The City of

Boynton Beach

City Commission Agenda

Tuesday, July 2, 2019, 6:30 PM

Intracoastal Clubhouse Park 2240 N. Federal Highway
Regular City Commission Meeting

Boynton Beach City Commission

Mayor Steven B. Grant (At Large)
Vice Mayor Justin Katz (District I)
Commissioner Mack McCray (District II)
Commissioner Christina L. Romelus (District III)
Commissioner Ty Penserga (District IV)

Lori LaVerriere, City Manager
James Cherof, City Attorney
Judith A. Pyle, City Clerk

MISSION
To create a sustainable community by providing exceptional municipal services, in a financially responsible manner.

America's Gateway to the Gulfstream

www.boynton-beach.org

WELCOME
Thank you for attending the City Commission Meeting

GENERAL RULES & PROCEDURES FOR PUBLIC PARTICIPATION AT CITY OF BOYNTON BEACH COMMISSION MEETINGS

THE AGENDA:
There is an official agenda for every meeting of the City Commissioners, which determines the order of business conducted at the meeting. The City Commission will not take action upon any matter, proposal, or item of business, which is not listed upon the official agenda, unless a majority of the Commission has first consented to the presentation for consideration and action.

- **Consent Agenda Items:** These are items which the Commission does not need to discuss individually and which are voted on as a group.
- **Regular Agenda Items:** These are items which the Commission will discuss individually in the order listed on the agenda.
- **Voice Vote:** A voice vote by the Commission indicates approval of the agenda item. This can be by either a regular voice vote with "Ayes & Nays" or by a roll call vote.

SPEAKING AT COMMISSION MEETINGS:
The public is encouraged to offer comment to the Commission at their meetings during Public Hearings, Public Audience, and on any regular agenda item, as hereinafter described.

City Commission meetings are business meetings and, as such, the Commission retains the right to impose time limits on the discussion on an issue.

- **Public Hearings:** Any citizen may speak on an official agenda item under the section entitled "Public Hearings."
- **Public Audience:** Any citizen may be heard concerning any matter within the scope of the jurisdiction of the Commission - Time Limit - Three (3) Minutes
- **Regular Agenda Items:** Any citizen may speak on any official agenda item(s) listed on the agenda after a motion has been made and properly seconded, with the exception of Consent Agenda Items that have not been pulled for separate vote, reports, presentations and first reading of Ordinances - Time Limit - Three (3) minutes

ADDRESSING THE COMMISSION:
When addressing the Commission, please step up to either podium and state your name for the record

DECORUM:
Any person who disputes the meeting while addressing the Commission may be ordered by the presiding officer to cease further comments and/or to step down from the podium. Failure to discontinue comments or step down when so ordered shall be treated as a continuing disruption of the public meeting. An order by the presiding officer issued to control the decorum of the meeting is binding, unless over-ruled by the majority vote of the Commission members present.

Please turn off all pagers and cellular phones in the City Commission Chambers while the City Commission Meeting is in session.

City Commission meetings are held in the Intracoastal Park Clubhouse, 2240 N. Federal Highway, Boynton Beach. All regular meetings are held typically on the first and third Tuesdays of every month, starting at 6:30 p.m. (Please check the Agenda Schedule - some meetings have been moved due to Holidays/Election Day).

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1. OPENINGS

A. Call to Order - Mayor Steven B. Grant

Invocation - Pastor Ash, First Presbyterian Church

Pledge of Allegiance to the Flag led by Vice Mayor Katz
Roll Call

Agenda Approval:

1. Additions, Deletions, Corrections

2. Adoption

2. OTHER

A. Informational items by Members of the City Commission

3. ANNOUNCEMENTS, COMMUNITY AND SPECIAL EVENTS AND PRESENTATIONS

A. Announce the Budget Workshops for 2019/20 proposed budget:

Budget Workshops at Intracoastal Park Clubhouse;
Monday, July 15, 2019 @ 5:00 P.M.
Tuesday, July 16, 2019 @ 10:00 A.M.
Wednesday, July 17, 2019 @ 2:00 P.M. (If needed)

B. Announce the Summer Youth Institute Internship Program with Boynton Beach Utilities, Pathway to Prosperity, Genesis Community Health and All Girls United, Inc. Sponsored by Healthier Boynton Beach.

C. Announce additional event components the City of Boynton Beach's 4th of July event by Eleanor Krusell, Public Communications & Marketing Director.

D. Proclaim July as Recreation and Parks Month.

E. Present Certificate of Completion to Commissioner Christina Romelus for completing the Advanced Institute for Elected Municipal Officials

4. PUBLIC AUDIENCE

INDIVIDUAL SPEAKERS WILL BE LIMITED TO 3 MINUTE PRESENTATIONS (at the discretion of the Chair, this 3 minute allowance may need to be adjusted depending on the level of business coming before the City Commission)

5. ADMINISTRATIVE

A. Appoint eligible members of the community to serve in vacant positions on City advisory boards.

6. CONSENT AGENDA

Matters in this section of the Agenda are proposed and recommended by the City Manager for "Consent Agenda" approval of the action indicated in each item, with all of the accompanying material to become a part of the Public Record and subject to staff comments

A. **PROPOSED RESOLUTION NO. R19-069** - Authorize the City Manager to enter into a three (3) year agreement with The Gehring Group for Insurance Broker Services. The estimated total three (3) cost of $210,000.

B. Approve the recommendation of the Evaluation Committee and authorize staff to conduct negotiations with the first ranked firm Garney Companies, Inc. of Winter Garden, FL and establish contracts in accordance with the Request for Qualifications (RFQ) No. 013-2821-19/TP for Reclaimed Water Distribution System Progressive Design Build and per Florida Statute 287.055, Consultants' Competitive Negotiation Act (CCNA). At the completion of each phase of the negotiations, the Contracts will be brought back to the Commission for approval.

C. Approve disposal of vehicles/equipment submitted by the Fleet Division and declare sixteen (16) vehicles/equipment as surplus and approve the disposition of these items via auction using various means, such as JJ Kane live auction, JJ Kane on-line auction and GovDeals.com

D. Approve utilizing Town of Palm Beach Invitation to Bid #2018-12 with Custom Tree Care for an estimated annual expenditure of $65,000 for tree trimming and pruning services. The Town of Palm Beach's procurement process satisfies the City's competitive bid process.

E. Accept the Fiscal Year 2018-2019 Budget Status Report of the General Fund and the Utilities Fund for the seven (7) month period ended April 30, 2019.

F. Approve the one-year extension for RFPs/Bids and/ or piggy-backs for the procurement of services and/or commodities as described in the written report for July 2, 2019- "Request for Extensions and/or Piggybacks."

G. Approve the minutes from City Commission meeting held on June 18, 2019. .

7. CONSENT BIDS AND PURCHASES OVER $100,000 - None

8. PUBLIC HEARING

7 P.M. OR AS SOON THEREAFTER AS THE AGENDA PERMITS

The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.

A. **PROPOSED ORDINANCE NO.19-018 - SECOND READING** - Approve proposed code language implementing CRA Plan-Group 4 (CDRV 19-003) - Amending the LAND DEVELOPMENT REGULATIONS: (1) Chapter 1. General Administration, Article II. Definitions, Article III. Relationship to Comprehensive Plan, and Article IV. Redevelopment Plans; and (2) Chapter 3. Zoning, Article III. Zoning Districts and Overlay Zones, to continue implementation of revisions related to modification of the future land use categories and to other recommendations of the Community Redevelopment Plan, including creation of the Cultural District and Boynton Beach Boulevard Overlays and Chapter 4 site development standards, correcting references to overlays. Applicant: City-initiated.

B. **PROPOSED ORDINANCE NO. 19-019 - SECOND READING** - Approve amendments to the Land Development Regulations, Chapter 4, *Site Development Standards*, creating a new *Article XII entitled "Fertilizer Use Regulations" to create regulations requiring proper application of fertilizer to protect water bodies. Applicant: City-initiated.

9. CITY MANAGER'S REPORT - None

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS - None

12. LEGAL

A. **PROPOSED ORDINANCE NO. 19-020 - FIRST READING** - Approve proposed amendments to Part II, Code of Ordinances, Chapter 10, Article II, Refuse, Garbage and Trash, Section 10-30, Rates and charges for City service; allowing rates to be set by resolution of the Commission.

B. **PROPOSED ORDINANCE NO. 19-021 - FIRST READING** - Approving the partial

abandonment an 11 ft. by 30 ft. portion of an existing utility easement along Woolbright Road as part of the Wawa project located at Woolbright Road and Congress Avenue. This area will be dedicated as public right of way by Palm Beach County, and the City utilities will be located within the public right of way.

C. **PROPOSED RESOLUTION NO. R19-070** - Approving Reasonable Accommodation Policy

PROPOSED RESOLUTION NO. R19-071 - Approving Non-Discrimination Policy

13. FUTURE AGENDA ITEMS

A. Department to give brief presentation of their operations

Development - **July 2019**
Library - **September 2019**

B. Staff to review Development Department's plan review processes to identify efficiencies and technologies to assist with timely review of plans/projects -Also discuss expedited permitting ordinance. **July 16, 2019**

C. Vice Mayor Katz has requested to discuss future Dogs on the Beach Events - **July 16, 2019**

D. Dorothy Jacks, PBC Property Appraiser to address the Commission - **August 6, 2019**

E. Staff to present updated Social Media Policy - **August 20, 2019**

F. The Mayor has requested a discussion of possible changes to Seacrest Corridor zoning and land use - **TBD**

14. ADJOURNMENT

NOTICE

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, HE/SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. (F.S. 286.0105)

THE CITY SHALL FURNISH APPROPRIATE AUXILIARY AIDS AND SERVICES WHERE NECESSARY TO AFFORD AN INDIVIDUAL WITH A DISABILITY AN EQUAL OPPORTUNITY TO PARTICIPATE IN AND ENJOY THE BENEFITS OF A SERVICE, PROGRAM, OR ACTIVITY CONDUCTED BY THE CITY. PLEASE CONTACT THE CITY CLERK'S OFFICE, (561) 742-6060 OR (TTY) 1-800-955-8771, AT LEAST 48 HOURS PRIOR TO THE PROGRAM OR ACTIVITY IN ORDER FOR THE CITY TO REASONABLY ACCOMMODATE YOUR REQUEST.

ADDITIONAL AGENDA ITEMS MAY BE ADDED SUBSEQUENT TO THE PUBLICATION OF THE AGENDA ON THE CITY'S WEB SITE. INFORMATION REGARDING ITEMS ADDED TO THE AGENDA AFTER IT IS PUBLISHED ON THE CITY'S WEB SITE CAN BE OBTAINED FROM THE OFFICE OF THE CITY CLERK.

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
Call to Order - Mayor Steven B. Grant

Invocation - Pastor Ash, First Presbyterian Church

Pledge of Allegiance to the Flag led by Vice Mayor Katz
Roll Call

Agenda Approval:

1. Additions, Deletions, Corrections
2. Adoption

EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT: Non-budgeted

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Informational items by Members of the City Commission

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EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
Announce the Budget Workshops for 2019/20 proposed budget:

Budget Workshops at Intracoastal Park Clubhouse;
Monday, July 15, 2019 @ 5:00 P.M.
Tuesday, July 16, 2019 @ 10:00 A.M.
Wednesday, July 17, 2019 @ 2:00 P.M. (If needed)

EXPLANATION OF REQUEST:
Our FY 2019/2020 Budget process is underway. Proposed Budget Workshops are scheduled to be held July 15-17, 2019 at the Intracoastal Park Clubhouse. Typically the Commission staggers the starting times to accommodate the public's attendance at these workshops.

The Commission adopts a Preliminary Fire Assessment Resolution and a Tentative Millage Rate Resolution at these workshops.

Based on past Workshops times, staff is recommending the following times:

Monday, July 15, 2019: 5:00 p.m.
Tuesday, July 16, 2019: 10:00 a.m.
Wednesday, July 17, 2019: 2:00 p.m.

As a reminder, Tuesday, July 16, 2019 there will also be a regular City Commission meeting at 6:30 pm.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Announce the Summer Youth Institute Internship Program with Boynton Beach Utilities, Pathway to Prosperity, Genesis Community Health and All Girls United, Inc. Sponsored by Healthier Boynton Beach.

EXPLANATION OF REQUEST: Healthier Boynton Beach is a community driven, resident led initiative with a goal to improve the health outcome of family care givers in Boynton Beach. It incorporates a youth component which aims to teach them about the city and other resources that will enable them to become a positive influence on others. The Utility element seeks to teach them job skills and prepare them for work once they graduate school or college.

At the outset of the program they received training in life skills, financial literacy, budgeting and resume building. While at the Utility they are able to rotate through various divisions and experience all of the different possible careers within the department.

By the end of the program they are also required to complete a community service project that will positively impact caregivers within Boynton Beach.

Each participant earns a stipend of $330 bi-weekly which will provide them with up to $1000 by the end of the program.

There will be a short presentation about the program by Mr. Ricky Petty the program manager

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? N/A

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
Announce additional event components the City of Boynton Beach's 4th of July event by Eleanor Krusell, Public Communications & Marketing Director.

EXPLANATION OF REQUEST: It's getting close and we are getting excited for this year's 4th of July in #BoyntonBeach. Re-branded as Red, White & Blue with a waterfront view, this year's event will focus on one of Boynton Beach's amenities - our waterfront.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?
Support services are provided by the Recreation, Public Works, Fire and Police Departments.

FISCAL IMPACT: Budgeted
The 2019 4th of July was budgeted under Special Events in the General Fund.

ALTERNATIVES:
Do not make an announcement concerning the City's 4th of July event - Red, White & Blue with a waterfront view.

STRATEGIC PLAN: Boynton Beach Branding

STRATEGIC PLAN APPLICATION:
The City's Red, White & Blue with a waterfront view event will take place at one of the City's premier waterfront parks and include activities that relate to our coastal community.

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Proclaim July as Recreation and Parks Month.

EXPLANATION OF REQUEST: National Recreation & Parks month is scheduled for July. It is a great time to enjoy many of the popular activities that are organized by the Recreation & Parks Department. By making this proclamation in Boynton Beach, all citizens will be encouraged to celebrate by participating in their choice of fun activities and enjoy the benefits derived from quality public recreation.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? No affect

FISCAL IMPACT: Non-budgeted None

ALTERNATIVES: Do not make the proclamation

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

ATTACHMENTS:

	Type	Description
	Proclamation	Proclamation

City of Boynton Beach

Proclamation

WHEREAS, parks and recreation programming enhance our quality of life by contributing to healthy lifestyles, building community, creating economic development and encouraging environmental stewardship. Recreation creates opportunities for people of all ages and cultures to participate in activities that encourage health, education, and social interaction; and

WHEREAS, parks and recreation programs boost the economy, enhance property values, attract new business, increase tourism, and reduce crime. Recreation builds family unity, strengthens neighborhood involvement, offers opportunity for social interaction, enhances education, develops creativity, and promotes cultural diversity; and,

WHEREAS, parks, trails and open spaces provide encounters in nature, maintenance of clean air, and the protection of plant and animal wildlife.

WHEREAS, therapeutic recreation and leisure education are essential to the rehabilitation of individuals who have been ill or disabled; and

WHEREAS, Florida recognizes the benefits derived from quality public and private recreation and park resources at the local and state level. The business of parks and recreation boosts the economy, enhances property values, attracts new business, and increases tourism; and

WHEREAS, the National Recreation and Park Association and the Florida Recreation and Park Association have designated July as Recreation and Parks Month;

NOW THEREFORE, I, Steven B. Grant, Mayor of the City of Boynton Beach, Florida, do hereby proclaim the month of July Two Thousand Nineteen as:

RECREATION AND PARKS MONTH

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Boynton Beach, Florida, to be affixed at Boynton Beach Florida, the 2nd day of July Two Thousand Nineteen.

_____
Steven B. Grant, Mayor

ATTEST:

_____
Queenester Nieves
Deputy City Clerk

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
Present Certificate of Completion to Commissioner Christina Romelus for completing the Advanced Institute for Elected Municipal Officials

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EXPLANATION OF REQUEST:
Commissioner Romelus successfully completed a two-day intense work shop provided by the League of Cities University which provides advanced curriculum in elected leadership including:
Effective Council Techniques.
Decision-Making Models and Media Relations.
Growth Management in Florida.
Advocacy and lobbying with FLC officers and board members.
Advanced Revenue and Finances for Cities.
Building Your City's Team: Personnel and Labor Issues.

Attendance at the Advanced Institute is indicative of a continued commitment to improving the quality of municipal government in Florida and a commitment to serving the citizens of Boynton Beach.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
Appoint eligible members of the community to serve in vacant positions on City advisory boards.

EXPLANATION OF REQUEST: A list of vacancies is provided with the designated Commission members having responsibility for the appointment to fill each vacancy.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? Appointments are necessary to keep our Advisory Board full and operating as effectively as possible.

FISCAL IMPACT: Non-budgeted None

ALTERNATIVES: Allow vacancies to remain unfilled.

STRATEGIC PLAN: Building Wealth in the Community

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

ATTACHMENTS:

Type	Description
Other	Appointments 7-2-19
Other	Briette, Wilky
Other	Trumble-Thomas, Teresa
Other	Voce, Cory
Other	Young, Shaquira

APPOINTMENTS AND APPLICANTS FOR JULY 2, 2019

Building Board of Adjustments and Appeals

Mayor	Grant	Alt	2 yr term to 12/20 (2)
I	Katz	Alt	2 yr term to 12/19 (2)

Applicants

None

Education and Youth Advisory Board

III	Romelus	STU	2 yr term to 12/19
IV	Penserga	STU NV	2 yr term to 12/19
Mayor	Grant	Reg	2 yr term to 12/20
I	Katz	Alt	2 yr term to 12/19

Applicants

Cory Voce – Eligible for Regular Appointment Only (Move up)
Teresa Trumble-Thomas – Eligible for Regular or Alternate Appointment
Wilky Briette - – Eligible for Regular or Alternate Appointment
Shaquira Young - – Eligible for Regular or Alternate Appointment

Historic Resources Preservation Board

IV	Penserga	Alt	2 yr term to 12/20

Applicants

None

Library Board

III	Romelus	Alt	2 yr term to 12/19 Tabled (3)
Mayor	Grant	Alt	2 yr term to 12/20

Applicants

None

Senior Advisory Board

Mayor	Grant	Alt	2 yr term to 12/20 (2)

Applicants

None

Ellis, Shayla

EYAB

From: wilkybriette <noreply@123formbuilder.io>
Sent: Thursday, January 24, 2019 9:53 PM
To: City Clerk
Subject: Advisory Board Appointment application

Today's date	01/24/2019
Name	Wilky Briette
Gender	Male
Phone number	561-289-3868
Address	404 Villa Circle Boynton Beach FL 33435 United States
Email	wilkybriette@gmail.com
Current occupation or, if retired, prior occupation	Human Resources Manager and Professor
Education	Masters of Human Resources Management
Are you a registered voter?	Yes
Do you reside within the Boynton Beach City limits?	Yes
Do you own/manage a business within City limits?	No
If "yes", name of business:	
Are you currently serving on a City board?	No
Have you served on a City board in the past?	No
If "yes", which board(s) and when?	
Have you ever been convicted of a crime?	No
If "yes", when and where?	
Advisory Board	Education and Youth Advisory Board
Personal Qualifications	Currently, I'm an Adjunct Professor at Palm Beach State College and a Human Resouces Manager. I understand the importance of education, starting at the elementary level to college/trade school. Better resources and better schools create educated and working citizens. As a Human Resource Manager I often see how hard it is to find qualified candidates for positions here in our community.

REGISTERED VOTER + RESIDENT

CITY OF BOYNTON BEACH
CITY CLERK'S OFFICE
19 JAN 25 AM 8:46

Professional Memberships	Society of Huma Resources Management
Feel free to attach/upload an extra sheet or resume.	
Certification	I, the applicant, hereby certify that the statements and answers provided herein are true and accurate. I understand that, if appointed, any false statements may be cause for removal from a board.

The message has been sent from 12.244.143.150 (United States) at 2019-01-24 21:53:24 on iPhone 12.0
Entry ID: 317
Referrer: www.boynton-beach.org/boards-and-committees
Form Host: www.123formbuilder.com/form-583214/Advisory-Board-Appointment-Application

Ellis, Shayla

From: teresa.trumble <noreply@123formbuilder.io>
Sent: Tuesday, May 07, 2019 11:59 AM
To: City Clerk
Subject: Advisory Board Appointment application

Today's date	05/07/2019
Name	Teresa Trumble-Thomas
Gender	Female
Phone number	561-262-0771
Address	781 Manatee Bay Dr Boynton Beach FL 33435 United States
Email	teresa.trumble@pbcharterschools.org
Current occupation or, if retired, prior occupation	Employment Specialist
Education	M.S., Mathematical Sciences Clemson University 1992
Are you a registered voter?	Yes
Do you reside within the Boynton Beach City limits?	Yes
Do you own/manage a business within City limits?	No
If "yes", name of business:	
Are you currently serving on a City board?	Yes
Have you served on a City board in the past?	Yes
If "yes", which board(s) and when?	Boynton Beach Inclusion Advisory Team (?)
Have you ever been convicted of a crime?	No
If "yes", when and where?	
Advisory Board	Education and Youth Advisory Board
Personal Qualifications	Since 1988 I've worked as a tutor, teacher, program coordinator, afterschool director, staff developer, parent trainer, instructional specialist, and employment specialist. My experience includes PK - adult learners: all academic subjects, students with disabilities, technology, Common Core, and classroom management. In

RESIDENT + REGISTERED VOTER

addition, I've trained teachers for the past decade at Summit Montessori Teacher Training Institute in Davie.

Currently, I work at SouthTech Academy helping students ages 14-22 finding work experiences in their career field. In this role, I manage the CITY Facebook page as well as SouthTech Works on Instagram.

Finally, I am a proud parent of two amazing young adults.

Professional Memberships

American Montessori Society

South Florida Special Needs Advisory Coalition (SNAC)

Palm Beach County Council for In-Transition Youth (CITY)
(Manage their Facebook page)

Association of People Supporting Employment 1st (APSE)

Feel free to attach/upload an extra sheet or resume.

Certification

I, the applicant, hereby certify that the statements and answers provided herein are true and accurate. I understand that, if appointed, any false statements may be cause for removal from a board.

The message has been sent from 165.161.3.39 (United States) at 2019-05-07 10:58:45 on Chrome 70.0.3538.110
Entry ID: 332
Referrer: https://www.boynton-beach.org/boards-and-committees
Form Host: https://www.123formbuilder.com/form-583214/Advisory-Board-Appointment-Application

CHANGE

CITY OF BOYNTON BEACH
ADVISORY BOARD APPOINTMENT APPLICATION

Thank you for your interest in serving on a City advisory board and for taking the time to fill out this form. **Please print or type all answers clearly.** If interest is expressed in appointment to more than one board, selections must be prioritized. If instructions are not followed or the application is not filled out in its entirety, the form will be returned for clarification.

Name Cory Voce Gender: M Telephone # (561) 707-5525

Address 42 Buxton Lane

Boynton Beach, FL [redacted] Zip Code 33426

E-mail Address: cvoice4@gmail.com Other Phone:

Current occupation or prior occupation:
Full time student / business owner
- Prior Child Protective Investigator for State of FL.

Education Bachelor's Degree in Forensic Psychology - Florida Institute of Tech.
Will obtain Master's in Public Administration in MAY 2018 - Barry Univ.

Are you a registered voter?	✓ Yes	___ No
Do you reside within the Boynton Beach City limits?	✓ Yes	___ No
Do you own/manage a business within the City limits:	✓ Yes	___ No
If "yes", name of business Mend 2 Make It, Inc - Non profit		
Are you currently serving on a City board?	___ Yes	✓ No
Have you served on a City board in the past?	___ Yes	✓ No
If so, which board(s) and when?		

NO Business Tax Receipt

Have you ever been convicted of a crime?
If so, when ___ Where ___

Please indicate which advisory board you are seeking appointment. For board listing, requirements, responsibilities and meeting times and dates, see pages 3 and 4 attached.

___ Arts Commission	___ Library Board
___ Building Board of Adjustment & Appeals	___ Planning & Development Board
X Community Redevelopment Advisory Board	___ Police Officers' Retirement Trust Fund
X Education and Youth Advisory Board	X Recreation & Parks Board
___ Employees' Pension Board	___ Senior Advisory Board
___ Firefighters' Pension Trust Fund	
___ Golf Course Advisory Committee	
___ Historic Resources Preservation Board	

CITY OF BOYNTON BEACH
CITY CLERK'S OFFICE
18 JAN -4 PM 3:01

C:\Users\EllisS\Desktop\Master Form - Talent Bank Form - REVISED 11-9-16.doc

What personal qualifications do you possess (i.e., profession, previous experience, branch of military service or organization) which you feel would make you a good candidate for this board? Please be specific.

I currently operate a non-profit young men's mentoring program in Boynton Beach. Having played sports my entire life, to include collegiate experience, I understand the team dynamics geared to reaching a greater cause. I have lived in Boynton Beach for over 20 years and was born and raised here. I have work experience in the school system and social services, having worked as a Child Protective Investigator for a year and a half. I understand the citizens of Boynton Beach and can effectively recognize the problematic areas within the community.

Please list any professional memberships:

Feel free to attach an extra sheet or resume. Return the completed form to the City Clerk's Office, 100 East Boynton Beach Boulevard, City Hall. Mailing address: P. O. Box 310, Boynton Beach, FL 33425-0310. It will be placed in the City's Talent Bank, a file to which Commissioners may turn for candidates when board openings occur.

I hereby certify that the statements and answers provided herein are true and accurate. I understand that, if appointed, any false statements may be cause for removal from a board.

Signature: C Vale Date: 1/4/18

I, Cory Voce would like to formally be a regular 6/27/19
member on the Education and Youth Advisory Board!
I have enjoyed my time thus far, serving as an alternate
member, and look forward to an increased role as a
regular member. If the board allows, I will accept this
induction gracefully

Best,
Cory Voce

Ellis, Shayla

From:	youngshaquira1976 <noreply@123formbuilder.io>
Sent:	Tuesday, May 21, 2019 6:31 PM
To:	City Clerk
Subject:	Advisory Board Appointment application
Attachments:	young_resume_2019.docx

Today's date	05/21/2019
Name	Shaquira Young
Gender	Female
Phone number	561-860-5408
Address	1229 Via De Fossi Boynton Beach FL 33426 United States
Email	youngshaquira1976@gmail.com
Current occupation or, if retired, prior occupation	Educator
Education	Masters Degree
Are you a registered voter?	Yes
Do you reside within the Boynton Beach City limits?	Yes
Do you own/manage a business within City limits?	No

Resident?
Registered

If "yes", name of business:

Are you currently serving on a City board?	No

Have you served on a City board in the past? No

If "yes", which board(s) and when?

Have you ever been convicted of a crime? No

If "yes", when and where?

Advisory Board Education and Youth Advisory Board

Personal Qualifications I have been an educator with Palm Beach County School District for twenty years. I am currently a Transition Specialist within the Special Education Department and I focus on students who have IEPS who are in the age range of 14-22. My educational philosophy is that all children have the right to a free and appropriate education despite any obstacles that they may face. I believe that it takes the support of the community and all school stakeholders to assist students to be successful in the educational setting which will eventually lead them to be successful members of society.

Professional Memberships

Feel free to attach/upload an extra sheet or resume. https://www.123formbuilder.com/upload_dld.php?fileid=4173b8ca60c6ae8147bfc92cfb550d98

Certification I, the applicant, hereby certify that the statements and answers provided herein are true and accurate. I understand that, if appointed, any false statements may be cause for removal from a board.

The message has been sent from 98.242.164.122 (United States) at 2019-05-21 17:31:04 on Chrome 74.0.3729.169
Entry ID: 339
Referrer: https://www.boynton-beach.org/boards-and-committees
Form Host: https://www.123formbuilder.com/form-583214/Advisory-Board-Appointment-Application

SHAQUIRA YOUNG

1229 Via De Fossi Youngshaquira1976@gmail.com (561)860-5408

Boynton Beach, Florida 33426

PROFILE

Educator with vast experience adapting and modifying general education curriculum, instructional leadership, departmental supervision, rigorous data driven instruction, behavior management, recruitment and hiring as well as community engagement. Transition Specialist with knowledge of graduation requirements and post- secondary options. Experienced Special Education Coordinator with knowledge of federal and state laws governing as well regulating special education and Section 504. Knowledge of effective instructional practices with leadership abilities to coordinate strategies, processes and evaluation across academic subject areas. Effective communicator with the ability to project and generate a positive attitude with colleagues, parents, administrators and executive leadership.

EDUCATION

Master of Science in Management and Educational Programing **2018**

Nova Southeastern University, Davie, Florida

Bachelor of Science in Special Education **1998**

Florida State University, Tallahassee, Florida

CERTIFICATIONS

Professional/ Mentally Handicapped K-12

SKILL HIGHLIGHTS

- Ability to work with diverse groups
- Extensive knowledge of IDEA
- Knowledge of federal laws related to federally and state funded programs
- Knowledge of the provisions of Title I, II, VI and IX
- Effective communication skills that help coordinate between parents and school staff
- Experience with developing and implementing in-service trainings for school staff
- Experience with disseminating information to school administrators and staff
- Strong data management and record keeping skills
- Experience tracking and monitoring budget expectations for state and federal funded programs

- Experienced Inclusion Teacher k-12 grade
- Experienced ESE and 504 Coordinator

PROFESSIONAL EXPERIENCE

Palm Beach County School District **2016-Present**

Transition Specialist

- Collaborate with parents, paraprofessionals, special education teachers and administrators to ensure the needs of the Special Education Students are being met
- Train staff and parents on Transition Components of the IEP
- Ensure that Individual Education Plans are compliant
- Analyze testing data of Special Education Students
- Collaborate with general education teachers to ensure that instructional materials align with students' Individual Education Plans
- Monitor the graduation rate of each house school in the southern part of the county.
- Collaborate with outside agencies and resources
- Educate parents and teachers on post-secondary options.
- Update the database for Graduation Requirements
- Participate in the hiring process of new staff
- Supervise job trainers
- Facilitate Individual Education Meetings for students who have reached FAPE
- Assist in developing career development curriculum
- Assist with scheduling students in core classes based upon ESE services and diploma options
- Track deferment rates at assigned high schools

Boca Raton Elementary, Boca Raton, Florida **2012-2016**

Special Education and 504Coordinator

- Collaborated with general education teachers to ensure that instructional materials align with students' Individual Education Plans
- Integrated interactive technology into the classroom for Special Education Students
- Facilitated Individual Education Meetings, Eligibility/ Ineligibility meetings
- Provided Classroom Accommodations to promote learning for Special Education Students
- Coordinated Pre-K Special Education Program
- Developed, Implemented and Monitored 504 Plans
- Developed, Implemented and Monitored Functional Behavior Analysis Plans
- Facilitated Child Study Team Meetings for Pre-K -5th grade
- Assisted with Coordinating Florida Standards Assessment

- Monitored students in Response to Intervention
- Collaborated with service providers
- Facilitated and Coordinate Transportation request and needs for Pre-K -5th grade
- Ensured that Individual Education Plans are in Compliance
- Updated the data base in TERMS for PreK -5th grade
- Title 1 Liasion
- Assisted with scheduling Special Education Students for students Pre K-5th grade
- Collaborated with parents, paraprofessionals, special education teachers and administrators to ensure the needs of the Special Education Students are being met.
- Community/ Parent Liaison
- Implemented Leveled Literacy Intervention to lowest 25%
- Monitored discipline for Special Education Students
- Analyzed testing data of Special Education Students
- Scheduled students into classes based upon ESE services

Hospital Homebound Teacher **August 2011**

Palm Beach County School District

- Developed and Implemented Lesson Plans
- Administered District required assessments
- Collaborated with Hospital Homebound Case Manager
- Collaborated with assigned home school General Education Teacher
- Facilitated communication with parents and coordinate home visits
- Collaborated with service providers

Village Academy School, Delray Beach, Florida **August 2009- August 2012**

Special Education Teacher / Special Education and 504 Coordinator

- Developed and Implemented Individual Education Plans
- Developed and Implemented Behavior Plans
- Testing Coordinator for grades kindergarten through fifth grade.
- Special Education Coordinator for grades K-12
- Developed and Implemented lessons for students in third grade
- Scheduled courses for Special Education Students in Middle and High school
- Monitored graduation requirements for Special Education Students in High School
- School Base Team Leader for grades K-12
- Facilitated Child Study Team Meetings for grades K-12
- Ensured that Individual Education Plans were compliant for K-12 grade
- Monitored discipline of Special Education Students
- Coordinated ACT accommodations for Special Education Students
- Monitored FCAT requirements and waivers for graduation
- Collaborated with service providers

Pine Grove and Plumosa SOA, Delray Beach, Florida **August 2005 – August 2009**

Special Education Teacher and Special Education Coordinator

- Developed and Implemented Lesson Plans for Special Education Teacher
- Facilitated Child Study Meetings
- Developed Behavior Plans
- Five Star Coordinator
- School Advisory Council Chairperson

Sunrise Park Elementary, Boca Raton, Florida **August 2002- August 2005**

Pre-K Autism Teacher

- Implemented and Developed Lesson Plans
- Developed Individual Education Plan Goals
- Implemented Verbal Behavior Strategies
- Collaborated with Service Providers
- Developed Behavior Plans

Atlantic Community High School, Delray Beach, Florida **August 2000-August 2002**

Reading Special Education Teacher

- Implemented and Developed Lesson Plans for students 9-10th grade
- Collaborated with General Education Teachers
- Developed Individual Educational Plan Goals
- Provided accommodations for assessments
- Aligned lessons with the state criteria
- Integrated technology into the classroom

Starlight Cove Elementary, Lantana, Florida **August 1998- August 2000**

Self Contained VE Teacher

- Developed and Implemented lesson plans for students in grades 3-5
- Developed Behavior Plans
- Developed Individual Education Plan goals

REFERENCES

Dr. Marline Campbell

Principal, Chloee Elementary School

Palm Beach County School District

Mrs. Renee Elfe

Principal, Boca Raton Elementary

Palm Beach County School District

Ms. Calelethia Clemmons

Assistant Principal, Lake Worth High School

Palm Beach County School District

Mrs. Laura Schultze

Transition Planner, Exceptional Student Education

Palm Beach County School District

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: PROPOSED RESOLUTION NO. R19-069 - Authorize the City Manager to enter into a three (3) year agreement with The Gehring Group for Insurance Broker Services. The estimated total three (3) cost of $210,000.

EXPLANATION OF REQUEST:
Contract Term: July 3, 2019 thru July 2, 2022

On May 14, 2019, Procurement Services opened and tabulated three (3) proposals for Insurance Broker Services. The proposals were reviewed by an evaluation committee consisted of representatives from Human Resources and Finance. The committee recommended The Gehring Group based on the evaluation criteria listed in the RFP. The scores are as follows:

Gallagher
245 total points

Risk Management Associates
262 total points

The Gehring Group
268 total points

The contract is for three (3) years with two (2) one-year renewals at the same terms and conditions with an increase in cost of 2.5% for each renewal year. The renewal is subject to vendor acceptance, satisfactory performance and determination that the renewal is in the best interest of the city.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? To provide insurance broker services for the city.

FISCAL IMPACT: Budgeted
Funds are budgeted for an annual expenditure of $70,000.

ALTERNATIVES: To not approve and seek alternate methods of brokering insurance.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

ATTACHMENTS:

Type	Description
Resolution	Resolution approving three (3) year Agreement with The Gehring Group for Insurance Broker Services
Agreement	Insurance Broker Agreement
Addendum	Tabulation Sheet
Addendum	Summary of Scores
Addendum	Gehring Proposal

RESOLUTION NO. R19-

A RESOLUTION OF THE CITY OF BOYNTON BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO SIGN A THREE YEAR AGREEMENT WITH THE GEHRING GROUP, INC., OF PALM BEACH GARDENS, FL FOR RFP NO. 017-1710-19/MFD FOR INSURANCE BROKER SERVICES IN THE ESTIMATED TOTAL THREE YEAR COST OF $210,000 FOR THE INITIAL PERIOD COVERING JULY 3, 2019 THRU JULY 2, 2022; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 14, 2019 City staff opened and tabulated three (3) proposals to RFP No. 017-1710-19/MFD for Insurance Brokerage Services; and

WHEREAS, the proposals were reviewed by the evaluation committee and The Gehring Group is recommended based on the evaluation criteria in the RFP; and

WHEREAS, the Agreement is for three (3) years with two (2) one-year renewals with an increase of 2.5% for each renewal year; and

WHEREAS, the City Commission of the City of Boynton Beach upon recommendation of staff, deems it to be in the best interest of the citizens and residents to approve and authorize the City Manager to sign an Agreement with The Gehring Group, Inc., of Palm Beach Gardens, FL for RFP No. 017-1710-19/MFD for Insurance Broker Services with an estimate three year cost of $210,000 for the initial period covering July 3, 2019 thru July 2, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption.

Section 2. The City Commission of the City of Boynton Beach, Florida,

hereby approves and authorizes the City Manager to sign a three (3) year Agreement with The Gehring Group, Inc., of Palm Beach Gardens, FL for RFP No. 017-1710-19/MFD for Insurance Broker Services with an estimate three year cost of $210,000 for the initial period covering July 3, 2019 thru July 2, 2022, a copy of the Agreement is attached hereto and incorporated herein as Exhibit "A".

Section 3. That this Resolution shall become effective immediately.

PASSED AND ADOPTED this _____ day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	_____	_____
Vice Mayor – Justin Katz	_____	_____
Commissioner – Mack McCray	_____	_____
Commissioner – Christina L. Romelus	_____	_____
Commissioner – Ty Penserga	_____	_____
VOTE	_____	

ATTEST:

_____

Queenester Nieves
Deputy City Clerk

(Corporate Seal)

PROFESSIONAL AGREEMENT BETWEEN THE CITY OF BOYNTON BEACH AND INSURANCE BROKER SERVICE

THIS AGREEMENT is entered into between the City of Boynton Beach, hereinafter referred to as "the City", and **The Gehring Group**, hereinafter referred to as "the Broker", in consideration of the mutual benefits, terms, and conditions hereinafter specified.

1. PROJECT DESIGNATION. The BROKER is retained by the City to perform **BROKER SERVICES** in connection with the project designated.

2. SCOPE OF SERVICES. Broker agrees to perform the services, identified on Exhibit "A" attached hereto and incorporated herein by reference, including the provision of all labor, materials, equipment and supplies. No modifications will be made to the original scope of work without the written approval of the City Manager or his designee.

3. TIME FOR PERFORMANCE. Work under this Agreement shall commence upon the giving of written notice by the City to the Broker to proceed. Broker shall perform all services and provide all work product required pursuant to this Agreement effective April 1, 2014.

4. TERM. This Agreement shall be for a period of three (3) years commencing upon the giving Agreement is executed by the City, with optional renewals for two (2) one-year periods at the discretion of the City based on mutually agreed upon rates.

5. PAYMENT. The Broker shall be paid by the Provider/City for completed work and for services rendered under this Agreement as follows:
   a. The total contract price, $210,000, shall be the total amount of payment to Broker for services provided under this Agreement for the entire term of the Agreement
   b. Payment for the work provided by Broker shall be made promptly on all invoices submitted to the City properly, provided that the total amount of payment to Broker shall not exceed the total contract price without express written modification of the Agreement signed by the City Manager or designee.
   c. The Broker may submit invoices to the City once per month during the progress of the work for partial payment. Such invoices will be checked by the City, and upon approval thereof, payment will be made to the Broker in the amount approved.
   d. Final payment of any balance due the Broker of the total contract price earned will be made promptly upon its ascertainment and verification by the City after the completion of the work under this Agreement and its acceptance by the City.
   e. Payment as provided in this section by the City shall be full compensation for work performed, services rendered, and for all materials, supplies, equipment and incidentals necessary to complete the work.
   f. The Broker's records and accounts pertaining to this Agreement are to be kept available for inspection by representatives of the City and State for a period of three (3) years after the termination of the Agreement. Copies shall be made available upon request.

6. OWNERSHIP AND USE OF DOCUMENTS. All documents, drawings, specifications and other materials produced by the Broker in connection with the services rendered under this agreement shall be the property of the City whether the project for which they are made is executed or not. The Broker shall be permitted to retain copies, including reproducible copies, of drawings and specifications for information, reference and use in connection with Broker's endeavors.

7. COMPLIANCE WITH LAWS. Broker shall, in performing the services contemplated by this Agreement, faithfully observe and comply with all federal, state and local laws, ordinances and regulations that are applicable to the services to be rendered under this agreement.

8. INDEMNIFICATION. Broker shall indemnify, defend and hold harmless the City, its offices, agents and employees, from and against any and all claims, losses or liability, or any portion thereof, including attorneys fees and costs, arising from injury or death to persons, including injuries, sickness, disease or death to Broker's own employees, or damage to property occasioned by a negligent act, omission or failure of the Broker.

9. INSURANCE. The Broker shall secure and maintain in force throughout the duration of this contract comprehensive general liability insurance with a minimum coverage of $1,000,000 per occurrence and $1,000,000 aggregate for personal injury; and $1,000,000 per occurrence/aggregate for property damage, and professional liability insurance in the amount of $1,000,000 per occurrence to $2,000.000 aggregate with defense costs in addition to limits.

   Said general liability policy shall name the City of Boynton Beach as an additional named insured and shall include a provision prohibiting cancellation of said policy except upon thirty (30) days prior written notice to the City. Certificates of coverage as required by this section shall be delivered to the City within fifteen (15) days of execution of this agreement.

10. INDEPENDENT CONTRACTOR. The Broker and the City agree that the Broker is an independent contractor with respect to the services provided pursuant to this Agreement. Nothing in this Agreement shall be considered to create the relationship of employer and employee between the parties hereto. Neither Broker nor any employee of Broker shall be entitled to any benefits accorded City employees by virtue of the services provided under this Agreement. The City shall not be responsible for withholding or otherwise deducting federal income tax or Social Security or for contributing to the state industrial insurance program, otherwise assuming the duties of an employer with respect to Broker, or any employee of Broker.

11. COVENANT AGAINST CONTINGENT FEES. The Broker warrants that he has not employed or retained any company or person, other than a *bona fide* employee working solely for the Broker, to solicit or secure this contract, and that he has not paid or agreed to pay any company or person, other than a *bona fide* employee working solely for the Broker, any fee, commission, percentage, brokerage fee, gifts, or any other consideration contingent upon or resulting from the award or making of this contract.

    For breach or violation of this warranty, the City shall have the right to annul this contract without liability or, in its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift, or contingent fee.

12. DISCRIMINATION PROHIBITED. The Broker, with regard to the work performed by it under this agreement, will not discriminate on the grounds of race, color, national origin, religion, creed, age, sex or the presence of any physical or sensory handicap in the selection and retention of employees or procurement of materials or supplies.

13. ASSIGNMENT. The Broker shall not sublet or assign any of the services covered by this Agreement without the express written consent of the City.

14. **NON-WAIVER. Waiver by the City of any provision of this Agreement or any time limitation provided for in this Agreement shall not constitute a waiver of any other provision.**

15. TERMINATION.

    a. The City reserves the right to terminate this Agreement at any time by giving thirty (30) days written notice to the Broker.

    b. In the event of the death of a member, partner or officer of the Broker, or any of its supervisory personnel assigned to the project, the surviving members of the Broker hereby agree to complete the work under the terms of this Agreement, if requested to do so by the City. This section shall not be a bar to renegotiations of this Agreement between surviving members of the Broker and the City, if the City so chooses.

16. DISPUTES. Any disputes that arise between the parties with respect to the performance of this Agreement, which cannot be resolved through negotiations, shall be submitted to a court of competent jurisdiction in Palm Beach County, Florida. This Agreement shall be construed under Florida Law.

17. NOTICES. Notices to the City of Boynton Beach shall be sent to the following address:

    Lori LaVerriere, City Manager
    City of Boynton Beach
    P.O. Box 310
    Boynton Beach, FL 33425-0310

    Notices to INSURANCE BROKER shall be sent to the following address:

18. INTEGRATED AGREEMENT. This agreement, together with attachments or addenda, represents the entire and integrated agreement between the City and the Firm and supersedes all prior negotiations, representations, or agreements written or oral. This agreement may be amended only by written instrument signed by both City and Firm.

19. PUBLIC RECORDS. Sealed documents received by the City in response to an invitation are exempt from public records disclosure until thirty (30) days after the opening of the Bid unless the City announces intent to award sooner, in accordance with Florida Statutes 119.07.

The City is public agency subject to Chapter 119, Florida Statutes. The Contractor shall comply with Florida's Public Records Law. Specifically, the Contractor shall:

A. Keep and maintain public records required by the CITY to perform the service;

B. Upon request from the CITY's custodian of public records, provide the CITY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in chapter 119, Fla. Stat. or as otherwise provided by law;

C. Ensure that public records that are exempt or that are confidential and exempt from public record disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and, following completion of the contract, Contractor shall destroy all copies of such confidential and exempt records remaining in its possession once the Contractor transfers the records in its possession to the CITY; and

D. Upon completion of the contract, Contractor shall transfer to the CITY, at no cost to the CITY, all public records in Contractor's possession All records stored electronically by Contractor must be provided to the CITY, upon request from the CITY's custodian of public records, in a format that is compatible with the information technology systems of the CITY.

E. IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS:

JUDY PYLE, CITY CLERK
3301 QUANTUM BLVD., SUITE 101
BOYNTON BEACH, FLORIDA, 33426
561-742-6061
PYLEJ@BBFL.US

20. SCRUTINIZED COMPANIES -- 287.135 AND 215.473

By execution of this Agreement, Contractor certifies that Contractor is not participating in a boycott of Israel. Contractor further certifies that Contractor is not on the Scrutinized Companies that Boycott Israel list, not on the Scrutinized Companies with Activities in Sudan List, and not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or has Contractor been engaged in business operations in Syria. Subject to limited exceptions provided in state law, the City will not contract for the provision of goods or services with any scrutinized company referred to above. Submitting a false certification shall be deemed a material breach of contract. The City shall provide notice, in writing, to Contractor of the City's determination concerning the false certification. Contractor shall have five (5) days from receipt of notice to refute the false certification allegation. If such false certification is discovered during the active contract term, Contractor shall have ninety (90) days following receipt of the notice to respond in writing and demonstrate that the determination of false certification was made in error. If Contractor does not demonstrate that the City's determination of false certification was made in error then the City shall have the right to terminate the contract and seek civil remedies pursuant to Section 287.135, Florida Statutes, as amended from time to time.

DATED this _____ day of _____, 20____.

CITY OF BOYNTON BEACH

_____
Lori LaVerriere, City Manager

_____
Signature of Authorized Official

_____
Printed Name of Authorized Official

Attest/Authenticated:

_____
Title

_____
Judy Pyle, City Clerk

(Corporate Seal)

Approved as to Form:

Attest/Authenticated:

_____
James A. Cherof, City Attorney

_____
Secretary

EXHIBIT A
SCOPE OF SERVICES

[Scope of Services will be inserted prior to execution]

EXHIBIT B

FEES AND PAYMENTS

[Will be inserted prior to execution]

INSURANCE BROKER SERVICES

RFP DUE DATE: May 14, 2019
RFP DUE TIME: 3:00 PM
RFP No.: 017-1710-19/MFD

"Offers from the vendors listed herein are the only offers received timely as of the above receiving date and time. All other offers submitted in response to this solicitation, if any, are hereby rejected as late"

VENDORS	**Business Name:** Gallagher **Address:** 2255 Glades Road Suite 200 E Boca Raton, FL. 33431 **Tel:** (561) 998-6780 **Email:** judy_arenz@ajg.com	**Business Name:** The Gehring Group, Inc. **Address:** 4200 Northcorp Parkway Suite 185 Palm Beach Gardens, FL. 33410 **Tel:** (561) 626-6797 **Email:** cindy.thompson@gehringgroup.com	**Business Name:** Risk Management Associates DBA Public Risk Insurance Advisors **Address:** PO Box 2416 Dayton Beach, FL. 32115 **Tel:** (386) 239-4060 **Email:** bcottrell@bbpria.com
(1) ORIGINAL AND FOUR (4) COPIES	YES	YES	YES
ONE (1) ELECTRONIC COPY	YES	YES	YES
COST PROPOSAL	$60,000	$70,000 with renewal fee increase	$42,500
PROPOSAL TAB SECTION FORMAT	YES	YES	YES
PROPOSER ACKNOWLEDGEMENT	YES	YES	YES
ADDENDUM	NA	NA	NA
STATEMENT OF QUALIFICATIONS	YES	YES	YES
REFERENCES	YES	YES	SUBMITTED UNDER TAB 6
ANTI-KICKBACK AFFIDAVIT	YES	YES	YES
NON COLLUSION AFFIDAVIT	YES	YES	YES
CONFIRMATION OF MINORITY OWNED BUSINESS STATEMENT SUBMITTED	YES / NOT A MINORITY OWNED BUSINESS	YES / NOT A MINORITY OWNED BUSINESS	YES / NOT A MINORITY OWNED BUSINESS
CONFIRMATION OF DRUG FREE WORKPLACE SUBMITTED	YES	YES	YES
ACKNOWLEDGEMENT OF PBC INSPECTOR GENERAL SUBMITTED	YES	YES	YES
LOCAL BUSINESS STATUS CERTIFICATION	YES / STATED NOT APPLICABLE	YES / NOT A LOCAL BUSINESS	YES / NOT A LOCAL BUSINESS
SCRUTINIZED COMPANIES FORM	SUBMITTED	SUBMITTED	SUBMITTED
SCHEDULE OF SUB-CONSULTANTS	YES / STATED NOT APPLICABLE	YES	YES
COMMENTS:			

Opened and tabulated by: Michael Dauta 5-14-19
Witnessed by: Eric Marmer

RFP FOR INSURANCE BROKER SERVICES

RFP No.: 017-1710-19/MFD

SUMMARY OF REVIEWERS SCORES - EVALUATION COMMITTEE MEETING (INITIAL RANKING/SHORTLIST) - 6/18/19

NAME:	ACTIVE MEMBER IN THE FLORIDA CHAPTERS OF R.I.M.S OR PRIMA MAX - 10	BROKER ACCESS TO LINES OF INSURANCE AND MULTIPLE INSURANCE CARRIERS, POOLS AND/OR TRUSTS MAX - 30	EXPERIENCE IN BROKERAGE AND CONSULTING SERVICES MAX -30	PROPOSED ANNUAL FEE MAX - 25	LOCAL BUSINESS CERTIFICATION FORM MAX - 5	TOTALS MAX - 100
Gallagher						
M. Frederiksen	10.00	25.00	25.00	20.00	0.00	80.00
K.Miller	10.00	30.00	30.00	24.00	0.00	94.00
J. Oldbury	10.00	15.00	29.00	17.00	0.00	71.00
TOTAL	30.00	70.00	84.00	61.00	0.00	**245.00**
Risk Management Associates						
M. Frederiksen	7.00	25.00	25.00	25.00	0.00	82.00
K.Miller	10.00	30.00	29.00	25.00	0.00	94.00
J. Oldbury	10.00	25.00	28.00	23.00	0.00	86.00
TOTAL	27.00	80.00	82.00	73.00	0.00	**262.00**
The Gehring Group						
M. Frederiksen	10.00	30.00	30.00	15.00	0.00	85.00
K.Miller	10.00	30.00	29.00	24.00	0.00	93.00
J. Oldbury	10.00	30.00	30.00	20.00	0.00	90.00
TOTAL	30.00	90.00	89.00	59.00	0.00	**268.00**

Name	**Score**	**Rank**
Gallagher	245.00	3
Risk Management Assoc.	262.00	2
The Gehring Group	268.00	1

CITY OF BOYNTON BEACH

RFP # 017-1710-19/MFD
INSURANCE BROKER SERVICES

Due Date: Tuesday, May 14, 2019 @ 3:00 PM

Submitted by:
Rodney Louis, Senior Risk Management Consultant
Email: rodney.louis@gehringgroup.com

GEHRING GROUP
EMPLOYEE BENEFITS | RISK MANAGEMENT

4200 Northcorp Parkway, Suite 185
Palm Beach Gardens, Florida 33410
(561) 626-6797 / (800) 244-3696
(561) 626-6970 – Fax
www.gehringgroup.com

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- Exhibit G ..... Risk Management Resource Library

Tab 1: Introduction Letter / Statement of Interest

The Respondent shall provide an introduction letter on corporate letterhead, signed by an authorized representative of the company. The letter should clearly indicate the company name, address and signature. This letter shall provide a brief narrative highlighting the Respondent's proposal. This tab section should not include cost quotations.

GEHRING GROUP
EMPLOYEE BENEFITS | RISK MANAGEMENT

Corporate Headquarters
4200 Northcorp Parkway, Suite 185
Palm Beach Gardens, FL 33410

561.626.6797 office
800.244.3696 toll free
561.626.6970 fax

May 13, 2019

City of Boynton Beach
Finance/Procurement Services
3301 Quantum Boulevard, Suite 101
Boynton Beach, Florida 33426

Re: RFP No. 017-1710-19-MFD – Insurance Broker Services

Dear Evaluation Committee Member:

Gehring Group is pleased to provide this proposal in response to the City of Boynton Beach's RFP #017-1710-19/MFD for Insurance Broker Services. Since 2014, we have diligently served the City in many areas of need for Risk Management, Safety Education, Property & Casualty and Workers' Compensation insurance services. In that time, we have developed an intimate knowledge of the City's operations, a firm understanding of its unique risk philosophies and a strong working relationship with City Staff. We are excited about the opportunity to submit this response for consideration and express our sincere desire to continue our successful relationship with the City of Boynton Beach.

Gehring Group has been servicing the Florida Public Sector Community for over 25 years. Through our extensive industry experience as a consultant/broker for over 80 Florida public sector entities' various risk management and insurance programs, we are confident that our firm would continue to offer the City efficiencies and a service standard that would not only meet but exceed the City's expectations.

It is important to note that Gehring Group is a completely independent company. We do not have a fund that we or any related entity holds, we do not sell related-party insurance products, and we do not accept awards for the placement of premiums with carriers. This decision to remain independent is in line with our values of integrity and transparency. Our objectivity and unbiased, independent status which has allowed us to become the premier brokerage firm in the state exclusively specializing in public sector, with direct administrative access to multiple public entity trust markets including, The Preferred Governmental Insurance Trust and the Florida Municipal Insurance Trust.

Gehring Group's core services have been designed to meet and exceed those requested in the description of Insurance Broker Services outlined in the City of Boynton Beach's RFP# 017-1710-19/MFD. We anticipate these services will include but are not limited to: coordinating and/or servicing all lines of the City's property and casualty insurance coverages, risk management valuations, procurement of insurance, monitoring regulatory and compliance issues, continuous examination and review of claims data, and overall risk management and administrative support. Additional considerations are outlined below:

- ❖ Gehring Group specializes in servicing public sector entities with a myriad of exposures. Our comparable client base will provide the City with the benefit of our experience when reviewing responses from all insurance markets and risk services. As an independent organization, Gehring Group will review all markets and programs on behalf of the City and always represent the City and its interest, not those of the insurance carriers or trusts.

- ❖ Gehring Group has experience with the FEMA recovery process should the City find itself with losses from a catastrophic event. Our first-hand experience and knowledge of FEMA offers efficiencies and maximum recoveries.

- ❖ We prepare, provide and present creative and informative risk management and loss control services and materials that clearly illustrate pertinent information to individuals who are not normally involved in insurance and risk management issues.

Gehring Group is unique in that we are public sector specialists, and we have been for 25 years. As a matter of fact, public sector is our sole focus – we oversee, coordinate, design, implement, analyze and service comprehensive insurance programs for public sector organizations. We are fortunate to have built a deep bench of experienced experts, and to have developed resources and carrier/professional relationships, allowing us to provide exceptional insurance consulting services and guidance regarding legislation applying to governmental employers.

Gehring Group has enjoyed a successful relationship that has benefited the City since 2014. During this time, Kurt Gehring, CEO and Rodney Louis, Senior Risk Management Consultant, along with the depth of an experienced team, have guided the City proactively in insurance consulting and risk management solutions in order to achieve efficiencies and capitalize on cost saving opportunities. While serving in our capacity as Insurance Consultant and Broker for the City for its property and casualty insurance programs, Gehring Group performed all of the services outlined in the current scope of services while also providing additional proactive solutions and services which have achieved substantial savings to the City, including:

- Education and Training City Staff
- Online Safety Training Services
- Safety and Loss Control Services
- Workplace Safety and Liability Assessment & Reporting
- Safety Procedure Document Drafting
- Secure Wind Insurance Coverage for 100% TIV of Coastal Cities
- Risk Management Personnel
- Asset Valuation Appraisals
- Claims Advocacy Service
- Data Analytics and Reporting
- Contract Insurance Language Review and Drafting

In summary, Gehring Group meets and exceeds the minimum requirements of the City's RFP, and we are confident that we can provide the City of Boynton Beach with additional value and exceptional services. Our approach to the business as detailed in this proposal, coupled with our industry experience, market relationships and enthusiasm, make us a broker of choice for many public entities. We thank the members of the Evaluation Committee, in advance, for your review and consideration of our comprehensive response, and stand ready to provide any additional clarification or information requested.

Sincerely,

Kurt Gehring, CEO

Tab 2: Statement of Organization / Executive Summary

The Respondent shall provide the following information:

A. Legal contracting name include any dba.

The Gehring Group, Inc.

B. State of organization or incorporation.

Florida

C. Ownership structure of Respondent's company (e.g., Sole Proprietorship, Partnership, Limited Liability Corporation, Corporation).

Corporation

D. Federal Identification Number.

65-0361295

E. Contact information for Respondent's Corporate headquarters.

Address	4200 Northcorp Parkway, Suite 185
City, State, Zip	Palm Beach Gardens, FL 33410
Phone	(800)244-3696 / (561)626-6797

F. Contact information for Respondent's Local office (if any).

Address	4200 Northcorp Parkway, Suite 185
City, State, Zip	Palm Beach Gardens, FL 33410
Phone	(800)244-3696 / (561)626-6797

G. List of officers, owners and/or partners or managers of the firm. Include names, business addresses, email addresses and phone numbers.

Name	Kurt N. Gehring
Title	Owner, President & Chief Executive Officer – Gehring Group
Address	4200 Northcorp Parkway, Suite 185
Address	Palm Beach Gardens, FL 33410
E-mail Address	kurt.gehring@gehringgroup.com
Telephone #	(800)244-3696 / (561)626-6797

Name	Kathleen (Kate) Grangard
Title	Vice President, Chief Financial Officer & Chief Operating Officer – Gehring Group
Address	4200 Northcorp Parkway, Suite 185
Address	Palm Beach Gardens, FL 33410
E-mail Address	kate.grangard@gehringgroup.com
Telephone #	(800)244-3696 / (561)626-6797

Name	Cindy Thompson
Title	Vice President of Operations – Gehring Group
Address	4200 Northcorp Parkway, Suite 185
Address	Palm Beach Gardens, FL 33410
E-mail Address	cindy.thompson@gehringgroup.com
Telephone #	(800)244-3696 / (561)626-6797

H. Any additional organizational information that Respondent wishes to supply to augment its organizational structure.

Gehring Group employs a team approach to ensure that all clients always have an available resource. The following information outlines the Gehring Group team proposed for the City of Boynton Beach. These professionals along with an easily accessible leadership and our corporate philosophy regarding the Gehring Group's team approach provides assurance that our clients have access to experienced professionals who can be reached effortlessly and who can easily access client files to provide prompt resolution and responses to the City's inquiries at all times. Resumes for the service team listed below can be found in Tab 4 below. The proposed service team for the City of Boynton Beach includes the following personnel:

Role	Name	Florida Insurance License #	Years of Industry Experience
President & Chief Executive Officer	Kurt Gehring	A094973	26
Senior Risk Management Consultant	Rodney Louis	A158924	21
Risk Analyst	Paul DeSilva	A066728	31
Claims Advocate	Valerie Ensinger	W316877	31
Account Manager	Thomas Willins, CPIA	A286779	31
Safety & Loss Control Officer	David Daley, ARM	N/A	17

Proof of Florida Insurance Licensing can be verified at https://licenseesearch.fldfs.com/.

Gehring Group staff is comprised of experienced forward thinkers, with a client-first, focused service approach. We work with your risk management team to anticipate, identify, and mitigate exposures rather than react to them. This approach saves premiums by keeping experience mod rates in check; and proactively approaching annual audits with an eye toward accuracy and efficiency. As forward-thinking professionals, our approach is to assist our clients in achieving their goals by being responsive and reactive in the short term, while being strategic thinking for the long term. Our "How Can We Help You" attitude keeps us an involved and fully available resource to our clients on a year-round basis. The staff that will continue to service the City of Boynton Beach personally has extensive experience assisting Public Sector clients including Counties, Cities, Special Taxing Districts, and Constitutional Officers with placing, maintaining, and servicing their risk management programs.

Gehring Group's core services have been designed to meet and exceed those requested in the Scope of Services outlined in the RFP. We anticipate these services will include but are not limited to servicing all lines of the City's property and casualty insurance coverages, risk management valuations, procurement of insurance, monitoring regulatory and compliance issues, continuous examination and review of claims data, and overall risk management and administrative support. Additional considerations surrounding our services are outlined below:

- Gehring Group specializes in placing insurance for public sector entities. Our comparable municipal client base will provide the City of Boynton Beach with the benefit of our experience when reviewing responses from all insurance markets. As independent brokers, Gehring Group will approach all markets on behalf of the City, and always represent the City of Boynton Beach and your interests, not the insurance carriers or trusts.
- Our firm employs risk management and administrative professionals who have worked with and for public entities, allowing us to understand the specialized needs of implementing and managing public risk insurance programs. We understand the purchasing process and the timing of a process which may need approval from a governing body, such as a City Commission.
- Gehring Group is a leader and proponent of the need for accurate and concise property appraisals and maximum potential loss studies in order to maximize the total amount of insurance purchased. In the event of a catastrophe, this process helps achieve the maximum amount recoverable from any insurer and FEMA. This approach has been proven to be a beneficial approach for our public sector clients.
- Gehring Group has experience with the FEMA recovery process should the City find itself with losses from a catastrophic event. This first-hand experience with, and knowledge of, FEMA offers efficiencies and maximum recoveries.
- We prepare, provide, and present creative, informative risk management and loss control materials that clearly illustrates pertinent information to individuals who are not normally involved in insurance and risk management issues.

I. Contact information for Respondent's Primary representative during this RFP process.

Name	Cindy Thompson, VP-Operations
Phone	(800)244-3696 / (561)626-6797
E-Mail	cindy.thompson@gehringgroup.com
Mailing Address	4200 Northcorp Parkway, Suite 185
City, State, Zip	Palm Beach Gardens, FL 33410

J. Contact information for Respondent's Secondary representative during this RFP process.

Name	Rodney Louis, Senior Risk Management Consultant
Phone	(800)244-3696 / (561)626-6797
E-Mail	Rodney.louis@gehringgroup.com
Mailing Address	4200 Northcorp Parkway, Suite 185
City, State, Zip	Palm Beach Gardens, FL 33410

K. Briefly summarize any potential conflicts of interest, pending or current litigation relating to the performance of requested insurance broker services in which Respondent is party to. Disclose any circumstance where the conduct of the Respondent is being investigated or has had an adverse determination by any legal or administrative body.

There are no potential conflicts of interest, and there is no pending litigation relating to the performance of requested insurance services in which Gehring Group, Inc. is party to. There are no circumstances where the conduct of Gehring Group, Inc. is being investigated or has had an adverse determination by any legal or administrative body.

L. Provide details of any ownership changes to Respondent's organization in the past three years or changes anticipated within six months of the Due Date and Time (e.g., mergers, acquisitions, changes in executive leadership.

There have been no ownership changes to Gehring Group, Inc. in the past three years or any changes in ownership anticipated within six months of the due date and time.

Tab 3: Minimum Qualifications & Requirements

Each respondent shall submit information and documentation requested that confirms it meets the following qualification requirement(s). Failure to meet these minimum qualifications may deem your submittal non-responsive and ineligible for further consideration by the Selection Committee.

a. Must be registered with the State of Florida, Division of Corporations to do business in Florida for at least five years. No documentation is required. The City will verify registration.

The Gehring Group, Inc. is a Florida corporation formed on October 6, 1992.

b. In order to be considered responsive, the Respondent must be licensed as an insurance broker in the State of Florida. Respondent shall provide documentation of all required licenses, certifications, credentials of privileges and affiliations, curriculum vitae as well as other credentials or information in order to comply with this requirement.

Gehring Group, Inc. is licensed as an insurance broker in the State of Florida as evidenced by the Insurance Licenses below.

FLORIDA DEPARTMENT of FINANCIAL SERVICES

GEHRING GROUP, INC.

4200 NORTHCORP PARKWAY
STE. 185
PALM BEACH GARDENS FL 65036-1295

Agency License Number L088691

Location Number: 126219

Issued On 05/14/2014

Pursuant To Section 626.0428, Florida Statutes, This Agency Location Shall Be In The Active Full-Time Charge Of A Licensed And Appointed Agent Holding The Required Agent Licenses To Transact The Lines Of Insurance Being Handled At This Location.

Pursuant To Subsection 626.172(4), Florida Statutes, Each Agency Location Must Display The License Prominently In A Manner That Makes It Clearly Visible To Any Customer Or Potential Customer Who Enters The Agency Location.

Jeff Atwater
Chief Financial Officer
State of Florida

FLORIDA DEPARTMENT OF FINANCIAL SERVICES
KURT NOEL GEHRING
License Number : A094973

Resident Insurance License	Issue Date
•0120 - SURPLUS LINES	03/26/2003
•0214 - LIFE INCL VARIABLE ANNUITY	01/21/1999
•0215 - LIFE INCL VAR ANNUITY & HEALTH	01/21/1999
•0256 - LEGAL EXPENSE	04/02/2008
•0218 - LIFE & HEALTH	11/29/1988
•0220 - GENERAL LINES (PROP & CAS)	09/07/1996
•0240 - HEALTH	11/29/1988
•0216 - LIFE	11/29/1988

Jimmy Patronis
Chief Financial Officer
State of Florida

FLORIDA DEPARTMENT OF FINANCIAL SERVICES
RODNEY LOUIS
License Number : A158924

Resident Insurance License	Issue Date
•0214 - LIFE INCL VARIABLE ANNUITY	01/16/1998
•0240 - HEALTH	06/07/2004
•0220 - GENERAL LINES (PROP & CAS)	06/07/2004
•0216 - LIFE	01/16/1998

Jimmy Patronis
Chief Financial Officer
State of Florida

c. In order to be considered responsive, the Respondent must have experience with Florida municipalities with an annual premium in excess of $250,000.00. Respondent shall provide documentation with RFP submittal.

The Gehring Group has been focused on serving Florida municipalities for over 25 years. Public-sector is not merely a division of our company's overall clientele; it is all of our company's clientele! We work with municipalities of all sizes and have many clients whose annual premium exceeds $250,000. Below is a list of just a few such municipalities.

Annual Premiums Greater Than $250,000:

Florida Municipality	Verification Contact Information
Boynton Beach, City of	Keyla Miller; MillerK@bbfl.us; 561-742-6271
Charlotte County BOCC	Janine Hewitt; Janine.Hewitt@charlottecountyfl.gov; 941-743-1244
Deerfield Beach, City of	Dayana Gonzalez; DGonzalez@deerfield-beach.com; 954-480-4485
Dunedin, City of	Theresa E. Smalling, PhD.; TSmalling@DunedinFL.Net; 727-298-3042
Wellington, Village of	Tanya Quickel; tquickel@wellingtonfl.gov; 561-791-4113

d. In order to be considered responsive, the Respondent must have experience in providing brokerage/consultant services similar to those outlined in the RFP. Respondent shall provide documentation with RFP submittal.

Since 2014, Gehring Group has served the City of Boynton Beach in its areas of need with regard to Risk Management, Safety & Loss Control, Education, Property & Casualty and Workers' Compensation insurance procurement. In addition, we have assisted the City with its safety program development, claims advocacy and contract insurance language. Gehring Group has also provided public-sector education and innovation seminars and trainings to further strengthen the knowledge and awareness of insurance, state & federal legislation, risk management, technology and compliance.

e. In order to be considered responsive, the respondent must have annual commercial lines premium volume of $1,000,000 or greater. Respondent shall provide documentation with RFP submittal.

Annual Premiums Greater Than $1,000,000:

Florida Municipality	Verification Contact Information
Charlotte County BOCC	Janine Hewitt; Janine.Hewitt@charlottecountyfl.gov; 941-743-1244
Dunedin, City of	Theresa E. Smalling, PHD; TSmalling@DunedinFL.Net; 727-298-3042
Sarasota County Sheriff	Lisa Kiesel; Lisa.Kiesel@sarasotasheriff.org; 941-861-4205
Wellington, Village of	Tanya Quickel; tquickel@wellingtonfl.gov; 561-791-4113

Gehring Group is Florida's largest public-sector employee benefits and risk management services broker. From that narrow focus of clientele, our current annual commercial lines premium is over $13,500,000.

Tab 4: Qualifications / Experience of Proposer

1. The Respondent shall describe its qualifications and demonstrated experience with services of this scale and similar complexity.

Firm History

Incorporated in 1992, Gehring Group has been providing expert risk management consulting services to Florida public sector clients for over 25 years and has grown to become one of the most respected insurance and risk management consulting agencies in the state. Gehring Group has experienced consistent growth year over year in staff and number of clients. Kurt Gehring remains 100% owner of the firm; therefore, decisions can be made quickly without the layers and red tape inherent in other firms. Gehring Group's philosophy is to provide a full range of superior brokerage and consulting services to each of our clients. We take an innovative, proactive approach to continuously enhance the quality of our performance level beyond industry standards by providing an unparalleled service philosophy and a dedication to protecting the financial assets of our clients. Gehring Group's team of experts strives to become informed of each client's risk philosophies and tolerances and to work diligently to produce the desired results. Our goal is for our clients to realize real dollar savings, while experiencing reductions in risk hazards and exposures through increased communication, awareness and availability of resources. Gehring Group currently employs 72 full-time staff members, five of whom work remotely throughout the state, and specializes in serving the public sector. Currently serving over 100 public sector entities, which encompass over 90% of the Gehring Group's client base, our firm is uniquely qualified in its understanding of public entity issues. Our risk management services include, but are not limited to:

- Insurance Policy Marketing and Evaluation
- Claims Review and Dispute Resolution
- Program Audit Verification of Assets and Coverages
- RFP Development and Proposal Evaluation
- Drafting of Policy and Safety Manuals
- Claims Experience Rating Management
- Risk & Safety Assessments/Inspections
- Policy Analysis and Comparisons
- Claims Administration
- Contract Review and Consultation
- Loss Control and Safety Services
- Council and Board Presentations

At Gehring Group, we differentiate ourselves by going beyond traditional boundaries and by designing and managing fully integrated risk management and commercial insurance programs. Gehring Group has many competitive advantages that can add value and enhance the City of Boynton Beach's risk management program overall.

Public Sector Focus and Experience

Having served over 100 public sector entities in Florida, Gehring Group has significant expertise in servicing all lines of property and casualty coverage for all types of public sector entities. Public Sector is not just a division of our firm – it's all we do. Our team has a comprehensive level of experience in conducting all phases of the procurement process, analysis and recommendation process for all types of insurance funding, whether fully insured or self-insured. Our involvement will be comprehensive as we compile the data for submission to the insurance market and work with the procurement division and risk staff to maintain integrity of the bid process. Our team has vast experience in the solicitation of all types of insurance, and we are confident that acquisition of various competitive options will be accomplished.

Since the majority of Gehring Group's client base consists of public entities our firm is uniquely qualified in its understanding of public entity issues. We understand the bid process and public record laws while maintaining familiarity with the constantly changing and complex statutes that apply to governmental organizations. This specialized knowledge is especially vital when negotiating renewals and program changes with insurance carriers and insurance consortiums. The experience we offer guarantees that no piece of the risk management puzzle will be missing.

Gehring Group's successful experience with public sector entities is further evidenced by the following list of additional clients for whom Gehring Group provides property and casualty consulting services:

Current Risk Management Governmental Entity Clients	
Boynton Beach, City of	Martin County BOCC
Career Source of Palm Beach County	Monroe County BOCC
Charlotte County BOCC	North Palm Beach, Village of
Clerk & Comptroller, Palm Beach County	Oviedo, City of
Deerfield Beach, City of	Palm Beach County Sheriff's Office
Dunedin, City of	Palm Springs, Village of
Jupiter Island, Town of	Sarasota County Sheriff's Office
Keys Energy Services	Tequesta, Village of
Lake Park, Town of	Venice, City of
Mangonia Park, Town of	Wellington, Village of
Margate, City of	West Palm beach Housing Authority

Independent Status

It is also important to note that Gehring Group does not participate in any provider relationships that would prevent us from acting independently and providing objective advice and guidance. We do not accept indirect compensation such as gifts or trips, and we practice full disclosure relating to all direct and indirect compensation. We are not affiliated with any particular insurance companies, third party administrators or provider networks. We do not have a fund or trust that we or a related entity holds, and we do not sell related third-party insurance products. This decision to remain independent is in line with our values of integrity and transparency. Our deliberate decision to remain unfettered to

other organizations means that our commitment to that which is in the best interest of the City of Boynton Beach will not waiver nor be influenced by external financial pressures. We make the transparent choice to drive our decisions surrounding expansion, service enhancement, technological development and talent acquisition around what we experience from working through challenges with the public sector.

Gehring Group has a longstanding commitment to quality assurance that starts with a team of professionals assigned to each client, ensuring that client requests are responded to thoroughly, timely, and with expertise. Gehring Group continually brings on new talent, and strategically places newly acquired clients to ensure that the client to professional ratio is low, and that the complexity of the client is considered in the process. We have found that our clients' needs have grown as the economy has been burdened, and we have increased our staff to be responsive to these needs.

Market Relationships

We also have strong market relationships. We have positioned ourselves as the premier public entity service provider and are recognized throughout Florida as the largest public entity brokerage firm. This reputation for objectivity and professionalism has allowed us to develop dynamic working relationships with a vast number of excess and surplus insurance carriers, as well as with the state's admitted insurance carriers and permitted us to become the sole agency in Florida with administrative working access to multiple public entity insurance trusts, including Florida Municipal Insurance Trust and Preferred Governmental Insurance Trust. A relationship with a carrier that involves administrative access means that our agency is allowed to communicate directly with the insurance providers' various administrative divisions. This communication entails the ability to negotiate with, assist to create policy manuscript changes for your client, uncommon to the standard coverage forms usually provided by the carrier, advocate with policy adjusters and provide direction to them on behalf of the member, share reporting and service plans with loss control staff and represent our agency or our clients at exclusive, member-only forums and events, hosted by the trusts.

Gehring Group's exclusive administrative access with FMIT has allowed us to negotiate coverages and premiums for our clients, even after initial proposals and coverage terms have been submitted. We have direct access to FMIT's staff and vendors to review and negotiate audit results, claims reserves and underwriting customizations. This relationship involves trust and respect in the itegrity of the members advocate and the knowledge that while the member's interests take precidence, they can rely on our agency to respectfully represent their program to our clients without any preconcieved bias. Gehring Group also enjoys similar administrative access with PGIT as an appointed company allowed to work with its staff members to negotiate, create, and advocate for the best coverage programs that best address our client's operations. Our relationship allows us to receive regularly scheduled updates form adjusters and the ability to discuss and influence important decisions such as claims reserves. The administrative access afforded Gehring Group by both FMIT and PGIT is a mutual collaboration of trust and admiration that creates opportunities for coverage maximization, customization at the most competetive annual cost for our clients.

We only work with reputable, financially stable, solvent and highly rated insurance carriers. We take into consideration insurance company A.M. Best ratings in our goal of providing each client with the program that is most in line with the client's philosophy and budgetary constraints. The following is a

list of insurance carriers (markets) to which Gehring Group has access to and with whom Gehring Group has a current relationship:

Name of Company	AM Best Rating	Name of Company	AM Best Rating
Admiral Insurance Company	A+	Kemper Corporation	A-
AIG/National Union Fire Insurance Co	A	Landmark American Insurance	A
Allied World Assurance Co	A	Lexington Insurance	A
Allianz U/W Insurance Co	A+	Liberty Surplus Insurance Company	A
Aliant Property Insurance Program	NR	Lloyds Of London Companies	A
American Safety Insurance	A	Midwest Employers Casualty CO.	A+
Arch Excess & Surplus Lines Ins	A+	Mt. Hawley Insurance	A+
Arch Specialty Insurance	A+	Mt. Vernon Fire	A++
Aspen Specialty Insurance	A	National Fire & Marine	A++
Axis Surplus Insurance	A+	Nautilus Insurance Company	A+
Burlington Insurance Co	A	North American Capacity	A+
Catlin Specialty Insurance Co	A	Northfield Insurance	A+
Chubb Custom Insurance	A++	Nutmeg Insurance Co	A
Clarendon America Insurance	NR	Old Republic Union Insurance	A
CNA	A	One Beacon Property	A u
Colony Insurance	A	Pacific Insurance Companies	A
Crum & Forster	A	Philadelphia Insurance Co	A++
Darwin Select Insurance	A	Princeton Excess & Surplus	A+
Endurance American Specialty	A	QBE Insurance	A
Essex Insurance Co	A	RLI Insurance	A+
Evanston Insurance Co	A	Rockhill Insurance Co	A
Fireman's Fund Insurance	A	RSUI Indemnity	A
First American Specialty Insurance	A	Safeco Surplus Lines Insurance	A
First Specialty Insurance Co	A	St. Paul Surplus Lines Insurance	A+
Great American E&S Insurance Co	A	Safety National Insurance Co.	A
Great American Fidelity	A	Steadfast Insurance Company	A+
Gulf Underwriters Insurance	A+	Tokio Marine	A++
Hallmark Specialty Insurance	A-	Torus Specialty Insurance	A u
Hartford Fire Insurance Co	A	Travelers Excess and Surplus Ins	A+
Hartford Steam Boiler	A++	Tudor Insurance Company	A+
Illinois Union Insurance Co	A+	United National Insurance	A
Indian Harbor Insurance Co	A	United Specialty Insurance	A
Ironshore Specialty Insurance	A	Westchester Surplus Lines	A+
Interstate Fire & Casualty	A	XL Select Insurance Co	A
James River Insurance	A-	Zurich American Insurance Co	A+

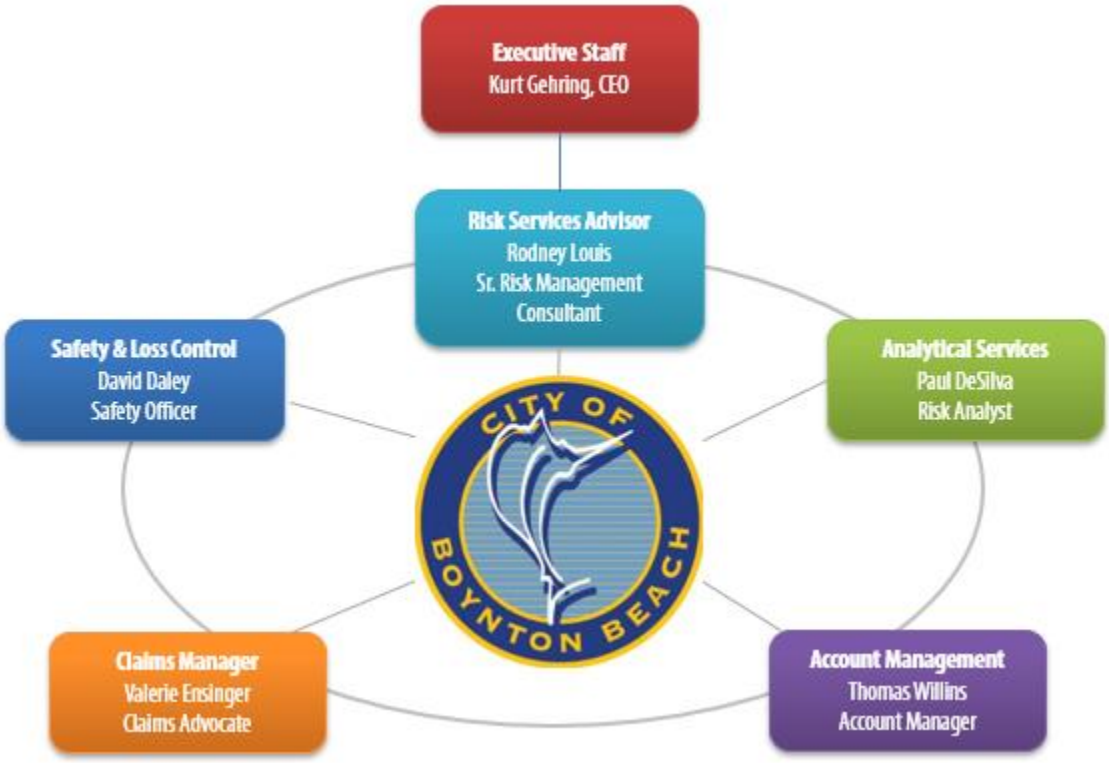
Team Structure

The following includes the proposed service team structure for the City of Boynton Beach. Gehring Group services each client under our team-based approach ensuring accessibility to staff at all times. These professionals, along with an easily accessed upper management staff and our corporate philosophy regarding our team approach, provides assurance that our clients have access to experienced professionals who are aware of, or can easily access their files, to provide resolution and answers continuously. Gehring Group's standard is to return a call promptly, generally within the same day; however, our clients enjoy the ability to always get a message to their service team who may be out of the office either through their cell phones or our administrative assistants. We hold a strong commitment to hiring talented high caliber professionals for our team and remaining on the cutting edge of industry innovation. Gehring Group's service team for the City consists of highly qualified personnel whose resumes include years of consulting for and servicing public sector clients. Your service team includes the following personnel:

- Sr. Risk Management Consultant: Rodney Louis
- Safety and Loss Control Officer: David Daley
- Risk Analyst: Paul DeSilva
- Claims Advocate: Valerie Ensinger
- Account Manager: Thomas Willins

Gehring Group does not employ commissioned producers. Since the creation of our firm, it has been our philosophy to serve our clients through a team of salaried, professional advisors, much the same as other professional services retained by the City, such as attorneys, architects, accountants or actuaries. As public-sector specialists, we understand the need to eliminate any semblance of impropriety and have experienced that our salaried adviser structure eliminates the potential for conflict of interest that may arise from a commissioned producer's personal financial situation and what should be in the best interests of the City.

Gehring Group maintains a strong commitment to remain at the forefront of industry trends, new legislation, cutting edge benefits technology tools, and new types of insurance programs offered by insurance companies and third-party administrators to remain ahead of the curve. In fact, members of our qualified team are in high demand for speaking engagements at various HR, risk management and public sector associations meetings and conferences. Our service team organizational structure and team who will manage the project is represented as follows:



At Gehring Group, we rely on our clients to be our references, and insomuch we work toward not only being excellent technicians but also excellent communicators and a valued resource for all their benefits needs. Our staff understands the value of our reputation and the importance of meeting our clients' expectations. We are always communicating not only with our clients, but also internally to ensure that we are on track with meeting client expectations and delivering quality service and expertise to each and every client.

Gehring Group meets all minimum requirements as outlined in the City of Boynton Beach's RFP. Our staff members have the required experience in all areas outlined. Engaged, personalized account leadership is paramount to effective long-term client relationships. You will see that our passion for service shines through daily.

Resumes for the above service team member professionals for the City of Boynton Beach are included on the following pages:

Team Resumes:

Executive Staff: Kurt N. Gehring, President & CEO
Professional Licenses: Life, Health & Variable Annuity, General Lines Property & Casualty
Education: Florida State University
Degree: B.S., Marketing
Years in Industry: 26 years
Licensing: 2-20 General Lines (Prop. & Cas.); 2-15 Life, Health & Variable Annuity; 1-20 Surplus Lines
Florida Insurance License #A094973
Association Memberships: FGFOA, FPHRA, PRIMA, SALGBA, FAC, FASD, FERMA, FPELRA, The Council

Kurt Gehring will be the Executive Staff assigned to the City of Boynton Beach. His extensive work over the past 26 years has placed him in direct communication with public sector agencies such as County Commissions, City and City Councils, Municipal Managers and all related bargaining units along with the employee body as a whole. This exposure provides unparalleled practical experience within a learned understanding of the local governmental environment. Mr. Gehring remains at the forefront of the insurance industry by staying up to date on industry trends, compliance issues, and innovative programs being presented by insurance companies and third-party administrators.

Kurt founded Gehring Group with the mission of providing clients the highest level of service, exceeding not only industry standards, but also client expectations. Recognizing the inherent challenges in servicing organizations with a large number of employees, various contracting parties and insurance obligations, Gehring Group utilizes a unique, team-based approach customized to meet the specific needs of each client. Each Gehring Group employee makes an unprecedented effort to address each situation both promptly and effectively. The success of Gehring Group is a direct result of this promised and delivered, unparalleled service standard. Kurt is a highly regarded industry expert who is consistently called upon to speak and serve on panels at numerous public-sector conferences; where he consistently receives the highest accolades for his out of the box, engaging, and informative sessions.

Senior Risk Management Consultant: Rodney Louis
Professional Licenses: General Lines Property & Casualty, Life, Health & Variable Annuities
Education: Florida State University
Degree: B.S., Finance
Years in Industry: 21 years
Licenses: 2-20 General Lines (Prop. & Cas.); 2-15 Life, Health & Variable Annuity
Florida Insurance License #A158924
Affiliations: Public Risk Management Association; Risk Management Society; The Council
Association Memberships: PRIMA, RIMS, FERMA, The Council

As the City of Boynton Beach's primary Risk Management Services Advisor, Rodney will serve as the project manager for the City's insurance and risk management program. The City will benefit from Rodney's vast array of experience working with all of our public sector clients, servicing both their insurance and risk management programs. He has strong experience in servicing governmental entities whose risk programs are insured by trusts, layered markets, or a combination of both.

Rodney Louis, a Florida State Alumni, has been an insurance industry professional since 1997 and is licensed in property, casualty, life and health products. When he joined Gehring Group as an analyst, he brought with him 13 years of industry experience. His broad experience and extensive licensing provide our Gehring Group clients with an invaluable resource to assist in the development and recommendation of a comprehensive, competitive risk program. Rodney spent the early part his career working for a national rating firm providing crucial analysis on the stability and creditworthiness of both the insurance and banking markets. Rodney then broadened his scope of the insurance industry by becoming licensed for property and casualty insurance. From 2003-2009, he was a managing partner of a full-service brokerage firm and managed their underwriting, agent development and program analysis divisions.

In 2010, Rodney joined Gehring Group as a Risk Analyst. In his current position as Sr. Risk Management Consultant, he will coordinate and direct all of your risk services including, the strategic and budget planning analysis as it relates to the City's insurance programs or other risk financing instruments; reporting on loss control and safety procedures; contract language review and negotiation; legislative and market updates; policy manual drafting; claims advocacy; safety & liability site inspections and so much more. Rodney's primary function is to ensure that all necessary steps and procedures are accomplished while remaining involved in the continuity and effective outcome of all processes. In addition, he will work in coordination with our safety and loss control personnel to monitor claim reports in order to anticipate future program costs and to make recommendations regarding utilization patterns as well as providing budget and renewal projections. He will also be available as needed for meetings with decision makers and is available to make presentations to executive staff and boards as required. Rodney's distinctive public-sector knowledge and professional experience is an invaluable asset to our clients providing peace of mind when unexpected needs may arise or as questions or concerns present themselves. Analytical, detailed, and proactive – Rodney is a valuable member to the employer organizations he services.

Rodney's public-sector experience includes managing all lines of Property and Casualty coverage for such public-sector entities as the City of Deerfield Beach, Charlotte County Board of County Commissioners, City of Dunedin, Keys Energy Services, Village of Wellington, Monroe County BOCC, City of Boynton Beach and Palm Beach County Sheriff.

Risk Analyst: Paul H. DeSilva
Professional Licenses: General Lines Property & Casualty
Education: Florida State University
Degree: B.S., Finance
Years in Industry: 31 years
Licenses: 2-20 General Lines (Prop. & Cas.)
Florida Insurance License #A066728

Paul DeSilva will serve as the City of Boynton Beach's Risk Services Analyst. Paul will be responsible for overseeing all aspects of the analytical services functions including compiling all claims and trend data to design relevant reporting, present the City to the insurance market and provide evaluation and recommendations to the City on all lines of property and casualty insurance coverages proposed. Paul will assist Rodney with the marketing, renewal, recommendation and presentation of all risk management and property and casualty insurance programs for the City. In addition, he will work in coordination with our safety and loss control personnel to monitor claim reports in order to anticipate

future program costs and to make recommendations regarding utilization patterns as well as providing budget and renewal projections. Paul's services to the City will include but are not limited to:

- Evaluation of the City' insurance program
- Preparation of insurance specifications
- Analyzing bid responses and evaluation of proposals
- Provide claims analysis reporting and benchmarking data for insurance program analysis
- Contract review and interpretation as necessary or requested

Paul DeSilva also graduated from Florida State University and began his Property and Casualty Insurance career in 1987, working as an underwriter for a National Insurance Carrier. Paul then spent almost a decade working as a workers' compensation auditor, with the National Council on Compensation Insurance (NCCI), before becoming a Commercial Insurance Advisor and Managing Partner of a firm in West Palm Beach. Paul's diverse experience in all facets of property and casualty and workers compensation insurance will provide the City with another vastly knowledgeable resource with over 30 years of experience in risk services and analytics. Paul's professionalism, determination and work ethic are desired attributes that help to foster a clear and effective team approach as we endeavor to deliver a proactive culture of safety awareness and an efficient risk management philosophy to our clients.

Safety & Loss Control: David Daley, ARM
Professional Designation: Associate in Risk Management
Education: Florida International University
Degree: M.S., Engineering Management
Years in Industry: 17 years

After graduating with a Master of Science degree, David Daley spent the first 12 years of his career working for major insurance carriers, Liberty Mutual Insurance Company and Amerisure Insurance Company, in Loss Control Engineering. David entered public-sector employment in 2010, working in Loss Control and Risk Management for the City of Pembroke Pines, The School District of Palm Beach County and the City of Miami. David's extensive experience working in Safety, ADA Compliance and Loss Control, both on the inside of major insurance providers and with large public sector entities, makes him a uniquely qualified resource for our clients. One of David's greatest attributes is his affinity for teaching and training others. David is a very talented communicator with the ability to relate to directors and staff alike. Whether working with Public Works, Utilities, Sanitation or Public Safety, David will deliver training and awareness to the City of Boynton Beach that speaks directly to the issues of safety and loss control that are relevant to each of their respective needs. David Daley has been a longtime member of the Risk Management Society and the Public Risk Managers Association, which have repeatedly requested for him to be a guest speaker at their local chapters and annual conferences.

David's duties include working with the rest of your Gehring Group team by sharing reports and assessments with account management and analytical staff for use in the renewal process. David also assists clients and staff by attending and participating in safety committee meetings to help identify hazards or training deficiencies which may require unique, specialized training parameters. David conducts liability and safety inspections at client facilities to identify potential exposures and to mitigate potential hazards. Afterward, David will generate a report of the inspection analysis for the

benefit of departmental management, which includes actionable recommendations for addressing any areas of concern. Through coordination with outside vendors to include equipment manufacturers/reps, chemical handling specialists, and motor vehicle safety operations, a training program will be developed. David can also work with staff to generate workplace safety manuals. Having access to over 80 public sector entities and public utilities, David can provide proven resource material that may be a used to create a tailored workplace safety program that fits each client's own unique needs and culture.

Account Manager: Thomas J. Willins, CPIA
Professional Licenses: General Lines Property & Casualty, Life & Health
Education: Lynchburg College
Degree: B.S., Business Administration
Years in Industry: 31 years
License: License: 2-20 General Lines (Prop. & Cas.); 2-18 Life & Health
Florida Insurance License #A286779

Tom will serve as the primary Account Manager for the City of Boynton Beach for all services related to your property and casualty insurance program. Tom will work with Rodney Louis in the marketing, renewal and recommendation for placement of this coverage, providing services to the City that include but are not limited to:

- Complete the review and sign off on policies and endorsements for accuracy.
- Manage policy details, provide loss runs and issue certificates of insurance which require contractual or coverage review.
- Process client invoices, endorsements, binders, certificates, coverage policies, and audits.
- Process monthly installments and direct bill invoices, where necessary.

Immediately upon graduation from Lynchburg College, Tom was aggressively pursued by a large Managing General Agency in South Florida where he developed his insurance marketing and program placement skills. Tom has spent 30 years in the commercial insurance industry and brings a wealth of experience in client services and relationship development, having managed several large corporate policy programs while creating a vast network of associates amongst insurance carrier underwriters who know him to be thorough, concise, ethical and reliable while insistently advocating for the betterment of his clients. Tom also has a Certified Professional Insurance Agent designation.

Claims Manager: Valerie J. Ensinger
Professional Licenses: All Lines Claims Adjuster; General Lines Property & Casualty
Education: Palm Beach State College, Legal Career Institute
Degree: A.S., Legal Studies
Years in Industry: 31 years
License: 2-20 General Lines (Prop. & Cas.); 6-20 All Lines Adjuster
Florida Insurance License #W316877

Val will serve as the Claims Manager for the City of Boynton Beach for all claim issues involving Liability, Property, Physical Damage and Workers' Compensation. Val will work hand in hand with Rodney and

David to promote a culture of safety at the employee level, assist management to process and follow up on open claims and coordinate with adjusters to bring all claims to an expeditious and cost-effective closure.

Upon completion of her studies at the Legal Career Institute, located in West Palm Beach, Florida, Val spent the next 22 years of her career in the legal field as a legal secretary, court reporter and law office administrator. In 2001, Val was hired as a Legal Services Coordinator/Insurance Claims Manager for a national restaurant chain where she was responsible for assisting general counsel with the composition, revision and analysis of all legal documents, correspondences and leases. Val also managed the processing, investigation and follow-up of all workers' compensation and liability claims for over 70 restaurants around the country. Val's wealth of experience working with claims adjusters coupled with her deep understanding of nuanced legal composition, provides our clients with a uniquely talented advocate for the resolution of their liability and workers' compensation claims.

Project Approach & Methodology

Our Risk Services and Marketing Process is the basis for how we do business at Gehring Group. Our procedure begins at the onset of the award of contract. We do not operate under a "cookie cutter" approach; instead, we offer all available resources and timelines to facilitate tailoring a program to meet the needs of the City of Boynton Beach. Gehring Group staff will work closely with the City to ensure this process lines up with the City of Boynton Beach's goals. Our approach and methodology will involve an in-depth assessment of the City's exposures from four different perspectives.

1. As a risk manager; reviewing asset schedules, reviewing procedures and verifying risk transfer agreements;
2. As an insurance consultant; identifying coverage deficiencies, investigating coverages providing risk financing solutions;
3. As a safety officer; developing training programs and recognizing loss mitigation opportunities; and
4. As a risk analyst; gather historical data, identifying consistent trends and outliers, create analytical reports.

Pre-Renewal Meeting

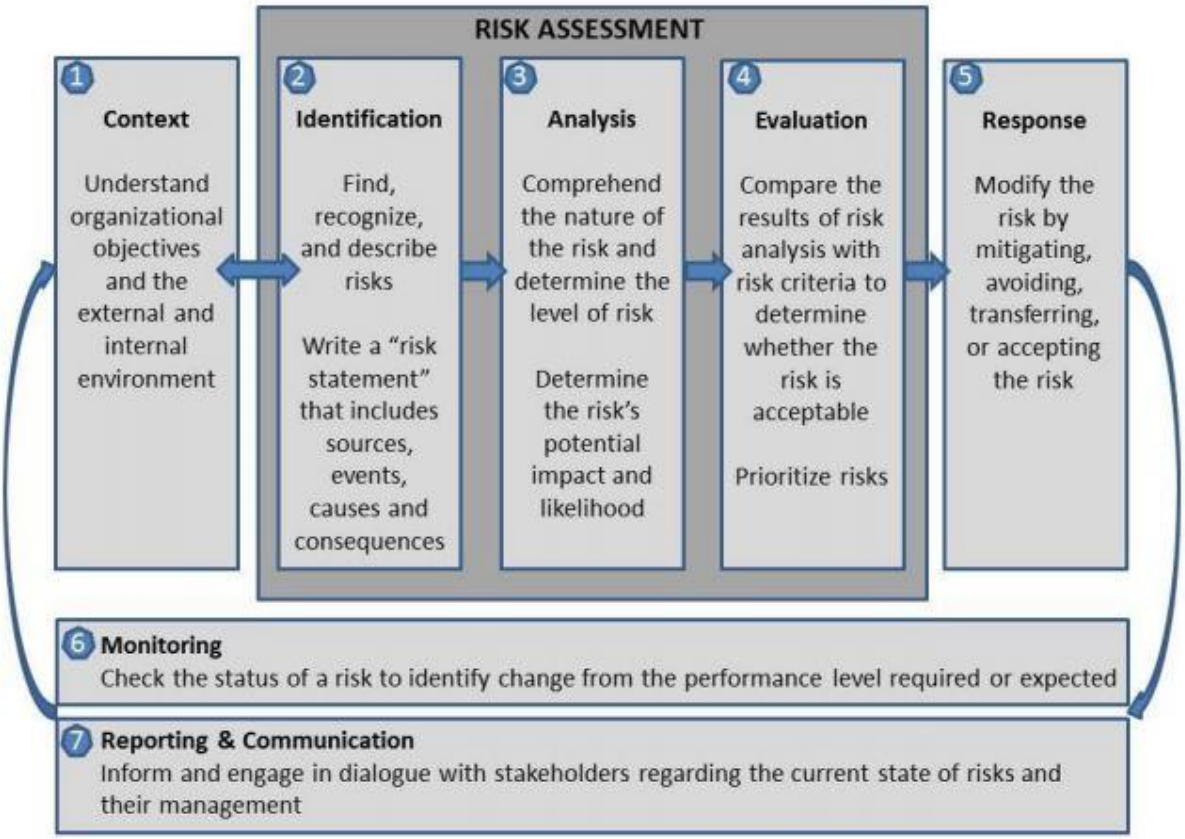
Prior to our annual pre-renewal meeting, we begin to gather and update all pertinent risk financing information from the City. In addition to insurance policy information, we will complete a review of its website, financial statements; conduct a study of its insurance policy language and coverages to determine the exact protections being afforded; we review the City's current employee and safety manuals, vendor contracts and recent interlocal agreements; initiate a City-wide safety and liability assessment; engage in personnel discussions with relevant staff; and analyze current and historical claims experience. We then formulate our assessment of the updated risk exposures and coverage analysis completed from the information gathered. Our risk summary of the City's hazard exposures and the adequacy of its current insurance program is then presented and reviewed with the City's staff in order to confirm expectations and goals. We compare this risk summary to your current insurance coverage to determine any serious or unanticipated gaps that exist; review the retentions and insurance limits; and provide you with our observations and recommendations. We then facilitate an implementation meeting where we will agree upon a timeline of major milestones that will take place up to the placement of the renewal policies. As per the RFP, when we are operating solely in a consulting capacity and are unable to place coverage directly for the City of Boynton Beach, we will communicate the necessary information to the brokers, carriers and trusts who will secure the various insurance product proposals on behalf of the City.

Assessment & Recommendation Meeting

During our assessment and recommendation meeting with the City750, Gehring Group will provide a risk analysis report and summary of City's hazard exposures and the adequacy of its current insurance program which will be presented and reviewed with City staff in order to confirm expectations

and goals. We will compare this risk summary to your current insurance coverage to determine any serious or unanticipated gaps that exist; review the retentions and insurance limits; and provide you with our observations and recommendations. Also, during this meeting, we will provide an annual Property & Casualty Market Outlook (Exhibit B) that can be used as a guide for developing the City's risk transfer procurement strategies moving forward. Gehring Group will update the City on the current insurance market, discuss recent renewal results for similar clients, and various relevant deductible options. Finally, we will assess the City's desires for any particular carrier based on its history with that carrier, specifically relevant industry coverages; the carrier's financial rating, etc.

At the heart of Gehring Group's risk management process is our Risk Assessment. Our teams work with our clients to identify, analyze and evaluate, in order to respond to and monitor risk. The following process spans across the entire organization, looking at both opportunities and risks, in the context of identifying strategies that best support the City's goals.



The risk assessment forms the basis for decision making regarding which risks or opportunities are priorities, what the appropriate response should be and how resources should be allocated to manage the risk or opportunity.

While insurance is a key risk management tool that supports public entity service operations, vendor exposures or projects to be financed, there is no "one-size-fits-all" insurance structure that can be applied to every entity. From their unique coverage opportunities to their extremely high values, public entities face a wide range of exposures not regularly seen in the more traditional commercial insurance market.

Implementation Plan/Process

Upon completion of the Assessment and Recommendation meeting, Gehring Group, together with City staff, will come away with a concise plan for our mutually agreed upon objectives for policy renewal coverages and ongoing services. We will then implement the plan first by portraying, with integrity, the City's unique risk profile for each line of coverage to all available markets and/or brokerage firms. Insurance company underwriters will know that the City's submission will truthfully portray its unique risks and operations in a transparent and easily discernable format. Our ultimate goal is to distinguish the City from its peers by demonstrating its distinctive risk characteristics. Gehring Group would then move to implement all the annually ongoing risk management, safety and loss control, claims administration and program analysis services that we mutually agree are required to assist the City to establish or maintain a culture of workplace safety and liability claims mitigation. Gehring Group's team of staff and resources will work with the City's Risk Management staff to create customized solutions by identifying opportunities and unidentified key risk factors. Your Gehring Group team may conduct facility-wide safety and liability inspections and provide actionable assessment reports. Our reports are designed to help the City of Boynton Beach identify the following:

- Hazards that threaten buildings, premises, and people
- Bodily injury exposures
- Recommended improvements that can reduce risk
- Internal protection systems, such as automatic sprinkler systems and fire alarms
- Conformance of individual business sites to corporate loss control and safety programs

With these services we would attend, facilitate or coordinate any regular meetings that the City requires and can be available with limited notice to assist with contract reviews, policy manual review, update or drafting.

Renewal Process (Request for Proposal)

In order to achieve a successful renewal for our clients, we focus on two specific parts – market solicitation and the evaluation of options. At our Pre-renewal meeting, we will have discussed all available market alternatives, ask for your input and agree upon the carriers that we want to approach based on carrier program specialties and the City's needs. During the proposal process, we review alternative limits, retentions and coverages. We will provide you with regular updates to keep you informed of the process and to maintain the integrity of our pre-determined timelines. Upon Receipt of all carrier proposals, we will assess the results and create an unbiased evaluation of all coverage enhancement or detractions as per the objectives that we pre-determined to be of pertinence for the City. We are aware that our clients want to have a bottom-line comparison of all renewal alternatives, but we also know that they need to be able to recognize details of each quotation. So, our renewal evaluations feature detailed and highlighted coverage comparisons and a full summary of their differences. Our analysis will help you make the most educated renewal decision. Should Gehring Group have the ability to function in the capacity of broker for any insurance coverages, it is important to understand the we do not utilize commissioned producers in our company. All Gehring Group employees are salaried professionals. Therefore, the City of Boynton Beach can be assured that insurance carrier incentives such as commission percentages, policy retention prizes or productivity bonuses will never play a part in our program recommendations.

Annual Review

Annually, at an agreed upon date, the Gehring Group conducts a review meeting designed to evaluate our performance, review the results of your renewal, discuss any new operations or acquisitions you are contemplating, identify new and emerging risks, update you on recent market conditions/trends, and plan our next renewal strategy meeting. We conduct these annual meetings in order to identify opportunities for improvement to our services, to realign the services currently being provided to the City in the event that they are either insufficient or unnecessary to accomplish their goals and to ensure that the Gehring Group and the City are moving forward into the next policy term with the same goals. It is our intent to achieve a shared understanding of the risks that are associated with the City and the joined efforts to construct a plan to bring the greatest value to its insurance program, improve the predictability of its annual budget and increase opportunities for resident services.

Upon completion of the development of the City's insurance coverage plan objectives and risk management service needs, the Gehring Group immediately begins to coordinate program meetings and communications in order to commence the service needs of the plans. We will also implement the following renewal timetable:

TIMELINE	ACTION
150 days prior to renewal	City and Gehring Group will come together for a pre-renewal meeting
130 days prior to renewal	City and Gehring Group will attend assessment and recommendation meeting
120 days prior to renewal	Coordinate the completion of all carrier renewal forms and applications
100 days prior to renewal	Submission to the market as directed by plan
90 days prior to renewal	Status update to the City, confirm integrity of timelines
75 days prior to renewal	Receipt of all renewal proposals and carrier negotiations, if needed
65 days prior to renewal	On-site presentation of renewal evaluation of market proposals
60 days prior to renewal	Submission of proposals and support documents for Council agenda
45 days prior to renewal	Attend any Council/Board meetings per the City's direction
30 days prior to renewal	Submit policy bind requests to carriers
25 days prior to renewal	Confirm receipt of all binders and generate invoices for City as needed
Renewal Date	New Plan Year begins
30 days after renewal	New policy receipt from carrier and review for coverage accuracy
45 days after renewal	Electronic delivery of carrier policies to the City
60 days after renewal	Delivery of insurance policies booklet and summary

Throughout the risk financing procurement and placement timetable shown above, we will engage in our other ongoing services to the City of Boynton Beach such as, safety and loss control, risk management assessment, risk analysis, claims advocacy, proactive claims management, staff trainings, asset assessments, analytical reporting, contract insurance language reviews, procedural manual drafting and council presentations. Our constant involvement, communication and assistance to the City of Boynton Beach is designed to provide a comprehensive professional staff that supports the City's Risk department.

At the heart of Gehring Group's risk management process is our Risk Assessment. Our teams work with our clients to identify, analyze and evaluate, in order to respond to and monitor risk. The following process as outlined in the response to Question 4 below, Safety & Loss Control, spans across the entire organization, looking at both opportunities and risks, in the context of identifying strategies that best support the City's goals.

At the Gehring Group, we provide our clients with a full 100% spectrum of services and solutions. It is our intention to be involved in assisting the City of Boynton Beach with not only its insurance procurement, but also with its risk management consulting, regular analytical reporting and benchmarking, claims advocacy and loss control services and training

Corporate Values and Culture

Gehring Group has grown from three employees at its inception in 1992 to over 72 employees today. We have developed a unique corporate culture that has allowed us to attract the best talent available in the marketplace and retain many of these employees for over 10 years. Longstanding tenure amongst our employees ensures that the City of Boynton Beach will receive consistent service that it can count on year to year. Furthermore, we understand that the best way to take care of our clients begins with taking care of our employees. We are proud to announce that Gehring Group was ranked in the Top 10 Best Places to Work in South Florida by the South Florida Business Journal for both 2018 and 2019! Being selected for this award is a great tribute to every one of our employees, and a reflection of our corporate culture and of the support we receive from our clients. Gehring Group was also ranked as one of the Top 30 best companies to work for in Florida by *Florida Trend* magazine. Being an honoree for these awards is a great tribute to each and every one of our employees, and a reflection of our corporate culture as well as a reflection of the support we received from our clients.

SOUTH FLORIDA BUSINESS JOURNAL

BPtW

2018 BEST PLACES TO WORK

Sign up for next year's Best Companies rankings ▶

Florida Trend's 2018 BEST COMPANIES TO WORK FOR IN FLORIDA

South Florida Business Journal - Best Places to Work 2018 Finalists Luncheon

We strive to create value for our clients in everything we do by aligning our corporate culture and values with the unique needs and goals of our clients. Inherent in our corporate culture, Gehring Group has ***30 Keys to Our Collective Success*** that focus on:

- ✓ Fanaticism around culture, values, and principles
- ✓ An unfailing commitment to people
- ✓ Rigorous attention to detail and execution, and
- ✓ Flexibility, creativity and determination to transcend the status quo.

Supporting our clients' and communities' needs is a fundamental objective and inherent in our culture. Through our *Helping Hands and Hearts* community service committee, our staff provides hands on service in the community including assisting programs run by our clients such as *Paint Your Heart Out* through Solid Waste Authority, building homes with *Habitat for Humanity*, supporting the initiatives of *The Lord's Place* in ending homelessness, and fundraising for *ARC of Palm Beach County*.

2019 Paint Your Heart Out Community Outreach – Street Beat, Inc., South Bay, FL

Expect a Full Spectrum of Gehring Group P&C Solutions

From compliance to communication, let us provide a full spectrum of solutions for City of Boynton Beach.
We understand the challenges Public Entities face and know you're asked to take on more than ever.
Expect more from a broker- expect our full spectrum of solutions.

Risk Management

- Public Sector Benchmarking
- Risk Summaries
- Return to Work Programs
- Claims Reduction & Management
- Fraud Reduction Program
- Disaster Recovery Planning

Compliance

- Federal/State Compliance
- FMCSA
- DOT
- FEMA
- GHS Compliance

Communication

- Employee Safety Manual
- Workplace Posters
- Online Safety Training
- Employee Newsletters & Videos

Insurance Guidance

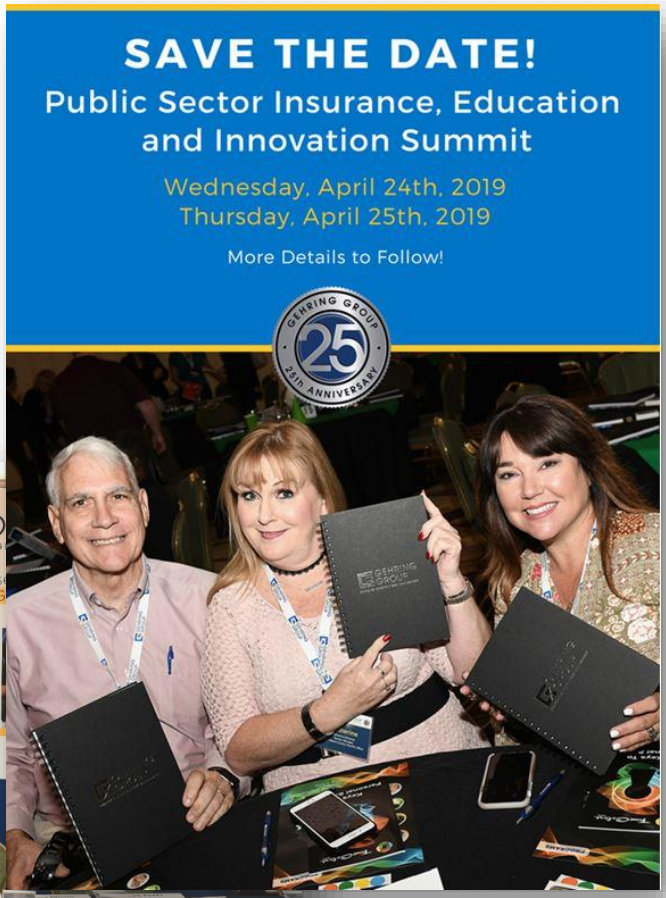
- Quote Insurance Programs
- Claims & Billing Assistance
- Negotiate Renewal
- Plan Comparison
- Coverage & Policy Expertise
- Application Submission

Typical Services from Brokers

Break away from the mold of the traditional broker. The average broker meets your basic needs when it comes to claims, plans and renewal negotiation. What about injuries on the job? New exposures like cyber-attacks? Preparing for FEMA?

Focus on Client Education

Each Spring, Gehring Group hosts a Public-Sector Insurance Education, Innovation and Excellence Summit in Palm Beach Gardens, FL, where our public-sector clients are invited to attend various training sessions on Leadership, Wellness, Legislative and Compliance Updates, Innovation and Trends in Employee Benefits and Risk Management. The Summit is free of charge to our clients and includes hotel accommodations!



During our 2019 Client Summit, we educated our public sector clients on the specific language addressing the First Responder PTSD bill, what is expected of employers and the resources available to help satisfy the statutory education requirements. We conducted a roundtable where agencies and municipalities from around the state were able to discuss their most pressing concerns about the new legislation and collaborate around available solutions. Further, we continue to inform our clients throughout the year of any legislative updates regarding the PTSD bill or any other statutory changes through our email newsletters and alerts (see following page for original Gehring Group Alert on Florida First Responders PTSD).

GEHRING GROUP

ALERT - LEGISLATIVE UPDATE!
Florida's First Responder PTSD

On October 1, 2018, Florida's new first responder PTSD legislation will take effect. CLICK HERE for a copy of the legislation.

As required in the legislation, the Florida Department of Financial Services (FLDFS) is responsible for defining the qualifying event condition referred to as **"Grievous bodily harm of a nature that shocks the conscience"**. During their first workshop this August, the FLDFS released its first draft of conditions that it is soliciting for inclusion. See below or CLICK HERE to read the original draft.

...for purposes of determining the compensability of employment-related post-traumatic stress disorder for first responders, the following injuries qualify as grievous bodily harm of a nature that shocks the conscience when the result is gross personal disfigurement or protracted loss of a bodily member or organ:

- **Amputation (full or partial)**
- **Asphyxiation**
- **Burn**
- **Crushing**
- **Electric Shock**
- **Enucleation**
- **Freezing**
- **Infection**
- **Multiple lacerations,**
- **Poisoning**
- **Puncture**
- **Radiation**
- **Rupture**
- **Severance**

While these conditions are only part of the first draft, they do provide insight into the process and direction the FLDFS is taking in developing its criteria. There is another workshop scheduled for some time in the Fall, either late October or early November.

2. **The Respondent shall describe its most flexible interest free payment schedules.**

   The Gehring Group will work to accommodate the most convenient and flexible fee payment schedule that benefits the City of Boynton Beach. Whether monthly billing, quarterly billing or some other type of fiscal budgetary arrangement makes the most sense, we endeavor to make the process as suitable and effortless as possible.

3. **Describe your knowledge and experience in risk management and insurance through membership and active participation in Florida Chapters of the Risk and Insurance Management Society (RIMS) and/or Public Risk Management Association (PRIMA).**

   The Gehring Group and its individual staff have been continuous members of Florida PRIMA and even serve on the board of specific Chapters. As public sector specific insurance and risk management subject matter experts, we have answered repeated requests to present as guest speakers at various Florida PRIMA Conferences, over the years. The Gehring Group has also been an annual exhibitor and sponsor at the Florida PRIMA Conferences and at local chapter meetings.

4. **Describe how you will provide loss control/safety assistance. Provide information about your loss control programs, staff qualifications and applicable cost, if additional.**

   ## Safety & Loss Control

   Gehring Group currently provides the City of Boynton Beach with internal loss engineering through the experienced team efforts of your Safety & Loss Control Officer.

   David Daley currently works as the City of Boynton Beach's Safety & Loss Control Officer. After graduating with a Master of Sciences degree, David Daley spent the first 12 years of his career working for major insurance carriers, Liberty Mutual Insurance Company and Amerisure Insurance Company, in Loss Control Engineering. David entered public sector employment in 2010, working in Loss Control and Risk Management for the City of Pembroke Pines, The School District of Palm Beach County and the City of Miami. David's extensive experience working in Safety, ADA Compliance and Loss Control, both on the inside of major insurance providers and with large public sector entities, makes him a uniquely qualified resource for the City of Boynton Beach.

   Your team has worked to tailor solutions that empowers the City of Boynton Beach to effectively reduce risk and maintain business continuity. We conduct an assessment involving occupancy, natural disaster and security hazards that will help you to build an effective internal loss prevention program to protect your employees, the general public and your operations. Some of our solutions for assessing and managing losses include:

   - Authorized inspection and assessments

- Project planning and design review
- Fire protection planning and review
- Provide written loss control policies and procedure templates
- Provide loss control training and education to management and supervisory staff (Online Training Course Catalog (Exhibit A)
- Update loss control programs as necessary
- Act as liaison to loss control inspections with outside examiners
- Provide written safety procedure templates as requested
- Provide safety training and education to supervisors and employees
- Conduct regular departmental safety meetings as required

Gehring Group loss control services assist the City of Boynton Beach in cutting costs and safeguarding against liability exposures and employee injuries with an effective loss control action plan.

Comprehensive Scope of Risk Management Services, Lost Control & Safety Assistance

Gehring Group provides risk management consulting services and employs risk management and administrative professionals that specialize in implementing and managing risk insurance programs. We understand the unique needs of our public sector clients and do not provide cookie cutter solutions. In our experience, the best way to manage a property and liability insurance program is comprehensively and proactively. The evaluation of a client's insurance program entails a balance between the desired limits of risk and the cost to insure against these risks.

Gehring Group's team of staff and resources can create customized risk management solutions by identifying opportunities and key risk factors. We remain involved with our clients on a year-round basis, not only at renewal time. We perceive our commitment to be an ongoing extension of the City of Boynton Beach's risk management team. This hands-on approach enhances our ability to address the specific needs of each of our clients by becoming more familiar with the client's staff, properties, and assets, thus enabling us to provide the most efficient recommendations regarding their risk management program.

WORKER'S COMPENSATION SERVICES
INJURY MANAGEMENT ☐ Assist with establishing written policies and procedures for work place injuries ☐ Assist with establishing incident and injury reporting procedures ☐ Provide training and education to supervisors and employees regarding workers' compensation procedures and statutory requirements ☐ Work with medical providers to implement consistent treatment and reporting policies ☐ Provide service to assist management with initial claim assessment ☐ Review injuries within forty-eight (48) hours of occurrence upon request ☐ Assist with establishing written policy and assignment of "light duty" ☐ Act as liaison to adjuster to review treatment, MMI assessment and release to "full duty" ☐ Assist in open claims review meetings with carrier or Third-Party Administrator to ensure efficient and expeditious resolution.
LEGAL ADMINISTRATION SUPPORT ☐ Assist in production of records to claimant counsel ☐ Act as liaison to claimant attorney and carrier assigned counsel as needed ☐ Assist with mediation following through to claim settlement as needed
SAFETY PROGRAMS ☐ Provide written safety procedure templates as requested ☐ Provide safety training and education to supervisors & employees ☐ Conduct monthly/quarterly departmental safety meetings as required ☐ Provide literature and topics for monthly safety meetings ☐ Assist with updating safety programs as necessary ☐ Participate and assist with on-site safety inspections ☐ Act as liaison to safety/loss control inspections with outside examiners ☐ Provide research and recommendations regarding safety incentive programs ☐ Write safety incentive program and present to management ☐ Implement safety incentive program
ANALYTICAL SERVICES ☐ Produce annual audit, based on actual payroll and exposure ☐ Provide projected workers' compensation costs for budgetary purposes ☐ Review quarterly losses and aid in the assessment of reserves with adjuster as necessary ☐ Produce RFP for workers' compensation coverage ☐ Evaluate RFP submittals consistent with the needs of the City ☐ Prepare final written recommendation for coverage ☐ Present evaluation recommendation to management and staff

PROPERTY, CASUALTY & LIABILITY SERVICES

CLAIM AND LOSS MANAGEMENT

- ☐ Assist with establishing written policies and procedures for losses, incident investigations, accidents and liability claims
- ☐ Assist with establishing property loss, incident and accident reporting procedures
- ☐ Provide training and education to management regarding reporting procedures
- ☐ Work with adjusters, appraisers and investigators to research and assess claims
- ☐ Provide service to assist management with initial claim and loss assessment
- ☐ Review accidents and incidents within forty-eight (48) hours of occurrence upon request
- ☐ Assist in claim filing and notification to carrier
- ☐ Act as liaison to adjuster to facilitate closing of claim
- ☐ Assist with open claims review meetings with carrier or TPA to ensure expeditious resolution

LEGAL ADMINISTRATION SUPPORT

- ☐ Assist in production of records to claimant/plaintiff counsel
- ☐ Act as liaison to claimant/plaintiff attorney and carrier assigned counsel as needed
- ☐ Assist with compilation of Requests to Produce
- ☐ Assist with mediation following through to claim settlement

LOSS CONTROL PROGRAMS

- ☐ Provide written loss control policies and procedure templates
- ☐ Provide loss control training and education to management and supervisory staff
- ☐ Update loss control programs as necessary
- ☐ Participate and assist with on-site loss control inspections
- ☐ Act as liaison to loss control inspections with outside examiners

ANALYTICAL SERVICES

- ☐ Assist with production of annual audit, based on actual budget, schedules and exposure
- ☐ Provide projected coverage costs for budgetary purposes
- ☐ Review quarterly losses and assess reserves with adjuster as necessary
- ☐ Assist with annual property appraisals
- ☐ Review contracts for coverage sufficiency
- ☐ Assist with compilation of property schedules
- ☐ Produce RFP for property, casualty and liability coverage
- ☐ Evaluate RFP submittals consistent with the needs of the City
- ☐ Prepare final written recommendation for coverage
- ☐ Present evaluation recommendation to staff

CLIENT EDUCATION

- ☐ Client attendance at Gehring Group Public Sector Insurance, Education and Excellence Summit
- ☐ Client networking and roundtable discussions
- ☐ Onsite/offsite training, seminars and other education opportunities

Additional Services

Claims Advocacy

Gehring Group has claims administration professionals on staff to advocate for our clients with the insurance carriers and their adjusting staff to monitor and reduce the cost and severity of your liability, property, workers' compensation and auto claims. Working in concert with you, we get involved immediately and advocate for you through the entire process until the claim has closed. You can take comfort in knowing you'll be working with someone who has an in-depth understanding of the claims process and can help you navigate through the unique complexities related to your loss. And with our long-standing relationships with the nation's leading carriers ang Governmental Trusts, you can count on us to be a liaison for the City of Boynton Beach, ensuring things happen promptly and efficiently. Our Claims Advocacy Management services include but are not limited to:

- Work with adjusters, appraisers and investigators to research and assess accidents and claims
- Provide service to assist management with initial claim and loss assessment
- Review losses, accidents and incidents within forty-eight (48) hours of occurrence upon request
- Assist in claim filing and notification to carrier
- Act as liaison to adjuster to facilitate closing of claim
- Assist with restitution recoveries and in-house subrogation
- Act as liaison to claimant/plaintiff attorney and carrier assigned counsel as needed

Risk Analytics

Risk Analytics delivers insight into our customers current practices and safety culture and is a valuable tool to help improve processes and reduce the overall cost of risk. Gehring Group employs an on-staff Risk Analyst who can review all claims and procedural data trends for the City of Boynton Beach and compare it to past performance or against industry standard. Whether we are working with brokers, insurance carriers or adjusters, our goal with risk analytics is to continuously optimize our customer's data focus, provide consistency across key touch points and deliver greater visibility and insight about trends and exposures. Our analytical reporting will help our clients:

- Identify and understand factors and trends driving losses
- Gain insights into ways to reduce accidents and injuries
- Reduce lost productivity, cash flow and profits
- Achieve greater control over the total cost of risk
- Identify important risks and/or mitigation opportunities

Risk Management Consulting

Gehring Group employs a Risk Management Consultant (RMC) on staff with actual hands on experience as a Risk Manager for a local Florida county. Having spent time sitting in the seat of a large governmental entity, managing the risk exposure of many different areas such as public utilities, law

enforcement and fire protection, sanitation, aviation and much more, our RMC is the ideal candidate to guide and mentor newly appointed risk managers with very little or no prior experience. The RMC can also provide the following assistance:

- Implement policies and conduct trainings that help reduce overall risk
- Propose possible solutions/programs/protocols for minimizing risk and liability
- Develop and administer risk management and loss prevention programs
- Researches and reports on the most cost-effective plans to minimize asset liability.
- Assist with investigation of any incidences that may result in asset loss
- Creating business continuity plans to limit risks
- Conducting policy and compliance audits, which includes liaising with internal and external auditors

Value-Added Services

Gehring Group is very proud to be able to provide a solution to an exceptionally unique public sector need. One of our clients' greatest concerns has been the need to have its emergency responders, public works, maintenance and key emergency operations staff available to assist with to re-engaging services, safely re-opening accessways and addressing public safety in the aftermath of a disaster. But how can an employee, also affected by the same disaster event, feel at ease abandoning their own loved ones and property during what may be their greatest time of need. Gehring Group has the ability to provide a solution through our **Employee Disaster Recovery Program** (**Exhibit E**). This additional voluntary service will provide all participating employees with access to an insurance claims professional who will coordinate all recovery matters with their respective insurance carriers while allowing them to remain at work in the City of Boynton Beach. The City will have confidence knowing that key personnel will be focused on the City's needs in the aftermath of a disaster. The program can also provide relief items to the City's employees, such as onsite generator-powered ATM machines, emergency fueling, meal services for their families and even temporary housing options. We realize your most important asset is your employees, and we have the solution to help provide them and the City of Boynton Beach with peace of mind in troubled times.

5. **Licensed as an insurance broker in the State of Florida.**

Gehring Group, Inc. is licensed as an insurance broker in the State of Florida as evidenced by the Insurance License in **Tab 3, Section b.** above.

6. **Five years of experience as a business.**

Incorporated in 1992, Gehring Group has been providing expert risk management consulting services to Florida public sector clients for over 25 years and has grown to become one of the most respected insurance and risk management consulting agencies in the state.

7. Experience with Florida municipalities with an annual premium in excess of $250,000.

The Gehring Group has been focused on serving Florida municipalities for over 25 years. Public-sector is not merely a division of our company's overall clientele; it is all of our company's clientele! We work with municipalities of all sizes and have many clients whose annual premium exceeds $250,000. Below is a list of just a few such municipalities.

8. Annual commercial lines premium volume of $1,000,000 or greater.

Gehring Group is Florida's largest public-sector employee benefits and risk management services broker. From that narrow focus of clientele, our current annual commercial lines premium is over $13,500,000.

Tab 5: Current & Projected Workload

1. Describe your current and projected workload.

Gehring Group provides a comprehensive level of risk management consulting and insurance program services to all its property and casualty clients. These services are year-round and continuous within the plan year cycle, noting that plan year start dates may vary among clients. We do not impose project fees and do not have limits on the number of onsite visits to clients. We also do not charge extra for facilitating the market RFP processes as not to inhibit clients from bidding to ensure they are receiving the most competitive options.

Proposed Team Current & Projected Public Entity Workload

Florida Municipality	Complexity (1-9)
Boynton Beach, City of	6
CareerSource Palm Beach County	1
Charlotte County BOCC	8
Deerfield Beach, City of	5
Dunedin, City of	6
Greenacres, City of	4
Jupiter Island, Town of	4
Keys Energy Services	5
Lake Park, Town of	3
Mangonia Park, Town of	1
Margate, City of	4
Monroe County BOCC	4
North Palm Beach, Village of	4
Palm Beach County Sheriff	7
Palm Springs, Village of	5
Sarasota County Sheriff	8
Tequesta, Village of	4
Wellington, Village of	6
West Palm Beach Housing Authority	2
Venice, City of	5

Tab 6: Similar Projects / References

1. Provide at least three (3) references from at least three (3) governmental agencies (or regional districts) in the state of Florida for whom you have provided insurance brokerage services for. Please include the name of the agency, contact name, telephone, fax and email address.

