2) *Public employer or employer* means the Town of Palm Beach and any subdivision or agency thereof which the commission determines has sufficient legal distinctiveness to properly carry out the functions of a public employer.

(3) *Public employee* means any person employed by the Town of Palm Beach or any subdivision or agency thereof except (a) individuals acting as negotiating representatives for employer authorities, (b) those persons who are designated by the commission as managerial or confidential employees pursuant to criteria contained herein, and (c) persons elected by the people, agency heads, members of boards and commissions of the Town of Palm Beach.

(4) *Managerial employees* are those employees who:

(a) Perform jobs that are not of a routine, clerical, or ministerial nature and require the exercise of independent judgment in the performance of such jobs, and who also to whom [sic] one or more of the following applies:

1. Formulate or assist in formulating policies which are applicable to bargaining unit employees;

2. May reasonably be required on behalf of the employer to assist in the preparation for the conduct of collective bargaining negotiations;

3. Have a role in the administration of agreements resulting from collective bargaining negotiations;

4. Have a significant role in personnel administration;

5. Have a significant role in employee relations;

6. Are included in the definition of administrative personnel contained in F.S. § 228.041(10);

7. Have a significant role in the preparation or administration of budgets for any public agency or institution or subdivision thereof.

(b) Serve as police chiefs, fire chiefs, or directors of public safety of any police, fire, or public safety department. Other police officers, as defined in F.S. § 943.10(1), and firefighters, as defined in F.S. § 633.30(1), may be determined by the commission to be managerial employees of such departments. In making such determinations, the commission shall consider, in addition to the criteria established in [subsection] (a), the paramilitary organizational structure of the department involved.

Provided, however, that in determining whether an individual is a managerial employee pursuant to either [subsection] (a) or (b), above, the commission may consider historic relationships of the employee to the public employer and to coemployees.

(5) *Confidential employees* are persons who act in a confidential capacity to, assist, or aid managerial employees as defined in [section] 1.002(4) of this ordinance.

(6) *Strike* means the concerted failure of employees to report for duty; the concerted absence of employees from their positions; the concerted stoppage of work by employees; the concerted submission of resignations by employees; the concerted abstinence in whole or in part by any group of employees from the full and faithful performance of the duties of employment with a public employer for the purpose of inducing, influencing, condoning, or coercing a change in the terms and conditions of employment or the rights, privileges, or obligations of public employment, or participating in a deliberate and concerted course of conduct which adversely affects the services of the public employer; the concerted failure of employees to report for work after the expiration of a collective bargaining agreement; and picketing in furtherance of a work stoppage. The term "strike" shall also mean any overt preparation including but not limited to the establishment of strike funds with regard to the above-listed activities.

(7) *Strike funds* are any appropriations by an employee organization which are established to directly or indirectly aid any employee or employee organization to participate in a strike in the State of Florida.

(8) *Bargaining unit* means either that unit determined by the commission or that unit determined by the Town of Palm Beach and the public employee organization and approved by the commission to be appropriate for the purposes of collective bargaining, provided however, that no bargaining unit shall be defined as appropriate which includes employees of an employer that is not a department or division of the Town of Palm Beach.

(9) *Chief executive officer* for the Town of Palm Beach shall mean the town manager.

(10) *Legislative body* means the town council of the Town of Palm Beach.

(11) *Employee organization or organization* means any labor organization, union, association, fraternal order, occupational or professional society, or group, however organized or constituted, which represents or seeks to represent any public employee or group of public employees concerning any matters relating to their employment relationship with a public employer.

(12) *Bargaining agent* means the employee organization which has been certified by the commission or representing the employees in the bargaining unit or its representative.

(13) *Professional employee* means:

(a) Any employee engaged in work in any two or more of the following categories:

1. Predominantly intellectual and varied in character as opposed to routine mental, manual, mechanical or physical work;

2. Involving the consistent exercise of discretion and judgment in its performance;

3. Of such a character that the output produced or the result accomplished cannot be standardized in relation to a given period of time; and

4. Requiring advanced knowledge in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction and study in an institution of higher learning or a hospital, or distinguished from a general academic education, and apprenticeship or training in the performance of routine mental or physical processes; or

(b) Any employee who:

1. Has completed the course of specialized intellectual instruction and study described in subparagraph 4 of paragraph (a), and

2. Is performing related work under supervision of a professional person to qualify himself to become a professional employee as defined in paragraph (a).

(14) *Collective bargaining* means the performance of the mutual obligations of the public employer and the bargaining agent of the employee organization to meet at reasonable times, to negotiate in good faith, and to execute a written contract with respect to agreements reached concerning the terms and conditions of employment, except that neither party shall be compelled to agree to a proposal or be required to make a concession unless otherwise provided in this ordinance.

(15) *Membership dues deduction* means the practice of a public employer of deducting dues and uniform assessments from the salary or wages of a public employee. Such term also means the practice of a public employer of transmitting the sums so deducted to such employee organization.

(16) *Civil service* means any career, civil, or merit system used by any public employer.

(17) *Good faith bargaining* shall mean, but not be limited to, the willingness of both parties to meet at reasonable times and places, as mutually agreed upon, in order to discuss issues which are proper subjects of bargaining, with the intent of reaching a common accord. It shall include an obligation for both parties to actively participate in the negotiations with an open mind and a sincere desire, as well as making a sincere effort to resolve differences and come to an agreement. In determining whether a party failed to bargain in good faith, the commission shall consider the total conduct of the parties during negotiations as well as the specific incidents of alleged bad faith. Incidents indicative of bad faith shall include, but not be limited to, the following occurrences:

(a) Failure to meet at reasonable times and places with representatives of the other party for purpose of negotiations.

(b) Placing unreasonable restrictions on the other party as a prerequisite to meeting.

(c) Failure to discuss bargainable issues.

(d) Refusing, upon reasonable written request, to provide public information, excluding work products as defined in section 1.024 herein.

(e) Refusing to negotiate because of an unwanted person on the opposing negotiating team.

(f) Negotiating directly with employees rather than with their certified bargaining agent.

(g) Refusing to reduce a total agreement to writing.

1.003. Public employees relations commission.

(1) There is hereby created and established a public employees relations commission, hereinafter referred to as the "commission." The commission shall be composed of a chairman and two other members to be appointed by the town council from a list of persons submitted by an independent "blue ribbon" panel

appointed by the town council. Effective October 1, 1980, one appointee shall be a person who, on account of previous vocation, employment, or affiliation, is, or has been, classified as a representative of employers; one appointee shall be a person who, on account of previous vocation, employment, or affiliation, is, or has been, classified as a representative of employees or employee organizations; and one appointee shall be a person who, on account of previous vocation, employment, or affiliation, is not or has not been classified as representative of employers or of employees or employee organizations. The chairman and all members shall be appointed for four-year staggered terms. Neither the chairman nor any member shall be employed by, or hold any commission with, any governmental unit in the state or any employee organization while serving in such office. In the event of a vacancy prior to the expiration of a term of office, an appointment shall be made for the unexpired term of that office in the same manner as herein provided for an original appointment. Once appointed, the chairman shall serve as chairman for the duration of his term. Nothing contained herein shall prohibit the chairman or commissioner from serving multiple terms.

(2) The chairman and other members shall devote such time as is necessary to the performance of their commission duties and shall not engage in any other business, vocation or employment which would interfere with the responsible, independent and objective performance of their duties. The chairman or any member shall be entitled, upon application to the finance committee of the town council, to receive an honorarium in amount determined by the finance committee as reasonable remuneration for services performed, based upon existing standards applicable to persons holding positions of similar nature. The chairman and other members shall also be reimbursed for reasonable expenses directly related to the performance of their duties under this ordinance as provided for in F.S. § 112.061. The chairman shall be responsible for the administrative functions of the commission and shall have the authority, subject only to reasonable financial limitations deemed necessary by the town council, to employ such personnel as may be necessary to carry out the provisions of this ordinance.

(3) The deliberations of the commission in any proceeding before it shall be exempt from the provisions of F.S. ch. 286. Provided, however, that any hearing or oral argument held by the commission pursuant to F.S. ch. 120, F.S. ch. 447, or this ordinance shall be open to the public. All draft orders developed in preparation for or preliminary to the issuance of a final written order shall be exempt from the provisions of F.S. ch. 119.

1.004. Commission; powers and duties.

(1) After public hearing, the commission may adopt, promulgate, amend or rescind such rules and regulations as it deems necessary and administratively feasible to carry out the provisions of this ordinance, in accordance with F.S. ch. 120. Prior to adoption of rules and regulations by the commission, the commission shall apply effective rules and regulations promulgated by the public employees relations commission of this state, as amended.

(2) To accomplish the objectives and carry out the duties prescribed by this part [ordinance], the commission may preserve and enforce order during any proceeding; issue subpoenas for, administer oaths or affirmations to, and compel the attendance and testimony of, witnesses; or [issue subpoenas for, and compel] the production of, books, papers, records, documents, and other evidence. However, in the absence of extraordinary circumstances no subpoena shall issue which commands the attendance or testimony of any commissioner or any commission employee at a commission proceeding with respect to the performance of official or assigned duties, or the production of books, papers, records, or documents of the commission which have been prepared during the performance of such duties.

(3) In cases of neglect or refusal to obey a subpoena issued to any person, the commission may apply to a court of jurisdiction in Palm Beach County for an order requiring such person to appear before the commission and produce evidence about the matter under investigation. A failure to obey such order may be punished by the court as a contempt.

(4) Any subpoena, notice of hearing or other process or notice of the commission issued under the provisions of this ordinance shall be served personally or by certified mail. A return made and verified by the individual making such service and setting forth the manner of such service is proof of service, and a returned post office receipt, when certified mail is used, is proof of service. All process of any court to which application may be made under the provisions of this ordinance shall be served in the county wherein the persons required to be served reside or may be found.

(5) The commission shall adopt rules as to the qualifications of persons who may serve as mediators and special masters, and shall maintain lists of such qualified persons who are not employees of the commission. The commission may initiate dispute resolution procedures by special masters pursuant to the provisions of this ordinance.

(6) Pursuant to its established procedures, the commission shall:

(a) Resolve questions and controversies concerning claims for recognition as the bargaining agent for a bargaining unit;

(b) Determine or approve units appropriate for purposes of collective bargaining;

(c) Expeditiously process charges of unfair labor practices, and violations of section 1.019 ("Strikes Prohibited") by public employees; and

(d) Resolve such other questions and controversies as it may be authorized herein to undertake.

The petitioner, charging party, respondent, and any intervenors shall be the adversary parties before the commission in any adjudicatory proceeding conducted pursuant to this part [ordinance]. Any commission statement of general applicability that implements, interprets, or prescribes law or policy, made in the course of adjudicating a case pursuant to section 1.009 or section 1.017 shall not constitute a rule within the meaning of this ordinance or F.S. § 120.52(14).

(7) The commission shall provide by rule a procedure for the filing and prompt disposition of petitions for a declaratory statement as to the applicability of any statutory provision or any rule or order of the commission. Such rule, or rules, shall provide for, but not be limited to, an expeditious disposition of petitions posing questions relating to potential unfair labor practices. Commission disposition of petitions shall be final agency action and shall not constitute a rule as defined in F.S. § 120.54(14).

1.005. Public employer's rights.

It is the right of the public employer to determine unilaterally the purpose of each of its constituent agencies and departments, set standards of services to be offered to the public, and exercise control and discretion over its organization and operations. It is also the right of the public employer to direct its employees, take disciplinary action for proper cause, and relieve its employees from duty because of lack of work or for other legitimate reasons, provided, however, that the exercise of such rights shall not preclude employees or their representatives from raising grievances, should decisions on the above matters have the practical consequences of violating the terms and conditions of any collective bargaining agreement in force, or civil or career service regulation.

1.006. Public employees' rights; organization and representation.

(1) (a) Public employees shall have the right to form, join, and participate in, or to refrain from forming, joining, or participating in, any employee organization of their own choosing.

(b) 1. A public employee who desires to be a member of an employee organization must sign and date a membership authorization form, as prescribed by the commission, and submit the executed form to the bargaining agent.

2. The membership authorization form must identify the name of the bargaining agent, the name of the employee, the class code and class title of the employee, the name of the public employer and employing agency, if applicable, the amount of the initiation fee and of the monthly dues which the member must pay, and the name and total amount of salary, allowances, and other direct or indirect disbursements, including reimbursements, paid to each of the five highest compensated officers and employees of the employee organization disclosed under F.S. § 447.305(2)(d) and this section.

3. The membership authorization form must contain the following statement in 14-point type:

   The State of Florida is a right-to-work state. Membership or non-membership in a labor union is not required as a condition of employment, and union membership and payment of union dues and assessments are voluntary. Each person has the right to join and pay dues to a labor union or to refrain from joining and paying dues to a labor union. No employee may be discriminated against in any manner for joining and financially supporting a labor union or for refusing to join or financially support a labor union.

4. A public employee may revoke membership in the employee organization at any time of the year. Upon receipt of the employee's written revocation of membership, the employee organization must revoke a public employee's membership. The employee organization may not limit an employee's right to revoke membership to certain dates. If a public employee must complete a form to revoke membership in the employee organization, the form may not require a reason for the public employee's decision to revoke his or her membership.

5. An employee organization must retain for inspection by the commission such membership authorization forms and any revocations.

6. This section does not apply to members of a bargaining unit the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in F.S. § 943.10(1), (2), or (3), respectively, firefighters as defined in F.S. § 633.102, 911 public safety telecommunicators as defined in F.S. § 401.465(1)(a), or emergency medical technicians or paramedics as defined in F.S. § 401.23

7. The commission may adopt rules to implement this section.

8. Upon a petition by a public employer after it has been notified by the Department of Labor that the public employer's protective arrangement covering mass transit employees does not meet the requirements of 49 U.S.C. s. 5333(b) and would jeopardize the employer's continued eligibility to receive Federal Transit Administration funding, the commission may waive, to the extent necessary for the public employer to comply with the requirements of 49 U.S.C. s. 5333(b), any of the following for an employee organization that has been certified as a bargaining agent to represent mass transit employees:

   a. The prohibition on dues and assessment deductions provided in F.S. § 447.303(1) as it applies to a mass transit employee who has provided a copy of his or her membership authorization form to the employer as part of the authorization of dues deduction under a waiver.

   b. The requirement to petition the commission for recertification.

   c. The revocation of certification provided in F.S. § 447.305(6) and (7).

(2) Public employees shall have the right to be represented by any employee organization of their own choosing, to negotiate collectively, through a certified bargaining agent, with their public employer in the determination of the terms and conditions of their employment. Public employees shall have the right to be

represented in the determination of grievances on all terms and conditions of their employment. Public employees shall have the right to refrain from exercising the right to be represented.

(3) Public employees shall have the right to engage in concerted activities not prohibited by law, for the purpose of collective bargaining or other mutual aid or protection. Public employees shall also have the right to refrain from engaging in such activities.

(4) Nothing in this section shall be construed to prevent any public employee from presenting, at any time, his own grievances, in person or by legal counsel, to his public employer, and having such grievances adjusted without the intervention of the bargaining agent, if the adjustment is not inconsistent with the terms of the collective bargaining agreement then in effect and if the bargaining agent has been given reasonable opportunity to be present at any meeting called for the resolution of such grievance.

(Ord. No. 28-88, § 1, 1-10-89; Ord. No. 026-2024, § 1, 8-13-24)

1.007. Dues; deduction and collection.

(1) Except as authorized in subsection (2) or subject to a waiver granted pursuant to F.S. § 447.207(12)(a), an employee organization that has been certified as a bargaining agent may not have its dues and uniform assessments deducted and collected by the employer from the salaries of those employees in the unit. A public employee may pay dues and uniform assessments directly to the employee organization that has been certified as the bargaining agent.

(2) (a) An employee organization that which has been certified as a bargaining agent to represent a bargaining unit the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, or correctional probation officers as those terms are defined in F.S. § 943.10(1), (2), or (3), respectively, or firefighters as defined in F.S. § 633.102, 911 public safety telecommunicators as defined in F.S. § 401.465(1)(a), or emergency medical technicians or paramedics as defined in F.S. § 401.23 has the right to have its dues and uniform assessments for that bargaining unit deducted and collected by the employer from the salaries of those employees who authorize the deduction and collection of said dues and uniform assessments. However, such authorization is revocable at the employee's request upon 30 days' written notice to the employer and employee organization. Said deductions shall commence upon the bargaining agent's written request to the employer.

(b) Reasonable costs to the employer of said deductions is a proper subject of collective bargaining.

(c) Such right to deduction, unless revoked under pursuant to F.S. § 447.507, is in force for so long as the employee organization remains the certified bargaining agent for the employees in the unit.

(3) The public employer is expressly prohibited from any involvement in the collection of fines, penalties, or special assessments.

(Ord. No. 026-2024, § 1, 8-13-24)

1.008. Registration of employee organization.

(1) Every employee organization seeking to become a certified bargaining agent for public employees shall register with the commission pursuant to the procedures set forth in F.S. § 120.60 prior to requesting recognition by a public employer for purposes of collective bargaining and prior to submitting a petition to the commission requesting certification as an exclusive bargaining agent. Further, if such employee organization is not registered, it may not participate in a representation hearing, participate in a representation election, or be certified as an exclusive bargaining agent. The application for registration

required by this section shall be under oath and in such form as the commission may prescribe and shall include:

(a) The name and address of the organization and of any parent organization or organization with which it is affiliated.

(b) The names and addresses of the principal officers and all representatives of the organization.

(c) The amount of the initiation fee and the amount and collection frequency of the dues and uniform assessments that a member must pay.

(d) The current annual financial statement of the organization, prepared by an independent certified public accountant licensed under F.S. ch. 473.

(e) The name of its business agent, if any; if different from the business agent, the name of its local agent for service of process; and the addresses where such person or persons can be reached.

(f) A pledge, in a form prescribed by the commission, that the employee organization will conform to the laws of the state and that it will accept members without regard to age, race, sex, religion, or national origin.

(g) A copy of the current constitution and bylaws of the employee organization.

(h) A copy of the current constitution and bylaws of the state and national groups with which the employee organization is affiliated or associated. In lieu of this provision, and upon adoption of a rule by the commission, a state or national affiliate or parent organization of any registering labor organization may annually submit a copy of its current constitution and bylaws.

(2) A registration granted to an employee organization pursuant to this section runs for l year from the date of issuance. A registration must be renewed annually by filing an application for renewal under oath with the commission, which application must reflect any changes in the information provided to the commission in conjunction with the employee organization's preceding application for registration or previous renewal, whichever is applicable. Each application for renewal of registration must include a current annual financial statement, prepared by an independent certified public accountant licensed under F.S. ch. 473 and report, signed by the employee organization's president and treasurer or corresponding principal officers, containing the following information in such detail as may be necessary accurately to disclose its financial condition and operations for its preceding fiscal year and in such categories as the commission may prescribe:

(a) Assets and liabilities at the beginning and end of the fiscal year;

(b) Receipts of any kind and the sources thereof;

(c) Disbursements by category;

(d) Salary, allowances, and other direct or indirect disbursements, including reimbursed expenses, to each officer and also to each employee who, during such fiscal year, received more than $10,000.00 in the aggregate from such employee organization and any other employee organization affiliated with it or with which it is affiliated or which is affiliated with the same national or international employee organization;

(e) Direct and indirect loans made to any officer, employee, or member which aggregated more than $250.00 during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment; and

(f) Direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment.

(3) In addition to subsection (2), an employee organization that has been certified as the bargaining agent for public employees must include for each such certified bargaining unit the following information and

documentation as of the 30th day immediately preceding the date upon which its current registration is scheduled to end for any renewal of registration on or after October 1, 2023:

(a) The number of employees in the bargaining unit who are eligible for representation by the employee organization.

(b) The number of employees in the bargaining unit who have submitted signed membership authorization forms without a subsequent revocation of such membership.

(c) The number of employees in the bargaining unit who paid dues to the employee organization.

(d) The number of employees in the bargaining unit who did not pay dues to the employee organization.

(e) Documentation provided by an independent certified public accountant retained by the employee organization which verifies the information provided in paragraphs (a)—(d) of this subsection.

(4) The employee organization must provide a copy of its application for renewal of registration relating to a public employer's employees to the public employer on the same day the application is submitted to the commission.

(5) An application for renewal of registration is incomplete and is not eligible for consideration by the commission if it does not include all of the information and documentation required in subsection (3). The commission shall notify the employee organization if the application is incomplete. An incomplete application must be dismissed if the required information and documentation are not provided within ten days after the employee organization receives such notice.

(6) Notwithstanding the provisions of this chapter relating to collective bargaining, an employee organization certified as a bargaining agent to represent a bargaining unit for which less than 60 percent of the unit employees have submitted membership authorization forms without subsequent revocation and have paid dues to the organization during its last registration period must petition the commission pursuant to F.S. §§ 447.307(2) and (3) for recertification as the exclusive representative of all employees in the bargaining unit within 30 days after the date on which the employee organization applies for renewal of registration pursuant to subsection (2). The certification of an employee organization that does not comply with this section is revoked.

(7) The public employer or a bargaining unit employee may challenge an employee organization's application for renewal of registration if the public employer or bargaining unit employee believes that the application is inaccurate. The commission or one of its designated agents shall review the application to determine its accuracy and compliance with this section. If the commission finds that the application is inaccurate or does not comply with this section, the commission shall revoke the registration and certification of the employee organization.

(8) The commission may conduct an investigation to confirm the validity of any information submitted pursuant to this section. The commission may revoke or deny an employee organization's registration or certification if it finds that the employee organization:

(a) Failed to cooperate with the investigation conducted pursuant to this subsection including refusal to permit the commission to inspect membership authorization forms or revocations pursuant to F.S. § 447.301(1)(b)5.; or

(b) Intentionally misrepresented the information it submitted pursuant to this section.

A decision issued by the commission pursuant to this subsection is a final agency action that is reviewable pursuant to F.S. § 447.504.

