



TOWN COUNCIL MEETING

TOWN OF PALM BEACH

SEPTEMBER 8, 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

COMMENTS

1. MAYOR AND TOWN COUNCIL MEMBERS
2. PUBLIC - 3 MINUTE LIMIT

For those unable to attend in person: [Submit a written comment](#) [Register to comment virtually](#)

APPROVAL OF CONSENT AGENDA

3. Minutes of the August 11, 2026, Town Council Meeting
4. Minutes of the August 12, 2026, Town Council Development Review Meeting
5. **106-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a change order to Techcrane International, LLC in the amount of \$30,000 for delivery of the crane for the Sand Transfer Plant Rehabilitation Project for a revised authorization of purchase order 261026 in the amount of \$454,415.
6. **108-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving the award of ITB No. 2026-026, Town Hall Window Glazing to Ira Walden & Sons in the amount of \$227,920.
7. **109-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving the award of ITB No. 2026-055, Sand Transfer Plant Crane Replacement and Pipeline Improvements to Gonzalez and Sons Equipment, Inc. in the amount of \$1,071,093, establishing a contingency in the amount of \$215,000 and establishing a project budget in the

amount of \$1,286,093

8. **110-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, ratifying award authority for Resolution No. 071-2025 to coincide with annual department budget approvals for purchases with Amazon for Office Supplies, Furniture, IT Supplies, Mechanical Parts, Electrical Parts and Automotive Parts until the contract expires, or there is lack of budget funding, or unsatisfactory performance.
9. **111-2026** A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, ratifying award authority for Resolution No. 111-2024 in the amount of \$580,000 annually for Planning, Zoning and Building Department for Plans, Review, and Inspection Contracted Services until the contract expires, annual funding is authorized, or unsatisfactory performance.
10. **114-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving an extension of an Interlocal Agreement with Palm Beach County for Vehicle Maintenance for Fire Rescue in the amount of \$250,000 for FY27.
11. **115-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, approving a retroactive purchase order to Sentinel Technologies, Inc. in the amount of \$371,372 to procure and implement a next-generation firewall solution to further strengthen and secure the Town's network infrastructure.
12. Request to Hear Proposed Ordinance Nos. 012-2026 and 013-2026, prior to 5:00 p.m. on Wednesday, September 9, 2026, Town Council Development Review Meeting agenda.
13. **112-2026** A Resolution of the Town Council of the Town Of Palm Beach, Palm Beach County, Florida, ratifying award authority for Resolution No. 112-2024, in the annual amount of \$1,550,000 for various departments for contracted Temporary Staffing Solutions for Manual and Semi-Skilled positions until the contracts expire, annual funding is authorized, or unsatisfactory performance.

APPROVAL OF AGENDA

GENERAL BUSINESS

14. Presentation by Palm Beach County School Board Member Erica Whitfield
15. Discussion Regarding Time for Town Caucus to be Held on Tuesday, December 1, 2026
16. FAA Litigation Update from Town Attorney Joanne O'Connor

17. MATTERS PULLED FROM CONSENT AGENDA

UNFINISHED BUSINESS

18. Discussion on Beach Amenity Permit
 - 18.1 **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.

19. Boards and Commissions Review - Tranche 4, Governance Framework

NEW BUSINESS

20. Mid-Town Seawall Replacement Progressive Design-Build Project Update

21. Coastal Update

21.1 Sargassum Maintenance

21.2 Shoreline Conditions

21.3 Beach Management Agreement Stakeholder Meeting Update

21.4 Consideration of Waivers to Town Code for Construction Dates, Hours, and Noise for Staging and Construction of the 2027 USACE Jetty Repair Project

22. Discussion on a partnership with University of Florida Health on a Mobile Stroke Transport Unit

ORDINANCES

23. SECOND READING

23.1 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 August 11, 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 President Cooney stated that staff requested that Resolution 092-2026 be removed so it could be discussed. Council Member Araskog requested that the item of the Landmark Adjustment of 1047 S. Ocean Blvd. be removed for discussion. Council President Pro Tem Crampton requested that Resolution 096-2026 be removed for discussion.

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

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
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.

APPROVAL OF AGENDA

Council President Cooney stated that the presentation on the Mid-Town Beach Linear Park would be moved to follow Mathew Forrest's Legislative Update.

Council Member Araskog requested an update on the recent court ruling regarding the proposed property tax constitutional amendment. Town Attorney Joanne O'Connor reported that a Leon County court found the ballot language unconstitutional because it did not adequately state the amendment's purpose and could mislead voters regarding its effect. She noted that the Attorney General was given 10 days to prepare replacement ballot language for submission to county supervisors of elections.

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

COMMENTS

12. MAYOR AND TOWN COUNCIL MEMBERS

Mayor Moore recognized August employee service milestones, including Paul Alber for 20 years, Keith Enright and Andy Jadoo for 5 years, and Christine Griffin for 15 years. She also recognized Police Sergeant Michael Dawson, who is retiring after 25 years of service with the Town. Mayor Moore reminded residents that school is back in session and emphasized school-zone and

school-bus safety. She also encouraged residents to participate in the August 18 primary election and noted an upcoming Town technology assistance session. Mayor Moore praised Public Works and FPL for progress on paving, drainage, utility undergrounding, and other infrastructure projects throughout Town, acknowledging temporary detours and emphasizing the importance of completing the work during the summer season. Mayor Moore clarified comments attributed to Town officials in a recent newspaper article regarding resident involvement in West Palm Beach matters. She stated that while the Town encourages residents to remain informed and engaged in issues affecting the broader community, Town officials have not directed residents to become involved in the governance of West Palm Beach.

Council Member Moran thanked Public Works for its efforts on the numerous infrastructure projects underway throughout Town, noting that the work has been less disruptive than anticipated and expressing confidence that projects will be completed on schedule. She also wished students a successful school year.

Council President Pro Tem Crampton thanked Town Manager Kirk Blouin, Public Works Director Jason Debrincat, and Public Works staff for addressing South End concerns, particularly beach management and deteriorating sidewalks, and urged continued coordination with FDOT on sidewalk replacement. He also suggested identifying opportunities for residents, staff, and elected officials to serve on regional government boards and committees that address growth and other issues affecting the Town. Deputy Town Manager Carolyn Stone advised that staff maintain a list of intergovernmental boards and committees. Mayor Moore clarified that mayoral appointments are made to official governmental entities and distinguished those from private organizations such as Save West Palm Beach.

Council Member Araskog discussed several issues, including whether the Town should retain a horticulturist to assist with plant-related matters. Public Works Director Jason Debrincat explained that the Town utilizes its arborist and outside consultants as needed. Council Member Araskog also reminded motorists to pull over for emergency vehicles and acknowledged residents' frustrations with the extensive summer construction and detours. Staff explained that projects are carefully coordinated to minimize traffic impacts and that completing major roadway work in the summer is necessary to avoid greater disruption.

Council Member McDonald thanked Public Works for its efforts and noted that completing major projects during the summer avoids greater disruption during the season. She also advised residents that West Palm Beach Public Utilities is conducting fire hydrant and water valve maintenance through October 21, which may temporarily cause water discoloration, sediment, or ponding near hydrants. She noted that the water remains safe and that running the tap for several minutes should clear any discoloration.

Council President Cooney extended condolences to the Fanjul family on the passing of Alfie Fanjul, noting the large attendance at his funeral as a testament to his significant impact on the community.

13. PUBLIC - 3 MINUTE LIMIT

Dragana Connaughton, 267 Merrain Road, raised concerns regarding summer road closures and the aesthetic impacts of new infrastructure, particularly large traffic mast arms. She also expressed broader concerns about growth, development, traffic, construction, and changes to

the character and sense of community in Palm Beach. Ms. Connaughton urged stronger long-term planning and thoughtful regulations to balance growth with preservation of the Town's neighborhoods, quality of life, and unique character.

Diane Buhler, representing Friends of Palm Beach, provided an update on ongoing beach cleanup efforts, noting that the organization collects more than 30,000 pounds of debris annually, much of which is single-use plastics. She also discussed national efforts challenging Florida's plastic regulation preemption and its potential impacts on manatees and sea turtles. Ms. Buhler concluded by announcing upcoming community beach cleanup events.

Skip Aldridge, 2295 S. Ocean Blvd., and speaking on behalf of himself, the Citizens Association, and Reach 8 residents, thanked Town staff for meeting with South End residents regarding deteriorated sidewalks and beach debris. He emphasized the safety concerns associated with both issues and acknowledged that the affected areas are under state jurisdiction. Mr. Aldridge urged the Town to continue pursuing sidewalk repairs and noted that residents will work with Town staff on potential solutions for beach debris removal.

GENERAL BUSINESS

14. Legislative Update from Mathew Forrest, Ballard Partners

Mat Forrest of Ballard Partners provided an update on the recent legislative session, highlighting several measures affecting local governments, including changes involving gas-powered lawn equipment, building permits, local government finances, sovereign immunity, local business taxes, and land-use regulations. He noted that several unsuccessful bills are likely to return in future sessions and that the Town will continue advocating on issues including mooring fields and derelict vessels. Mr. Forrest also discussed the ongoing property-tax amendment litigation and advised that property-tax reform will likely remain a significant issue regardless of the outcome in November. He encouraged the Town to continue evaluating its budget, taxes, and fees in preparation for potential future changes.

Council members questioned Matt Forrest regarding several legislative issues, including efforts to revise hurricane-related development restrictions, the impacts of HB 803 on building permits and private-provider oversight, and affordable housing legislation. Council President Pro Tem Crampton expressed significant concern about the proposed property tax amendment and the potential for greater state control over local property taxes. Town Manager Blouin asked Forrest to explain the legislative process, including the large volume of bills monitored by staff and the Town's lobbyist, and the need for rapid coordination to address legislation affecting the Town. Council members thanked Forrest and staff for their advocacy and proactive work on legislative issues.

**Note: A short break was taken at 10:30 a.m., and the meeting resumed at 10:43 a.m.*

15. MATTERS PULLED FROM CONSENT AGENDA

- 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.

Planning, Zoning, and Building Director Wayne Bergman presented revisions to the recently

adopted building permit fee schedule required by changes in state law. He explained that the ICC-based methodology was not working appropriately for certain permit types, resulting in proposed adjustments for renovations, demolition, docks, flooring, and re-roofing. He noted that staff will continue to monitor the new fee structure and plans to update the Town's accounting study to ensure that fees accurately reflect the costs of providing building services without generating a surplus. Council members also asked about differences in roofing fees and questioned certain existing business tax receipt categories. There was no public comment.

A motion was made by Council Member Araskog and seconded by Council Member Moran to approve Resolution No. 092-2026. The motion was carried unanimously, 5-0.

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.

Council President Pro Tem Crampton stated that he had received clarification from Public Works regarding his questions about monitoring benthic organisms through layers of sand. Satisfied with the explanation, he withdrew his concerns and recommended approval of Resolution No. 96-2026. There was no public comment.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to approve Resolution No. 096-2026. The motion was carried unanimously, 5-0.

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

Council Member Araskog asked for clarification on the landmark adjustment process. Assistant Planning, Zoning, and Building Director James Murphy explained that landmark adjustments provide limited zoning flexibility for historic properties and are intended to reduce the need for minor variances. He noted that adjustments require review and approval by the full Landmarks Preservation Commission, including public notice and established approval criteria, and are then placed on the Town Council's consent agenda so they may be pulled for further review. There was no public comment.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to approve the landmark adjustment for 1047 S. Ocean Blvd. The motion was carried unanimously, 5-0.

UNFINISHED BUSINESS

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

Deputy Town Manager Carolyn Stone introduced the Town's ongoing review of its nine boards and commissions, noting that their governance provisions have evolved independently over time and resulted in differences in term lengths and limits, appointment timing, meeting frequency, attendance requirements, and other procedures. She explained that staff would present several policy questions to Council for direction and would return based on Council's feedback.

Council discussed whether to retain term limits for Town boards and commissions. Most members supported maintaining the existing term limits, emphasizing that they encourage new resident participation, provide opportunities for alternates to advance, and allow members to rotate off without requiring Council to evaluate individual performance. Council President Pro Tem Crampton and Council President Cooney suggested temporarily suspending term limits for the Planning and Zoning Commission during the ongoing code reform process to preserve continuity and expertise; however, the majority favored applying the existing policy consistently across boards. Council ultimately directed staff to retain the current term-limit structure, including the existing exceptions for the fiduciary boards and PERC.

Council President Cooney called for public comment.

Anita Seltzer, 44 Coconut Row, supported retaining term limits and opposed creating an exception for the Planning and Zoning Commission. She emphasized that term limits provide opportunities for alternates to advance and help avoid difficult decisions about removing individual board members. She concluded that the current system is working and should not be changed.

Council discussed standardizing term lengths across Town boards and commissions. Council Member Araskog initially suggested two-year terms, while Council Members McDonald and Moran supported three-year terms, noting that members need sufficient time to gain experience and become effective in their roles. Deputy Town Manager Bob Miracle recommended increasing the Investment Advisory Committee's term from two to three years due to its longer-term investment responsibilities. Council reached consensus to standardize board and commission terms at three years, including the Investment Advisory Committee and PERC.

Council discussed whether board and commission appointments should be consolidated into designated periods during the season. Members generally supported moving appointments currently held outside the season to in-season months to improve resident awareness and applicant participation, but differed on whether to consolidate them into separate, dedicated sessions or keep them part of regular Council meetings. Council directed staff to review the existing appointment schedule and return with options for moving appointments into the season.

Council also discussed strengthening onboarding and training for newly appointed members. Council President Pro Tem Crampton recommended supplementing the Town's general orientation with board-specific training and reading materials. Staff noted that new members already receive required materials, training resources, and an orientation through the Clerk's Office, but agreed that additional board-specific education could be developed. Council Member McDonald also requested that staff consider whether certain boards should have specific qualifications or experience requirements.

Council agreed to continue the broader discussion of board sizes and other governance matters at a future meeting. For the upcoming Planning and Zoning Commission vacancies, Council favored proceeding with appointments rather than delaying them while the broader review continues, with staff indicating that an October appointment would provide additional time for recruitment.

Staff will continue to review the Boards and Commissions and will return with further discussion

points.

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.

A motion was made by Council Member Moran and seconded by Council Member Araskog to deny Ordinance 023-2026. The motion was carried 3-2, with Council President Cooney and Council President Pro-Tem Crampton dissenting.

NEW BUSINESS

17. Proposed 2027 Town Council Meeting Schedule

Council reviewed the proposed 2027 Town meeting schedule and agreed to adjust the March meetings to avoid scheduling conflicts. The Development Review meeting will be held on March 3, 2027, followed by the regular Town Council meeting on March 4, 2027. No other concerns with the proposed schedule were raised.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to approve the proposed 2027 Town Council Meeting Schedule as amended, moving the March meetings to March 3 and 4, 2027, with the development review meeting on March 3 and the regular meeting on March 4. The motion was carried unanimously, 5-0.

18. Midtown Beach Linear Park

Public Works Director Jason Debrincat introduced the conceptual plan for the Midtown Beach Linear Park, explaining that the project is being coordinated with the previously authorized Midtown Seawall project and includes proposed beach access at Royal Palm Way, ADA crosswalk improvements, additional green space, and improvements around the clock tower. In response to Council Member McDonald's questions, staff advised that approximately \$4 million has been allocated for the park, although a cost estimate has not yet been completed. Council President Cooney noted that the seawall construction provides an opportunity to improve the surrounding park area while it is already being disturbed. Staff confirmed that the seawall and park remain separate projects but are being closely coordinated to ensure an integrated design.

Julie Parham, Deputy Town Engineer, noted that a public outreach meeting was held in December and received significant community participation and feedback. She highlighted a request for improved access at the north end of the project area, which resulted in the proposed beach access and stairs at Royal Palm Way. She then introduced the project design team to present the conceptual plan.

M. Mark Marsh of Bridges and Marsh explained that the project team has worked closely with Town staff for several years and has coordinated with Police, Fire, and other departments. He also highlighted the Garden Club's involvement in the design process, including its recommendation to preserve the existing wave element along the wall in recognition of the

Club's role in the park's original design. Sean Toomey of Environment Design Group presented the conceptual landscape plan for the Midtown Beach Linear Park from Gulfstream Road to Royal Palm Way. The plan emphasizes additional landscaping and dune vegetation, which will be part of the Midtown Seawall project. It also demonstrated improved pedestrian circulation, pocket parks and seating areas, enhanced and new crosswalks, wider sidewalks, controlled beach access, and preservation of ocean views and palm vistas. The proposal includes a new beach access at Royal Palm Way, improvements around the Worth Avenue clock tower, and approximately 15,000 square feet of additional open space. The project is expected to proceed to the Architectural Commission (ARCOM) for review, return to the Town Council, and begin construction following completion of the seawall project.

Town Council members generally supported advancing the conceptual plan to ARCOM but offered several suggestions for refinement. Members encouraged coordinating the construction of the seawall project where possible to minimize disruption and requested consideration of additional shade trees, preservation or relocation of existing palms, less concrete and more traditional or permeable pathway materials, improved alignment of vistas, and landscaping that discourages people from climbing over the seawall. Concerns were also raised that portions of the design appeared overly "municipal" and should retain more of Palm Beach's traditional character.

Members discussed pedestrian safety, including enhanced crosswalks and curb extensions to shorten crossing distances, while emphasizing the need to preserve ocean views. The Mayor viewed the proposal as a significant improvement, particularly the approximately 48% increase in green space, and supported sending it to ARCOM for further refinement. Council also asked that the number and placement of benches be reconsidered, so the area remains a passive park rather than encouraging extended stays. Overall, Council agreed the concept provided a good foundation but expected additional design work before final approval.

Council President Cooney called for public comment.

Dragana Connaughton, 267 Merrain Road, questioned the timing of the seawall project and expressed concern about additional construction impacts. She also cautioned that the proposed park improvements could attract more visitors and urged the Town to preserve ocean views, limit tree relocation, and avoid unnecessary spending.

The Town Council reached a consensus to send the design to the Architectural Commission for further review.

19. Filming Permits

Deputy Town Manager Carolyn Stone introduced three commercial filming permit requests for Council consideration. She noted that Vineyard Vines requested filming on Worth Avenue on September 8, 9, or 10 with a crew of approximately 35 people, while Citizens Bank requested September 8 or 9. A third request from McDougal was proposed for October. Council to consider each application separately.

Representatives of Vineyard Vines explained that the company was seeking approximately four hours of filming near the Worth Avenue clock tower for an upcoming catalog and in connection

with a new Worth Avenue store. Although the original application listed a crew of up to 35 people, the applicant agreed to substantially reduce the group to 8 people, including 4 models, and to use one shuttle van. Council members expressed concern about the size and visibility of commercial productions, their potential impacts on pedestrians and residents, and the precedent they could set for future filming requests. The applicant agreed to use only handheld equipment, eliminate the motorhome, changing tent, and catering setup, and work within a limited filming window. The applicant also stated that pedestrians would not be obstructed or included in photographs or social media footage.

A motion was made by Council Member Moran and seconded by Council President Pro-Tem Crampton to approve the filming request for Vineyard Vines with the following conditions: filming shall be limited to 4 hours, with a maximum of 8 people, there shall be no catering tables, no changing tent, no mobile homes utilized, one shuttle van can be used, and the filming equipment shall be limited to handheld devices. The motion was carried unanimously, 5-0.

Representatives of Mac Duggal presented a commercial filming request for Worth Avenue on October 12 and 13. The original proposal included approximately 12 people, a production trailer, and filming during two separate periods each day. Council members expressed concerns about the production's size and duration, the use of a trailer, and filming across multiple blocks of Worth Avenue, noting the potential impact on residents, businesses, and pedestrians. The applicant indicated a willingness to reduce the crew, use handheld equipment, locate any production vehicle on private property, shorten the filming period, and identify a more specific filming location. Council requested that the applicant revise the proposal to more closely resemble the previously considered smaller-scale filming request, including approximately 8 people and 4 continuous hours, and return the following day with more specific details.

A motion was made by Council Member Moran and seconded by Council President Pro-Tem Crampton to defer the filming request from Mac Duggal to August 12, 2026. The motion was carried unanimously, 5-0.

A representative for Citizens Bank explained that the company requested a small-scale commercial photo shoot for a new wealth-consulting branch, focusing on Palm Beach architecture and landscaping. The proposed crew consisted of seven people with no models, using primarily a handheld camera to photograph the exterior of Via Mizner and palm trees along Royal Palm Way. Council members asked for clarification regarding the locations, crew size, equipment, duration, and potential impacts on pedestrians and traffic. The applicant clarified that the production would not obstruct traffic, would focus on architecture rather than people, and could be limited to a single day and a four-hour period. Council also discussed keeping the production away from the clock tower and limiting equipment to a handheld camera, a bounce board, and a small battery-operated light.

A motion was made by Council Member Moran and seconded by Council President Pro-Tem Crampton to approve the filming request for Citizens Bank with the following conditions: the filming shall occur on September 9, for a maximum of 4 hours and 7 people, the filming equipment shall be limited to handheld camera, a bounce board and a battery light, with locations identified as Via Mizner and Royal Palm Way, excluding the Clock Tower, and the filming will conclude by 3 p.m. The motion was carried 4-1, with Council Member Araskog dissenting.

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.

Chief of Police Nick Caristo presented a draft ordinance to regulate commercial beach furniture on municipal beaches, following the Council's prior direction. The proposal would limit permitted activity to Clarke Beach, Midtown Beach, and Phipps Ocean Park, with commercial beach furniture prohibited at other public beaches. He noted that additional Council direction was needed regarding the number of umbrellas and chairs, permit fees, and other operational details.

Council members generally viewed the ordinance as a starting point requiring further refinement. They requested greater specificity regarding who would be eligible for permits, how permits would be allocated if demand exceeded availability, and the locations and number of permitted umbrellas. Council also requested an aerial or visual depiction showing how the proposed number of umbrellas would appear on the beach. Concerns were raised about limiting eligibility primarily to hotels rather than to other commercial businesses, clubs, or concessionaires, and about ensuring that the ordinance clearly identifies the municipal beaches where the activity would be allowed. Council also discussed whether an ordinance was necessary given existing restrictions, while noting concerns about the potential expansion of commercial activity on public beaches.

Council President Cooney called for public comment.

Attorney Jamie Crowley, representing the White Elephant, asked the Council to allow the hotel to continue its small-scale beach service at the municipal beach at the end of Sunset Avenue. He explained that the hotel typically places four chairs on the beach and brings additional chairs as needed, with no recent complaints at that location. Mr. Crowley supported a permitting program and reasonable fees, but suggested permits be available to all eligible hotels. He cautioned that concentrating hotel beach services at designated beaches could increase congestion and negatively affect the character of those locations.