Village of Wellington
12300 Forest Hill Boulevard
Wellington, Florida 33414
Tel: (561) 791-4113
Fax:(561) 791-4045
Tanya Quickel, Chief Financial Officer
Email: tquickel@wellingtonfl.gov

Charlotte County Board of County Commissioners
18500 Murdock Circle, Room 140
Port Charlotte, Florida 33948
Tel: (941) 743-1260
Fax:(941) 743-1989
Janine Hewitt, Risk/Benefits Coordinator
Email: janine.hewitt@charlottecountyfl.gov

City of Deerfield Beach
150 N.E. 2nd Avenue
Deerfield Beach, Florida 33441
Tel: (954) 480-4260
Fax:(954) 420-5567
Amanda Robin, Human Resources Director
Email: arobin@deerfield-beach.com

City of Dunedin
750 Milwaukee Avenue
Dunedin, Florida 34698
Tel: (727) 298-3042
Fax:(727) 298-3052
Theresa Smalling, Ph.D
Director- Human Resources & Risk Mgmt.
Email: TSmalling@DunedinFL.Net

Gehring Group's successful experience with public sector entities is further evidenced by the list of current public sector clients provided in **Tab 4**. We also invite the City to view our client testimonials at www.gehringgroup.com (scroll down to bottom of web page).

Tab 7: Cost Proposal

The City of Boynton Beach requests that the firms interested in responding complete the Cost Proposal Form attached herein. Provide a monthly fee amount and an annual amount for the proposed services outlined in the Scope of Work. Please include all expenses in the monthly/annual amounts.

Annual Fee

Since 2014/2015 (5 years) Gehring Group provided it services the City of Boynton Beach under an annual fee agreement of $60,000. In our efforts to always provide the most comprehensive and innovative services to the City, while retaining your professional team of subject matter experts and leaders in their areas of focus, we propose the following annual fees.

Services	Annual Fee	Monthly Fee
Insurance & Risk Management Services – Year 1	$70,000.00	$5,833.33
Insurance & Risk Management Services – Year 2	$70,000.00	$5,833.33
Insurance & Risk Management Services – Year 3	$70,000.00	$5,833.33
Insurance & Risk Management Services – Optional Year 4 (add 2.5%)	$71,750.00	$5,979,16
Insurance & Risk Management Services – Optional Year 5 (add 2.5%)	$73,543.75	$6,128.64

Additional Fees/Costs

The Employee Disaster Relief Assistance Program is a valuable additional service that we are proud to be in a unique position to provide to our clients. The public-sector is our emphasized focus. Therefore, this persistence to always create ways to fill needs for our clients, drove us to finding and delivering this valuable solution to a genuine concern. This voluntary service is offered to the City of Boynton Beach on a per employee/per annum cost as follows:

Employee Disaster assistance Program	Annual Fee
Employee Disaster Recovery Assistance Program	$50 Per Employee/Per Year

Tab 8: Submittal Forms

- ☑ Proposer Acknowledgment
- ☑ Addenda Acknowledgment
- ☑ Cost Proposal Form
- ☑ Statement of Qualifications
- ☑ References Form
- ☑ Anti-Kickback Affidavit
- ☑ Non-Collusion Affidavit
- ☑ Confirmation of Minority Owned Business
- ☑ Confirmation of Drug-Free Workplace
- ☑ Acknowledgment of PBC Inspector General
- ☑ Local Business Status Certification Form
- ☑ Scrutinized Companies Form
- ☑ Schedule of Subconsultants
- ☑ Proof of Insurance

REQUEST FOR PROPOSALS
FOR
INSURANCE BROKER SERVICES
RFP No.: 017-1710-19/MFD

PROPOSER ACKNOWLEDGEMENT

Submit RFP's to: PROCUREMENT SERVICES
3301 Quantum Blvd., Suite 101
Boynton Beach, Florida 33426
Telephone: (561) 742-6322

RFP Title: **INSURANCE BROKER SERVICES**

RFP Number: **017-1710-19/MFD**

RFP Received by: **May 14, 2019, NO LATER THAN 3:00 P.M.**

RFP's will be opened in Procurement Services unless specified otherwise. RFP receiving date and time is scheduled for: **May 14, 2019, NO LATER THAN 3:00 P.M. (LOCAL TIME)** and may not be withdrawn within ninety (90) days after such date and time.

All awards made as a result of this RFP shall conform to applicable sections of the charter and codes of the City.

Name of Professional: The Gehring Group, Inc.

Federal I.D. Number: 65-0361295

A Corporation of the State of: Florida

Area Code: (561) Telephone Number: 626-6797 / (800)244-3696

Area Code: (561) FAX Number: 626-6970

Mailing Address: 4200 Northcorp Parkway, Suite 185

City/State/Zip: Palm Beach Gardens, Florida 33410

E-mail Address: cindy.thompson@gehringgroup.com
rodney.louis@gehringgroup.com

Authorized Signature

Kurt N. Gehring
Name Typed

President and CEO

THIS PAGE TO BE SUBMITTED FOR PROPOSAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

A D D E N D A

CITY OF BOYNTON BEACH
FLORIDA

RFP TITLE: "**INSURANCE BROKER SERVICES**"

RFP NO.: 017-1710-19/MFD

DATE SUBMITTED: May 14, 2019

We propose and agree, if this submittal is accepted, to contract with the City of Boynton Beach, in the Contract Form, to furnish all material, means of transportation, coordination, labor and services necessary to complete/provide the work specified by the Contract documents.

Having studied the documents prepared by: THE CITY OF BOYNTON BEACH

we propose to perform the work of this Project according to the Contract documents and the following addenda which we have received:

ADDENDUM	DATE	ADDENDUM	DATE
1	April 30, 2019		

☐ **NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS BID**

THIS PAGE TO BE SUBMITTED FOR PROPOSAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

REQUEST FOR PROPOSALS
FOR
INSURANCE BROKER SERVICES
RFP No.: 017-1710-19/MFD

COST PROPOSAL FORM

Proposers must use this form for submitting its Cost Proposal. The price shall be fixed and firm and should be fully burdened to include all necessary elements such as but not limited to salary, general administrative expenses, travel, mileage, overhead and fee/profit needed to perform all of the services described under this solicitation.

ITEM	QTY	UNIT OF MEASURE	DESCRIPTION	MONTHLY COST	ANNUAL COST
1.	12	MONTHS	Fixed, flat fee for Insurance Broker Services	Years 1 - 3 $ 5,833.33	Years 1-3 $ 70,000.00
			TOTAL ANNUAL FEE:	$ 70,000 (Years 1-3) *Years 4-5 see below	

*Insurance & Risk Management Services – Optional Year 4 (add 2.5%) $71,750.00 $5,979,16
*Insurance & Risk Management Services – Optional Year 5 (add 2.5%) $73,543.75 $6,128.64

The Gehring Group, Inc.
COMPANY NAME

AUTHORIZED SIGNATURE

(561)626-6797 / (800)244-3696
TELEPHONE NO.

Kurt Gehring
PRINTED NAME

cindy.thompson@gehringgroup.com
E-MAIL ADDRESS
rodney.louis@gehringgroup.com

President and Chief Executive Officer
TITLE

May 10, 2019
DATE

THIS PAGE TO BE SUBMITTED FOR PROPOSAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

STATEMENT OF QUALIFICATIONS

Each qualifier proposing on work included in these General Documents shall prepare and submit the data requested in the following schedule of information.

This data must be included in and made part of each RFP document. Failure to comply with this instruction may be regarded as justification for rejecting the RFP response.

* attach additional sheets giving the information

1. Name of Qualifier: The Gehring Group, Inc.

2. Business Address: 4200 Northcorp Parkway, Suite 185
   Palm Beach Gardens, Florida 33410

3. When Organized: October 6, 1992

4. Where Incorporated: State of Florida

5. How many years have you been engaged in business under the present firm name? 26 years

6. General character of work performed by your company.

   Insurance brokerage services & consulting for property, casualty and workers compensation insurance, risk management services, workplace safety and loss control services. (Please refer to Tab 4 for more detailed information.)

7. Enclose evidence of possession of required licenses and/or business permits.
   Please refer to Tab 3 for licenses..

8. Number of employees. Sixty (60)

9. Background and experience of principal members of your personnel, including officers. *
   Please refer to Tab 4 for experience.

10. Bonding capacity, if applicable. Not applicable

11. Have you ever defaulted on a contract? If so, where and why? * No.

THIS PAGE TO BE SUBMITTED FOR PROPOSAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

12. Experience in performance of work similar in importance to this project.

Project	$ Value	Contact Name	Phone #
City of Deerfield	$ 621,918	Amanda Robin, HR Director	(954)480-4260
Charlotte County BOCC	$2,803,038	Janine Hewitt, Risk Coordinator	(941)743-1260
Village of Wellington	$1,037,011	Tanya Quickel, CFO	(561)791-4113
City of Dunedin	$1,029,261	Theresa Smalling, PhD.	(727)298-3042

13. Contracts on hand. * Please refer to Tab 5.

14. Largest completed projects (include final cost).

1) Charlotte County Board of County Commissioners - $2,803,038

2) Village of Wellington - $1,037,011

3) City of Dunedin - $1,029,261

15. List all lawsuits (related to similar projects) or arbitration to which you have been a party and which: * None. Gehring Group is pleased to state that it has not been a party to any litigation or arbitration in the last four (4) years or since its existence.

1) arose from performance: * N/A

2) occurred within the last 4 years: * N/A

3) provide case number and style: * N/A

Dated at: Palm Beach Gardens, Florida

this 10th day of May 2019

By: _____
(written signature)

Name: Kurt Gehring
(printed or typed)

Title: President and CEO

THIS PAGE TO BE SUBMITTED FOR PROPOSAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

REFERENCES FOR The Gehring Group, Inc.
(NAME OF FIRM)

Company Name: City of Deerfield Beach		
Address: 150 N.E. 2nd Avenue		
Deerfield Beach, Florida 33441		
Contact Name: Amanda Robin, Human Resources Director		
Phone: (954)480-4260	Fax: (954)420-5567	E-Mail: ARobin@deerfield-beach.com
Company Name: Village of Wellington		
Address: 12300 Forest Hill Boulevard		
Wellington, Florida 33414		
Contact Name: Tanya Quickel, Chief Financial Officer		
Phone: (561)791-4113	Fax: (561)791-4045	E-Mail: tquickel@wellingtonfl.gov
Company Name: Charlotte County Board of County Commissioners		
Address: 18500 Murdock Circle, Room 140		
Port Charlotte, Florida 33948		
Contact Name: Janine Hewitt, Risk / Benefits Coordinator		
Phone: (941)743-1260	Fax: (941)743-1989	E-Mail: janine.hewitt@charlottecountyfl.gov
Company Name: City of Dunedin		
Address: 750 Milwaukee Avenue		
Dunedin, Florida 34698		
Contact Name: Theresa Smalling, PhD., Director of Human Resources and Risk Management		
Phone: (727)298-3042	Fax: (727)298-3052	E-Mail: TSmalling@DunedinFL.Net

ANTI-KICKBACK AFFIDAVIT

STATE OF FLORIDA)
: SS
COUNTY OF PALM BEACH)

I, the undersigned hereby duly sworn, depose and say that no portion of the sum herein submitted will be paid to any employees of the City of Boynton Beach as a commission, kickback, reward of gift, directly or indirectly by me or any member of my firm or by an officer of the corporation.

By: _____
NAME - SIGNATURE

Sworn and subscribed before me
this 10th day of May, 20 19

Printed Information:

Kurt N. Gehring
NAME

President and CEO
TITLE

_____
NOTARY PUBLIC, State of Florida
at Large

The Gehring Group, Inc.
COMPANY

VALERIE JEAN ENSINGER
MY COMMISSION # GG 071006
EXPIRES: March 21, 2021
Bonded Thru Notary Public Underwriters

_____
"OFFICIAL NOTARY SEAL" STAMP

THIS PAGE TO BE SUBMITTED FOR PROPOSAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

NON COLLUSION AFFIDAVIT

State of Florida)
:
County of Palm Beach)

Kurt N. Gehring, being first duly sworn, deposes and says that:

1) He/She is President and CEO (Title) of The Gehring Group, Inc. (Name of Corporation or Firm), the qualifier

   who has submitted the attached **RFP No. 017-1710-19/MFD for INSURANCE BROKER SERVICES**

2) He/She is fully informed respecting the preparation and contents of the attached submittal and of all pertinent circumstances respecting such submittal;

3) Said RFP is genuine and is not a collusive or sham RFP;

4) Further, the said qualifier nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other qualifier, firm or person to submit a collusive or sham RFP in connection with the Contract for which the attached RFP has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communications or conference with any other qualifier, firm or person to fix the price or prices in the attached RFP or of any other qualifier, or to fix any overhead, profit or cost element of the RFP price or the RFP price of any other qualifier, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Boynton Beach or any person interested in the proposed Contract; and

5) The price or prices quoted in the attached bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the qualifier or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) Kurt N. Gehring
(Title) President and CEO

Valerie J. Ensinger

Subscribed and sworn to before me

This 10th day of May, 20 19

My commission expires

VALERIE JEAN ENSINGER
MY COMMISSION # GG 071006
EXPIRES: March 21, 2021
Bonded Thru Notary Public Underwriters

THIS PAGE TO BE SUBMITTED FOR PROPOSAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

CONFIRMATION OF MINORITY OWNED BUSINESS

A requested form to be made a part of our files for future use and information. Please fill out and indicate in the appropriate spaces provided which category best describes your company. Return this form with your bid proposal sheet making it an official part of your bid response.

Is your company a Minority Owned Business? _____ Yes X No

If Yes, please indicate by an "X" in the appropriate box:

( ) AMERICAN INDIAN

( ) ASIAN

( ) BLACK

( ) HISPANIC

( ) WOMEN

( ) OTHER _____ (specify)

( ) NOT APPLICABLE

Do you possess a Certification qualifying your business as a Minority Owned Business?

YES _____ NO X

If YES, Name the Organization from which this certification was obtained and date:

N/A

Issuing Organization for Certification

N/A

Date of Certification

CONFIRMATION OF DRUG-FREE WORKPLACE

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more submittals which are equal with respect to price, quality, and service are received by the City of Boynton Beach or by any political subdivision for the procurement of commodities or contractual services, a submittal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie submittals will be followed if none of the tied Professionals have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

3) Give each employee engaged in providing the commodities or contractual services that are under submittal a copy of the statement specified in subsection (1).

4) In the statement specified in subsection (1), notify the employee that, as a condition of working on the commodities or contractual services that are under submittal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or *nolo contendere* to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 days after such conviction.

5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.

6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

The Gehring Group, Inc.

By: _____
Professional's Signature

Kurt Gehring
President and CEO

PALM BEACH COUNTY INSPECTOR GENERAL

ACKNOWLEDGMENT

The Respondent is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of this contract, and in furtherance thereof may demand and obtain records and testimony from the Contractor and its subcontractors and lower tier subcontractors.

The Respondent understands and agrees that in addition to all other remedies and consequences provided by law, the failure of the Contractor or its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the municipality to be a material breach of this contract justifying its termination.

The Gehring Group, Inc.
CONTRACTOR NAME

By _____
Kurt N. Gehring

Title: President and CEO

Date: May 10, 2019

CITY OF BOYNTON BEACH
LOCAL BUSINESS STATUS CERTIFICATION

I, Kurt Gehring, the President and CEO of
(Name of officer of company) (Title of officer of company)

The Gehring Group, Inc., located at 4200 Northcorp Parkway, Suite 185 Palm Beach Gardens, Florida 33410
(Name of Corporation/Company) (Business Address)

Certify that I am an authorized representative of the business and, on behalf of the Business, request that it be deemed to be a local business for purposes of the City of Boynton Beach Local Preference Program. Answering yes to Question 1 and Question 2 below will qualify the business as a local business. In support of this request, I certify the following to be true and correct:

NAME OF BUSINESS: The Gehring Group, Inc.

1. Is the business located within the City limits of Boynton Beach, Florida?	YES	NO X	Number of Years: N/A
2. Does the business have a business tax receipt issued in the current year?	YES X	NO	Business License Number: Palm Beach County LBTR# 2019115580
3. Is the business registered with the Florida Division of Corporations?	YES X	NO	

I understand that misrepresentation of any facts in connection with this request may be cause for removal from the certified local business list. I also agree that the business is required to notify the City in writing should it cease to qualify as a local business.

Print Name: Kurt Gehring, President and CEO Signature: Kurt Gehring

*****FOR PURCHASING USE ONLY*****

Business License ☐ **Year Established:** ☐ **Active:**

Verified by: _____ **Date:** _____

THIS PAGE TO BE SUBMITTED FOR PROPOSAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

CERTIFICATION PURSUANT TO FLORIDA STATUTE § 287.135

I, Kurt Gehring, President & CEO, on behalf of The Gehring Group, Inc. certify

Print Name and Title — Company Name

that The Gehring Group, Inc. does not:

Company Name

1. Participate in a boycott of Israel; and
2. Is not on the Scrutinized Companies that Boycott Israel List; and
3. Is not on the Scrutinized Companies with Activities in Sudan List; and
4. Is not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; and
5. Has not engaged in business operations in Syria.

Submitting a false certification shall be deemed a material breach of contract. The City shall provide notice, in writing, to the Contractor of the City's determination concerning the false certification. The Contractor shall have ninety (90) days following receipt of the notice to respond in writing and demonstrate that the determination of false certification was made in error. If the Contractor does not demonstrate that the City's determination of false certification was made in error then the City shall have the right to terminate the contract and seek civil remedies pursuant to Florida Statute § 287.135.

Section 287.135, Florida Statutes, prohibits the City from: 1) Contracting with companies for goods or services in any amount if at the time of bidding on, submitting a proposal for, or entering into or renewing a contract if the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, F.S. or is engaged in a boycott of Israel; and

2) Contracting with companies, for goods or services over $1,000,000.00 that are on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector list, created pursuant to s. 215.473, or are engaged in business operations in Syria.

As the person authorized to sign on behalf of the Contractor, I hereby certify that the company identified above in the section entitled "Contractor Name" does not participate in any boycott of Israel, is not listed on the Scrutinized Companies that Boycott Israel List, is not listed on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector List, and is not engaged in business operations in Syria. I understand that pursuant to section 287.135, Florida Statutes, the submission of a false certification may subject the company to civil penalties,

attorney's fees, and/or costs. I further understand that any contract with the City for goods or services may be terminated at the option of the City if the company is found to have submitted a false certification or has been placed on the Scrutinized Companies with Activities in Sudan list or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

The Gehring Group, Inc.	
COMPANY NAME	SIGNATURE
Kurt Gehring	President and CEO
PRINT NAME	TITLE

RFP No. 017-1710-19/MFD
INSURANCE BROKER SERVICES

SCHEDULE OF SUB-CONSULTANTS

The Undersigned Respondent proposes the following major subcontractors for the major areas of work for the Project. The Respondent is further notified that all sub-contractors shall be properly licensed, bondable and shall be required to furnish the City with a Certificate of Insurance in accordance with the contract general conditions. This page may be reproduced for listing additional sub-contractors, if required. **If not applicable or if no-sub-consultants will be used in the performance of this Work, please sign and date the from and write "Not-Applicable" or "NONE" across the form.**

Name of Sub-Consultant	Address of Sub-Consultant	License No.:	Contract Amount	Percentage (%) of Contract
Professional Risk Control Consulting Services, Inc.	11747 NW 1st Street Coral Springs, FL 33071	L10000094316	To be determined	To be determined

Signature Kurt Gehring Date: May 10, 2019

Title/Company Kurt Gehring, President and CEO - The Gehring Group, Inc.

Owner reserves the right to reject any sub-contractor who has previously failed in the proper performance of an award, or failed to deliver on time contracts in a similar nature, or who is not responsible (financial capability, lack of resources, etc.) to perform under this award. Owner reserves the right to inspect all facilities of any sub-contractor in order to make a determination as to the foregoing.

THIS PAGE TO BE SUBMITTED FOR PROPOSAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

Proof of Workers Compensation, General Liability & Automobile Liability Insurance

GEHRGRO-01 URIBEA

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/12/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 0E67768
Insurance Office of America, Inc.
Abacoa Town Center
1200 University Blvd, Suite 200
Jupiter, FL 33458

CONTACT NAME: Annie Uribe
PHONE (A/C, No, Ext): (561) 296-5966 26059 FAX (A/C, No): (561) 776-0670
E-MAIL ADDRESS: Annie.Uribe@ioausa.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Depositors Insurance Company	42587
INSURER B: Nationwide Insurance Company of America	25453
INSURER C: Twin City Fire Insurance Company	29459
INSURER D:	
INSURER E:	
INSURER F:	

INSURED
Gehring Group, Inc.
4200 NorthCorp Parkway, Suite 185
Palm Beach Gardens, FL 33410

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER:			ACPGLDO5974904781	03/12/2019	03/12/2020	EACH OCCURRENCE	$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
							GENERAL AGGREGATE	$ 2,000,000
							PRODUCTS - COMP/OP AGG	$ 2,000,000
								$
A	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY / SCHEDULED AUTOS HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY			ACPBAPD5984904781	03/12/2019	03/12/2020	COMBINED SINGLE LIMIT (Ea accident)	$ 1,000,000
							BODILY INJURY (Per person)	$
							BODILY INJURY (Per accident)	$
							PROPERTY DAMAGE (Per accident)	$
								$
B	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 0			ACPCAP5974904781	03/12/2019	03/12/2020	EACH OCCURRENCE	$ 5,000,000
							AGGREGATE	$ 5,000,000
								$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N / A		21WECPO1562	03/12/2019	03/12/2020	PER STATUTE / OTH-ER	
							E.L. EACH ACCIDENT	$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

For Information Only

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
C. Ray Dorsey III

ACORD 25 (2016/03)

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Proof of Professional Liability Insurance

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 07/23/2018

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IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER

Gehring Group, Inc
4200 Northcorp Parkway, Suite 185
Palm Beach Gardens, FL 33410

CONTACT NAME: Tom Willins
PHONE (A/C, No, Ext): 561-626-6797 FAX (A/C, No): 561-626-6970
E-MAIL ADDRESS: thomas.willins@gehringgroup.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Arch Specialty Insurance Company	
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED

The Gehring Group, Inc.
4200 Northcorp Parkway
Suite 185
Palm Beach Gardens FL 33410

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	CLAIMS-MADE OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBEREXCLUDED? Y / N (Mandatory In NH)	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Professional Liability			NPL0060306-01	5/22/18	5/22/19		$ 5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Insurance Brokerage and Consulting Services

CERTIFICATE HOLDER

For Information Only

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Thomas Willins

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Tab 9: Exhibits

Exhibit A.....Available Online Safety Training Courses
Exhibit B.....2019 P & C Market Outlook
Exhibit C.....Sample Claims Analysis Summary Report
Exhibit D.....Sample Risk Management Action Timetable
Exhibit E.....Sample Employee Disaster Assistance Program
Exhibit F.....Sample Site Inspection Assessment Report
Exhibit G.....Risk Management Resource Library

Exhibit “A”

Available Online Safety Training Courses

OTIS™ LEARNING MANAGER

The Online Training and Information System for Safety & Compliance Training Management

1.800.447.3177

ONLINE TRAINING & INFORMATION SYSTEM

SUMMIT CONNECT

Course List

Accident Investigation
Air Emissions
Ammonia Safety
Aerial Lift Safety
Asbestos Awareness
Back Injury Prevention
Back Safety
Benzene
Bloodborne Pathogens
Bloodborne Pathogens: Exposure Prevention
Compressed Gas Cylinders
Concrete & Masonry
Confined Space: Emergency Rescue
Confined Space: Permit Required
Construction Safety Orientation
Container Labeling
Crane Safety: Mobile Cranes
Crane Safety: Pendant Controlled
Decision Driving
Decision Driving – Truck
Decontamination
Disaster Readiness
DOT/CSA: Profiled in Safety
DOT: Driver Logs
DOT: Driver Qualifications
DOT: Driver Wellness
DOT: Drug & Alcohol Testing - Employee
DOT: Drug & Alcohol Testing - Supervisor
DOT: Pre & Post Trip Inspections
Driver Awareness: 15-Passenger Van Safety
Drug Testing Awareness
Electrical Safety
Electrical Safety – High Voltage Awareness
Electrical Safety – High Voltage Safe Work Practices
Electrical Safety – NFPA 70E
Electrical Safety – Part 2
Employee Safety Orientation
Energized Electrical Work Permit
Environmental Awareness
Excavations, Trenching & Shoring
Eye Safety
Eye Safety: Focused on Protection
Fall Protection
Fall Protection
Fall Protection - Construction
Fall Protection - Construction Part 2
Fire Protection & Prevention
Fire Safety
First Responder Awareness Level
Flammable Liquids: Know Your Risk
Food Allergens
Food Manufacturing: Contamination Prevention
Food Manufacturing: Microbiology for Dairy
Food Manufacturing: Quality Assurance
Food Manufacturing: Sanitation
Food Manufacturing: Site Security
Food Manufacturing: Traceability Management
Forklift Safety
Formaldehyde Safety
GHS: Chemical Labeling and Classification
GHS: USA Compliance
GMPs: Food Production Excellence
HACCP: Food Hazard Prevention
Hand & Power Tools
Hand Safety
Hazard Communication
Hazard Communication: Erase the Mystery
Hazard Communication: Knowledge to Protect
Hazard Recognition
Hazard Recognition/Workforce: Identify & Eliminate
Hazardous Waste
HAZWOPER
Hearing Safety
Heat Stress
Hexavalent Chromium
HMT: Bulk Transport
HMT: General Awareness
HMT: Non Bulk
HMT: Safe Work Practices
HMT: Safety Requirements for Drivers
HMT: Security Awareness
HMT: Shipping Requirements
Hoists & Slings
Hot Work
Hydrogen Sulfide Safety
Incident Investigation
Industrial Ergonomics
Introduction to OSHA
Job Safety Analysis
Lab Safety
Ladder Safety
Laser Safety
Lead Safety
Leadership Skills for Safety
Lockout/Tagout
Lockout/Tagout: Energy Control
Machine Guard Awareness
Machine Guarding
Marine Security
Muscle Strains & Sprains
Office Ergonomics
Office Safety
Off-The-Job Safety
OSHA Recordkeeping
PACE Behavioral Driving – Large Vehicles
PACE Behavioral Driving – Small Vehicles
Personal Protective Equipment - Construction
Personal Protective Equipment
Pipeline Safety
Power Press Safety
PPE: Armed for Safety
Preventing Slips
Preventing Spills
Process Safety management
Radiation Safety
RCRA
Respirators: Air Purifying
Respirators: Air Supplying
Rigging Safety
Road Rage
Safe Behavior
Safety Attitude for Safety's Sake
Safety Orientation
Scaffolding Safety
Sexual Harassment: Understanding & Preventing
Sexual Harassment: What Supervisors Need to Know
Shock Proof Qualified Employee
Shock Proof Unqualified Employee
Silica Safety Awareness
Site Security
Slips, Trips & Falls
Small Spill Cleanup
Static Electricity
Stormwater Management
Street Smart: Driving Skills
Transportation of Dangerous Goods
TSCA
Tuberculosis Awareness
Valve Safety
Walking Working Surfaces
Welding Safety
WHMIS
Winter Driving: Weather the Road
Workplace Violence: Prevent the Threat

1410-0008

SUMMIT TRAINING SOURCE

hsi Health & Safety Institute™

NEW PROGRAMS FROM 2015

Confined Spaces: The Hidden Threat

Addresses OSHA 1910.146

This engaging program provides a refreshed option for confined space training that explains the importance of testing the atmosphere to eliminate and control all hazards before a worker enters a permit-required confined space.

Find on page: 21

Confined Spaces: Construction Site Safety

Addresses the NEW OSHA 1926 Subpart AA standard

This new program covers the 2015 OSHA standard for working in permit-required confined spaces at construction sites.

Find on page: 22

Construction: Awareness for Most Common Hazards

Construction sites have four major categories of hazards. Understanding examples of each hazard and going through best practices to ensure that all workers have the knowledge they need to stay safe on the job site and avoid accidents is a must.

Find on page: 22

Fire Extinguisher Basics and Maintenance

Choosing to face a fire with a fire extinguisher is not a simple decision, with many important choices that need to be made before one is even picked up. When workers are properly trained, fire extinguishers can save lives and property by putting out a small fire or controlling a fire until additional help arrives.

Find on page: 28

Forklift Safety: Basics and Best Practices

To prevent forklift accidents, OSHA mandates that every forklift operator must be properly trained and certified before using the equipment. Learn general awareness and best practices to safely operate forklifts. Help create a safer work environment for you and your coworkers.

Find on page: 30

Hand Safety: Injury Prevention and Procedures

Workplace hand injuries are often preventable. Prevention begins by focusing on the task at hand, as well as by recognizing and respecting the hazards that are present. In this program, you and your employees will learn the measures it takes to protect your hands and to prevent injury while on the job.

Find on page: 31

NFPA 70E: Arc Flash and Arc Blast Protection

Updated for the 2015 NFPA 70E standard, teach employees how to deal with electrical hazards as safely as possible and what it takes to do their jobs without getting hurt or killed.

Find on page: 36

Workplace Violence: Prevent the Threat

There are specific policies in place regarding how to avoid or respond to workplace violence that may differ among industries or types of workplaces; this program provides an awareness-level overview of the types and risk factors of workplace violence and how to avoid an incident.

Find on page: 41

NEW FROM 2016
Chemical Management: Protect Your Business

Relevant to all businesses that have hazardous chemicals on-site, ensure chemical safety in the workplace and avoid fines by complying with HazCom 2012 and GHS standards. Be ready should an OSHA inspector ever stop by your facility. This program covers: Performing a chemical inventory, preventing hazardous exposures and effective employee communication.

**This program is intended for Managers to be informed on Chemical Management and protecting their business. Not intended for instructor, student training. Includes a PowerPoint and 2-Page Information PDF.*

SDVD0008 SSVC0008

KEY

- DVD Item #
- Single Student Online Video Course Item #
- Instructor Streaming Video Course Item #
- Interactive Online Item #
- Length of DVD Program
- Available Languages (E/S=English & Spanish)

All DVDs and Instructor Streaming Programs include Support Materials (facilitator guide, quiz, employee handbook, and a PowerPoint™ presentation in English only).

All Student Video Courses and Interactive Online Courses include a Certificate of Completion.

Accident Investigation

Teaches employees a systematic approach for effectively investigating all types of accidents and determining their root causes to help prevent future incidents. This program covers:

- Purpose of an accident investigation
- Responding to different types of accidents
- Conducting an investigation
- Techniques for getting accurate results when interviewing witnesses
- Documenting findings and corrective actions
- Implementing improvements

S9400 *Online: Spanish*

Accident Investigation: Determining Root Causes

Offers a systematic approach for effectively investigating all types of accidents and determining their root causes in order to prevent future incidents. This program covers:

- Purpose of an accident investigation
- Responding to different types of accidents
- Conducting an investigation
- Techniques for getting accurate results when interviewing witnesses
- Documenting findings and corrective actions
- Implementing improvements

S6006 S17283 S17000 *19:00*

Online: Spanish

Accident Investigation: Examining The Details

Explains the importance of implementing a successful accident investigation process by training workers how to figure out exactly why an accident occurred, in order to achieve a safer workplace for everyone in the future. This program covers:

- What to investigate
- The accident scene
- Interviewing witnesses
- Reviewing records
- Analyzing information
- Communicating recommendations

S6533 S17284 S17001 *18:00* *E/S DVD*

Accident Investigation for Healthcare

When working in a medical environment, there are a number of specific hazards that can lead to accidents or injuries. Accidents can happen anywhere at any time, so it's important to be well prepared to handle these potentially difficult situations. This program covers:

- When to investigate
- The accident scene
- Interviewing witnesses
- Reviewing records
- Analyzing information
- Communicating recommendations

S6564 S17695 S17694 *15:00*

Aerial Lift Safety

Addresses 1910.67/ANSI A92.6

Teaches best safety practices, housekeeping, and equipment maintenance techniques to prevent aerial lift accidents at your site, including scenarios when working with or around electricity, working in inclement weather, and working in an elevated bucket. This program covers:

- Fall protection, load requirements, and equipment
- Pre-start inspections
- Safe use

S6271 S17285 S17002 S9455 *11:00*

E/S DVD, Online: Spanish

Exhibit “B”

2019 P&C Market Outlook

GEHRING GROUP

EMPLOYEE BENEFITS | RISK MANAGEMENT

2019

P&C Market Outlook

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Introduction

Insurance is one of the most valuable lines of defense for all businesses that want to protect their finances and ensure their ongoing success. And, as policyholders review their budgets and lines of coverage each year, they need to know how their insurance costs will impact their bottom lines.

2018 Market Trends

The catastrophic damage from hurricanes Harvey, Irma and Maria in 2017 caused an estimated $92 billion in damage, and led many experts to believe that insurance carriers would begin to raise rates for property insurance and other lines of coverage throughout 2018 and 2019. However, most insurers were able to spread this cost across global reinsurance and approximately $760 billion in excess capital.

Large property losses continue to be an area of concern for insurance carriers—especially after the extensive damage from the California wildfires and wind damage along the east coast in 2018. Despite this, large rate increases should be limited to businesses with large wind or fire hazards or those with extensive loss histories. Instead, many insurance carriers are shifting their focus from property losses to liability exposures.

Experts estimate disasters caused nearly $80 billion in insured losses in 2018. However, carriers were able to use $760 billion in excess capital to essentially stabilize the P&C market.

Social campaigns, such as the #MeToo movement, have changed how workforces and the general public approach harassment. And, as the strength of the U.S. economy has led employees to feel higher levels of job security, the Equal Employment Opportunity Commission has continued to investigate a record number of claims. Even private organizations have faced growing liability exposures due to the ongoing opioid epidemic and the rising number of lawsuits.

Cyber exposures were also a growing area of concern for insurance carriers in 2018. Not only do losses from data breaches and social engineering schemes continue to rise, businesses also need to consider how data privacy legislation affects their operations. The European Union's General Data Protection Regulation (GDPR) greatly expanded businesses' personal data responsibilities when it came into effect last year, and states such as California and New York have introduced similar requirements for employers. And, as technology continues to be integrated into more operations, some insurance carriers are starting to split cyber coverage among a variety of policies.

Where is the Market Headed in 2019?

If the P&C market demonstrated one thing after the major property losses from 2017 and 2018, it's that insurance carriers are continuing to focus on specific risks. Just as hurricanes, wildfires and other weather events led insurers to focus on fire, wind and flood risks, carriers will also examine an organization's unique cyber and liability exposures.

Underwriters will largely determine insurance rates by looking closely at a business's specific risk exposures and loss prevention strategies, especially as they relate to cyber attacks, data security and

Introduction

liability. In fact, many insurance carriers are also working with third-party analytics companies to closely study how businesses react to emerging risks.

Businesses should expect most insurance rates to increase slightly in 2019 as insurers cover losses from high property claims and liability losses. Additionally, businesses with extensive property or liability exposures could see double-digit rate increases and more limited policy language. However, it should be possible to secure flat renewals or even slight premium decreases for other lines of coverage, especially if businesses have good loss histories and implement comprehensive risk management policies.

Over the past two years, the market softened the blow from severe weather losses in part by targeting specific fire, wind and flood risks. In 2019, carriers should also carefully approach cyber and liability exposures.

Despite large property losses and growing liability risks, there's still extensive competition between insurers for most types of coverage. Commercial insurance continues to be profitable for insurers despite the rising cost and frequency of claims, and some businesses are entering the cyber market and other emerging lines of coverage.

Insurance carriers are also engaging in record amounts of merger and acquisition transactions in order to absorb another company's book of business. Although this shouldn't have a noticeable impact on insurance rates, it may impact underwriting processes as larger carriers replace another business's procedures with their own.

Business can also look forward to some positive trends in 2019:

Lower workers' compensation rates—Many states announced lower workers' compensation rates for 2019. Additionally, insurance carriers will continue to compete for business because of a decline in loss rates, lost-time claims and loss severity.

Opportunities for businesses with risk management plans—Businesses traditionally don't want underwriters to look too carefully into their operations, but the increased level of scrutiny in 2019 may help organizations lower their insurance rates if they address their unique risk exposures.

Rising number of coverage options—Insurance carriers may limit a policy's terms if it relates to substantial property or liability risks, but other marketplaces should offer more flexible coverage options. This is especially the case for cyber insurance, as carriers are starting to include coverage both in other types of policies and as a stand-alone package.

Introduction

These general trends may provide you with an understanding of the commercial insurance market in 2019. However, a number of circumstances can change the development of every line of coverage. Insurance buyers should remember that no two businesses, insurance carriers or policies are alike, and that underwriters consider a number of factors when determining rates. Just as with risk management, the best advice for getting insurance is often to hope for the best and prepare for the worst.

Remember, Gehring Group is here to help your organization find the coverage you need to protect your business. While we've prepared this market outlook to help you prepare for what 2019 will offer, you can also contact one of our dedicated insurance professionals today to discuss your insurance options.

Trends to Watch in 2019

Insurance experts often examine how outside influences and trends affect the P&C marketplace, and businesses should examine how these factors influence their insurance coverage.

Carriers will continue to focus on trends from the past few years, including large weather events, liability exposures and data breaches. However, there are a number of new market developments to consider:

Continued market surplus—Insurance carriers are still obtaining large amounts of excess capital, which has helped stabilize the market despite the growing number and severity of claims. Although this trend should continue in 2019, some experts worry that if large losses continue or other market conditions emerge, P&C carriers may not be able to rely on their reserved assets.

Delicate political climate—The Trump administration's policies on trade, immigration, taxes and other issues have had a variety of effects on business. New trade deals have changed how organizations import materials and export products, and an extended government shutdown in the beginning of 2019 caused many federal agencies to pause their operations. This climate will likely remain in place for much of 2019, especially as public perception focuses primarily on affiliation with a political party.

Rising motor insurance rates—The growing U.S. economy has put a record number of drivers on the road and led to a rising number of auto claims. Commercial drivers and motor carriers will also continue to face rising demand for freight capacity and regulatory pressure. The Department of Transportation (DOT) has also indicated that it will examine potential changes to its hours-of-service regulations and Compliance, Safety, Accountability (CSA) program.

Introduction

Changing perceptions on liability and harassment—The #MeToo movement and other social campaigns have highlighted workplace harassment, and businesses are being held to a higher standard for topics related to their employees' actions and employment procedures. Because of this, many businesses will have increased liability exposures—even if they haven't changed their operations and don't have loss histories.

Region-specific weather risks—Carriers are closely examining how a business's location and loss history affect the chances of future wind, flood and fire damage. Specifically, the catastrophic losses from the 2018 California wildfires are leading insurers to take a close risk at businesses along the Pacific coast and in other fire-prone areas. Underwriters are also looking at businesses with multiple rain and flood claims, especially those along the Gulf and Atlantic coasts.

Flood insurance updates—A short-term renewal of the National Flood Insurance Program (NFIP) was issued just before the start of 2019, but most experts agree that it needs extensive changes to remain a viable option for businesses and homeowners. Many legislatures have suggested the program needs to allow for private insurance options, limit payments to properties that flood repeatedly, create incentives for risk mitigation or improve flood mapping programs.

How are Premiums Determined?

Before examining specific lines of insurance, it's important to understand how carriers determine a policy's premiums. These figures represent the amount of risk an insurer accepts on behalf of a client, and change based on an underwriter's belief of how likely each client will make a claim and how much those claims will cost.

Policyholders control some of the factors that can influence premiums, including risk management plans, selecting policy limits and deductibles, and claims history. However, many external factors can drive insurance rates up or down:

- **The cost of reinsurance**—Simply put, reinsurance is coverage for insurance companies. Carriers often buy reinsurance for risks they can't or don't wish to retain fully, including those for severe weather events like hurricanes and wildfires. As a result, reinsurance helps to stabilize the premiums for regular businesses by making it less of a risk for insurance carriers to write a policy. However, insurers often shift the price for reinsurance to their P&C policyholders, raising their rates.
- **Inflation**—Insurers will often adjust premiums to keep pace with inflation. For 2019, the inflation rate across North America is expected to remain steady.
- **Investment income**—Nearly every insurance carrier uses the funds it receives from premiums to invest in other markets, such as real estate and securities that accumulate interest. If these other investments generate large returns, carriers may be more likely to offer lower insurance rates.
- **Underwriting profitability**—Insurers use combined ratios to measure their underwriting profits. These figures are calculated by dividing the sum of incurred losses and operating expenses by premiums. A combined ratio of 100 percent represents a level of total equality between losses and the number of policies an insurer is covering, and a higher or lower ratio respectively means that a carrier is losing or making money. Although the average combined ratio approached 100 percent at the end of 2018, most insurance carriers remained profitable because of high investment returns.

Insurers use combined ratios to measure their profits from their insurance policies, and are calculated with this formula:

$$\frac{\text{Operating expenses} + \text{Losses over a specific time period}}{\text{Premiums collected over the same period of time}}$$

2019 Market Outlook Forecast Trends

Below is a high-level overview of 2019 market trends per line of coverage. For more information on individual topics, please see the dedicated sections for each line of coverage.

LINE OF COVERAGE	FORECAST TRENDS
Property	• **Noncatastrophic:** -2 to +2% • **Catastrophic:** +2.5 to +10% • **Catastrophic with losses:** +10 to +20%
General liability	• **Overall:** Flat to +5%
Commercial Auto	• **Fleets with a good loss history:** 5 to 10% • **Fleets with a poor loss history:** +15%
Workers' compensation	• **Clients with guaranteed cost programs or positive loss experience:** -10% to flat • **Clients with deteriorating loss experience and loss-sensitive programs:** -3 to +3%
Cyber	• **Overall:** Flat to +5%
Directors and officers	• **Private companies:** Flat to +7.5% • **Public/nonprofit companies:** +5 to +15%
Professional liability	• **Overall:** Flat to +10%
Employment practices liability	• **Overall**: +5 to +10%
Fidelity and crime	• **Overall:** Flat • **Businesses adding coverage for social engineering:** Flat to +3%

Property

In 2017, natural disasters caused over $130 million in insured losses and led many experts to believe that the property insurance market would harden accordingly. And although a period of uncertainty did cause rates to rise in the beginning of 2018, the large amount of excess funds in the property market helped stabilize the market and slow price increases.

There were a number of significant natural disasters in 2018, including widespread wildfires along the Pacific coast and two major hurricanes. However, total insured losses were notably lower than 2017, and insurance carriers are focusing on geographical and industry-specific property risks instead of implementing major rate increases for the entire market.

Property insurance rates will likely increase slightly for all types of risks in 2019, although businesses with good loss histories and comprehensive risk management strategies may be able to negotiate for slight decreases. But underwriters will be especially careful when drafting policies for businesses that have significant exposures to wind, flood or fire damage.

2019 Price Prediction

Noncatastrophic: -2 to +2%

Catastrophic: +2.5 to +10%

Catastrophic with losses: +10 to +20%

Trends to Watch in 2019

- Capacity and competition between insurers in the property market remains high, but some carriers are starting to write stricter terms and conditions into policies.
- Congress has issued numerous short-term renewals for the National Flood Insurance Program (NFIP), and experts believe that a major overhaul is likely coming soon.
- Insurance carriers are closely examining how cyber risks can lead to property damage, and some policies may include specific cyber exclusions.

Tips for Insurance Buyers

- Review your business continuity plans so you can resume your normal operations as soon as possible if a disaster strikes.
- Gather all data on any property losses you've experienced to identify your biggest risk exposures.
- Draft comprehensive risk management and response plans to reassure underwriters.
- Consider taking on additional risk if you can't accept rate increases.

General Liability

Lawsuits, wildfires, widespread opioid use and other major issues helped highlight commercial liability risks in 2018, but market capacity remains high and insurers are still competing for new business. However, insurers will continue to examine excess and umbrella policies carefully for risks that could lead to large punitive awards.

Businesses with good loss experiences and well-documented risk management practices can expect good terms during renewals, especially if they can secure multiyear deals. However, there's less market capacity for industries with higher risks, such as pharmaceutical, heavy construction and energy.

Lawsuits and accompanying rewards will continue to be a top concern for insurance carriers in 2019. As employment rates rise and social campaigns like the #MeToo movement gain followers, businesses will face costly liability claims that could raise their rates.

2019 Price Prediction

Overall: Flat to +5%

Tips for Insurance Buyers

- Examine your commercial general liability policy to make sure you don't have any gaps in coverage.
- Review how much umbrella and excess liability coverage your business needs, as large awards from lawsuits have hardened this section of the market.

Commercial Auto

Going into 2019, increased rates will create an ongoing challenge for commercial fleets, and insurance buyers should expect to see some of the highest increases in years. While business itself continues to be prosperous, costs related to labor, maintenance, equipment, licensing and compliance have increased steadily over the last few years, forcing fleets to increase service fees.

Adding to the market pressure, the growing U.S. economy has put more drivers on the road than ever before, and, as a result, auto liability claims have steadily increased in both frequency and severity. What's more, the rising cost of medical care has led to significantly higher claims, and increased premiums aren't enough for insurers to overcome their loss costs.

Insureds should continue to expect upward rate pressure, particularly as jury awards for single plaintiff auto accidents continue to reach well beyond six figures. Distracted driving and increased repair costs will also contribute to an upward trend in costs and claim numbers. Moving forward, insurance carriers will continue to raise rates for businesses with commercial fleets and substantial vehicle risks. Underwriters will also closely examine compliance with Federal Motor Carrier Safety Administration (FMCSA) standards and the Compliance, Safety, Accountability (CSA) program when drafting a policy.

2019 Price Prediction

Fleets with a good loss history: 5 to 10%

Fleets with a poor loss history: +15%

Trends to Watch in 2019

- Because underwriters will be looking closely at safety and compliance standards, thorough risk mitigation practices will be key for businesses looking to lower their rates.
- Jury rewards—which often exceed $10 million or more—will continue to drive transportation insurance losses.
- Organizations with unfavorable loss ratios and CSA alerts should expect to see significant rate increases—some as high as 15 percent. As a result, hiring and retaining quality drivers has never been more important.

Tips for Insurance Buyers

- Regularly train commercial drivers on FMCSA compliance and create a written program to help lower your CSA scores.
- Work with risk specialists to review CSA scores and take corrective action.

Workers' Compensation

For the past few years, positive developments in the workers' compensation market have led to substantial rate reductions, and most businesses should expect lower rates throughout 2019. In particular, declines in loss rates, lost-time claims and loss severity has created a buyer's market as carriers compete for retentions and new business.

Many states announced workers' compensation rate reductions for 2019, but underwriters are expected to carefully examine businesses seeking loss-sensitive programs. Although there is enough market capacity to support these programs, businesses should carefully examine their safety and return to work programs if they want to lower their workers' compensation costs.

2019 Price Prediction

Clients with guaranteed cost programs or positive loss experience: -10% to flat

Clients with deteriorating loss experience and loss-sensitive programs: -3 to +3%

Trends to Watch in 2019

- **Workplace drug tests**—Workplace drug use continues to rise, especially in the construction, retail and real estate industries. These rates can have a large impact on workers' compensation costs, especially if related to the use of medical marijuana.
- **Marijuana**—As more states legalize medical and recreational marijuana use, the drug's dual identity as a legitimate medical treatment and casual psychotropic can lead to significant problems. Court rulings on medical marijuana's use under workers' compensation programs have been inconsistent, and employers need to set clear drug policies that are consistent with state and federal regulations.
- **Opioids**—Many states have updated their workers' compensation prescription drug policies in order to address the ongoing opioid epidemic. However, these substances will continue to be a common concern for businesses in 2019.

Tips for Insurance Buyers

- Implement safety and health programs to address common risks, especially when using a loss-sensitive workers' compensation program.
- Examine how technology such as wearable fitness trackers and exoskeletons can help you identify and address workplace injuries.
- Work with Gehring Group to take advantage of the buyer's market and compare workers' compensation rates.

Cyber

As workplaces continue to integrate more technology into their operations, new cyber exposures appear across multiple lines of insurance. Insurance carriers created stand-alone cyber polices as a way to set clear distinctions from other types of coverage. However, a large part of the market is now focusing on adding cyber coverage to property, general liability and crime policies in order to address potential gaps.

Stand-alone policies are still widely available as insurers continue to enter the market and compete for business. But, now that cyber insurance is relatively common, underwriters will focus on analyzing risk management strategies and defense plans when determining rates. As a result, rates should rise slightly overall in 2019, although businesses with detailed cyber defense strategies may see flat renewals or even slight decreases.

Businesses should also consider their biggest risk exposures when looking at policies, including cyber extortion, social engineering schemes and regulatory compliance. ***According to Cybersecurity Ventures, extortion and social engineering led to over $5 billion in damages in 2017, and the firm expects this figure to rise to $11.5 billion in 2019***. Additionally, the European Union's General Data Protection Regulation (GDPR) greatly expanded businesses' personal data responsibilities when it came into effect last year, and California's Consumer Privacy Act is expected to follow suit in 2020.

2019 Price Prediction

Overall: Flat to +5%

Trends to Watch in 2019

- Insurance carriers may try to shift some cyber coverage to other types of policies.
- Underwriters will use third-party data analytics services to help determine a business's cyber exposures and defense plans.
- Strong competition has led many carriers to include value-added services in policies, such as security risk assessments, employee training and incident response tools.

Tips for Insurance Buyers

- Provide underwriters with details on all of your cyber defense strategies to get the lowest possible rate.
- Examine your other insurance policies to make sure you aren't paying for overlapping cyber coverage.
- Stay updated on your data privacy responsibilities, since the GDPR has led New York, California and other states to introduce additional legislative requirements.

Directors and Officers Liability

In 2019, public and private businesses will experience vastly different marketplaces for directors and officers (D&O) insurance. While public companies will need to manage risks associated with rising lawsuit claims, data privacy and social media movements, private businesses should face a significantly softer market. However, all businesses should expect at least minor rate increases as the number of workplace class-action filings continues to rise.

Private Companies

Although businesses that don't frequently operate around the general public don't face as much pressure from social media campaigns, some significant emerging risks may pressure insurance carriers to raise D&O rates in 2019. The strength of the U.S. economy has also led to increased job security, and employees are less hesitant to file claims related to the Fair Labor Standards Act. Additionally, directors and officers will be held accountable for new data privacy regulations, such as the GDPR and California's upcoming Consumer Privacy Act.

Public Companies

Both publically traded businesses and organizations that frequently work around others should continue to expect a hard market for D&O coverage in 2019 as a result of workplace harassment allegations, merger and acquisition litigations and a general increase in claims. Although there will continue to be competition between insurers, some carriers have left the market and businesses may be left with less negotiation options. However, most insurance carriers haven't restricted their D&O policy terms, which keeps broad coverage widely available.

2019 Price Prediction

Private companies: Flat to +7.5%

Public/nonprofit companies: +5 to +15%

Tips for Insurance Buyers

- Businesses with poor loss histories or in volatile industries should create risk-specific management plans to reassure underwriters.
- Examine your personal information requirements and consider either appointing a data privacy officer at your business or outsourcing the position to a third party.
- Create comprehensive communication programs so directors and officers can have transparent conversations with both employees and customers.

Professional Liability

The market for errors and omissions (E&O) and professional liability insurance should remain competitive for small and midsized businesses in 2019. However, larger companies may see rate increases, and the number of class-action lawsuits due to errors continues to rise.

Although E&O coverage is still profitable for carriers that cover smaller businesses, many of the risks covered by these policies have now been transferred to other lines of insurance. As a result, some insurers have exited the market or fragmented their coverage options according to unique industries or risk exposures.

Underwriters should also examine businesses' loss histories and customer relation programs during the application process. Even companies that only work with other businesses should expect a more detailed underwriting process, as multiple claims can occur form a single error or loss.

2019 Price Prediction

Overall: Flat to +10%

Tips for Insurance Buyers

- Regularly audit your professional liability risks, especially those that relate to the health care and financial industries.
- Conduct regular reviews of your customers' personal and business risks to identify your exposures.
- Review all customer contracts and policies to examine the scope of your business's service and product offerings, especially in relation to personal data.
- Specify what lines of insurance are necessary for your business partners and customers in all contracts.

Employment Practices Liability

Social initiatives such as the #MeToo movement have put more pressure on businesses, and rates for employment practices liability insurance (EPLI) should increase in 2019. Additionally, rising employment levels have caused employees to be more comfortable when they consider if they should make a claim.

There will be ample market capacity and competition for EPLI coverage in 2019. However, many insurance carriers are underwriting risks separately, which will make risk management for these exposures even more important for business. Additionally, small businesses may need to purchase more EPLI coverage to account for the rising frequency of employment-related losses.

Employers should have more options for addressing class-action filings filed by employees, as the Supreme Court ruled in 2018 that businesses can negotiate with each individual included in a lawsuit. Although this ruling doesn't impact initiatives started by federal agencies or state laws that allow employees to take collective action, businesses can address employee lawsuits more easily.

2019 Price Prediction

Overall: +5 to +10%

Trends to Watch in 2019

- The Equal Employment Opportunity Commission should continue to investigate claims aggressively, as the agency has filed an average of nearly 90,000 complaints over the past five years.
- Equal compensation is becoming a hot topic for both state governments and insurance carriers. As legislation broadening equal pay regulations continues to be introduced, businesses should take care to re-evaluate their practices. The Department of Labor (DOL) has also stated that it will introduce a new salary threshold for paying overtime in 2019.
- A lack of qualified job candidates in 2019 may lead some businesses to hire individuals who don't meet all of an open position's criteria. As a result, organizations should focus on comprehensive screening processes and employee training programs to prevent losses.

Tips for Insurance Buyers

- Examine all of your HR practices regularly to ensure you're treating all employees and applicants fairly.
- Collaborate with management, employees and HR specialists to promote a workplace culture that discourages any form of harassment.
- Take extra care when hiring or terminating employees.
- Provide underwriters with all of your EPLI risk management plans, including the initiatives noted above.

Fidelity & Crime

While fidelity and crime insurance generally covers losses involving funds and physical assets, the rising prevalence of social engineering schemes has been an important topic for insurers. Recent court cases have ruled that the computer fraud provision that's common in many crime policies covers social engineering losses, but this finding isn't consistent in every state. As a result, many insurance carriers are adding language to exclude social engineering losses, or to include coverage along with increased premiums.

Generally, the fidelity and crime market will remain stable and employee theft should continue to be the largest risk exposure. However, the rising number of all liability claims may lead to small rate increases overall. Additionally, the fragmentation of cyber coverage among many forms of insurance may allow some businesses to secure flat, multiyear renewals for policies that address the loss of tangible assets.

2019 Price Prediction

Overall: Flat

Businesses adding coverage for social engineering: Flat to +3%

Trends to Watch in 2019

- Social engineering will be a key topic in 2019, and insurance carriers must determine how to cover these risks in either crime policies or another form of coverage.
- Cryptocurrencies blur the line between cyber and financial losses, and are becoming a large emerging risk exposure.
- Insurance carriers will determine premiums based on the number of employees being covered, business revenues and loss histories.

Tips for Insurance Buyers

- Implement careful screening processes during the hiring process to check your applicants' honesty and the possibility of employee fraud.
- Train employees on avoiding fraud when dealing with customers and third parties, especially when working with online platforms and personal data.
- Create programs to verify financial transactions that aren't requested in person.
- Pay attention to how advances in technology and current trends in cyber attacks can create new risk exposures.

Moving Forward

It can sometimes seem as if the forces determining your insurance rates are beyond your control. But, as an insurance buyer, it's important to know how your premiums are calculated, what trends influence the market and what you can do to get the best price.

Your claims history—which you can control—has an enormous impact on whether your rates go up or down. That's where implementing a solid risk management plan will help steer your pricing in a more favorable direction, both now and in future renewal periods.

The following are five key components of a successful risk management strategy:

1. Pinpoint your exposures and cost drivers.
2. Identify the best loss control solutions to address your unique risks.
3. Create a solid business continuity plan to account for disasters and other unpredictable risks.
4. Build a company culture focused on safety.
5. Manage claims efficiently to keep costs down.

In addition to implementing the above risk management strategies, working alongside an experienced insurance broker is equally crucial. Qualified brokers can help their clients analyze their business, understand their exposures and establish a suite of customized insurance policies that act as a last line of defense against claims.

Moreover, insurance brokers understand the market inside and out and can negotiate competitive premiums on a company's behalf. A broker will also thoroughly explain your policies, notifying you of any additional considerations to keep in mind.

Remember, the insurance landscape is complex, and while the predictions found in this outlook are based on expert research, they are provisional and subject to change. Fortunately, your partners at Gehring Group are diligently monitoring the market throughout the year and will keep you informed of any changes that might affect your business.

This Market Outlook is merely a guideline. It is not meant to be exhaustive nor be construed as legal advice. Consult your licensed insurance professional or legal counsel for appropriate advice.

More Information

For more details regarding the information contained in this report, contact Gehring Group today.

In addition to helping you navigate the insurance market, Gehring Group has resources to assist in your risk management efforts. Business owners who proactively address risk, control losses and manage exposures will be adequately prepared for changes in the market and will get the most out of each insurance dollar spent.

This Market Outlook is merely a guideline. It is not meant to be exhaustive nor be construed as legal advice. Consult your licensed insurance professional or legal counsel for appropriate advice.

Exhibit “C”

Sample Claims Analysis Summary Report

Strategic Risk Management Action Timetable

	Actual		Gehring Group	City of Boynton Beach	
	Start	Complete	Responsibility	Responsibility	Approval
1. Planning Phase/Meeting					
a. Identify/introduce team members					
b. Notify carriers and establish meeting date to review open issues					
c. Establish communication channels through company flowchart					
d. Secure contact list by location					
e. Furnish list of all coverage lines and vendors					
f. Determine scope of project					
g. Discuss timetable					
h. Identify information needed to market					
i. Establish operating standards and response regimes					
2. Information Gathering					
a. Collect policies and loss data [5 years]					
b. Obtain financials					
c. Determine missing information					
d. Request missing information					
e. Compile information for step 3					
3. Perform Exposure Analysis					
a. Determine risk management objectives					
b. Perform all encompassing risk management analysis					
c. Visit major domestic locations, perform exposure survey					
d. Perform exposure survey for foreign locations					
e. Present exposure survey results to City of Boynton Beach					
f. Draft/edit/refine risk management recommendations					
g. Present risk management recommendations					
4. Marketing Strategy					
a. Identify viable markets					
b. Develop market submissions					
c. Perform loss forecasting analysis					
d. Complete market submissions					
e. Evaluate quotes					
f. Negotiate contractual provisions					
g. Present renewal options					

	Actual		Gehring Group	City of Boynton Beach	
	Start	Complete	Responsibility	Responsibility	Approval
5. Gehring Group and Carrier Service Plan					
a. Develop carrier service standards					
b. Obtain special service agreements with carrier					
c. Perform loss of cause analysis					
d. Identify top loss drivers					
e. Review top loss drivers with City of Boynton Beach					
f. Review current loss control objectives					
g. Discuss loss control options with City of Boynton Beach					
h. Establish Gehring Group service and loss control plan					
i. Approve/modify carrier and Gehring Group service plans					
j. Deliver respective service plans to City of Boynton Beach					
6. Implementation					
a. Discuss market selection					
b. Confirm market					
c. Secure coverage					
d. Meet to discuss certificates of insurance needs					
e. Issue binders, certs, auto ID cards					
f. Monitor progress of policy issuance and delivery					
g. Perform contract reviews					
h. Initiate performance service plan					

Exhibit “D”

Sample Risk Management Action Timetable

Workers' Compensation Claims History (1998 - 2016)

as of October 30, 2017

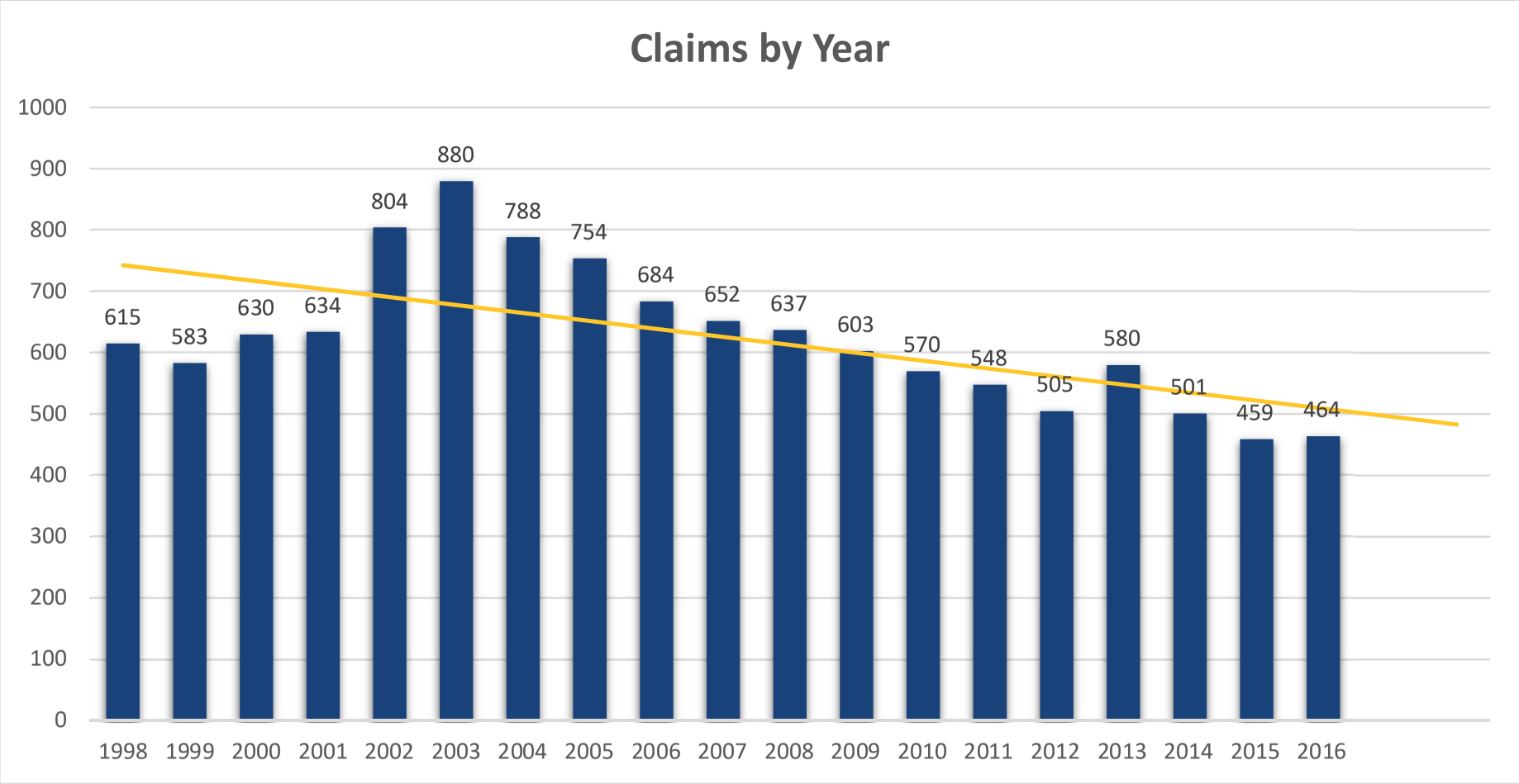
Lost Time & Medical Only Claims Comparison Summary

	Claims					Cost				
Fiscal Year	Lost Time	Medical Only	Total	%Lost Time	% Medical Only	Lost Time	Medical Only	Total	% Lost Time	% Medical Only
1998	53	562	615	9%	91%	$ 4,435,913	$ 247,044	$ 4,684,955	95%	5%
1999	60	523	583	10%	90%	$ 2,034,102	$ 267,959	$ 2,304,060	88%	12%
2000	65	565	630	10%	90%	$ 1,884,469	$ 208,460	$ 2,094,929	90%	10%
2001	62	572	634	10%	90%	$ 1,820,751	$ 284,085	$ 2,106,837	86%	13%
2002	111	693	804	14%	86%	$ 8,689,556	$ 532,216	$ 9,223,773	94%	6%
2003	127	753	880	14%	86%	$ 13,806,386	$ 706,945	$ 14,515,334	95%	5%
2004	130	658	788	16%	84%	$ 11,753,048	$ 512,409	$ 12,267,461	96%	4%
2005	96	658	754	13%	87%	$ 5,370,100	$ 901,273	$ 6,273,379	86%	14%
2006	113	571	684	17%	83%	$ 7,161,613	$ 570,582	$ 7,734,201	93%	7%
2007	99	553	652	15%	85%	$ 5,323,526	$ 690,819	$ 6,016,352	88%	11%
2008	83	554	637	13%	87%	$ 4,340,312	$ 790,049	$ 5,132,369	85%	15%
2009	126	477	603	21%	79%	$ 3,788,278	$ 692,630	$ 4,482,917	85%	15%
2010	168	402	570	29%	71%	$ 5,919,651	$ 608,400	$ 6,530,060	91%	9%
2011	198	350	548	36%	64%	$ 5,887,822	$ 498,971	$ 6,388,804	92%	8%
2012	127	378	505	25%	75%	$ 5,935,016	$ 862,645	$ 6,799,673	87%	13%
2013	128	452	580	22%	78%	$ 9,753,290	$ 840,338	$ 10,595,641	92%	8%
2014	97	404	501	19%	81%	$ 4,180,429	$ 1,120,423	$ 5,302,866	79%	21%
2015	100	359	459	22%	78%	$ 6,643,658	$ 1,257,959	$ 7,903,632	84%	16%
2016	101	363	464	22%	78%	$ 4,021,710	$ 1,098,700	$ 5,122,426	79%	21%
Annual Averages	**108**	**518**	**626**	**18%**	**82%**	**$ 5,934,191.11**	**$ 667,994.96**	**$ 6,604,193.06**	**89%**	**11%**

Workers' Compensation Claims History (1998 - 2016)

as of October 30, 2017

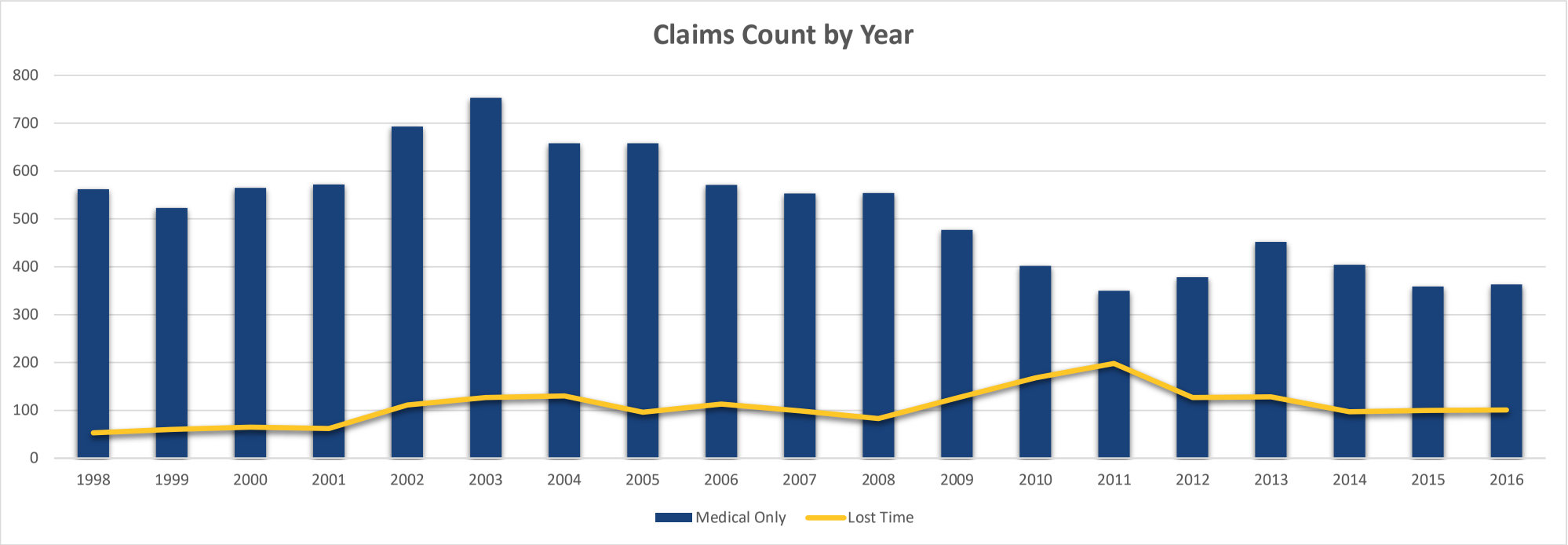
Lost Time & Medical Only Claims Comparison Summary



Workers' Compensation Claims History (1998 - 2016)

as of October 30, 2017

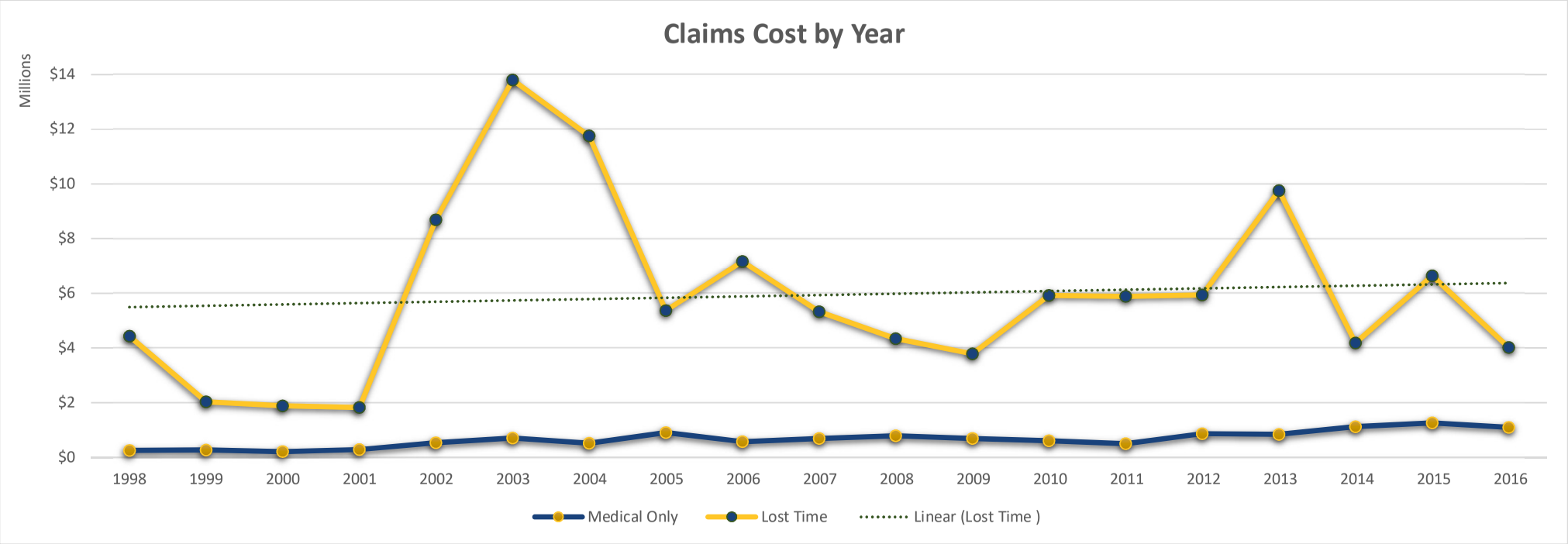
Lost Time & Medical Only Claims Comparison Summary



Workers' Compensation Claims History (1998 - 2016)

as of October 30, 2017

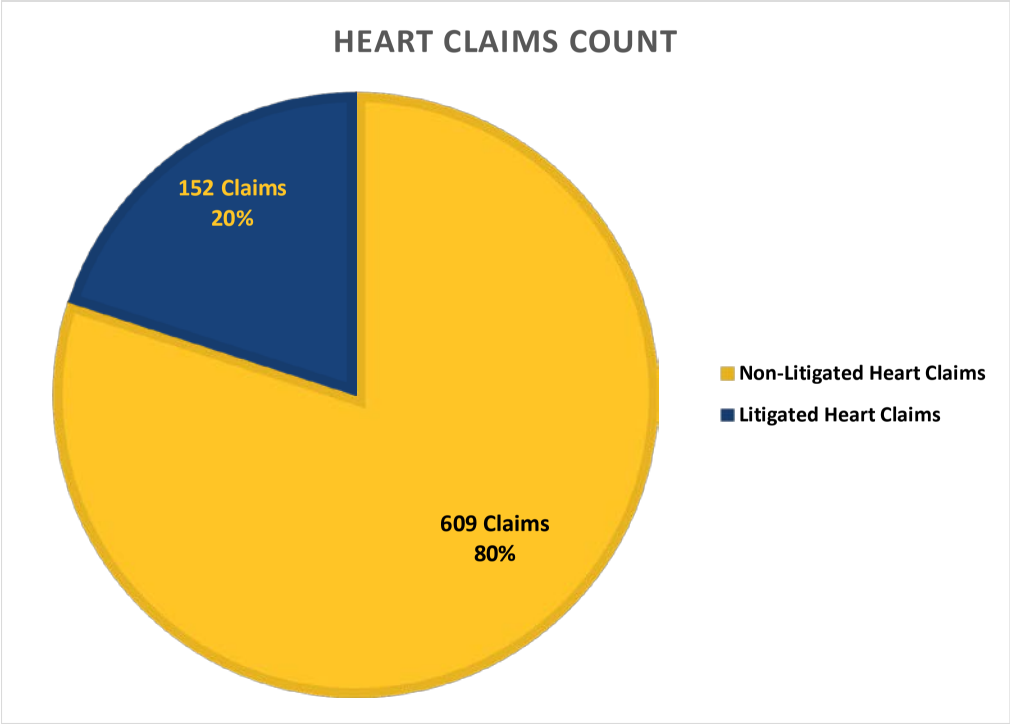
Lost Time & Medical Only Claims Comparison Summary



Workers' Compensation Claims History (1998 - 2016)

as of October 30, 2017

Lost Time & Medical Only Claims Comparison Summary



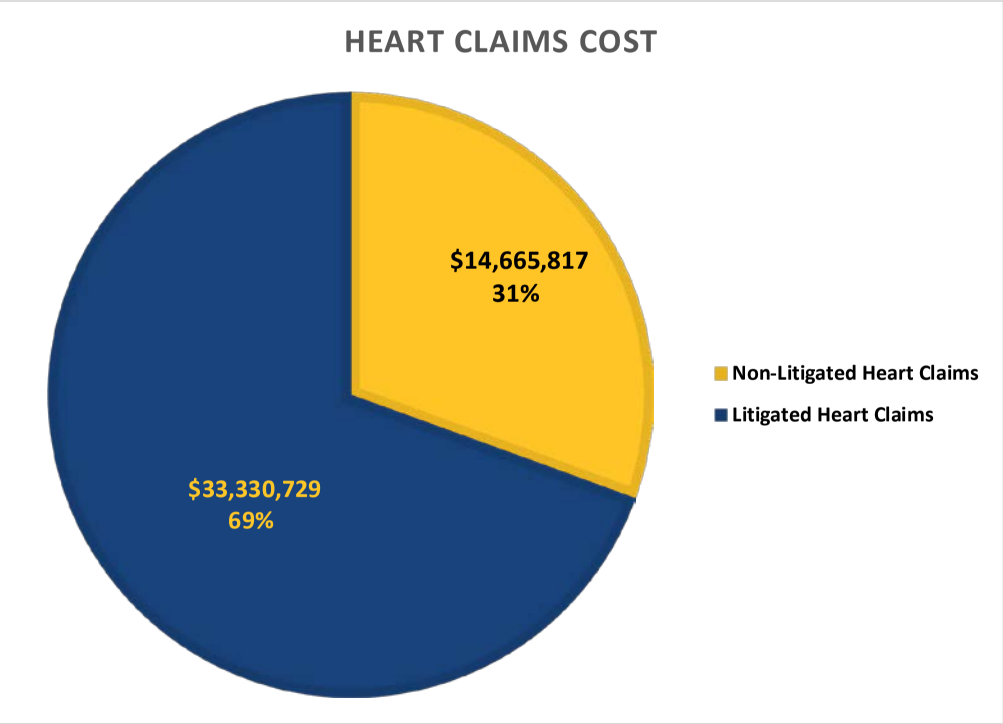


Exhibit “E”

Sample Employee Disaster Assistance Program

Your organization and geographical area have been affected by a disaster.

The people who you count on the most are facing extraordinary challenges.

Resuming operations is critical to your ongoing success.

Your most valuable asset is threatened!

(Next Slide)

Home Registration: Recovery Assist

J.SMITH Entergy - Jackson

1234 Main Street, Memphis, TN 63303

State Farm Insurance Policy# 37891787-00

Coverage: RCV Deductible: $1000.00

Policy Period: Jan 26, 2007 to Jan 26, 2008

SPECIFICATIONS

Style: 2-Story Brick SQ. FT: 2400 Year: 1985

Roof: 3-Tab Shingles

Siding: Heartland

Special: Hardwood Floors throughout main level.. China collection in DR.

Insurance Policy
(Download File Attachment)

OTHER INFORMATION

Pets: German Shepherd

Program helps ease domestic concerns, allowing Employees to focus on Company's critical needs!

- Voluntary Program for Employee
- Web-Based Registration & Application
- Policy & Property Photo Documentation Upload
- Pre-Negotiated Recovery Services &/or Residential Grouping (Bid Solicitation & Procurement)
- Damage Assessment Assistance
- Insurance Claim Review @ pre designated location (within 48hrs of incident)

"The news must go on. It was a great asset for our employees to be part of the Property Registration Program. Rather than missing work and having to go at it alone, they had a valuable resource."

Denise Ivey
Editor in Chief,
Gannett Publishing

Home Registration: *Area Wide Losses*

Within 48hrs of an incident affecting your Geographical Area and Employees, ***Recovery Assist*** is activated:

- Onsite and/or Portable Reception Center is staffed for reporting and processing multiple losses.
- Temporary Power, Climate Controlled Housing & Communications provided in order to support program and enrolled employees.
- 24-hr Recovery Orientation conducted for affected Employees during the first 3-days or as otherwise directed by Employer.
- Additional resources &/or public assistance* will be made available.
  - *Temporary Housing Options*
  - *Meal Programs*
  - *Emergency Fueling*
  - *Onsite ATM*

*public assistance services offered under different terms & conditions.

Home Registration: *Individual Loss*

Within 2hrs of a reported singular incident affecting your personal property, ***Recovery Assist*** is activated:

- Independent Claim Specialist assigned to your loss to provide free consultation and claim filing direction.
- Emergency Stabilization Services offered by our National Vendor Network at discounted group membership rate to be billed directly to your Insurance Provider.
- National Restoration Vendor Program to provide damage assessment & repair estimates.
- Temporary Housing solutions to be billed directly to your Insurance Provider.
- Independent Claim Representation & Insurance Dispute Resolution provided at discounted membership terms and conditions.

Exhibit “F”

Sample Site Inspection Assessment Report

City of

Park Maintenance

Thursday, December 6, 2018

5 Issues Identified

Rodney Louis

Gehring Group Risk Control Services are intended solely to identify and assess reasonable risks within the member's insured property and does not warrant or guarantee the safety of any property or condition within the member's property and cannot guarantee any additional risks will not result in loss following a Risk Control Assessment. Improvements or corrections to The Member's property are solely its responsibility. Accordingly, member acknowledges Neither Gehring Group employees or agents shall be liable for losses related to any risk assessment provided.

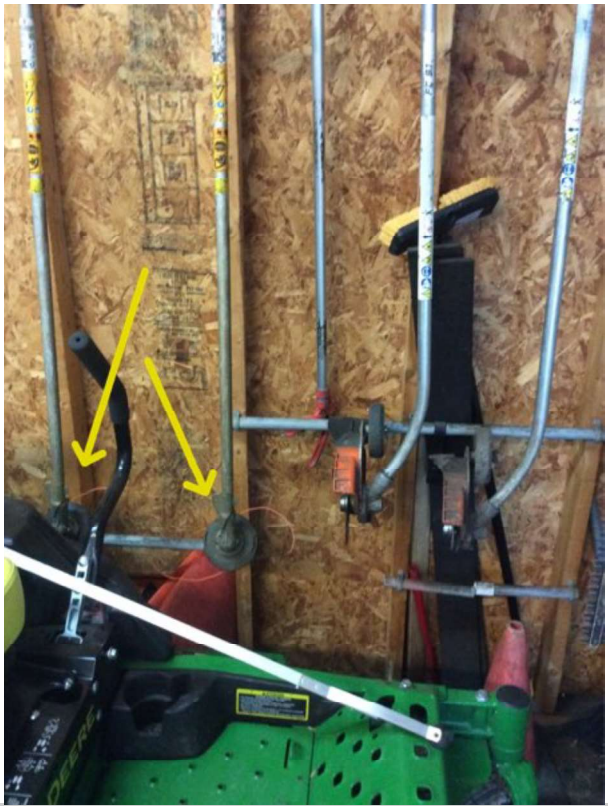
GEHRING GROUP

EMPLOYEE BENEFITS | RISK MANAGEMENT

Housekeeping

Location: Parks Maintenance - Downtown Maint. Shed

Debris and scattered materials should be removed.



Equipment Safety

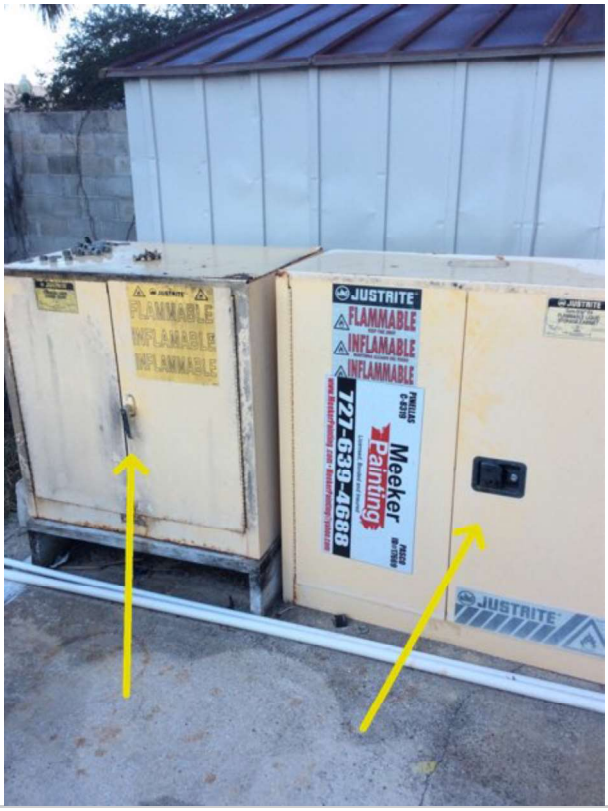
Location: Parks Maintenance - Downtown Maint. Shed

Safety guards missing from lawn maintenance equipment.

Safety

Location: Parks Maintenance - Downtown Maint. Shed

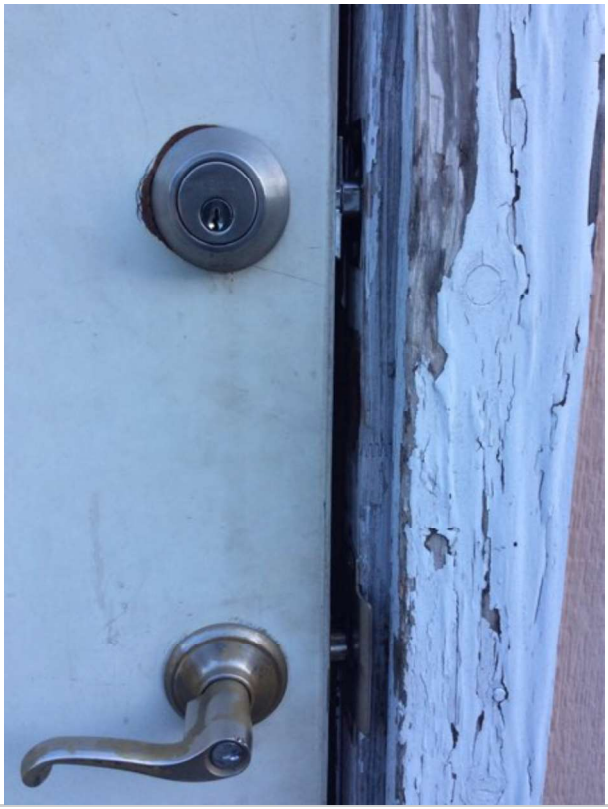
Fluorescent light guard or cover is missing.



Security

Location: Parks Maintenance - Downtown Maint. Shed

Locks missing from outdoor hazardous chemical and fuel cabinets.



Security

Location: Parks Maintenance - Downtown Maint. Shed

Gap in shed door should be covered by a lock entry plate.

Exhibit “G”

Risk Management Resource Library

Property & Casualty Resource Library

GEHRING GROUP
EMPLOYEE BENEFITS | RISK MANAGEMENT

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CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Approve the recommendation of the Evaluation Committee and authorize staff to conduct negotiations with the first ranked firm Garney Companies, Inc. of Winter Garden, FL and establish contracts in accordance with the Request for Qualifications (RFQ) No. 013-2821-19/TP for Reclaimed Water Distribution System Progressive Design Build and per Florida Statute 287.055, Consultants' Competitive Negotiation Act (CCNA). At the completion of each phase of the negotiations, the Contracts will be brought back to the Commission for approval.

EXPLANATION OF REQUEST:
On March 28, 2019, Procurement Services received and opened eight (8) proposals in response to the RFQ for Reclaimed Water Distribution System Progressive Design Build, which were reviewed by Purchasing Services to ensure the proposals met the RFQ's minimum requirements. The proposals were deemed responsive and were forwarded to the Evaluation Committee for review.

On May 20, 2019, an Evaluation Committee consisting of Colin Groff, Assistant City Manager/Public Services; Joseph Paterniti, Utilities Director; Christopher Roschek, Engineering Division Manager; and Jose Huertas, Senior Engineer reviewed and ranked the proposals. The Evalutation Committee agreed to short-list the top three (3) ranked firms: Garney Companies, Inc., CDM Constructors, Inc., and Carollo Design Build Group.

On June 10, 2019, the top three (3) ranked firms made presentations to the Evaluation Committee, and upon completion of the presentations the Evaluation Committee re-ranked the proposals. The Evaluation Committee was unanimous in their decision to recommend the final ranking and proceed in negotiation a Contract for the first phase of the work with the number one (1) ranked firm, Garney Companies, Inc.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?
Approval of this request will allow City staff to begin negotiations with the top ranked Progressive Design Build firm, Garney Companies, Inc., to develop a cost for completion of the first phase of the project.

As part of the project, the Progressive Design Build firm will assist with the expansion of the existing reclaimed water distribution system to serve additional large use customers within the Utilities service area. The work will include preparation of permit drawings from information provided by Utilities for the expansion of specified segments of the reclaimed water distribution system. Improvements may include the following: storage tank, booster pumping facility, disinfection system, piping, service lines, pressure sensors, flow meters, and associated electrical, instrumentation, and controls. The Progressive Design Build firm will work hand in hand with Utilities staff to manage, design, permit, construct, and implement the projects.

FISCAL IMPACT: Budgeted
There is no fiscal impact as a result of this approval until a contract for the first phase (along with subsequent phases) has been negotiated with the Progressive Design Build firm, and will be submitted to the Commission for approval. Funding is allocated for this project in the Utilities CIP budget.

ALTERNATIVES: Do not approve the recommendation.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

ATTACHMENTS:

Type	Description
Addendum	Final Ranking
Addendum	Initial Ranking
Addendum	Tabulation Sheet
Attachment	Garney Companies Proposal

RFQ FOR "RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN BUILD"

RFQ No.: 013-2821-19/TP

SUMMARY OF REVIEWERS SCORES - EVALUATION COMMITTEE MEETING (FINAL RANKING) - 6/10/2019 at 1:30 PM

	QUALIFICATIONS OF THE FIRM MAX - 20	ASSIGNED STAFF QUAL & EXPER. MAX - 35	PROJECT APPROACH MAX - 35	PAST PERFORMANCE/ REFERENCES MAX - 10	TOTALS MAX - 100	RANKING
CAROLLO DESIGN BUILD GROUP						
C. GROFF	20.00	26.00	25.00	8.00	79.00	
J. HUERTAS	20.00	35.00	35.00	9.00	99.00	**2**
J. PATERNITI	15.00	32.00	25.00	10.00	82.00	
C. ROSCHEK	20.00	31.00	31.00	10.00	92.00	
TOTAL ALL EVALUATORS					**352.00**	
CDM CONSTRUCTORS, INC.						
C. GROFF	20.00	20.00	20.00	10.00	70.00	
J. HUERTAS	20.00	33.00	32.00	10.00	95.00	**3**
J. PATERNITI	15.00	26.00	28.00	10.00	79.00	
C. ROSCHEK	20.00	31.00	31.00	10.00	92.00	
TOTAL ALL EVALUATORS					**336.00**	
GARNEY COMPANIES INC.						
C.GROFF	18.00	34.00	30.00	10.00	92.00	
J. HUERTAS	19.00	33.00	32.00	10.00	94.00	**1**
J. PATERNITI	20.00	32.00	32.00	10.00	94.00	
C. ROSCHEK	20.00	33.00	34.00	9.00	96.00	
TOTAL ALL EVALUATORS					**376.00**	

Tabulated by: Taralyn Pratt 6-10-2019

RFQ FOR "RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN BUILD"

RFQ No.: 013-2821-19/TP

SUMMARY OF REVIEWERS SCORES - EVALUATION COMMITTEE MEETING (INITIAL RANKING/SHORTLIST) - 5/20/2019 at 10:30 AM

	QUALIFICATIONS OF THE FIRM MAX - 20	ASSIGNED STAFF QUAL & EXPER. MAX - 35	PROJECT APPROACH MAX - 35	PAST PERFORMANCE/ REFERENCES MAX - 10	TOTALS MAX - 100	RANKING
CAROLLO DESIGN BUILD GROUP						
C. GROFF	16.00	32.00	32.00	8.00	88.00	
J. HUERTAS	20.00	35.00	35.00	9.00	99.00	**3**
J. PATERNITI	16.00	33.00	33.00	10.00	92.00	
C. ROSCHEK	20.00	31.00	31.00	10.00	92.00	
TOTAL ALL EVALUATORS					**371.00**	
CDM CONSTRUCTORS, INC.						
C. GROFF	18.00	34.00	32.00	10.00	94.00	
J. HUERTAS	20.00	35.00	33.00	10.00	98.00	**1**
J. PATERNITI	18.00	33.00	33.00	10.00	94.00	
C. ROSCHEK	20.00	30.00	30.00	10.00	90.00	
TOTAL ALL EVALUATORS					**376.00**	
DAVID MANCINI AND SONS, INC.						
C. GROFF	15.00	25.00	25.00	8.00	73.00	
J. HUERTAS	19.00	33.00	33.00	9.00	94.00	**7**
J. PATERNITI	15.00	28.00	32.00	10.00	85.00	
C. ROSCHEK	17.00	28.00	28.00	8.00	81.00	
TOTAL ALL EVALUATORS					**333.00**	
FLORIDA DESIGN DRILLING CORP.						
C. GROFF	17.00	29.00	26.00	10.00	82.00	
J. HUERTAS	19.00	33.00	33.00	10.00	95.00	**4**
J. PATERNITI	17.00	30.00	34.00	10.00	91.00	
C. ROSCHEK	16.00	24.00	24.00	9.00	73.00	
TOTAL ALL EVALUATORS					**341.00**	
GARNEY COMPANIES INC.						
C.GROFF	18.00	34.00	33.00	10.00	95.00	
J. HUERTAS	20.00	35.00	34.00	10.00	99.00	**2**
J. PATERNITI	15.00	29.00	30.00	10.00	84.00	
C. ROSCHEK	20.00	33.00	34.00	9.00	96.00	
TOTAL ALL EVALUATORS					**374.00**	
REYNOLDS CONSTRUCTION, LLC dba REYNOLDS CONSTRUCTION OF FLORIDA, LLC						
C. GROFF	16.00	28.00	29.00	6.00	79.00	**5**
J. HUERTAS	18.00	32.00	32.00	8.00	90.00	
J. PATERNITI	18.00	32.00	34.00	10.00	94.00	
C. ROSCHEK	16.00	25.00	25.00	8.00	74.00	
TOTAL ALL EVALUATORS					**337.00**	
RIC-MAN CONSTRUCTION FLORIDA, INC.						
C. GROFF	16.00	28.00	27.00	8.00	79.00	
J. HUERTAS	20.00	35.00	33.00	9.00	97.00	**6**
J. PATERNITI	15.00	28.00	30.00	10.00	83.00	
C. ROSCHEK	16.00	25.00	24.00	10.00	75.00	
TOTAL ALL EVALUATORS					**334.00**	
RIC-MAN INTERNATIONAL, INC.						
C. GROFF	16.00	26.00	26.00	8.00	76.00	
J. HUERTAS	19.00	34.00	33.00	9.00	95.00	**8**
J. PATERNITI	15.00	30.00	30.00	10.00	85.00	
C. ROSCHEK	16.00	25.00	25.00	9.00	75.00	
TOTAL ALL EVALUATORS					**331.00**	

Tabulated by: Taralyn Pratt 5-20-2019

The (3) three highest ranked firms have been shortlisted and will be invited for Oral Interviews/Presentations

CDM Constructors, Inc.	1ST
Garney Companies Inc.	2ND
Carollo Design Build Group	3RD

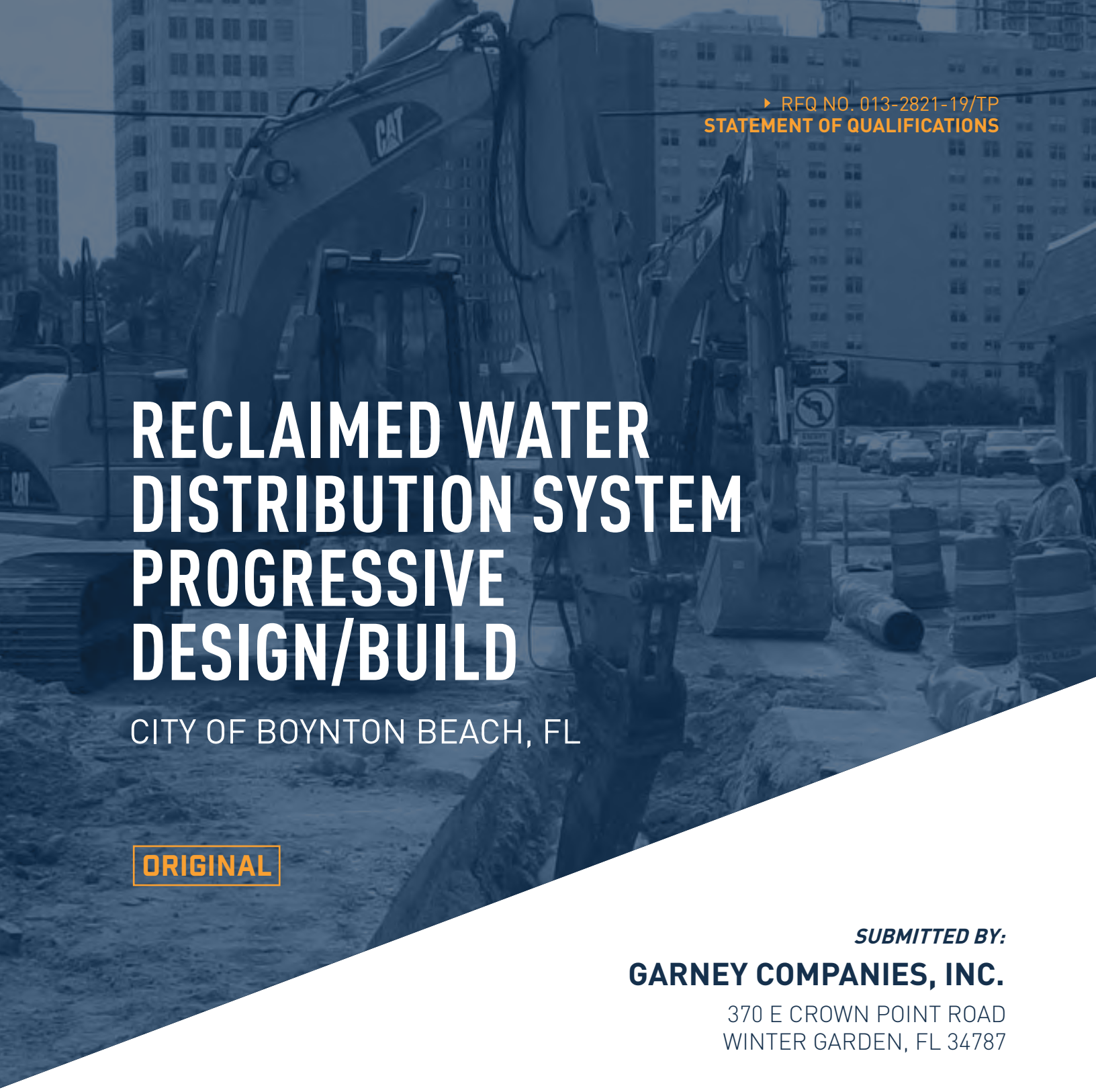
REQUEST FOR QUALIFICATIONS (RFQ)
Reclaimed Water Distribution System Progressive Design Build

RFQ OPENING DATE: 3/28/2019
RFQ OPENING TIME: 2:30 P.M.
RFQ No.: 013-2821-19/TP

"RFQ's submitted from the vendors listed herein are the only submittals received timely as of the above receiving date and time. All other submittals submitted in response to this solicitation, if any, are hereby rejected as late"

VENDORS	**Carollo Design Build Group** 533 East Ocean Avenue Suite 2 Boynton Beach, FL 33435 Contact: 561-810-8323 Elizabeth Fujikawa, P.E. LEED AP Vice President and Project Manager efujikawa@carollo.com	**CDM Constructors, Inc.** 621 NW 53rd Street Suite 265 Boca Raton, FL 33487 Contact: 561-571-3800 Fax: 561-241-7084 Robert J. Gilbert DBIA, Vice President gilbertrj@cdmsmith.com Suzanne E. Mechler PE BCEE, Client Service Leader	**David Mancini and Sons, Inc.** 2601 Wiles Road Pompano Beach, FL 33073 Contact: 954-977-3556 Fax: 954-944-2040 David Mancini, President clazzari@dmsi.co	**Florida Design Drilling Corp.** 7733 Hooper Road West Palm Beach, FL 33411 Contact: 561-222-6823 Fax: 561-844-2967 Nicholas Martin, Vice President Nick@FlDrilling.com	**Garney Companies, Inc.** 370 E. Crown Point Road Winter Garden, FL 34787 Contact: 321-221-2826 Fax: 407-287-8780 Daniel R. Smolik, Director of Pipe Operation dsmolik@garney.com	**Reynolds Construction, LLC dba Reynolds Construction of Florida, LLC** 2200 Park Central Blvd. N. Suite 700 Pompano Beach, FL 33064 Contact: 954-650-0164 Fax: 754-301-4965 Oscar Bello, PE, DBIA, Vice President Business Development oscar.bello@reynoldscon.com	**Ric-Man Construction Florida, Inc.** 3100 SW 15th Street Deerfield Beach, FL 33442 Contact: 954-426-1221 Fax: 954-426-1226 Daniel Mancini, President Mfischer@ric-manfl.com	**Ric-Man International, Inc.** 1545 NW 27th Avenue Pompano Beach, FL 33069 Contact: 954-426-1042 Fax: 954-426-0717 Andres Diaz, General Manager bid@ric-man.us
RFQ DOCUMENTS SUBMITTALS Original Copies (4)	YES YES	YES YES	YES YES	YES YES	YES YES	YES YES	YES YES	YES YES
LETTER OF INTEREST	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
FIRM QUALIFICATIONS	YES	YES	YES	YES	YES	YES	YES	YES
REFERENCE PROJECTS (4)	YES - INCLUDED	YES- INCLUDED	YES - INCLUDED	YES - INCLUDED	YES - INCLUDED	YES - INCLUDED	YES - INCLUDED	YES - INCLUDED
QUALIFICATIONS OF PROJECT TEAM	YES	YES	YES	YES	YES	YES	YES (7)	YES
RESUMES	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
APPROACH TO SCOPE OF WORK	YES	YES	YES	YES	YES	YES	YES	YES
PROJECT APPROACH AND SOLUTION SELECTION	YES	YES	YES	YES	YES	YES	YES	YES
REFERENCES	INCLUDED Broward County St. Petersburg Clifton Water District	INCLUDED Naval Facilities Engineering Command NOLA Solid Waste Authority of Palm Beach, FL City of Boynton Beach, FL	INCLUDED DAVID M: FL Department of Transportation Kiewit Infrastructure South, Inc. City of Miami Beach City of Ft. Lauderdale	INCLUDED Seacoast Utility Authority City of West Palm Beach City of Pompano Beach	INCLUDED City of Orlando City of Tampa Hillsborough County	INCLUDED Village of Islamorada Miami Shores Village Florida Keys Aqueduct Authority (FKAA)	INCLUDED Miami-Dade County Water & Sewer Department City of Miami Beach Public Works Department Consent Decree PM/CM Team	INCLUDED City of Coral Gables City of Miami Beach Miami-Dade Water & Sewer Department
CURRENT AND PROJECTED WORKLOAD	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
FINANCIAL INFORMATION	INCLUDED	INCLUDED	NOT INCLUDED LETTER SUBMITTED FOR PROPRIETARY AND CONFIDENTIAL AND DO NOT WISH FOR FINANCIALS IT TO BE MADE PUBLIC. WILL MAKE AVAILABLE SHOULD THEY BE CONSIDERED FOR AWARD	NOT INCLUDED	NOT INCLUDED	INCLUDED	NOT INCLUDED	NOT INCLUDED
PROPOSER'S ACKNOWLEDGEMENT	YES	YES	YES	YES	YES	YES	YES	YES
PROPOSER'S QUALIFICATION STATEMENT	YES	YES	YES	YES	YES	YES	YES	YES
ADDENDA ACKNOWLEDGEMENT	YES	YES	YES	YES	YES	YES	YES	YES
ADDENDUMS 1		√	√	√	√	√	√	√
ANTI-KICKBACK AFFIDAVIT	YES	YES	YES	YES	YES	YES	YES	YES
NON COLLUSION AFFIDAVIT OF RESPONDENT	YES	YES	YES	YES	YES	YES	YES	YES
CONFIRMATION OF MINORITY OWNED BUSINESS	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A
CERTIFICATION PURSUANT TO FLORIDA STATUTE 287.135	INCLUDED SIGNED	INCLUDED SIGNED	INCLUDED SIGNED	INCLUDED SIGNED	INCLUDED SIGNED	INCLUDED SIGNED	INCLUDED SIGNED	INCLUDED SIGNED

CONFIRMATION OF DRUG-FREE WORKPLACE	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED	INCLUDED
SCHEDULE OF SUB-PROGRESSIVE DESIGN BUILD TEAM	YES (7) LISTED The Merchant Strategy Gamboa Engineers Intertek PSI Florida Technical Consultants Stoner & Associates, Inc. McKim & Creed Lanzo Construction Company	YES (5) LISTED The Merchant Strategy Mckim & Creed, Inc. Tierra South Florida, Inc. Harddrives, Inc. Johnson-Davis, Inc.	RFQ FORM NOT INCLUDED	YES (4) LISTED Mathews Consulting Man-Con, Inc. Crom Corporation Dennis J. Leavy & Associates	YES (7) Listed Holtz Consulting Engineers, Inc. CES Consultants The Merchant Strategy Bailey Engineering Consultant, Inc. Engenuity Group, Inc. InfraMap Tierra South Florida	YES (1) Listed Globaltech	YES (5) Listed WSP USA Inc. Thompson and Associates, Inc. Langan Whidden Surveying & Mapping, Inc. The Merchant Strategy	YES (4) Listings No Vendor Names Provided Survey MOT Concrete Roadway Paving
PALM BEACH COUNTY INSPECTOR GENERAL ACKNOWLEDGEMENT	YES	YES	YES	YES	YES	YES	YES	YES
LOCAL BUSINESS STATUS CERTIFICATION	INCLUDED Yes -Date issued 3/6/19 Expires September 30, 2019 **Not Applicable** - Per City Administrative Policy No. 10.16.01 (Local Business Preference) the preference does not apply to projects subject to CCNA.	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A	INCLUDED N/A
STATEMENT OF NON-SUBMITTAL	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
FLORIDA PROFESSIONAL LICENSES, BUSINESS PERMITS	INCLUDED- Multiple dbpr Licenses Construction Industry, Board of Professional Engineers, Business Tax Receipt- Boynton Beach (Local)	INCLUDED - Mulitple dbpr Licenses Multiple- Board of Professional Engineers License, LEED Certification and DBIA, Board of Architecture & Interior Design, Business Tax Receipt, Construction Industry	INCLUDED- dbpr Licences Construction Industry, Business Tax Receipt, Multiple Certifications: State of Florida, Miami-Dade Expressway Authority Local Certification, FDOT, Broward County Certification of Competency, Awards an Accolades	INCLUDED - Multiple dbpr Licenses Construction Industry, Business Tax Receipt	INCLUDED - Multiple dbpr Licenses Construction Industry, Multiple State Licenses	INCLUDED - Multiple dbpr Licenses Construction Industry, Board of Professiona Engineers	INCLUDED - Multiple dbpr License Construction Industry, Business Tax Receipt	INCLUDED - Multiple dbpr Licenses Construction Industry License Board, Board of Professional Engineers, FDOT Certification, Business Tax Receipt
CERTIFICATE OF LIABILTY INSURANCE PROOF	INCLUDED Expires 7/4/2019	INCLUDED Expires 1/1/2020	INCLUDED Expires 4/1/2020	INCLUDED Expires 1/1/2021	INCLUDED Expires 10/1/2019	INCLUDED Expires 4/28/2019	INCLUDED Expires 6/1/2019	INCLUDED Expires 7/18/2019
SUPPLEMENTAL INFORMATION	Project Schedule Included	Project Schedule Included	Project Schedule Included	Project Schedule Included	Project Schedule Included	Project Schedule Included	Project Schedule Included	Not Included
COMMENTS:	Proposer's Qualification Statement - Page 29 - Question #24 - Carollo & PCL includes listing of all claims, arbitration, hearings and lawsuits. Bonding Capacity - Included (Fidelity & deposit Company of Maryland, Zurich American Insurance Company	Proposer's Qualification Statement -Page 29 - Question #24 - includes listing of all claims, arbitration, hearings and lawsuits. Bonding Capacity - Included (Berkshire Hathaway Specialty Insurance) Drug-free workplace policy included	Bonding Capacity - Travelers Casualty and Surety Company of America	Bonding Capacity - Included (CNA Surety)	Bonding Capacity - Liberty Mutual Insurance Company & CNA Surety	Proposer's Qualification Statement -Page 29 - Question #24 - includes listing of all claims, arbitration, hearings and lawsuits. Bonding Capacity - Travelers Bond & Specialty Insurance Referenced Additonal Relevant Projects Reference Letters Included	Proposer's Qualification Statement -Page 29 - Question #24 - includes listing of all claims, arbitration, hearings and lawsuits. Bonding Capacity - CNA Surety Additonal Experience Submitted	Proposer's Qualification Statement -Page 29 - Question #24 - includes listing of all claims, arbitration, hearings and lawsuits. Bonding Capacity - ARCH Insurance Group Inc.



RFQ NO. 013-2821-19/TP
STATEMENT OF QUALIFICATIONS

RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN/BUILD

CITY OF BOYNTON BEACH, FL

ORIGINAL

SUBMITTED BY:

GARNEY COMPANIES, INC.

370 E CROWN POINT ROAD
WINTER GARDEN, FL 34787

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- Addenda Acknowledgement
- Anti-Kickback Affidavit
- Non-collusion Affidavit of Respondent
- Confirmation of Minority Owned Business
- Scrutinized Companies Certification
- Palm Beach Inspector General Acknowledgement
- Local Business Status Certification
- Statement of Non-Submittal (if applicable)
- Schedule of Sub-Progressive Design Build Teams
- Florida Professional License and Business Permits
- Proof of Liability Insurance

SECTION 1

LETTER OF INTEREST

370 E Crown Point Road
Winter Garden, FL 34787
PH: 407.877.5903
WWW.GARNEY.COM

CITY OF BOYNTON BEACH, FL

RE: RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN/BUILD | MARCH 28, 2019

City of Boynton Beach // Procurement Services
ATTN: Taralyn Pratt, Contract Coordinator
3301 Quantum Boulevard, Suite 101, Boynton Beach, FL 33426

Dear Ms. Pratt and Selection Committee Members,

Implementing a project of this scope and complexity will rely upon the experience and capabilities of a knowledgeable and trusted team. As your Design-Builder, Garney Companies, Inc. (Garney) will integrate all services and activities into a single point of responsibility to successfully expand the City of Boynton Beach's (City) reclaimed water distribution system. **Our statement of qualifications demonstrates we are the best team to deliver the vision and full value of the design-build delivery model.** Below are the keys reasons our team will achieve project success.

TRUSTED DESIGN-BUILD PARTNERSHIP – The makeup of our team is focused on each individuals' experience successfully delivering design-build projects together. Garney has partnered with Holtz Consulting Engineers, Inc. (Holtz) and CES Consultants, Inc. (CES) to lead all facets of the permitting and design requirements. Both firms are local and Small and/or Minority/Woman Businesses, located less than 30 miles from the City. **Garney's history using design-build to deliver 106 pipeline and pump stations projects worth $2.18B will provide benefit to the project by effectively implementing the design-build process, finding efficiencies in the budget and schedule, and providing continual collaboration with the City.**

DEPTH OF RESOURCES – Garney has five pipe crews in Florida and 28 pipe crews in the Southeast. These crews will be utilized to meet the City's deadlines. That, coupled with parallel design support teams, provides a structure to deliver multiple locations at one time. All design and construction will be led by Dan Smolik as Design-Build Manager, who will serve as the single point of responsibility. **Dan brings 22 years of experience solely in water and wastewater utility infrastructure in Florida and has managed 11 collaborative delivery projects.**

ENGAGE AS A COMMUNITY STEWARD – Public engagement and maintenance of traffic (MOT) are the cornerstones to the success of a linear project. The Garney team will spearhead all efforts as we engage the community in developing solutions around their functions and needs. Public Relations Manager, Sharon Merchant, will integrate these items throughout the planning, design, and implementation phases. The outcome will result in a project that includes a community perspective. **Our construction approach will focus on always putting safety first, minimizing disruptions, executing an effective MOT plan, and controlling dust and noise to be good neighbors to the residents, businesses, and surrounding community.**

The Garney team submits this statement of qualifications as a personal commitment toward the success of the project. Our resources are immediately available to begin an active partnership with the City. We acknowledge receipt of Addendum 1, dated March 20, 2019.

Respectfully submitted,

Garney Companies, Inc. // Federal ID Number: 44-0658613
370 E. Crown Point Road, Winter Garden, FL 34787 // Telephone: 407.832.2291

Daniel R. Smolik // Director of Pipe Operations // Single Point of Contact

SECTION 2

FIRM'S QUALIFICATIONS

SECTION 2
FIRM'S QUALIFICATIONS

DESIGN-BUILD TEAM OVERVIEW

Garney will serve as the Design-Builder overseeing all project activities and leading all construction services. As your Design-Builder, Garney will be your single point-of-contact. We will integrate all services and activities into a single point-of-responsibility to successfully design, permit, and construct improvements, ensuring success for the City's project.

Holtz Consulting Engineers (HCE) will serve as the lead design firm. Founded in Palm Beach County in 2006, HCE is a certified small and minority business enterprise firm specializing in providing efficient and cost-effective utility engineering services to clients in South Florida. It's staff is experienced at providing design solutions for all phases of reclaimed water production, storage, and delivery.

This structure is supplemented by our key specialty subconsultants and highly-qualified small business enterprise (SBE), minority business enterprise (MBE), and woman-owned business enterprise partners (WBE). **We are committing a comprehensive, local, and experienced team prepared to complete all tasks necessary to make this design-build project a success.**

KEY FIRMS AND QUALIFICATIONS

Garney has assembled a design-build team that brings a depth of resources, expertise, and familiarity working on comparable design-build potable water and stormwater distribution system projects. **A vast majority of our pipeline project experience is successfully completed in urban settings. This is a tremendous strength of our team.** Leveraging this experience, our team offers the City unique insight from previous distribution pipeline work to maintain service, reduce public impact, and meet the City's schedule— directly related qualifications and experience to make this a successful project.

Our team is assembled around specialists assigned to each critical project task to examine challenges from various perspectives, with each team member bringing particular skills and expertise to the project. **On the following pages, we have included a summary of the firms that comprise our team, their qualifications, and the benefits they offer the City in meeting your project goals.**

NATIONAL LEADER WITH A LOCAL FOCUS

#1
CONTRACTOR IN WATER TRANSMISSION LINES (ENR 2018)

▶ GARNEY RANKED #1 FOR 9 YEARS IN A ROW

286
COLLABORATIVE DELIVERY PROJECTS NATIONWIDE

110
COLLABORATIVE DELIVERY PROJECTS IN FLORIDA

14,298,229
LF OF PIPELINE INSTALLED SINCE 2004

0.49
2018 EMR RANKING—SAFETY IS OUR #1 PRIORITY

3,019,255
MAN-HOURS OF WORK SELF-PERFORMED IN 2018

GARNEY CONSTRUCTION
DESIGN-BUILDER

Garney is a 100% employee owned construction company servicing the public, private, Federal, and industrial sectors. We specialize in water and wastewater piping systems, treatment facilities, pump stations, and storage tanks. **Our team and personnel specialize solely in the construction of water and wastewater pipelines.** Virtually every type of pipeline, material and installation configuration has been constructed by our firm. Our crews bring experience constructing pipelines ranging in size from 4" to 147" and with a variety of materials including DIP, steel, concrete, HDPE, PVC, and fiberglass. This Florida-specific experience allows us to understand the needs of the City's reclaimed water distribution system improvements project through lessons learned with comparable projects.

PROVEN PERFORMANCE:

- 58 years of experience specializing in self-performing construction of utility infrastructure, including 153 pipeline projects in Florida alone
- National leader in water and wastewater projects with experience on 286 collaborative delivery projects (design-build, progressive design-build, and CMAR) totaling over $4.3B+
- Ability to self-perform construction reduces cost and schedule impacts
- E xperience on 115 pipeline and pump stations design-build projects worth $1.3B
- Resume includes installation of 2,700+ miles of pipe since 2004, with 360 miles in Florida alone

★ **Benefit to the City:** Our previous Florida and nationwide collaborative delivery experience leading Owners through the process provides the City with high confidence in our ability to successfully expand the City's existing reclaimed water distribution system in line with your goals and objectives.

HOLTZ CONSULTING
LEAD DESIGN ENGINEER

SBE/WBE CERTIFIED

HCE was founded in Palm Beach County in 2006 to assist South Florida utilities with high-quality, responsive, and efficient engineering services on water and wastewater infrastructure improvement projects. Their experience includes five collaborative delivery projects in Florida. HCE's engineering expertise includes reuse water production, storage and distribution systems; wastewater collection/transmission, treatment, reuse and disposal; water treatment, storage and distribution; pump station design and rehabilitation; master planning and capital improvement planning; and water resource management and alternative water supply.

PROVEN PERFORMANCE:

- Design, permitting, and construction administration for approximately 59,000 LF of 6" to 12" water mains in existing residential and commercial neighborhoods
- Recent experience with lift stations includes the design and permitting for the rehabilitation of over 100 lift stations within Palm Beach County
- In the last five years, HCE has completed the design of over 16 miles of new water main distribution piping with new services to approximately 1,200 residences
- Designed and constructed four ground storage tanks with a total capacity of 7 MG for local utilities in last five years

★ **Benefit to the City:** As an SBE/MBE founded in Palm Beach County, HCE has a vested interest in the water infrastructure of South Florida, and offers the City a team of responsive experts skilled in all design and permitting services required to successfully expand the City's distribution system.

CES CONSULTANTS (CES)

CIVIL / ROADWAY / MOT; CEI

MBE CERTIFIED

CES is a state of Florida MBE full-service engineering firm founded in 2001 that provides professional engineering services to municipal clients. **CES has full in-house capabilities to provide civil engineering services, infrastructure design, construction observation, construction engineering inspection (CEI), and construction management services.** CES has been involved in some of the largest infrastructure improvement projects in South Florida.

PROVEN PERFORMANCE:

- Experience in design and construction administration of water / sewer utility projects ranging from 6"- to 96"- diameter piping networks, pump stations, drainage modeling, and master planning
- 250,000 LF of water main pipes installed
- Extensive roadway improvement experience and well established working relationships with the Florida Department of Transportation (FDOT)
- Participated in important infrastructure projects for numerous governmental agencies,
- Experience with the City of Boynton Beach, Miami-Dade Water and Sewer Department (WASD), Broward County, the City of Miramar, the South Florida Water Management District (SFWMD), City of Miami Beach

★ **Benefit to the City:** With similar South Florida project experience, CES brings understanding and application of successfully managing common utility upgrade challenges such as regulatory approvals and complex MOT plans within highly urbanized areas.

THE MERCHANT STRATEGY (TMS)

PUBLIC OUTREACH

SBE/WBE CERTIFIED

TMS is a W/SBE located in West Palm Beach, FL. **TMS is owned and operated by the company president, Sharon Merchant, former State Representative and life-long resident of Palm Beach County, and has provided public outreach services for the City on numerous water and wastewater projects.** TMS provides public relations, marketing, social media and creative website services to complement government and public outreach projects, and has successfully provided public outreach services for numerous projects for the City.

PROVEN PERFORMANCE:

- Extensive expertise in public involvement, government relations, project management, crisis management, social media, event production, and media outreach
- Technical skills include creative graphic and website design, event promotions, and full-scale media and marketing activities
- Extensive experience working with the City of Boynton Beach
- Successfully engages the public via social media platforms, such as Facebook and Twitter, allowing for cost-effective communication to targeted audience
- Successful experience managing project websites to keep public aware of project updates

★ **Benefit to the City:** With proven successful public outreach experience with the City and numerous South Florida clients, TMS will create and implement a public involvement plan that appropriately manages local expectations and minimize inconveniences for the local community.

BAILEY ENGINEERING (BEC)
ELECTRICAL / INSTRUMENTATION

Located in Cooper City, FL, BEC is a SBE consulting/engineering firm providing electrical and SCADA system designs for water and wastewater projects throughout Florida. Throughout their 25-year history, BEC has consistently demonstrated our ability to meet client schedules and budgets. **Garney and BEC have a 20-year relationship working on design-build projects together, having completed 25+ design-build jobs, many similar / identical to this project.**

SBE CERTIFIED

PROVEN PERFORMANCE:

- Local firm that has completed over 100 water/ wastewater engineering projects throughout the state of Florida

★ **Benefit to the City:** Local South Florida engineering firm with proven experience providing electrical and I&C services for water and wastewater distribution projects.

TIERRA SOUTH FLORIDA (TSF)
GEOTECHNICAL

TSF is a fully certified FDOT DBE and Palm Beach County certified SBE that provides a complete range of geotechnical services. Their services include laboratory testing and analysis of soils and rocks, pavement evaluations and design, deep and shallow foundation analysis and design, site preparation recommendations, slope stability analysis, corridor studies, unknown foundation evaluation, and soil reinforcement.

SBE/MBE CERTIFIED

PROVEN PERFORMANCE:

- Successfully completed 150+ FDOT projects.
- Complete 350+ projects every year

★ **Benefit to the City:** Local South Florida DBE SBE that has worked on $2B worth of design-build projects, and offers City a depth of successful collaborative experience.

ENGENUITY GROUP
EASEMENT ACQUISITIONS / SURVEY

Engenuity Group is a local South Florida MBE / SBE certified surveying and mapping firm. Their professionals perform topographic surveys, construction layout, and as-built and hydrographic surveys using state of the art survey equipment, in compliance with Florida Administrative Code Chapter 5J-17.050(10). They have provided land surveying services for numerous South Florida clients.

SBE/MBE CERTIFIED

PROVEN PERFORMANCE:

- Currently performing Professional Land Surveying Services for Cities of Boynton Beach, Pompano Beach, Delray Beach, and West Palm Beach

★ **Benefit to the City:** Familiarity with City staff, standards, and procedures resulting in efficient workflow and successful project deliverables.

INFRAMAP
SUBSURFACE UTILITY ENGINEERING (SUE)

With offices in West Palm Beach and Miami Gardens, FL InfraMap has performed some of the largest utility mapping and test hole projects. Their local team of professionals collect utility infrastructure data in the field using sophisticated geophysical techniques and instrumentation (including Electromagnetic Locating Equipment, Ground Penetrating Radar, GPR), with automated data collection gear and state of the art survey equipment. Mapping will be delivered in the City's preferred format.

PROVEN PERFORMANCE:

- Has performed locating and SUE Services for FDOT District 4 and District 6 since 1995

★ **Benefit to the City:** Will correctly map utilities during design to expedite schedule and reduce change orders and overall construction costs.

COLLABORATIVE DELIVERY EXPERTS READY TO ACHIEVE YOUR PROJECT GOALS

Projects delivered via collaborative delivery have been a focus of the Garney team for more than 20 years, and account for more than $4.3B+ worth of projects. Collaborative delivery requires a partnering mindset, ability to think project-first, and the flexibility to change course when necessary.

Our resume includes 110 collaborative delivery projects in Florida totaling more than $769M. This experience has allowed us to continuously improve our approach and execution of each new project providing the City confidence in our teams ability to serve as their trusted partner and lead this important project. Below is a sampling of our team's relevant collaborative delivery experience.

SELECTED RELEVANT COLLABORATIVE DELIVERY EXPERIENCE

Project and Location	Delivery Method	Value	Completion
Vista Ridge Water Supply Project , *San Antonio, TX*	DB	$540M	4/2020 (est.)
Lake Texoma Outfall to Wylie WTP Pipeline, *Wylie, TX*	CMAR	$281.4M	7/2014
Bois d'Arc Lake - Raw Water Pipeline & Leonard WTP to McKinney No. 4 Treated Water Pipeline, *Leonard, TX*	CMAR	$279.1M	2/2021 (est.)
Trinity River Main Stem Pump Station & Pipeline, *Rosser, TX*	CMAR	$102.8M	2/2019
Sabine River Pump Station Project, *Orange, TX*	CMAR	$53.0M	6/2020 (est.)
Cross County 30" Transmission Line and High Service Pump Station, *Caldwell, TX*	DB	$42.5M	7/2011
48" Water Transmission Main for Area N, *Kendall, FL*	DB	$37.2M	10/2019 (est.)
Doby Creek and Little Sugar Creek Tributary to Fairview Road Sanitary Sewer Improvement, *Charlotte, NC*	CMAR	$30.1M	8/2019 (est.)
River Oaks Diversion Project, *Tampa, FL*	DB	$28.5M	10/2019 (est.)
Honey Creek Pump Station, *Lithonia, GA*	PDB	$24.4M	12//2017
Gravity Sewer System Rehabilitation Replacement and Construction - Package 3, *Decatur, GA*	PDB	$23.0M	5/2020 (est.)
Smith Mountain Lake WTP Pipelines - Contracts A, B, C, D, and E, *Bedford, VA*	DB	$15.0M	5/2017
CIAC Segment 1, *Tampa, FL*	PDB	$12.7M	9/2010
Richland Creek Reservoir Raw Water Pipeline, *Dallas, GA*	DB	$11.6M	5/2017
City of Tampa UCAP 12th Street Force Main, *Tampa, FL*	PDB	$10.3M	10/2009
NACSAC Transfer Pipeline, *Kingsport, TN*	DB	$9.9M	4/2019 (est.)
East Transmission Mains Phase 1, *Nashville, TN*	CMAR	$6.7M	4/2019 (est.)
Marks Street / Pasadena Place Utility Improvements, *Orlando, FL*	CMAR	$6.4M	10/2017
Honey Creek Force Main & Gravity Sewer Improvements Project, *Lithonia, GA*	PDB	$6.0M	10/2018
Perry Street Interim Diversion Facility Emergency Project, *Tampa, FL*	PDB	$5.1M	6/2018
Northeast Boundary Tunnel Project, *Washington, DC*	DB	$4.7M	11/2018

SELECTED RELEVANT COLLABORATIVE DELIVERY EXPERIENCE

Project and Location	Delivery Method	Value	Completion
Downtown Water Main Phase A, *Tampa, FL*	PDB	$4.4M	10/2010
Irvins Creek Tributary Trunk Line, *Mint Hill, NC*	PDB	$3.5M	9/2019 (est.)
West Central Boulevard Gravity Sewer Roadway Utility and Streetscape – Phase 1, *Orlando, FL*	DB	$3.4M	1/2017
BFN Cooling Tower Lift Pump Bearing Lube Water Pump Station, *Athens, FL*	DB	$2.1M	5/2019 (est.)
West Central Boulevard Phase 2 - OUC Duct Bank, *Orlando, FL*	DB	$2.1M	7/2017
Villages Water Conservation Authority Irrigation Pump Station No. 10, *The Villages, FL*	DB	$2.0M	7/2009
SWCA Irrigation Pump Station No. 5, *The Villages, FL*	DB	$1.6M	8/2014
Villages Water Conservation Authority Irrigation Pump Station No. 8, *The Villages,* FL	DB	$1.6M	4/2008
Sumter Water Conservation Authority No. 1 Irrigation Pump Station, *The Villages,* FL	DB	$1.6M	8/2012
SWCA Irrigation Pump Station No. 4, *The Villages, FL*	DB	$1.6M	1/2014
Adjacent to CIAC Segment 1, *Tampa, FL*	PBD	$1.5M	6/2010
Brownwood Irrigation Pump Station No. 6, *The Villages, FL*	DB	$1.5M	6/2012
Sumter Water Conservation Authority No. 7 Irrigation Pump Station, *The Villages,* FL	DB	$1.4M	11/2012
P&DC - Storm Drain Pipe Rehabilitation, *Orlando, FL*	DB	$1.2M	12/2010
UCAP Task Order #12 CIAC 29th Street Overlap, *Tampa, FL*	DB	$1.0M	7/2009
Kingfisher Golf Course Irrigation Pump Station, *The Villages, FL*	DB	$685K	4/2009
Fairwinds Golf Course Irrigation Pump Station, *The Villages, FL*	DB	$585K	3/2009
Colony Golf Course Irrigation Pump Station, *The Villages, FL*	DB	$560K	1/2014
Bonifay Golf Course Irrigation Pump Station, *The Villages, FL*	DB	$552K	9/2011
Belle Glad Golf Course Irrigation Pump Station, *The Villages, FL*	DB	$532K	1/2014
Evans Prairie Golf Course Irrigation Pump Station, *The Villages, FL*	DB	$458K	5/2012
Big Cypress Golf Course Irrigation Pump Station, *The Villages, FL*	DB	$412K	4/2012
Reedy Creek MK Lift Station #7 Odor Control System, *Bay Lake, FL*	DB	$251K	8/2011
PSC Metals Stormwater Improvements, *Nashville, TN*	DB	$238K	10/2012
UCAP Downtown Water Main Phase C, *Tampa, FL*	PBD	$185K	9/2010
Mira Mesa Golf Course Pipeline, *The Villages, FL*	DB	$89K	8/2008

Having helped owners execute **286 COLLABORATIVE DELIVERY** projects, Garney brings the expertise to foster an **EFFECTIVE TEAM** with the City.