(9) An employee organization is exempt from the requirements of subsections (3)—(8) only with respect to the circumstances of each bargaining unit the majority of whose employees eligible for representation are employed as law enforcement officers, correctional officers, or correctional probation officers as those terms

are defined ins. 943.10(1), (2), or (3), respectively, or firefighters as defined in F.S. § 633.102, 911 public safety telecommunicators as defined in F.S. § 401.465(1)(a), or emergency medical technicians or paramedics as defined in F.S. § 401.23.

(10) A registration fee shall accompany each application filed with the public employees relations commission. The amount charged for an application for registration or renewal of registration shall not exceed $15.00. All such money collected by the commission shall be deposited in the general revenue fund.

(11) Every employee organization shall keep accurate accounts of its income and expenses, which accounts shall be open for inspection at all reasonable times by any member of the organization or by the commission. In addition, each employee organization that has been certified as a bargaining agent must provide to its members an annual financial report prepared by an independent certified public accountant licensed under F.S. ch. 473 that includes a detailed breakdown of revenues and expenditures in such categories as the commission may prescribe, and an accounting of membership dues and assessments. The employee organization must notify its members annually of all costs of membership.

(12) For an application for renewal of registration as an employee organization filed pursuant to F.S. § 447.305(2), between July l, 2023, and the effective date of this act, an employee organization may submit a current annual financial statement containing the information required by F.S. § 447.305(2), prepared by an independent certified accountant licensed under F.S. ch. 473, and signed by the employee organization's president and treasurer or corresponding principal officers in lieu of an annual audited financial statement certified by an independent certified public accountant licensed under F.S. ch. 473. For applications of renewal of registration of employee organizations filed pursuant to F.S. § 447.305, between July 1, 2023, and the effective date of this act, the commission may not deny the renewal or revoke the registration of an employee organization based solely upon the employee organization's failure to submit a current annual audited financial statement certified by an independent certified public accountant licensed under F.S. ch. 473.

(Ord. No. 026-2024, § 1, 8-13-24)

1.009. Certification of employee organization.

(1) (a) Any employee organization which is designated or selected by a majority of public employees in an appropriate unit as their representative for purposes of collective bargaining shall request recognition by the public employer. The public employer shall, if satisfied as to the majority status of the employee organization and the appropriateness of the proposed unit, recognize the employee organization as the collective bargaining representative of employees in the designated unit. Upon recognition by a public employer, the employee organization shall immediately petition the commission for certification. The commission shall review only the appropriateness of the unit proposed by the employee organization. If the unit is appropriate according to the criteria used in this part [ordinance], the commission shall immediately certify the employee organization as the exclusive representative of all employees in the unit. If the unit is inappropriate according to the criteria used in this part [ordinance], the commission may dismiss the petition.

(b) Whenever a public employer recognizes an employee organization on the basis of majority status and on the basis of appropriateness in accordance with subsection (4)(f)5 of this section, the commission shall, in the absence of inclusion of a prohibited category of employees or violation of section 1.016 certify the proposed unit.

(2) If the public employer refuses to recognize the employee organization, the employee organization may file a petition with the commission for certification as the bargaining agent for a proposed bargaining unit. The petition shall be accompanied by dated statements signed by at least 30 percent of the employees in the proposed unit, indicating that such employees desire to be represented for purposes of collective bargaining

by the petitioning employee organization. Once a petition for certification has been filed by an employee organization, any registered employee organization desiring placement on the ballot in any election to be conducted pursuant to this section may be permitted by the commission to intervene in the proceeding upon a motion accompanied by dated statements signed by at least ten percent of the employees in the proposed unit, indicating that such employees desire to be represented for the purposes of collective bargaining by the moving employee organization. Any employee, employer, or employee organization having sufficient reason to believe any of the employee signatures were obtained by collusion, coercion, intimidation, or misrepresentation, or are otherwise invalid, shall be given a reasonable opportunity to verify and challenge the signatures appearing on the petition.

(3) (a) The commission or one of its designated agents shall investigate the petition to determine its sufficiency; if it has reasonable cause to believe that the petition is sufficient, the commission shall provide for an appropriate hearing upon due notice. Such a hearing may be conducted by an agent of the commission. If the commission finds the petition to be insufficient, it may dismiss the petition. If the commission finds upon the record of the hearing that the petition is sufficient, it shall immediately:

1. Define the proposed bargaining unit and determine which public employees shall be qualified and entitled to vote at any election held by the commission.

2. Identify the public employer or employers for purposes of collective bargaining with the bargaining agent.

3. Order an election by secret ballot, the cost of said election and any required runoff election to be borne equally by the parties, except as the commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to the provisions of this part [ordinance].

(b) When an employee organization is selected by a majority of the employees voting in an election, the commission shall certify the employee organization as the exclusive collective bargaining representative of all employees in the unit.

(c) In any election in which none of the choices on a ballot receives the vote of a majority of the employees voting, a runoff election shall be held according to rules promulgated by the commission.

(d) No petition may be filed seeking an election in any appropriate bargaining unit to determine the exclusive bargaining agent if a representation election has been conducted within the preceding 12-month period. Furthermore, if a valid collective bargaining agreement covering any of the employees in a proposed unit is in effect, a petition for certification may be filed with the commission only during the period extending from 150 days to 90 days immediately preceding the expiration date of said agreement, or at any time subsequent to its expiration date but prior to the effective date of any new agreement. The effective date of a collective bargaining agreement means the date of ratification by both parties, if the agreement becomes effective immediately or retroactively; or its actual effective date, if the agreement becomes effective after its ratification date.

(4) In defining a proposed bargaining unit, the commission shall take into consideration:

(a) The principles of efficient administration of government.

(b) The number of employee organizations with which the employer might have to negotiate.

(c) The compatibility of the unit with the joint responsibilities of the public employer and public employees to represent the public.

(d) The power of the officials of government at the level of the unit to agree, or make effective recommendations to another administrative authority or to a legislative body, with respect to matters of employment upon which the employee desires to negotiate.

(e) The organizational structure of the public employer.

(f) Community of interest among the employees to be included in the unit, considering:

1. The manner in which wages and other terms of employment are determined.
2. The method by which jobs and salary classifications are determined.
3. The interdependence of jobs and interchange of employees.
4. The desires of the employees.
5. The history of employee relations within the organization of the public employer concerning organization and negotiation, and the interest of the employees and the employer in the continuation of a traditional, workable and accepted negotiation relationship.

(g) The statutory authority of the public employer to administer a classification and pay plan.

(h) Such other factors and policies as the commission may deem appropriate.

However, no unit shall be established or approved for purposes of collective bargaining which includes both professional and nonprofessional employees unless a majority of each group votes for inclusion in such unit.

(5) (a) Any employee or group of employees who no longer desires to be represented by the certified bargaining agent may file with the commission a petition to revoke certification. The petition shall be accompanied by dated statements signed by at least 30 percent of the employees in the unit, indicating that such employees no longer desire to be represented for purposes of collective bargaining by the certified bargaining agent. The time of filing said petition shall be governed by the provisions of paragraph (d) of subsection (3), relating to petitions for certification. Any employee or employee organization having sufficient reason to believe any of the employee signatures were obtained by collusion, coercion, intimidation, or misrepresentation, or are otherwise invalid, shall be given a reasonable opportunity to verify and challenge the signatures appearing on the petition. The commission or one of its designated agents shall investigate the petition to determine its sufficiency. If the commission finds the petition to be insufficient it may dismiss the petition. If the commission finds that the petition is sufficient, it shall immediately:

1. Identify the bargaining unit and determine which public employees shall be qualified and entitled to vote in the election held by the commission.
2. Identify the public employer or employers.
3. Order an election by secret ballot, the cost of said election to be borne equally by the parties, except as the commission may provide by rule. The commission's order assessing costs of an election may be enforced pursuant to the provisions of this part [ordinance].

(b) If a majority of the employees voting in such election vote against the continuation of representation by the certified bargaining agent, the certification of the employee organization as the exclusive bargaining agent for the employees in the bargaining unit shall be revoked.

(c) If a majority of the employees voting in such election do not vote against the continuation of representation by the certified bargaining agent, the certification of the employee organization as the exclusive bargaining agent for the employees in the unit shall be retained by the organization.

1.010. Collective bargaining; approval or rejection.

(1) After an employee organization has been certified pursuant to the provisions of this ordinance, the bargaining agent for the organization, and the chief executive officer of the appropriate public employer or employers jointly shall bargain collectively in the determination of the wages, hours and terms and

conditions of employment of the public employees within the bargaining unit. The chief executive, or his representative, and the bargaining agent, or its representative, shall meet at reasonable times and bargain in good faith. In conducting negotiations with the bargaining agent, the chief executive officer or his representative shall consult with, and attempt to represent the views of the legislative body of the public employer. Any collective bargaining agreement reached by the negotiators shall be reduced to writing and such agreement shall be signed by the chief executive officer and the bargaining agent. Any agreement signed by the chief executive officer and the bargaining agent shall not be binding on the public employer until such agreement has been ratified at a regularly scheduled meeting of the public employer and by public employees who are members of the bargaining unit, subject to the provisions of subsections (2) and (3) of this section.

(2) Upon execution of the collective bargaining agreement, the chief executive shall, in his annual budget request or by other appropriate means, request the legislative body to appropriate such amounts as shall be sufficient to fund the provisions of the collective bargaining agreement. If less than the requested amount is appropriated, the collective bargaining agreement shall be administered by the chief executive officer on the basis of the amounts appropriated by the legislative body. The failure of the legislative body to appropriate funds sufficient to fund the collective bargaining agreement shall not constitute nor be evidence of any unfair labor practice.

(3) If any provision of a collective bargaining agreement is in conflict with any law, ordinance, rule or regulation over which the chief executive officer has no amendatory power, the chief executive officer shall submit to the appropriate governmental body having amendatory power a proposed amendment to such law, ordinance, rule or regulation. Unless and until such amendment is enacted or adopted and becomes effective, the conflicting provision of the collective bargaining agreement shall not become effective.

(4) If the agreement is not ratified by the public employer or is not approved by a majority vote of employees voting in the unit in accordance with procedures adopted by the commission, the agreement shall be returned to the chief executive officer and the employee organization for further negotiations.

(5) Any collective bargaining agreement shall not provide for a term of existence of more than three years, and shall contain all of the terms and conditions of employment of the employees in the bargaining unit during such term, except those terms and conditions provided for in applicable merit and civil service rules and regulations.

(Ord. No. 28-88, § 2, 1-10-89)

1.011. Grievance procedures.

Each public employer and bargaining agent shall negotiate a grievance procedure to be used for the settlement of disputes between employer and employee, or group of employees, involving the interpretation or application of a collective bargaining agreement. Such grievance procedure shall have as its terminal step a final and binding disposition by an impartial neutral, mutually selected by the parties; provided, however, that an arbitrator or other neutral shall not have the power to add to, subtract from, modify or alter the terms of a collective bargaining agreement. If an employee organization is certified as the bargaining agent of a unit, the grievance procedure then in existence may be the subject of collective bargaining and any agreement which is reached shall supersede the previously existing procedure. All public employees shall have the right to a fair and equitable grievance procedure, administered without regard to membership or nonmembership in any organization, except that certified employee organizations shall not be required to process grievances for employees who are not members of the organization. A career service employee shall have the option of utilizing the civil service appeal procedure or a grievance procedure established under this section, but such employee cannot use both a civil service appeal and a grievance procedure.

1.012. Resolution of impasses.

(1) If, after a reasonable period of negotiation concerning the terms and conditions of employment to be incorporated in a collective bargaining agreement, a dispute exists between a public employer and a bargaining agent, an impasse shall be deemed to have occurred when one of the parties so declares in writing to the other party and to the commission. When an impasse occurs, the public employer or the bargaining agent, or both parties acting jointly, may appoint or secure the appointment of a mediator to assist in the resolution of the impasse.

(2) If no mediator is appointed or upon the request of either party, the commission shall appoint, and submit all unresolved issues to, a special magistrate acceptable to both parties. If the parties are unable to agree on the appointment of a special magistrate, the commission shall appoint, in its discretion, a qualified special magistrate. However, if the parties agree in writing to waive the appointment of a special magistrate, the parties may proceed directly to resolution of the impasse by the legislative body pursuant to paragraph (4)(d). Nothing in this section precludes the parties from using the services of a mediator at any time during the conduct of collective bargaining.

(3) The special magistrate shall hold hearings in order to define the area or areas of dispute, to determine facts relating to the dispute, and to render a decision on any and all unresolved contract issues. The hearings shall be held at times, dates, and places to be established by the special magistrate in accordance with rules promulgated by the commission. The special magistrate shall be empowered to administer oaths and issue subpoenas on behalf of the parties to the dispute or on his own behalf. Within 15 calendar days after the close of the final hearing, the special magistrate shall transmit his recommended decision to the commission and to the representatives of both parties, by registered mail, return receipt requested. Such recommended decision shall be discussed by the parties, and each special magistrate recommendation shall be deemed approved by both parties unless specifically rejected by either party by written notice, filed with the commission within 20 calendar days after the date the party received the special magistrate's recommended decision. The written notice shall include a statement of the cause for each rejection and shall be served upon the other party.

(4) In the event that either the public employer or the employee organization does not accept, in whole or in part, the recommended decision of the special magistrate:

   (a) The chief executive officer of the govern-mental entity involved shall, within ten days after rejection of a recommended decision of the special magistrate, submit to the legislative body of the governmental entity involved a copy of the findings of fact and recommended decision of the special magistrate, together with the chief executive officer's recommendations for settling the disputed impasse issues. The chief executive officer shall also transmit his recommendations to the employee organization.

   (b) The employee organization shall submit its recommendations for settling the disputed impasse issues to such legislative body and to the chief executive officer.

   (c) The legislative body or a duly authorized committee thereof shall forthwith conduct a public hearing at which the parties shall be required to explain their positions with respect to the rejected recommendations of the special magistrate.

   (d) Thereafter, the legislative body shall take such action as it deems to be in the public interest, including the interest of the public employees involved, to resolve all disputed impasse issues.

   (e) Following the resolution of the disputed impasse issues by the legislative body, the parties shall reduce to writing an agreement which includes those issues agreed to by the parties and those disputed impasse issues resolved by the legislative body action taken pursuant to paragraph (d). The agreement shall be signed by the chief executive officer and the bargaining agent and shall be submitted to the public employer and to the public employees who are members of the bargaining unit for ratification.

If such agreement is not ratified by all parties, pursuant to the provisions of section 1.010, the legislative body action taken pursuant to the provisions of paragraph (d) shall take effect as of the date of such legislative body action for the remainder of the first fiscal year which was the subject of negotiations; however, the legislative body action shall not take effect with respect to those disputed impasse issues which establish the language of contractual provisions which could have no effect in the absence of a ratified agreement, including, but not limited to, pre-ambles, recognition clauses, and duration clauses.

(Ord. No. 28-88, § 3, 1-10-89; Ord. No. 5-05, § 1, 4-12-05)

1.013. Factors to be considered by the special magistrate.

The special magistrate shall conduct the hearings and render his recommended decision with the objective of achieving a prompt, peaceful and just settlement of disputes between the public employee organizations and the public employer. The factors, among others, to be given weight by the special magistrate in arriving at a recommended decision shall include:

(1) Comparison of the annual income of employment of the public employees in question with the annual income of employment maintained for the same or similar work of employees exhibiting like or similar skills under the same or similar working conditions in the local operating area involved.

(2) Comparison of the annual income of employment of the public employees in question with the annual income of employment of public employees in similar public employee governmental bodies of comparable size within the State of Florida.

(3) Interest and welfare of the public.

(4) Comparison of peculiarities of employment in regard to other trades or professions, specifically:

  (a) Hazards of employment;

  (b) Physical qualifications;

  (c) Educational qualifications;

  (d) Intellectual qualifications;

  (e) Job training and skills;

  (f) Retirement plans;

  (g) Sick leave;

  (h) Job security.

(5) Availability of funds.

(Ord. No. 5-05, § 1, 4-12-05)

1.014. [Expenses.]

The compensation of the mediator and special magistrate, and all stenographic and other expenses shall be borne equally by the parties.

(Ord. No. 5-05, § 1, 4-12-05)

1.015. Records.

All records which are relevant to or have bearing upon any issue or issues raised by the proceedings conducted by the special magistrate shall be made available to the special magistrate by the request in writing to any of the parties to the impasse proceedings. Notice of such request shall be furnished to all parties. Any such records which are made available to the special magistrate shall also be made available to any other party to the impasse proceedings upon written request.

(Ord. No. 5-05, § 1, 4-12-05)

1.0155. Financial urgency.

In the event of a financial urgency requiring modification of an agreement, the chief executive officer or his representative and the bargaining agent or its representative shall meet as soon as possible to negotiate the impact of the financial urgency. If after a reasonable period of negotiation which shall not exceed 14 days, a dispute exists between the public employer and the bargaining agent, an impasse shall be deemed to have occurred and one of the parties shall so declare in writing to the other party and to the commission. The parties shall then proceed pursuant to the provisions of s [section] 1.012. An unfair labor practice charge shall not be filed during the 14 days during which negotiations are occurring pursuant to this section.

(Ord. No. 6-96, § 1(1.0155), 1-22-96)

1.016. Unfair labor practices.

(1) Public employers or their agents or representatives are prohibited from:

   (a) Interfering with, restraining, or coercing public employees in the exercise of any rights guaranteed them under this ordinance, which include, but are not limited to, the right to self-organization, to form, join, or assist labor unions or labor organizations or to refrain from such activity, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection;

   (b) Encouraging or discouraging membership in any employee organization by discrimination in regard to hiring, tenure, or other conditions of employment;

   (c) Refusing to bargain collectively or failing to bargain collectively in good faith, or refusing to sign a final agreement agreed upon with the certified bargaining agent for the public employees in the bargaining unit;

   (d) Discharging or discriminating against a public employee because he has filed charges or given testimony under this ordinance;

   (e) Dominating, interfering with or assisting in the formation, existence or administration of any employee organization, or contributing financial support to such an organization;

   (f) Refusing to discuss grievances in good faith, pursuant to the terms of the collective bargaining agreement, with either the certified bargaining agent for the public employee or employees involved.

(2) A public employee organization or anyone acting in its behalf, its officers, representatives, agents or members are prohibited from:

   (a) Interfering with, restraining or coercing public employees in the exercise of any rights guaranteed them under this ordinance, which include, but are not limited to, the right to self-organization, to form, join, or assist labor unions or labor organizations or to refrain from such activity, to bargain collectively

through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection; or from interfering with, restraining or coercing managerial employees by reason of their performance of job duties or other activities undertaken in the interests of the public employer;

(b) Causing or attempting to cause a public employer to discriminate against an employee because of the employee's membership or nonmembership in an employee organization or to attempt to cause the public employer to violate any of the provisions of this ordinance;

(c) Refusing to bargain collectively, or failing to bargain collectively in good faith with a public employer;

(d) Discriminating against an employee because he has signed or filed an affidavit, petition, or complaint, or given any information or testimony in any proceedings provided for in this ordinance;

(e) Participating in a strike against the public employer by instigating or supporting, in any positive manner, a strike. Any violation of this section shall subject the violator to the penalties provided in this ordinance;

(f) Instigating or advocating support, in any positive manner, for an employee organization's activities from high school or grade school students, or institutions of higher learning.

(3) Notwithstanding the provisions of subsections (1) and (2), the parties' rights of free speech shall not be infringed upon and the expression of any arguments or opinions shall not constitute or be evidence of an unfair employment practice or of any other violation of this ordinance, if such expression contains no promise of benefits, nor threat of reprisal or force.

1.017. Charges of unfair labor practices.

It is the intent of the legislative body that the commission act as expeditiously as possible to settle disputes regarding alleged unfair labor practices. To this end violations of the provisions of section 1.016 shall be remedied by the commission in accordance with the following procedures and in accordance with the provisions of F.S. ch. 120; however, to the extent that said F.S. ch. 120 is inconsistent with the provisions of this section, the procedures contained in this section shall govern:

(1) A proceeding to remedy a violation of the provisions of section 1.016 shall be initiated by the filing of a charge with the commission by an employer, employee, or employee organization, or any combination thereof. Such a charge shall contain a clear and concise statement of facts constituting the alleged unfair labor practice, including the names of all individuals involved in the alleged unfair labor practice and specific reference to the provisions of section 1.016 alleged to have been violated, and such other relevant information as the commission may by rule require or allow. Service of the charge shall be made upon each named respondent at the time of filing with the commission. The charge must be accompanied by sworn statements and documentary evidence sufficient to establish a prima facie violation of the applicable unfair labor practice provision. Such supporting evidence is not to be attached to the charge and is to be furnished only to the commission.

(2) The commission, or any agent designated by it for such purpose, shall thereupon review the charge to determine its sufficiency.

(a) If upon review it is determined that the charge is insufficient, the commission or its designated agent may issue a summary dismissal of the charge. A charging party whose charge is dismissed by a designated agent may appeal the dismissal to the commission within 20 days after the date of issuance of the dismissal. If the commission finds the charge to be sufficient, it shall reinstate the charge.

(b) If upon review it is determined that the charge is sufficient, the commission shall notify the parties. Each respondent so charged shall thereupon file an answer to the charge with the commission, and serve a copy upon the charging party, no more than 20 days after service of notification of the sufficiency of the charge, unless otherwise allowed by the commission. The commission, in its discretion, may allow a charge or answer to be amended at any time. The commission may also, in its discretion, allow other interested parties to intervene in the proceeding.

(c) Upon completion of the review, the evidence filed with the commission in support of the charge shall be made available upon request in accordance wit the provisions of F.S. ch. 119.

(3) Whenever a charging party alleges that a respondent has engaged in unfair labor practices and that the charging party will suffer substantial and irreparable injury if he is not granted temporary relief, the commission may petition the circuit court for appropriate injunctive relief pending the final adjudication by the commission with respect to such matter. Upon the filing of any such petition, the court shall cause notice thereof to be served upon the parties and, thereupon, shall have jurisdiction to grant such temporary relief or restraining order as it deems just and proper.