Attorney Jamie Gavigan, on behalf of The Colony Hotel, representing the Colony Hotel, stated that the hotel was not opposed to reasonable regulation of commercial beach amenities but believed the proposed ordinance required further refinement. He offered to provide the

Colony's historical data and experience with its beach operations to assist staff. He encouraged consideration of how permits would be allocated, potential unintended impacts, and how limits on hotel-provided chairs and umbrellas would interact with hotel guests bringing their own beach furniture.

Council Member Araskog asked how many umbrellas and chairs the Colony currently provides on the beach. Mr. Gavigan did not have the specific figures but agreed to provide them at a future meeting. Council members noted that usage varies by occupancy, season, and weather, with approximately 10 to 15 chairs on an average day and up to approximately 40 during peak season. Council agreed that this type of operational data would be helpful as the ordinance is further developed.

Joshua Kershner of Coastal Cabana Club spoke in support of establishing a permitting framework that would allow his company to continue providing beach services on municipal beaches. He explained that the company has operated on the island for more than four years, with all reservations made in advance and no transactions occurring on the beach. Staff typically set up chairs, umbrellas, coolers, water, and other amenities before guests arrive and remove everything afterward, with storage and other operations maintained off-island. In response to Council questions, Mr. Kershner confirmed that the service is fee-based and available to both local residents and visitors, although local residents are prioritized.

Council continued discussing the proposed regulations for commercial beach amenities. Code Enforcement staff explained that commercial setups have expanded beyond chairs and umbrellas to include tents, furniture, rugs, pillows, tables, and other items, at times creating safety and access concerns. Council generally supported regulating the activity but requested additional refinement regarding eligible businesses, permitted locations, the number of chairs and umbrellas, and maintaining full public access to municipal beaches. Council favored limiting participation primarily to hotels and beginning with relatively small limits that could be adjusted later. Council also requested visual examples of the proposed setups, clearer restrictions on prohibited items and activities, and a draft permit application showing the operational requirements permit holders would be expected to follow.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to defer Ordinance 021-2026 to September 8, 2026. The motion was carried unanimously, 5-0.

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.

Council President Cooney read Ordinance 024-2026 by title only. There was no public comment.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to approve Ordinance 024-2026 on first reading. The motion was carried unanimously, 5-0.

ANY OTHER BUSINESS

There was no other business discussed.

ADJOURNMENT

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to adjourn the meeting at 2:21 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 Town Council Meeting
Held on August 12, 2026

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 09:32 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, Friederike Mittner, Kelly Churney, and Town Attorney Joanne O'Connor

INVOCATION AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF CONSENT AGENDA

Council Member Araskog requested that ZON-26-0033, 313 1/2 Worth Ave/313 Peruvian Ave, be removed from the consent agenda for discussion.

APPROVAL OF AGENDA

Council President Cooney announced that a filming permit for Mac Duggal would be added to the agenda and heard before item 17.

Director of Planning and Zoning Wayne Bergman advised the Town Council that proposed Ordinance No. 022-2026 and a summary of the August 4 Planning and Zoning Commission meeting were provided for informational purposes and advance review. He noted that the Planning and Zoning Commission has substantially completed its code reform work related to the commercial districts and that the proposed changes will return to the Town Council next month for discussion.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member McDonald to approve the agenda as amended. 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

2. MAYOR AND TOWN COUNCIL MEMBERS

No comments were heard at this time.

3. PUBLIC - 3 MINUTE LIMIT

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

PUBLIC HEARINGS

GENERAL BUSINESS

4. Presentation by Palm Beach County Property Appraiser Dorothy Jacks

Dorothy Jacks, Palm Beach County Property Appraiser, provided an overview of the Town's 2026 tax roll, reporting approximately \$59 billion in market value and \$37 billion in taxable value, with nearly 9% growth and \$215 million in net new construction. She explained that much of the difference between market and taxable values results from Save Our Homes and other assessment caps. Ms. Jacks also reviewed proposed Amendment 3, which would increase the homestead exemption and reduce the non-homestead assessment cap from 10% to 5%, noting that the Town could experience greater impacts than some communities due to its strong property value growth. She estimated the Town's revenue reduction could increase to approximately \$2.2 million and emphasized that the broader financial impacts on Palm Beach County and other taxing districts could be significant. Council members asked about the amendment's potential effect on taxes and services, the timing and status of revised ballot language, and whether the measure could ultimately be delayed. Ms. Jacks stressed that the amendment reduces taxable value rather than tax rates, and that taxing authorities could respond by raising millage rates or imposing special assessments.

5. Interlocal Agreement for the Issuance of Building Permits for Boat Docks

Town Attorney Joanne O'Connor presented a proposed interlocal agreement with the Town of Lantana regarding 15 properties on the northern end of Hypoluxo Island whose docks extend into waters under the Town of Palm Beach's jurisdiction. She explained that the agreement would delegate permitting authority for those docks to Lantana and provide indemnification to Palm Beach for issues related to permit issuance. O'Connor noted that either municipality may terminate the agreement with 180 days' notice.

Council Member Araskog asked about the scope of the indemnification provision and whether applications affecting nearby Palm Beach properties would be provided to the Town. Council Member Moran questioned how the updated jurisdictional boundary could affect the Ocean Key property and future dock permitting. Town Attorney O'Connor clarified that the indemnification

applies to actions taken by Lantana related to permits within Palm Beach's jurisdiction and that Palm Beach would retain permitting authority for its own properties, including Ocean Key.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to approve the Town to enter into the interlocal agreement with the Town of Lantana. The motion was carried unanimously, 5-0.

6. Project Update for COA-26-0016, 70 Middle Road

Planning and Zoning Director Wayne Bergman provided an update on the longstanding redevelopment of the landmarked property at 70 Middle Road, noting that the building permit expires on May 13, 2027, that several Construction Management Agreement milestones have not been met, and that staff is concerned the project will not be completed by the deadline. He explained that recent requests to demolish and reconstruct portions of the historic exterior prompted the Landmarks Preservation Commission to request an independent structural engineering review to identify alternatives that could preserve the original materials. Council members expressed frustration with the prolonged construction and its impact on neighbors, while emphasizing the need to move the project toward completion. Council Member Araskog questioned whether work on the windows and roof could proceed while the structural issues remain unresolved and encouraged the property owner to cooperate with staff and the independent engineer. Council President Pro Tem Crampton emphasized the project's length and urged staff to consider options to bring it to a conclusion. Council Member Moran asked about the timeline for the structural engineer's report and subsequent LPC review, while Council Member McDonald emphasized preserving the landmarked structure rather than further demolition and suggested improved construction screening for neighboring properties.

Council President Cooney called for public comment.

Attorney Greg Young, on behalf of 540 South Ocean Blvd LLP, representing the neighboring property at 101 Via Marina, expressed concern about the prolonged construction at 70 Middle Road and the property owner's failure to meet the Construction Management Agreement requirements. He urged the Town Council not to wait until the May 2027 permit expiration to address the situation and requested continued Council oversight and enforcement of the CMA. Mr. Young emphasized that the neighboring property owners support completion of the project and enforcement of existing requirements, but oppose actions that could further delay construction.

Council members continued discussing the enforcement of the Construction Management Agreement (CMA) and potential next steps. Mayor Moore asked about available remedies for violations, and Town Attorney O'Connor explained that substantial violations could result in cessation of work or code enforcement, while noting that staff and legal counsel are conducting a deeper review of available options and potential consequences. Council Member Araskog reiterated the need for the property owner to cooperate with the independent engineer, while Council President Pro Tem Crampton stated that the prolonged project has unfairly burdened the neighborhood and may ultimately require decisive action. Council Member McDonald encouraged moving forward with the staff's review. Staff confirmed that the structural engineer will prepare a report based on the available plans and photographs, as permission to access the property has not been granted.

A motion was made by Council Member Moran and seconded by Council Member McDonald to

reorder the agenda to hear ZON-26-0041, 375 S. Ocean Blvd., after matters pulled from consent. The motion was carried unanimously, 5-0.

7. MATTERS PULLED FROM CONSENT AGENDA

1. ZON-26-0033 313 ½ WORTH AVE. / 313 PERUVIAN AVE. - BICE RISTORANTE— SPECIAL EXCEPTION WITH SITE PLAN REVIEW The applicant, VIA BICE Worth Avenue LLC, has filed an application requesting Town Council review and approval to modify an existing Special Exception to allow an expansion of an existing restaurant into an adjacent 339 SF retail space with no change or increase in licensed seats in the C-TS zoning district.

Mr. Murphy provided staff comments on the project. There were no ex parte communications disclosed.

Council Member Araskog requested that the amended Declaration of Use include a requirement that an updated seating chart be maintained and available to Code Enforcement for inspection. Discussion clarified that Code Enforcement already has authority to verify compliance with approved seating limits, but staff agreed the amended Declaration of Use could incorporate the seating chart requirement as part of the updated plans. No public comment was received.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton that Special Exception and Site Plan Review No. ZON-26-0033, 313 1/2 Worth Avenue and 313 Peruvian Avenue 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, with the condition that the Declaration of Use Agreement is amended to include information stating that Code Enforcement can view the seating chart as requested. The motion was carried 5-0.

UNFINISHED BUSINESS

8. 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. *[The Landmark Preservation Commission Recommendation: Implementation of the proposed variance will not cause a negative impact on the subject property. Carried 7-0.] [The Landmark Preservation Commission approved the Landmark Adjustment. Carried 7-0.] [The Landmark Preservation Commission approved the project with conditions. Carried 7-0.]*

Council Members Araskog, McDonald, Moran, Council President Pro Tem Crampton, Council President Cooney, and Mayor Moore disclosed ex parte communications. Ms. Mittner provided staff comments on the project.

Attorney Maura Ziska, representing the property owners, presented a request to modify previously approved plans for the landmarked residence, including an approximately 400-square-

foot cabana addition that would increase lot coverage by approximately 1.8%. She explained that the revised design takes advantage of recently adopted provisions for landmarked properties and has received approval from the Landmarks Preservation Commission. Council members noted that the revised design improves upon the previous approval and restores elements reflective of the home's original design. In response to a question from Council Member Araskog, Ziska confirmed that letters of support were received from neighboring property owners. No public comment was received.

A motion was made by Council President Pro Tem Crampton and seconded by Council Member Moran that Variance No. ZON-26-0016, 1047 S. Ocean Blvd. 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, and as approved by the Landmarks Preservation Commission. The motion was carried 4-1, with Council Member Araskog dissenting.

NEW BUSINESS

9. ZON-26-0024 (ARC-26-0031) 2 S COUNTY RD. BREAKERS TENNIS CENTER (COMBO) – SPECIAL EXCEPTION W/ SITE PLAN REVIEW The applicant, The Breakers Palm Beach, Inc. (Darren Hirsowitz, Chief Financial Officer), has filed an application requesting Town Council review and approval for (1) a Special Exception with Site Plan Review for a new garden terrace area with bar & refreshment service cart and a corresponding (2) Special Exception for the outdoor café seating; for exclusive use of hotel members and guests utilizing the Breakers Tennis Center resort amenity. The Architectural Commission will perform design review for the application.

Council Members McDonald, Moran, Council President Cooney, and Mayor Moore disclosed ex parte communications. Ms. Mittner provided staff comments on the project.

Attorney Jaime Crowley, representing The Breakers, presented a request to create a seating area near the tennis and pickleball courts for hotel guests and club members to gather before or after play, with a small service cart offering refreshments, including alcoholic beverages. Council Member Araskog questioned the need for alcohol service and reviewed the proposed seating layout and service cart. Council members generally supported the request, noting that the area is well within the property, would not be visible to neighboring properties or from the street, would not affect parking or access, and would represent a logical amenity associated with the recreational facilities. No public comment was received.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Araskog that Special Exception and Site Plan Review No. ZON-26-0024, 2 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. The motion was carried 5-0.

**Note: A short break was taken at 11:03 a.m., and the meeting resumed at 11:10 a.m.*

10. ZON-26-0026 (HSB-26-0004) 335 COCOANUT ROW (COMBO) - VARIANCE The applicant, 335 Coconut Row Trust (Dustin Mizell, Environment Design Group, Representative), has filed an application requesting Town Council review and approval for one (1) variance to reduce the side (north) yard setback for a new pool for the property containing two (2) historically significant buildings. The overall scope of work includes landscape and hardscape modifications. The Landmarks Preservation Commission shall perform design review of the application. *[The Landmark Preservation Commission Recommendation: Implementation of the proposed variance will not cause a negative impact on the subject property. Carried 7-0.] [The Landmark Preservation Commission approved the project with conditions. Carried 7-0.]*

Council Members McDonald, Moran, Council President Cooney, and Mayor Moore disclosed ex parte communications. Ms. Mittner provided staff comments on the project.

Sean Twomey of Environment Design Group presented a variance request for 335 Coconut Row to reduce the required pool setback. He explained that the property is significantly undersized and narrow for the zoning district and contains two existing landmarked structures, creating limitations on the pool area. The owners propose a smaller pool to provide additional deck and sunlight area while maintaining a greater setback than the existing structures. Council Member Araskog asked about the reduction in pool size and whether neighboring property owners supported the request. Mr. Toomey confirmed that the owners requested the smaller pool to provide more deck space and that the neighbors had no objections. No public comment was received.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran that Variance No. ZON-26-0026, 335 Coconut Row 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 5-0.

11. ZON-26-0028 (ARC-26-0035) 1740 S OCEAN BLVD (COMBO) - VARIANCES The applicant, 149 BRAZILIAN LLC (SKA Architect & Planner), has filed an application requesting Town Council review and approval for three (3) variances for 1.) reduced south street yard setback, 2.) increased parapet height and 3.) reduction in landscape open space in conjunction with the request for a second-floor addition and remodeling. The Architectural Commission (ARCOM) shall perform design review of the application. *This project shall be deferred to the September 9, 2026, Town Council meeting, pending architectural design review.*

***Note: This item was deferred to September 9, 2026, upon the approval of the agenda.**

12. ZON-26-0029 (ARC-26-0033) 173 E INLET DR (COMBO) - VARIANCES The applicant, 173 E Inlet Land Trust (Daniel P. Tighe, Trustee), has filed an application requesting Town Council review and approval of two (2) variances to achieve a second story addition to an existing single-story structure including (1) a variance to exceed maximum lot coverage for a two-story structure and (2) a variance to exceed maximum permitted cubic content ratio. The Architectural Commission shall perform design review of the application. *This project shall be deferred to the September 9, 2026, Town Council meeting, pending architectural design review.*

****Note: This item was deferred to September 9, 2026, upon the approval of the agenda.***

- 13. ZON-26-0032 283 ROYAL POINCIANA WAY—SPECIAL EXCEPTION AND VARIANCE** The applicant, the Flagler System Management Inc., has filed an application requesting Town Council review and approval for a Special Exception for a permitted use greater than 3,000 SF in the C-TS zoning district to allow a single tenant to occupy a 5,433 SF office on the second floor of an existing two-story landmarked building and a variance to not supply the required off-street parking.

Mr. Murphy provided staff comments on the project. Council Member Moran and Council President Cooney disclosed ex parte communications.

Jamie Crowley presented a request on behalf of Flagler System Management Inc. to convert a landmarked office building from multiple tenants to a single tenant, which would result in previously excluded common areas being counted as leasable space and trigger a requirement for four additional parking spaces. He explained that the building has no onsite parking and that The Breakers would manage employee parking using its existing facilities. Council members questioned how the change in use affects the parking calculation and whether approval of the variance would run with the property. Discussion clarified that the additional parking requirement results from the technical treatment of common areas rather than an actual increase in office intensity, and Council members generally viewed the proposed single-tenant use as a decrease in intensity.

Council President Cooney called for public comment.

Anita Seltzer, 44 Cocoanut Row, stated that she did not oppose the application but raised concerns regarding consistency in the Town's review process, including traffic analyses, off-site parking, intensity of use, and construction management. Staff clarified that a Construction Management Agreement would not be required and that the adjacent parking lot would be used for construction activities.

Council members continued discussing the parking variance and its long-term implications. Mr. Crowley emphasized that The Breakers has invested significantly in restoring the landmarked building and that the single-tenant office use will result in reduced activity compared to the prior multi-tenant use. Council Member Araskog confirmed with staff that any approved parking variance would run with the land.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member McDonald that Special Exception and Site Plan Review No. ZON-26-0032, 283 Royal Poinciana Way 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. The motion was carried 5-0.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran that Variance No. ZON-26-0032, 283 Royal Poinciana Way 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 4-1, with Council Member

Araskog dissenting.

14. ZON-26-0040 (ARC-26-0039) 1236 S OCEAN BLVD (COMBO) - VARIANCE The applicant, John & Margaret Thornton (Kyle Fant, Bartholemew & Partners, architect), has filed an application requesting Town Council review and approval of a variance to expand the non-conforming third floor for an office expansion on an existing roof terrace. The Architectural Commission shall perform design review of the application. *[The Architectural Review Commission Recommendation: Implementation of the proposed variance will not cause a negative impact on the subject property. Carried 5-0.] [The Architectural Review Commission approved the project on consent. Carried 5-0.]*

Council members Moran and McDonald disclosed ex parte communications. Ms. Mittner provided staff comments on the project.

Kyle Fant of Bartholemew + Partners presented a variance request to expand an existing office connected to the primary bedroom into a roof terrace area that is already enclosed on three sides. He explained that the variance is required because an existing below-grade service area technically classifies the residence as three stories, making the structure nonconforming. Council Member Araskog questioned why a variance was necessary given the size of the property, and staff clarified that the request results solely from the existing three-story classification rather than lot coverage or property size. No public comment was received.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran that Variance No. ZON-26-0040, 1236 S. Ocean Blvd. 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 4-1, with Council Member Araskog dissenting.

15. ZON-26-0041 (ARC-26-0052) 375 S OCEAN BLVD - MID TOWN SEAWALL (COMBO) SITE PLAN REVIEW AND VARIANCE The applicant, the Town of Palm Beach (Public Works Department), has filed an application requesting Town Council review and approval for Site Plan Review for construction of a new linear Mid-Town seawall along South Ocean Boulevard from approximately south of Gulfstream Road to approximately north of Royal Palm Way necessitating a variance (1) to construct the seawall adjacent to but varying approximately 42" to 78" eastward of the existing beach wall and east of the Town of Palm Beach's Bulkhead Line. The Architectural Commission will perform design review of the application.

Council members Araskog, Moran, and Council President Cooney disclosed ex parte communications. Ms. Mittner provided staff comments on the project.

Town Engineer Patricia Strayer presented a variance request for the Midtown Seawall reconstruction, noting that the same request was previously approved in 2022 and would allow the new seawall to extend approximately 42 to 78 inches eastward of the existing seawall and Town bulkhead line. Council members confirmed that the request had not materially changed and asked about the appearance and design of the replacement wall. Ms. Strayer explained that the new design may be narrower than previously proposed and will maintain substantially the same appearance as the existing wall, while addressing prior concerns from the Architectural Commission. She also confirmed that the variance is necessary because the existing seawall cannot be removed, and the new structural wall must be constructed immediately adjacent to it.

No public comment was received.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member McDonald that Special Exception and Site Plan Review No. ZON-26-0041, 375 S. Ocean Blvd. 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. The motion was carried 5-0.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member McDonald that Variance No. ZON-26-0041, 375 S. Ocean Blvd. 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 5-0.

ORDINANCES

16. SECOND READING

16.1 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. *This item shall be deferred to the September 9, 2026, Town Council meeting, pending responses from the state review agencies.*

***Note: This item was deferred to September 9, 2026, upon the approval of the agenda.**

16.2 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. *This item shall be deferred to the September 9, 2026, Town Council meeting, pending responses from the state review agencies.*

***Note: This item was deferred to September 9, 2026, upon the approval of the agenda.**

16.3 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.

Council President Cooney read Ordinance 020-2026 by title only. No public comment was received.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Araskog to adopt Ordinance 20-2026 on second reading. The motion was carried unanimously, 5-0.

ANY OTHER BUSINESS

17. Filming Permit – Mac Duggal

Sophia Andries, on behalf of Mac Duggal, requested reconsideration of a filming application, proposing a reduced two-day schedule from 11:00 a.m. to 3:00 p.m., with filming concentrated near Worth Avenue and Coconut Row, and still photography in the surrounding blocks. She noted that the cast and crew had been reduced to eight people.

Council Member Araskog opposed allowing filming over two days, stating that similar applications had been limited to one four-hour period and should be treated consistently. She also raised concerns about the cumulative impact of filming activity and suggested reviewing the Town's regulations. Town Attorney O'Connor clarified that the Code allows the Council to impose conditions on filming permits and already limits the number of permits per month, while cautioning against a blanket refusal to approve future applications. Council Member Araskog reiterated her support for limiting the request to one day for four hours.

Yuvraj Dugal, owner of Mac Duggal, requested approval for the two-day filming schedule, emphasizing the company's experience conducting photo shoots worldwide and its commitment to minimizing disruptions and complying with Town regulations. He stated that filming in Palm Beach would provide valuable exposure for the brand and the area and expressed interest in establishing a positive relationship with the Town.

Council Member Moran noted that a second day of filming could be considered separately and expressed support for small-scale filming that is respectful and minimally disruptive. Council Member Araskog maintained that the request should be limited to one day to remain consistent with other recent applications and avoid setting a precedent for multi-day filming.

A motion was made by Council Member Araskog and seconded by Council Member Moran to approve the filming permit with the following conditions: one day permitted, for four hours between the hours of 10 a.m. and 3 p.m. 8 people maximum, and the location for filming will be the corner of Coconut Row and Worth Avenue, still shots allowed on the 200 and 300 block of Worth Avenue. The motion was carried unanimously, 5-0.

18. Waiver of Town Code Section 18-237, For Building Permit Extension at 228 Seaspray Ave.

Mr. Bergman introduced the building permit extension at 228 Seaspray Avenue. Chad, General Manager at Dunwood Construction, requested a permit extension for the renovation of a nearly 100-year-old residence, explaining that unforeseen structural, electrical, and engineering revisions have resulted in approximately 1 year of additional work. He stated that the project is substantially progressing and is expected to be completed before the end of the year. Council Member Araskog questioned whether outstanding design decisions remained and expressed concern about the requested 150-day extension. Chad clarified that most decisions have been finalized, with the landscape plan and certain final design details nearing completion. No public comment was received.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to approve the waiver of Town Code Section 18-237 for a building permit extension at 228 Seaspray Avenue, with the condition that any issues will be handled by the Director of Planning, Zoning, and Building. The motion was carried unanimously, 5-0.

