

TOWN OF PALM BEACH

Office of The Town Clerk

REPORT OF THE PUBLIC WORKS COMMITTEE MEETING HELD ON JANUARY 3, 2008

I. CALL TO ORDER AND ROLL CALL

The Public Works Committee Meeting was called to order on Thursday, January 3, 2008, at 1:00 p.m., in the Town Council Chambers. On roll call, Chair Susan Markin and Committee Member Coniglio were present.

Others present for all or a portion of the meeting were:

Thomas G. Bradford - Deputy Town Manager
Kirk Blouin - Police Department Support Services Captain
James Bowser - Town Engineer
Paul Brazil - Public Works Director
Eric Brown - Public Works Assistant Director
Veronica Close - Assistant Director of Planning, Zoning, and Building
Charles Langley - Public Works Assistant Director
John Page - Planning, Zoning, and Building Director
Jeff Taylor - Acting Building Official
Susan A. Eichhorn - Town Clerk

II. APPROVAL OF AGENDA

The consensus of the Public Works Committee Members was to change the order of the discussion items. Item IV., CONSTRUCTION PERMITTING PROCESS, would be addressed before Item III., DISCUSSION REGARDING CAPITAL IMPROVEMENT PROJECTS.

Chair Markin explained the purpose of the meeting as follows:

1. To improve and make the Town's permitting process more efficient;
2. To make people more aware of the Public Works' Capital Improvement Projects.

III. DISCUSSION REGARDING CAPITAL IMPROVEMENT PROJECTS

(Discussed after Item IV., Construction Permitting Process)

Director of Public Works Paul Brazil advised that Assistant Director Charles Langley would discuss the approved, 5-year short-term Capital Improvement Projects, and Town Engineer James Bowser would discuss the long term Capital Improvement Projects.

Assistant Director of Public Works Langley referred to the memorandum to the Mayor and Town Council dated December 28, 2007, and included in the backup material, to summarize the Capital Improvement Program, Fund 307, FY 2008 through 2012.

Mr. Langley commented on the following and responded to the questions and concerns of the Public Works Committee Members along with Mr. Brazil, Assistant Director of Public Works Eric Brown and Deputy Town Manager Bradford:

- Storm Water System
- Sanitary Sewer System
- Streets and Roads
- Bury FPL Overhead Lines
- Refurbish Memorial Fountain
- Water Main Improvements
- Fuel Tank Replacement Program
- North Fire-Rescue Station

In response to Chair Markin, Mr. Langley explained that most of the projects were less than a year old and some were within the last six months. The numbers he had discussed were for projects that were scheduled to go to construction. He advised that most of the costs for known projects were good, but there might be things that Public Works did not anticipate, such as the occurrence of the concrete shortage.

Town Engineer Bowser referred to the Capital Improvement Program (CIP) Forecast dated December 27, 2007, and included in the backup material, to provide a broad overview of the long term CIP beyond the published Five-Year Plan, for years 6 through 20. He commented on the following items and responded to questions and concerns of the Public Works Committee Members along with Mr. Brazil:

- Coastal Management Program
 - Noted that each year the Town prepared a document titled, "Long-Range Budget Plan," which was submitted to the State and was included in the Town's funding requests.

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- Town Buildings
- Storm Drainage Pump Stations
 - D-9 Pump Station, Mediterranean Road, was scheduled for upgrade/renovation under the 2001 Storm Drainage Improvement Plan as was D-10.
 - Money had been programmed for storm station rehabilitation, in the out years. It was recommended for FY 2009.

Mr. Bowser commented that he believed the station should be expanded rather than making interim improvements to keep it at a limited pumping capacity.

Ms. Coniglio questioned whether there was a chart listing the planned projects, which were no longer going to be funded due to the defeat of the bond referendum, and if in fact, how could those be funded and when could they be funded.

Mr. Brazil responded that those projects could be accomplished through the Storm Water Program, noting that there were two components: pump stations and collection system in the ground. He advised that both of those components were used to increase the level of service. The Town had constructed the new stations that had been planned to construct, which had never existed before, and some rehabilitation had been done to increase the capacity of some of the existing stations. He advised that if the program was not to be continued, the funding that would be asked for was rehabilitation money for existing stations. Money would not be requested to increase the capacity of the collection system, but just repair what was already underground.

In response to Ms. Coniglio, Mr. Brazil advised that relative to D-9 the Town was at a fork in the road, either they did one program or the other: rehabilitation or improvement. Money would be wasted if both were tried or it was staged over time. It did make economic sense to increase capacity, but the Town might literally not have the money to do it.

Mr. Bowser commented that instead of finishing the 2001 Storm Drainage Improvement Plan over the next five years, it could be done over the next fifteen or twenty years. The blueprint could be continued as long as the stations were not falling into a state of disrepair and could not provide the level of service expected. It was an analysis that needed to be done, and it was part of the 6 through 20-year plan.

Chair Markin noted that the backup contained capital expenditures for various pump stations, and that a list of all the different stations and the order Public Works was trying to do them had been given to the Town Council, which combined, provided a full picture as to what the costs would be by pump station, by location.