WEST CENTRAL BOULEVARD GRAVITY SEWER, ROADWAY, UTILITY, AND STREETSCAPE (DESIGN-BUILD), *ORLANDO, FL*

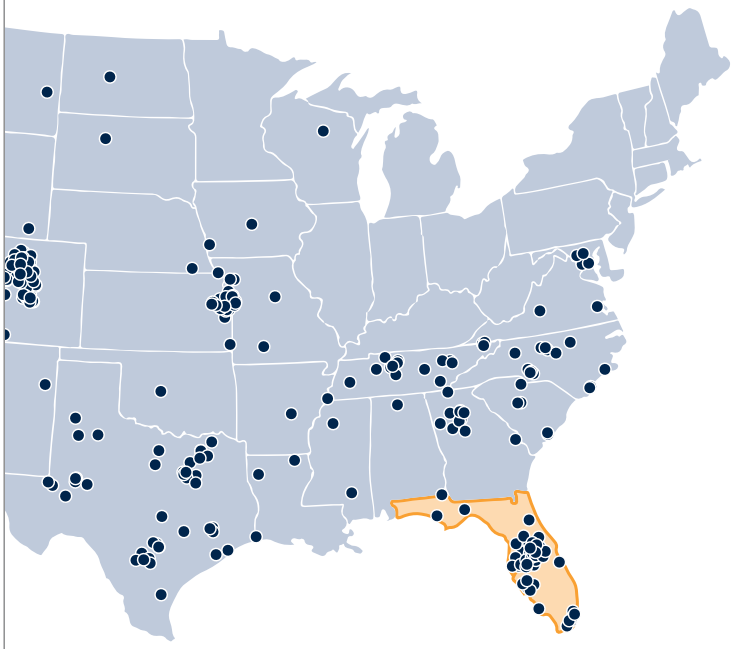
- Design and construction to upsize existing gravity sewer system to provide additional capacity
- Removal and replacement of 2,700 LF of 8" gravity sewer with 1,488 LF of 18" and 1,270 LF of 21" diameter PVC sewer lines
- New roadway, landscaping, lighting, traffic signals, and concrete curbing

UTILITY CAPITAL IMPROVEMENT PROJECTS (UCAP) (DESIGN-BUILD), *TAMPA, FL*

- $250M water and wastewater infrastructure program designed to improve reliability and service by replacing the City's aging water and wastewater pipelines
- MOT for 24/7 access to residents and businesses, as well as public outreach

MARKS STREET / PASADENA PLACE UTILITY IMPROVEMENTS (CMAR), *ORLANDO, FL*

- Relocation / replacement of 2,470 LF of existing 6" to 20" potable water mains and upsizing 2,130 LF of existing 8" and 10" gravity sanitary sewer
- Traffic control and maintain resident / business access
- Complete road demolition and reconstruction
- Exceeded City MBWE goal of 18% — achieving 23%



FLORIDA EXPERIENCE SUMMARY:

- ✓ 110 Florida DB, Progressive DB, and CMAR Projects
- ✓ Pipe Relocation and Installation in Urban Environment
- ✓ Upsizing Existing Distribution Systems
- ✓ Exceeding Client MBE/SBE/WBE Goals
- ✓ Construction with Florida Soils/Land Conditions
- ✓ Experience with FDOT/FDEP Permitting
- ✓ Design/Construction in Multiple ROWs
- ✓ Maintaining Roadway Access During Construction
- ✓ Developing/Implementing Intensive Safety Programs
- ✓ Construction in Highly Urbanized Area
- ✓ Effective Public Outreach Plans
- ✓ Complete Road Demolition and Reconstruction

RELEVANT PIPELINE EXPERIENCE

The following chart includes our team's specialized experience and technical competence relevant to the City's project. Reference projects are located in the subsequent pages.

	TEAM			PROJECT DETAILS			RELEVANCY TO CITY'S PROJECT									
Project and Location	**Garney**	**Holtz**	**CES**	**Value**	**Completion**	**Diameter and Footage**	**Urban Area**	**Water/ Reclaimed Main**	**Environmetnal Permitting**	**Public Outreach**	**MOT**	**Directional Drilling**	**Roadway & Restoration**	**Pump Station**	**Ground Storage Tank**	**Electrical / I&C**
West Avenue Neighborhood and Resiliency Improvements **(Design-Build)**, *Miami Beach, FL*			●	$70.0M	9/2022 (est.)	12" // 6,050 LF; 24" // 4,450 LF; 48" // 4,370 LF; 60" // 911 LF	●	●	●	●	●		●	●		●
Wet Weather Monitoring & Pumping System, *Largo, FL*	●			$38.9M	4/2016	12" – 30" // 77,000 LF	●	●		●	●	●	●	●		●
Cumberland City Low Transmission Water Main, *Nashville, TN*	●			$30.5M	9/2017	10" – 60" // 25,640 LF	●	●			●		●			
Utility Capital Improvement Projects (UCAP) **(Progressive Design-Build)**, *Tampa, FL*	●			$30.4M	10/2010	48" // 4,635 LF; 42" // 45,029 LF; 24" // 790 LF; 12" // 12,800 LF; 6" – 12" // 11,285 LF	●	●		●	●		●			
River Oaks Diversion Project **(Design-Build)**, *Tampa, FL*	●			$28.5M	10/2019 (est.)	20" // 10,020 LF; 36" // 5,040 LF; 30" // 12,800 LF	●	●	●	●	●	●	●			
Central Pasco Water System Improvements, *Pasco County, FL*	●			$24.1M	7/2010	12" – 36" // 84,450 LF		●	●		●	●	●			
Virginia-Highland Water Main, *Atlanta, GA*	●			$23.4M	5/2007	6", 8", 12" // 112,000 LF	●	●		●	●		●			
Regional Integrated Loop System - Phase 3A Interconnect Project, *Venice, FL*	●			$18.2M	07/2011	48" // 45,000 LF		●	●		●		●	●	●	●
Smith Mountain Lake WTP Pipelines - Contracts A, B, C, D, & E, **(Design-Build)**, *Bedford, VA*	●			$15.0M	12/2016	16" , 18" // 153,120 LF		●		●	●					
Lift Station Rehabilitiation, *Palm Beach County, FL*		●		$15.0M	11/2020 (est.)	Upgrade design/rehab of 100+ wastewater pump stations								●		●
Northern Region Utility Improvement, Phase II - Part B, *West Palm Beach, FL*	●			$13.8M	12/2006	10" – 30" // 174, 240 LF		●			●	●	●			
Desalination Plant 42" Transmission Main, *Tampa, FL*	●			$13.3M	11/2002	42" // 79,200 LF		●			●	●	●			
North Central Transmission Mains, *Hudson, FL*	●			$13.0M	3/2013	24" – 36" // 39,500 LF; 12" – 48" // 44,000 LF; 36" // 4,028 LF		●			●	●	●			
Moon Lake / Powerline Corridor Force Mains - Deer Park Diversion, *New Port Richey, FL*	●			$12.9M	9/2015	36" // 9,850 LF; 30" // 29,050 LF	●		●	●	●	●	●			
CIAC Segment 1 under the UCAP Program **(Progressive Design-Build)**, *Tampa, FL*	●			$12.7M	9/2010	42" // 24,700 LF	●	●		●	●		●			
Regional Integrated Loop System - Phase 1A Interconnect Project, *Punta Gorda, FL*	●			$12.3M	2/2012	24" // 47,520 LF	●	●			●	●	●	●	●	●
Central Regional Reclaimed Pipeline, *West Palm Beach, FL*	●			$11.9M	8/2010	36" // 37,185 LF; 36" // 6,715 LF		●	●		●	●	●			
West Pasco Improvements - Transmission Main, *Tampa, FL*	●			$11.1M	1/2008	36" – 42" // 12,140 LF		●	●			●	●			
Eastern Regional Water Supply Facility - Phase 2B, Package 4: Raw Water Main and Econ Demolition, *Orlando, FL*	●			$11.1M	5/2009	16" – 48" // 12,140 LF		●			●		●	●		●

Project and Location	TEAM			PROJECT DETAILS			RELEVANCY TO CITY'S PROJECT									
	Garney	Holtz	CES	Value	Completion	Diameter and Footage	Urban Area	Water/ Reclaimed Main	Environmetnal Permitting	Public Outreach	MOT	Directional Drilling	Roadway & Restoration	Pump Station	Ground Storage Tank	Electrical / I&C
North to Southeast Regional Water Treatment Plant Pipeline, *Bradenton, FL*	●			$11.0M	11/2005	30" // 67,000 LF; 16" // 13,000 LF		●			●		●			
West Central Reuse Interconnect & Storage Booster Station, *Land O'Lakes, FL*	●			$10.5M	3/2003	24" // 108,000 LF		●	●		●		●	●	●	●
Shenandoah B Neighborhood Improvements (Design-Build), *Miami, FL*			●	$10.4M	7/2005	8" // 46,000 LF	●	●	●	●	●		●			
UCAP 12th Street Force Main (Progressive Design-Build), *Tampa, FL*	●			$10.3M	10/2009	48" // 4,635 LF; 42" // 17,289 LF; 24" // 790 LF; 48" // 240 LF	●			●	●		●			
Kernan Boulevard Utility Improvements, *Jacksonville, FL*	●			$9.3M	5/2007	24" // 13,500 LF; 30" // 18,700 LF	●				●	●	●			
Marks Street / Pasadena Place Utility Improvements (CMAR), *Orlando, FL*	●			$6.4M	3/2017	20" // 310 LF ; 16" // 2,000 LF	●	●		●	●		●			
Perry Street Interim Diversion Facility Emergency Project (Progressive Design-Build), *Tampa, FL*	●			$5.1M	6/2018	20"// 9,900 LF	●		●	●	●	●	●			
City-wide Water Main Improvement Project, *Stuart, FL*		●		$4.9M	1/2018	6" – 12"// 59,000 LF	●	●		●	●	●	●			
Downtown Water Main Phase A (Progressive Design-Build), *Tampa, FL*	●			$4.4M	10/2010	12" // 11,500 LF	●	●		●	●		●			
RWS Extension - Keen, Clarcona (CR 435), Old Apopka, & Snowden Roads, *Apopka, FL*	●			$4.3M	4/2015	48" // 12,600 LF	●	●			●					
Lyons Road and Pinehurst Drive Pipeline Improvements, *West Palm Beach, FL*	●			$3.9M	10/2004	42" // 32,000 LF; 30" // 5,600 LF; 24" // 5,200 LF		●			●					
Hood Road WTP Ground Storage Tanks Nos. 5, 6, and 7, *Palm Beach Gardens, FL*		●		$3.8M	10/2017	2-MG prestressed-concrete GSTs									●	●
Nanofiltration Concentrate Pipeline and Blending Pump Station, *Palm Beach Gardens, FL*		●		$3.4M	11/2003	16" // 20,064 LF		●				●	●	●		●
Tropical Farms Reclaimed Water Storage and Pumping Station, *Stuart, FL*		●		$3.1M	5/2018	1-MG prestressed-concrete GST; 18" – 36" suction/discharge piping								●	●	●
Summerfield Reclaimed Water Transmission Main, *Tampa, FL*	●			$2.6M	7/2004	16" // 17,000 LF; 12" // 8,000 LF					●	●	●			
Hood Road Floridan Aquifer Raw Water Main, *Palm Beach Gardens, FL*		●		$1.7M	7/2018	36" and 42" // 2,800 LF; 2" // 4,200 LF		●			●	●	●			
Adjacent To CIAC Segment 1 (Progressive Design-Build), *Tampa, FL*	●			$1.5M	6/2010	6" – 12" // 11,285 LF	●	●		●	●		●			
UCAP Task Order #12, CIAC 29th Street Overlap (Design-Build), *Tampa, FL*	●			$1.0M	7/2009	42" // 2,500 LF	●	●		●	●		●			
Washington Road, *West Palm Beach, FL*			●	$664K	3/2021 (est.)	8" // 2,200 LF; 12" // 3,300 LF; 30" // 2,200 LF;	●	●	●	●	●		●	●		●
Water Main Looping Projects, *Palm Beach Cty, FL*			●	$487K	3/2019	12" // 2,700 LF; 8" // 6,100 LF; 6" // 2,100 LF	●	●		●	●	●	●			
UCAP Downtown Water Main Phase C (Progressive Design-Build), *Tampa, FL*	●			$185K	10/2010	12" // 1,300 LF	●	●		●	●					

WEST CENTRAL BOULEVARD GRAVITY SEWER, ROADWAY, UTILITY, AND STREETSCAPE (DESIGN-BUILD)

ORLANDO, FLORIDA

Garney was selected as the design-builder for the upsizing the existing gravity sewer system to provide additional capacity for the City of Orlando's new major league soccer stadium. The project was executed in three phases including:

PHASE I: This required removal and replacement of 2,700 LF of 8" gravity sewer with 18" and 21" diameter PVC sewer lines, including 22 new manholes and laterals.

This involved installation of stub-out service lines for future developments along West Central Boulevard, a highly traveled thoroughfare. Garney crews bypassed existing sewer flows and implemented a sequenced maintenance of traffic plan to close segments of the roadway. Detours were provided for both pedestrian and vehicular traffic. Restoration included removal and salvaging of brick roadway for the City's future use. **Garney completed Phase 1 under an aggressive schedule to meet the soccer stadium's home opener. Upon completion, the final contract value was nearly 15% below budget.**

PHASE 2: This project included installation of 2,100 LF of 6-way and 3,550 LF of 4-way underground 6" schedule 40 PVC duct bank within W. Central Boulevard. The project is the second phase of the W. Central Boulevard design-build project to prepare the right-of-way (ROW) for streetscape by relocating the overhead power to underground facilities. The duct bank system included 8EA 15' x 7' precast electrical manholes, multiple electrical stub-outs, transformer pads for transfer of electrical service to businesses along the project route, as well as paving.

PHASE 3: This included new roadway, landscaping, lighting, traffic signals, and concrete curbing.

PROJECT INFORMATION

1. Client Name/Owner's Representative name, address, phone number, and email:
City of Orlando; Mike Melzer, Project Manager,
400 South Orange Avenue, Orlando, FL 32802
Tel: 407.246.3187;
Email: michael.melzer@cityoforlando.net

2. Name and Location of the Project. Description of the scope of work:
West Central Boulevard Gravity Sewer, Roadway, Utility, and Streetscape, Orlando, FL
Project description detailed to the left.

3. Role your company provided:
Garney – Design-Builder
Key personnel involvement:
Dan Smolik – Senior Project Manager
Ryan Smith – Safety Manager

4. Date project was completed or is anticipated to be completed: 12/2018

5. Size of project (gross square feet of construction):
205,000 square feet

6. Original Owner Budget vs. Final GMP:
$11,578,851 / $10,498,446

7. Savings achieved through Value Engineering or other approaches: $1,080,405

8. The percentage of the GMP for General Conditions, Profit and an Overhead: 13%

9. The total amount of approved Change Orders added to the Original GMP:
$0 – Change orders were paid through contingency established within the GMP. GMP value was never increased.

10. The dollar amount of fees for Pre-Construction Services: $487,025 (included design services to 100%)

11. The dollar value and the percentage of the final GMP awarded to and performed by local subcontractors (of any tier) and SBE subcontractors (of any tier): Local: $273,264/3%; Minority or Woman Business: $3,510,828/38%

12. Present status of the project:
Construction Completed

WEST CENTRAL BOULEVARD GRAVITY SEWER, ROADWAY, UTILITY, AND STREETSCAPE (DESIGN-BUILD)

ORLANDO, FLORIDA

Similar Size, Scope, and Complexity

- Design and construction to upsize existing gravity sewer system to provide additional capacity
- Completed under design-build delivery method
- Project cost greater than $1M
- Installation of stub-out service lines
- Vehicle and pedestrian MOT for heavy traveled roadway
- Removal and salvaging of brick roadway
- New roadway, landscaping, lighting, traffic signals, concrete curbing
- Public outreach

Relevant Qualifications to the City's Project

TECHNICAL ASPECTS

Pipeline Replacement: Removal and replacement of 2,700 LF of 8" gravity sewer with 1,488 LF of 18" and 1,270 LF of 21" diameter PVC sewer lines, as well as 22 new 48" and 60" manholes and laterals.

Utilities: Project included relocating the overhead power to underground facilities.

COMMUNITY IMPACTS

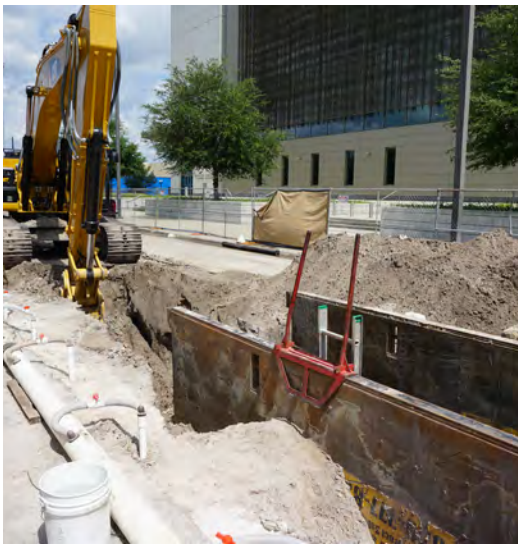
MOT: Garney provided MOT for 24/7 access to residents and businesses. Detours were provided for both pedestrian and vehicular traffic.

Maintaining Access for the Public: Garney coordinated directly with businesses and government buildings along the Boulevard to maintain access during construction. This included burial of dewatering and bypass piping at driveway crossings and coordinated utility installations during off-peak business hours.

PROJECT DELIVERY

Final Roadway Restoration: The final phase of this project included rebuilding roadway, sidewalk / curb, installing new streetlights, trees, fence, and rebuilding the entire ROW for the length of the project.

Meeting Aggressive Schedules: Garney completed Phase 1 under an aggressive schedule to meet the soccer stadium's home opener. Upon completion, the final contract value was nearly 15% below budget.



Garney was selected as the design-builder for this three-phased project to upsize the City's existing gravity sewer system.

Garney provided MOT for 24/7 access to residents and businesses, as well as public outreach services during construction.

MARKS STREET / PASADENA PLACE UTILITY IMPROVEMENTS (CMAR)

ORLANDO, FLORIDA

This project involved design and replacement of the existing sanitary sewer collection system and the relocation of the potable water distribution system located within the Marks Street right-of-way from Orange Avenue to Mills Avenue.

Garney was responsible for preconstruction and construction efforts on the installation of 4,600 LF of 8" and 10" gravity sanitary sewer, the replacement of 19 existing sanitary manholes, and replacement of all existing sanitary sewer laterals.

Stormwater improvements involved replacement of the drainage system and storm sewer improvements included the replacement (upsizing) of 990 LF of existing 12" and 18" reinforced concrete pipe. One challenge was an existing cast iron force main located in close proximity to the proposed sewer line; it was believed that this force main was installed prior to 1947. Dewatering coordination with Lake Highland Preparatory School as well as other local businesses was imperative.

As the route was located in an urban area, Garney divided the project in fourteen phases to maintain traffic through several major FDOT intersections, as well as to provide access to all businesses without interruption throughout construction. Each phase was completed with services transferred to the new mains and restoration complete before moving to the next phase. This project required a large amount of redesign dealing with utility conflicts not discovered during design.

Preconstruction efforts involved value engineering, a cost estimate based on 100% plans, work packages for soliciting subcontractors, public information meetings, accepting bids from subcontractors and developing a GMP. Garney, the Engineer, and City worked closely together with business/property owners, to either maintain access or provide an alternative access route additional time to secure easements for the pipeline corridor.

PROJECT INFORMATION

1. Client Name/Owner's Representative name, address, phone number, and email:
City of Orlando
Kristi Fries, Project Manager
400 South Orange Avenue, Orlando, FL 32802
Tel: 407.246.3353;
Email: kristina.fries@cityoforlando

2. Name and Location of the Project. Description of the scope of work:
Marks Street / Pasadena Place Utility Improvements, Orlando, FL
Project description detailed to the left.

3. Role your company provided:
Garney – Construction Manager
Key personnel involvement:
Dan Smolik – Construction Manager
Will Poczekaj – Project Manager
Ryan Smith – Safety Manager
Humberto Del Cid – Superintendent

4. Date project was completed or is anticipated to be completed: 10/2017

5. Size of project (gross square feet of construction): 118,000 square feet

6. Original Owner Budget vs. Final GMP: $5,325,965 / $6,311,207

7. Savings achieved through Value Engineering or other approaches: $N/A

8. The percentage of the GMP for General Conditions, Profit and an Overhead: 12.8%

9. The total amount of approved Change Orders added to the Original GMP: 16* – Owner-initiated changes to the construction phasing, addition of complete roadway reconstruction, addition of storm sewer improvements and repairs, addition of abandoned utility investigation and removal, and significant outside party cooperation and redesigns of the existing utility conflicts.

10. The dollar amount of fees for Pre-Construction Services: $50,000

11. The dollar value and the percentage of the final GMP awarded to and performed by local subcontractors (of any tier) and SBE subcontractors (of any tier): $1,001,301 / 16%

12. Present status of the project:
Construction Complete

MARKS STREET / PASADENA PLACE UTILITY IMPROVEMENTS (CMAR)

ORLANDO, FLORIDA

Similar Size, Scope, and Complexity

- Design and construction to upsize existing gravity sanitary sewer system to provide additional capacity
- Stormwater system improvements to improve drainage
- Completed under CMAR delivery method
- Project cost greater than $1M
- Vehicle and pedestrian MOT for heavy traveled roadway
- Construction in highly urbanized area
- Traffic control and maintain resident / business access
- Complete road demolition and reconstruction
- Exceeded City MBWE goal of 18% — achieving 23%

Relevant Qualifications to the City's Project

TECHNICAL ASPECTS

Pipeline Replacement: Relocation and replacement of 2,470 LF of existing 6" to 20" potable water mains and upsizing 2,130 LF of existing 8" and 10" gravity sanitary sewer.

Utilities: Project required a large amount of redesign dealing with utility conflicts not discovered during design.

COMMUNITY IMPACTS

Extensive MOT: Construction broken into fourteen phases to maintain traffic through several major FDOT intersections, as well as to provide access to all businesses without interruption throughout construction.

Maintaining Access for the Public: Bypass pumping was complex at intersecting main locations where six pump setups with hundreds of feet of discharge were maintained along with driveway ramps to provide resident and business access.

PROJECT DELIVERY

Final Roadway Restoration: Construction in highly urban area with some areas requiring special construction techniques for removal / reconditioning of the roadway brick.

Meeting Client Goals: This project was completed successfully on schedule and met the 23% MWBE participation goal.

"I would like to thank Garney for your outstanding performance during recent road construction in front of my business. You did a fantastic job communicating, planning, and coordinating the access to my office during all construction phases. I could not have been more pleased."

- DR. JERRY SWEITZER (BUSINESS OWNER ON THE ROUTE)

PERRY STREET INTERIM DIVERSION FACILITY EMERGENCY PROJECT (PROGRESSIVE DESIGN-BUILD)

TAMPA, FLORIDA

Garney was selected to serve as the design-builder for the City of Tampa's progressive-design build Perry Street Interim Diversion Facility Emergency project. Phase I included preconstruction services including pipeline route selection, geotechnical services, subsurface utility investigation, pre-application meetings with permitting, surveying, 30% design, and construction cost estimating.

Garney was selected to serve as the design-builder for the installation of 9,900 LF of 20" PVC sanitary force main with 8,350 LF of the pipe installation completed using horizontal directional drilling methods to minimize asphalt surface restoration and allow for minimal impacts to residential driveways. The remaining 1,250 LF of pipe installation was completed using traditional open-cut methods.

The new force main connects to an existing force main via a tapping sleeve and valve. Flows are conveyed through the new force main via a skid mounted pipe and mechanical piping constructed at the existing Perry Street Pump Station. The project also required 25 MGD of bypass pumping, 1,500 LF of dewatering, and paving.

The pipeline route located within city right-of-way which is primarily residential areas which required permitting and traffic detours during the execution of work. Considerations were taken during the pipeline installation to minimize impacts to residential driveways.

Garney performed value engineering by route selection to minimize public impacts and facilitate longer directional drilling. This saved the City two weeks in meeting the City's aggressive schedule. As a result, Garney completed this project $128,984 below budget.

PROJECT INFORMATION

1. Client Name/Owner's Representative name, address, phone number, and email:
City of Tampa
Charlie Lynch, Chief Engineer
2545 Guy N. Verger Boulevard, Tampa, FL
Tel: 813.274.8916;
Email: Charlie.Lynch@tampagov.net

2. Name and Location of the Project. Description of the scope of work:
Perry Street Interim Diversion Facility Emergency Project, Tampa, FL
Project description detailed to the left.

3. Role your company provided:
Garney – Design-Builder
Key personnel involvement:
Dan Smolik – Director
Kevin Kraus – Project Engineer
Humberto Del Cid – Superintendent
Ryan Smith – Safety Manager
Mark Kelly – Preconstruction Coordinator

4. Date project was completed or is anticipated to be completed: 6/2018

5. Size of project (gross square feet of construction): 350,100 square feet

6. Original Owner Budget vs. Final GMP: $5,196,213 / $5,067,229 – Garney completed this project $128,984 under budget.

7. Savings achieved through Value Engineering or other approaches: $128,984

8. The percentage of the GMP for General Conditions, Profit and an Overhead: 17%

9. The total amount of approved Change Orders added to the Original GMP: $0 – Change orders were paid through contingency established within the GMP. GMP value was never increased.

10. The dollar amount of fees for Pre-Construction Services: $178,577 – (design to 30%)

11. The dollar value and the percentage of the final GMP awarded to and performed by local subcontractors (of any tier) and SBE subcontractors (of any tier): $245,615.57 / 5%

12. Present status of the project:
Construction completed

PERRY STREET INTERIM DIVERSION FACILITY EMERGENCY PROJECT
(PROGRESSIVE DESIGN-BUILD)
TAMPA, FLORIDA

Similar Size, Scope, and Complexity

- Design and construction of sanitary force main
- Completed under progressive design-build delivery method
- Project cost greater than $1M
- HDD methods utilized to minimize asphalt restoration
- Traditional open cut installation also utilized
- Pipeline route in urban setting and City ROW
- Value engineering resulting in cost-savings to City
- Roadway paving
- Bypass pumping

Relevant Qualifications to the City's Project

TECHNICAL ASPECTS

Pipeline Replacement: Installation of 9,900 LF of 20" PVC sanitary force main with 8,350 LF installed via HDD to minimize asphalt surface restoration and allow for minimal impacts to residential driveways.

Installation: The remaining 1,250 LF of pipe installation was completed using traditional open-cut methods.

COMMUNITY IMPACTS

MOT: Project required permitting and traffic detours during the execution of work. Considerations were taken during the pipeline installation to minimize impacts to residential driveways.

Maintaining Access for the Public: Pipeline route was located within City right-of-way which is primarily residential areas requiring permitting and traffic detours during the execution of work.

PROJECT DELIVERY

Exceeding Client Goals: Garney performed value engineering of route selection to minimize public impacts and facilitate longer directional drilling, saving the City two weeks off the original schedule, and completing the project $128,984 under budget.

Meeting Aggressive Schedules: This project was completed on an accelerated project, including the design and construction in eight months.

HDD methods to minimize asphalt surface restoration and allow for minimal impacts to residential driveways.

The project also requires 25 MGD of bypass pumping, 1,500 LF of dewatering, and paving.

UTILITY CAPITAL IMPROVEMENT PROJECTS (UCAP)
(PROGRESSIVE DESIGN-BUILD)
TAMPA, FLORIDA

The City of Tampa implemented a $250M water and wastewater infrastructure program designed to improve reliability and service by replacing the City's aging water and wastewater pipelines. **Garney utilized a progressive design-build approach to complete six utility capital improvement projects to install open cut pipework throughout the city.**

Garney installed 4,635 LF of 48" ductile iron force main, 45,029 LF of 42" ductile iron water main, 790 LF of 24" ductile iron force main, 12,800 LF of 12" ductile iron water main, 11,285 LF of new 6" to 12" ductile iron water mains, 1,745 LF of small diameter water main relocations, small diameter connecting water mains, 240 LF of 48" HOBAS (centrifugally cast, glass fiber reinforced, polymer mortar pipe) gravity main, a cast-in-place junction chamber for the 48" gravity main to feed into an existing 54" reinforced concrete pipe (RCP) main, five 60" steel casings via jack and bore, three 60" micro-tunnels, more than 25 fire hydrants, and 77 water services.

In addition, Garney decommissioned and removed existing water mains, relocated 660 LF of sanitary sewer, and completed wet tap connections to existing water mains and connections to sewers.

The primarily urban installation areas provided special challenges, including utility relocation, significant roadway restoration, traffic control and management, overhead tree canopy, and dewatering. Dewatering was used with well point systems.

Restoration included rebuilding roads, sidewalks, curbs, and driveways; replacing sod; and striping. For one segment of the pipeline, restoration activities included placement of 37,000 SY of asphalt, removal and replacement of 1,000 SY of 100-year-old brick roads, and removal and replacement of 2,000 LF of granite curb.

PROJECT INFORMATION

1. Client Name/Owner's Representative name, address, phone number, and email:
City of Tampa
Don Cermeno, Chief Construction Engineer
306 East Jackson Street, Tampa, FL 33602
Tel: 813.393.7896
Email: Don.cermeno@tampagov.net

2. Name and Location of the Project. Description of the scope of work:
UCAP, Tampa, FL
Project description detailed to the left.

3. Role your company provided:
Garney – Design-Builder
Key personnel involvement:
Ryan Smith – Safety Manager

4. Date project was completed or is anticipated to be completed:
9/2010

5. Size of project (gross square feet of construction):
2,760,000 square feet

6. Original Owner Budget vs. Final GMP:
$30,306,961 / $30,361,814

7. Savings achieved through Value Engineering or other approaches:
$N/A – Value engineering performed during design

8. The percentage of the GMP for General Conditions, Profit and an Overhead:
16%

9. The total amount of approved Change Orders added to the Original GMP:
1 – Added scope of work by Owner

10. The dollar amount of fees for Pre-Construction Services:
$139,354

11. The dollar value and the percentage of the final GMP awarded to and performed by local subcontractors (of any tier) and SBE subcontractors (of any tier):
$6,072,362.80 / 20%

12. Present status of the project: Completed

UTILITY CAPITAL IMPROVEMENT PROJECTS (UCAP)
(PROGRESSIVE DESIGN-BUILD)
TAMPA, FLORIDA

Similar Size, Scope, and Complexity

- Design and construction to improve reliability of water and wastewater pipeline infrastructure
- Progressive design-build delivery method
- Project cost greater than $1M
- Installation of open cut pipework
- MOT and 24/7 access to residents and businesses
- Value engineering
- Roadway restoration including curb and sidewalk restoration, final milling, and overlay
- Public outreach

Relevant Qualifications to the City's Project

TECHNICAL ASPECTS

Pipeline Replacement: Constructed six projects totaling more than 73,000 LF of open trench pipeline installation ranging in size from 48" to 12"– several large diameter tie-ins requiring bypass pumping and interceptor structures

Utilities: The team was able to alleviate issues relating to overhead power lines, buried utilities, and traffic control without impacting the project flow

COMMUNITY IMPACTS

MOT: Garney provided MOT for 24/7 access to residents and businesses, as well as public outreach.

Maintaining Access for the Public: In an effort to minimize disruption to residents, Garney supplied two crews to perform construction operations. This allowed for preparation work, pipe installation, and restoration to be performed simultaneously before moving to the next area. As many as six Garney crews were working simultaneously on the project at its peak.

PROJECT DELIVERY

Final Roadway Restoration: Restoration included rebuilding roads, sidewalks, curbs, and driveways; replacing sod; and striping

Meeting Aggressive Schedules: Garney was able to minimize disturbance to the neighborhood and reduced restoration costs for the City of Tampa.

As many as six Garney crews were working simultaneously on the project at its peak in order to minimize diruptions to residents.

This project involved installation of pipeline in an urban area and included significant roadway restoration and traffic control and management.

SHENANDOAH B NEIGHBORHOOD IMPROVEMENTS (DESIGN-BUILD)

MIAMI-DADE COUNTY, FLORIDA

The Shenandoah neighborhood is one of the older neighborhoods within the City of Miami. The water supply for residents in the area is primarily through 2" water mains that are located within easements to the rear of the properties.

The Miami-Dade County Water and Sewer Department (WASD) has selected our design-build team to replace the water mains with 46,000 LF of 8" water mains relocated to the public roadway right-of-way. The project area is bounded by SW 16th Street, SW 22nd Street, SW 17th Avenue and SW 27th Avenue, also referred to as Shenandoah. Additionally, the design-build team will relocate the existing water meters from the rear of the property to the front of the property and install new service lines from the water meter to the residence.

The project will produce the following benefits to the residents.

- Increase water service pressure and flow
- Eliminate water mains within the easement at the rear of the properties
- Relocate water meters within the public right-of-way
- Increase fire hydrant coverage and fire protection

Because this project takes place within the public ROW, as well as private property, a thorough and comprehensive community outreach program was critical to the success of this project. CES developed a Communication program that will provide clear dialogue between the design-build team, residents, public officials, and City of Miami staff.

Additionally, CES developed an aggressive project phasing program that allows for a parallel execution of multiple sequential services CES is responsible for the following services:

- Surveying and Geotechnical services
- Utility coordination
- Design
- Scheduling and cost estimating
- Public right-of-way and Private property permitting
- Public outreach
- Construction phase services

PROJECT INFORMATION

1. Client Name/Owner's Representative name, address, phone number, and email:
Lanzo Construction;
125 SE 5th Court
Jorge Valdes, Project Manager
Tel: 954.931.2106
Email: jorgev@lanzo.org

2. Name and Location of the Project. Description of the scope of work:

Shenandoah B Neighborhood Improvements SW 16th Street, SW 22nd Street, SW 17th Avenue and SW 27th Avenue, also referred to as Shenandoah Neighborhood. Project detailed to the left

3. Role your company provided:
CES – Lead Designer

4. Date project was completed or is anticipated to be completed: 1/2018

5. Size of project (gross square feet of construction):
46,000 LF of 8" water mains

6. Original Owner Budget vs. Final GMP:
$11,485,000 / $9,757,000

7. Savings achieved through Value Engineering or other approaches:
Phasing of Design Provided Construction Early Start and Schedule Reduction

8. The percentage of the GMP for General Conditions, Profit and an Overhead:
N/A

9. The total amount of approved Change Orders added to the Original GMP:
No changes

10. The dollar amount of fees for Pre-Construction Services:
$860,000

11. The dollar value and the percentage of the final GMP awarded to and performed by local subcontractors (of any tier) and SBE subcontractors (of any tier):
$1,704,000/21%

12. Present status of the project:
Completed

SHENANDOAH B NEIGHBORHOOD IMPROVEMENTS (DESIGN-BUILD)

MIAMI-DADE COUNTY, FLORIDA

Similar Size, Scope, and Complexity

- Design and construction to upsize existing water system to provide additional capacity
- Relocation of water mains on private property
- Completed under design-build delivery method
- Project cost greater than $1M
- Vehicle and pedestrian MOT for urban neighborhood, with parks and schools nearby
- New roadway, landscaping, lighting, traffic signals, concrete curbing
- Public outreach

Relevant Qualifications to the City's Project

TECHNICAL ASPECTS

Pipeline Installation: Installation of over 46,000 LF of 8" water mains, including connections to 600 private residences. Increased fire protection syStems throughout neighborhood.

Meter Relocation: Relocation of water meters from rear of private property to front for easier access and maintenance.

COMMUNITY IMPACTS

MOT: CES worked with the contractor to ensure MOT for 24/7 access to residents, with special attention paid to school and park traffic. Detours were provided for both pedestrian and vehicular traffic.

Public Involvement: CES provided public involvement services for this project. This included creating and managing a project website and social media, attending neighborhood meetings and events, and creation and distribution of notifications left at residences.

PROJECT DELIVERY

Final Roadway Restoration: The final phase of this project included complete restoration of roadway, sidewalk / curb, and private property as it related to water meter relocations.

CES worked closely with the contractor, Miami-Dade County and the City of Miami to ensure successful project delivery.

NOTARIZED STATEMENT OF BONDING CAPACITY

The City of Boynton Beach needs a contractor that is financially strong. Garney meets this need. Having been in business since 1961, we have built a solid financial foundation that is rare in this industry. Our banking and bonding relationships are solid. These relationships allow Garney to be a single source contractor for our clients on water and wastewater projects of any size.

Garney's history of outstanding performance has resulted in exceptionally high bonding capacity. The safety and security of your project will be backed by a dual surety arrangement with The Continental Insurance Company, a CNA Surety Company, and Liberty Mutual Group. These firms' financial strength is evident in top rankings from insurance and credit rating agencies.

Garney has an individual project limit of $540 million within a $2 billion aggregate program. Garney is fully capable of providing 100 percent payment and performance bonds for this project.

We have included a notarized statement stating our ability to meet the City's bonding requirements for this project in the following pages.

Liberty Mutual Surety

8700 Indian Creek Parkway
Suite 350
Overland Park, KS 66210

March 5, 2019

City of Boynton Beach
Procurement Services
Attn: Taralyn Pratt, Contract Coordinator
3301 Quantum Boulevard, Suite 101
Boynton Beach, FL 33426

With Respect To: GARNEY COMPANIES, INC.
Project: Reclaimed Water Distribution System Progressive Design/Build – RFQ No. 013-2821-19/TP

Mrs. Pratt:

In connection with the requirements of your Request for Proposal related to the captioned project, you have requested information concerning Garney Companies, Inc.'s bond program, we are pleased to respond in that regard.

Bonds have been written on a co-surety basis by The Continental Insurance Company, a member of the CNA Group of Insurance Companies, and Liberty Mutual Insurance Company, a member of the Liberty Mutual Insurance Companies, since 2006. A.M. Best currently rates The Continental Insurance Company "A," Class Size XV, and Liberty Mutual Insurance Company "A," Class Size XV. The Continental Insurance Company and Liberty Mutual Insurance Company are approved for federal projects as provided for in the current online edition of the Department of the Treasury - Circular 570 with underwriting limitations of $155,806,000 and $1,122,392,000 respectively. Both The Continental Insurance Company and Liberty Mutual Insurance Company are licensed to write bonds in all 50 states

The largest project bonded by the sureties on behalf of Garney Companies totaled $540,000,000. The sureties have committed a $2,000,000,000 aggregate cost to complete program. At present, approximately $1,000,000,000 of this facility remains available for use. Garney Companies enjoys a national reputation as one of the premier contractors performing sewer and water line work, with particular expertise in large diameter installations, and constructing water and wastewater treatment facilities. The company's experience includes a broad range of alternative procurement methodologies. At no time during our history with the account have they been refused a bond nor have there been any bond claims. Garney Companies remains an account in good standing.

Any request for bonds is a matter between Garney Companies and the sureties and will be underwritten based on its own merits. The sureties assume no liability to any party if for any reason they do not execute said bonds. Based on the information currently in our possession, the sureties are prepared to give favorable consideration to the issuance of the bonds required in connection with this procurement.

We recommend your consideration of Garney Companies, Inc. If you require additional information, please contact me.

Sincerely,

Dalton Joyce
Attorney-in-Fact
Liberty Mutual Insurance Company

SUSAN E. MIRANDA
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 9/6/2022
COMMISSION #97497344

Member of Liberty Mutual Group

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: **8196853**

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, C. LaVonne Engeman, Thomas M. English, J. Douglas Joyce, Dalton Joyce, Michael T. Kelly, Thomas P. Latz, Brenda L. Linze , Susan E. Miranda, Linda L. Nutt, Michael L. Swift, Eric Van Buskirk

all of the city of Kansas City state of MO each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 17th day of September , 2018 .

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: _____
David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 17th day of September , 2018 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021
Member, Pennsylvania Association of Notaries

By: _____
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS: Section 12. Power of Attorney.
Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts: Section 5. Surety Bonds and Undertakings.
Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this _____ day of _____, _____.

By: _____
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

CNA SURETY

7400 College Boulevard, Suite 650
Overland Park, KS 66210

March 5, 2019

City of Boynton Beach
Procurement Services
Attn: Taralyn Pratt, Contract Coordinator
3301 Quantum Boulevard, Suite 101
Boynton Beach, FL 33426

With Respect To: GARNEY COMPANIES, INC.
Project: Reclaimed Water Distribution System Progressive Design/Build – RFQ No. 013-2821-19/TP

Mrs. Pratt:

In connection with the requirements of your Request for Proposal related to the captioned project, you have requested information concerning Garney Companies, Inc.'s bond program, we are pleased to respond in that regard.

Bonds have been written on a co-surety basis by The Continental Insurance Company, a member of the CNA Group of Insurance Companies, and Liberty Mutual Insurance Company, a member of the Liberty Mutual Insurance Companies, since 2006. A.M. Best currently rates The Continental Insurance Company "A," Class Size XV, and Liberty Mutual Insurance Company "A," Class Size XV. The Continental Insurance Company and Liberty Mutual Insurance Company are approved for federal projects as provided for in the current online edition of the Department of the Treasury - Circular 570 with underwriting limitations of $155,806,000 and $1,122,392,000 respectively. Both The Continental Insurance Company and Liberty Mutual Insurance Company are licensed to write bonds in all 50 states

The largest project bonded by the sureties on behalf of Garney Companies totaled $540,000,000. The sureties have committed a $2,000,000,000 aggregate cost to complete program. At present, approximately $1,000,000,000 of this facility remains available for use. Garney Companies enjoys a national reputation as one of the premier contractors performing sewer and water line work, with particular expertise in large diameter installations, and constructing water and wastewater treatment facilities. The company's experience includes a broad range of alternative procurement methodologies. At no time during our history with the account have they been refused a bond nor have there been any bond claims. Garney Companies remains an account in good standing.

Any request for bonds is a matter between Garney Companies and the sureties and will be underwritten based on its own merits. The sureties assume no liability to any party if for any reason they do not execute said bonds. Based on the information currently in our possession, the sureties are prepared to give favorable consideration to the issuance of the bonds required in connection with this procurement.

We recommend your consideration of Garney Companies, Inc. If you require additional information, please contact me.

Sincerely,

Dalton Joyce
Attorney-in-Fact
The Continental Insurance Company

SUSAN E. MIRANDA
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 9/6/2022
COMMISSION #97497344

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That The Continental Insurance Company, a Pennsylvania insurance company, is a duly organized and existing insurance company having its principal office in the City of Chicago, and State of Illinois, and that it does by virtue of the signature and seal herein affixed hereby make, constitute and appoint

J Douglas Joyce, Eric Van Buskirk, Linda L Nutt, Brenda L Linze, C Lavonne Engeman, Susan E Miranda, Dalton Joyce, Individually, of Kansas City, MO
Michael L Swift, Thomas M English, Individually, of Shawnee Mission, KS

its true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on its behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of the insurance company and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Law and Resolutions, printed on the reverse hereof, duly adopted, as indicated, by the Board of Directors of the insurance company.

In Witness Whereof, The Continental Insurance Company has caused these presents to be signed by its Vice President and its corporate seal to be hereto affixed on this 25th day of October, 2018.

THE CONTINENTAL INSURANCE COMPANY

The Continental Insurance Company

Paul T. Bruflat — Vice President

State of South Dakota, County of Minnehaha, ss:

On this 25th day of October, 2018, before me personally came Paul T. Bruflat to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of The Continental Insurance Company, a Pennsylvania insurance company, described in and which executed the above instrument; that he knows the seal of said insurance company; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said insurance company and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance company.

J. MOHR
SEAL NOTARY PUBLIC SOUTH DAKOTA SEAL

My Commission Expires June 23, 2021

J. Mohr — Notary Public

CERTIFICATE

I, D. Johnson, Assistant Secretary of The Continental Insurance Company, a Pennsylvania insurance company, do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Law and Resolution of the Board of Directors of the insurance company printed on the reverse hereof is still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance company this _____ day of _____, _____.

THE CONTINENTAL INSURANCE COMPANY

The Continental Insurance Company

D. Johnson — Assistant Secretary

Form F6850-4/2012

Go to www.cnasurety.com > Owner / Obligee Services > Validate Bond Coverage, if you want to verify bond authenticity.

Authorizing Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF THE CONTINENTAL INSURANCE COMPANY:

This Power of Attorney is made and executed pursuant to and by authority of the following By-Law duly adopted by the Board of Directors of the Company at a meeting held on May 10, 1995.

> "RESOLVED: That any Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Group Vice President to the Secretary of the Company prior to such execution becoming effective."

This Power of Attorney is signed by Paul T. Bruflat, Vice President, who has been authorized pursuant to the above resolution to execution power of attorneys on behalf of The Continental Insurance Company.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of the Company by unanimous written consent dated the 25th day of April, 2012:

> "Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the "Authorized Officers") to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and
>
> Whereas, from time to time, the signature of the Authorized Officers in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, "Electronic Signatures"); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company."

SECTION 3

QUALIFICATIONS OF PROJECT TEAM AND AVAILABILITY OF SPECIALTY RESOURCES

SECTION 3

QUALIFICATIONS OF PROJECT TEAM AND AVAILABILITY OF SPECIALTY RESOURCES

ORGANIZATIONAL CHART

The Garney Team provides committed, design-build professionals that will deliver a quality solution, while providing an outstanding partnership with the City.

Our team members have been chosen based on their experience with the design and construction of water and stormwater distribution systems, as well as their experience with other relevant collaborative delivery projects throughout Florida. Our collective experience with similar projects provides us the skills to optimize design and construction, which will benefit our team in successfully completing the City's reclaimed water distribution system improvements.

We have included an organizational chart delineating all of our team member's roles and functions associated with the project on the following page.

MANAGEMENT TEAM

Garney's approach to management starts with establishing a team structure with a single point-of- contact and single point-of responsibility. Our team will be led by Design-Build Manager **Dan Smolik** who will be involved in all stages of the project ensure consistency throughout the entire project. Dan will be supported by Design Manager **Stephen Fowler, PE**, Preconstruction Coordinator, **Mark Kelly,** and Construction Manager **Will Poczekaj**.

Together, we will work in a collaborative environment with the City and key stakeholders. Our team will be fully dedicated and strive to provide management services with a commitment to transparent leadership. We will establish clear lines of communication with the City by working closely together at the early stages of the project, which will aid us in meeting the City's goals and objectives on this project. **Our management team offers a depth of experience with similiar design and construction of municipal pipeline and roadway projects with several examples listed below.** They will leverage this experience to ensure the City's project is delivered on-time and on-budget.

MANAGEMENT TEAM

WITH PROVEN EXPERIENCE ON RELEVANT PROJECTS

PERRY STREET INTERIM DIVERSION FACILITY EMERGENCY PROJECT, TAMPA, FL (PROGRESSIVE DESIGN-BUILD)

- 20" PVC Force Main
- 25 MGD of Bypass Pumping
- Construction in Urbanized Area
- Met City's Agressive Schedule
- Under Budget

Dan Smolik – Director
Will Poczekaj – Construction Manager
Mark Kelly – Preconstruction Coordinator

WET WEATHER MONITORING & PUMPING SYSTEM, LARGO, FL

- Improvements to seven City lift stations
- 30" Force Main Installation
- Cross FDOT and CSX ROW
- Reconstruction of City Roadway

Dan Smolik – Senior Project Manager
Mark Kelly – Preconstruction Coordinator

MARKS STREET / PASADENA PLACE UTILITY IMPROVEMENTS (CMAR), ORLANDO, FL (CMAR)

- Relocation / Replacement of 6" – 20" Pipe
- Complete Road Demolition / Reconstruction
- Construction in Highly Urbanized Area
- Complex Bypass Pumping

Dan Smolik – Construction Manager
Will Poczekaj – Project Manager

ESTIMATED PERCENTAGE OF INVOLVEMENT OF PROPOSED PERSONNEL

We understand the critical nature of this project and know time and commitment are vital. The members of our project team have been selected based on technical experience, local presence, and availability. Below we have included the estimated involvement for our staff members expressed as a percentage for preconstruction and construction project phases.

	% of Involvement	
Dan Smolik *Design-Build Manager*	40%	60%
Sharon Merchant *Public Outreach Manager*	30%	0%
Ryan Smith, CSP *Safety Manager*	5%	25%
Stephen Fowler, PE *Design Manager*	75%	25%
Mark Kelly *Preconstruction Coordinator*	40%	10%
Will Poczekaj *Construction Manager*	50%	75%
Mathew Paymer, EI *Hydraulic Modeling*	25%	10%
Deavon Uter, PE *Roadway / MOT*	20%	20%
Christine Miranda, PE *Pipeline & Permitting*	30%	20%
Steve Bailey, PE *Electrical / Instrumentation*	20%	20%
Curtis Robinson, PE *Pump Station / GST*	30%	20%
Bud Goblisch, PE *CEI Services*	20%	20%
Kevin Kraus *Project Engineer*	20%	100%
Humberto Del Cid *Pipeline Superintendent*	5%	100%
Jonathan Russell *Pump Station / GST Superintendent*	20%	100%

Preconstruction Construction

TEAM ORGANIZATIONAL CHART

DESIGN-BUILD MANAGER
Dan Smolik (GC)

PUBLIC OUTREACH MANAGER
▸ Sharon Merchant (TMS)

SAFETY MANAGER
Ryan Smith, CSP (GC)

DESIGN MANAGER
▸ Stephen Fowler, PE (HCE)

PRECONSTRUCTION COORDINATOR
Mark Kelly (GC)

CONSTRUCTION MANAGER
Will Poczekaj (GC)

DESIGN

HYDRAULIC MODELING
▸ Mathew Paymer, EI (HCE)

PIPELINE & PERMITTING
▸ Christine Miranda, PE (HCE)

ROADWAY / MAINTENANCE OF TRAFFIC
▸ Deavon Uter, PE (CES)

PUMP STATION / GST
▸ Curtis Robinson, PE (HCE)

ELECTRICAL / INSTRUMENTATION
▸ Steve Bailey, PE (BEC)

CEI SERVICES

CEI SERVICES
▸ Bud Goblisch, PE (CES)

CONSTRUCTION

PROJECT ENGINEER
Kevin Kraus (GC)

PUMP STATION / GST SUPERINTENDENT
Jonathan Russell (GC)

PIPELINE SUPERINTENDENT
Humberto Del Cid (GC)

SUPPORT SERVICES

EASMENT ACQUISITIONS
▸ Engenuity Group

GEOTECHNICAL
▸ Tierra South Florida

SURVEY
▸ Engenuity Group

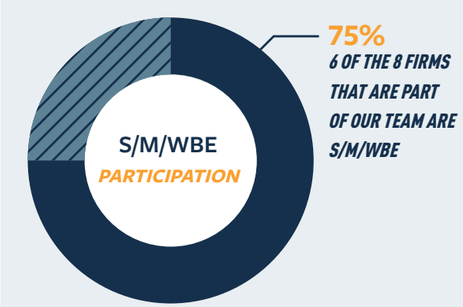
SUBSURFACE UTILITY ENGINEERING
InfraMap Corp.

LEGEND

- ▸ CES Consultants (CES)
- ▸ Bailey Engineering (BEC)
- Garney Construction (GC)
- ▸ Holtz Consulting (HCE)
- ▸ The Merchant Strategy (TMS)

▸ Denotes SBE / MBE / WBE Firms

LOCAL COMMITMENT TO S/M/WBE FIRMS



The development and use of S/M/WBE entities is deeply ingrained in Garney's corporate culture.

NAMES AND ROLES OF PROFESSIONAL STAFF

In the following pages we have included the names and roles of our proposed staff and summarized their key qualifications and familiarity with projects of a similar nature.

DAN SMOLIK

Design-Build Manager

- Directed 11 collaborative delivery projects in Florida with significant understanding of leading Owners through the process
- Managed 77 pipeline projects valued at $305M
- 22 years experience managing pipeline installations in Florida providing extensive knowledge of ground conditions

Project Responsibility: Dan will be the primary point-of-contact for the City and have overall responsibility to plan and control all project activity, including directing resources across all phases and tasks. This will create integration among design, permitting, construction, and operations personnel. He will work to assure the design team meets its obligations to owner requirements, facilitating good collaboration, teamwork, and communication of all stakeholders. He will have total authority for driving the schedule and maintaining the GMP.

STEPHEN FOWLER, PE

Design Manager

- 14 years of experience in the design, permitting, and construction of water, wastewater and reclaimed water projects
- Received his general contractor's license in 2016
- Experience in construction cost estimating and project management for underground utility general contractors

Project Responsibility: Stephen will lead the design team for this project. He has over 14 years of experience in the design, permitting, and construction of projects that include water and wastewater treatment, pipelines, pump stations, production and injection wells, and reclaimed water production. Stephen also has experience in construction cost estimating and project management for underground utility general contractors, and in 2016 he obtained his general contractor's license.

SHARON MERCHANT

Public Outreach Manager

- 30 years of public and private leadership experience as a offering clients public involvement, governmental relations and community relations services
- Extensive experience working with the City of Boynton Beach and other South Florida clients
- Holds M/W/SBE Certifications

Project Responsibility: Sharon will be the Public Involvement Manager. She will be instrumental in creating and implementing the Public Involvement Plan. Sharon will personally oversee all public involvement matters, including but not limited to creating a stakeholder database, collateral materials, public meetings, project website, and social media updates.

MARK KELLY

Preconstruction Coordinator

- Preconstruction Coordinator for $230M+ in design-build projects Florida
- Served as Chief Estimator or Preconstruction Coordinator for 75+ design-build projects
- 31-year career focused solely in the water/ wastewater construction industry, with the majority of his focus in Florida

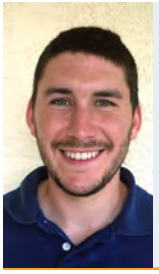
Project Responsibility: Mark will serve as a resource in facilitating the design-build process. This will include coordination with the City, Garney's Design-Build Manager, and bridging the gap between the design and construction teams. By leveraging a considerable depth of experience, he will be responsible for directing the Garney team to determine efficiencies and alternatives, advise on selection of materials, provide price alternative s, and suggest value engineering (VE) opportunities.

WILL POCZEKAJ
Construction Manager

- Experience on 15 pipeline projects totaling +$307M
- Experience on three Florida collaborative delivery projects, and familiar with the design-build delivery method
- Experience leading urban infrastructure improvement projects

Project Responsibility: Will's responsibilities include managing construction activities. He will be involved during the design phase, and constructibility review. He will manage procurement, shop drawing submittal and approval, expedited deliveries, installation details and coordination, maintenance of construction schedule, budget analysis, and project closeout documentation. During construction, he will be responsible day-to-day management of operations in the field, including all on-site activities, daily management of crews and subcontractors, site safety and quality plans, and project administration.

MATHEW PAYMER
Design – Hydraulic Modeling



- Recent hydraulic models completed for Seacoast Utility Authority, Martin County Utilities, and Loxahatchee River District
- Assisted Palm Beach County with logistical planning and data collection procedures for the collection of over 35,000 assets in the Palm Beach County WUD system

Project Responsibility: Matt will lead the hydraulic modeling efforts for this project. Matt joined HCE in 2015 after graduating from the University of Florida, and has been an integral part of the team ever since. He has worked on a variety of water and wastewater design and construction projects, including a concentrate blending station and intracoastal Waterway force main crossing. Matt has completed numerous reclaimed, potable water and wastewater collection models for Seacoast Utility, Martin County Utilities, and Loxahatchee River District.

CHRISTINE MIRANDA, PE
Design – Pipeline & Permitting

- Designed 16+ miles of new distribution piping with new service connections to 1,200+ residences in last five years
- Experienced at successfully implementing infrastructure improvement projects in existing neighborhoods while minimizing disruptions to the community

Project Responsibility: Christine will lead the pipeline and permitting efforts for this project. With 19 years of utility engineering and management experience in Southeast Florida, she has extensive experience with water, wastewater and reclaimed water project implementation. She is adept at successfully implementing infrastructure improvement projects in existing neighborhoods while minimizing disruptions to the community. She has assisted other utilities with pipeline projects, including numerous neighborhood water and sewer projects and community redevelopment projects.

DEAVON UTER, PE
Design – Roadway / MOT

- Experienced in urban infrastructure including roadway construction and reconstruction
- Designed and managed projects that include extensive MOT design
- Experience on City Streets, County Roads, and State Highways

Project Responsibility: Deavon will provide roadway design services and manage MOT design services for the City's project. Deavon is a Florida-licensed Professional Civil Engineer experienced in South Florida Water Management water resources projects; roadway and stormwater management design, water and wastewater utilities design; residential, commercial and recreational land development; agricultural waste systems design; and project management.

CURTIS ROBINSON, PE

Design – Pump Station / GST

- Designed and constructed four new GSTs with a combined capacity of 7MG in last five years
- Recently completed design and construction of new reclaimed water pump stations for Martin County Utilities and Seacoast Utility Authority

Project Responsibility: Curtis will lead the pump station and ground storage tank design efforts for this project. Curtis joined Holtz Consulting Engineers in 2009. He has 15+ years of experience in the design, permitting, and construction administration of water, wastewater, and reclaimed water projects. He has worked on projects for neighboring utilities totaling over $100M.

STEVE BAILEY, PE

Design – Electrical / Instrumentation

- Experienced in providing electrical and instrumentation engineering services for expansion of reclaimed water distribution systems.
- Managed over 100 water/wastewater engineering projects throughout the state of Florida

Project Responsibility: Steve will serve as the electrical engineer for the City's project. He has 34 years' experience in electrical project engineering and project management. He has practiced applied electrical engineering on a variety of environmental projects having been involved from concept to preliminary and final design through construction start-up. His experience involves electrical engineering for WTPs, wastewater treatment and disposal facilities, water reuse and irrigation systems, and instrumentation and control systems.

BUD GOBLISCH, PE

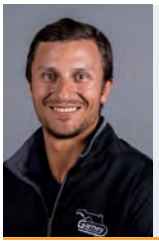
CEI Services

- Provided EDC services for 27 MGD Reuse Plant at East Central Regional WRF
- Provided CEI services for Boynton Beach on the West WTP Phase IV Upgrades

Project Responsibility: Bud will provide CEI services throughout the project. Bud has over 40 years of engineering design, construction management and program management experience. He has been responsible for all aspects of project planning and execution, staff workload and quality assurance. His career has revolved around providing Construction Management Services to clients for 17 years on water treatment, wastewater treatment, pump station, pipeline and Government Facility projects.

KEVIN KRAUS

Construction – Project Engineer



- Experience on several Florida pipe installation design-build projects
- Trained in OSHA 30 and FDOT Advanced MOT Certification

Project Responsibility: As Project Engineer, Kevin will various duties, including handling submittals, procuring materials, site preparation, subcontractor management, scheduling deliveries, preparing project schedules, leading progress meetings, and assisting the Project Superintendent.

HUMBERTO DEL CID

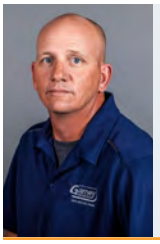
Construction – Pipeline Superintendent

- Managed field craft and subcontractors on 19 pipeline projects for Garney valued at $185M
- Executed two design-build projects in urban settings, requiring significant maintenance of traffic and public engagement efforts

Project Responsibility: Humberto will serve as the pipeline superintendent during construction. His main responsibility is crew management from a project's beginning to completion. He has been working in the utility construction industry his whole career. He has been involved in various types of projects including gravity sewer lines, water lines, and force main lines involving open cut road crossings, creek crossings, tunnels, jack and bores, rock excavation, and dewatering.

JONATHAN RUSSELL

Construction – Pump Station / GST Superintendent

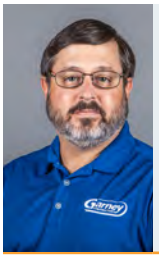


- 14 years of construction experience including collaborative delivery experience
- Superintendent for the CMAR of the City of Apopka's WRF Expansion

Project Responsibility: As Superintendent, Jonathan is responsible for supervising the job, ordering materials, maintaining equipment, ensuring safety on the job site, and coordinating with the subcontractors for successful completion. Jonathan has been involved in the construction industry since 2005 with various positions including Laborer, Foreman, Assistant Superintendent and now in his current position of Superintendent.

RYAN SMITH, CSP

Safety Manager



- Diversified water background developing and managing more than 225 sitespecific safety programs for municipal clients in Florida
- Brings value early in the design-build process by developing tasks without sacrificing safety

Project Responsibility: Ryan will be responsible for managing the project management team, field crew, and subcontractors in understanding and complying with OSHA regulations and standards. Ryan will also inspect and evaluate the site, equipment, and practices in order to comply with safety standards and government regulations. He will provide safety and equipment education, mock OSHA inspections, and documentation, in addition to developing the Site Safety Plans and Emergency Action Plans.

BRIEF RESUMES OF ACADEMIC TRAINING AND EMPLOYMENT

In the following pages we have included brief resumes of our key personnel and their directly relevant experience similiar in size and scope to the City's project.

DAN SMOLIK

Design-Build Manager

Garney Experience: 19 years
Industry Experience: 22 years

Key Qualifications

- Directed 11 collaborative delivery projects in Florida with significant understanding of leading Owners through the process
- Managed 77 pipeline projects valued at $305M
- 19 years solely managing pipeline installations in Florida providing extensive knowledge of ground conditions

Education

Missouri Western State University, B.S. in Construction Engineering Technology

Certifications & Training

Stormwater Management Inspector 19294

First Aid & CPR

OSHA 30-Hour

OSHA Competent Person - Confined Space, Rigging & Signaling, and Trenching & Excavation

PROJECT EXPERIENCE

48-INCH WATER TRANSMISSION MAIN FOR AREA N (DESIGN-BUILD)

Miami-Dade County / $37,206,382

Director. Dan served as the director for this design-build contract to construct 31,152 LF of 48" PCCP water transmission main in a densely populated residential and commercial area. This will require wet tapping to connect to an existing 60" water main, as well as a 36" water main. Garney will also manage nearly 1,200 LF of microtunneling crossing the CSX Railroad and Don Shula Expressway / SR-874.

RIVER OAKS DIVERSION PROJECT (DESIGN-BUILD)

Hillsborough County, FL / $28,491,000

Senior Project Manager. Dan is serving as the senior project manager for construction of this project which includes a new wastewater pump station, a wastewater transfer force main from the River Oaks headworks to the new pump station and force main from the new pump station to the Northwest Regional Water Reclamation Facility (NWRWRF), the relocation of an outfall, demolition of existing WWTP, and installation of a new 20" reclaimed water line.

WEST CENTRAL BOULEVARD GRAVITY SEWER, ROADWAY, UTILITY, AND STREETSCAPE - PHASES 1 – 3 (DESIGN-BUILD)

City of Orlando, FL / $10,498,446

Senior Project Manager. Dan was the senior project manager for the removal and replacement of 2,700 LF of 8" gravity sewer with 1,488 LF of 18" and 1,270 LF of 21" diameter PVC sewer lines, as well as 22 new 48" and 60" manholes and laterals.

PERRY STREET INTERIM DIVERSION FACILITY EMERGENCY PROJECT (PROGRESSIVE DESIGN-BUILD)

City of Tampa, FL / $5,067,229

Director. Dan served as director for the installation of 9,900 LF of 20" PVC sanitary force main with 8,350 LF of the pipe installation via HDD connecting to an existing force main with a tapping sleeve and valve. Also requires 25 MGD of bypass pumping, dewatering, an effluent pump station, and paving.

WET WEATHER MONITORING & PUMPING SYSTEM

City of Largo, FL / $38,912,084

Senior Project Manager. Pumping improvements to seven City lift stations, including new wet wells, pumps, power supply, telemetry, and bypassing, installation of 77,000 LF of 12" to 30" force main, HDD, auger boring to cross FDOT and CSX rights-of-way, and reconstruction of a City roadway.

CENTRAL PASCO WATER SYSTEM IMPROVEMENTS

Pasco County Utilities / $24,150,311

Project Manager. Installation of 84,450 LF of 12" to 36" DIP water main and 55,200 LF of 16" to 24" DIP and PVC force main at depths ranging from 3' to 17', 2,455 LF of jack and bores ranging in diameter from 24" to 54", and 3,950 LF of 12" to 36" directional drills, including an 890 LF 36" ductile iron pipe segment across a wetland.

SHARON J. MERCHANT

Public Outreach Manager

TMS Experience: 21 years
Industry Experience: 30 years

Key Qualifications

- 30 years of public and private leadership experience as a Member of the Florida House of Representatives and the President of TMS, offering clients public involvement, governmental relations and community relations services
- Extensive experience working with the City of Boynton Beach

Education

B.S. in International Affairs

Certifications & Training

Jim Moran Institute for Global Entrepreneurship Certification

SWBE - Palm Beach County

SBE - South Florida Water Management District

SBE - City of West Palm Beach

SBE - Palm Beach County School District

MWBE - Palm Beach County School District

PROJECT EXPERIENCE

TOWN SQUARE, PHASE 1

Boynton Beach, FL

Public Involvement Manager. Sharon was the team lead on both public involvement activities and the Boynton Beach Building Wealth Program for this unique public/private partnership.

CITY OF BOYNTON BEACH, PALM BEACH COASTAL RESILIENCY PARTNERSHIP MULTI-JURISDICTIONAL VULNERABILITY ASSESSMENT, PHASE 1

Boynton Beach, FL

Public Involvement Manager. As the Public Involvement Manager, Sharon is the team lead on public involvement activities including but not limited to public meetings, working group meetings, summary reports and production of collateral materials.

THE CITY OF BOYNTON BEACH WWTP, PROJECT NUMBER 104887

Boynton Beach, FL

Public Involvement Manager. Sharon was the team lead on public involvement activities ranging from public meetings and ground breaking ceremonies to production of collateral materials.

THE CITY OF BOYNTON BEACH, BOYNTON BEACH UTILITIES NORTH AND SOUTH ROADS STORMWATER AND MAIN IMPROVEMENTS PROJECT

Boynton Beach, FL

Public Involvement Manager. Sharon was the team lead on public involvement activities. Her duties included public meetings, hotline set up, social media and production of collateral material.

CENTRAL SEACREST CORRIDOR DRAINAGE IMPROVEMENTS AND WATERMAIN

Boynton Beach Utilities, FL

Public Involvement Manager. As the Public Involvement Manager, Sharon was the team lead on public involvement activities which included public meetings and production of collateral material.

LAKE WORTH NEIGHBORHOOD STREETS PROGRAM

Lake Worth, FL

Public Involvement Manager. As the Public Involvement Manager, Sharon was the team lead on public involvement and community outreach activities. Her responsibilities included creating a public involvement plan, arranging and staffing public meetings, creation of press releases, and creation of collateral materials.

FLORIDA DEPARTMENT OF TRANSPORTATION - DISTRICT 4 - FOUR OFF-SYSTEM BRIDGE REPLACEMENTS

FDOT District 4, FL

Public Involvement Manager. Sharon provided quality assurance / compliance with all FDOT policies and procedures. Her duties included preparation of three CAPs, collateral material, and setting up and attending a public information workshop.

STEPHEN FOWLER, PE

Design Manager

HCE Experience: 5 years
Industry Experience: 14 years

Key Qualifications

- Over 14 years of experience in the design, permitting, and construction of water, wastewater and reclaimed water projects
- Responsible for Holtz Consulting Engineers Design-Build Division
- Received his general contractor's license in 2016
- Experience in construction cost estimating and project management for underground utility general contractors

Education

University of Florida, B.S. in Environmental Engineering

Certifications & Training

Professional Engineer, Registration No. 69039, State of Florida

Certified General Contractor, Florida, Registration No. CGC1525114

PROJECT EXPERIENCE

RECLAIMED WATER METER STATION VALVE REPLACEMENTS

Seacoast Utility Authority, FL / $38,695

Project Manager. The project included engineering and construction services for the replacement of an existing 6" Cla valve with a new 6" plug valve and electric actuator at the Old Palm reclaimed water meter station, including electrical and control connections from the existing control panel to the new valve actuator. The project also included engineering and construction services for the replacement of the existing 8" Cla valve with a new 8" plug valve and electric actuator at the Mirasol reclaimed water metering station, including electrical and control connections, from the existing control panel to the new valve actuator.

WASTEWATER TREATMENT PLANT SAFETY IMPROVEMENTS (DESIGN-BUILD)

South Martin Regional Utilities, FL / $97,856

Project Manager. HCE recently completed a design-build project consisting of safety improvements for one of our valued clients at their wastewater treatment facility. The project included the design, furnishing, and installation of several elevated aluminum platforms and stairways to provide the plant staff safe access to various areas and pieces of equipment for maintenance and operation. HCE was able to overcome the challenges of designing and constructing these improvements in limited areas while keeping the facilities operable and accessible to the plant staff. The project also included the design of upgraded LED lighting and additional site lighting to be implemented later. Safety is one of HCE's top priorities and we were happy to help our client provide an improved working environment for their staff.

FEASIBILITY STUDY FOR POTABLE WATER INTERCONNECTION TO SERVE FPL'S WEST COUNTY ENERGY CENTER

Florida Power & Light, FL / $20,000

Project Manager. PBC currently provides reclaimed water to the West County Energy Center from the reclaimed water production at the ECRWRF through a 36" reclaimed water main. If there is a failure at either the ECRWRF or along the reclaimed main, emergency cooling water will be required for the continued operation of the energy center. This project involves conducting an engineering evaluation of the feasibility of one or more interconnections between Palm Beach County's water distribution system and the 36" reclaimed water main from the East Central Regional WRF to the FPL West County Energy Center.

LIFT STATION REHABILITATION

Palm Beach County Water Utilities Department, FL / $14,988,159

Project Manager. Steve has been the project manager for the upgraded design of over 100 of Palm Beach County's wastewater pump stations. This effort has consisted of assessment and prioritization of the County's lift stations based on condition and risk of failure, followed by a variety of rehabilitation and upgrades to the sewage pumping system. As part of this effort, civil, mechanical, and electrical items have been identified for replacement in order to meet PBC minimum design standards where possible. 18 of the rehabilitated stations have been converted from dry cans to submersible lift stations with the existing dry can converted into a manhole. HCE has provided services during construction for many of the station rehabilitations

MARK KELLY

Preconstruction Coordinator

Garney Experience: 17 years

Industry Experience: 32 years

Key Qualifications

- Preconstruction Coordinator for $230+M in Design-Build projects in Florida
- Served as Chief Estimator or Preconstruction Coordinator for 75+ design-build projects
- 31-year career has been focused solely in the water/ wastewater construction industry, with the majority of his focus in Florida

Education

Purdue University, B.S. in Construction & Contracting

Certifications & Training

OSHA Competent Person - Confined Space Safety

P3 National Council Member of Design-Build Institute of America

Regional Contractors Council Chair of American Water Works Association

PROJECT EXPERIENCE

RIVER OAKS DIVERSION PROJECT (DESIGN-BUILD)

Hillsborough County, FL / $28,491,000

Preconstruction Coordinator. Mark is serving as the Preconstruction Coordinator for this construction which includes a new wastewater pump station, a wastewater transfer force main from the River Oaks headworks to the new pump station and force main from the new pump station to the Northwest Regional Water Reclamation Facility (NWRWRF), the relocation of an outfall, demolition of existing WWTP, and installation of a new 20" reclaimed water line.

NORTHWEST REGIONAL WATER RECLAMATION FACILITY EXPANSION (DESIGN-BUILD)

Hillsborough County, FL / $193,175,506

Preconstruction Coordinator. Mark was the Preconstruction Coordinator for the expansion of the current 10 MGD WWTP to 25 MGD with an ultimate capacity of 30 MGD including sodium hypochlorite chemical feed facilities, aeration, four 130' diameter secondary clarifiers, two D110 Type II concrete water storage tanks, conventional media filtration, grit facilities, a headworks, and odor control system. Additional work will include installation of twenty 48" manholes, bypass pumping, and dewatering.

SAN CARLOS PUMPING STATION REHABILITATION (PROGRESSIVE DESIGN-BUILD)

City of Tampa / $9,000,000

Preconstuction Support. This Progressive Design-Build pump station rehabilitation project includes replacement of all pumps, motors, pump discharge valves, electrical and control components, flow meters, and other equipment needed to restore station reliability and provide improved operation. Providing Preconstruction Support, Mark worked with the City, our team and design partners throughout design to ensure the budget and project objectives were met. He helped develop detailed cost estimates, provided value engineering input as well as opinions on the constructability of the facility layout and material selections.

PERRY STREET INTERIM DIVERSION FACILITY EMERGENCY PROJECT (PROGRESSIVE DESIGN-BUILD)

City of Tampa, FL / $5,067,229

Preconstruction Support. Mark provided Preconstruction Support for the installation of 9,900 LF of 20" PVC sanitary force main with 8,350 LF of the pipe installation via HDD connecting to an existing force main with a tapping sleeve and valve. Also requires 25 MGD of bypass pumping, dewatering, an effluent pump station, and paving.

WET WEATHER MONITORING & PUMPING SYSTEM

City of Largo, FL / $38,912,084

Preconstruction Support. Mark provided Preconstruction Support for pumping improvements to seven City lift stations, including new wet wells, pumps, power supply, telemetry, and bypassing, installation of 77,000 LF of 12" to 30" force main, HDD, auger boring to cross FDOT and CSX ROW, and reconstruction of a City roadway.

WILL POCZEKAJ

Construction Manager

Garney Experience: 8 years
Industry Experience: 9 years

Key Qualifications

- Career focused on construction management of Florida pipeline projects with experience on 15 pipeline projects totaling +$307M
- Experience on three Florida collaborative delivery projects, and familiar with the design-build delivery method
- Experience leading urban infrastructure improvement projects

Education

University of Kansas, B.S. in Architectural Engineering

Certifications & Training

American Concrete Institute (ACI) Certification

FDOT Temporary Traffic Control Advanced Course

OSHA Competent Person - Rigging & Signaling; Trenching & Excavation
OSHA 30-Hour

PROJECT EXPERIENCE

RIVER OAKS DIVERSION PROJECT (DESIGN-BUILD)

Hillsborough County, FL / $28,491,000

Project Manager. Will serves as the Project Manager for this Florida Design-Build project. Construction includes a new wastewater pump station, a wastewater transfer force main from the River Oaks headworks to the new pump station and force main from the new pump station to the Northwest Regional Water Reclamation Facility (NWRWRF), the relocation of an outfall, demolition of existing WWTP, and installation of a new 20" reclaimed water line.

MARKS STREET / PASADENA PLACE UTILITY IMPROVEMENTS (CMAR)

City of Orlando, FL / $6,446,059

Project Manager. This project was a joint project between the City of Orlando and the Orlando Utilities Commission that involved design and replacement of 2,130 LF of 6" to 16" DIP and PVC gravity sanitary sewer mains, manholes, and conflict boxes; 2,470 LF of 6" to 20" DIP potable water main, appurtenances, and services; improvements to the storm water system including replacement of 250 LF of 12" and 15" RCP, 20 LF of 12" x 18" ERCP, and 30 LF of 19" x 30" ERCP; and complete road demolition and reconstruction.

HUDSON TO SHADY HILLS WASTEWATER DIVERSION

Pasco County Utilities / $6,506,701

Project Engineer. Installation of 1,070 LF of 36" ductile iron force main and 35,500 LF of 24" ductile iron force main, along with 37,057 LF of 1.25" HDPE conduit piping via open cut method of construction. Also included 76 LF of 60" steel casing and 411 LF of 42" steel casing via jack and bore, and installation of a wastewater booster pumping station.

SR 46 RECLAIMED WATER AND FORCE MAIN

Seminole County, FL / $3,692,763

Project Engineer. Installation of 4,000 LF of 30" DIP reclaimed water main, 600 LF of 30" PVC reclaimed water main, and 16,000 LF of 24" PVC wastewater force main in Seminole County's northwest service area. Also included a 24" HDD for 1,200 LF fusible PVC to cross a wetland.

DAVIS ISLANDS PUMPING STATION FORCE MAIN RELOCATION EMERGENCY

City of Tampa, FL / $2,930,256

Project Manager. Includes the installation of 3,260 LF of 16" pressure PVC sanitary force main and four horizontal directional drills totaling 2,400 LF of 16" fusible PVC sanitary force main. Also includes tie-ins to an existing 12" valve and to an existing 48" PCCP force main, as well as dewatering, paving, and public relations.

MATTHEW PAYMER, EI

Design – Hydraulic Modeling

HCE Experience: 4 years

Industry Experience: 4 years

Key Qualifications

- Certified and experienced hydraulic modeler for reclaimed water, potable water, and wastewater collection systems
- Recent hydraulic models completed for Seacoast Utility Authority, Martin County Utilities, and Loxahatchee River District
- Assisted Palm Beach County with the logistical planning and data collection procedures for the collection of over 35,000 assets in the Palm Beach County Water Utilities Department system

Education

University of Florida, B.S. in Environmental Engineering

Certifications & Training

Engineer-In-Training, State of Florida

Certified Innovyze Water Distribution Modeler

PROJECT EXPERIENCE

RECLAIMED WATER SYSTEM HYDRAULIC MODEL

Seacoast Utility Authority (SUA), FL / $41,659

Project Engineer. HCE assisted in the development of a hydraulic model of the SUA reclaimed water system using InfoWater software. HCE updated the existing reclaimed water hydraulic model from the existing WaterGEMS based hydraulic modeling software into SUA's new GIS based hydraulic modeling software, Innovyze InfoWater. The model was updated to include new users and demands and run various modeling scenarios to determine alternative solutions to supply higher pressures to the southeast areas of the reclaimed water system during periods of high reclaimed water demand.

POTABLE WATER DISTRIBUTION SYSTEM GEOMETRIC NETWORK AND HYDRAULIC MODEL DEVELOPMENT

Seacoast Utility Authority, FL / $83,285

Project Engineer. HCE provided engineering services for the development of an ArcGIS geometric network of the existing backbone potable water distribution system and subsequent use of the network to develop and calibrate a hydraulic model to reflect existing conditions. The model included the addition of average day demands for customers into the hydraulic model based on water billing data, development of a diurnal curve based on previous modeling efforts, SCADA data from the water treatment plant (WTP) and repump facilities, confirmation of physical features of the hydraulic model by reviewing record drawings, and calibration of the hydraulic model based on field data.

WATER MAIN EVALUATION AND INTERCONNECTIONS ON JUPITER ISLAND

South Martin Regional Utility / $47,000

Project Engineer. Project included evaluation of the existing water main infrastructure on Jupiter Island to determine the water age and delivery pressure of potable water. The project evaluated the effect water main interconnections on Jupiter Island would have on these parameters. HCE was responsible for the design, permitting, contractor procurement, and construction services for eight interconnections.

FORCE MAIN CROSSING THE INTRACOASTAL WATERWAY

Seacoast Utility Authority / $204,000

Project Engineer. HCE provided design, survey, geotechnical evaluation, permitting, bidding, and construction administrative services for 1,300 LF of new force main crossing the Intracoastal Waterway in Palm Beach Gardens, Florida. The new 16-inch ductile iron and HDPE force main included a horizontal directional drill beneath the Intracoastal Waterway and provided another sub-aqueous crossing from the island to the mainland for improved redundancy and system reliability. Right-of-way, FDEP and South Florida Water Management District Environmental Resource Permit permits were obtained.

CHRISTINE MIRANDA, PE

Design – Pipeline & Permitting

HCE Experience: 7 years

Industry Experience: 19 years

Key Qualifications

- 19+ years of experience in the design, permitting, and construction of water distribution systems, collection systems, pumping stations, effluent disposal systems, and biosolids management
- Designed 16+ miles of new distribution piping with new service connections to 1,200+ residences in last five years
- Experienced at successfully implementing infrastructure improvement projects in existing neighborhoods while minimizing disruptions to the community

Education

Rutgers University, B.S. in BioResource Engineering

Certifications & Training

Professional Engineer, Registration No. 60906, FL

Six-Sigma Yellow Belt Certification

PROJECT EXPERIENCE

WATER MAIN IMPROVEMENT PROJECT

City of Stuart, FL / $4,944,411

Project Manager. Project included design, permitting, and FDEP State Revolving Fund (SRF)funding assistance, of approximately 59,000 LF of 6" through 12" water mains in existing residential neighborhoods and commercial developments for the City. The new mains will replace inadequately sized mains, looped dead ends, old mains, and increase fire protection for the City. The mains are located in City, County, and FDOT ROWs.

HOOD ROAD FLORIDAN AQUIFER RAW WATER MAIN

Seacoast Utility Authority, FL / $1,792,305

Project Manager. This project includes the survey, design, permitting, bidding, and construction administration services for 2,800 LF of 36" and 42" raw water main along Hood Road. The raw water main is designed to be installed via both open-cut methods and horizontal directional drilling methods. Additionally, 4,200 feet of 2" HDPE fiber-optic conduit with pull boxes will be installed parallel to the proposed raw water main. Both Palm Beach County ROW and Palm Beach County Health Department permits are required for this project. This project is currently out to bid.

TURTLE CREEK SERIES SEPTIC TO SEWER CONVERSION

Loxahatchee River District, FL / $957,799

Project Manager. HCE is currently assisting the Loxahatchee River Environmental Control District with the implementation of a sanitary sewer program in Martin County throughout the Turtle Creek community in Tequesta. This project includes the survey, design, permitting, bidding, and services during construction of approximately 12,000 LF of both gravity and low-pressure sewer systems to serve 138 residences which are currently on septic systems. The project is being implemented in four phases. Public workshops are conducted by HCE and LRD staff for each phase of construction.

COUNTRY CLUB VILLAGE INFRASTRUCTURE IMPROVEMENTS

City of Boca Raton / Est. $7,678,000

Project Manager. HCE is providing design, survey, geotechnical evaluation, permitting, and bidding services for the replacement of approximately 35,000 LF of existing domestic water mains from the rear yards to the rights-of-way. This will include abandonment of the existing water main system, relocation and reconnection of the water service from the new water main to the house as well as restoration of private and public property. The project also includes the installation of approximately 2,500 of 16-inch water main, which includes the crossing of Interstate-95. As part of the water main replacement program HCE is also designing the removal and replacement of sidewalks throughout the project area due to trip hazards, infill of any missing pieces of sidewalk, milling and overlay of all roadways, installation/replacement of ADA ramps, and minor swale improvements. There are also three stormwater outfalls in the L-47 canal that will be improved with new mitered ends and endwalls.

CURTIS ROBINSON, PE

Design – Pump Station / GST

HCE Experience: 10 years

Industry Experience: 15 years

Key Qualifications

- Successfully implemented over $100M dollars of infrastructure improvements for neighboring utilities
- Designed and constructed four new GSTs with a combined capacity of 7MG in last five years
- Recently completed design and construction of new reclaimed water pump stations for Martin County Utilities and Seacoast Utility Authority

Education

Missouri S&T, B.S. in Civil Engineering

Missouri S&T, M.S. in Engineering Management

Certifications & Training

Professional Engineer, Registration No. 65685, FL

Certified WaterGEMS Water Distribution Modeler

PROJECT EXPERIENCE

TROPICAL FARMS WWTP RECLAIMED WATER STORAGE AND PUMPING IMPROVEMENTS

Martin County Utilities, FL / $3,119,400

Project Manager. HCE provided preliminary and final design, permitting, bidding, and construction administrative services for a two-phase reclaimed water storage and pumping improvements project at the Tropical Farms WWTP. Phase I consisted of a new 1MG prestressed concrete reclaimed water storage tank including vibroflotation compaction beneath the tank, bypass piping, and piping relocations. Phase II included a new reclaimed water distribution pump station including 18" through 36" suction and discharge piping and three vertical turbine pumps. An effluent transfer pump station with three new vertical turbine pumps located at the chlorine contact basin was also included. Phase II also consisted of replacing two existing Return Activated Sludge (RAS) pumps with new dry-pit mounted chopper-style pumps.

GROUND STORAGE TANK NOS. 5, 6 AND 7 AT THE HOOD ROAD WTP

Seacoast Utility Authority, FL / $3,834,721

Project Manager. HCE provided professional services for the surveying and site investigation, design, permitting, bidding and construction administration of the addition of three new 2-MG prestressed-concrete GSTs at the Hood Road WTP, including associated water main piping extensions, valves and fittings, electrical and instrumentation and site preparation. Work also included various yard piping improvements in the vicinity of the new GSTs.

MARTIN DOWNS INLINE BOOSTER PUMP STATION

Martin County Utilities, FL / $1,698,755

Project Manager. Project included design, permitting, bidding, and construction administrative services for an in-line wastewater booster pump station at the Martin Downs Master Repump Facility. This project includes modifying the existing repump facility into an in-line repump station with chopper pumps. These improvements will reduce the impact rags and other debris have on the pumps and reduce rag accumulation in the storage tanks and sources of odors and maintenance problems. The tanks will still be available for use on an emergency basis allowing increased operational flexibility. The project also includes an on-site submersible lift station, the conversion of an existing lift station to a manhole, and the construction of two new vacuum truck off-loading stations.

NANOFILTRATION CONCENTRATE BLENDING PUMP STATION AT THE PGA WASTEWATER TREATMENT PLANT –

Seacoast Utility Authority , FL / $3,425,000

Project Engineer. The project included the design, permitting, bidding and services during construction of the installation of a new 3.8-mile, 16-inch pipeline from the Seacoast Utility Authority Hood Road Water Treatment Plant to the PGA Wastewater Treatment Plant for blending nanofiltration concentrate with reclaimed water and distribution to their reclaimed water customers. A 2" fiber optic conduit was installed in the same trench as the concentrate main for the future installation of a fiber optic cable.

DEAVON UTER, PE

Design – Roadway / Maintenance of Traffic

CES Experience: 2 years

Industry Experience: 22 years

Key Qualifications

- Managed design teams that included surveyors, geotechnical, subsurface, structural, electrical, and civil engineers
- Managed and designed projects for municipalities, counties, and state agencies
- Designed water distribution, sanitary collection, and stormwater conveyance using methods such as open-cut, horizontal directional drilling, aerial crossing, and jack and bore

Education

Bachelor of Science, Agricultural Engineering, Soil and Water Engineering

Certifications & Training

Professional Engineer, Florida, Civil P.E. No. 66347

PROJECT EXPERIENCE

CD01 WATER MAIN IMPROVEMENT PROJECT

Palm Beach County Water Utilities Department, FL / $4,400,000

Project Manager / Engineer-of-Record (EOR). This project seeks install new segments of waterline that through new interconnections, improve system capacity, improve hydraulic efficiencies, eliminate dead-ends, reduce water retention time, resulting in improved water quality. The project consist of 19 locations across the County, 16,000 LF of pipelines of varying sizes from 4" to 12", with material including DIP, PVC and HDPE. Jack and Bore is being designed for major intersections and steel casing under FDOT roads. Deavon is responsible for conducting the internal design team meetings; present and record progress meetings; setup site visits; review and research existing data; coordinate with utilities; coordinate with other County projects; manage survey, geotechnical, and utility location subconsultants activities; lead design team through 30,60, 90, 100 submittal phases, permit documents, and bidding and construction phase services.

WASHINGTON ROAD UTILITIES AND STORMWATER OUTFALL IMPROVEMENT PROJECT

City of West Palm Beach, FL / $8,000,000

Project Manager / EOR. This project with an engineer's estimated cost of $8M is being designed to install 2,500LF each of 12" DIP watermain, sanitary sewer main, and new stormwater conveyane including 18" to 60" RCP, and mountable curb an gutter. The project will also entail the redsign of the road cross section to include new sidewalks, driveways, and new bike lanes whil preserving the esthetics of the tree lined corrior. The road reconstruction also include seven asphalt stamped raised intersections and a roundabout for traffic calming. Deavon is responsible for leading the design team which includes neighborhodd outreach to this very high profile, highly engaged, history part of the City. Construction is secheduled to start February 2020 and end March 2021.

FLORIDA TURNPIKE ENTERPRISE (FTE) FORT DRUM SERVICE PLAZA WTP AND WWTPS (DESIGN-BUILD),

Okeechobee County, FL / $4,500,000

EOR. This $4.5M design-build project is a small part of the overall rehabilitation of the seven service plazas along the Turnpike. Deavon led the design team, for both the WTP and WWTPs. The WTP includes two Floridan Aquifer wells, hydrogen sulfite degassifier, bolted steel water storage tanks, fire pump, VFD high service pumps, green sand filters, and sodium hypochlorite disinfection system. The WWTP includes two lift stations, rotary drum screen, two aerobic reactor tanks, sludge tank, dual train GE Zenon Membrane Biological Reactor (MBR), chlorine contact chamber, high service reuse pumps, hydro pneumatic tank, 14" and 24" Jack and Bore under the Turnpike to a 12 acre effluent pond. As the EOR during construction, Deavon oversaw construction phase services. Deavon was also the EOR for lift stations installed at the Ft. Pierce and Turkey Lake Service Plazas on the Turnpike.

STEVE BAILEY, PE

Design – Electrical / Instrumentation

Bailey Experience: 5 years

Industry Experience: 34 years

Key Qualifications

- 34 years' experience in designing electrical and SCADA control systems for water and wastewater treatment facilities, drainage projects, movable bridges and industrial facilities
- Experienced in providing electrical and instrumentation engineering services for expansion of reclaimed water distribution systems.
- Managed over 100 water/ wastewater engineering projects throughout the state of Florida

Education

Georgia Institute of Technology, B.S. in Electrical Engineering

Certifications & Training

Professional Engineer, Florida (1989) No. 42461

Professional Engineer, New York (2015) No. 94774

PROJECT EXPERIENCE

MIRAMAR EAST WTP (DESIGN-BUILD)

Miramar, FL / $27,000,000

Engineer-of-Record (EOR). Steve provided electrical, instrumentation and control (I&C) design, and construction administration services associated with the Reverse Osmosis WTP improvements.

NORTH PORT WEST VILLAGES SWWRF (CMAR)

North Port, FL / $40,000,000

EOR. Steve provided electrical and I&C engineering design for the new 4 MGD Wastewater Reclamation Facility.

ALTAMONTE SPRINGS HEADWORKS IMRPOVEMENTS (CMAR)

Altamonte Springs, FL / $10,000,000

EOR. Steve provided electrical and I&C engineering design for the City's Influent Pump Station Grit Structure improvements.

WRWRF RAS/WAS, FILTERS & STAGE 3 IMPROVEMENTS (CMAR)

Daytona Beach, FL /

EOR. Steve provided electrical and I&C engineering design services for the Wastewater Treatment Plant improvements.

CENTRAL SUMTER UTILITY (CSU) WASTEWATER TREATMENT PLANT (DESIGN-BUILD)

The Villages, FL / $12,000,000

EOR. Steve provided electrical and I&C design and construction management services associated with the expansion of the 2.0 MGD WWTP.

SILVER SPRING SHORES WATER RECLAMATION FACILITY

Silver Springs, FL / $4,200,000

EOR. Steve provided electrical, instrumentation/control design and construction administration services associated with the expansion of the WRF with additional improvements including a City-Wide SCADA system incorporating all WTP's, WRF's, and lift stations.

PALM COAST WASTEWATER TREATMENT PLANT NO. 2

Palm Coast, FL / $9,200,000

EOR. Steve provided electrical, instrumentation/control design and construction administration services associated with the facility's emergency power system upgrade, new switchgear, and the City's new SCADA network.

VOLUSIA COUNTY WATER RECLAMATION FACILITY

Volusia County, FL / $12,000,000

EOR. Steve provided electrical, instrumentation/control design and construction administration services associated with the 1.5 MGD expansion of the facility.

BUD GOBLISCH, PE

CEI Services

CES Experience: 4 years
Industry Experience: 40 years

Key Qualifications

- Has provided construction administration services for 25 years on over $500M worth of construction projects
- Worked on the 27 MGD Reuse Project at the Palm Beach County Eastern Central Regional WRF
- Have provided CEI services directly to the City of Boynton Beach and familiar with City design / construction preferences

Education

University of Illinois, B.S. in Civil Engineering

Certifications & Training

Professional Engineer, Florida

PROJECT EXPERIENCE

CAPITAL IMPROVEMENT PROGRAM (CIP) PROGRAM MANAGEMENT

Town of Palm Beach, FL / $41,000,000

Program Manager. Working with the Town as their Program Manager overseeing five design consultants, schedule, budget and all aspects of a $41M CIP to upgrade the underground utilities for water, sewer, and stormwater.

GENERAL ENGINEERING SERVICES CONTRACT

South Florida Water Management District, FL / $2,800,000

Principal-in-Charge. Served as the Principal-in-Charge of all district work for Jordan, Jones & Goulding which included the Caloosahatchee Watershed Plan, Design Review of multiple District projects, and staff augmentation of up to five people.

WATER MAIN IMPROVEMENTS

Palm Beach County Water Utilities, FL / $496,000

Principal-in-Charge. Served as Principal-in-Charge for the design of water main improvements at 20 different locations in the County to reduce dead ends and improve water quality.

BOYNTON BEACH WEST WATER TREATMENT PLANT IMPROVEMENTS, PHASE IV

City of Boynton Beach, FL / $6,000,000

City's Representative. Responsible for oversight of construction activities to upgrade the WTP. This included submittal processing, requests for information, payment applications, change order review, and approval and managing the on-site resident project representative.

WATER REUSE PROJECT AT EAST CENTRAL REGIONAL WATER RECLAMATION FACILITY,

Palm Beach County WUD, FL / $19,000,000

Principal-in-Charge of Design. Provided engineering services during construction for this 27 MGD reuse project that supplies cooling water to the Florida Power and Light West County Energy Center located off SR 80 and 20-mile bend. Managed the RFI and submittal process, provided periodic site visits to ensure quality and assisted with start-up activities.

BIG CYPRESS WATER TREATMENT PLANT

Seminole Tribe of Florida, FL / $6,000.000

Owner's Representative. Oversaw construction administration and managed the field inspectors for a green field, 0.1 MGD membrane water treatment plant. The project included drilling the wells, installing all the piping, equipment, buildings, and clearwell necessary for a fully operable water treatment facility with minimal operator involvement. The construction administration work included submittal processing, requests for information, payment applications, change order review and approval and managing the on-site resident project representatives.

HUMBERTO DEL CID

Pipeline Superintendent

Garney Experience: 11 years
Industry Experience: 20 years

Key Qualifications

- Managed field craft and subcontractors on 19 pipeline projects for Garney valued at $185M
- Executed two design-build projects in urban settings, requiring significant maintenance of traffic and public engagement efforts

Certifications & Training

GA Utility Foreman UF205081

DOT Certified Flagging Trainer

Georgia Soil and Water Conservation Commission (GSWCC) Level 1A Certified

OSHA 10-Hour

OSHA Competent Person - Confined Space Safety; Trenching & Excavation Safety

PROJECT EXPERIENCE

48-INCH WATER TRANSMISSION MAIN FOR AREA N (DESIGN-BUILD)

Miami-Dade County / $37,206,382

Superintendent. Design-build contract to construct 31,152 LF of 48" PCCP water transmission main in a densely populated residential and commercial area. This will require wet tapping to connect to an existing 60" water main, as well as a 36" water main. Garney will also manage nearly 1,200 LF of microtunneling crossing the CSX Railroad and Don Shula Expressway / SR-874.

MARKS STREET / PASADENA PLACE UTILITY IMPROVEMENTS (CMAR)

City of Orlando, FL / $6,446,059

Superintendent. This project was a joint project between the City of Orlando and the Orlando Utilities Commission that involved design and replacement of 2,130 LF of 6" to 16" DIP and PVC gravity sanitary sewer mains, manholes, and conflict boxes; 2,470 LF of 6" to 20" DIP potable water main, appurtenances, and services; improvements to the storm water system including replacement of 250 LF of 12" and 15" RCP, 20 LF of 12" x 18" ERCP, and 30 LF of 19" x 30" ERCP; and complete road demolition and reconstruction.

PERRY STREET INTERIM DIVERSION FACILITY EMERGENCY PROJECT (PROGRESSIVE DESIGN-BUILD)

City of Tampa, FL / $5,067,229

Superintendent. Installation of 9,900 LF of 20" PVC sanitary force main with 8,350 LF of the pipe installation via HDD connecting to an existing force main with a tapping sleeve and valve. Also requires 25 MGD of bypass pumping, dewatering, an effluent pump station, and paving.

WET WEATHER MONITORING & PUMPING SYSTEM

City of Largo, FL / $38,912,084

Superintendent. Pumping improvements to seven City lift stations, including new wet wells, pumps, power supply, telemetry, and bypassing, installation of 77,000 LF of 12" to 30" force main, HDD, auger boring to cross FDOT and CSX rights-of-way, and reconstruction of a City roadway.

48" EFFLUENT PIPELINE

International Paper Company / $17,048,050

Superintendent. Installation of 51,000 LF of 48" Class 150, cement-lined, ductile iron pipe that crossed more than 25 wetlands and multiple private properties. Included concrete dsitribution structure and upstream mixing box, multiple air release valves, low point drains, jack and bore crossings, a 1,200 LF microtunnel, a 300 LF utility bridge, and 2,600 LF of aerial pipe installed on prestressed piles and precast caps.

TEAM MEMBER REGULATORY AGENCY EXPERIENCE

Our team recognizes permitting is always a key element of the design-build delivery, and has potential to cause delays in project execution. To combat this we have staffed our team with professionals that have a depth of recent and relevant local experience obtaining permits from regulatory agencies that will be involved in this project. **Our team is experienced with the local permitting agencies and their processes and will leverage this experience to ensure we maintain our design commitments and project schedules.** Below is a representative summary of our team member's experience with relevant regulatory agencies.

Agency	Requirements of Permit	Experience	Staff Lead
FDOT	Work within FDOT ROW	CD01 Water Main Improvements	Deavon Uter, PE
	Work within FDOT ROW – required night work due to closure of intersection at SR76 and US Highway 1	City of Stuart Water Main Improvements	Christine Miranda, PE
PBC Building Permit	Building Rennovations	Building Rennovations for the Loxahatchee River District Adminstration Building	Stephen Fowler, PE
FDEP/PBC Health Dept.	Water main construction and service connection	CD01 Water Main Improvements:12 Sites 12 permits; 4th District Court of Appeal; Washington Road Utilities...; Florida Turnpike Enterprise	Deavon Uter, PE
	Sanitary Sewer main and service latterals construction	4th District Court of Appeal; Washington Road Utilities...; Florida Turnpike Enterprise	Deavon Uter, PE
	Water main construction and services—multiple partial certifications of completion submitted for project	City of Stuart Water Main Improvements, Country Club Village Infrastructure Improvements	Christine Miranda, PE
	Gravity sewer, low-pressure force main, and force main construction	Turtle Creek Gravity Sewer Program, Imperial Woods Low Pressure Force Main System, Maplewood Drive and Loxahatchee River Road Force Main Extension, Roan Lane Force Main Replacement	Christine Miranda, PE
SFWMD	Environmental Resource Permit	4th District Court of Appeal; Pine Trails Park; Washington Road	Deavon Uter, PE
	Environmental Resource Permit	Hood Road Water Treatment Plant Paving Improvements	Curtis Robinson, PE
USACE	Crossing a tributary of a water of the United States (Loxahatchee River)	16" reclaimed water main, 4" force main, and 2" low pressure main installation	Christine Miranda, PE
	Crossing of the intracoastal waterway	12" force main installation	Curtis Robinson, PE; Matthew Paymer, EI
PBC Land Development Permit	Work within the County ROW	CD01 Water Main Improvements:12 Sites; 12 permits	Deavon Uter, PE
	Work within the County ROW including roadway crossings and MOT	16" reclaimed water main, 4" force main, and 2" low pressure main installation	Christine Miranda, PE
	Work within the County ROW including directional drill crossings of roadways	Directional drill crossing of Palm Beach County roads with new 36" raw water main	Christine Miranda, PE; Stephen Fowler, PE
Lake Worth Drainage District	Aerial crossing of canal ROW	CD01 Water Main Improvements	Deavon Uter, PE
	Aerial crossing of canal ROW	Palm Beach County Water Utilities Aerial Crossing Replacement	Christine Miranda, PE
	Outfall improvements	L-47 Canal Outfall Rehabilitation	Christine Miranda, PE

AVAILABILITY LOCATION AND WORKLOAD OF THE PROPOSED TEAM

Our team's projected workload is well-positioned to match the schedule required for this project. We have carefully assessed our current and projected workload and are confident that our highly qualified team is available to provide the services required to complete this project on schedule. The table below summarizes our team's availability for the City's project, their loation during preconstruction and construction, and their current project work listing and the status of those committments.

Name	Avail. (%)	Location (Preconstruction // Construction)	# of Projects and Completion Status
Dan Smolik	50%	Winter Garden, FL & Onsite // Winter Garden, FL & Onsite	○ ◍ ●
Ryan Smith, CSP	25%	Winter Garden, FL & Onsite // Winter Garden, FL & Onsite	N/A – Safety Manager for all Garney Southeast Projects
Mark Kelly	25%	Winter Garden, FL & Onsite // Winter Garden, FL & Onsite	○ ●
Will Poczekaj	60%	Winter Garden, FL & Onsite // Winter Garden, FL & Onsite	◍ ●
Kevin Kraus	100%	Winter Garden, FL & Onsite // Jobsite	○
Humberto Del Cid	100%	Winter Garden, FL & Onsite // Jobsite	○
Jonathan Russell	100%	Winter Garden, FL and Onsite // Jobsite	●
Sharon Merchant	30%	West Palm Beach, FL // West Palm Beach, FL	○ ◍ ◍ ◍ ◍ ●
Stephen Fowler, PE	80%	Jupiter, FL // Jupiter, FL	○ ◍ ◍ ● ● ●
Mathew Paymer, EI	50%	Jupiter, FL // Jupiter, FL	○ ◍ ◍ ◍ ● ●
Christine Miranda, PE	40%	Jupiter, FL // Jupiter, FL	○ ◍ ◍ ◍ ● ●
Curtis Robinson, PE	40%	Jupiter, FL // Jupiter, FL	○ ◍ ◍ ◍ ● ●
Deavon Uter, PE	25%	West Palm Beach, FL // West Palm Beach, FL	○ ◍ ●
Bud Goblisch, PE	25%	West Palm Beach, FL & Onsite // West Palm Beach, FL & Onsite	○ ◍ ● ● ●
Steve Bailey, PE	20%	Cooper City, FL // Cooper City, FL	○ ○ ○ ○ ○ ◍ ◍ ● ● ●

■ Garney; ■ Holtz Consulting; ■ CES Consultants; ■ Merchant Strategy; ■ Bailey Engineering

Project Status: ○ 0 – 30% Completed; ◍ 30% – 60% Completed; ● 60% – 99% Completed

TYPICAL NUMBER OF PROJECTS HANDLED BY PROJECT MANAGERS

Project managers typically manage several projects at a time. While the Project Manager oversees the project, they also work closely with on-site resources to ensure each project is completed to the client's satisfaction. Below is a summary of the projects that Dan Smolik is currently leading.

Project Name	Calculated Completion
48-Inch Water Transmission Main for Area N (Design-Build), Miami-Dade County, FL	10/2019
River Oaks Diversion Project (Design-Build), Hillsborough County, FL	10/2019
Davis Islands Pumping Station Force Main Relocation Emergency, City of Tampa, FL	5/2019

PROJECTED WORKLOAD OF PROJECT MANAGEMENT ACTIVITIES

As Design-Build Manager, Dan Smolik, will be responsible for the overall success of your project, ensuring that the team has the resources to complete the project on schedule and that manpower is available throughout design and construction. The schedule and budget will be managed by Dan, and he will work closely with community relations surrounding the project.

IDENFICATION OF SUBCONSULTANTS PROVIDING MORE THAN FIVE PERCENT OF THE WORK

Garney anticipates that lead design engineer Holtz Consulting and CES Consultants would be the only subconsultants that might receive more than 5% of the work for this project.

SECTION 4

APPROACH, DEMONSTRATED SKILL SET, AND INNOVATIVE IDEAS THAT WILL BE USED TO ADDRESS THE SCOPE OF WORK

SECTION 4

APPROACH, DEMONSTRATED SKILL SET, AND INNOVATIVE IDEAS THAT WILL BE USED TO ADDRESS THE SCOPE OF WORK

NARRATIVE OF PROJECT AND UNDERSTANDING OF THE PROJECT ISSUES

PROJECT UNDERSTANDING AND REQUIREMENTS

The South Central Regional Wastewater Treatment and Disposal Facility (SCRWWT&DF) utilizes ocean outfall as one of its disposal methods for its treated effluent. It is required to comply with the Florida Statute 403.086 and the Florida Department of Environmental Protection (FDEP) requirement must install, or cause to be installed, a functioning reuse system within the utility's service area by December 31, 2025.

To comply with this statute, a "functioning reuse system" means an environmentally, economically, and technically feasible system that provides a minimum of 60% of a facility's baseline flow on an annual basis for reuse purposes authorized by the department. To meet this objective for the SCRWW&DF will require an additional 7.7 MGD of reclaimed water capacity. The City has agreed to implement 50% of the additional capacity with is 3.85 MGD.

The City has chosen to utilize the progressive design-build (PDB) delivery method to implement the expansion of its existing reclaimed water distribution system to serve additional large reuse customers within its service area. By using PDB delivery process the City can systematically work through its four year plan to add reuse distribution lines to areas not currently served by the existing reuse distribution system.

PROJECT GOALS AND OBJECTIVES

The City has expressed a desire for a collaborative and creative team to design and construct the Reclaimed Water Distribution System. Selection of a team who is immediately available and fully understands each project's challenges will be important.

Furthermore, execution of this work through the PDB approach benefits the City in the following ways:

- Work will be performed by the best qualified design-build team including contractor, engineers, and subcontractors.
- A team who is focused on the same goals which creates a sense of ownership, accountability, and understanding of the design intent.
- Collaborative solutions involving all stakeholders early in the process, along with active public relations engagement to minimize public impact.
- Early price certainty based on cost estimating throughout design and GMP development.
- The overall project designed and constructed to a budget, aligning with City's proposed timeline.

Our project approach focuses not only on technical aspects for consideration by the City, but also on Garney's proven approach to a successful PDB execution.

PROJECT CHALLENGES

We understand that one of the City's greatest challenges throughout this project will be to minimize public impact and maintain an effective maintenance of traffic plan. Garney is no stranger to working in highly traveled areas by both vehicles and pedestrians. We have completed major projects in urban and residential settings, all while keeping businesses open and traffic flowing. Our team's approach is proactive in identifying project challenges and risks while developing solutions that yield a direct benefit to the City. **Table 1** identifies various tools we will utilize to minimize public impact throughout the project.

TABLE 1: MINIMIZING PUBLIC IMPACT – TOOLS FOR ADDRESSING CHALLENGES

TOOL	BENEFIT TO THE CITY
Thorough Route Analysis	✓ Focus on alignments in grassed areas of R/W to minimize traffic impacts and costly pavement restoration. ✓ Identify public buildings / services (churches, schools, public services) within Utility area and design to limit disruption to their operations.
Utility Investigations	✓ Utilize existing as-built data as a preliminary baseline. ✓ Perform extensive subsurface utility exploration during design to eliminate conflicts during construction.
Trenchless Technologies	✓ Utilize directional drilling to minimize open cut of residential and business driveways to allow for access at all times. ✓ Cross environmentally sensitive areas (i.e. wetlands, waterways) using HDD methods.
Utility Damage Plan	✓ Approach the construction with positive response through 811 before excavations. ✓ Field verify all utilities before performing any excavation. ✓ Maintain pipe repair materials on hand during construction to allow for quick repairs in the event of a service interruption.
Comprehensive Maintenance of Traffic	✓ Minimize permanent lane closures to major arterial roadways. ✓ Utilize daily lane closures during off-peak hours. ✓ Use of arterial roadways for detour routs to keep traffic out of residential areas.
Maintaining Service	✓ Utilize wet tapping for connections to maintain reuse service. ✓ If necessary schedule outages for low demand periods to lessen impact.

PROPOSED PROJECT DELIVERY PROCESS

We applaud the City's desire to implement this project through the PDB methodology. Many municipalities are executing large programs in this manner and find the experience throughout ALL phases to be implemented with less changes and all parties having a better understanding of the project drivers, challenges, risks, and costs.

The PDB method instills early collaboration, offering the strongest combined expertise when the project needs it the most, during the preliminary and early design phase.

We have structured our team's roles and responsibilities, and our workflow for the following:

- To highlight each team member's strengths
- To allow for a fast-track design implementation as needed
- To focus evaluation of alternatives not solely on cost but also in their ability to meet schedule, constructability, and regulatory/ environmental impacts
- To construct all improvements in a safe manner
- To provide a rewarding collaborative project experience for the City and our team resulting in a quality project delivered on-time and within-budget

ENSURING SCOPE, BUDGET, AND SCHEDULE ARE MET

The Garney team's approach to meeting the project schedule is met by having a robust engineering team who is technically capable, has the work staff available to commit to the design deliverables, and a clear understanding of the City's General Utility and Public Works Standards.

Our team recognizes permitting is always a key element of the design-build delivery, and has potential to cause delays in project execution. To combat this our team will designate a Permitting Lead, **Christine Miranda, PE**, to work closely with permitting agencies to eliminate schedule impacts. With 19 years of experience in Southeast Florida, Christine offers well established relationships with local regulatory agencies and is familiar with permitting processes. She will oversee permitting submittals and inquires to ensure we maintain our design commitments.

As we transition from design to construction we'll utilize a similar approach, with separate field crews to construct pipeline distribution and mechanical/facility type projects. Garney maintains a number of utility and mechanical pipe crews both within Florida and throughout the US.

Lastly, our team does recognize timely expenditures and accurate cash flow must be integrated into the overall project execution and considered when developing the final schedule. Should the City have specific cash flow projections which need to be met, Garney will help identify these early in the design phase and develop ways in which the work can be accomplished to meet these expectations.

COST EFFECTIVENESS OF PROPOSED SOLUTIONS

COST ESTIMATING APPROACH

Transparency, collaboration, and a clearly defined scope are key components of our team's cost estimating approach. Eliminating scope gap and scope redundancies during the preconstruction phase ensures that the Garney team will receive complete and accurate pricing from our estimating team and subcontractors.

The Garney team's self-performing construction experience and our detailed history of the cost of the work is why Garney's baseline estimate is typically within 2% - 5% of the final GMP. This provides the City cost certainty from the first estimate milestone.

True open-book estimating is transparent, familiar, and accessible. In lieu of using expensive proprietary software, Garney uses Microsoft Excel for our estimating so that the City can see cost breakdowns. At each design milestone, our Design-Build Manager, **Dan Smolik** will review a detailed Work Breakdown Structure (WBS) worksheet with the City. The WBS supports an open-book approach and is completely searchable and sortable providing breakdowns of the current cost estimate showing the total bare cost and total cost with burden and markups applied. The WBS is sortable by: bid item, pipeline segment, pipeline size, construction disciplines, and description.

SELF-PERFORMANCE YIELDS COST EFFICIENCIES

3,019,255
MAN HOURS OF WORK

70-90% AVERAGE
SELF-PERFORMED WORKED

As design milestones are reached the cost estimate will be provided and reviewed with the City. The cost estimate format will be consistent throughout the process, with changes clearly identified under each bid component, allowing for efficient review amongst the team. **As a living document we can quickly analyze design considerations and provide cost impacts to assist with the overall evaluation. Garney prefers to utilize real-time data, involving key subcontractors from the start to ensure cost estimates align with the current market conditions.**

GUARANTEED MAXIMUM PRICE (GMP) PROCESS

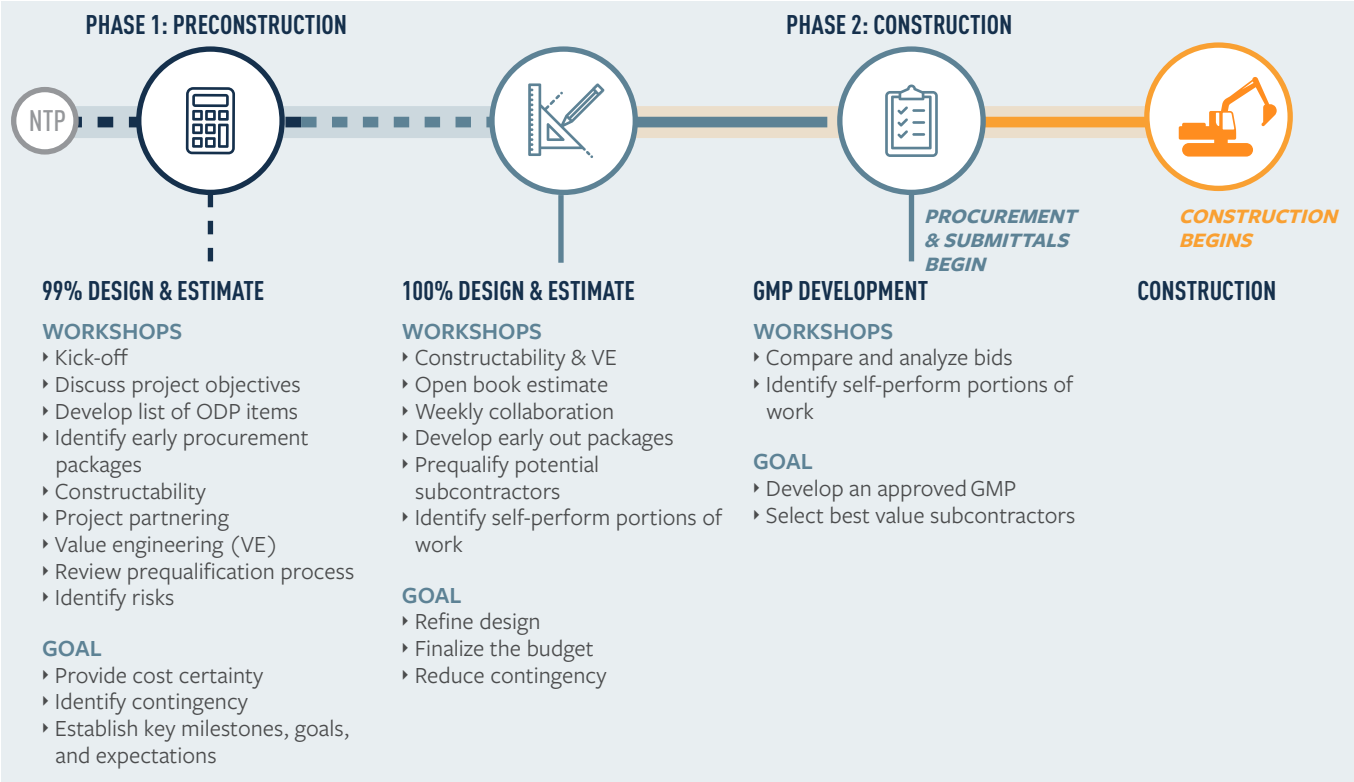
Through our experience we know the GMP process is not a one-size-fits-all approach. We will collaborate with the City on the format, breakdown, and structure to meet your needs.

We believe the GMP will have five main components including: reclaimed water system, pumping / storage, roadway restoration, project general conditions, and contingency. The format will mimic the cost estimating structure that will be used to provide cost estimates. **Figure 1** outlines our GMP Development Approach.

Each component will have a breakdown of the major cost components related to design, permitting, pipeline installation, trenchless installations, MOT, surface restoration, performance testing, and commissioning. This level of detail will allow the City to easily review and understand the details that make-up each work component, and identify specific items within component that could require further analysis.

The City will not be surprised with the final GMP numbers, as our team will be providing initial GMPs at schematic, 30%, and 60% design stages. Reviews will be handled by our team in a timely and efficient

FIGURE 1: GMP DEVELOPMENT APPROACH



manner and will not cause any delay to the project. We understand this can be a sensitive topic but we are confident our actions and how we conduct business will gain the trust of the City expediting these decisions.

LIFE CYCLE ANALYSIS

As the design progresses and decision are made on pipe routes, pumping and storage, our team will prepare detailed evaluations of the alternates available for each item. For instance, when we determine the need for trenchless pipe installations, we will prepare an analysis of the different types of trenchless installation methods: directional drill, jack and bore, etc., along with the pipe materials best suited to be installed for each installation method.

For the potential pump station, we will compare the various types of pumps, their pluses and minuses, capital cost, power consumption, and maintenance. **Our role will be to provide the City all the needed details and information to make informed long term decisions in their best interest.**

MEETING BUDGETARY GOALS AND TIMETABLES

BUDGET DEVELOPMENT

Our team philosophy is to develop a realistic cost model early, that leaves room for innovation, creativity, and flexibility. Our goal is to deliver your project under your budget in order to return savings back to the City, or provide the ability to incorporate additional scopes of work.

ONCE SELECTED AS YOUR PDB, WE WILL:

- **STEP 1 –** Identify specific items and scopes of work to be considered
- **STEP 2 –** Produce an initial budget for each individual scope of work
- **STEP 3 –** Develop a realistic budget based on the location and current market conditions
- **STEP 4 –** Use preliminary budgets to prioritize scopes of work and develop overall scope

Our input through the initial design to the GMP will help bring value to the project by using our experience during constructability reviews and identifying the most economical means and methods while giving input on the design. This will provide the City with a functional product at the best value.

OUR GOAL IS TO DELIVER YOUR PROJECT UNDER BUDGET IN ORDER TO RETURN SAVINGS BACK TO THE CITY, OR PROVIDE THE ABILITY INCORPORATE ADDITIONAL SCOPES OF WORK.

CONFLICT RESOLUTION METHODS

It is Garney's policy to resolve all disputes in a fair, reasonable, and informal manner using win-win approach to assure all parties are satisfied without resorting to litigation. We believe that all conflicts can and should be resolved in the field. In the event a subject is too complex or difficult to resolve amicably, we prefer non-binding informal mediation by an outside party. As a last resort, Garney agrees to abide by the rules of the American Arbitration Association to achieve settlement. Under no circumstances do we choose to use litigation as a means for settling disputes.

SCHEDULE CONTROLS

Upon Notice to Proceed, Design-Build Manager **Dan Smolik** will develop a detailed project schedule. For the preconstruction phase, the schedule will include all required deliverables, including design review submittals, estimates, GMP, and permit applications.

Permits will likely be on the critical path of the design phase, so capturing these items in the schedule is vital to success. As the design progresses, detail will be added to the construction schedule. The schedule will be updated and shared with the team at monthly progress meetings. A two-week look ahead schedule will also be produced and shared weekly with the City, subcontractors, and all other members of the project team. The purpose of the look-ahead schedule is to ensure the City is aware of work to be performed and to ensure that all subcontractors know what is expected of them for the upcoming weeks.

Bi-monthly scheduling meetings will be held with all subcontractors and suppliers in an effort to identify potential issues early, prevent delays, and maintain the overall schedule. This meeting will be open to all project stakeholders. Should the project schedule begin to slide, the scheduling meetings will be revised to weekly meetings, at which time recovery plans will be put in place.

CHANGE ORDER CONTROLS

With the amount of effort during the design phase and level of detail communicated to potential prequalified subcontractors and suppliers during the bid phase, we do not anticipate the need for any change orders. Should a request for change order be warranted Garney will be able to review the validity of the request and formulate a response for the project team to review. Our team has proven and tested subcontract and purchase order agreements that have been adopted by many of the local subcontractors and suppliers, and the ability to negotiate mark-ups that are fair and reasonable will be part of the bid evaluation process.

Most change order requests originate from an RFI response which changes the contractual scope of work. Other change order requests are given directly to Garney by the Owner, requesting changes to the scope of work. Upon receiving a request for pricing, Design-Build Manager, **Dan Smolik**, prepares a cost estimate and presents it and all of the appropriate supporting data to the City for review and approval. All backup and documentation is attached with this request. It is not Garney's philosophy to submit unsubstantiated change orders.

PERMITTING APPROACH

Our team recognizes permitting is always a key element of the design-build delivery, and has potential to cause delays in project execution. To combat this our team will designate a permitting coordinator, **Christine Miranda, PE**, experienced with the local permitting agencies and processes to oversee these submittals and inquires to ensure we maintain our design commitments.

CONTINGENCY

Garney understands the City owns the contingency fund through all phases of the project and that any unused contingency will revert to the City upon completion. There are several ways to manage contingency and Garney will work with the City to identify the most beneficial process to your program.

During the evolution of the cost estimates, we recommend the amount of the contingency be kept inversely proportional to the completion percentage of the project design (e.g. the less complete the project design, the higher the amount of contingency required).Garney believes that contingency exists primarily for scope not completely designed or quantified at the time an estimate is provided. The amount of contingency set aside at any given point in the evolution of the design will be kept as a separate line item within the design-build estimate. This will be discussed with the project team during each estimate review and prior to any GMP supporting the transparent nature of the open book design-build estimating process.

EXAMPLES OF PROVEN SUCCESS

Utilizing the PDB delivery method provides significant flexibility to monitor and address the project budget. It starts with developing and communication a process to monitor the budget, then simply following the plan.

SUCCESS STORY

Our same team led by Dan Smolik designed and constructed the City of Tampa's Perry Street Interim Diversion Facility Emergency Progressive-Design Build project involving the installation of 10,000 LF of 20" FM with over 8,000 LF of pipe installed using HDD including a 25 MGD bypass pumping operation to rehabilitate an existing pump station for the City of Tampa in less than seven months.

THE PDB DELIVERY METHOD

#1 – BUDGET DEVELOPMENT

Determine realistic baseline (initial) budget based on the scope and market conditions.

#2 – DETAILED ESTIMATES

Once the initial design is developed, provide detailed estimates based on historical data to reflect the actual cost.

#3 – UPDATE BUDGET

Next, track all design and/or scope modifications and provide a detail analysis of the budget implications.

#4 – IDENTIFY SAVINGS

Evaluate opportunities for value engineering and constructability savings.

#5 – REFINE BUDGET

Continually review / update budget at each design stage.

#6 – IDENTIFY PROCUREMENT OPPORTUNITIES

Evaluate opportunities for early-out construction packages or long lead item procurement.

#7 – FINAL GMP

GMP finalization once design and scope decisions are complete.

Following this proven process, Garney has continually finished our projects at or below the established GMP.

PROJECT MANAGEMENT REPORTING

ADHERING TO THE GMP

Garney's approach in maintaining the GMP and schedule is proactive, not reactive. We will use the following approaches outlined in **Table 2** to realize budgetary, schedule, and QA/QC objectives.

TABLE 2: MANAGING AND REALIZING BUDGETARY GOALS, TIMETABLES, AND QA/QC OBJECTIVES

APPROACH	BENEFIT TO THE CITY
THOROUGH DOCUMENT REVIEW	Constructing water/wastewater infrastructure is all we do. We have a detailed understanding of all the required components to provide a complete project. We will leverage this experience as we review the design, contract documents, and project requirements to expose any conflicts or omissions, eliminating the potential for change orders or delays.
CONSTRUCTABILITY REVIEWS	Our team will draw upon our comprehensive experience in constructing wastewater facilities to provide practical solutions to complex issues. We will evaluate the unique components that are necessary for the project, and identify potential ways to streamline the process and use the most costeffective construction techniques for maximizing efficiency and reducing cost.
PRE-PLANNING	Garney places a great deal of emphasis on pre-planning the work, training the workforce, and using the right materials and equipment to allow work to be done right the first time. As work is completed, Garney will promptly evaluate quality and identifies any deficiencies that may exist. Once identified, our team will correct deficient work in the shortest timeframe possible.
WORK BID PACKAGE CREATION	Using lessons learned on Garney's past projects, detailed scopes of work will be developed for each bid package and provide clear direction or clarification where necessary to each bidder on items that should be included for a complete price. This will eliminate scope gaps or overlaps that can lead to potential changes. All of this information, along with bid documents, will be distributed to each bidder.
REGIONAL & NATIONAL RELATIONSHIPS	With Garney, the City gets the benefit of a local company with a regional presence and national resources. Garney has national relationships and agreements with major pipe and valve manufacturers, national and regional supply houses, and pipe manufacturers. Through these relationships, we know who to contact within each organization and how to navigate layers of management. We will leverage our position to resolve issues and have items delivered expeditiously and cost-effectively.
OWNER DIRECT PURCHASE (ODP)	Garney will lead the process and uses its experience with ODP to ensure we mitigate any risk to the City associated with using ODP.

COMPREHENSIVE PROJECT MANAGEMENT REPORTING SYSTEM

Garney typically uses Spectrum Project Management Software to track and manage all project correspondences, including addendums, requests for information (RFI), submittals, Engineer's supplemental instructions, quotations, ODP contracts, and change orders. We understand the City has standardized on e-Builder perform this function and log / track all items to ensure the items were sent to the appropriate parties and that they responded in a timely manner.

We have experience using this and many other project management softwares and do not expect any issues implementing e-Builder.

We also establish a dedicated Web-based filing system (SharePoint) for the project. All project team members will have access to project records, permit documents, and cost database while the City's staff will have unfettered access to the documents as they are developed. Using these processes will result in the clear transfer of instructions, decisions and questions among the project team, which will allow for timely identification of concerns, decisions to be made, and appropriate dissemination of information. This allows the entire process from preconstruction through construction to progress without serious delays or substantial extra costs.

We utilize the project schedule as a detailed tool that outlines every work task, resource and cost loaded to accurately project manpower and funding needs, and provide a detailed plan of how our team will complete this project. The schedule will be used as a management tool and updated monthly by the Design-Build Manager, **Dan Smolik**, and submitted to the City as part of the payment process and progress report.

SECTION 5

CREATIVITY AND INNOVATION IN PROJECT APPROACH AND SOLUTION SELECTION OPTIONS

SECTION 5

CREATIVITY AND INNOVATION IN PROJECT APPROACH AND SOLUTION SELECTION OPTIONS

INNOVATIVE APPROACHES AND BEST PRACTICES

The foundation of our project approach is established around the core items needed to successful delivery of any project: Safety and Quality.

SAFETY APPROACH

Garney is committed to maintaining a safe work environment for all personnel working on the project. We embrace a philosophy of safety and health excellence. Our safety culture, by design, empowers employee-owners at all levels to accept ownership for safety and take whatever actions are consistent with our goal of eliminating all safety incidents.

Safety is Garney's number one company goal and is a priority above all else. Garney will take ownership in making sure every activity on this project is performed safely. There will be no shortcuts to performing this project safely Garney projects operate as Drug Free Workplaces. Factors that make Garney's safety program a success that will be implemented on this project include:

GARNEY'S SAFETY PROGRAM FEATURES:

SITE SPECIFIC SAFETY PLAN	SITE SPECIFIC SAFETY COMMITTEE
SAFETY TASK & JOB HAZARD ANALYSIS CARDS	PRE-JOB SAFETY CONFERENCE WITH ALL SUBCONTRACTORS
WEEKLY TOOLBOX TALKS	G-OSHA INSPECTIONS (MOCK GARNEY INSPECTIONS)
ONGOING SAFETY TRAINING AND REVIEWS BY RYAN SMITH, CSP, SAFETY MANAGER	

Safety begins during the earliest stages of the project. During the preconstruction stage, discussions are held on the safest way to construct the project. These discussions are also held during the scheduling and planning stage and during the daily task planning.

During the construction phase, Garney will work directly with all other contractors and subcontractors on the project. We will review each contractor's safety program and help facilitate changes in areas we see weaknesses as applicable to work on this project.

Garney performs a Pre-Job Safety Conference with each contractor working on-site. During this conference, expectations and protocols are established. These conferences will include attendance from the contractor's Safety Manager, Project Manager, and Project Superintendent who will be on site throughout construction. Prior to the contractor starting work on site, Garney requires a safety orientation with the crews who will be performing the work. It is our intention that our safety culture will be passed on to every contractor working on this site.

During construction of the project, Garney will have **Ryan Smith**, a Certified Safety Professional (CSP), on-site for the duration of the work. It is not our intent for this person to be a safety "police officer," but instead be part of the integrated team between the Design-Builder and subcontractors to ensure a safe project. Ryan will perform safety audits on a regular basis to make sure everything is happening as planned.