19. Waiver of Town Code Section 18-237, For Building Permit Extension at 428 Seabreeze Ave.

Mr. Bergman introduced the building permit extension at 428 Seabreeze Avenue. Chad, General Manager at Dunwood Construction, requested an extension for the Crandall residence, stating that the project is now in its final stages and that the remaining work includes finishes and the completion of Public Works requirements. He expressed confidence that the project could be completed within the requested extension. Council Member Araskog noted that delays were not solely attributable to owner design changes but also resulted from material availability and other construction-related challenges. No public comment was received.

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to approve the waiver of Town Code Section 18-237 for a building permit extension at 428 Seabreeze Avenue. The motion was carried unanimously, 5-0.

20. Waiver of Town Code Section 18-237, For Building Permit Extension at 353 Peruvian Ave.

Mr. Bergman introduced the building permit extension at 353 Peruvian Avenue. Parker Smith, Vice President of John G. Mitchell, requested a 133-day permit extension, explaining that his firm assumed the project from a previous contractor and has spent time correcting excessive demolition and other structural issues. He stated that the project can be completed within the requested extension. Council Member Moran questioned whether the prior demolition was performed by a private provider and suggested tracking private providers when their work results in compliance issues or additional work for the Town. No public comment was received.

A motion was made by Council President Pro-Tem Crampton and seconded by Council Member Moran to approve the waiver of Town Code Section 18-237 for a building permit extension at 353 Peruvian Avenue. The motion was carried unanimously, 5-0.

ADJOURNMENT

A motion was made by Council Member Araskog and seconded by Council President Pro-Tem Crampton to adjourn the meeting at 12:14 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: September 8, 2026

To: Town Council
Via: Jason Debrincat, P.E., Public Works Director
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 change order to Techcrane International, LLC in the
amount of \$30,000 for delivery of the crane for the Sand Transfer Plant
Rehabilitation Project for a revised authorization of purchase order 261026 in
the amount of \$454,415.
106-2026
Date: 8/18/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 106-2026, approving a change order to Techcrane International, LLC in the amount of \$30,000 for delivery of the crane for the Sand Transfer Plant Rehabilitation Project for a revised authorization of purchase order 261026 in the amount of \$454,415.

SUMMARY EXPLANATION/BACKGROUND

When the original quote was received for the manufacturing of the new F30-50 Fixed Boom Crane for the Sand Transfer Plant, the method of delivery and associated cost were not included in the original scope. Town Council approved Resolution No. 056-2026 in the amount of \$424,415 on May 12, 2026. The original resolution did not include a contingency, which is why this item is being brought forward to Town Council to authorize proper funding.

The approval of the change order in the amount of \$30,000 will cover the cost associated with the transpiration of the Boom Crane from Louisiana.

FUNDING/FISCAL IMPACT

This item will be funded from account number - 309.50.800.539.30.09.22

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

Management of Environmental Threats

FUNDING

Coastal

RESOLUTION NO. 106-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING A CHANGE ORDER TO TECHCRANE INTERNATIONAL, LLC IN THE AMOUNT OF \$30,000 FOR DELIVERY OF THE CRANE FOR THE SAND TRANSFER PLANT REHABILITATION PROJECT FOR A REVISED AUTHORIZATION OF PURCHASE ORDER 261026 IN THE AMOUNT OF \$454,415.

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. 106-2026, approving a change order to Techcrane International, LLC in the amount of \$30,000 for delivery of the crane for the Sand Transfer Plant Rehabilitation Project for a revised authorization of purchase order 261026 in the amount of \$454,415.

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 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

Information for Town Council Meeting on: September 8, 2026

To: Town Council
Via: Jason Debrincat, P.E., Director of Public Works
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. 2026-026, Town Hall Window
Glazing to Ira Walden & Sons in the amount of \$227,920.
108-2026
Date: 8/28/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 108-2026, approving the award of ITB No. 2026-026, Town Hall Window Glazing to Ira Walden & Sons in the amount of \$227,920.

SUMMARY EXPLANATION/BACKGROUND

The Town sought bids from qualified contractors for the Town Hall Window Glazing Project. Town Hall has Tischler Windows, which requires a specific application of Tischler paints and materials that ensures compliance with application standards. Town Hall windows were last glazed and painted in 2020. Due to recent performance concerns with glazing, it was determined to move forward with this project a year a head of schedule. Public Works Facilities Staff have recently located signs of moisture on the interior walls in areas adjacent directly related to the windows.

The awarded vendor for this project has to be certified work on the Tischler windows. Tischler has been identified as a sole source product. The Town has engaged oversight for the project with a Tischler representative that will oversee the application of their product to ensure warranty.

FUNDING/FISCAL IMPACT

This project will be funded with Capital Funds.

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:

Sustainable Management of Town Assets

FUNDING

Capital

RESOLUTION NO. 108-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE AWARD OF ITB NO. 2026-026, TOWN HALL WINDOW GLAZING TO IRA WALDEN & SONS IN THE AMOUNT OF \$227,920.

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 the award of ITB No. 2026-026, Town Hall Window Glazing to Ira Walden & Sons in the amount of \$227,920.

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 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

Information for Town Council Meeting on: September 8, 2026

To: Town Council

Via: Jason Debrincat, P.E., Director of Public Works
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. 2026-055, Sand Transfer Plant
Crane Replacement and Pipeline Improvements to Gonzalez and Sons
Equipment, Inc. in the amount of \$1,071,093, establishing a contingency in the
amount of \$215,000 and establishing a project budget in the amount of
\$1,286,093
109-2026

Date: 8/28/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 109-2026, approving the award of ITB No. 2026-055, Sand Transfer Plant Crane Replacement and Pipeline Improvements to Gonzalez and Sons Equipment, Inc. in the amount of \$1,071,093, establishing a contingency in the amount of \$215,000 and establishing a project budget in the amount of \$1,286,093

SUMMARY EXPLANATION/BACKGROUND

Town Procurement issued ITB No. 2026-055 for the Sand Transfer Plant Crane Replacement and Pipeline Improvements. Kimley-Horn and Associates, Inc. prepared the bid scope for this project. The Town hosted a pre-bid meeting on July 29, 2026. On August 21, 2026, the Town received two (2) bids: one from Gonzalez and Sons Equipment, Inc. for \$1,071,093 and the other from Murray Logan Construction, Inc. for \$1,396,800. The Engineer's Opinion of Probable Construction Cost for the project was \$1,128,080, exclusive of the materials that were direct purchased by the Town.

(KHA) reviewed the bid proposal for the apparent low bidder to determine if the bid was responsive and responsible. The apparent low bidder was Gonzalez and Sons Equipment, Inc. with a bid amount of \$1,071,093. The results of our review are as follows:

- The bid tabulation appears to be complete and has values for all items listed in the bid schedule.
- The bid is 5% less than the Engineer's Opinion of Probable Cost provided by KHA.
- The similar projects submitted to the Town to demonstrate their experience show relevance for pipeline improvements and value vault scope as well as over-water marine structures work and welding activities. However, there were no projects

that involved installation and commissioning of a fixed crane.

- To address the concern of the crane installation and commissioning, the contractor's detailed project approach states that they have included in their bid that a representative from the crane manufacturer would present on site for eight days during the crane commissioning. KHA believes that this direct involvement from the crane manufacturer provides a greater degree of confidence that the fixed crane can be successfully replaced by the contractor.
- The list of current and pertinent professional reference form is complete with five references. The Town contracted these references and they all stated positive experiences with Gonzalez and Sons and their past project successes on multiple occasions.

FUNDING/FISCAL IMPACT

This project will be funded from 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:

Sustainable Management of Town Assets

Management of Environmental Threats

FUNDING

Coastal

RESOLUTION NO. 109-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING THE AWARD OF ITB NO. 2026-055, SAND TRANSFER PLANT CRANE REPLACEMENT AND PIPELINE IMPROVEMENTS TO GONZALEZ AND SONS EQUIPMENT, INC. IN THE AMOUNT OF \$1,071,093, ESTABLISHING A CONTINGENCY IN THE AMOUNT OF \$215,000 AND ESTABLISHING A PROJECT BUDGET IN THE AMOUNT OF \$1,286,093

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 the award of ITB No. 2026-055, Sand Transfer Plant Crane Replacement and Pipeline Improvements to Gonzalez and Sons Equipment, Inc. in the amount of \$1,071,093, establishing a contingency in the amount of \$215,000 and establishing a project budget in the amount of \$1,286,093

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 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
ITB No. 2026-055
Sand Transfer Plant Crane Replacement
and Pipeline Improvements

		Total Cost	
#	Items	Unit of Measure	Quantity
1	SAND TRANSFER PLANT CRANE REPLACEMENT AND PIPELINE IMPROVEMENTS (7)		
#1-1	General Items (Includes Mobilization, MOT, & Site Restoration)	LS	1
#1-2	Performance and Payment Bonds (pass through cost, no markup)	LS	1
#1-3	Insurance (pass through cost, no mark up)	LS	1
#1-4	Pipe Replacement	LS	1
#1-5	Pipe Vault Construction	LS	1
#1-6	Crane Support Rehab	LS	1
#1-7	Crane Replacement	LS	1

**Gonzalez and Sons
Equipment, Inc**

**Murray Logan
Construction, LLC**

\$1,071,093.00		\$1,396,800.00	
Unit	Total	Unit	Total
Price	Cost	Price	Cost
\$20,721.00	\$20,721.00	\$90,000.00	\$90,000.00
\$10,121.00	\$10,121.00	\$5,700.00	\$5,700.00
\$6,650.00	\$6,650.00	\$20,000.00	\$20,000.00
\$406,378.00	\$406,378.00	\$682,800.00	\$682,800.00
\$222,728.00	\$222,728.00	\$84,600.00	\$84,600.00
\$276,930.00	\$276,930.00	\$244,580.00	\$244,580.00
\$127,565.00	\$127,565.00	\$269,120.00	\$269,120.00
Apparent Awardee			



August 28, 2026

Dennis Polski, P.E.
Town of Palm Beach – Public Works Department
951 Okeechobee Rd, Suite “A”
West Palm Beach, FL 33401

RE: *Sand Transfer Plant Crane Replacement and Pipeline Improvements. ITB NO 2026-055 Bid Review.*

Dear Dennis:

The Town of Palm Beach (“Town”) publicly advertised the bid documents for the Sand Transfer Plant Crane Replacement and Pipeline Improvements project and hosted a pre-bid meeting on July 29, 2026. On August 21, 2026, the Town received two (2) bids: one from Gonzalez and Sons Equipment, Inc. for \$1,071,093 and the other from Murray Logan Construction, Inc. for \$1,396,800. The Engineer’s Opinion of Probable Construction Cost for the project was \$1,128,080, exclusive of the materials that were direct purchased by the Town.

Kimley-Horn reviewed the bid proposal for the apparent low bidder to determine if the bid was responsive and responsible. The apparent low bidder was Gonzalez and Sons Equipment, Inc. with a bid amount of \$1,071,093. The results of our review are as follows:

- The bid tabulation appears to be complete and has values for all items listed in the bid schedule.
- The bid is 5% less than the Engineer’s Opinion of Probable Cost provided by Kimley-Horn.
- The similar projects submitted to the Town to demonstrate their experience show relevance for the pipe improvements and valve vault scope of work as well as over-water marine structures work and welding activities. However, there were no projects that involved installation and commissioning of a fixed crane.
- To address the concern of the crane installation and commissioning, the contractor’s detailed project approach states that they have included in their bid that a representative from the crane manufacturer would be present on site for 8 days during the crane commissioning process. We believe that this direct involvement from the crane manufacturer provides a greater degree of confidence that the fixed crane can be successfully replaced by the contractor.
- The list of current & pertinent professional references form is complete with 5 references. The Town contacted these references and they all stated positive experiences with Gonzalez and Sons and their past project successes on multiple occasions.

Based on the results of our review, it is our opinion that Gonzalez and Sons Equipment, Inc. submitted the lowest responsive, responsible bid for the Sand Transfer Plant Crane Replacement and Pipeline Improvements Project.

Should you have any questions, please feel free to contact me at 561-421-1640.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "Carly-Cliff Derosier".

Carly-Cliff Derosier, P.E.

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 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, ratifying award authority for Resolution No. 071-2025 to
coincide with annual department budget approvals for purchases with Amazon
for Office Supplies, Furniture, IT Supplies, Mechanical Parts, Electrical Parts and
Automotive Parts until the contract expires, or there is lack of budget funding, or
unsatisfactory performance.
110-2026
Date: 8/20/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 110-2026, ratifying award authority for Resolution No. 071-2025 to coincide with annual department budget approvals for purchases with Amazon for Office Supplies, Furniture, IT Perphial Supplies, Mechanical Parts, Electrical Parts and Automotive Parts until the contract expires, or there is lack of budget funding, or unsatisfactory performance.

SUMMARY EXPLANATION/BACKGROUND

The Town was able to access the Amazon Contract through a national cooperative contract with OMNIA Partners via contract number R-TC-17006. The Town coordinated with Amazon for preferred pricing for our most purchased items related to the following categories: office supplies, office furniture, IT accessories, mechanical and electrical parts and automotive parts. Procurement and Contract Management took Resolution No. 071-2025 to Town Council to approve the use of Amazon for the Town on July 8, 2025. We have had a very successful engagement with Amazon.

The use of Amazon has been a useful tool for the Town Staff. A limited number of accounts were created for each department and are carefully monitored. For FY26, the negotiated best pricing reflected a savings to the Town in the amount of \$11,234.48.

The purpose of this resolution is to provide authorization for each department based on their approved budget.

FUNDING/FISCAL IMPACT

Funding for this ratification will be from each department's approved 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, Mobility and Transportation, Environmental Stewardship, Safe and Resilient Community

Strategic Focus Areas:

Collaborative Town Government

Sustainable Management of Town Assets

FUNDING

Operating

RESOLUTION NO. 110-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AWARD AUTHORITY FOR RESOLUTION NO. 071-2025 TO COINCIDE WITH ANNUAL DEPARTMENT BUDGET APPROVALS FOR PURCHASES WITH AMAZON FOR OFFICE SUPPLIES, FURNITURE, IT SUPPLIES, MECHANICAL PARTS, ELECTRICAL PARTS AND AUTOMOTIVE PARTS UNTIL THE CONTRACT EXPIRES, OR THERE IS LACK OF BUDGET FUNDING, OR UNSATISFACTORY 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. 110-2026, ratifying award authority for Resolution No, 071-2025 to coincide with annual department budget approvals for purchases with Amazon for Office Supplies, Furniture, IT Supplies, Mechanical Parts, Electrical Parts and Automotive Parts until the contract expires, or there is lack of budget funding, or unsatisfactory performance.

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 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

Information for Town Council Meeting on: September 8, 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, ratifying award authority for Resolution No. 111-2024 in the
amount of \$580,000 annually for Planning, Zoning and Building Department for
Plans, Review, and Inspection Contracted Services until the contract expires,
annual funding is authorized, or unsatisfactory performance.
111-2026
Date: 8/20/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 111-2026, ratifying award authority for Resolution No. 111-2024 in the amount of \$580,000 annually for Planning, Zoning and Building Department for Plans, Review, and Inspection Contracted Services until the contract expires, annual funding is authorized, or unsatisfactory performance.

SUMMARY EXPLANATION/BACKGROUND

The Planning, Zoning, and Building Department utilizes contracted services to augment the Plans, Review, and Inspection Services on an annual basis. The original award of the resolution was made at the September 10, 2024, Town Council Meeting. The contract period is for a period of five-years based on annual budget authorization and satisfaction.

The purpose of this resolution is to provide authorization for the Planning, Zoning, and Building Department to use the awarded contract based on their annual approved budget.

FUNDING/FISCAL IMPACT

These projects will be funded by the Building 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:

Community Culture and Character, Safe and Resilient Community

Strategic Focus Areas:
Community Preservation
Quality of Life

FUNDING
Operating

RESOLUTION NO. 111-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AWARD AUTHORITY FOR RESOLUTION NO. 111-2024 IN THE AMOUNT OF \$580,000 ANNUALLY FOR PLANNING, ZONING AND BUILDING DEPARTMENT FOR PLANS, REVIEW, AND INSPECTION CONTRACTED SERVICES UNTIL THE CONTRACT EXPIRES, ANNUAL FUNDING IS AUTHORIZED, OR UNSATISFACTORY 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. 111-2026, ratifying award authority for Resolution No. 111-2024 in the amount of \$580,000 annually for Planning, Zoning and Building Department for Plans, Review, and Inspection Contracted Services until the contract expires, annual funding is authorized, or unsatisfactory performance.

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 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

RESOLUTION NO. 114-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING AN EXTENSION OF AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY FOR VEHICLE MAINTENANCE FOR FIRE RESCUE IN THE AMOUNT OF \$250,000 FOR FY27.

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.114-2026 approving an extension of an Interlocal Agreement with Palm Beach County for Vehicle Maintenance for Fire Rescue in the amount of \$250,000 for FY27.

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 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

Information for Town Council Meeting on: September 8, 2026

To: Town Council
Via: Kirk Blouin, Town Manager
From: Wayne Bergman, Director of Planning, Zoning, & Building
Re: Request to Hear Proposed Ordinance Nos. 012-2026 and 013-2026, prior to 5:00 p.m. on Wednesday, September 9, 2026, Town Council Development Review Meeting agenda.
Date: 8/28/2026

STAFF RECOMMENDATION

Staff recommends that the Town Council, acting as the Local Planning Agency, conduct the public hearing on proposed Ordinance Nos. 012-2026 and 013-2026, prior to 5:00 p.m.

Ordinance Nos. 012-2026 and 013-2026 will be heard at second reading on Wednesday, September 9, 2026, with a possible adoption at the regular Development Review Town Council meeting immediately following the LPA meeting on Wednesday, September 9, 2026.

GENERAL INFORMATION

Pursuant to Chapter 166.041, F.S., the local governing body is required to hold two (2) advertised public hearings on a proposed ordinance. At least one hearing is held after 5:00 p.m. on a weekday, unless the local governing body, by a majority plus one vote, elects to conduct that hearing at another time of day. The first public hearing shall be held at least seven (7) days after the day that the first advertisement is published. The second hearing shall be held at least 10 days after the first hearing and shall be advertised at least five (5) days prior to the public hearing.

TOWN ATTORNEY REVIEW

The subject code amendments have been reviewed and approved for legal form and sufficiency.

STRATEGIC PLAN

Strategic Priorities:
Governmental Leadership and Innovation

Strategic Focus Areas:
Cooperative Relationships

FUNDING

No Fiscal Impact

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 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, ratifying award authority for Resolution No. 112-2024, in the
annual amount of \$1,550,000 for various departments for contracted Temporary
Staffing Solutions for Manual and Semi-Skilled positions until the contracts
expire, annual funding is authorized, or unsatisfactory performance.
112-2026
Date: 8/31/2026

STAFF RECOMMENDATION

Staff recommends the Town Council approve Resolution No. 112-2026, ratifying award authority for Resolution No. 112-2024, in the annual amount of \$1,550,000 for various departments for contracted Temporary Staffing Solutions for Manual and Semi-Skilled positions until the contracts expire, annual funding is authorized, or unsatisfactory performance.

SUMMARY EXPLANATION/BACKGROUND

Town Council awarded Resolution No. 112-2024 in September 2024 for a five-year period for Manual and Semi-Skilled Services. The primary user of these contracts is the Recreation Department. The vendors supply staffing for the tennis centers, marina, recreation center, and golf course.

During FY26, purchase orders were issued at a total dollar value of \$1,490,750. During FY25, purchase orders in the amount of \$1,258,111 were issued.

Purchase orders were issued for FY26 as follows for Recreation:

- Recreation Department, Golf Course and Clubhouse Maintenance in the amount of \$453,820 - Spur contract employees provide supplemental support to Town staff in maintaining the golf course grounds. Spur employees are onsite seven days a week, working alongside Town staff to help maintain the course to the high standards expected at the Palm Beach Par 3. They also provide occasional assistance with minor clubhouse maintenance and other operational needs as necessary.
- Recreation Department, Golf Course Associates in the amount of \$392,700 — Spur contract employees also provide supplemental support to Town staff with

clubhouse operations, primarily through staffing the Pro Shop and serving as the Town's golf course starters. This additional staffing helps support daily operations and contributes to an efficient and welcoming experience for golfers.

- Recreation Department, Tennis in the amount of \$86,500 - Spur contract employees provide supplemental staffing support to the Town's three full-time tennis professionals, primarily assisting with Pro Shop operations at both the Seaview Park Tennis Center and Phipps Ocean Park Racquet Center. Their support helps ensure consistent staffing and smooth day-to-day operations across both facilities.
- Recreation Department, Contractual Labor in the amount of \$200,000 - Spur contract employees provide supplemental support to Town full-time staff across a variety of Recreation operations, including front desk coverage, Camp Palm Beach, the After School Program, and general labor support for grounds maintenance, facility needs, and program and event setup.
- Recreation Department, Marina in the amount of \$50,000 - Spur contract employees provide supplemental staffing support to the Town's full-time and part-time employees, primarily serving as dock attendants to help ensure consistent coverage and support daily marina operations.

Purchase orders were issued for FY26 as follows for other departments:

- Fire/EMS Department, Lifeguard in the amount of \$75,000
- IT Department, GIS Technician in the amount of \$130,000. GIS engaged additional resources to address various project portfolios related to parking, street lighting, historic trees, paving layers, undergrounding (transformer cleanup), fire hydrants, and beach access stairs. There were a number of projects that were addressed to meet Townwide objectives. For FY27, the IT Department has projected reducing the need by twenty percent.
- IT Department, Help Desk in the amount of \$50,000. This position was used to supplement the help desk to meet operational needs of internal stakeholders.
- Police Department, Vehicle Technician in the amount of \$10,374
- Public Works Contractual Labor for Parks in the amount of \$42,356.40. Public Works required additional laborers to augment staffing for their Streets and Parks Programs.

The purpose of this resolution is to provide authorization for the user Departments to use the awarded contract based on their annual approved budget.

FUNDING/FISCAL IMPACT

Funding for this program within the Recreation Department is from the Recreation Enterprise Funds and the general fund for the Recreation Center Services. Funds from other departments requiring these services will be from their respective Operating Budgets in FY27.

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, Community Culture and Character

Strategic Focus Areas:

Sustainable Management of Town Assets

FUNDING

Operating

RESOLUTION NO. 112-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, RATIFYING AWARD AUTHORITY FOR RESOLUTION NO. 112-2024, IN THE ANNUAL AMOUNT OF \$1,550,000 FOR VARIOUS DEPARTMENTS FOR CONTRACTED TEMPORARY STAFFING SOLUTIONS FOR MANUAL AND SEMI-SKILLED POSITIONS UNTIL THE CONTRACTS EXPIRE, ANNUAL FUNDING IS AUTHORIZED, OR UNSATISFACTORY 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 approve Resolution No. 112-2026, ratifying award authority for Resolution No. 112-2024, in the annual amount of \$1,550,000 for various departments for contracted Temporary Staffing Solutions for Manual and Semi-Skilled positions until the contracts expire, annual funding is authorized, or unsatisfactory performance.