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Chair Markin referred to pages three and four of the backup, expressing concern over the information that equipment had not been updated since Bond Issues in 1956 or 1962, and that the mains had served the Town for 50 years, and it was hoped that they would last 75 years. The backup stated, "An acoustic study, or condition survey, similar to that done in West Palm Beach, may be prudent in the future for the evaluation of the Town's force mains." She questioned whether a study had been done before, and if so, when was the last time it was done."

Mr. Bowser responded that one had never been done, noting that in his twenty years with the Town, there had been a very limited number of breaks, but when they occurred, an engineering analysis was conducted to determine the cause of the break. If it was determined that a segment had significant deterioration, rather than an isolated problem, a line was replaced. He noted that a reserve had been started at one time for force main replacement. He believed that the force mains were in really good shape, but there were some that could lend themselves to an acoustic study. He reiterated that the Town did not have a lot of breaks and they were not recommending replacement of the force mains at this time. He advised that the Town did not have a reserve account and recommended the establishment of one, funded on an annual basis.

Mr. Brazil advised that presently the Town had in reserve \$237,000, which would get the acoustic study started. The Town had consolidated, in the proposed out years of the Capital Program some of the various line items that were placed in sanitary. The Town needed to accumulate those funds, over time and hopefully, pick them off project by project with an affordable amount each year. He explained, that historically, Public Works had always stayed ahead of these items and historically, the Town Council had funded and invested in the infrastructure much better than most communities.

Discussion ensued relative to the large projects facing the Town. Mr. Brazil advised that the dollars being looked at and the projects being discussed were just to maintain the present system.

Chair Markin noted that one of the reasons for holding this meeting was to bring an awareness of these long term potential expenditures needed to maintain the Town's infrastructure. She advised that she agreed with Mr. Brazil that the Town had been very good, through the efforts of previous Mayors and Town Councils, in funding and investing in the infrastructure, and she believed it was very important, from this Committee's perspective, to bring a renewed awareness to the Town Council.

Chair Markin commented, relative to the bond referendum, that a response had been received from the tax payers that they did not want to pay debt service on projects, which she said further supported the need to build a reserve as an insurance policy for funding these projects. She explained that when projects were done, the Town would pay cash for them, and not have to pay cash plus debt service.

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Mr. Brazil explained that what they had tried to do during the budget process was, at the very least, show the Town Council the five-year window of what was available. There were very few opportunities to show years 5 through 20.

Chair Markin advised that she believed they needed to put some kind of earmark on a number so that the Town Council did have a goal when talking budgets, and that when they were making choices for many different projects, what the potential earmark number would be. The number could be increased or decreased every year, but at least, there would be an emphasis on having a number there.

Mr. Bradford noted that absent of an unusual circumstance, a good rule of thumb for funds set aside in reserve for renewal and replacements, was typically 5% of the utilities budget. He advised that for sanitary sewers, the typical target would be to set aside 5% per year of the total budget. The Town did not have a normal environment as it had high water tables, brackish water, and other odd issues, which had to be taken into account.

In response to Chair Markin, Mr. Bowser responded that he used the budget that the regional plan used: 2% of the asset value. He noted that in using 2%, all assets could be replaced in fifty years, if everything had an average useful life of fifty years, but with the 2% there was a shortfall because of major work that had to be done there. He noted that they were not falling short by a lot, perhaps \$10 million over twenty years, a half million dollars a year on average based on today's dollar.

Ms. Coniglio noted that it appeared one of the goals would be to prioritize projects, with the knowledge that there could be an emergency situation, which would leave the Town, at that point, without the funds needed.

Mr. Brazil responded that the 5-Year Capital Program had been presented by priority, by contingency, and how it would be dealt with.

ACTION ITEM:

Chair Markin requested the following as an action item:

A justifiable formula should be created so that when budgets were being discussed at the Town Council level, it would not be ignored, and that it was put in as a priority with whatever figure seemed reasonable. It did not mean that the figures would be increased or decreased year to year, but that there would be an objective. It could be brought to the Town Council as an expectation, which could be seen as part of the Town's budgetary forecast. On

the discussion relative to 2% and 5% of the asset value, it needed to be somewhere in the middle.

In response to Mr. Brazil, Chair Markin advised that they the Committee would like to stop reviewing this section of the report at this point. She noted that it was a consensus of the Committee that the ultimate goal was to receive a report from Public Works with the requested information. She requested that a followup meeting be held within the next 30 days when the formula would be available for discussion.

Discussion ensued and Chair Markin advised that 60 days would be acceptable for the meeting to be held. Mr. Brazil suggested he be allowed to fall back and discuss it as a group at the Public Works level, and then come back to Ms. Markin to set up a meeting schedule.