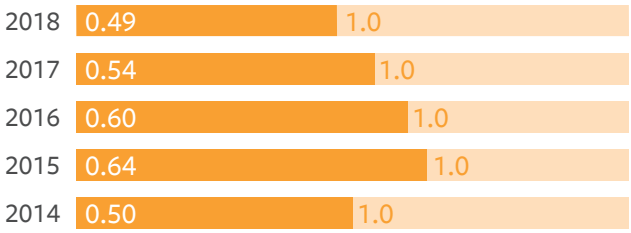
Access for City staff during construction will also be considered in safety protocols. For example, Garney has installed temporary platforms at project sites for access to equipment during construction providing walk space and safety rails. We will implement similar practices at the site and work with City staff to ensure safety and access at the site. Garney will take ownership in making sure every activity on this project is performed safely and a safe environment is maintained for City staff.

EXPERIENCE MODIFICATION RATE (EMR)

Garney's EMR for the current year and the prior two years is shown on the following page. These statistics are a numerical representation of our safety performance, but at Garney, safety goes beyond numbers — it is a part of our culture.

WORKER'S COMPENSATION EXPERIENCE MODIFIER RATING

Safety is always Garney's #1 priority.
Our numbers reflect that.



Experience Modification Rate

Garney Holding Company

Industry Average

QUALITY ASSURANCE/CONTROL APPROACH

Quality is one of Garney's core company goals. Garney's PDB team brings diversified backgrounds with extensive knowledge in estimating, managing, and constructing wastewater facility projects. Combining that knowledge with our experience managing large design-build projects makes Garney uniquely qualified to deliver a high quality project.

The project team will be responsible for preparing a QA/QC plan that reflects the philosophy that quality is planned and built into the project, not "inspected" into a project. Therefore, our team will treat the QA/QC plan as a living document initially established at the project's start and continually improved upon as the project progresses.

With all components of the project, QA/QC will be an important oversight to ensure the project is built to high standards and to minimize rework situations. This is especially important for this project since this plant is in operation and cannot have any unscheduled interruptions during construction. Garney has a strong resume and impeccable reputation having constructed a number of water and wastewater rehabilitation projects throughout the country and state of Florida.

Garney will create a detailed QA/QC plan to ensure the structure and equipment is constructed and installed according to the design and manufacturer's details.

Strict internal controls will be implemented to assure that the specified quality of work is achieved.

Garney's Construction Manager, **Will Poczekaj**, will regularly audit the project procedures, and verify that documentation control, project specific work preparation forms, inspection records, testing certifications, and commissioning certificates are strictly complied with. He will also perform inspections on subcontractors' work to confirm that they adhere to the quality control standards for this project.

QUALITY CONTROL IS THE STANDARD FOR ENSURING THAT WORK IS INSTALLED ONLY ONCE AT THE HIGHEST QUALITY TO ENSURE PROPER OPERATIONS AND EXTENDED LIFE.

PROCEDURAL IMPORTANCE AND COMMUNICATION

A successful QA/QC plan is made up of several sections. One of the more important sections is "Procedures." It will be important to establish these procedures during the initial coordination meeting with the project team to ensure they are adhered to throughout the project. These procedures will include items such as:

- FORMS
- SITE SPECIFIC SAFETY COMMITTEE
- MATERIAL TESTING PROCEDURES
- REPORTING RESPONSIBILITIES
- ADMINISTRATION CHANNELS

COST CONTROL

Early Work Packages

A benefit of using design-build is the ability to develop Early Work Packages (EWPs). These packages could be used to address schedule issues and to provide early completion or critical needs/issues within the plant. One potential EWP that would benefit the City and project is to select and purchase pumps and electrical long-lead items.

OWNER-DIRECT PURCHASE (ODP)

Within the past 15 years, Garney has assisted owners in managing $250M through ODP programs, saving Owners more than $15M. Using our knowledge and experience, we have established a detailed process that allows for streamlined implementation and meets the standards required by the FDEP. We work directly with the City's purchasing team and leverage

our relationships and national presence with the vendors to make the process as smooth as possible. We recommend the City use ODP to direct purchase the major process equipment, large diameter pipe and large diameter valves. This recommendation could potentially save the City in excess of $250,000. Garney will lead the process and uses its experience with ODP to ensure we mitigate any risk to the City associated with using ODP. Our ODP depth of experience is show on the following page:

OWNER DIRECT PURCHASE PROCESS

OWNER PROVIDES GARNEY	1. Logo for top of Purchase 2. Authorized signor of Purchase Requisition 3. Tax Exempt Certificate
PURCHASE REQUISITION	Garney creates purchase requisition for ODP material and submits to Owner for approval. Garney ensures all necessary attachments are included prior to review by Owner
REQUISITION SUBMIT	Once approved by Owner, Garney will forward complete purchase requisition with all attachments to vendor on behalf of the Owner
REQUISITION REVIEW	Upon receipt of signed purchases requisition from manufacturer/ supplier, Garney will review and transmit to Owner for execution
ORIGINAL DOCUMENT DELIVERY	After execution, one original document is returned to the supplier on the Owner's behalf
VISUAL INSPECTION	As ODP items are delivered to the project site, Garney will visually inspect all shipments and approve the vendor's shipping record for materials delivered
INVOICE CONFIRMATION	All invoices from the vendor must be directly sent to the Owner via Garney. Garney will review all invoices and confirm their accuracy prior to forwarding them
INVOICE PAYMENTS	Owner is responsible for timely payment of invoices as detailed by the payment terms on each purchase requisition. Owner will transmit payment to vendor directly

VALUE ENGINEERING AND CONSTRUCTABILITY

CONSTRUCTABILITY ISSUES

Preconstruction activities such as design reviews and constructability evaluations are activities we incorporate into every project, regardless of the delivery method. Our Design-Build team will draw upon our comprehensive experience in upgrading, expanding and constructing wastewater facilities to provide practical solutions to the complex problems that sometimes develop. We will evaluate the unique components that are necessary for the project, and identify potential ways to streamline the process and use the most cost-effective construction techniques for maximizing efficiency and reducing cost.

VALUE ENGINEERING (VE)

VE is a creative, organized effort that analyzes the requirements of a project for the purpose of achieving the essential functions at the lowest total costs over the life of the project. Through a collaborative investigation with experienced, multi-disciplinary teams, the value and economy of a project is improved. This can be accomplished through the study of alternate design concepts, materials, and methods, without compromising the functional and value objectives of the client.

Garney will begin the VE process by holding meetings to discuss expectations and responsibility of each party. This is not a formal setting and requires a team mentality with the same objective. The project will recognize the greatest gain on ideas presented before the implementation of the GMP, however with this process in place, subcontractors and suppliers will also provide great insight.

SUCCESS STORY

Garney served as the CMAR on the Plant City WRF Expansion and was selected at the 60% design phase. Early in preconstruction, Garney suggested a radical change to the clarification technology and site layout which eliminated two phases of construction, limited impact to the existing facility, reduced the project duration by 12 months, and reduced the cost of the project by $4M. **Through these efforts, we were able to return more than $560K of contingency money to the City.**

RECENT ODP EXPERIENCE IN FLORIDA

Project	Owner	Value	ODP Value
NORTHWEST REGIONAL WRF EXPANSION (DESIGN-BUILD)	Hillsborough County, FL	$193,175,506	$17,914,393
GREEN MEADOWS WTP EXPANSION (CMAR)	Lee County Utilities, FL	$75,890,507	$17,860,740
PEACE RIVER WTP EXPANSION	Peace River MWSA, FL	$61,387,521	$17,254,299
APOPKA WRF EXPANSION (CMAR)	City of Apopka, FL	$61,000,000	$14,000,000
REGIONAL WTF AT YANKEE LAKE	Seminole County, FL	$40,183,950	$9,643,302
PLANT CITY WRF EXPANSION (CMAR)	City of Plant City, FL	$39,046,696	$4,400,000
RIVER OAKS DIVERSION PROJECT (DESIGN-BUILD)	Hillsborough County, FL	$28,491,000	$1,683,585
CENTRAL PASCO WATER SYSTEM IMPROVEMENTS	Pasco County Utilities, FL	$24,150,311	$8,324,496
AIRPORT WRF PHASE 2 IMPROVEMENTS	Hernando County, FL	$24,060,873	$3,704,543
WWTP EXPANSION & UPGRADE	Loxahatchee District, FL	$23,380,181	$3,758,705
WWTP UPGRADES & EXPANSION	City of North Port, FL	$22,602,752	$4,432,125
OCALA WATER RECLAMATION FACILITY NO. 3	City of Ocala, FL	$19,327,965	$4,543,500
WASTEWATER TREATMENT PLANT UPGRADES	City of Inverness, FL	$13,701,329	$3,988,670
EAST SIDE WRF EXPANSION - PHASE II	City of Clermont, FL	$13,443,374	$2,631,285

Sometimes it is also difficult to recognize the value in an item until the full details and cost are worked through. Something which appears minimal to our team may be of great cost to a subcontractor or supplier. The quickest form of VE is eliminating scope or items. Examples of this include:

- Eliminate requirement to demo abandoned pipes below structures
- Reduce or eliminate office trailer requirements if ample space is already available
- Eliminate redundant valves
- Reduce or eliminate insurance requirements by amending existing policies
- Reduce or eliminate bonding requirements
- Eliminate requirements for contractors to provide temporary utilities
- Eliminate spare part requirements that may not be used

VALUE ENGINEERING BENEFITS:

- Helps everyone involved on the project better understand the client's needs
- Improves functionality of the project
- Improves the project schedule or ability to hold the already tight schedule
- Creates functional brakthroughs by targeting product specification errors
- Prevents "habitual thinking" and creates an openness to new ideas
- A method to build a "project contingency fund" for use in other shortfalls
- Improve or maintain treatment process design parameters within the established budgets
- Reduces project costs

MITIGATION STRATEGY

Garney will develop a Risk Mitigation Register for the project based on our understanding of detailed scope of work. The Risk Mitigation Register will be introduced at the first detailed planning session meeting and will be developed from Garney's Pre-Job Safety and Risk Analysis Form to help the project team discuss in-depth the overall approach to constructing the project to identify unique project hazards and approaches to dealing with those risks. **We consider the Risk Mitigation Register to be a living document that will be updated on a regular basis as design and construction of the project advances.**

Our team will develop detailed severe weather and hurricane preparedness plan and continually monitor the weather for potential or on-going events. In the event that a situation occurs, our self-performance capabilities allows us to control the activities and schedule, so we stop work and prepare the site and all work areas prior to the events occurring.

SCHEDULE

The success of a schedule first begins with the thoroughness and collaboration that is put forth in developing it. A comprehensive schedule will be developed immediately upon notice-to-proceed and will continue to be refined throughout the design phase. Collaboration in developing this schedule with key stakeholders is vital. The City, along with key subcontractors and suppliers, will be involved in developing the schedule to ensure all key elements that affect the project are addressed.

The schedule will be broken down into pre-construction and construction phases. Each component will be individually scheduled. See the overall draft schedule on the next page. Our team will identify all critical path activities that will require additional attention to ensure they do not impact the overall project. We will also work closely with all permitting agencies to receive input in order to mitigate or eliminate potential issues that can impact the schedule.

In addition to the project's construction activities, submittals, material procurement, and key subcontractors will be included in the schedule to monitor the overall progress. The Garney team will establish internal project milestones to ensure overall project progress is being made. The schedule will be updated monthly reflecting the progress being made. It will be used as a tool to identify critical items that could impact the overall completion. We will be able to produce reports that accurately reflect construction progress and use two week "look ahead" schedules to manage resources and manpower for timely construction completion.

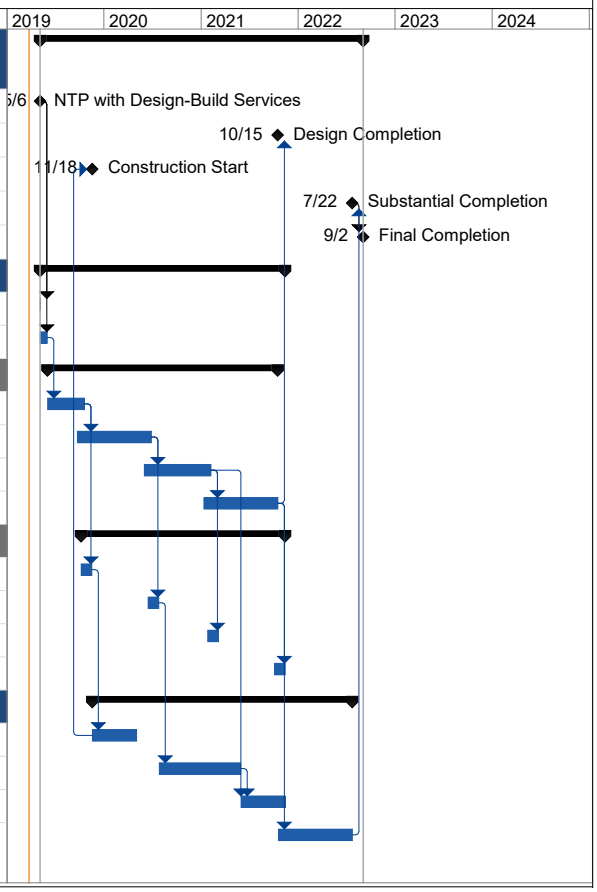
Staying ahead of critical schedule items is the best defense against schedule problems. It boils down to being proactive, not reactive. By actively managing the schedule, items of concern will also be managed. With Garney's self-performance capabilities, we have the ability to provide additional resources in the event we need to recover schedule loss. We have included a project schedule on the following page.

CONTROLLING SCHEDULE IMPACTS

SCHEDULE IMPACT	RESPONSE
Watch for changes to the critical path. If float on the critical path is consistently reduced, problems need to be addressed.	Verify that the program logic is correct and look for opportunities to add resources or direct management.
Inclement weather.	Monitor local forecasts and develop construction sequence around typical Florida weather.
Run the schedule first using the longest path to identify the true critical path.	Fine tune efforts to allocate resources efficiently.
Run the schedule and look for activities that are within 30 days of the longest path.	Highlight work that could slip to the longest path if not focused on. Research and allocate appropriate resources.
Watch for opportunities to start work early based on activities riding the data line (work that could start but is not shown as critical).	Look for opportunities to add additional crews that may not be on-site to complete work early and prevent concurrent work.

CITY OF BOYNTON BEACH
RECLAIMED WATER DISTRIBUTION SYSTEM

ID	Task Name	Duration	Start	Finish
1	RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN-BUILD	870 days	Mon 5/6/19	Fri 9/2/22
2	NTP with Design-Build Services	0 days	Mon 5/6/19	Mon 5/6/19
3	Design Completion	0 days	Fri 10/15/21	Fri 10/15/21
4	Construction Start	0 days	Mon 11/18/19	Mon 11/18/19
5	Substantial Completion	0 days	Fri 7/22/22	Fri 7/22/22
6	Final Completion	0 days	Fri 9/2/22	Fri 9/2/22
7	PRE-CONSTRUCTION SERVICES	660 days	Mon 5/6/19	Fri 11/12/21
8	Team Kick-off Meeting	1 day	Mon 5/6/19	Mon 5/6/19
9	Develop GMP for Pre-Construction Services	20 days	Mon 5/6/19	Fri 5/31/19
10	DESIGN ACTIVITIES	620 days	Mon 6/3/19	Fri 10/15/21
11	Package I Design - FY 14/15 Projects	100 days	Mon 6/3/19	Fri 10/18/19
12	Package II Design - FY 16/18 Projects	200 days	Mon 9/23/19	Fri 6/26/20
13	Package III Design - FY 18/19 Projects	180 days	Mon 6/1/20	Fri 2/5/21
14	Package IV Design - FY 20/21 Projects	200 days	Mon 1/11/21	Fri 10/15/21
15	GMP DEVELOPMENT	550 days	Mon 10/7/19	Fri 11/12/21
16	Package I GMP	30 days	Mon 10/7/19	Fri 11/15/19
17	Package II GMP	30 days	Mon 6/15/20	Fri 7/24/20
18	Package III GMP	30 days	Mon 1/25/21	Fri 3/5/21
19	Package IV GMP	30 days	Mon 10/4/21	Fri 11/12/21
20	CONSTRUCTION SERVICES	700 days	Mon 11/18/19	Fri 7/22/22
21	Package I Construction - FY 14/15 Projects	120 days	Mon 11/18/19	Fri 5/1/20
22	Package II Construction - FY 16/18 Projects	220 days	Mon 7/27/20	Fri 5/28/21
23	Package III Construction - FY 18/19 Projects	120 days	Mon 5/31/21	Fri 11/12/21
24	Package IV Construction - FY 20/21 Projects	200 days	Mon 10/18/21	Fri 7/22/22



SUBCONTRACTING WORK

A successful program starts with being proactive to ensure the subcontractors and suppliers are informed about the project and its needs. To ensure we meet the goals, we began by engaging local firms to be part of our design/ engineering team. **We have commitments with six firms on our design-build team that are W/M/SBE.**

Upon being selected, we will continue this with on-going and active engagement of the local businesses. To accomplish this, we will hold two project information meetings to attract W/M/SBE and local firms to participate on the project.

The first meeting will happen upon notice to proceed (NTP) and the project definition being finalized by the City. We will work with the City's Purchasing department to solicit and invite potential vendors and subcontractors to attend this meeting.

We will give an overview of the project with anticipated scope or work and project timeline.

- All participants will be given an opportunity to provide input on potential scope/bid packages with the intent to increase participation on the project
- Each entity will be asked to submit suggestions and recommendations to the design-build team
- We will inventory the interested local and W/M/SBE firms based on their work type and capabilities. Based on information gathered from interested firms, bid packages will be tailored to the project's needs

A second project information meeting will be scheduled once design is completed and we begin to develop each GMP. At the meeting we will:

- Review the bid packages with potential firms
- Provide assistance with document review, quantity take-of and scope analysis
- Assistance issues they may have with bonding, insurance or other business related issues This process is geared to act as a mentoring process, to provide hands on assistance and support to maximize the local and W/M/SBE participation on the project.

QA/QC FOR SUBCONTRACTED WORK

Subcontracting is a critical component of the project and provides specific risks to quality. The Garney team will award subcontracts at all tiers based on the best value of prequalified subcontractors. A subcontractor's prequalification is evaluated based their past project experience and key factors such as quality and safety. We only qualify and select firms that we believe are capable team members who can deliver a high-quality project, within schedule and budget constraints. To the highest extent possible, we will utilize W/M/SBE qualified firms to support small and emerging business initiatives within the Boynton Beach area.

After selection, we assume all responsibility for the management of subcontractors and their quality of work on the job. Our on-site Superintendent **Humberto Del Cid** will manage the safety, quality, production, and cost control of all subcontractors.

SELF-PERFORMANCE

Garney's ability to self-perform critical path activities will ensure the City's project is completed n schedule. A contractor who self-performs brings a tremendous benefit to the project and the client. Our ability to self-perform will reduce cost, expedite schedule and ensure quality and safety. Our crews typically self-perform heavy civil excavation and backfill, site dewatering, treatment plant conveyance and distribution pipelines, treatment process piping, structural concrete, start-up and commissioning, and plumbing.

QA/QC IN SELF-PERFORMANCE

Will Poczekaj, Construction Manager will oversee and ensure quality construction whether the work is being conducted by a subcontractor or a Garney employee. He will be responsible for verifying that proper materials and equipment are furnished and used, competent workmanship is provided, and all design requirements are met. He will define methods of inspection and testing as required by the design and set forth an equipment and material-receiving process to confirm that all equipment and materials meet design specification and submittal requirements.

COMMUNICATION TOOLS

Garney's approach to every project we build focuses on the philosophy of teamwork, believing that each firm's role is equally important to the success of the project. A key factor in teamwork starts with communication. Effective communication with the City will be a critical component for the success of this project. Our team will ensure effective communication through frequent meetings, reviews, and workshops to provide real-time, face-to- face interaction with the appropriate team members.

With any business model, success is ultimately dependent on the individuals involved and their ability to engage in open and honest communication from the start. The success of this project will depend on the ability of the project team (City and Garney) to work together in a collaborative environment to generate comprehensive project solutions. Garney will be a fully integrated member of this project team, and provide management services with a commitment to transparent leadership.

Understanding that communication is paramount to the success of the project, our team will establish clear lines of communication between the City, our team, and project stakeholders by using the following processes:

MAINTAINING EFFECTIVE COMMUNICATIONS
Taking the lead role in communication
Developing a detailed project team organizational chart with roles and responsibilities
Holding regular on-site meetings
Holding schedule reviews to keep the project on track
Taking digital pictures and aerials photos to track work progress
Using email and phone calls to keep in touch
Preparing an emergency contact list

PUBLIC RELATIONS PLAN

Meaningful two-way communication with all parties is critical to building trust, understanding and consensus between the impacted stakeholders and the project team. This high-profile project requires consistent public engagement strategies that will allow us to execute the concerns and opinions of residents and businesses served by the SCRWWT&DF.

At the start of this public involvement effort, **The Merchant Strategy, Inc. (TMS)** will meet with both the City's Project Representative Mr. Christopher Roschek and the Garney Design-Build Manager, **Dan Smolik**, to listen and ask questions to fully understand the scope of the project.

TMS will create a Public Involvement Plan (PIP) in an easy to understand format, outlining the details about the project background, purpose and need, the timeline, impacted parties, project duration, relevant elected officials and key City department staff, the number and types of expected meetings, incorporate ADA and Title VI (nondiscrimination) required language, and ensure that the City complies with the Plain Language Initiative.

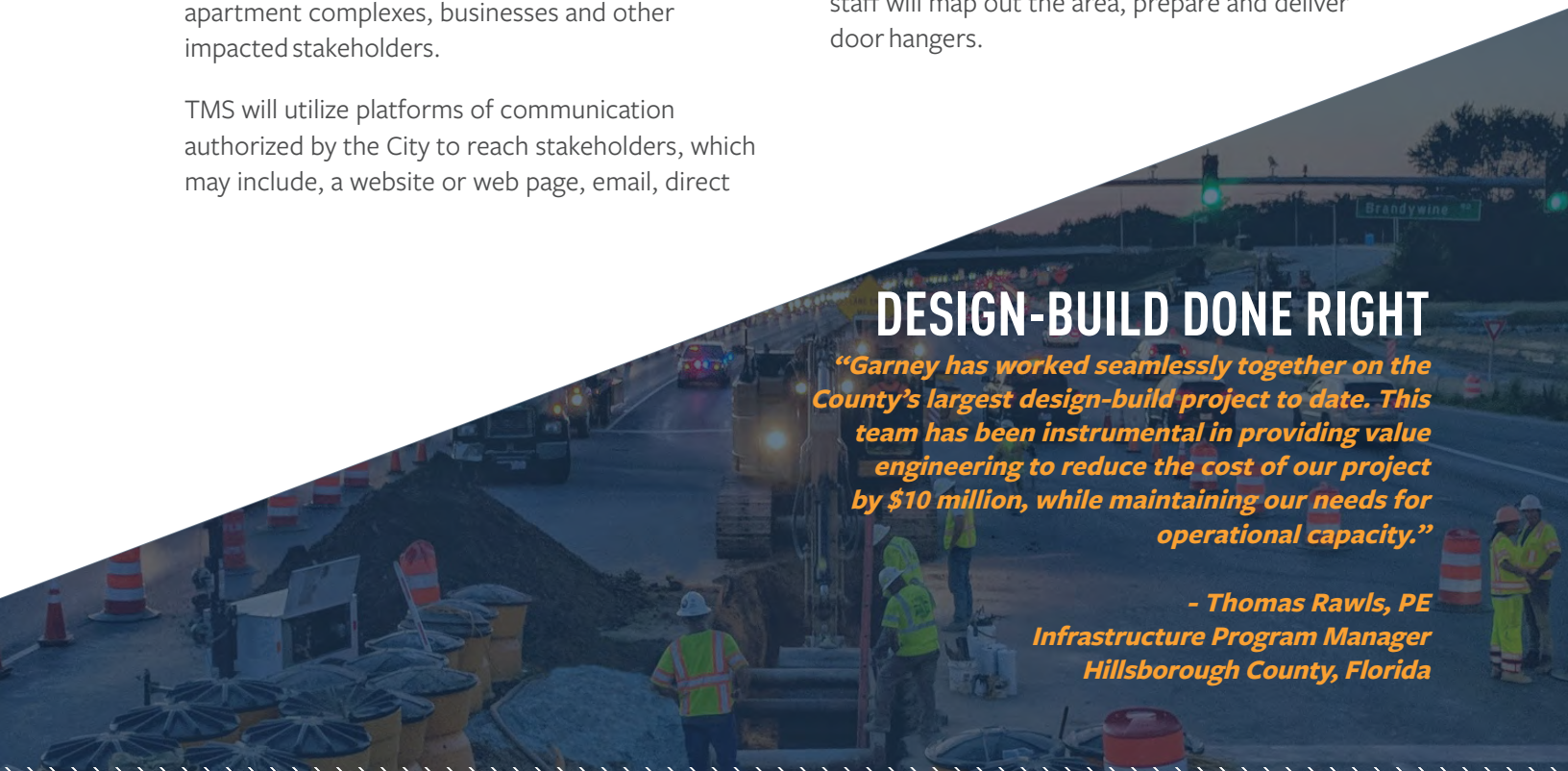
We will construct a stakeholder database of impacted Boynton Beach residents and business owners, special interest groups such as conservation and environmental groups like the Florida Department of Environmental Protection and Palm Beach County Soil and Water Conservation, Mr. Doug Levine, Chief of Operations at the SCRWWT&DF, Engineering Division and other key senior staff and departments such as Development, Utilities, and Public Works, media and others to use for information dissemination. We will use the Palm Beach County property appraiser website and Google Earth to determine the residential neighborhoods, apartment complexes, businesses and other impacted stakeholders.

TMS will utilize platforms of communication authorized by the City to reach stakeholders, which may include, a website or web page, email, direct mail, door hangers, social media, telephone, and public meetings, newsletters, press releases and other printed collateral materials which will allow us to maximize our outreach. These can be produced in English, Spanish, and Haitian-Creole languages to effectively reach the population.

The project website can be hyperlinked to the City website (www.boynton-beach.org) to provide stakeholders with in-depth information, commonly asked questions, project pictures, upcoming meeting details, a hotline number and email address for more information. The website and other collateral materials will outline the project information and the various benefits to current and future residents and visitors. Our team will engage the public through meetings, selecting an appropriate ADA compliant venue, providing public notice, producing meeting materials, staffing the meetings and providing meeting notes afterward.

TMS will create project specific social media platforms, such as Facebook and Twitter, to communicate project information and engage impacted residents of project progress, milestones and water usage changes. Social media sites will be kept updated and coordinated with appropriate City staff.

TMS takes a detailed approach to performing door to door visits within a project area. Knowledgeable staff will map out the area, prepare and deliver door hangers.



DESIGN-BUILD DONE RIGHT

"Garney has worked seamlessly together on the County's largest design-build project to date. This team has been instrumental in providing value engineering to reduce the cost of our project by $10 million, while maintaining our needs for operational capacity."

- Thomas Rawls, PE
Infrastructure Program Manager
Hillsborough County, Florida

SECTION 6

REFERENCES – PAST PERFORMANCE

SECTION 6
REFERENCES – PAST PERFORMANCE

PAST PERFORMANCE

Together, the Garney team offers the City an experienced local group of professionals backed by a considerable depth of resources and national experts. Our experience designing and constructing complex pipeline projects will be especially critical in alleviating risk for the City. We are certain our team brings strong directly-related qualifications and experiences to make this a successful project.

We are confident the best testament to our work can be heard through the voice of our clients. Below we have listed three governmental agency references for similar design-build or CMAR contracts within the past three years. We encourage the City to call our clients to learn first-hand about our success with similar projects.

SUCCESSFUL RESULTS ON RELEVANT PROJECTS.

MARKS STREET / PASADENA PLACE UTILITY IMPROVEMENTS (CMAR)

Orlando, FL

- **Agency:** City of Orlando
  Address: 400 South Orange Avenue, Orlando, FL 32802
  E-mail: kristina.fries@cityoforlando.com
  Contact Name: Kristi Fries, Project Manager
  Contact Telephone: 407.246.3353

PERRY STREET INTERIM DIVERSION FACILITY EMERGENCY PROJECT (PROGRESSIVE DESIGN-BUILD)

Tampa, FL

- **Agency:** City of Tampa
  Address: 2545 Guy N. Verger Boulevard, Tampa, FL 33605
  E-mail: cassidy.barrett@tampagov.net
  Contact Name: Cassidy Barett, Project Engineer,
  Contact Telephone: 813.274.8890

RIVER OAKS DIVERSION PROJECT (DESIGN-BUILD)

Hillsborough, FL

- **Agency:** Hillsborough County
  Address: 925 East Twiggs Street, Tampa, FL 33602
  E-mail: rawlst@hillsboroughcounty.org
  Contact Name: Thomas Rawls, PE, Infrastructure Program Manager
  Contact Telephone: 813.209.3004

SECTION 7

SUBMITTAL OF GENERAL INFORMATION AND PROCUREMENT FORMS AND DOCUMENTS

SECTION 7

SUBMITTAL OF GENERAL INFORMATION AND PROCUREMENT FORMS AND DOCUMENTS

We have included the following fully executed forms within this section:

- Proposer Acknowledgement
- Proposer Qualification Statement
- Addenda Acknowledgement
- Anti-Kickback Affidavit
- Non-collusion Affidavit of Respondent
- Confirmation of Minority Owned Business
- Scrutinized Companies Certification
- Palm Beach Inspector General Acknowledgement
- Local Business Status Certification
- Statement of Non-Submittal (if applicable)
- Schedule of Sub-progressive Design Build Teams
- Florida Professional License and Business Permits
- Proof of Liability Insurance

PROPOSER ACKNOWLEDGEMENT

Submit RFQ's To: PROCUREMENT SERVICES
CITY OF BOYNTON BEACH
3301 Quantum Boulevard, Suite 101
Boynton Beach, FL 33426
P.O. Box 310
Boynton Beach, Florida 33425-0310
Telephone: (561) 742-6323

RFQ Title: **"RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN/ BUILD"**

RFQ Number: **013-2821-19/TP**

RFQ Due On: **March 28, 2019, at 2:30 P.M. (LOCAL TIME)**

RFQ's will be publicly opened and recorded for acknowledgement of receipt in Procurement Services, unless specified otherwise, on: **March 28, 2019, at 2:30 P.M. (LOCAL TIME)** and may not be withdrawn within ninety (90) days after such date and time.

Name of Vendor: Garney Companies, Inc.

Federal I.D. Number: 44-0658613

A Corporation of the State of: Missouri

Area Code: 321 Telephone Number: 221.2826

Area Code: 407 FAX Number: 287.8780

Mailing Address: 370 E. Crown Point Road

CITY/State/Zip: Winter Garden, FL 34787

Email Address: dsmolik@garney.com

Authorized Signature

Daniel R. Smolik, Director of Pipe Operations

Name Typed

THIS PAGE MUST BE SUBMITTED ALONG WITH RESPONSE IN ORDER FOR PACKAGE TO BE CONSIDERED COMPLETE AND ACCEPTABLE

PROPOSER'S QUALIFICATION STATEMENT

The undersigned certifies under oath the truth and correctness of all statements and of all answers to questions made hereinafter:

SUBMITTED TO: City of Boynton Beach
Procurement Services
3301 Quantum Boulevard, Suite 101
Boynton Beach, Florida 33426

Submitted By:

Name: Garney Companies, Inc.

Address: 370 E. Crown Point Road

CITY, State, Zip: Winter Garden, FL 34787

Telephone No.: 321.221.2826

Fax No.: 407.287.8780

	Check One
Corporation	✓
Partnership	
Individual	
Other	

1. State the true, exact, correct and complete name of the partnership, corporation, trade or fictitious name under which you do business and the address of the place of business.

The correct name of the Proposer is:
Garney Companies, Inc.

The address of the principal place of business is:
1333 NW Vivion Road Kansas City, MO 64118

2. If Proposer is a corporation, answer the following:

a. Date of Incorporation: 12/27/1961

b. State of Incorporation: Missouri

c. President's name: Scott Parrish

d. Vice President's name: Timothy Behler, Stephen Ford, Matthew Foster, Mike Gardner, Greg Harris, Wayne O'Brien, Jason Seubert, and Bill E. Williams

e. Secretary's name: Tom Roberts

f. Treasurer's name: Meggan Krase

g. Name and address of Resident Agent: Incorp Services, Inc.
17888 67th Court North
Loxahatchee, FL 33470

3. If Proposer is an individual or a partnership, answer the following:

   a. Date of organization: N/A

   b. Name, address and ownership units of all partners:

      N/A

   c. State whether general or limited partnership: N/A

4. If Proposer is other than an individual, corporation or partnership, describe the organization and give the name and address of principals:

   N/A

5. If Proposer is operating under a fictitious name, submit evidence of compliance with the Florida Fictitious Name Statute.

   N/A

6. How many years has your organization been in business under its present business name?

   58

   Under what other former names has your organization operated?

   N/A

7. Indicate registration, license numbers or certificate numbers for the businesses or professions, which are the subject of this Bid. Please attach certificate of competency and/or state registration.

   Garney holds a Florida General Contractor, Building Contractor, and Underground Utility & Excavation licenses. We have included copies of our licenses as well as a list of all our state licenses at the end of this Section.

8. Did you attend the Pre-Proposal Conference if any such conference was held?

   YES ☑ NO ☐

9. Have you ever failed to complete any work awarded to you? If so, state when, where and why:

   N/A

10. List the pertinent experience of the key individuals of your organization (continue on insert sheet, if necessary)

Pertinent experience of the key individuals on our team is detailed in the resumes located in Section 3 of this proposal. Our team offers a depth of relevant pipeline and collaborative delivery project experience throughout Florida.

11. State the name of the individual who will have personal supervision of the work:

Dan Smolik, Design-Build Manager

12. State the name and address of attorney, if any, for the business of the Proposer:

Mike Strong, Garney General Counsel

1333 NW Vivion Road Kansas City, MO 64118

13. State the names and addresses of all businesses and/or individuals who own an interest of more than five percent (5%) of the Proposer's business and indicate the percentage owned of each such business and/or individual:

Garney is a 100% employee owned company. No businesses and/or individuals own an interest of more than five percent.

14. State the names, addresses, and the type of business of all firms that are partially or wholly owned by Proposer:

Garney Companies, Inc. is a wholly owned subsidiary of Garney Holding Company. Please see attached list of parent company and subsidiary companies.

15. State the name of Surety Company which will be providing the bond (if applicable), and name and address of agent:

The Continental Insurance Company, a CNA Surety Company: 151 N. Franklin Street Chicago, IL 60606 and Liberty Mutual Group: 450 Plymouth Road, Suite 400 Plymouth Meeting, PA 19462

Agent Name and Address:
Thomas McGee, L.C.:
120 W. 12th Street, Suite 1000, Kansas City, MO 64105
Contact: Doug Joyce, CIC, Managing Partner
djoyce@thomasmcgee.com
Ph: (816) 842-4800

16. Annual Average Revenue of the Proposer for the last three years as follows:

		Revenue Index Number
a.	Government Related Work	10
b.	Non-Governmental Related Work	10
	Total Work (a +b):	10

Revenue Index Number

1.	Less than $100,000
2.	$100,000 to less than $250,000
3.	$250,000 to less than $500,000
4.	$500,000 to less than $1 million
5.	$1 million to less than $2 million
6.	$2 million to less than $5 million
7.	$5 million to less than $10 million
8.	$10 million to less than $25 million
9.	$25 million to less than $50 million
10.	$50 million or greater

17. Bank References:

Bank	Address	Telephone
Commerce Bank	1000 Walnut, 17th Floor Kansas City, MO 64106	816.234.2124
Brett Gray, Vice President		

18. Provide description of policies and methods for project monitoring and budgeting control as well as adherence to project schedule (continue on insert sheet, if necessary).

Garney has a long-standing and successful track record in delivering infrastructure projects with a high level of design and construction quality, on time, and within approved budgets. Garney's best practices for project monitoring, budget control, and adherence to project schedule are detailed in Section 5 of this submittal.

19. Provide descriptions of quality assurance/quality control management methods (continue on insert sheet, if necessary):

Strict internal controls are implemented to assure that the specified quality of work is achieved. The QA/QC program is created and customized for each specific project, and is provided to the Owner prior to mobilization. Details of Garney's QA/QC management methods is detailed in Section 5 of this submittal.

20. Is the financial statement submitted with your proposal (if applicable) for the identical organization named on page one?

YES N/A NO N/A RFQ 013-2821-19/TP did not request financial audits be submitted.

21. If not, explain the relationship and financial responsibility of the organization whose financial statement is provided (e.g., parent-subsidiary).

Garney Companies, Inc. is a wholly owned subsidiary of Garney Holding Company. Please see attached list of parent company and subsidiary companies.

22. What will be your turnaround time for written responses to City inquires?

Garney will provide electronic response within 48 hours of inquiry

23. List and describe all bankruptcy petitions (voluntary or involuntary) which have been filed by or against the Proposer, its parent or subsidiaries or predecessor organizations during the past five (5) years. Include in the description, the disposition of each such petition.

None

24. List all claims, arbitrations, administrative hearings and lawsuits brought by or against the Proposer or its predecessor organization(s) during the last five (5) years. The list shall include all case names, case arbitration or hearing identification numbers, the name of the project which the dispute arose, and a description of the subject matter of the dispute.

None

25. List and describe all criminal proceedings or hearings concerning business related offenses to which the Proposer, its principals or officers or predecessors' organization(s) were defendants.

None

26. Has the Proposer, its principals, officers or predecessors' organization(s) been convicted of a Public Entity Crime, debarred or suspended from bidding by any government during the last five (5) years? If so, provide details.

No

The Proposer acknowledges and understands that the information contained in response to this Qualification Statement shall be relied upon by owner in awarding the contract and such information is warranted by Proposer to be true. The discovery of any omission or misstatement that materially affects the Proposer's qualifications to perform under the contract shall cause the owner to reject the proposal, and if after the award, to cancel and terminate the award and/or contract.

(Signed) _____

(Title) Daniel R. Smolik, Director of Pipe Operations

Subscribed and sworn to before me

This 28 day of March, 2019

Notary Public State of Florida
Carolyn Fracek
My Commission GG 124065
Expires 08/15/2021

Notary Public (Signature)

My Commission Expires: 08-15-2021

THIS PAGE MUST BE SUBMITTED ALONG WITH RESPONSE IN ORDER FOR PACKAGE TO BE CONSIDERED COMPLETE AND ACCEPTABLE

GARNEY HOLDING COMPANY

OPERATING COMPANIES AND LOCATIONS

PARENT COMPANY

Garney Holding Company is the umbrella/parent company of the following operating subsidiaries:

OPERATING SUBSIDIARIES

GARNEY COMPANIES, INC.
1333 NW Vivion Road
Kansas City, MO 64118

GARNEY FEDERAL, INC.
1333 NW Vivion Road
Kansas City, MO 64118

GARNEY PACIFIC, INC.
324 E 11th Street, Suite E2
Tracy, CA 95376

GARNEY P3, LLC
1333 NW Vivion Road
Kansas City, MO 64118

A&W MAINTENANCE
137 Pine Street
Middleborough, MA 02346

WARREN ENVIRONMENTAL
137 Pine Street
Middleborough, MA 02346

A D D E N D A

CITY OF BOYNTON BEACH FLORIDA

RFQ No. 013-2821-19/TP - "RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN/BUILD"

PROPOSER: Garney Companies, Inc.

DATE SUBMITTED: March 28, 2019

We propose and agree, if this submittal is accepted, to contract with the City of Boynton Beach, in the Contract Form, to furnish all material, equipment, machinery, tools, apparatus, means of transportation, construction, coordination, labor and services necessary to complete/provide the work specified by the Contract documents.

Having studied the documents prepared by:

CITY OF BOYNTON BEACH

ADDENDUM NO.	DATE	ADDENDUM No.	DATE
One	March 20, 2019		

☐ **NO ADDENDUM WAS RECEIVED IN CONNECTION WITH THIS BID**

THIS PAGE MUST BE SUBMITTED ALONG WITH RESPONSE IN ORDER FOR PACKAGE TO BE CONSIDERED COMPLETE AND ACCEPTABLE

The City of Boynton Beach

Finance/Procurement Services
3301 Quantum Boulevard, Suite 101
Boynton Beach, FL 33426
P. O. Box 310
Boynton Beach, FL 33425-0310
Telephone: (561) 742-6322
FAX: (561) 742-6316

ADDENDUM NO. 1

DATE: March 20, 2019
BID TITLE: "Reclaimed Water Distribution System"
RFQ NO.: 013-2821-19/TP

This addendum to the drawings, specifications, and/or contract documents is issued to provide additional information and clarification to the original BID specifications and proposal form and is hereby declared a part of the original drawings, specifications and/or contract documents. In case of a conflict, this Addendum No.1 shall govern.

1. **Question:** **Could you give me the engineers estimate/budget for the above referenced project?**

   Response: The budget is $2.5M each year for 4 years for a total of $10M.

2. **Question:** **With reference to Section 4.1 (C) 2 "Firm's Qualifications" please confirm that the reference projects must be EITHER similar in scope OR similar in size, but not necessarily both. In other words please confirm that all reference projects do not have to:**

   - **include some or all of the following components: design of new or improvements to existing potable water and storm water distribution systems with associated tie-in and road, sidewalk and landscape restorations; AND**
   - **be completed under the design/build or CMAR delivery method; AND**
   - **be >$1,000,000 in cost (design plus construction).**

   We ask because in prior similar solicitations the City has broken down the qualification as >2 projects similar in scope and >2 projects similar in size, but not both.

   Response: Reference projects should be of both similar size and scope and completed under the progressive design build, design build, or CMAR delivery method.

3. **Question:** **With reference to Section 4.1 (C) 2 "Firm's Qualifications" we request that the reference projects be allowed to include reclaimed water and wastewater pumping, collection and transmission systems (as currently written we interpret the requirement to limit qualifications to potable and storm water systems, while this project focus is reclaimed water).**

Response: Reference projects may include storage, pumping and transmission of reclaimed water, wastewater, potable water, raw water, and/or stormwater systems.

4. **Question:** **Please confirm that the 15 page limitation for the work plan is limited to items A-G in Section 4.1.5 Creativity and Innovation in Project Approach and Solution Selection Options, as described in pages 12 and 13 of the RFQ?**

Response: The 15 page limitation is the total number of pages for both Sections 4.1.4 and 4.1.5. This includes "4.1.4 Approach, Demonstrated Skill Set, and Innovative Ideas that will be used to address the Scope of Work (A-F)" and "4.1.5 Creativity and Innovation in Project Approach and Solution Selection Options (A-G)".

5. **Question:** **Please clarify what is required to be submitted in response to "3.(f) 3. Projected workload of project management services as defined in the scope of services." and how this should be differentiated from the workload requirement of 3.(c)?**

Response: Section 3.c. requires each staff member's involvement in the project expressed as a percentage, and Section 3.f.3. requires a workload projection for the project team.

6. **Question:** **Can the City supply the members of the Selection Committee?**

Response: The Selection Committee has not yet been established.

7. **Question:** **Does the City anticipate issuing an addendum with other questions asked?**

Response: Questions to this RFQ will be allowed up to March 19, 2019 no later than 2:30PM, which is 10 days before the closing of the RFQ. Per the RFQ Document Section 3 Page 8.

8. **Question:** **Regarding Local Business, can the City explain how the 5 points will be pro-rated (e.g. points for companies within Palm Beach County, subconsultants within City Limits, etc.)?**

Response: Per City Administrative Policy NO. 10.16.01, the preference does not apply to projects subject to CCNA. The revised evaluation criteria Section 5 Page 14-15 is attached to this Addendum No.1.

9. **Question:** **We understand that to secure the Local Preference points the proposer must have a local office and submit the requisite BTR license, however please confirm if there is a requirement that the local office be open for a duration prior to submitting the Proposal?**

Response: Please see updated points under each criterion within Section 5 Page 14 -15 of the RFQ, local preference will be excluded from the evaluation points.

10. **Question:** **The RFQ states that the overall goal for the City and Delray Beach is to increase the reclaimed water capacity by 7.7 MGD, this project concentrating on the City of Boynton's Beach goal of increasing 3.85 MGD.**

Response: This project is not limited to 3.85 MGD expansion of the Utilities reclaimed system.

11. **Question:** **From the SCRWWT&DF website, it states that the plant is permitted to treat an average of 24 MGD and has an average flow of 17 MGD (about 7 MGD difference). Does the plant currently have the installed capacity to treat the total 24 MGD?**

Response: Yes

12. **Question:** **And is the expansion of the treatment capacity of the current facility included as part of this scope of work (24 MGD + 3.85 MGD)?**

Response: No

13. **Question:** **Is there available space in the SCRWWT&DF for any proposed improvements (storage tanks, pumping facilities, treatment units, etc.)?**

Response: No improvements will be made on SCRWWT&DF property as part of this RFQ.

REVISIONS:

SECTION 5 – Revised

Maximum Potential Points
(Updated and Revised)

If you have any further questions or require additional clarification, please e-mail Taralyn Pratt, Contract Coordinator at prattt@bbfl.us or at (561) 742-6447.

Sincerely,

Tim W. Howard
Assistant City Manager - Administration

The City of Boynton Beach

Finance/Procurement Services
3301 Quantum Boulevard, Suite 101
Boynton Beach. FL 33426
P. O. Box 310
Boynton Beach, Florida 33425-0310
Telephone: (561) 742-6322
FAX: (561) 742-6316

ACKNOWLEDGEMENT OF ADDENDUM NO. 1
"RECLAIMED WATER DISTRIBUTION SYSTEM"
RFQ No.: 013-2821-19/TP

RESPONDENT MUST SIGN, DATE AND INCLUDE THIS "ACKNOWLEDGEMENT OF ADDENDUM NO. 1 WITH BID PACKAGE FOR SUBMITTAL TO BE CONSIDERED COMPLETE AND ACCEPTABLE.

Daniel R. Smolik	Dan Smolik
PRINT NAME OF AUTHORIZED REPRESENTATIVE	SIGNATURE OF AUTHORIZED REPRESENTATIVE
Garney Companies, Inc.	March 20, 2019
NAME OF COMPANY	DATE

REQUEST FOR QUALIFICATIONS (RFQ)

RFQ No. 013-2821-19/TP
FOR
"RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN/BUILD"

SECTION 5 – EVALUATION OF PROPOSALS

5.1 EVALUATION OF PROPOSALS

The Selection Committee will review and evaluate all proposals submitted in response to this solicitation. The Committee shall conduct a preliminary evaluation of all responses based on the information provided and other evaluation criteria as set forth in this solicitation. The selection of the best-qualified Respondent(s) will be based on whether the Respondent(s) are responsible and responsive to this solicitation, and will be evaluated as follows:

The selection committee will review and evaluate all RFQ responses. The determination shall be based upon the following criteria and respondents shall provide, as a minimum the information listed under each criterion.

Evaluation Criteria	Maximum Potential Points
Qualifications of the firm	20
Assigned Staff Qualifications and Experience	35
Project Approach	**35**
References	10
~~Local Business Status Certification~~	~~05~~
Total	100

A. Evaluation Process

1. A Selection Committee will review each written submission for compliance with the requirements of the RFQ, including verifying that each Proposal includes all documents required. In addition, the Committee will ascertain whether the provider is qualified to render the required services according to State regulations and the requirements of this RFQ.

2. In the event less than three (3) firms submit responses to the RFQ or less than three (3) are deemed qualified by the Selection Committee, then Procurement Services shall make a determination as to whether to proceed with the lesser number of firms. If the decision is to re-advertise, and after a subsequent advertisement resulting in three (3) firms that still cannot be qualified, then the City shall proceed hereunder with the qualified firms.

3. The Selection Committee will score and rank all responsive and proposals based on the requirements of the RFQ and determine a minimum of three (3) firms deemed to be the most responsible, responsive firms.

4. The Selection Committee will conduct discussions, interviews, or require presentations from the

shortlisted firms. Upon completion of the discussions, interviews or presentations, the Committee will re-evaluate, re-rate and re-rank the proposals remaining in consideration based upon the evaluation criteria listed above.

5. Upon final ranking, the list of proposers recommended as the most qualified will be submitted to the City Commission for approval.

6. Upon approval by the City Commission, the City will negotiate an agreement based on the attached draft contract found attached developed from this Request for Qualifications. The City reserves the right to include additional provisions if the inclusion is in the best interest of the City, as determined solely by the City. Assuming the successful negotiation of an agreement, the final contract will be submitted to the City Commission for their consideration and approval.

7. Should the City fail to negotiate a satisfactory contract as determined to be fair and competitive with the highest-ranked firm, negotiations will formally be terminated. The City will then undertake negotiations with the second-ranked firm. Should negotiations fail also with the second-ranked firm, then the third- ranked proposer will be notified for negotiations.

THE REMAINDER OF THIS PAGE WAS LEFT BLANK INTENTIONALLY

ANTI-KICKBACK AFFIDAVIT

STATE OF FLORIDA)
: SS
COUNTY OF PALM BEACH)

I, the undersigned hereby duly sworn, depose and say that no portion of the sum herein submitted will be paid to any employees of the City of Boynton Beach as a commission, kickback, reward of gift, directly or indirectly by me or any member of my integrator or by an officer of the corporation.

By: _____
NAME - SIGNATURE

Sworn and subscribed before me
this 28 day of March , 20 19

Printed Information:

Daniel R. Smolik
NAME

Director of Pipe Operations
TITLE

Garney Companies, Inc.
COMPANY

_____
NOTARY PUBLIC, State of Florida
at Large

Notary Public State of Florida
Carolyn Fracek
My Commission GG 124065
Expires 08/15/2021

"OFFICIAL NOTARY SEAL" STAMP

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NON-COLLUSION AFFIDAVIT OF RESPONDENT

State of Florida)

County of Orange)

Daniel R. Smolik, being first duly sworn, deposes and says that:

1) He is Director of Pipe Operations (Title) of Garney Companies, Inc. (Name of Corporation or Integrator), the proposer that has submitted the attached RFQ:

2) He is fully informed respecting the preparation and contents of the attached submittal and of all pertinent circumstances respecting such submittal;

3) Said RFQ is genuine and is not a collusive or sham RFQ;

4) Further, the said proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived or agreed, directly or indirectly with any other proposer, integrator or person to submit a collusive or sham RFQ in connection with the Contract for which the attached RFQ has been submitted or to refrain from bidding in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communications or conference with any other proposer, integrator or person to fix the price or prices in the attached RFQ or of any other proposer, or to fix any overhead, profit or cost element of the RFQ price or the RFQ price of any other proposer, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the **City of Boynton Beach** or any person interested in the proposed Contract; and

5) The price or prices quoted in the attached bid are fair and proper and are not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the proposer or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

(Signed) _____

(Title) Daniel R. Smolik, Director of Pipe Operations

Subscribed and sworn to before me

This 28 day of March, 20 19

Notary Public State of Florida
Carolyn Fracek
My Commission GG 124065
Expires 08/15/2021

Notary Public (Signature)

My Commission Expires: 08-15-2021

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CONFIRMATION OF MINORITY OWNED BUSINESS

A requested form to be made a part of our files for future use and information. Please fill out and indicate in the appropriate spaces provided which category best describes your company. Return this form to make it an official part of with your RFQ responses.

Is your _____ company a Minority Owned Business? Yes (No)

If Yes, please indicate by an "X" in the appropriate box:

( ) AMERICAN INDIAN

( ) ASIAN

( ) BLACK

( ) HISPANIC

( ) WOMEN

( ) OTHER _____
(specify)

(X) NOT APPLICABLE

Do you possess a Certification qualifying your business as a Minority Owned Business?

YES _____ NO ✓

If YES, Name the Organization from which this certification was obtained and date:

N/A
_____
Issuing Organization for Certification

N/A
_____
Date of Certification

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CERTIFICATION PURSUANT TO FLORIDA STATUTE § 287.135

I, Daniel R. Smolik, Director of Pipe Operations, on behalf of Garney Companies, Inc. certify

Print Name and Title — Company Name

that Garney Companies, Inc. does not:

Company Name

1. Participate in a boycott of Israel; and
2. Is not on the Scrutinized Companies that Boycott Israel List; and
3. Is not on the Scrutinized Companies with Activities in Sudan List; and
4. Is not on the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; and
5. Has not engaged in business operations in Syria.

Submitting a false certification shall be deemed a material breach of contract. The City shall provide notice, in writing, to the Contractor of the City's determination concerning the false certification. The Contractor shall have ninety (90) days following receipt of the notice to respond in writing and demonstrate that the determination of false certification was made in error. If the Contractor does not demonstrate that the City's determination of false certification was made in error then the City shall have the right to terminate the contract and seek civil remedies pursuant to Florida Statute § 287.135.

Section 287.135, Florida Statutes, prohibits the City from: 1) Contracting with companies for goods or services in any amount if at the time of bidding on, submitting a proposal for, or entering into or renewing a contract if the company is on the Scrutinized Companies that Boycott Israel List, created pursuant to Section 215.4725, F.S. or is engaged in a boycott of Israel; and

2) Contracting with companies, for goods or services over $1,000,000.00 that are on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector list, created pursuant to s. 215.473, or are engaged in business operations in Syria.

THIS PAGE TO BE SUBMITTED ALONG WITH PROPOSAL IN ORDER FOR BID PACKAGE TO BE CONSIDERED COMPLETE AND ACCEPTABLE

As the person authorized to sign on behalf of the Contractor, I hereby certify that the company identified above in the section entitled "Contractor Name" does not participate in any boycott of Israel, is not listed on the Scrutinized Companies that Boycott Israel List, is not listed on either the Scrutinized Companies with activities in the Iran Petroleum Energy Sector List, and is not engaged in business operations in Syria. I understand that pursuant to section 287.135, Florida Statutes, the submission of a false certification may subject the company to civil penalties, attorney's fees, and/or costs. I further understand that any contract with the City for goods or services may be terminated at the option of the City if the company is found to have submitted a false certification or has been placed on the Scrutinized Companies with Activities in Sudan list or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List.

Garney Companies, Inc.	
COMPANY NAME	SIGNATURE
Daniel R. Smolik	Director of Pipe Operations
PRINT NAME	TITLE

THIS PAGE TO BE SUBMITTED ALONG WITH PROPOSAL IN ORDER FOR BID PACKAGE TO BE CONSIDERED COMPLETE AND ACCEPTABLE

CONFIRMATION OF DRUG-FREE WORKPLACE

IDENTICAL TIE SUBMITTALS

Preference shall be given to businesses with drug-free workplace programs. Whenever two or more submittals which are equal with respect to price, quality, and service are received by the City of Boynton Beach or by any political subdivision for the procurement of commodities or contractual services, a submittal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie submittals will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

Give each employee engaged in providing the commodities or contractual services that are under submittal a copy of the statement specified in subsection (1).

In the statement specified in subsection (1), notify the employee that, as a condition of working on the commodities or contractual services that are under submittal, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or- plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than 5 days after such conviction.

Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by, any employee who is so convicted.

Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this integrator complies fully with the above requirements.

Vendor's Signature: _____

Daniel R. Smolik, Director of Pipe Operations

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PALM BEACH COUNTY INSPECTOR GENERAL ACKNOWLEDGMENT

RFQ NO.: 013-2821-19/TP
"RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN/BUILD"

The Consultant is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of this Contract, and in furtherance thereof may demand and obtain records and testimony from the Consultant and its subcontractors and lower tier subcontractors.

The Consultant understands and agrees that in addition to all other remedies and consequences provided by law, the failure of the Consultant or its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the municipality to be a material breach of this contract justifying its termination.

Garney Companies, Inc.
FIRM NAME

By Daniel R. Smolik

Title: Director of Pipe Operations

Date: March 28, 2019

THIS PAGE MUST BE SUBMITTED ALONG WITH RESPONSE IN ORDER FOR PACKAGE TO BE CONSIDERED COMPLETE AND ACCEPTABLE

CITY OF BOYNTON BEACH
LOCAL BUSINESS STATUS CERTIFICATION

I, Daniel R. Smolik, the Director of Pipe Operations of
(Name of officer of company) (Title of officer of company)
Garney Companies, Inc., located at 370 E. Crown Point Road, Winter Garden, FL 34787,
(Name of Corporation/Company) (Business Address)

certify that I am an authorized representative of the business and, on behalf of the Business, request that it be deemed to be a local business for purposes of the City of Boynton Beach Local Preference Program. Answering yes to Question 1 and Question 2 below will qualify the business as a local business. In support of this request, I certify the following to be true and correct:

NAME OF BUSINESS: Garney Companies, Inc.			
Is the business located within the City limits of Boynton Beach, Florida?	YES	NO ✓	Number of Years: _____
Does the business have a business tax receipt issued in the current year?	YES	NO ✓	Business License Number: _____
Is the business registered with the Florida Division of Corporations?	YES ✓	NO	

I understand that misrepresentation of any facts in connection with this request may be cause for removal from the certified local business list. I also agree that the business is required to notify the City in writing should it cease to qualify as a local business.

Print Name: Daniel R. Smolik Signature: _____

*****FOR PURCHASING USE ONLY*****

Business License ☐ **Year Established:** ☐ **Active:**

Verified by: _____ **Date:** _____

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STATEMENT OF NON- SUBMITTAL

If you are not submitting an RFQ for this project, please complete and return this form to: PROCUREMENT SERVICES, City of Boynton Beach, 3301 Quantum Boulevard, Suite 101 Boynton Beach, FL 33426, P.O. Box 310, Boynton Beach, Florida 33425-0310.

Failure to respond may result in deletion of vendor's name from the qualified vendor's list for the City of Boynton Beach.

COMPANY NAME: _____

ADDRESS: _____

_____

TELEPHONE: _____ FAX: _____

EMAIL ADDRESS: _____

SIGNATURE: _____

DATE: _____

WE, the undersigned have declined to respond to **RFQ No.: 013-2821-19/TP for "RECLAIMED WATER DISTRIBUTION SYSTEM PROGRESSIVE DESIGN/BUILD"** because of the following reasons:

_____ Scope of Services to include supplies is geared toward a specific brand or integrator only (explain below)

_____ Insufficient time to respond to the Invitation

_____ We do not offer the services outlined in the Scope

_____ Our product schedule would not permit us to perform

_____ Unable to meet the requirements of the Scope of Services

_____ Unable to meet bond/insurance requirements

_____ Scope of Services unclear (explain below)

_____ Other (specify below)

REMARK: _____

N/A

RFQ No. 013-2821-19/TP

SCHEDULE OF SUB-DESIGN BUILD TEAMS

The Undersigned Bidder proposes the following major subcontractors for the major areas of work for the Project. The Bidder is further notified that all sub-contractors shall be properly licensed, bondable and shall be required to furnish the City with a Certificate of Insurance in accordance with the contract general conditions. This page may be reproduced for listing additional sub-contractors, if required.

Name and Address of Sub-Contractor	Scope of Work	License No.:	Contract Amount	Percentage (%) of Contract
Holtz Consulting Engineers, Inc. / 270 South Central Boulevard, Suite 207, Jupiter, FL 33458	Lead Design Engineer	CA26960	TBD	TBD
CES Consultants / 1555 Palm Beach Lakes Blvd., Suite 920, West Palm Beach, FL 33401	Civil / Roadway / MOT / CEI	CA8811	TBD	TBD
The Merchant Strategy / 1804 North Dixie Hwy, Suite B, West Palm Beach, FL 33407	Public Outreach	N/A	TBD	TBD
Bailey Engineering Consultant, Inc. / 10620 Griffin Road, Suite 202, Cooper City, FL 33328	Electrical / Instrumentation	CA6783	TBD	TBD
Engenuity Group, Inc. / 1280 North Congress Avenue, Suite 101, West Palm Beach, FL 33409	Easement Acquisitions / Survey	LB6603	TBD	TBD
InfraMap, 10365 Cedar Lane, Glen Allen, VA 23059	Subsurface Utility Engineering	LB6666	TBD	TBD
Tierra South Florida / 2765 Vista Parkway, Suite 10, West Palm Beach, FL 33411	Geotechnical	CA28073	TBD	TBD

Signature: _____ Date: March 28, 2019

Title/Company: Daniel R. Smolik, Director of Pipe Operations / Garney Companies, Inc.

Owner reserves the right to reject any sub-contractor who has previously failed in the proper performance of an award, or failed to deliver on time contracts in a similar nature, or who is not responsible(financial capability, lack of resources, etc.) to perform under this award. Owner reserves the right to inspect all facilities of any sub-contractor in order to make a determination as to the foregoing.

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FLORIDA PROFESSIONAL LICENSE AND BUSINESS PERMITS

GARNEY CONSTRUCTION

RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD

THE GENERAL CONTRACTOR HEREIN IS CERTIFIED UNDER THE
PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

ABRAM, MARK ALLEN

GARNEY COMPANIES INC
1650 POLK STREET
HOLLYWOOD FL 33020

LICENSE NUMBER: CGC1515632
EXPIRATION DATE: AUGUST 31, 2020
Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD

THE BUILDING CONTRACTOR HEREIN IS CERTIFIED UNDER THE
PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

SEUBERT, JASON AARON

GARNEY COMPANIES INC
1333 NW VIVION ROAD
KANSAS CITY MO 64118

LICENSE NUMBER: CBC1255831
EXPIRATION DATE: AUGUST 31, 2020
Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD

THE UNDERGROUND UTILITY & EXCAVATION CO HEREIN IS CERTIFIED UNDER THE
PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

SEUBERT, JASON AARON

GARNEY COMPANIES INC
1333 VIVION ROAD
KANSAS CITY MO 64118

LICENSE NUMBER: CUC1224263
EXPIRATION DATE: AUGUST 31, 2020
Always verify licenses online at MyFloridaLicense.com

Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

State of Florida
Department of State

I certify from the records of this office that GARNEY COMPANIES, INC. is a Missouri corporation authorized to transact business in the State of Florida, qualified on September 11, 1987.

The document number of this corporation is P15940.

I further certify that said corporation has paid all fees due this office through December 31, 2018, that its most recent annual report/uniform business report was filed on January 10, 2018, and that its status is active.

I further certify that said corporation has not filed a Certificate of Withdrawal.

Given under my hand and the Great Seal of the State of Florida at Tallahassee, the Capital, this the Tenth day of January, 2018

Secretary of State

Tracking Number: CC9013897793

To authenticate this certificate,visit the following site,enter this number, and then follow the instructions displayed.

https://services.sunbiz.org/Filings/CertificateOfStatus/CertificateAuthentication

ADVANCING WATER

STATE LICENSES

STATE	LICENSE NUMBER	EXPIRATION DATE
Alabama	13459	08/31/19
Arizona	ROC074957	09/30/19
Arkansas	0032110315	03/31/19
California	926314	12/31/20
Florida	CUC1224263	08/31/20
Florida	CGC1515632	08/31/20
Georgia	UC300487	04/30/19
Georgia	GCC0002378	06/30/20
Hawaii	ABC 34692	09/30/20
Louisiana	13504	01/07/22
Maryland	03316819	04/30/19
Mississippi	05095-MC	07/26/19
Nebraska	22727	12/01/19
Nevada	0081812	11/30/20
New Mexico	389726	09/30/19
North Carolina	25801	12/31/19
Oregon	207279	07/20/19
South Carolina	G11824	10/31/20
Tennessee	23798	05/31/20
Utah	239445-5501	11/30/19
Virginia	2705122417	05/31/20
Washington	CC GARNECI884K5	05/24/19
West Virginia	WV048483	02/28/20

FLORIDA PROFESSIONAL LICENSE AND BUSINESS PERMITS

HOLTZ CONSULTING ENGINEERS

RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF PROFESSIONAL ENGINEERS

THE ENGINEERING BUSINESS HEREIN IS AUTHORIZED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

HOLTZ CONSULTING ENGINEERS. INC.
270 SOUTH CENTRAL BOULEVARD
SUITE 207
JUPITER FL 33458

LICENSE NUMBER: CA26960
EXPIRATION DATE: FEBRUARY 28, 2021
Always verify licenses online at MyFloridaLicense.com

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RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

MIRANDA, CHRISTINE J.
2914 SE BELLA ROAD
PORT SAINT LUCIE FL 34984

LICENSE NUMBER: PE60906
EXPIRATION DATE: FEBRUARY 28, 2021
Always verify licenses online at MyFloridaLicense.com

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State of Florida

Woman & Minority Business Certification

Holtz Consulting Engineers, Inc.

Is certified under the provisions of
287 and 295.187, Florida Statutes, for a period from:

09/25/2018 to 09/25/2020

Erin Rock, Secretary
Florida Department of Management Services

office of supplier DIVERSITY

Office of Supplier Diversity • 4050 Esplanade Way, Suite 380 • Tallahassee, FL 32399 • 850-487-0915 • www.dms.myflorida.com/osd

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RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

ROBINSON, CURTIS DUANE
270 SOUTH CENTRAL BOULEVARD
SUITE 207
JUPITER FL 33458

LICENSE NUMBER: PE65685
EXPIRATION DATE: FEBRUARY 28, 2021
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Palm Beach County
Office of Small Business Assistance

Certifies That

HOLTZ CONSULTING ENGINEERS, INC.

Vendor # VC0000105215

is a Small/Minority/Women Business Enterprise as prescribed by section 2-80.21 – 2-80.35 of the Palm Beach County Code for a three year period from October 3, 2016 to October 2, 2019

The following Services and/or Products are covered under this certification:

ENGINEER SERVICES, PROFESSIONAL;

ENGINEERING CONSULTING;

WASTE WATER TREATMENT ENGINEERING.

Allen F. Gray, Manager

7/26/2016

PALM BEACH COUNTY FLORIDA

Palm Beach County Board of County Commissioners

Mary Lou Berger, Mayor
Hal R. Valeche, Vice Mayor
Paulette Burdick
Shelley Vana,
Steven L. Abrams
Melissa McKinlay
Priscilla A. Taylor

County Administrator
Verdenia C. Baker

Ron DeSantis, Governor

FBPE FLORIDA BOARD OF PROFESSIONAL ENGINEERS

STATE OF FLORIDA

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

FOWLER, STEPHEN R. JR.
88 YACHT CLUB PLACE
TEQUESTA FL 33469

LICENSE NUMBER: PE69039
EXPIRATION DATE: FEBRUARY 28, 2021
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FLORIDA PROFESSIONAL LICENSE AND BUSINESS PERMITS

CES CONSULTANTS

Ron DeSantis, Governor

FBPE
FLORIDA BOARD OF PROFESSIONAL ENGINEERS

STATE OF FLORIDA

BOARD OF PROFESSIONAL ENGINEERS

THE ENGINEERING BUSINESS HEREIN IS AUTHORIZED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

CES CONSULTANTS, INC.
880 SW 145TH AVE
SUITE#106
PEMBROKE PINES FL 33027

LICENSE NUMBER: CA8811
EXPIRATION DATE: FEBRUARY 28, 2021
Always verify licenses online at MyFloridaLicense.com

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RICK SCOTT, GOVERNOR

JONATHAN ZACHEM, SECRETARY

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

GOBLISCH, WALTER C. III
8513 LEGEND CLUB DRIVE
WEST PALM BEACH FL 33412

LICENSE NUMBER: PE62156
EXPIRATION DATE: FEBRUARY 28, 2021
Always verify licenses online at MyFloridaLicense.com

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State of Florida

Minority Business Certification

CES Consultants, Inc.

Is certified under the provisions of
287 and 295.187, Florida Statutes, for a period from:

01/12/2018 to 01/12/2020

Erin Rock, Secretary
Florida Department of Management Services

office of supplier DIVERSITY

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Ron DeSantis, Governor

Halsey Beshears, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

UTER, DEAVON C.
4000 SHELLEY RD. N.
WEST PALM BEACH FL 33407

LICENSE NUMBER: PE66347
EXPIRATION DATE: FEBRUARY 28, 2021
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FLORIDA PROFESSIONAL LICENSE AND BUSINESS PERMITS

THE MERCHANT STRATEGY

State of Florida

Minority & Woman Business Certification

The Merchant Strategy, Inc.

Is certified under the provisions of
287 and 295.187, Florida Statutes, for a period from:

12/19/2017 to 12/19/2019

Erin Rock, Secretary
Florida Department of Management Services

office of supplier diversity

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Palm Beach County
Office of Small Business Assistance
Certifies That
The Merchant Strategy, Inc.
Vendor # VC0000116090
is a Small/Woman Business Enterprise as prescribed by section 2-80.21 – 2-80.35 of the Palm Beach County Code for a three year period from:
JULY 12, 2017 - JULY 11, 2020

The following Services and/or Products are covered under this certification:

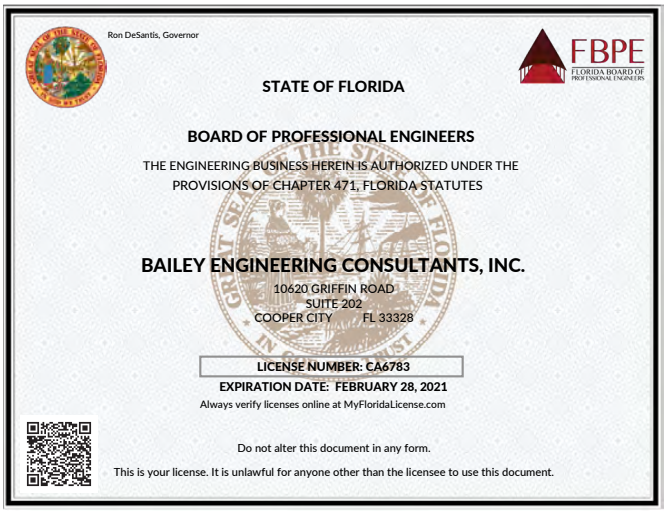
Communications: Public Relations Consulting
Governmental Consulting Services
Web Page Design, Maintenance and Management Services

Allen F. Gray, Manager
July 12, 2017

Palm Beach County Board of County Commissioners

County Administrator

BAILEY ENGINEERING



Ron DeSantis, Governor

FBPE FLORIDA BOARD OF PROFESSIONAL ENGINEERS

STATE OF FLORIDA

BOARD OF PROFESSIONAL ENGINEERS

THE ENGINEERING BUSINESS HEREIN IS AUTHORIZED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

BAILEY ENGINEERING CONSULTANTS, INC.
10620 GRIFFIN ROAD
SUITE 202
COOPER CITY FL 33328

LICENSE NUMBER: CA6783
EXPIRATION DATE: FEBRUARY 28, 2021
Always verify licenses online at MyFloridaLicense.com

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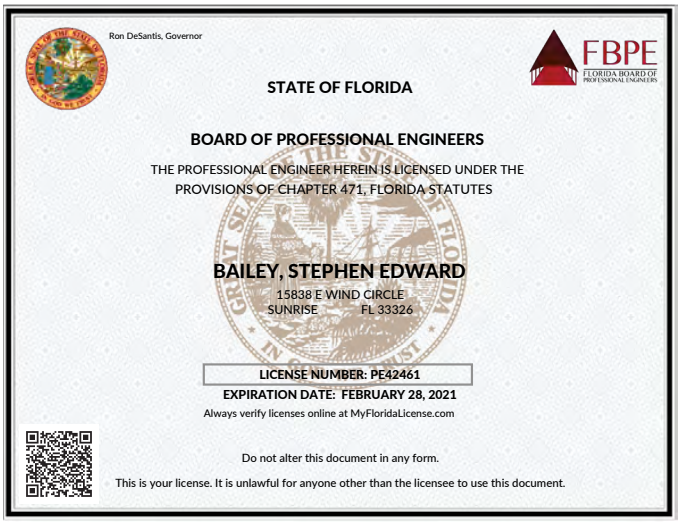

Ron DeSantis, Governor

FBPE FLORIDA BOARD OF PROFESSIONAL ENGINEERS

STATE OF FLORIDA

BOARD OF PROFESSIONAL ENGINEERS

THE PROFESSIONAL ENGINEER HEREIN IS LICENSED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

BAILEY, STEPHEN EDWARD
15838 E WIND CIRCLE
SUNRISE FL 33326

LICENSE NUMBER: PE42461
EXPIRATION DATE: FEBRUARY 28, 2021
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FLORIDA PROFESSIONAL LICENSE AND BUSINESS PERMITS

ENGENUITY GROUP

Florida Department of Agriculture and Consumer Services
Division of Consumer Services
Board of Professional Surveyors and Mappers
2005 Apalachee Pkway Tallahassee, Florida 32399-6500

License No.: **LB6603**
Expiration Date: February 28, 2021

Professional Surveyor and Mapper Business License

Under the provisions of Chapter 472, Florida Statutes

ENGENUITY GROUP INC
1280 N CONGRESS AVE STE 101
WEST PALM BEACH, FL 33409-6377

Nicole Fried

NICOLE "NIKKI" FRIED
COMMISSIONER OF AGRICULTURE

This is to certify that the professional surveyor and mapper whose name and address are shown above is licensed as required by Chapter 472, Florida Statutes.

State of Florida

Minority Business Certification

Engenuity Group,Inc

Is certified under the provisions of
287 and 295.187, Florida Statutes, for a period from:

03/06/2018 to 03/06/2020

Erin Rock, Secretary
Florida Department of Management Services

office of supplier DIVERSITY

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Palm Beach County
Office of Equal Business Opportunity

Certifies That

Engenuity Group, Inc.

Vendor #VC0000106440

is a Small Business Enterprise as prescribed by section 2-80.20 – 2-80.40 of the Palm Beach County Code for a three year period from ***February 26, 2019 to February 25, 2022***

The following Services and/or Products are covered under this certification:

Civil Engineering
Highways; Streets; Airport Pay-Parking Lots - Engineering
Sanitary Engineering
Surveyor Services, Land
Mapping & Geographical Information Systems (GIS) Services
Water Supply, Treatment, and Distribution/Engineering

Palm Beach County Board of County Commissioners

Mack Bernard , Mayor
Dave Kerner, Vice Mayor
Hal Valeche
Greg K. Weiss
Robert S. Weinroth
Mary Lou Berger
Melissa McKinlay

County Administrator
Verdenia C. Baker

Allen F. Gray, Manager

February 26, 2019

FLORIDA PROFESSIONAL LICENSE AND BUSINESS PERMITS

TIERRA SOUTH FLORIDA

Ron DeSantis, Governor

Halsey Beshears, Secretary

Florida dbpr

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF PROFESSIONAL ENGINEERS

THE ENGINEERING BUSINESS HEREIN IS AUTHORIZED UNDER THE PROVISIONS OF CHAPTER 471, FLORIDA STATUTES

TIERRA SOUTH FLORIDA, INC.

2765 VISTA PKWY, STE 9
WEST PALM BEACH , FL 33411

LICENSE NUMBER: CA28073
EXPIRATION DATE: FEBRUARY 28, 2021

Always verify licenses online at MyFloridaLicense.com

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Palm Beach County
Office of Small Business Assistance

Certifies That

Tierra South Florida, Inc.

Vendor # VC0000118568

is a Small/Minority Business Enterprise as prescribed by section 2-80.21 – 2-80.35 of the Palm Beach County Code for a three year period from

October 11, 2018 until October 10, 2021

The following Services and/or Products are covered under this certification:

Core Drilling Services, Pavement
Geotechnical Foundation Drill Services
Geotechnical Drilling and Boring Services
Testing, Asphalt Density
Quality Control Testing Services for Construction

Allen F. Gray, Manager

Palm Beach County Board of County Commissioners

Melissa McKinlay , Mayor
Mack Bernard, Vice Mayor
Hal Valeche
Paulette Burdick
Dave Kerner
Steven L. Abrams
Mary Lou Berger

County Administrator
Verdenia C. Baker

State of Florida

Minority Business Certification

Tierra South Florida, Inc.

Is certified under the provisions of
287 and 295.187, Florida Statutes, for a period from:

11/01/2017 to 11/01/2019

Erin Rock, Secretary
Florida Department of Management Services

office of supplier DIVERSITY

Office of Supplier Diversity • 4050 Esplanade Way, Suite 380 • Tallahassee, FL 32399 • 850-487-0915 • www.dms.myflorida.com/osd

FLORIDA PROFESSIONAL LICENSE AND BUSINESS PERMITS

INFRAMAP CORP

Florida Department of Agriculture and Consumer Services
Division of Consumer Services
Board of Professional Surveyors and Mappers
2005 Apalachee Pkway Tallahassee, Florida 32399-6500

License No.: **LB6666**
Expiration Date February 28, 2021

Professional Surveyor and Mapper Business License

Under the provisions of Chapter 472, Florida Statutes

INFRAMAP CORP
1860 OLD OKEECHOBEE ROAD #201
WEST PALM BEACH, FL 33409

ADAM H. PUTNAM
COMMISSIONER OF AGRICULTURE

This is to certify that the professional surveyor and mapper whose name and address are shown above is licensed as required by Chapter 472, Florida Statutes.

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 9/26/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Hays Companies
1200 Main Street, Suite #2310
Kansas City MO 64105

CONTACT NAME:
PHONE (A/C, No, Ext): (816)474-3535
FAX (A/C, No): (816)842-5795
E-MAIL ADDRESS: lrobb@hayscompanies.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Allied World Assurance Co Inc	
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED Garney Holding Company/Garney Cos Inc/
Grimm Construction Co Inc/Garney Federal Inc/
Encore Const Group Inc/Garney Pacific Inc
1333 NW Vivion Road
Kansas City MO 64118

COVERAGES CERTIFICATE NUMBER: Prof 2 18/19 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	CLAIMS-MADE / OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	POLICY / PRO-JECT / LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	ALL OWNED AUTOS / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS / NON-OWNED AUTOS						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB / OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$
	DED / RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N (Mandatory in NH)	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$
A	Contractor's Professional Liability			0308-6126	10/1/2018	10/1/2019	Each Claim	$2,000,000
							Aggregate	$2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

SAMPLE ONLY

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

James Hays/NCOLLE

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INS025 (201401)

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 9/28/2018

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IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Arthur J. Gallagher Risk Management Services, Inc.
2345 Grand Blvd., Suite 400
Kansas City MO 64108

CONTACT NAME: Carolyn Short
PHONE (A/C, No, Ext): 816-395-8558
FAX (A/C, No): 816-467-5558
E-MAIL ADDRESS: carolyn_short@ajg.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Travelers Property Casualty Co of America	25674
INSURER B :	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED GARNCOM-01
Garney Holding Company
(See attached list of Additional Named Insureds)
1333 NW Vivion Road
Kansas City MO 64118

COVERAGES **CERTIFICATE NUMBER:** 496436747 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	CLAIMS-MADE / OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	POLICY / PRO-JECT / LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	X UMBRELLA LIAB / X OCCUR	Y	Y	ZUP-14S78452-18-NF	10/1/2018	10/1/2019	EACH OCCURRENCE	$ 15,000,000
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$ 15,000,000
	DED / X RETENTION $ None							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE / OTH-ER	
	ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y / N	N / A					E.L. EACH ACCIDENT	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$
							E.L. DISEASE - POLICY LIMIT	$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

For Information Purposes Only
Proof of Insurance

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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AGENCY CUSTOMER ID: GARNCOM-01

LOC #:

ADDITIONAL REMARKS SCHEDULE

AGENCY	NAMED INSURED
Arthur J. Gallagher Risk Management Services, Inc.	Garney Holding Company (See attached list of Additional Named Insureds) 1333 NW Vivion Road Kansas City MO 64118
POLICY NUMBER	
CARRIER / NAIC CODE	EFFECTIVE DATE:

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,

FORM NUMBER: 25 FORM TITLE: CERTIFICATE OF LIABILITY INSURANCE

For the following additional Named Insureds:
Garney Holding Company
Garney Companies, Inc.
Garney Federal, Inc.
Garney Colorado, LLC
Garney Water Partnership
Garney P3, LLC

Following Form Primary/Underlying Policies with Liberty Mutual Fire Insurance Company:
General Liability including Completed Operations Policy #TB2-641-426942-728, Eff. 10-1-2018/10-1-2019
Automobile Liability Policy #AS2-641-426942-718, Eff. 10-1-2018/10-1-2019
Employers Liability/Workers' Compensation Policy #WA2-64D-426942-738, Eff. 10-1-2018/10-1-2019
Employers Liability/Workers' Compensation Policy #WC2-641-437723-908– WI only, Eff. 10-1-2018/10-1-2019
Following Form Coverage A - Excess Liability includes Blanket Additional Insured, Primary and Non-Contributory and Blanket Waiver of Subrogation as required by written contract. Includes All Work and Operations Performed by insured covered by Primary/Underlying policies.

For the following additional Named Insureds:
Garney Pacific, Inc.
Garney Hawaii, Inc.

Following Form Primary/Underlying Policies with Liberty Mutual Fire Insurance Company:
General Liability including Completed Operations Policy #TB2-641-444498-028, Eff. 10-1-2018/10-1-2019
Automobile Liability Policy #AS2-641-444498-018, Eff. 10-1-2018/10-1-2019
Employers Liability/Workers' Compensation Policy #WA2-64D-444498-038, Eff. 10-1-2018/10-1-2019
Following Form Coverage A - Excess Liability includes Blanket Additional Insured, Primary and Non-Contributory and Blanket Waiver of Subrogation as required by written contract. Includes All Work and Operations Performed by insured covered by Primary/Underlying policies.

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Certificate of Insurance

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON YOU THE CERTIFICATE HOLDER. THIS CERTIFICATE IS NOT AN INSURANCE POLICY AND DOES NOT AMEND, EXTEND, OR ALTER THE COVERAGE AFFORDED BY THE POLICIES LISTED BELOW. POLICY LIMITS ARE NO LESS THAN THOSE LISTED, ALTHOUGH POLICIES MAY INCLUDE ADDITIONAL SUBLIMIT/LIMITS NOT LISTED BELOW.

This is to Certify that

Garney Holding Company/Garney Companies Inc./
Grimm Construction Co. Inc./Garney Federal, Inc./
Encore Construction Group, Inc.
1333 NW Vivion Road
Kansas City MO 64118-4554

NAME AND ADDRESS OF INSURED

Liberty Mutual. INSURANCE

is, at the issue date of this certificate, insured by the Company under the policy(ies) listed below. The insurance afforded by the listed policy(ies) is subject to all their terms, exclusions and Conditions and is not altered by any requirement, term or condition of any contract or other document with respect to which this certificate may be issued.

TYPE OF POLICY	EXP DATE ☐ CONTINUOUS ☐ EXTENDED ☑ POLICY TERM	POLICY NUMBER	LIMIT OF LIABILITY	
WORKERS COMPENSATION Includes Coverage 3C, Other States Insurance: All States except those listed and the states of ND, OH, WA, and WY.	10/1/2019	WA2-64D-426942-738 all other states WC2-641-437723-908 (Wisconsin)	COVERAGE AFFORDED UNDER WC LAW OF THE FOLLOWING STATES: AL, AR, AZ, CA, CO, FL, GA, HI, IA, IN, KS, KY, LA, MD, MO, MS, NC, NE, NM, OK, SC, TN, TX, UT VA, VT, WV WC2-641-437723-908 policy - WI	**EMPLOYERS LIABILITY** Bodily Injury by Accident $1,000,000 Each Accident; Bodily Injury By Disease $1,000,000 Policy Limit; Bodily Injury By Disease $1,000,000 Each Person
COMMERCIAL GENERAL LIABILITY ☑ OCCURRENCE ☐ CLAIMS MADE	10/1/2019 RETRO DATE	TB2-641-426942-728	General Aggregate $4,000,000	
			Products / Completed Operations Aggregate $4,000,000	
			Each Occurrence $2,000,000	
			Personal & Advertising Injury $2,000,000 Per Person / Organization	
			Other $300,000 Damage to Premises Rented to You	Other $10,000 Medical Expense
AUTOMOBILE LIABILITY ☑ OWNED ☑ NON-OWNED ☑ HIRED	10/1/2019	AS2-641-426942-718	$2,000,000 Each Accident—Single Limit B.I. And P.D. Combined	
			Each Person	
			Each Accident or Occurrence	
			Each Accident or Occurrence	
OTHER				

ADDITIONAL COMMENTS

* If the certificate expiration date is continuous or extended term, you will be notified if coverage is terminated or reduced before the certificate expiration date.

NOTICE OF CANCELLATION: (NOT APPLICABLE UNLESS A NUMBER OF DAYS IS ENTERED BELOW.) BEFORE THE STATED EXPIRATION DATE THE COMPANY WILL NOT CANCEL OR REDUCE THE INSURANCE AFFORDED UNDER THE ABOVE POLICIES UNTIL AT LEAST 60 DAYS NOTICE OF SUCH CANCELLATION HAS BEEN MAILED TO:

Liberty Mutual Insurance Group

Certificate Holder

For Informational Purposes
Proof of Insurance

Stacy L. Spieker

Stacy Spieker
AUTHORIZED REPRESENTATIVE

Overland Park / 033S
8700 Indian Creek Parkway, Suite 350
Overland Park KS 66210 913-681-1700 9/26/2018

OFFICE PHONE DATE ISSUED

This certificate is executed by LIBERTY MUTUAL INSURANCE GROUP as respects such insurance as is afforded by those Companies NM 772 07-10

44460151 | LM_2660 | 10/18-10/19 - All Lines | Donna Smitala | 9/26/2018 1:42:12 PM (CDT) | Page 1 of 1

LDI COI 268896 02 11

HOLTCON-04 SNELSON

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 05/14/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Collinsworth, Alter, Lambert, LLC
23 Eganfuskee Street
Suite 102
Jupiter, FL 33477

CONTACT NAME: Suzanne Nelson
PHONE (A/C, No, Ext): (561) 868-6291 FAX (A/C, No): (561) 427-6730
E-MAIL ADDRESS: Snelson@calllc.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Crum & Forster Specialty Ins	44520
INSURER B : Travelers F9209	
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Holtz Consulting Engineers, Inc.
270 S Central Boulevard
Jupiter, FL 33458

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / X PRO-JECT / LOC OTHER:	X	X	EPK122605	05/15/2018	05/15/2019	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 2,000,000 $ 100,000 $ 10,000 $ 2,000,000 $ 4,000,000 $ 4,000,000 $
A	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY / SCHEDULED AUTOS X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY	X	X	EPK122605	05/15/2018	05/15/2019	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $ $
	UMBRELLA LIAB / OCCUR EXCESS LIAB / CLAIMS-MADE DED / RETENTION $						EACH OCCURRENCE AGGREGATE	$ $ $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N / A	X	UB5K0687661847G	05/15/2018	05/15/2019	X PER STATUTE / OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000
A	Professional Liab			EPK122605	05/15/2018	05/15/2019	Agg $4M, Per Occur	3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The certificate holder is included as an additional insured for ongoing and completed operations for general liability per forms EN0111 & EN0320 when required by written contract. General Liability is primary and non-contributory when required by written contract. Waiver of subrogation applies to general liability, and workers compensation when required by written contract. Cancellation per policy terms and conditions.

RE: PLC1265; Contract #14-005. Professional Liability policy includes a Specific Project Excess endorsement for Palm Beach County Water Utilities contract. Excess Limit: $1,000,000 per claim thereby increasing total limits to $3,000,000 per claim/$4,000,000 aggregate reflected above. Palm Beach County Board of County Commissioners, a Political Subdivision of the State of Florida, its officers, Employees and Agents are Additional Insureds with respect to General Liability as required by written contract.

CERTIFICATE HOLDER

Palm Beach County
C/O Insurance Tracking Services Inc (ITS)
PO Box 20270
Long Beach, CA 90801

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2016/03)

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Client#: 1053638 CESCON

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 12/07/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
USI Insurance Services, LLC
2502 N Rocky Point Drive
Suite 400
Tampa, FL 33607

CONTACT NAME:
PHONE (A/C, No, Ext): 813 321-7500 FAX (A/C, No):
E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Travelers Indemnity Company of CT	25682
INSURER B : Travelers Indemnity Company	25658
INSURER C : Admiral Insurance Company	24856
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
CES Consultants, Inc.
880 Southwest 145th Avenue, Suite 106
Pembroke Pines, FL 33027

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY	X	X	6609D349718	12/06/2018	12/06/2019	EACH OCCURRENCE	$1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$1,000,000
							MED EXP (Any one person)	$10,000
							PERSONAL & ADV INJURY	$1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$2,000,000
	POLICY X PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$2,000,000
	OTHER:							$
B	AUTOMOBILE LIABILITY	X	X	BA7480X896	05/15/2018	05/15/2019	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
B	X UMBRELLA LIAB / X OCCUR	X	X	CUP4K364717	12/06/2018	12/06/2019	EACH OCCURRENCE	$5,000,000
	EXCESS LIAB / CLAIMS-MADE						AGGREGATE	$5,000,000
	DED X RETENTION $10,000							$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	N / A	X	UB7K180701	07/08/2018	07/08/2019	X PER STATUTE / OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N						E.L. EACH ACCIDENT	$1,000,000
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	$1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	$1,000,000
C	Professional Liability			EO00004118702	12/06/2018	12/06/2019	$5,000,000 per claim $5,000,000 annl aggr.	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Professional Liability coverage is written on a claims-made basis.

CERTIFICATE HOLDER

For Proposal Purposes

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Garney CONSTRUCTION

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
Approve disposal of vehicles/equipment submitted by the Fleet Division and declare sixteen (16) vehicles/equipment as surplus and approve the disposition of these items via auction using various means, such as JJ Kane live auction, JJ Kane on-line auction and GovDeals.com

---

EXPLANATION OF REQUEST: Fleet Maintenance is submitting sixteen (16) items to be disposed at auction utilizing various means. These proceeds will generate revenue for the Fleet Maintenance Fund. Fleet Maintenance has verified that the vehicles are no longer of use and has completed all proper documentation for disposal. Public Works/ Fleet Maintenance Requests Commission's review, evaluation and approval to sell the surplus vehicles/equipment.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? The disposal of obsolete, damaged and surplus vehicles/equipment will remove the need to store the items, and allow the Finance Department to remove the items from the City's fixed asset records.

FISCAL IMPACT: Budgeted The revenue generated from the sale of surplus vehicles/equipment will be placed in the Fleet Maintenance Fund, and credited to the account# 501-2516-519.64-33. The funds are used for the future procurement of vehicles/equipment.

ALTERNATIVES: None

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CONTRACTS

VENDOR NAME: Various Venders

START DATE: 3/30/2019

END DATE: 3/30/2020

CONTRACT VALUE:

MINORITY OWNED CONTRACTOR?: No

EXTENSION AVAILABLE?: No

EXTENSION EXPLANATION:

ATTACHMENTS:

Type	Description
Attachment	Agenda Attachment - Fleet Vehicles Surplus June 2019
Contract	Agenda Attachment - JJ Kane Contract - Exp 03-30-20

Vehicle Surplus List June 2019

Department	VIN #	Unit #	Vehicle Type	Yr.	Reason for surplus	Original Cost
Fleet	1FDAF56F21EB81758	34	Ford F-550 Utilitiy	2001	Met life expectancy	$27,381.00
Parks	1FTSF30526EC45673	506	Ford F-350 Utilitiy	2006	Bad engine	$21,832.00
Facilities	1FTNS24W57DA31144	678	Ford E-250 Van	2007	Met life expectancy	$18,064.00
Utilities	1GCHC24K68E196123	2801	Chevrolet Silverado 2500	2008	Met life expectancy	$17,330.00
Police	1G2HX52K634162257	3105	Pontiac Bonniville	2003	Needs engine repair	Confiscated
Police	2B3KA43GX7H720743	3706	Dodge Charger	2007	Met life expectancy	$18,028.00
Police	1FAHP34N29W116077	3859	Ford Focus	2009	Met life expectancy	$11,429.00
Police	1GNMCAE02AR175359	4001	Chevy Tahoe	2010	Met life expectancy	$24,399.00
Police	1FAHP2MK6EG178649	4447	Ford Police Interceptor	2014	Met life expectancy	$31,887.00
Police	1FAHP2MK7EG178658	4450	Ford Police Interceptor	2014	Met life expectancy	$31,887.00
Police	1FAHP2MK4EG178651	4459	Ford Police Interceptor	2014	Met life expectancy	$31,887.00
Facilities	1GCCSBDE6A8128612	5007	Chevrolet Colorado	2010	Met life expectancy	$14,337.00
Recreation	1HFTE4608F4000249	5500	Honda Foreman 500	2015	Met life expectancy/very rusty	$7,799.00
Facilities	1GBHSBDE6A8128846	6003	Chevrolet Colorado	2010	Met life expectancy	$20,871.00
Facilities	1FTSS34PX6DA18888	6605	Ford E-350 Van	2006	Met life expectancy	$24,883.00
Utilities	4GNBG0812FB039709	8595	Multi Equipment Pump	2015	Pump and motor bad	$8,112.00

R19-042

Walter Gillis, Account Manager
Jupiter, FL 33458
Mobile (772) 418-0188
Fax (772) 382-0782

Contact: Lori Laverriere
Company Name: The City of Boynton Beach
Express Mail Address (No P.O. Boxes): 222 NE 9th Ave
City: Boynton Beach
State: FL
Zip: 33435
Phone:561-742-6202
Fax:
Email: dartyw@bbfl.us

This agreement made the 19th day of March 2019, between The City of Boynton Beach (hereinafter called "Seller") and J.J. Kane Associates Inc / trade name J.J. Kane Auctioneers (hereinafter called "Auctioneer", acting as agent for "Seller"). It is agreed as follows:

1) Time Frame
   a) The Seller hereby engages the Auctioneer to sell at public absolute auction sale, the property identified by the seller excluding chemicals, hazardous and/or environmentally unsafe equipment/material unless mutually written upon between Seller and Auctioneer.
      i) This agreement shall cover any auction sale the Seller chooses to participate starting on _March 30, 2019_ and ending on _March 30, 2020_.
      ii) This agreement shall cover auction sales conducted in the United States at JJ Kane and other facilities.
      iii) The Seller shall be responsible for clean-up/disposal of petroleum products/chemical spills coming from Seller property/auction items that are offered for sale during this agreement. The prompt and proper clean-up of any spills, leaks or other releases of petroleum or chemical substances and materials will be preformed following Federal, State and Provincial regulations. Auctioneer on certain occasions where a spill has occurred, notification to certain Federal, State and Provincial agencies may be required. Seller shall be responsible for all costs resulting in the clean-up of any spills/leaks or other releases of petroleum or chemical spills in accordance with any Applicable Laws. All clean-up/proper disposal costs will be billed back to the Seller and deducted from Seller sale proceeds. If said proceeds shall not cover the cost of spill cleanup/disposal, Seller will be billed the difference and Auctioneer shall be paid within 10 business days of dated invoice. The obligations set forth in this Article shall survive termination or expiration of this Agreement.

2) Auction Company Personnel
   a) Auctioneer shall provide all necessary auctioneers, accountants, clerks and office staff required to achieve the efficient and orderly performance of the auction sale. The Auctioneer shall employ qualified personnel to perform these jobs and shall perform this engagement in a professional and skilled manner in accordance with all applicable, federal, state and local laws and regulations.

3) As-Is & Where-Is Auction Sales
   a) The property/auction items will be offered for sale individually, or in the case of small miscellaneous items sold in lots as determined by the Auctioneer. The property/auction items will be sold on an "As-Is Where-Is" basis without any warranties of any kind expressed or implied.
   b) Seller agrees to disclose to Auctioneer any known defects or faults with property/auction items prior to the auction sale.

4) Marketable Title
   a) The Seller specifically warrants they are the owner of and have marketable title to all of the property, free and clear from any liens, debts or encumbrances except as noted. The Seller further warrants that there are no judgments or liens against it and that there are no pending legal actions, claims or proceedings whatsoever which in any way would hinder, prevent or otherwise affect its right or ability to sell the property at auction sale.
   b) Seller agrees to deliver on request any documents, certificates, proof of ownership or titles, which would be required to deliver title to the property.
   c) In the case that there is a delay in the new purchaser receiving a clear title for any vehicle or trailer sold for the Seller, the net proceeds from the sale will be held, until a free and clear title is received by the purchaser, or at the discretion of the Auctioneer, that item would be pulled from the auction sale and remain the Sellers property.
   d) If Seller is a motor vehicle dealer, list dealer state & dealer number: _____

5) Titles On-Site
   a) The Seller agrees to have all signed titles, a letter of authorization to sell your vehicles and any other related paperwork (seller specific bills of sale), either in my hands by _30 days prior to sale dates__ or hand delivered to the sale site by _7 days prior to sale date_.
   b) To comply with motor vehicle rules and so new purchasers may transfer ownership with minimal problems, a letter of authorization needs to be on your company letterhead and must accompany all titles. Below is a sample letter:

      To Whom It May Concern:

      ABC Construction Company gives J.J. Kane Auctioneers authorization to sell vehicles and/or equipment owned by ABC Construction Company at your auction sales conducted during calendar years 2019 and 2020 in the United States.

      Sincerely

      Your Name
      Signature

6) Delivery Of Auction Items
   a) The Seller agrees to have said property/auction items delivered to the sale site starting _30 days prior to sale date__ and no later than _7 days prior to sale date__. Items must be delivered in running condition (except when noted) with adequate fuel levels and a duplicate set of keys.

7) Insurance Coverage
   a) The Seller agrees to maintain proper insurance coverage on the property/auction items being sold until the day of the auction sale.
   b) The Auctioneer and owner of the sale site property will not be responsible for any damages to property/auction items resulting from acts of nature, theft, accident and/or vandalism while Sellers property is on the sale site.
   c) Auctioneer shall be responsible for loss or damage to Sellers property/auction items due to Auctioneers willful or negligent acts or omissions.

8) Commission
   a) The Seller agrees to pay the Auctioneer a commission rate of _0_ percent on the gross selling price of every item identified by the Seller.
   b) The Seller agrees that Auctioneer will charge a 10 percent fee to the buyer for each item sold.
   c) The Seller agrees when applicable, that the Auctioneer may deduct its commission from the proceeds of the auction sale.

9) No Sales
   a) In the event that a successful bidder attending the auction sale or bidding live over the internet fails to pay for an item for which he is designated to be the high bidder, that property/auction item would be considered a "No Sale" and no commission would be charged on that item and the Seller would retain ownership of said item.

10) Reimbursed Expenses
   a) If applicable and pre-approved, the Seller agrees that the Auctioneer may deduct the exact cost for any additional services that Auctioneer provides Seller from the proceeds of the auction sale.
      (1) Advertising ___N/A____
      (2) Decommissioning & Washing ___$125.00/vehicle___
      (3) Repairs __N/A___
      (4) Transportation To Sale Site __Cost ___
      (5) Other __N/A__

11) Payout
   a) Auctioneer will charge and collect from the purchaser, the purchase price together with all applicable taxes. Auctioneer will collect payment in full from the purchaser, prior to any property being removed. Seller shall be responsible for the payment of all income taxes accruing to Seller for revenue received from the sale of property.
   b) The Auctioneer agrees to pay the Seller the net proceeds from the auction sale 14 business days following the auction sale. Auctioneer shall mail a written report to Seller listing items sold and an amount equal to __100__ percent of the gross selling price of the property sold at auction, as outlined under section (8) and less any approved expenses as outlined under section (10), in the form of a check made payable or electronic transfer to the Seller. Proof of all approved expenses will be provided with the payout.
      (1) Proceeds check will be made payable and mailed to the same name and address as it appears on page 1 of this contract unless otherwise listed:
      _____

12) Absolute Unreserved Auction Sales
   a) The Seller understands that the Auctioneer conducts absolute unreserved public auction sales where each item is sold to the highest bidder regardless of price.
   b) Furthermore, the Seller understands/agrees that it is illegal for the Seller or an agent of the Seller to bid on and/or buy-back any items owned by the Seller.
   c) If the Seller or agent for the Seller attempts to bid on and/or buy back any of the consigned property/auction items, the Auctioneer will at his discretion choose one of the following actions:
      (1) Pass the item currently being offered for sale along with all the other Seller's property/auction items.
      (2) Sell the item to the last "Good Faith" bidder before the Seller or agent for the Seller began bidding on the property/auction item.
   d) The Seller agrees that it will reimburse Auctioneer for any lost revenue, including seller's commission, buyer's fee and/or any pre-approved reimbursed expenses if a "Buy Back" takes place.

13) Advertised Items
   a) At the Auctioneers discretion, in the event that the Seller removes any advertised property/auction item from the auction sale, Seller agrees to pay the Auctioneer a handling fee of $500.00 for each item removed from the sale.

14) Breach Of Contract
   a) In the event that Seller breaches any of the above warranties or makes any misrepresentation herein, Seller agrees to indemnify and hold the Auctioneer harmless from any and all liabilities or damages arising out of or relating to such breach or misrepresentation, including attorneys fees

and other costs expended by Auctioneer in any action or proceeding arising out of or relating to the breach or misrepresentation.

15) Entire Agreement

a) This Agreement contains the entire agreement between the parties and there are no other terms, obligations or representations, written or oral, other than contained in this agreement. This agreement may be modified only by a further writing that is duly executed by both parties.

b) Headings used in this agreement are provided for convenience only and shall not be used to construe meaning or intent.

16) The following section shall apply to the following vehicle mounted aerial devices (Hereinafter referred to as "aerial device"):

a. Extensible boom aerial devices; and

b. Aerial Ladders; and

c. Articulating boom aerial devices; and

d. Vertical towers; and

e. A combination of any of the above. The vehicle may be a truck, a trailer, or an all-terrain vehicle.

It shall be the sole and exclusive responsibility of Seller to provide Auctioneer with the operations, maintenance and manufacturer's manual(s) for each aerial device to be auctioned by Auctioneer. Seller acknowledges and agrees that their responsibility to provide all operations, maintenance and manufacturer's manual(s) shall continue in perpetuity even though Auctioneer is selling said items for the Seller. In the event Seller does not provide all operations, maintenance and manufacturer's manual(s) to Auctioneer, Auctioneer shall, in its own discretion, refuse to auction any aerial device until such time as the operations, maintenance and manufacture's manual(s) are provided from Seller to Auctioneer. Auctioneer may notify Seller of the name and location of the successful purchaser within a reasonable time upon completion of the sale. Seller hereby acknowledges its responsibilities in accordance with American National Standards Institute A 92.2-2009 in full and most specifically section 8.7 therein.

Seller hereby accepts all of the terms and conditions set forth above.

J.J. Kane Auctioneers	The City of Boynton Beach
Contact: Walter Gillis	Contact: Lori LaVerriere
Signature: Walter Gillis	Signature: Lori LaVerriere
Date: 4-15-19	Date: 4/26/19

Please FAX back:

1) **signed contract**
2) **<u>"the Statement requested in Item # 5 (and also prepared on the following, 5th, page), printed on your Company Letterhead and signed"</u>**

To: Walter Gillis, FAX (772-382-0782)

APPROVED AS TO FORM:

CITY ATTORNEY

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Approve utilizing Town of Palm Beach Invitation to Bid #2018-12 with Custom Tree Care for an estimated annual expenditure of $65,000 for tree trimming and pruning services. The Town of Palm Beach's procurement process satisfies the City's competitive bid process.

EXPLANATION OF REQUEST:
Staff originally created a blanket in the amount of $23,000 utilizing the Town of Palm Beach contract for tree trimming and pruning services for trees that needed immediate attention to prevent safety issue for our patrons.

Additional services are needed throughout the City parks and buildings in order to maintain the integrity of the existing trees and palms.

Staff is requesting an annual expenditure of $65,000 which will supply us with an additional $42,000 for any additional trimming or pruning needed for the remainder of the fiscal year.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? This will provide a safe environment for patrons to enjoy our City Parks and surrounding areas.

FISCAL IMPACT: Budgeted
Budgeted funding is in Parks and Grounds account #001-2730-572-46-98.

ALTERNATIVES:
Not trimming or pruning the trees/palms will cause the areas to become overgrown, possibly have trees die off & have an increase of falling limbs. In addition, the areas would unsafe and place our patrons at risk for injury.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CONTRACTS

VENDOR NAME: Custom Tree Care

START DATE: 5/8/2019

END DATE: 5/7/2020

CONTRACT VALUE:

MINORITY OWNED CONTRACTOR?: No

EXTENSION AVAILABLE?: Yes

EXTENSION EXPLANATION:

Option to renew four additional 12 month renewals

ATTACHMENTS:

Type	Description
Contract	Agenda Attachment - Custom Tree Care - Contract

Greco-Arencibia, Adrianna

From: Javier, Andrea
Sent: Monday, January 07, 2019 7:59 AM
To: Greco-Arencibia, Adrianna; Krasnoff, Leah
Cc: Saavedra, Marc
Subject: RE: Contract with Town of Palm Beach
Attachments: 20190104091805893.pdf

Good morning,

The attached meets City requirements.

Andrea Javier, IPMA-CP
Benefits Administrator
Human Resources and Risk Management
Mailing Address: P.O. Box 310 | Boynton Beach, Florida 33425
Physical Address: 3301 Quantum Blvd., Suite 101 | Boynton Beach, Florida 33426
561-742-6044
JavierA@bbfl.us | boynton-beach.org/
Follow us on

Please be advised that Florida has a broad public records law and all correspondence to me via email may be subject to disclosure.Under Florida records law, email addresses are public records. Therefore, your e-mail communication and your e-mail address may be subject to public disclosure.

From: Greco-Arencibia, Adrianna
Sent: Monday, January 07, 2019 6:48 AM
To: Certificate of Insurance <COI@bbfl.us>; Javier, Andrea <JavierA@bbfl.us>; Krasnoff, Leah <KrasnoffL@bbfl.us>
Cc: Saavedra, Marc <SaavedraM@bbfl.us>
Subject: FW: Contract with Town of Palm Beach
Importance: High

Good morning,

Andrea: Can you please review the COI to make sure it meets City requirements?

Leah: Can you please enter the vendor in our system or update W9 if they are already in the system.

Thank you

Adrianna Greco-Arencibia
Assistant to Director
Public Works / Solid Waste
Mailing Address: P.O. Box 310 | Boynton Beach, Florida 33425
Physical Address: 222 N.E. 9th Ave. | Boynton Beach, Florida 33435
561-742-6596 | 561-742-6211
Greco-ArencibiaA@bbfl.us | boynton-beach.org/
Follow us on

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From: Greg Gathers <ggathers@customtreecare.com>
Sent: Friday, January 04, 2019 10:24 AM
To: Greco-Arencibia, Adrianna <Greco-ArencibiaA@bbfl.us>
Subject: RE: Contract with Town of Palm Beach

Adrianna,

Find attached an authorization letter, pricing, COI and W-9. Please advise next steps.

Thanks!
Dawn

Custom Tree Care - Home - CTC

www.customtreecare.com

Custom Tree Care has the experience, knowledge, equipment and highly trained personnel to manage your tree care or disaster reponse challenges, no matter what they ...

Greg Gathers
President & CEO | Custom Tree Care, Inc.
Office (785) 478-9805 | Cell (785) 221-7550 | Fax (785) 478-4195
www.customtreecare.com

Please consider the environment before printing this email.

From: Greco-Arencibia, Adrianna <Greco-ArencibiaA@bbfl.us>
Sent: Thursday, January 03, 2019 7:37 AM
To: ggathers@customtreecare.com
Subject: Contract with Town of Palm Beach
Importance: High

Good morning Greg,

I see that you are the primary vendor for hourly trimming of trees with the Town of Palm Beach. It shows that your company's address is in Topeka, Kansas, do you have crews in Palm Beach County? If so, we would like to piggyback the contract so we can issue you a purchase order to do some tree trimming. If so, then we would need a letter of authorization from your company stating that you give the City of Boynton Beach authorization to piggyback the contract (with the contract #2018-12) and that you will honor the same pricing and terms.

We will also need a 2018 W9 and the COI from your company. I have attached examples of both for you.

> Under the terms and conditions of all contracts, leases, and agreements, the City requires insurance coverage listing the City of Boynton Beach as additional insured. Are you able to provide a copy of your certificate of insurance (COI), listing our City as certificate holder and as additional insured, as proof of **General Liability, Auto Liability, Worker's Compensation Liability** (or exemption) **Insurance,** and **Professional Liability** (errors and omissions) for the proposed work at the City? Please see the attached Insurance Advisory Form/ Sample COI and email the COI to coi@bbfl.us.
>
> If you have any questions or need further clarification, please call or email Andrea Javier at 561-742-6044 or javiera@bbfl.us.
>
> **Certificate Holder and Additional Insured:**
> City of Boynton Beach
> P.O. Box 310
> Boynton Beach, FL 33425
>
> *The City should be listed as additional insured with respect to general liability either in the DESCRIPTION OF OPERATIONS comment box or in the ADDL INRS column with a Y, x or √ next to **GENERAL LIABILITY** insurance.

We would like to issue a purchase as soon as possible. Please advise if you are able to assist us. If not, please respond and let us know that you are not able to assist at this time and we will move to the next awarded vendor.

Thank you

Adrianna Greco-Arencibia
Assistant to Director
Public Works / Solid Waste
Mailing Address: P.O. Box 310 | Boynton Beach, Florida 33425
Physical Address: 222 N.E. 9th Ave. | Boynton Beach, Florida 33435
561-742-6596 | 561-742-6211
Greco-ArencibiaA@bbfl.us | boynton-beach.org/
Follow us on

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6021 SW 29th St. PMB #130
Topeka, KS 66614
(785) 478-9805 – Office
(785) 478-4195 – Fax
ggathers@customtreecare.com
www.customtreecare.com

City of Boynton Beach
222 NE 9th Ave.
Boynton, FL 33435

Public Works Director,

Custom Tree Care, Inc. (CTC) authorizes the City of Boynton Beach to piggyback off the Town of Palm Beach's tree trimming contract. CTC will honor the same pricing (see attached) and terms of the contract. Find attached a copy of our W-9 as well as our certificate of insurance.

Respectfully,

Greg Gathers
CEO & ISA Certified Arborist
Custom Tree Care, Inc.

Town of Palm Beach
Tree Trimming Services

Item	Price	
3 Man Crew & Bucket Truck	$ 195.00	per hour
2 Man Crew & Bucket Truck	$ 135.00	per hour
Flagger	$ 40.00	per hour
Chip or Grapple Truck	$ 70.00	per hour
Dump Fee	$ 7.00	per CY
Stump Grinder, Pick-up & Operator	$ 135.00	per hour

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
Custom Tree Care, Inc.

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☑ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any)

Exemption from FATCA reporting code (if any)

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
6021 SW 29th St. PMB #130

Requester's name and address (optional)

6 City, state, and ZIP code
Topeka, KS 66614

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
☐☐☐ – ☐☐ – ☐☐☐☐

or

Employer identification number
4 8 – 1 2 4 5 9 6 8

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ Date ▶ 1/3/19

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

CUSTTRE-01 MDRESSMAN

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 1/3/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Elliott Insurance Inc.
3645 SW Burlingame Rd
Topeka, KS 66611

CONTACT NAME: Maria Dressman
PHONE (A/C, No, Ext): (785) 267-4840 FAX (A/C, No): (785) 267-5609
E-MAIL ADDRESS: maria@elliottinsurancegroup.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Wesco Insurance Company	25011
INSURER B : Greenwich Insurance Company	
INSURER C : American Interstate Insurance	31895
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
Custom Tree Care Inc.
3722 SW Spring Creek Ln
Topeka, KS 66610

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$ 1,000,000
	CLAIMS-MADE [X] OCCUR	X		WPP1625962 00	4/21/2018	4/21/2019	DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000
							MED EXP (Any one person)	$ 5,000
							PERSONAL & ADV INJURY	$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$ 2,000,000
	POLICY [X] PRO-JECT [ ] LOC						PRODUCTS - COMP/OP AGG	$ 2,000,000
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
B	UMBRELLA LIAB X OCCUR						EACH OCCURRENCE	$ 3,000,000
	X EXCESS LIAB CLAIMS-MADE			NEC6005043-00	4/21/2018	4/21/2019	AGGREGATE	$ 3,000,000
	DED X RETENTION $ 0							$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						X PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N [Y]	N/A		AVWCKS2696362018	7/1/2018	7/1/2019	E.L. EACH ACCIDENT	$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Greg Gathers is the Officer Excluded on the Workers Compensation/Employers Liability policy
Pesticide or Herbicide Applicator Limited Pollution Coverage is provided per CG2264 (04/13)

City of Boynton Beach is an additional insured on a primary, noncontributing basis per CG2010 (4/13) and CG2001 (4/13) when required in a written contract

CERTIFICATE HOLDER

City of Boynton Beach
P.O. Box 310
Boynton Beach, FL 33425

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CERTIFICATE OF INSURANCE

SHELTER MUTUAL INSURANCE COMPANY
A MUTUAL COMPANY

SHELTER GENERAL INSURANCE COMPANY
A STOCK COMPANY

Name & Address To Whom Issued:

City of Boynton Beach
PO Box 310
Boynton Beach, FL 33425

Name & Address of the Named Insured:

Custom Tree Care
Greg Gathers
3722 SW Springcreek Ln
Topeka, KS 66610

This Certificate of Insurance neither affirmatively nor negatively amends, alters or extends the coverage afforded by the policy(s) listed. The Certificate is issued for informational purposes only and confers no rights to the certificate holder.

This is to certify that insurance policies shown below by policy number have been issued for the policy period(s) indicated:

Company	Type of Insurance	Policy Number	Policy Inception	Policy Expiration	Limits of Liability
Shelter Mutual	General Liability: ____ Premises & Operations ____ Products/Completed Operations Provided				Per Occurrence Aggregate Products/Completed Operations For: (Describe)
_X_ Shelter Mutual ____ Shelter General	Automobile _X_ All Owned or Leased Autos (described in declarations of a Shelter issued policy) ____ Scheduled Autos ____ Hired Autos ____ Non Owned Autos	See Page 2	10/21/18	04/21/19	1,000,000 Combined Single Limit BI Per Person BI Per Accident PD Per Accident
Shelter Mutual	Apartment Owner's/ Rental Dwelling				Per Occurrence Per Aggregate
Shelter Mutual	Business				Per Occurrence Per Aggregate
____ Shelter Mutual ____ Shelter General	Other:				

REMARKS:

Date 10/21/18

By _____
Authorized Representative

M-51.26-M

TOWN OF PALM BEACH

INVITATION TO BID NO. 2018-12

TREE TRIMMING & PRUNING SERVICES FOR THE TOWN OF PALM BEACH

Event	Date
Non-Mandatory Pre-Bid Meeting	February 27, 2018
Date ITB Issued	February 18, 2018
Due date for bidder questions	Until seven (7) days prior to the submittal date
Due date for bidder responses	Until five (5) days prior to the submittal date
ITB Due Date	March 21, 2018
Start Date	May 2018

BID CONTACT: Sandy Shea, Buyer, Public Works

No phone inquiries will be accepted. All correspondence shall be directed to the purchasing division via email to sshea@TownofPalmBeach.com or Fax (561) 835-4688.

Purchasing Division

* *

FINANCE DEPARTMENT

* *

TOWN OF PALM BEACH * 951 OKEECHOBEE ROAD * WEST PALM BEACH * FLORIDA * 33401

TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

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Florida Statute Section 119.0701 Contracts; public records	Attachment "A"

TOWN OF PALM BEACH

Advertisement for Bids

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

Sealed bids for **Tree Trimming & Pruning Services** will be received by the Town of Palm Beach, Florida, at the Purchasing Office, 951 Okeechobee Road, Suite "D", West Palm Beach, FL 33401, until **March 21, 2018, at 2:00 P.M.** At that time all bids will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

A non-mandatory pre-bid meeting will be held at **10:00 AM on February 27, 2018,** at the Public Works Facility, located at 951 Okeechobee Road, West Palm Beach, FL 33401. Attendance is strongly encouraged as this will be the only forum to seek clarification from Town staff. After the Bid has been awarded, no extra-charge or compensation will be allowed as a result of failure to attend the conference and resulting site visit.

An **original, two (2) copies and one (1) electronic copy (USB flash drive)** of the proposal shall be submitted in sealed envelopes/packages addressed to Purchasing Division, Town of Palm Beach, Florida, and marked "**Bid No. 2018-12 – TREE TRIMMING & PRUNING SERVICES**". Companies desiring a copy of the Invitation to Bid may obtain such documents from the Town's website at www.townofpalmbeach.com, (click "Doing Business," click "Bids and Requests for Proposals" and follow the instructions). For further information, contact the Purchasing Office, 951 Okeechobee Road, Suite D, West Palm Beach, FL 33401, Telephone (561) 838-5406.

The Town reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. The Town further reserves the right to award the contract to that bidder whose proposal best complies with the bid specification. No bidder may withdraw their bid for a period of ninety (90) days from the date set for the opening thereof.

Sandy Shea
Buyer, Public Works

Dated: **February 18, 2018**
February 25, 2018

Published: **Palm Beach Post**
DemandStar
Public Purchase

TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

GENERAL CONDITIONS, INSTRUCTIONS AND INFORMATION FOR BIDDERS

1. GENERAL INFORMATION

These documents constitute the complete set of specification requirements and bid forms. Bid Proposal response is to be filled in, signed, sealed and mailed or presented to the Purchasing Division on or before the specified date and time.

It is sole responsibility of the bidder to ensure that his/her bid reaches the Purchasing Division on or before the closing date and time. The TOWN shall in no way be responsible for delays caused by any other occurrence. Offers by telephone, telegram or facsimile will not be accepted.

The bid time must be and shall be scrupulously observed. Under no circumstances will bids delivered after the time specified be considered. Such bids shall be returned to the vendor unopened.

All bids must be typewritten or written in ink, and must be signed in ink by an officer or employee having authority to bind the company or firm.

Bidders shall not be allowed to modify their bids after the opening date and time. Bid files may be examined during normal working hours, after bid opening, by appointment only.

For information concerning this bid, please contact Sandy Shea, Buyer via email: sshea@TownofPalmBeach.com or via Fax **(561) 835-4688.**

2. PRICE/DELIVERY

Any bids containing modifying or "escalator" clauses will not be considered unless specifically requested in the bid specifications.

"Acceptance" as herein used means the acceptance by Town of Palm Beach, herein referred to as TOWN, after the Purchasing Agent or his authorized agent has, by inspection or test of such items, determined that they fully comply with specifications.

Services resulting from this bid are to be made during the normal working hours of the TOWN and adhere to the schedule set per specifications herein. Time is of the essence and the bidder's services and schedule will specified and shall be adhered to. Should the bidder, to whom the order or contract is awarded, fail to perform per schedule, the TOWN reserves the right to CANCEL the order or contract and make the purchase elsewhere. The successful bidder(s) shall be responsible for making any and all claims against carriers for missing or damaged items.

3. FEDERAL AND STATE TAX

TOWN is exempt from Federal and State Taxes for tangible personal property. The Purchasing Agent will sign an exemption certificate submitted by the successful bidder. Vendors or contractors doing business with the TOWN shall not be exempted from paying sales tax to their suppliers for materials to fulfill contractual obligations with the TOWN, nor shall any said vendor or contractor be authorized to use the Town's tax exemption number in securing such materials.

4. ACCEPTANCE / REJECTION

TOWN reserves the right to accept or to reject any or all bids and make the award to that bidder, who in the opinion of the TOWN will be in the best interest of and/or the most advantageous to the TOWN. TOWN also reserves the right to reject the bid of any vendor who has previously failed in the proper performance of an award or to deliver on time contracts of a similar nature or who is not in a position to perform properly under this award. TOWN reserves the right to waive any irregularities and technicalities and may, at its discretion, request a re-bid.

6. NO BID

Where more than one item is listed, any items not bid upon shall be indicated "NO BID." If no items are bid on, the "Statement of NO BID" should be returned, with the envelope plainly marked "NO BID" and with the bid number. Failure to do so will be an indication that the bidder does not wish to be considered for future bids.

7. CONFLICT OF INTEREST

The award is subject to provisions of State Statutes and Town Ordinances. All bidders must disclose with their bid the name of any officer, director or agent who is also an employee of the TOWN. Further, all bidders must disclose the name of any Town employee who owns, directly or indirectly, an interest in the bidder's firm or any of its branches.

8. LEGAL REQUIREMENTS

Federal, State, County and local laws, ordinances, rules and regulations that in any manner affect the items covered herein apply. Lack of knowledge by the bidder shall in no way be a cause for relief from responsibility.

(a) Vendors doing business with the TOWN are prohibited from discriminating against any employee, applicant or client because of race, creed, color, national origin, sex, age or non-disqualifying physical or mental disability, with regard to but not limited to the following: employment practices, rates of pay or other compensation methods, and training selection.

(b) Identical Tie Bids/Proposals shall be awarded in accordance with the preference established in Section 287.087, Florida Statutes, to a vendor submitting the attached Drug-Free Workplace Certification form properly completed and certified. In the event that tie bids are received either from vendors who have all submitted a Drug-Free Workplace Certification or none of whom who have submitted such certification, the award will be made in accordance with TOWN purchasing procedures pertaining to tie bids.

(c) A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity, crime may not submit a bid on a contract to provide any goods or services to a public entity may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO (Currently $25,000) for a period of 36 months from the date of being placed on the convicted vendor list.

9. UNIFORM COMMERCIAL CODE

The Uniform Commercial Code (Florida Statutes, Chapter 672) shall prevail as the basis for contractual obligations between the awarded contractor/vendor and the TOWN for any terms and conditions not specifically stated in the Invitation to Bid.

10. MISTAKES

In the event of extension error(s) the unit price will prevail and the bidder's total offer will be corrected accordingly. In the event of addition errors, the extended totals will prevail and the bidder's total will be

corrected accordingly. If there is a difference between the written price and the numerical price, the written price shall prevail. Bidders must check their bid proposal where applicable. Failure to do so will be at the bidder's risk. Bids having erasures or corrections must be initialed in ink by the bidder.

11. AVAILABILITY OF FUNDS

The obligations of the TOWN under this award are subject to the availability of funds lawfully appropriated for its purpose by the Town Council.

12. EEO STATEMENT

TOWN is committed to assuring equal opportunity in the award of contracts and, therefore, complies with all laws prohibiting discrimination on the basis of race, color, religion, national origin, sex, age and non-disqualifying physical or mental disability.

13. BID TABULATION

Bidders desiring a copy of the bid tabulation of the Invitation to Bid may obtain them by going to the Town's website at www.townofpalmbeach.com, (click "Doing Business" click "Sealed Bids/Requests for Proposals" and follow the instructions).

14. BID FORMS

All bid proposals must be submitted on our standard Invitation to Bid form. Bid proposals on vendor quotation forms will not be accepted.

15. CONTRACTUAL AGREEMENT

This Invitation to Bid shall be included and incorporated in the final award. The order of contractual precedence will be the purchase order or price agreement bid document (original Terms and Conditions) and response. Any and all legal action necessary to enforce the award will be held in Palm Beach County and the contractual obligations will be interpreted according to the laws of Florida. Any additional contract or agreement requested for consideration by vendor must be enclosed as part of the bid response.

16. INFORMATION

Any questions by prospective vendors should be directed to the Purchasing Division contact, noted on page no. 3, who is authorized only to direct inquiries to various portions of the bid so bidders may read and interpret such for themselves. No authorization is allowed by Purchasing personnel to interpret, or give information as to bid requirements in addition to that, which is contained in the original bid document. Interpretation of the bid or additional information as to its requirements, where necessary, shall be communicated to bidders only by written addendum.

17. PRICES QUOTED

Bidder warrants by virtue of bidding that prices shall remain firm for a period of ninety days (90) days from the date of bid opening or time stated in Special Conditions.

18. PAYMENT

Payment will be made by the TOWN after commodities/services have been received, accepted and properly invoiced as indicated in contract and/or order. Invoices must bear the order number. Payment shall be made within 30 days of such acceptance.

19. DISCOUNT

Bidders may offer a discount for prompt payment. However, such discounts will not be considered in determining the lowest net cost for bid evaluation purposes unless otherwise specified in Special Conditions. Bidders should reflect any discounts to be considered in the bid evaluation in the unit prices bid.

20. CERTIFICATIONS

When applicable, vendor must hold Certificate of Competency issued by the State of Florida or the Palm Beach County Construction Industry Licensing Board and a current Occupational License for Palm Beach County. Copy of certificate and license must be submitted with bid and must be in the name of the vendor shown on the Bid Proposal page.

21. LICENSES AND PERMITS

When applicable, it shall be the responsibility of the successful bidder to obtain at no additional cost to the TOWN, any and all licenses and permit required to complete contractual service. A copy of these licenses and permits shall be submitted prior to commencement of work. Permit fees shall be waived for this work, however, the successful vendor must pay any applicable TOWN Occupational License fees.

22. COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH

Bidder certifies that all material, equipment, etc., contained in his/her bid meets all O.S.H.A. requirements. Bidder further certifies that, if he/she is the successful bidder, and the material, equipment, etc., delivered is subsequently found to be deficient in any O.S.H.A requirement in effect on date of delivery, all costs necessary to bring the material, equipment, etc., into compliance with the aforementioned requirements shall be borne by the bidder.

23. MATERIAL SAFETY DATA SHEET

In compliance with Chapter 442, Florida Statutes, a Material Safety Data Sheet (MSDS) must accompany any toxic substance resulting from this bid. The MSDS must include the following information:

(a) The identity used on the chemical product's label.
(b) The chemical and the common name(s) of all ingredients, which have been determined to be a health hazard.
(c) Physical and chemical characteristics of the hazardous chemicals (i.e. vapor pressure, flashpoint).
(d) The physical hazards of the hazardous chemical, including the potential for fire, explosion and reactivity.
(e) The health hazards of the hazardous chemical, including signs and symptoms of exposure.
(f) The primary route(s) of entry.
(g) The Occupational Safety and Health Administration (OSHA) permissible exposure limit, American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Value, and any other exposure limit used or recommended.
(h) Whether the hazardous chemical is listed on the National Toxicology Program (NTP) Annual Report on Carcinogens (latest edition) or has been found to be a potential carcinogen.
(i) Any general applicable precautions for safe handling and use that are known.
(j) Any general applicable control measures, which are known.
(k) Emergency and first aid procedures.
(l) The date of MSDS preparation or last change to it.
(m) The name, address and telephone number of the chemical Manufacturer or importer.

24. SAFETY REGULATIONS

Equipment must meet all State and Federal safety regulations for grounding of electrical equipment.

25. CODES AND REGULATIONS

The vendor must strictly comply with all Federal, State and local building and safety codes.

26. INDEMNIFICATION

To the fullest extent allowed by law the Contractor shall protect, defend, reimburse, indemnify and hold harmless the Town of Palm Beach, and the Town's officers, agents, employees free and harmless from and against any and all claims, losses, penalties, damages, settlements, costs, charges, attorneys or other professional fees, or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, cause or causes of action of very

kind and character in connection with, or arising directly or indirectly out of or related to this Contract and the Work performed hereunder. Without limiting the generality of the foregoing, Contractor's Indemnity shall include all claims, damages, losses, or expense arising out of or related to personal injury, death, damages to property, defects in materials or workmanship, actual or alleged infringement of any patent, trademark, copyright, proprietary information, or applications of any thereof, or of any other tangible or intangible personal or property right, or any actual or alleged violation of any applicable statute, ordinance, administrative order, rule or regulation, or order of any court. Contractor agrees to investigate, respond, adjust and provide a defense for all and any such claims, demands and actions at Contractor's sole expense and agrees to bear and remain liable for all such other costs and expenses relating thereto, even if such claim is groundless, false or fraudulent. Notwithstanding the foregoing, Contractor's Indemnity shall not extend to liability for damages to persons or property to the extent such damage was caused by any act, omission, or default of the Town, or by the Town's officers, agents and employees.