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 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

RESOLUTION NO. 112-2024

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AWARDED ITB NO. 2024-26, TEMPORARY STAFFING SERVICES, MANUAL AND SEMI-SKILLED TO COMMUNITY CONNECT STAFFING SOLUTIONS AS THE PRIMARY AWARDEE, SPUR STAFFING AS THE SECONDARY AWARDEE AND A&A ASSOCIATES AS THE TERTIARY AWARDEE FOR A FIVE-YEAR AWARD CONTINGENT UPON SATISFACTORY SERVICE AND ANNUAL BUDGET AUTHORIZATION FOR THE RECREATION DEPARTMENT AND AWARDED PURCHASE ORDERS FOR FY25 TO THE AWARDED VENDORS IN A TOTAL AMOUNT NOT-TO-EXCEED \$1,089,946

NOW, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

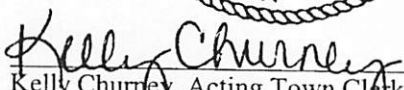
Section 1. The Town Council of the Town of Palm Beach hereby approves Resolution No. 112-2024, awarding ITB No. 2024-26, Temporary Staffing Services, Manual and Semi-Skilled to Community Connect Staffing Solutions as the primary awardee, Spur Staffing as the secondary awardee and A&A Associates as the tertiary awardee for a five-year award contingent upon satisfactory service and annual budget authorization for the Recreation Department and awarding purchase orders for FY25 to the awarded vendors in a total amount not-to-exceed \$1,089,946.

Section 2. The Town Manager is hereby authorized to execute the Purchase Orders 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 this 10th day of September, 2024

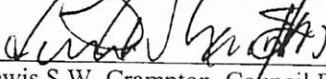

Danielle H. Moore, Mayor

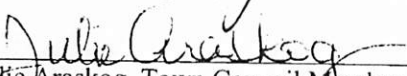
ATTEST

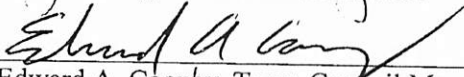

Kelly Churney, Acting Town Clerk

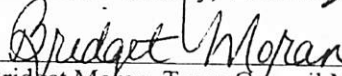



Bobbie D. Lindsay, Town Council President


Lewis S.W. Crampton, Council President Pro Tem


Julie Araskog, Town Council Member


Edward A. Cooney, Town Council Member


Bridget Moran, Town Council Member

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 2026

To: Town Council
Via: Kirk W. Blouin, Town Manager
From: Kelly Churney, CMC, Town Clerk
Re: Discussion Regarding Time for Town Caucus to be Held on Tuesday, December 1, 2026

Date: 8/31/2026

STAFF RECOMMENDATION

Town Staff recommends that the Town Council set the time for the 2026 Town Caucus on Tuesday, December 1, 2026, taking into consideration the scheduled Planning and Zoning Commission meeting and holiday events scheduled for that day.

GENERAL INFORMATION

Pursuant to Section 5.03 of the Town Charter and Section 34-56 of the Town Code, the Town Clerk is required to call the annual Town Caucus for the purpose of nominating candidates for Mayor and members of the Town Council. Ordinance No. 25-2021 amended these provisions to allow the Town Council to set the caucus time.

By law, the caucus must be held on the first Tuesday in December or on a date at least ninety-five (95) days prior to the March general election, whichever occurs first. For the 2027 election cycle, the caucus will be held on Tuesday, December 1, 2026.

Several other events are scheduled for December 1. The Planning and Zoning Commission will hold its December meeting that day. In addition, the Town Hall Square Memorial Fountain holiday festivities will begin at 5:00 p.m., with the tree lighting at 5:30 p.m. The Worth Avenue Holiday Tree Lighting festivities will begin at 6:00 p.m., with the tree lighting occurring at approximately 6:24 p.m.

Last year, under similar circumstances, the Town Council established the caucus time at 3:30 p.m. to avoid conflicts with the scheduled holiday events.

STRATEGIC PLAN

Strategic Priorities:

Community Culture and Character

Strategic Focus Areas:

Cooperative Relationships

Quality of Life

Collaborative Town Government

FUNDING

No Fiscal Impact

ORDINANCE NO. 25-2021

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE 18-2021 AT SECTION 2 RELATING TO SECTION 34-56, NOTICE TO THE QUALIFIED VOTERS OF THE TOWN OF PALM BEACH, **TO DELETE THE REFERENCE TO THE TIME OF THE CAUCUS; ADDING A NEW SECTION 3 PROVIDING FOR AN AMENDMENT TO SECTION 34-81 TITLED PETITION CONFIRMING NOMINATION REQUIRED; FORM; AMENDING THE FORM OF THE PETITION TO SUBSTITUTE THE MONTH OF DECEMBER FOR THE MONTH OF JANUARY TO CONFORM TO THE NEW CAUCUS DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Ordinance 18-2021 provided at Section 34-56 a time of 7:00 p.m. for the time of the caucus in December; and

WHEREAS, the Town Council wishes the time for the caucus to remain flexible and based on a time declared appropriate by the Town Council; and

WHEREAS, Ordinance 18-2021 neglected to amend Section 34-81 to change the month of the Town Caucus from January to December in order to be consistent with the new caucus date prescribed in Section 34-56; and

WHEREAS, the Town Council wishes to amend Ordinance 18-2021 to incorporate these changes; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Ordinance 18-2021 is hereby amended at Section 2, Calling and Notice of Caucus, to read as follows:

Sec. 34-56. - Calling and notice of caucus.

Each year the town clerk shall call a caucus of the qualified voters of the town for the purpose of nominating candidates for mayor and the town council. Such caucus shall be held as provided by section 5.03 of the Charter and shall be called by the clerk publishing the following notice in a newspaper having a general circulation in the town on the last two Mondays in November and the first Monday in December:

Notice to the Qualified Voters of
The Town of Palm Beach

You and each of you are hereby notified that a caucus of the qualified voters of the Town of Palm Beach, Florida, will be held in the town council chambers of the town hall at 7:00 p.m. at a time declared by the Town Council on the first Tuesday of December, or on a date at least ninety-five (95) days prior to the election date, whichever comes first, for the purpose of nominating a mayor and _____ councilmembers, to be voted on at the general election to be held in the town on the second Tuesday in March.

All qualified voters of the town are entitled to be present and to place in nomination such candidates as they desire. For a nomination to be effective, it must be seconded and all nominations and seconds thereto may be made only by qualified voters of the town.

Dated, _____ day of _____, 20__.

/s/ _____
Town Clerk

All other sections of Section 34-56 shall remain unchanged.

Section 2. Section 34-81 of the Town Code of Ordinances titled Petition Required for Nomination, Form is hereby amended to read as follows:

Sec. 34-81. Petition confirming nomination required; form.

In order that any candidate may appear on the official ballot at the general election he shall, in addition to being nominated at the required caucus, file or cause to be filed with the town clerk the petition required by section 5.03(b) of the Charter. Such petition shall be in the following form:

*To the Town Council
of the Town of Palm Beach:*

The undersigned qualified voters of the Town of Palm Beach do hereby confirm the nomination of _____ as (councilmembers or mayor, as the case may be) regularly made at the caucus held at the town hall on the first Tuesday of ~~January~~ December, or on a date at least ninety-five (95) days prior to the election date, whichever comes first, and do hereby petition your honorable body to place his name on the official ballot to be used in the general election in group_ (in the event of the nomination for mayor, the group shall not be designated).

(Code 1982, § 2-28)

Section 3. Severability.

If any provision of this Ordinance or the application thereof is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can

be given effect without the invalid provisions or applications, and to this end the provisions of this Ordinance are hereby declared severable.

Section 4. Repeal of Ordinances in Conflict.

All other ordinances of the Town of Palm Beach, Florida, or parts thereof, which conflict with this or any part of this Ordinance are hereby repealed.

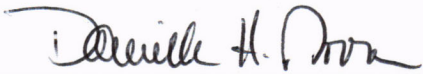
Section 5. Codification.

This Ordinance shall be codified and made a part of the official Code of Ordinances of the Town of Palm Beach.

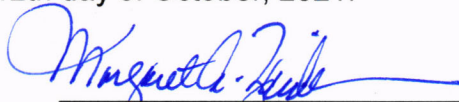
Section 6. Effective Date.

This Ordinance shall take effect immediately upon its passage and approval, as provided by law.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach on first reading this 23rd day of September, 2021, and for second and final reading on this 12th day of October, 2021.



Danielle H. Moore, Mayor



Margaret A. Zeidman, Council President



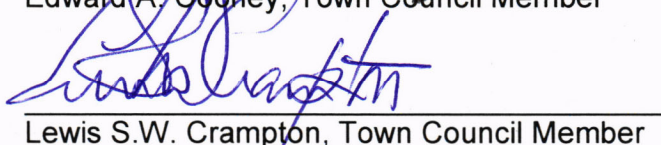
Bobbie Lindsay, Council President Pro Tem



Julie Araskog, Town Council Member



Edward A. Cooney, Town Council Member



Lewis S.W. Crampton, Town Council Member



ATTEST:



Queenester Nieves, CMC, Town Clerk

Sec. 34-56. Calling and notice of caucus.

Each year the town clerk shall call a caucus of the qualified voters of the town for the purpose of nominating candidates for mayor and the town council. Such caucus shall be held as provided by Section 5.03 of the Charter and shall be called by the clerk publishing the following notice in a newspaper having a general circulation in the town on the three Mondays immediately preceding the qualification date:

*Notice to the Qualified Voters of
the Town of Palm Beach*

You and each of you are hereby notified that a caucus of the qualified voters of the Town of Palm Beach, Florida, will be held in the town council chambers of the town hall at a time declared by the Town Council on the first Tuesday of December, or (date) (which is a date at least ninety-five (95) days prior to the election date), whichever comes first, for the purpose of nominating a Mayor and _____ Councilmembers, to be voted on at the general election to be held in the Town on the second Tuesday in March.

All qualified voters of the Town are entitled to be present and to place in nomination such candidates as they desire. For a nomination to be effective, it must be seconded by not more than three (3) electors and all nominations and seconds thereto may be made only by qualified voters of the Town.

Dated, _____ day of _____, 20____.

	/s/ Town Clerk
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(Code 1982, § 2-24; Ord. No. 22-2017, § 2, 8-9-2017; Ord. No. 18-2021, § 2, 8-10-21; Ord. No. 25-2021, § 1, 10-12-21)

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 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: 8/27/2026

GENERAL INFORMATION

The Town of Palm Beach maintains public beach areas that serve as an important recreational resource for residents and visitors. As part of its responsibility to manage these areas, staff recommends establishing a permitting program for the commercial placement and operation of beach furniture at Midtown Beach, from an area 150 feet north of Royal Palm Way south to Gulfstream Road, and at the public beach at the end of Sunset Avenue. The program is intended to preserve public access, maintain public safety, and ensure that permitted beach furniture operations are conducted in an orderly, safe, and aesthetically appropriate manner, while allowing the Town to recover costs associated with administering, maintaining, protecting, and preserving these public beach areas.

The proposed ordinance establishes a commercial Beach Amenity Permit Program to regulate the placement and operation of commercial beach furniture on Midtown and Sunset beaches. The program requires hotels and resorts to obtain an Annual Beach Amenity Permit before operating on Midtown and Sunset Avenue beaches. Eligibility is limited to hotels and resorts whose principal place of business is located within the Town, with permit allocations limited to five (5) permits for Midtown Beach and one (1) permit for Sunset Avenue Beach.

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 Midtown and Sunset Avenue 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 these 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 Midtown and Sunset Avenue 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 public beaches known as the Midtown Beach and the Sunset Avenue Beach; and

WHEREAS, the Town’s public beaches are a finite and valuable public resource held in trust for the use and enjoyment of residents and visitors alike; and

WHEREAS, the Town of Palm Beach Code of Ordinances, specifically Sec. 74-192, prohibits commercial activities on public beaches within the Town;

WHEREAS, the Town Council desires to enact an ordinance and administrative policy to regulate the conduct of hotels and resorts in the Town utilizing its Amenity Beaches to better align with current demand and better serve the community;

WHEREAS, hotels and resorts derive substantial economic benefit from providing beach furniture and related amenities to their guests upon the Midtown and Sunset Avenue Beaches; and

WHEREAS, such commercial use of the public Midtown and Sunset Avenue 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, hotels and resorts benefiting from the use of the Midtown and Sunset Avenue 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 Midtown and Sunset Avenue Beaches while preserving public access and enjoyment; and

WHEREAS, limiting commercial use of the Midtown and Sunset Avenue Beaches to hotels and resorts in the Town 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 the Midtown and Sunset Avenue 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 the Midtown and Sunset Avenue Beaches by hotels and resorts 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 Midtown and Sunset Avenue Beaches and is not intended to generate general revenue for the Town.

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

Sec. 1. The recitations set forth above are true and correct and incorporated herein as legislative findings of the Town Council.

Sec. 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 allowing and regulating the commercial placement and operation of beach furniture upon the

Midtown Beach, beginning at an area 150 feet north of Royal Palm Way south to Gulfstream Road (the "Midtown Beach"), and the public beach at the end of Sunset Avenue (the Sunset Avenue Beach"), while ensuring that public access to these beaches is preserved; public safety is maintained; beach furniture operations are conducted in an orderly, safe, and aesthetically appropriate manner; any other commercial activity on the public beaches of the Town remains prohibited pursuant to Town Code Sec. 74-192; and the Town recovers a portion or all of the costs associated with administering, maintaining, protecting, and preserving its public beaches.

Sec. 74-230. Annual Beach Amenity Permit Required.

(a) No hotel or resort shall place, maintain, or operate beach furniture upon the Midtown Beach or the Sunset Avenue Beach within the Town without first obtaining an Annual Beach Amenity Permit issued by the Town.

(b) No permit will issue for public beaches other than the Midtown and Sunset Avenue Beaches.

(c) Annual Beach Amenity Permits shall only be issued to hotels or resorts located in the Town.

(d) The number of permits issued will be capped by location as follows:

1. Up to five (5) Annual Beach Amenity Permits for the Midtown Beach.
2. Up to one (1) Annual Beach Amenity Permit for the Sunset Avenue Beach.

(e) The Town Manager shall allocate permits based upon the following objective criteria:

1. Proximity of the business to the each for which a permit is sought;
2. Historical participation in the program;
3. Available beach width;
4. Public safety considerations;
5. Environmental impacts;
6. Public access requirements; and
7. The overall public interest.

(f) Each Annual Beach Amenity Permit shall expire annually on September 30 unless renewed in accordance with the provisions of this Division.

(g) 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.

(h) The issuance of an Annual Beach Amenity Permit shall only constitute a revocable license authorizing the permittee to operate within a designated area of the beach in accordance with the provisions of this Division.

(i) 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 within the Midtown Beach or Sunset Avenue Beach that is authorized for use by each permittee ("Designated Beach Area").

(b) Unless otherwise approved by the Town Council, each permit shall be limited to a maximum of:

1. Ten (10) umbrellas; and
2. Twenty (20) 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 Midtown or Sunset Avenue Beaches. These public beaches shall remain open and available for use by the public in accordance with applicable law.

(g) Permittees shall comply with and shall require that their guests comply with all provisions of the Town Code including, but not limited to, Town Code Sec. 74-190. – Ball playing; throwing missiles.; 74-191. – Animals prohibited.; 74-193. – Drinking and smoking.; 74-194. – Gymnastic Equipment.; 74-195 – Motor vehicles.; 74-196. – Presence during closed hours; hours specified.; 74-199 – Fires.

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 Midtown and Sunset Avenue 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 Midtown and Sunset Avenue 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.

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 Midtown and Sunset Avenue beaches. The ordinance requires hotels and resorts located within town 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;

Hotels and resorts seeking to commercially operate beach furniture on Midtown and Sunset Avenue 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 Midtown and Sunset Avenue 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.

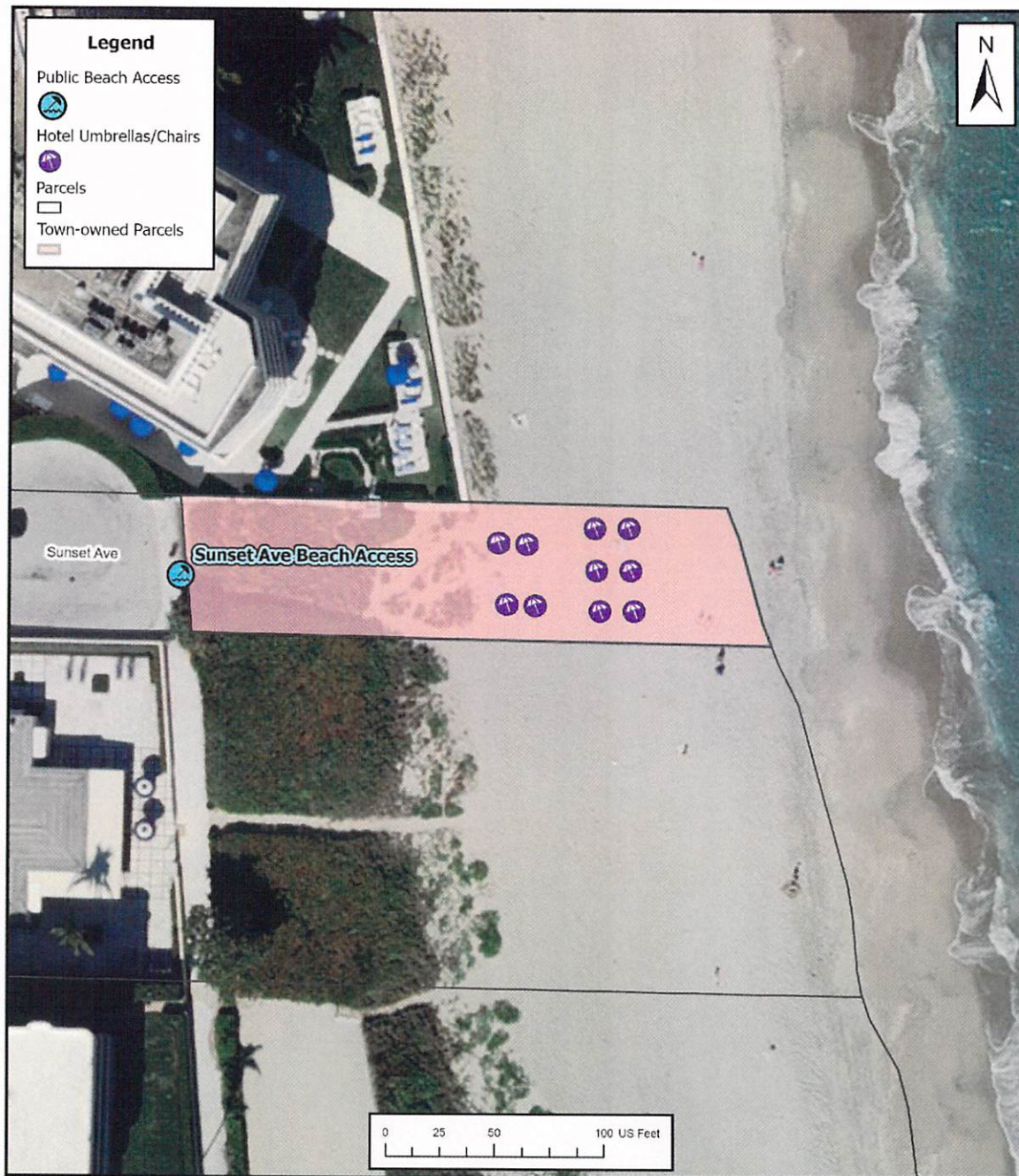
The ordinance will require Town staff to administer the permitting program, review permit applications, conduct inspections, designate beach areas, monitor compliance, enforce ordinance provisions, process permit renewals, administer appeals, and periodically review permit fees. The ordinance contemplates 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 and resorts that seek to commercially operate beach furniture on Midtown and Sunset Avenue 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 Midtown and Sunset Avenue beaches. While it creates new permitting and compliance requirements for affected hotels and resorts, 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.



Map Location:
Sunset Ave Beach Access

Map Description:

This map indicates approximate locations of approved beach chairs (20 per location) and beach umbrellas (10 per location). There will be two chairs per umbrella.

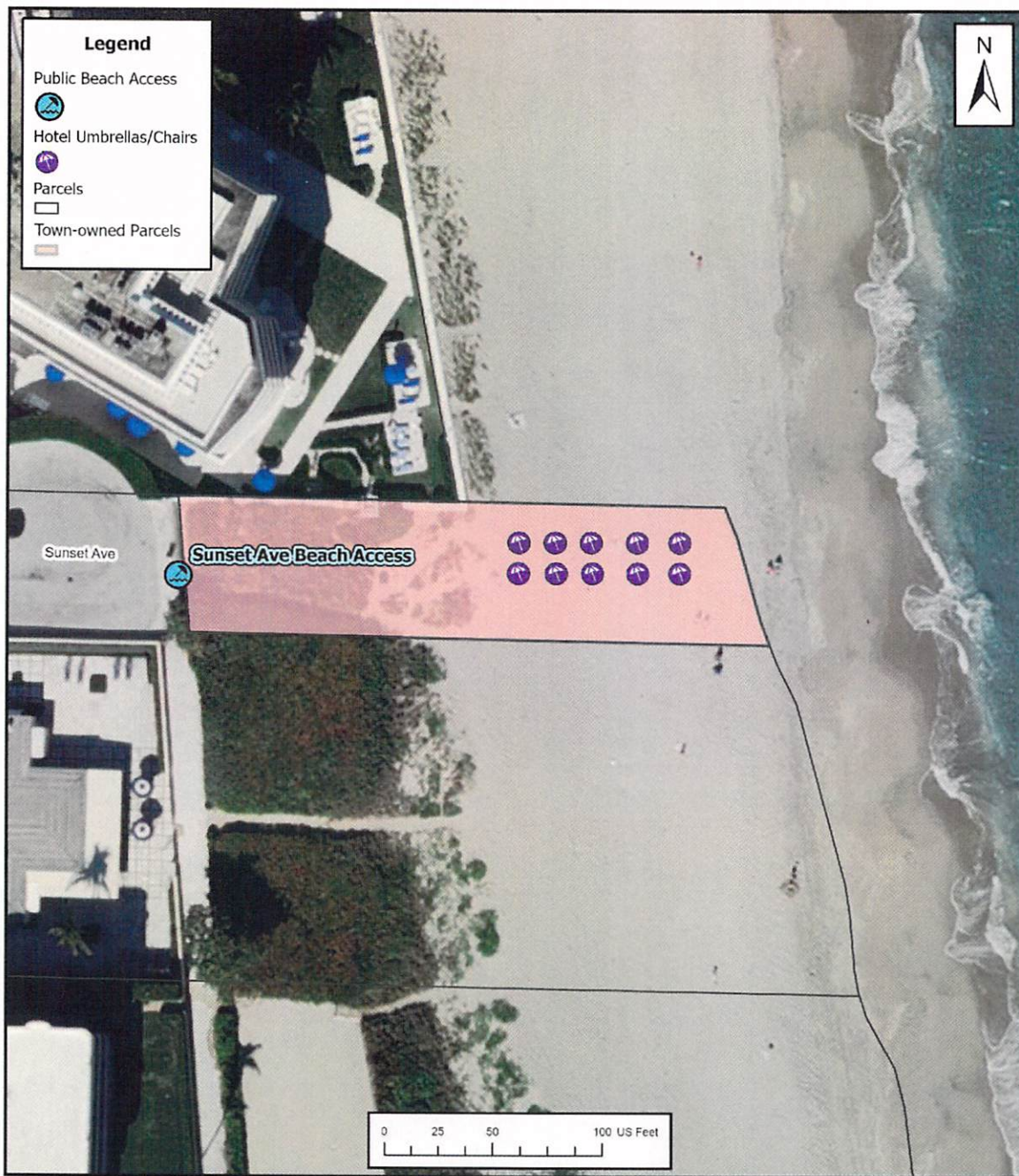


Beach Amenity Permits

GIS Department

Sheet No. 1 of 4

Date 8/13/2026



Map Location:
Sunset Ave Beach Access

Map Description:

This map indicates approximate locations of approved beach chairs (20 per location) and beach umbrellas (10 per location). There will be two chairs per umbrella.