IV. CONSTRUCTION PERMITTING PROCESS

A. Communication Between the Planning, Zoning, and Building Department and the Public Works Department

Chair Markin welcomed Director of Planning, Zoning, and Building (PZ&B) Department Director John Page, noting that even though this was a Public Works Committee Meeting, he volunteered, as the new Director, to participate knowing that the permitting process sometimes became intertwined and overlapped. She introduced Deputy Town Manager Bradford, thanked Committee Member Coniglio for participating today, and requested Director of Public Works Brazil to introduce the members of his team.

Director of Public Works Brazil introduced the following Public Works staff members:

Eric Brown - Assistant Director of Public Works
Charles Langley - Assistant Director of Public Works
James Bowser - Town Engineer

Mr. Brazil provided a brief review of the permitting process commenting on the following:

1. Coordination between Public Works and Planning, Zoning, and Building for all permit applications and one stop permitting
2. Plan Review
 - Erosion Control Plan

- Demolition Plan
 - Construction Site Utilization Plan
 - Site Plan
 - Drainage Plan
 - Easement Encroachments/Abandonments
 - Landscape Plan
 - Electrical Plan
 - Plumbing Plan
 - Driveway Replacement
 - Shoreline Structures
3. Right-of-Way Permitting
 4. Inspections
 5. Public Works Certificate of Occupancy (CO) Review

Mr. Brazil concluded his review and reiterated the reason for today's meeting, as stated by Chair Markin, was to discuss and receive input on the Public Works side of the permitting process, which included construction permits and Right-of-Way inspections and permits. The construction permitting process performed by other departments (PZ&B) would not be discussed at this meeting.

Chair Markin commented on the statement in the backup material provided for this meeting that "Most plans were accomplished the day they are received by Public Works staff. In exceptional cases, plan reviews may take up to 10 working days."

Mr. Brazil responded that plan reviews were done, on the most part, by Project Engineer Martin Gauthier and Public Works Inspector Allan Powery handled Right-of-Way permits and inspections. He explained that the goal was to have a set of plans picked up from PZ&B, that day the plans would be reviewed and comments made. The next day the plans would be returned to PZ&B. He advised that Public Works only had a small part in the plan review process.

Mr. Brazil responded to Ms. Markin's comment that there was the perception that permits were held up in the Public Works Department, noting that unfortunately that has been a common comment for many years, and he was aware of that perception. He advised that not all plan reviews happened in one day. He explained that early on in his career with the Town, he had performed plan reviews himself, and was very familiar with the process. He explained that not all plans were perfect upon arrival for first review. He mentioned that there were times when something relatively small could be dealt with directly by his contacting, over the phone, the civil engineer who could then begin making the necessary revisions. The goal in doing that was to expedite the process.

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Mr. Brazil responded that the applicant submitted the plans to the Planning, Zoning, and Building Department and filled out an application. Public Works tracked when the plans were received and when they were returned PZ&B. He explained that Public Works worked behind PZ&B who physically received the plans and was the face to the applicant for the building permit process. The Public Works Plan Reviewer physically went to PZ&B to pick up the plans that were ready, the plans would be signed out to him, the plan review was done, the plans were returned to PZ&B by him with written comments, and the plan reviewer signed them back in.

Director of Planning, Zoning, and Building John Page explained that, as the new Director, he was asking many of the same questions being asked today in order to learn the process and departmental operations. He requested that Assistant Director Close respond to questions concerning the time line.

In response to Chair Markin, Assistant Director of Planning, Zoning, and Building Veronica Close advised that the plans remained at PZ&B for about a day before they were picked up and taken to Public Works.

Mr. Brazil responded to Ms. Markin that Plan Reviewer Martin Gauthier would have something to drop off and pick up every day. The position of plan reviewer was developed to ensure that there was improved interaction between Public Works and PZ&B, and Mr. Gauthier was the only staff member assigned that responsibility on a full time basis; he also did inspections. He advised that if Mr. Gauthier took a vacation, sick day, etc., he would temporarily be replaced by the project engineer.

Mr. Brazil explained that Public Works had its own tracking system for plans that were physically brought into the building, which was done by the plan reviewer.

In response to Committee Member Coniglio, Mr. Brazil explained that the plans were logged in on the spreadsheet by the tracking number assigned by PZ&B. Mr. Gauthier would manually return the plans to PZ&B when he was finished with the plans. Public Works has had several meetings with applicants at the Public Works Department to review the plan review process.

Ms. Close responded that PZ&B had a digitized logging system to track when the plans came in and when they went out. She explained that at any given time when an applicant phoned in relative to their plans, PZ&B would be able to tell them where they were in the process. She advised that the spreadsheet could not presently be placed online. The new software system would have that capability. It was expected that the system would be put on line in the Fall.

In response to Ms. Markin who questioned whether the applicant was notified when plans were returned to PZ&B, Ms. Close responded that the plans were placed in a bin for the applicant

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to check on and see if they were ready, as PZ&B did not have the resources to notify applicants. She explained that there was nothing to prevent PZ&B from doing that, but it was a matter of how much time was allocated to do specific duties.

In response to Committee Member Coniglio, Ms. Close advised that there were approximately 60 permits daily for final approval, and Mr. Brazil noted that not all of those permit applications had to go through Public Works.