Contractor acknowledges and agrees that TOWN would not enter into a contract without this indemnification of TOWN by Contractor, and that TOWN'S entering into a contract shall constitute good and sufficient consideration for this indemnification. These provisions shall survive the expiration or earlier termination of the Contract. Nothing in this Contract shall be construed to affect in any way the TOWN'S rights, privileges, and immunities as set forth in Florida Statutes 768.28.

27. RESTRICTED AREAS DURING OFFICIAL DIGNITARY VISITS, EMERGENGIES AND WEATHER EVENTS

The Town of Palm Beach may become a restricted area during official Dignitary visits, emergencies and significant weather events. Contractor and workers may be asked to show Town issued ID during this period. The successful contractor and workers assigned to this project will be required to come to the Police Department prior to the start of the contract to have their fingerprints taken at no charge to contractor. If the fingerprint background check returns with no warrants or felonies, the contractor and workers will be given a picture ID for access to Palm Beach Island during this period. This process takes up to three (3) business days and needs to be planned accordingly.

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1. ADDENDUMS

The Purchasing Office will receive written requests for clarification concerning the meaning or interpretations of the bid, until **seven (7)** days prior to the submittal date; requests may be sent via facsimile to (561) 835-4688. Town personnel are authorized only to direct the attention of prospective proposers to various portions of the bid so that they may read and interpret such for themselves. No employee of the Town is authorized to interpret any portion of this bid or give information as to the requirements of the bid in addition to what is contained in the written bid documents.

The Town may record its response to inquiries and any supplemental instructions in the form of written addenda. Written addenda may be provided up to **five (5)** calendar days before the date fixed for receiving the bids. Any oral explanation(s) given before the bid opening will not be binding.

2. TOWN CONTRACT COORDINATOR

The Town of Palm Beach shall designate a Contract Coordinator who shall act on behalf of the Town with respect to monitoring contractor performance under this contract.

The administration of this contract is vested in the Contract Coordinator. The Contract Coordinator shall have complete authority to require the Contractor to comply with all provisions of this Contract. However, the provisions of this Contract shall not be altered, waived or revoked by the Contract Coordinator.

The Contract Coordinator principal duties shall be:

A. Liaison with Contractor.
B. Coordinate and approve all work under the contract.
C. Resolve any disputes.
D. Assures consistency and quality of Contractor's performance.
E. Schedule and conduct Contractor performance evaluations and document findings.
F. Review and approve for payment all invoices for work performed or items delivered.

3. PRE-BID CONFERENCE (Non-Mandatory)

All interested Proposers are invited to attend a **Pre-Bid Conference on February 27, 2018, at 10:00 A.M. in the Public Works Meeting Room, located at 951 Okeechobee Road, West Palm Beach, FL, 33401**. At that time, the Town's representatives will be available to answer questions relative to this Request for Proposal. Any modifications may be presented in writing to, or discussed with the Town's representative(s) as possible amendments to the Bid document.

Bidders should visually inspect the sites where the services are to be performed. Bidders are advised to make a thorough inspection of the extent of work. Failure to visually inspect the sites shall be at bidder's risk. After bid has been awarded, no extra charge or compensation will be allowed by the Town as a result of differences between actual materials and labor, unless by reason of unforeseeable causes beyond his control and without fault or negligence, including, but not restricted to acts of God or neglect of any other contractor. Submission of a bid will be considered evidence that the bidder has familiarized himself with the nature and extent of work, and the equipment, materials and labor required.

It is the intention of the Town to purchase the services as specified herein from a source of supply that will give prompt and convenient service. Any failure of a successful bidder to comply with these conditions may be cause for terminating any resulting contract immediately upon notice by the Town. The Town reserves the right to obtain these services from other sources, when necessary, should a successful bidder be unable to perform on a timely basis and such delay may cause harm to the Town or its residents.

4. QUALIFICATION OF BIDDERS

This bid shall be awarded only to a responsible bidder, qualified to provide the work specified. The bidder shall submit the following information with his proposal:

A. Experience record, showing the bidder's training and experience in similar work including multiple-site customers (e.g. universities or large HOA) and municipalities.
B. Reference list and brief description of similar work satisfactorily completed with location, dates of contracts, names, addresses and phone numbers of owners/principals.
C. Specify the number of employees available to perform the requirements of this contract, both workers and supervisors. The awarded contractor is required to have a minimum of nine (9) employees available for this contract. Individual crews are to have two (2) workers, minimum, assigned to each single-boom/aerial lift truck.
D. Specify list of currently available and operated equipment that would be utilized in fulfilling the requirements of this contract. The awarded contractor must make available for this contract, at least three (3) 'bucket' trucks or aerial-lift trucks with 60 foot boom. In addition, the awarded contractor must have available three (3) pieces of equipment with a minimum carrying capacity of 20 cubic yards (each).
E. Include make, model and year of manufacture. Provide evidence of adequate maintenance and storage facilities available relative to completion of the work.
F. List any licenses, permits or certifications, etc. that you hold for performing this type of work.

Failure to submit the above requested information may be cause for rejection of your bid.

5. COMPETENCY OF BIDDERS

Pre-award inspection of the bidder's facility may be made prior to award of Contract. Bids will be considered only from firms which are regularly engaged in the business of providing services as described in this Bid and who can provide evidence that they have established a satisfactory record of performance and a sufficient delivery fleet to insure satisfactory execution of the services under the terms and conditions herein stated. The term "equipment and organization" as used herein shall be construed to mean a fully equipped and well-established company in line with the best business practices in the industry and as determined by the proper authorities of the Town.

6. CERTIFICATION AND/OR LICENSES

Bidders shall provide, with their proposal, a copy of a current license that shows a principal in the firm or an employee is an ISA Certified Arborist. This Certification shall be current at all times during the duration of this contract. Bidders should provide, with their bid, a copy of all current licenses. If not provided with your bid, they must be submitted within three (3) business days of the Town's request.

Bidder must hold a current tax receipt (Occupational License). Copy of license must be submitted with bid and must be in the name of the bidder shown on the Bid Proposal Page. A current, signed copy of IRS Form W-9 should also be submitted with your bid.

7. ON SITE INSPECTION

An inspector may be designated by the Town of Palm Beach. During the course of the project, the inspector will be responsible for assuring the proper execution of this bid by the successful Contractor.

8. AS SPECIFIED

A purchase order will be issued to the successful bidder with the understanding that all services rendered must meet the specifications herein.

9. PERFORMANCE

The Town shall not pay for work that fails to meet the Town's standards as set forth is this Bid and as determined by the Contract Coordinator.

10. PERFORMANCE DURING EMERGENCY:

By submitting a bid, bidder agrees and promises that, during and after a public emergency, disaster, hurricane, flood, or acts of God, TOWN shall be given "first priority" for all goods and services under this contract. Bidder agrees to provide all goods and services to the TOWN during and after the emergency at the terms, conditions, and prices as provided in this solicitation on a "first priority" basis. Bidder shall furnish a 24-hour phone number to the TOWN in the

event of such an emergency. Failure to provide the stated priority during and after an emergency shall constitute breach of contract and make the bidder subject to sanctions from doing further business with the TOWN.

11. DELETION OR MODIFICATION OF SERVICES

The TOWN reserves the right to add or delete any portion of this Contract at any time without cause, and if such right is exercised by the Town, the total fee shall be increased or reduced in the same ratio as the estimated cost of the work based on the unit prices set forth on the Bid Proposal Page.

12. AWARD (LOT BY LOT WITH PRIMARY / SECONDARY / TERTIARY)

Award will be made to the lowest responsive and responsible bidder, on a **Lot by Lot basis with a designated Primary / Secondary / Tertiary assigned to each lot**, whose bid meets the requirements and criteria set forth in this Invitation to Bid.

The Town reserves the right to award to that bidder who will best serve the interests of the Town. The Town reserves the right to accept or reject any and/or all bids and to award or not award a contract based on this bid proposal.

13. RENEWAL OF CONTRACT

Bid shall be awarded for a term of twelve (12) months with the option to renew the contract for up to four additional twelve (12) month periods. Option for renewal will only be exercised upon written mutual agreement and with all original terms, conditions and pricing (adjustments may be made to pricing based on the Consumer Price Index at the time of renewal) with no other deviations. Price adjustments upon renewal shall be based on the percent change in the Consumer Price Index, All Urban Consumers, for the Miami-Fort Lauderdale Region from June to June of each prior and renewal year respectively, as published by the United States Department of Labor. Any renewal will be subject to appropriation of funds by the Town Council.

14. PRICING

The Town requires a firm price for the contract period. Invoices will be checked to confirm compliance with quoted pricing. Failure to hold prices firm through the entire contract term will be grounds for contract termination.

15. METHOD OF ORDERING

An annual Blanket Purchase Order shall be issued for these services. Invoices shall be submitted monthly after completion of services specified in this contract and shall refer to the Purchase Order Number and the appropriate item number. Invoices shall be submitted to the Town of Palm Beach, Finance Department, Accounts Payable, P.O. Box 2029, Palm Beach, FL 33480 or email electronic invoices to: Invoices@TownofPalmBeach.com (Preferred Method).

16. PAYMENT

Terms of payment are net 30 days after services have been completed and accepted. Invoice must reflect purchase order number.

17. VENDOR SERVICE REPRESENTATIVE

The bidder must submit with their bid proposal the name, address, and phone number of the person(s) to be contacted for the placement of an order and the coordination of service.

18. RIGHT TO TERMINATE

The Town reserves the right to terminate this Contract without penalty upon thirty (30) days written notice to Vendor. In the event of totally unacceptable performance, the TOWN may cancel immediately without cancellation liability.

19. DAMAGE TO PUBLIC OR PRIVATE PROPERTY

Extreme care shall be taken to safeguard all existing facilities, sidewalks, curbs, landscaping, site amenities, irrigation systems, vehicles, etc. on or around the job site. Damage to public and/or private property shall be the responsibility of the Contractor and shall be repaired and/or replaced at no additional cost to the Town.

The successful bidder shall at all times, guard against damage or loss to the property of the Town of Palm Beach and/or private property within the Town. Contractor shall be held responsible for replacing or repairing any such loss or damage. The Town of Palm Beach may withhold payment or make such deductions as deemed necessary to insures reimbursement or replacement for loss or damage to property through negligence of the successful bidder or his/her agents

20. CONTRACTOR RESPONSIBILITY

The bidder shall be responsible for the protection of property, in the areas in the vicinity of the project; and for the protection of his own equipment, supplies, materials and work, against any damage resulting from the elements (such as flooding, rainstorms, wind damage, or other acts of God) or vandalism.

21. PUBLIC SAFETY AND CONVENIENCE

In the Contractor's use of streets and highways for the work to be done under these specifications, they shall conform to all Municipal, County, State and Federal laws and regulations as applicable.

The Contractor shall at all times so conduct their work as to insure the least possible obstruction to normal pedestrian and vehicular traffic including access to all public and private properties during all stages work, and inconvenience to the general public and the residents in the vicinity of the work, and to insure the protection of persons and property, in a manner satisfactory to the Town of Palm Beach or designee.

Any work performed in the summer between Easter and Thanksgiving will require a one (1) week written advance notice to be published on the Town website. The awarded vendor must follow that published schedule without deviation unless approved by the Contract Coordinator.

No more than one-half (1/2) of the road or street shall be closed and traffic shall be controlled, so as to provide minimum hindrance. Contractor shall utilize traffic control devices when working on right of ways.

Contractor is responsible for obtaining right of way (ROW) permits when working roadways. There will be no fees for these permits.

There shall be no obstruction of the travel lanes between the hours of 7:00 A.M. to 9:00 A.M. and 4:00 P.M. to 6:00 P.M. without approval from the Town of Palm Beach or designee.

No road or street shall be closed to the public, except with the permission of the Contract Coordinator and proper governmental authority. Fire hydrants on or adjacent to the work shall be kept accessible to fire-fighting equipment at all times. Temporary provisions shall be made by the Contractor to insure the use of sidewalks, public telephones and the proper functioning of all gutters, sewer inlets, drainage ditches, and irrigation ditches.

22. SELLING, TRANSFERRING OR ASSIGNING CONTRACT

No contract awarded for services in this proposal shall be sold, transferred or assigned without the prior written approval of the Town.

23. COMPLIANCE WITH OCCUPATIONAL SAFETY AND HEALTH

The Bidder hereby certifies that all material, equipment and supplies contained in their proposal meets all O.S.H.A. requirements. The successful proposer shall be solely and completely responsible for the safety of all persons (including employees) and property during the performance of the work. Safety provisions shall conform to the U.S. Department of Labor (OSHA), Florida Department of Labor and all other applicable federal, state, county, and local laws, ordinances, codes and regulations. Where any of these are in conflict, the more stringent requirements shall be followed. Failure of the Proposer to thoroughly familiarize themselves with the aforementioned provisions shall not relieve them from compliance with the obligations and penalties set forth therein.

24. SUBCONTRACTING

If the Contractor subcontracts any portion of the contract for any reason, the name and address of the subcontractor shall be included on the form contained herein with the extent of work to be performed. This information shall be submitted with bid response and approved by the Town. The Town reserves the right to reject a bid, of any bidder, if the bid names a subcontractor who has failed in the proper performance of a contract or is not in position to perform properly under this award. Subcontractors shall be responsible for meeting and submitting the insurance and licensing requirements set forth in the bid documents to the Contractor, or the Contractor shall extend their insurance policy to cover the subcontractor and their employees. It shall be the responsibility of the Contractor to ensure that insurance and licenses required by this contract are in effect.

25. INSURANCE

The Service Provider shall provide at its own cost and expense during the life of the contract, the following insurance coverages to the Town of Palm Beach (30) thirty business days' prior to the commencement of any work. All service providers including any independent contractors and subcontractors utilized must comply with these requirements. All insurance policies shall be issued by companies authorized to do business under the laws of the State of Florida. The insurance shall be evidenced by certificates and/or policies including premiums as determined by the Town of Palm Beach. It shall be an affirmative obligation upon the Service Provider to advise the Town's Risk Manager at fax no. 561-838-5497, e-mail risk@townofpalmbeach.com, 360 S. County Road, Palm Beach, FL 33480 within 24 hours or the next business day of cancellation, non-renewal or modification of any stipulated insurance and failure to do so shall be construed to be a breach of this Agreement/contract. The Town of Palm Beach reserves the right to require additional coverages and limits based upon the particular service or change in service provided by the Service Provider.

If the service provider maintains higher limits than the minimums shown below, the Town requires and shall be entitled to coverage for the higher limits maintained by the service provider.

Comprehensive General Liability Insurance coverage with limits of liability not less than $1,000,000 Each Occurrence/$2,000,000 Aggregate. The Certificate of Insurance shall indicate an Occurrence Basis. The Town of Palm Beach shall be endorsed as an additional insured under the General Liability coverage. The Service Provider's General Liability coverage shall be primary and non-contributory.

For policies written on a Claims-made basis, service provider shall maintain a retroactive date prior to or equal to the effective date of the contract. In the event the policy is canceled, non-renewed, switched to an occurrence form or there is a change in retroactive date, or any other event triggering the right to purchase a Supplemental Extended Reporting Period (SERP) during the life of this contract, the service provider shall agree to purchase a SERP with a minimum reporting period of not less than three (3) years. Coverage is to apply on a primary basis.

Business Auto Liability coverage for any auto (all owned, hired, and non-owned autos) with limits not less than $1,000,000 each occurrence combined single limit each accident. In the event service provider does not own any autos, the Town will accept proof of Hired and Non-Owned Auto Liability. For personally owned vehicles, the Town requires limits not less than $300,000 each occurrence combined single limit.

Workers' Compensation coverage with statutory limits pursuant to Florida State Statute 440 or an exemption letter from the State. Should the scope of work performed by contractor qualify its employee for benefits under federal workers' compensation statute (example, U.S. Longshore & Harbor Workers Act or Merchant Marine act), proof of appropriate federal act coverage must be provided. A waiver of subrogation must be provided.

Employers Liability coverage with limits not less than $100,000 for each accident, $100,000 disease (each employee) and $500,000 disease (policy limit).

In the event that claims in excess of the insured amounts provided herein are filed by reason of any operations under the contract, the amount excess of such claims or any portion thereof may be withheld from any payment due or to become due the Service Provider until such time the Service Provider shall furnish such additional security covering such claims as may be determined by the Town of Palm Beach.

Umbrella or Excess Liability is required up to the minimum limit of liability if the limits of liability shown on the Certificate of Insurance under General Liability do not meet the minimum limit of liability as required.

All required insurance policies shall provide a waiver of subrogation and rights of recovery against the Town of Palm Beach, including its agents, officers, past and present employees, elected officials and representatives, the insurance policy in effect shall protect both parties and be primary and non-contributory for any and all losses covered by the above described insurance. Insurers have no recourse against the Town of Palm Beach for payment or assessments in any form on any insurance policy.

26. CONFLICT OF INTEREST

The award hereunder is subject to provisions of State Statutes and Town and County Ordinances. All Proposers must disclose with their Proposal the name of any officer, director, or agent who is also an employee of the Town of

Palm Beach. Further, all Proposers must disclose the name of any Town employee who owns, directly or indirectly, an interest in the Proposer's firm or any of its branches.

27. NON-COLLUSION

Proposer certifies that his Proposal is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a Proposal for the same materials, services, supplies, or equipment and is in all respects fair and without collusion or fraud.

28. PUBLIC ENTITY CRIMES

In accordance with Florida Statute 287.133, no award will be made to any person or affiliate identified on the Department of Management Services' "Convicted Vendor List". This list is defined as consisting of persons and affiliates who are disqualified from public contracting and the purchasing process because they have been found guilty of a public entity crime. A "person" or affiliate" includes any natural person or any entity, including predecessor or successor entities or an entity under the control of any natural person who is active in its management and who has been convicted of a public entity crime.

A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list.

By signing and submitting the Bid documents, the submitting firm attests that they have not been placed on the "Convicted Vendor List" or have been found guilty of a public entity crime.

29. E-VERIFY

The Town of Palm Beach is an E-Verify employer for the purposes of verifying work authorization. Work authorization for those contracted to provide services and/or goods to the Town of Palm Beach is the sole responsibility of the contracted vendor and/or service provider.

30. DRUG-FREE WORKPLACE

Preference shall be given to businesses with Drug-Free Work Place (DFW) programs. Whenever two or more proposals which are equal with respect to price, quality, and service are received by the Town for the procurement of commodities or contractual services, a proposal received from a business that completes the attached DFW form certifying that it is a DFW shall be given preference in the award process

31. PALM BEACH COUNTY INSPECTOR GENERAL

The contractor is aware that the Inspector General of Palm Beach County has the authority to investigate and audit matters relating to the negotiation and performance of any contracts resulting from this solicitation, and in furtherance thereof may demand and obtain records and testimony from the contractor and its subcontractors and lower tier subcontractors. The contractor understands and agrees that in addition to all other remedies and consequences provided by law, the failure of the contractor or its subcontractors or lower tier subcontractors to fully cooperate with the Inspector General when requested may be deemed by the municipality to be a material breach of this contract justifying its termination

32. CODE OF ETHICS

If any Proposer violates or is a party to a violation of the code of ethics of the Town of Palm Beach, Palm Beach County or the State of Florida with respect to this proposal, such Proposer may be disqualified from performing the work described in this proposal or from furnishing the goods or services for which the proposal is submitted and shall be further disqualified from submitting any future proposals for work, goods or services for the Town of Palm Beach. The link for further information regarding the Palm Beach County Commission on Ethics is: http://www.palmbeachcountyethics.com/ordinances-codes.htm.

33. LOBBYING PROHIBITED

Proposers are not to contact or lobby any Town personnel related or involved with this Request for Proposals.

All oral or written inquiries are to be directed to the Purchasing Division as instructed herein. Any violation of this condition may result in rejection and/or disqualification of the Proposer.

Refer to Palm Beach County Registration Ordinance – Effective April 2, 2012 for further information: http://www.palmbeachcountyethics.com/ordinances-codes.htm .

34. CONE OF SILENCE

The Cone of Silence is a prohibition on any communication, except for written correspondence, regarding a particular request for proposal, request for qualification, bid or any other competitive solicitation between:

(1) Any person or person's representative seeking an award from such competitive solicitation; and

(2) Any County commissioner or commissioner's staff, any member of a local governing body or the member's staff, a mayor or chief executive officer that is not a member of a local governing body or the mayor or chief executive officer's staff, or any employee authorized to act on behalf of the commission or local governing body to award a particular contract.

For the purposes of this section, a person's representative shall include but not be limited to the person's employee, partner, officer, director, consultant, lobbyist, or any actual or potential subcontractor or consultant of the person.

The cone of silence shall be in effect as of the issuance of the Invitation To Bid, RFQ, or other response to a competitive solicitation. The cone of silence applies to any person or person's representative who responds to a particular request for proposal, request for qualification, bid or any other competitive solicitation, and shall remain in effect until such response is either rejected by the county or municipality as applicable or withdrawn by the person or person's representative. Each request for proposal, request for qualification, bid or any other competitive solicitation shall provide notice of cone of silence requirements and refer to this article.

The provisions of this article shall not apply to oral communications at any public proceeding, including pre-bid conferences, oral presentations before selection committees, contract negotiations during any public meeting, presentations made to the board or local municipal governing body as applicable, and protest hearings. Further, the cone of silence shall not apply to contract negotiations between any employee and the intended awardee, any dispute resolution process following the filing of a protest between the person filing the protest and any employee, or any written correspondence at any time with any employee, county commissioner, member of a local municipal governing body, mayor or advisory board member or selection committee member, unless specifically prohibited by the applicable competitive solicitation process.

The cone of silence shall terminate at the time the board, local municipal governing body, or a county or municipal department authorized to act on behalf of the board or local municipal governing body as applicable, awards or approves a contract, rejects all bids or responses, or otherwise takes action which ends the solicitation process.

For further information refer to http://www.palmbeachcountyethics.com/ordinances-codes.htm - Palm Beach County Registration Ordinance – Effective April 2, 2012.

35. PUBLIC RECORDS

Upon award recommendation or thirty (30) days after opening, whichever occurs first, proposals become "public records" and shall be subject to public disclosure consistent with Chapter 119 Florida Statutes. Proposers must invoke the exemptions to disclosure provided by law in the response to the RFQ, and must identify the data or other materials to be protected, and must state the reasons why such exclusion from public disclosure is necessary. Document files may be examined, during normal working hours.

36. PUBLIC RECORDS LAW

In accordance with Florida Statutes 119.0701, the contractor shall comply with public records laws, specifically to:

(1) Keep and maintain public records required by the public agency to perform the service.

(2) Upon request from the public agency's custodian of public records, provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in this chapter or as otherwise provided by law.

(3) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the public agency.

(4) Upon completion of the contract, transfer, at no cost, to the public agency all public records in possession of the contractor or keep and maintain public records required by the public agency to perform the service. If the contractor transfers all public records to the public agency upon completion of the contract, the contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the contractor keeps and maintains public records upon completion of the contract, the contractor shall meet all applicable requirements of retaining public records. All records stored electronically must be provided to the public agency, upon request from the public agency's custodian of public records, in a format that is compatible with the information technology systems of the public agency.

A copy of Section 119.0701, Florida Statutes, has been provided to the contractor (attached).

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT:

Town Clerk, or designee
Phone 561-838-5416
Email records@townofpalmbeach.com

37. LIQUIDATED DAMAGES FOR INCOMPLETE PROJECTS OR LATE DELIVERY

Failure to complete the Project or delivery the work in accordance with the specifications and to the satisfaction of the Town within the time stated shall cause the selected Proposer to be subject to charges for liquidated damages in the amount of 1% of the contract amount for each and every calendar day the Selected Proposer fails to timely achieve substantial completion and/or final completion. As compensation due the Town for loss of use and for additional costs incurred by the Town due to such non-completion of the work, the Town shall have the right to deduct the liquidated damages from any amount due, or that may become due to the selected Proposer under this agreement, or to invoice the selected Proposer for such damages if the costs incurred exceed the amount due to the selected Proposer.

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TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

SCOPE OF SERVICES

I. PURPOSE AND INTENT

The Town of Palm Beach, Florida, is hereby requesting sealed bids from qualified bidders to furnish all labor, management, materials, and equipment to provide for Tree Trimming & Pruning Services at various sites throughout the Town of Palm Beach.

Tree trimming and pruning services shall be in accordance with the American National Standards Institute (ANSIZ133-2017) and Palm Beach County Landscape Code 500-35, Number Four (4). Any fees or fines resulting from violations due to the performance of the contractor will be the contractor's sole responsibility.

The successful contractor shall provide all necessary materials, labor, management, supervision, trucks, gas, oil, safety equipment and any other materials and equipment necessary to complete the work as specified.

The successful contractor shall provide an hourly rate for all expenses incurred with regard to labor and equipment including but not be limited to aerial equipment, trucks, power and all hand tools as specified below:

I. Crews: Crews shall at a minimum include, but not be limited to the following:

1. Two (2) Crew Members

A. One (1) working foreman who shall provide supervision of the work force and shall have the responsibility for all work performed by the successful contractor. This person can also be a trimmer/climber or bucket truck operator.

B. One (1) climber/trimmer who shall have the necessary skills for working in trees from a bucket truck, an aerial lift or by the use of ropes, saddles and other hand climbing equipment.

The climber/trimmer shall also have the ability to alternate as grounds person including skills in ground operations such as loading trucks, cutting limbs on the ground, etc.

2. Three (3) Crew Members

A. One (1) working foreman who shall provide supervision of the work force and shall have the responsibility for all work performed by the contractor.

B. One (1) climber/trimmer who shall have the necessary skills for working in trees from a bucket truck, an aerial lift or by the use of ropes, saddles and other hand climbing equipment.

C. One (1) laborer/ground clean up

The climber/trimmer shall also have the ability to alternate as grounds person including skills in ground operations such as loading trucks, cutting limbs on the ground, etc.

Equipment:

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

A. Vehicle mounted aerial lift (minimum working height 65 feet). Contractor should have available a minimum of three (3) of this type of truck.

B. Dump trucks. Contractor should have available a minimum of three (3) dump trucks.

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

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

Scheduling:

All work shall be scheduled by the Contract Coordinator. Hours of work shall comply with Town Ordinance Section No. 42-199.

Hourly rates shall start upon commencement of work at the designated job site and terminate upon departure from job site. No additional compensation for travel, mobilization, fuel or other incidental expenses will be paid by the Town.

The successful contractor, upon notification by the Contract Coordinator, shall visually inspect the site(s) where services have been requested and submit, in writing, to the Contract Coordinator, an itemized breakdown of total price of service for the specific site(s) to be serviced.

Any work performed in the summer between Easter and Thanksgiving will require a one (1) week written advance notice to be published on the Town website. The awarded vendor must follow that published schedule without deviation unless approved by the Contract Coordinator.

Clean Up:

The Contractor shall clean up each site upon completion of that day's service, leaving a neat and aesthetically pleasing appearance. Disposal in a proper manner shall be the responsibility of the Contractor. Debris can be placed adjacent to the work area or transported to Town owned landscape debris sites as directed by the Contract Coordinator.

The contractor must abide by the Town's Trash Set-Out Schedule while trimming palms. Information on the set-out schedule may be found at: http://townofpalmbeach.com /DocumentCenter/View/568.

Leaf Blowers shall comply with Town Ordinance Section 42-230 (Lawn Maintenance Equipment Noise) which states that leaf blowers shall not exceed a decibel level of 65 DBA as measures at 50 feet from point of operation. All leaf blowing equipment must be certified with the Town of Palm Beach Police Department and a CERTIFIED LEAF BLOWER sticker affixed to the blower. There is no charge for this service. Call (561) 227-7080 to make arrangements to have the leaf blowers certified. Change to Town Ordinance 42-197 restricting the use of gas powered blowers.

II. SCOPE OF WORK

1. All palm trees (fronds, foliage, branches, limbs, nuts, inflorescence, boots and dead materials) shall be cut, trimmed and stacked neatly. Work areas (directly under trees) shall be cleaned free of debris (raked and blown). The contractor is expected to limit the number of debris piles wherever possible and no more than one [1] debris pile per five [5] palm trees will be permitted. Palms are to be trimmed at the three (3) and nine (9) o'clock positions.

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

3. The Town, at its option, may provide 30 yard capacity trucks (maximum of 2) for the collection of fronds and trimmings. The trucks will be placed immediately adjacent to the palm tree and bucket truck and the successful vendor will drop the trimmings directly into the vehicle. Town staff will transport the debris for disposal. This will eliminate the need for sweeping, stacking and collection at a later time.

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

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

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

7. Work shall commence no earlier than 8:00 A.M. and must be completed by no later than 6:00 P.M., Monday through Friday.

8. The successful contractor shall provide sufficient equipment to complete the trimming in the time specified, as detailed in the QUALIFICATION OF BIDDERS section (see SPECIAL TERMS AND CONDITIONS).

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

Coconut Palm Trees

The twice-annual trimming is to be performed once during the spring (approximately April) and once again during the fall (approximately October). The work must be started and completed within eight [8]

consecutive weeks. A list of all equipment available to complete the services of this contract must be included with the bid.

Australian Pine Trees

The successful contractor shall provide services for the trimming of 61 Australian Pine Trees on Wells Road. The Australian Pine trees are to be trimmed to the previous year's cut(s) and as directed by the contract coordinator. The Australian Pine trees are columnar in shape and form a scenic vista. It shall be the responsibility of the successful contractor to supply a company vehicle and all tools necessary for the full and complete performance of this job. The Town will incur no further cost due to tools, vehicle or equipment needed to perform this service unless agreed upon with the Town Contract Coordinator.

Mangroves

The successful contractor shall provide services for the trimming of Mangroves on an hourly basis as needed. It's recognized that there are special requirements and pruning criteria for Mangroves and it shall be the responsibility of the successful contractor to be in compliance with local regulatory agencies. The successful contractor shall have the knowledge, tools and equipment necessary for the full and complete performance of this job. The Town will incur no further costs due to the negligence of the successful contractor in not following the established criteria for this type of tree.

Royals, Sabals, Washingtonians, Dates, Queens, Royals and other Tree types

The successful contractor shall provide services for the trimming of various other tree types, including but not limited to Royals, Mangroves, Sabals, Washingtonians, Dates and Queens on an hourly basis as needed. It shall be the responsibility of the successful contractor to supply a company vehicle and all tools necessary for the full and complete performance of this job. The Town will incur no further cost due to tools, vehicle or equipment needed to perform this service unless agreed upon with the Town Contract Coordinator.

III. OTHER

- Bidder must inspect sites before submitting proposal.
- The Town of Palm Beach will designate a Contract Coordinator for the Public Works Department. The Contract Coordinator shall act on behalf of the Town with respect to monitoring contractor performance under this contract. The administration of this contract is vested in the Contract Coordinator.
- No equipment shall be allowed to remain overnight on right-of-ways, parking stalls, parking lots or public walkways.
- Any questions regarding this project shall be directed to the Contract Coordinator.
- The Contractor shall notify the Contract Coordinator in the event of scheduling delays, changes or comments/complaints received from the general public or business owners.
- The Contract Coordinator shall meet with the contractor to review areas serviced by contractor's employees.
- Contractor's employees shall obtain a photo ID from the Town of Palm Beach Police Department before beginning any work for the Town.
- Contractor's employees shall present a neat, clean, well-groomed appearance and shall conduct themselves in a respectable manner while performing the duties of this bid and while on Town Property.
- Contractor's employees shall wear uniforms at all times while on the job. Name of contractor shall be on shirts. Shirts are to be worn at all times while working in the Town of Palm Beach.
- A safety vest, meeting FDOT standards, shall be worn at all times when employee is working in roadways or right-of-ways.
- Successful contractor is responsible for obtaining right of way permits.
- Successful contractor is responsible for Maintenance of Traffic (MOT): signs, flag men etc., at no additional cost to the Town.

- All vehicles shall be plainly marked with the company name.
- The successful contractor shall have their crew supervised by a qualified foreman who fluently speaks the English language. As a fully authorized agent of the Contractor, the foreman must be capable of making on-site decisions to perform the work in accordance with the specifications contained in this bid.
- If any area that the successful contractor's services does not meet Town specifications, contractor will be required to perform the work until specifications are met at no additional cost to the Town of Palm Beach. Failure to comply with this requirement will result in contract termination.
- All equipment shall be commercial grade and shall be maintained in good, safe operating conditions. The contractor shall provide enough equipment and manpower to meet the requirements of the job. Any loss of materials or equipment due to theft, vandalism, etc., shall be the responsibility of the successful contractor. Such losses shall be replaced or repaired by the contractor with no additional charges to the Town of Palm Beach.
- Hours of work shall comply with Town's ordinance No. 42-199. If for any reason services must be performed on Saturday, it will be necessary to acquire prior authorization from the Contract Coordinator.
- There will be NO work performed on Sundays or holidays.
- Two parking permits will be issued through the Public Works Department; otherwise regulatory signs for parking shall be followed.
- Successful contractor shall provide a daily log of activities for each respective area after completion of a cycle of work.
- Successful contractor shall give "first priority" to the TOWN for all services under this contract during and after a public emergency, disaster, hurricane, flood or acts of God.

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TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

BID PROPOSAL PAGE

LOT 1 – COCONUT TREES					
Line	**Description**	**Est. Qty.**	**Unit**	**Price per Tree**	**Total**
1	**Coconut Tree**, Fronds piled and stacked for pickup as specified herein	2,800	Tree	$ _____	$ _____
2	**Coconut Tree**, Fronds dropped into Town provided vehicles as specified herein	2,800	Tree	$ _____	$ _____
				Total - Lot 1 (Lines 1 & 2)	$ _____

LOT 2 – AUSTRALIAN PINES					
Line	**Description**	**Est. Qty.**	**Unit**	**Price per Tree**	**Total**
1	**Australian Pines** - once a year service as specified herein	61	Tree	$ _____	$ _____
				Total - Lot 2	$ _____

LOT 3 – Hourly Trimming of Mangroves, Hardwoods, Royal, Washingtonians, Dates, Queens and other tree types					
Line	**Description**	**Est. Qty.**	**Unit**	**Hourly Rate**	**Total**
1	**Two (2) man crew with a bucket truck** as specified herein	150	Hour	$ _____	$ _____
2	**Three (3) man crew with a bucket truck** as specified herein	200	Hour	$ _____	$ _____
3	**Climber** as specified herein	40	hour	$ _____	$ _____
4	**Flagger** as specified herein	40	hour	$ _____	$ _____
5	**Chip Truck** as specified herein	80	hour	$ _____	$ _____
				Total – Lot 3 (Lines 1 - 5)	$ _____

Company Name: _____ **Authorized Signature:** _____

BIDDER INFORMATION AND CERTIFICATION	
The undersigned proposer certifies that this Bid package is submitted in accordance with the specification in its entirety and with full understanding of the conditions governing this Bid.	
COMPANY NAME:	
STREET ADDRESS:	
CITY, STATE, ZIP CODE:	
EMAIL:	
TELEPHONE / FAX	**TEL:** **FAX:**
FEDERAL ID#	
AUTHORIZED SIGNATURE	**DATE:**

****Failure to affix signature may result in disqualification of proposal.**

- ***All bids shall be submitted on the Town provided forms. Failure to do so may be cause for rejection.***
- ***All blanks on the forms must be completed.***
- ***Modifications to the forms (Unit of Measure, Descriptions, etc.) shall not be allowed.***
- ***Supplemental information may be attached.***

BIDDERS CHECKLIST

All bids shall be submitted on the Town provided Bid Package forms. Failure to do so may cause the Bid to be rejected. All blanks on the proposed forms must be completed. Supplemental information may be attached to the bid package forms. Bidder shall return a complete set of all bid package forms as listed as follows. Failure to submit the required documents may result in your bid being considered non responsive.

Are all Bid pages signed?	Yes	No
Is Bidder's Qualification form completed and submitted?	Yes	No
Staffing levels been explained (No. of employees available)?	Yes	No
Business Tax Receipt included?	Yes	No
Form W-9 included?	Yes	No
Certifications/Licenses provided?	Yes	No
Vendor Service Representative Information submitted?	Yes	No
Are addendum (if any issued) submitted?	Yes	No
Has insurance requirements been acknowledged?	Yes	No
Is Drug Free Workplace form submitted?	Yes	No
Is List of Proposed Sub-Contractors submitted, if any?	Yes	No
Is List of Professional References submitted?	Yes	No
Is List of Equipment completed and submitted?	Yes	No

Acknowledgement is hereby made of the following Addenda received since issuance of Specifications:

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

Name of Vendor's Representative: _____

Address: _____

Phone Number: _____ Fax Number: _____

E Mail Address: _____

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TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

BIDDER'S QUALIFICATION

The Vendor, as a result of this bid proposal, must hold a County and/or Municipal Tax Receipt (Occupational License) in the area of their fixed business location. Each proposer must complete the following information and submit with their proposal in order to be considered:

1. Legal Name and Address:

   Name:_____

   Address:_____

   City, State, Zip: _____ Phone/Fax:_____

2. Check One: Corporation ( ) Partnership ( ) Individual ( )

3. If Corporation, state: Date of Incorporation: _____ State in which Incorporated: _____

4. If an out-of-state Corporation, currently authorized to do business in Florida, give date of such authorization:_____

5. Name and Title of Principal Officers — Date Elected:

   _____ _____

   _____ _____

   _____ _____

   _____ _____

6. The Vendor's length of time in business: _____years

7. The Vendor's length of time (continuous) in business as a service organization in Florida: _____years

8. All bidders must disclose with their bid the name of any officer, director or agent who is also an employee of the Town. Further, all bidders must disclose the name of any Town employee who owns, directly or indirectly, an interest in the bidder's firm or any of its branches.

   Name_____ Percentage of Interest: _____

9. A copy of County and/or Municipal Tax Receipt (Occupational License) in the area of their fixed business location.

10. A current, signed copy of your firm's IRS form W-9.

Note: *Information requested herein and submitted by the proposers will be analyzed by the Town of Palm Beach and will be a factor considered in awarding any resulting contract. The purpose is to insure that the Proposers, in the sole opinion of the Town of Palm Beach, can sufficiently and efficiently perform all the required services in a timely and satisfactory manner as will be required by the subject contract. If there are any terms and/or conditions that are in conflict, the most stringent requirement shall apply.*

TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

DRUG-FREE WORKPLACE CERTIFICATION

Whenever two (2) or more bids/proposals, which are equal with respect to price, quality, and service, are received by the Town of Palm Beach for the procurement of commodities or contractual services, a bid/proposal received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. In order to have a drug-free workplace program, a business shall:

(1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.

(2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.

(3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in number (1).

(4) In the statement specified in number (1), notify the employees that as a condition for working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction on or plea of guilty or nolo contendre to any violation of Chapter 893, Florida Statutes or of any controlled substance law of the United States or any singular state, for a violation occurring in the workplace no later than five (5) days after such conviction.

(5) Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community by any employee who is so convicted.

(6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of Section 287.087, Florida Statutes.

This Certification is submitted by _____ **the**
(Individual's Name)

_____ **of** _____
(Title / Position with Company/Vendor) **(Name of Company/Vendor)**

Who does hereby certify that said Company/Vendor has implemented a drug-free workplace program, which meets the requirements of Section 287.087, Florida Statutes, which are identified in numbers (1) through (6) above.

_____ _____
Date **Signature**

TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

LIST OF PROPOSED SUBCONTRACTORS

The undersigned bidder hereby designates, as follows, all major subcontractors whom he/she proposes to utilize for the major areas of work for the project. The bidder is further notified that all subcontractors shall be properly licensed, bondable and shall be required to furnish the TOWN with a Certificate of Insurance in accordance with the contract general conditions. Failure to furnish this information shall be grounds for rejection of the bidder's proposal. (If no subcontractors are proposed, state "None" on first line below.)

Name and Address of Subcontractor	Scope of Work	License #
1.		
2.		
3.		
4.		
5.		

Signature and Date _____

Title / Company _____

TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

LIST OF CURRENT & PERTINENT PROFESSIONAL REFERENCE

The following is a list of **at least FIVE (5)** current (within last two years) and pertinent professional references that the Town can contact in relation to Bidder's qualifications, financial stability, and experience. Failure to furnish this information may be grounds for rejection of the proposal.

1. Name and Address of Firm, City, County, or Agency	**Scope of Work:**	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: Reference Verified: Yes ___ No___	Comments:	

2. Name and Address of Firm, City, County, or Agency	**Scope of Work:**	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: Reference Verified: Yes ___ No___	Comments:	

3. Name and Address of Firm, City, County, or Agency	**Scope of Work:**	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: Reference Verified: Yes ___ No___	Comments:	

4. Name and Address of Firm, City, County, or Agency	**Scope of Work:**	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: Reference Verified: Yes ___ No___	Comments:	

5. Name and Address of Firm, City, County, or Agency	**Scope of Work:**	
	Date(s):	
	Amount:	
	Contact:	
	Telephone No:	
For Town Use Only: Reference Verified: Yes ___ No___	Comments:	

TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

EQUIPMENT DESCRIPTION

ITEM	USE	MANUFACTURER	AGE AND CONDITION	OWNER

Notes:

In preparing the above tabulation, the Bidder shall insert the following information under the appropriate heading, using a separate line for each major item and an additional page, if necessary.

(a) ITEM: Description of equipment.

(b) USE: Description of what the equipment will be used for in the project.

(c) MANUFACTURER: Manufacturer of equipment and model number.

(d) AGE AND CONDITION: Original model year of equipment - if equipment has been rebuilt, year of last overhaul.

(e) OWNER: Owner of equipment.

TOWN OF PALM BEACH

RFB No. 2018-12
TREE TRIMMING & PRUNING SERVICES
TABULATION
Due: 3/21/2018 @ 2 p.m.

Vendor:	THE F.A. BARLETT TREE EXPERT COMPANY	[illegible] TREE SERVICE	PROPERTY WORKS	MIGNANO TREE CARE, INC	CUTTING EDGE INDUSTRIES INC	CUSTOM TREE CARE, INC	THE DAVEY TREE EXPERT COMPANY
Address:	560 NE 42 Court	4660 71 Court South	1201 Roebuck Ct	1127 SE 2ND Street	2025 NW 15th Ave #B	3722SW Spring Creek Ln	1500 Manitou Street
	Oakland Park, FL 33334	Lake Worth, FL 33463	West Palm Beach, FL 33401	Boynton Beach, FL 33435	Pompano Beach, FL 33069	Topeka, KS 66610	Kent, OH 44240
Telephone:	954-561-9514	561-968-1045	561-805-8687	561-738-2850	954-978-8311	785-478-9805	330-673-9511
Fax:		561-966-4612	561-805-8688	561-738-2801	954-978-3328	785-478-4195	
Contact:	Jeremy Chancey	Michael Zimmerman	Alex Hernandez	Brian Galeini	James Janikowski, Pres-CEO	Greg Gathers	Laura Wimer
E-mail:	jchancey@bartlett.com	mickey@[illegible]ermantreeservice.com	[illegible]	mignanotreeca[illegible]bellsouth.net	ch[illegible]ss[illegible]cuttin[illegible]ell.co[illegible]	[illegible]athers[illegible]customtree[illegible]are.co[illegible]	

Item No.	Description	Qty	Unit	Price per Tree	Total	Price per Tree	Total	Price per Tree	Total	Price per Tree	Total	Price per Tree	Total	Price per Tree	Total	Price per Tree	Total
	Lot 1 - Coconut Trees																
1	Coconut Tree, Fronds piled and stacked for pickup as specified herein	2800	Tree	$ 19.50	$ 54,600.00	$ 23.75	$ 66,500.00	$ 20.78	$ 58,184.00	$ 26.00	$ 72,800.00	$ 25.00	$ 70,000.00	$ 35.00	$ 98,000.00	$ -	
2	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein	2800	Tree	$ 19.50	$ 54,600.00	$ 23.25	$ 65,100.00	$ 24.45	$ 68,460.00	$ 20.00	$ 56,000.00	$ 22.00	$ 61,600.00	$ 30.00	$ 84,000.00	$ -	
			TOTAL	$	109,200.00	$	131,600.00	$	126,644.00	$	128,800.00	$	131,600.00	$	182,000.00	$ -	
	Apparent Awards			Primary Awardee*				Secondary Awardee*		Tertiary Awardee*							
	Lot 2 - Australian Pines																
1	Australian Pines - once a year service as specified herein	111	Tree	$ 82.00	$ 9,102.00	$ 69.37	$ 7,700.07	$ 55.00	$ 6,105.00	$ 135.00	$ 14,985.00	$ 95.00	$ 10,545.00	$ 120.00	$ 13,320.00	$ -	
			TOTAL	$	9,102.00	$	7,700.07	$	6,105.00	$	14,985.00	$	10,545.00	$	13,320.00	$ -	
	Apparent Awards			Tertiary Awardee*		Secondary Awardee*		Primary Awardee*									
	Lot 3 - Hourly Trimming of Mangroves, Hardwoods, Royals, Washingtonians, Dates, Queens and other tree types																
1	Two (2) man crew with a bucket truck as specified herein	150	Hour	$ 164.00	$ 24,600.00	$ 140.00	$ 21,000.00	$ 158.89	$ 23,833.50	$ 150.00	$ 22,500.00	$ 245.00	$ 36,750.00	$ 135.00	$ 20,250.00	$ -	
2	Three (3) man crew with a bucket truck as specified herein	200	Hour	$ 246.00	$ 49,200.00	$ 210.00	$ 42,000.00	$ 207.78	$ 41,556.00	$ 225.00	$ 45,000.00	$ 300.00	$ 60,000.00	$ 195.00	$ 39,000.00	$ -	
3	Climber as specified herein	40	Hour	$ 82.00	$ 3,280.00	$ 70.00	$ 2,800.00	$ 48.89	$ 1,955.60	$ 75.00	$ 3,000.00	$ 85.00	$ 3,400.00	$ 70.00	$ 2,800.00	$ -	
4	Flagger as specified herein	40	Hour	$ 69.15	$ 2,766.00	$ 70.00	$ 2,800.00	$ 42.78	$ 1,711.20	$ 75.00	$ 3,000.00	$ 45.00	$ 1,800.00	$ 40.00	$ 1,600.00	$ -	
5	Chip Truck as specified herein	80	Hour	$ 82.00	$ 6,560.00	$ 70.00	$ 5,600.00	$ 158.89	$ 12,711.20	$ 75.00	$ 6,000.00	$ 95.00	$ 7,600.00	$ 70.00	$ 5,600.00	$ -	
			TOTAL	$	86,406.00	$	74,200.00	$	81,767.50	$	79,500.00	$	109,550.00	$	69,250.00	$ -	
	Apparent Awards					Secondary Awardee*				Tertiary Awardee*				Primary Awardee*			
	TOTAL LOTS 1 - 3			$	204,708.00	$	213,500.07	$	214,516.50	$	223,285.00	$	251,695.00	$	264,570.00	NO BID	

Description	Primary Awardee*	Secondary Awardee*	Tertiary Awardee*
Lot 1 - Coconut Trees	The FA Bartlett Tree Expert	Property Works	Mignano Tree Care, Inc
Lot 2 - Australian Pines	Property Works	Zimmerman Tree Service	The FA Bartlett Tree Expert
Lot 3 - Hourly Trimming of Mangroves	Custom Tree Care	Zimmerman Tree Service	Mignano Tree Care, Inc

*All Awardees listed are Apparent Awardees

Opened by: Sandy Shea
Witnessed by: Duke Basha

page 1 of 2

OPTIONAL - EMERGENCY RESPONSE

TOWN OF PALM BEACH
RFB No. 2018-12
TREE TRIMMING & PRUNING SERVICES
TABULATION
Due: 3/21/2018 @ 2 p.m.

Vendor:	THE F.C. BARTLETT TREE EXPERT COMPANY	ZIMMERMAN TREE SERVICE	PROPERTY WORKS	MIGNANO TREE CARE, INC	CUTTING EDGE INDUSTRIES INC	CUSTOM TREE CARE, INC	THE ASHLEY TREE EXPERT COMPANY
Address:	560 NE 42 Court	4660 71 Court South	1201 Roebuck Ct	1127 SE 2ND Street	2025 NW 15th Ave #8	3722SW Spring Creek Ln	1500 Manitua Street
	Oakland Park, FL 33334	Lake Worth, FL 33463	West Palm Beach, FL 33401	Boynton Beach, FL 33435	Pompano Beach, FL 33069	Topeka, KS 66610	Kent, OH 44240
Telephone:	954-561-9514	561-966-1045	561-805-8687	561-738-2850	954-978-6311	785-478-9805	330-673-9511
Fax:		561-966-4612	561-805-8688	561-738-2801	954-978-3328	785-478-4195	
Contact:	Jeremy Chancey	Michael Zimmerman	Alex Hernandez	Brian Galaini	James Jankowski, Pres-CEO	Greg Gaikens	Laura Wimer
E-mail:	[redacted]@bartlett.com	[redacted]@zimmermantreeservice.com	alex[redacted]@propertyworksonline.net	migna[redacted]@bellsouth.net	chr[redacted]@cuttingedgeinfl.com	a[redacted]	

Item No.	Description	Unit	Price per Tree	Price per Tree	Price per Tree	Price per Tree	Price per Tree	Price per Tree	Price per Tree
	Lot 1 - Coconut Trees								
1	Coconut Tree, Fronds piled and stacked for pickup as specified herein	Tree	$ -	$ 35.62	$ 27.50	$ 50.00	$ -	$ 45.00	$ -
2	Coconut Tree, Fronds dropped into Town provided vehicles as specified herein	Tree	$ -	$ 34.87	$ 34.50	$ 40.00	$ -	$ 40.00	$ -
	Lot 2 - Australian Pines								
1	Australian Pines - once a year service as specified herein	Tree	$ -	$ 104.05	$ 68.75	$ 225.00	$ -	$ 180.00	$ -
	Lot 3 - Hourly Trimming of Mangroves, Hardwoods, Royals.								
1	Two (2) man crew with a bucket truck as specified herein	Hour	$ -	$ 210.00	$ 227.00	$ 225.00	$ -	$ 185.00	$ -
2	Three (3) man crew with a bucket truck as specified herein	Hour	$ -	$ 315.00	$ 288.75	$ 337.50	$ -	$ 275.00	$ -
3	Climber as specified herein	Hour	$ -	$ 105.00	$ 75.75	$ 112.50	$ -	$ 95.00	$ -
4	Flagger as specified herein	Hour	$ -	$ 105.00	$ 62.00	$ 56.25	$ -	$ 45.00	$ -
5	Chip Truck as specified herein	Hour	$ -	$ 105.00	$ 227.00	$ 112.50	$ -	$ 100.00	$ -

Opened by: Sandy Shea
Witnessed by: Duke Basha

page 2 of 2

TOWN OF PALM BEACH
Town Council Meeting on: May 8, 2018

Section of Agenda
Resolutions

Agenda Title
RESOLUTION NO. 59-2018 A Resolution of the Town Council of the Town of Palm Beach, Palm Beach County, Florida, Approving Purchase Orders For Tree Trimming Services To Core Services LLC in the Amount of $39,840 for Coconut Palm Trimming and $63,720 for Hourly Tree Trimming Services and to Property Works in the Amount of $6,105 for Australian Pine Trimming Totaling $109,665 and Establishing a Project Budget of $120,631 for FY18. The Five Year Project Budget Shall be $897,030 Which Includes an Estimated Annual Cost of $149,505 and a $29,800 Contingency, Contingent of Funding in Future Fiscal Years.

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

ATTACHMENTS:

- **Memorandum dated April 23, 2018, from H. Paul Brazil, P.E., Director of Public Works**
- **Resolution No. 59-2018**
- **Bid Tab Sheet**

TOWN OF PALM BEACH

Information for Town Council Meeting on: May 8, 2018

TO: Mayor and Town Council

VIA: Kirk W. Blouin, Town Manager

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

RE: Award a Contract to Core Services LLC and Property Works for Tree Trimming and Pruning Services
Resolution No. 59-2018

DATE: April 23, 2018

STAFF RECOMMENDATION

Town staff recommends that Town Council approve Resolution No. 59-2018, awarding purchase orders to Core Services LLC for coconut palm trimming and hourly tree trimming services and to Property Works, for Australian pine tree trimming and pruning services totaling in an amount not-to-exceed $120,631 for FY18, and establish an annual project budget of $149,505 and an overall five (5) year budget of $897,030 including a $149,000 contingency.

GENERAL INFORMATION

A professional tree-trimming contractor has performed the operation for trimming and pruning of the Town's trees since FY10. A contractor trims the coconut and royal palms twice a year, performs maintenance trimming on other trees in Town owned parks and rights-of-way as directed by the Town arborist and staff, and includes the maintenance of traffic while trimming duties are performed. The trimming of historic and specimen trees is a part of the tree trimming contract. The previous contract was broken out into two (2) bids for services: tree trimming and coconut trimming. A single contractor was low on both services and was awarded both contracts. The vendor was in year three (3) of their contract but failed to perform the required trimming after the recent hurricane and the Town opted to terminate the contract for convenience.

The Town elected to combine all tree trimming services and issued RFB No. 2018-12 for the tree trimming and pruning services. Lot one (1) of the bid is for trimming of the coconut palms and is priced on a per tree basis. This provides a set rate for the trimming of each tree and allows a per tree price for unscheduled trimmings. Lot two (2) is for the once a year trimming of Australian Pines on Wells Rd. Lot three (3) provides for the hourly trimming of hardwoods, mangroves, royal palms and other tree types. The Town also requested pricing on two (2) or three (3) men crews with bucket trucks and all associated equipment or labor needed. The trimming crews are supervised by the vendor and operate under the direction of the Town arborist and/or the Parks Bureau Supervisor.

The hourly trimming and pruning has been reduced to an annual average of 150 hours for the two (2) man crews and 200 hours for the three (3) man crews. All maintenance of traffic is included.

On March 21, 2018, eight (8) vendors submitted bids to perform these services. The Town reviewed the bids and identified primary, secondary, and tertiary vendors in each Lot. This will eliminate the need to rebid services if one or more vendor fails to perform their duties as described in the contract or if their current workload prevents them from responding to Town requests for trimming. The Lots and awarded vendors are described below:

Lot One (1) – Coconut Trimming

- Primary Awardee – Core Services LLC
- Secondary Awardee – The FA Bartlett Tree Expert
- Tertiary Awardee – Property Works

Lot Two (2) – Australian Pines

- Primary Awardee – Property Works
- Secondary Awardee – Zimmerman Tree Service
- Tertiary Awardee – The FA Bartlett Tree Expert

Lot Three (3) – Trimming of Mangroves and Hardwoods

- Primary Awardee – Core Services LLC
- Secondary Awardee – Custom Tree Care
- Tertiary Awardee – Zimmerman Tree Service

Based on submitted bids, Town staff requests awarding purchase orders to the awardees for single coconut palm trimming in the amount of $39,840, trimming of the Australian pines in the amount of $6,105 and hourly tree trimming in the amount of $63,720 totaling $109,665. The FY18 project budget shall be established at $120,631 which includes a ten percent (10%) contingency for unforeseen or emergency work. The five (5) year project budget is estimated to be $897,030, which includes an annual cost of $149,505 and a $29,800 annual contingency based on funding in future fiscal years.

FUNDING/FISCAL IMPACT

Sufficient funds exist in the Public Works FY18 operating budget to accomplish this work. Future work will be contingent on funding in future fiscal years.

PURCHASING REVIEW

This item has been reviewed by the Purchasing Division and approved as recommended.

TOWN ATTORNEY REVIEW

This Resolution has been reviewed and approved by the Town Attorney for legal form and sufficiency.

Attachment

cc: Jane Le Clainche, Director of Finance
Eric B. Brown, P.E., Assistant Director of Public Works
Brett Madison, Facilities Division Manager
Dean Mealy, Purchasing Manager

TOWN OF PALM BEACH

Addendum No. 1

BID 2018-12
TREE TRIMMING & PRUNING SERVICES

Date: March 5, 2018

This addendum shall modify and become a part of the original Bid Document. Please note the following information:

Opening date remains the same: March 21, 2018

CLARIFICATIONS

Page 21 – The following statement:

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

Has been changed to read as follows:

The Town of Palm Beach announces changes to Ordinances 42-198, 42-199 and 42-230 affecting the hours of construction and landscaping as follows:
NEW CONSTRUCTION WORK HOURS

EFFECTIVE IMMEDIATELY:

1. **For the period beginning the Monday before Thanksgiving in November, and during the months of December, January, February, March and April, Construction work is allowed during the hours of 8:00 am to 5:00 pm Monday through Friday. NO WORK is allowed on Saturdays, Sundays or legal holidays.**

   NOTE: No heavy equipment or construction equipment noise is allowed before 9:00 am during the above period.

2. **For the period from the month of May through the Monday before Thanksgiving in November, construction work is allowed from 8:00 am to 6:00 pm Monday through Friday. No work is allowed on Sundays or legal holidays.**

   Construction work is allowed on Saturdays during the time period from May through the Monday before Thanksgiving, HOWEVER it cannot begin before 9:00 am and must end at 5:00 pm. ALL SATURDAY WORK MUST BE QUIET IN NATURE.

   The following are PROHIBITED on Saturdays unless a waiver has been granted by the Building Official:

   a) **Material Deliveries**
   b) **Concrete pours/Concrete sawing**
   c) **Demolition /Razing of buildings (except non-mechanized cleanup).**
   d) **The operation of any heavy equipment or machinery**

3. **The permitted work hours for construction work in the CWA Zoning District (Worth Avenue)**

   Shall be from 8:00 am to 8:00 pm Monday Through Saturday beginning May 1 and ending October 31, except Sundays and legal holidays when all construction work is prohibited.

Company Name: _____ Authorized Signature: _____

- **HOURS OF WORK SHALL BE:**

In Season (Monday before Thanksgiving thru April 30th)

•No Construction or Landscaping on Sundays, legal holidays, including the Friday after Thanksgiving
•Construction and Landscaping allowed Monday – Friday, 9:00 a.m. to 5:00 p.m.
•Construction and Landscaping, *quiet work* only allowed Monday– Friday, 8:00 a.m. to 9:00 a.m.
•Construction and Landscaping, *quiet work* only allowed- Saturday – 9:00 a.m. to 5:00 p.m.

All other times of the year:

•No Construction or Landscaping on Sundays, legal holidays, including the Friday after Thanksgiving
•Construction and Landscaping allowed Monday – Friday, 9:00 a.m. to 6:00 p.m.
•Construction and Landscaping, *quiet work* only allowed Monday – Friday, 8:00 a.m. to 9:00 a.m.
•Construction and Landscaping, *quiet work* only allowed Saturday – 9:00 a.m. to 5:00 p.m.

Quiet work means work not tending to disturb people in the vicinity thereof.

QUESTIONS

Q-1: Per our discussion yesterday in the Pre-bid meeting for Tree trimming and Pruning services, I have enclosed a copy of the Palm Beach County Bid doc which includes the sections I was hoping the Town might take under consideration to creating an amendment in regards to Emergency/Hurricane services and rates.
Please review the following areas
Page 10: #14 Performance During Emergency
Page 17: Under Definitions EMERGENCY RATE
Thank you for the opportunity to bring this to the Towns attention for consideration.
A-1: A new **OPTIONAL – EMERGENCY RESPONSE – BID PROPOSAL PAGE** has been added to the Bid Document as **Attachment A to Addendum 1**.

Q-2: Various contractors present in pre-bid meeting requested the previous bid tabulations.
A-2: In previous years the Town had 3 separate contracts for tree trimming.
The following previous Bid Tabulations are attached as **Attachment B to Addendum 1**:

- BID 2015-01 – Palm Trimming
- BID 2015-08 – Tree Trimming and Pruning Services
- RFQ 111-2014 - Australian Pine Trimming

Any questions concerning this Addendum should be addressed to Sandy Shea, Buyer, Public Works, via email at sshea@townofpalmbeach.com
Please acknowledge receipt of this Addendum #1.

Sandy Shea
Buyer, Public Works

Company Name: _____

Address: _____

City, State, and Zip Code: _____

Authorized Signature: _____

Name and Title: _____

Telephone: _____ Date: _____

TOWN OF PALM BEACH

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

OPTIONAL – EMERGENCY RESPONSE - BID PROPOSAL PAGE

LOT 1 – COCONUT TREES		
Line	**Description**	**Price per Tree**
1	**Coconut Tree**, Fronds piled and stacked for pickup **during emergencies**, as specified herein	$ _____
2	**Coconut Tree**, Fronds dropped into Town provided vehicles, **during emergencies**, as specified herein	$ _____

LOT 2 – AUSTRALIAN PINES		
Line	**Description**	**Price per Tree**
1	**Australian Pines – during emergencies,** as specified herein	$ _____

LOT 3 – Hourly Emergency Trimming of Mangroves, Hardwoods, Royal, Washingtonians, Dates, Queens and other tree types		
Line	**Description**	**Hourly Rate**
1	**Two (2) man crew with a bucket truck during emergencies** as specified herein	$ _____
2	**Three (3) man crew with a bucket truck during emergencies** as specified herein	$ _____
3	**Climber during emergencies** as specified herein	$ _____
4	**Flagger during emergencies** as specified herein	$ _____
5	**Chip Truck during emergencies** as specified herein	$ _____

Company Name: _____ **Authorized Signature:** _____

TOWN OF PALM BEACH

Bid No. 2015-01
Palm Tree Trimming

TABULATION

Vendor:	Davey Tree Expert Company	Perkins Tree & Landscape Services, Inc.	Plantshouse LLC	Superior Landscaping & Lawn Service, Inc.	Zimmerman Tree Service
Address:	1500 N. Mantua St.	7313 Westport Place	704 4th Ave. N.W.	2200 NW 23rd Avenue	4660 71 Court South
	Kent, OH 44240	West Palm Beach, FL 33413	Largo, FL 33770	Miami, FL 33142	Lake Worth, FL 33463
Telephone:	330-673-9511	855-866-8733	727-458-1622	305-634-0717	561-968-1045
Fax:	-	561-616-4167	727-458-1622	305-634-0744	561-966-4612
Contact:	Joseph Domer	Robert A. Perkins	Thomas C. Luke	Orlando Otero	Michael Zimmerman

Line	Description	Qty	Unit	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total
1	Spring Palm Tree Trimming Services, as specified	2800	LS	$ -	$ -	$ 25.00	$ 70,000.00	$ 12.00	$ 33,600.00	$ 23.49	$ 65,772.00	$ 17.37	$ 48,636.00
2	Fall Palm Tree Trimming Services, as specified	2800	LS	$ -	$ -	$ 25.00	$ 70,000.00	$ 14.00	$ 39,200.00	$ 23.49	$ 65,772.00	$ 17.37	$ 48,636.00
	Total			$ -		$ 140,000.00		$ 72,800.00		$ 131,544.00		$ 97,272.00	

Bid Opened on January 13, 2015 at 2:00 PM

No Bid

NON-RESPONSIVE

Experience record does not show similar work; Equipment list does not meet Qualifications (Luke only owns 1 Bucket Truck & 2 Hauling Trucks)

Opened by: John Cmar
Witnessed by: Angel Lopez

Attachment B
to
Addendum 1
page 2 of 3

TOWN OF PALM BEACH

Bid No. 2015-08
Bid Name: Tree Trimming and Pruning Services
TABULATION

Vendor:	The Davey Tree Expert Company	Perkins Tree & Landscape Services, Inc.	Plantshouse LLC	Zimmerman Tree Service
Address:	1500 N. Mantua Street Kent, OH 44240	7313 Westport Place West Palm Beach, FL 33413	704 4th Av. N.W. Largo, FL 33770	4660 71 Court South Lake Worth, FL 33463
Telephone:	330-673-9511	855-866-8733	727-458-1622	561-968-1045
Fax:	330-673-0702	561-616-4167	727-518-1166	561-966-4612
Contact:	Steven A. Marshall	Robert Perkins	Thomas C. Luke	Michael Zimmerman

Line	Description	Qty	Unit	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total
1	Tree Trimming and Pruning Services, regular hourly rate for two (2) person crew, including equipment, as specified	800	Hour	$ 73.51	$ 58,808.00	$ 250.00	$ 200,000.00	$ 75.00	$ 60,000.00	$ 151.54	$ 121,232.00
2	Tree Trimming and Pruning Services, regular hourly rate for three (3) person crew, including equipment, as specified	200	Hour	$ 93.08	$ 18,616.00	$ 325.00	$ 65,000.00	$ 85.00	$ 17,000.00	$ 227.31	$ 45,462.00
	Base Bid Total			$	77,424.00	$	265,000.00	$	77,000.00	$	166,694.00
3	Additional climber (if required, on an as needed basis)	50	Hour	$ 24.46	$ 1,223.00	$ 110.00	$ 5,500.00	$ 30.00	$ 1,500.00	$ 75.77	$ 3,788.50
4	Additional Flagger (if required, on an as needed basis)	50	Hour	$ -	$ -	$ 80.00	$ 4,000.00	$ 20.00	$ 1,000.00	$ 75.77	$ 3,788.50
	Base Bid and Options Total			$	78,647.00	$	274,500.00	$	79,500.00	$	174,271.00

NON RESPONSIVE

Bid submitted shows an extended total of $58,810.10 for this line (unit price prevails)
Bid submitted shows an extended total of $18,616.52 for this line (unit price prevails)
Did not bid line 4 (did not bid on updated bid form (as provided in Addendum 1)
Did not acknowledge Addendum No. 1 (Total is incomplete)

Bid Opened on February 25, 2015 at 2:00 PM

Opened by: John Cmar
Witnessed by: Adis Pedraza

TOWN OF PALM BEACH

RFQ No. 111-2014
Australian Pine Trimming
Wells Road
TABULATION

Vendor:	Property Works	Duffy's Tree Service	Only Trees LLC
Address:	1201 Roebuck Ct.	10190 52nd Place South	PO Box 7144
	West Palm Beach FL 33401	Lake Worth FL 33449	Jupiter FL 33468
Telephone:	561-805-8687	561-433-0095	561-262-1214
Fax:	561-805-8688	561-433-0006	561-741-1098
Contact:	Preston Searls	Howard Greenstein	Selvin Velasquez

Line	Description	Qty	Unit	Price per Unit	Total	Price per Unit	Total	Price per Unit	Total
1	Australian Pine Trimming - as specified	111	EA	$ 49.25	$ 5,466.75	$ 148.00	$ 16,428.00	$ 125.00	$ 13,875.00

TOWN OF PALM BEACH

Addendum No. 2

BID 2018-12
TREE TRIMMING & PRUNING SERVICES

Date: March 15, 2018

This addendum shall modify and become a part of the original Bid Document. Please note the following information:

Opening date remains the same: March 21, 2018

CLARIFICATIONS

1. The following Term, **II. SCOPE OF WORK, Australian Pine Trees, page 20**:

The successful contractor shall provide services for the trimming of 61 Australian Pine Trees on Wells Road. The Australian Pine trees are to be trimmed to the previous year's cut(s) and as directed by the contract coordinator. The Australian Pine trees are columnar in shape and form a scenic vista. It shall be the responsibility of the successful contractor to supply a company vehicle and all tools necessary for the full and complete performance of this job. The Town will incur no further cost due to tools, vehicle or equipment needed to perform this service unless agreed upon with the Town Contract Coordinator.

Has been revised to read as follows:
The successful contractor shall provide services for the trimming of **111** Australian Pine Trees on Wells Road. The Australian Pine trees are to be trimmed to the previous year's cut(s) and as directed by the contract coordinator. The Australian Pine trees are columnar in shape and form a scenic vista. It shall be the responsibility of the successful contractor to supply a company vehicle and all tools necessary for the full and complete performance of this job. The Town will incur no further cost due to tools, vehicle or equipment needed to perform this service unless agreed upon with the Town Contract Coordinator.

2. The Bid Proposal on pages 22-24 has been REVISED. Please see Attachment A to Addendum #2.

QUESTIONS

Q1 - Could you please verify that this bid requires a certificate of competency?

A1 – Per Term & Condition #20, page 7, the **bid does require a certificate of competency**.
20. CERTIFICATIONS
When applicable, vendor must hold Certificate of Competency issued by the State of Florida or the Palm Beach County Construction Industry Licensing Board and a current Occupational License for Palm Beach County. Copy of certificate and license must be submitted with bid and must be in the name of the vendor shown on the Bid Proposal page.

Q2 - In regards to the Tree Trimming and Pruning Services on the Australian Pine tab it is now listed as a quantity of 111. Is this the only amount we are to service? Wells Rd has a bit more all together so just want to double check on count with what the Town would like us to attend to.

A2 - There are 111 Australian pines.

Company Name _____ Authorized Signature _____

Sandy Shea
Buyer, Public Works

Company Name: _____

Address: _____

City, State, and Zip Code: _____

Authorized Signature: _____

Name and Title: _____

Telephone: _____ Date: _____

TOWN OF PALM BEACH

Attachment A to Addendum #2

BID No. 2018-12

TREE TRIMMING & PRUNING SERVICES

REVISED

BID PROPOSAL PAGE

LOT 1 – COCONUT TREES					
Line	Description	Est. Qty.	Unit	Price per Tree	Total
1	**Coconut Tree**, Fronds piled and stacked for pickup as specified herein	2,800	Tree	$ _____	$ _____
2	**Coconut Tree**, Fronds dropped into Town provided vehicles as specified herein	2,800	Tree	$ _____	$ _____
				Total - Lot 1 (Lines 1 & 2)	$ _____

LOT 2 – AUSTRALIAN PINES					
Line	Description	Est. Qty.	Unit	Price per Tree	Total
1	**Australian Pines** - once a year service as specified herein	111	Tree	$ _____	$ _____
				Total - Lot 2	$ _____

LOT 3 – Hourly Trimming of Mangroves, Hardwoods, Royal, Washingtonians, Dates, Queens and other tree types					
Line	Description	Est. Qty.	Unit	Hourly Rate	Total
1	**Two (2) man crew with a bucket truck** as specified herein	150	Hour	$ _____	$ _____
2	**Three (3) man crew with a bucket truck** as specified herein	200	Hour	$ _____	$ _____
3	**Climber** as specified herein	40	hour	$ _____	$ _____
4	**Flagger** as specified herein	40	hour	$ _____	$ _____
5	**Chip Truck** as specified herein	80	hour	$ _____	$ _____
				Total – Lot 3 (Lines 1 - 5)	$ _____

Company Name: _____ **Authorized Signature:** _____

BIDDER INFORMATION AND CERTIFICATION	
The undersigned proposer certifies that this Bid package is submitted in accordance with the specification in its entirety and with full understanding of the conditions governing this Bid.	
COMPANY NAME:	
STREET ADDRESS:	
CITY, STATE, ZIP CODE:	
EMAIL:	
TELEPHONE / FAX	**TEL:** **FAX:**
FEDERAL ID#	
AUTHORIZED SIGNATURE	**DATE:**

****Failure to affix signature may result in disqualification of proposal.**

- ***All bids shall be submitted on the Town provided forms. Failure to do so may be cause for rejection.***
- ***All blanks on the forms must be completed.***
- ***Modifications to the forms (Unit of Measure, Descriptions, etc.) shall not be allowed.***
- ***Supplemental information may be attached.***

BIDDERS CHECKLIST

All bids shall be submitted on the Town provided Bid Package forms. Failure to do so may cause the Bid to be rejected. All blanks on the proposed forms must be completed. Supplemental information may be attached to the bid package forms. Bidder shall return a complete set of all bid package forms as listed as follows. Failure to submit the required documents may result in your bid being considered non responsive.

Are all Bid pages signed?	Yes	No
Is Bidder's Qualification form completed and submitted?	Yes	No
Staffing levels been explained (No. of employees available)?	Yes	No
Business Tax Receipt included?	Yes	No
Form W-9 included?	Yes	No
Certifications/Licenses provided?	Yes	No
Vendor Service Representative Information submitted?	Yes	No
Are addendum (if any issued) submitted?	Yes	No
Has insurance requirements been acknowledged?	Yes	No
Is Drug Free Workplace form submitted?	Yes	No
Is List of Proposed Sub-Contractors submitted, if any?	Yes	No
Is List of Professional References submitted?	Yes	No
Is List of Equipment completed and submitted?	Yes	No

Acknowledgement is hereby made of the following Addenda received since issuance of Specifications:

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

Addendum No. _____ Dated: _____ Addendum No. _____ Dated: _____

Name of Vendor's Representative: _____

Address: _____

Phone Number: _____Fax Number: _____

E Mail Address:_____

RESOLUTION NO. 59-2018

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, APPROVING PURCHASE ORDERS FOR TREE TRIMMING SERVICES TO CORE SERVICES LLC IN THE AMOUNT OF $39,840 FOR COCONUT PALM TRIMMING AND $63,720 FOR HOURLY TREE TRIMMING SERVICES AND TO PROPERTY WORKS IN THE AMOUNT OF $6,105 FOR AUSTRALIAN PINE TRIMMING TOTALING $109,665 AND ESTABLISHING A PROJECT BUDGET OF $120,631 FOR FY18. THE FIVE YEAR PROJECT BUDGET SHALL BE $897,030 WHICH INCLUDES AN ESTIMATED ANNUAL COST OF $149,505 AND A $29,800 CONTINGENCY, CONTINGENT OF FUNDING IN FUTURE FISCAL YEARS.

* * * * *

Section 1. The Town Council of the Town of Palm Beach hereby authorizes purchase orders to Core Services LLC in an amount of $39,840 for palm tree trimming and $63,720 for hourly tree trimming services and Property Works in the amount of $6,105 for Australian pine tree trimming totaling $109,665 and establishes a project budget of $120,631 for FY2018. The five (5) year project budget shall be $897,030, which includes an annual cost of $149,505 and a $149,000 contingency, contingent of funding in future fiscal years.

Section 2. The Town Manager is hereby authorized to execute this contract extension on behalf of the Town of Palm Beach for this improvement.

Section 3. The Town Manager, or his designee, is hereby authorized to take such further actions as may be necessary to effectuate the completion of the said project work, including any necessary change order work as recommended by the Public Works Director.

PASSED AND ADOPTED in a regular adjourned session of Town Council of the Town of Palm Beach this 8th day of May 2018.

Gail L. Coniglio, Mayor

ATTEST:

Kathleen Dominguez, Town Clerk

Danielle H. Moore, Town Council President

Margaret A. Zeidman, Council President Pro Tem

Julie Araskog, Town Council Member

Lewis S. W. Crampton, Town Council Member

Bobbie Lindsay, Town Council Member

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Accept the Fiscal Year 2018-2019 Budget Status Report of the General Fund and the Utilities Fund for the seven (7) month period ended April 30, 2019.

EXPLANATION OF REQUEST:
This report summarizes the adopted funding sources and expenditure budgets for the City's General Fund and Utility Fund for the seven (7) month period ended April 30, 2019 (58% of the fiscal year). The analysis compares:

- Actual results for the current period to the annual budget
- Actual results for the same period of the prior year annual budget

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? The annual budget is what provides and controls the resources for City programs and services.

FISCAL IMPACT:
The annual budget and results to date for the General Fund and Utility Fund.

GENERAL FUND

	FY 2018-19			FY 2017-18			FY 2019 vs. 2018	
	Annual Budget	Actual to Date Amount	%	Annual Budget	Actual to Date Amount	%	Budget %	Actual %
Revenues &Transfers	$ 91,124	$ 70,515	77%	$ 87,487	$ 65,218	75%	4.2%	8.1%
Expenditures	$(91,124)	$(55,624)	61%	$(87,487)	$(52,543)	60%	4.2%	5.9%
Excess (Deficit)	$ -	$ 14,891		$	$ 12,675			

The General Fund chart above reflects revenue in excess of expenditures (dollars in thousand) yielding a $14.8M surplus for the period ending April 30, 2019.

Revenues & Transfers (Exhibit A) – Budgeted Funding Sources: Property taxes and other revenues provide funding sources of $75.2M or 82% of our total $91.1M General Fund budget estimate for FY 2018-19. Transfers from other funds (non-revenues) provide $15.9M or 18% of the total funding sources to balance our $91.1M General Fund budgeted expenditures.

These three major estimated funding sources are summarized as follows:

1. 40% - $ 36.3M – Property taxes less Tax Increment Financing to the CRA
2. 42% - $ 38.9M – All other revenues plus General Fund Balance
3. 18% - $ 15.9M – Transfers from other funds

100% - $ 91.1M – Total funding sources

The property tax rate for FY 2018-19 is 7.9000 mills, no change from the prior year; the net property taxes of $36.3M in FY 2018-19 represent an 6.55% increase in property tax revenue or an increase of $2.2M from FY 2017-18.

To balance the budget in FY 2018-19, it required transfers from other funds of $15.9M representing 18% of all funding sources.

Actual Funding Sources Realized: At the end of the seventh month in FY 2018-19, revenues and transfers realized are approximately $70.5M or 77% of the budget estimate compared to $65.2M or 75% realized to date in FY 2017-18.

Ad Valorem Taxes, net of discounts and TIF taxes to the CRA, received to date was $34.7M or 96% of $36.3M as compared to $32.1M or 94% of $34.0M for FY 2017-18, as noted on Exhibit A.

Expenditures (Exhibit B)

Budgeted Expenditures: Overall, appropriations increased approximately 4.16% from $87.4M to $91.1M. The budget increase was due to the cost of doing business, Town Square project, providing funding related to wage increases, equipment and additional personnel.

Actual Expenditures – General Fund expenditures for the seventh month period ending April 30 (58% of the fiscal year) are $55.6M that is 61% of the $91.1M expenditure appropriation for FY 2018-19. Note: the City's annual pension obligations for General Employees, Fire, and Police are paid in the first month of the fiscal year.

The table at the top of Exhibit B displays actual expenditures of $55.6M or 61% of the FY 2018-19 budget. At this point in the fiscal year, FY2018-19 spending levels are $3.1M ahead of the $52.5M or 60% expended in FY 2017-18 for this same period.

UTILITY FUND

The FY 2018-19 annual expenditure budget of $48.7M represents a $2.1M increase from the FY 2017-18 budget of $46.5M. The operational forecast reflects an estimated decrease of $1.0M of the fund balance for FY 2017-18, see Exhibit C.

	FY 2018-19			FY 2017-18			FY 2019 vs. 2018	
	Annual Budget	Actual to Date Amount	%	Annual Budget	Actual to Date Amount	%	Budget %	Actual %
Revenues &Transfers	$ 48,708	$ 28,767	59%	$ 46,544	$ 27,786	51%	4.6%	3.5%
Expenditures	$ (48,708)	$ (27,610)	57%	$ (46,544)	$ (24,893)	46%	4.6%	10.9%
Excess (Deficit)	$ -	$ 1,157		$ -	$ 2,893			

For the seventh month period in FY 2018-19,

- Revenues realized are $28.7M (59%) of the annual budget estimate.
- Expenditures incurred are $27.6M (57%) of the annual appropriated budget.

This resulted in revenues in excess expenditures which yielded a surplus of approximately $1.1M.

Expenditures (Exhibit D) – Utility Fund FY 2018-19 expenditures to date are $27.6M or 57% of the annual

appropriation compared to expenditures of $24.8M or 53% for the prior fiscal year (which excludes depreciation and the joint ventures expenditures).

ALTERNATIVES: Discuss this Budget Status Report or request clarification at the City Commission meeting.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

ATTACHMENTS:

Type	Description
Addendum	GF Statement of Revenues thru Apr 30, 2019
Addendum	UF Statement of Revenues thru Apr 30, 2019
Addendum	UF Statement of Expenditures thru Apr 30, 2019

EXHIBIT A

CITY OF BOYNTON BEACH, FLORIDA

GENERAL FUND ANALYSIS

STATEMENT OF REVENUES - COMPARATIVE BUDGET TO ACTUAL

Fiscal Year Period Ended April 30, 2019 (58% of Fiscal Year)

REVENUES

ACCOUNTS	FY 2018-19 BUDGET APPROVED	FY 2018-19 TO DATE REVENUE REALIZED	FY 2018-19 TO DATE % REALIZED	FY 2017-18 BUDGET APPROVED	FY 2017-18 TO DATE REVENUE REALIZED	FY 2017-18 TO DATE % REALIZED
AD VALOREM TAXES, net	$ 44,146,986	$ 42,615,063	97%	$ 41,458,358	39,476,513	95%
LESS TIF TAXES TO CRA	(7,816,311)	(7,823,321)	100%	(7,360,831)	(7,360,831)	100%
NET TAXES TO THE CITY	36,330,675	34,791,742	96%	34,097,527	32,115,682	94%
LICENSES AND PERMITS						
BUSINESS TAXES	1,750,000	1,666,053	95%	1,731,000	1,658,357	96%
BUILDING PERMITS	2,965,000	2,446,271	83%	2,712,000	1,684,621	62%
FRANCHISE FEES	4,915,000	2,633,272	54%	4,865,000	2,822,402	58%
OTHR LICENSES, FEES & PER	222,000	163,317	74%	222,000	191,866	86%
INTERGOVERNMENTAL REVENUES						
OTHER FEDERAL REVENUE	75,000	12,350	16%	85,000	540,119	635%
STATE SHARED REVENUES	8,852,000	5,152,787	58%	8,677,000	4,537,235	52%
SHRD REV FROM OTHR LCL	335,000	225,776	67%	335,000	88,891	27%
CHARGES FOR SERVICES						
PYMTS IN LIEU OF TAXES	124,663	151,981	122%	121,300	137,657	113%
CHRGS-GENERAL GOVT	508,688	273,952	54%	507,800	278,930	55%
PUBLIC SAFETY	6,981,200	5,761,510	83%	6,086,500	4,933,221	81%
PHYSICAL ENVIRONMENT	20,000	7,965	40%	20,000	13,401	67%
CULTURE/RECREATION	411,500	259,339	63%	428,700	275,915	64%
INTEREST & MISC REVENUE						
LIBRARY FINES	30,000	7,877	26%	30,000	11,211	37%
VIOLATIONS LOCAL ORD.	393,000	290,308	74%	643,000	130,009	20%
INTEREST EARNINGS	65,000	154,191	237%	65,000	3,342	5%
RENTS AND ROYALTIES	363,800	266,566	73%	368,800	278,242	75%
SPECIAL ASSESSMENTS	6,589,000	6,489,458	98%	6,589,000	6,455,802	98%
SALE OF SURPLUS MATERIAL	1,500	8,493	566%	1,500	1,220	81%
OTHER MISC. REVENUE	4,264,000	460,738	11%	4,715,145	201,453	4%
INTERNAL FUND TRANSFERS						
TRANSFERS	15,927,000	9,290,750	58%	15,067,850	8,789,579	58%
FUND BALANCE APPROPRIATED	-	-	0%	118,100	68,892	58%
Total Revenues	$ 91,124,026	$ 70,514,696	77%	$ 87,487,222	65,218,047	75%

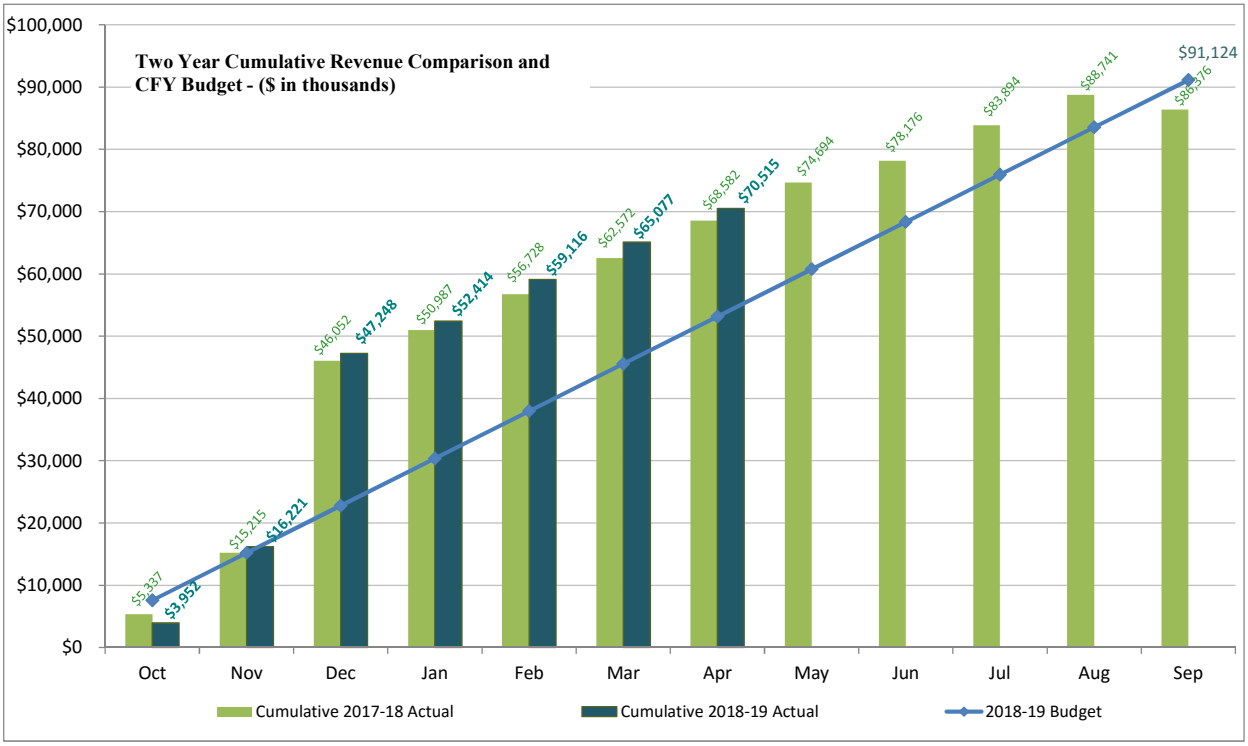


EXHIBIT C

CITY OF BOYNTON BEACH, FLORIDA

UTILITY FUND ANALYSIS

STATEMENT OF REVENUES - COMPARATIVE BUDGET TO ACTUAL

Fiscal Year Period Ended April 30, 2019 (58% of Fiscal Year)

REVENUES						
ACCOUNTS	FY 2018-19 BUDGET APPROVED	FY 2018-19 TO DATE REVENUE REALIZED	FY 2018-19 TO DATE % REALIZED	FY 2017-18 BUDGET APPROVED	FY 2017-18 TO DATE REVENUE REALIZED	FY 2017-18 TO DATE % REALIZED
WATER SALES	$ 22,542,000	$ 13,172,683	58%	$ 21,675,000	$ 12,957,086	60%
WATER CONNECTION FEE	150,000	35,575	24%	150,000	25,160	17%
WATER SERVICE CHARGE	850,000	532,315	63%	850,000	550,885	65%
WTR-BACKFLOW PREVNTR TEST	14,000	9,865	70%	10,000	10,906	109%
RECLAIMED WATER SALES	310,000	297,441	96%	64,000	172,452	269%
SEWER SERVICE	19,635,000	11,449,290	58%	18,870,000	11,215,239	59%
STORMWATER UTILITY FEE	4,100,000	2,372,234	58%	3,800,000	2,250,031	59%
TELEVISE SEWER LINES	10,000	10,642	106%	5,000	8,574	171%
FEES	20,000	45,809	229%	20,000	1,929	10%
INTEREST INCOME	35,000	156,150	446%	35,000	(26,829)	-77%
SALE OF SURPLUS MATERIAL	2,000	-	0%	2,000	-	0%
OCEAN RGE UT TAX ADM CHG	800	568	71%	800	505	63%
MISCELLANEOUS INCOME	-	78,254	0%	-	466	0%
FUND BALANCE DECREASE (INCREASE)	1,039,304	606,261	58%	1,061,993	619,496	58%
TOTAL REVENUES	$ 48,708,104	$ 28,767,087	59%	$ 46,543,793	$ 27,785,900	60%

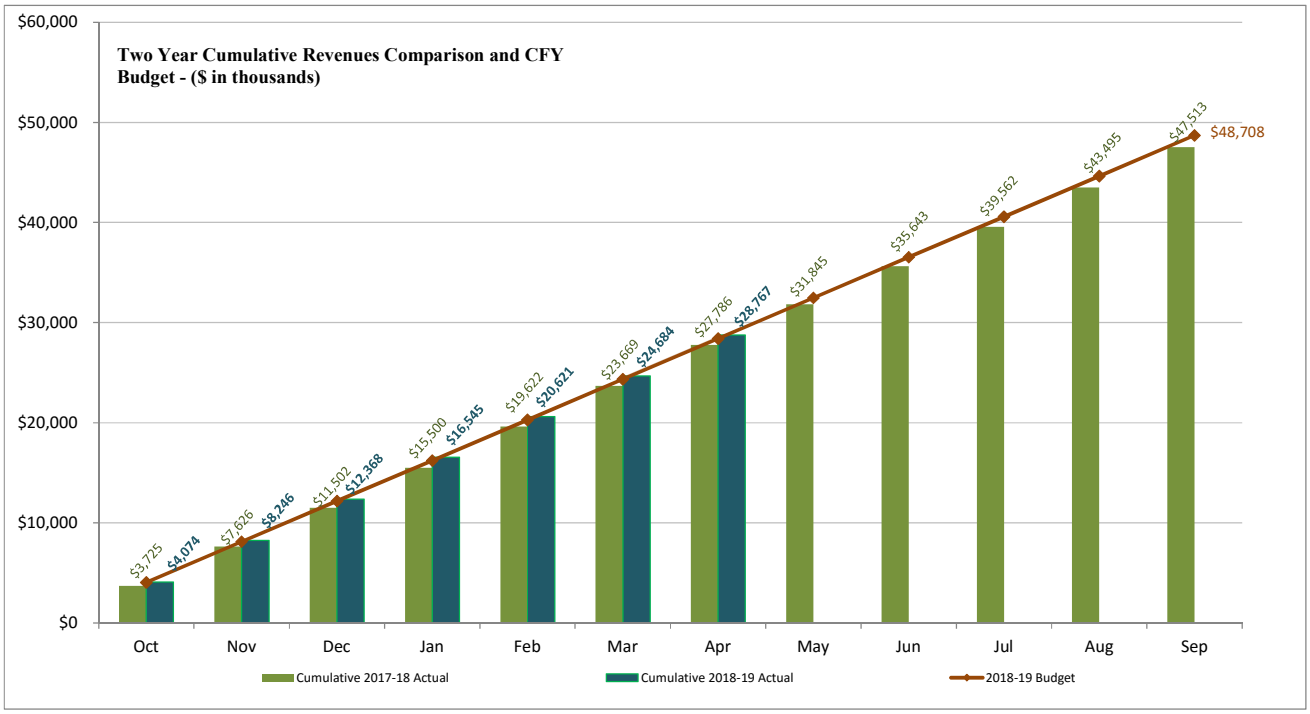


EXHIBIT D

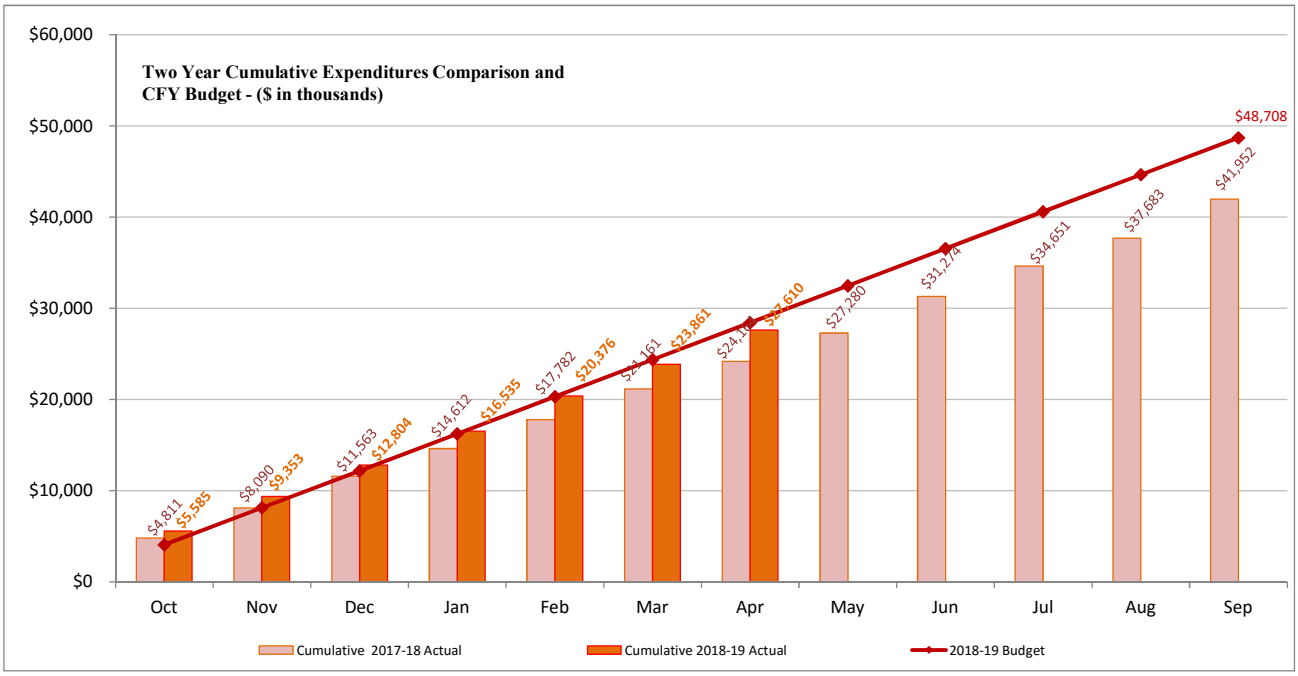
CITY OF BOYNTON BEACH, FLORIDA

UTILITY FUND ANALYSIS

STATEMENT OF EXPENDITURES - COMPARATIVE BUDGET TO ACTUAL

Fiscal Year Period Ended April 30, 2019 (58% of Fiscal Year)

EXPENDITURES						
ACCOUNTS	FY 2018-19 BUDGET APPROVED	FY 2018-19 TO DATE EXPENDED	FY 2018-19 TO DATE % EXPENDED	FY 2017-18 BUDGET APPROVED	FY 2017-18 TO DATE EXPENDED	FY 2017-18 TO DATE % EXPENDED
WATER DISTRIBUTION	$ 1,958,189	$ 1,083,718	55%	$ 1,946,158	$ 1,052,152	54%
PUBLIC WATER TREATMENT	6,590,080	3,714,922	56%	6,009,493	2,846,407	47%
METER READING & SERVICES	1,324,231	791,751	60%	1,284,678	766,753	60%
WASTEWATER COLLECTION	1,620,043	889,227	55%	1,674,357	907,634	54%
WASTEWATER PUMPING STATNS	2,861,825	1,453,547	51%	2,810,391	1,369,710	49%
SEWAGE TREATMENT	4,856,000	2,652,527	55%	4,550,000	1,597,039	35%
WATER QUALITY	644,646	331,901	51%	642,397	354,453	55%
UTILITY ADMINISTRATION	17,911,961	10,023,404	56%	17,046,237	9,770,437	57%
UTILITES ENGINEERING	1,523,222	923,861	61%	1,478,276	936,085	63%
STORMWATER MAINTENANCE	1,255,446	660,638	53%	1,148,994	636,832	55%
CUSTOMER RELATIONS	1,175,261	722,276	61%	1,226,307	728,953	59%
DEBT SERVICE	6,987,200	4,362,668	62%	6,726,505	3,926,103	58%
Total Expenditures	$ 48,708,104	$ 27,610,440	57%	$ 46,543,793	$ 24,892,558	53%



CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Approve the one-year extension for RFPs/Bids and/ or piggy-backs for the procurement of services and/or commodities as described in the written report for July 2, 2019- "Request for Extensions and/or Piggybacks."

EXPLANATION OF REQUEST:
As required, the Finance/Procurement Department submits requests for award to the Commission; requests for approval to enter into contracts and agreements as the result of formal solicitations; and to piggy-back governmental contracts. Options to extend or renew are noted in the "Agenda Request Item" presented to Commission as part of the initial approval process. Procurement seeks to provide an accurate and efficient method to keep the Commission informed of pending renewals and the anticipated expenditure by reducing the paperwork of processing each renewal and/or extension individually and summarizing the information in a monthly report (as required).

VENDOR(S)	DESCRIPTION OF SOLICITATION	SOLICITATION NUMBER	RENEWAL TERM
REHRIG PACIFIC	INJECTION MOLDED MOBILE REFUSE CONTAINERS AND PARTS	048-2510-18/JMA	JULY 20, 2019 THRU JULY 19, 2020
BILL2PAY	BILL PRINTING, MAILING AND ELECTRONIC BILL PRESENTMENT AND PAYMENT	074-2821-15/KTR	AUGUST 1, 2019 THRU JULY 31, 2020
ALLIED UNIVERSAL CORPORATION	SODIUM HYPOCHLORITE	016-16	OCTOBER 19, 2019 THRU OCTOBER 20, 2020

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?
This renewal report will be used for those solicitations, contracts/agreements and piggy-backs that are renewed/extended with the same terms and conditions and pricing as the initial award.

FISCAL IMPACT: Budgeted Funds have been budgeted under line items as noted on the attached report.

ALTERNATIVES: Not approve renewals and require new solicitations to be issued.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION:

Is this a grant?

Grant Amount:

ATTACHMENTS:

Type	Description
Addendum	Bid Extension Request
Addendum	Rehrig Renewal
Addendum	Bill2Pay Renewal
Addendum	Allied Universal Renewal

CITY OF BOYNTON BEACH
REQUESTS FOR BID EXTENSIONS AND PIGGY-BACKS
July 2, 2019

REQUESTING DEPARTMENT: ***SOLID WASTE***
DEPARTMENT CONTACT: ***Davidson Monestime***
TERM: ***July 20, 2019 to July 19, 2020***
SOURCE FOR PURCHASE: ***048-2510-18/JMA***
ACCOUNT NUMBER: ***431-2515-534-5275***
VENDOR(S): ***Rehrig Pacific***
ANNUAL ESTIMATED EXPENDITURE: ***$125,000.00***

DESCRIPTION:
On June 16, 2015, City Commission approved a two-year contract with Rehrig Pacific Company of Orlando for the supply of injection molded mobile refuse containers and parts.

The Contracts allow for three (3) additional one-year renewal options with the same prices, terms and conditions. On July 18, 2017, City Commission authorized the first renewal term. On June 19, 2018, City Commission authorized the second renewal term. The vendor has agreed to renew the Contract for the third one-year renewal option thru 2020.

REQUESTING DEPARTMENT: ***UTILITIES***
DEPARTMENT CONTACT: ***Juan Cuesta***
TERM: ***August 1, 2019 to July 31, 2020***
SOURCE FOR PURCHASE: ***074-2821-15/KTR***
*ACCOUNT NUMBER****: 401-2825-536-49-17***
VENDOR(S): ***Bill2Pay***
ANNUAL ESTIMATED EXPENDITURE: ***$480,000.00***

DESCRIPTION:
On April 19, 2016, City Commission approved a five-year contract with Bill2Pay LLC for bill printing, mailing and electronic bill presentment and payment.

The Contracts allow for five (5) additional one-year renewal options with the same prices, terms and conditions. The vendor has agreed to renew the Contract for the third one-year renewal option thru 2020.

REQUESTING DEPARTMENT: ***UTILITIES***
DEPARTMENT CONTACT: ***Michael Low***
TERM: ***October 19, 2019 to October 20, 2020***
SOURCE FOR PURCHASE: ***City of Plantation Bid # 016-16***
ACCOUNT NUMBER: ***401-2811-536-52-28***
VENDOR(S): ***Allied Universal Corporation***
ANNUAL ESTIMATED EXPENDITURE: ***$300,000.00***

DESCRIPTION:
On September 20, 2016, City Commission authorized an annual piggyback of the City of Plantation's bid for the supply and delivery of sodium hypochlorite with Allied Universal Corporation.

The Contract allows for four (4) additional one-year renewal options with the same prices, terms and conditions. On October 3, 2017, City Commission authorized the first one-year renewal term. On September 20, 2018, City Commission authorized the second one-year renewal term. The City of Plantation has renewed the contract for the second one-year renewal term thru 2020.

The City of Boynton Beach

Finance/Procurement Services
P.O. Box 310
Boynton Beach, Florida 33425-0310
Telephone No: (561) 742-6310
FAX: (561) 742-6316

June 5, 2019

BID: SUPPLY OF INJECTION MOLDED MOBILE REFUSE CONTAINERS AND PARTS

BID No.: 048-2510-15/JMA

CURRENT AGREEMENT TERM: ***JULY 20, 2018 –JULY 19, 2019***

Agreement between the City of Boynton Beach and **REHRIG PACIFIC**

AGREEMENT RENEWAL TERM: ***JULY 20, 2019 –JULY 19, 2020***

✓ Yes, I agree to renew the existing agreement under the same terms, conditions, and pricing for an additional one-year term.

_____ No, I do not wish to renew the bid for the following reason(s) _____

Rehrig Pacific
NAME OF COMPANY

SIGNATURE

Matthew Callier
NAME OF REPRESENTATIVE
(please print)

Sales Representative - FL
TITLE

6/17/2019
DATE

(904) 528-6139
(AREA CODE) TELEPHONE NUMBER

mcallier@rehrig.com
E-MAIL

The City of Boynton Beach

Finance/Procurement Services
P.O. Box 310
Boynton Beach, Florida 33425-0310
Telephone No: (561) 742-6310
FAX: (561) 742-6316

June 5, 2019

BID: BILL PRINTING, MAILING AND ELECTRONIC BILL PRESENTMENT AND PAYMENT

BID No.: 074-2821-15/KTR

CURRENT AGREEMENT TERM: ***AUGUST 1, 2018 –JULY 31, 2019***

Agreement between the City of Boynton Beach and **Bill2Pay, LLC.**

AGREEMENT RENEWAL TERM: ***AUGUST 1, 2019 –JULY 31, 2020***

✓ Yes, I agree to renew the existing agreement under the same terms, conditions, and pricing for an additional one-year term.

_____ No, I do not wish to renew the bid for the following reason(s) _____

Bill2Pay, LLC.
NAME OF COMPANY

SIGNATURE

KATHY WILSON
NAME OF REPRESENTATIVE
(please print)

EXEC DIRECTOR OF OPERATIONS
TITLE

6/14/19
DATE

727-499-3950
(AREA CODE) TELEPHONE NUMBER

KATHY.WILSON@BILL2PAY.COM
E-MAIL

The City of Boynton Beach

Finance/Procurement Services
P.O. Box 310
Boynton Beach, Florida 33425-0310
Telephone No: (561) 742-6310
FAX: (561) 742-6316

June 5, 2019

Kathy Wilson
Bill2Pay, LLC.

VIA EMAIL TRANSMITTAL TO: kathy.wilson@bill2pay.com

BID: BILL PRINTING, MAILING AND ELECTRONIC BILL PRESENTMENT AND PAYMENT

BID No.: 074-2821-15/KTR

CURRENT AGREEMENT TERM: ***AUGUST 1, 2018 –JULY 31, 2019***

Dear Ms. Wilson:

The current agreement term for the "BILL PRINTING, MAILING AND ELECTRONIC BILL PRESENTMENT AND PAYMENT" expires July 31, 2019.

The agreement documents allow for five (5) additional one (1) year extension and we would like to extend the bid for an additional one-year period with the same terms, conditions and pricing.

Please indicate your response on the following page and return it to Procurement Services via email to marmere@bbfl.us at your soonest convenience. If you should have any questions, please do not hesitate to call Eric Marmer, Buyer at (561) 742-6318.

Sincerely,

Tim W. Howard
Assistant City Manager - Administration

cc: Barb Conboy, Administration & Finance Manager, Utilities
File

OFFICE OF THE MAYOR
Lynn Stoner,
Mayor

FINANCIAL SERVICES
Anna C. Otiniano
Director

Plantation
the grass is greener®

CITY COUNCIL
Ron Jacobs, President
Nick Sortal, President Pro Tem
Erik Anderson
Denise Horland
Mark Hyatt

June 13, 2019

Cristhianne Munguia
Allied Universal Corp.
3901 NW 115 Avenue
Miami, Florida 33178

Email: CristyM@Allieduniversal.com

RE: Contract No. 016-16; Supply and Delivery of Sodium Hypochlorite – Term Contract

Dear Cristhianne:

This letter is to inform you that the City of Plantation City Council approved the renewal of the above referenced contract at their June 12, 2019 meeting Consent Agenda Item No. 8 for continued use at a rate of $0.518 per gallon for split or full-tanker load.

The revised contract expiration date shall be October 20, 2020.

This is the third (3) of four (4) exercisable renewal options.

All other terms, conditions, and specifications shall remain in effect during this extension period including insurance and/or performance bond coverages.

We hope this will continue to be a rewarding profitable business relationship.

Respectfully,

George Barber,
Principal Buyer
Email: Gbarber@Plantation.org

Approval Date: 6 / 13 / 2019

Charles Spencer, FCCN, FCCM
Procurement Administrator

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
Approve the minutes from City Commission meeting held on June 18, 2019. .

EXPLANATION OF REQUEST:
The City Commission met on June 18, 2019 and minutes were prepared from the notes taken at the meeting. The Florida Statutes provide that minutes of all Commission meetings be prepared, approved and maintained in the records of the City of Boynton Beach.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? A record of the actions taken by the City Commission will be maintained as a permanent record.

FISCAL IMPACT: Non-budgeted N/A

ALTERNATIVES: Do not approve the minutes

STRATEGIC PLAN: Building Wealth in the Community

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

ATTACHMENTS:

	Type	Description
	Minutes	Meeting Minitues 6-18-19

MINUTES OF THE CITY COMMISSION MEETING HELD
AT THE INTRACOASTAL PARK CLUBHOUSE
2240 N. FEDERAL HIGHWAY, BOYNTON BEACH, FLORIDA
ON TUESDAY, JUNE 18, 2019, AT 6:30 P.M.

PRESENT:

Steven B. Grant, Mayor
Justin Katz, Vice Mayor
Mack McCray, Commissioner
Christina Romelus, Commissioner
Ty Penserga, Commissioner

Lori LaVerriere, City Manager
James Cherof, City Attorney
Queenester Nieves, Deputy City Clerk

OPENINGS

A. Call to Order - Mayor Steven B. Grant

Mayor Grant called the meeting to order at 6:30 p.m.

Invocation by Rev. Laurie Durgan of Unity of Delray Beach

Reverend Laurie Durgan gave the invocation.

Pledge of Allegiance to the Flag led by Mayor Grant

Mayor Grant led the members reciting the Pledge of Allegiance.

Roll Call

A quorum was present.

Agenda Approval:

1. Additions, Deletions, Corrections

Commissioner Penserga requested adding Daniel Sohn to the agenda after Special Announcements Item H.

Motion

Vice Mayor Katz moved to approve the agenda as amended. Commissioner Romelus seconded the motion.

Commissioner McCray requested an update be given at the next meeting about arming firefighters.

2. Adoption

The motion unanimously passed.

2. OTHER

A. Informational items by Members of the City Commission

Vice Mayor Katz had no disclosures.

Commissioner Romelus attended the Florida League of Cities Legislative Policy Committee meeting and met officials from around the State. She attended a workshop discussion about impact fees. July is the next committee meeting where they will vote on priorities. She was elected to the Land Use and Development Board.

Commissioner McCray had no disclosures, but thanked Commissioner Romelus for the report she brought back from the League of Cities Legislative Cities conference.

Commissioner Penserga had no disclosures. He invited all to volunteer for the Future6 third surf event of the 2019 season. The organization is a non-profit focusing on providing free therapeutic ocean centered programs for special needs children aged 5-19. Volunteers do not have to know how to surf. Those interested in volunteering should report to Ocean Front Park at 8 a.m. on June 22nd. Participants arrive at 9 a.m.

Commissioner Penserga noted June is National Pride Month and LGBT individuals around the Country celebrate progress and history. It is a time for LGBT individuals to remind themselves as a community that they are not alone and they are worthy of love and acceptance. He personally thanked the Mayor for the proclamation declaring June as Pride month and for being a friend and ally to him and to the community. They are friends, neighbors and family and they are a fabric of the City. The proclamation sends a message there is no place for hate and bigotry in the City. He asked all for a moment of silence for all who lost their lives whose only crime was to be young and trying to be themselves.

Mayor Grant was glad they are moving forward as a City.

Mayor Grant attended the Hispanic Latino Summer Institute and spoke at Veterans Park for D-Day. He attended the Greater Boynton Beach Delray Entrepreneurship Ribbon Cutting for the Mobile Entrepreneurship Leaders Training. On June 8th, he attended a special free football seminar hosted by Super Bowl Player Eric Matthews who grew up in Boynton Beach. He thanked the Recreation and Parks Department for the event. On June 9th, he spoke to Korean War Veterans; on June 10th, he attended a Trustee

Conference for the General Employees' Pension Board. He attended the Quantum Foundation to learn about adverse childhood experiences, he had lunch with the Boynton Beach Veterans Task Force members and attended a meeting with Sister Cities. He attended a Business Development Board luncheon. He attended Connect 2 Greatness Graduation. He wished all fathers a Happy Father's Day. He attended the City's Tilt Wall Party. He thanked Eleanor Krusell, Public Communications and Marketing Director, for a great event. On Friday, June 21st from 5:30 to 9:30 p.m., there will be a Food Truck Invasion at the Boat Ramp Park with five or six food truck vendors and I Heart Radio. He spoke to Merchant Strategy Selection, but not on any item on the meeting agenda.

3. ANNOUNCEMENTS, COMMUNITY AND SPECIAL EVENTS AND PRESENTATIONS

A. Senator Lori Berman and Representative Joe Casello will provide a post-legislative update.

Joe Casello, Representative, quoted Thomas Jefferson: "The government closest to the people serves the people best." He commented Tallahassee has not learned that yet. Representative Casello commented he attends legislative updates and hears various comments. He found it educational and a big change going from local government to State government as there are so many vested and special interest groups that have an agenda. This year, 3,571 bills were filed and 196 of them were passed into law. One of his bills, HB 987, Ratification of the Rules, was passed. The Bill ratified a rule passed last year to address post-traumatic stress disorder for first responders. Another measure passed banned texting while driving. The appropriation request for Mangrove Park was rejected and will be refiled.

Representative Casello conveyed local governments are under siege in Tallahassee as reflected by some of the local preemption items passed. One initiative that passed was a five-year moratorium banning anything plastic, which the governor vetoed. Occupational licensing deregulation pertained to licensing of hairdressers and barbers, cutting the required hours in half before receiving a license and licensing vacation rentals, which also did not pass. Direct Health Care agreements between individuals and their doctors passed, as did allowing prescription drugs to be imported from Canada resulting in lower prescription drug prices. There was no expansion of Medicare. There was an assault on education this year. Representative Casello pointed out Justin Katz lobbied in favor of education and did a great job. House Bill 1221, Representative Casello co-sponsored with Representative Polsky and others from the Florida Keys dealt with derelict boats. The Bill prohibits a person from residing or dwelling on a vessel when an officer of the Florida Fish and Wildlife Conservation Commission or any other law enforcement officer declares it as derelict. He noted the Boynton Marina Patrol could make a declaration. The Bill authorizes Counties designated as *Rural Areas of Opportunity* to create *No Discharge Zones* under certain conditions and provides a civil penalty for violations. Boaters cannot use a five-gallon bucket as a bathroom, then come ashore and dump it. The Bill encompasses anchored vessels that create conflicts in some areas

related to the use and the enjoyment of waters, and gives authority to local governments to regulate. Local governments can construct, operate and maintain public mooring fields up to 100 vessels. State and local governments can remove or relocate a derelict vessel from public waters when it obstructs or threatens to obstruct a waterway or causes a danger. The incurred costs to move the vessel will be assessed against the vessel owner. Representative Casello reported the Legislature passed a Bill in 2016 definitions of neglected vehicles.

Representative Casello advised when he returns to Tallahassee, he will introduce new bills and refile some old bills. He will refile a bill on medical exemptions for medical devices for the elderly. House Bill 9 sought to eliminate Community Redevelopment Agencies (CRA) and added requirements CRAs have to follow in order to continue to operate. The House has 120 representatives and it is very partisan. He advised it is frustrating when there are good ideas that help all Floridians.

Commissioner McCray requested the City Commission receive a copy of SB 1221.

Lori Berman, State Senator, commented on the preemption bills indicating there was a fair amount of preemption bills introduced and Home Rule continues to be attacked. She advised one bill passed was the City could not prohibit someone from having a vegetable garden in his or her front yard. Homeowner Associations can prohibit them, but not the City. Another bill passed pertained to tree trimming. If someone gets a certificate from a horticultural society saying the tree is a danger, the homeowner can trim or remove the tree and do anything with the tree and the City has no say in the matter, nor can they require a replacement. The State looked into preempting micro mobility (scooters), but regulated them. If there is a storm coming, the scooter company has to come in and pick up the scooters. Driver's licenses are not required to rent a scooter. She advised if the City wants to regulate scooters, now is the time to do it. The governor vetoed the plastic straws Bill. One preemption bill had to do with small cell (which is the 5g) networks. If the City passes an ordinance on something that was preempted and there is a challenge to it, and the City does not drop the ordinance within 30 days after receiving the notice, The City could be liable for attorney fees. The Firefighter Cancer Presumption Bill passed. She noted there was a strong correlation between firefighters and certain cancers. The bill would cover cancer treatment at no cost to the firefighter, who can get a one-time cash payout of $25,000.

Senator Berman commented the Legislature passed a $91 billion budget. The Governor has the budget and several vetoes are anticipated. Senator Berman nominates a bill each year as the most trivial or frivolous. This year's nomination for most frivolous bill was if you buy a lottery ticket, it has to contain a warning "gambling can be addictive." She thanked the Commission for the opportunity to speak. She commented her office is on I-95 and Gateway.

Commissioner McCray announced the Sun Sentinel showed all the accidents occurring from scooters. He thought they are very dangerous and the City must be cognizant of what passes.

B. Representative Al Jacquet will provide a post-legislative update.

Representative Al Jacquet congratulated Commissioner Romelus and Vice Mayor Katz on their reelection. He commented his district encompasses Delray Beach, Boynton Beach, Lantana, Lake Worth, West Palm Beach, Mangonia Park, Riviera Beach and Lake Park. It is a very stretched out District and citizens pack whatever they want to pack in the District. The issues he focuses on is economics, economic development and tax policies. He disagreed with throwing money at problems and assuming it will change the outcome. The Legislature increased funds for schools, but it has not produced better results. He found it troubling and absurd that Tallahassee would allow teachers to have guns in school. He questioned if hiring more police officers solves community issues. He supports parental involvement. If the minimum wage is raised to $15 an hour, mothers can stay home and children can be supervised. If the Legislature can lower the business tax receipt for small businesses, a hairdresser can hire someone. If the Legislature enacts good economic policies, the City will a change. He did not believe allowing guns in schools would stop the killings. He noted there were 167 killings in his district that did not occur in schools. The Legislature is afraid to ban weapons. The State funded certain projects and enacted some good measures, but fell short of taking care of the little people. He was disappointed as an elected official when they remain quiet on business tax reduction, but say the State is broke if a tax reduction for residents is proposed. The key is empowering parents and students. He commented Amendment 4 was shameful. The individual who sponsored the amendment thought the people were misled and the language was not clear. More people voted for the amendment, than for the governor. He was disappointed there was no nexus. Amendment 4 was on the ballot in 2018 that gave voting rights to released felons. He asked how someone's voting rights could be revoked because of a felony. He questioned why the Legislature is not taking away their rights to be married, religion, or freedom of speech. Amendment 4 passed, but the Legislature added language to complete all terms, including incarceration, probation, and parole. By saying all terms, it is interpreted to mean all fines, fees and restitution. The person you owe can choose to allow someone to work off restitution or make them pay it. South Florida has over $1.3 billion in fines and fees. Many of those individuals will buy back their right to vote.

Commissioner McCray was glad Representative Jacquet was present as Representative Jacquet's constituents were asking where their State Representative was.

C. Quarterly update by Laura Lansburgh, Marketing Manager, about the City's Census Marketing Efforts over the past quarter.

Laura Landsburgh, City Marketing Manager, gave an update on the City's marketing efforts commencing April 1st with the Census. Ms. Landsburgh explained the City would

receive $1,600 for each person in the City over a 10-year period. The City wants to count as many people as possible. The City collaborated with Palm Beach County and the US Census Bureau and was tapping into their resources and incorporating their logos on as much marketing materials as possible. A flyer was viewed. Since April, staff attended several national and local meetings including webinars with Palm Beach County. Staff has met internally every month with the Census team comprised of staff members from each Department. Printed flyers were distributed at City facilities and at least five events since April. The Census logo was included on the water quality report, *Funfare* magazine, the Senior Center Quarterly Newsletter and on City envelopes. The goal is to put the logo on as much as possible until April 1, 2020, which is Census Day. Staff was creating community lists to contact all segments of the City and are creating a list of the businesses in the area. Team members are identifying organizations to help the City reach out to the community. The next step is to create a complete count committee. Staff will use billboards on I-95, direct mail in utility inserts in February, a Census video for social media and door hangers/postcards they can bring to different events and to use in hard to count areas. There will be social media giveaways and themed workshops to ensure children are counted. There will be a workshop at the Senior Center with an ASL interpreter. On October 1st, staff will do a Facebook live event with an ASL interpreter. The Complete County Committee will be a key component in the City's marketing effort to spread the word. The Palm Beach County School Board is part of the effort, and staff is honing in on preschools and charter schools, realtors, churches, to help communicate the message how important it is to respond to the Census.

D. Announce the City of Boynton Beach's 4th of July event by Eleanor Krusell, Public Communications & Marketing Director.

Ms. Krusell noted that the 4th of July event would be held at Intracoastal Park from 6:30 to 9:30 p.m. The event will focus on coastal communities and all activities will face the waterfront. A hydro-flight will start the event. There will be a main stage area, music and five food trucks The City will have coastal themed activities for children. Instead of having rock climbing and youth waiting on line, all of the activities will be under the large pavilion and will include art oriented and community engagement activities that youth can take home. The City was working with Debbie Majors to provide opportunities for special needs micro enterprises to work with youth to paint canvases of fish they can take home. They will have a small fishing pond where youth can catch magnetic fish and win a prize. Staff will center the event around coastal communities. Fireworks were from Zambelli International. Ms. Krusell noted the event is one of the larger shows in Palm Beach County. Parking is limited and the City added three more buses. Pick up will occur at City Hall at Quantum Park, as there are 260 spaces there and Journey Church as they have 160 parking spaces. There will be ride sharing at the Shell station for those using Uber and the public was encouraged to follow the event on Facebook and Twitter. Attendees were also encouraged to bring chairs and blankets. The City will provide benches and small round tables with umbrellas. She hoped all would attend.

E. Announce the Budget Workshops for 2019/20 proposed budget:

Budget Workshops at Intracoastal Park Clubhouse;
Monday, July 15, 2019 @ 5:00 P.M.
Tuesday, July 16, 2019 @ 10:00 A.M.
Wednesday, July 17, 2019 @ 2:00 P.M. (If needed)

Mayor Grant read the item aloud.

F. Announce the Initial Participants in the City of Boynton Beach Pilot Green Business Recognition Program by Rebecca Harvey, Sustainability Coordinator.

Ms. Harvey announced she appeared before the City Commission in March for the launch of the Pilot Green Business Recognition Program that now has four restaurants that are certified as City of Boynton Beach Green Businesses. The program strikes a balance between structure and flexibility. She advised the restaurant must complete four required actions and at least five voluntary actions in the categories of waste reduction and recycling, energy and water conservation and general green practices and then share the results with the City. After completing the application, staff verifies the applicant met their commitments and the business is issued a City of Boynton Beach Green Business Decal. The businesses are recognized on the Go Green Boynton Beach website, the City's social media platforms, and the businesses and program are both promoted at Earth Day events, including the Hurricane Expos, Rock the Marina and the Lionfish Derby. The four certified green businesses are: Del Sol Bakery, Driftwood, Benvenuto, and Anzo Mediterranean Kitchen, formerly known as Chickpea. Ms. Harvey encouraged the community to patronize the restaurants and thank them for their efforts to be more sustainable.

The program is going well. There are a lot of one-on-one visits and working individually on specific issues.

G. Proclaim June 21, 2019 as Lifeguard Appreciation Day.

Mayor Grant read the Proclamation announcing June 21, 2019 as Lifeguard Appreciation Day. Present to accept the proclamation was Wally Majors, Recreation and Parks Director. He recognized Crystal Quesda who is a certified lifeguard and Water Safety Instructor and as such, she can train others to be lifeguards. He was proud to have her as a member of their team.

Crystal Quesada, Aquatics Supervisor, was proud to work for the City. The City offers swim lessons for the very young aged 6 to 12 months. June and most July is already full. There are openings in August. The City received a $5K grant, which provided 125 free swim classes to the community. The City has water aerobics offered twice a day at 9 a.m. and 5:15 p.m. Tuesday through Saturday. The City has 10 junior lifeguards this year, which is similar to an apprenticeship resulting in becoming certified and receiving

certificates for serving as Junior Lifeguards. Commissioner Romelus appreciated Ms. Quesada's level of dedication.

H. Proclaim June as Pride Month. the following people will be present to accept the proclamation: Allan Hendricks, Equality Florida; Julie Seaver, Compass Gay and Lesbian Community Center, Lake Worth; Meredith Ockman, Palm Beach County National Organization for Women; Nicolas Capolla, Florida LGBT Democratic Caucus; and Daniel Sohn.

Mayor Grant read the proclamation announcing June as Pride Month.

Allan Hendricks, 122 SE 4th Avenue, was proud to be a member of the City and community. He noted it was the 50th Anniversary of the Stonewall Riots in New York. The riot occurred 50 years ago when the Lesbian Gay Bi and Transgender (LGBT) community decided they will no longer stand for institutionalized discrimination against their community. The riot lasted three days. Since then they have made great strides for equality for all. He appreciates Boynton Beach and other cities in Palm Beach County, Broward, and Dade that have stood up and honor all people. He thanked the City Commission on behalf of the entire community for the Proclamation.

Daniel Sohn wanted the record to reflect he was accepting the Proclamation as Vice President for the Floridians for Equality and Justice Coalition, who is leading the effort to ratify equal rights amendments for Florida to be the 38th State and leading the vote to pass the Competitive Work Force Act. He thanked the City for recognizing the LGBTQ community. He thanked the Mayor for recognizing all the different groups of individuals via Proclamation. He wished more cities would be like Boynton Beach. On behalf of his organization, he thanked the City for the proclamation.

Mayor Grant spoke on behalf of Julie Seaver and announced Compass is having its Annual Stonewall Ball at the Harriet Himmel on Saturday. The VIP portion will take place from 7 p.m. to 9 p.m. and a dance party thereafter. Information is on website.

I. Proclaim June 27, 2019 as National HIV Testing Day. A representative from FoundCare will be present to accept the proclamation.

Mayor Grant read the Proclamation announcing June 27, 2019, as National HIV Testing Day.

Sheila Evans and Quentin Dames, FoundCare thanked the City Commission for the proclamation. She told of the mission of the organization, which has offices in Belle Glades, Delray Beach, North Palm Beach, and West Palm Beach. The organization provides treatment and education, nurse care coordination, direct emergency financial and housing assistance and referral, food programs, outreach and referral, primary medical care, primary case management, medical transportation and health care insurance. Quentin Dames. Explained the prevention department's mission is to provide

and promote education, advocacy and compassion to individuals and families affected and infected by HIV in Palm Beach County. They provide free confidential rapid HIB antibody testing and counselling services. They also provide services at substance abuse centers, soup kitchens, recreational centers, transitional housing programs, university campuses, community centers and churches. They provide outreach and education on HIV and HCV rapid testing preventative medications, linkage programs, volunteer opportunities and a drop in center. They left brochures.

Commissioner Romelus commented as a Haitian American, Haitians were blamed for the disease in the 1980's. She was glad the thoughts progressed. The disease can affect all. She thanked the Mayor for the Proclamation and FoundCare for their work.

4. PUBLIC AUDIENCE

INDIVIDUAL SPEAKERS W ILL BE LIMITED TO 3 MINUTE PRESENTATIONS (at the discretion of the Chair, this 3 minute allowance may need to be adjusted depending on the level of business coming before the City Commission)

Bernard Wright, Bernard Wright Ministries, distributed a copy of a petition about the Denson Pool. He thanked the staff who was working to improve things in the spirit of a better Boynton Beach. He commented the community submitted a petition in 2016 regarding the hours of the pool and the $1 fee. An agreement was reached in August 2016 regarding a schedule. It was resolved that in the summer from June to August, while youth were out of school, the pool hours would be from 10 a.m. to 5 p.m. During the remaining months, Tuesday through Friday, the hours were 2:30 p.m. to 5 p.m. and on Saturday, the hours were 10 a.m. to 5 p.m. Staff recommends during December or January, the pool was used exclusively for swim lessons and swim team practices. He commented he was instrumental in addressing this issue. On June 7th he went to the pool. An incident happened on June 6th and he witnessed staff was reducing the pool hours from 5 p.m. to 4 p.m. The hours also went down from 1 p.m. to 10 a.m. in the morning. Minister Wright wanted to know if anyone in the City had the authority to make a decision contrary to a Commission action because the pool hours are changed. Mayor Grant advised staff had the ability.

Brian Fitzpatrick, 409 NE 1st Street, commented there is a lot of public interest to abolish term limits. He thought it would be helpful and good for the City and he requested it be put on the ballot and let the people decide.

No one else coming forward, Public Audience was closed.

5. ADMINISTRATIVE

A. Appoint eligible members of the community to serve in vacant positions on City advisory boards.

Motion

Commissioner McCray moved to appoint Bryan Pascual as an alternate on the Arts Commission. Commissioner Romelus seconded the motion that unanimously passed.

Motion

Commissioner Penserga moved to appoint George Feldman as a regular on the Library Board. Commissioner McCray seconded the motion that unanimously passed.

Motion

Commissioner Romelus moved to appoint Tim LItsch as a regular member of the Planning and Development Board. Commissioner McCray seconded the motion that unanimously passed.

B. Mayor is travelling to Italy in July and requests authorization to travel in official capacity as Mayor as he is intending to visit a potential new Sister City. He will not be expending any city funds.

Mayor Grant commented he would like to represent the City on this trip in the same way he has done before and he needed Board approval to go. Commissioner Penserga asked if he would sign any documents and learned he would not, but he may bring a new sister cities agreement back. Farindola is an Italian town, 100 miles northeast of Rome. They have a big international arts festival in July and one of the City's artists was selected to be part of the festival. He thought it was a great way for our community to learn about other communities in the world and the two cities can share ideas about Art in Public Places.

Motion

Vice Mayor Katz to approve. Commissioner Romelus seconded the motion.

Commissioner McCray queried how many Sister Cities the City has. He was aware the first Sister City was Qu Fu, China and he asked if the City was just gathering Sister Cities. He inquired what the City was giving to our Sister Cities and vice versa. Mayor Grant commented the City has received art from all Sister Cities for the art contests the organization has. The purpose of the program is to broaden the horizon of the residents. The City has sister Cities in China, Haiti and Finland. When Mayor Grant participated in the Read for the Record, he spoke to students about Finland and students did not even know Finland was a country. A delegation from Rauma Finland came to the City. It is an exchange of culture, education and economics. The City has been involved with the organization for ten years. He thought an Italian Sister City would improve Sister City membership and broaden horizons. Commissioner McCray requested receiving a list of the names of the sister cities and the year they became Sister Cities.

Vote

The motion unanimously passed.