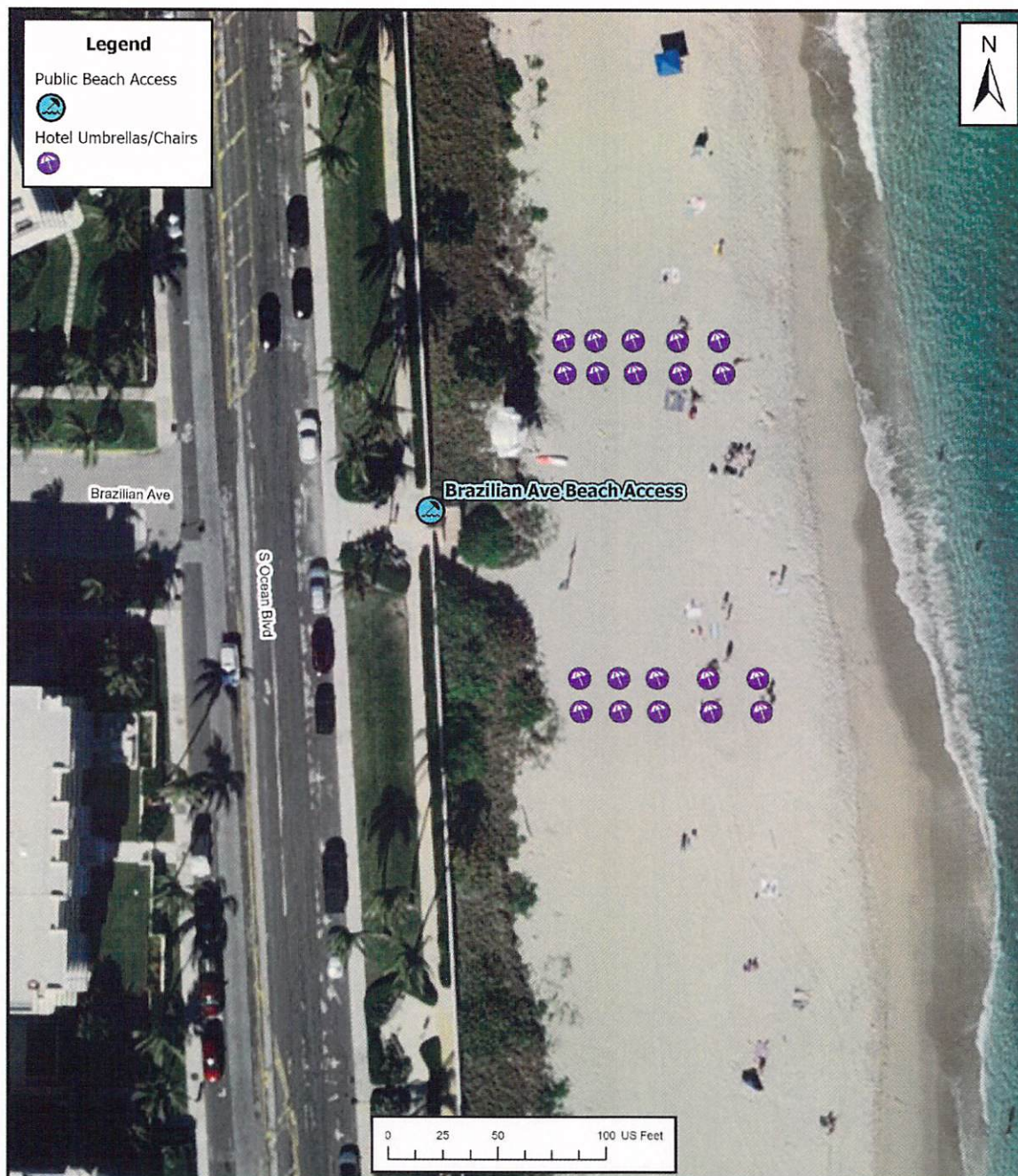


Beach Amenity Permits

GIS Department

Sheet No. 1 of 4

Date 8/14/2026



Map Location:

Mid-Town Beach at Brazilian Ave

Map Description:

This map indicates approximate locations of approved beach chairs (20 per location) and beach umbrellas (10 per location). There will be two chairs per umbrella.

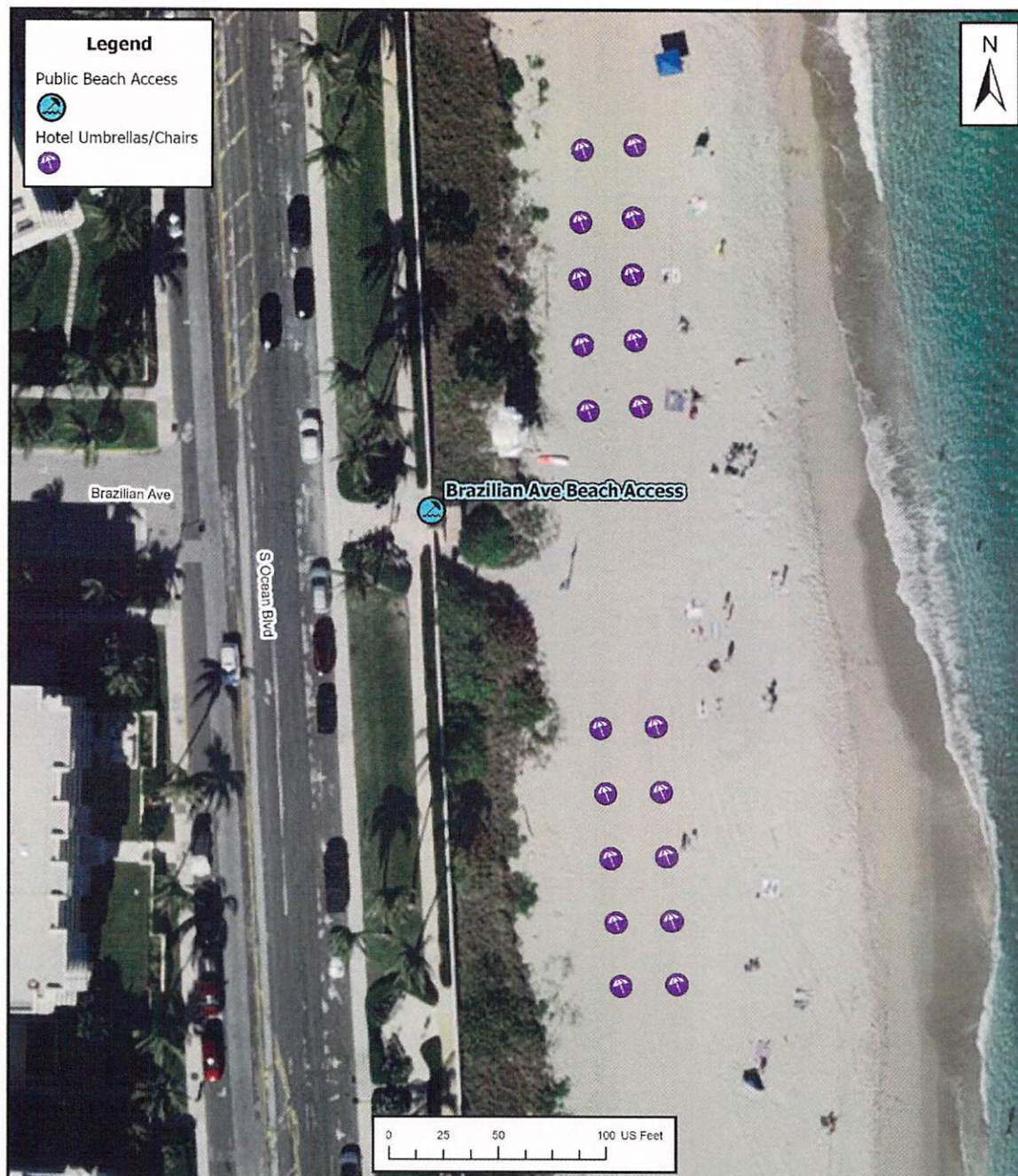


Beach Amenity Permits

GIS Department

Sheet No. 2 of 4

Date 8/14/2026



Map Location:

Mid-Town Beach at Brazilian Ave

Map Description:

This map indicates approximate locations of approved beach chairs (20 per location) and beach umbrellas (10 per location). There will be two chairs per umbrella.

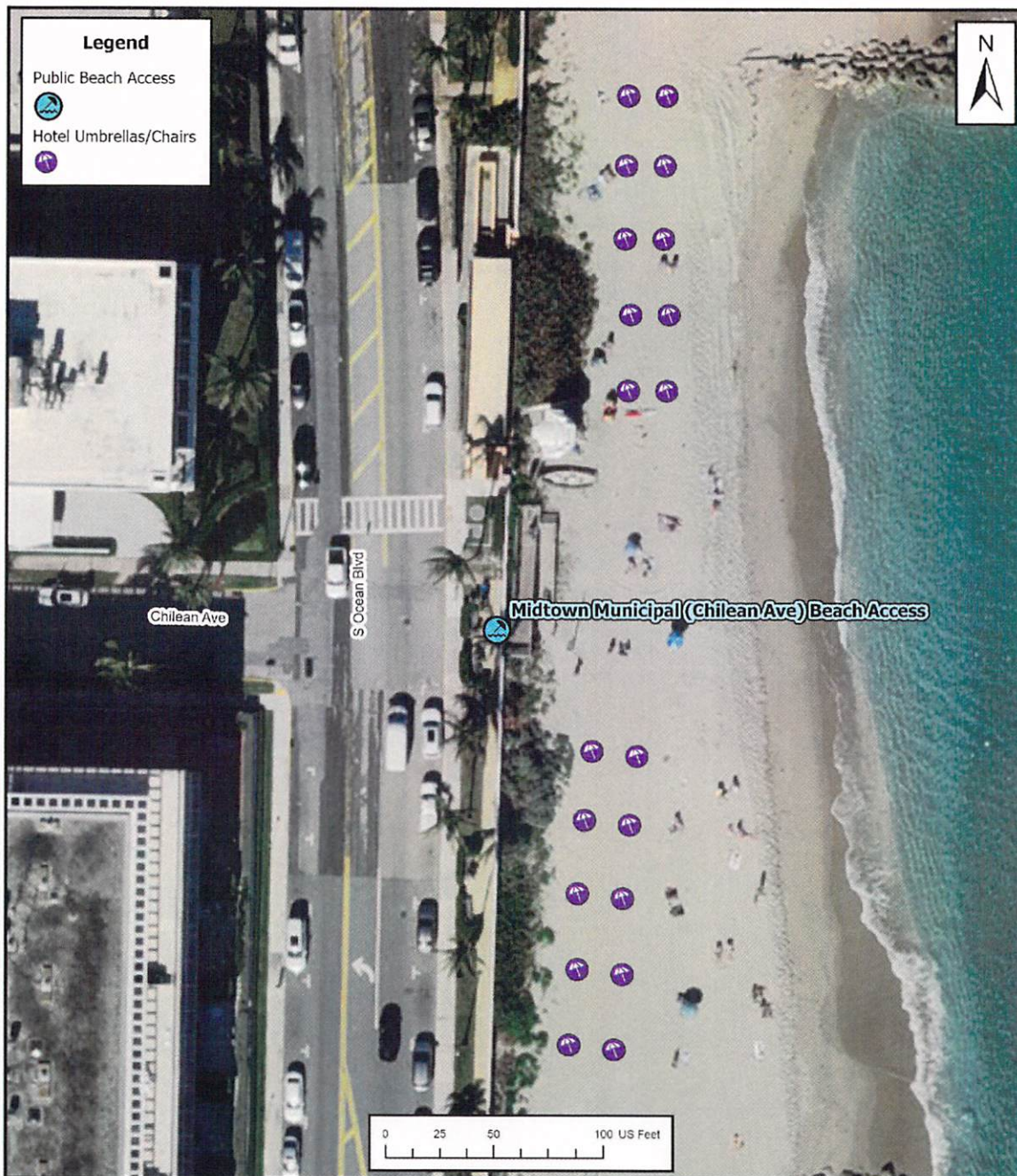


Beach Amenity Permits

GIS Department

Sheet No. 2 of 4

Date 8/13/2026



Map Location:

Mid-Town Beach at Chilean Ave

Map Description:

This map indicates approximate locations of approved beach chairs (20 per location) and beach umbrellas (10 per location). There will be two chairs per umbrella.

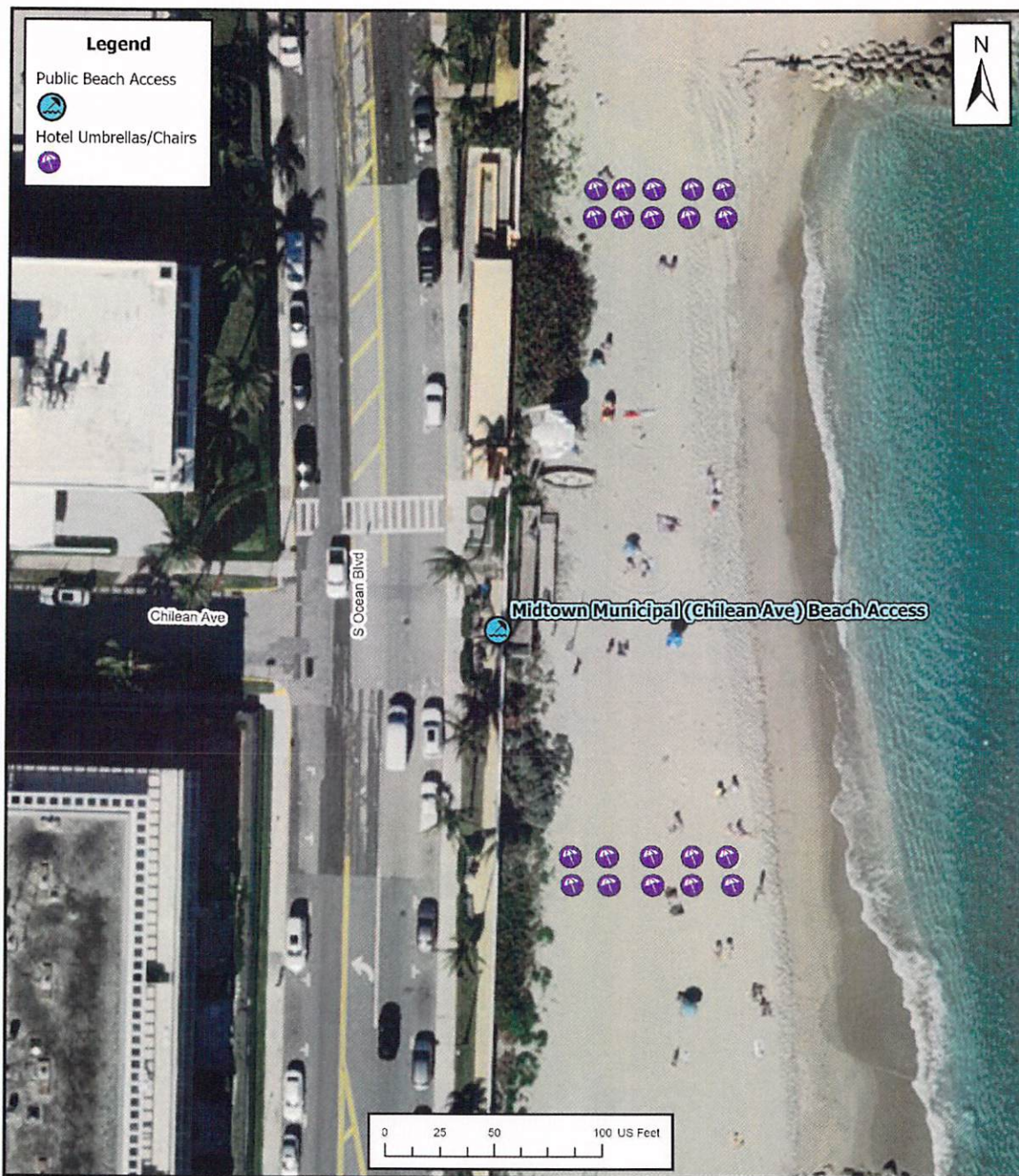


Beach Amenity Permits

GIS Department

Sheet No. 3 of 4

Date 8/13/2026



Map Location:

Mid-Town Beach at Chilean Ave

Map Description:

This map indicates approximate locations of approved beach chairs (20 per location) and beach umbrellas (10 per location). There will be two chairs per umbrella.

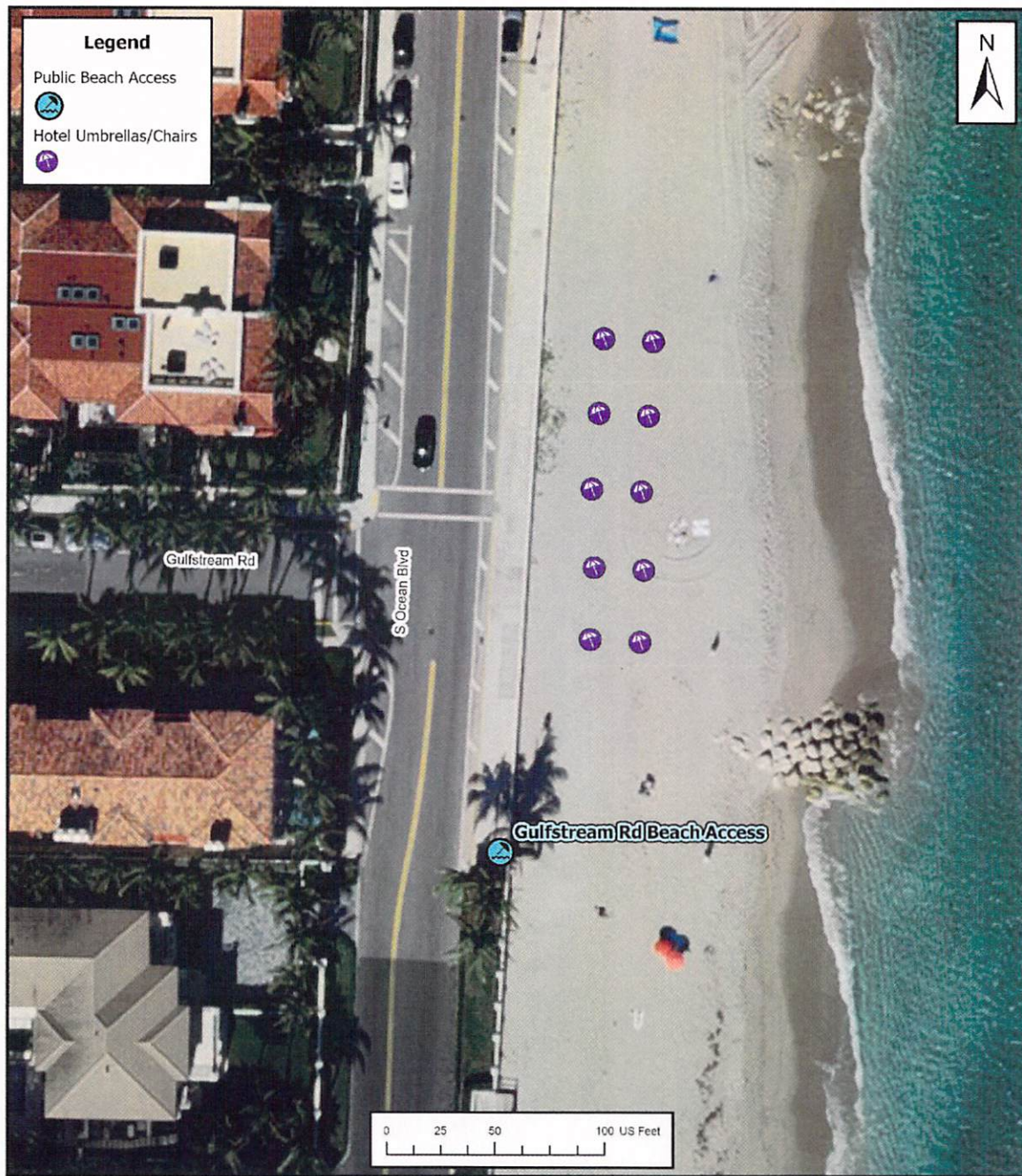


Beach Amenity Permits

GIS Department

Sheet No. 3 of 4

Date 8/14/2026



Map Location:
Mid-Town Beach at Gulfstream Rd

Map Description:
This map indicates approximate locations of approved beach chairs (20 per location) and beach umbrellas (10 per location). There will be two chairs per umbrella.