(4) The commission may issue prehearing orders requiring the parties to provide written statements of relevant issues of fact and law, and such other information as the commission may require to expedite the resolution of the case. Such orders may further direct the parties to identify witnesses, exchange intended exhibits and documentary evidence, and appear at a conference before the commission or a member thereof, or a designated hearing officer, for the purpose of handling such matters as will aid the commission in expeditiously resolving the case before it.

(5) Whenever the proceeding involves a disputed issue of material fact and an evidentiary hearing is to be conducted:

(a) The commission shall issue and serve upon all parties a notice of hearing before an assigned hearing officer at a time and place specified therein. Such notice shall be issued at least 14 days prior to the scheduled hearing.

(b) The evidentiary hearing shall be conducted by a hearing officer designated by the commission. Said hearing officer may be the commission itself, a member of the commission, or an agent designated by the commission for such purpose, provided that such agent shall be an employee of the commission and a member of the Florida Bar.

(c) Not later than 45 days, unless extended by the commission with the consent of all parties, after the close of the evidentiary hearing, the hearing officer shall submit to the commission and to all parties a recommended order which shall include findings of fact and recommended rulings on procedural matters. The recommended order may also include recommended conclusions of law if requested by the commission.

(d) If the hearing was held before the commission or a member of the commission, the commission may elect to issue a final order which is in compliance with F.S. § 120.58(1)(e) and F.S. § 120.59, F.S. ch. 120.

(6) (a) If, upon consideration of the record in the case, the commission finds that an unfair labor practice has been committed, it shall issue and cause to be served an order requiring the appropriate party or parties to cease and desist from the unfair labor practice, and take such positive action, including reinstatement of employees with or without back pay, as will best implement the general policies expressed in this part [ordinance]. However, no order of the commission shall require the reinstatement of any individual as an employee who has been suspended or discharged, or the payment to him of any back pay, if the individual was suspended or discharged for cause. The order may further require the party or parties to make periodic reports showing the extent to which it has

complied with the order. If, upon consideration of the record in the case, the commission finds that an unfair labor practice has not been or is not being committed, it shall issue an order dismissing the case.

(b) If the commission determines that the alleged unfair labor practice occurred more than six months prior to the filing of the charge, the commission shall issue an order dismissing the case unless the person filing the charge was prevented from doing so by reason of service in the armed forces, in which case the six-month period shall run from the date of the person's discharge.

(c) The commission may award to the prevailing party all or part of the costs of litigation, reasonable attorney's fees and expert witness fees whenever the commission determines that such an award is appropriate.

(d) Final orders of the commission issued pursuant to this section shall be enforced pursuant to the provisions of section 1.018(1) and shall be reviewed pursuant to the provisions of section 1.018(2).

1.018. Enforcement of orders and judicial review.

(1) *Enforcement of commission orders.* In case of any failure by any employer, employee, or employee organization to comply with any order of the commission, upon application of the commission or, notwithstanding the provisions of F.S. § 120.69(1)(b)(1), upon application of any person who is a resident of the state and who is substantially interested in such order, any circuit court of this state shall have jurisdiction to enforce the order pursuant to the provisions of F.S. § 120.69. However, if one or more petitions for enforcement and a notice of appeal involving the same agency action are pending at the same time, the district court of appeal considering the notice of appeal shall order all such actions transferred to and consolidated in the district court of appeal. If a petition for enforcement is filed after the time for filing notice of appeal has expired, the respondent may assert as a defense only that the agency action was not intended to apply to respondent or that respondent has complied with the agency action. Petitions for enforcement filed under this part [ordinance] shall be heard expeditiously by the circuit court to which presented, and shall take precedence over all other civil matters except prior matters of the same character.

(2) *Judicial review.*

(a) The district courts of appeal are empowered, upon the filing of appropriate notices of appeal, to review final orders of the commission pursuant to F.S. § 120.68. A copy of the notice of appeal shall be filed with the commission. The record in the proceeding, certified by the commission, shall be filed with the court in accordance with the Florida Appellate Rule.

(b) Upon the filing of a notice of appeal, the appropriate district court of appeal shall thereupon have jurisdiction of the proceeding and may grant such temporary or permanent relief or restraining order as it deems just and proper and may enforce, modify, affirm, or set aside, in whole or in part, the order of the commission. The findings of the commission with respect to questions of fact, if supported by substantial evidence on the record considered as a whole, shall be conclusive.

(c) The court may award to the prevailing party all or part of the costs of litigation and attorney's fees and expert witness fees, whenever the court determines that such an award is appropriate; however, no such costs or fees shall be assessed against the commission in any appeal from an order issued by the commission in an adjudicatory proceeding between adversary parties conducted pursuant to this part [ordinance].

(d) The commencement of proceedings under this section shall not, unless specifically ordered by the district court of appeal, operate as a stay of the commission's order.

(e) Appeals filed under this part [ordinance] shall be heard expeditiously by the district court of appeal to which presented, and shall take precedence over all other civil matters except prior matters of the same character.

1.019. Strikes prohibited.

No public employee or employee organization may participate in a strike against a public employer by instigating or supporting, in any manner, a strike. Any violation of this section shall subject the violator to the penalties provided in section 1.020 herein.

1.020. Violation of strike prohibition; penalties.

(1) Circuit courts or other courts having jurisdiction of the parties are vested with the authority to hear and determine all actions alleging violations of section 1.019. Suits to enjoin violations of section 1.019 will have priority over all matters on the court's docket except other emergency matters.

(2) If a public employee, a group of employees, an employee organization, or any officer, agent, or representative of any employee organization, engages in a strike in violation of section 1.019, either the commission or any public employer whose employees are involved or whose employees may be affected by the strike may file suit to enjoin the strike in the circuit court or other court having proper jurisdiction and proper venue of such actions under Florida Rules of Civil Procedure and Florida Statutes. The court shall conduct a hearing, with notice to the commission and to all interested parties, at the earliest practicable time. If the plaintiff makes a prima facie showing that a violation of section 1.019 is in progress or that there is a clear, real, and present danger that such a strike is about to commence, the court shall issue a temporary injunction enjoining the strike. Upon final hearing, the court shall either make the injunction permanent or dissolve it.

(3) If an injunction to enjoin a strike issued pursuant to this section is not promptly complied with, on the application of the plaintiff, the court shall immediately initiate contempt proceedings against those who appear to be in violation. An employee organization found to be in contempt of court for violating an injunction against a strike shall be fined an amount deemed appropriate by the court. In determining the appropriate fine, the court shall objectively consider the extent of lost services and the particular nature and position of the employee group in violation. In no event shall the fine exceed $5,000.00. Each officer, agent, or representative of an employee organization found to be in contempt of court for violating an injunction against a strike, shall be fined not less than $50.00 nor more than $100.00 for each calendar day that the violation is in progress.

(4) An employee organization shall be liable for any damages which might be suffered by a public employer as a result of a violation of the provisions of section 1.019 by the employee organization or its representatives, officers, or agents. The court having jurisdiction over such actions is empowered to enforce judgments against employee organizations, as defined in this part [ordinance], by attachment or garnishment of union initiation fees or dues which are to be deducted or checked off by public employers. No action shall be maintained pursuant to this subsection until all proceedings which were pending before the commission at the time of the strike or which were initiated within 30 days of the strike have been finally adjudicated or otherwise disposed of. In determining the amount of damages, if any, to be awarded to the public employer, the trier of fact shall take into consideration any action or inaction by the public employer or its agents that provoked or tended to provoke the strike by the public employees. The trier of fact shall also take into consideration any damages that might have been recovered by the public employer under subparagraph 4 of paragraph (a) of subsection (6) [of this section].

(5) If the commission, after a hearing on notice conducted according to rules promulgated by the commission, determines that an employee has violated section 1.019, it may order the termination of his employment by

the public employer. Notwithstanding any other provision of law, a person knowingly violating the provision of said section may, subsequent to such violation, be appointed, reappointed, employed, or reemployed as a public employee, but only upon the following conditions:

(a) Such person shall be on probation for a period of six months following his appointment, reappointment, employment, or reemployment, during which period he shall serve without tenure. During this period, the person may be discharged only upon a showing of just cause.

(b) His compensation may in no event exceed that received by him immediately prior to the time of the violation.

(c) The compensation of the person may not be increased until after the expiration of one year from such appointment, reappointment, employment or reemployment.

(6) (a) If the commission determines that an employee organization has violated section 1.019, it may:

1. Issue cease and desist orders as necessary to insure compliance with its order.

2. Suspend or revoke the certification of the employee organization as the bargaining agent of such employee unit.

3. Revoke the right of dues deduction and collection previously granted to said employee organization pursuant to section 1.007.

4. Fine the organization up to $20,000.00 for each calendar day of such violation or determine the approximate cost to the public due to each calendar day of the strike and fine the organization an amount equal to such cost, notwithstanding the fact that the fine may exceed $20,000.00 for each such calendar day. The fines so collected shall immediately accrue to the public employer and shall be used by him to replace those services denied the public as a result of the strike. In determining the amount of damages, if any, to be awarded to the public employer, the commission shall take into consideration any action or inaction by the public employer or its agents that provoked or tended to provoke the strike by the public employees.

(b) An organization determined to be in violation of section 1.019 shall not be certified until one year from the date of final payment of any fine against it.

(7) Orders of the commission pursuant to this section are reviewable in the district court of appeal or other court having jurisdiction and venue and may be enforced by such court.

1.021. Other unlawful acts.

(1) Employee organizations, their members, agents, or representatives, or any persons acting on their behalf are hereby prohibited from:

(a) Soliciting public employees during working hours of any employee who is involved in the solicitation;

(b) Distributing literature during working hours in areas where the actual work of employees is performed, such as offices, warehouses, schools, police stations, fire stations and any similar public installations. This section shall not be construed to prohibit the distribution of literature during the employee's lunch hour or in such areas not specifically devoted to the performance of the employee's official duties.

(c) Instigating or advocating support, in any positive manner, for an employee organization's activities from high school or grade school students during classroom time.

(d) Offering anything of value to a public officer as defined in F.S. § 112.313(1), which the public officer is prohibited from accepting under F.S. § 112.313(2).

(e) Offering any compensation, payment, or thing of value to a public officer as defined in F.S. § 112.313(1), which the public officer is prohibited from accepting under F.S. § 112.313(4).

(2) No employee organization shall directly or indirectly pay any fines or penalties assessed against individuals pursuant to the provisions of this section.

(3) The circuit courts of this state shall have jurisdiction to enforce the provisions of this section by injunctive and contempt proceedings, if necessary. A public employee who is convicted of a violation of any provision of this section may be discharged or otherwise disciplined by his public employer, notwithstanding further provisions of law, and notwithstanding the provisions of any collective bargaining agreement.

(Ord. No. 026-2024, § 1, 8-13-24)

1.022. Merit or civil service system; applicability.

The provisions of this ordinance shall not be construed to repeal, amend, or modify the provisions of any law or ordinance establishing a merit or civil service system for public employees or the rules and regulations adopted pursuant thereto; or to prohibit or hinder the establishment of other such personnel systems unless the provisions of such merit or civil service system laws, ordinances or rules and regulations adopted pursuant thereto are in conflict with the provisions of this ordinance, in which event such laws, ordinances, or rules and regulations shall not apply, except as provided in section 1.006(3).

1.023. Existing agreements.

All public employee agreements now in existence shall remain in effect until their expiration.

1.024. Government in the sunshine.

(1) All discussions between the chief executive officer of the public employer, or his representative, and the legislative body or the public employer relative to collective bargaining shall be exempt from F.S. § 286.011.

(2) The collective bargaining negotiations between a chief executive officer, or his representative, and a bargaining agent shall be in compliance with F.S. § 286.011.

(3) All work products developed by the public employer in preparation for negotiations and during negotiations shall be exempt from F.S. ch. 119.

1.025. Severability.

It is declared to be [the] legislative intent that the provisions of this ordinance are severable; if any section, subsection, sentence, clause or provision is found to be unconstitutional or invalid for any reason, the same shall not effect [affect] the remaining provisions of this ordinance.

1.026. Review of commission rules.

All rules adopted by the commission shall have full force and effect upon their approval by the public employees relations commission of this state. Any approval, amendment or rescission of such rules by the legislative body of the public employer shall be limited and as provided by F.S. § 120.545 (1979), as amended by Laws of Fla., ch. 80-391.

(Ord. No. 5-81, 3-10-81; Ord. No. 8-81, 4-14-81)

1.027. Conflicting ordinances and resolutions.

All ordinances and resolutions or parts of ordinances or resolutions in conflict herewith are hereby repealed to the extent of such conflict.

1.028. Effective date.

This amendment to Ordinance Nos. 11-74, 6-75, 2-76, 6-77, right to approve, amend or rescind all rules promulgated by 8-77, 15-79 and 20-79 shall have legal effect upon approval by the public employees relations commission of this state pursuant to F.S. § 447.603.

1.029. Amendments.

No amendment, revision or recision of this ordinance shall have legal effect prior to approval by the public employees relations commission of this state pursuant to F.S. § 447.603.

1.030. [Violation not grounds for recall.]

Any violation of this ordinance shall not subject any person to municipal recall and shall not be considered as grounds for municipal recall.

(Ord. No. 28-88, § 4, 1-10-89)

1.031. [Representation.]

Any full-time employee or officer of any public employer or employee organization may represent his employer or any member of a bargaining unit in any proceeding authorized in this ordinance, excluding the representation of any person or public employer in a court of law by a person who is not a licensed attorney.

(Ord. No. 28-88, § 5, 1-10-89)

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Carolyn Stone, Deputy Town Manager, Business Enterprise and Culture
Joanne O'Connor, Town Attorney

Re: An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending The Town Code Of Ordinances At Chapter 2 – Administration, Article IV – Boards And Commissions, Division 2 – Planning And Zoning Commission By Repealing Section 2-330 To Remove Term Limits On Members Of The Planning And Zoning Commission; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; Providing An Effective Date.
23-2026

Date: 7/31/2026

Staff Recommendation

Staff recommends the Town Council's review of Ordinance No. 23-2026 for proposed approval on first reading.

General Information

As part of the Town Council's ongoing review of boards and commissions, staff presented information regarding the Town's existing governance provisions, including term lengths, term limits, appointment practices, attendance requirements, and other operating standards.

The Planning and Zoning Commission currently consists of members serving three-year terms, with service limited to two consecutive terms. A member who reaches the term limit may be considered for appointment again after remaining off the Commission for at least nine months. Removal of the term-limit provision would not provide an automatic right to continued service. All appointments and reappointments would remain subject to the Town Council's approval. The proposed change would instead provide the Council with greater flexibility to retain experienced and effective members when continuity and institutional knowledge are determined to be in the Town's best interest. As part of previous Town Council meeting discussions, the Town Council expressed an interest in preserving continuity on the Commission and directed staff and the Town Attorney to

prepare an ordinance removing the existing term-limit restriction, subject to planned discussion at the August 11, 2026 meeting.

Two Planning and Zoning Commission members are approaching the conclusion of their permitted consecutive service. This timing coincides with the Town's ongoing Zoning Code Rewrite, a significant and multi-year initiative requiring the Commission to review complex planning and zoning matters and provide recommendations to the Town Council.

In considering a reappointment, the Council would retain the ability to evaluate factors including:

- Attendance and participation;
- Knowledge and qualifications;
- Contributions to the Commission's work;
- The Commission's current needs;
- The value of continuity and institutional knowledge; and
- The qualifications of other applicants.

This approach replaces an automatic service limitation with case-by-case Council review. It also provides flexibility during major initiatives, including the Zoning Code Rewrite, when the retention of members familiar with the project's history, policy considerations, and prior discussions may support continuity and an orderly review process.

Fiscal Impact

There is no anticipated fiscal impact associated with the adoption of the ordinance.

STRATEGIC PLAN
Strategic Priorities:
Governmental Leadership and Innovation, Community Culture and Character

Strategic Focus Areas:
Cooperative Relationships
Community Preservation
Quality of Life

FUNDING
No Fiscal Impact

ORDINANCE NO. 23-2026

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 2 – ADMINISTRATION, ARTICLE IV – BOARDS AND COMMISSIONS, DIVISION 2 – PLANNING AND ZONING COMMISSION BY REPEALING SECTION 2-330 TO REMOVE TERM LIMITS ON MEMBERS OF THE PLANNING AND ZONING COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE 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 2 – Administration, Article IV – Boards and Commissions, Division 2. – Planning and Zoning Commission to repeal section 2-330 as follows:

~~Sec. 2-328. - Removal provisions; absences; conflicts of interest.~~

~~No member of the planning and zoning commission may serve more than two consecutive terms. This section shall not preclude any person from being appointed to a successive term, subsequent to the serving of two consecutive three-year terms, if such person has ceased to be a member of the commission for a period of time not less than nine months. Further, if a member has been appointed to fill a vacant term of office, which term is for a period of time less than 50 percent of a full three-year term, that person shall not be precluded from serving for two successive three-year terms. Additionally, although an alternate member may not serve more than two three-year terms as an alternate, the alternate member may be appointed to serve as a regular member of the commission and, in the event of such appointment, shall be entitled to serve two full three-year terms thereafter.~~

Section 2. 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 3. 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 4. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

Section 5. 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 11th day of August 2026, and for second and final reading on this 8th day of September 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Nicki McDonald, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Business Impact Estimate

TITLE OF ORDINANCE:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE TOWN CODE OF ORDINANCES AT CHAPTER 2 – ADMINISTRATION, ARTICLE IV – BOARDS AND COMMISSIONS, DIVISION 2 – PLANNING AND ZONING COMMISSION BY REPEALING SECTION 2-330 TO REMOVE TERM LIMITS ON MEMBERS OF THE PLANNING AND ZONING COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

BUSINESS IMPACT ESTIMATE:

This is provided in accordance with section 166.041(4), Florida Statutes. According to Section 166.041(4)(c) of the Florida Statutes, if one or more of the statements below apply, state law does not require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

1. The proposed ordinance is required for compliance with Federal or State law or regulation.

2. The proposed ordinance relates to the issuance or refinancing of debt.

3. The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.

4. The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.

5. The proposed ordinance is an emergency ordinance.

6. The ordinance relates to procurement.

7. The proposed ordinance is enacted to implement the following:

a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220 - 163.3243.

b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.
c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts.
d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention

Is this ordinance exempt from the Business Impact Estimate requirement according to one of the aforementioned reasons?

No

Provide the relevant exemption reason number if applicable:

In accordance with the provisions of controlling law, the Town hereby publishes the following information:

Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

This ordinance repeals the existing term limits applicable to members of the Planning and Zoning Commission. The ordinance removes the provision limiting commissioners to two consecutive terms, thereby allowing members to continue serving without mandatory separation from service, subject to appointment by the Town Council. The public purpose of the ordinance is to provide the Town Council with greater flexibility in appointing qualified commissioners, promote continuity and retention of institutional knowledge, and support the effective administration of the Town's land use and planning functions.

An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:

a. None anticipated. The ordinance does not impose any requirements on private businesses or require businesses to take any action.
b. None
c. None anticipated. The ordinance is administrative in nature and does not require additional regulatory programs, staffing, inspections, or fee collection.

Good faith estimate of the number of businesses likely to be impacted by the proposed

ordinance:

None. The ordinance affects only the qualifications for service on the Planning and Zoning Commission and does not directly regulate or impose obligations on private, for-profit businesses.

Additional information the governing body deems useful (if any):

The ordinance is administrative in nature and pertains solely to the governance and appointment process for the Planning and Zoning Commission. It does not modify development regulations, zoning standards, permitting requirements, fees, or operational requirements applicable to businesses.

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Town Manager's Office

Re: Proposed 2027 Town Council Meeting Schedule

Date: 7/28/2026

STAFF RECOMMENDATION

Staff recommends the Town Council adopt the proposed meeting schedule below, along with any other modifications that may be acceptable to the majority.

GENERAL INFORMATION

Proposed Meeting Schedule:

2026 Town Caucus: December 1, 2026

2027 Meeting Dates:

January 12 and 13	July 13, 14, and 15 (Budget workshop)
February 9 and 10	August 10 and 11
March 2 and 3[(1)]	September 14[(2)], 15 and 23[(3)]
April 13 and 14	October 12 and 13
May 11 and 12	November 9 and 10
June 8 and 9	December 14 and 15

1. The Town's Municipal Election is scheduled for Monday, March 9, during the second week of the month. Consequently, the March Town Council meetings are scheduled for the first week of the month.
2. The first public hearing for the budget will follow the regular meeting at 5:01 p.m., unless in conflict with the Palm Beach County Board of County Commissioners or the Palm Beach School District Board Meeting.
3. The second public hearing for the budget will be held at 5:01 p.m., unless in

conflict with the Palm Beach County Board of County Commissioners or the Palm Beach School District Board Meeting.

STRATEGIC PLAN

Strategic Priorities:
Governmental Leadership and Innovation

Strategic Focus Areas:
Collaborative Town Government

FUNDING

No Fiscal Impact

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Jason Debrincat, P.E., Director of Public Works

Re: Midtown Beach Linear Park

Date: 7/30/2026

STAFF RECOMMENDATION

Town staff seeks the Town Council's input and approval of the Midtown Beach Linear Park Conceptual Plan.

GENERAL INFORMATION

Town staff have worked with Bridges, Marsh and Associates and their subconsultants to design the Midtown Linear Park project, which will follow the installation of the new Midtown Seawall. Town staff worked closely with the team on the concept of maintaining some features of the existing park, while still working to improve the overall aesthetic and user experience. The existing coconut palm trees have been surveyed and inventoried, and are proposed to be replaced in kind. The benches have been surveyed and inventoried, and the same number will be replaced. The sidewalk path through the park will be widened along the west side at the parallel parking stalls so that users passing by do not get stuck by cars with open doors. The design team proposed new landscape medians along South Ocean Boulevard to bring more green space to the area. The team coordinated with the Town police and fire departments on the conceptual design of the park.