6. CONSENT AGENDA

Matters in this section of the Agenda are proposed and recommended by the City Manager for "Consent Agenda" approval of the action indicated in each item, with all of the accompanying material to become a part of the Public Record and subject to staff comments

A. Approve the one-year extension for RFPs/Bids and/ or piggy-backs for the procurement of services and/or commodities as described in the written report for June18, 2019- "Request for Extensions and/or Piggybacks.

B. **PROPOSED RESOLUTION NO. R19-064** - Authorize the Florida Department of Transportation to proceed with the design, construction, and administration of the Boynton Beach Boulevard Complete Streets Project, between NW 3rd Street and Federal Highway (US 1).

C. **PROPOSED RESOLUTION NO. R19-065** - Authorize the City Manager to enter into a five (5) year agreement with Right Choice Vending Coffee LLC for the installation and service of vending machines throughout City facilities. This is a Revenue Generating Contract.

D. **PROPOSED RESOLUTION NO. R19-066** - Authorize the City Manager to sign a letter of agreement with The Merchant Strategy, Inc. to provide public outreach and informational services for the Central Seacrest Corridor - Phase 2 Neighborhood Improvements project in the amount of $32,800.

E. **PROPOSED RESOLUTION NO. R19-067** - Authorize the City Manager to sign a letter of agreement with The Merchant Strategy, Inc. to provide public outreach and informational services for the Dimick Road and Potter Road (Lakeside Gardens) Stormwater and Water Main Improvements project in the amount of $34,912.50.

F. **PROPOSED RESOLUTION NO. R19-068** - Authorize the Mayor to sign Change Order #3 for $70,000 to Straticon, Inc. for Boynton Beach Cultural Center construction for additional designservices for additional storage rooms and space in the re-purposed historical building.

G. Accept the written report to the Commission for purchases over $10,000 for the month of May 2019.

H. Approve the minutes from City Commission meeting held on June 4, 2019.

Motion

Vice Mayor Katz moved to approve the Consent Agenda. Commissioner McCray seconded the motion that unanimously passed.

7. CONSENT BIDS AND PURCHASES OVER $100,000

A. Approve an increase of $175,000 to the existing bid ANNUAL SUPPLY OF ORIGINAL EQUIPMENT MANUFACTURER (OEM) SERVICE AND PARTS FOR MEDIUM/LARGE AND HEAVY DUTY VEHCILES AND EQUIPMENT, # 076-1412-17/MFD. This will bring the estimated total annual expenditure to $430,000.

B. Approve an increase of $125,000 for the purchase of Water Meters and Equipment with Sensus Metering Systems for the maintenance and replacement of water equipment for the City's Utility Metering System increasing estimated annual expenditures to $300,000 to be ordered on an as needed basis.

C. Approve the Bid Award for "ANNUAL SUPPLY OF AFTERMARKET AUTOMOTIVE PARTS, ACCESSORIES AND SUPPLIES" Bid # 031-1412-19/MFD to the following two (2) companies: Vehicle Maintenance Program and Genuine Parts (Napa) on a primary and secondary basis to the lowest, most responsive, responsible bidders who met all specifications with an estimated annual amount of $155,000.

D. Approve the Bid Award for "CITYW IDE PAINTING SERVICES - PRE-QUALIFIED POOL" Bid # 013-2511-19/IT to the following two (2) companies: All Counties Painting of Davie, FL and J&J Eagle Painting of Sunrise, FL as the lowest, most responsive, responsible bidder who met all specifications for a rotational basis on individual projects not to exceed $100,000.

Motion

Vice Mayor Katz moved to approve. Commissioner McCray seconded the motion that unanimously passed.

8. PUBLIC HEARING

7 P.M. OR AS SOON THEREAFTER AS THE AGENDA PERMITS

The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.

A. **PROPOSED ORDINANCE NO.19-018 - FIRST READING** - Approve proposed code language implementing CRA Plan-Group 4 (CDRV 19-003) - Amending the LAND DEVELOPMENT REGULATIONS: (1) Chapter 1. General Administration,

Article II. Definitions, Article III. Relationship to Comprehensive Plan, and Article IV. Redevelopment Plans; and (2) Chapter 3. Zoning, Article III. Zoning Districts and Overlay Zones, to continue implementation of revisions related to modification of the future land use categories and to other recommendations of the Community Redevelopment Plan, including creation of the Cultural District and Boynton Beach Boulevard Overlays and Chapter 4 site development standards, correcting references to overlays. Applicant: City-initiated.

Attorney Cherof read Proposed Ordinance No. 19-018 by title only on First Reading.

Amanda Bassiely, Planner, explained the revisions correct inconsistencies between the CRA Redevelopment Plan and the City's Land Development Regulations. Staff categorized the revisions in five different areas. Three updates create three overlay areas: the MLK Jr. Boulevard Overlay, the Boynton Beach Overlay and the Cultural District Overlay. Staff added two additional definitions used in the CRA Plan and not in the City's Code, which was also revised.

The Boynton Beach CRA Redevelopment Plan was adopted in 2016. The last section of the plan was an implementation guide, which helped address inconsistencies and have them adopted into the City Code. The item covers the adoption and revision of the Ocean Avenue and the Boynton Beach overlays. Overlays are geographically specific and is a planning term to create a district. The MLK Jr. Boulevard already exists and it was updated. It is the area between Seacrest Boulevard and the railroad tracks and goes on block deep on both sides of MLK Jr. Boulevard. The Cultural District is an update of what used to be the Ocean Avenue District and it is from Seacrest Boulevard to the railroad tracks and from NE 2st Avenue to SE 2nd Avenue. The third overlay is new. It is from 95 to the railroad tracks and is one block deep on both the north and south side of Boynton Beach Boulevard.

If there is conflict between the underlying zoning district and the overlay, the overlay will take precedent. The biggest section in the overlays are the modified buildings and site regulations. It covers items such as lot areas, frontage, and pedestrian zones and the scale and height. The pedestrian zone is contained in the CRA Plan, and this Ordinance will codify the provisions in the Land Development Regulations. There are three components to the pedestrian zone. The first is street trees, sidewalks vary between eight and 10 feet and then an eight-foot active area. The first items are always required and third provision depends on where they are in the overlay. The areas are mixed use and commercial areas. In residential areas, they are more of a design influence. Buildings will front the street, and the provision will allow for landscaping and front yards in front of the building. This will overlay having buildings right up onto the right-of-way.

The provision caps the height on Ocean Avenue at 35 feet and the height must be maintained 30 feet deep. The overall height is regulated by Zoning District. Height in the Boynton Beach Overlay District is also regulated by the Zoning District, but there are

areas where the height is capped at 45 feet and the height must be consistent for at least 10 feet deep.

Building design has three components, which are building orientation to ensure the buildings face the streets, finished finial requirements, which are glazing windows and wall articulation. Mayor Grant asked if there are any subjective views to any of the changes. Ms. Bassiely explained there is relief provided in the same way as they have with existing design standard. Applicants, if they meet the intent of the Code, and not the letter of the Code can apply for a deviation.

Motion

Commissioner McCray moved to approve. Commissioner Penserga seconded the motion. Deputy City Clerk Nieves called the roll. The vote was 5-0.

B. Approve request for Conditional Use and Major Site Plan Modification (COUS 19-001 / MSPM 19-006) for 7-Eleven, Inc., to allow redevelopment for a new 2,540 sq. ft. convenience store, a 3,096 sq. ft. gas station canopy, six (6) pump stations, and related site amenities and improvements on a 0.84 acre parcel located at 4798 N. Congress Avenue, in the C-3 (Community Commercial) zoning district. Applicant: Grant Distel, 7-Eleven, Inc. The Planning and Development Board reviewed this item at its May 28th meeting and, with a unanimous vote, forwards it with a recommendation for approval.

Attorney Cherof administered an oath to all those intending to testify.

Josh Long, AICP, Gunster Law Firm, 777 S. Flagler Drive, West Palm Beach, and Brian Seymour, Attorney were present. Mr. Long explained the application was approved by the Planning and Development Board. He explained 7 Eleven is on a nationwide campaign to change their store models as convenience stores have changed over the last twenty years. An aerial of the subject site was viewed. his site has a car wash, which will be removed and is not part of the application. The building is a simple box having no architectural elements, no landscaping, and minimal parking. The plans will update it to a modern store. A layout for the store was viewed. Ingress and egress was revised to Palm Beach County traffic standards and the fuel canopy is on the west side of the property. The one-way exit into an adjacent outparcel on the northeast corner will be revised as part of the application. Mr. Long requested approval of the plan.

Commissioner McCray noted there are other 7 Eleven's in the City and asked what would be done with those stores.

Eric Lavoria, 7 Eleven Real Estate Representative, explained 7 Eleven has a redevelopment plan as the company has been around for 65 to 70 years and there are many older stores. They have a plan for to install new beverage bars, newer coffee standards, and fresher food service offerings to meet the prototype for their newer stores.

There is a plan to update stores but he did not have a time period. Commissioner McCray asked staff how many gas stations there were on Congress Avenue from the Delray line to Hypoluxo. Ms. LaVerriere will get the information. Commissioner McCray favored the project, but he did not want to overdo gas stations. Ed Breese thought between there were four to six. It was noted the gas station was not a new gas station. They were replacing a gas station. Brian Seymour explained sometimes 7 Eleven co brands with other gas companies.

Motion

Commissioner Romelus moved to approve. Commissioner McCray seconded the motion.

Mayor Grant requested 7 Eleven get a letter from Palm Tran to see if it was feasible to move a bus stop to the location. Mr. Long noted this location has a turning lane, which would not accommodate a bus shelter there. He pointed out 7 Eleven does pair up with Palm Tran to have bus stops at their properties because it is good for business and he further agreed to contact Palm Tran. Mayor Grant noted the landscaping plans, but they did not get a list of trees or shrubs. He pointed out the City is pushing for butterfly plans. Mr. Seymour commented if staff provides the species of landscape plants needed, they could add them. If they can provide staff with the species. They can incorporate them. Mayor Grant asked if they will have a solar canopy and learned they could not at this location due to the small site and the trees.

Commissioner Penserga asked what security features they have. Mr. Seymour commented they are working with staff to increase lighting under canopy to meet the Crime Prevention Through Environmental Design (CPTED) standards. All 7 Elevens have closed captioning with high definition TV in the stores and 7 Eleven teams up with police and sheriff departments to have officers frequent the store and write their reports to have a presence. All new stores will have new security features built into them.

Vote

That unanimously passed.

C. **PROPOSED ORDINANCE NO. 19-019 - FIRST READING** - Approve amendments to the Land Development Regulations, Chapter 4, *Site Development Standards*, creating a new *Article XII entitled "Fertilizer Use Regulations" to create regulations requiring proper application of fertilizer to protect water bodies. Applicant: City-initiated.

City Attorney Cherof read Proposed Ordinance No. 19-019 by title only on First Reading.

Colin Groff, Assistant City Manager, explained the National Pollution Discharge Elimination System Permit the City has with the County requires the City to have the regulations in place to control the use and access to fertilizers. This is standard language from the State the permit requires them to implement.

Motion

Commissioner Romelus moved to approve. Commissioner Penserga seconded the motion.

Commissioner Romelus asked if this was a way to improve and protect waterways and learned it was. The rules are designed to prevent fertilizer from running into open waters. Mr. Groff reviewed a brief presentation.

Vote

Deputy City Clerk Nieves called the roll. The vote was 5-0.

9. CITY MANAGER'S REPORT

A. Presentation of Building Wealth in the Community Strategy including Local Business Spending for City Surtax Projects, Sara Sims, and Town Square Development by David Scott, Director of Economic Development & Strategy.

David Scott, Director of Economic Development and Strategy, explained building wealth focuses on every development, redevelopment construction project to maximum the expenditure and investment in the City's local communities. He reviewed a PowerPoint on how the City will move forward with the strategies and report on different projects and initiatives around the strategies and if they are successful or not in the City. Mark Heferin E2L was present to talk about the town Square portion of the presentation and Andrew Mack, Director of Public Works and Engineering will discuss the City's Surtax projects and Sara Sims Park. Building wealth in a community takes a view of how to support local business preferences, engage local communities to a deeper degree and focus on different strategies on workforce development. As local businesses grow, they will expand within the City and hire locally. Targeted procurement focuses on supporting local businesses first so they will continue to grow.

The Local Business Preference Policy was implemented a year ago which allows them to look at bid projects and responses to proposals. If local businesses respond within five percent, five points or within $5,000, the City can award the project to a local business. The City also reviewed strategies regarding procuring local businesses and understand an intermediary and a champion who can be the project manager. The project manager can review different strategies such as targeted recruitments who can break up projects into smaller components so smaller businesses can compete. Targeted recruitment can review how the City procures. If a project is under a certain threshold, the City can solicit

three quotes to focus on three local businesses who could then respond to a bid. The City has used job fairs, such as those held for Sara Sims and the Town Square. Social media was used as was direct contact to ensure they are aware a bid has been issued. In the future, the City will hold more workshops around local business development. Mr. Scott spoke with Sherry Johnson about an upcoming Career Fair and he anticipates a partnership would be formed.

The Commission requested reviewing how much the City spent on local businesses for City projects, which was over $2.8 million. Less than 1% was spent on City projects. About 9% was spent on local businesses participating in improvements from the Surtax Fund, and the Town Square calculated to about 3.5%.

Commissioner McCray inquired if he was a contractor and his proposal did not meet City standards if the City contacts the contractor to advise why they were unsuccessful to improve their chances to be awarded another bid. Mr. Scott responded they have not yet done so and he agreed follow up was needed. He pointed out it was used with the Town Square and it was successful.

Andrew Mack, Director of Public Works, reviewed key findings with the surtax projects. He advised staff had a lot of success implementing local preferences in single trade contracts, such as electrical or fencing repairs or supplies. The City achieved about 9.9% local spending. Local contractors used were Davco Electric, TJ Bowles Electric, Alpha Fence, Allied Fence and City Electric Supplies. Multiple trades are more difficult because the City does not have many vendors that bid on the smaller projects. As to Sara Sims, staff did reach out to many local vendors and broke the project down into single trades, but the single trades staff contacted were too busy to bid. Staff reached out to trades through the internet and community contacts to try to follow up with bids.

Staff will work on mentoring businesses to partner some of the smaller contractors with the larger ones to ensure they will get work as well. Commissioner McCray commented the Sara Sims project fell behind due to lack of local contractors. He asked how long staff would delay the project. Mr. Mack explained for a project like Sara Sims, staff writes the schedule up front, and it gets to the point when it starts to affect the schedule, they have to make a decision to move forward. In some of those cases, they used a minor construction bid which are four, pre-qualified contractors for the restroom and the pavilions. Ms. LaVerriere explained maintaining a balance was the key. The City had plans, broke it down, and by the time they were done, 10 individually bid trades, the staff time, procurement time took about a good four months. They tried to find a local vendor. The local business preference is in its first year and staff will have to decide when it is not feasible or practicable to accomplish something.

Mark Hefferin, Master Developer for the Town Square development, explained the City has five different projects, which are the Old High School, the Police Headquarters, the District Energy Chiller, the City Hall/Library and the related site work. The Fire Station is a separate project that is tied in to the Town Square development. They are at 14% of

the overall purchase. The term total spent means total purchase to date. Nearly 50% of the Police Station project is being built by local Boynton Beach contractors, suppliers or laborers. He noted many municipalities have many mandates, such as Broward County having a 30% mandate on their new convention center. It is a big challenge, especially for a City that does not have resources. He noted the initiative is a long-term proposal for the City. It adds wealth to the community, but it is training and keeping staff and businesses growing. Mr. Hefferin was aware the private developer, John Markey and E2L agreed to continue the program beyond City spend, it is also the private developer spend. The Town Square project started three years ago, and they helped write the business plan for Building Wealth. The project is coming in under budget. They are on budget and on schedule.

Sophia Nelson introduced Karizma Adams who was assisting Ms. Nelson in putting the City back to work.

Karizma Adams explained she works in the area of community outreach to increase local participation for the project. One of her tasks is to reach out to community organizations in Boynton, looking for referrals by searching through the City's Business Tax Receipts. They contacted Connect 2 Greatness because one objective is to identify local contractors who could work on the Town Square project. Connect 2 Greatness referred her to Michael Evans, of Evans Air. She contacted him in August last year and learned he was not able to bid at the time because the largest scope of work he had completed was not high enough. She asked him to collaborate with him throughout the duration of the project and Mr. Adams agreed. She sent him to their bonding partner. Mr. Adams was not able to secure bonding due to some issues, which were addressed and they connected two months ago. The largest scope of work Mr. Evans was able to handle was $70,000. In august, he was pre-approved for $400K and can now bid on future opportunities.

Michael Evans, Evans Air thanked the City Commission for the work. Staff did reach out to him and Ms. Adams followed up with him around three times. In the past, he did projects for the government, but he was always the sub-contractor. Now through their program, he could grow his business because now he could bid on the jobs directly.

Mr. Scott explained Mr. Evans was an example of building wealth and the program should provide wrap around services for businesses that need support. Mr. Evans can now bid on other projects anywhere.

Commissioner Romelus would like a list of other vendors helped similarly as Mr. Evans. Mr. Scott agreed. He commented many had challenges and a few went through the process.

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS - None

12. LEGAL - None

13. FUTURE AGENDA ITEMS

A. Department to give brief presentation of their operations:

Development - **July 2019**
Library - **September 2019**

B. Staff to review Development Department's plan review processes to identify efficiencies and technologies to assist with timely review of plans/projects - **July 2019**

C. Dorothy Jacks, PBC Property Appraiser to address the Commission - **August 6, 2019**

D. Staff to present updated Social Media Policy - **August 20, 2019**

E. The Mayor has requested a discussion of possible changes to Seacrest Corridor zoning and land use including expedited permitting – **TBD**

14. ADJOURNMENT

Motion

There being no further business to discuss, Vice Mayor Katz moved to adjourn. Commissioner McCray seconded the motion that unanimously passed. The meeting adjourned at 8:48 p.m.

(Continued on next page)

CITY OF BOYNTON BEACH

_____
Mayor - Steven B. Grant

_____
Vice Mayor – Justin Katz

_____
Commissioner - Mack McCray

_____
Commissioner – Christina Romelus

_____
Commissioner – Ty Penserga

ATTEST

_____
Queenester Nieves
Deputy City Clerk

_____
Catherine Cherry
Minutes Specialist

CITY OF BOYNTON BEACH AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
PROPOSED ORDINANCE NO.19-018 - SECOND READING - Approve proposed code language implementing CRA Plan-Group 4 (CDRV 19-003) - Amending the LAND DEVELOPMENT REGULATIONS: (1) Chapter 1. General Administration, Article II. Definitions, Article III. Relationship to Comprehensive Plan, and Article IV. Redevelopment Plans; and (2) Chapter 3. Zoning, Article III. Zoning Districts and Overlay Zones, to continue implementation of revisions related to modification of the future land use categories and to other recommendations of the Community Redevelopment Plan, including creation of the Cultural District and Boynton Beach Boulevard Overlays and Chapter 4 site development standards, correcting references to overlays. Applicant: City-initiated.

EXPLANATION OF REQUEST:
The Boynton Beach CRA Community Redevelopment Plan was adopted on October 4th, 2016. The Plan recommended significant changes to the structure of the future land use (FLU) classifications, defined 6 (six) new CRA districts and introduced district-specific design standards. The City's Comprehensive Plan was amended accordingly, and staff embarked on comprehensive revisions to the Land Development Regulations (LDRs).

The subject LDR amendments follow the first set of revisions (adopted in 2017); the modifications would affect Chapters 1, 3 and 4. The most significant changes are proposed for Chapter 3. Zoning, which contains zoning definitions and related building and site regulations (Article III. Zoning District and Overlay Zones). Amendments to Chapter 3 include the addition of two new overlays: the Cultural District Overlay (CDO would replace the existing Ocean Avenue Overlay District), and the Boynton Beach Boulevard Overlay (BBBO). Also proposed are changes to the existing Martin Luther King Jr. Boulevard and the Urban Commercial District overlays, reflecting the design standards of the Heart of Boynton and the Federal Highway Corridor Districts established by the CRA Plan. The remaining revisions to Chapter 3 would correct outstanding inconsistencies in its narrative and tables containing zoning district-specific building and site regulations.

Two new definitions are proposed, for *Usable Open Space* and *Active/Commercial Uses on Ground Floor.* Both would provide more clarity to requirements supporting the CRA Plan's goal of creating an urban, pedestrian-friendly environment.

The Planning and Development Board recommended approval of the subject request on May 28, 2019.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? No impact on programs or services

FISCAL IMPACT: No fiscal impact

ALTERNATIVES:
No alternatives recommended

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION: N/A

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION: N/A

Is this a grant? No

Grant Amount:

ATTACHMENTS:

	Type	Description
	Ordinance	Ordinance - CRA Plan Group 4 Amendments
	Attachment	Staff Report
	Exhibit	Exhibit A. CRA Plan FLU Recommendations
	Exhibit	Exhibit B. Chapters I_III_IV
	Exhibit	Exhibit C. Chapters 3 and 4 Zoning_Site Development

ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA AMENDING LAND DEVELOPMENT REGULATIONS CHAPTER 1, GENERAL ADMINISTRATION, ARTICLE II. DEFINITIONS, ARTICLE III. RELATIONSHIP TO COMPREHENSIVE PLAN, AND ARTICLE IV. REDEVELOPMENT PLANS; CHAPTER 3. ZONING, ARTICLE III. ZONING DISTRICTS AND OVERLAY ZONES, TO CONTINUE IMPLEMENTATION OF REVISIONS RELATED TO MODIFICATION OF THE FUTURE LAND USE CATEGORIES AND TO OTHER RECOMMENDATIONS OF THE COMMUNITY REDEVELOPMENT PLAN, INCLUDING CREATION OF THE CULTURAL DISTRICT AND BOYNTON BEACH BOULEVARD OVERLAYS; AND CHAPTER 4, SITE DEVELOPMENT STANDARDS, CORRECTING REFERENCES TO OVERLAYS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Boynton Beach CRA Community Redevelopment Plan was adopted by the City Commission on October 4, 2016 and is now being implemented through incremental amendments to the Comprehensive Plan and Land Development Regulations; and

WHEREAS, these proposed amendments primarily involve the future land use (FLU) and zoning district schemes including the merging of certain future land use classifications and zoning districts, establishment of a new future land use classification and zoning district and minor changes to the titles of the mixed use future land use classifications and corresponding zoning districts; and

WHEREAS, staff proposes the attached amendments to continue implementing the CRA's new Community Redevelopment Plan and to support continued quality development and redevelopment of the downtown and remaining CRA area; and

WHEREAS, the City Commission has considered the recommendations and has determined and finds that it is in the best interest of the citizens and residents of the City of Boynton Beach, Florida to approve the amendments to the Land Development Regulations as contained herein.

33 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**

34 **THE CITY OF BOYNTON BEACH, FLORIDA, THAT:**

35 **Section 1.** The foregoing whereas clauses are true and correct and are now ratified and

36 confirmed by the City Commission.

37 **Section 2.** The Land Development Regulations of the City of Boynton Beach Code

38 of Ordinances is hereby amended as reflected in Exhibits "B" and "C" respectively attached

39 hereto and incorporated herein.

40 **Section 3.** Each and every other provision of the Land Development Regulations not

41 herein specifically amended, shall remain in full force and effect as originally adopted.

42 **Section 4.** All laws and ordinances applying to the City of Boynton Beach in conflict

43 with any provisions of this ordinance are hereby repealed.

44 **Section 5.** Should any section or provision of this Ordinance or any portion thereof

45 be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the

46 remainder of this Ordinance.

47 **Section 6.** Authority is hereby given to codify this Ordinance. The City Clerk is

48 directed to work with the Land Development Regulations publisher to consolidate this ordinance

49 and the exhibit for publication.

50

51 {Remainder of page intentionally left blank}

52

Section 7. This Ordinance shall become effective immediately.

FIRST READING this ___ day of _____, 2019.

SECOND, FINAL READING AND PASSAGE this _____ day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	_____	_____
Vice Mayor – Justin Katz	_____	_____
Commissioner – Mack McCray	_____	_____
Commissioner – Christina L. Romelus	_____	_____
Commissioner – Ty Penserga	_____	_____
VOTE	_____	

ATTEST:

_____

Queenester Nieves
Deputy City Clerk

(Corporate Seal)

EXHIBIT B

Chapter 1. General Administration

Article II. Definitions

USABLE OPEN SPACE - Active or passive space designed as, 1) public spaces for the purpose of gathering/socialization, such as plazas, public squares, gardens, outdoor dining courtyards, enhanced pedestrian areas, etc. This area may also include public art easements.; and/or, 2) private space for the use primarily of the residents/occupants of the property, such as park space, gardens, courtyards, enhanced pathways with seating and shade structures, etc. This space does not include areas such as private/fenced courtyards, patios, or the like, of individual unit owners.

ACTIVE/COMMERCIAL USES ON GROUND FLOOR - Mixed use projects within urban mixed use zoning districts will meet ground floor ACTIVE/COMMERCIAL USE requirement by including commercial uses serving general public such as retail, restaurants, bars, entertainment, personal services, and live-work. Resident-only serving amenities such as lounges, gyms, common rooms, and recreation spaces may be included in addition to the above uses.

Residential-only projects within urban mixed use zoning districts will meet ACTIVE USE requirement by using design features—including street-fronting access—to allow residential use to engage with the street and provide the opportunity for interaction. Such features may be combined with building amenities such as lounges, gyms, common rooms, and recreation spaces on the ground floor.

Article III. Relationship to Comprehensive Plan; Sec.5 Future Land Use map (FLUM)
B. ***FLUM Classifications and Corresponding Zoning Districts (Table 1-1).***

Zoning Districts	LDR (7.5)	MeDR (11)	HDR (15)	SHDR (20)	OC	LRC	G C	MXL (20)	MXM (50)	MXH (80)	I	R	PPGI	DRI
R-1-AAB	x 5.5													
R-1-AA	x 5.5													
R-1-A	x 6													
R-1	x 7.5													
R-2		x ≤ 10												
R-3		x 11	*											
R-4			x 15											
IPUD		*	*	x										
PUD	x	x	x	x										
MHPD	x													
C-1					x									
C-2						x								
C-3						x								*
C-4							x							
CBD									x	x				
PCD					x	x	x							
SMU								x						x
MU-1								x						
MU-2									x					
MU-3									x					
MU-4										x				
MU-C										x				
M-1											x			
PID											x			x
REC												x		
PU													x	

Article IV. Redevelopment Plans

Sec. 1. General.

A. *Purpose and Intent.* The city's Land Development Regulations are intended to further the goals, objectives, guidelines, and recommendations of the adopted redevelopment plans.

B. *Identification of City's Redevelopment Plans.* Each redevelopment plan approved by the City Commission is hereby adopted by reference in these Land Development Regulations and identified as the following:

1. ~~Federal Highway Corridor~~Boynton Beach CRA Community Redevelopment Plan;
2. ~~Heart of Boynton Community Redevelopment Plan;~~
3. ~~Ocean District Community Redevelopment Plan; and~~
4. ~~Downtown Vision and Master Plan.~~

CHAPTER 3. Zoning

ARTICLE III. ZONING DISTRICTS AND OVERLAYS ~~ZONES~~

Sec. 1. Overview.

A. *General.* Pursuant to Chapter 1, Article III, Section 5.B., any given parcel of land in the city shall have a zoning district that corresponds with the ~~f~~Future ~~l~~Land ~~u~~Use ~~m~~Map (FLUM) classification of the Comprehensive Plan.

B. *Residential Building and Site Regulations (Table 3-1).*

RESIDENTIAL	R-1 AAB	R-1 AA	R-1 A	R-1	R-2 Duplex	R-3 Multi	R-4 Multi	IPUD	PUD	MHPD
Density (dwelling units per acre):	5	5.5	6	7.5	10	11	15	Flexible[10]	Flexible[10]	Flexible[10]
Project Area, Minimum (acres)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5+	10+
Lot Area per unit, Minimum (square feet):	9,000	8,000[8]	7,500	6,000	4,500	4,000[12]	4,000[12]	Flexible	Flexible	4,200
Lot Frontage, Minimum (feet):	90	75	60	60	75	100	100	Flexible	Flexible	N/A
Living Area, Minimum A/C (square feet):	1,800	1,600	1,400	1,200	750	750	650	Flexible	Flexible	N/A
Lot Coverage, Maximum:	45%	45%	45%	50%	40%	40%	50%	50%	N/A	N/A
Floor-Area-Ratio (FAR) for Non-Residential, Maximum:	N/A	N/A	N/A	N/A	~~0.10[4]~~ N/A	N/A	N/A	N/A	N/A	N/A
Structure Height, Maximum (feet):	30	30	30	30	25	45[6]	45	45[7]	45[6]	30
Building Setbacks, Minimum (feet):										
Front:	25	25	25	25	25	40	20	Flexible[5]	Flexible[5]	20
Interior side:	10	10[8]	7.5	7.5	10	20	20	Flexible[5]	Flexible[5]	5
Corner side:	25[4]	25[4]	25[4]	25[4]	25[4]	40	20	Flexible[5]	Flexible[5]	10[11]
Rear:	20[4]	20[4]	20[4]	20[4]	25[4]	40	40	Flexible[5]	Flexible[5]	10[11]
Special rear yard setback reductions for 1-story building additions abutting:	**Maximum Percentage of Reduction:**									
I-95 or railroad tracks:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Intracoastal Waterway (ICWW):	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Lake:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Golf course:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Canal wider than 150 feet:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Canal narrower than 150 feet:	33%	33%	33%	33%	N/A	N/A	N/A	N/A	N/A	N/A
Commercial/industrial:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Public/private park:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Perimeter wall abutting non-residential:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A

Administrative Adjustment:	Maximum Percentage of Reduction (to standard yard setback):									
Front yard:	20%	20%	20%	20%	N/A	N/A	N/A	N/A	N/A	N/A
Side yard:	20%	N/A	20%	20%	N/A	N/A	N/A	N/A	N/A	N/A
Rear yard:	25%	25%	25%	25%	N/A	N/A	N/A	N/A	N/A	N/A
General Notes:	**1, 2**	**1, 2**	**1, 2**	**1, 2**	**3**	**3**	**1, 3**	**9**	**9**	**11**

1. The setback reduction provisions shall not supersede any setbacks that are recorded on a plat and shall not be used in conjunction with the setback reductions allowed by administrative adjustments.

2. An administrative adjustment to reduce a setback may be granted if any first floor addition follows the building line of a legally non-conforming single-family structure, or a building line previously approved by a variance.

3. Existing and/or planned single-family homes shall conform to the R-1 district requirements. Duplex homes shall conform to the R-2 district requirements.

4. Where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard back setback shall be required, only side yard setbacks shall be imposed.

5. Minimum required perimeter setbacks of an IPUD or PUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family zoning, required perimeter setbacks shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.

6. See Note #5 for additional setback requirements relative to building height.

7. A lesser building height may be required for compatibility with adjacent properties. See Note #5 for more setback requirements relative to building height.

8. The minimum lot area shall be seven thousand, five hundred (7,500) square feet and the minimum side yard shall be seven and one-half (7-1/2) feet for properties developed and/or platted prior to June 13, 1975.

9. Total usable open space shall be calculated at two hundred (200) square feet per dwelling unit (also see Chapter 4, Article III, Section 8.).

10. The maximum allowable density is determined by the applicable future land use classification of the Comprehensive Plan.

11. Perimeter building setbacks of the mobile home park district shall mirror the building setbacks of adjacent zoning district(s), but with a minimum of the setback required for a single-family residence.

12. Multi-family dwellings and group homes require four thousand (4,000) square feet. All other uses allowed in R-3 and R-4 require twenty thousand (20,000) square feet.

C. *Non-Residential Building and Site Regulations (Table 3-2).*

NON-RESIDENTIAL	C-1	C-2	C-3	C-4	CBD	PCD	M-1	PID	RE C	PU
Density (dwelling units per acre):	N/A	N/A	~~11~~ N/A	N/A	~~11~~ N/A	~~Flexible[12]~~ N/A	N/A	Flexible[1&12]	N/A	N/A
Project Area, Minimum (acres)	N/A	N/A	N/A	N/A	N/A	3[1+11]	N/A	25[1+11]	N/A	N/A
Lot Area per unit, Minimum (square feet):	9,000	5,000	15,000	5,000	15,000	Flexible	10,000	Flexible	43,560	8,000
Lot Frontage, Minimum:	75	50	75	50	75	Flexible	0	Flexible	100	75

Lot Depth, Minimum:	120	100	N/A	100	100	N/A	N/A	N/A	N/A	N/A
Lot Coverage, Maximum:	40%	40%	40%	40%	75%[15]	40%[13][10]	60%	60%[16]	N/A	N/A
Floor-Area-Ratio (FAR), Maximum:	0.40	0.50	0.50	0.50	N/A	0.50	0.50	0.50	~~N/A~~ 0.50	~~N/A~~ 1.00
Structure Height, Maximum (feet):	30[11][9]	25[9]	45[10]	45[10]	45[10][12]	45[10]	45[10]	45[10,10]	45[10]	45[10]
Building Setbacks, Minimum (feet)[2][1][3]:										
Front	30	30	20	25	0	40	15	30	25	25[2][13]
Rear	20	20	20[2]	20[5]	20[6]	40	20[3]	30	25	25[2][13]
Interior side	10	15	0[1]	15[5]	0	30	15[4]	20	25	15[2][13]
Corner side	10	20	20	15[5]	8[7]	30	15	30	25	15[2][13]
Building Setbacks, Minimum if abutting a residential district (feet)[2][1][3]:										
Rear	30	30	30	30	N/A	N/A	30	N/A	N/A	30
Interior side	30	30	30	30	N/A	N/A	30	N/A	N/A	30
Corner side	30	30	30	30	N/A	N/A	N/A	N/A	N/A	N/A
Waterfront yard	N/A	N/A	N/A	N/A	8[8]	N/A	N/A	N/A	N/A	N/A

1. Where rear access is not available from a public street or alley, a side yard of not less than fifteen (15) feet shall be provided on one (1) side.

2. Where rear yard access is available from a public street or alley, rear yard may be decreased by one-half (1/2) the width of such street or alley, but in no case shall a rear yard be less than ten (10) feet.

3. Where rear yard abuts a railroad right-of-way or any paved alley, the rear yard may be reduced to ten (10) feet.

4. Where rear yard abuts a paved alley or street, then no side setback shall be required.

5. Where rear property line abuts a public street or alley, rear yard setback may be reduced to ten (10) feet and no side yard shall be required, except on corner lots.

6. Where rear property line abuts a public street or alley, rear yard setback may be reduced to eight (8) feet at first floor level, in which case, no setback shall be required at all other floor levels.

7. Eight (8) feet is required at first floor level. No setback shall be required at all other floor levels.

8. Waterfront setbacks shall be measured from the property where the body of water is under different ownership than the subject property line. However, setbacks are measured from the mean high water line if the body of water is under the same ownership as the subject property.

~~9. Not to exceed two (2) stories.~~

~~10. Not to exceed four (4) stories.~~

~~11.~~9 Buildings designed with under-story parking shall be allowed a maximum building height of thirty-five (35) feet but only with conditional use approval.

~~12. The maximum building height shall be forty-five (45) feet, except for buildings which contain a mix of uses (residential in combination with non-residential uses). In these instances, the maximum building height may be increased to one hundred (100) feet, but contingent upon conditional use approval. Mechanical equipment which exclusively serves the structure shall not be included in the calculations of height.~~

~~13~~10. The total ground floor area of all buildings and accessory structures shall not exceed forty percent (40%) of the plot on which they are constructed.

~~14~~11. Contiguous acres.

~~15~~12. Residential uses are only allowed within a mixed use pod of a PID that has a DRI future land use classification. Maximum residential densities shall be in accordance with the thresholds established for the respective DRI.

~~16. The gross floor area of the building and accessory structures shall not exceed sixty percent (60%) of the plot on which it is constructed.~~

~~17. The maximum allowable density is determined by the applicable future land use classification of the Comprehensive Plan.~~

~~18. The maximum lot coverage is eighty-five percent (85%) for parking garages.~~

~~19. No more than four (4) stories, with the exception of buildings in a mixed use pod of a PID, pursuant to Section 6.B.8. below.~~

~~20~~13. For hospital buildings, additional setbacks in excess of thirty (30) feet shall be required for any height over forty-five (45) feet. The additional setback shall be measured by calculating three (3) additional feet of setback for each foot in height above forty-five (45) feet, not including minimal rooftop equipment that are eligible for height exception pursuant to Chapter 2, Article II, Section 4.

~~21~~14. ~~May be subject to the Martin Luther King Jr. Blvd Overlay Zone (MLKBOZ) or Urban Commercial District Overlay Zone (UCDOZ), where applicable.~~ Overlay regulations may apply. See Section 8 for regulations pertaining to ~~-~~overlays. ~~both the MLKBOZ and UCDOZ.~~

D. *Mixed-Use Suburban Building and Site Regulations (Table 3-3).*

SUBURBAN MIXED-USE (SMU) DISTRICT	Types of Uses			
Building/Site Regulations	Residential Single-Family (Attached or Detached)		Multi-Family	Other Uses (includes Mixed Use)
Density (dwelling units per acre)	20		20	N/A
Project Area, Minimum:	SMU district - 10 acres[1]			
Lot Area per unit, Minimum (square feet):	Flexible[~~14~~12]		Flexible[~~14~~12]	10,000[2]
Lot Frontage per Use, Minimum (feet):	Flexible[~~14~~12]		100	100
Living Area, Minimum A/C (square feet):	1,200[~~15~~]		750[~~15~~]	750[~~15~~]
Floor Area Ratio (FAR), Maximum:	N/A		N/A	~~1.0~~2.5[~~8~~6]
Structure Height, Minimum (feet):	35[~~9~~7]		35[~~9~~7]	35[~~9~~7]
Structure Height, Maximum (feet):	35		55[~~6, 10~~4,8]	55[~~6, 10~~4,8]
Build-to-line (feet):				
Front:	10[~~2~~1]		10[~~4, 5, 6~~2,3,4]	10[~~5, 6, 7~~3,4,5]
Building Setbacks, Minimum (feet):				
Side:	15 corner	10 end	10[~~6~~4]	0[~~6~~4, 12~~4~~]
Rear:	Flexible[~~14~~12]		15[~~6~~4]	Flexible[~~6, 14~~4,12]

Usable Open Space, Minimum (square feet):	30%~~11, 12~~9,10	20%9,10,11~~,13~~	20%9,11~~,13~~

~~1. Minimum project size. A minimum of ten (10) acres shall be required for any project developed under the provisions of the SMU regulations.~~

~~2. Hotels must be part of a mixed use project of at least three (3) acres in size.~~

~~3~~1. Porches may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk. Porches shall be placed outside of clear sight triangle. Minimum setback for a garage facing or accessing the street is twenty (20) feet. Where less than twenty (20) feet, garage access required from side or rear.

~~4~~2. Projecting feature(s) such as awnings, balconies, porches and/or stoops may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk.

~~5~~3. Front yard build-to line along major arterial roads, a maximum of ninety (90) feet inclusive of a twenty-five (25)-foot landscape buffer.

~~6~~4. The height setback envelope in accordance with Section 5.C. below shall apply where adjacent to developed single-family residential zoning districts.

~~7.~~5 One (1) or more projecting feature(s) such as awnings, balconies, colonnades, porches and/or stoops required forward of the build-to line and shall maintain a minimum five (5)-foot clearance from any vehicle use area. Elements projecting over a pedestrian walkway shall allow a minimum nine (9)-foot vertical clearance and five (5)-foot horizontal pedestrian clearance.

~~8~~6. Excluding ~~residential uses and~~ parking structures.

~~9~~7. Applies to any façade with arterial roadway frontage. Multiple-story buildings are encouraged along arterial roadways. The intent of this provision is to create the appearance, or simulate the intensity of, a minimum two (2)-story building. Conditional use approval required if less than the thirty- five (35) foot minimum.

~~10~~8. Building heights between fifty-five (55) feet and seventy-five (75) feet ~~to the peak of the structure or any architectural details~~ may be allowed only for interior buildings (those buildings separated from the property line by another project building or use), if approved as a conditional use. ~~The building/structure height measurement shall be conducted in accordance with Section 5.C. below. Exceptions to the maximum height shall not be allowed.~~

~~11~~9. Usable open space shall provide active or passive recreational space and shall not be occupied by water bodies, streets, drives, parking areas, or structures other than recreational structures.

~~12~~10. At least fifty percent (50%) of the required usable open space for ~~single-family~~ residential uses shall be contained in one (1) or more common pooled areas and a rectangle inscribed within each common pooled area shall have no dimension less than seventy-five (75) feet.

~~13~~11. Up to fifty percent (50%) of the usable open space required for "multi-family" and "other uses" may be hardscaped plazas and public gathering places.

~~14~~12. To be determined on a case by case basis, depending on the overall project design.

~~15. Accessory apartments must be at least seven hundred fifty (750) square feet in area (air-conditioned space).~~

E. *Mixed Use Urban Building and Site Regulations (Table 3-4).*

MIXED USE, URBAN	**MU-1**	**MU-2**	**MU-3**	**MU-4**	**MU-C**
Lot Area, Minimum (acres):					
Public park	N/A	N/A	N/A	N/A	N/A
All other uses	0.50	0.75	1	1	1
Lot Frontage, Minimum (ft.)[1]	100	100	150[2]	200	200
Structure Ht., Minimum (ft.)	30	30	30	45	45

Maximum Height (ft.)[3]	45	65	75	100	150/125[4]
Maximum Density (DUs/Acre)[10, 12]	20	40	50	60	80
Maximum F.A.R.[11]	1.0	2.0	3.0	4.0	4.0
Build-to-line (ft.)[8]					
All sides abutting a collector or arterial road	Factor of Pedestrian Zone Requirement[7]				
Abutting a Local street	0[7]	0[7]	0[7]	0[7]	0[7]
Interior side	0[7]	0[7]	0[7]	0[7]	0[7]
Building Setback, Minimum (ft.)[8]					
Rear abutting:					
Residential single-family	25[5]/0[5, 6]	25[5]	25[5]	25[5]	25[5]
Intracoastal waterway	25[5]	25[5]	25[5]	25[5]	25[5]
Side abutting					
Residential single-family	25[5]/0[5, 6]	25[5]	25[5]	25[5]	25[5]
Usable Open Space, Minimum (sq. ft.)[9]	N/A	N/A	~~N/A~~ 0.5%	1%	2%

1. May be reduced if frontage extends from right-of-way to right-of-way.

2. Minimum of fifty (50) feet, if frontage is on a collector/local collector roadway.

3. Maximum height on any street frontage is forty-five (45) feet. Maximum height on Intracoastal Waterway is thirty-five (35) feet consistent for a depth of a minimum of thirty (30) feet. Heights may require reduction where adjacent to a single-family zoning district where necessary to achieve the compatibility requirements of these regulations. Height bonus may be granted through participation in the Workforce Housing Program.

4. Maximum height reduced to one hundred twenty-five (125) feet for the entire project where property abuts any other MU or residential zoning district not separated by a right-of-way.

5. Plus one (1) additional foot for each foot of height over thirty-five (35) feet.

6. Where there is an intervening right-of-way of at least forty (40) feet.

7. Buildings and structures shall be located no farther than zero (0) feet from the property line, except in conjunction with providing required visibility at intersections, driveways; open spaces and public plazas; or when additional setback is necessary to provide for required "Pedestrian Zone (PZ). Building placement is a factor of roadway type and CRA district, which determines the min. width and design of the PZ. Except for the Downtown District, where the minimum PZ width is 18', the minimum PZ in all other districts if 16 ft. See Section 5.C.2. below for additional relief provisions from build-to line requirements.

8. ~~Listed eligible~~ Locally registered historic structures are not required to meet these standards.

9. Usable open space shall be required for all developments two (2) acres in size or larger which shall be devoted to plazas or other public open space, excluding private recreation. See Chapter 4, Article III, Section 8 for additional regulations.

10. Projects within the transit core shall have minimum densities as follows: MU-1 - eleven (11), MU-2 - twenty (20), MU-3 - thirty (30), MU-4 - thirty-five (35) and MU-C - forty (40) dwellings per acre (except that minimum density for the MU-C district applies to projects located within the entire station area).

11. Projects within the transit core shall have a minimum FAR as follows: MU-3 - one and three-quarters (1.75), MU-4 (2.0) and MU-C - two (2.0) (except that minimum FAR for the MU-C district applies to projects to be located within the entire station area). Maximum FAR for MU-3 may be increased to 3.5 if abutting property with the Mixed Use High future land use classification.

12. The maximum density for projects within the Downtown Transit-Oriented Development District (the Station Area) may be increased up to twenty-five percent (25%) over the maximum density allowed in the underlying zoning district through

participation in the City's Workforce Housing Program.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 14-009, passed 7-1-14; Am. Ord. 15-006, passed 3-2-15; Am. Ord. 16-023, passed 1-3-17; Am. Ord. 17-023, passed 9-19-17)

Sec. 2. Residential Districts.

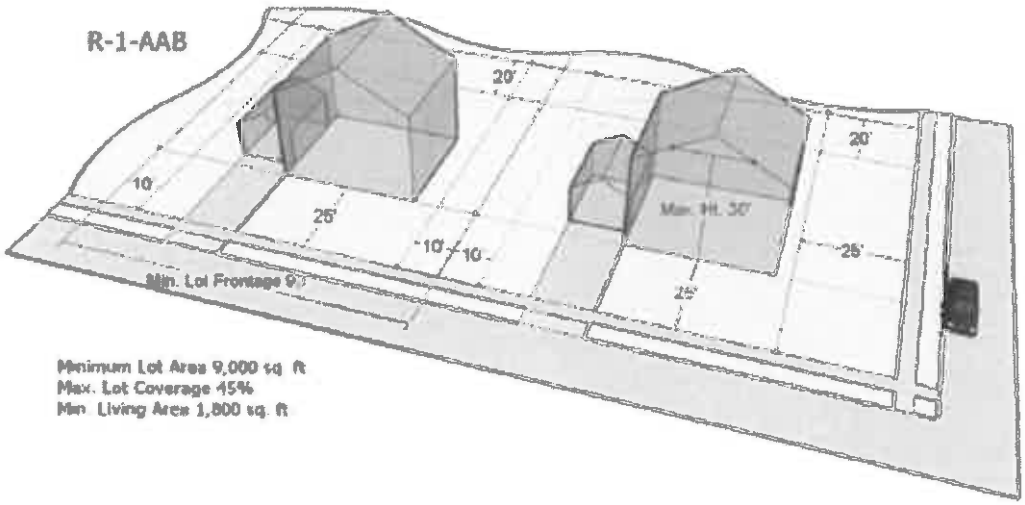
A. *R-1-AAB Single-family Residential District.*

1. General. The purpose of the R-1-AAB zoning district is to implement the low density residential (LDR) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to promote the suburban character of the city by preserving and encouraging single-family dwellings and structures on large lots at densities no greater than five (5) dwelling units per acre, and allowing limited types of non-residential uses.
2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.
3. Building and Site Regulations (Table 3-5).
   a. The following lot and building setback requirements shall be observed:

BUILDING/SITE REGULATIONS R-1-AAB District	
Minimum lot area:	9,000 s.f.
Minimum lot frontage:	90 feet
Minimum yard setbacks:	
Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building[1]:~~-additions:[1]~~	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	50%
Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	
Interior side:	10 feet
Corner side:	25 feet[2]
Minimum living area:	1,800 s.f.
Maximum lot coverage:	45%
Maximum structure height:	30 feet

[1] These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

[2] On corner lots, the side yard setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted ~~if~~ for any first floor addition followsing the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

B. *R-1-AA Single-family Residential District.*

1. General. The purpose of the R-1-AA zoning district is to implement the ~~moderate~~ low density residential (LDR~~MoDR~~) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to promote the suburban character of the city by preserving and encouraging single-family dwellings and structures at densities no greater than five and one-half (5.5) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-6). The following lot and building requirements shall be observed:

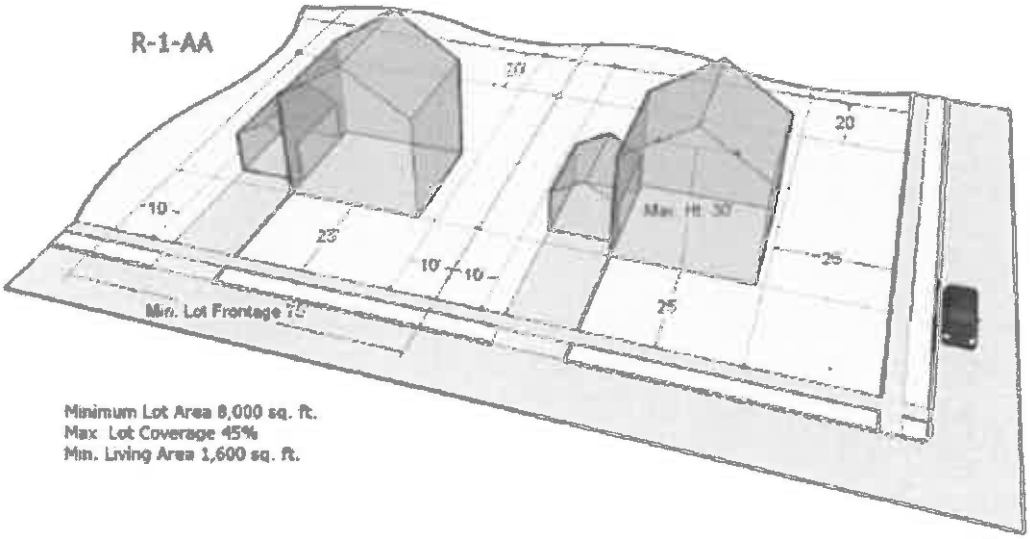
BUILDING/SITE REGULATIONS R-1-AA District	
Minimum lot area:	8,000 s.f.[1]
Minimum lot frontage:	75 feet
Minimum yard setbacks:	

Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building[2]: ~~additions:[2]~~	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
~~Special rear yard setback reduction for single-story building additions:[2]~~	
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	50%
Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Interior side:	10 feet[1]
Corner side:	25 feet[3]
Minimum living area:	1,600 s.f.
Maximum lot coverage:	45%
Maximum structure height:	30 feet

[1] In areas developed and/or platted prior to June 13, 1975, the minimum lot area shall be seven thousand, five hundred (7,500) square feet and the minimum side yard shall be seven and one-half (7-1/2) feet.

[2] These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

[3] On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provide typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction*

* Side yard reduction shall only be eligible for lots platted on or after June 13, 1975 and prior to August 19, 2008.

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if any first floor addition follows the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

C. *R-1-A Single-family Residential District.*

1. General. The purpose of the R-1-A zoning district is to implement the ~~moderate~~ low density residential (LDR~~MoDR~~) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to promote the suburban character of the city by preserving and encouraging single-family dwellings and structures at densities no greater than six (6) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

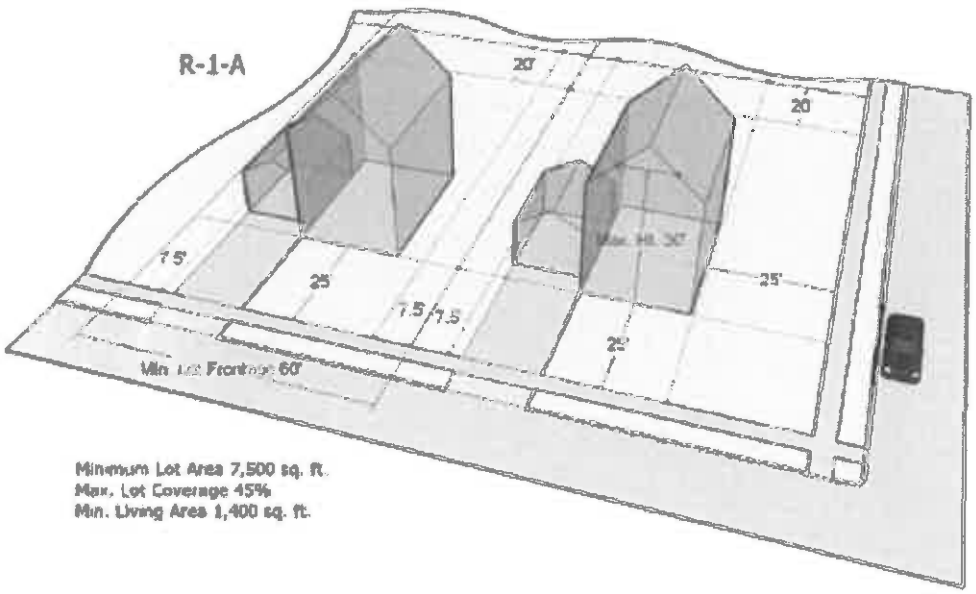
3. Building and Site Regulations (Table 3-7). The following lot and building requirements shall be observed:

BUILDING/SITE REGULATIONS R-1-A District	
Minimum lot area:	7,500 s.f.
Minimum lot frontage:	60 feet
Minimum yard setbacks:	
Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building: ~~additions:~~[1]	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	

Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Interior side:	7.5 feet
Corner side:	25 feet[2]
Minimum living area:	1,400 s.f.
Maximum lot coverage:	45%
Maximum structure height:	30 feet

[1] These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

[2] On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if any first floor addition follows the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

D. *R-1 Single-family Residential District.*

1. General. The purpose of the R-1 zoning district is to implement the ~~moderate~~ low density residential (LDR~~MoDR~~) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to encourage single-family dwellings and structures at densities no greater than seven and one-half (7.5) dwelling units per acre, and allowing limited types of non-residential uses.

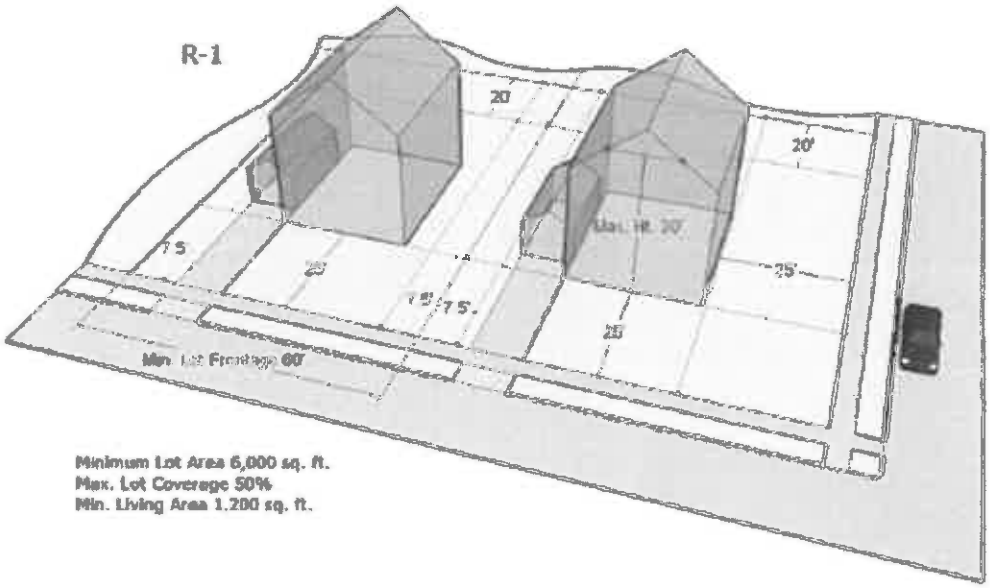
2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-8). The following lot and setback requirements shall be observed:

BUILDING/SITE REGULATIONS R-1 District	
Minimum lot area:	6,000 s.f.
Minimum lot frontage:	60 feet
Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building[1]: ~~additions:[1]~~	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	
Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Interior side:	7.5 feet
Corner side:	25 feet[2]
Minimum living area:	1,200 s.f.
Maximum lot coverage:	50%
Maximum structure height:	30 feet

[1] These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

[2] On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provide typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if any first floor addition follows the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

E. *R-2 Single and Two-family Residential District.*

1. General. The purpose of the R-2 zoning district is to implement the medium density residential (MeDR) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to stabilize and protect existing residential neighborhoods with densities no greater than ten (10) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-9). Existing and/or planned single-family homes shall conform to the R-1 district requirements; however, for duplex homes, the following lot and building requirements shall be observed:

BUILDING/SITE REGULATIONS R-2 District	
Minimum lot area (per unit):	4,500 s.f.[1]
Minimum lot frontage:	75 feet
Minimum yard setbacks:	
Front:	25 feet[2]
Rear:	25 feet[3]
Interior side:	10 feet[2]
Corner side:	25 feet[2,3]
Minimum living area:	750 s.f.
Maximum lot coverage:	40%
~~**Maximum Floor Ratio Area (FAR)**~~	~~0.10[4]~~
Maximum structure height:	25 feet[5]

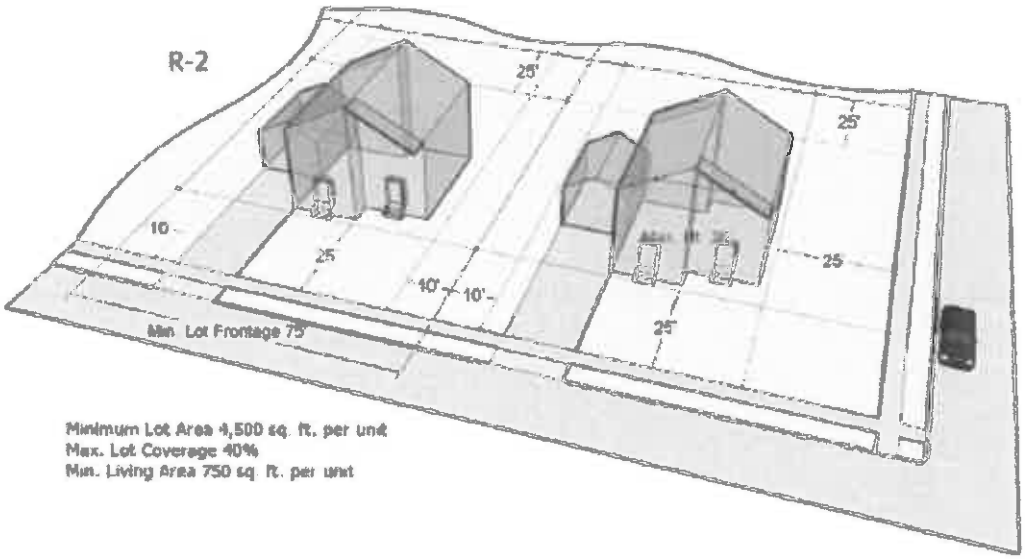
[1] Single-family dwellings shall be constructed on lots that are no less than six thousand (6,000) square feet.

[2] ~~Pursuant to Section 8.B. below, parcels that have frontage on Martin Luther King Jr. Boulevard and are located within the Martin Luther King Boulevard Overlay Zone shall have front, side interior, and side corner setbacks in accordance with the mixed-use low intensity 1 zoning district (see Section 6.H. below).~~Overlay regulations may apply. See Section 8 for regulations pertaining to overlays.

[3] On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provide typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.

~~[4] A floor area ratio (FAR) up to 0.10 may be considered for non-residential uses allowed within the R-2 district (see "Use Matrix" - Chapter 3, Article IV, Section 3), pursuant to the medium density residential land use category of the Comprehensive Plan.~~

~~[5] Not to exceed two (2) stories.~~



4. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are

regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

5. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

F. *R-3 Multi-family Residential District.*

1. General. The purpose of the R-3 zoning district is to implement the medium density residential (MDR) ~~high density residential (HDR) and special high density residential (SHDR)~~ future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this conventional district, with a maximum density of eleven (11) dwelling units per acre, is to ~~provide for higher residential densities that~~ encourage vertical structures and viable multiple-family living environments. The preferred development pattern shall be designed such that it would provide adequate buffering, graduation of uses, and a layout that considers and complements adjacent uses and districts. Ideally, the R-3 district should be in close proximity to large concentrations of business and employment activities, as well as near sufficient roadways and public transportation routes. Site design should encourage safe traffic patterns, ingress and egress, adequate light, drainage, off-street parking, open space, on-site recreation areas, and community meeting provisions for the inhabitants. ~~Densities of such developments shall correspond with the respective FLUM classification.~~

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-10).

a. Existing and/or future single-family dwellings shall conform to the building and site regulations of the R-1 district (see Table 3-8 in Section 2.D.3. above).

b. Duplex dwellings shall conform to the building and site regulations of the R-2 district (see Table 3-9 in Section 2.E.3. above).

c. Multiple-family and group homes shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "residential uses".

d. All uses, excluding single-family, duplex, multi-family, and group homes, shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "non-residential uses".

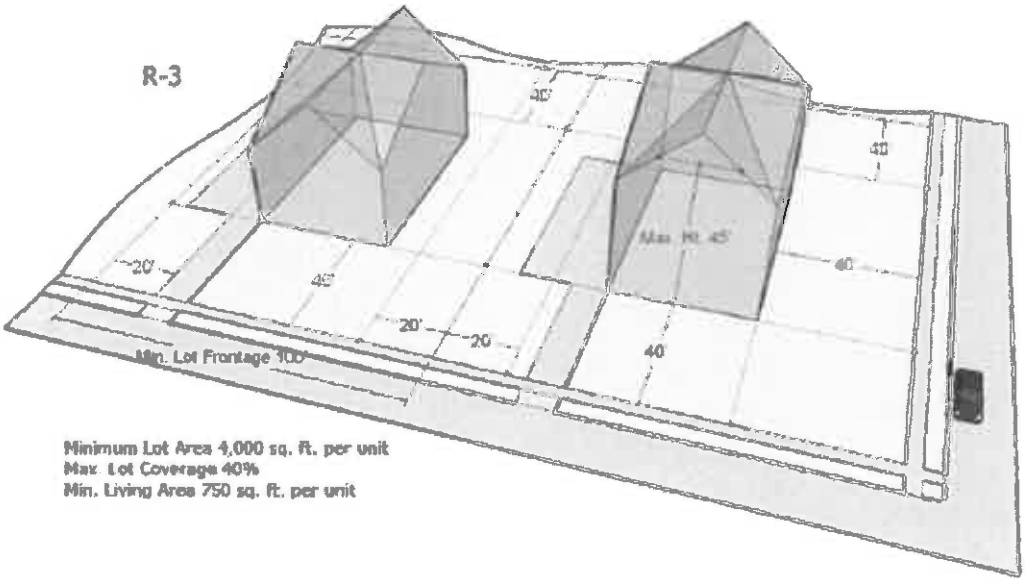
BUILDING/SITE REGULATIONS R-3 District	
(Residential Uses)	
Minimum lot area (per unit):	4,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	750 s.f.
Maximum lot coverage:	40%
Maximum structure height:	45 feet[+]
~~**Maximum separation:**~~ ~~(for Group Homes)~~	~~1,000~~ ~~(radius)~~
(Non-Residential Uses)	

Minimum lot area:	20,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	~~N/A~~[2] 750 sq. ft. per unit
Maximum lot coverage:	40%
~~**Maximum Floor Area Ratio (FAR)**~~	~~0.10~~[3]
Maximum structure height:	45 feet[1]

~~[1] Not to exceed four (4) stories.~~

~~[2] As governed by the applicable regulatory agency~~.

~~[3] A floor area ratio (FAR) up to 0.10 may be considered for non-residential uses allowed within the R-3 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the high density residential land use category of the Comprehensive Plan.~~



4. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

5. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review. In these instances, site plan approval shall be required prior to application for building permit.

c. Multiple-family dwellings and non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

G. *R-4 Multi-family Residential District.*

1. General. The purpose of the R-4 zoning district is to implement the High Density Residential (HDR) future land use map classification of the Comprehensive Plan. The intent of this conventional district is to provide for higher residential densities that support infill development opportunities. At the allowed maximum density of fifteen (15) dwelling units per acre, intended development can provide a graduated transition to densities and intensities of mixed use redevelopment projects in a compact form. Although this district is not a planned zoning district, development attributes should similarly emphasize design that is sensitive to its context within the urban redevelopment area, including interconnectivity and pedestrian accommodations, sustainable and/or smart growth building and landscaping design, building placement and orientation of project to the local street network and on-street parking.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-10).

a. Existing and/or future single-family dwellings shall conform to the building and site regulations of the R-l district (see Table 3-8 in Section 2.D.3. above).

b. Duplex dwellings shall conform to the building and site regulations of the R-2 district (see Table 3-9 in Section 2.E.3. above).

c. Multiple-family and group homes shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "residential uses".

d. All uses, excluding single-family, duplex, multi-family, and group homes, shall conform to the lot and building requirements of that portion of Table 3-~~10~~-11 below pertaining to "non-residential uses".

BUILDING/SITE REGULATIONS R-4 District	
(Residential Uses)	
Minimum lot area (per unit):	4.000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	650 s.f.
Maximum lot coverage:	50%
Maximum structure height:	45 feet
(Non-Residential Uses)	
Minimum lot area:	20,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	~~N/A~~ 650 sq.ft. per unit
Maximum lot coverage:	40%
~~**Maximum Floor Area Ratio (FAR)**~~	~~N/A~~
Maximum structure height:	45 feet

4. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

5. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review. In these instances, site plan approval shall be required prior to application for building permit.

c. Multiple-family dwellings and non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4. Article V. Minimum Off-Street Parking Requirements.

H. *IPUD Infill Planned Unit Development District.*

1. General.

a. Purpose and Intent. The purpose of the IPUD zoning district is to implement the special high density residential (SHDR) future land use map (FLUM) classification of the Comprehensive Plan~~.~~—This district is intended for infill purposes, promoting new development and redevelopment ~~within the Community Redevelopment Agency (CRA) area consistent with land use recommendations from the Community Redevelopment Plan~~ in areas located east of Interstate 95, at densities no greater than twenty (20) dwelling units per acre. This district is also intended to promote water access and recreational opportunities with accommodations of uses, including marine-oriented and water dependent uses, in both mixed use developments and limited single-use projects. The IPUD district ~~will~~ includes design standards that exceed the standards of the basic development standards in terms of site design, building architecture and construction materials, amenities and landscape design. The extent of variance or exception to basic design standards, including but not limited to requirements for parking spaces, parking lot and circulation design, and setbacks, will be dependent on how well the proposed -project otherwise exceeds the other applicable standards.

The IPUD shall minimize adverse impacts on surrounding property. The city is not obligated to automatically approve the level of development intensity requested for the IPUD. Instead, it is expected to approve only such level of intensity that is appropriate for a particular location in terms of land use compatibilities. The city may require, as a condition of approval, any limitation, condition, or design factor that will provide a reasonable transition to adjacent development.

In order to be approved, an IPUD project must be compatible with and preserve the character of adjacent residential neighborhoods. Factors to consider in determining compatibility may include, but not necessarily be limited to, proposed use, massing, and layout. Further, it must be an enhancement to the local area and the city in general. Projects that fail to do so will be denied.

Each IPUD project is independent and will be evaluated solely on its own merits. The inclusion of certain features in a previously approved IPUD project will not automatically be entertained as a valid argument for the inclusion of that same feature in any other IPUD project if the city determines to reject those features.

b. Prerequisite Location Standards. The IPUD district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation~~,~~ and resource management.~~, and social equity.~~ Rezoning to the IPUD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have ~~sustained or are complicated~~been impacted by environmental contamination. In reaching recommendations and decision as to zoning land to IPUD, the Advisory Board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Any IPUD district that contains non-residential uses must principally front on streets classified as "Arterial" on the "Functional Classification of Roadways" map in the city Comprehensive Plan;

(2) Any non-residential component must front on the arterial roadway or on an access road wholly

contained within the project with neither entrances nor exit on or visible from or disruptive to adjacent properties, local streets, and rights-of-way.

2. Use(s) Allowed. See Chapter 3, Article IV, Section 3.C. for specific regulations pertaining to the IPUD district and Chapter 3, Article IV, Section 3.D. ("Use Matrix Table 3-28") for a list of allowable uses.

3. Building and Site Regulations (Table 3-1~~1~~2). The following building/site regulations apply to the entire IPUD development.

BUILDING/SITE REGULATIONS IPUD District–	
Minimum project area:	~~N/A~~ None
Maximum project area:	~~Flexible~~Less than 5 acres
Minimum lot frontage[4]:	Flexible[1]
Minimum perimeter yard setbacks:	
Front:	Flexible[2]
Rear:	Flexible[2]
Interior side:	Flexible[2]
Corner side:	Flexible[2]
Maximum lot coverage:	50%
Minimum usable open space (per dwelling unit):	200 square feet
~~**Maximum Floor Area Ratio (FAR)**~~	~~0.20[3]~~
Maximum structure height:	45 feet[~~4~~3]

[1] Individual lots within an IPUD development contain flexible standards relative to minimum required lot frontage and lot area for each unit. ~~Lot frontage shall be determined on a case by case basis, depending on the overall project design.~~ Pursuant to Chapter 3, Article IV, Section 3.D., a marina use shall require a minimum lot frontage of one hundred fifty (150) feet and a minimum average width of two hundred (200) feet.

[2] The minimum required perimeter building setbacks of an IPUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family residential zoning, the required perimeter building setbacks of the IPUD shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. If vegetation, screening, or other barriers and/or creative design on the perimeter of an IPUD achieve compatibility with adjacent uses, the city may grant some relief from the aforementioned requirement. A structure shall be considered to be on the perimeter if there is no intervening building between it and the property line. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.

~~[3] A maximum floor area ratio (FAR) of 0.20 may be allowed for non-residential uses within the IPUD district (see "Use Matrix" – Chapter 3, Article IV, Section 3.C.), pursuant to the special high density residential land use category of the Comprehensive Plan.~~

[~~4~~3] A lesser building height may be required for compatibility with adjacent development. See Note #2 above for additional setback requirements relative to building height.

[4] Project sites must front on two (2) intersecting rights-of-ways and must have an uninterrupted lot frontage.

4. Review and Approval Process.

a. All development and redevelopment within the IPUD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the IPUD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

a. See Chapter 4, Article II, Section 4.B.5 for additional standards pertaining to the required landscaping along rights-of-way.

b. See Chapter 4, Article III, Section 4. for community design standards regarding required site design in instances where the subject IPUD project is adjacent to single-family residential zoning districts.

c. See Chapter 4, Article VIII, Section 3.C.4.b.(2) for additional standards pertaining to the minimum width of rights-of-way and vehicular circulation.

d. If an IPUD is located with frontage on the Intracoastal Waterway, conditions of approval shall include a deed restriction requiring that any marina or dockage built~~d~~ will not exceed in width the boundaries of the project's actual frontage on the water, regardless of what any other governing or permitting entity may allow or permit.

e. Exterior lighting of the exterior, parking areas and watercraft docking facilities of the planned development shall be of the lowest height, intensity, and energy use adequate for its purpose, and shall not create conditions of glare that extend onto abutting properties.

f. The physical attributes of the site shall be respected with particular concern for preservation of natural features, tree growth, and open space.

g. Special emphasis shall be placed on trash collection points.

h. Trash containers or dumpsters must be screened and designed such that they are not visible from or disruptive to adjacent properties, streets, and rights-of-way while still being conveniently accessible to their users and collectors.

I. *PUD Planned Unit Development District.*

1. General.

a. Purpose and Intent. The purpose of the PUD zoning district is to implement any of the residential future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to promote efficient ~~and economical~~ land use, improved amenities, appropriate and harmonious physical development, creative design, improved living environment, orderly ~~and economical~~ development in the city, and the protection of adjacent ~~and existing and future~~ city development. The district is suitable for development, redevelopment and conservation of land, water and other resources of the city.

Regulations for planned unit developments are intended to accomplish the purposes of zoning, subdivision regulations and other applicable city regulations to the same degree that they are intended to control development on a lot-by-lot basis. In view of the substantial public advantages of planned unit development, it is the intent of PUD regulations to promote and encourage development in this form where tracts suitable in size, location, and character for the uses and structures proposed are to be planned and developed as unified and coordinated units. Densities of such developments shall correspond with the respective FLUM classification.

b. Prerequisite Location Standards. The PUD district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation~~,~~ and resource management. ~~, and social equity.~~ Rezoning to the PUD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

In reaching recommendations and decisions as to zoning land to PUD, the advisory board(s) and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Major Transportation Facility. ~~A PUD shall be so located as to major roadways or other transportation facilities as to provide direct access to it without creating or generating traffic along streets in residential areas or districts outside it.~~ A PUD shall have a direct access to a major roadway or a transportation facility so as not to create or generate traffic along streets in residential areas or districts outside it.

(2) Public Facilities and Services. A PUD shall be located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities systems and installations so that neither extension nor enlargement of such systems will be required in manner, form, character, location, degree, scale or timing resulting in higher net public cost or earlier incursion of public cost than would development

in forms permitted under existing zoning in the area.

Such PUD's shall be so located with respect to necessary public facilities (e.g., schools, parks, playgrounds) as to have access to those facilities in the same degree as under existing zoning, and shall be so located, designed and scaled so that access for public services is equivalent to, and net cost for the services under existing zoning.

(3) Topography. The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of the soil, groundwater level, drainage, and topography shall all be appropriate to both kind and pattern of use intended.

(4) Access. Every dwelling unit, or other use permitted in the PUD, shall have access to a public street directly or via an approved private road, pedestrian way, court, or other area dedicated to public or private use, or common element guaranteeing access. Permitted uses shall not be required to front on a dedicated public road.

(5) Utilities. Direct residential and/or consumer service should be by underground installation to the maximum extent practicable; however, primary service to a general geographic area may be served with overhead installation. Appurtenances to these systems which require above ground installation shall be effectively screened, and, thereby, may be exempted from this requirement. Primary facilities providing service to the site of the PUD may be exempted.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D. The PUD district allows principal and accessory uses and structures substantially related to the character of the development itself and the surrounding area of which it is a part.

3. Building and Site Regulations (Table 3-1~~2~~3). The following building/site regulations apply to the entire PUD development.

BUILDING/SITE REGULATIONS PUD District	
Minimum project area:	5 acres
Minimum lot area:	Flexible[1]
Minimum lot frontage:	Flexible[1]
Minimum perimeter yard setbacks:	
Front:	Flexible[2]
Rear:	Flexible[2]
Interior side:	Flexible[2]
Corner side:	Flexible[2]
Maximum lot coverage:	N/A
Minimum Usable open space (per dwelling unit)	200 square feet
Maximum structure height:	45 feet~~[3]~~

[1] Individual lots within a PUD development contain flexible standards relative to minimum required lot frontage and lot area for each unit. To be determined on a case by case basis, depending on the overall project design.

[2] The minimum required perimeter building setbacks of a PUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family residential zoning, the required perimeter building setbacks of the PUD shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.

~~[3] No more than four (4) stories.~~

4. Review and Approval Process.

a. All development and redevelopment within the ~~I~~PUD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to

application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the PUD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous. The boundaries of land zoned to PUD classification shall be indicated on the official zoning map with the symbol "PUD."

The PUD district contains additional standards relative to building design and compatibility with adjacent single-family residential zoning. Refer to Chapter 4, Article III, Section 3.J. for these additional development standards.

J. *MHPD Mobile Home Planned Development District.*

1. General.

a. Purpose and Intent. The purpose of the MHPD zoning district is to implement the low density residential (LDR) ~~and moderate density residential (MoDR)~~ future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to provide efficient and imaginative design approaches to community planning, and to accommodate the housing needs of those residents who prefer mobile home living and/or desire a more affordable ~~solution~~ alternative to conventional dwellings. ~~Densities of such developments shall correspond with the respective FLUM classification.~~

The MHPD district ~~is optimum when there is~~creates an opportunity to promote sustainability with respect to land use, energy conservation~~,~~ and resource management.~~, and social equity.~~ Rezoning to the MHPD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas~~,~~. ~~or have sustained or~~and that are away from high hazard areas.

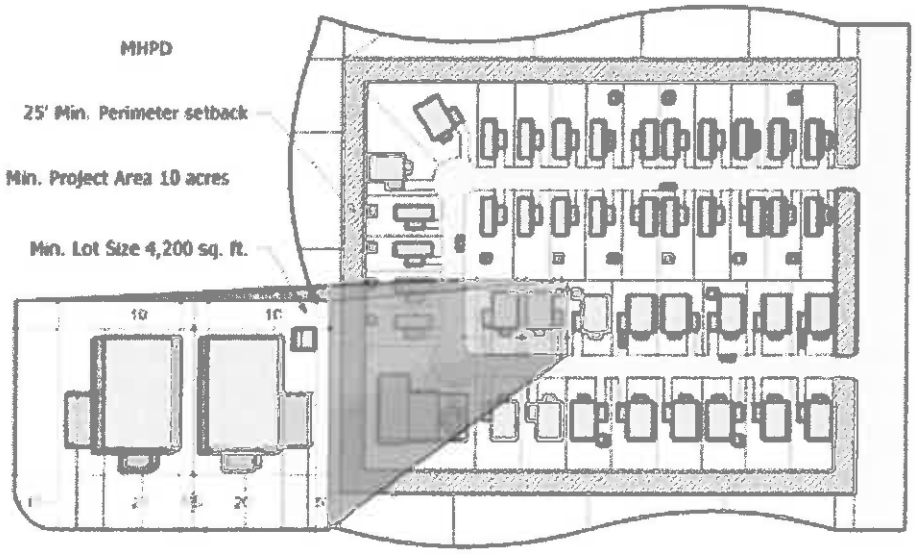
b. Existing Developments. For those mobile home parks in existence prior to the adoption of these Regulations, or annexed to the city subsequent to the adoption of these Regulations, the site regulations under which the park was developed shall continue in force. General maintenance and minor modifications to existing improvements shall be allowed, if such maintenance and improvements do not worsen the extent of nonconformity. Should the park be damaged in excess of seventy-five percent (75%), redevelopment shall require submittal of a site plan for review and processing as a major site plan modification, to indicate how redevelopment will provide maximum compliance with development regulations, with particular emphasis on perimeter setbacks and buffering, and internal roadway design and access for service and emergency vehicles.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-14~~3~~).

BUILDING/SITE REGULATIONS MHPD District	
Minimum project area:	10 acres
Minimum lot size:	4,200 s.f.
Minimum perimeter setbacks:	25 feet
Special perimeter setback reduction for principal and accessory structures:	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	50%

Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Minimum yard setbacks (per lot):	
Front:	20 feet
Rear:	10 feet
Interior side:	5 feet
Corner side:	10 feet
Maximum lot coverage:	N/A
Maximum structure height:	30 feet



4. Accessory Structures.

a. Structures of a permanent nature shall not be added or attached to a mobile home, unless such mobile home is placed upon a site conforming to the minimum requirements for a mobile home.

b. The combined area of all additions or attachments shall not exceed the gross area of the mobile home itself. Carports are not included in the above limitation provided that the width of the individual lot is adequate for separation requirements.

5. Review and Approval Process.

a. All development and redevelopment within the ~~IPUD~~ MHPD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

7. Modifications. Any modification proposed within the MHPD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

8. Miscellaneous.

a. No part of any mobile home, or any addition or appurtenances thereto shall be located within ten (10) feet of any accessory or service building or structure used in connection with a mobile home park.

b. Additional perimeter buffering and landscape material may be required as recommended by the Director of Planning and Zoning to ensure compatibility with adjacent properties.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-010, passed 6-19-12; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 16-024, passed 1-3-17; Am. Ord. 17-023, passed 9-19-17)

Sec. 3. Commercial Districts.

A. *C-1 Office and Professional Commercial District.*

1. General. The purpose of the C-1 zoning district is to implement the office commercial (OC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to provide appropriate space for office and professional uses, while also serving as a transitional area between residential and higher intensity commercial areas.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-154). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS C-1 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	9,000 s.f.
Minimum lot frontage:	75 feet
Minimum lot depth:	120 feet
Minimum yard setbacks:	
Front:	30 feet
Rear:	20 feet
Abutting: Residential district(s)	30 feet
Interior side:	10 feet
Abutting: Residential district(s)	30 feet
Corner side:	10 feet
~~Abutting: Residential district(s)~~	~~30 feet~~
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.4[1]
Maximum structure height: (For hospitals only)	30 feet[2] 45 feet

[1] A floor area ratio (FAR) up to 0.40 may be considered for office commercial and related uses allowed within the C-1 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the office commercial future land use classification of the Comprehensive Plan.

[2] Buildings designed with under-story parking shall be allowed a maximum building height of thirty-five (35) feet but only with conditional use approval.

4. Review and Approval Process. Pursuant to Chapter 2, Article II, Section 2.F., site plan approval shall be required for the construction or modification of a non-residential building, structure, or improvement, including any area allocated to an accessory residential unit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

B. *C-2 Neighborhood Commercial District.*

1. General. The purpose of the C-2 zoning district is to implement the local retail commercial (LRC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to allow low-intensity commercial uses of a retail convenience that are intended to serve and which are in close proximity to individual residential neighborhoods. Generally, the desired locations of these commercial areas would be at the periphery of one (1) or more neighborhoods along roadway classifications that are able to support the additional traffic.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-~~15~~16). No building or portion thereof shall be erected,

constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS C-2 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	5,000 s.f.
Minimum lot frontage:	50 feet
Minimum lot depth:	100 feet
Minimum yard setbacks:	
Front:	30 feet[~~1,2~~]
Rear:	20 feet
Abutting: Residential district(s)	30 feet
Interior side:	15 feet[~~1,2~~]
Abutting: Residential district(s)	30 feet[~~1~~]
Corner side:	20 feet[~~1,2~~]
~~Abutting: Residential district(s)~~	~~30 feet[1]~~
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.50[~~3~~1]
Maximum structure height:	25 feet[4]

~~[1] Reduced setbacks will be applied to property located within the Urban Commercial District Overlay Zone. Section 8.C. below.~~

~~[2] Pursuant to Section 8.B. below, parcels that have frontage on Martin Luther King Jr. Boulevard and are located within the Martin Luther King Boulevard Overlay Zone shall have front, side interior, and side corner setbacks in accordance with the mixed use low intensity 1 zoning district (see Section 5.C. below).~~

[~~3~~1] A floor area ratio (FAR) up to 0.50 may be considered for local retail commercial uses allowed within the C-2 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the local retail commercial future land use classification of the Comprehensive Plan.

~~[4] Not to exceed two (2) stories.~~

4. Review and Approval Process. Pursuant to Chapter 2, Article II, Section 2.F., site plan approval shall be required for the construction or modification of a non-residential building, structure, or improvement, including any area allocated to an accessory residential unit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

C. *C-3 Community Commercial District.*

1. General.

a. Purpose and Intent. The purpose of the C-3 zoning district is to implement the local retail commercial (LRC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to encourage the development or use of property for appropriate intensive retail commercial uses providing for a wide range of goods and services, located along major thoroughfares. ~~The C-3 district allows a maximum density of eleven (11) dwelling units per acre; however, all residential developments must adhere to the R-3 district building and site regulation in accordance with Section 2.F. above.~~

b. Prerequisite Location Standard. In reaching recommendations and decisions as to zoning land to C-3, the advisory board and City Commission shall apply the following location standards, in addition, to the standards applicable to the rezoning of land generally:

(1) Centrally and accommodating multiple neighborhoods; and

(2) Abutting to at least one (1) ~~major thoroughfare~~arterial roadway.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-1~~6~~7). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS C-3 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	15,000 s.f.
Minimum lot frontage:	75 feet
Minimum yard setbacks:	
Front:	20 feet~~[1]~~
Rear:	20 feet~~[2]~~[1]
Abutting: Residential district(s)	30 feet
Interior side:	0 feet~~[1]~~,~~[3]~~[2]
Abutting: Residential district(s)	30 feet~~[1]~~
Corner side:	20 feet~~[1]~~
~~Abutting: Residential district(s)~~	~~30 feet[1]~~
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.50~~[4]~~[3]
Maximum structure height:	45 feet~~[5]~~

~~[1] Reduced setbacks will be applied to property located within the Urban Commercial District Overlay Zone, Section 8.C. below.~~

~~[2]~~[1] Where rear yard access is available from a public street or alley, rear yard may be decreased by one-half (1/2) the width of such street or alley, but in no case shall a rear yard be less than ten (10) feet.

~~[3]~~[2] Where rear access is not available from a public street or alley, a side yard of not less than fifteen (15) feet shall be provided on one (1) side.

~~[4]~~[3] A floor area ratio (FAR) up to 0.50 may be considered for local retail commercial uses allowed within the C-3 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the local retail commercial future land use classification of the Comprehensive Plan.

~~[5] Not to exceed four (4) stories.~~

~~4. Review and Approval Process.~~

~~a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.~~

~~b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.~~

~~c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.~~

~~5.~~4 Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

~~6.~~5. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

D. *C-4 General Commercial District.*

1. General. The purpose of the C-4 zoning district is to implement the general commercial (GC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to accommodate service and intensive commercial establishments and limited light industrial uses, and to serve as a transitional area between lighter commercial areas and general industrial uses or operations.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-1~~7~~8). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS C-4 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	5,000 s.f.
Minimum lot frontage:	50 feet
Minimum lot depth:	100 feet
Minimum yard setbacks:	
Front:	25 feet[~~1,2~~]
Rear:	20 feet[~~3~~1]
Abutting: Residential district(s)	30 feet
Interior side:	15 feet[1,~~2,3~~]
Abutting: Residential district(s)	30 feet
Corner side:	15 feet[~~1,2~~]
~~Abutting: Residential district(s)~~	~~30 feet~~
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.50[~~4~~2]
Maximum structure height:	45 feet[~~5~~]

~~[1] Reduced setbacks will be applied to property located within the Urban Commercial District Overlay Zone, Section 8.C. below.~~

~~[2] Pursuant to Section 8.B. below, parcels that have frontage on Martin Luther King Jr. Boulevard and are located within the Martin Luther King Boulevard Overlay Zone shall have front, side interior, and side corner setbacks in accordance with the mixed use-low intensity 1 zoning district (see Section 5.C. below).~~

[~~3~~1] Where rear property line abuts a public street or alley, rear yard setback may be reduced to ten (10) feet and no side yard shall be required, except on corner lots or where abutting single-family uses.

[~~4~~2] A floor area ratio (FAR) up to 0.50 may be considered for general commercial uses allowed within the C-4 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.), pursuant to the general commercial future land use classification of the Comprehensive Plan.

~~[5] Not to exceed four (4) stories; however, those parcels located within the Martin Luther King Boulevard Overlay Zone (Section 8.B. below) shall be limited to thirty (30) feet in height.~~

~~4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.~~

~~5~~4. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

E. *CBD Central Business District.*

1. General. The ~~purpose of the~~ CBD zoning district was established with the intent to serve the entire community, create a high volume of pedestrian activity, provide business, recreation and residential opportunities, and maximize the potential of the waterfront. This district is ~~is to implement the mixed use (MX) and mixed use core (MX-C) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to provide a highly visible community focal point integrating office, retail, and residential uses concentrated in the historic downtown and marina district. In addition, this district is~~ considered the predecessor to the high density urban mixed use zoning districts, and will eventually

be supplanted by them. ~~, particularly, the mixed use high intensity district. The uses allowed in the central business district are intended to serve the entire community, create a high volume of pedestrian activity, provide business, recreation, and residential opportunities, and maximize the potential of the waterfront.~~

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-1~~8~~9). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged, or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS CBD District	
Minimum lot area:	15,000 s.f.
Minimum lot frontage:	75 feet
Minimum lot depth:	100 feet
Minimum yard setbacks:	
Front:	0 feet
Rear:	20 feet[1]
Interior side:	0 feet
Corner side:	8 feet[2]
Waterfront yard (from navigable water):	8 feet[3]
Minimum living area:	750 s.f.
Maximum lot coverage: Parking garages:	75% 85%
~~**Maximum Floor Area Ratio (FAR)**~~	~~N/A~~
Maximum structure height:	45 feet[4]

[1] Where rear property line abuts a public street or alley, rear yard setback may be reduced to eight (8) feet at first floor level, in which case, no setback shall be required at all other floor levels.

[2] Eight (8) feet is require at first floor level. No setback shall be required at all other floor levels.

[3] Waterfront setbacks shall be measured from the property where the body of water is under different ownership than the subject property line; however, setbacks are measured from the mean high water line if the body of water is under the same ownership as the subject property.

[4] ~~Forty-five (45) feet, not to exceed four (4) stories.~~ The maximum building height shall be forty-five (45) feet, except for buildings which contain a mix of uses (residential in combination with non-residential uses). In these instances, the maximum building height may be increased to one hundred (100) feet, but contingent upon conditional use approval. Mechanical equipment which exclusively serves the structure shall not be included in the calculations of height.

4. Review and Approval Process. All development and redevelopment shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking.

a. General Requirements. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

b. Specific for CBD District. As required by Chapter 4, Article V, Section 3.E. The CBD district contains additional standards relative to location and appearance of off-street parking facilities. Refer to Chapter 4, Article III, Section 3.C. for these additional development standards.

6. Miscellaneous.

a. Building Location and Massing. See Chapter 4, Article III, Section 3.H. for additional regulations pertaining to mixed use developments.

b. Shade and Shelter. See Chapter 4, Article III, Section 3.H. for additional regulations pertaining to mixed use developments.

F. *PCD Planned Commercial Development District.*

1. General.

a. Purpose and Intent. The purpose of the PCD zoning district is to implement the office commercial (OC), local retail commercial (LRC), and general commercial (GC) future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to provide a place for commercial developments that will better satisfy current demands for commercially zoned lands by encouraging development which will reflect changes in the concepts and the technology of land development and relate the development of land to the specific site, to conserve natural amenities and to allow for the mitigation of negative impacts which result from land development. In addition, this district is considered the predecessor to the suburban mixed use (SMU) zoning district. ~~With respect to residential uses, the PCD district allows a maximum density of eleven (11) dwelling units per acre; however, all residential developments must adhere to the R-3 district building and site regulation in accordance with Section 2.F. above.~~

b. Prerequisite Location Standards. The PCD district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation and~~,~~ resource management.~~, and social equity.~~ Rezoning to the PCD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

In reaching recommendations and decision as to zoning land to PCD, the advisory board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Along major roadways or other transportation facilities as to provide direct access without creating or generating an unacceptable level of traffic along streets in residential areas or districts outside it.

(2) Extensions of publicly owned and maintained utilities and storm sewers, etc. shall be constructed by the applicant at no expense to the city and said utilities, etc. shall be deeded to the city clear of any encumbrances. Construction standards employed in the installation of publicly maintained utilities and storm sewers shall be those promulgated by the Engineering and Utility Departments as amended periodically. Concerning streets, consistent with the intent of these Regulations, any required roadway improvements shall be constructed at the applicant's expense including the dedication of additional rights-of-way as noted in the ~~traffic and circulation~~Transportation Eelement of the Comprehensive Plan and the replacement of roadway capacity when applicable.

(3) The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of the soil, groundwater level, drainage, and topography shall all be appropriate to both kind and pattern of use intended.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-~~19~~-20). In addition to the design and construction criteria established in other chapters or sections of the Boynton Beach Land Development Regulations, the following design criteria shall be applicable to the zoning, design, and construction of planned commercial developments:

BUILDING/SITE REGULATIONS PCD District	
Minimum lot area:	3 acres[1]
Minimum lot frontage:	Flexible
Minimum perimeter yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	30 feet
Corner side:	30 feet

Maximum lot coverage:	40%[~~2~~1]
Maximum Floor Area Ratio (FAR)	0.5[~~3~~2]
Maximum structure height:	45 feet[4]

~~[1] Three (3) contiguous acres.~~

~~[2]~~[1] The total ground floor area of all buildings and accessory structures shall not exceed forty percent (40%) of the plot on which they are constructed.

~~[3]~~[2] A floor area ratio (FAR) of up to 0.50 may be considered for local retail commercial uses allowed in the PCD zoning district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the local retail commercial future land use classification of the Comprehensive Plan.

~~[4] No more than four (4) stories.~~

4. Review and Approval Process.

a. All development and redevelopment within the PCD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the PCD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

a. Perimeter Landscape Buffer. See Chapter 4, Article II, Section 4.C.3.

b. Off-street Loading. See Chapter 4, Article VI, Section 3.D.

c. Platting. All planned commercial developments are subject to and shall be developed consistent with the requirements of Chapter 2, Article III, Section 2 and Chapter 4 of the Boynton Beach Land Development Regulations.

d. Site plan. All plans for lots or parcels proposed to be developed within planned commercial developments are subject to and shall be developed consistent with the requirements of Chapter 2, Article II, Section 2.F., Land Development Regulations.

e. Building Permit. No building permits shall be issued unless and until platting procedures and the requirements outlined in Chapter 2, Article IV, Section 2 of the Land Development Regulations are completed in every respect.

(Ord. 10-025, passed 12-7-10)

Sec. 4. SMU Mixed-Use Suburban District.

A. *General.*

1. Purpose and Intent. The purpose of the SMU zoning district is to implement the mixed use ~~suburban~~ low (~~MXS~~MXL)~~,~~ and ~~-~~development of regional impact (DRI)~~., and other subsequently established~~ future land use map (FLUM) classifications of the Comprehensive Plan. In order to guide the redevelopment and envisioned growth of the suburban area, the SMU zoning district requires a diversity of land uses, accommodating a mixture of residential, office, retail, recreational, and other miscellaneous uses. Ideally, the SMU district is intended to supplant the PCD district for new developments and projects to encourage the inclusion of residential uses and well-planned mixed use projects designed in accordance with smart growth principles and best planning practices. Densities of such developments shall ~~correspond with the respective FLUM classification, but in no case~~ be no greater than twenty (20) dwelling units per acre. This mix of uses may be arranged either vertically or horizontally within low-to-mid-rise developments. The review of SMU applications will emphasize aesthetics and design quality, and physical compatibility with adjacent land uses. The specific objectives of the SMU district are as follows:

a. Support and enhance development and redevelopment efforts in suburban areas outside of the downtown redevelopment area;

b. Create major new mixed use areas in planned locations with appropriate densities, heights, and mixture of uses;

c. Create attractive pedestrian environments through appropriate separation from and design of vehicular circulation areas;

d. Provide public plazas and gathering places that are both well-designed and integrated into the overall design of the development;

e. Allow flexibility in architectural design and building bulk, while maximizing compatibility and harmony with adjoining development;

f. Create higher quality environments for residents, businesses, employees, and visitors; and

g. Encourage innovative design that achieves vertical and horizontal integration of uses.

2. Prerequisite Location Standards. The SMU district ~~is optimum when there is~~creates an opportunity to promote sustainability with respect to land use, energy conservation and~~,~~ resource management.~~, and social equity.~~ Rezoning to the ~~IPUD~~ SMU district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

The SMU district shall only be applicable to lands located west of I-95 on assembled parcels along major arterials. ~~outside of the downtown redevelopment district.~~

B. *Use(s) Allowed.* See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

C. *Additional Use Regulations.*

1. Mixed Uses. Buildings containing residential and non-residential uses are required within the SMU zoning district and shall be subject to the development standards indicated in Section 4.D. below. With the exception of designated live/work units, no residential uses are allowed on the ground floor of mixed use buildings fronting on arterial streets. The ground floor of mixed use buildings shall be reserved for non-residential uses.

2. Design. Mixed use projects containing residential components shall include appropriate design, materials, and site layout in order to maximize compatibility with residential uses located on upper floors.

3. Live-Work Units. The city contains special regulations regarding required parking and allowable signage for live/work units (see Chapter 4, Article V, Section 2 and Chapter 4, Article IV, Section 3.C.13., respectively).

D. *Building and Site Regulations.*

1. Building and Site Regulation (Table 3-21~~0~~).

SUBURBAN MIXED-USE (SMU) **DISTRICT**	*Types of Uses*		
Building/Site Regulations	Residential Single-Family (Attached or Detached)	Multi-Family	Other Uses (includes Mixed-Use)
Density (dwelling units per acre)	20	20	N/A
Project Area, Minimum:	SMU district - 10 acres[1]		
Lot Area per unit, Minimum (square feet):	Flexible[~~11~~12]	Flexible[~~11~~12]	10,000[2]
Lot Frontage, Minimum (feet):	Flexible[~~11~~12]	100	100
Living Area, Minimum A/C (square feet):	1,200[~~15~~]	750[~~15~~]	750[~~15~~]
Floor Area Ratio (FAR), Maximum:	N/A	N/A	~~1.0~~2.5[~~8~~]
Structure Height, Minimum (feet):	35[~~97~~]	35[~~97~~]	35[~~97~~]
Structure Height, Maximum (feet):	35	55[~~61~~, ~~10~~8]	55[~~61~~, ~~10~~8]
Build-to-line (feet):			
Front:	10[~~31~~]	10[~~2, 3~~, 4, ~~5-6~~]	10[~~53~~, ~~61~~, ~~7~~-5]

Building Setbacks, Minimum (feet):				
Side:	15 corner	10 end	10[6~~1~~]	0[6~~1~~, ~~11~~12]
Rear:	Flexible[~~11~~12]		15[6~~1~~]	Flexible[6~~1~~, ~~11~~12]
Usable Open Space, Minimum (square feet):	30%[~~119~~, ~~1210~~]		20%[9,10,11, ~~13~~]	20%[9,11, ~~13~~]

~~1. Minimum project size. A minimum of ten (10) acres shall be required for any project developed under the provisions of the SMU regulations.~~

~~2. Hotels must be part of a mixed use project of at least three (3) acres in size.~~

~~3~~1. Porches may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk. Porches shall be placed outside of clear sight triangle. Minimum setback for a garage facing or accessing the street is twenty (20) feet. Where less than twenty (20) feet, garage access required from side or rear.

~~4~~2. Projecting feature(s) such as awnings, balconies, porches and/or stoops may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk.

~~5~~3. Front yard build-to line along major arterial roads, a maximum of ninety (90) feet inclusive of a twenty-five (25)-foot landscape buffer, including a berm.~~.~~

~~6.~~4 The height setback envelope in accordance with Section 4.D.3. below shall apply where adjacent to developed single-family residential zoning districts.

~~7~~5. One (1) or more projecting feature(s) such as awnings, balconies, colonnades, porches and/or stoops required forward of the build-to line and shall maintain a minimum five (5)-foot clearance from any vehicle use area. Elements projecting over a pedestrian walkway shall allow a minimum nine (9)-foot vertical clearance and five (5)-foot horizontal pedestrian clearance.

~~8~~6. Excluding ~~residential uses and~~ parking structures.

~~9~~7. Applies to any façade with arterial roadway frontage. Multiple-story buildings are encouraged along arterial roadways. The intent of this provision is to create the appearance, or simulate the intensity of, a minimum two (2)-story building. Conditional use approval required if less than the thirty-five (35) foot minimum.

~~10~~8. Building heights between fifty-five (55) feet and seventy-five (75) feet ~~to the peak of the structure or any architectural details~~ may be allowed only for interior buildings (those buildings separated from the property line by another project building or use), if approved as a conditional use. ~~The building/structure height measurement shall be conducted in accordance with Section 4.D.2. below. Exceptions to the maximum height shall not be allowed.~~

~~11~~9. Usable open space shall provide active or passive recreational space and shall not be occupied by water bodies, streets, drives, parking areas, or structures other than recreational structures.

~~12~~10. At least fifty percent (50%) of the required usable open space for single-family residential uses shall be contained in one (1) or more common pooled areas and a rectangle inscribed within each common pooled area shall have no dimension less than seventy-five (75) feet.

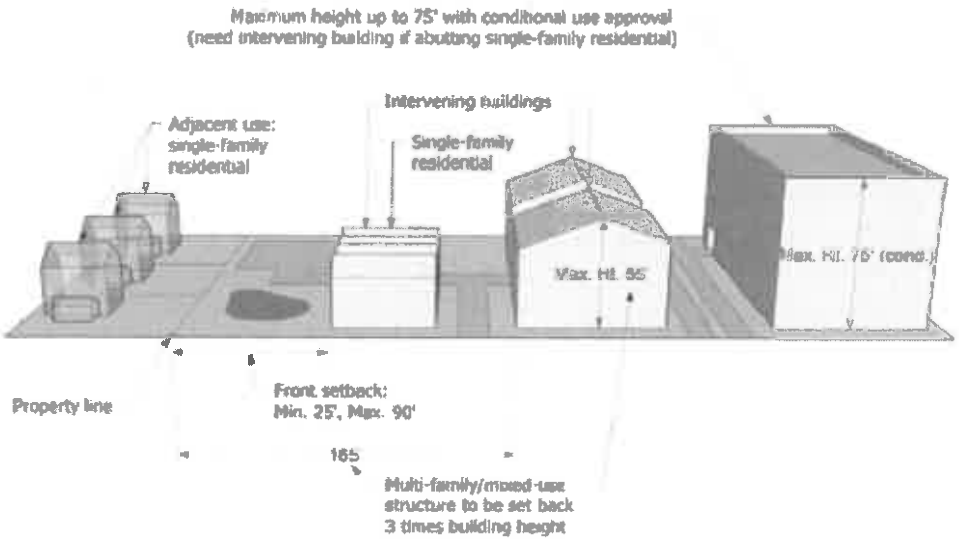
~~13~~11. Up to fifty percent (50%) of the usable open space required for "multi-family" and "other uses" may be hardscaped plazas and public gathering places.

~~14~~12. To be determined on a case by case basis, depending on the overall project design.

~~15. Accessory apartments must be at least seven hundred fifty (750) square feet in area (air-conditioned space).~~

~~2. Building Height Measurement. Building heights shall be measured to the peak of structures, in order to more accurately predict and regulate the overall heights of buildings proposed within the SMU district to ensure compatibility with the adjacent, potentially less intense and dense suburban areas.~~

~~3~~2. Height Setback Envelope. Minimum building setbacks shall be based on building heights. The height setback envelope is applicable where the SMU development is adjacent to a developed single- family residential zoning district. This minimum setback shall be three (3) times the building height for any multi-family or non-residential structure. The setback shall be measured from the common boundary of the SMU and the single-family residential zoning district or the midpoint of any intervening right-of-way.



E. *Review and Approval Process.*

1. All development and redevelopment within the SMU district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

2. Site plan approval shall be required in accordance with Chapter 2, Article II, Section .F. prior to application for building permit.

F. *Parking.* Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements. See Chapter 4, Article III, Section 6.F.4 for additional community design standards pertaining to off-street parking.

G. *Modifications.* Any modification proposed within the SMU district shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section .D.6.

H. *Miscellaneous.*

1. Common Areas. Prior to approval of the final plat by the City Commission, the developer shall file association documents or alternative agreements that assign responsibility for and ensure the perpetual operation and maintenance of all common facilities of the development. The common facilities addressed within this agreement shall include but not be limited to the following: private streets, drive aisles, parking areas, plazas, open space, landscaping, and recreation facilities. All documents are subject to the review of the City Attorney.

2. Landscaping.

a. Trees. See Chapter 4, Article II, Section 4.A.3.a.

b. Irrigation. See Chapter 4, Article II, Section 4.A.6.

c. Perimeter Buffer. See Chapter 4, Article II, Section 4.C.3.

3. Dumpster Location. See Chapter 4, Article VI, Section 5.A.

4. Sidewalks. See Chapter 4, Article VIII, Section 3.D.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-016, passed 10-2-12)

Sec. 5. Mixed-Use (Urban) Districts.

A. *General.*

1. Purpose and Intent. The urban mixed-use zoning districts are ~~mostly~~ intended to implement the CRA Community Redevelopment Plans~~, in part,~~ -by providing for a mixture of land uses, accommodating varying densities and intensities appropriate for each CRA district, and by establishing quality streetscapes and pedestrian environments as part of a compact urban setting. The mixed use districts also support transit ridership, in particular through higher density and intensity development within the designated Downtown Transit-Oriented Development District (DTODD). Additional standards and requirements of this section are based on the proximity to the planned train station, and location within the transit core, which is defined as the area extending one-quarter (1/4) mile from the train station. To ensure compliance with these Regulations, an application for site plan approval shall be required and reviewed concurrently with any

request to rezone lands to a mixed-use (urban) district, except as provided in Section 2.D.1.e. Also see Chapter 4, Article III, Section 6.~~H.~~ for design and compatibility standards. The objectives of the mixed-use (urban) districts are as follows:

a. Support and enhance revitalization efforts in the city's traditional commercial core area through the provision of compact, transit-supportive, high density and intensity development;

b. Allow for commercial services to be provided to new residential developments in planned locations with appropriate densities, heights, and mixtures of uses;

c. Create optimal pedestrian environments and spaces through well located public plazas, expanded public sidewalks, maximized internal and external interconnectivity and design of pedestrian-friendly vehicular circulation areas;

d. Allow flexibility in architectural design and building bulk while maximizing compatibility and harmony with adjoining development;

e. Create surrounding areas that complement rather than compete with the downtown; and

f. Create higher quality environments for residents, businesses, employees, and visitors as determined by how well the urban centers function seamlessly with respect to interconnectivity between the principal uses, activity centers, and transportations systems, forming a cohesive and desirable sense of place.

2. Description of Districts.

a. Mixed Use 1 (MU-1). The MU-1 district implements the Mixed Use Low (MXL) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of twenty (20) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be twenty-five (25) dwelling units per acre through participation in the City's Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of eleven (11) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core.

b. Mixed Use 2 (MU-2). The MU-2 district implements the Mixed Use Medium (MXM) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of ~~thirty~~ forty (4~~3~~0) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be ~~thirty-seven and one-half~~fifty (~~37.5~~50) dwelling units per acre through participation in the ~~City's~~ Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of twenty (20) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core.

c. Mixed Use 3 (MU-3). The MU-3 district implements the Mixed Use Medium (MXM) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of ~~forty~~ fifty (4~~0~~50) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be ~~fifty~~ sixty two and one-half (~~50~~62.5) dwelling units per acre through participation in the ~~City's~~ Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of thirty (30) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core.

d. Mixed Use-4 (MU-4). The MU-4 district implements the Mixed Use High (MX-H) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of sixty (60) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be seventy-five (75) dwelling units per acre through participation in the ~~City's~~ Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of thirty five (35) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core. The intent of this new district is to facilitate the establishment of high density and intensity development nodes at strategic locations that support downtown redevelopment, while in certain location also providing a proper continuum of, or transition in scale between the Mixed Use Core (MU- C) and Mixed Use 3 (MU-3) Districts.

e. Mixed Use Core (MU-C). The MU-C district implements the Mixed Use ~~Core~~ High (MXH ~~C~~) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of eighty (80) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be one hundred (100) dwelling units per acre through participation in the ~~City's~~ Workforce Housing Program. In addition, projects located within the Station Area shall have a minimum density of thirty (30) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core. The intent of this district is to supplant the Central Business District (CBD) in the historic downtown and marina.

3. Location and General Use Requirements.

a. General. The mixed use (urban) districts are intended for projects that promote sustainable design with respect to land use, energy conservation, resource management, and social equity. Rezoning to any of these districts is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

The mixed use (urban) zoning districts shall be applied to selected geographic areas east of I-95, where a mixture of uses and building intensities is intended to implement the ~~city's Comprehensive Plan,~~ CRA Community Redevelopment Plan~~,~~ and urban design guidelines including goals involving compact design, transit-oriented development, employment, population, transportation, housing, public facilities, and environmental quality. Permitted uses and associated standards for development vary between the zoning districts each reflecting the importance of the district's location and relationship to the downtown. Maximum heights, densities, and intensities of development are regulated to achieve, in part, the intended vision as established within the CRA Community Redevelopment Plan for each of the six planning districts, while ensuring land use compatibility. A master plan as a whole, comprised of individual buildings and parcels, would be reviewed for compliance with the requirements below pertaining to a residential component to the project, and commercial use on the first floor of a project. ~~Projects not meeting the requirement for a residential component shall be reviewed for contribution to employment targets in accordance with FDOT standards for a community center TOD.~~

b. Mixed Use 1 (MU-1), Mixed U~~u~~se 2 (MU-2), and Mixed Use 3 (MU-3).

(1) In order to complement the revitalization efforts in the downtown area, these ~~MU-L~~ zoning districts shall be applied to lands consistent with the Comprehensive Plan Future Land Use Map and CRA Community Redevelopment Plan. ~~Such areas are generally described as Woolbright Road between I-95 and the FLC Railroad, Boynton Beach Boulevard between I-95 and Northwest 1st Street, Martin Luther King Jr. Boulevard, Southeast 4th Street south to Southeast 5th Avenue, and Ocean Avenue between Southeast 4th Street and Southeast 1st Street.~~ See the Community Redevelopment Plan for specific recommendations on locations and boundaries.

(2) These MU districts are appropriate for low- to mid-rise developments that provide for medium density residential and low to medium intensity commercial and office uses.

(3) The review of these applications will emphasize compactness, aesthetics and design quality, and physical compatibility with adjacent land uses.

(4) Except where limited by Table 3-2~~1~~2 in Chapter 3, Article III, Section 5.C., all new developments within the MU-1 and MU-2 districts that contain a non-residential use shall front on streets designated as "arterial", or "collector", roadways on the Functional Classification of Roadways Map. All projects within the MU-3 district ~~and~~ proposed within the transit core must contain a residential component, and all projects proposed within these Mixed Use intensity districts that front on an arterial road must have space on the first floor devoted to commercial or an active use.

(5) Maximum height may be further limited in certain geographic areas to further applicable redevelopment plans and maintain compatibility with an abutting single-family district.

c. Mixed Use-4 (MU-4).

(1) The Mixed Use 4 (MU-4) district shall only be applied to land classified as mixed use-~~core~~ high (MXH ~~C~~) on the future land use map as recommended by the Community Redevelopment Plan.

(2) The MU-4 district is appropriate for high density/intensity development intended for designated

nodes. ~~such as properties at the intersection of US 1 and Woolbright Road, and the downtown area, which is generally located east of the FEC Railroad, including the marina district, and which extends out from the planned train station by approximately three (3) to four (4) blocks.~~ Such developments shall include a mix of uses designed in a compact vertical style. Developments proposed within the Downtown Transit-Oriented Development District (the Station Area) must contain a residential component and have space on the first floor ~~which shall be~~ devoted to commercial uses for those portions of the project having frontage along Ocean Avenue or an arterial road.

(3) All new developments within this district shall front on streets designated as "arterial" roadways on the Functional Classification of Roadways Map.

d. Rezoning of s~~S~~ingle-family d~~D~~istricts. All requests to rezone any single-family residential district to a mixed use zoning district shall be subject to the following additional requirements:

(1) Height, density and intensity of development shall be consistent with the CRA Redevelopment Plan for the applicable district;~~Redevelopment District~~;

(2) Ratio of lot frontage to depth that is no more than one (1) foot (frontage) to one and one-quarter (1.25) foot (depth);

(3) Vehicular access to the property located to minimize impacts on adjacent single-family developments and meet safety standards; and

(4) Landscape barriers provided, in accordance with the landscape regulations of this Code, where the rezoned property abuts single-family residential zoning.

e. Mixed Use Core (MU-C).

(1) The Mixed Use C (MU-C) district shall only be applied to lands classified as mixed use-high (MX-H) on the future land use map.

(2) The MU-C district is appropriate for high density/intensity development intended for the downtown area.~~, which is generally located east of the FEC Railroad, including the marina district, and which extends out from the planned train station by approximately three (3) to four (4) blocks.~~ Such developments shall include a mix of uses designed in a compact vertical style. Developments proposed within the Downtown Transit-Oriented Development District (the Station Area) must contain a residential component and have space on the first floor ~~which shall be~~ devoted to commercial uses for those portions of the project having frontage along Ocean Avenue or an arterial road.

(3) All new developments within this district shall front on streets designated as "arterial" roadways on the Functional Classification of Roadways Map.

f. Rezoning of s~~S~~ingle-family d~~D~~istricts. All requests to rezone any single-family residential district to a mixed use zoning district shall be subject to the following additional requirements:

(1) Height, density and intensity of development based on the standards indicated in Table 3-2~~1~~2;

(2) Ratio of lot frontage to depth that is no more than one (1) foot (frontage) to one and one-quarter (1.25) foot (depth);

(3) Vehicular access to the property located to minimize impacts on adjacent single-family developments and meet safety standards; and

(4) Landscape barriers provided, in accordance with the landscape regulations of this Code, where the rezoned property abuts single-family residential zoning.

B. *Use(s) Allowed.* See "Use Matrix, Table 3-28" in Chapter 3, Article IV, Section 3.D.

C. *Building and Site Regulations.*

1. Building and Site Regulation (Table 3-2~~1~~2).

MIXED USE, URBAN (Overlay regulations may apply. See Section 8 below.)	**MU-1**	**MU-2**	**MU-3**	**MU-4**	**MU-C**
Lot Area, Minimum (acres):					
Public park:	N/A	N/A	N/A	N/A	N/A
All other uses:	0.50	0.75	1	1	1
Lot Frontage, Minimum (ft.)[1]	100	100	150[2]	200	200

Structure Ht., Minimum (ft.)	30	30	30	45	45
Maximum Height (ft.)[3]	~~45~~ 55	65	75	100	150/125[4]
Maximum Density (DUs/Acre)[10, 12]	20	40	50	60	80
Maximum F.A.R.[11]	~~1.0~~2.5	~~2.0~~3.0	3.0	4.0	4.0
Build-to-line (ft.)[8]:					
All sides abutting a collector or arterial road	Factor of Pedestrian Zone Requirement[7]				
Abutting a Local street	0[7]	0[7]	0[7]	0[7]	0[7]
Interior side	0[7]	0[7]	0[7]	0[7]	0[7]
Building Setbacks, Minimum (ft.)[8]:					
Rear abutting					
Residential single-family	25[5]/0[5, 6]	25[5]	25[5]	25[5]	25[5]
Intracoastal waterway	25[5]	25[5]	25[5]	25[5]	25[5]
Side abutting					
Residential single-family:	25[5]/0[5, 6]	25[5]	25[5]	25[5]	25[5]
Usable Open Space, Minimum (sq. ft.)[9]	N/A	N/A	~~N/A~~ 0.5%	1%	2%

1. May be reduced if frontage extends from right-of-way to right-of-way.

2. ~~Minimum of fifty (50) feet. if frontage is on a collector/local collector roadway.~~ Reserved.

3. Maximum height on any street frontage is forty-five (45) feet. Maximum height on Intracoastal Waterway is thirty-five (35) feet consistent for a depth of a minimum of thirty (30) feet. Heights may require reduction where adjacent to a single-family zoning district where necessary to achieve the compatibility requirements of these regulations. Maximum heights may be increased in the DTODD through participation in the Workforce Housing Program.

4. Maximum height reduced to one hundred twenty-five (125) feet for the entire project where property abuts any other MU or residential zoning district not separated by a right-of-way.

5. Plus one (1) additional foot for each foot of height over thirty-five (35) feet.

6. Where there is an intervening right-of-way of at least forty (40) feet.

7. Buildings and structures shall be located no farther than zero (0) feet from the property line, except in conjunction with providing required visibility at intersections, driveways; open spaces and public plazas; or when additional setback is necessary to provide for required "Pedestrian Zone" (PZ). Building placement is a factor of roadway type and CRA district, which determines the minimum~~.~~ width and design of the PZ. ~~Except for the Downtown District, where t~~The minimum PZ ~~width is 18', the minimum PZ in all other districts is 16 ft.~~is comprised of three components: 1) a five (5) foot wide street tree area, measured from the back of the curb, or future curb on roads requiring a right-of-way dedication, 2) an eight (8) to ten (10) foot wide sidewalk, free from obstructions, measured from the centerline of street trees, and 3) an eight (8) foot wide active area, measured from the sidewalk. The PZ components may vary in placement order only on sites with conflicting right-of-way regulations. –See Section 5.C.2. below for additional relief provisions from build-to line requirements.

8. Listed eligible historic structures are not required to meet these standards.

9. Usable open space shall be required for all developments two (2) acres in size or larger which shall be devoted to plazas or other public open space, excluding private recreation. See Chapter 4, Article III, Section 8 for additional regulations.

10. Projects within the transit core shall have minimum densities as follows: MU-1 - eleven (11), MU-2 - twenty (20), MU-3 - thirty (30), MU-4 - thirty-five (35) and MU-C - forty (40) dwellings per acre (except that minimum density for the MU-C district applies to projects located within the entire station area).

11. Projects within the transit core shall have a minimum FAR as follows: MU-3 - one and three-quarters (1.75), MU-4 (2.0) and MU-C - two (2.0) (except that minimum FAR for the MU-C district applies to projects to be located within the entire station area).

12. The maximum density for projects within the Downtown Transit-Oriented Development District (the Station Area) may be increased up to twenty-five percent (25%) over the maximum density allowed in the underlying zoning district through participation in the City's Workforce Housing Program.

2. Minor and Major Variations to Build-to Line Requirements. Notwithstanding the required build-to line and pedestrian zone requirements of Note #7~~10~~ above, portions of buildings and structures may be constructed in excess of the distance specified in the above table, but not to exceed fifteen (15) feet in order to 1) optimize landscape design; 2) maximize on-site drainage solutions; 3) accommodate architectural features and building enhancements; or 4) to otherwise enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas in order to farther the purpose and intent of the Overlay ~~Zone~~. Major deviations from the build-to line requirement above (in excess of fifteen (15) feet) may be allowed, but only with sufficient justification and contingent upon the approval of a Community Design Appeal application (see Chapter 2, Article II, Section 4.B.).

3. Additional Standards. See Chapter 4, Article III, Section 6.H. for additional standards related to urban design and building location for properties located in within the transit core of the Downtown Transit-Oriented District Overlay ~~Zone~~ (the Station Area).

D. *Review and Approval Process.*

1. All development and redevelopment within the urban mixed use districts shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

2. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

E. *Parking.*

1. General Requirements. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

2. Reduced Parking Requirements in MU-H District. See reduced parking requirements for specific uses within the MU-H district in accordance with Chapter 4, Article V, Section 2.B.

3. Off-Street Parking Facilities. The mixed use (urban) districts contain additional standards relative to location and appearance of off-street parking facilities. Refer to Chapter 4, Article III, Section 6.F. for these additional development standards.

F. *Miscellaneous.*

1. Access. See Chapter 4, Article VI, Section 3.C.8.
2. Building Location. See Chapter 4, Article III, Section 6.
3. Location of Dumpsters and Trash Receptacles. See Chapter 4, Article VI, Section 4.C.
4. Shade and Shelter. See Chapter 4, Article III, Section 6.
5. Sidewalks in MU-H District. See Chapter 4, Article III, Section 6 for community design standards related to sidewalks.
6. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 13-013, passed 6-4-13; Am. Ord. 14-009, passed 7-1-14; Am. Ord. 15-006, passed 3-2-15; Ord. 15-023, passed 10-6-15; Am. Ord. 16-023, passed 1-3-17; Am. Ord. 17-023, passed 9-19-17)

Sec. 6. Industrial Districts.

A. *M-1 Industrial District.*

1. General. The purpose of the M-1 zoning district is to implement the industrial (I) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to allow industrial uses that provide opportunities for the retention and expansion of economic activities associated with manufacturing, processing, or assembly plants, including their support enterprises for warehouse, storage, distribution, research, and development.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-2~~2~~3).

BUILDING/SITE REGULATIONS

M-1 District	
Minimum lot area:	10,000 s.f.[1]
Minimum lot frontage:	0 feet
Minimum yard setbacks:	
Front:	15 feet
Rear:	20 feet[2]
Abutting: Residential district(s)	30 feet
Interior side:	15 feet[3]
Abutting: Residential district(s)	30 feet
Corner side:	15 feet
Maximum lot coverage:	60%
Maximum Floor Area Ratio (FAR)	0.50[4]
Maximum structure height:	45 feet[5]

[1] A property that does not meet this minimum size shall be considered conforming only if it contains a whole platted lot and was not in combination with other lots under the same ownership at the time of the effective date of this ordinance (October 2, 2012), in which the cumulative size would have met the minimum required by code. Any such undersized lots that are further subdivided and reduced in size shall be considered non-conforming pursuant to Chapter 3, Article V, Section 11.

[2] Where rear yard abuts a railroad right-of-way or any paved alley, the rear yard may be reduced to ten (10) feet.

[3] Where rear yard abuts a paved alley or street, then no side setback shall be required.

[4] A floor area ratio (FAR) up to 0.50 may be considered for industrial uses allowed within the M-1 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the industrial future land use classification of the Comprehensive Plan.

~~[5] Not to exceed four (4) stories.~~

4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

B. *PID Planned Industrial Development District.*

1. General.

a. Purpose and Intent. The purpose of the ~~M-1~~PID zoning district is to implement the industrial (I) and development of regional impact (DRI) future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to:

(1) Provide for current demands for light industrial and other compatible uses in a planned setting. This district is intended for development that reflects changes in technology and is capable of being designed sensitive to the environment;

(2) Create a desirable environment for employees, customers and others traversing the PID as well as with respect to ~~current and future~~ adjacent residential development; require economies of scale in providing public services; require placement within close proximity to other employment centers; and provide internal and external connectivity through optimal design and access to available modes of transportation.

b. Prerequisite Location Standards. The PID district ~~is optimum when there is~~creates an opportunity to promote sustainability with respect to land use, energy conservation~~,~~ and resource management.~~, and social equity.~~ Rezoning to the PID district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and

modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

In reaching recommendations and decisions as to zoning land to PID, the advisory board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Relation to major transportation facilities. A PID shall be so located with respect to major roadways or other transportation facilities as to provide direct access to it without creating or generating traffic along streets in residential areas or districts outside it.

(2) Extensions of city-maintained waterlines, sewer lines, pumping stations, streets and storm sewers, etc., shall be constructed at no expense to the city and all such construction shall be in accordance with city ordinances and specifications.

(3) The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of the soil, groundwater level, drainage and topography shall all be appropriate to both kind and pattern of use intended.

2. Use(s) Allowed and Use Approval. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-2~~3~~4).

BUILDING/SITE REGULATIONS PID District	
Minimum project area:	25 acres[1]
Minimum lot frontage:	Flexible
Minimum yard setbacks:	
Front:	30 feet
Rear:	30 feet
Interior side:	20 feet
Corner side:	30 feet
Maximum lot coverage:	60%[2]
Building Separation:	25 feet
Maximum Floor Area Ratio (FAR)	0.5[3]
Maximum structure height:	45 feet[4,2]

[1] Twenty-five (25) contiguous acres.

~~[2] The gross floor area of the building and accessory structures shall not exceed sixty percent (60%) of the lot on which it is constructed.~~

~~[3] A floor area ratio (FAR) of up to 0.50 may be considered for industrial land uses allowed in the PID zoning district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the industrial future land use classification of the Comprehensive Plan.~~

~~[4]~~[2] No more than four (4) stories, with the exception of buildings in mixed use pod of the PID pursuant to Section 6.B.8. below.

4. Review and Approval Process.

a. All development and redevelopment within the PID district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the PID shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

a. Perimeter Landscape (Greenbelt) Buffer. See Chapter 4, Article II, Section 4.C.3.

b. Off-street Loading. See Chapter 4, Article VI, Section 3.B.

c. Building Permit. No building permits shall be issued unless and until platting procedures and the requirements outlined in Chapter 2, Article III, Section 2 of the Land Development Regulations are completed in every respect.

d. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

8. Mixed Use Pods.

a. Intent. The purpose of these provisions is to establish small mixed use nodes containing a combination of residential, commercial and office uses in close proximity to employment centers and available modes of transportation, while also meeting the intent of the PID district described above. The mixed use pod is intended for a master planned setting that provides optimal internal and external connectivity for residents, employees, and other visitors, and generally follows the livability and connectivity standards promoted in the smart growth initiative. For the purpose of this subsection, a mixed use pod is defined as a development project located within a previously approved PID. The following criteria shall apply to mixed use pods proposed for development within an approved PID.

b. Establishment of a Mixed Use Pod. To ensure attainment of these design objectives, as well as to accommodate adequate buffering to ensure compatibility among varying uses, a PID district eligible for a mixed use pod must contain a minimum of five hundred (500) consolidated acres. The establishment of a mixed use pod shall also conform to the requirements of this section, and be in accordance with the process requirements of Master Site Plan within a mixed use pod (Chapter 2, Article II, Section 3.A.).

c. Density. The PID district corresponds with the industrial (I) and development of regional impact (DRI) FLUM classifications; however, residential uses are only allowed within a mixed use pod of a PID that has a DRI FLUM classification. Maximum residential densities shall be in accordance with the thresholds established for the respective DRI.

d. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

e. Building and Site Regulations.

(1) The maximum building height within a mixed use pod shall not be greater than seventy-five (75) feet. Any building exceeding forty-five (45) feet in height shall be processed as a conditional use.

~~(2) Building height measurement. Building height shall be measured from the lowest finish floor slab elevation of the proposed building to the peak of the structure, including any architectural details, stairwells, elevator shafts, etc.~~

(~~3~~2) Height setback envelope. Minimum building setbacks shall be based on building heights for buildings greater than forty-five (45) feet in height. The height setback envelope is applicable where the mixed use development is adjacent to an existing developed single-family residential zoning district outside the PID. This minimum setback shall be three (3) times the building height for any multi-family or non-residential structure. The setback shall be measured from the common boundary of the PID and the existing single-family residential zoning district of the midpoint of any intervening right-of-way.

f. Parking. As required by Chapter 4, Article V.

g. Modifications.

(1) Any modification proposed to a Master Site Plan for a mixed use pod within a PID shall be in conformance Chapter 2, Article II, Section 3.A.6.

(2) Any modification proposed to a technical site plan within a master site plan of a mixed use pod within a PID shall be in conformance with Chapter 2, Article II, Section 4.H.

h. Miscellaneous. Any request to waive a standard zoning regulation within the mixed use pod shall be in accordance with Chapter 2, Article II, Section 3.D.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-010, passed 6-19-12; Am. Ord. 12-016, passed 10-2-12)

Sec. 7. Miscellaneous Districts.

A. *REC Recreation District.*

1. General. The purpose of the REC zoning district is to implement the recreational (R) future land use map (FLUM) classification of the Comprehensive Plan. It is the intent of this conventional district to

accommodate and preserve recreational areas for current and future uses consistent with the Comprehensive Plan. This district shall apply to those existing and proposed recreational areas not located in planned unit developments. Included in these areas are both public and privately-owned recreational tracts and the Intracoastal Waterway (ICWW).

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-254). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS REC District	
Minimum lot area:	1 acre
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	25 feet
Rear:	25 feet
Interior side:	25 feet
Corner side:	25 feet
Maximum lot coverage:	50%
Maximum Floor Area Ratio (FAR)	0.5
Maximum structure height:	45 feet[+]

[+] ~~Not to exceed four (4) stories.~~

4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

B. *PU Public Usage District.*

1. General. The purpose of the PU zoning district is to implement the public and private governmental/institutional (PPGI) future land use map (FLUM) classification of the Comprehensive Plan. This district shall apply to those areas within the city whose ownership and/or operation is public, or whose use is primarily public or institutionally-oriented, exclusive of those areas whose use is primarily recreational.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-256). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and building comply with the following regulations:

BUILDING/SITE REGULATIONS PU District	
Minimum lot area:	8,000 s.f.[2]
Minimum lot frontage:	75 feet[2]
Minimum yard setbacks[2]:	
Front:	25 feet[1]
Rear:	25 feet[1]
Abutting: Residential district(s)	30 feet
Interior side:	15 feet[1]
Abutting: Residential district(s)	30 feet
Corner side:	15 feet

Maximum lot coverage:	50%[2]
Maximum Floor Area Ratio	1.0[2]
Maximum structure height: Hospitals only:	45 feet[2] 60 feet[2]

[1] For hospital buildings, additional setback in excess of thirty (30) feet shall be required for any height over forty-five (45) feet. The additional setback shall be measured by calculating three (3) additional feet of setback for each foot in height above forty-five (45) feet, not including minimal roof top equipment that are eligible for height exception in accordance with Chapter 2, Article II, Section 4.C

~~[2] Not to exceed four (4) stories.~~

[2] Municipal operations and emergency facilities, essential services and support infrastructure are exempt from selected site standards in the Public Usage Zoning District and other applicable districts in accordance with Chapter 3. Zoning, Article II, Section 11.