Ms. Markin questioned whether any other method of notification had been looked into and if there was anything via the internet that could be checked just by entering a tracking number.

Ms. Close responded that the new system would allow owners/contractors to check the status of a permit application, which PZ&B believed was a service that should be provided.

In response to Committee Member Coniglio, Mr. Brazil provided the following example of a time line for Martin Gauthier:

- Picked up and dropped off plans on Monday;
- Conducted field inspections while out of office;
- Finished reviews sometime on Tuesday;
- Consulted with others, if a problem existed;
- Returned to PZ&B w/comments on late Tuesday/early Wednesday, if there was nothing abnormal with the project.

In response to Committee Member Coniglio, who questioned whether the process would be lengthened if a problem was found upon inspection, Mr. Brazil noted that the plan review process was conducted before an applicant received a permit application. The inspection process came after they had received their permit and the project was under construction. He advised that it was a three to four-day process.

Town Engineer James Bowser noted that Mr. Brazil had focused on post permitted construction inspections, but there were times when reviewing a plan, one would have to go into the field to verify field conditions. He advised that depending on the volume of permits, at any one particular time, there might not be enough time in a day to get to all the permit applications, which could lengthen the time. The Right-of-Way Manual provided, or did in the past, ten days to for a review, return, and unforeseen circumstances. The goal was to return the plans as soon as possible, but there might be circumstances and conditions that extended the permit process. He advised that Right-of-Way permits took three days, noting that Building Department permits were different.

Mr. Brazil responded that Public Works did not offer the possibility of an expedited review.

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He reviewed information PZ&B had just provided to him on expedited reviews noting that for Public Works alone, the average was five working days for a simple review, and 6.87 working days for all reviews.

Ms. Close clarified that there were permits that required more than one review, and when all reviews were counted and added together, the total review time was 6.87 working days, even if the project was reviewed three or four times. The average of five working days was per review by Public Works. She advised that the figures did not include Right-of-Way permits.

In response to Ms. Markin, Mr. Brazil responded as follows:

- The drainage plan, the demolition plan, etc., were part of the construction permit package, and that all of those items combined were looked at in one review.
- The process took approximately two days.
- Larger sites, complicated drainage issues, poor soil conditions, easement encroachments, etc. were some of the issues that bogged down the approval process, in his experience.
- Yellow tagging took place during construction and was a function of PZ&B inspectors.
- During a plan review, Public Works provided their written comments and attached them to the plans, which were then returned to PZ&B.
- After Public Works conducted their review, PZ&B reviewed the plans, with comments from other plan reviewers, and the entire set went back to the applicant.
- The applicant then would take all those comments back to their design team for corrections to be made.
- The entire revised package would be resubmitted, and would be reviewed again to make sure Public Work's concerns were addressed, and PZ&B and plan reviewers did the same.

In response to Ms. Markin, Mr. Brazil advised that it was not the norm for plans to be reviewed once. He noted that there could be a list of ten comments coming out of Public Works, five or six of them were successfully addressed, some were not, and the plans would have to be sent back.

Ms. Close advised that PZ&B was in the same situation as Public Works.

Public Comment:

Chair Markin requested public comment relative to the current process not working.

Dale Hedrick, President of Hedrick Brothers Construction Company, noted that he would

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become involved in the process when there was a problem his people could not solve, and so, he noted that he had been involved with Public Works. He stated that he had an excellent relationship with Public Works and PZ&B with two exceptions: Heart of Palm Beach Hotel and 240 Royal Palm Way. He discussed the problems he experienced and how they were resolved.

Mr. Hedrick noted that it was frustrating to determine exactly what Mr. Gauthier wanted relative to the Heart of Palm Beach, and it took six weeks to resolve. He explained that he was aware that Public Works and PZ&B did not want to be the engineer or the architect, but when Mr. Gauthier knew what he wanted, it would be helpful to communicate that in order to eliminate the time spent finding out what was actually wanted on the site.

Chair Markin advised that this was not the first time she had heard those comments, and she did not understand why, when there was a rejection to a permit, a very specific description of what the remedy should be was not provided at that point and time. She explained that the Town would learn from what was discussed today, noting that anytime an issue had to be revisited, it was a waste of time, money, and manpower.

In response to Ms. Markin, Mr. Brazil advised that he appreciated Mr. Hedrick's comment relative to Public Works staff not being designers or architects. He noted that it was not Public Works responsibility, and that he could not modify another engineer's plans, as he would then be taking responsibility for the entire design by changing one aspect of it. He explained that it was against what a professional engineer was supposed to do, and it would be a huge liability for the Town.

Mr. Brazil advised that he was open to suggestions, but he believed the solution to this problem was communication. Time should be invested with the design professional, in a timely manner, if there were problems, explaining what it was the Town was requesting.

Mr. Hedrick responded that had he used an engineer the Town was familiar with, there would have been a different result. The engineer used at the Heart of Palm Beach did not have a relationship with the Town or an ongoing understanding of what Mr. Gauthier was looking for, and consequently there was an educational process going on even though he was a very competent and qualified engineer.