Town staff and the design team held a public outreach meeting on December 11, 2025, in the Council Chambers. Feedback received by residents at the meeting was to add a beach access at the north end of the park. The design team has included an access with stairs and incorporated it into the park design for the Town Council's consideration. Another new feature is the terrace to the east of the existing Worth Avenue clock tower.

Once conceptually approved by the Town Council, the Town staff is requesting to bring the plans to the Town's Architectural Commission for review and approval. Following that process, the final plans will come back to the Town Council for approval in

preparation of advertisement for bids.

FUNDING/FISCAL IMPACT

Funding is not included for this item.

Attachments

cc: Patricia Strayer, P.E., Town Engineer
Julie Parham, P.E., Deputy Town Engineer

STRATEGIC PLAN

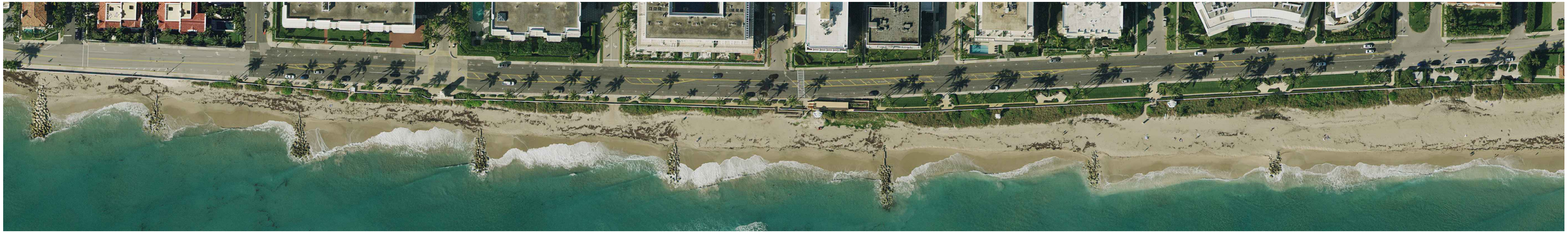
Strategic Priorities:
Community Culture and Character

Strategic Focus Areas:
Cooperative Relationships
Quality of Life
Community Preservation

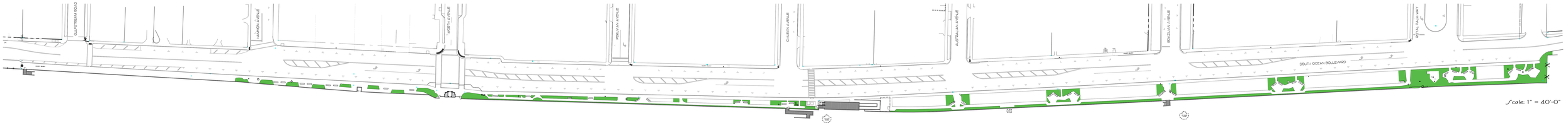
FUNDING

No Funding

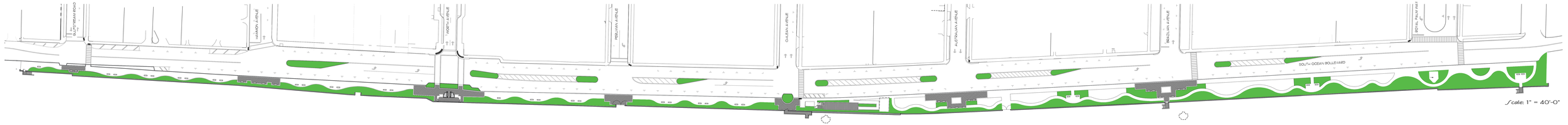
Existing Conditions - Aerial View



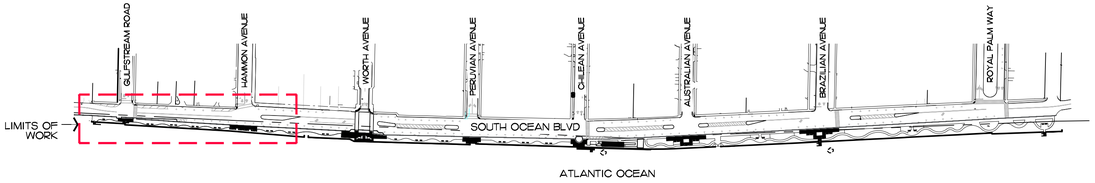
Existing Conditions



Currently Proposed Improvements



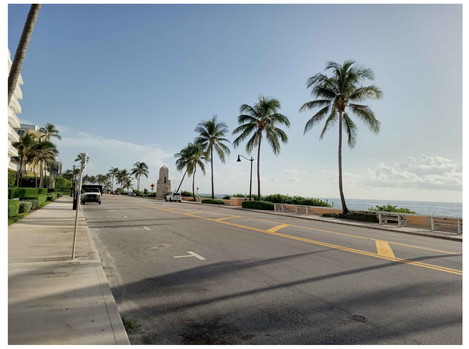
Town of Palm Beach Linear Park



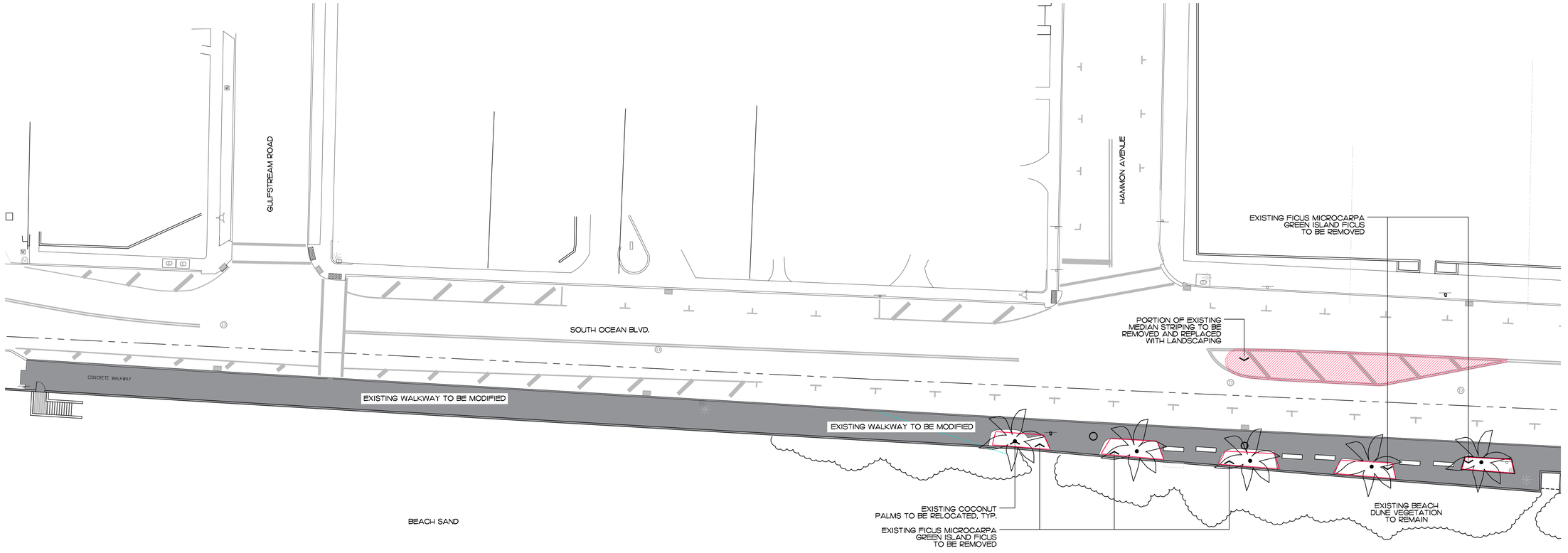
Site Plan

SCALE: 1" = 200'



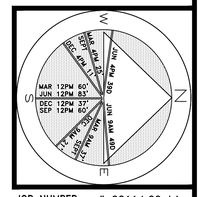


Existing Conditions - Images



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Landscape Architecture
Land Planning
Landscape Management
Dustin M. Mizell, MLA FLA #6666784
Dustin@environmentdesigngroup.com

Town of Palm Beach Linear Park
South Ocean Blvd
Plam Beach
FLORIDA



JOB NUMBER: # 22114.00 LA
DRAWN BY: Jean Twomey
DATE: 08.03.2026

SHEET L1.0

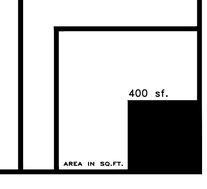
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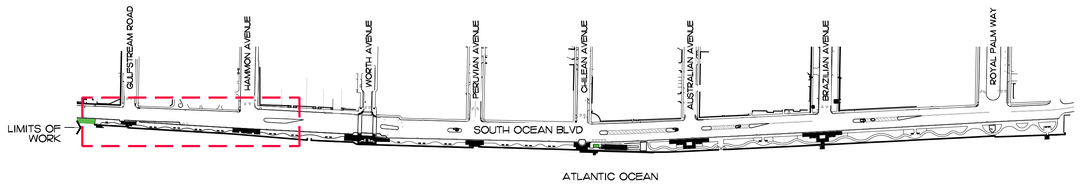
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48 HOURS BEFORE DIGGING
CALL TOLL FREE
1-800-432-4770
SUNSHINE STATE ONE CALL OF FLORIDA, INC.

Gulfstream Road / Hammon Avenue
Demolition and Vegetation Action Plan

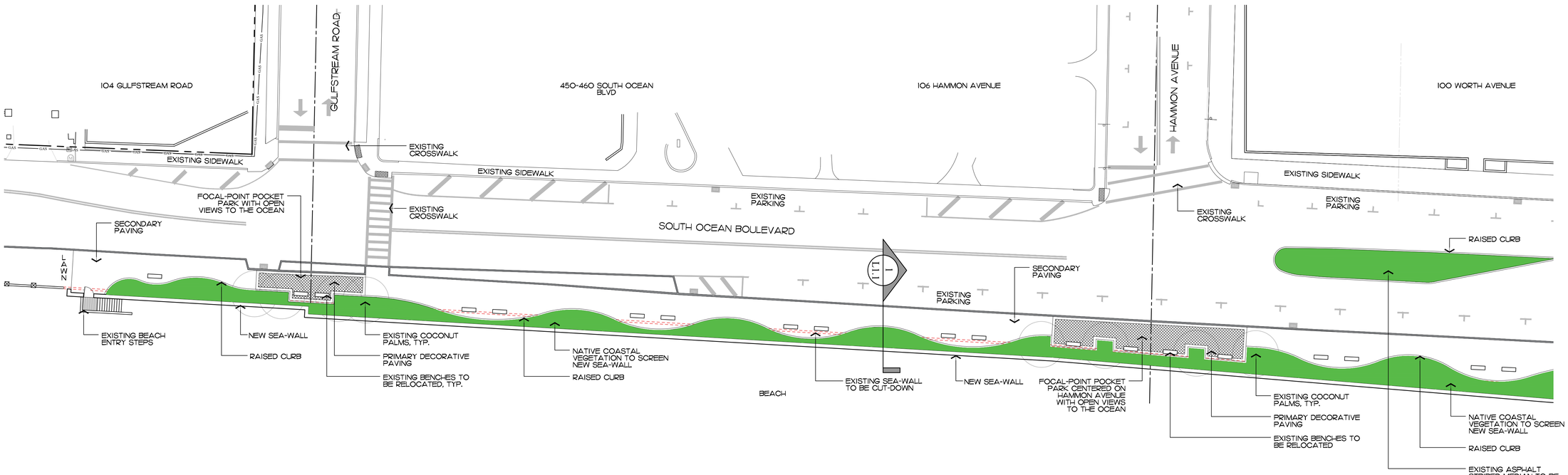
SCALE IN FEET 0' 20' 40' 60'

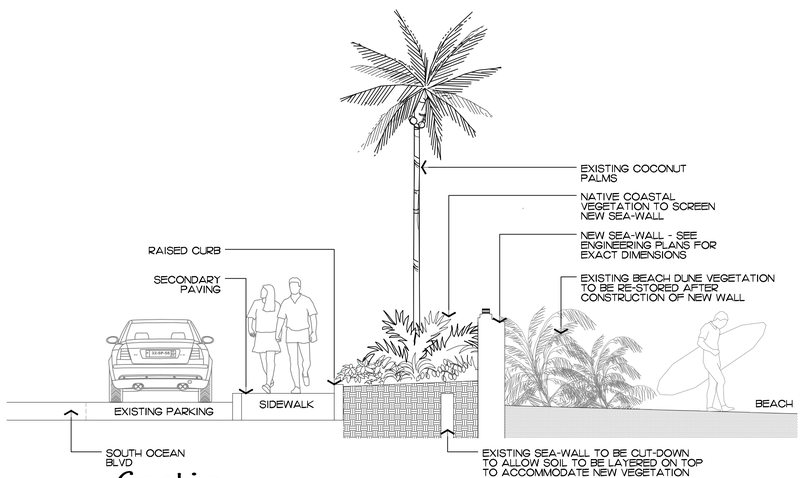




Site Plan

SCALE: 1" = 200'





1 / L1.1

Section

SCALE: 1/4" = 1'-0"



EXISTING BENCHES TO BE RELOCATED
ALTERNATIVE: NEW BENCHES

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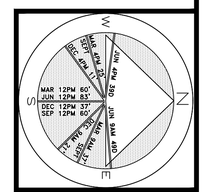
Site Plan - Gulfstream Road / Hammon Avenue

SCALE IN FEET 0' 20' 40' 60'

ENVIRONMENT DESIGN GROUP
139 North County Road SR20-B Palm Beach, Fl 33480
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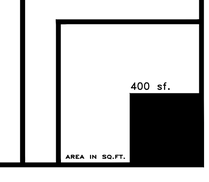
Town of Palm Beach Linear Park
South Ocean Blvd
Plam Beach

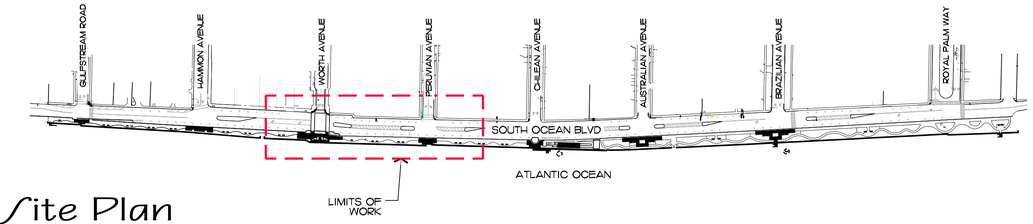
FLORIDA



JOB NUMBER: # 22114.00 LA
DRAWN BY: Adam Mills / Sean Twomey
DATE: 12.12.2024

SHEET L1.1





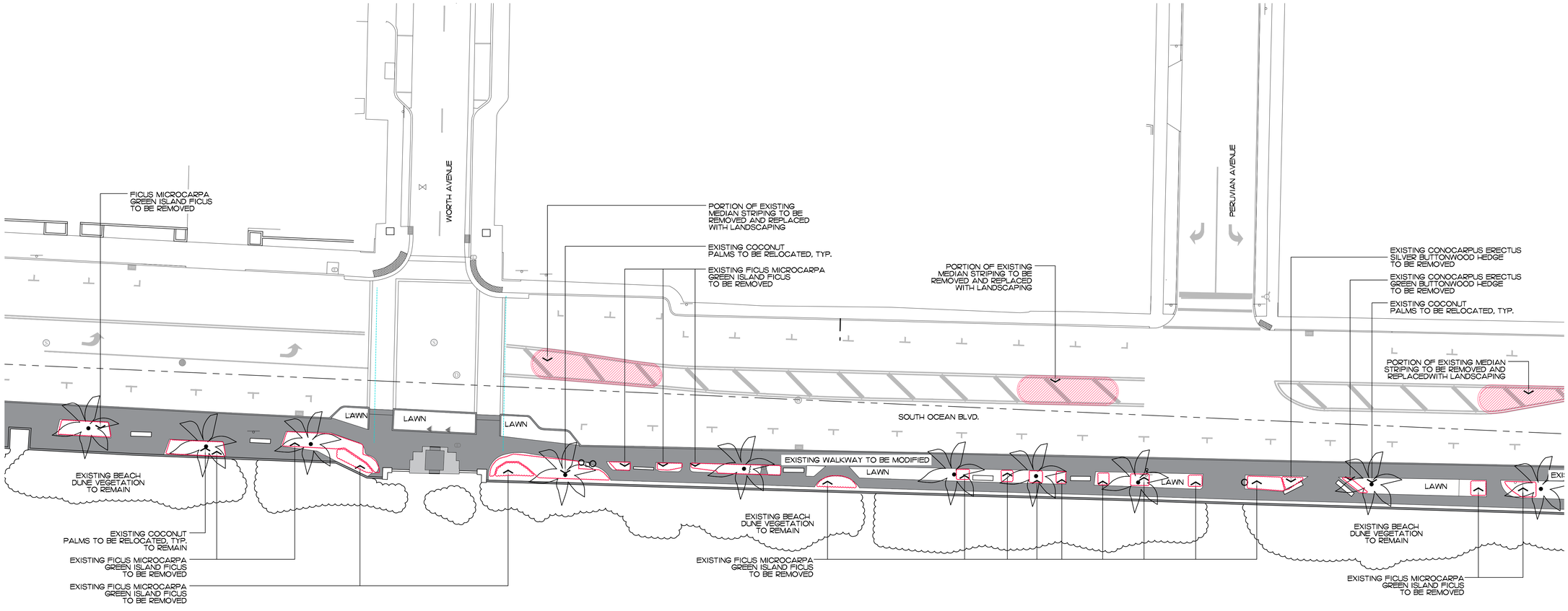
Site Plan

SCALE: 1" = 200'



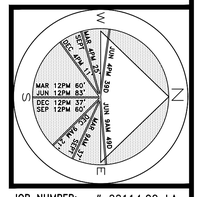


Existing Conditions - Images



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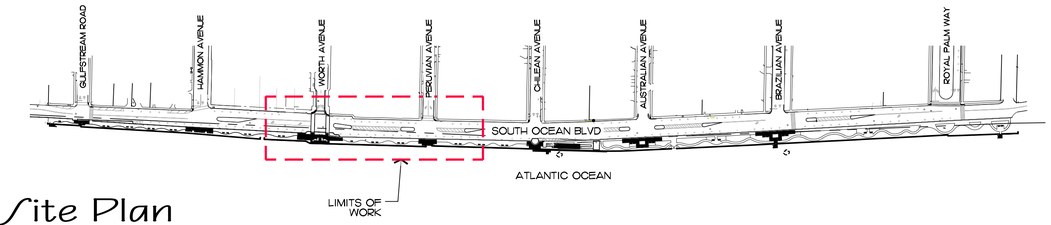
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Worth Avenue / Peruvian Avenue
Demolition and Vegetation Action Plan

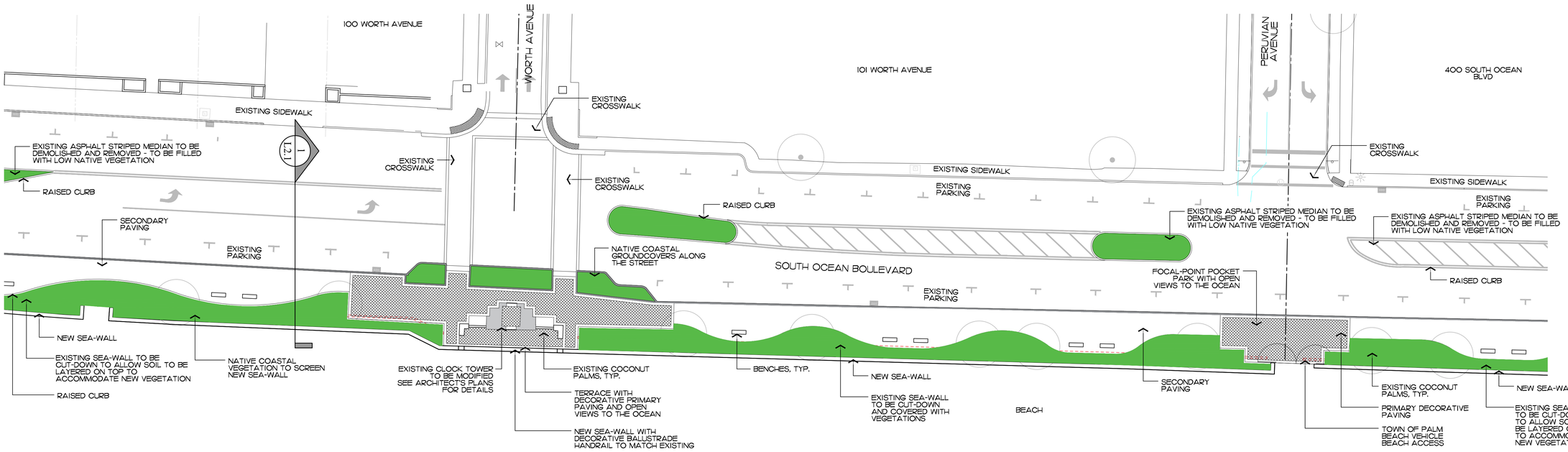
SCALE IN FEET 0' 20' 40' 60'

400 sf.
AREA IN SQ.FT.