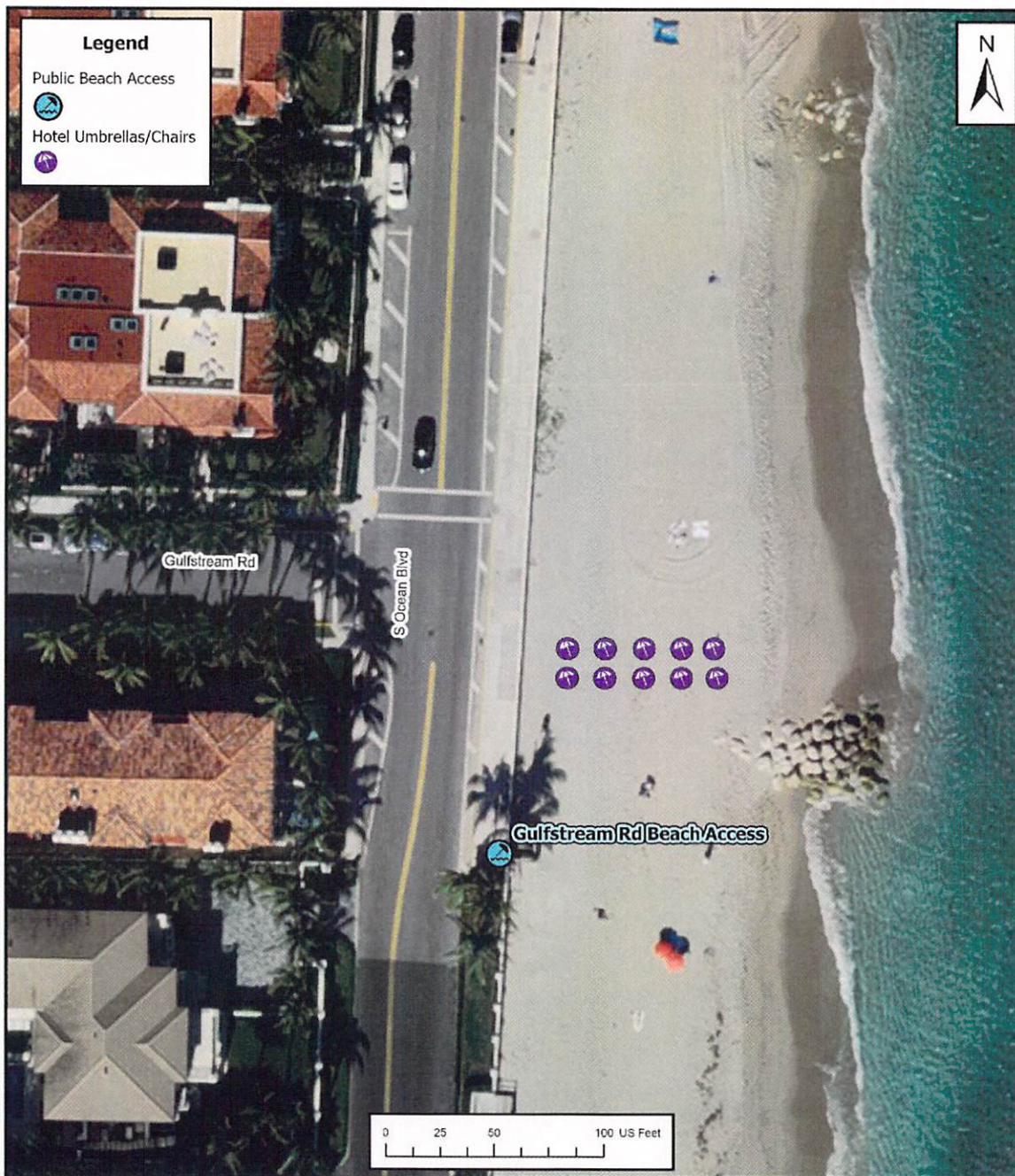


Beach Amenity Permits

GIS Department

Sheet No. 4 of 4

Date 8/13/2026



Map Location:

Mid-Town Beach at Gulfstream Ave

Map Description:

This map indicates approximate locations of approved beach chairs (20 per location) and beach umbrellas (10 per location). There will be two chairs per umbrella.



Beach Amenity Permits

GIS Department

Sheet No. 4 of 4

Date 8/14/2026

TOWN OF PALM BEACH, FLORIDA
ADMINISTRATIVE RULES FOR THE
COMMERCIAL BEACH AMENITY PERMIT PROGRAM

*Adopted by the Town Manager pursuant to Section 74-233, Code of Ordinances
(Division 5, Article II, Chapter 74 — Ordinance No. 21-2026)*

Effective [REDACTED], 2026

RULE 1. AUTHORITY AND APPLICABILITY

- 1.1 Authority.** These Administrative Rules (the “Rules”) are adopted by the Town Manager under Section 74-233 of the Town Code to enforce Division 5, Article II, Chapter 74, Commercial Beach Amenity Permit Program (the “Division”), and address each subject that section delegates.
- 1.2 Applicability.** These Rules apply to every applicant for and holder of an Annual Beach Amenity Permit. A permittee is responsible for the acts and omissions of its officers, employees, agents, contractors, vendors, and guests with respect to the Division and these Rules, and for any Town cost caused by them.
- 1.3 Other law.** These Rules supplement and do not supersede the Division; in the event of conflict, the Division controls. Where these Rules and another applicable federal, state, county, or Town requirement address the same subject, the more restrictive governs. Nothing in these Rules relieves a permittee of the obligation to obtain any other governmental approval required by law, as provided in Section 74-235.
- 1.4 Administration and forms.** The Town Manager designates by written memorandum the department and staff position responsible for the Program (the “Program Administrator”); references to the Town Manager include the Town Manager’s designee. The Town Manager may prescribe and amend the Program’s forms, and use of the current form is mandatory.

RULE 2. APPLICATIONS, RENEWAL, AND FEES

- 2.1 Permit year and deadline.** The permit year runs October 1 through September 30, and each permit expires September 30 under Section 74-230(f). A complete application for a new permit or renewal must be filed with the Program Administrator on the current Town form, with the Annual Beach Amenity Fee, no later than August 1. A later application will be considered only if capacity remains, in the order received.
- 2.2 Eligibility.** An applicant must, at application and continuously throughout the permit term, be a hotel or resort in the Town as required by Section 74-230(c); hold a current Town business tax receipt, certificate of use, and state transient public lodging license; owe the Town no fee, fine, lien, or enforcement cost; and have no open code violation on the property or from prior operations under the Program.
- 2.3 Application contents.** The Town form states the required submittals, which must include at least: the site plan required by Rule 3; an operations plan stating the number and type of furniture to be placed, the daily setup and removal sequence, staffing, the method of verifying that users are the permittee’s registered guests, and the private-property storage location; the emergency and evacuation plan required by Rule 12; equipment specifications and photographs; proof of the insurance required by Rule 10 and the executed indemnification agreement required by Section 74-238; 24-hour contacts for at least two individuals authorized to direct removal; the identity and insurance of any third-party vendor; and signed acknowledgments that the permit is a revocable license creating no property

interest, leasehold, tenancy, or vested right and conveying no exclusive possession, that the Midtown and Sunset Avenue Beaches remain open to the public at all times, and that the applicant will comply with Rule 6.

- 2.4 Determination.** The Program Administrator will review each application for completeness and notify the applicant in writing of any deficiency; an application still incomplete thirty (30) calendar days after that notice is deemed withdrawn. The Town Manager will approve, approve with conditions, or deny each complete application in writing. Conditions of approval become terms of the permit.
- 2.5 Denial.** An application may be denied if the applicant is ineligible under Rule 2.2; the application is incomplete or materially false; capacity has been allocated under Section 74-230(d)–(e); issuance would unduly impede governmental business or public access, imperil public safety, or violate any applicable law; the requested area conflicts with a previously scheduled activity, special event, or Town project; or the applicant's permit was revoked within the preceding twelve (12) months. Denial is not a suspension or revocation and is not appealable under Section 74-243; an applicant may seek written reconsideration by the Town Manager within ten (10) business days, which is final administrative action.
- 2.6 Waiting list.** If all Designated Beach Areas at the Midtown Beach or the Sunset Avenue Beach have been assigned, the Program Administrator will maintain a waiting list of qualified applicants in the order their complete applications were filed, and will offer any area that later becomes available to those applicants in that order. A person on the waiting list must confirm continued interest in writing by August 1 of each year or be removed, and placement on the list creates no property right and no guarantee of future approval, as provided in Section 74-241.
- 2.7 Renewal.** A permittee may renew by filing, on or before August 1: the renewal form; the Annual Beach Amenity Fee; the certification required by Rule 11.5; current proof of insurance; and either an updated site plan or a signed statement that nothing has changed in the approved site plan, equipment, operations plan, or emergency plan. A renewal will not be issued while the permittee has (i) any unpaid Annual Beach Amenity Fee, fine, lien, or Town enforcement or removal cost arising from the Program or from the permittee's property, or (ii) any open or unresolved Town code violation, notice of violation, or uncorrected inspection deficiency arising from the Program or from the permittee's property. Renewal remains contingent upon the conditions stated in Section 74-230(g).
- 2.8 Change in ownership or control.** A permittee must notify the Program Administrator in writing within ten (10) calendar days of any sale or transfer of the business or property, change in the permit-holding entity, or change of third-party vendor. Section 74-234 governs the effect.
- 2.9 Fees.** Unless the Town Council provides otherwise by resolution, the Annual Beach Amenity Fee is not refundable or prorated on suspension, revocation, beach closure, or non-use. Where an application is denied or withdrawn before a permit issues, the Town Manager shall refund the fee less the Town's reasonable administrative processing costs.

RULE 3. SITE PLAN AND DESIGNATED BEACH AREA

- 3.1 Site plan.** Each application must include a site plan, drawn to scale on a current aerial or on a base drawing supplied by the Town, showing:
- (a) The boundaries, seaward extensions, and linear feet of beach frontage of the Designated Beach Area for which a permit is sought;

- (b) The approximate dune vegetation line and mean high water line, and the erosion control line as reflected in Town records;
- (c) Every lifeguard tower, public beach access, street end, dune walkover, and Town or County trash receptacle within two hundred (200) feet;
- (d) Every clearance required by Rule 3.3 labeled;
- (e) The proposed locations of the chairs and umbrellas, the staging area, and any trash receptacle and towel bin, all subject to approval by the Program Administrator;
- (f) The proposed loading and unloading location, the route of travel, and the parking locations to be used in connection with the operation; and
- (g) A north arrow, graphic scale, and date.

3.2 Size and location. The Designated Beach Area is the area assigned under Section 74-231(a) and shown on the approved site plan. Unless the Town Manager approves otherwise in writing, it may not exceed [one hundred (100)] linear feet of frontage or [one hundred (100)] feet in depth measured perpendicular to the shoreline, and must lie directly seaward of the permittee's property if that property is oceanfront, or where the Town Manager assigns if it is not.

3.3 Setbacks and clearances. No beach furniture, including staging, may be placed:

- (a) Within [fifteen (15)] feet seaward of the dune vegetation line or the toe of the dune, whichever is further seaward;
- (b) Within [twenty (20)] feet of the water's edge, or within [fifteen (15)] feet landward of the wrack line, whichever is further landward;
- (c) Within 12 feet of the perimeter of a lifeguard tower, or in a twelve-foot-wide path (six feet each side of the center line) running seaward and landward of a tower from the dune to the ocean;
- (d) In a 12-foot-wide corridor running from any street end, beach access, or dune walkover to the ocean, or in the twelve-foot area beside any street end;
- (e) Within 10 feet of a marked marine turtle nest or any nest barrier, staking, or screening;
- (f) On, over, or within the dune, on dune vegetation, or seaward of the water's edge;
- (g) In a hardpack travel lane used by Town emergency, lifeguard, or maintenance vehicles, or so as to narrow that lane below 15 feet; or
- (h) Outside the Designated Beach Area shown on the approved site plan.

3.4 No enclosure or appearance of exclusivity. Rope, cord, chain, stanchion, fencing, tape, netting, planting, or any other device or marking that encloses or delineates any portion of the beach or suggests it is private, reserved, or restricted is prohibited. The Town Manager may require a permittee to display a Town-supplied sign stating that the beach is open to the public.

3.5 Verification and modification. The Program Administrator may stake or GPS the corners of a Designated Beach Area and may require low-profile boundary markers of an approved type. The Town Manager may require an updated site plan, or a signed and sealed survey, where erosion, accretion, renourishment, or storm damage has materially moved the dune vegetation line or shoreline or where field conditions cannot be verified from Town records, and may modify, relocate, reduce, suspend, or temporarily close a Designated Beach Area for any reason stated in Section 74-231(d), on at least ten (10) days' written notice where practicable and immediately where it is not. The Town makes no representation or guarantee

as to the size of any Designated Beach Area, seasonal beach conditions, erosion, accretion, storm damage, or the continued availability of beach area, and Sections 74-230(i) and 74-231(e) bar any claim for compensation, reimbursement, damages, refund, credit, or extension of the permit term arising from such action or from changed beach conditions.

RULE 4. LOADING, UNLOADING, AND VEHICLES

- 4.1 Authorized locations.** Delivery, loading, unloading, and removal may occur only at the location or locations the Town Manager designates in writing and identifies on the permit. No other access point may be used.
- 4.2 No motorized vehicles.** No motor vehicle of any kind — fuel, battery, or electric — may be operated, parked, or stored on the Midtown and Sunset Avenue Beaches in connection with permitted operations. This Rule does not apply to Town, County, or State vehicles engaged in cleanup, maintenance, public safety, or emergency work, or to a mobility device used by a person with a disability.
- 4.3 Carts and route.** Furniture may be moved by hand-pulled or hand-pushed carts that are not designed to be ridden, do not exceed three (3) miles per hour, and have wide, low-pressure or balloon tires. Carts may travel only on the hardpack and must leave the beach promptly after set up or removal. Access to and from the Designated Beach Area must follow the shortest practical route shown on the approved site plan. Crossing the dune except on a designated walkover, and dragging furniture across dune vegetation, are prohibited. Loading and unloading may occur only within the time windows set by Rule 5, may not obstruct traffic, bicycle lanes, pedestrian ways, or beach parking, and may not leave carts, furniture, or vehicles standing on any sidewalk, right-of-way, roadway, or public parking area.

RULE 5. HOURS, SETUP, AND REMOVAL

- 5.1 Operating Day.** Operations may be conducted seven days per week from sunrise until sunset, and never during hours when the beach is closed to the public under Section 74-196 of the Town Code. Beach furniture may not be placed on the Midtown and Sunset Avenue Beaches before sunrise or remain after sunset.
- 5.2 Setup and removal.** Setup may not begin before the Operating Day starts and must finish within two (2) hours. Removal must begin not later than forty-five (45) minutes before sunset and must finish, with all items off the beach, by sunset. Setup and removal must not obstruct public access, emergency access, or lifeguard sightlines, and must not drag furniture across the dune or dune vegetation.
- 5.3 Nightly clearance.** All furniture, staging, carts, receptacles, towel bins, and boundary markers must be off the Midtown and Sunset Avenue Beaches and returned to the permittee's private property by sunset, and nothing may be placed or left on the Midtown and Sunset Avenue Beaches between sunset and the next Operating Day.
- 5.4 Staging.** Furniture not in use during the Operating Day must be stacked compactly in the staging area to a maximum height of four and one-half (4.5) feet, with umbrellas closed and laid flat. An umbrella unattended more than thirty (30) minutes must be closed and lowered. The staging area may not exceed fifty (50) square feet, no dimension of it may exceed ten (10) feet, and it must sit in the landward portion of the Designated Beach Area as shown on the approved site plan.
- 5.5 No storage on the beach.** Storage of any item on the Midtown and Sunset Avenue Beaches is prohibited at all times, attended or not, including storage boxes, sheds, lockers, bins,

containers, racks, kiosks, and trailers. All furniture must be stored on private property at the location identified in the approved operations plan.

- 5.6 Restoration.** At the end of each Operating Day the permittee must pull all umbrella anchors and augers, fill and level every hole and depression its operations created, and leave the Designated Beach Area raked and free of litter. No hole created by permitted operations may exceed two (2) feet in depth or be left unfilled overnight.
- 5.7 Adjusted hours.** The Town Manager may set different or seasonal hours, or suspend operations for a stated period, for public safety, special events, beach renourishment or restoration, environmental protection, or emergency, on at least ten (10) days' written notice except in an emergency.

RULE 6. MARINE TURTLE AND SEASONAL REQUIREMENTS

- 6.1 Nesting Season; daily survey.** Nesting Season is March 1 through October 31. During Nesting Season, no furniture may be placed on the Midtown and Sunset Avenue Beaches before the earlier of (i) completion of the daily nesting survey for that segment of beach by a holder of a current marine turtle permit issued by the Florida Fish and Wildlife Conservation Commission ("FWC"), or (ii) two (2) hours after sunrise, and in no case before the Operating Day begins under Rule 5.1. The permittee is not required to arrange, procure, or pay for the survey. A Town direction to hold placement pending a nesting activity controls.
- 6.2 Nests.** No furniture, cart, or person engaged in permitted operations may come within ten (10) feet of a marked nest, barrier, staking, or screening, and nest markings may not be moved, removed, or obscured. Where an approved layout conflicts with a marked nest, the affected furniture must be relocated within the Designated Beach Area or removed while the conflict lasts.
- 6.3 Lighting.** No artificial lighting may be used, placed, or directed on the Midtown and Sunset Avenue Beaches in connection with permitted operations. Where light is necessary in an emergency, only a shielded, downward-directed long-wavelength source producing light greater than five hundred sixty (560) nanometers may be used.
- 6.4 Reporting and compliance.** A permittee and its employees may not touch, disturb, or approach any marine turtle, hatchling, nest, or nest marking. They must immediately notify the Program Administrator, who will notify the marine turtle permit holder surveying the Midtown Beach or the Sunset Avenue Beach, of any unmarked, disturbed, or damaged nest; any hatchling on the beach; and any marine turtle that is dead, injured, sick, entangled, or disoriented. A marine turtle that is dead, injured, sick, entangled, or disoriented must also be reported immediately to the FWC 24-hour Wildlife Alert Number, 1-888-404-FWCC (1-888-404-3922). A permittee must comply with Section 379.2431, Florida Statutes, and the conditions of any state or county marine turtle permit or authorization affecting the Midtown and Sunset Avenue Beaches.

RULE 7. EQUIPMENT AND IDENTIFICATION MARKINGS

- 7.1 Authorized equipment and quantity.** Only beach chairs and umbrellas may be placed on the Midtown and Sunset Avenue Beaches, along with one lidded trash receptacle, and one closed towel bin — each approved by the Town and removed nightly. No other structure, furnishing, or equipment is permitted. Unless the Town Council approves otherwise, a permittee may not place or maintain more than ten (10) umbrellas and twenty (20) chairs on the Midtown and Sunset Avenue Beaches at any one time under Section 74-231(b); staged

furniture counts toward these limits, and reserve or replacement furniture must remain on private property.

- 7.2 Condition and appearance.** All furniture must be commercial grade, with corrosion-resistant frames and marine-grade fabrics, and kept at all times clean, safe, and serviceable — free of rust, tears, fraying, mold, mildew, staining, fading, discoloration, missing hardware, and broken or bent components. Furniture must be a solid, non-fluorescent color approved by the Town Manager; stripes, patterns, graphics, and photographic images are prohibited unless approved in writing. The Town Manager may require all furniture in a Designated Beach Area to match in color, size, and style.
- 7.3 Umbrellas and chairs.** An umbrella may not exceed nine (9) feet in diameter or eight (8) feet in height at its apex, must be single-pole, and must be anchored at all times by embedding the pole not less than eighteen (18) inches below grade or by an approved sand anchor or auger. Umbrellas must be closed and secured when sustained winds reach twenty-five (25) miles per hour or gusts reach thirty (30) miles per hour, and removed if those conditions last more than thirty (30) minutes. Chairs may not be affixed to the sand or to any structure, and decks, platforms, pads, and mats are prohibited except one accessibility mat approved in writing by the Town Manager.
- 7.4 Advertising and prohibited items.** Commercial signage, sponsor branding, banners, flags, pennants, menus, price lists, and advertising of any kind are prohibited on the Midtown and Sunset Avenue Beaches; the permittee's name or logo may appear only on the identification tag required by Rule 7.5 and once on each umbrella valance, in one color, in characters not exceeding six (6) inches in height. Also prohibited at all times: cabanas, tents, canopies, daybeds, sofas, tables, bars, kiosks, huts, storage boxes and sheds, fencing, portable toilets, generators, propane tanks, heaters, fire features, misting systems, lighting fixtures, amplified sound equipment and speakers, glass containers and glassware of any kind, and the sale, rental, or service of food or beverages.
- 7.5 Identification tags.** Each chair and umbrella must display a durable, weather-resistant tag approved by the Town stating the permittee's name, the permit number, the permit year, and a telephone number answered twenty-four hours a day. A tag may not be smaller than two (2) by three (3) inches, and characters may not be smaller than one-quarter (1/4) inch. Each tag must be legible from ten (10) feet and permanently affixed by rivet, engraved plate, heat-fused label, or equivalent; adhesive-only labels are not permitted. On chairs the tag goes on the upper rear cross member so it stays visible when stacked; on umbrellas, on the pole four to five feet above grade. Carts, receptacles, and towel bins must show the permit number in characters not less than two (2) inches in height. Damaged, missing, or illegible tags must be replaced within five (5) business days, and all tags removed within five (5) business days after a permit expires or is suspended or revoked.
- 7.6 Nonconforming equipment.** Furniture that is unsafe or hazardously damaged must leave the beach immediately and may not return until repaired or replaced. Furniture nonconforming in appearance or condition must be removed or corrected within the period set for its class of deficiency under Rule 11.3. Furniture bearing no conforming tag and not otherwise attributable to a permittee is presumed unauthorized and subject to immediate removal at the owner's expense under Section 74-242(b). Replacement furniture must match the approved specifications, and any change requires prior written approval.