In response to Mr. Brazil, Mr. Hedrick responded that the Town could have intervened after the second time around advising them what would have been accepted, and that he had become involved on the fourth go round.

In response to Committee Member Coniglio, Mr. Brazil advised that resources were limited, but in addition to Mr. Gauthier, he was available along with Mr. Langley and Mr. Bowser. He

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commented that perhaps, what Public Works needed to do better was to make people realize on that second round they should call to set up a meeting. He explained that he believed that Public Works, as a group, needed to contact the applicant and request a meeting when there were problems.

Chair Markin thanked Mr. Hedrick for his input. She noted that she understood from an engineering perspective that the Town did not want to take on the liability for doing someone else's design, but in reality, the Town did do that as they went back and forth until it became exactly what they wanted. She advised that she was suggesting that the Town find a way to communicate more effectively and more efficiently.

ACTION ITEM:

Chair Markin requested the following as an action item:

A specific direction should be given to the homeowner or contractor when a design was not accepted. The Town needed to become more efficient and effective when communicating with an applicant. She advised that going back for review three or four times was unacceptable.

Mr. Brazil advised that could be done in many cases, which would be helpful, but there would be some cases where that could not be done.

Discussion ensued and Chair Markin commented that if it was an exception to the rule, then those were the problem children, but there were things that came up all the time, and the Town should have a certain specification range that was applicable to those applications.

Mr. Brazil discussed the following solutions:

- Public Works had some standard details available but more were probably needed.
- Public Works needed to ensure that people understood that those standard details were available.
- Public Works when they realized, early on, there was a particular problem, needed to request that the applicant come in to meet with him, Mr. Langley or Mr. Gauthier.

Jim Braden, 305 Hibiscus Avenue, noted that he was a real estate developer working with small and large municipalities. He commented as follows:

- During the renovation of his house, phone calls had not been returned on more than one occasion and there had been "no shows" by inspectors.
- Ms. Markin had been kind enough to come over to his house, and he had pointed out

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to her, that in June of last year, it had been determined that two other homes were being served through his property into the public sewer system.

- At Ms. Markin's suggestion, he contacted the Town Manager, and spoke with Mr. Brazil, but had not as yet received, in writing, when the lateral would be put in, and all he was requesting was an acknowledgment of the situation.
- The Town was a bureaucracy out of control.
- Jeff Taylor, Acting Building Official was the only staff member that was able to help him and that paid personal attention to what was being done.

Ms. Markin thanked Mr. Braden for his comments.

Mr. Brazil responded that he would hope that an inspector would make contact with a site if they could not keep an appointment. He explained that an applicant calling in for an inspection would get the inspector's voice mail.

Ms. Coniglio suggested that Mr. Gauthier's voice mail could state that he was not available, but if there was a problem you could contact another staff member, giving the name and number.

Chair Markin noted that she was aware that the inspectors were spread thin, but an occasional missed appointment or being late for an appointment was one thing, but not to make a phone call was unacceptable, and sometimes it was just a matter of attitude. She commented that, in going along with what Ms. Coniglio had suggested, there needed to be a procedure that staff, who interfaced with the residents, contractors, and builders, returned phone calls. She suggested that there should be a phone call log as part of a solution to the responsiveness to individuals.

Mr. Brazil advised that it was not common for homes to share sewerage lines, but it did occur. He explained the existing problem and how it would be resolved, but noted that because it was during season that work would not happen until the Spring, which he had advised Mr. Braden when they talked about it about two months ago.

Discussion ensued and Mr. Brazil advised that he had informed Mr. Braden when the Town would begin work on the sewer lines and when they expected it would be finished. He advised that he had not as yet put that in writing, which was Mr. Braden's specific request and he would provide that to him.

Mike Daniels, Daniels Brothers, Inc., commented on the following:

- Mr. Gauthier did a very good job but was lax at returning phone calls.
- Mr. Gauthier was very responsive to e-mails, and within a few hours, one would typically have an e-mail response back.

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- Public Works and PZ&B conduct their reviews simultaneously.
- PZ&B had an expediting service set up, but Public Works did not.
- Requested receipt of Right-of-Way permits in less than three days.
- Parking Issues
 - During the summer, construction vehicles should be allowed to park in the parking lots of private clubs.

Mr. Daniels responded to Chair Markin that he would be amenable to parking offsite and shuttle in his people during the summer months.

The following points brought up by Mr. Daniels were addressed as follows:

Concurrent Review Process Between Public Works and PZ&B

Mr. Brazil advised he believed it was a great idea to concurrently run the review processes between Public Works and PZ&B, but logistically he did not know how to do so. It did not mean that it could not be done.

Ms. Close advised that PZ&B had looked at that a few years ago, as it would be a much faster process. The problem was that the plan reviewers made comments on the plans themselves, creating the need for several sets of plans, which staff would have to deal with, each would have different comments on them, and that created a problem when going back to check plans. PZ&B worked consequently rather than concurrently in order to have all of the comments contained on the same set of plans.