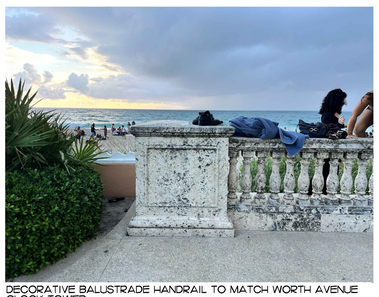


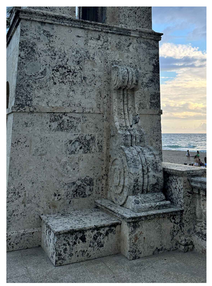
Site Plan

SCALE: 1" = 200'



Design Inspiration

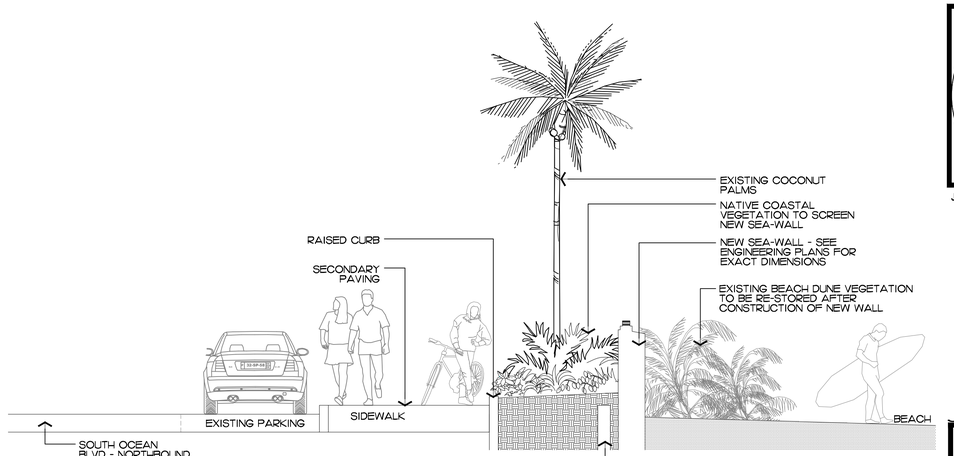




DECORATIVE BALLISTRADE HANDRAIL TO MATCH WORTH AVENUE CLOCK TOWER



EXISTING BENCHES TO BE RELOCATED
ALTERNATIVE NEW BENCHES



1 L2.1 Section

SCALE: 1/4" = 1'-0"

Site Plan - Worth Avenue / Peruvian Avenue

SCALE IN FEET 0' 20' 40' 60'

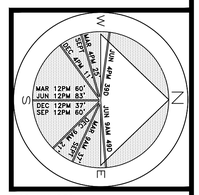
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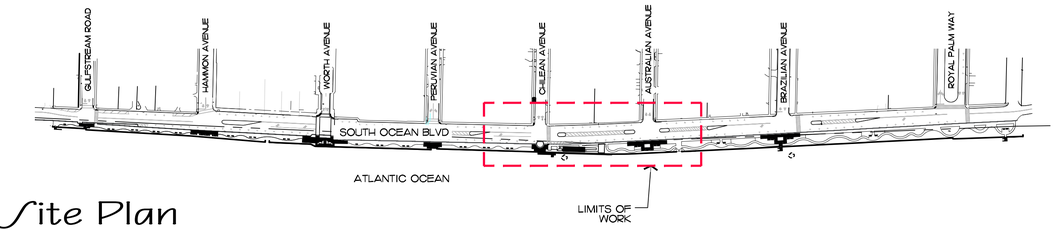
Town of Palm Beach Linear Park
South Ocean Blvd
Plam Beach
FLORIDA



JOB NUMBER: # 22114.00 LA
DRAWN BY: Adam Mills
Sean Twomey
DATE: 07.31.2026

SHEET L2.1

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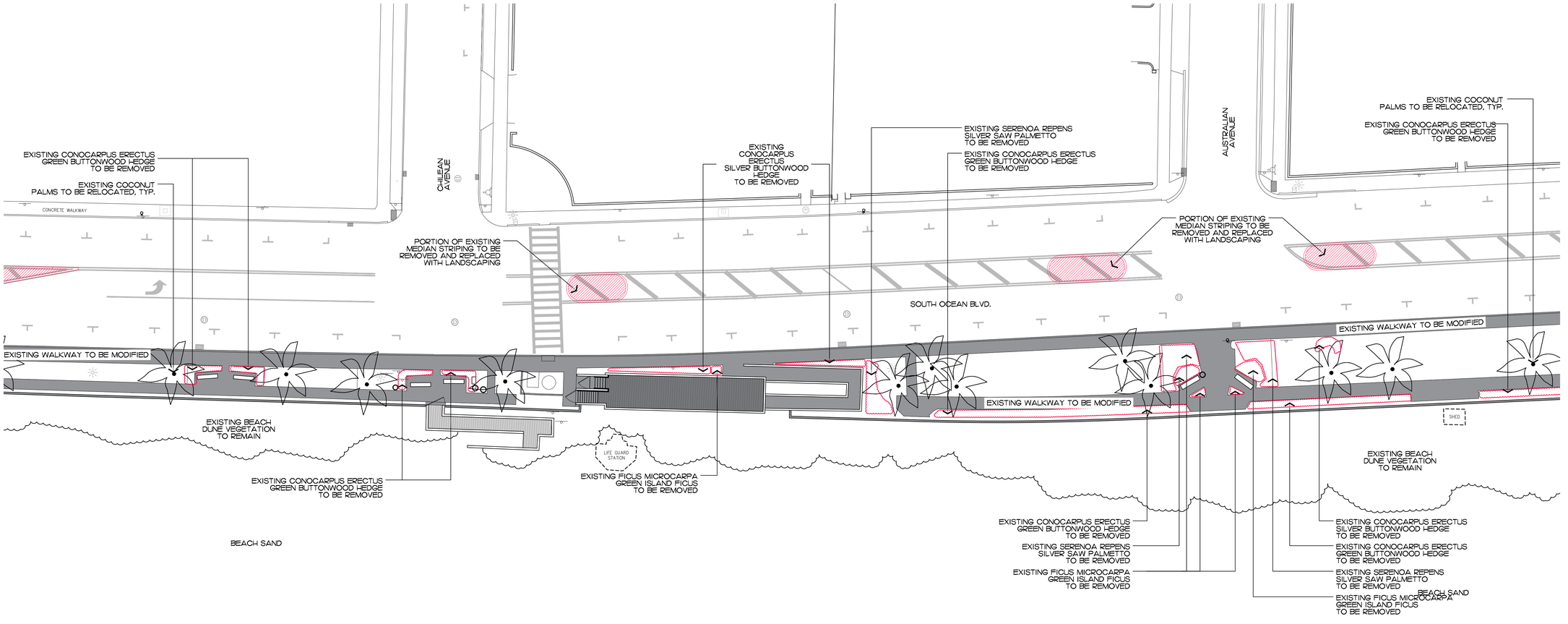
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SCALE: 1" = 200'





Existing Conditions - Images

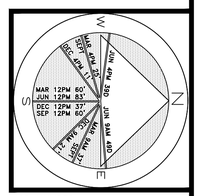


Chilean Avenue / Australian Avenue Demolition and Vegetation Action Plan

SCALE IN FEET 0' 20' 40' 60'

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DRAWN BY: Jean Twomey
DATE: 08.03.2026

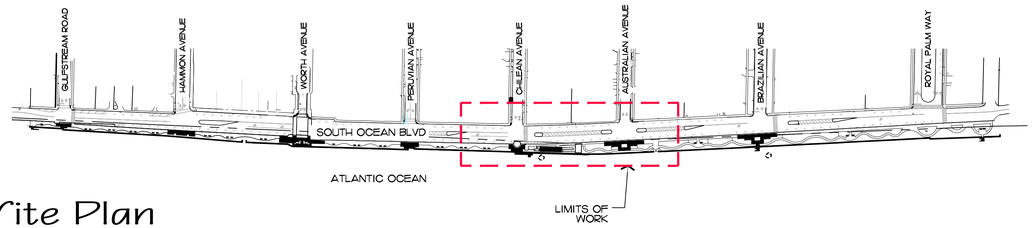
SHEET L3.0

400 sf.
AREA IN SQ.FT.

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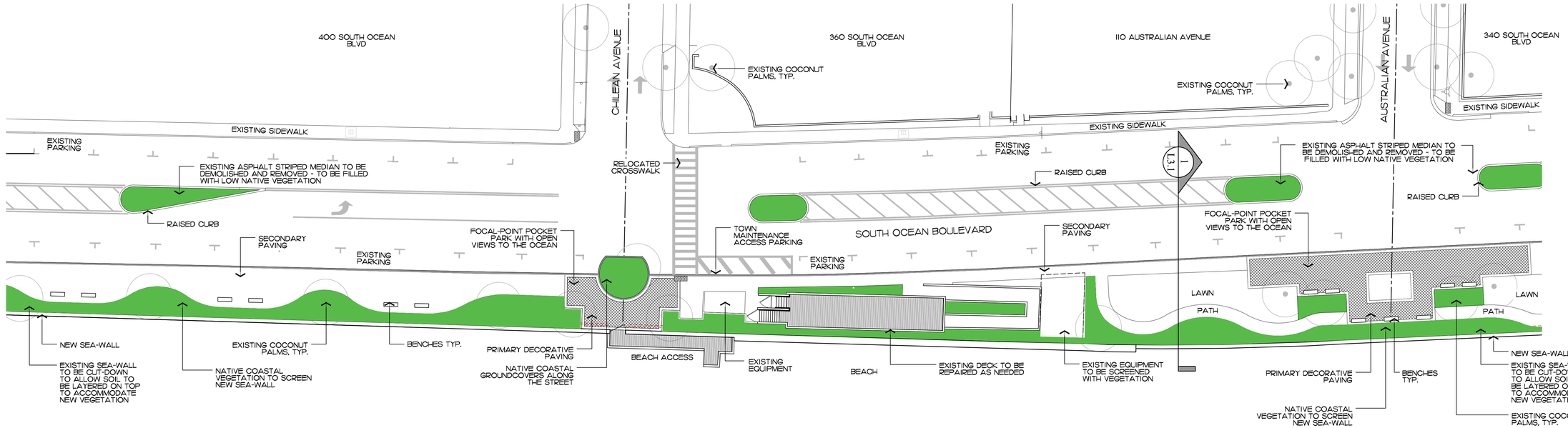
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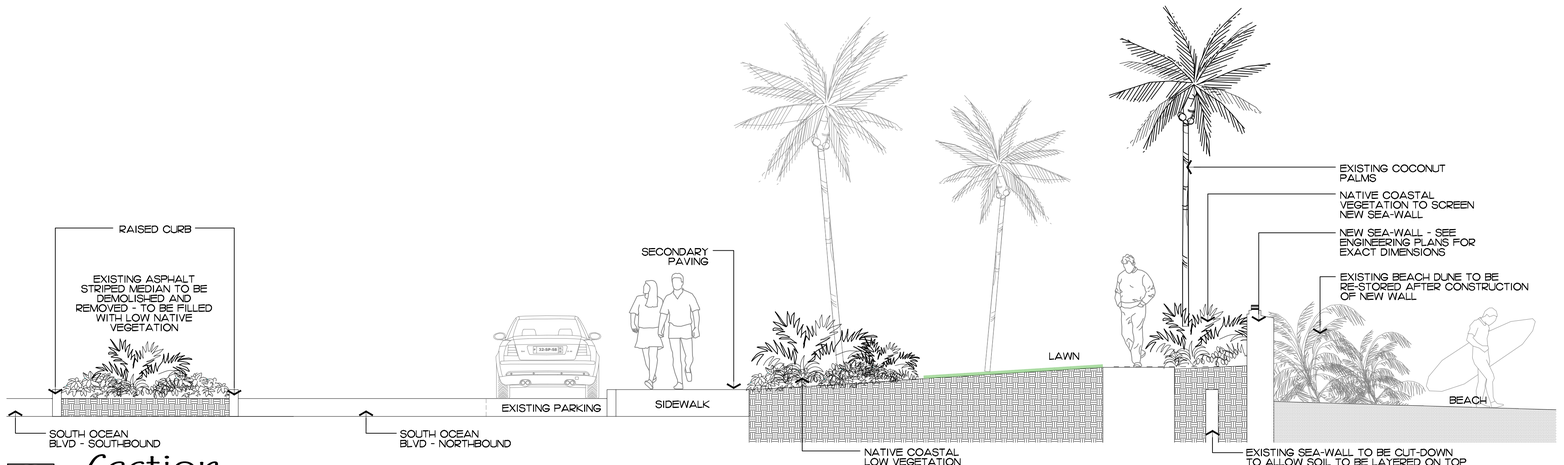
Site Plan

SCALE: 1" = 200'





EXISTING BENCHES TO BE RELOCATED
ALTERNATIVE: REPLACE BENCHES



1 / L3.1 Section

SCALE: 1/4" = 1'-0"

Site Plan - Chilean Avenue / Australian Avenue

SCALE IN FEET 0' 20' 40' 60'

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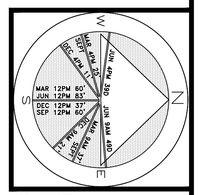
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Landscape Architecture
Land Planning
Landscape Management
Dustin M. Mizell, MLA FLA #6666784
Dustin@environmentdesigngroup.com

Town of Palm Beach Linear Park
South Ocean Blvd
Plam Beach

FLORIDA

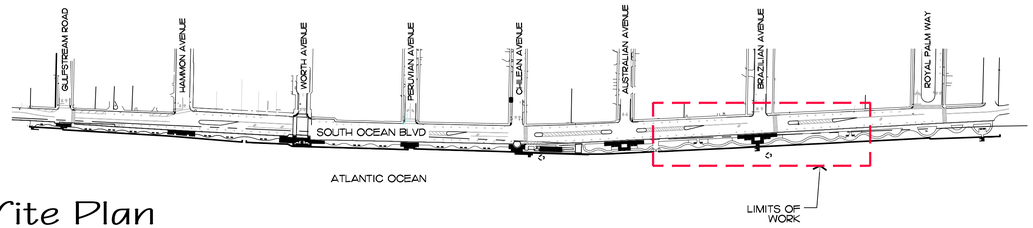


JOB NUMBER: # 22114.00 LA
DRAWN BY: Adam Mills
Sean Twomey
DATE: 08.03.2026

SHEET L3.1

400 sf.

AREA IN SQ.FT.



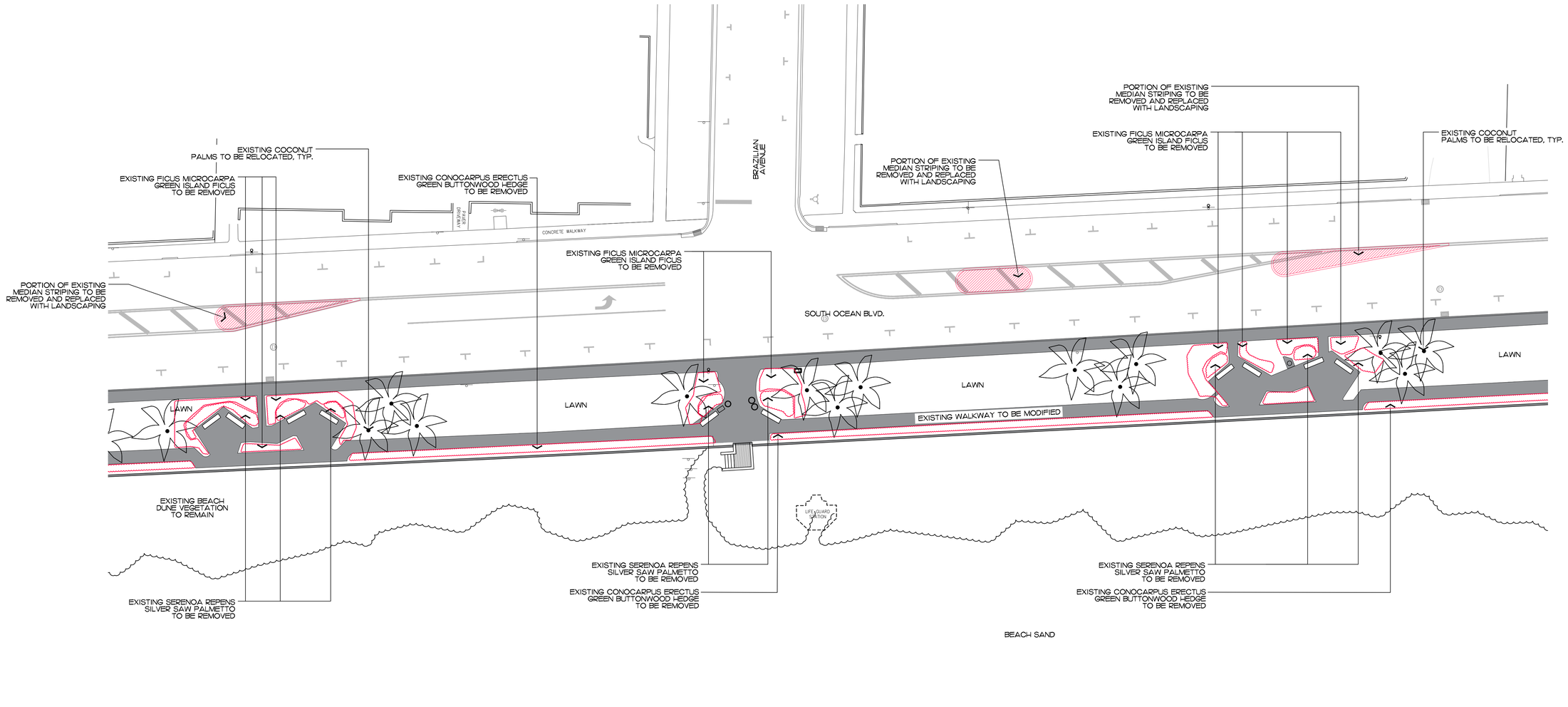
Site Plan

SCALE: 1" = 200'



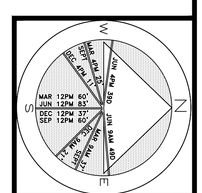


Existing Conditions - Images



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Dustin@environmentdesigngroup.com

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JOB NUMBER: # 22114.00 LA
DRAWN BY: Sean Twomey
DATE: 08.03.2026

SHEET L4.0

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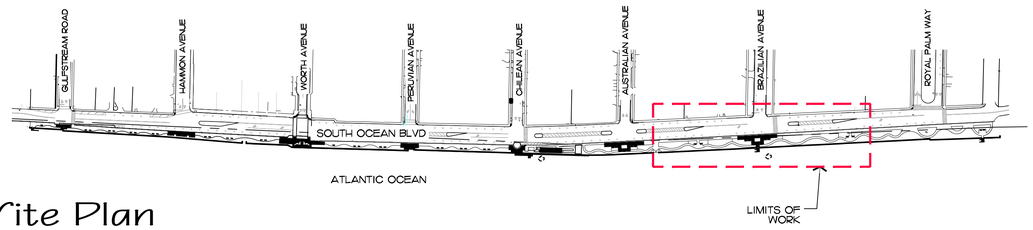
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ARCOM# B-000-2021

Demolition and Vegetation Action Plan

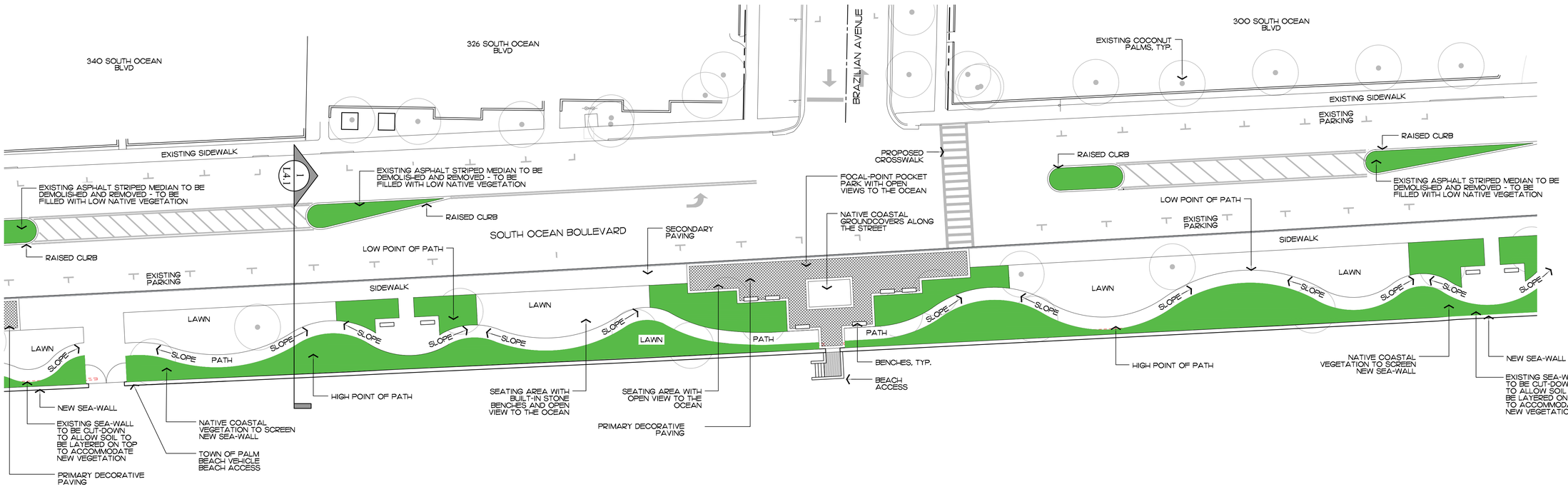
SCALE IN FEET 0' 20' 40' 60'

400 sf.
AREA IN SQ.FT.