RULE 8. OPERATIONAL AND PERFORMANCE STANDARDS

- 8.1 Area and users.** A permittee must operate only within its Designated Beach Area and only during the Operating Day. Use is limited to the permittee's registered guests and any other persons identified in the approved operations plan, and the permittee must keep a practical method of verifying eligibility. Renting, selling, or offering furniture to the general public on the beach is prohibited, as are soliciting, canvassing, hawking, distributing handbills, and advertising on the Midtown and Sunset Avenue Beaches.
- 8.2 Public character of the beach.** A permittee and its employees may not represent — by word, signage, marking, or conduct — that any part of the Midtown and Sunset Avenue Beaches is private, reserved, or restricted; may not direct, ask, or induce a member of the public to leave or move from any part of the public beach; and may not obstruct or discourage public use. Unoccupied areas remain open to the public at all times.
- 8.3 Corridors, cleanliness, and noise.** Clear pedestrian corridors and emergency access routes must be maintained at all times. The Designated Beach Area and the ground within twenty-five (25) feet of it must be policed before furniture is placed each morning, continuously during the Operating Day, and after removal, and kept free of litter, debris, cigarette butts, and refuse, consistent with Section 74-188 of the Town Code. Operations, including setup and removal, must not create unreasonable noise.
- 8.4 Waste and prohibited materials.** The permittee must collect its waste and remove it from the beach daily; it may not go into Town or County beach receptacles. Glass containers, single-use plastic straws and stirrers, balloons, and confetti are prohibited in connection with permitted operations. Washing, rinsing, or chemically cleaning furniture on the beach, and discharging wastewater, detergent, or chemicals onto the beach or dune, are prohibited.
- 8.5 Dune, sand, and wildlife.** Walking on, crossing, disturbing, cutting, trimming, or removing dune vegetation is prohibited, and the dune may be crossed only on designated walkovers. Removing, importing, redistributing, grading, or contouring sand is prohibited, and digging is limited to anchoring umbrellas under Rule 7.3. Feeding or harassing wildlife, and leaving food or waste accessible to it, are prohibited.
- 8.6 Guest compliance.** A permittee must comply with, and take reasonable steps to have its guests comply with the Town Code including, but not limited to, the provisions listed in Section 74-231(g). Reasonable steps include giving guests notice of those requirements at the point of beach service.
- 8.7 Supervision, personnel, and vendors.** Whenever furniture is on the Midtown and Sunset Avenue Beaches during the Operating Day, at least one employee trained under Rule 9.2 must be on duty and able to reach the Designated Beach Area within fifteen (15) minutes. Employees must wear a uniform and visible name badge identifying the permittee, behave professionally, and may not harass, intimidate, or interfere with the public. A direction from the Town Manager, the Program Administrator, a police officer, fire rescue personnel, a code compliance officer, or a lifeguard to relocate or remove furniture must be obeyed immediately. A permittee using a third-party vendor remains fully responsible for compliance; vendor personnel are bound by these Rules as the permittee's own employees are, and the vendor must carry the insurance required by Rule 10.

RULE 9. SAFETY AND TRAINING

- 9.1 Hazards and conditions.** Furniture may never obstruct a lifeguard's view of the water or beach, a rescue path, or an emergency access route, and any obstruction must be cleared

immediately. Broken, sharp, splintered, or unstable equipment must leave the beach immediately. A permittee must monitor National Weather Service advisories for the Town each Operating Day and must close, secure, or remove furniture in the wind conditions stated in Rule 7.3. Employees may not encourage or direct guests to enter the water or represent that the permittee provides water safety supervision. Placement may not interfere with the visibility of beach warning flags or safety signage or obstruct any accessible route to or along the beach.

9.2 Training. Before each permit year, and before any new employee works on the Midtown and Sunset Avenue Beaches, the permittee must train every employee, agent, and vendor employee working under the permit in these Rules and the Division; marine turtle protection; emergency and storm removal; the beach warning flag system; the location of the nearest lifeguard tower, emergency telephone, and automated external defibrillator; and incident reporting. The permittee must keep a training roster and produce it on request.

9.3 Incidents. A permittee must report to the Program Administrator in writing within twenty-four (24) hours any injury, rescue, property damage, law enforcement response, marine turtle incident, or claim arising from or occurring within the Designated Beach Area.

RULE 10. INSURANCE AND INDEMNIFICATION

10.1 Coverage. A permittee must obtain and maintain, continuously throughout the permit term and at its own expense, Commercial General Liability insurance on an occurrence form with limits of not less than \$1,000,000 per occurrence and \$2,000,000 general aggregate; Workers' Compensation as required by Chapter 440, Florida Statutes, with Employer's Liability of not less than \$500,000; and, if any vehicle is used in the operation, Business Automobile Liability with a combined single limit of not less than \$1,000,000. The Town of Palm Beach, its elected officials, officers, employees, and agents must be named as Additional Insured on the liability policies. Insurers must be authorized in Florida and acceptable to the Town's Risk Manager, who may prescribe endorsement forms, rating standards, certificate timing, and notice-of-cancellation terms.

10.2 Evidence and lapse. Acceptable evidence of coverage must reach the Program Administrator before a permit issues or renews and before operations begin, and current evidence must remain on file with the Town at all times. A lapse constitutes operating without a valid permit: the permit is suspended immediately, all furniture must leave the Midtown and Sunset Avenue Beaches at once, and operations may not resume until the Town approves new evidence of coverage. The Program Administrator will send the permittee written notice of the suspension the same day it takes effect, stating the grounds and advising of the right of appeal to the Town Council under Section 74-243. Deductibles and self-insured retentions are the permittee's responsibility.

10.3 Indemnification. Each permittee must execute, on the Town form, the indemnification, defense, and hold harmless agreement required by Section 74-238, which survives expiration, suspension, or revocation. A third-party vendor performing any part of the operation must carry the coverages required by Rule 10.1 naming the Town as Additional Insured on the same terms.

RULE 11. INSPECTIONS AND ANNUAL CERTIFICATION

11.1 Inspections. Before a permit issues or renews, the Town may inspect the applicant's furniture, equipment, storage location, and documentation under Section 74-236(b); the Program Administrator will schedule that inspection within fifteen (15) calendar days after an

application is complete. The Program Administrator will also make not less than two (2) unannounced field inspections of each Designated Beach Area each permit year, and may inspect at any time on complaint. Inspections verify the matters listed in Section 74-236(c): the condition of furniture and equipment; insurance coverage and documentation; the permittee's compliance history; and operational procedures, including the approved site plan, operations plan, emergency plan, identification tags, training roster, and storage location.

11.2 Access. A permittee must make its furniture, staging area, storage location, and records available during normal business hours on reasonable notice, and must produce a responsible representative on request. Inspection of premises not open to the public is limited to verifying compliance with the Division and these Rules; where consent to inspect such premises is withheld, the Town will seek an administrative inspection warrant, and withholding consent alone is not a violation.

11.3 Deficiencies. The Program Administrator will issue a written inspection report within five (5) business days. Deficiencies are classified and must be corrected as follows:

- (a) Immediate hazard — a condition endangering public safety, obstructing emergency access or a lifeguard sightline, or threatening dune vegetation or a marine turtle nest: correct immediately on notice;
- (b) Major — including an insurance lapse, placement outside the Designated Beach Area, exceeding equipment limits, missing tags, or failure to clear the beach nightly: correct within five (5) business days; and
- (c) Minor — including appearance, color, condition, recordkeeping, or signage: correct within fifteen (15) calendar days.

11.4 Consequences. The Program Administrator will re-inspect after the correction period. Failing an inspection, or failing to correct a deficiency in time, may result in denial or delay of issuance or renewal under Section 74-236(d), or in suspension or revocation under Rule 13.

11.5 Annual certification. Under Section 74-236(a), each permittee must file with its renewal a certification signed by an authorized officer stating: that it has complied with the Division and these Rules during the permit year to date; that the insurance required by Rule 10 is in force, with current evidence attached; the number of umbrellas and chairs maintained and the maximum number placed on the Midtown and Sunset Avenue Beaches on any day; contact information for the manager of the operation and the two twenty-four-hour emergency contacts; each third-party vendor used and each proposed for the coming year; any change in ownership or control of the permittee or the property; and each incident, claim, citation, or notice of violation during the permit year and its resolution. A renewal filed without the certification is incomplete.

11.6 Records and interim reporting. A permittee must keep and produce on request, for three (3) years, insurance certificates, training rosters, incident reports, equipment inventories and specifications, and Town correspondence about the permit. It must notify the Program Administrator in writing within ten (10) calendar days of any change in the contact, vendor, or ownership information required by Rule 11.5, and within twenty-four (24) hours of any incident described in Rule 9.3.

RULE 12. EMERGENCY CLOSURES AND STORM REMOVAL

- 12.1 Emergency plan.** Each application must include an emergency and evacuation plan stating who is authorized to direct removal and their twenty-four-hour contact information; the removal procedure, equipment, and personnel; the secure private-property location for the furniture; and the estimated time to complete removal, which may not exceed two (2) hours.
- 12.2 Mandatory removal.** All furniture must leave the Midtown and Sunset Avenue Beaches on the earliest of: a National Weather Service tropical storm or hurricane watch or warning that includes the Town; a state of emergency declared by the Town, the County, or the State affecting the Town; a direction of the Town Manager, Police Department, Fire Rescue, or Emergency Management under Section 74-237, including for high surf or dangerous weather, a public safety emergency, a search and rescue operation, an environmental incident, or a special event; or any other declared emergency. Removal must be complete within two (2) hours of the trigger or the Town's direction, whichever comes first, and before tropical-storm-force winds arrive. A different period stated in the Town's notice governs, and nothing here limits the authority under Section 74-237 to require immediate removal.
- 12.3 Return after an event.** Following an emergency, storm, or severe weather event, no furniture may return to the Midtown and Sunset Avenue Beaches until the beach has been cleaned, raked, or restored as the Town determines necessary, any required marine turtle survey is complete, and the Town Manager has advised the permittee in writing, including by electronic mail, that placement may resume.
- 12.4 Removal by the Town.** If a permittee fails to remove furniture as required, the Town may remove it under Sections 74-237 and 74-242(b). The permittee is liable for all removal, transportation, storage, and disposal costs, due within thirty (30) calendar days of invoice. The Town will use reasonable care, and nothing in these Rules waives, expands, or limits any immunity or limitation of liability under Section 768.28, Florida Statutes.
- 12.5 Other closures.** The Town Manager may close or restrict a Designated Beach Area for beach renourishment or restoration, special events, public safety, environmental protection, or any other purpose determined necessary under Section 74-231(d). Operations must stop for the closure; the permit term is not extended, and no refund, credit, reimbursement, damages, or other claim against the Town arises from any closure, suspension, modification, relocation, or reduction.

RULE 13. GROUNDS FOR SUSPENSION OR REVOCATION

- 13.1 Grounds.** As authorized by Section 74-233, the Town Manager may suspend or revoke a permit for: nonpayment of the Annual Beach Amenity Fee, a fine, or a Town cost; placing or maintaining furniture outside the Designated Beach Area or beyond the permitted equipment limits; unsafe operation or conduct endangering the public; failure to maintain the insurance required by Rule 10 or the indemnification required by Section 74-238; failure to meet a marine turtle or dune protection requirement; failure to remove furniture when directed under Rule 12; failure to correct a deficiency within the time set under Rule 11.3; three (3) or more notices of violation in any twelve-month period, regardless of type; a material false statement in an application, site plan, certification, or report; transfer of the permit contrary to Section 74-234; non-use of the Designated Beach Area for more than ninety (90) consecutive days of the operating season without written approval; loss of the permittee's business tax receipt, certificate of use, or state lodging license; or any other violation of the Division or these Rules.

13.2 Remedies and appeal. The available remedies are those stated in Section 74-242. A suspension or revocation will be in writing and will state the grounds, and may be appealed to the Town Council under Section 74-243 within ten (10) business days, on which the Town Council's decision is final.

RULE 14. WAIVERS, AMENDMENT, SEVERABILITY, AND EFFECTIVE DATE

14.1 Waivers. The Town Manager may grant a written, revocable, non-precedential waiver of a requirement of these Rules for good cause, for not more than thirty (30) days, where it does not affect public safety, public access, or environmental protection. No provision of the Division may be waived.

14.2 Amendment. The Town Manager may amend these Rules in writing at any time, effective not less than thirty (30) days after written notice to each permittee, except that an amendment addressing an immediate threat to public health, safety, welfare, or the environment takes effect on issuance.

14.3 Severability. If any Rule or portion of a Rule is held invalid, the remainder stands.

14.4 Effective date and first permit year. These Rules take effect on the later of the effective date of Ordinance No. 21-2026 or the date signed below, and apply to the permit year beginning October 1, 2026, and each year after. For the first permit year only, the Town Manager may extend the August 1 deadline in Rule 2.1 by written notice and may prorate or waive an inspection deadline that cannot practicably be met.

ADOPTED this ____ day of _____, 2026.

Town Manager, Town of Palm Beach, Florida

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

Public Comment - Town Council

08/10/2026 2:20 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
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Please select the agenda item you would like to comment on.	Ordinance 21-2026
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Comment	Thank you for the opportunity to comment. My wife and I own Coastal Cabana Club, a beach setup and rental service based at 809 Belvedere Road, a few minutes from the island. We're in favor of Ordinance 21-2026. A clear permit framework is good for the beaches and good for the operators who work on them, and we would pay the annual fee without hesitation. I'd respectfully raise one provision for the Council's consideration. Section 74-230(a) contemplates permits for businesses and concessionaires alongside hotels, clubs, and condominiums. Section 74-230(b) then limits eligibility to entities with a principal place of business within the Town. In practice, suitable commercial space for equipment storage, staging, cleaning, and vehicle parking is extremely limited on the island. I would ask that the eligibility language be revised so that qualified operators already serving Palm Beach residents and visitors can be considered, with proximity weighed by the Town Manager under Section 74-230(c) rather than applied as an absolute bar. The Town would still retain full control over how many such permits are issued, if any. Our being just off the island is, we believe, a benefit to the Town. All storage, staging, vehicle parking, and loading happens on the mainland just minutes over the bridge. Nothing about our operation adds a commercial footprint to the island beyond the temporary setup itself. We would also commit to providing guest parking at our Belvedere Road shop with transportation to and from the beach, reducing vehicle trips onto the island rather than adding to them. I'd also note what our operation is not. We place no standing inventory on the sand and there is no walk-up commerce on the beach. Every setup is reserved and paid for in advance, placed shortly before guests arrive, and removed when they leave with nothing left overnight. We carry insurance, guests sign liability waivers, our setups have no logos or signage of any kind, paths are kept open, and we coordinate with ocean rescue. As things stand, a Palm Beach resident who would like a chair and umbrella set up on the municipal beach generally must be a hotel guest or a club member. We have served the local residents here for over four years, including at private residences on the island, and we hope to continue doing so under the new framework. Thank you for your time and for the work that went into this proposal. Joshua Kershner Coastal Cabana Club 809 Belvedere Road · West Palm Beach, FL 33405 www.coastalcabanaclub.com relax@coastalcabanaclub.com (561) 621-7063
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Your Position	For
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First and Last Name	Joshua Kershner
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Address	809 Belvedere Road, West Palm Beach, FL 33405
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TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 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 4, Governance Framework

Date: 8/28/2026

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.

To date, the Town Council has directed staff to retain the existing term-limit structure, including the current exceptions for fiduciary boards and the Public Employees Relations Commission (PERC). Council also supported standardizing term lengths at three years for all boards and commissions, including the Investment Advisory Committee and PERC. With respect to appointments, Council discussed moving appointments currently scheduled outside the season into in-season periods to improve recruitment, public awareness, and onboarding, and directed staff to review the existing schedule and return with options for consolidating appointments.

The following topics will be discussed in Tranche 4:

- 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 – APPOINTMENTS AND REAPPOINTMENTS

At the direction of the Town Council, staff has prepared several options for consolidating board and commission appointments during the season. The goal of a more structured appointment schedule would be to improve recruitment, increase public awareness of opportunities to serve, promote consistency in the appointment process, and facilitate onboarding for newly appointed members. A condensed appointment

schedule would also allow the Town Clerk's Office to coordinate group orientation and training sessions during the season.

Option 1: Three Dedicated Appointment Dates

If the Town Council wishes to establish separate meeting dates dedicated to interviewing applicants and making appointments, the following illustrates one possible distribution of vacancies across three annual appointment dates:

Appointment Date	Boards	2027	2028	2029
Date 1	PZC + RBT + SPB	8	7	6
Date 2	CEB + IAC + RAC	8	8	5
Date 3	LPC + ARCOM	5	8	7
Total		21	23	18

Option 2: Four Dedicated Appointment Dates

Alternatively, the Council could establish four annual appointment dates, which would distribute the vacancies across a greater number of meetings and reduce the number of appointments considered at any one meeting:

Appointment Date	Boards/Commissions	2027	2028	2029
Date 1	PZC	4	2	4
Date 2	CEB + RBT + RAC	6	8	7
Date 3	LPC + IAC	5	5	5
Date 4	SPB + ARCOM	6	8	2
Total		21	23	18

If the Town Council prefers to maintain the current practice of making appointments

during regular Town Council meetings, appointments could instead be shifted and more evenly distributed between December and April. This approach would establish a predictable annual cycle while retaining the existing meeting structure.

Keeping appointments within this window would allow the recruitment and application period for the first board to begin near the start of the season and provide sufficient time for appointment, onboarding, and training before the end of the season, including May fiduciary board meetings.

Option 3: Appointments During Regular Town Council Meetings

	Boards/Commissions	2027 Vacancies	2028 Vacancies	2029 Vacancies
December	PZC	4	2	4
January	SPB CEB	3 3	3 3	- 3
February	LPC IAC	2 3	3 2	5 -
March	ARCOM	3	5	2
April	RBT RAC	1 2	2 3	2 2
Total		21	23	18

Additional Considerations

Appointments currently occur throughout the year, although the majority take place during the season. When a board member resigns before the expiration of their term, the resulting vacancy is generally advertised and filled promptly, rather than left unfilled until the board's regular appointment period.

If the Town Council wishes to establish a recurring annual appointment cycle for each board, the Council may wish to consider whether vacancies resulting from early resignations should remain unfilled until the board's regularly scheduled appointment period. During the interim, alternates could be utilized, where available, to support quorum and continuity of board operations.

	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%

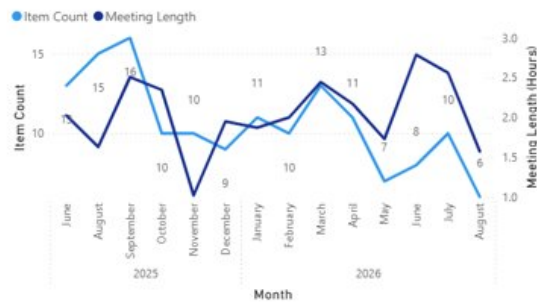
Council may wish to consider:

- Establishing a consistent annual recruitment period during the season.
- Determining whether seats vacated before the expiration of a term should remain vacant until the board's regularly scheduled appointment period, with alternates utilized as appropriate in the interim.
- Deciding whether boards with alternate members should open applications for alternate positions only, and instead use existing alternates as the pool for filling vacancies among regular members. This would modify appointment practice to require serving as an alternate member before becoming a regular member.

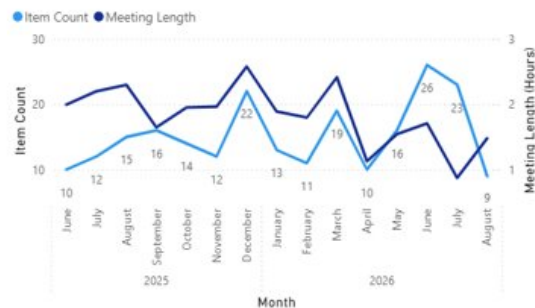
DECISION POINT 2 – MEETING FREQUENCY

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

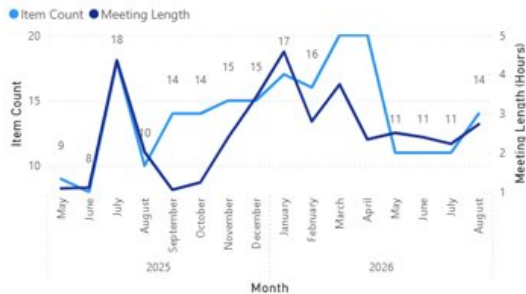
Planning & Zoning Commission Agenda Item Count



Code Enforcement Board Agenda Item Count



Landmarks Preservation Commission Agenda Item Count



ARCOM Agenda Item Count



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 3 - 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

Further deliberation regarding board and commission administration may be scheduled

for future meetings, as directed by the Council.

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

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 2026

To: Town Council
Via: Kirk W. Blouin, Town Manager
From: Jake Hurley, P.E., Senior Engineer
Re: Mid-Town Seawall Replacement Progressive Design-Build Project Update

Date: 8/27/2026

STAFF RECOMMENDATION

As requested by Town Council, staff is providing an update and presentation on the Midtown Seawall Replacement Progressive Design Build.

GENERAL INFORMATION

Town staff continue to work with the design-build team, Murray Logan, and their subconsultants on the design of the Midtown Seawall Replacement Project. The design phase is anticipated to continue through November 2026. The project team plans to hold the first public outreach meeting specifically focused on the Seawall Replacement Project in October 2026. The presentation will outline the immediate need for and value of the seawall replacement, provide an estimated construction schedule, and discuss anticipated impacts to the community. One of the most significant impacts will be the closure of the beach for the duration of construction.

Town staff will work to complete the seawall design and determine the guaranteed maximum price "GMP" for construction. Then Town staff will present the finalized design and GMP to council for input and approval.

FUNDING/FISCAL IMPACT

The Phase 1 design contract with Murray Logan is funded. The Phase 2 construction cost is funded through the coastal budget.

Attachments: N/A

cc: Jason Debrincat, P.E., Assistant Director
Patricia Strayer, P.E., Town Engineer
Julie Parham, P.E., Deputy Town Engineer
Sara Westphal, Coastal Coordinator
Jake Hurley, P.E., Senior Engineer

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Environmental Stewardship

Strategic Focus Areas:

Sound Fiscal Management

Emergency Management

Quality of Life

On-island Mobility

Management of Environmental Threats

Sustainable Management of Town Assets

FUNDING

Capital

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 2026

To: Town Council
Via: Kirk W. Blouin, Town Manager
From: Jason Debrincat, P.E., Director of Public Works
Re: Sargassum Maintenance

Date: 8/28/2026

STAFF RECOMMENDATION

Town staff are providing an update on the status of sargassum on the beaches.

GENERAL INFORMATION

Sargassum is a naturally occurring marine algae that is transported across the Atlantic Ocean to our beaches by ocean currents and seasonal wind patterns. It is common to see periodic accumulation along Florida's coast during the summer months, and the amount that reaches our shoreline can vary from day to day depending on weather and ocean conditions. We typically see a buildup of material beginning in June and beginning to subside in August.

In accordance with the Florida Department of Environmental Protection's (FDEP) guidelines and recommendations, the Town provides year-round cleaning services twice a week at its public beaches (Mid-Town and Phipps). We also provide cleaning services on an as-needed basis to the north end from Angler Avenue to the Inlet because the jetty causes material to accumulate in larger amounts. Town staff actively monitor the conditions at the north end and coordinate cleanup efforts as needed.

FDEP considers sargassum to be a natural part of Florida's coastal ecosystem and recommends a balanced management approach. Rather than removing all of the material, FDEP recommends limiting cleanup to what is necessary to address public use and health concerns while leaving some material in place where practical. FDEP's Best Management Practices suggest accumulations of seaweed first be handled under the Town's existing beach-cleaning permit, which allows mechanical raking. Cleanup activities conducted during sea turtle and shorebird nesting season must be done carefully to minimize impacts to nesting habitat. Therefore, the rakers are limited to clean waterward of the mean high water line. Material is raked into an even layer and covered with a layer of sand, essentially burying the material in the tidal zone. A cleanup event was provided on the north end on Friday, July 31st. The raker was unable to alleviate all of the material due to unstable conditions. Staff continued to monitor conditions to determine if material would be alleviated naturally or if a different

methodology should be utilized.