Ms. Close noted that they actually had two sets of plans and comments were made on both sets. When the permit was finally approved, one set of plans went with the contractor and the other set, with identical comments, remained in the office.

Ms. Close advised that the goal was to review the plans digitally with all the comments going into the system, all contained in one location. There would not be any sets of paper plans floating around. The contractor, at any time in the process, could look at the comments made on a particular day and review them.

Ms. Close noted that reviewing plans digitally would be addressed in the future, and PZ&B would have that capability. It would not be the first item that was brought on line, as PZ&B wanted to bring their base building permit program on line, sometime in the Fall, and then build onto it with that type of capability. The second item they would like to bring online was the web capability. In the next month or so, staff would have a better idea as to exactly when they would be expecting the various components of the new computer software.

Expediting Plan for Reviews at Public Works

Mr. Brazil advised that the problem in being able to institute a plan for expediting reviews was a manpower issue, as he only had one person to do reviews. Public Works presently reviewed plans on a first come first served basis turning the plans around as quickly as possible. To expedite reviews would put one person in front of everyone else, and the wait would be longer.

Mr. Brazil responded to Ms. Coniglio that it would be ideal to use contractual personnel, but the question was how could Public Works expedite Right-of-Way permits. He noted that there was only one person processing approximately 1,300 permits per year as well as field inspections and violations. He noted that without resources he did not know how either function could be done better since it was not a good idea to request more resources right now.

In response to Ms. Markin who noted that PZ&B had an expedited process, which cost more, Ms Close advised that PZ&B did not have a backlog of permits. The average time for processing was 9.5 days, but PZ&B used a lot of overtime and contract personnel. PZ&B traditionally had used contract help for all of their services. The contract help conducted plan reviews, some expedited reviews and some of the staff of PZ&B also did expedited reviews.

In response to Ms. Coniglio who questioned if there was another person that Mr. Hedrick or Mr. Daniels could go to if there was a problem, Mr. Brazil advised that the chain of command in Public Works for this was very short. It was Mr. Gauthier, Mr. Langley and himself. He noted that if a person called the main line with a complaint that could not be resolved, it would be sent to him or Mr. Langley.

Ms. Close noted that in PZ&B, the point person was Jeff Taylor.

Discussion ensued and Ms. Markin suggested the use of more contract help for expediting reviews.

ACTION ITEM:

Chair Markin requested the following as an action item:

The Town should look into hiring contract help for expediting reviews.

Right-of-Way Permits

In response to Ms. Markin, Mr. Brazil advised that it was not realistic with the existing resources to get them done in less than three days. He noted that Public Works tried to accommodate

special concerns.

Parking Issues

Ms. Markin noted that parking was a battle and that one thing the contractors were being asked to do was to shuttle their employees. She advised that staff would work with Mr. Daniels to try to coordinate a parking plan using his suggestion.

Ms. Coniglio advised that she believed Mr. Daniel's suggestion was a great idea, but she was not certain it was something the Town would take on. She suggested that if he wanted to contact some of the clubs relative to the use of their parking lots, the Town could assist in mediating that. The residents had spoken loud and clear on that issue, and regardless of the fact that it was off-season, there were still people who lived on those streets who were not happy with construction traffic.

Mr. Brazil advised that the Town was renting out spaces at the Phipps Ocean Park parking lot during the summer. The Town did not own a public lot closer to mid-town or the north end.

Mr. Daniels commented on landscapers, moving vans and car carriers blocking traffic, noting there was no equality as construction people were required to obtain Right-of-Way Permits.

Ms. Markin suggested that the Town approach some of the private clubs explaining that they were trying to remedy the parking problem that existed for contractors and would they be amenable to allowing contractors to park their construction vehicles in the club's parking lot during the summer when they were closed, for a fee. It would be a source of revenue for the clubs. The Town could obtain a list of parking lots that might be available in the summer.

The consensus of the Committee was to have Mr. Brazil make that recommendation to the Ordinances, Rules, and Standards Committee as they were working on multiple solutions to construction parking issues.

Ms. Close noted that the use of private clubs' parking lots by contractors for construction vehicles would probably involve zoning changes. She advised that she would add that to the list of PZ&B's study items.

Discussion ensued regarding the use of the Apollo Parking Lot for shared parking, and Ms. Close advised that they would explore the use of that lot.

Ms. Markin advised that if the Town provided the contractors with a list of locations that would consider allowing them to park, it would be up to the contractors to contact the parking lots

leaving the Town out of the loop but facilitating something that was needed, which might help with the parking issue.