4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

(Ord. 10-025, passed 12-7-10)

Sec. 8. Overlays ~~Zones.~~

~~A. *Urban Central Business District Overlay Zone.* In compliance with Florida Administrative Code, the city has established a single urban core area to attract high intensity, high density, multi-use development in the downtown through the redesignation of the central business district to an urban central business district, which will permit additional development density opportunities suitable to attract mixed use business, while ensuring the scale, design, function and character of any new development is compatible with, and complements, the city's redevelopment plans. The land that shall comprise the Urban Central Business District Overlay Zone is bordered on the east by the Intracoastal Waterway (ICWW), excluding all lands designated with a conservation overlay on the city's future land use map, and city lands utilized for stormwater retention; on the west by the Florida East Coast Railroad right-of-way, on the north by northeast 6th Avenue, and on the south by S.E. 2nd Avenue and consists of approximately eighty-three (83) acres. These boundaries shall be utilized for increased development-of-regional-impact guidelines and standards, consistent with the criteria of this section. The area is further delineated in map format on Ordinance No. 03-054, Exhibit "A."~~

~~The Urban Central Business District Overlay Zone is consistent with the City of Boynton Beach Comprehensive Plan and future land use map intensities.~~

~~The Urban Central Business District Overlay Zone is wholly within the jurisdictional boundaries of the City of Boynton Beach.~~

~~The future land use classification and zoning district allow for high intensity multi-use development within the proposed overlay zone. The uses and intensity are regulated by the respective future land use classification and zoning district.~~

~~Within the Urban Central Business District Overlay Zone, the DRI guidelines and standards set forth in Florida Administrative Code Rule 28-24.014(10), as they may be amended from time to time shall apply to the development approved by the city.~~

~~B.~~ A. *Martin Luther King Jr. Boulevard Overlay ~~Zone.~~*

1. Intent. ~~This overlay zone has been established to implement recommendations from the Vision 20/20 Redevelopment Plan, which identified a segment of the Martin Luther King Jr. Boulevard as an opportunity for redevelopment and revitalization.~~ This overlay identifies a segment of the Martin Luther King Jr. Boulevard as an opportunity for redevelopment and revitalization. The ultimate design and site standards of this section are intended to create a traditional street corridor with pedestrian improvements, storefronts along

the sidewalk, and a mixture of uses. The corridor is to contain an ambience supported by pleasant signage and building appearance, potted landscaping, store windows and public open spaces. This overlay ~~zone~~ is also appropriate for development of small properties to allow for consistency with the vision represented by the respective mixed use zoning district, and/or as an interim redevelopment mechanism until greater redevelopment occurs using the respective mixed use zoning district. All development within the Martin Luther King Jr. Boulevard corridor shall occur according to the provisions of the adopted plan as stated below.

2. Defined. The Martin Luther King Jr. Boulevard Overlay ~~Zone~~ (MLKBO~~Z~~) is hereby established as the area defined by the parcels fronting on that portion of the Boulevard located east of Seacrest Boulevard and west of ~~Federal Highway~~ right-of-way, along with those parcels adjacent to the north and south of these parcels that front on the Boulevard if assembled and development as a unified project.

3. Use(s) Allowed. (See "Use Matrix" - Chapter 3, Article IV, Section 3.D.).

4. Building and Site Regulations. Development within this ~~O~~overlay ~~Zone~~ shall be in accordance with building and site regulations applicable to the underlying zoning district except as follows:

a. ~~a.~~ Parcels that have frontage along Martin Luther King Jr. Boulevard ~~shall have the same front setback in accordance with the Mixed Use 1 zoning district (see Section 5.C. above).~~ shall provide for the required "Pedestrian Zone" (PZ). The minimum PZ is comprised of three components: 1) a five (5) foot wide street tree area, measured from the back of the curb, or future curb on roads requiring a right-of-way dedication, 2) an eight (8) foot wide sidewalk, free from obstructions, measured from the centerline of street trees, and 3) an eight (8) foot wide active area, measured from the sidewalk. The PZ components may vary in placement order only on sites with conflicting right-of-way regulations. See Section 5.C.2. below for additional relief provisions from build-to line requirements.

b. Notwithstanding the required build-to line and pedestrian zone requirements, portions of buildings and structures may be constructed in excess of the distance specified above, but not to exceed 15 feet when necessary to 1) optimize landscape design; 2) maximize on-site drainage solutions; 3) accommodate architectural features and building enhancements; and/or 4) to otherwise enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas in order to further the purpose and intent of the Overlay. Major deviations from the build-to line requirement above (in excess of 15 feet) may be allowed, but only with sufficient justification and contingent upon the approval of a Community Design Appeal application (see Chapter 2, Article II, Section 4.B).

c~~b~~. Minimum interior and corner side setbacks and rear setbacks shall be in accordance with the Mixed Use 1 zoning district (see Section 5.C. above).

d~~c~~. Maximum building height shall be fifty-five (55) ~~thirty (30)~~ feet. Buildings fronting Martin Luther King Jr. Boulevard shall be a maximum of thirty-five (35) feet consistent for a depth of ten (10) feet.

e. Minimum building height shall be thirty (30) feet.

5. Parking. As required by Chapter 4, Article V, Section 3.D.

6. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5.

~~C~~-B. *Urban Commercial District Overlay ~~Zone~~.*

1. Intent. The purpose of this ~~zone~~ overlay is to encourage the development and redevelopment of commercially-zoned parcels in a manner consistent with the pattern of development of parcels with mixed use zoning classifications.

2. Objectives. The objectives of this overlay ~~zone~~ are as follows:

a. Support and enhance revitalization efforts along the city's commercial corridors within the redevelopment areas.

b. Improve aesthetic and pedestrian streetscape environments by preventing the placement of off-street parking between the front of the building(s) and the rights-of-way.

c. Allow flexibility in architectural design and building bulk; while maximizing compatibility and harmony with adjoining development within the defined area.

3. Defined. The Urban Commercial District Overlay ~~Zone~~ (UCDO~~Z~~) is established ~~in the city redevelopment plans as the geographical area defined~~ by the following boundaries:

a. ~~Federal Highway Corridor Community Redevelopment Plan.~~ The boundary is the city limits to the north, the Intracoastal Waterway to the east, the city boundary to the south, and the Florida East Coast Railroad (F.E.C.) and Palm Boulevard (Northeast 4th Street) to the west. ~~The legal description is more particularly described in Exhibit 1.1, Appendix of the Federal Highway Corridor Community Redevelopment Plan.~~

~~b. The Ocean District Community Redevelopment Plan. The boundary is Northeast 3rd Avenue to the north, Seacrest Boulevard to the west, F.E.C. Railroad to the east, and Southeast 2nd Avenue to the south.~~

~~c. Boynton Beach Boulevard Corridor. The boundary is the commercially zoned parcels located along west Boynton Beach Boulevard, east of Interstate 95, and west of Seacrest Boulevard.~~

4. Conflict. In the event of any conflict between the provisions of the Urban Commercial District Overlay ~~Zone~~ (UCDO~~Z~~) and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws; and/or any rezoning of lands to a mixed use zoning district.

5. Building and Site Regulations (Table 3-2~~6~~7). Development within this o~~O~~verlay ~~Zone~~ shall be in accordance with building and site regulations applicable to the underlying zoning district except as follows:

BUILDING SITE REGULATIONS **Urban Commercial District Overlay ~~Zone~~**	
Build-to line~~[1,2]~~:	
Front (abutting any public right-of-way):	0 ft.[1]
Rear:	0 ft.[1]
Interior side:	0 ft.[1]
Minimum yard setbacks:	
Rear (abutting residential district):	30 feet
Interior side (abutting residential district):	15 feet
Maximum structure height:	Zoning[2,3]

[1] Buildings and structures fronting Federal Highway, or other roads described in the CRA Plan, shall be located no farther than zero (0) feet from the property line, except in conjunction with providing required visibility at intersections, driveways; open spaces and public plazas; or when additional setback is necessary to provide for required "Pedestrian Zone" (PZ). The minimum PZ is comprised of three components: 1) a five (5) foot wide street tree area, measured from the back of the curb, or future curb on roads requiring a right-of-way dedication, 2) a ten (10) foot wide sidewalk, free from obstructions, measured from the centerline of street trees, and 3) an eight (8) foot wide active area, measured from the sidewalk. The PZ components may vary in placement order only on sites with conflicting right-of-way regulations. See Section 5.C.2. below for additional relief provisions from build-to line requirements.

~~[1,2] Buildings and structures shall be located no farther than zero (0) feet from the property line, excluding those instances where strict adherence hereto would cause visual obstructions to vehicular traffic, particularly within the triangular shaped area of property formed by the intersection of two (2) rights-of-way.~~ Notwithstanding the required build-to line and pedestrian zone requirements, portions of buildings and structures may be constructed in excess of the distance specified above, but not to exceed 15 feet when necessary to 1) optimize landscape design; 2) maximize on-site drainage solutions; 3) accommodate architectural features and building enhancements; and/or 4) to otherwise enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas in order to further the purpose and intent of the Overlay ~~Zone~~. Major deviations from the build-to line requirement above (in excess of 15 feet) may be allowed, but only with sufficient justification and contingent upon the approval of a Community Design Appeal application (see Chapter 2, Article II, Section 4.B).

[3] Shall be defined by the applicable zoning district.

6. Parking. As required by Chapter 4, Article V.
7. Miscellaneous.
   a. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5.

b. **Building Location. See Chapter 4, Article III, Section 6.**
c. ~~e.~~ **Shade and Shelter. See Chapter 4, Article III, Section 6.**

C. *Cultural District Overlay*

1. **Purpose and Intent.** The Cultural District Overlay (CDO) is comprised of multiple properties and a mix of zoning districts that currently accommodates residential (single-, two- and multi-family), commercial, and institutional land uses. The CRA Redevelopment Plan recommends the Mixed Use Medium Future Land Use Classification for a majority of the District, which allows a maximum density of fifty (50) dwelling units per acre. The remainder of the District is recommended for the Mixed Use High Future Land Use Classification and the corresponding maximum density of 80 dwelling units per acre. The purpose and intent of the CDO are as follows:

a. Provide for a mix of selected commercial, residential, office, and entertainment uses and activities, with an emphasis on arts and cultural ventures that will encourage the adaptive re-use of existing buildings, restoration of historic structures, and maintain and further enhance the pedestrian scale and historic character –of the area;
b. Encourage the location of specialty retail, art related uses and entertainment establishments, along with pedestrian-friendly improvements that would complement and support relationships between the downtown district and marina / waterfront attractions to the east and the cultural / civic campus to the west;
c. Initiate implementation of various recommendations contained within the CRA Redevelopment Plan;
d. Stimulate greater awareness of and pride in the City's architectural, historical, and cultural heritage;
e. Ensure that redevelopment within this area, regardless of underlying zoning –district, will maintain an appropriate development scale; and
f. Improve overall livability of the general area and enhance property values.

2. **Defined**. The Cultural District Overlay (CDO) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 2nd Avenue, and on the north by Northeast 1st Avenue.

3. **Conflict.** Unless deemed otherwise by the Planning & Zoning Administrator, in the event of any conflict between the provisions of the Cultural District Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any county, state, or federal laws.

4. **Uses**. Active commercial uses shall be required on the street frontage of Ocean Avenue.
   a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:
      Dwelling, Single- family (detached)
      Dwelling, Two-family (duplex)
      Auto Broker
      Automobile Rental
      Automotive, Major Repair
      Automotive, Minor Repair
      Auto/Car Wash, Self- serve Bay
      Auto Dealer, New
      Auto Dealer, Used
      Automotive Parts Store
      Auto/Car Wash (Polishing, Waxing, Detailing)
      Automotive Window Tinting/Stereo Installation/Alarms
      Drive-thru facilities

Day & Trade Labor Pool (Temporary Help)
Boat Dealer/Rental
Cleaning Supply Store (Swimming Pool, Janitorial)
Convenience Store
Gasoline Station
Showroom warehouse (single-product line)
Merchandise, Used (Other)
Merchandise, New (Supercenter, Discount, Department, Club)
Home Improvement Center
Coin-operated Laundry
Funeral Home
Pet Care (Boarding and Daycare)
Cemetery
Church
Civic & Fraternal Club/ Organization
Group homes Type I, II, III, and IV
College, Seminary, University
School, Primary and Secondary
School, Industrial & Trade
Shooting Range, Indoor
Adult entertainment
Temporary employment agency
Tutoring or Testing Center
Private Parking Lots
Social service agency

b. Any other automobile-oriented uses not listed above are prohibited.

(1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile, such as drive-thru facilities.

c. Live-work units are permitted, but may not front East Ocean Avenue or Seacrest Boulevard

d. School, Professional & Technical schools are limited to those that teach the culinary and visual arts.

e. Additionally, no legally existing use shall be deemed non-conforming as a result of the CDO regulations.

5. Modified Building and Site Regulations. Development within this Overlay, including proposed expansions and additions to existing structures shall be in accordance with the building and site regulations as follows:

MODIFIED BUILDING/SITE REGULATIONS[1] **Cultural District Overlay**	
Minimum Lot Area:	10,000 square feet
Minimum Lot Frontage:	100 feet
Pedestrian zone:	
Minimum street tree area[2]:	5 feet *Measured from the back of curb
Minimum sidewalk width[2]:	8 feet clear

	*Measured from the centerline of street trees
Minimum active area width: (Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1st Street, and NE/SE 3rd Street frontages)	8 feet[6] *Measured from edge of the sidewalk
Overhead utilities:	Must be undergrounded in conjunction with any new development or major modification of existing developments.
Build-to line:	Abuts the pedestrian zone
Minimum building frontage (Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1st Street, and NE/SE 3rd Street frontages)	75% of the lot frontage must be occupied by structure adjacent to the pedestrian zone
Maximum structure height[5]:	Per Corresponding Zoning District
Ocean Avenue Any properties abutting or adjacent to SE 2nd Avenue	35 feet consistent for a depth of a minimum of 30 feet 35 feet
Minimum structure height: Ocean Avenue	30 feet
On-street parking:	Required where possible
Minimum yard setbacks:	
Rear:	10 feet
Interior side:	0 feet[4]
Minimum Usable Open Space:	1% of lot area

[1] No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.

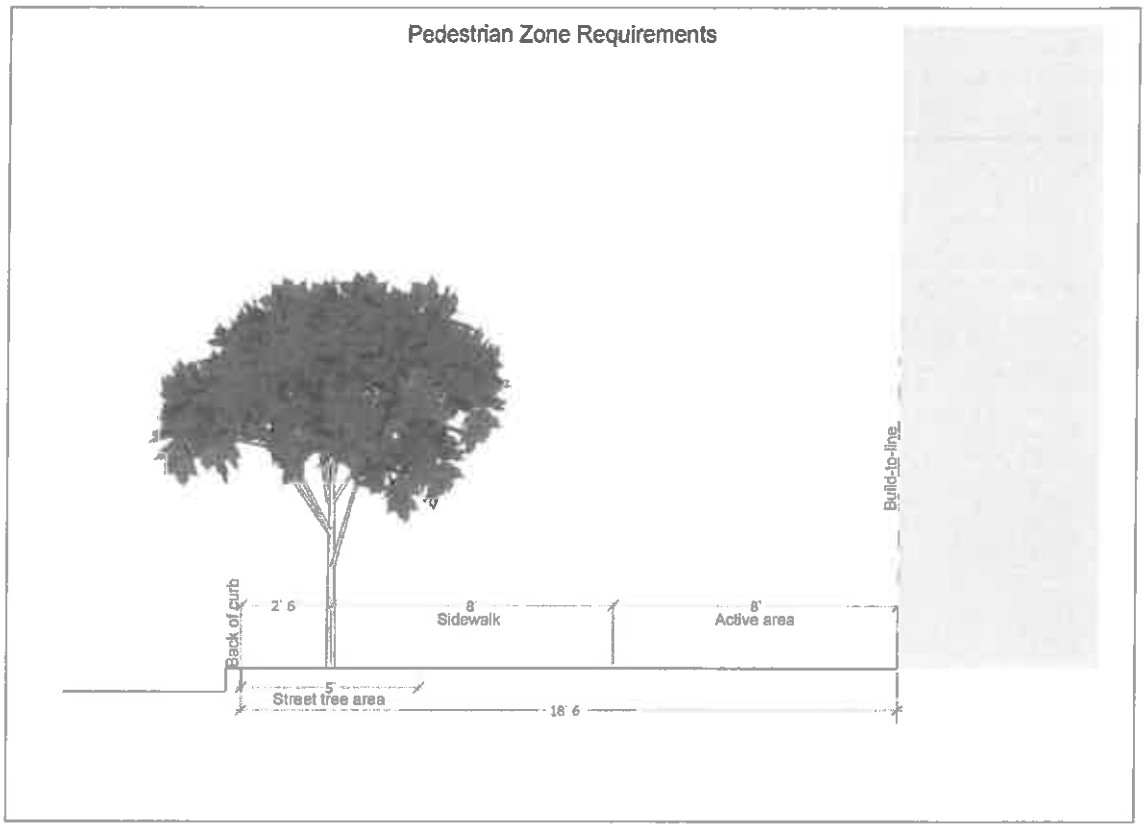
[2] Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 45 herringbone pattern

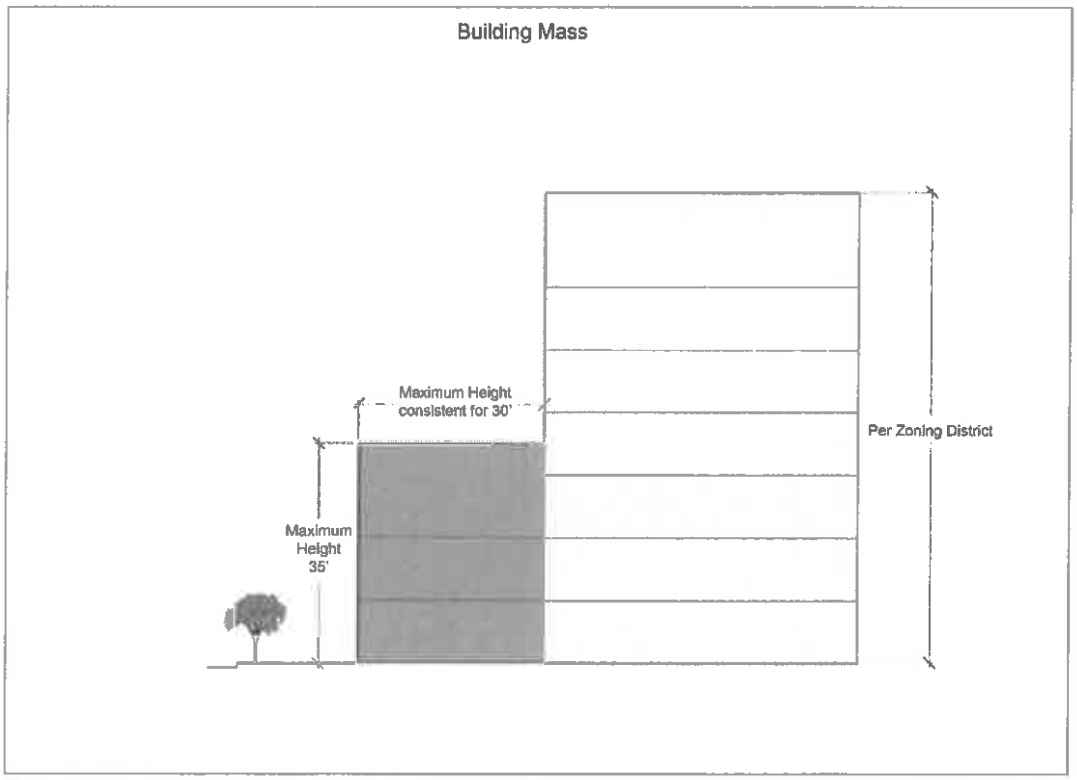
[3] Canopy trees are required 1 per 25 feet of street frontage

[4] Minimum interior side setback standards may require increases when adjacent to registered historic structures

[5] Maximum height standards may require reductions when adjacent to registered historic structures.

[6] Permanent structures such as columns and walls are not permitted within the required active area. Self-supporting architectural elements such as awnings and balconies may overhang onto the active area.





6. Accessory Structures.

a. Fences:

(1) Fences along street frontages are not permitted on East Ocean Avenue or Seacrest Boulevard.

(2) Fences along any other street frontage shall not exceed three (3) feet in height.

(3) Any fence that is proposed in the remainder of the District shall be decorative in nature. Walls, chain link, board on board, shadowbox, and similar types of fences are expressly prohibited.

b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

7. Building Design.

a. Buildings in the Cultural District Overlay (CDO) shall reflect a Coastal Village style of architecture, consisting primarily of hip and/or gable roof, rectilinear forms with stepbacks, porches, and building articulation. This style derives its character from various elements associated with the Key West Vernacular and Bungalow styles of architecture found throughout South Florida. Overhangs for pedestrian canopies and visual interest should be incorporated whenever possible. Overhead structures gateways, and arches, help define space, provide pedestrian comfort, and reinforce character and identity. New structures shall be constructed with the pedestrian building entries oriented towards the street and shall be sensitive to the scale, massing and design envisioned in the CRA Redevelopment Plan .

b. Additions and Modifications to Existing Buildings. All building additions shall be sensitive to the original building design relative to the architectural style, building materials/components and treatments, and proportions.

c. Fenestration Requirements

Ground-level building facade occupied by transparent window or door openings (minimum area)		
Street Frontage	**Commercial Mixed-Use Developments (%)**	**Residential Development (%)**
Ocean Avenue	50[2]	30[1]
SE 2nd Avenue	30	
Seacrest Boulevard	50[2]	
NE/SE 1st Street	50[2]	
NE/SE 3rd Street	50[2]	

NOTES:
1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.
2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 inches above grade.

(1) Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:

i. The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.

ii. The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.

8. Parking.

a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2 ; however, the total number of required spaces may be reduced by up to fifty percent (50%) for all new developments, excluding residential projects. When two (2) or more adjacent property owners combine their off-street parking in accordance with the code and construct a shared parking facility with common access drives, the total number of required off-street parking spaces may be reduced by an additional ten percent (10%).

b. Allowable Location of Off-Street Parking Spaces.

(1) The intent of the CDO is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. Therefore, on-site parking areas shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.

(2) Existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades, or a combination thereof, provided that such proposal remains consistent with the intent of the CDO, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2. Article II, Section 4.E.

(3) If one hundred percent (100%) of the required off-street parking spaces cannot be provided on-site, they may be provided at an off-site location provided the following conditions are met: 1) the proposed location is not farther than five hundred (500) feet from the subject property as measured by a straight line from a point on the boundary of the property to the closest boundary line of the property to be leased (distances for municipal projects may be greater in conjunction with an overall or downtown parking strategy); and 2) the off-site location is owned or leased by the owner or operator of the subject business or property owner. Any lease agreement must be approved by the City Commission. The parent business property shall be posted with signage indicating the location of the off-site parking spaces. All spaces provided by the property/business owner on and off-site shall be maintained as unreserved, unrestricted parking available to the public, except designated handicap spaces required by law.

c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off-street parking.

9. Signage and Exterior Lighting Standards.

a. Signs allowed within the Cultural District Overlay shall be externally illuminated only, and be limited to –wall mounted, and projecting signs.

b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.

c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed five (5) square feet in size.

d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8'

e. A-frame signs are permited only within required active areas when included and reviewed as a part of an overall Sign Program.

f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 35 feet (first 3 stories), animated, or moving signs, and all other signs prohibited by Code.

g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.

h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged.

However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.

i. These standards exclude municipal signage designed to promote or represent a greater signage plan or branding initiative.

~~D. *Ocean Avenue Overlay Zone (OAOZ).*~~

~~1. Purpose and Intent. The Ocean Avenue Overlay Zone (OAOZ) is comprised of multiple properties containing varying future land use map (FLUM) classifications and zoning districts. As such, the densities of developments shall correspond with the respective FLUM classifications. For new developments however, the maximum allowable density shall be eleven (11) dwelling units per acre for projects on properties with single lot depth. Up to twenty (20) dwelling units per acre may be allowed for when reclassifying lots with double depth to mixed use (MX), and where such project creates a through lot between two (2) or more streets. The purpose and intent of the OAOZ are as follows:~~

~~a. Provide for a mix of selected commercial, residential, office, and entertainment activities, with an emphasis on arts and cultural ventures that will encourage the adaptive re-use of existing buildings, restoration of historic structures, and maintain and further enhance the pedestrian and historic scale of the area;~~

~~b. Encourage the location of specialty retail, artist related uses and entertainment establishments in concentrations that will enable and encourage pedestrian movements between businesses, and between the marina / waterfront attractions to the east and the cultural / civic activities to the west;~~

~~c. Initiate implementation of various recommendations contained within approved redevelopment plans;~~

~~d. Stimulate greater awareness and pride in the City's architectural, historical, and cultural heritage; and~~

~~e. Improve overall livability of the general area and stabilize and improve property values.~~

~~2. Defined. The Ocean Avenue Overlay Zone (OAOZ) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 1st Avenue, and on the north by Northeast 1st Avenue, except between Northeast 1st Street and Northeast 3rd Street, the north boundary shall be the alley between Northeast 1st Avenue and Boynton Beach Boulevard.~~

~~3. Conflict. In the event of any conflict between the provisions of the Ocean Avenue Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws; and/or any rezoning of lands to a mixed-use zoning district.~~

~~4. Uses Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D. Additionally, no existing use shall be deemed non-conforming.~~

~~5. Building and Site Regulations (Table 3-27). Development within this Overlay Zone, including proposed expansions and additions to existing structures shall be in accordance with the building and site regulations as follows:~~

~~**BUILDING/SITE REGULATIONS**~~ ~~**Ocean Avenue Overlay Zone[1]**~~	
~~**(Single Lot Depth)**~~	
~~**Minimum lot area:**~~	~~5,000 s.f.~~
~~**Minimum lot frontage:**~~	~~50 feet~~
~~**Build-to line:**~~	~~-~~
~~Front:~~	~~5 ft – 15 ft[2]~~
~~Corner side:~~	~~5 ft – 15 ft[2]~~
~~**Minimum yard setbacks:**~~	~~-~~
~~Rear:~~	~~10 feet~~

~~Abutting: Residential district:~~	~~20 feet[3]~~
~~Interior side:~~	~~7.5 feet[4]~~
~~Abutting: Historic structures:~~	~~10 feet~~
~~**Maximum lot coverage:**~~	~~65%~~
~~**Maximum structure height:**~~	~~35 feet[5]~~
~~**(Double Lot Depth)**~~	
~~All new developments with double lot depth shall be constructed in accordance with the mixed-use low intensity (MU-L1) zoning district building and site regulation Table 3-21 in Section 5.C. above, except as contained herein. See "Single Lot Depth" above for all proposed expansions or additions to existing structures.~~	
~~**Maximum structure height:**~~	~~35 feet[5]~~

~~[1] No existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.~~

~~[2] A paver plaza or "streetscape" design shall be required within the reduced building setback area where buildings are constructed in excess of five (5) feet from the property line.~~

~~[3] Excluding property boundaries that abut rights-of-way. In these instances, the required setback shall be 10 feet.~~

~~[4] The minimum side interior setback shall be five (5) feet for lots with 50 feet of frontage (but less than 75 feet).~~

~~[5] Not to exceed three (3) stories.~~

~~6. Accessory Structures.~~

~~a. Fences along the front of the property are discouraged. Any fence that is proposed however, shall be decorative in nature, opaque, and not exceed three (3) feet in height. Walls, chain link, board on board, shadowbox, and similar types of fences are expressly prohibited.~~

~~b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.~~

~~7. Parking.~~

~~a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2 above; however, the total number of required spaces may be reduced by up to fifty percent (50%) for all new developments, excluding multi-family residential projects. When two (2) or more adjacent property owners combine their off-street parking in accordance with the code and construct a shared parking facility with common access drives, the total number of required off-street parking spaces may be reduced by an additional ten percent (10%).~~

~~b. Allowable Location of Off-Street Spaces.~~

~~(1) The intent of the OAOZ is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. It is therefore, a requirement to locate off-street parking areas within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion. Only existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, or a combination thereof, provided that such hedge and/or fencing would be compliant with the intent of the OAOZ, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2, Article II, Section 4.E.~~

~~(2) If one hundred percent (100%) of the required off-street parking spaces cannot be provided on-site, they may be provided at an off-site location provided the following conditions are met: 1) the proposed location is not farther than five hundred (500) feet from the subject property as measured by a straight line from a point on the boundary of the property to the closest boundary line of the property to be leased; and 2) the off-site location is owned or leased by the owner or operator of the subject business or property owner. Any lease agreement must be approved by the City Commission. The parent business property shall be posted with signage indicating the location of the off-site parking spaces. All spaces provided by the property/business owner on and off-site shall be maintained as unreserved, unrestricted parking available to-~~

~~the public, except designated handicap spaces required by law.~~

~~c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off-street parking.~~

~~8. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5. for additional regulations regarding required landscaping and streetscape design.~~

~~9. Building Design.~~

~~a. New Buildings. All new buildings used for non-residential purposes shall be designed to be residential in character. The building design is encouraged to utilize sloped roofs, gables, porches, residential style windows and other elements normally associated with the typical frame vernacular buildings found in the City and throughout South Florida, and those of historic structures anticipated to be relocated to the area. New structures shall be constructed with the building entry oriented towards the street and shall be sensitive to the scale, massing and design envisioned in the Downtown Master Plan.~~

~~b. Additions to Existing Buildings and Structures. All building additions shall be sensitive to the original building design relative to the architectural style, building materials/components and treatments, and proportions. Original materials and details, as well as distinctive form and scale features, which contribute to the character of the building and/or surroundings, shall be preserved to the maximum extent feasible. Rehabilitation work shall not destroy the distinguishing quality or character of the property or its environment.~~

~~For historic structures, any new additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the structure. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic structure and its environment would be unimpaired.~~

~~10. Signage and Exterior Lighting Standards.~~

~~a. Signs allowed within the Ocean Avenue Overlay Zone shall be externally illuminated only, and consist of the prototypical monument sign designed for the area, wall mounted, and/or a projecting sign.~~

~~b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.~~

~~c. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed six (6) square feet in size.~~

~~d. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up-lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.~~

D. Boynton Beach Boulevard Overlay (BBBO)

1. **Purpose and Intent**. The Boynton Beach Boulevard Overlay (BBBO) is comprised of multiple properties and a mix of zoning districts that currently accommodates primarily commercial, residential, and institutional land uses. The CRA Redevelopment Plan recommends the Mixed Use Low, Mixed Use Medium, and Mixed Use High Future Land Use Classification along Boynton Beach Boulevard, increasing in intensity as the Downtown District is approached. The purpose and intent of the BBBO are as follows:
    a. Provide for a mix of selected commercial, residential, and office uses, with an emphasis on employment and entertainment uses that will encourage redevelopment of underutilized property and enhance the pedestrian scale and character of the area;
    b. The western area is to act as a welcoming and attractive entry to the City, while the eastern area is to act as the entry to the City's Downtown District;
    c. Encourage the location of restaurant, retail, office, and entertainment establishments, along with pedestrian-friendly improvements that would complement and support the Downtown.

d. Continue implementation of various recommendations contained within CRA Redevelopment Plan.
e. Ensure that redevelopment within this area, regardless of underlying zoning district, will maintain a consistent character; and
f. Improve overall livability of the general area and enhance property values.

2. **Defined.** The Boynton Beach Boulevard Overlay (BBBO) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by NW 5th Street, further by Interstate 95, on the south by NE and NW 1st Avenue, and on the north by NE 3rd Avenue and NW 3rd Court.

3. **Conflict**. Unless deemed otherwise by the Planning & Zoning Director, in the event of any conflict between the provisions of the Boynton Beach Boulevard Overlay and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws

4. **Uses:** Active commercial uses shall be required on the street frontage of Boynton Beach Boulevard.

a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:

Accessory Dwelling Unit
Dwelling, Single- family (detached)
Dwelling, Two-family (duplex)
Auto Broker
Automobile Rental
Automotive, Major Repair
Automotive, Minor Repair
Auto Dealer, New
Auto Dealer, Used
Automotive Parts Store
Auto/Car Wash, Self- serve Bay
Auto/Car Wash (Polishing, Waxing, Detailing)
Automotive Window Tinting/Stereo Installation/Alarms
Drive-thru facilities
Day & Trade Labor Pool (Temporary Help)
Boat Dealer/Rental
Cleaning Supply Store (Swimming Pool, Janitorial)
Convenience Store
Gasoline Station
Furniture & Home furnishing, unless integrated into a mixed use development
Showroom warehouse (single-product line)
Merchandise, Used (Other)
Merchandise, New (Supercenter, Discount, Department, Club)
Home Improvement Center
Coin-operated Laundry
Funeral Home
Pet Care (Boarding and Daycare)
Cemetery
Church

Civic & Fraternal Club/ Organization
Group homes Type I, II, III, and IV
College, Seminary, University
School, Primary and Secondary
School, Industrial & Trade
Shooting Range, Indoor
Adult entertainment
Temporary employment agency
Social service agency
All Industrial Uses

b. Any other automobile-oriented use not listed above are prohibited.
   (1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile.
c. Live-work units are permitted, but may not front Boynton Beach Boulevard or Seacrest Boulevard.
d. Additionally, no legally existing use shall be deemed non-conforming as a result of the BBBO regulations.

5. **Modified Building and Site Regulations.**

MODIFIED BUILDING/SITE REGULATIONS[1] **Boynton Beach Boulevard Overlay Zone**	
Minimum Lot Area:	0.75 acre
Minimum Lot Frontage: Boynton Beach Boulevard	100 feet 150 feet
Pedestrian zone:	
Minimum street tree area[3]:	5 feet *Measured from the back of curb
Minimum sidewalk width[2]:	8 feet clear *Measured from the centerline of street trees
Minimum active area width: (Applicable to Boynton Beach Boulevard and Seacrest Boulevard street frontages)	8 feet[4] *Measured from edge of the sidewalk
Overhead utilities:	Must be undergrounded in conjunction with any new development or major modification of existing developments.
Build-to line:	Abuts the pedestrian zone
Minimum building frontage: (Applicable to Boynton Beach Boulevard, Seacrest Boulevard)	75% of the lot frontage must be occupied by structure adjacent to the pedestrian zone
Maximum structure height:	Per Corresponding Zoning District
Boynton Beach Boulevard	45 feet

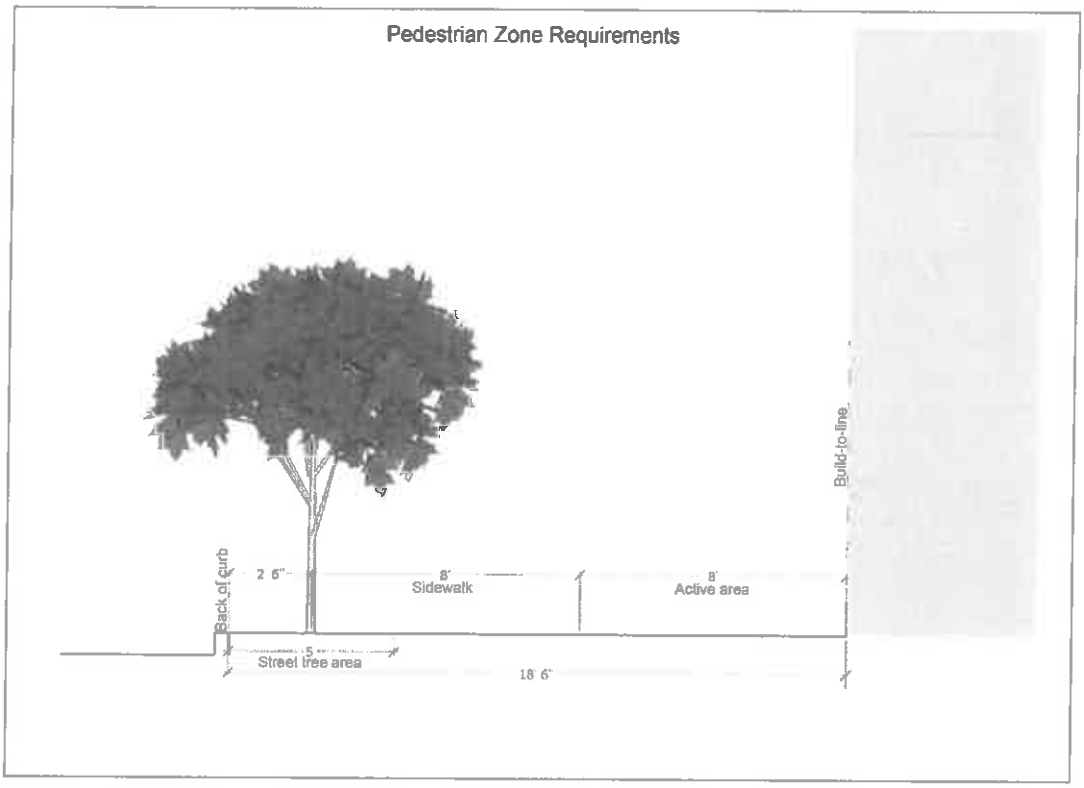
	Any additional height permitted by the zoning districts must be stepped back proportionately to the overall height, a minimum of 10' and for every 50 feet above 45 feet in height[6] an additional 10 feet stepback is required.
Minimum structure height:	30 feet
On-street parking:	Required where possible
Minimum yard setbacks:	
Rear:	10 feet
Abutting NW 1st Avenue, NE 3rd Avenue, NW 3rd Avenue:	20 feet The rear property line shall contain a continuous vegetative buffer.
Interior side:	0 feet
Minimum Usable Open Space:	1% of lot area

[1] No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.

[2] Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 45 herringbone pattern.

[3] Canopy trees are required 1 per 25 feet of street frontage.

[4] Permanent structures such as columns and walls are not permitted within the required active area. Self-supporting architectural elements such as awnings and balconies may overhang onto the active area.



6. **Accessory Structures.**
   a. Fences:
      (1) Fences along street frontages are not permitted on Boynton Beach Boulevard or Seacrest Boulevard.
      (2) Fences along any other street frontages shall not exceed three (3) feet in height.
      (3) Any fence that is proposed in the reminder of the District shall be decorative in nature. Walls, chain link, board on board, shadowbox, and similar types of fences are prohibited.
   b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

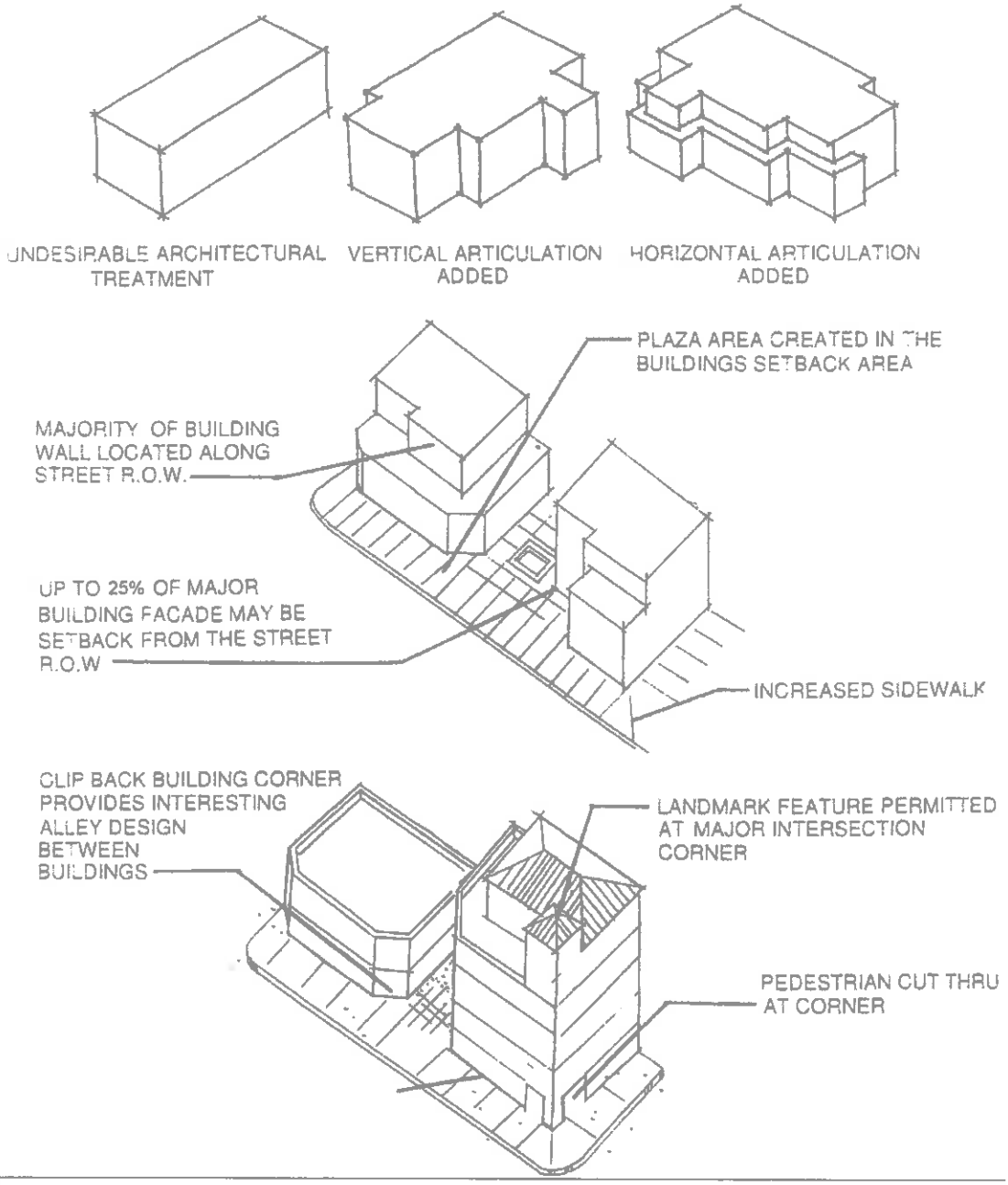
7. **Building Design.**
   a. Building orientation. Lots with frontage on Boynton Beach Boulevard must orient structures to Boynton Beach Blvd. The main pedestrian entry, or front door, must be fronting Boynton Beach Boulevard.
   b. Boynton Beach Boulevard and Seacrest Boulevard shall have maximized glazing on first floors.

Fenestration Requirements		
Ground-level building facade occupied by transparent window or door openings (minimum area)	**Commercial Mixed-Use Developments (%)**	**Residential Development (%)**
Boynton Beach Boulevard	50[2]	30[1]
Seacrest Boulevard	50[2]	

NOTES:
1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.
2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 includes above grade.

c. Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:
   (1) The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
   (2) The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.

d. Building Wall Articulation.
   a. Vertical articulation. Walls shall be offset by a minimum depth of two (2) feet once every fifty (50) linear feet.
   b. Horizontal Articulation. Buildings shall step-back a minimum of ten (10) feet once the structure reaches forty-five (45) feet in height. Buildings must step back an additional ten (10) feet for every additional fifty (50) feet in height; the additional required step-backs may be dispersed in varying offsets.



(Figure D.7.b.1)

8. **Parking.**

a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2

b. Allowable Location of Off-Street Parking Spaces.

(1) The intent of the BBBO is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. Therefore, on-site parking shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.

(2) Existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades,

or a combination thereof, provided that such proposal remain consistent with the intent of the BBBO, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2. Article II, Section 4.E.

c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 3 & 4 for additional provisions regarding exceptions to providing required off-street parking.

9. **Signage and Exterior Lighting Standards.**

a. Signs permitted within the Boynton Beach Boulevard Overlay shall be externally illuminated only, and consist of wall mounted, and/or a projecting sign.

b. The size of wall mounted signs shall be calculated at one (1) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.

c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed nine (9) square feet in size.

d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8'

e. Properties with over 250 feet of linear street frontage on Boynton Beach Boulevard are permitted one monument sign with a maximum height of five (5) feet, a maximum depth of eighteen (18) inches, and a maximum area of forty (40) square feet. Monuments signs shall be oriented perpendicular to the street.

f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 40 feet (first four (4) stories), animated, or moving signs, and all other signs prohibited by Code.

g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.

h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.

E ~~C~~. *Downtown Transit-Oriented Development District (DTODD) Overlay ~~Zone.~~*

1. Intent. This overlay ~~zone~~ implements Policy No. 1.18.1 of the Comprehensive Plan's future land use element which establishes the DTODD to improve land development patterns around the future station of the planned commuter service. The overlay's ~~zone's~~ features further enhance the vision embodied by mixed-use zoning districts with increased density and intensity as well as strong emphasis on interconnectivity throughout the area.

2. Defined. The DTODD Overlay ~~Zone~~ coincides with the Station Area of a one-half (½) mile radius around the intersection of Ocean Avenue and the Florida East Coast rail corridor, which is the anticipated location of the Downtown Boynton Beach Station for the planned commuter Tri-Rail Coastal Link service on the FEC Corridor.

3. General. See additional standards and requirements for mixed-use (urban) districts based on the proximity to the planned train station in Chapter 3, Article III, Section 5.A.

4. Use(s) Allowed. For the DTODD, allowed uses are based on the underlying zoning district. See "Use Matrix," Table 3-28 in Chapter 3, Article IV, Section 3.D.

5. Building and Site Regulations. See Chapter 3, Article III, Section 5.C.

6. Additional Standards. See Chapter 4, Article III, Section 6.H. for additional standards related to urban design and building location for properties located within the transit core of the Station Area.
(Ord. 10-025, passed 12-7-10; Am. Ord. 11-002, passed 3-1-11; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 15-006, passed 3-2-15; Am. Ord. 17-023, passed 9-19-17)

Sec. 9. Penalties.

The city or any other legal authority shall enforce any violation of this article pursuant to the penalty provisions contained in Chapter 1, Article I, Section 7 of these Land Development Regulations. (Ord. 10-025, passed 12-7-10)

Article IV. Use Regulations

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D. *Use Matrix (Table 3-28).*

Footnotes

18. Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~.

a. This use is allowed in this zoning district only when proposed on a lot located within the Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~ (CDO~~OAOZ~~).

~~b. Any proposed non-residential use that would abut a side property line of a residential use located on Northeast 1st Avenue or Southeast 1st Avenue requires conditional use approval.~~

~~c. Any allowable use is considered permitted by right, provided that it is proposed on property with frontage on Ocean Avenue; otherwise conditional use approval shall be required. Additionally, no existing uses shall be deemed non-conforming.~~

b~~d~~. Schools. Professional and T~~t~~echnical schools allowed in the CDO ~~OAOZ~~ are limited to those that teach the culinary and visual arts.

19. General Note. This use shall be prohibited on the ground level of buildings located on lots that front on Ocean Avenue located within the Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~.

20. General Note. This use is allowed as an accessory use to any lawful Arts Campus located within the Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~.

Article V. Minimum Off-Street Parking Requirements

...

Sec. 3. Special Reductions in Required Off-Street Parking

F. *Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~*. See Chapter 3, Article III, Section 8.D. for additional off-street parking provisions regarding the Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~.

Sec. 4. Exceptions to Providing Required Off-Street Parking.

A. Adaptive Re-Use.

1. Applicability. The following described areas shall be eligible for specific parking reductions based upon adaptive re-use, including modifications, of existing buildings:
   a. Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~ (CDO~~OAOZ~~), as defined in Chapter 3, Article III, Section 8.D.
   b. No additional parking shall be required where:
      (1) The structure is enlarged in a manner not exceeding a cumulative total of one hundred percent (100%) of the existing gross floor area; or
      (2) The capacity of the structure is increased by adding subordinate dwelling units or floor area within the existing building envelop; or
      (3) The use of a structure is changed; or
      (4) The number of seats for eating and drinking establishments is increased by up to fifty percent (50%) of the existing total or up to forty (40) seats are provided where the previous use had none.

DEPARTMENT OF DEVELOPMENT
PLANNING AND ZONING
Memorandum PZ 19-016

TO: Chair and Members
Planning & Development Board

FROM: Hanna Matras
Senior Planner

THROUGH: Ed Breese
Planning and Zoning Administrator

RE: Approve proposed code language implementing CRA Plan-Group 4 (CDRV 19-003) - Amending the LAND DEVELOPMENT REGULATIONS: (1) Chapter 1. General Administration, Article II. Definitions, Article III. Relationship to Comprehensive Plan, and Article IV. Redevelopment Plans; (2) Chapter 3. Zoning, Article III. Zoning Districts and Overlay Zones, to continue implementation of revisions related to modification of the future land use categories and to other recommendations of the Community Redevelopment Plan, including creation of the Cultural District and Boynton Beach Boulevard Overlays, and (3) Chapter 4, Site Development Standards, correcting references to overlays. Applicant: City-initiated.

EXPLANATION

The consolidated Boynton Beach CRA Community Redevelopment Plan was adopted on October 4th, 2016. The Plan recommended significant modifications to the structure of the future land use (FLU) classifications and the corresponding zoning districts, as detailed in the Plan's Tables #1 and #2 (Exhibit A). On July 18, 2017, as per the subject recommendations, the City adopted Comprehensive Plan amendments eliminating several future land use categories, creating new ones and making adjustments to the density caps. Simultaneously, the City embarked on a comprehensive revisions to the Land Development Regulations (LDRs).

The extensive nature of these changes—they affect nearly all chapters of the LDRs—forced the revisions to be processed incrementally. The proposed amendments follow the first set of revisions (adopted in 2017) and are summarized below:

- **Chapter 1. General Administration** (see Exhibit B)
  - **Article II**. **Definitions**: proposed definitions of *Usable Open Space* and *Active/Commercial Uses on Ground Floor* would provide more clarity to requirements supporting the CRA Plan's goal of creating an urban, pedestrian-friendly enviroment.
  - **Article III**. **Relationship to Comprehensive Plan**, Section 5. Future Land Use map (FLUM). Proposed changes to *Table 1-1. FLUM Classifications and Corresponding Zoning Districts* would finalize implementation of the CRA Plan- recommended FLU/zoning structure.

- **Article IV. Redevelopment Plans**: revisions would remove references to the previous redevelopment plans, supplanted by the 2016 consolidated CRA Community Redevelopment Plan.

- **Chapter 3. Zoning** (see Exhibit C)
  - **Article III. Zoning District and Overlay Zones**
    - The chapter's narrative and tables containing zoning district-specific building and site regulations would be revised to correct the remaining inconsistencies regarding the new FLU and zoning structures.
    - The proposed amendments to overlays include:
      - Addition of two new overlays: the Cultural District Overlay (CDO) and the Boynton Beach Boulevard Overlay (BBBO) (both were drafted in 2017 and subsequently put on hold to coincide with these other necessary updates/amendments.) The CDO would replace the existing Ocean Avenue Overlay district.
      - Changes to the existing Martin Luther King Jr. Boulevard and the Urban Commercial District overlays, reflecting the design standards of the Heart of Boynton and the Federal Highway Corridor Districts established by the CRA Plan.
      - Elimination of the Urban Central Business District Overlay: a formerly state-required designation is now defunct.
    - The remaining revisions would improve overall organization of the chapter through reduced redundancies and enhanced clarity.
  - **Article IV. Use Regulations:** footnotes to *Use Matrix* would be revised by replacing references to the Ocean Avenue Overlay Zone by the applicable references to the Cultural District Overlay.

- **Chapter 4. Site Development Standards** (see Exhibit C, p.64)
  - **Article V. Minimum Off-Street Parking Requirements:** references to the Ocean Avenue Overlay Zone would be replaced by references to the Cultural District Overlay.

CONCLUSION/RECOMMENDATION

Staff proposes these code amendments to continue implementing the CRA Community Redevelopment Plan in support of continued quality development and redevelopment of the downtown and remaining CRA area.

Attachments

S:\Planning\SHARED\WP\SPECPROJ\CODE REVIEW\CDRV 19-003 CRA Plan Related Amendments\DRAFT FOLDER\CDRV 19-004 CRA Plan implement Group 4 Staff Report.docx

EXHIBIT A

EXISTING FLU	DENSITY DU/ACRE	RECOMMENDEDFLU	DENSITY DU/ACRE	CHANGE
RESIDENTIAL CLASSIFICATIONS				
Low Density (LDR)	5	Low Density (LDR)	7.5	Merged into one category
Moderate Density (MODR)	7.5			
Medium Density (MEDR)	10	Medium Density (MEDR)	11	Merged into one category
High Density (HDR)	11			
Special High Density (SHDR)	20	High Density (HDR)	15	Create a new HDR; SHDR remains
		Special High Density (SHDR)	20	
URBAN MIXED USE CLASSIFICATIONS				
Mixed Use (MX)	n/a	Mixed Use Low	20	NEWFLU
	40	Mixed Use Medium	50	Increased Density
Mixed Use Core (MX-C)	80	Mixed Use High	80	Renamed. Corresponds with previous Mixed Use Core

Table 1: Proposed Changes to the Future Land Use (FLU) Classifications

RECOMMENDED LAND USE	DENSITY DU/ACRE	ZONING DISTRICTS	DENSITY CAPS	MAX HEIGHT	CHANGE TO ZONING DISTRICTS
RESIDENTIAL					
Low Density (LDR)	7.5	R1-AAA, R1-AAB, R1-AA, R-1A, R-1, PUD	5 TO 7.5	30' (2 stories)	Merged zoning districts corresponding to existing LDR and MODR FLU categories
Medium Density (MEDR)	11	R2	10	30' (2 stories)	Corresponding to the existing MEDR
		R3, PUD, IPUD	11	45' (4 stories)	Previously under the HDR FLU
High Density (HDR)	15	R-4, IPUD, PUD	15	45' (4 stories)	**NEW** district R-4
Special High Density (SHDR)	20	IPUD, PUD	20	45' (4 stories)	No change
URBAN MIXED USE					
Mixed Use Low	20	MU-1	20	45' (4 stories)	Density and height same as the MUL-1 zoning district under the existing MX FLU
Mixed Use Medium	50	MU-2	40	65' (6 stories)	**Increased density**: existing MUL-2 under MX FLU at 30 du/acre
		MU-3	50	75' (7 stories)	**NEW** district
Mixed Use High	80	MU-4	60	100' (10 stories)	**NEW** district
		MU Core	80	150' (15 stories)	**Renamed** district. Corresponds with previous MU-H.

Table 2: Land Use Structure and Corresponding Zoning

Chapter 1. General Administration

Article II. Definitions

USABLE OPEN SPACE - Active or passive space designed as, 1) public spaces for the purpose of gathering/socialization, such as plazas, public squares, gardens, outdoor dining courtyards, enhanced pedestrian areas, etc. This area may also include public art easements.; and/or, 2) private space for the use primarily of the residents/occupants of the property, such as park space, gardens, courtyards, enhanced pathways with seating and shade structures, etc. This space does not include areas such as private/fenced courtyards, patios, or the like, of individual unit owners.

ACTIVE/COMMERCIAL USES ON GROUND FLOOR - Mixed use projects within urban mixed use zoning districts will meet ground floor ACTIVE/COMMERCIAL USE requirement by including commercial uses serving general public such as retail, restaurants, bars, entertainment, personal services, and live-work. Resident-only serving amenities such as lounges, gyms, common rooms, and recreation spaces may be included in addition to the above uses.

Residential-only projects within urban mixed use zoning districts will meet ACTIVE USE requirement by using design features—including street-fronting access—to allow residential use to engage with the street and provide the opportunity for interaction. Such features may be combined with building amenities such as lounges, gyms, common rooms, and recreation spaces on the ground floor.

Article III. Relationship to Comprehensive Plan; Sec.5 Future Land Use map (FLUM)
B. ***FLUM Classifications and Corresponding Zoning Districts (Table 1-1).***

Zoning Districts	LDR (7.5)	MeDR (11)	HDR (15)	SHDR (20)	OC	LRC	GC	MXL (20)	MXM (50)	MXH (80)	I	R	PPGI	DRI
R-1-AAB	x 5.5													
R-1-AA	x 5.5													
R-1-A	x 6													
R-1	x 7.5													
R-2		**x** ≤ 10												
R-3		**x** 11	~~x~~											
R-4			**x** 15											
IPUD		~~x~~	~~x~~	x										
PUD	x	x	x	x										
MHPD	x													
C-1					x									
C-2						x								
C-3						x								~~x~~
C-4							x							
CBD									x	x				
PCD					x	x	x							
SMU								x						x
MU-1								x						
MU-2									x					
MU-3									x					
MU-4										x				
MU-C										x				
M-1											x			
PID											x			**x**
REC												x		
PU													x	

Article IV. Redevelopment Plans

Sec. 1. General.

A. *Purpose and Intent.* The city's Land Development Regulations are intended to further the goals, objectives, guidelines, and recommendations of the adopted redevelopment plans.

B. *Identification of City's Redevelopment Plans.* Each redevelopment plan approved by the City Commission is hereby adopted by reference in these Land Development Regulations and identified as the following:

1. ~~Federal Highway Corridor~~Boynton Beach CRA Community Redevelopment Plan;
2. ~~Heart of Boynton Community Redevelopment Plan;~~
3. ~~Ocean District Community Redevelopment Plan; and~~
4. ~~Downtown Vision and Master Plan.~~

CHAPTER 3. Zoning

ARTICLE III. ZONING DISTRICTS AND OVERLAYS ~~ZONES~~

Sec. 1. Overview.

A. *General.* Pursuant to Chapter 1, Article III, Section 5.B., any given parcel of land in the city shall have a zoning district that corresponds with the ~~f~~Future ~~l~~Land ~~u~~Use ~~m~~Map (FLUM) classification of the Comprehensive Plan.

B. *Residential Building and Site Regulations (Table 3-1).*

RESIDENTIAL	R-1 AAB	R-1 AA	R-1 A	R-1	R-2 Duplex	R-3 Multi	R-4 Multi	IPUD	PUD	MHPD
Density (dwelling units per acre):	5	5.5	6	7.5	10	11	15	Flexible[10]	Flexible[10]	Flexible[10]
Project Area, Minimum (acres)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5+	10+
Lot Area per unit, Minimum (square feet):	9,000	8,000[8]	7,500	6,000	4,500	4,000[12]	4,000[12]	Flexible	Flexible	4,200
Lot Frontage, Minimum (feet):	90	75	60	60	75	100	100	Flexible	Flexible	N/A
Living Area, Minimum A/C (square feet):	1,800	1,600	1,400	1,200	750	750	650	Flexible	Flexible	N/A
Lot Coverage, Maximum:	45%	45%	45%	50%	40%	40%	50%	50%	N/A	N/A
Floor-Area-Ratio (FAR) for Non-Residential, Maximum:	N/A	N/A	N/A	N/A	~~0.10[6]~~ N/A	N/A	N/A	N/A	N/A	N/A
Structure Height, Maximum (feet):	30	30	30	30	25	45[6]	45	45[7]	45[6]	30
Building Setbacks, Minimum (feet):										
Front:	25	25	25	25	25	40	20	Flexible[5]	Flexible[5]	20
Interior side:	10	10[8]	7.5	7.5	10	20	20	Flexible[5]	Flexible[5]	5
Corner side:	25[4]	25[4]	25[4]	25[4]	25[4]	40	20	Flexible[5]	Flexible[5]	10[11]
Rear:	20[4]	20[4]	20[4]	20[4]	25[4]	40	40	Flexible[5]	Flexible[5]	10[11]
Special rear yard setback reductions for 1-story building additions abutting:	**Maximum Percentage of Reduction:**									
I-95 or railroad tracks:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Intracoastal Waterway (ICWW):	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Lake:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Golf course:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Canal wider than 150 feet:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Canal narrower than 150 feet:	33%	33%	33%	33%	N/A	N/A	N/A	N/A	N/A	N/A
Commercial/industrial:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Public/private park:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A
Perimeter wall abutting non-residential:	50%	50%	50%	50%	N/A	N/A	N/A	N/A	N/A	N/A

Administrative Adjustment:	Maximum Percentage of Reduction (to standard yard setback):									
Front yard:	20%	20%	20%	20%	N/A	N/A	N/A	N/A	N/A	N/A
Side yard:	20%	N/A	20%	20%	N/A	N/A	N/A	N/A	N/A	N/A
Rear yard:	25%	25%	25%	25%	N/A	N/A	N/A	N/A	N/A	N/A
General Notes:	**1, 2**	**1, 2**	**1, 2**	**1, 2**	**3**	**3**	**1, 3**	**9**	**9**	**11**

1. The setback reduction provisions shall not supersede any setbacks that are recorded on a plat and shall not be used in conjunction with the setback reductions allowed by administrative adjustments.

2. An administrative adjustment to reduce a setback may be granted if any first floor addition follows the building line of a legally non-conforming single-family structure, or a building line previously approved by a variance.

3. Existing and/or planned single-family homes shall conform to the R-1 district requirements. Duplex homes shall conform to the R-2 district requirements.

4. Where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard back setback shall be required, only side yard setbacks shall be imposed.

5. Minimum required perimeter setbacks of an IPUD or PUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family zoning, required perimeter setbacks shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.

6. See Note #5 for additional setback requirements relative to building height.

7. A lesser building height may be required for compatibility with adjacent properties. See Note #5 for more setback requirements relative to building height.

8. The minimum lot area shall be seven thousand, five hundred (7,500) square feet and the minimum side yard shall be seven and one-half (7-1/2) feet for properties developed and/or platted prior to June 13, 1975.

9. Total usable open space shall be calculated at two hundred (200) square feet per dwelling unit (also see Chapter 4, Article III, Section 8.).

10. The maximum allowable density is determined by the applicable future land use classification of the Comprehensive Plan.

11. Perimeter building setbacks of the mobile home park district shall mirror the building setbacks of adjacent zoning district(s), but with a minimum of the setback required for a single-family residence.

12. Multi-family dwellings and group homes require four thousand (4,000) square feet. All other uses allowed in R-3 and R-4 require twenty thousand (20,000) square feet.

C. *Non-Residential Building and Site Regulations (Table 3-2).*

NON-RESIDENTIAL	C-1	C-2	C-3	C-4	CBD	PCD	M-1	PID	REC	PU
Density (dwelling units per acre):	N/A	N/A	~~11~~ N/A	N/A	~~11~~ N/A	~~Flexible[17]~~ N/A	N/A	Flexible~~[15]~~[12]	N/A	N/A
Project Area, Minimum (acres)	N/A	N/A	N/A	N/A	N/A	3~~[14]~~[11]	N/A	25~~[14]~~[11]	N/A	N/A
Lot Area per unit, Minimum (square feet):	9,000	5,000	15,000	5,000	15,000	Flexible	10,000	Flexible	43,560	8,000
Lot Frontage, Minimum:	75	50	75	50	75	Flexible	0	Flexible	100	75

Lot Depth, Minimum:	120	100	N/A	100	100	N/A	N/A	N/A	N/A	N/A
Lot Coverage, Maximum:	40%	40%	40%	40%	75%[~~18~~]	40%[~~13~~10]	60%	60%[~~16~~]	N/A	N/A
Floor-Area-Ratio (FAR), Maximum:	0.40	0.50	0.50	0.50	N/A	0.50	0.50	0.50	~~N/A~~ 0.50	~~N/A~~ 1.00
Structure Height, Maximum (feet):	30[~~11~~9]	25[~~9~~]	45[~~10~~]	45[~~10~~]	45[~~10,12~~]	45[~~10~~]	45[~~10~~]	45[~~10,19~~]	45[~~10~~]	45[~~10~~]
Building Setbacks, Minimum (feet)[~~21~~14]:										
Front	30	30	20	25	0	40	15	30	25	25[~~20~~13]
Rear	20	20	20[2]	20[5]	20[6]	40	20[3]	30	25	25[~~20~~13]
Interior side	10	15	0[1]	15[5]	0	30	15[4]	20	25	15[~~20~~13]
Corner side	10	20	20	15[5]	8[7]	30	15	30	25	15[~~20~~13]
Building Setbacks, Minimum if abutting a residential district (feet)[~~21~~14]:										
Rear	30	30	30	30	N/A	N/A	30	N/A	N/A	30
Interior side	30	30	30	30	N/A	N/A	30	N/A	N/A	30
Corner side	30	30	30	30	N/A	N/A	N/A	N/A	N/A	N/A
Waterfront yard	N/A	N/A	N/A	N/A	8[8]	N/A	N/A	N/A	N/A	N/A

1. Where rear access is not available from a public street or alley, a side yard of not less than fifteen (15) feet shall be provided on one (1) side.

2. Where rear yard access is available from a public street or alley, rear yard may be decreased by one-half (1/2) the width of such street or alley, but in no case shall a rear yard be less than ten (10) feet.

3. Where rear yard abuts a railroad right-of-way or any paved alley, the rear yard may be reduced to ten (10) feet.

4. Where rear yard abuts a paved alley or street, then no side setback shall be required.

5. Where rear property line abuts a public street or alley, rear yard setback may be reduced to ten (10) feet and no side yard shall be required, except on corner lots.

6. Where rear property line abuts a public street or alley, rear yard setback may be reduced to eight (8) feet at first floor level, in which case, no setback shall be required at all other floor levels.

7. Eight (8) feet is required at first floor level. No setback shall be required at all other floor levels.

8. Waterfront setbacks shall be measured from the property where the body of water is under different ownership than the subject property line. However, setbacks are measured from the mean high water line if the body of water is under the same ownership as the subject property.

~~9. Not to exceed two (2) stories.~~

~~10. Not to exceed four (4) stories~~.

~~11.~~9 Buildings designed with under-story parking shall be allowed a maximum building height of thirty-five (35) feet but only with conditional use approval.

~~12. The maximum building height shall be forty-five (45) feet, except for buildings which contain a mix of uses (residential in combination with non-residential uses). In these instances, the maximum building height may be increased to one hundred (100) feet, but contingent upon conditional use approval. Mechanical equipment which exclusively serves the structure shall not be included in the calculations of height.~~

~~13~~10. The total ground floor area of all buildings and accessory structures shall not exceed forty percent (40%) of the plot on which they are constructed.

~~14~~11. Contiguous acres.

~~15~~12. Residential uses are only allowed within a mixed use pod of a PID that has a DRI future land use classification. Maximum residential densities shall be in accordance with the thresholds established for the respective DRI.

~~16. The gross floor area of the building and accessory structures shall not exceed sixty percent (60%) of the plot on which it is constructed.~~

~~17. The maximum allowable density is determined by the applicable future land use classification of the Comprehensive Plan.~~

~~18. The maximum lot coverage is eighty-five percent (85%) for parking garages.~~

~~19. No more than four (4) stories, with the exception of buildings in a mixed use pod of a PID, pursuant to Section 6.B.8. below.~~

~~20~~13. For hospital buildings, additional setbacks in excess of thirty (30) feet shall be required for any height over forty-five (45) feet. The additional setback shall be measured by calculating three (3) additional feet of setback for each foot in height above forty-five (45) feet, not including minimal rooftop equipment that are eligible for height exception pursuant to Chapter 2, Article II, Section 4.

~~21~~14. ~~May be subject to the Martin Luther King Jr. Blvd Overlay Zone (MLKBOZ) or Urban Commercial District Overlay Zone (UCDOZ), where applicable.~~ Overlay regulations may apply. See Section 8 for regulations pertaining to overlays. ~~both the MLKBOZ and UCDOZ~~.

D. *Mixed-Use Suburban Building and Site Regulations (Table 3-3).*

SUBURBAN MIXED-USE (SMU) DISTRICT	Types of Uses			
Building/Site Regulations	Residential Single-Family (Attached or Detached)		Multi-Family	Other Uses (includes Mixed Use)
Density (dwelling units per acre)	20		20	N/A
Project Area, Minimum:	SMU district - 10 acres[~~1~~]			
Lot Area per unit, Minimum (square feet):	Flexible[~~14~~12]		Flexible[~~14~~12]	10,000[~~2~~]
Lot Frontage per Use, Minimum (feet):	Flexible[~~14~~12]		100	100
Living Area, Minimum A/C (square feet):	1,200[~~15~~]		750[~~15~~]	750[~~15~~]
Floor Area Ratio (FAR), Maximum:	N/A		N/A	~~1.0~~2.5[~~8~~6]
Structure Height, Minimum (feet):	35[~~9~~7]		35[~~9~~7]	35[~~9~~7]
Structure Height, Maximum (feet):	35		55[~~6, 10~~4,8]	55[~~6, 10~~4,8]
Build-to-line (feet):				
Front:	10[~~3~~1]		10[~~4, 5, 6~~2,3,4]	10[~~5, 6, 7~~3,4,5]
Building Setbacks, Minimum (feet):				
Side:	15 corner	10 end	10[~~6~~4]	0[~~6~~4, 1~~2~~4]
Rear:	Flexible[~~14~~12]		15[~~6~~4]	Flexible[~~6, 14~~4,12]

Usable Open Space, Minimum (square feet):	30%~~11, 12~~9,10	20%9,10,11~~, 13~~	20%9,11~~, 13~~

~~1. Minimum project size. A minimum of ten (10) acres shall be required for any project developed under the provisions of the SMU regulations.~~

~~2. Hotels must be part of a mixed use project of at least three (3) acres in size.~~

~~3~~1. Porches may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk. Porches shall be placed outside of clear sight triangle. Minimum setback for a garage facing or accessing the street is twenty (20) feet. Where less than twenty (20) feet, garage access required from side or rear.

~~4~~2. Projecting feature(s) such as awnings, balconies, porches and/or stoops may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk.

~~5~~3. Front yard build-to line along major arterial roads, a maximum of ninety (90) feet inclusive of a twenty-five (25)-foot landscape buffer.

~~6~~4. The height setback envelope in accordance with Section 5.C. below shall apply where adjacent to developed single-family residential zoning districts.

~~7.~~5 One (1) or more projecting feature(s) such as awnings, balconies, colonnades, porches and/or stoops required forward of the build-to line and shall maintain a minimum five (5)-foot clearance from any vehicle use area. Elements projecting over a pedestrian walkway shall allow a minimum nine (9)-foot vertical clearance and five (5)-foot horizontal pedestrian clearance.

~~8~~6. Excluding ~~residential uses and~~ parking structures.

~~9~~7. Applies to any façade with arterial roadway frontage. Multiple-story buildings are encouraged along arterial roadways. The intent of this provision is to create the appearance, or simulate the intensity of, a minimum two (2)-story building. Conditional use approval required if less than the thirty- five (35) foot minimum.

~~10~~8. Building heights between fifty-five (55) feet and seventy-five (75) feet ~~to the peak of the structure or any architectural details~~ may be allowed only for interior buildings (those buildings separated from the property line by another project building or use), if approved as a conditional use. ~~The building/structure height measurement shall be conducted in accordance with Section 5.C. below. Exceptions to the maximum height shall not be allowed.~~

~~11~~9. Usable open space shall provide active or passive recreational space and shall not be occupied by water bodies, streets, drives, parking areas, or structures other than recreational structures.

~~12~~10. At least fifty percent (50%) of the required usable open space for ~~single-family~~ residential uses shall be contained in one (1) or more common pooled areas and a rectangle inscribed within each common pooled area shall have no dimension less than seventy-five (75) feet.

~~13~~11. Up to fifty percent (50%) of the usable open space required for "multi-family" and "other uses" may be hardscaped plazas and public gathering places.

~~14~~12. To be determined on a case by case basis, depending on the overall project design.

~~15. Accessory apartments must be at least seven hundred fifty (750) square feet in area (air-conditioned space).~~

E. *Mixed Use Urban Building and Site Regulations (Table 3-4).*

MIXED USE, URBAN	**MU-1**	**MU-2**	**MU-3**	**MU-4**	**MU-C**
Lot Area, Minimum (acres):					
Public park	N/A	N/A	N/A	N/A	N/A
All other uses	0.50	0.75	1	1	1
Lot Frontage, Minimum (ft.)[1]	100	100	150[2]	200	200
Structure Ht., Minimum (ft.)	30	30	30	45	45

Maximum Height (ft.)[3]	45	65	75	100	150/125[4]
Maximum Density (DUs/Acre)[10, 12]	20	40	50	60	80
Maximum F.A.R.[11]	1.0	2.0	3.0	4.0	4.0
Build-to-line (ft.)[8]					
All sides abutting a collector or arterial road	Factor of Pedestrian Zone Requirement[7]				
Abutting a Local street	0[7]	0[7]	0[7]	0[7]	0[7]
Interior side	0[7]	0[7]	0[7]	0[7]	0[7]
Building Setback, Minimum (ft.)[8]					
Rear abutting:					
Residential single-family	25[5]/0[5, 6]	25[5]	25[5]	25[5]	25[5]
Intracoastal waterway	25[5]	25[5]	25[5]	25[5]	25[5]
Side abutting					
Residential single-family	25[5]/0[5, 6]	25[5]	25[5]	25[5]	25[5]
Usable Open Space, Minimum (sq. ft.)[9]	N/A	N/A	~~N/A~~ 0.5%	1%	2%

1. May be reduced if frontage extends from right-of-way to right-of-way.

2. Minimum of fifty (50) feet, if frontage is on a collector/local collector roadway.

3. Maximum height on any street frontage is forty-five (45) feet. Maximum height on Intracoastal Waterway is thirty-five (35) feet consistent for a depth of a minimum of thirty (30) feet. Heights may require reduction where adjacent to a single-family zoning district where necessary to achieve the compatibility requirements of these regulations. Height bonus may be granted through participation in the Workforce Housing Program.

4. Maximum height reduced to one hundred twenty-five (125) feet for the entire project where property abuts any other MU or residential zoning district not separated by a right-of-way.

5. Plus one (1) additional foot for each foot of height over thirty-five (35) feet.

6. Where there is an intervening right-of-way of at least forty (40) feet.

7. Buildings and structures shall be located no farther than zero (0) feet from the property line, except in conjunction with providing required visibility at intersections, driveways; open spaces and public plazas; or when additional setback is necessary to provide for required "Pedestrian Zone (PZ). Building placement is a factor of roadway type and CRA district, which determines the min. width and design of the PZ. Except for the Downtown District, where the minimum PZ width is 18', the minimum PZ in all other districts if 16 ft. See Section 5.C.2. below for additional relief provisions from build-to line requirements.

8. ~~Listed eligible~~ Locally registered historic structures are not required to meet these standards.

9. Usable open space shall be required for all developments two (2) acres in size or larger which shall be devoted to plazas or other public open space, excluding private recreation. See Chapter 4, Article III, Section 8 for additional regulations.

10. Projects within the transit core shall have minimum densities as follows: MU-1 - eleven (11), MU-2 - twenty (20), MU-3 - thirty (30), MU-4 - thirty-five (35) and MU-C - forty (40) dwellings per acre (except that minimum density for the MU-C district applies to projects located within the entire station area).

11. Projects within the transit core shall have a minimum FAR as follows: MU-3 - one and three-quarters (1.75), MU-4 (2.0) and MU-C - two (2.0) (except that minimum FAR for the MU-C district applies to projects to be located within the entire station area). Maximum FAR for MU-3 may be increased to 3.5 if abutting property with the Mixed Use High future land use classification.

12. The maximum density for projects within the Downtown Transit-Oriented Development District (the Station Area) may be increased up to twenty-five percent (25%) over the maximum density allowed in the underlying zoning district through

participation in the City's Workforce Housing Program.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 14-009, passed 7-1-14; Am. Ord. 15-006, passed 3-2-15; Am. Ord. 16-023, passed 1-3-17; Am. Ord. 17-023, passed 9-19-17)

Sec. 2. Residential Districts.

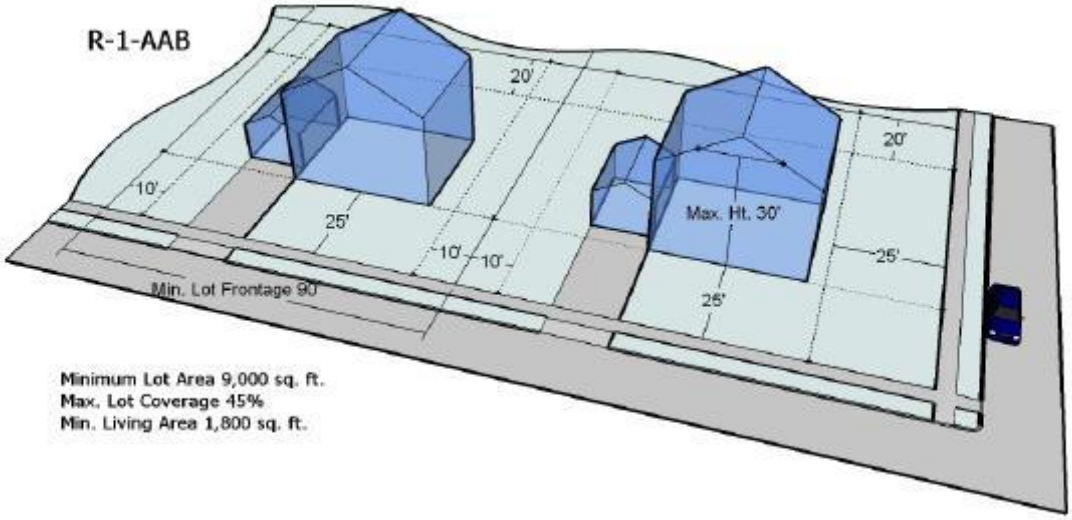
A. *R-1-AAB Single-family Residential District.*

1. General. The purpose of the R-1-AAB zoning district is to implement the low density residential (LDR) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to promote the suburban character of the city by preserving and encouraging single-family dwellings and structures on large lots at densities no greater than five (5) dwelling units per acre, and allowing limited types of non-residential uses.
2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.
3. Building and Site Regulations (Table 3-5).
   a. The following lot and building setback requirements shall be observed:

BUILDING/SITE REGULATIONS R-1-AAB District	
Minimum lot area:	9,000 s.f.
Minimum lot frontage:	90 feet
Minimum yard setbacks:	
Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building[1]: ~~additions:[1]~~	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	50%
Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	
Interior side:	10 feet
Corner side:	25 feet[2]
Minimum living area:	1,800 s.f.
Maximum lot coverage:	45%
Maximum structure height:	30 feet

[1] These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

[2] On corner lots, the side yard setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted ~~if~~ for any first floor addition follow~~s~~ing the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

B. *R-1-AA Single-family Residential District.*

1. General. The purpose of the R-1-AA zoning district is to implement the ~~moderate~~ low density residential (LDR~~MoDR~~) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to promote the suburban character of the city by preserving and encouraging single-family dwellings and structures at densities no greater than five and one-half (5.5) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-6). The following lot and building requirements shall be observed:

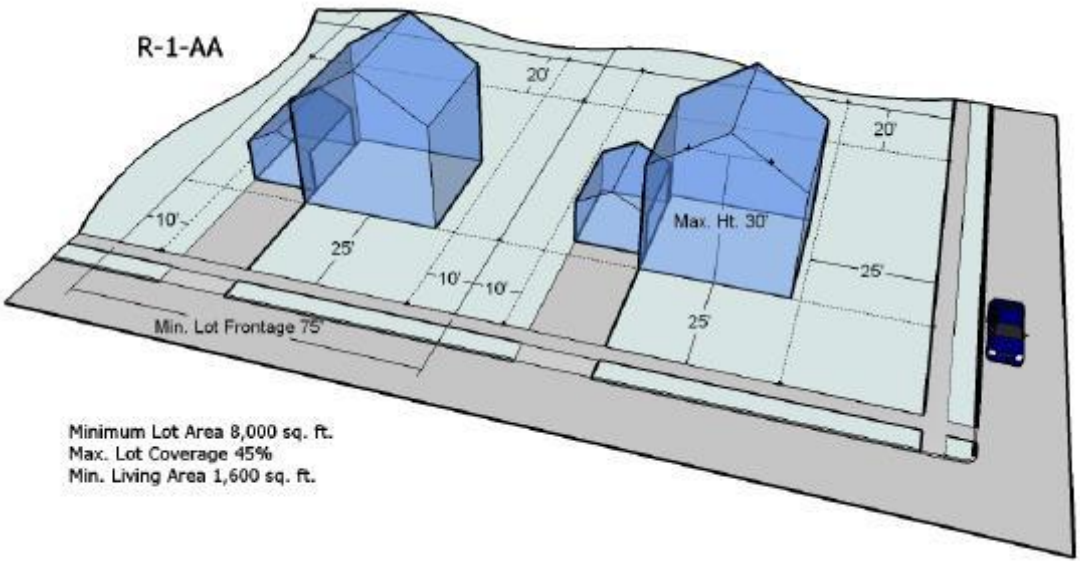
BUILDING/SITE REGULATIONS R-1-AA District	
Minimum lot area:	8,000 s.f.[1]
Minimum lot frontage:	75 feet
Minimum yard setbacks:	

Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building[2]: ~~additions:[2]~~	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
~~Special rear yard setback reduction for single-story building additions:[2]~~	
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	50%
Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Interior side:	10 feet[1]
Corner side:	25 feet[3]
Minimum living area:	1,600 s.f.
Maximum lot coverage:	45%
Maximum structure height:	30 feet

[1] In areas developed and/or platted prior to June 13, 1975, the minimum lot area shall be seven thousand, five hundred (7,500) square feet and the minimum side yard shall be seven and one-half (7-1/2) feet.

[2] These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

[3] On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provide typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction*

* Side yard reduction shall only be eligible for lots platted on or after June 13, 1975 and prior to August 19, 2008.

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if any first floor addition follows the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

C. *R-1-A Single-family Residential District.*

1. General. The purpose of the R-1-A zoning district is to implement the ~~moderate~~ low density residential (LDR~~MoDR~~) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to promote the suburban character of the city by preserving and encouraging single-family dwellings and structures at densities no greater than six (6) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

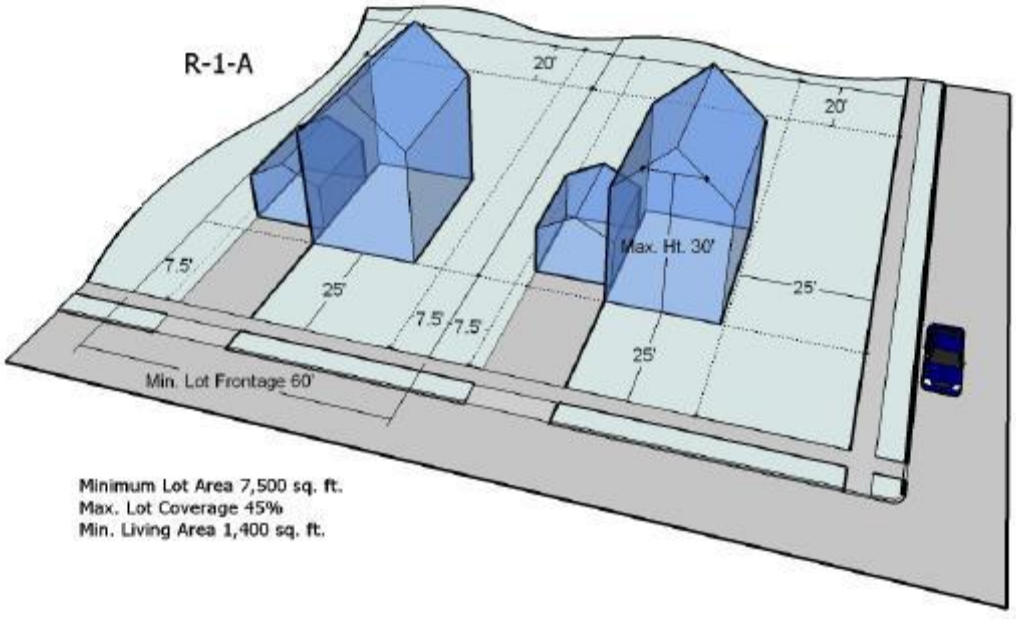
3. Building and Site Regulations (Table 3-7). The following lot and building requirements shall be observed:

BUILDING/SITE REGULATIONS R-1-A District	
Minimum lot area:	7,500 s.f.
Minimum lot frontage:	60 feet
Minimum yard setbacks:	
Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building: ~~additions:~~[1]	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	

Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Interior side:	7.5 feet
Corner side:	25 feet[2]
Minimum living area:	1,400 s.f.
Maximum lot coverage:	45%
Maximum structure height:	30 feet

[1] These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

[2] On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provides typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if any first floor addition follows the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

D. *R-1 Single-family Residential District.*

1. General. The purpose of the R-1 zoning district is to implement the ~~moderate~~ low density residential (LDR~~MoDR~~) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to encourage single-family dwellings and structures at densities no greater than seven and one-half (7.5) dwelling units per acre, and allowing limited types of non-residential uses.

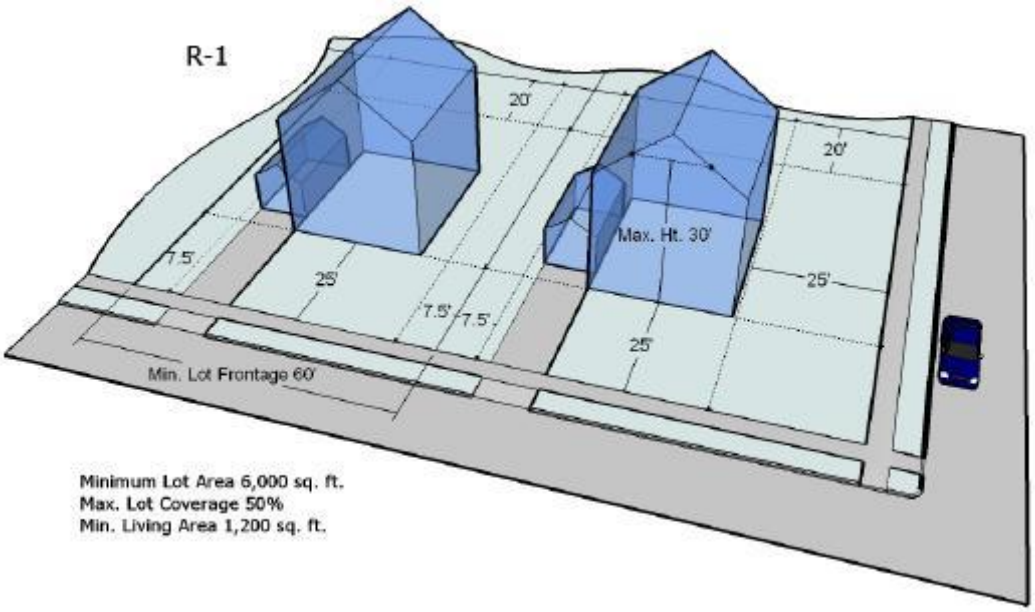
2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-8). The following lot and setback requirements shall be observed:

BUILDING/SITE REGULATIONS R-1 District	
Minimum lot area:	6,000 s.f.
Minimum lot frontage:	60 feet
Front:	25 feet
Rear:	20 feet
Special rear yard setback reduction for single-story building[1]. ~~additions:~~[1]	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	
Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Interior side:	7.5 feet
Corner side:	25 feet[2]
Minimum living area:	1,200 s.f.
Maximum lot coverage:	50%
Maximum structure height:	30 feet

[1] These special rear yard setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

[2] On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provide typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.



4. Administrative Adjustments.

a. For lots platted prior to August 19, 2008, the following administrative adjustments to the minimum yard setbacks for first floor additions to existing residential structures may be allowed:

Front and side yard: 20% reduction

Rear yard: 25% reduction

These setback reduction provisions shall not supersede any setbacks that are recorded on a plat.

b. An administrative adjustment may be granted if any first floor addition follows the building line of a legally nonconforming single-family structure, or a building line previously approved by a variance.

c. See Chapter 2, Article II, Section 4.A. for the administrative adjustment process.

5. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

6. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

7. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

E. *R-2 Single and Two-family Residential District.*

1. General. The purpose of the R-2 zoning district is to implement the medium density residential (MeDR) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to stabilize and protect existing residential neighborhoods with densities no greater than ten (10) dwelling units per acre, and allowing limited types of non-residential uses.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-9). Existing and/or planned single-family homes shall conform to the R-1 district requirements; however, for duplex homes, the following lot and building requirements shall be observed:

BUILDING/SITE REGULATIONS R-2 District	
Minimum lot area (per unit):	4,500 s.f.[1]
Minimum lot frontage:	75 feet
Minimum yard setbacks:	
Front:	25 feet[2]
Rear:	25 feet[3]
Interior side:	10 feet[2]
Corner side:	25 feet[2,3]
Minimum living area:	750 s.f.
Maximum lot coverage:	40%
~~**Maximum Floor Ratio Area (FAR)**~~	~~0.10[4]~~
Maximum structure height:	25 feet[5]

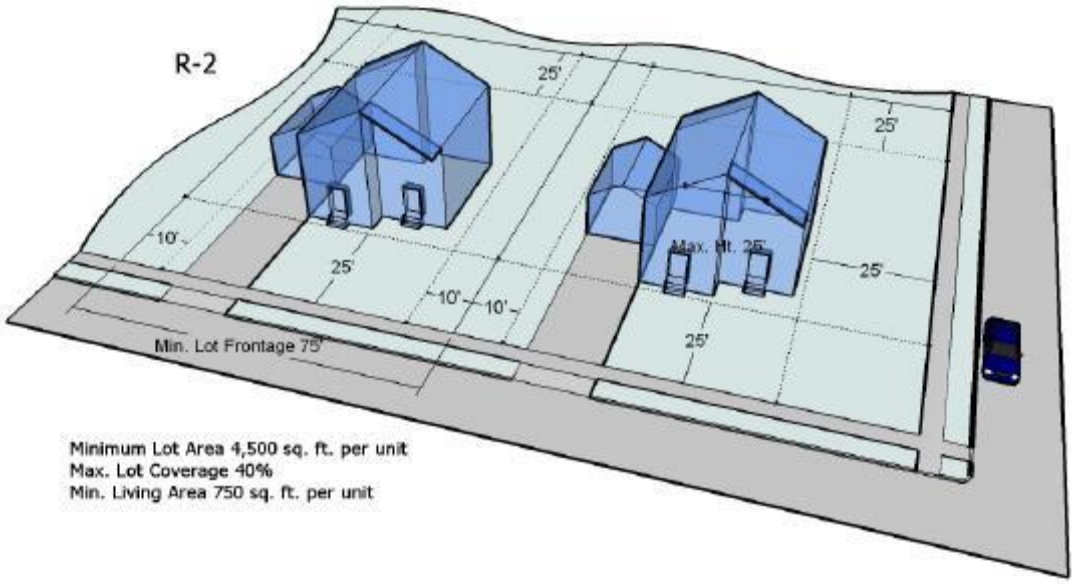
[1] Single-family dwellings shall be constructed on lots that are no less than six thousand (6,000) square feet.

[2] ~~Pursuant to Section 8.B. below, parcels that have frontage on Martin Luther King Jr. Boulevard and are located within the Martin Luther King Boulevard Overlay Zone shall have front, side interior, and side corner setbacks in accordance with the mixed-use low intensity 1 zoning district (see Section 6.H. below).~~Overlay regulations may apply. See Section 8 for regulations pertaining to overlays.

[3] On corner lots, the side setback adjacent to the street shall be not less than one-half (1/2) the front yard setback. However, where orientation of adjacent lots on both street frontages provide typical front yard setbacks, the corner lot shall provide for front yard setbacks along both streets. When two (2) front yard setbacks are provided for on a corner lot, no rear yard setback shall be required, only side yard setbacks shall be imposed.

~~[4] A floor area ratio (FAR) up to 0.10 may be considered for non-residential uses allowed within the R-2 district (see "Use Matrix" - Chapter 3, Article IV, Section 3), pursuant to the medium density residential land use category of the Comprehensive Plan.~~

~~[5] Not to exceed two (2) stories.~~



4. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are

regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

5. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.

c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

F. *R-3 Multi-family Residential District.*

1. General. The purpose of the R-3 zoning district is to implement the medium density residential (MDR) ~~high density residential (HDR) and special high density residential (SHDR)~~ future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this conventional district, with a maximum density of eleven (11) dwelling units per acre, is to ~~provide for higher residential densities that~~ encourage vertical structures and viable multiple-family living environments. The preferred development pattern shall be designed such that it would provide adequate buffering, graduation of uses, and a layout that considers and complements adjacent uses and districts. Ideally, the R-3 district should be in close proximity to large concentrations of business and employment activities, as well as near sufficient roadways and public transportation routes. Site design should encourage safe traffic patterns, ingress and egress, adequate light, drainage, off-street parking, open space, on-site recreation areas, and community meeting provisions for the inhabitants. ~~Densities of such developments shall correspond with the respective FLUM classification.~~

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-10).

a. Existing and/or future single-family dwellings shall conform to the building and site regulations of the R-1 district (see Table 3-8 in Section 2.D.3. above).

b. Duplex dwellings shall conform to the building and site regulations of the R-2 district (see Table 3-9 in Section 2.E.3. above).

c. Multiple-family and group homes shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "residential uses".

d. All uses, excluding single-family, duplex, multi-family, and group homes, shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "non-residential uses".

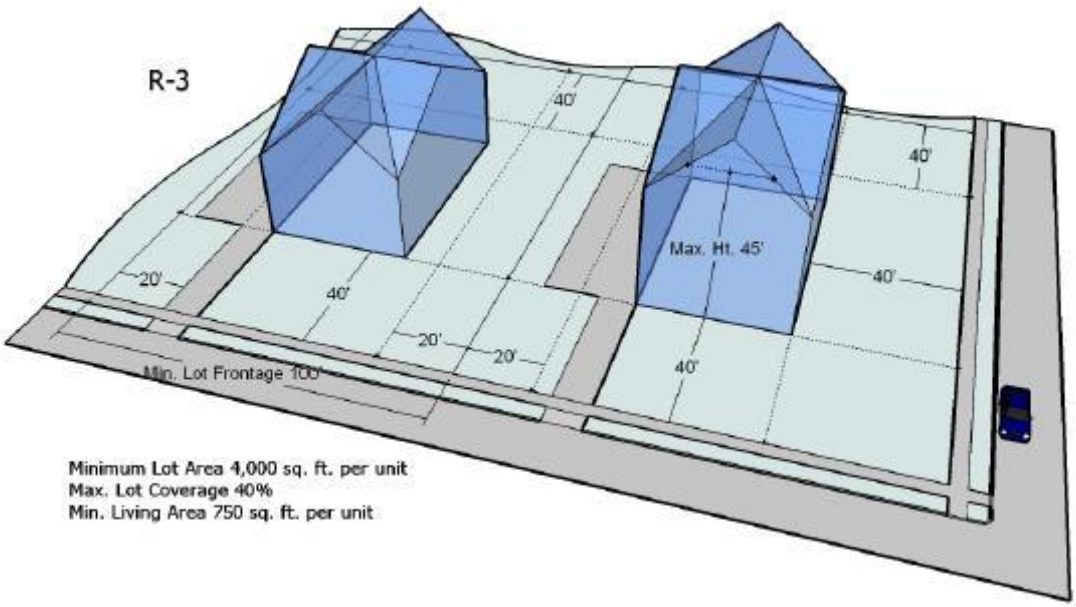
BUILDING/SITE REGULATIONS R-3 District	
(Residential Uses)	
Minimum lot area (per unit):	4,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	750 s.f.
Maximum lot coverage:	40%
Maximum structure height:	45 feet~~[1]~~
~~**Maximum separation:**~~ ~~(for Group Homes)~~	~~1,000~~ ~~(radius)~~
(Non-Residential Uses)	

Minimum lot area:	20,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	~~N/A[2]~~ 750 sq. ft. per unit
Maximum lot coverage:	40%
~~**Maximum Floor Area Ratio (FAR)**~~	~~0.10[3]~~
Maximum structure height:	45 feet~~[1]~~

~~[1] Not to exceed four (4) stories.~~

~~[2] As governed by the applicable regulatory agency~~.

[3] ~~A floor area ratio (FAR) up to 0.10 may be considered for non-residential uses allowed within the R-3 district (see "Use Matrix" - Chapter 3, Article IV, Section 3.D.), pursuant to the high density residential land use category of the Comprehensive Plan.~~



4. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

5. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review. In these instances, site plan approval shall be required prior to application for building permit.

c. Multiple-family dwellings and non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

G. *R-4 Multi-family Residential District.*

1. General. The purpose of the R-4 zoning district is to implement the High Density Residential (HDR) future land use map classification of the Comprehensive Plan. The intent of this conventional district is to provide for higher residential densities that support infill development opportunities. At the allowed maximum density of fifteen (15) dwelling units per acre, intended development can provide a graduated transition to densities and intensities of mixed use redevelopment projects in a compact form. Although this district is not a planned zoning district, development attributes should similarly emphasize design that is sensitive to its context within the urban redevelopment area, including interconnectivity and pedestrian accommodations, sustainable and/or smart growth building and landscaping design, building placement and orientation of project to the local street network and on-street parking.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-10).

a. Existing and/or future single-family dwellings shall conform to the building and site regulations of the R-l district (see Table 3-8 in Section 2.D.3. above).

b. Duplex dwellings shall conform to the building and site regulations of the R-2 district (see Table 3-9 in Section 2.E.3. above).

c. Multiple-family and group homes shall conform to the lot and building requirements of that portion of Table 3-10 below pertaining to "residential uses".

d. All uses, excluding single-family, duplex, multi-family, and group homes, shall conform to the lot and building requirements of that portion of Table 3-~~10~~ 11 below pertaining to "non-residential uses".

BUILDING/SITE REGULATIONS R-4 District	
(Residential Uses)	
Minimum lot area (per unit):	4.000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	650 s.f.
Maximum lot coverage:	50%
Maximum structure height:	45 feet
(Non-Residential Uses)	
Minimum lot area:	20,000 s.f.
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	20 feet
Corner side:	40 feet
Minimum living area:	~~N/A~~ 650 sq.ft. per unit
Maximum lot coverage:	40%
~~**Maximum Floor Area Ratio (FAR)**~~	~~N/A~~
Maximum structure height:	45 feet

4. Accessory Structures. Walls, fences, pools, sheds, screen-roof enclosures, and other structures are regulated in accordance with Chapter 3, Article V, Supplemental Regulations.

5. Review and Approval Process.

a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.

b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review. In these instances, site plan approval shall be required prior to application for building permit.

c. Multiple-family dwellings and non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4. Article V. Minimum Off-Street Parking Requirements.

H. *IPUD Infill Planned Unit Development District.*

1. General.

a. Purpose and Intent. The purpose of the IPUD zoning district is to implement the special high density residential (SHDR) future land use map (FLUM) classification of the Comprehensive Plan~~.~~ This district is intended for infill purposes, promoting new development and redevelopment ~~within the Community Redevelopment Agency (CRA) area consistent with land use recommendations from the Community Redevelopment Plan~~ in areas located east of Interstate 95, at densities no greater than twenty (20) dwelling units per acre. This district is also intended to promote water access and recreational opportunities with accommodations of uses, including marine-oriented and water dependent uses, in both mixed use developments and limited single-use projects. The IPUD district ~~will~~ includes design standards that exceed the standards of the basic development standards in terms of site design, building architecture and construction materials, amenities and landscape design. The extent of variance or exception to basic design standards, including but not limited to requirements for parking spaces, parking lot and circulation design, and setbacks, will be dependent on how well the proposed ~~-~~project otherwise exceeds the other applicable standards.

The IPUD shall minimize adverse impacts on surrounding property. The city is not obligated to automatically approve the level of development intensity requested for the IPUD. Instead, it is expected to approve only such level of intensity that is appropriate for a particular location in terms of land use compatibilities. The city may require, as a condition of approval, any limitation, condition, or design factor that will provide a reasonable transition to adjacent development.

In order to be approved, an IPUD project must be compatible with and preserve the character of adjacent residential neighborhoods. Factors to consider in determining compatibility may include, but not necessarily be limited to, proposed use, massing, and layout. Further, it must be an enhancement to the local area and the city in general. Projects that fail to do so will be denied.

Each IPUD project is independent and will be evaluated solely on its own merits. The inclusion of certain features in a previously approved IPUD project will not automatically be entertained as a valid argument for the inclusion of that same feature in any other IPUD project if the city determines to reject those features.

b. Prerequisite Location Standards. The IPUD district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation~~,~~ and resource management.~~, and social equity.~~ Rezoning to the IPUD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have ~~sustained or are complicated~~been impacted by environmental contamination. In reaching recommendations and decision as to zoning land to IPUD, the Advisory Board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Any IPUD district that contains non-residential uses must principally front on streets classified as "Arterial" on the "Functional Classification of Roadways" map in the city Comprehensive Plan;

(2) Any non-residential component must front on the arterial roadway or on an access road wholly

contained within the project with neither entrances nor exit on or visible from or disruptive to adjacent properties, local streets, and rights-of-way.

2. Use(s) Allowed. See Chapter 3, Article IV, Section 3.C. for specific regulations pertaining to the IPUD district and Chapter 3, Article IV, Section 3.D. ("Use Matrix Table 3-28") for a list of allowable uses.

3. Building and Site Regulations (Table 3-1~~1~~2). The following building/site regulations apply to the entire IPUD development.

BUILDING/SITE REGULATIONS IPUD District~~–~~	
Minimum project area:	~~N/A~~ None
Maximum project area:	~~Flexible~~Less than 5 acres
Minimum lot frontage[4]:	Flexible[1]
Minimum perimeter yard setbacks:	
Front:	Flexible[2]
Rear:	Flexible[2]
Interior side:	Flexible[2]
Corner side:	Flexible[2]
Maximum lot coverage:	50%
Minimum usable open space (per dwelling unit):	200 square feet
~~**Maximum Floor Area Ratio (FAR)**~~	~~0.20[3]~~
Maximum structure height:	45 feet~~[4]~~[3]

[1] Individual lots within an IPUD development contain flexible standards relative to minimum required lot frontage and lot area for each unit. ~~Lot frontage shall be determined on a case by case basis, depending on the overall project design.~~ Pursuant to Chapter 3, Article IV, Section 3.D., a marina use shall require a minimum lot frontage of one hundred fifty (150) feet and a minimum average width of two hundred (200) feet.

[2] The minimum required perimeter building setbacks of an IPUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family residential zoning, the required perimeter building setbacks of the IPUD shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. If vegetation, screening, or other barriers and/or creative design on the perimeter of an IPUD achieve compatibility with adjacent uses, the city may grant some relief from the aforementioned requirement. A structure shall be considered to be on the perimeter if there is no intervening building between it and the property line. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.

~~[3] A maximum floor area ratio (FAR) of 0.20 may be allowed for non-residential uses within the IPUD district (see "Use Matrix" Chapter 3, Article IV, Section 3.C.), pursuant to the special high density residential land use category of the Comprehensive Plan.~~

~~[4]~~[3] A lesser building height may be required for compatibility with adjacent development. See Note #2 above for additional setback requirements relative to building height.

[4] Project sites must front on two (2) intersecting rights-of-ways and must have an uninterrupted lot frontage.

4. Review and Approval Process.

a. All development and redevelopment within the IPUD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the IPUD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

a. See Chapter 4, Article II, Section 4.B.5 for additional standards pertaining to the required landscaping along rights-of-way.

b. See Chapter 4, Article III, Section 4. for community design standards regarding required site design in instances where the subject IPUD project is adjacent to single-family residential zoning districts.

c. See Chapter 4, Article VIII, Section 3.C.4.b.(2) for additional standards pertaining to the minimum width of rights-of-way and vehicular circulation.

d. If an IPUD is located with frontage on the Intracoastal Waterway, conditions of approval shall include a deed restriction requiring that any marina or dockage built~~d~~ will not exceed in width the boundaries of the project's actual frontage on the water, regardless of what any other governing or permitting entity may allow or permit.

e. Exterior lighting of the exterior, parking areas and watercraft docking facilities of the planned development shall be of the lowest height, intensity, and energy use adequate for its purpose, and shall not create conditions of glare that extend onto abutting properties.

f. The physical attributes of the site shall be respected with particular concern for preservation of natural features, tree growth, and open space.

g. Special emphasis shall be placed on trash collection points.

h. Trash containers or dumpsters must be screened and designed such that they are not visible from or disruptive to adjacent properties, streets, and rights-of-way while still being conveniently accessible to their users and collectors.

I. *PUD Planned Unit Development District.*

1. General.

a. Purpose and Intent. The purpose of the PUD zoning district is to implement any of the residential future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to promote efficient ~~and economical~~ land use, improved amenities, appropriate and harmonious physical development, creative design, improved living environment, orderly ~~and economical~~ development in the city, and the protection of adjacent ~~and existing and future~~ city development. The district is suitable for development, redevelopment and conservation of land, water and other resources of the city.

Regulations for planned unit developments are intended to accomplish the purposes of zoning, subdivision regulations and other applicable city regulations to the same degree that they are intended to control development on a lot-by-lot basis. In view of the substantial public advantages of planned unit development, it is the intent of PUD regulations to promote and encourage development in this form where tracts suitable in size, location, and character for the uses and structures proposed are to be planned and developed as unified and coordinated units. Densities of such developments shall correspond with the respective FLUM classification.

b. Prerequisite Location Standards. The PUD district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation~~,~~ and resource management. ~~, and social equity.~~ Rezoning to the PUD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

In reaching recommendations and decisions as to zoning land to PUD, the advisory board(s) and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Major Transportation Facility. ~~A PUD shall be so located as to major roadways or other transportation facilities as to provide direct access to it without creating or generating traffic along streets in residential areas or districts outside it.~~ A PUD shall have a direct access to a major roadway or a transportation facility so as not to create or generate traffic along streets in residential areas or districts outside it.

(2) Public Facilities and Services. A PUD shall be located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities systems and installations so that neither extension nor enlargement of such systems will be required in manner, form, character, location, degree, scale or timing resulting in higher net public cost or earlier incursion of public cost than would development

in forms permitted under existing zoning in the area.

Such PUD's shall be so located with respect to necessary public facilities (e.g., schools, parks, playgrounds) as to have access to those facilities in the same degree as under existing zoning, and shall be so located, designed and scaled so that access for public services is equivalent to, and net cost for the services under existing zoning.

(3) Topography. The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of the soil, groundwater level, drainage, and topography shall all be appropriate to both kind and pattern of use intended.

(4) Access. Every dwelling unit, or other use permitted in the PUD, shall have access to a public street directly or via an approved private road, pedestrian way, court, or other area dedicated to public or private use, or common element guaranteeing access. Permitted uses shall not be required to front on a dedicated public road.

(5) Utilities. Direct residential and/or consumer service should be by underground installation to the maximum extent practicable; however, primary service to a general geographic area may be served with overhead installation. Appurtenances to these systems which require above ground installation shall be effectively screened, and, thereby, may be exempted from this requirement. Primary facilities providing service to the site of the PUD may be exempted.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D. The PUD district allows principal and accessory uses and structures substantially related to the character of the development itself and the surrounding area of which it is a part.

3. Building and Site Regulations (Table 3-1~~2~~3). The following building/site regulations apply to the entire PUD development.

BUILDING/SITE REGULATIONS PUD District	
Minimum project area:	5 acres
Minimum lot area:	Flexible[1]
Minimum lot frontage:	Flexible[1]
Minimum perimeter yard setbacks:	
Front:	Flexible[2]
Rear:	Flexible[2]
Interior side:	Flexible[2]
Corner side:	Flexible[2]
Maximum lot coverage:	N/A
Minimum Usable open space (per dwelling unit)	200 square feet
Maximum structure height:	45 feet[~~3~~]

[1] Individual lots within a PUD development contain flexible standards relative to minimum required lot frontage and lot area for each unit. To be determined on a case by case basis, depending on the overall project design.

[2] The minimum required perimeter building setbacks of a PUD are flexible except where adjacent to single-family residential zoning. Where adjacent to single-family residential zoning, the required perimeter building setbacks of the PUD shall resemble the setbacks of the adjacent development based upon the orientation of structures with said development. Also, perimeter buildings shall have an increased setback of one (1) additional foot for every foot of building height in excess of thirty (30) feet. Project design along abutting roadway(s), including setbacks, shall be based on existing development patterns or applicable recommendation from the respective development plan.

~~[3] No more than four (4) stories.~~

4. Review and Approval Process.

a. All development and redevelopment within the ~~I~~PUD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to

application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the PUD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous. The boundaries of land zoned to PUD classification shall be indicated on the official zoning map with the symbol "PUD."

The PUD district contains additional standards relative to building design and compatibility with adjacent single-family residential zoning. Refer to Chapter 4, Article III, Section 3.J. for these additional development standards.

J. *MHPD Mobile Home Planned Development District.*

1. General.

a. Purpose and Intent. The purpose of the MHPD zoning district is to implement the low density residential (LDR) ~~and moderate density residential (MoDR)~~ future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to provide efficient and imaginative design approaches to community planning, and to accommodate the housing needs of those residents who prefer mobile home living and/or desire a more affordable ~~solution~~ alternative to conventional dwellings. ~~Densities of such developments shall correspond with the respective FLUM classification.~~

The MHPD district ~~is optimum when there is~~creates an opportunity to promote sustainability with respect to land use, energy conservation~~,~~ and resource management.~~, and social equity.~~ Rezoning to the MHPD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas~~,~~. ~~or have sustained or~~and that are away from high hazard areas.

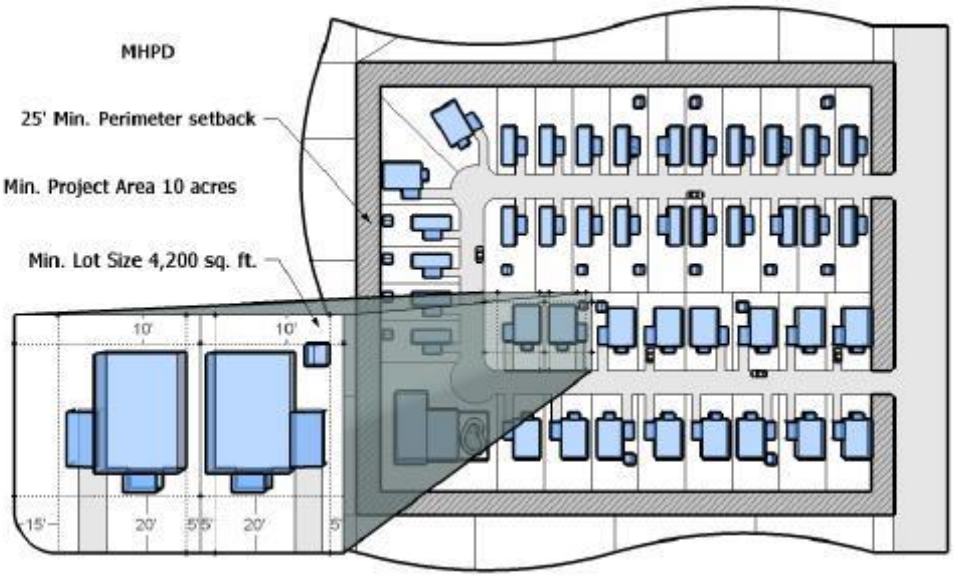
b. Existing Developments. For those mobile home parks in existence prior to the adoption of these Regulations, or annexed to the city subsequent to the adoption of these Regulations, the site regulations under which the park was developed shall continue in force. General maintenance and minor modifications to existing improvements shall be allowed, if such maintenance and improvements do not worsen the extent of nonconformity. Should the park be damaged in excess of seventy-five percent (75%), redevelopment shall require submittal of a site plan for review and processing as a major site plan modification, to indicate how redevelopment will provide maximum compliance with development regulations, with particular emphasis on perimeter setbacks and buffering, and internal roadway design and access for service and emergency vehicles.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-14~~3~~).

BUILDING/SITE REGULATIONS MHPD District	
Minimum project area:	10 acres
Minimum lot size:	4,200 s.f.
Minimum perimeter setbacks:	25 feet
Special perimeter setback reduction for principal and accessory structures:	
Abutting: I-95 or railroad tracks:	50%
Abutting: Intracoastal:	50%
Abutting: Lakes:	50%
Abutting: Golf Course:	50%
Abutting: Canals wider than 150 ft	50%
Abutting: Canals narrower than 150 ft	33%
Abutting: Perimeter walls of community that abut other than residential:	50%

Abutting: Commercial or Industrial	50%
Abutting: Public or private park:	50%
Minimum yard setbacks (per lot):	
Front:	20 feet
Rear:	10 feet
Interior side:	5 feet
Corner side:	10 feet
Maximum lot coverage:	N/A
Maximum structure height:	30 feet



4. Accessory Structures.

a. Structures of a permanent nature shall not be added or attached to a mobile home, unless such mobile home is placed upon a site conforming to the minimum requirements for a mobile home.

b. The combined area of all additions or attachments shall not exceed the gross area of the mobile home itself. Carports are not included in the above limitation provided that the width of the individual lot is adequate for separation requirements.

5. Review and Approval Process.

a. All development and redevelopment within the ~~IPUD~~ MHPD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

6. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

7. Modifications. Any modification proposed within the MHPD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

8. Miscellaneous.

a. No part of any mobile home, or any addition or appurtenances thereto shall be located within ten (10) feet of any accessory or service building or structure used in connection with a mobile home park.

b. Additional perimeter buffering and landscape material may be required as recommended by the Director of Planning and Zoning to ensure compatibility with adjacent properties.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-010, passed 6-19-12; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 16-024, passed 1-3-17; Am. Ord. 17-023, passed 9-19-17)

Sec. 3. Commercial Districts.

A. *C-1 Office and Professional Commercial District.*

1. General. The purpose of the C-1 zoning district is to implement the office commercial (OC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to provide appropriate space for office and professional uses, while also serving as a transitional area between residential and higher intensity commercial areas.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-15~~4~~). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS C-1 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	9,000 s.f.
Minimum lot frontage:	75 feet
Minimum lot depth:	120 feet
Minimum yard setbacks:	
Front:	30 feet
Rear:	20 feet
Abutting: Residential district(s)	30 feet
Interior side:	10 feet
Abutting: Residential district(s)	30 feet
Corner side:	10 feet
~~Abutting: Residential district(s)~~	~~30 feet~~
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.4[1]
Maximum structure height: (For hospitals only)	30 feet[2] 45 feet

[1] A floor area ratio (FAR) up to 0.40 may be considered for office commercial and related uses allowed within the C-1 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the office commercial future land use classification of the Comprehensive Plan.

[2] Buildings designed with under-story parking shall be allowed a maximum building height of thirty-five (35) feet but only with conditional use approval.

4. Review and Approval Process. Pursuant to Chapter 2, Article II, Section 2.F., site plan approval shall be required for the construction or modification of a non-residential building, structure, or improvement, including any area allocated to an accessory residential unit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

B. *C-2 Neighborhood Commercial District.*

1. General. The purpose of the C-2 zoning district is to implement the local retail commercial (LRC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to allow low-intensity commercial uses of a retail convenience that are intended to serve and which are in close proximity to individual residential neighborhoods. Generally, the desired locations of these commercial areas would be at the periphery of one (1) or more neighborhoods along roadway classifications that are able to support the additional traffic.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-~~15~~16). No building or portion thereof shall be erected,

constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS C-2 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	5,000 s.f.
Minimum lot frontage:	50 feet
Minimum lot depth:	100 feet
Minimum yard setbacks:	
Front:	30 feet~~[1,2]~~
Rear:	20 feet
Abutting: Residential district(s)	30 feet
Interior side:	15 feet~~[1,2]~~
Abutting: Residential district(s)	30 feet~~[1]~~
Corner side:	20 feet~~[1,2]~~
~~Abutting: Residential district(s)~~	~~30 feet[1]~~
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.50~~[3]~~[1]
Maximum structure height:	25 feet~~[4]~~

~~[1] Reduced setbacks will be applied to property located within the Urban Commercial District Overlay Zone, Section 8.C. below.~~

~~[2] Pursuant to Section 8.B. below, parcels that have frontage on Martin Luther King Jr. Boulevard and are located within the Martin Luther King Boulevard Overlay Zone shall have front, side interior, and side corner setbacks in accordance with the mixed use low intensity 1 zoning district (see Section 5.C. below).~~

~~[3]~~[1] A floor area ratio (FAR) up to 0.50 may be considered for local retail commercial uses allowed within the C-2 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the local retail commercial future land use classification of the Comprehensive Plan.

~~[4] Not to exceed two (2) stories.~~

4. Review and Approval Process. Pursuant to Chapter 2, Article II, Section 2.F., site plan approval shall be required for the construction or modification of a non-residential building, structure, or improvement, including any area allocated to an accessory residential unit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

C. *C-3 Community Commercial District.*

1. General.

a. Purpose and Intent. The purpose of the C-3 zoning district is to implement the local retail commercial (LRC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to encourage the development or use of property for appropriate intensive retail commercial uses providing for a wide range of goods and services, located along major thoroughfares. ~~The C-3 district allows a maximum density of eleven (11) dwelling units per acre; however, all residential developments must adhere to the R-3 district building and site regulation in accordance with Section 2.F. above.~~

b. Prerequisite Location Standard. In reaching recommendations and decisions as to zoning land to C-3, the advisory board and City Commission shall apply the following location standards, in addition, to the standards applicable to the rezoning of land generally:

(1) Centrally and accommodating multiple neighborhoods; and

(2) Abutting to at least one (1) ~~major thoroughfare~~arterial roadway.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-1~~6~~7). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS C-3 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	15,000 s.f.
Minimum lot frontage:	75 feet
Minimum yard setbacks:	
Front:	20 feet~~[1]~~
Rear:	20 feet~~[2]~~[1]
Abutting: Residential district(s)	30 feet
Interior side:	0 feet~~[1,3]~~[2]
Abutting: Residential district(s)	30 feet~~[1]~~
Corner side:	20 feet~~[1]~~
~~Abutting: Residential district(s)~~	~~30 feet[1]~~
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.50~~[4]~~[3]
Maximum structure height:	45 feet~~[5]~~

~~[1] Reduced setbacks will be applied to property located within the Urban Commercial District Overlay Zone, Section 8.C. below.~~

~~[2]~~[1] Where rear yard access is available from a public street or alley, rear yard may be decreased by one-half (1/2) the width of such street or alley, but in no case shall a rear yard be less than ten (10) feet.

~~[3]~~[2] Where rear access is not available from a public street or alley, a side yard of not less than fifteen (15) feet shall be provided on one (1) side.

~~[4]~~[3] A floor area ratio (FAR) up to 0.50 may be considered for local retail commercial uses allowed within the C-3 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the local retail commercial future land use classification of the Comprehensive Plan.

~~[5] Not to exceed four (4) stories.~~

~~4. Review and Approval Process.~~

~~a. Single-family and duplex dwellings and accessory uses thereto shall be allowed upon application to and approval by the Building Official for structures that require a building permit pursuant to Chapter 2, Article IV, Section 2.~~

~~b. Community and common areas, such as recreational areas, landscape buffers and tracts, and project signage may be subject to site plan review.~~

~~c. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.~~

~~5~~.4 Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

~~6~~-5. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

D. *C-4 General Commercial District.*

1. General. The purpose of the C-4 zoning district is to implement the general commercial (GC) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to accommodate service and intensive commercial establishments and limited light industrial uses, and to serve as a transitional area between lighter commercial areas and general industrial uses or operations.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-1~~7~~8). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS C-4 District (Overlay regulations may apply. See Section 8 below.)	
Minimum lot area:	5,000 s.f.
Minimum lot frontage:	50 feet
Minimum lot depth:	100 feet
Minimum yard setbacks:	
Front:	25 feet~~[1,2]~~
Rear:	20 feet~~[3]~~[1]
Abutting: Residential district(s)	30 feet
Interior side:	15 feet[1]~~[,2,3]~~
Abutting: Residential district(s)	30 feet
Corner side:	15 feet~~[1,2]~~
~~Abutting: Residential district(s)~~	~~30 feet~~
Maximum lot coverage:	40%
Maximum Floor Area Ratio (FAR)	0.50~~[4]~~[2]
Maximum structure height:	45 feet~~[5]~~

~~[1] Reduced setbacks will be applied to property located within the Urban Commercial District Overlay Zone, Section 8.C. below.~~

~~[2] Pursuant to Section 8.B. below, parcels that have frontage on Martin Luther King Jr. Boulevard and are located within the Martin Luther King Boulevard Overlay Zone shall have front, side interior, and side corner setbacks in accordance with the mixed use-low intensity 1 zoning district (see Section 5.C. below).~~

~~[3]~~[1] Where rear property line abuts a public street or alley, rear yard setback may be reduced to ten (10) feet and no side yard shall be required, except on corner lots or where abutting single-family uses.

~~[4]~~[2] A floor area ratio (FAR) up to 0.50 may be considered for general commercial uses allowed within the C-4 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.), pursuant to the general commercial future land use classification of the Comprehensive Plan.

~~[5] Not to exceed four (4) stories; however, those parcels located within the Martin Luther King Boulevard Overlay Zone (Section 8.B. below) shall be limited to thirty (30) feet in height.~~

~~4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.~~

~~5~~4. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

E. *CBD Central Business District.*

1. General. The ~~purpose of the~~ CBD zoning district was established with the intent to serve the entire community, create a high volume of pedestrian activity, provide business, recreation and residential opportunities, and maximize the potential of the waterfront. This district is ~~is to implement the mixed use (MX) and mixed use core (MX-C) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to provide a highly visible community focal point integrating office, retail, and residential uses concentrated in the historic downtown and marina district. In addition, this district is~~ considered the predecessor to the high density urban mixed use zoning districts, and will eventually

be supplanted by them. ~~, particularly, the mixed use-high intensity district. The uses allowed in the central business district are intended to serve the entire community, create a high volume of pedestrian activity, provide business, recreation, and residential opportunities, and maximize the potential of the waterfront.~~

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-1~~8~~9). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged, or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS CBD District	
Minimum lot area:	15,000 s.f.
Minimum lot frontage:	75 feet
Minimum lot depth:	100 feet
Minimum yard setbacks:	
Front:	0 feet
Rear:	20 feet[1]
Interior side:	0 feet
Corner side:	8 feet[2]
Waterfront yard (from navigable water):	8 feet[3]
Minimum living area:	750 s.f.
Maximum lot coverage: Parking garages:	75% 85%
~~**Maximum Floor Area Ratio (FAR)**~~	~~N/A~~
Maximum structure height:	45 feet[4]

[1] Where rear property line abuts a public street or alley, rear yard setback may be reduced to eight (8) feet at first floor level, in which case, no setback shall be required at all other floor levels.

[2] Eight (8) feet is require at first floor level. No setback shall be required at all other floor levels.

[3] Waterfront setbacks shall be measured from the property where the body of water is under different ownership than the subject property line; however, setbacks are measured from the mean high water line if the body of water is under the same ownership as the subject property.

[4] ~~Forty-five (45) feet, not to exceed four (4) stories.~~ The maximum building height shall be forty-five (45) feet, except for buildings which contain a mix of uses (residential in combination with non-residential uses). In these instances, the maximum building height may be increased to one hundred (100) feet, but contingent upon conditional use approval. Mechanical equipment which exclusively serves the structure shall not be included in the calculations of height.

4. Review and Approval Process. All development and redevelopment shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking.

a. General Requirements. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

b. Specific for CBD District. As required by Chapter 4, Article V, Section 3.E. The CBD district contains additional standards relative to location and appearance of off-street parking facilities. Refer to Chapter 4, Article III, Section 3.C. for these additional development standards.

6. Miscellaneous.

a. Building Location and Massing. See Chapter 4, Article III, Section 3.H. for additional regulations pertaining to mixed use developments.

b. Shade and Shelter. See Chapter 4, Article III, Section 3.H. for additional regulations pertaining to mixed use developments.

F. *PCD Planned Commercial Development District.*

1. General.

a. Purpose and Intent. The purpose of the PCD zoning district is to implement the office commercial (OC), local retail commercial (LRC), and general commercial (GC) future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to provide a place for commercial developments that will better satisfy current demands for commercially zoned lands by encouraging development which will reflect changes in the concepts and the technology of land development and relate the development of land to the specific site, to conserve natural amenities and to allow for the mitigation of negative impacts which result from land development. In addition, this district is considered the predecessor to the suburban mixed use (SMU) zoning district. ~~With respect to residential uses, the PCD district allows a maximum density of eleven (11) dwelling units per acre; however, all residential developments must adhere to the R-3 district building and site regulation in accordance with Section 2.F. above.~~

b. Prerequisite Location Standards. The PCD district ~~is optimum when there is~~ creates an opportunity to promote sustainability with respect to land use, energy conservation and~~,~~ resource management.~~, and social equity.~~ Rezoning to the PCD district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

In reaching recommendations and decision as to zoning land to PCD, the advisory board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Along major roadways or other transportation facilities as to provide direct access without creating or generating an unacceptable level of traffic along streets in residential areas or districts outside it.

(2) Extensions of publicly owned and maintained utilities and storm sewers, etc. shall be constructed by the applicant at no expense to the city and said utilities, etc. shall be deeded to the city clear of any encumbrances. Construction standards employed in the installation of publicly maintained utilities and storm sewers shall be those promulgated by the Engineering and Utility Departments as amended periodically. Concerning streets, consistent with the intent of these Regulations, any required roadway improvements shall be constructed at the applicant's expense including the dedication of additional rights-of-way as noted in the ~~traffic and circulation~~Transportation E~~e~~lement of the Comprehensive Plan and the replacement of roadway capacity when applicable.

(3) The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of the soil, groundwater level, drainage, and topography shall all be appropriate to both kind and pattern of use intended.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-~~19~~-20). In addition to the design and construction criteria established in other chapters or sections of the Boynton Beach Land Development Regulations, the following design criteria shall be applicable to the zoning, design, and construction of planned commercial developments:

BUILDING/SITE REGULATIONS PCD District	
Minimum lot area:	3 acres~~[1]~~
Minimum lot frontage:	Flexible
Minimum perimeter yard setbacks:	
Front:	40 feet
Rear:	40 feet
Interior side:	30 feet
Corner side:	30 feet

Maximum lot coverage:	40%[~~2~~1]
Maximum Floor Area Ratio (FAR)	0.5[~~3~~2]
Maximum structure height:	45 feet[~~4~~]

~~[1] Three (3) contiguous acres.~~

~~[2]~~ [1] The total ground floor area of all buildings and accessory structures shall not exceed forty percent (40%) of the plot on which they are constructed.

~~[3]~~ [2] A floor area ratio (FAR) of up to 0.50 may be considered for local retail commercial uses allowed in the PCD zoning district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the local retail commercial future land use classification of the Comprehensive Plan.

~~[4] No more than four (4) stories.~~

4. Review and Approval Process.

a. All development and redevelopment within the PCD district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the PCD shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

a. Perimeter Landscape Buffer. See Chapter 4, Article II, Section 4.C.3.

b. Off-street Loading. See Chapter 4, Article VI, Section 3.D.

c. Platting. All planned commercial developments are subject to and shall be developed consistent with the requirements of Chapter 2, Article III, Section 2 and Chapter 4 of the Boynton Beach Land Development Regulations.

d. Site plan. All plans for lots or parcels proposed to be developed within planned commercial developments are subject to and shall be developed consistent with the requirements of Chapter 2, Article II, Section 2.F., Land Development Regulations.

e. Building Permit. No building permits shall be issued unless and until platting procedures and the requirements outlined in Chapter 2, Article IV, Section 2 of the Land Development Regulations are completed in every respect.