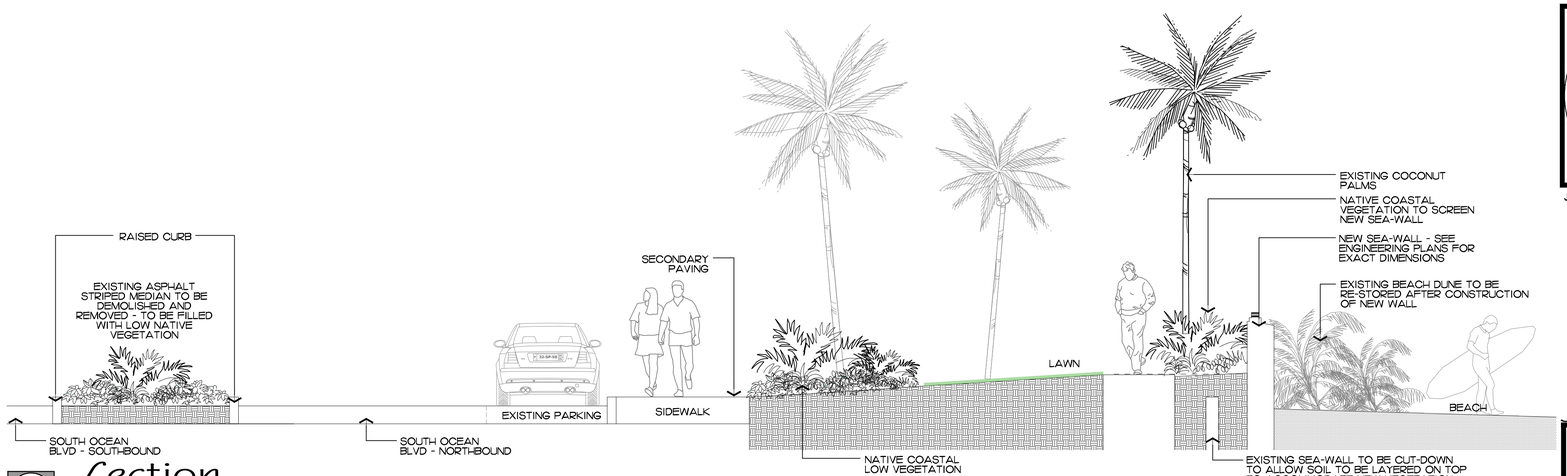
Site Plan

SCALE: 1" = 200'





EXISTING BENCHES TO BE RELOCATED
ALTERNATIVE: REPLACE BENCHES



1
L4.1

Section

SCALE: 1/4" = 1'-0"

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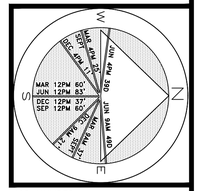
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Site Plan - Brazilian Avenue Beach Access

SCALE IN FEET 0' 20' 40' 60'

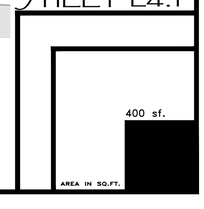
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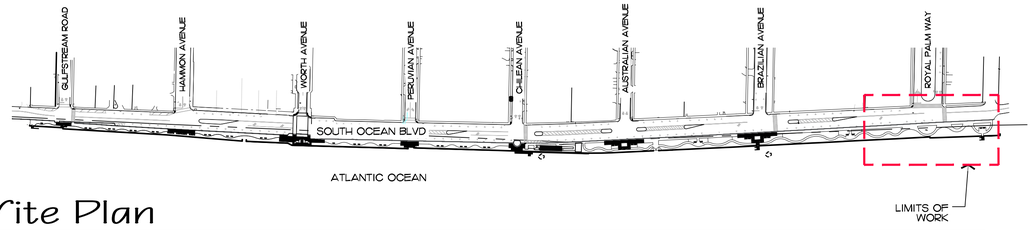
Town of Palm Beach Linear Park
South Ocean Blvd
Plam Beach
FLORIDA



JOB NUMBER: # 22114.00 LA
DRAWN BY: Adam Mills
Sean Twomey
DATE: 12.12.2024

SHEET L4.1



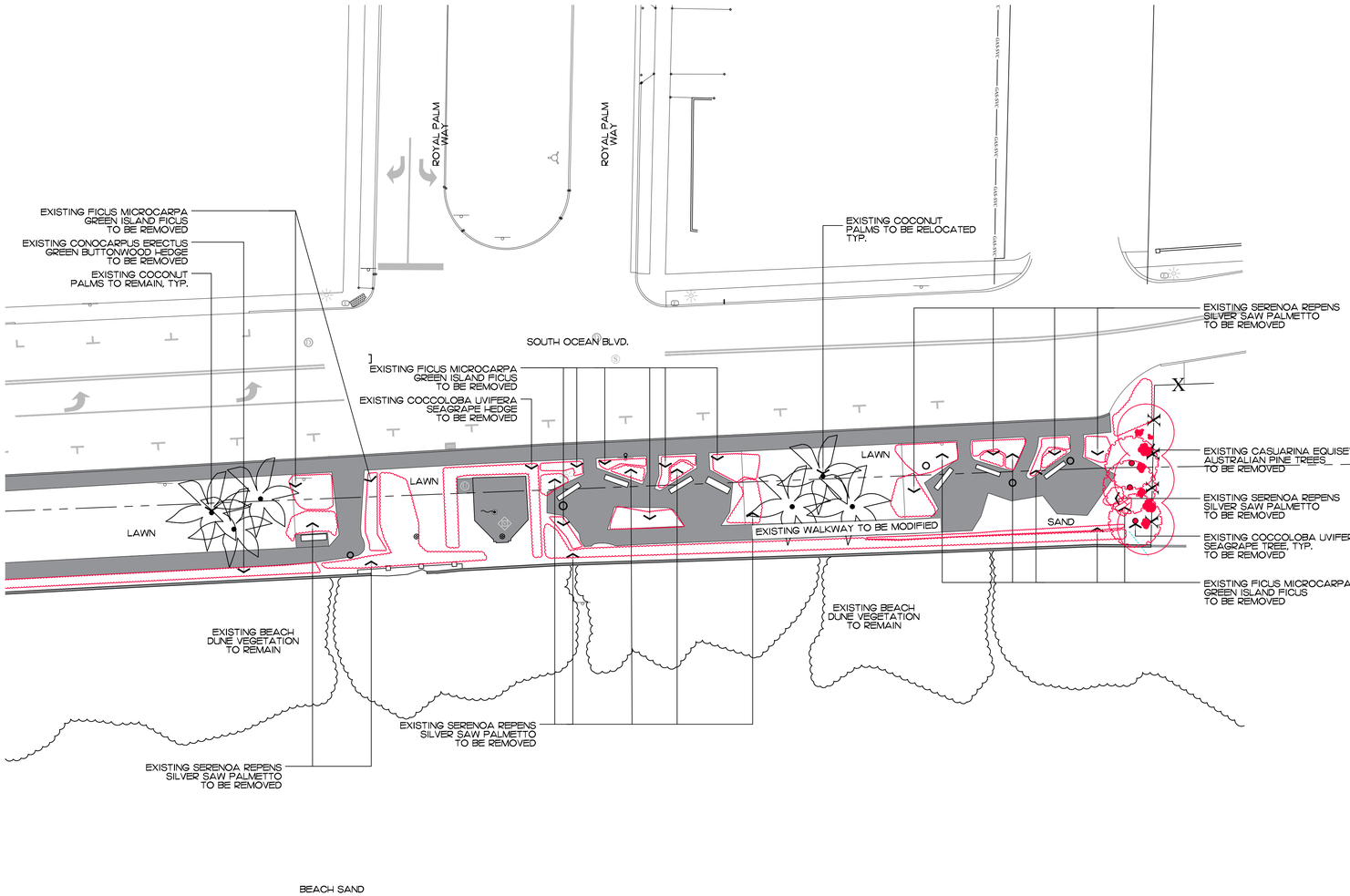


Site Plan





Existing Conditions - Images

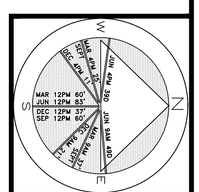


Demolition and Vegetation Action Plan

SCALE IN FEET 0' 20' 40' 60'

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JOB NUMBER: # 22114.00 LA
DRAWN BY: Jean Twomey
DATE: 08.03.2026

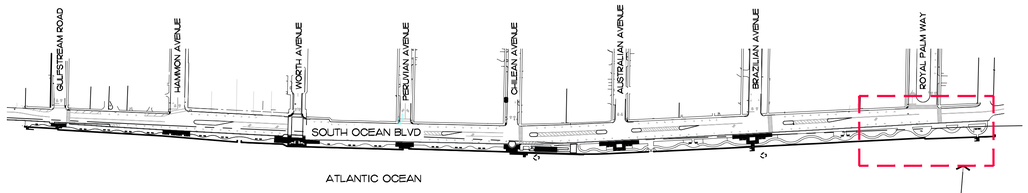
SHEET L5.0

400 sf.
AREA IN SQ.FT.

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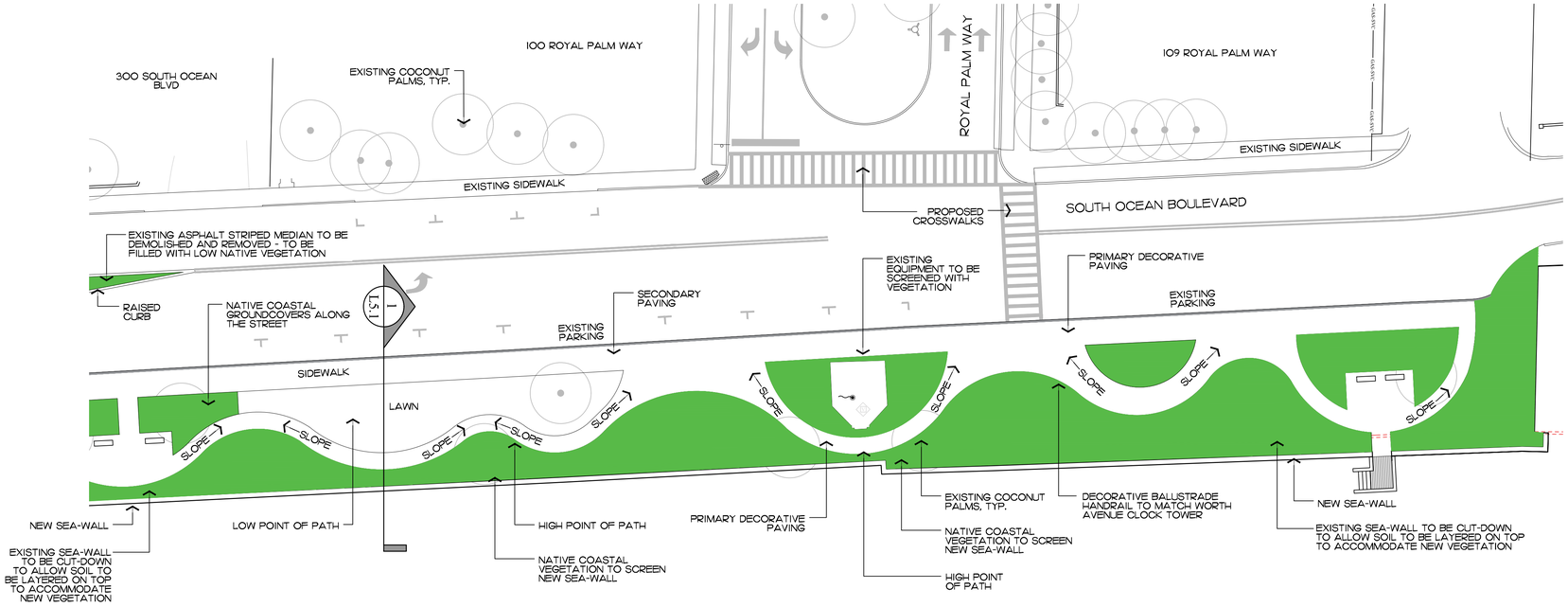
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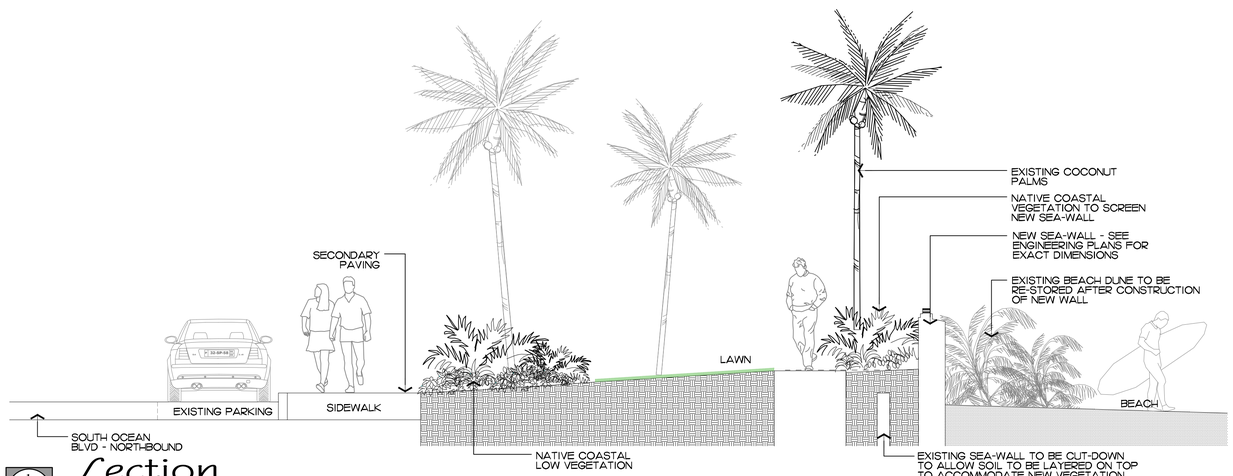
Site Plan

SCALE: 1" = 200'





EXISTING BENCHES TO BE RELOCATED
ALTERNATIVE: REPLACE BENCHES



1 / L4.1 Section

SCALE: 1/4" = 1'-0"

Site Plan - Royal Palm Way Beach Access

SCALE IN FEET 0' 20' 40' 60'

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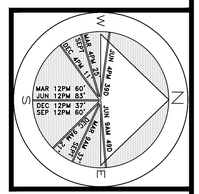
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Dustin@environmentdesigngroup.com

Town of Palm Beach Linear Park
South Ocean Blvd
Plam Beach

FLORIDA



JOB NUMBER: # 22114.00 LA
DRAWN BY: Adam Mills, Sean Twomey
DATE: 08.03.2026

SHEET L5.1



TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Carolyn Stone, Deputy Town Manager, Business Enterprise and Culture

From: Town Clerk's Office

Re: Filming Permits

Date: 7/31/2026

In December 2024, the Town Council adopted Ordinance No. 36-2024, requiring Town Council approval for commercial still photography in addition to videography. Article IV limits filming to a maximum of seven days per month.

Because two filming applications are scheduled immediately following the September Town Council meeting, staff requests that the Council consider them this month outside of the standard deadline schedule to allow sufficient time for administrative coordination based on the Council's decisions. The requested filming dates for two applications overlap. If both are approved, staff can coordinate with the applicants to prevent scheduling conflicts.

If approved, permits will be issued upon payment of all applicable fees, submission of the required insurance documentation, and final staff review. Complete application materials for each request are attached.

VINEYARD VINES - September 8, 9, or 10, 2026

Vineyard Vines requests Town Council approval for a photo shoot on Worth Avenue on September 8, 9, or 10. The application includes camera equipment, a pop-up tent, a portable generator, and possibly a motorhome for makeup, if needed. Pursuant to the Town Code of Ordinances, the motorhome must be parked on private property. The production would involve up to 35 crew members.

A $1,500 application fee, $1,000 per-day filming fee, and a $100 technology fee are required for the permit. If approved, the Town will receive $2,600 in revenue.

CITIZENS BANK - September 8 or 9, 2026

Citizens Bank requests approval for a photo shoot on Worth Avenue on September 8 or 9, 2026, with alternate dates of September 16 or 17 if necessary. Their request to film on South Lake Drive has been rejected due to its residential zoning. This shoot would have a maximum of eight crew members. If both this application and the Vineyard Vines

application are approved, staff will coordinate filming schedules to avoid conflicts.

A $1,500 application fee, $1,000 per-day filming fee, and a $100 technology fee are required for the permit. If approved, the Town will receive $2,600 in revenue.

MAC DUGGAL - October 12-13, 2026

Mac Duggal requests approval to conduct a commercial photo shoot along Worth Avenue on October 12–13, 2026. The production would involve up to 15 crew members and include a production trailer for hair and makeup, wardrobe, talent holding, and production coordination. In accordance with Town Code restrictions on trailer parking, the trailer would be staged at Apollo Parking rather than on a Town street.

A $1,500 application fee, $1,000 per-day filming fee, and a $140 technology fee are required for the permit. If approved, the Town will receive $3,640 in revenue.

STRATEGIC PLAN

Strategic Priorities:
Community Culture and Character, Mobility and Transportation

Strategic Focus Areas:
Quality of Life
On-island Mobility

FUNDING

Fee-Related

PERMIT SNAPSHOT REPORT EVENT-26-0382
FOR TOWN OF PALM BEACH

Permit Type	Event	**Project:**		**App Date:**	07/22/2026
Work Class:	Commercial Motion Picture Filming	**District:**	Town of Palm Beach	**Exp Date:**	NOT AVAILABLE
Status:	Submitted - Online			**Completed:**	NOT COMPLETED
Valuation:	$0.00			**Approval Expire Date:**	
Description:	Vineyard Vines Commercial filming permit				

Parcel:	50434326000010010 Main	**Address:**		**Zone:**	BA(Zoning District)

Filming Supervisor	Applicant
Emily Thorsen	Emily Thorsen
8102 SE Shiloh Terrace	8102 SE Shiloh Terrace
Hobe Sound, FL 33455	Hobe Sound, FL 33455
Home: (772) 285-6743	Home: (772) 285-6743
Business: (772) 285-6743	Business: (772) 285-6743
Mobile: (772) 285-6743	Mobile: (772) 285-6743

Permit Custom Fields

Number of filming days	1	Proposed date(s) of filming	sept 9	Optional alternate date(s) in case of rain	sept 8 or 10
Specific filming locations	* Worth Avenue Clock Tower	Number of personnel	35	Number of vehicles	5
Specific filming equipment	cameras, grip, pop up tent, wardrobe, motorhome, reflectors	Current Flood Zone Designation	x		

Attachment File Name	Added On	Added By	Attachment Group	Notes
Signature_Emily_Thorsen_7/22/2026.jpg	07/22/2026 9:43	Thorsen, Emily		Uploaded via CSS

Invoice No.	Fee	Fee Amount	Amount Paid
NOT INVOICED	Technology Fee	$100.00	$0.00
	Commercial Motion Picture Filming Permit Per Day	$1,000.00	$0.00
	Commercial Motion Picture Filming Permit	$1,500.00	$0.00
	Total for Invoice NOT INVOICED	**$2,600.00**	**$0.00**
	Grand Total for Permit	**$2,600.00**	**$0.00**

Town of Palm Beach Film Office

Letter of Intent – Vineyard Vines 2026 Holiday Campaign

To Whom It May Concern,

On behalf of **Vineyard Vines**, we respectfully submit this Letter of Intent in support of our request to conduct a commercial still photography production within the Town of Palm Beach.

Proposed Production Schedule

One production day on September 8, 9, or 10, 2026 (weather, logistics, and permit approval dependent). Overall production day approximately 9:00 a.m.–7:00 p.m. The requested public location will be used for approximately four hours. As the production is still several weeks away, the final filming schedule remains under development. No filming or photography will occur between 8:00–10:00 a.m. or 3:00–5:00 p.m.

Requested Production Location

423 S Ocean Blvd, Palm Beach, FL 33480, including the Palm Beach Municipal Beach adjacent to the Worth Avenue Clock Tower and the adjacent pink wall.

Production Activities

Primarily a commercial still photography production featuring models wearing Vineyard Vines holiday apparel. Limited handheld B-roll video may be captured. No scripted scenes, dialogue, amplified sound, or large-scale motion picture production is planned.

Personnel

Cast: 4 Crew: Approximately 30 Extras: 0 Maximum on site: 35.

Parking & Vehicle Staging

Primary parking: Esplanade Garage, 150 Worth Avenue. If available and approved, one to two metered spaces may be used for loading/unloading and equipment staging.

Equipment

Professional still cameras and lenses, handheld B-roll camera, camera crane, dolly, Steadicam, lighting, grip equipment, portable generator, 10'×10' pop-up tent, wardrobe, hair and makeup,

makeup motorhome (TBD), small handheld props, and catering support.

Previous Production Experience

A similar Vineyard Vines production was completed in March 2026 at Hobe Sound Beach, the Jupiter Inlet Lighthouse area, and the Town of Sewall's Point. References are available upon request.

Sincerely,

Emily Thorsen
Producer, SPLASH Productions
On behalf of Vineyard Vines



Business Description

Company Overview

Founded in 1998 on Martha's Vineyard, Vineyard Vines is an American lifestyle apparel brand inspired by coastal living and timeless style. The company designs clothing and accessories for men, women, and children, with products sold through retail stores, e-commerce, and national wholesale partners.

Purpose of the Production

The purpose of this production is to capture lifestyle and product photography for Vineyard Vines' 2026 Holiday Campaign. Palm Beach was selected for its iconic architecture, beautiful shoreline, and classic coastal character, which closely align with the Vineyard Vines brand. The resulting imagery will be used across digital marketing, e-commerce, retail, print, and advertising channels.

Relationship to Palm Beach

This campaign is especially meaningful as Vineyard Vines prepares to open a new retail store on Worth Avenue this winter. The imagery captured in Palm Beach will celebrate the community and introduce the brand's newest location to residents and visitors.

PERMIT SNAPSHOT REPORT EVENT-26-0386
FOR TOWN OF PALM BEACH

Permit Type	Event	**Project:**		**App Date:**	07/23/2026
Work Class:	Commercial Motion Picture Filming	**District:**	Town of Palm Beach	**Exp Date:**	NOT AVAILABLE
Status:	Submitted - Online	**Square Feet:**	0.00	**Completed:**	NOT COMPLETED
Valuation:	$0.00	**Assigned To:**		**Approval Expire Date:**	
Description:	Photoshoot for Citizens Bank.				