Robert Moore, former Director of Planning, Zoning, and Building, representing Woolems Inc., noted that in all his years working with Public Works, nothing worked smoother than when working with Mr. Brazil. He commented as follows:

- The corporate culture of the Town/the vision statement.
- The Project Engineer position:
 - Mr. Gauthier had been hired by Public Works and was paid for by PZ&B as a PZ&B employee for all other purposes except for his annual review, which was shared by both departments.
 - Mr. Gauthier was an engineer under Mr. Brazil's and Mr. Bowser's jurisdiction.
 - Mr. Gauthier was housed at Public Works as there was no room in PZ&B at the time he was hired. Presently, there was room for Mr. Gauthier at PZ&B.
 - Mr. Gauthier probably should be reporting to PZ&B to review plans, which would take three days off of the plan review time, solving many of the problems discussed today.
 - The project engineer could be paid for by building permit fees.
- Contractors and architects should provide additional plans if other reviews were to be conducted such as electrical, drainage, etc.
- The Town had the fastest and best system to obtain a permit that he was aware of.
- Jeff Taylor and his plan reviewers were doing their job and doing it well.
- The Town should hire a contract person to conduct Public Works expedited plan reviews, it would pay for itself as expedited plan reviews were more costly.
- Engineers and plan reviewers were both licensed.
- Institute a returned phone call system.
- Right-of-Way Permits and the possibility of expediting them.

Ms. Markin thanked Mr. Moore for his comments.

In response to Ms. Coniglio, Mr. Moore explained that there was a job site copy of the plans, an office copy, a set always had to be on file at all times in the Public Works Department, and one had to be in the field for the Public Works Department to inspect.

In response to Ms. Coniglio, Mr. Brazil advised that it made sense in some respects, and in some respects it did not make sense to have Mr. Gauthier located in Town Hall. He did not believe that having the Public Works Plan Reviewer working in PZ&B, physically reviewing plans there would be a problem, but there was a constant interaction and face to face that occurred with other

Public Works personnel.

Mr. Bowser explained that PZ&B hired Mr. Gauthier to assist with the plan review required by the Public Works Department, and he believed that person should remain in Public Works. He addressed the hiring of a contractual employee and advised that once a person was trained and understood how the Town operated, they could be located anywhere.

Mr. Brazil noted that they both had compelling arguments and the answer was somewhere in between all of this, with the goal of the Town's customer in mind as to how this could be done better. He believed it was something that needed to be done as group, between PZ&B and Public Works.

Mr. Bowser advised that Mr. Brazil was correct. He suggested that Public Works should be given the goal of improving the 9-day average for completion of a review. He noted that, as Mr. Moore had pointed out, the Town did conduct reviews a lot better than many other places. He advised that every day they tried to do more with less.

Ms. Coniglio commented that she did not believe anyone denied that, and they were all in agreement that it was a tough job, and they did it the best they could, there may be more that could be done to do it better.

In response to Mr. Bowser, Ms. Coniglio advised that conversation was always better than confrontation, and that was the point she was trying to make. She suggested instituting a centralized communication system.

Tim Benitz, Benitz Building, LLC, suggested that the design professionals be drawn into the equation and be contacted directly in order to get the design done right the first time around.

Ms. Markin questioned if workshops were ever held for the design professionals to inform them of the design standards.

Mr. Brazil responded that the Town had not held a workshop or open house for design professionals. He noted that design professionals that worked in Town frequently knew to go to the Right-of-Way Manual and knew when to request a meeting. The issue, he believed, was with design professionals who had not previously worked in Town, such as the civil engineer working on the Heart of Palm Beach project who had not worked in Town before.

Ms. Markin suggested that holding workshops for design professionals might be something to add to their list to look at in the future. She suggested the Town should have a database of design standards when the systems were automated, the Town could provide notification on what was

available, and the Town could have “canned” approaches to communication.

ACTION ITEM:

Chair Markin requested that the following be an action item:

The Town should provide “canned” communication letters for informational purposes.

In response to Ms. Coniglio, Mr. Bradford advised permits were on line.

Discussion ensued and the recommendation was to provide a list of standard details along with the application, and that they be put on line. Ms. Coniglio advised that a letter would then not be needed as all the information would be placed on line and/or handed out to them.

Mr. Brazil advised that he was sure that the possibility existed and staff needed to find the best way to do that.

Don Malasky, Malasky Homes, Inc., noted that they had experienced most of the frustrations and problems that had been expressed here. He noted that he had sympathy and empathy for Mr. Gauthier. He commented on a situation his company had at 10 Via Vizcaya when obtaining their Certificate of Occupancy. He suggested that it would be helpful for inspectors to provide a two to three-hour window for when they would be on a site to conduct an inspection. He noted that it would be helpful if the contractor could be notified if it would be morning or afternoon.

Mr. Malasky provided to the Committee a list that his employees put together, which they believed would be helpful in expediting the process for obtaining permits and CO's. He suggested that list be placed on the Town's website in order that builders could be made aware of what was needed from them.

The list provided by Mr. Malasky was read by Ms. Markin for the members of the audience.

1. Public Works Division of the Building Department should provide a detailed checklist for permit requirements for applicants use, prior to submitting plans and specifications for a building permit.
2. Upon issuances of a building permit, Public Works should provide a detailed checklist of requirements, approvals and documents required by Public Works for final inspection and issuances of the Certificate of Occupancy.
3. If the final inspection by Public Works fails, Public Works should provide Builder

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with a detailed written list of the corrections Builder must make prior to re-inspection. Public Works current policy is "not built according to plans," without being specific as to what was not built according to plans or specifications.