According to the National Oceanic and Atmospheric Association and the University of South Florida, this year's Atlantic sargassum bloom is on track to be the second largest, only second to 2025. The peak month is over and has begun its normal seasonal decline. As a result, we can continue to expect periodic accumulations and should see a decline through the coming months until possibly November. Town staff participate in a monthly Sargassum Information Exchange Meeting with southeast Florida counties and municipalities. From the latest information shared in July, it seems as though areas south of Palm Beach have been experiencing 2-3 times the amount of sargassum than prior years. Areas from Palm Beach north have continued to see large amounts of material but have been on trend with or less than recent years. We have been able to maintain our current beach standards at our public beaches while providing the same raking services. However, due to the continued calm weather conditions and wind patterns from the south and east, additional measures must be taken on the north end beach. Staff are working to deploy remediation services as soon as possible.

FUNDING/FISCAL IMPACT

There will be costs incurred to perform maintenance on the north end.

Attachment

cc. Patricia Strayer, P.E, Town Engineer
Sara Westphal, Coastal Coordinator

STRATEGIC PLAN

Strategic Priorities:

Safe and Resilient Community, Environmental Stewardship

Strategic Focus Areas:

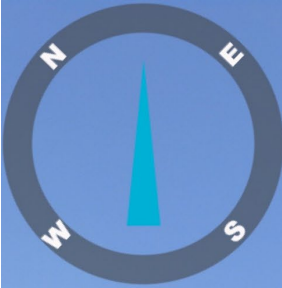
Emergency Management

Management of Environmental Threats

Sustainable Management of Town Assets

FUNDING

Coastal



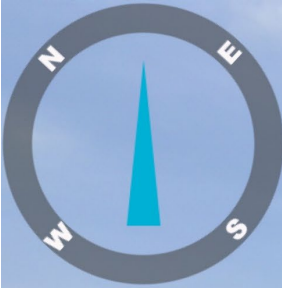
Jul 6, 2026 at 12:09:19 PM

N 26° 46' 7", W 80° 2' 8"

46° NE

FL

United States
North Atlantic Ocean



Jul 27, 2026 at 10:36:13 AM

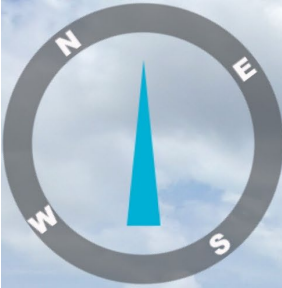
N 26° 46' 10", W 80° 2' 7"

47° NE

Palm Beach FL

United States

North Atlantic Ocean



Jul 31, 2026 at 2:20:03 PM

N 26° 46' 2", W 80° 2' 9"

37° NE

FL

United States
North Atlantic Ocean



Jul 31, 2026 at 2:35:45 PM

N 26° 46' 15", W 80° 2' 6"

229° SW

FL

United States
North Atlantic Ocean



Aug 10, 2026 at 2:48:16 PM
N 26° 46' 10", W 80° 2' 8"
51° NE
Palm Beach FL
United States



Aug 20, 2026 at 8:48:39 AM
N 26° 46' 7", W 80° 2' 9"
45° NE
FL
United States
North Atlantic Ocean

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 2026

To: Town Council
Via: Kirk W. Blouin, Town Manager
From: Jason Debrincat, P.E., Director of Public Works
Re: Beach Management Agreement Stakeholder Meeting Update

Date: 8/28/2026

STAFF RECOMMENDATION

Town staff are providing an update on the Annual Beach Management Agreement Stakeholder meeting held on August 18, 2026. There are no action items for Town Council at this time.

GENERAL INFORMATION

The Beach Management Agreement (BMA) requires an annual stakeholder public meeting open to all interested parties. The meeting is usually held in August at Town Hall and members of the public are encouraged to attend to learn more about the BMA program, provide input, and ask questions. Annual monitoring data for the prior year is presented, and a summary of BMA activities is provided. Following the meeting, agencies and participating partners meet to discuss the prior year's projects and future implementation.

Key takeaways from this year's meeting include the following:

Beach Management Projects: The 2026 Midtown Beach nourishment project was successfully completed and included a collaborative effort between everyone involved. Dune placement occurred in Reaches 8 and 9, and private groin and breakwater projects were completed in several areas.

Lake Worth Inlet Sand Management: The U.S. Army Corps of Engineers (USACE) directed inlet maintenance material to be beneficially used for the Midtown project. The Town and USACE continue to coordinate regularly regarding inlet operations. For 2027, a smaller nearshore placement is anticipated, and planning and bidding activities are underway. Looking ahead to 2028, the Town is focused on improving the implementation of excavation for Reach 2 sand forepassing.

Physical and Hardbottom Monitoring: The BMA monitoring program includes permanent transects and island-wide monitoring to distinguish natural sediment and hardbottom variability from potential project-related impacts. Preliminary 2025 aerial

data showed relatively low overall hardbottom exposure across the BMA cell, although exposure increased in portions of the Midtown project area. Monitoring continues to evaluate sediment movement, hardbottom exposure/re-exposure, and benthic habitat conditions.

Sea Turtle and Shorebird Monitoring: FWC reported substantial sea turtle nesting throughout the BMA in 2025, including 8,153 loggerhead nests, 1,145 green turtle nests, and 97 leatherback nests. The monitoring provides a long-term baseline for evaluating reproductive success in relation to beach management activities.

Five-Year BMA Update: Stakeholders are undertaking the required five-year review and update of the BMA. Proposed revisions are intended to incorporate lessons learned from the past five years and address changes to project approvals, monitoring requirements, sediment management, borrow areas, dune activities, groin management, and other administrative and technical provisions.

FUNDING/FISCAL IMPACT

The BMA program is funded through the Coastal budget and is an ongoing program.

Attachment

cc. Patricia Strayer, P.E, Town Engineer
Sara Westphal, Coastal Coordinator

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation, Environmental Stewardship

Strategic Focus Areas:

Sound Fiscal Management

Cooperative Relationships

Management of Environmental Threats

Sustainable Management of Town Assets

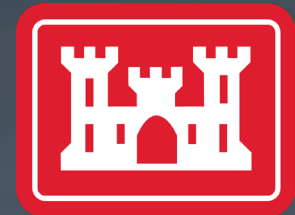
Collaborative Town Government

FUNDING

Coastal

PALM BEACH ISLAND BEACH MANAGEMENT AGREEMENT

BMA Annual Meeting | Aug. 18, 2026





PALM BEACH ISLAND

Beach Management Agreement (BMA)- 2026 Update Overview

The BMA is a regional and perpetual management plan using section 403.0752, Florida Statutes (F.S.) to authorize repeat beach management projects throughout a coastal cell.

- Regional, adaptive management rather than conventional project-by-project permitting
- Net ecosystem benefits
- Cell-wide monitoring of resources
- Improved inlet bypassing
- Efficient use of beach quality sand
- Streamlined review process
- Increased coordination and efficiency, cost-effective
- Six authorized BMA projects
 1. Lake Worth Inlet (LWI) Maintenance Dredging
 2. Sand Transfer Plant (STP)
 3. Mid-Town Nourishment
 4. Phipps Ocean Park Nourishment
 5. Groin Rehabilitations
 6. Dune Restorations



PALM BEACH ISLAND

Beach Management Agreement (BMA)- 2026 Update Overview

Coastal Processes

- Net movement of sand on our beaches is from North to South
- Lake Worth Inlet interrupts the natural flow of sand to the beaches to the south
- The BMA program is based on maximizing sand bypassing around the inlet and nourishment to offset ongoing and historic losses
- Two major nourishment projects: Mid-Town and Phipps Park

2026 Projects

- Mid-Town USACE FCCE
- Dune Placement in Reaches 8 & 9
- Breakers/Lauder Groins
- Blossom Way Groin Rehabilitation

2027 Projects

- USACE Inlet Maintenance
Nearshore Placement
- Mid-Town Seawall Replacement
- Blossom Way Groin Rehabilitation
- Sand Transfer Plant Repairs

2028 Projects

- USACE Inlet Maintenance
- Reach 2 Forepassing



PALM BEACH ISLAND

Beach Management Agreement (BMA)- 2026 Update Overview

Physical Monitoring

Current Program Status (relative to 1990 Conditions)

- Volume Gain: 5.75 Million cy.
- Volume Density Gain: 89.4 cy./lf.
- Net Shoreline Advance: +60.5 ft.

Sand is not evenly distributed throughout the Town

Areas with coastal structures and nearshore hardbottom are harder to address

- Reach 2
- Clarke Avenue
- Sloan's Curve
- Reach 8



PALM BEACH ISLAND

Beach Management Agreement (BMA)- 2026 Update Overview

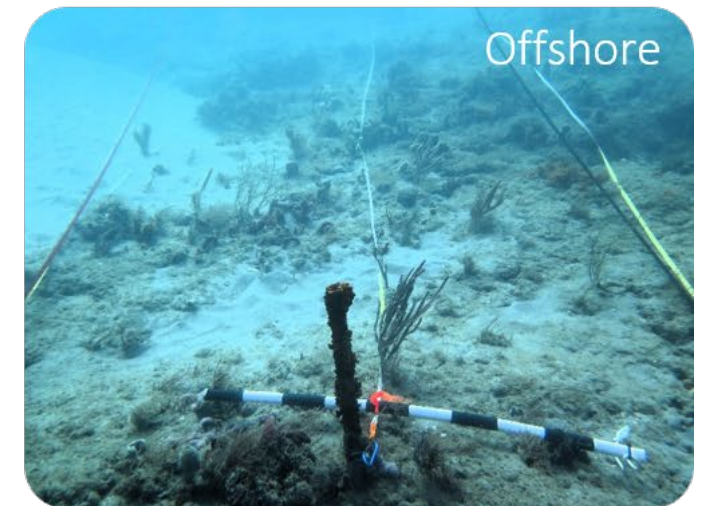
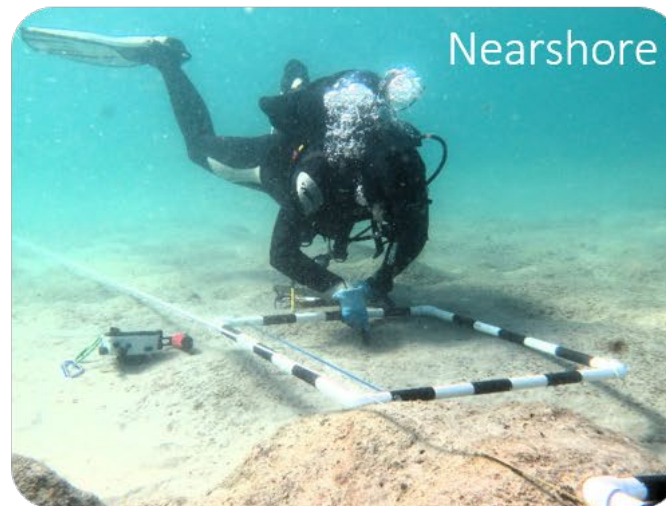
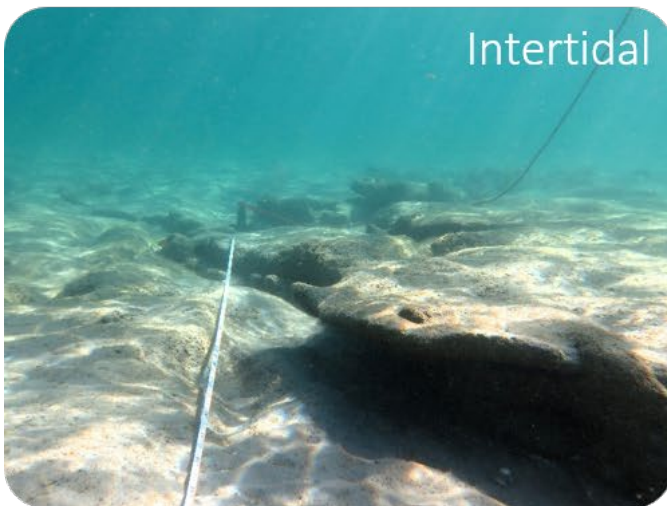
Biological Monitoring

The BMA monitoring program is designed to distinguish between:

- natural fluctuations in hardbottom exposure,
- sediment movement,
- benthic community changes, and
- potential impacts associated with nourishment or inlet projects.

2025 Data:

- Hardbottom exposure remains highly dynamic
- Observed exposure associated with natural sand migration





PALM BEACH ISLAND

Beach Management Agreement (BMA)- 2026 Update Overview

Biological Monitoring

- 24,280 Total Crawls, 9,395 Nests, 2,157 Marked Nests
- No shorebird nesting in 2025

	Loggerhead	Green	Leatherback
Crawls	21,857	2,310	113
Nests	8,153	1,145	97
Marked Nests*	1,776	328	53
Nesting Success	37.3%	49.6%	85.8%
Emergences*	679	126	35
Emergence Success	38.2%	38.4%	66%

Loggerhead



Green



Leatherback





PALM BEACH ISLAND

Beach Management Agreement (BMA)- 2026 Update Overview

2026 5-Year BMA Update

Section E)2.a.vi of the Main Agreement requires reevaluation of the BMA to determine whether it needs to be updated or terminated. Participant's have determined that an update is necessary.

Items to be Updated

- Authorized Project Descriptions
- Dune IPA Process
- IPA Modification Process*
- Groin Inventory
- Cell-Wide Dune Conditions
- Project Drawings
- Cell-Wide Monitoring Conditions
- Turbidity Mixing Zones
- Sediment QA/QC and Specifications
- IPA Checklists
- Fee Schedules

* Creation of New Process

Palm Beach Island Beach Management Agreement Pilot Project

[Home](#) > [Divisions](#) > [Office of Resilience and Coastal Protection](#) > [Beaches, Inlets and Ports Program](#) > Palm Beach Island Beach Management Agreement Pilot Project

Beaches-Inlets-Ports Quick links

Contact Us!

Beaches

Related Programs

Beach Management
Funding Assistance

Beaches Field Services

Coastal Engineering
and Geology

Bureau of Public Land
Administration

Coastal Construction
Control Line Program

Submerged Lands and
Environmental
Resources
Coordination Program

Information

BIPP Permits

Palm Beach Island
BMA Pilot Project

Projects Under
Construction

Strategic Planning and
Coordination

Tools for Applicants

Permitting Fees

Rules and Statutes

Storm Data

In 2012, the Florida Department of Environmental Protection's Beaches and Coastal Systems initiated a pilot project designed to take a regional approach to permitting beach nourishment and inlet management. Currently, the department's beach nourishment efforts are permitted on a project-by-project basis.

This pilot project includes about 15 miles of shoreline and stretches across several public and private boundary lines from the Lake Worth/Palm Beach Inlet to the South Lake Worth/Boynton Inlet in Palm Beach County (view [map](#)). The department worked with local governments and other groups in a stakeholder-driven process to develop a cooperative agreement to managing this stretch of shoreline, as a whole.

Collaborative efforts among stakeholders to develop this agreement included identifying beach nourishment and inlet management needs, cost-sharing opportunities and permitting requirements for this beach region rather than for a single beach project.

By taking a regional approach to restoration, DEP will improve the effectiveness of its program and the health of our beaches by focusing on areas where restoration will have the greatest environmental benefit and the best chance of long-term success.

Annual stakeholder meetings are held to provide a review of annual monitoring data, track progress of the BMA and update stakeholders about new BMA updates.

[Download the BMA](#)

BMA Updates

Join us for the annual Palm Beach Island Beach Management Agreement

- **August 18, 2026 at 10 a.m. - 12 p.m., at the Town of Palm Beach, FL 33480).**

The stakeholder meeting is a public meeting open to all interested parties. The Town of Palm Beach, in partnership with the Florida Department of Environmental Protection, will present the annual monitoring data, physical, turtle, and management updates.

For questions, contact [Greg Garis](#).

Related Links

- [Nearshore Hardbottom in Southeastern Florida](#)

Last Modified: Monday, Aug 03, 2026 - 01:01pm

A section for the draft documents will be added here

THANK YOU

BMA Meeting Recording: [Annual BMA Meeting-Meeting Recording.mp4](#)

FDEP BMA Website: www.FloridaDEP.gov/PalmBeachIslandPilotProject

Town of Palm Beach Coastal Website: <https://www.townofpalmbeach.com/133/Coastal-Protection> > Documents and Studies

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 2026

To: Town Council
Via: Kirk W. Blouin, Town Manager
From: Jason Debrincat, P.E., Director of Public Works
Re: Consideration of Waivers to Town Code for Construction Dates, Hours, and Noise for Staging and Construction of the 2027 USACE Jetty Repair Project

Date: 8/27/2026

STAFF RECOMMENDATION

Town staff recommends Town Council approve a waiver for the United States Army Corps of Engineers (USACE) to allow construction-related activities outside of the Town Code of Ordinances restrictions for construction dates, hours, and noise levels in the staging and project area as requested by the USACE.

GENERAL INFORMATION

The USACE plans to commence repairs to the Lake Worth Inlet south jetty. New armor stones will be placed along the eastern portion of the south jetty. The USACE plans to award the contract in November 2026, start construction in July 2027 and be completed by November 2027. The contractor is anticipated to operate marine equipment 24 hours a day / 7 days a week. No land-based activities will occur. No trucking is expected, and activities will be done with the use of offshore equipment.

The USACE requests permission for their contractor to utilize the Lake Worth Lagoon near the Palm Beach Harbor southern turning basin for pre- and post-construction staging activities and potential safe harbor of offshore equipment.

Work performed within the jurisdictional limits of the Town of Palm Beach must either conform to the Town Code of Ordinances or be allowed by the Town Council. This USACE request includes waivers of the following sections of the Town Code of Ordinances:

Section 42-198 – prohibits operation of equipment or machinery during winter, Saturdays, Sundays, and observed town holidays (commencing on November 1st and ending April 30th).

Section 42-199 – prohibits work between 5:00 p.m. and 8:00 a.m.

Sections 42-226 through 229 – regulates noise, equipment operation, work hours, and the standard Town requirement to “stand down for the season”.

FUNDING/FISCAL IMPACT

There is no funding/fiscal impact related to this item.

Attachment

cc. Patricia Strayer, P.E, Town Engineer
Sara Westphal, Coastal Coordinator
Chris McNees, USACE

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation

Strategic Focus Areas:

Cooperative Relationships

FUNDING

Coastal



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, JACKSONVILLE DISTRICT
701 SAN MARCO BOULEVARD
JACKSONVILLE, FLORIDA 32207

Programs and Project Management Division
Water Resources Branch

August 14, 2026

Mrs. Sara Westphal
Coastal Coordinator
Town of Palm Beach
951 Okeechobee Road, Suite A
West Palm Beach, FL 33401

Dear Mrs. Westphal:

The Jacksonville District, U.S. Army Corps of Engineers (Corps) is preparing to initiate a jetty repair project for Palm Beach Harbor in which armor stones will be placed along the south jetty's eastern portion. The contract is scheduled to be awarded in November 2026. Following award, environmental surveys will be performed in the area of planned construction concurrent with armor stone acquisition. Construction activities are planned to start in July 2027 and are expected to be completed by November 2027. The Contractor is anticipated to operate marine-based equipment seven days a week between sunrise and sunset; no nighttime work will be conducted. The Corps requests approval from the Town Council for the Contractor to stage within the Town of Palm Beach's jurisdictional limits of Lake Worth Lagoon. As part of pre-/post-construction activities (i.e. initial setup, breakdown) or potential safe harbor, the Contractor may stage within Lake Worth Lagoon in proximity to Palm Beach Harbor's southern turning basin.

The Corps is requesting variance on the following Town Code of Ordinances for the proposed work:

- Section 42-198 – prohibits operation of equipment or machinery during winter, Sundays, and legal holidays
- Section 42-199 – prohibits work between 5:00 pm and 8:00 am
- Sections 42-226 through 229 – regulates noise, equipment operation, and work hours and the standard Town "stand down for the season" requirement

If you have any further questions or need any additional information, please feel free to contact the undersigned at 904-232-2132.

Sincerely,

M. Chris McNees

M. Chris McNees
Project Manager

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 2026

To: Town Council
Via: Sean Baker, Fire Rescue Chief
From: Dean Mealy, II NIGP-CPP, CPPO, FCCM Town Procurement and Contract Division Director
Re: Discussion on a partnership with University of Florida Health on a Mobile Stroke Transport Unit

Date: 8/26/2026

PURPOSE OF THIS ITEM

The purpose of this agenda item is for the Town Council to consider, at a conceptual level, a potential partnership with University of Florida (UF) Health to explore development of an Advanced Care Medical Program. This program would be evaluated as an approach to enhance prehospital and community critical care through advanced diagnostics, telemedicine integration, and specialized capabilities.

BACKGROUND

Similar units operate in other parts of the State as a Mobile Stroke Transport Unit. The Town will finalize naming conventions and operations as part of the contract process.

CONCEPT OVERVIEW (ILLUSTRATIVE)

If pursued, the Advanced Care Medical Program would assess options to deliver enhanced prehospital advanced care by: (1) integrating real-time telemedicine consultation, (2) enabling point-of-care diagnostics, and (3) establishing clinical and operational protocols in coordination with UF Health and local partners. Specific equipment, staffing models, hours of operation, and service scope will be defined during the concept vetting and are not being approved at this time.

FUNDING

No funding appropriation is requested with this conceptual discussion item. If Council provides direction to proceed beyond concept development, staff will return with a detailed funding plan, contract terms, and governance framework for consideration.

REQUESTED COUNCIL ACTION

Provide direction to continue concept vetting with UF Health and community stakeholders and to return at a future meeting with implementation options, draft agreements, and a communications plan aligned with Town policy.

STRATEGIC PLAN

Strategic Priorities:

Governmental Leadership and Innovation

Strategic Focus Areas:
Quality of Life

FUNDING
No Funding

TOWN OF PALM BEACH

Information for Town Council Meeting on: September 8, 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 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, 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):

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

2016B Worth Avenue Revenue Bond (206)
Revenue and Expense Summary

	FY2024 Actual	FY2025 Actual	FY2026 Budget	Ordinance 24- 2026 Amendment	FY2026 Amended Budget
<u>Revenues</u>					
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
<u>Expenses</u>					
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

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)

Coastal Protection Fund (309)
Revenue and Expense Summary

	FY2024 Actual	FY2025 Actual	FY2026 Budget	Ordinance 24- 2026 Amendment	FY2026 Amended Budget
<u>Revenues</u>					
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
<u>Expenses</u>					
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)

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
<u>Revenues</u>					
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
<u>Expenses</u>					
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