Parcel:		**Address:**		**Zone:**	
50434327710011010	Main	339 Worth Ave Palm Beach, FL 33480	Main	R-B(Zoning District)	
50434323050200010		320 S Lake Dr Palm Beach, FL 33480		R-D(2)(Zoning District)	

Applicant
Allan N Ramos
9252 Southwest 182nd Street
VILLAGE OF PALMETTO BAY, FL 33157
Business: (305) 310-1572
Mobile: (305) 310-1572

Filming Supervisor
Janet Henderson
Home: (617) 780-6668
Mobile: (617) 780-6668

Permit Custom Fields

Number of filming days	1	Proposed date(s) of filming	Sept 8th 2026	Optional alternate date(s) in case of rain	Sept 9th 2026 or Sept 16th and 17th, 2026
Specific filming locations	Worth Ave	Number of personnel	7	Number of vehicles	2
Specific filming equipment	handheld camera, a bounce board and battery operated light.	Current Flood Zone Designation			

Attachment File Name	**Added On**	**Added By**	**Attachment Group**	**Notes**
Signature_Allan_Ramos_7/23/2026.jpg	07/23/2026 16:53	Ramos, Allan		Uploaded via CSS

Invoice No.	**Fee**	**Fee Amount**	**Amount Paid**
NOT INVOICED	Technology Fee	$100.00	$0.00
	Commercial Motion Picture Filming Permit Per Day	$1,000.00	$0.00
	Commercial Motion Picture Filming Permit	$1,500.00	$0.00
	Total for Invoice NOT INVOICED	$2,600.00	$0.00
	Grand Total for Permit	**$2,600.00**	**$0.00**

ZINC PRODUCTIONS

To Whom It May Concern,

Zinc Productions is currently producing a commercial photoshoot for Citizens Bank (https://www.citizensbank.com/homepage.aspx) and the production is looking to take pictures of iconic buildings and sceneries of Palm Beach.

Projected Schedule:

We are looking to do the photoshoot on September 8th 2026. We are requesting to spend approximately 2 hours at each location.

The locations we plan on capturing are Worth Ave and S Lake Dr.

We would do this between the hours of 10am-4pm.

We are a crew of 7-8 people in total with (2) SUVs.

Our equipment will consider of a handheld camera, a bounce board and potentially a small battery operated light.

IF you have any other questions, please do not hesitate to email or call me.

Thank you,

Allan Ramos
305-310-1572
seisporocho@mac.com

ZINC PRODUCTIONS

To Whom It May Concern,

Zinc Productions is currently producing a commercial photoshoot for Citizens Financial Group, Inc. (https://www.citizensbank.com/homepage.aspx) and the production is looking to take pictures of iconic buildings and sceneries of Palm Beach.

Citizens Financial Group, Inc. is an **FDIC** member and Citizens Securities, Inc. is a member of **FINRA** and **SIPC**. Citizens Bank has a program called Citizens Private Wealth and they will soon be opening new wealth management branches in Palm Beach. Citizens will offer clients financial advice and guidance tailored to their unique goals. Citizens Private Wealth has advisors and specialists who can help customers navigate the complexities of managing, protecting, and passing on wealth using sophisticated investment, estate planning, and charitable giving strategies.

The bank is looking to capture the essence of Palm Beach by taking pictures of iconic buildings and areas. The images are to be used for advertising purposes for Citizens Bank.

If you have any other questions, please do not hesitate to email or call me.

Thank you,

Allan Ramos
305-310-1572
seisporocho@mac.com

PERMIT SNAPSHOT REPORT EVENT-26-0383
FOR TOWN OF PALM BEACH

Permit Type	Event	**Project:**		**App Date:**	07/22/2026
Work Class:	Commercial Motion Picture Filming	**District:**	Town of Palm Beach	**Exp Date:**	NOT AVAILABLE
Status:	Submitted	**Square Feet:**	0.00	**Completed:**	NOT COMPLETED
Valuation:	$0.00	**Assigned To:**		**Approval Expire Date:**	

Description: Mac Duggal Outdoor small scale commercial photo and video shoot for a brands website and social

Parcel: 00000000000126ROW Main	**Address:** 0 Worth Ave Palm Beach, FL 33480 Main	**Zone:** X(Flood Zone) R-D(2)(Zoning District) Royal Park(Historic District)

Filming Supervisor	Applicant	Organization
Sophia Andries	Sophia Andries	Rema Sweis
145 tower dr Ste 1	145 tower dr Ste 1	Home: (630) 789-1011
Burr ridge, IL 60627	Burr ridge, IL 60627	
Business: (608) 807-6836	Business: (608) 807-6836	
Mobile: (608) 807-6836	Mobile: (608) 807-6836	

Permit Custom Fields

Number of filming days	2	Proposed date(s) of filming	Oct 12 and 13th	Optional alternate date(s) in case of rain	Oct 14th
Specific filming locations	We would like to shoot on Worth Ave between S County Rd and Cocoanut Row (200 & 300 Block)	Number of personnel	15	Number of vehicles	1
Specific filming equipment	Handheld Camera equipment for our videographer and photographer and a sun bounce	Current Flood Zone Designation	X		

Invoice No.	Fee	Fee Amount	Amount Paid
NOT INVOICED	Technology Fee	$140.00	$0.00
	Commercial Motion Picture Filming Permit	$1,500.00	$0.00
	Commercial Motion Picture Filming Permit Per Day	$2,000.00	$0.00
	Total for Invoice NOT INVOICED	$3,640.00	$0.00
	Grand Total for Permit	**$3,640.00**	**$0.00**

Item	Monday, October 12	Tuesday, October 13	Production Details
34' Production Trailer (Requested Location)	Near intersection of Hibiscus Avenue and Worth Ave or Apollo Parking	Near intersection of Hibiscus Avenue and Worth Ave or Apollo Parking	We respectfully request permission to stage our production trailer as close as practical to the filming locations. Our preferred location is on **Worth Avenue** near the intersection of **HIbiscus Avenue**, with **Apollo Parking** as an alternate location if preferred by the Town. We are happy to work with the Town to relocate the trailer as needed. The trailer will serve solely as a production base for hair, makeup, wardrobe, talent holding, and production coordination.
Primary Filming Area	Worth Avenue (200–300 Blocks)	Worth Avenue (200–300 Blocks)	Filming will take place along Worth Avenue. Production will remain mobile and move between locations throughout the day.
8:00–9:00 AM	Production trailer arrival and setup	Production trailer arrival and setup	Crew arrival and production trailer setup only. No filming will occur during this time.
9:00–11:00 AM	Hair, Makeup & Wardrobe Preparation	Hair, Makeup & Wardrobe Preparation	Talent preparation will take place inside the production trailer. **No filming will occur before 10:00 AM**, in accordance with Town guidance. Crew will complete equipment preparation during this period.
11:00 AM–3:00 PM	Filming	Filming	Photo and video production featuring fashion models at the following locations: - Worth Avenue (200 & 300 Block) The production will utilize lightweight handheld camera equipment. Public sidewalks and business entrances will remain accessible at all times.
3:00–5:00 PM	Lunch Break	Lunch Break	Production will pause completely during this period. Cast and crew will leave the filming areas to dine at a local restaurant. **No filming will occur from 3:00 PM–5:00 PM.**

5:00–7:00 PM	Filming	Filming	Photo and video production will continue at: - Worth Avenue (200 & 300 Block) Filming will conclude before sunset.
7:00–7:30 PM	Wrap & Load Out	Wrap & Load Out	Production will conclude by **7:00 PM**, with all equipment packed and the trailer departing no later than **7:30 PM**. The production will leave all locations in their original condition.

Additional Production Information

- Fashion photo and video production for a commercial advertising campaign.
- Approximately 12-15 cast and crew members.
- Production will remain mobile throughout the day and will not establish fixed sets or long-term occupation of any public area.
- Equipment consists of handheld cameras and reflectors.
- Pedestrian access, storefront entrances, valet operations, and vehicle traffic will be maintained at all times.
- A production representative will be available throughout filming to coordinate with Town staff, businesses, and public safety personnel if needed.
- We are committed to complying with all conditions established by the Town of Palm Beach and are happy to adjust our schedule or trailer location as requested.

MAC DUGGAL

145 Tower Drive, Suite 1
Burr Ridge, IL 60527
www.macduggal.com

Mac Duggal is a Chicago-based fashion brand specializing in luxury occasionwear for women. Founded in 1984 by designer Mac Duggal, the brand has grown into a globally recognized name known for its exceptional craftsmanship, intricate embellishments, and elevated designs for life's most memorable occasions. Today, Mac Duggal collections are sold through leading department stores, specialty boutiques, and luxury retailers in more than 50 countries, as well as directly through MacDuggal.com.

The brand offers a wide range of occasionwear, including evening gowns, cocktail dresses, wedding guest attire, mother-of-the-bride and groom dresses, black-tie apparel, resort-inspired occasionwear, and seasonal collections designed for celebrations and special events. Each collection reflects the brand's commitment to timeless elegance while incorporating modern trends and innovative design.

The proposed filming activity is for the production of Mac Duggal's Spring 2027 Collection campaign. The photos and video captured during this production will be used across the brand's marketing channels, including e-commerce, digital advertising, social media, email marketing, and public relations. The campaign will showcase the Spring 2027 collection in a luxury outdoor setting that complements the collection's aesthetic and communicates the aspirational lifestyle associated with the brand.

The selected Palm Beach locations serve as a visual backdrop that enhances the storytelling of the collection through fashion photography and video. The production is intended solely for commercial marketing purposes and will highlight the design, craftsmanship, and seasonal inspiration of the Spring 2027 collection. No other brand names, logos, or other identifiers will appear in any photography or videography. In addition, no scenes involving stunts, special effects, road closures, or disruptive activities will take place, and all filming will be conducted with respect for the surrounding public spaces and in accordance with local permitting requirements.

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Nicholas Caristo, Chief of Police

Re: An Ordinance of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Amending the Code of Ordinances of the Town of Palm Beach By Creating Division 5. – Commercial Beach Amenity Permit Program, Sections 74-229 Through 74-243 Of Article II, Chapter 74, Establishing An Annual Beach Amenity Permit Program For The Commercial Use Of Municipal Beaches; Providing For The Issuance Of Annual Permits To Hotels And Other Commercial Businesses To Operate Beach Furniture Within Designated Areas Of Municipal Beaches; Providing For An Annual Beach Amenity Permit Fee To Be Established By Resolution Of The Town Council; Providing For Permit Requirements, Enforcement, And Penalties; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; Providing For Codification; And Providing For An Effective Date.
21-2026

Date: 7/30/2026

GENERAL INFORMATION

The Town of Palm Beach oversees approximately thirteen (13) miles of public beach, including municipal beach areas at Phipps Ocean Park, Mid-Town Beach, and Clarke Avenue Beach. These public beaches are a limited public resource that provides recreational opportunities for residents and visitors while also serving as an important economic asset for local hotels and commercial businesses that offer beach chairs and umbrella services to their guests.

The proposed ordinance establishes a commercial Beach Amenity Permit Program to regulate the placement and operation of commercial beach furniture on municipal beaches. The program requires hotels, resorts, clubs, condominiums, concessionaires, and other qualifying commercial businesses to obtain an Annual Beach Amenity Permit before operating on designated municipal beach areas. Eligibility is limited to hotels, resorts, clubs, condominiums, businesses, concessionaires, and other commercial entities whose principal place of business is located within the Town, with permit allocations based on objective criteria including proximity, historical participation, public safety, environmental considerations, available beach width, public access, and the overall public

interest.

The proposed ordinance also authorizes the Town Council to establish an Annual Beach Amenity Permit Fee by resolution to recover all or a portion of the Town's costs associated with administering, maintaining, protecting, and preserving municipal beaches impacted by commercial use. In addition, the ordinance establishes operational standards, administrative rules, inspection requirements, enforcement procedures, and permit revocation and appeal processes to ensure the orderly, safe, and equitable commercial use of Town municipal beaches while preserving public access.

STAFF RECOMMENDATION

Staff recommends the Town Council approve Ordinance No. 21-2026. The proposed ordinance establishes a comprehensive permitting program governing the commercial use of municipal beaches, preserves public access, promotes public safety and environmental stewardship, and provides a framework for recovering the Town's costs associated with regulating commercial beach amenity operations.

TOWN ATTORNEY REVIEW

This Ordinance has been reviewed and approved by the Town Attorney for legal form and sufficiency.

NC/dw

cc:
Carolyn Stone. Deputy Town Manager
Robert Miracle, Deputy Town Manager
Jason Debrincat, Director of Public Works
Joanne O'Connor, Town Attorney

STRATEGIC PLAN

Strategic Priorities:
Community Culture and Character, Environmental Stewardship

Strategic Focus Areas:
Sound Fiscal Management
Community Preservation

FUNDING

Fee-Related

ORDINANCE NO. 21-2026

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH BY CREATING DIVISION 5. – COMMERCIAL BEACH AMENITY PERMIT PROGRAM, SECTIONS 74-229 THROUGH 74-243 OF ARTICLE II, CHAPTER 74, ESTABLISHING AN ANNUAL BEACH AMENITY PERMIT PROGRAM FOR THE COMMERCIAL USE OF MUNICIPAL BEACHES; PROVIDING FOR THE ISSUANCE OF ANNUAL PERMITS TO HOTELS AND OTHER COMMERCIAL BUSINESSES TO OPERATE BEACH FURNITURE WITHIN DESIGNATED AREAS OF MUNICIPAL BEACHES; PROVIDING FOR AN ANNUAL BEACH AMENITY PERMIT FEE TO BE ESTABLISHED BY RESOLUTION OF THE TOWN COUNCIL; PROVIDING FOR PERMIT REQUIREMENTS, ENFORCEMENT, AND PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Article X, Section 11, of the Florida Constitution states, "The title to lands under navigable waters, within the boundaries of the state, which have not been alienated, including beaches below mean high water lines, is held by the state, by virtue of its sovereignty, in trust for all the people;" and

WHEREAS, the Town of Palm Beach ("Town") is authorized by Florida Law to operate and regulate the public beaches of the State within the Town's jurisdiction, in a reasonable manner to protect public health, safety, and welfare of all people; and

WHEREAS, the Town oversees approximately thirteen (13) miles of public beach area within its jurisdiction, including municipal beaches located in areas known as Phipps Ocean Park, Mid Town Beach, and Clarke Avenue Beach; and

WHEREAS, the Town's public beaches, including its municipal beaches, are a finite and valuable public resource held in trust for the use and enjoyment of residents and visitors alike; and

WHEREAS, hotels and other commercial businesses derive substantial economic benefit from providing beach furniture and related amenities to their guests upon the Town's municipal beaches; and

WHEREAS, such commercial use of Town municipal beaches increases demands on municipal services, including public safety, infrastructure improvement, traffic enforcement, marine patrol services, lifeguard services, code enforcement, sanitation, beach restoration, beach maintenance, public beach amenities, environmental protection, permit administration, and administrative oversight; and

WHEREAS, commercial entities benefiting from the use of the Town's municipal beaches should contribute toward the increased costs associated with administration, maintenance, public safety, environmental stewardship, and preservation of those

public resources resulting from their commercial use; and

WHEREAS, maintaining designated areas for commercial beach furniture improves the orderly management of the beach while preserving public access and enjoyment; and

WHEREAS, limiting commercial use of municipal beaches to hotels, resorts, clubs, condominiums, businesses, concessionaires, or other commercial entities with principal locations within two (2) driving miles of a Town municipal beach improves public safety and welfare by diminishing traffic safety related impacts resulting from such commercial activity; and

WHEREAS, it is necessary to regulate the commercial use of municipal beaches in order to preserve public access, protect the coastal environment, promote public safety, maintain the aesthetic character of the Town, and ensure the equitable use of public resources; and

WHEREAS, it is in the best interest of the Town to establish an ordinance and an administrative policy to regulate the placement of beach furniture on municipal beaches by hotels and other commercial businesses, through a Beach Amenity Permit Program which administers an Annual Beach Amenity Fee; and

WHEREAS, the Annual Beach Amenity Fee is intended solely to recover all or a portion of the Town's costs associated with regulating and managing commercial use of the public beach and is not intended to generate general revenue.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL of the Town of Palm Beach, Palm Beach County, Florida, as follows:

Section 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Section 2. The Code of Ordinances of the Town of Palm Beach is hereby amended by creating Division 5. – COMMERCIAL BEACH AMENITY PERMIT PROGRAM, Sections 74-229 through 74-243 within Article II of Chapter 74, to read as follows:

DIVISION 5. – COMMERCIAL BEACH AMENITY PERMIT PROGRAM

Sec. 74-229. Purpose.

The purpose of this Division is to establish a permitting program regulating the commercial placement and operation of beach furniture upon the Town's municipal beaches while ensuring that public access to the municipal beach is preserved; public safety is maintained; commercial operations are conducted in an

orderly, safe, and aesthetically appropriate manner; and the Town recovers a portion or all of the costs associated with administering, maintaining, protecting, and preserving the municipal beach.

Sec. 74-230. Annual Beach Amenity Permit Required.

(a) No hotel, resort, club, condominium, business, concessionaire, or other commercial entity shall place, maintain, or operate beach furniture upon any municipal beach within the Town without first obtaining an Annual Beach Amenity Permit issued by the Town.

(b) Annual Beach Amenity Permits shall only be issued to hotels, resorts, clubs, condominiums, businesses, concessionaires, or other commercial entities with principal places of business within the Town.

(c) The Town Manager shall allocate permits based upon the following objective criteria:

1. Proximity of the business to the municipal beach;
2. Historical participation in the program;
3. Available municipal beach width;
4. Public safety considerations;
5. Environmental impacts;
6. Public access requirements; and/or
7. The overall public interest.

(d) Each Annual Beach Amenity Permit shall expire annually on September 30 unless renewed in accordance with the provisions of this Division.

(e) Renewal of an Annual Beach Amenity Permit shall be contingent upon:

1. Payment of all required fees;
2. Compliance with the provisions of this Division;
3. Successful completion of any inspection required by the Town; and
4. Continued eligibility as determined by the Town.

(f) The issuance of an Annual Beach Amenity Permit shall constitute only a revocable license authorizing the permittee to operate within a designated area of the municipal beach in accordance with the provisions of this Division.

(g) Permittees assume all risks associated with natural coastal conditions and shall not be entitled to refunds, credits, or damages resulting from changes in beach conditions.

Sec. 74-231. Designated Beach Areas.
(a) The Town Manager, or the Town Manager's designee, shall designate the location and boundaries of the municipal beach area authorized for use by each permittee ("Designated Beach Areas"). No permits will be issued for public beaches that are not Town municipal beaches.

(b) Unless otherwise approved by the Town Council, each Designated Beach Area shall be limited to a maximum of:

1. Twenty-five (25) umbrellas; and
2. Fifty (50) beach chairs

(c) No permittee shall place or maintain beach furniture outside the Designated Beach Area assigned by the Town.

(d) The Town Manager, or the Town Manager's designee, may modify, relocate, reduce, suspend, or temporarily close any Designated Beach Area whenever determined necessary including due to beach erosion; hurricanes, tropical storms, or other severe weather events; beach renourishment or coastal restoration projects; sea turtle nesting or other environmental protection requirements; special events; public safety concerns; and emergency operations.

(e) No permittee shall be entitled to compensation, reimbursement, damages, or any other claim against the Town arising from any modification, relocation, reduction, suspension, or closure of a Designated Beach Area authorized by this subsection.

(f) Nothing contained in this Division shall be construed to grant any permittee an exclusive right to occupy any portion of the municipal beaches. All municipal beaches shall remain open and available for use by the public in accordance with applicable law.

Sec. 74-232. Annual Beach Amenity Fee.

(a) Each permittee shall pay an Annual Beach Amenity Fee as established by resolution of the Town Council.

(b) The Town Council may amend the Annual Beach Amenity Fee by resolution from time to time.

(c) The Annual Beach Amenity Fee is intended to offset all or a portion of the Town's increased costs, due to commercial use of the Town’s municipal beaches.

(d) Failure to timely pay the Annual Beach Amenity Fee shall result in suspension of the Annual Beach Amenity Permit until all outstanding fees have been paid.

Sec. 74-233. Administrative Rules.

The Town Manager shall have the authority to adopt written administrative rules to enforce the provisions of this Division including, but not limited to, rules governing: permit applications; site plans, authorized loading and unloading locations; operational and performance standards; equipment specifications; identification markings; seasonal operations; hours of operation; setup and removal procedures and timing; insurance requirements; inspection procedures; grounds for permit revocation or suspension; emergency closures; and safety requirements.

Sec. 74-234. Non-Transferability of Permit.

A permit issued under this Division:

(a) Is personal to the approved permittee.

(b) Shall not be assigned, sold, leased, transferred, or otherwise conveyed without the prior written approval of the Town Council.

(c) Automatically terminates upon the sale or transfer of the business unless the Town approves a new permit.

Sec. 74-235. Compliance with Other Laws.

(a) Permit holders shall comply with all applicable federal, state, county, and local laws, including any permits or authorizations required for the use of sovereign submerged lands, environmental protection, public beaches, coastal construction, marine turtle protection, and public safety.

(b) Nothing in this Division shall relieve any permittee of the obligation to obtain any other governmental approvals required by law.

Sec. 74-236. Annual Reporting and Inspection.

(a) Each permittee shall annually certify compliance with this Division and any Administrative Rules adopted by the Town Manager.

(b) Prior to the issuance or renewal of an Annual Beach Amenity Permit, the Town may inspect the permittee's operations, equipment, and documentation to ensure compliance with this Division.

(c) The inspection shall include, but is not limited to, verification of:

1. The condition of beach furniture and related equipment;
2. Required insurance coverage and documentation;
3. The permittee's compliance history; and
4. Operational procedures.

(d) Failure to successfully complete the required inspection, or to correct identified deficiencies within the time prescribed by the Town, may result in the denial or delay of permit issuance or renewal until the deficiencies have been corrected.

Sec. 74-237. Emergency Authority.

The Town Manager, Police Department, Fire Rescue Department, or Emergency Management personnel may immediately require the removal of all commercial beach furniture whenever necessary due to: hurricanes or tropical storms; high surf or dangerous weather; public safety emergencies, search and rescue operations; environmental incidents; special events; or any declared emergency.

Failure to comply may result in the immediate removal of beach furniture by the Town at the permittee's expense.

Sec. 74-238. Indemnification.

As a condition of receiving an Annual Beach Amenity Permit, each permittee shall agree to indemnify, defend, and hold harmless the Town, its elected officials, officers, employees, and agents from any and all claims, damages, liabilities, losses, costs, or expenses arising from or related to the permittee's operations on the public beach, except to the extent caused by the negligence of the Town.