Discussion ensued relative to Mr. Malasky's problems in obtaining the CO at 10 Via Vizcaya, and Mr. Brazil advised that he had been involved with that project, and would be glad to talk to him regarding that issue.

In response to Ms. Coniglio, Mr. Brazil advised that the only list an applicant received from them during the plan review phase was a list of what was deficient on their submittal.

Ms. Markin thanked Mr. Malasky. She commented on the following:

- Suggested the creation of a road map/flow chart with time frames, contacts/phone numbers, and checklists.
- Public Works needed to look specifically at all the phone calls coming in, specifically calls to Mr. Gauthier, who obviously was overworked, overwhelmed, and overburdened. Noted that it has nothing to do with him personally and that she had never seen such a huge amount of business going through a department, which was so reliant on one person.
- Public Works should become much more specific and creative as to what things could possibly be offloaded, and that there should be some form of a phone call contact list that did not have to go to Mr. Gauthier. The administrative work should be offloaded from him with calls going to a phone administrative person.

Mr. Brazil appreciated Ms. Markin's comments relative to Mr. Gauthier and that it was not a lack of effort on his part, noting that the work, in the past used to go through only part of one person, with Jim Bowser. Mr. Gauthier was a big upgrade from where they had been before.

Ms. Markin noted that she had a list of complaints and commented on the following for the record:

"All the comments that were made here today, I know, especially when people take time out of their schedules to come here, are made in the effort, and in the vein, and spirit of improving this. This is not to say that we have a terrible Public Works Department. I do not think anybody here thinks we do. And I have spoken to people who have had projects in Wellington and West Palm Beach, which were absolute nightmares. I do believe and I would like to agree with what Bob Moore said, that we do have a good Public Works Department. A lot of it has to do with confusion, miscommunication, and under staffing. The under staffing part the Town might not be able to address, especially at this point and time. So, we need to get more efficient in the other areas. Technology

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is certainly one of those areas that we need to take more advantage of and according to Veronica, we'll be seeing some changes in that within the next year. Hopefully, the sooner the better.

I would hate to think that there would be any type of retaliatory issues that come out of any of this, and I don't believe that there will be, because I have the word of every individual sitting up here that they were going to work with anybody that was here, that if you have an issue, you bring it to the Public Works Department, the Planning, Zoning, and Building Department. These people have come here especially John Page who was new and has a lot on his plate. He is here because he knows that this was a process that they all need to work together on. I appreciate your taking that time today to do this.

I think, also, that we just need to make sure that we have a sensitivity to our customer base, whether it was a resident, whether it was a contractor, and I would like to know and let everyone go on record here today, to say that we do not intend to have any insensitivity to these issues. I believe you can tell anybody anything including tear down that wall, because it was not done properly, if you do it in the right spirit and if you explain why it has to be done. And, I think sensitivity and attitude go an awful long way in what is a very frustrating job.

I do not know how contractors deal with this business on a daily basis and I do not know how Public Works does it on a daily basis. It is tough, and I do believe in that spirit, this meeting could be very productive. We have made a list of some of things we talked about today and you heard me mention which ones we are going to work on." She noted that they knew what they needed to do and what they had to focus on."

Ms. Markin and Ms. Coniglio thanked everyone for attending the meeting.

Ms. Markin questioned whether there was anyway to assign an inspector to a job to see that job through from beginning to end versus having multiple inspectors.

Director of Planning, Zoning, and Building Director Page responded that they could move in that direction, and they were aware of the fact that if they could do more cross training and allow for better coverage and more uniformed consistency in inspections, it would be a good thing. He noted that unfortunately, in the case of PZ&B, there were many specialties which had specific inspectors trained in those specialties. It is important, and they recognized that and will do what they could to streamline it.

In response to Ms. Markin, Ms. Close added that recently they developed a system of tracking their comments. PZ&B had a tri-part form where they left all of their comments for the contractor and kept a set for themselves. She noted that if another inspector came in on the job, the comments of the prior inspections would be there right in front of them. She noted that system had been

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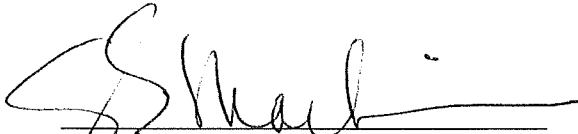
implemented about a month ago. It was virtually impossible to provide a time frame as to when an inspector would be there. She advised that the contractors were requested to contact their inspectors in the morning. The inspector would then provide some sense of when they would be onsite as they had their schedule in front of them then.

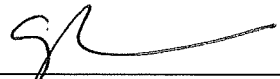
V. ANY OTHER MATTERS

There were none.

VI. ADJOURNMENT

There being no further business, the Public Works Committee Meeting of January 3, 2008, was adjourned at 4:02 p.m.



Susan Markin, Chairman

Gail Coniglio, Committee Member