Sec. 74-239. Fee Review.
The Town Council shall review the Annual Beach Amenity Fee at least once every three (3) years to ensure the fee reasonably reflects the Town's actual costs associated with the commercial use of the Town’s municipal beaches.

Sec. 74-240. Sunset of Unused Permits.

If a permittee does not utilize its designated area for more than ninety (90) consecutive days during the operating season without written approval, the Town may revoke the permit and reassign the designated area to another eligible applicant.

Sec. 74-241. Waiting List.
If all designated beach areas have been assigned, the Town Manager, or the Town Manager's designee, shall maintain a waiting list for qualified applicants. Placement on the waiting list shall not create any property right or guarantee future approval.

Sec. 74-242. Violations, Enforcement, and Penalties.

(a) In addition to any other remedies available under law, violations of this Division may result in orders for immediate removal of equipment; suspension of permits; revocation of permits; disqualification from future participation in the Beach Amenity Permit Program; and/or recovery of all Town costs associated with

enforcement.

(b) Unauthorized furniture may be immediately removed by the Town with all removal, storage, and disposal costs charged to the owner.

(c) Violation of this Division is a Class III penalty subject to a $250 fine for the first violation and a $500 fine for any repeat violation.

(d) Any person found guilty of a violation of this Division shall be subject to the terms of Section 1-14 of the Code of Ordinances of the Town of Palm Beach or, alternatively, the provisions of Chapter 2, Article V, Code Enforcement.

Sec. 74-243. Appeals.
Any suspension or revocation of an Annual Beach Amenity Permit may be appealed to the Town Council within ten (10) business days. The Town Council's decision shall be final.

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the remaining provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances of the Town of Palm Beach, Florida, in conflict herewith are hereby repealed.

Section 5. Codification.

This Ordinance shall be codified and made a part of the Code of Ordinances of the Town of Palm Beach, Florida.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and adoption as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach for the first reading on the 11th of August 2026, and for the second and final reading on the 8th day of September 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Nicki McDonald, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Business Impact Estimate

TITLE OF ORDINANCE:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH BY CREATING DIVISION 5. – COMMERCIAL BEACH AMENITY PERMIT PROGRAM, SECTIONS 74-229 THROUGH 74-243 OF ARTICLE II, CHAPTER 74, ESTABLISHING AN ANNUAL BEACH AMENITY PERMIT PROGRAM FOR THE COMMERCIAL USE OF MUNICIPAL BEACHES; PROVIDING FOR THE ISSUANCE OF ANNUAL PERMITS TO HOTELS AND OTHER COMMERCIAL BUSINESSES TO OPERATE BEACH FURNITURE WITHIN DESIGNATED AREAS OF MUNICIPAL BEACHES; PROVIDING FOR AN ANNUAL BEACH AMENITY PERMIT FEE TO BE ESTABLISHED BY RESOLUTION OF THE TOWN COUNCIL; PROVIDING FOR PERMIT REQUIREMENTS, ENFORCEMENT, AND PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

BUSINESS IMPACT ESTIMATE:

This is provided in accordance with section 166.041(4), Florida Statutes. According to Section 166.041(4)(c) of the Florida Statutes, if one or more of the statements below apply, state law does not require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

1. The proposed ordinance is required for compliance with Federal or State law or regulation.

2. The proposed ordinance relates to the issuance or refinancing of debt.

3. The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.

4. The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.

5. The proposed ordinance is an emergency ordinance.

6. The ordinance relates to procurement.

7. The proposed ordinance is enacted to implement the following:

a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220 - 163.3243.
b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.
c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts.
d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention

Is this ordinance exempt from the Business Impact Estimate requirement according to one of the aforementioned reasons?
No
Provide the relevant exemption reason number if applicable:

In accordance with the provisions of controlling law, the Town hereby publishes the following information:

Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):
This ordinance establishes a Commercial Beach Amenity Permit Program regulating the commercial placement and operation of beach furniture on Town municipal beaches. The ordinance requires hotels and other eligible commercial entities to obtain an annual permit, pay an annual permit fee established by resolution of the Town Council, comply with operational and administrative requirements, and remain subject to inspections, enforcement provisions, and penalties for noncompliance. The public purpose of the ordinance is to preserve public access to municipal beaches, protect public health and safety, promote environmental stewardship, ensure orderly commercial operations, and recover a portion or all of the Town's costs associated with administering and managing commercial use of municipal beaches.

An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:

a) An estimate of direct compliance costs that businesses may reasonably incur;

Businesses seeking to commercially operate beach furniture on Town municipal beaches may incur direct compliance costs associated with:

- obtaining and renewing an Annual Beach Amenity Permit;
- payment of the Annual Beach Amenity Fee established by separate Town Council resolution;
- complying with operational requirements and administrative rules;
- maintaining required insurance documentation;
- preparing for and participating in inspections;
- complying with permit conditions and reporting requirements; and
- modifying operations, if necessary, to comply with designated beach areas and permit limitations.

The Town cannot presently estimate the total cost of compliance because the Annual Beach Amenity Fee has not yet been established by resolution.

b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and

The ordinance establishes an Annual Beach Amenity Permit Fee to be paid by permit holders. The amount of the fee will be established separately by resolution of the Town Council and may be amended from time to time. The fee is intended to offset all or a portion of the Town's increased costs associated with commercial use of municipal beaches and is not intended to generate general revenue.

c) An estimate of the Town of Palm Beach's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

The ordinance will require Town staff to administer the permitting program, review permit applications, conduct inspections, designate beach areas, monitor compliance, enforce ordinance provisions, process permit renewals, administer appeals, and periodically review permit fees. The ordinance contemplates that the Annual Beach Amenity Permit Fee will recover all or a portion of these regulatory costs. The exact regulatory costs cannot be determined at this time.

Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The ordinance is expected to directly impact only those hotels, resorts, clubs,

condominiums, concessionaires, and other commercial entities that seek to commercially operate beach furniture on Town municipal beaches. The number of impacted businesses is expected to be limited.

Additional information the governing body deems useful (if any):

The ordinance establishes a new regulatory framework for the commercial use of Town municipal beaches. While it creates new permitting and compliance requirements for affected businesses, the ordinance is intended to preserve public access, protect public safety and environmental resources, ensure orderly commercial operations, and recover the Town's actual administrative costs associated with regulating commercial beach activities. The Annual Beach Amenity Fee is intended solely for cost recovery and is not designed to generate general revenue.

Public Comment - Town Council

08/07/2026 4:05 PM (EDT)

Public Comment

To allow the Town Council enough time to review all comments, please submit this form by **the Friday before the public meeting** you are commenting on.

All form submissions are added to the official public record and are sent directly to the Town Council. Please note that comments submitted through other methods or after the deadline may take longer to process and may be reviewed after the public meeting.

Month of Meeting	August
Please select the agenda item you would like to comment on.	Ordinance 21-2026
Comment	Dear Mayor Moore, My name is Joshua Kershner. My wife and I own Coastal Cabana Club, a local beach setup and rental service. You may have seen us in the Daily News and the Palm Beach Post over the weekend — the discussion around a beach amenity fee has been much on our minds, and I wanted to reach out directly. I'm writing to say we absolutely support it. Palm Beach's Municipal beaches are among the town's greatest assets, and they cost real money to maintain. Businesses that benefit from them should help carry that cost, and we'd gladly pay our share under a clear, fair framework. For over four years we've helped local residents and visitors enjoy a beautiful day on the beach in Palm Beach, and we've built our reputation on doing it the right way — insured, professional, and leaving the sand exactly as we found it, with everything removed the same day. Part of what we love about the work is making a wonderful Palm Beach beach day accessible to locals and visitors who aren't guests of a hotel or private club. Palm Beach is unlike anywhere else, and it should stay that way — which is exactly why a clear framework not only makes sense but is necessary here. As the Town shapes this, I'd welcome the chance to be a resource from an operator's perspective, and I plan to attend the August 11 Council meeting to speak in support. Thank you for your leadership on this. We'd be proud to operate within whatever framework the Town establishes, and look forward to being a strong partner to the community for years to come. Joshua Kershner Coastal Cabana Club 809 Belvedere Road · West Palm Beach, FL 33405
Your Position	For
First and Last Name	Joshua Kershner
Address	809 Belvedere Road · West Palm Beach, FL 33405

TOWN OF PALM BEACH

Information for Town Council Meeting on: August 11, 2026

To: Town Council

Via: Kirk W. Blouin, Town Manager

From: Robert Miracle, CPA Deputy Town Manager, Finance and Administration

Re: An Ordinance Of The Town Council Of The Town Of Palm Beach, Palm Beach County, Florida, Providing for Amendments to the Town's Budget Adopted For The Fiscal Year Commencing October 1, 2025, and Providing An Effective Date. 24-2026

Date: 8/3/2026

STAFF RECOMMENDATION

Staff recommends that the Town Council approve Ordinance No. 024-2026, which amends the FY26 General Fund, Worth Avenue Revenue Bond Fund, Capital Improvement Fund, Coastal Protection Fund, Equipment Replacement Fund, and Health Funds.

GENERAL INFORMATION

A budget amendment is required to appropriate additional funds in the General Fund, Worth Avenue Revenue Bond Fund, Capital Improvement Fund, Coastal Protection Fund, Equipment Replacement Fund, and Health Funds for the remainder of FY26.

With the closeout of the FY25 audit, $6,000,000 was assigned to the General Fund - fund balance. This was to transfer $4,000,000 to the Capital Improvement Fund, $1,000,000 to the Coastal Protection Fund and $1,000,000 to the Health Fund. This is shown in exhibits A, C, D, and F.

In FY26, there was an invoice from the prior fiscal year charged to FY26 for the Worth Avenue Revenue Bond Fund which caused it to be over spent by approximately $2,500. This is shown in exhibit B.

For the Equipment Replacement Fund, the revenue is being increased by $1,000,000 for the Police and Fire Foundation's donation to purchase a new drone and other equipment for public safety. There is also an offset expenditure for this transaction. This is shown in exhibit E.

FUNDING/FISCAL IMPACT

The ordinance will amend the respective budgets by the amounts described up above.

TOWN ATTORNEY REVIEW
This ordinance has been reviewed and approved by the Town Attorney for legal form and sufficiency.

STRATEGIC PLAN
Strategic Priorities:
Governmental Leadership and Innovation

Strategic Focus Areas:
Sound Fiscal Management

FUNDING
Operating

ORDINANCE NO. 24-2026

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR AMENDMENTS TO THE TOWN'S BUDGET ADOPTED FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2025, 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, 2025; and

WHEREAS, the Town Council of the Town of Palm Beach, Florida, deems it necessary and appropriate to amend said budgets to provide adequate appropriations for the authorization expenditure necessary for conducting Town operations for the fiscal year ending September 30, 2026; and

WHEREAS, the budget amendment is necessary for the General Fund, Worth Avenue Assessment Fund, Capital Improvement Fund, Coastal Protection Fund, Equipment Replacement Fund, and Health Fund; 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 General Fund, Worth Avenue Revenue Bond Fund, Capital Improvement Fund, Coastal Protection Fund, Equipment Replacement Fund, and Health Fund budget for the fiscal year commencing October 1, 2025, is hereby amended and adopted pursuant to Exhibits A-F attached hereto and made a part of this ordinance.

Section 3. 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 11th day of August 2026, and for second and final reading this 9th day of September 2026.

Danielle H. Moore, Mayor

Edward A. Cooney, Town Council President

Lewis S.W. Crampton, Council President Pro Tem

Julie Araskog, Town Council Member

ATTEST:

Nicki McDonald, Town Council Member

Kelly Churney, CMC, Town Clerk

Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Business Impact Estimate

TITLE OF ORDINANCE:

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR AMENDMENTS TO THE TOWN'S BUDGET ADOPTED FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2025, AND PROVIDING AN EFFECTIVE DATE.

BUSINESS IMPACT ESTIMATE:

This is provided in accordance with section 166.041(4), Florida Statutes. According to Section 166.041(4)(c) of the Florida Statutes, if one or more of the statements below apply, state law does not require a business impact estimate for the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

1. The proposed ordinance is required for compliance with Federal or State law or regulation.

2. The proposed ordinance relates to the issuance or refinancing of debt.

3. The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget.

4. The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government.

5. The proposed ordinance is an emergency ordinance.

6. The ordinance relates to procurement.

7. The proposed ordinance is enacted to implement the following:

a. Development orders and development permits, as those terms are defined in s. 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under ss. 163.3220 - 163.3243.
b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the municipality.
c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts.

d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention

Is this ordinance exempt from the Business Impact Estimate requirement according to one of the aforementioned reasons?
Yes
Provide the relevant exemption reason number if applicable:
3

In accordance with the provisions of controlling law, the Town hereby publishes the following information:

Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare):

An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Town, if any:

Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

Additional information the governing body deems useful (if any):

Exhibit A

Town of Palm Beach, Florida
General Fund
Budget Amendment

	FY26 Budget	Ordinance No. 24-2026 Amendment	FY2026 Amended Budget
Revenues			
Ad Valorem Taxes	$85,754,136		$85,754,136
Non Ad Valorem Taxes	6,930,000		6,930,000
Licenses & Permits	5,873,500		5,873,500
Intergovernmental	1,466,517		1,466,517
Charges for Services	11,284,560		11,284,560
Fines and Forfeitures	1,668,000		1,668,000
Investment Earnings	1,939,667		1,939,667
Miscellaneous Revenues	1,367,500		1,367,500
Interfund Transfers	1,310,435		1,310,435
Transfer From Fund Balance	1,360,000	6,000,000	7,360,000
Transfer from Building Fund	8,377,589		8,377,589
Total Revenues	**$127,331,904**	**$6,000,000**	**$133,331,904**
Expenditures			
Department			
Legislative	$152,450		$152,450
General Government	873,000		873,000
Town Manager	1,516,260		1,516,260
Town Clerk	456,953		456,953
Advice and Litigation	755,000		755,000
People and Cultuer	1,212,419		1,212,419
Information Technology	5,022,962		5,022,962
Finance	2,372,832		2,372,832
Recreation and Tennis	3,072,997		3,072,997
Planning/Building/Zoning	3,488,674		3,488,674
Library	407,232		407,232
Fire-Rescue	20,268,816		20,268,816
Police	26,683,186		26,683,186
Public Works	23,909,599		23,909,599
Contingency	700,000		700,000
Salary Savings	(800,000)		(800,000)
Transfer to Other Funds			-
Transfer to CIP	15,050,000	4,000,000	19,050,000
Transfer to Coastal	7,670,326	1,000,000	8,670,326
Transfer to Debt Service	5,872,774		5,872,774
Transfer to Risk Fund	2,329,817		2,329,817
Transfer to Health Fund	-	1,000,000	1,000,000
Transfer to OPEB Trust Fund	896,608		896,608
Extraordinary Transfer to Retirement Fund	5,420,000		5,420,000
Total General Fund Expenditures	**$127,331,904**	**$6,000,000**	**$133,331,904**
Revenues Over/(Under) Expenditures	**$0**	**$0**	**$0**

Exhibit B

2016B Worth Avenue Revenue Bond (206)
Revenue and Expense Summary

	FY2024 Actual	FY2025 Actual	FY2026 Budget	Ordinance 24-2026 Amendment	FY2026 Amended Budget
Revenues					
Non Ad Valorem Assessment Revenue	800,489	763,198	723,038	-	723,038
Interest on Investments	10,970	10,571	-	2,500	2,500
TOTALS	811,459	773,769	723,038	2,500	725,538
Expenses					
Debt Service Interest	334,538	322,688	310,539	-	310,539
Debt Service Principal	390,000	400,000	410,000	-	410,000
Other Expenses	3,825	1,500	2,500	2,500	5,000
TOTALS	728,363	724,188	723,039	2,500	725,539
Total Revenues Over/(Under) Expenses					
Beginning Fund Equity	202,631	285,727	335,308	335,308	335,308
ENDING NET ASSETS	285,727	335,308	335,307	335,307	335,307

Exhibit C

Capital Improvement Fund (307)
Revenue and Expense Summary

	FY2024 Actual	FY2025 Actual	FY2026 Budget	Ordinance 24-2026 Amendment	FY2026 Amended Budget
Revenues					
Transfer from General Fund (001)	11,308,122	14,250,622	15,050,000	4,000,000	19,050,000
Transfer from Marina Fund (401)	-	4,000,000	-	-	-
Transfer from Building Fund (405)	-	60,000	-	-	-
Transfer from Debt Service (205)	1,000,000	-	-	-	-
American Rescue Plan	2,042,496	-	-	-	-
Grant Revenue	-	370,466	100,000	-	100,000
Restricted - One Cent Sur Tax	921,594	943,428	125,000	-	125,000
Donations/Contributions	360,997	7,575,000	-	-	-
Interest on Investments	1,864,181	1,492,510	2,000,000	-	2,000,000
Miscellaneous Revenue	2,400	-	1,000,000	-	1,000,000
Cost Sharing/Interlocal Agreement	-	-	-	-	-
TOTALS	17,499,790	28,692,026	18,275,000	4,000,000	22,275,000
Expenses					
Projects	18,498,461	21,171,917	23,655,000	-	23,655,000
Carry Over Reserves	-	-	45,549,213	-	45,549,213
Transfer to TWUU Fund (122)	500,000	500,000	125,000	-	125,000
TOTALS	18,998,461	21,671,917	69,329,213	-	69,329,213
Total Revenues Over/(Under) Expenses	(1,498,671)	7,020,109	(51,054,213)	4,000,000	(47,054,213)
Beginning Fund Equity	23,782,707	22,284,036	29,304,145	29,304,145	29,304,145
ENDING NET ASSETS	22,284,036	29,304,145	(21,750,068)	(17,750,068)	(17,750,068)

Exhibit D

Coastal Protection Fund (309)
Revenue and Expense Summary

	FY2024 Actual	FY2025 Actual	FY2026 Budget	Ordinance 24-2026 Amendment	FY2026 Amended Budget
Revenues					
Transfer from General Fund (001)	5,791,205	5,791,205	7,670,326	1,000,000	8,670,326
Interest on Investments	2,788,426	1,682,328	700,000	-	700,000
Grants/Local Revenue	270	4,448,887	659,493	-	659,493
TOTALS	8,579,901	11,922,420	9,029,819	1,000,000	10,029,819
Expenses					
Projects	1,867,852	21,919,105	2,884,824		2,884,824
Carry Over Projects	-	-	50,929,677	-	50,929,677
Transfer to Debt Service	508,463	508,760	511,417	-	511,417
Salaries and Wages	79,178	107,252	127,472		127,472
Employee Benefits	48,181	55,886	60,060		60,060
Contractual	39,558	62,059	70,950		70,950
Commodities	2,780	3,224	5,300		5,300
Capital Outlay					-
TOTALS	2,546,012	22,656,286	54,589,700	-	54,589,700
Total Revenues Over/(Under) Expenses					
Beginning Fund Equity	38,104,995	44,138,884	33,405,018	33,405,018	33,405,018
ENDING NET ASSETS	44,138,884	33,405,018	(12,154,863)	(11,154,863)	(11,154,863)

Exhibit E

Equipment Replacement Fund (320)
Revenue and Expense Summary

	FY2024 Actual	FY2025 Actual	FY2026 Budget	Ordinance 24-2026 Amendment	FY2026 Amended Budget
Revenues					
Transfer from General and Other Funds	4,560,904	5,238,178	2,261,112	-	2,261,112
Interest on Investments	1,374,047	994,264	300,000		300,000
Surplus Equipment Proceeds	15,910	13,298	75,000		75,000
Donations/Grants	74,999	-	-	1,000,000	1,000,000
Miscellaneous	444,977	-	-		-
TOTALS	6,470,837	6,245,740	2,636,112	1,000,000	3,636,112
Expenses					
Salaries and Wages	-	116,503	127,932	-	127,932
Employee Benefits	-	46,440	59,449	-	59,449
Contractual	115,915	937,320	195,000	-	195,000
Capital Outlay - Equipment	1,938,512	1,756,641	1,759,242	1,000,000	2,759,242
Capital Outlay - IT Equipment	99,597	593,562	896,408	-	896,408
Contingency	-	-	500,000	(500,000)	-
TOTALS	2,154,024	3,450,466	3,538,031	500,000	4,038,031
Total Revenues Over/(Under) Expenses	4,316,813	2,795,274	(901,919)	500,000	(401,919)
Beg Investment in Capital Assets	9,068,497	12,380,348	15,418,379	15,418,379	15,418,379
Beg Unrestricted Net Assets	22,126,757	23,131,719	22,888,962	22,888,962	22,888,962
ENDING NET ASSETS	35,512,067	38,307,341	37,405,422	37,905,422	37,905,422

Exhibit F

Health Insurance Fund (502)
Revenue and Expense Summary

	FY2024 Actual	FY2025 Actual	FY2026 Budget	Ordinance No. 24-2026 Amendment	FY2026 Amended Budget
Revenues					
Employer Contributions	4,858,224	5,630,543	8,200,000	1,000,000	9,200,000
Employee Contributions	935,912	995,951	881,000		881,000
Interest Income	277,487	241,911	100,000		100,000
Miscellaneous Revenue		377,666	250,000		250,000
TOTALS	6,071,623	7,246,071	9,431,000	1,000,000	10,431,000
Expenses					
Salaries and Wages	93,125	94,570	94,128		94,128
Employee Benefits	7,099,242	7,956,225	7,695,062	500,000	8,195,062
Contractual	521,910	564,694	576,281		576,281
Commodities	2,717	866	3,352		3,352
Other (Contingency)			500,000	(500,000)	-
TOTALS	7,716,994	8,616,355	8,868,823	-	8,868,823
Total Revenues Over/(Under) Expenses	(1,645,371)	(1,370,284)	562,177	1,000,000	1,562,177
Beginning Fund Equity	4,564,209	2,918,838	1,548,554	1,548,554	1,548,554
ENDING NET ASSETS	2,918,838	1,548,554	2,110,731	3,110,731	3,110,731