(Ord. 10-025, passed 12-7-10)

Sec. 4. SMU Mixed-Use Suburban District.

A. *General.*

1. Purpose and Intent. The purpose of the SMU zoning district is to implement the mixed use ~~suburban~~ low (~~MXS~~MXL)~~,~~ and ~~-~~development of regional impact (DRI).~~, and other subsequently established~~ future land use map (FLUM) classifications of the Comprehensive Plan. In order to guide the redevelopment and envisioned growth of the suburban area, the SMU zoning district requires a diversity of land uses, accommodating a mixture of residential, office, retail, recreational, and other miscellaneous uses. Ideally, the SMU district is intended to supplant the PCD district for new developments and projects to encourage the inclusion of residential uses and well-planned mixed use projects designed in accordance with smart growth principles and best planning practices. Densities of such developments shall ~~correspond with the respective FLUM classification, but in no case~~ be no greater than twenty (20) dwelling units per acre. This mix of uses may be arranged either vertically or horizontally within low-to-mid-rise developments. The review of SMU applications will emphasize aesthetics and design quality, and physical compatibility with adjacent land uses. The specific objectives of the SMU district are as follows:

a. Support and enhance development and redevelopment efforts in suburban areas outside of the downtown redevelopment area;

b. Create major new mixed use areas in planned locations with appropriate densities, heights, and mixture of uses;

c. Create attractive pedestrian environments through appropriate separation from and design of vehicular circulation areas;

d. Provide public plazas and gathering places that are both well-designed and integrated into the overall design of the development;

e. Allow flexibility in architectural design and building bulk, while maximizing compatibility and harmony with adjoining development;

f. Create higher quality environments for residents, businesses, employees, and visitors; and

g. Encourage innovative design that achieves vertical and horizontal integration of uses.

2. Prerequisite Location Standards. The SMU district ~~is optimum when there is~~creates an opportunity to promote sustainability with respect to land use, energy conservation and~~,~~ resource management.~~, and social equity.~~ Rezoning to the ~~IPUD~~ SMU district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

The SMU district shall only be applicable to lands located west of I-95 on assembled parcels along major arterials.~~ outside of the downtown redevelopment district.~~

B. *Use(s) Allowed.* See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

C. *Additional Use Regulations.*

1. Mixed Uses. Buildings containing residential and non-residential uses are required within the SMU zoning district and shall be subject to the development standards indicated in Section 4.D. below. With the exception of designated live/work units, no residential uses are allowed on the ground floor of mixed use buildings fronting on arterial streets. The ground floor of mixed use buildings shall be reserved for non-residential uses.

2. Design. Mixed use projects containing residential components shall include appropriate design, materials, and site layout in order to maximize compatibility with residential uses located on upper floors.

3. Live-Work Units. The city contains special regulations regarding required parking and allowable signage for live/work units (see Chapter 4, Article V, Section 2 and Chapter 4, Article IV, Section 3.C.13., respectively).

D. *Building and Site Regulations.*

1. Building and Site Regulation (Table 3-21~~0~~).

SUBURBAN MIXED-USE (SMU) **DISTRICT**	*Types of Uses*		
Building/Site Regulations	Residential Single-Family (Attached or Detached)	Multi-Family	Other Uses (includes Mixed-Use)
Density (dwelling units per acre)	20	20	N/A
Project Area, Minimum:	SMU district - 10 acres~~1~~		
Lot Area per unit, Minimum (square feet):	Flexible~~14~~12	Flexible~~14~~12	10,000~~2~~
Lot Frontage, Minimum (feet):	Flexible~~14~~12	100	100
Living Area, Minimum A/C (square feet):	1,200~~15~~	750~~15~~	750~~15~~
Floor Area Ratio (FAR), Maximum:	N/A	N/A	~~1.0~~2.5~~86~~
Structure Height, Minimum (feet):	35~~9~~7	35~~9~~7	35~~9~~7
Structure Height, Maximum (feet):	35	55~~6~~4, ~~10~~8	55~~6~~4, ~~10~~8
Build-to-line (feet):			
Front:	10~~3~~1	10~~2, 3,~~ 4, ~~5, 6~~	10~~5~~3, ~~6~~4, ~~7~~ 5

Building Setbacks, Minimum (feet):				
Side:	15 corner	10 end	10[~~6~~4]	0[~~6~~4], [~~14~~12]
Rear:	Flexible[~~14~~12]		15[~~6~~4]	Flexible[~~6~~4, ~~14~~12]
Usable Open Space, Minimum (square feet):	30%[~~11~~9], [~~12~~10]		20%[9,10,11, ~~13~~]	20%[9,11, ~~13~~]

~~1. Minimum project size. A minimum of ten (10) acres shall be required for any project developed under the provisions of the SMU regulations.~~

~~2. Hotels must be part of a mixed use project of at least three (3) acres in size.~~

~~3~~1. Porches may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk. Porches shall be placed outside of clear sight triangle. Minimum setback for a garage facing or accessing the street is twenty (20) feet. Where less than twenty (20) feet, garage access required from side or rear.

~~4~~2. Projecting feature(s) such as awnings, balconies, porches and/or stoops may be placed forward of the build-to line and shall maintain a minimum two (2)-foot setback from any public sidewalk.

~~5~~3. Front yard build-to line along major arterial roads, a maximum of ninety (90) feet inclusive of a twenty-five (25)-foot landscape buffer, including a berm.~~.~~

~~6.~~4 The height setback envelope in accordance with Section 4.D.3. below shall apply where adjacent to developed single-family residential zoning districts.

~~7~~5. One (1) or more projecting feature(s) such as awnings, balconies, colonnades, porches and/or stoops required forward of the build-to line and shall maintain a minimum five (5)-foot clearance from any vehicle use area. Elements projecting over a pedestrian walkway shall allow a minimum nine (9)-foot vertical clearance and five (5)-foot horizontal pedestrian clearance.

~~8~~6. Excluding ~~residential uses and~~ parking structures.

~~9~~7. Applies to any façade with arterial roadway frontage. Multiple-story buildings are encouraged along arterial roadways. The intent of this provision is to create the appearance, or simulate the intensity of, a minimum two (2)-story building. Conditional use approval required if less than the thirty-five (35) foot minimum.

~~10~~-8. Building heights between fifty-five (55) feet and seventy-five (75) feet ~~to the peak of the structure or any architectural details~~ may be allowed only for interior buildings (those buildings separated from the property line by another project building or use), if approved as a conditional use. ~~The building/structure height measurement shall be conducted in accordance with Section 4.D.2. below. Exceptions to the maximum height shall not be allowed.~~

~~11~~9. Usable open space shall provide active or passive recreational space and shall not be occupied by water bodies, streets, drives, parking areas, or structures other than recreational structures.

~~12~~10. At least fifty percent (50%) of the required usable open space for single-family residential uses shall be contained in one (1) or more common pooled areas and a rectangle inscribed within each common pooled area shall have no dimension less than seventy-five (75) feet.

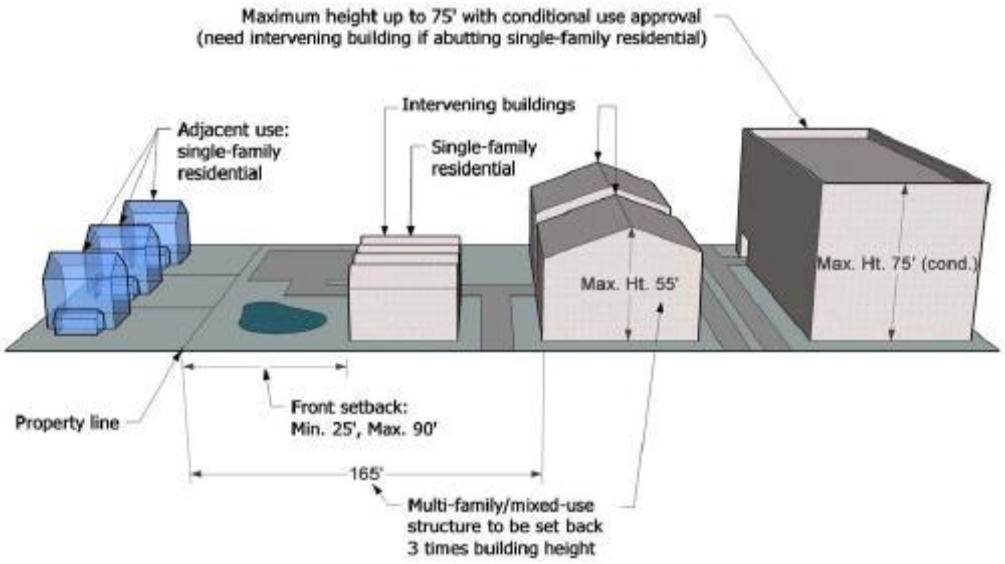
~~13~~11. Up to fifty percent (50%) of the usable open space required for "multi-family" and "other uses" may be hardscaped plazas and public gathering places.

~~14~~12. To be determined on a case by case basis, depending on the overall project design.

~~15. Accessory apartments must be at least seven hundred fifty (750) square feet in area (air-conditioned space).~~

~~2. Building Height Measurement. Building heights shall be measured to the peak of structures, in order to more accurately predict and regulate the overall heights of buildings proposed within the SMU district to ensure compatibility with the adjacent, potentially less intense and dense suburban areas.~~

~~3~~2. Height Setback Envelope. Minimum building setbacks shall be based on building heights. The height setback envelope is applicable where the SMU development is adjacent to a developed single- family residential zoning district. This minimum setback shall be three (3) times the building height for any multi-family or non-residential structure. The setback shall be measured from the common boundary of the SMU and the single-family residential zoning district or the midpoint of any intervening right-of-way.



E. *Review and Approval Process.*

1. All development and redevelopment within the SMU district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

2. Site plan approval shall be required in accordance with Chapter 2, Article II, Section .F. prior to application for building permit.

F. *Parking.* Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements. See Chapter 4, Article III, Section 6.F.4 for additional community design standards pertaining to off-street parking.

G. *Modifications.* Any modification proposed within the SMU district shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section .D.6.

H. *Miscellaneous.*

1. Common Areas. Prior to approval of the final plat by the City Commission, the developer shall file association documents or alternative agreements that assign responsibility for and ensure the perpetual operation and maintenance of all common facilities of the development. The common facilities addressed within this agreement shall include but not be limited to the following: private streets, drive aisles, parking areas, plazas, open space, landscaping, and recreation facilities. All documents are subject to the review of the City Attorney.

2. Landscaping.

a. Trees. See Chapter 4, Article II, Section 4.A.3.a.

b. Irrigation. See Chapter 4, Article II, Section 4.A.6.

c. Perimeter Buffer. See Chapter 4, Article II, Section 4.C.3.

3. Dumpster Location. See Chapter 4, Article VI, Section 5.A.

4. Sidewalks. See Chapter 4, Article VIII, Section 3.D.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-016, passed 10-2-12)

Sec. 5. Mixed-Use (Urban) Districts.

A. *General.*

1. Purpose and Intent. The urban mixed-use zoning districts are ~~mostly~~ intended to implement the CRA Community Redevelopment Plans~~, in part,~~ by providing for a mixture of land uses, accommodating varying densities and intensities appropriate for each CRA district, and by establishing quality streetscapes and pedestrian environments as part of a compact urban setting. The mixed use districts also support transit ridership, in particular through higher density and intensity development within the designated Downtown Transit-Oriented Development District (DTODD). Additional standards and requirements of this section are based on the proximity to the planned train station, and location within the transit core, which is defined as the area extending one-quarter (1/4) mile from the train station. To ensure compliance with these Regulations, an application for site plan approval shall be required and reviewed concurrently with any

request to rezone lands to a mixed-use (urban) district, except as provided in Section 2.D.1.e. Also see Chapter 4, Article III, Section 6.~~H.~~ for design and compatibility standards. The objectives of the mixed-use (urban) districts are as follows:

a. Support and enhance revitalization efforts in the city's traditional commercial core area through the provision of compact, transit-supportive, high density and intensity development;

b. Allow for commercial services to be provided to new residential developments in planned locations with appropriate densities, heights, and mixtures of uses;

c. Create optimal pedestrian environments and spaces through well located public plazas, expanded public sidewalks, maximized internal and external interconnectivity and design of pedestrian-friendly vehicular circulation areas;

d. Allow flexibility in architectural design and building bulk while maximizing compatibility and harmony with adjoining development;

e. Create surrounding areas that complement rather than compete with the downtown; and

f. Create higher quality environments for residents, businesses, employees, and visitors as determined by how well the urban centers function seamlessly with respect to interconnectivity between the principal uses, activity centers, and transportations systems, forming a cohesive and desirable sense of place.

2. Description of Districts.

a. Mixed Use 1 (MU-1). The MU-1 district implements the Mixed Use Low (MXL) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of twenty (20) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be twenty-five (25) dwelling units per acre through participation in the City's Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of eleven (11) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core.

b. Mixed Use 2 (MU-2). The MU-2 district implements the Mixed Use Medium (MXM) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of ~~thirty~~ forty (4~~3~~0) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be ~~thirty-seven and one-half~~fifty (~~37.5~~50) dwelling units per acre through participation in the ~~City's~~ Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of twenty (20) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core.

c. Mixed Use 3 (MU-3). The MU-3 district implements the Mixed Use Medium (MXM) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of ~~forty~~ fifty (~~40~~50) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be ~~fifty~~ sixty two and one-half (~~50~~62.5) dwelling units per acre through participation in the ~~City's~~ Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of thirty (30) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core.

d. Mixed Use-4 (MU-4). The MU-4 district implements the Mixed Use High (MX-H) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of sixty (60) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be seventy-five (75) dwelling units per acre through participation in the ~~City's~~ Workforce Housing Program. In addition, projects located within the transit core of the Station Area shall have a minimum density of thirty five (35) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core. The intent of this new district is to facilitate the establishment of high density and intensity development nodes at strategic locations that support downtown redevelopment, while in certain location also providing a proper continuum of, or transition in scale between the Mixed Use Core (MU- C) and Mixed Use 3 (MU-3) Districts.

e. Mixed Use Core (MU-C). The MU-C district implements the Mixed Use ~~Core~~ High (MXH~~-C~~) future land use map (FLUM) classification of the Comprehensive Plan and has a maximum residential density of eighty (80) dwelling units per acre, except within the Downtown Transit-Oriented Development District (DTODD) (the Station Area), where the maximum density may be one hundred (100) dwelling units per acre through participation in the ~~City's~~ Workforce Housing Program. In addition, projects located within the Station Area shall have a minimum density of thirty (30) dwelling units per acre. This minimum density requirement shall be applicable to any such project regardless of whether the site is partially or entirely located within the transit core. The intent of this district is to supplant the Central Business District (CBD) in the historic downtown and marina.

3. Location and General Use Requirements.

a. General. The mixed use (urban) districts are intended for projects that promote sustainable design with respect to land use, energy conservation, resource management, and social equity. Rezoning to any of these districts is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

The mixed use (urban) zoning districts shall be applied to selected geographic areas east of I-95, where a mixture of uses and building intensities is intended to implement the ~~city's Comprehensive Plan,~~ CRA Community Redevelopment Plan~~,~~ and urban design guidelines including goals involving compact design, transit-oriented development, employment, population, transportation, housing, public facilities, and environmental quality. Permitted uses and associated standards for development vary between the zoning districts each reflecting the importance of the district's location and relationship to the downtown. Maximum heights, densities, and intensities of development are regulated to achieve, in part, the intended vision as established within the CRA Community Redevelopment Plan for each of the six planning districts, while ensuring land use compatibility. A master plan as a whole, comprised of individual buildings and parcels, would be reviewed for compliance with the requirements below pertaining to a residential component to the project, and commercial use on the first floor of a project. ~~Projects not meeting the requirement for a residential component shall be reviewed for contribution to employment targets in accordance with FDOT standards for a community center TOD.~~

b. Mixed Use 1 (MU-1), Mixed U~~u~~se 2 (MU-2), and Mixed Use 3 (MU-3).

(1) In order to complement the revitalization efforts in the downtown area, these ~~MU-L~~ zoning districts shall be applied to lands consistent with the Comprehensive Plan Future Land Use Map and CRA Community Redevelopment Plan. ~~Such areas are generally described as Woolbright Road between I-95 and the FLC Railroad, Boynton Beach Boulevard between I-95 and Northwest 1st Street, Martin Luther King Jr. Boulevard, Southeast 4th Street south to Southeast 5th Avenue, and Ocean Avenue between Southeast 4th Street and Southeast 1st Street.~~ See the Community Redevelopment Plan for specific recommendations on locations and boundaries.

(2) These MU districts are appropriate for low- to mid-rise developments that provide for medium density residential and low to medium intensity commercial and office uses.

(3) The review of these applications will emphasize compactness, aesthetics and design quality, and physical compatibility with adjacent land uses.

(4) Except where limited by Table 3-2~~1~~2 in Chapter 3, Article III, Section 5.C., all new developments within the MU-1 and MU-2 districts that contain a non-residential use shall front on streets designated as "arterial", or "collector", roadways on the Functional Classification of Roadways Map. All projects within the MU-3 district ~~and~~ proposed within the transit core must contain a residential component, and all projects proposed within these Mixed Use intensity districts that front on an arterial road must have space on the first floor devoted to commercial or an active use.

(5) Maximum height may be further limited in certain geographic areas to further applicable redevelopment plans and maintain compatibility with an abutting single-family district.

c. Mixed Use-4 (MU-4).

(1) The Mixed Use 4 (MU-4) district shall only be applied to land classified as mixed use-~~core~~ high (MXH~~-C~~) on the future land use map as recommended by the Community Redevelopment Plan.

(2) The MU-4 district is appropriate for high density/intensity development intended for designated

nodes. such as properties at the intersection of US-1 and Woolbright Road, and the downtown area, which is generally located east of the FEC Railroad, including the marina district, and which extends out from the planned train station by approximately three (3) to four (4) blocks. Such developments shall include a mix of uses designed in a compact vertical style. Developments proposed within the Downtown Transit-Oriented Development District (the Station Area) must contain a residential component and have space on the first floor which shall be devoted to commercial uses for those portions of the project having frontage along Ocean Avenue or an arterial road.

(3) All new developments within this district shall front on streets designated as "arterial" roadways on the Functional Classification of Roadways Map.

d. Rezoning of sSingle-family dDistricts. All requests to rezone any single-family residential district to a mixed use zoning district shall be subject to the following additional requirements:

(1) Height, density and intensity of development shall be consistent with the CRA Redevelopment Plan for the applicable district;Redevelopment District;

(2) Ratio of lot frontage to depth that is no more than one (1) foot (frontage) to one and one-quarter (1.25) foot (depth);

(3) Vehicular access to the property located to minimize impacts on adjacent single-family developments and meet safety standards; and

(4) Landscape barriers provided, in accordance with the landscape regulations of this Code, where the rezoned property abuts single-family residential zoning.

e. Mixed Use Core (MU-C).

(1) The Mixed Use C (MU-C) district shall only be applied to lands classified as mixed use-high (MX-H) on the future land use map.

(2) The MU-C district is appropriate for high density/intensity development intended for the downtown area., which is generally located east of the FEC Railroad, including the marina district, and which extends out from the planned train station by approximately three (3) to four (4) blocks. Such developments shall include a mix of uses designed in a compact vertical style. Developments proposed within the Downtown Transit-Oriented Development District (the Station Area) must contain a residential component and have space on the first floor which shall be devoted to commercial uses for those portions of the project having frontage along Ocean Avenue or an arterial road.

(3) All new developments within this district shall front on streets designated as "arterial" roadways on the Functional Classification of Roadways Map.

f. Rezoning of sSingle-family dDistricts. All requests to rezone any single-family residential district to a mixed use zoning district shall be subject to the following additional requirements:

(1) Height, density and intensity of development based on the standards indicated in Table 3-21 2;

(2) Ratio of lot frontage to depth that is no more than one (1) foot (frontage) to one and one-quarter (1.25) foot (depth);

(3) Vehicular access to the property located to minimize impacts on adjacent single-family developments and meet safety standards; and

(4) Landscape barriers provided, in accordance with the landscape regulations of this Code, where the rezoned property abuts single-family residential zoning.

B. *Use(s) Allowed.* See "Use Matrix, Table 3-28" in Chapter 3, Article IV, Section 3.D.

C. *Building and Site Regulations.*

1. Building and Site Regulation (Table 3-21 2).

MIXED USE, URBAN (Overlay regulations may apply. See Section 8 below.)	**MU-1**	**MU-2**	**MU-3**	**MU-4**	**MU-C**
Lot Area, Minimum (acres):					
Public park:	N/A	N/A	N/A	N/A	N/A
All other uses:	0.50	0.75	1	1	1
Lot Frontage, Minimum (ft.)[1]	100	100	150[2]	200	200

Structure Ht., Minimum (ft.)	30	30	30	45	45
Maximum Height (ft.)[3]	~~45~~ 55	65	75	100	150/125[4]
Maximum Density (DUs/Acre)[10, 12]	20	40	50	60	80
Maximum F.A.R.[11]	~~1.0~~2.5	~~2.0~~3.0	3.0	4.0	4.0
Build-to-line (ft.)[8]:					
All sides abutting a collector or arterial road	Factor of Pedestrian Zone Requirement[7]				
Abutting a Local street	0[7]	0[7]	0[7]	0[7]	0[7]
Interior side	0[7]	0[7]	0[7]	0[7]	0[7]
Building Setbacks, Minimum (ft.)[8]:					
Rear abutting					
Residential single-family	25[5]/0[5, 6]	25[5]	25[5]	25[5]	25[5]
Intracoastal waterway	25[5]	25[5]	25[5]	25[5]	25[5]
Side abutting					
Residential single-family:	25[5]/0[5, 6]	25[5]	25[5]	25[5]	25[5]
Usable Open Space, Minimum (sq. ft.)[9]	N/A	N/A	~~N/A~~ 0.5%	1%	2%

1. May be reduced if frontage extends from right-of-way to right-of-way.

2. ~~Minimum of fifty (50) feet, if frontage is on a collector/local collector roadway.~~ Reserved.

3. Maximum height on any street frontage is forty-five (45) feet. Maximum height on Intracoastal Waterway is thirty-five (35) feet consistent for a depth of a minimum of thirty (30) feet. Heights may require reduction where adjacent to a single-family zoning district where necessary to achieve the compatibility requirements of these regulations. Maximum heights may be increased in the DTODD through participation in the Workforce Housing Program.

4. Maximum height reduced to one hundred twenty-five (125) feet for the entire project where property abuts any other MU or residential zoning district not separated by a right-of-way.

5. Plus one (1) additional foot for each foot of height over thirty-five (35) feet.

6. Where there is an intervening right-of-way of at least forty (40) feet.

7. Buildings and structures shall be located no farther than zero (0) feet from the property line, except in conjunction with providing required visibility at intersections, driveways; open spaces and public plazas; or when additional setback is necessary to provide for required "Pedestrian Zone" (PZ). Building placement is a factor of roadway type and CRA district, which determines the minimum~~.~~ width and design of the PZ. ~~Except for the Downtown District, where t~~The minimum PZ ~~width is 18', the minimum PZ in all other districts is 16 ft.~~is comprised of three components: 1) a five (5) foot wide street tree area, measured from the back of the curb, or future curb on roads requiring a right-of-way dedication, 2) an eight (8) to ten (10) foot wide sidewalk, free from obstructions, measured from the centerline of street trees, and 3) an eight (8) foot wide active area, measured from the sidewalk. The PZ components may vary in placement order only on sites with conflicting right-of-way regulations. See Section 5.C.2. below for additional relief provisions from build-to line requirements.

8. Listed eligible historic structures are not required to meet these standards.

9. Usable open space shall be required for all developments two (2) acres in size or larger which shall be devoted to plazas or other public open space, excluding private recreation. See Chapter 4, Article III, Section 8 for additional regulations.

10. Projects within the transit core shall have minimum densities as follows: MU-1 - eleven (11), MU-2 - twenty (20), MU-3 - thirty (30), MU-4 - thirty-five (35) and MU-C - forty (40) dwellings per acre (except that minimum density for the MU-C district applies to projects located within the entire station area).

11. Projects within the transit core shall have a minimum FAR as follows: MU-3 - one and three-quarters (1.75), MU-4 (2.0) and MU-C - two (2.0) (except that minimum FAR for the MU-C district applies to projects to be located within the entire station area).

12. The maximum density for projects within the Downtown Transit-Oriented Development District (the Station Area) may be increased up to twenty-five percent (25%) over the maximum density allowed in the underlying zoning district through participation in the City's Workforce Housing Program.

2. Minor and Major Variations to Build-to Line Requirements. Notwithstanding the required build-to line and pedestrian zone requirements of Note #7~~10~~ above, portions of buildings and structures may be constructed in excess of the distance specified in the above table, but not to exceed fifteen (15) feet in order to 1) optimize landscape design; 2) maximize on-site drainage solutions; 3) accommodate architectural features and building enhancements; or 4) to otherwise enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas in order to farther the purpose and intent of the Overlay ~~Zone~~. Major deviations from the build-to line requirement above (in excess of fifteen (15) feet) may be allowed, but only with sufficient justification and contingent upon the approval of a Community Design Appeal application (see Chapter 2, Article II, Section 4.B.).

3. Additional Standards. See Chapter 4, Article III, Section 6.H. for additional standards related to urban design and building location for properties located in within the transit core of the Downtown Transit-Oriented District Overlay ~~Zone~~ (the Station Area).

D. *Review and Approval Process.*

1. All development and redevelopment within the urban mixed use districts shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

2. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

E. *Parking.*

1. General Requirements. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

2. Reduced Parking Requirements in MU-H District. See reduced parking requirements for specific uses within the MU-H district in accordance with Chapter 4, Article V, Section 2.B.

3. Off-Street Parking Facilities. The mixed use (urban) districts contain additional standards relative to location and appearance of off-street parking facilities. Refer to Chapter 4, Article III, Section 6.F. for these additional development standards.

F. *Miscellaneous.*

1. Access. See Chapter 4, Article VI, Section 3.C.8.
2. Building Location. See Chapter 4, Article III, Section 6.
3. Location of Dumpsters and Trash Receptacles. See Chapter 4, Article VI, Section 4.C.
4. Shade and Shelter. See Chapter 4, Article III, Section 6.
5. Sidewalks in MU-H District. See Chapter 4, Article III, Section 6 for community design standards related to sidewalks.
6. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 13-013, passed 6-4-13; Am. Ord. 14-009, passed 7-1-14; Am. Ord. 15-006, passed 3-2-15; Ord. 15-023, passed 10-6-15; Am. Ord. 16-023, passed 1-3-17; Am. Ord. 17-023, passed 9-19-17)

Sec. 6. Industrial Districts.

A. *M-1 Industrial District.*

1. General. The purpose of the M-1 zoning district is to implement the industrial (I) future land use map (FLUM) classification of the Comprehensive Plan. The intent of this conventional district is to allow industrial uses that provide opportunities for the retention and expansion of economic activities associated with manufacturing, processing, or assembly plants, including their support enterprises for warehouse, storage, distribution, research, and development.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-2~~2~~3).

BUILDING/SITE REGULATIONS

M-1 District	
Minimum lot area:	10,000 s.f.[1]
Minimum lot frontage:	0 feet
Minimum yard setbacks:	
Front:	15 feet
Rear:	20 feet[2]
Abutting: Residential district(s)	30 feet
Interior side:	15 feet[3]
Abutting: Residential district(s)	30 feet
Corner side:	15 feet
Maximum lot coverage:	60%
Maximum Floor Area Ratio (FAR)	0.50[4]
Maximum structure height:	45 feet[~~5~~]

[1] A property that does not meet this minimum size shall be considered conforming only if it contains a whole platted lot and was not in combination with other lots under the same ownership at the time of the effective date of this ordinance (October 2, 2012), in which the cumulative size would have met the minimum required by code. Any such undersized lots that are further subdivided and reduced in size shall be considered non-conforming pursuant to Chapter 3, Article V, Section 11.

[2] Where rear yard abuts a railroad right-of-way or any paved alley, the rear yard may be reduced to ten (10) feet.

[3] Where rear yard abuts a paved alley or street, then no side setback shall be required.

[4] A floor area ratio (FAR) up to 0.50 may be considered for industrial uses allowed within the M-1 district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the industrial future land use classification of the Comprehensive Plan.

~~[5] Not to exceed four (4) stories.~~

4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

B. *PID Planned Industrial Development District.*

1. General.

a. Purpose and Intent. The purpose of the ~~M-1~~PID zoning district is to implement the industrial (I) and development of regional impact (DRI) future land use map (FLUM) classifications of the Comprehensive Plan. The intent of this planned district is to:

(1) Provide for current demands for light industrial and other compatible uses in a planned setting. This district is intended for development that reflects changes in technology and is capable of being designed sensitive to the environment;

(2) Create a desirable environment for employees, customers and others traversing the PID as well as with respect to ~~current and future~~ adjacent residential development; require economies of scale in providing public services; require placement within close proximity to other employment centers; and provide internal and external connectivity through optimal design and access to available modes of transportation.

b. Prerequisite Location Standards. The PID district ~~is optimum when there is~~creates an opportunity to promote sustainability with respect to land use, energy conservation~~,~~ and resource management.~~, and social equity.~~ Rezoning to the PID district is encouraged for proposed development or redevelopment on lands that are in close proximity to existing infrastructure, public and alternative transportation routes and

modes, employment centers, community areas, or have sustained or are complicated by environmental contamination.

In reaching recommendations and decisions as to zoning land to PID, the advisory board and City Commission shall apply the following location standards, in addition to the standards applicable to the rezoning of land generally:

(1) Relation to major transportation facilities. A PID shall be so located with respect to major roadways or other transportation facilities as to provide direct access to it without creating or generating traffic along streets in residential areas or districts outside it.

(2) Extensions of city-maintained waterlines, sewer lines, pumping stations, streets and storm sewers, etc., shall be constructed at no expense to the city and all such construction shall be in accordance with city ordinances and specifications.

(3) The site shall be suitable for development in the manner proposed without hazards to persons or property, on or off the tract, from probability of flooding, erosion, or other dangers, annoyances, or inconveniences. Condition of the soil, groundwater level, drainage and topography shall all be appropriate to both kind and pattern of use intended.

2. Use(s) Allowed and Use Approval. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-2~~3~~4).

BUILDING/SITE REGULATIONS PID District	
Minimum project area:	25 acres[1]
Minimum lot frontage:	Flexible
Minimum yard setbacks:	
Front:	30 feet
Rear:	30 feet
Interior side:	20 feet
Corner side:	30 feet
Maximum lot coverage:	60%~~[2]~~
Building Separation:	25 feet
Maximum Floor Area Ratio (FAR)	0.5~~[3]~~
Maximum structure height:	45 feet[~~4~~,2]

[1] Twenty-five (25) contiguous acres.

~~[2] The gross floor area of the building and accessory structures shall not exceed sixty percent (60%) of the lot on which it is constructed.~~

~~[3] A floor area ratio (FAR) of up to 0.50 may be considered for industrial land uses allowed in the PID zoning district (see "Use Matrix" – Chapter 3, Article IV, Section 3.D.), pursuant to the industrial future land use classification of the Comprehensive Plan.~~

~~[4]~~[2] No more than four (4) stories, with the exception of buildings in mixed use pod of the PID pursuant to Section 6.B.8. below.

4. Review and Approval Process.

a. All development and redevelopment within the PID district shall be governed by a master plan with approval granted by the City Commission in accordance with Chapter 2, Article II, Section 2.D.6.

b. Site plan approval shall be required in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

6. Modifications. Any modification proposed within the PID shall be in conformance with Master Plan modifications pursuant to Chapter 2, Article II, Section 2.D.6.

7. Miscellaneous.

a. Perimeter Landscape (Greenbelt) Buffer. See Chapter 4, Article II, Section 4.C.3.

b. Off-street Loading. See Chapter 4, Article VI, Section 3.B.

c. Building Permit. No building permits shall be issued unless and until platting procedures and the requirements outlined in Chapter 2, Article III, Section 2 of the Land Development Regulations are completed in every respect.

d. Exterior Storage of Merchandise and Equipment. See Chapter 3, Article V, Section 8 for the regulations pertaining to the permanent exterior storage of merchandise and equipment.

8. Mixed Use Pods.

a. Intent. The purpose of these provisions is to establish small mixed use nodes containing a combination of residential, commercial and office uses in close proximity to employment centers and available modes of transportation, while also meeting the intent of the PID district described above. The mixed use pod is intended for a master planned setting that provides optimal internal and external connectivity for residents, employees, and other visitors, and generally follows the livability and connectivity standards promoted in the smart growth initiative. For the purpose of this subsection, a mixed use pod is defined as a development project located within a previously approved PID. The following criteria shall apply to mixed use pods proposed for development within an approved PID.

b. Establishment of a Mixed Use Pod. To ensure attainment of these design objectives, as well as to accommodate adequate buffering to ensure compatibility among varying uses, a PID district eligible for a mixed use pod must contain a minimum of five hundred (500) consolidated acres. The establishment of a mixed use pod shall also conform to the requirements of this section, and be in accordance with the process requirements of Master Site Plan within a mixed use pod (Chapter 2, Article II, Section 3.A.).

c. Density. The PID district corresponds with the industrial (I) and development of regional impact (DRI) FLUM classifications; however, residential uses are only allowed within a mixed use pod of a PID that has a DRI FLUM classification. Maximum residential densities shall be in accordance with the thresholds established for the respective DRI.

d. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

e. Building and Site Regulations.

(1) The maximum building height within a mixed use pod shall not be greater than seventy-five (75) feet. Any building exceeding forty-five (45) feet in height shall be processed as a conditional use.

~~(2) Building height measurement. Building height shall be measured from the lowest finish floor slab elevation of the proposed building to the peak of the structure, including any architectural details, stairwells, elevator shafts, etc.~~

(~~3~~2) Height setback envelope. Minimum building setbacks shall be based on building heights for buildings greater than forty-five (45) feet in height. The height setback envelope is applicable where the mixed use development is adjacent to an existing developed single-family residential zoning district outside the PID. This minimum setback shall be three (3) times the building height for any multi-family or non-residential structure. The setback shall be measured from the common boundary of the PID and the existing single-family residential zoning district of the midpoint of any intervening right-of-way.

f. Parking. As required by Chapter 4, Article V.

g. Modifications.

(1) Any modification proposed to a Master Site Plan for a mixed use pod within a PID shall be in conformance Chapter 2, Article II, Section 3.A.6.

(2) Any modification proposed to a technical site plan within a master site plan of a mixed use pod within a PID shall be in conformance with Chapter 2, Article II, Section 4.H.

h. Miscellaneous. Any request to waive a standard zoning regulation within the mixed use pod shall be in accordance with Chapter 2, Article II, Section 3.D.

(Ord. 10-025, passed 12-7-10; Am. Ord. 12-010, passed 6-19-12; Am. Ord. 12-016, passed 10-2-12)

Sec. 7. Miscellaneous Districts.

A. *REC Recreation District.*

1. General. The purpose of the REC zoning district is to implement the recreational (R) future land use map (FLUM) classification of the Comprehensive Plan. It is the intent of this conventional district to

accommodate and preserve recreational areas for current and future uses consistent with the Comprehensive Plan. This district shall apply to those existing and proposed recreational areas not located in planned unit developments. Included in these areas are both public and privately-owned recreational tracts and the Intracoastal Waterway (ICWW).

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-25~~4~~). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and buildings shall comply with the following regulations:

BUILDING/SITE REGULATIONS REC District	
Minimum lot area:	1 acre
Minimum lot frontage:	100 feet
Minimum yard setbacks:	
Front:	25 feet
Rear:	25 feet
Interior side:	25 feet
Corner side:	25 feet
Maximum lot coverage:	50%
Maximum Floor Area Ratio (FAR)	0.5
Maximum structure height:	45 feet~~[1]~~

~~[1] Not to exceed four (4) stories.~~

4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

B. *PU Public Usage District.*

1. General. The purpose of the PU zoning district is to implement the public and private governmental/institutional (PPGI) future land use map (FLUM) classification of the Comprehensive Plan. This district shall apply to those areas within the city whose ownership and/or operation is public, or whose use is primarily public or institutionally-oriented, exclusive of those areas whose use is primarily recreational.

2. Use(s) Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D.

3. Building and Site Regulations (Table 3-25~~5~~6). No building or portion thereof shall be erected, constructed, converted, established, altered, enlarged or used unless the premises and building comply with the following regulations:

BUILDING/SITE REGULATIONS PU District	
Minimum lot area:	8,000 s.f.[2]
Minimum lot frontage:	75 feet[2]
Minimum yard setbacks[2]:	
Front:	25 feet[1]
Rear:	25 feet[1]
Abutting: Residential district(s)	30 feet
Interior side:	15 feet[1]
Abutting: Residential district(s)	30 feet
Corner side:	15 feet

Maximum lot coverage:	50%[2]
Maximum Floor Area Ratio	1.0[2]
Maximum structure height: Hospitals only:	45 feet[2] 60 feet[2]

[1] For hospital buildings, additional setback in excess of thirty (30) feet shall be required for any height over forty-five (45) feet. The additional setback shall be measured by calculating three (3) additional feet of setback for each foot in height above forty-five (45) feet, not including minimal roof top equipment that are eligible for height exception in accordance with Chapter 2, Article II, Section 4.C

~~[2] Not to exceed four (4) stories.~~

[2] Municipal operations and emergency facilities, essential services and support infrastructure are exempt from selected site standards in the Public Usage Zoning District and other applicable districts in accordance with Chapter 3. Zoning, Article II, Section 11.

4. Review and Approval Process. Non-residential uses shall require site plan approval in accordance with Chapter 2, Article II, Section 2.F. prior to application for building permit.

5. Parking. Required off-street parking is regulated in accordance with Chapter 4, Article V, Minimum Off-Street Parking Requirements.

(Ord. 10-025, passed 12-7-10)

Sec. 8. Overlays ~~Zones.~~

~~A. *Urban Central Business District Overlay Zone*. In compliance with Florida Administrative Code, the city has established a single urban core area to attract high intensity, high density, multi-use development in the downtown through the redesignation of the central business district to an urban central business district, which will permit additional development density opportunities suitable to attract mixed use business, while ensuring the scale, design, function and character of any new development is compatible with, and complements, the city's redevelopment plans. The land that shall comprise the Urban Central Business District Overlay Zone is bordered on the east by the Intracoastal Waterway (ICWW), excluding all lands designated with a conservation overlay on the city's future land use map, and city lands utilized for stormwater retention; on the west by the Florida East Coast Railroad right-of-way, on the north by northeast 6th Avenue, and on the south by S.E. 2nd Avenue and consists of approximately eighty-three (83) acres. These boundaries shall be utilized for increased development-of-regional-impact guidelines and standards, consistent with the criteria of this section. The area is further delineated in map format on Ordinance No. 03-054, Exhibit "A."~~

~~The Urban Central Business District Overlay Zone is consistent with the City of Boynton Beach Comprehensive Plan and future land use map intensities.~~

~~The Urban Central Business District Overlay Zone is wholly within the jurisdictional boundaries of the City of Boynton Beach.~~

~~The future land use classification and zoning district allow for high intensity multi-use development within the proposed overlay zone. The uses and intensity are regulated by the respective future land use classification and zoning district.~~

~~Within the Urban Central Business District Overlay Zone, the DRI guidelines and standards set forth in Florida Administrative Code Rule 28-24.014(10), as they may be amended from time to time shall apply to the development approved by the city.~~

~~B.~~ A. *Martin Luther King Jr. Boulevard Overlay* ~~*Zone.*~~

1. Intent. ~~This overlay zone has been established to implement recommendations from the Vision 20/20 Redevelopment Plan, which identified a segment of the Martin Luther King Jr. Boulevard as an opportunity for redevelopment and revitalization.~~ This overlay identifies a segment of the Martin Luther King Jr. Boulevard as an opportunity for redevelopment and revitalization. The ultimate design and site standards of this section are intended to create a traditional street corridor with pedestrian improvements, storefronts along

the sidewalk, and a mixture of uses. The corridor is to contain an ambience supported by pleasant signage and building appearance, potted landscaping, store windows and public open spaces. This overlay ~~zone~~ is also appropriate for development of small properties to allow for consistency with the vision represented by the respective mixed use zoning district, and/or as an interim redevelopment mechanism until greater redevelopment occurs using the respective mixed use zoning district. All development within the Martin Luther King Jr. Boulevard corridor shall occur according to the provisions of the adopted plan as stated below.

2. Defined. The Martin Luther King Jr. Boulevard Overlay ~~Zone~~ (MLKBO~~Z~~) is hereby established as the area defined by the parcels fronting on that portion of the Boulevard located east of Seacrest Boulevard and west of ~~Federal Highway~~ right-of-way, along with those parcels adjacent to the north and south of these parcels that front on the Boulevard if assembled and development as a unified project.

3. Use(s) Allowed. (See "Use Matrix" - Chapter 3, Article IV, Section 3.D.).

4. Building and Site Regulations. Development within this ~~O~~overlay ~~Zone~~ shall be in accordance with building and site regulations applicable to the underlying zoning district except as follows:

a. ~~a.~~ Parcels that have frontage along Martin Luther King Jr. Boulevard ~~shall have the same front setback in accordance with the Mixed Use 1 zoning district (see Section 5.C. above).~~shall provide for the required "Pedestrian Zone" (PZ). The minimum PZ is comprised of three components: 1) a five (5) foot wide street tree area, measured from the back of the curb, or future curb on roads requiring a right-of-way dedication, 2) an eight (8) foot wide sidewalk, free from obstructions, measured from the centerline of street trees, and 3) an eight (8) foot wide active area, measured from the sidewalk. The PZ components may vary in placement order only on sites with conflicting right-of-way regulations. See Section 5.C.2. below for additional relief provisions from build-to line requirements.

b. Notwithstanding the required build-to line and pedestrian zone requirements, portions of buildings and structures may be constructed in excess of the distance specified above, but not to exceed 15 feet when necessary to 1) optimize landscape design; 2) maximize on-site drainage solutions; 3) accommodate architectural features and building enhancements; and/or 4) to otherwise enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas in order to further the purpose and intent of the Overlay. Major deviations from the build-to line requirement above (in excess of 15 feet) may be allowed, but only with sufficient justification and contingent upon the approval of a Community Design Appeal application (see Chapter 2, Article II, Section 4.B).

~~–~~ c~~b~~. Minimum interior and corner side setbacks and rear setbacks shall be in accordance with the Mixed Use 1 zoning district (see Section 5.C. above).

d~~c~~. Maximum building height shall be fifty-five (55)~~thirty (30)~~ feet. Buildings fronting Martin Luther King Jr. Boulevard shall be a maximum of thirty-five (35) feet consistent for a depth of ten (10) feet.

e. Minimum building height shall be thirty (30) feet.

5. Parking. As required by Chapter 4, Article V, Section 3.D.

6. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5.

~~C~~ B. *Urban Commercial District Overlay ~~Zone.~~*

1. Intent. The purpose of this ~~zone~~ overlay is to encourage the development and redevelopment of commercially-zoned parcels in a manner consistent with the pattern of development of parcels with mixed use zoning classifications.

2. Objectives. The objectives of this overlay ~~zone~~ are as follows:

a. Support and enhance revitalization efforts along the city's commercial corridors within the redevelopment areas.

b. Improve aesthetic and pedestrian streetscape environments by preventing the placement of off-street parking between the front of the building(s) and the rights-of-way.

c. Allow flexibility in architectural design and building bulk; while maximizing compatibility and harmony with adjoining development within the defined area.

3. Defined. The Urban Commercial District Overlay ~~Zone~~ (UCDO~~Z~~) is established ~~in the city redevelopment plans as the geographical area defined~~ by the following boundaries:

~~a. Federal Highway Corridor Community Redevelopment Plan.~~ The boundary is the city limits to the north, the Intracoastal Waterway to the east, the city boundary to the south, and the Florida East Coast Railroad (F.E.C.) and Palm Boulevard (Northeast 4th Street) to the west. ~~The legal description is more particularly described in Exhibit 1.1, Appendix of the Federal Highway Corridor Community Redevelopment Plan.~~

~~b. The Ocean District Community Redevelopment Plan. The boundary is Northeast 3rd Avenue to the north, Seacrest Boulevard to the west, F.E.C. Railroad to the east, and Southeast 2nd Avenue to the south.~~

~~c. Boynton Beach Boulevard Corridor. The boundary is the commercially-zoned parcels located along west Boynton Beach Boulevard, east of Interstate 95, and west of Seacrest Boulevard.~~

4. Conflict. In the event of any conflict between the provisions of the Urban Commercial District Overlay ~~Zone~~ (UCDO~~Z~~) and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws; and/or any rezoning of lands to a mixed use zoning district.

5. Building and Site Regulations (Table 3-2~~6~~7). Development within this o~~O~~verlay ~~Zone~~ shall be in accordance with building and site regulations applicable to the underlying zoning district except as follows:

BUILDING SITE REGULATIONS **Urban Commercial District Overlay ~~Zone~~**	
Build-to line~~[1,2]~~:	
Front (abutting any public right-of-way):	0 ft.~~[1]~~
Rear:	0 ft.~~[1]~~
Interior side:	0 ft.~~[1]~~
Minimum yard setbacks:	
Rear (abutting residential district):	30 feet
Interior side (abutting residential district):	15 feet
Maximum structure height:	Zoning~~[2]~~[3]

[1] Buildings and structures fronting Federal Highway, or other roads described in the CRA Plan, shall be located no farther than zero (0) feet from the property line, except in conjunction with providing required visibility at intersections, driveways; open spaces and public plazas; or when additional setback is necessary to provide for required "Pedestrian Zone" (PZ). The minimum PZ is comprised of three components: 1) a five (5) foot wide street tree area, measured from the back of the curb, or future curb on roads requiring a right-of-way dedication, 2) a ten (10) foot wide sidewalk, free from obstructions, measured from the centerline of street trees, and 3) an eight (8) foot wide active area, measured from the sidewalk. The PZ components may vary in placement order only on sites with conflicting right-of-way regulations. See Section 5.C.2. below for additional relief provisions from build-to line requirements.

~~[1]~~[2] ~~Buildings and structures shall be located no farther than zero (0) feet from the property line, excluding those instances where strict adherence hereto would cause visual obstructions to vehicular traffic, particularly within the triangular-shaped area of property formed by the intersection of two (2) rights-of-way.~~ Notwithstanding the required build-to line and pedestrian zone requirements, portions of buildings and structures may be constructed in excess of the distance specified above, but not to exceed 15 feet when necessary to 1) optimize landscape design; 2) maximize on-site drainage solutions; 3) accommodate architectural features and building enhancements; and/or 4) to otherwise enhance public spaces such as sidewalks, plazas, fountains, or outdoor seating areas in order to further the purpose and intent of the Overlay ~~Zone~~. Major deviations from the build-to line requirement above (in excess of 15 feet) may be allowed, but only with sufficient justification and contingent upon the approval of a Community Design Appeal application (see Chapter 2, Article II, Section 4.B).

[3]~~[2]~~ Shall be defined by the applicable zoning district.

6. Parking. As required by Chapter 4, Article V.

7. Miscellaneous.

a. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5.

b. Building Location. See Chapter 4, Article III, Section 6.
c. ~~c.~~ Shade and Shelter. See Chapter 4, Article III, Section 6.

C. *Cultural District Overlay*

1. Purpose and Intent. The Cultural District Overlay (CDO) is comprised of multiple properties and a mix of zoning districts that currently accommodates residential (single-, two- and multi-family), commercial, and institutional land uses. The CRA Redevelopment Plan recommends the Mixed Use Medium Future Land Use Classification for a majority of the District, which allows a maximum density of fifty (50) dwelling units per acre. The remainder of the District is recommended for the Mixed Use High Future Land Use Classification and the corresponding maximum density of 80 dwelling units per acre. The purpose and intent of the CDO are as follows:

a. Provide for a mix of selected commercial, residential, office, and entertainment uses and activities, with an emphasis on arts and cultural ventures that will encourage the adaptive re-use of existing buildings, restoration of historic structures, and maintain and further enhance the pedestrian scale and historic character of the area;
b. Encourage the location of specialty retail, art related uses and entertainment establishments, along with pedestrian-friendly improvements that would complement and support relationships between the downtown district and marina / waterfront attractions to the east and the cultural / civic campus to the west;
c. Initiate implementation of various recommendations contained within the CRA Redevelopment Plan;
d. Stimulate greater awareness of and pride in the City's architectural, historical, and cultural heritage;
e. Ensure that redevelopment within this area, regardless of underlying zoning district, will maintain an appropriate development scale; and
f. Improve overall livability of the general area and enhance property values.

2. Defined. The Cultural District Overlay (CDO) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 2nd Avenue, and on the north by Northeast 1st Avenue.

3. Conflict. Unless deemed otherwise by the Planning & Zoning Administrator, in the event of any conflict between the provisions of the Cultural District Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any county, state, or federal laws.

4. Uses. Active commercial uses shall be required on the street frontage of Ocean Avenue.

a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:

Dwelling, Single- family (detached)
Dwelling, Two-family (duplex)
Auto Broker
Automobile Rental
Automotive, Major Repair
Automotive, Minor Repair
Auto/Car Wash, Self- serve Bay
Auto Dealer, New
Auto Dealer, Used
Automotive Parts Store
Auto/Car Wash (Polishing, Waxing, Detailing)
Automotive Window Tinting/Stereo Installation/Alarms
Drive-thru facilities

Day & Trade Labor Pool (Temporary Help)
Boat Dealer/Rental
Cleaning Supply Store (Swimming Pool, Janitorial)
Convenience Store
Gasoline Station
Showroom warehouse (single-product line)
Merchandise, Used (Other)
Merchandise, New (Supercenter, Discount, Department, Club)
Home Improvement Center
Coin-operated Laundry
Funeral Home
Pet Care (Boarding and Daycare)
Cemetery
Church
Civic & Fraternal Club/ Organization
Group homes Type I, II, III, and IV
College, Seminary, University
School, Primary and Secondary
School, Industrial & Trade
Shooting Range, Indoor
Adult entertainment
Temporary employment agency
Tutoring or Testing Center
Private Parking Lots
Social service agency

b. Any other automobile-oriented uses not listed above are prohibited.

(1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile, such as drive-thru facilities.

c. Live-work units are permitted, but may not front East Ocean Avenue or Seacrest Boulevard

d. School, Professional & Technical schools are limited to those that teach the culinary and visual arts.

e. Additionally, no legally existing use shall be deemed non-conforming as a result of the CDO regulations.

5. Modified Building and Site Regulations. Development within this Overlay, including proposed expansions and additions to existing structures shall be in accordance with the building and site regulations as follows:

MODIFIED BUILDING/SITE REGULATIONS[1] **Cultural District Overlay**	
Minimum Lot Area:	10,000 square feet
Minimum Lot Frontage:	100 feet
Pedestrian zone:	
Minimum street tree area[3]:	5 feet *Measured from the back of curb
Minimum sidewalk width[2]:	8 feet clear

	*Measured from the centerline of street trees
Minimum active area width: (Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1st Street, and NE/SE 3rd Street frontages)	8 feet[6] *Measured from edge of the sidewalk
Overhead utilities:	Must be undergrounded in conjunction with any new development or major modification of existing developments.
Build-to line:	Abuts the pedestrian zone
Minimum building frontage (Applicable to Ocean Avenue, Seacrest Boulevard, NE/SE 1st Street, and NE/SE 3rd Street frontages)	75% of the lot frontage must be occupied by structure adjacent to the pedestrian zone
Maximum structure height[5]:	Per Corresponding Zoning District
Ocean Avenue Any properties abutting or adjacent to SE 2nd Avenue	35 feet consistent for a depth of a minimum of 30 feet 35 feet
Minimum structure height: Ocean Avenue	30 feet
On-street parking:	Required where possible
Minimum yard setbacks:	
Rear:	10 feet
Interior side:	0 feet[4]
Minimum Usable Open Space:	1% of lot area

[1] No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.

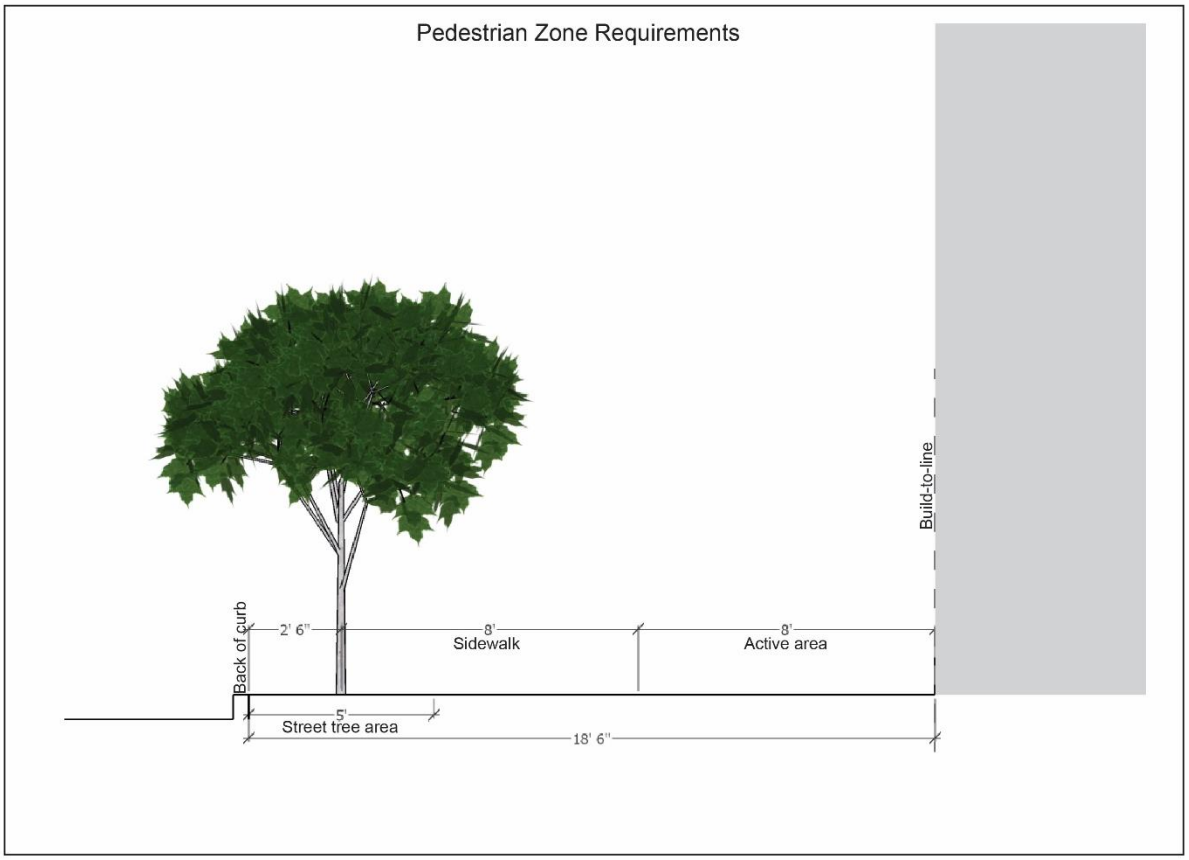
[2] Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 45 herringbone pattern

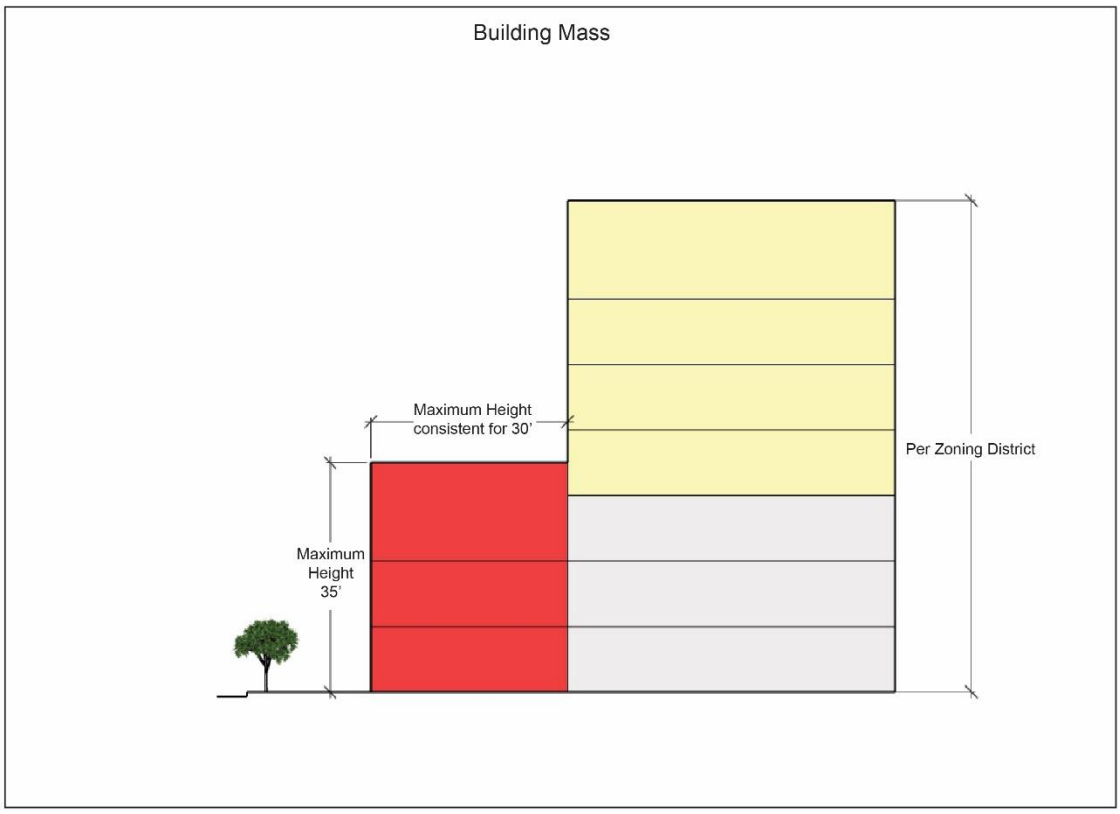
[3] Canopy trees are required 1 per 25 feet of street frontage

[4] Minimum interior side setback standards may require increases when adjacent to registered historic structures

[5] Maximum height standards may require reductions when adjacent to registered historic structures.

[6] Permanent structures such as columns and walls are not permitted within the required active area. Self-supporting architectural elements such as awnings and balconies may overhang onto the active area.





6. Accessory Structures.

a. Fences:

(1) Fences along street frontages are not permitted on East Ocean Avenue or Seacrest Boulevard.

(2) Fences along any other street frontage shall not exceed three (3) feet in height.

(3) Any fence that is proposed in the remainder of the District shall be decorative in nature. Walls, chain link, board on board, shadowbox, and similar types of fences are expressly prohibited.

b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

7. Building Design.

a. Buildings in the Cultural District Overlay (CDO) shall reflect a Coastal Village style of architecture, consisting primarily of hip and/or gable roof, rectilinear forms with stepbacks, porches, and building articulation. This style derives its character from various elements associated with the Key West Vernacular and Bungalow styles of architecture found throughout South Florida. Overhangs for pedestrian canopies and visual interest should be incorporated whenever possible. Overhead structures gateways, and arches, help define space, provide pedestrian comfort, and reinforce character and identity. New structures shall be constructed with the pedestrian building entries oriented towards the street and shall be sensitive to the scale, massing and design envisioned in the CRA Redevelopment Plan .

b. Additions and Modifications to Existing Buildings. All building additions shall be sensitive to the original building design relative to the architectural style, building materials/components and treatments, and proportions.

c. Fenestration Requirements

Ground-level building facade occupied by transparent window or door openings (minimum area)		
Street Frontage	**Commercial Mixed-Use Developments (%)**	**Residential Development (%)**
Ocean Avenue	50[2]	30[1]
SE 2nd Avenue	30	
Seacrest Boulevard	50[2]	
NE/SE 1st Street	50[2]	
NE/SE 3rd Street	50[2]	
NOTES: 1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio. 2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 inches above grade.		

(1) Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:

i. The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.

ii. The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.

8. Parking.

a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2 ; however, the total number of required spaces may be reduced by up to fifty percent (50%) for all new developments, excluding residential projects. When two (2) or more adjacent property owners combine their off-street parking in accordance with the code and construct a shared parking facility with common access drives, the total number of required off-street parking spaces may be reduced by an additional ten percent (10%).

b. Allowable Location of Off-Street Parking Spaces.
   (1) The intent of the CDO is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. Therefore, on-site parking areas shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.
   (2) Existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades, or a combination thereof, provided that such proposal remains consistent with the intent of the CDO, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2. Article II, Section 4.E.
   (3) If one hundred percent (100%) of the required off-street parking spaces cannot be provided on-site, they may be provided at an off-site location provided the following conditions are met: 1) the proposed location is not farther than five hundred (500) feet from the subject property as measured by a straight line from a point on the boundary of the property to the closest boundary line of the property to be leased (distances for municipal projects may be greater in conjunction with an overall or downtown parking strategy); and 2) the off-site location is owned or leased by the owner or operator of the subject business or property owner. Any lease agreement must be approved by the City Commission. The parent business property shall be posted with signage indicating the location of the off-site parking spaces. All spaces provided by the property/business owner on and off-site shall be maintained as unreserved, unrestricted parking available to the public, except designated handicap spaces required by law.

c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off-street parking.

9. Signage and Exterior Lighting Standards.

a. Signs allowed within the Cultural District Overlay shall be externally illuminated only, and be limited to –wall mounted, and projecting signs.
b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.
c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed five (5) square feet in size.
d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8’
e. A-frame signs are permited only within required active areas when included and reviewed as a part of an overall Sign Program.
f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 35 feet (first 3 stories), animated, or moving signs, and all other signs prohibited by Code.
g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.
h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged.

However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.

i. These standards exclude municipal signage designed to promote or represent a greater signage plan or branding initiative.

~~D. *Ocean Avenue Overlay Zone (OAOZ).*~~

~~1. Purpose and Intent. The Ocean Avenue Overlay Zone (OAOZ) is comprised of multiple properties containing varying future land use map (FLUM) classifications and zoning districts. As such, the densities of developments shall correspond with the respective FLUM classifications. For new developments however, the maximum allowable density shall be eleven (11) dwelling units per acre for projects on properties with single lot depth. Up to twenty (20) dwelling units per acre may be allowed for when reclassifying lots with double depth to mixed use (MX), and where such project creates a through lot between two (2) or more streets. The purpose and intent of the OAOZ are as follows:~~

~~a. Provide for a mix of selected commercial, residential, office, and entertainment activities, with an emphasis on arts and cultural ventures that will encourage the adaptive re-use of existing buildings, restoration of historic structures, and maintain and further enhance the pedestrian and historic scale of the area;~~

~~b. Encourage the location of specialty retail, artist related uses and entertainment establishments in concentrations that will enable and encourage pedestrian movements between businesses, and between the marina / waterfront attractions to the east and the cultural / civic activities to the west;~~

~~c. Initiate implementation of various recommendations contained within approved redevelopment plans;~~

~~d. Stimulate greater awareness and pride in the City's architectural, historical, and cultural heritage; and~~

~~e. Improve overall livability of the general area and stabilize and improve property values.~~

~~2. Defined. The Ocean Avenue Overlay Zone (OAOZ) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by Seacrest Boulevard, on the south by Southeast 1st Avenue, and on the north by Northeast 1st Avenue, except between Northeast 1st Street and Northeast 3rd Street, the north boundary shall be the alley between Northeast 1st Avenue and Boynton Beach Boulevard.~~

~~3. Conflict. In the event of any conflict between the provisions of the Ocean Avenue Overlay Zone and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws; and/or any rezoning of lands to a mixed-use zoning district.~~

~~4. Uses Allowed. See "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D. Additionally, no existing use shall be deemed non-conforming.~~

~~5. Building and Site Regulations (Table 3-27). Development within this Overlay Zone, including proposed expansions and additions to existing structures shall be in accordance with the building and site regulations as follows:~~

~~**BUILDING/SITE REGULATIONS**~~ ~~**Ocean Avenue Overlay Zone[1]**~~	
~~**(Single Lot Depth)**~~	
~~**Minimum lot area:**~~	~~5,000 s.f.~~
~~**Minimum lot frontage:**~~	~~50 feet~~
~~**Build-to line:**~~	~~-~~
~~Front:~~	~~5 ft – 15 ft[2]~~
~~Corner side:~~	~~5 ft – 15 ft[2]~~
~~**Minimum yard setbacks:**~~	~~-~~
~~Rear:~~	~~10 feet~~

~~Abutting: Residential district:~~	~~20 feet[3]~~
~~Interior side:~~	~~7.5 feet[4]~~
~~Abutting: Historic structures:~~	~~10 feet~~
~~**Maximum lot coverage:**~~	~~65%~~
~~**Maximum structure height:**~~	~~35 feet[5]~~
~~**(Double Lot Depth)**~~	
~~All new developments with double lot depth shall be constructed in accordance with the mixed-use low intensity (MU-L1) zoning district building and site regulation Table 3-21 in Section 5.C. above, except as contained herein. See "Single-Lot Depth" above for all proposed expansions or additions to existing structures.~~	
~~**Maximum structure height:**~~	~~35 feet[5]~~

~~[1] No existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.~~

~~[2] A paver plaza or "streetscape" design shall be required within the reduced building setback area where buildings are constructed in excess of five (5) feet from the property line.~~

~~[3] Excluding property boundaries that abut rights-of-way. In these instances, the required setback shall be 10 feet.~~

~~[4] The minimum side interior setback shall be five (5) feet for lots with 50 feet of frontage (but less than 75 feet).~~

~~[5] Not to exceed three (3) stories.~~

~~6. Accessory Structures.~~

~~a. Fences along the front of the property are discouraged. Any fence that is proposed however, shall be decorative in nature, opaque, and not exceed three (3) feet in height. Walls, chain link, board on board, shadowbox, and similar types of fences are expressly prohibited.~~

~~b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.~~

~~7. Parking.~~

~~a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2 above; however, the total number of required spaces may be reduced by up to fifty percent (50%) for all new developments, excluding multi-family residential projects. When two (2) or more adjacent property owners combine their off-street parking in accordance with the code and construct a shared parking facility with common access drives, the total number of required off-street parking spaces may be reduced by an additional ten percent (10%).~~

~~b. Allowable Location of Off-Street Spaces.~~

~~(1) The intent of the OAOZ is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. It is therefore, a requirement to locate off-street parking areas within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion. Only existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, or a combination thereof, provided that such hedge and/or fencing would be compliant with the intent of the OAOZ, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2, Article II, Section 4.E.~~

~~(2) If one hundred percent (100%) of the required off-street parking spaces cannot be provided on-site, they may be provided at an off-site location provided the following conditions are met: 1) the proposed location is not farther than five hundred (500) feet from the subject property as measured by a straight line from a point on the boundary of the property to the closest boundary line of the property to be leased: and 2) the off-site location is owned or leased by the owner or operator of the subject business or property owner. Any lease agreement must be approved by the City Commission. The parent business property shall be posted with signage indicating the location of the off-site parking spaces. All spaces provided by the property/business owner on and off-site shall be maintained as unreserved, unrestricted parking available to~~

~~the public, except designated handicap spaces required by law.~~

~~c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 4.A. for additional provisions regarding exceptions to providing required off-street parking.~~

~~8. Landscape and Streetscape Design. See Chapter 4, Article II, Section 4.B.5. for additional regulations regarding required landscaping and streetscape design.~~

~~9. Building Design.~~

~~a. New Buildings. All new buildings used for non-residential purposes shall be designed to be residential in character. The building design is encouraged to utilize sloped roofs, gables, porches, residential style windows and other elements normally associated with the typical frame vernacular buildings found in the City and throughout South Florida, and those of historic structures anticipated to be relocated to the area. New structures shall be constructed with the building entry oriented towards the street and shall be sensitive to the scale, massing and design envisioned in the Downtown Master Plan.~~

~~b. Additions to Existing Buildings and Structures. All building additions shall be sensitive to the original building design relative to the architectural style, building materials/components and treatments, and proportions. Original materials and details, as well as distinctive form and scale features, which contribute to the character of the building and/or surroundings, shall be preserved to the maximum extent feasible. Rehabilitation work shall not destroy the distinguishing quality or character of the property or its environment.~~

~~For historic structures, any new additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the structure. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic structure and its environment would be unimpaired.~~

~~10. Signage and Exterior Lighting Standards.~~

~~a. Signs allowed within the Ocean Avenue Overlay Zone shall be externally illuminated only, and consist of the prototypical monument sign designed for the area, wall mounted, and/or a projecting sign.~~

~~b. The size of wall mounted signs shall be calculated at one-half (0.5) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.~~

~~c. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed six (6) square feet in size.~~

~~d. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.~~

D. Boynton Beach Boulevard Overlay (BBBO)

1. **Purpose and Intent**. The Boynton Beach Boulevard Overlay (BBBO) is comprised of multiple properties and a mix of zoning districts that currently accommodates primarily commercial, residential, and institutional land uses. The CRA Redevelopment Plan recommends the Mixed Use Low, Mixed Use Medium, and Mixed Use High Future Land Use Classification along Boynton Beach Boulevard, increasing in intensity as the Downtown District is approached. The purpose and intent of the BBBO are as follows:
    a. Provide for a mix of selected commercial, residential, and office uses, with an emphasis on employment and entertainment uses that will encourage redevelopment of underutilized property and enhance the pedestrian scale and character of the area;
    b. The western area is to act as a welcoming and attractive entry to the City, while the eastern area is to act as the entry to the City's Downtown District;
    c. Encourage the location of restaurant, retail, office, and entertainment establishments, along with pedestrian-friendly improvements that would complement and support the Downtown.

d. Continue implementation of various recommendations contained within CRA Redevelopment Plan.
e. Ensure that redevelopment within this area, regardless of underlying zoning district, will maintain a consistent character; and
f. Improve overall livability of the general area and enhance property values.

2. **Defined.** The Boynton Beach Boulevard Overlay (BBBO) shall be bounded on the east by the Florida East Coast Railroad (F.E.C.), on the west by NW 5th Street, further by Interstate 95, on the south by NE and NW 1st Avenue, and on the north by NE 3rd Avenue and NW 3rd Court.

3. **Conflict**. Unless deemed otherwise by the Planning & Zoning Director, in the event of any conflict between the provisions of the Boynton Beach Boulevard Overlay and any other sections of the Land Development Regulations, the provisions of this section shall prevail. These provisions shall not be construed to supersede any federal, state, or county laws

4. **Uses:** Active commercial uses shall be required on the street frontage of Boynton Beach Boulevard.

a. Uses shall be determined by the underlying zoning district, see "Use Matrix Table 3-28" in Chapter 3, Article IV, Section 3.D, with the exception of the following prohibited uses:

Accessory Dwelling Unit
Dwelling, Single- family (detached)
Dwelling, Two-family (duplex)
Auto Broker
Automobile Rental
Automotive, Major Repair
Automotive, Minor Repair
Auto Dealer, New
Auto Dealer, Used
Automotive Parts Store
Auto/Car Wash, Self- serve Bay
Auto/Car Wash (Polishing, Waxing, Detailing)
Automotive Window Tinting/Stereo Installation/Alarms
Drive-thru facilities
Day & Trade Labor Pool (Temporary Help)
Boat Dealer/Rental
Cleaning Supply Store (Swimming Pool, Janitorial)
Convenience Store
Gasoline Station
Furniture & Home furnishing, unless integrated into a mixed use development
Showroom warehouse (single-product line)
Merchandise, Used (Other)
Merchandise, New (Supercenter, Discount, Department, Club)
Home Improvement Center
Coin-operated Laundry
Funeral Home
Pet Care (Boarding and Daycare)
Cemetery
Church

Civic & Fraternal Club/ Organization
Group homes Type I, II, III, and IV
College, Seminary, University
School, Primary and Secondary
School, Industrial & Trade
Shooting Range, Indoor
Adult entertainment
Temporary employment agency
Social service agency
All Industrial Uses

b. Any other automobile-oriented use not listed above are prohibited.
   (1) An "automobile oriented use" shall be construed as a business which has a principal purpose of servicing an automobile or consists of a building type or feature which is designed for an automobile.

c. Live-work units are permitted, but may not front Boynton Beach Boulevard or Seacrest Boulevard.

d. Additionally, no legally existing use shall be deemed non-conforming as a result of the BBBO regulations.

5. **Modified Building and Site Regulations.**

MODIFIED BUILDING/SITE REGULATIONS[1] **Boynton Beach Boulevard Overlay Zone**	
Minimum Lot Area:	0.75 acre
Minimum Lot Frontage: Boynton Beach Boulevard	100 feet 150 feet
Pedestrian zone:	
Minimum street tree area[3]:	5 feet *Measured from the back of curb
Minimum sidewalk width[2]:	8 feet clear *Measured from the centerline of street trees
Minimum active area width: (Applicable to Boynton Beach Boulevard and Seacrest Boulevard street frontages)	8 feet[4] *Measured from edge of the sidewalk
Overhead utilities:	Must be undergrounded in conjunction with any new development or major modification of existing developments.
Build-to line:	Abuts the pedestrian zone
Minimum building frontage: (Applicable to Boynton Beach Boulevard, Seacrest Boulevard)	75% of the lot frontage must be occupied by structure adjacent to the pedestrian zone
Maximum structure height:	Per Corresponding Zoning District
Boynton Beach Boulevard	45 feet

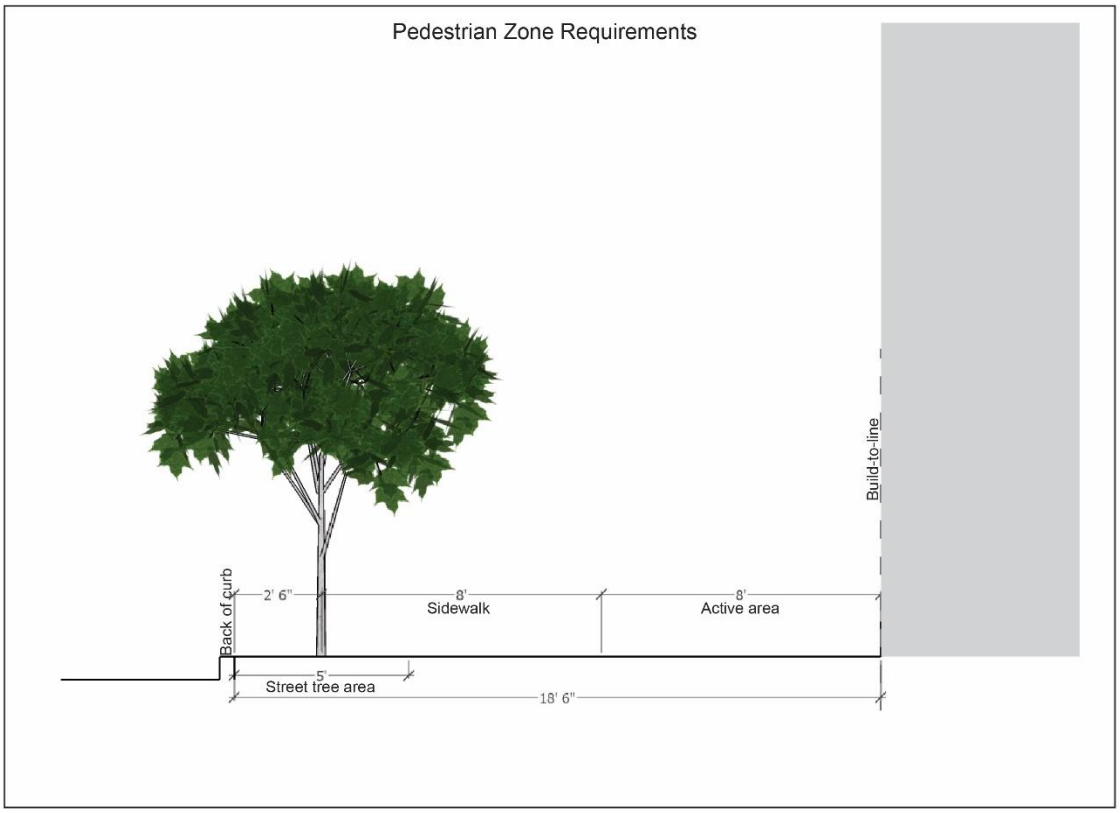
	Any additional height permitted by the zoning districts must be stepped back proportionately to the overall height, a minimum of 10' and for every 50 feet above 45 feet in height[6] an additional 10 feet stepback is required.
Minimum structure height:	30 feet
On-street parking:	Required where possible
Minimum yard setbacks:	
Rear:	10 feet
Abutting NW 1st Avenue, NE 3rd Avenue, NW 3rd Avenue:	20 feet The rear property line shall contain a continuous vegetative buffer.
Interior side:	0 feet
Minimum Usable Open Space:	1% of lot area

[1] No legally existing building or structure shall be deemed non-conforming with respect to setbacks, lot coverage, or building height.

[2] Sidewalks shall be constructed of Holland-stone pavers, red/charcoal color mix by Paver Systems, Inc., or equal, laid in a 45 herringbone pattern.

[3] Canopy trees are required 1 per 25 feet of street frontage.

[4] Permanent structures such as columns and walls are not permitted within the required active area. Self-supporting architectural elements such as awnings and balconies may overhang onto the active area.



6. **Accessory Structures.**
   a. Fences:
      (1) Fences along street frontages are not permitted on Boynton Beach Boulevard or Seacrest Boulevard.
      (2) Fences along any other street frontages shall not exceed three (3) feet in height.
      (3) Any fence that is proposed in the reminder of the District shall be decorative in nature. Walls, chain link, board on board, shadowbox, and similar types of fences are prohibited.
   b. All parking, mechanical equipment, trash containers, and miscellaneous equipment shall be landscaped to be screened from view.

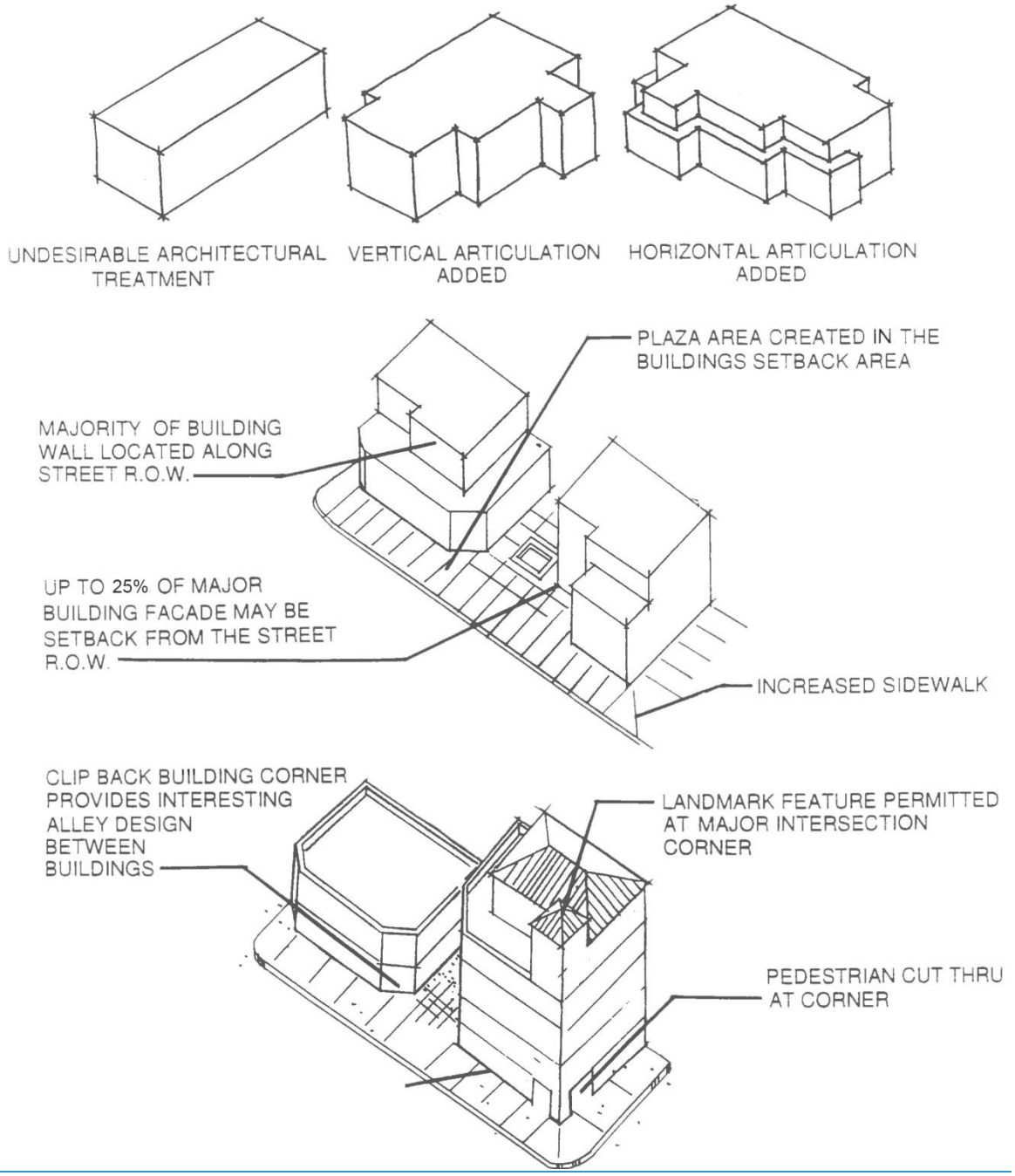
7. **Building Design.**
   a. Building orientation. Lots with frontage on Boynton Beach Boulevard must orient structures to Boynton Beach Blvd. The main pedestrian entry, or front door, must be fronting Boynton Beach Boulevard.
   b. Boynton Beach Boulevard and Seacrest Boulevard shall have maximized glazing on first floors.

Fenestration Requirements		
Ground-level building facade occupied by transparent window or door openings (minimum area)	**Commercial Mixed-Use Developments (%)**	**Residential Development (%)**
Boynton Beach Boulevard	50[2]	30[1]
Seacrest Boulevard	50[2]	

NOTES:
1. These standards also apply to any portion of a ground-level facade facing a courtyard or patio.
2. To count toward this transparency requirement, a window or door opening must have a maximum sill height of 2 feet above grade and a minimum head height of 6 feet, 8 includes above grade.

c. Any transparent window and door openings occupying a ground-level street-facing building facade shall comply with the following standards:
   (1) The opening shall be filled with glazing that has a minimum visible light transmittance of 75 percent and a maximum reflectance of 15 percent.
   (2) The opening shall be designed to allow view of an interior space at least five feet deep (e.g., transparent openings may include traditional storefront display windows, but not merely glass display cases). The view into a commercial use shall not be permanently obstructed by screens, shades, shutter, or opaque films applied to the glazing.

d. Building Wall Articulation.
   a. Vertical articulation. Walls shall be offset by a minimum depth of two (2) feet once every fifty (50) linear feet.
   b. Horizontal Articulation. Buildings shall step-back a minimum of ten (10) feet once the structure reaches forty-five (45) feet in height. Buildings must step back an additional ten (10) feet for every additional fifty (50) feet in height; the additional required step-backs may be dispersed in varying offsets.



(Figure D.7.b.1)

8. **Parking.**

a. Minimum Number of Required Spaces. The minimum number of required off-street parking spaces shall be calculated in accordance with Chapter 4, Article V, Section 2

b. Allowable Location of Off-Street Parking Spaces.

(1) The intent of the BBBO is to screen off-street parking areas from abutting rights-of-way and locate buildings along front and side corner property lines. Therefore, on-site parking shall be located within rear and side interior yards for all new projects and those in which parking areas would be altered to accommodate a proposed building renovation or expansion.

(2) Existing parking areas for existing developments may remain if the spaces are unaltered as part of any building renovation or expansion. In these instances, the existing off-street parking area shall be substantially screened from off-premises by a hedge, decorative fencing, arcades,

or a combination thereof, provided that such proposal remain consistent with the intent of the BBBO, and to the standards of the urban landscape code to the maximum extent possible. Any deviation from the above standards would require the approval of a waiver in accordance with Chapter 2. Article II, Section 4.E.

c. Exceptions to Providing Required Parking. See Chapter 4, Article V, Section 3 & 4 for additional provisions regarding exceptions to providing required off-street parking.

9. **Signage and Exterior Lighting Standards.**

a. Signs permitted within the Boynton Beach Boulevard Overlay shall be externally illuminated only, and consist of wall mounted, and/or a projecting sign.

b. The size of wall mounted signs shall be calculated at one (1) square foot of sign area per one (1) lineal foot of building frontage measured along the main building entrance.

c. Projecting signs are only permitted on the first floor. Projecting signs and mounting brackets shall be decorative in nature, and the sign face shall not exceed nine (9) square feet in size.

d. Undercanopy signs are permitted one per doorway and shall not exceed 3 square feet each. All undercanopy signs must have a minimum clearance of 8'

e. Properties with over 250 feet of linear street frontage on Boynton Beach Boulevard are permitted one monument sign with a maximum height of five (5) feet, a maximum depth of eighteen (18) inches, and a maximum area of forty (40) square feet. Monuments signs shall be oriented perpendicular to the street.

f. Prohibited sign types: Freestanding signs, roof mounted signs, any signs above 40 feet (first four (4) stories), animated, or moving signs, and all other signs prohibited by Code.

g. All Mixed-use developments are required to provide a plan for parking signage to maximize awareness of and access to public parking locations.

h. General lighting of the site shall harmonize with and blend into residential/mixed use environment. Ground lighting and up lighting of the building and landscaping is encouraged. However, when the use of pole lighting is necessary, the fixture height shall not exceed fifteen (15) feet, be decorative in nature and compatible with the color and architecture of the building.

E. ~~C~~. *Downtown Transit-Oriented Development District (DTODD) Overlay ~~Zone.~~*

1. Intent. This overlay ~~zone~~ implements Policy No. 1.18.1 of the Comprehensive Plan's future land use element which establishes the DTODD to improve land development patterns around the future station of the planned commuter service. The overlay's ~~zone's~~ features further enhance the vision embodied by mixed-use zoning districts with increased density and intensity as well as strong emphasis on interconnectivity throughout the area.

2. Defined. The DTODD Overlay ~~Zone~~ coincides with the Station Area of a one-half (½) mile radius around the intersection of Ocean Avenue and the Florida East Coast rail corridor, which is the anticipated location of the Downtown Boynton Beach Station for the planned commuter Tri-Rail Coastal Link service on the FEC Corridor.

3. General. See additional standards and requirements for mixed-use (urban) districts based on the proximity to the planned train station in Chapter 3, Article III, Section 5.A.

4. Use(s) Allowed. For the DTODD, allowed uses are based on the underlying zoning district. See "Use Matrix," Table 3-28 in Chapter 3, Article IV, Section 3.D.

5. Building and Site Regulations. See Chapter 3, Article III, Section 5.C.

6. Additional Standards. See Chapter 4, Article III, Section 6.H. for additional standards related to urban design and building location for properties located within the transit core of the Station Area.

(Ord. 10-025, passed 12-7-10; Am. Ord. 11-002, passed 3-1-11; Am. Ord. 12-016, passed 10-2-12; Am. Ord. 15-006, passed 3-2-15; Am. Ord. 17-023, passed 9-19-17)

Sec. 9. Penalties.

The city or any other legal authority shall enforce any violation of this article pursuant to the penalty provisions contained in Chapter 1, Article I, Section 7 of these Land Development Regulations.
(Ord. 10-025, passed 12-7-10)

…

D. *Use Matrix (Table 3-28).*

Footnotes

18. Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~.

a. This use is allowed in this zoning district only when proposed on a lot located within the Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~ (CDO~~OAOZ~~).

~~b. Any proposed non-residential use that would abut a side property line of a residential use located on Northeast 1st Avenue or Southeast 1st Avenue requires conditional use approval.~~

~~c. Any allowable use is considered permitted by right, provided that it is proposed on property with frontage on Ocean Avenue; otherwise conditional use approval shall be required. Additionally, no existing uses shall be deemed non-conforming.~~

b~~d~~. Schools, Professional and T~~t~~echnical schools allowed in the CDO ~~OAOZ~~ are limited to those that teach the culinary and visual arts.

19. General Note. This use shall be prohibited on the ground level of buildings located on lots that front on Ocean Avenue located within the Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~.

20. General Note. This use is allowed as an accessory use to any lawful Arts Campus located within the Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~.

Article V. Minimum Off-Street Parking Requirements

…

Sec. 3. Special Reductions in Required Off-Street Parking

F. *Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~*. See Chapter 3, Article III, Section 8.D. for additional off-street parking provisions regarding the Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~.

Sec. 4. Exceptions to Providing Required Off-Street Parking.

A. Adaptive Re-Use.

1. Applicability. The following described areas shall be eligible for specific parking reductions based upon adaptive re-use, including modifications, of existing buildings:
   a. Cultural District ~~Ocean Avenue~~ Overlay ~~Zone~~ (CDO~~OAOZ~~), as defined in Chapter 3, Article III, Section 8.D.
   b. No additional parking shall be required where:
      (1) The structure is enlarged in a manner not exceeding a cumulative total of one hundred percent (100%) of the existing gross floor area; or
      (2) The capacity of the structure is increased by adding subordinate dwelling units or floor area within the existing building envelop; or
      (3) The use of a structure is changed; or
      (4) The number of seats for eating and drinking establishments is increased by up to fifty percent (50%) of the existing total or up to forty (40) seats are provided where the previous use had none.

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: PROPOSED ORDINANCE NO. 19-019 - SECOND READING - Approve amendments to the Land Development Regulations, Chapter 4, *Site Development Standards*, creating a new *Article XII entitled "Fertilizer Use Regulations" to create regulations requiring proper application of fertilizer to protect water bodies. Applicant: City-initiated.

EXPLANATION OF REQUEST:
The Florida Department of Environmental Protection (FDEP) requires that all National Pollution Discharge Elimination System (NPDES) permittees operating municipal stormwater systems adopt a local ordinance that regulates how and when fertilizer can be applied to all properties (i.e. residential, commercial, institutional, and recreational), utilizing best management practices, and requiring commercial/institutional fertilizer applicators to complete a mandatory training program. The purpose of these regulations is to improve and protect the quality of our water bodies through the reduction of algae bloom and accelerated growth of aquatic weeds caused by the introduction of phosphorous and nitrogen, resulting from improper fertilizer application.

The attached ordinance is based upon a model that was provided by FDEP and that has already been adopted by several municipalities in Palm Beach County. FDEP has reviewed the attached draft prepared by staff and approved it as to form and sufficiency. Adoption of the ordinance will satisfy the NPDES permit condition initiated by FDEP.

The suggested amendments can be best described below:

1. Prohibition of fertilizing when a) the ground is saturated, b) a Flood Watch or Warning, a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect, or c) heavy rain (2 inches or more within a 24 hour period) is likely;

2. Creation of “Fertilizer Free Zones”, which limits the application of fertilizer within ten (10) feet of any water body, or three (3) feet if a deflector shield or drop spreader is utilized; and

3. Requires proof of licensing of Commercial Applicators by the Florida Department of Agriculture and Consumer Services prior to receiving Business Tax approval to operate within the City.

The Planning and Development Board recommended approval of the subject request on May 28, 2019.

*The location of these regulations in the Land Development Regulations has been edited by the City Attorney for continuity.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? N/A

FISCAL IMPACT: N/A

ALTERNATIVES: None rcommended.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION: N/A

CLIMATE ACTION:

CLIMATE ACTION DISCUSSION: N/A

Is this a grant?

Grant Amount:

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance creating Fertilizer Use Regulations
🗋	Staff Report	Staff Report
🗋	Exhibit	Exhibit A - draft proposed language
🗋	Amendment	Exhibit B - LDR Insertion

ORDINANCE NO. 19-_____

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, CHAPTER 4, SITE DEVELOPMENT STANDARDS, CREATING A NEW ARTICLE XII, ENTITLED "FERTILIZER USE REGULATIONS"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 303(d) of the federal Clean Water Act and the resulting Florida Impaired Waters Rule (Chapter 62-303, Florida Administrative Code [F.A.C.]), the Florida Department of Environmental Protection (FDEP) has classified specific water bodies in Palm Beach County as "impaired" as a result of the presence of excessive nutrients; and

WHEREAS, Florida Statute, Section 403.9337 requires local governments located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to Florida Statute, Section 403.067, adopt an ordinance for Florida-Friendly™ fertilizer use on urban landscapes; and

WHEREAS, the FDEP on the 8th day of September 2016, issued its Palm Beach County Municipal Separate Storm Sewer System Permit No. FLS 000018-004 (hereinafter referred to as the "MS4 Permit") to forty (40) governmental entities including the City of Boynton Beach; and

WHEREAS, the MS4 permit requires local governments within the watershed of a nutrient impaired water body to adopt FDEP's Model Ordinance for Florida Friendly Fertilizer Use on Urban Landscapes or an Ordinance that includes all the requirements set forth in the Model Ordinance; and

WHEREAS, surface water runoff and base flow runoff leaves residential neighborhoods, commercial centers, industrial areas, and other lands of Palm Beach County and enters into natural and artificial stormwater and drainage conveyances and natural water bodies in Palm Beach County; and

WHEREAS, phosphorus and nitrogen, the primary nutrients associated with the degradation of surface water, are commonly the primary components of fertilizer for turf and landscape application; and

WHEREAS, the quality of streams, lakes, and wetlands is important to environmental, economic, and recreational prosperity and to the health, safety, and welfare of the residents of Palm Beach County; and

WHEREAS, algae blooms and accelerated growth of aquatic weeds in Palm Beach County's water bodies have heightened community concerns about water quality and eutrophication of surrounding waters; and

WHEREAS, it is generally recognized that Eastern Palm Beach County soils naturally have adequate phosphorus content for most vegetative needs and that additional phosphorus is therefore only occasionally needed to create or maintain a vibrant landscape; and

WHEREAS, it has been recognized that proper application of slow-release nitrogen sources is more efficiently used by plants and less likely to leach or runoff; and

WHEREAS, this Ordinance is part of a regulatory program to address nonpoint sources of nutrient pollution which is scientifically based, and economically and technically feasible; and

WHEREAS, as a result of the Florida Department of Environmental Protection's determination that certain water bodies within Palm Beach County are impaired for excessive nutrient levels, the City of Boynton Beach finds that the best management practices contained in the most recent edition of the *"Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries"*, are required and are necessary to implement within the City as set forth herein; and

WHEREAS, in the process of adoption of this Ordinance, the City of Boynton Beach has considered scientific information, including input from the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and the University of Florida Institute of Food and Agricultural Sciences.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BOYNTON BEACH, FLORIDA, THAT:

SECTION 1. The foregoing whereas clauses are true and correct and are now ratified and confirmed by the City Commission.

SECTION 2. Chapter 4 of the Land Development Regulations shall be amended by creating a new Article XII entitled "Fertilizer Use Regulations" as follows:

ARTICLE XII. FERTILIZER USE REGULATIONS

Sec. 1. General.

A. This article shall be known and may be cited as "Fertilizer Use Regulations."

B. Purpose and Intent. This Ordinance regulates the proper use of fertilizers by any applicator; requires proper training of commercial and institutional fertilizer applicators; establishes training and licensing requirements; establishes a

prohibited application period; and specifies allowable fertilizer application rates and methods, fertilizer-free zones, and exemptions. This Ordinance requires the use of Best Management Practices to minimize negative environmental effects associated with excessive nutrients in our water bodies. These environmental effects have been observed in and on Palm Beach County's natural and constructed stormwater conveyances, rivers, creeks, canals, lakes, estuaries and other water bodies. Collectively, these water bodies are an asset important to the environmental, recreational, cultural and economic well-being of Palm Beach County residents and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, is anticipated to help improve and maintain water and habitat quality.

Sec. 2. Definitions.

APPLICATION or APPLY - The actual physical deposition of fertilizer to turf or landscape plants.

APPLICATOR - Any person who applies fertilizer on turf and/or landscape plants in the City of Boynton Beach.

APPROVED TEST - A soil test from the University of Florida, government, or other commercial licensed laboratory that regularly performs soil testing and recommendations.

BEST MANAGEMENT PRACTICES (BMPs) - Turf and landscape practices or combination of practices based on research, field-testing, and expert review,

determined to be the most effective and practical site-specific means, including economic and technological considerations, for improving water quality, conserving water supplies and protecting natural resources.

COMMERCIAL FERTILIZER APPLICATOR - Except as provided in section 482.1562(9), Florida Statutes (F.S.), any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employer of the applicators.

COMMUNITY STANDARDS OFFICER, OFFICIAL, or INSPECTOR - Any designated employee or agent of the City of Boynton Beach whose duty it is to enforce codes and ordinances enacted by City of Boynton Beach.

FERTILIZER - Any substance or mixture of substances that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil.

FERTILIZING or FERTILIZATION - The act of applying fertilizer to turf, specialized turf, or landscape plants.

INSTITUTIONAL APPLICATOR - Any person, other than a private, non-commercial or a Commercial Applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf and/or landscape plants. Institutional Applicators shall include, but shall not be limited to, owners, managers, or employees of public lands, schools, parks, religious institutions, utilities, industrial or business sites and any residential properties maintained in condominium and/or common ownership.

LANDSCAPE PLANT - Any native or non-native tree, shrub, or groundcover (excluding turf).

PASTURE - Land managed for livestock grazing.

PROHIBITED APPLICATION PERIOD - The time period during which a Flood Watch or Warning, a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect for any portion of City of Boynton Beach, issued by the National Weather Service, or if heavy rain (2 inches or more within a twenty-four (24) hour period) is likely.

SATURATED SOIL - A soil in which the voids are filled with water. Saturation does not require flow. For the purposes of this Ordinance, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.

SLOW-RELEASE, CONTROLLED RELEASE, TIMED RELEASE, SLOWLY-AVAILABLE, or WATER INSOLUBLE NITROGEN - Nitrogen in a form which delays its availability for vegetative uptake and use after application, or which extends its availability to the vegetation longer than a reference rapid or quick release product.

TURF, SOD, or LAWN - An area of grass-covered soil held together by the roots of the grass.

URBAN LANDSCAPE - pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or landscape plants. For the purposes of this section, agriculture has the same meaning as provided in section 570.02, F.S.

Sec. 3. Applicability.

This Ordinance shall be applicable to and shall regulate any and all applicators of fertilizer and areas of application of fertilizer to urban landscapes within the City of Boynton Beach, unless such application is specifically exempted by Section 11 of this Ordinance. This Ordinance shall be prospective only, and shall not impair any existing contracts.

Sec. 4. Timing of Fertilizer Applications.

A. No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period or to saturated soils.

B. Fertilizer containing nitrogen and/or phosphorus shall not be applied before seeding or sodding a site, and shall not be applied for the first thirty (30) days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc.), or in accordance with the Stormwater Pollution Prevent Plan for that site.

Sec. 5. Fertilizer Free Zones.

Fertilizer shall not be applied within ten (10) feet, or three (3) feet if a deflector shield or drop spreader is used, of any pond, stream, water body, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340), F.A.C. or from the top of a seawall or lake bulkhead. Newly planted turf or landscape plants may be fertilized in this zone only for a sixty (60) day period beginning thirty (30) days after planting, if needed, to allow the

vegetation to become well established. Caution shall be used to prevent direct deposition of fertilizer into the water.

Sec. 6. Fertilizer Content and Application Rates.

A. Fertilizers applied to turf within the City of Boynton Beach shall be applied in accordance with requirements and directions provided by Rule 5E-1.003(2), F.A.C., "*Labeling Requirements for Urban Turf Fertilizers".* Under Rule 5E-1.003(2), F.A.C., required application rate and frequency maximums, which vary by plant and turf types, are found on the labeled fertilizer bag or container.

B. Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in subsection A. above for turf, or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.

C. Fertilizer used for sports turf at golf courses shall be applied in accordance with the recommendations in "Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses", published by the Florida Department of Environmental Protection, dated January 2007, as may be amended. Fertilizer used at park or athletic fields shall be applied in accordance with Rule 5E-1.003(2), F.A.C.

Sec. 7. Fertilizer Application Practices.

A. As required in Section 7 of this Ordinance, spreader deflector shields shall be used when fertilizing via rotary (broadcast) spreaders. Deflectors must

be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.

B. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container.

C. In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

D. Property owners and managers are encouraged to use an Integrated Pest Management (IPM) strategy as currently recommended by the University of Florida Cooperative Extension Service publications and to utilize the plant selection and landscape design standards of the UF/IFAS Florida-Friendly Landscape Program.

Sec. 8. Management of Grass Clippings And Vegetative Matter.

In no case shall grass clippings, vegetative material, and/or vegetative debris intentionally be washed, swept, blown, or otherwise deposited onto or into stormwater drains, drainage ditches or conveyances, water bodies, wetlands, sidewalks or roadways. Any material that is accidently deposited shall be immediately removed to the maximum extent practicable and disposed of in accordance with applicable codes and regulations.

Sec. 9. Exemptions.

The provisions set forth above in this Ordinance shall not apply to:

(a) bona fide farm operations as defined in the Florida Right to Farm Act, Section 823.14 F.S.;

(b) other properties not subject to or covered under the Florida Right to Farm Act that have pastures used for grazing livestock;

(c) any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.

Sec. 10. Training.

A. All commercial and institutional applicators of fertilizer within the City of Boynton Beach shall abide by and successfully complete the six-hour training program in the *"Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries"* offered by the Florida Department of Environmental Protection through the University of Florida/Palm Beach County Cooperative Extension Service "Florida-Friendly Landscapes" program or an approved equivalent program.

B. Non-commercial and non-institutional applicators not otherwise required to be certified, such as private citizens on their own residential property, are encouraged to follow the recommendations of the University of Florida/IFAS "Florida-Friendly Landscape Program" and label instructions when applying fertilizers.

Sec. 11. Licensing Of Commercial Applicators.

A. All businesses applying fertilizer to turf or landscape plants (including, but not limited to, residential lawns, golf courses, commercial / industrial properties, and multi-family and condominium properties) must ensure that the business owner or his/her designee holds the appropriate *"Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries"* training certificate prior to the business owner obtaining a Local Business Tax Certificate. Owners for any category of occupation which may apply any fertilizer to Turf and/or Landscape Plants shall provide proof of completion of the program to the City of Boynton Beach Business Tax Office. It is the responsibility of the business owner to maintain the *"Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries"* certificate to receive their Business Tax Receipt annually.

B. After March 31, 2019, all commercial applicators of fertilizer within the City of Boynton Beach shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per Rule 5E-14.117(18), F.A.C.

C. All businesses applying fertilizer to turf and/or landscape plants (including, but not limited to, residential lawns, golf courses, commercial / industrial properties and multi-family and condominium properties) must ensure that at least one (1) employee has an appropriate "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green

Industries" training certificate prior to the business owner obtaining a business tax certificate.

Sec. 12. Enforcement.

The provisions of this Ordinance shall be enforced by (1) the City of Boynton Beach Code Enforcement Board or Special Master pursuant to the authority granted by Section 162.01 et. seq., F.S., as may be amended and the City of Boynton Beach Code of Ordinances, as may be amended, or (2) the City of Boynton Beach through its authority to enjoin and restrain any person violating the City of Boynton Beach Code of Ordinances through the prosecution of violations in the name of the State of Florida pursuant to the authority granted by Section 125.69, F.S., as may be amended. The City of Boynton Beach may also pursue any other enforcement remedies available at law or in equity.

Sec. 13. Penalties.

A. Failure to comply with the requirement of this Ordinance shall constitute a violation of this Ordinance and shall be punishable by a fine not to exceed $250 per incident for the violation or a fine not to exceed $500 per incident for a repeat violation, and, in addition, may include all costs of repairs and remediation including administrative costs. Each new day the violation exists it is considered a separate incident.

B. In determining the amount of fines that should be imposed, the Code Enforcement Board or Special Master shall consider the following factors: (1) the gravity of the violation; (2) Any actions taken by the violator to correct the violation; and (3) Any previous violations committed by the violator. If

determined the violation is irreparable or irreversible in nature, a fine not to exceed $15,000 per violation may be imposed.

Sec. 14. Appeal.

An aggrieved party, including the City of Boynton Beach, may appeal a final administrative order of the Code Enforcement Board or Special Master to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Board or Special Master. An appeal shall be filed within thirty (30) days of the execution of the order to be appealed.

SECTION 3.

Each and every other provision of the Code of Ordinances not herein specifically amended, shall remain in full force and effect as originally adopted.

SECTION 4.

All laws and ordinances applying to the City of Boynton Beach in conflict with any provisions of this ordinance are hereby repealed.

SECTION 5.

Should any section or provision of this Ordinance or any portion thereof be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of the Ordinance.

SECTION 6.

Authority is hereby given to codify this Ordinance.

SECTION 7.

This Ordinance shall become effective immediately upon approval on second reading.

FIRST READING this _____ day of _____, 2019.

SECOND, FINAL READING AND PASSAGE this _____ day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	____	____
Vice Mayor – Justin Katz	____	____
Commissioner – Mack McCray	____	____
Commissioner – Christina L. Romelus	____	____
Commissioner – Ty Penserga	____	____

ATTEST:

_____
Queenester Nieves
Deputy City Clerk

(Corporate Seal)

DEPARTMENT OF DEVELOPMENT
PLANNING AND ZONING
Memorandum PZ 19-015

TO: Chair and Members
Planning & Development Board

FROM: Ed Breese
Planning and Zoning Administrator

DATE: April 11, 2019

RE: Approve proposed code language establishing fertilizer use regulations (CDRV 19-004) - Amending the LAND DEVELOPMENT REGULATIONS, Chapter 4. Site Development Standards, Article I. Environmental Protection Standards, Section 4. Standards, to create use regulation for proper application of fertilizer to protect water bodies within the City, commonly referred to as the "Florida Friendly Fertilizer Use Ordinance", and Chapter 1, Article II. Definitions. Applicant: City-initiated

EXPLANATION

The Environmental Protection Agency (EPA), as part of the Clean Water Act, adopted rules known as the National Pollution Discharge Elimination System (NPDES) for owners/operators of municipal stormwater systems. In Florida, the Department of Environmental Protection (FDEP) is tasked with the oversight and permitting of such systems. The City falls underneath a regional NPDES permit that includes the Palm Beach County government, municipalities and several improvement districts. In an effort to minimize the amount of nitrogen and phosphorous being discharged into local water bodies, the FDEP requires that all NPDES permittees adopt a local ordinance that regulates how and when fertilizer can be applied for all properties (residential, commercial, institutional, and recreational), utilizing best management practices, and requiring commercial/institutional fertilizer applicators to complete a mandatory training program. The purpose of these regulations is to improve and protect the quality of our water bodies through the reduction of algae bloom and accelerated growth of aquatic weeds caused by the introduction of phosphorous and nitrogen, resulting from improper fertilizer application.

The attached ordinance is based upon a model that was provided by FDEP and that has already been adopted by several of the municipalities in Palm Beach County. FDEP has reviewed the attached draft prepared by staff and approved it as to form and sufficiency. Adoption of the ordinance will satisfy the NPDES permit condition initiated by FDEP.

The suggested amendments can be best described below:

1. Prohibition of fertilizing when 1) the ground is saturated, 2) a Flood Watch or Warning, a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect, or 3) heavy rain (2 inches or more within a 24 hour period) is likely.
2. Creation of "Fertilizer Free Zones", which limits the application of fertilizer within ten (10) feet of any water body, or three (3) feet if a deflector shield or drop spreader is utilized.
3. Proof of licensing of Commercial Applicators by the Florida Department of Agriculture and Consumer Services prior to receiving Business Tax approval to operate within the City.

(*see Attachments "A" & "B" for greater detail of the proposed regulations*)

The City's Stormwater Utility division of the Utilities Department will prepare a flyer to be placed in an upcoming utility bill mailing to inform the general public of the new regulations, as well as post information regarding the new regulations on the City's website.

CONCLUSION / RECOMMENDATION

Staff recommends adoption of these amendments to the City code to comply with the FDEP conditions attached to the NPDES permit.

Attachments

S:\Planning\SHARED\WP\SPECPROJ\CODE REVIEW\CDRV 19-004\Staff Report.doc

ORDINANCE NO. 19-_____

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, CHAPTER 4, SITE DEVELOPMENT STANDARDS, ARTICLE I, ENVIRONMENTAL PROTECTION STANDARDS AND CHAPTER 1, ARTICLE II, DEFINITIONS; ESTABLISHING FERTILIZER USE REGULATIONS AND ASSOCIATED DEFINITIONS PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 303(d) of the federal Clean Water Act and the resulting Florida Impaired Waters Rule (Chapter 62-303, Florida Administrative Code [F.A.C.]), the Florida Department of Environmental Protection (FDEP) has classified specific water bodies in Palm Beach County as "impaired" as a result of the presence of excessive nutrients; and

WHEREAS, Florida Statute, Section 403.9337 requires local governments located within the watershed of a water body or water segment that is listed as impaired by nutrients pursuant to Florida Statute, Section 403.067, adopt an ordinance for Florida-Friendly™ fertilizer use on urban landscapes; and

WHEREAS, the FDEP on the 8th day of September 2016, issued its Palm Beach County Municipal Separate Storm Sewer System Permit No. FLS 000018-004 (hereinafter referred to as the "MS4 Permit") to forty (40) governmental entities including the City of Boynton Beach; and

WHEREAS, the MS4 permit requires local governments within the watershed of a nutrient impaired water body to adopt FDEP's Model Ordinance for Florida Friendly Fertilizer Use on Urban Landscapes or an Ordinance that includes all the requirements set forth in the Model Ordinance; and

WHEREAS, surface water runoff and base flow runoff leaves residential neighborhoods, commercial centers, industrial areas, and other lands of Palm Beach County and enters into natural and artificial stormwater and drainage conveyances and natural water bodies in Palm Beach County; and

WHEREAS, phosphorus and nitrogen, the primary nutrients associated with the degradation of surface water, are commonly the primary components of fertilizer for turf and landscape application; and

WHEREAS, the quality of streams, lakes, and wetlands is important to environmental, economic, and recreational prosperity and to the health, safety, and welfare of the residents of Palm Beach County; and

WHEREAS, algae blooms and accelerated growth of aquatic weeds in Palm Beach County's water bodies have heightened community concerns about water quality and eutrophication of surrounding waters; and

WHEREAS, it is generally recognized that Eastern Palm Beach County soils naturally have adequate phosphorus content for most vegetative needs and that additional phosphorus is therefore only occasionally needed to create or maintain a vibrant landscape; and

WHEREAS, it has been recognized that proper application of slow-release nitrogen sources is more efficiently used by plants and less likely to leach or runoff; and

WHEREAS, this Ordinance is part of a regulatory program to address nonpoint sources of nutrient pollution which is scientifically based, and economically and technically feasible; and

WHEREAS, in the process of adoption of this Ordinance, the City of Boynton Beach has considered scientific information, including input from the Department of Environmental Protection, the Department of Agriculture and Consumer Services, and the University of Florida Institute of Food and Agricultural Sciences.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BOYNTON BEACH, FLORIDA, THAT:

SECTION 1. The foregoing whereas clauses are true and correct and are now ratified and confirmed by the City Commission.

SECTION 2. Chapter 1, Article II of the Land Development Regulations entitled "Definitions" is hereby amended as follows:

Definitions (LDR, Chapter 1, Article II):

…

APPLICATION or APPLY - The actual physical deposition of fertilizer to turf or landscape plants.

APPLICATOR - Any person who applies fertilizer on turf and/or landscape plants in the City of Boynton Beach.

APPROVED TEST - A soil test from the University of Florida, government, or other commercial licensed laboratory that regularly performs soil testing and recommendations.

BEST MANAGEMENT PRACTICES (BMPs) - Turf and landscape practices or combination of practices based on research, field-testing, and expert review, determined

to be the most effective and practical site-specific means, including economic and technological considerations, for improving water quality, conserving water supplies and protecting natural resources.

COMMERCIAL FERTILIZER APPLICATOR - Except as provided in section 482.1562(9), Florida Statutes (F.S.), any person who applies fertilizer for payment or other consideration to property not owned by the person or firm applying the fertilizer or the employer of the applicators.

COMMUNITY STANDARDS OFFICER, OFFICIAL, or INSPECTOR - Any designated employee or agent of the City of Boynton Beach whose duty it is to enforce codes and ordinances enacted by City of Boynton Beach.

FERTILIZER - Any substance or mixture of substances that contains one or more recognized plant nutrients and promotes plant growth, or controls soil acidity or alkalinity, or provides other soil enrichment, or provides other corrective measures to the soil.

FERTILIZING or FERTILIZATION - The act of applying fertilizer to turf, specialized turf, or landscape plants.

INSTITUTIONAL APPLICATOR - Any person, other than a private, non-commercial or a Commercial Applicator (unless such definitions also apply under the circumstances), that applies fertilizer for the purpose of maintaining turf and/or landscape plants. Institutional Applicators shall include, but shall not be limited to, owners, managers, or employees of public lands, schools, parks, religious institutions, utilities, industrial or business sites and any residential properties maintained in condominium and/or common ownership.

LANDSCAPE PLANT - Any native or non-native tree, shrub, or groundcover (excluding turf).

PASTURE - Land managed for livestock grazing.

PROHIBITED APPLICATION PERIOD - The time period during which a Flood Watch or Warning, a Tropical Storm Watch or Warning, or a Hurricane Watch or Warning is in effect for any portion of City of Boynton Beach, issued by the National Weather Service, or if heavy rain (2 inches or more within a twenty-four (24) hour period) is likely.

SATURATED SOIL - A soil in which the voids are filled with water. Saturation does not require flow. For the purposes of this Ordinance, soils shall be considered saturated if standing water is present or the pressure of a person standing on the soil causes the release of free water.

SLOW-RELEASE, CONTROLLED RELEASE, TIMED RELEASE, SLOWLY-AVAILABLE, or WATER INSOLUBLE NITROGEN - Nitrogen in a form which delays its availability for vegetative uptake and use after application, or which extends its availability to the vegetation longer than a reference rapid or quick release product.

TURF, SOD, or LAWN - An area of grass-covered soil held together by the roots of the grass.

URBAN LANDSCAPE - pervious areas on residential, commercial, industrial, institutional, highway rights-of-way, or other nonagricultural lands that are planted with turf or landscape plants. For the purposes of this section, agriculture has the same meaning as provided in section 570.02, F.S.

SECTION 3. FINDINGS:

As a result of the Florida Department of Environmental Protection's determination that certain water bodies within Palm Beach County are impaired for excessive nutrient levels, the City of Boynton Beach finds that the best management practices contained in the most recent edition of the *"Florida-Friendly Best Management Practices for Protection*

of Water Resources by the Green Industries", are required and are necessary to implement within the City as set forth herein.

SECTION 4. PURPOSE AND INTENT:

This Ordinance regulates the proper use of fertilizers by any applicator; requires proper training of commercial and institutional fertilizer applicators; establishes training and licensing requirements; establishes a prohibited application period; and specifies allowable fertilizer application rates and methods, fertilizer-free zones, and exemptions. This Ordinance requires the use of Best Management Practices to minimize negative environmental effects associated with excessive nutrients in our water bodies. These environmental effects have been observed in and on Palm Beach County's natural and constructed stormwater conveyances, rivers, creeks, canals, lakes, estuaries and other water bodies. Collectively, these water bodies are an asset important to the environmental, recreational, cultural and economic well-being of Palm Beach County residents and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, is anticipated to help improve and maintain water and habitat quality.

SECTION 5. APPLICABILITY:

This Ordinance shall be applicable to and shall regulate any and all applicators of fertilizer and areas of application of fertilizer to urban landscapes within the City of Boynton Beach, unless such application is specifically exempted by Section 11 of this Ordinance. This Ordinance shall be prospective only, and shall not impair any existing contracts.

SECTION 6. TIMING OF FERTILIZER APPLICATIONS.

A. No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period or to saturated soils.

B. Fertilizer containing nitrogen and/or phosphorus shall not be applied before seeding or sodding a site, and shall not be applied for the first thirty (30) days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc.), or in accordance with the Stormwater Pollution Prevent Plan for that site.

SECTION 7. FERTILIZER FREE ZONES:

Fertilizer shall not be applied within ten (10) feet, or three (3) feet if a deflector shield or drop spreader is used, of any pond, stream, water body, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340), F.A.C. or from the top of a seawall or lake bulkhead. Newly planted turf or landscape plants may be fertilized in this zone only for a sixty (60) day period beginning thirty (30) days after planting, if needed, to allow the vegetation to become well established. Caution shall be used to prevent direct deposition of fertilizer into the water.

SECTION 8. FERTILIZER CONTENT AND APPLICATION RATES:

A. Fertilizers applied to turf within the City of Boynton Beach shall be applied in accordance with requirements and directions provided by Rule 5E-1.003(2), F.A.C., "*Labeling Requirements for Urban Turf Fertilizers".* Under Rule 5E-1.003(2), F.A.C., required application rate and frequency maximums, which vary by plant and turf types, are found on the labeled fertilizer bag or container.

B. Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in subsection A. above for turf, or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.

C. Fertilizer used for sports turf at golf courses shall be applied in accordance with the recommendations in "Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses", published by the Florida Department of Environmental Protection, dated January 2007, as may be amended. Fertilizer used at park or athletic fields shall be applied in accordance with Rule 5E-1.003(2), F.A.C.

SECTION 9. FERTILIZER APPLICATION PRACTICES:

A. As required in Section 7 of this Ordinance, spreader deflector shields shall be used when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.

B. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container.

C. In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

D. Property owners and managers are encouraged to use an Integrated Pest Management (IPM) strategy as currently recommended by the University of Florida Cooperative Extension Service publications and to utilize the plant selection and landscape design standards of the UF/IFAS Florida-Friendly Landscape Program.

SECTION 10. MANAGEMENT OF GRASS CLIPPINGS AND VEGETATIVE MATTER:

In no case shall grass clippings, vegetative material, and/or vegetative debris intentionally be washed, swept, blown, or otherwise deposited onto or into stormwater drains, drainage ditches or conveyances, water bodies, wetlands, sidewalks or roadways. Any material that is accidently deposited shall be immediately removed to the maximum extent practicable and disposed of in accordance with applicable codes and regulations.

SECTION 11. EXEMPTIONS:

The provisions set forth above in this Ordinance shall not apply to:

(a) bona fide farm operations as defined in the Florida Right to Farm Act, Section 823.14 F.S.;

(b) other properties not subject to or covered under the Florida Right to Farm Act that have pastures used for grazing livestock;

(c) any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.

SECTION 12. TRAINING:

A. All commercial and institutional applicators of fertilizer within the City of Boynton Beach shall abide by and successfully complete the six-hour training

program in the *"Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries"* offered by the Florida Department of Environmental Protection through the University of Florida/Palm Beach County Cooperative Extension Service "Florida-Friendly Landscapes" program or an approved equivalent program.

B. Non-commercial and non-institutional applicators not otherwise required to be certified, such as private citizens on their own residential property, are encouraged to follow the recommendations of the University of Florida/IFAS "Florida-Friendly Landscape Program" and label instructions when applying fertilizers.

SECTION 13. LICENSING OF COMMERCIAL APPLICATORS:

A. All businesses applying fertilizer to turf or landscape plants (including, but not limited to, residential lawns, golf courses, commercial / industrial properties, and multi-family and condominium properties) must ensure that the business owner or his/her designee holds the appropriate *"Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries"* training certificate prior to the business owner obtaining a Local Business Tax Certificate. Owners for any category of occupation which may apply any fertilizer to Turf and/or Landscape Plants shall provide proof of completion of the program to the City of Boynton Beach Business Tax Office. It is the responsibility of the business owner to maintain the *"Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries"* certificate to receive their Business Tax Receipt annually.

B. After March 31, 2019, all commercial applicators of fertilizer within the City of Boynton Beach shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per Rule 5E-14.117(18), F.A.C.

C. All businesses applying fertilizer to turf and/or landscape plants (including, but not limited to, residential lawns, golf courses, commercial / industrial properties and multi-family and condominium properties) must ensure that at least one (1) employee has an appropriate "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries" training certificate prior to the business owner obtaining a business tax certificate.

SECTION 14. ENFORCEMENT:

The provisions of this Ordinance shall be enforced by (1) the City of Boynton Beach Code Enforcement Board or Special Master pursuant to the authority granted by Section 162.01 et. seq., F.S., as may be amended and the City of Boynton Beach Code of Ordinances, as may be amended, or (2) the City of Boynton Beach through its authority to enjoin and restrain any person violating the City of Boynton Beach Code of Ordinances through the prosecution of violations in the name of the State of Florida pursuant to the authority granted by Section 125.69, F.S., as may be amended. The City of Boynton Beach may also pursue any other enforcement remedies available at law or in equity.

SECTION 15. PENALTIES:

A. Failure to comply with the requirement of this Ordinance shall constitute a violation of this Ordinance and shall be punishable by a fine not to exceed $250

per incident for the violation or a fine not to exceed $500 per incident for a repeat violation, and, in addition, may include all costs of repairs and remediation including administrative costs. Each new day the violation exists it is considered a separate incident.

B. In determining the amount of fines that should be imposed, the Code Enforcement Board or Special Master shall consider the following factors: (1) the gravity of the violation; (2) Any actions taken by the violator to correct the violation; and (3) Any previous violations committed by the violator. If determined the violation is irreparable or irreversible in nature, a fine not to exceed $15,000 per violation may be imposed.

SECTION 16. APPEAL:

An aggrieved party, including the City of Boynton Beach, may appeal a final administrative order of the Code Enforcement Board or Special Master to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Board or Special Master. An appeal shall be filed within thirty (30) days of the execution of the order to be appealed.

SECTION 17.

Each and every other provision of the Code of Ordinances not herein specifically amended, shall remain in full force and effect as originally adopted.

SECTION 18.

All laws and ordinances applying to the City of Boynton Beach in conflict with any provisions of this ordinance are hereby repealed.

SECTION 19.

Should any section or provision of this Ordinance or any portion thereof be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of the Ordinance.

SECTION 20.

Authority is hereby given to codify this Ordinance.

SECTION 21.

This Ordinance shall become effective immediately upon approval on second reading.

FIRST READING this _____ day of _____, 2019.

SECOND, FINAL READING AND PASSAGE this _____ day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor –	____	____
Vice Mayor –	____	____
Commissioner –	____	____
Commissioner –	____	____
Commissioner –	____	____

ATTEST:

_____

Judith A. Pyle, CMC

City Clerk

(Corporate Seal)

EXHIBIT B

Sec. 4. Standards.

The following standards shall be considered in order to ensure the protection of existing vegetation:

A. *General.* All proposed developments shall be designed to preserve, perpetuate, and improve the existing natural character of the site. Existing native trees and other landscape features shall, to the maximum extent possible, be preserved in their natural state; and additional landscape features shall be provided to enhance architectural features, to relate structural design to the site, and to conceal unattractive uses. In all instances the city's landscaping requirements and all other applicable regulations shall be fully complied with as minimum standards. No tree shall be removed from any city property, lands, public park, or any areas within a city right-of-way except in accordance with the provisions of this article.

High-quality areas placed in preservation shall be retained in entirety in their current or improved natural state, and protected in perpetuity regardless of ownership. This requirement may be negotiated to create contiguous preservation among plant communities. During the site plan review process, the applicant shall be required to prove that the highest ecologically valued land is being retained first. If the preservation of the highest ecological valued land produces undue burden on the development of the site, it shall be the applicant's responsibility to prove such hardship and provide an acceptable alternative for approval.

Rights-of-way and areas determined to be future rights-of-way in the Comprehensive Plan and utility or drainage easements shall not be allowed as designated set-aside areas.

B. *Preservation Efforts.*

1. Beach Dunes. The natural vegetative cover on beach dunes shall be preserved in an undisturbed state of growth as a fragile ecosystem. No beach dune vegetation, grass, sea grape, and tree development shall be altered, removed, or changed except in accordance with federal, state, county, and local regulations.

2. Mangrove Areas. Well-documented scientific research has established that mangrove areas are the ecological base of the biological food chain for many important species, including some species of fish that are important for sport and commercial fishing. Mangrove trees, which are of considerable aesthetic value, also serve as protection against storm surge as well as provide a habitat/shelter for birds and other wildlife. For these reasons, land development and construction thereon, shall be conserved to the maximum extent possible and only altered in accordance with federal, state, county, and local regulations.

3. Specimen Tree Designation. The Director of Development may, by written request to the City Manager, recommend from time to time the official designation of certain trees located within the city as specimen trees. If the City Manager approves such recommendation, the matter shall be presented to the City Commission for final determination. The city shall notify by certified mail the affected property owner of the proposed hearing. The City Commission

shall accept, modify or deny the staff recommendation. Any proposal to remove a specimen tree shall be mitigated in accordance with Section 2.C. below.

4. Environmentally Sensitive Lands.

a. General. The purpose and intent of this section is to preserve and protect the values and functions of environmentally sensitive lands from alterations that would result in the loss of these lands or significant degradation of their values and functions.

b. Applicability. This subsection applies to all properties that contain environmentally sensitive lands with an "A", "B", or "C" rating as pursuant to Table 2 of the Conservation Element of the Comprehensive Plan.

c. Standards. The following standards shall promote the preservation of natural resource sites:

(1) If the property proposed for development is greater than ten (10) acres, or is a portion of a larger tract containing ten (10) or more acres of environmentally sensitive lands designated as an "A" rated site, the developer shall be required to preserve a minimum of twenty-five percent (25%) of all native plant communities on the site in one (1) unified preserve. Habitat shall be preserved with intact canopy, understory and ground cover.

(2) If the property proposed for development is greater than ten (10) acres and has been designated as a "B" or "C" rated site, the developer shall be required to preserve a minimum of twenty-five percent (25%) of all native plant communities on the site. The preserve areas may be separated into micro preserves. Habitat shall be preserved with intact canopy, understory and ground cover.

(3) Natural resource sites identified in Table 2 of the Conservation Element of the Comprehensive Plan and that exceeds ten (10) acres shall be subject to the twenty-five percent (25%) preserve area set aside notwithstanding subdivision into smaller parts.

(4) The specific location of the preservation area shall be determined during the review of a master plan or site plan. If no master plan or site plan is required, then such determination shall occur during the review of the proposed plat. The ultimate area to be preserved shall be indicated on the approved plan and any corresponding plat. In determining the most appropriate location for the preserve area within the site, the city shall consider factors, which include, but are not limited to the following: proximity of the preserve area to developed and undeveloped property; potential for immediate or future consolidation with environmentally sensitive lands on abutting properties; ability to maintain the preserve area based upon surrounding development and land uses; and the recommendations of staff or any consultants retained by the city. The preserve area shall be maintained in accordance with a city approved preserve area management plan.

C. *Mitigation of Existing Trees (Table 4-1 Mitigation of Existing Trees).* All existing trees that are not preserved in place or relocated on-site shall be mitigated in connection with a land development permit. The equivalent replacement for existing trees shall be based on caliper dimension or type of tree as indicated in the table below:

Type of Existing Tree	Type of Replacement Tree			
	Canopy Tree (< 24" Caliper)	**Canopy Tree (> 24" Caliper)**	**Large Palm Tree[1]**	**Small & Medium Size Palm Trees**
Canopy Tree (< 24" Caliper)	1 tree[2]	1 tree[2]	2 trees	3 trees[3]
Canopy Tree (>24" Caliper)	1 tree[2]	1 tree[2]	4 trees	3 trees[3]
Large Palm Tree	1 tree	1 tree	1 tree	3 trees
Small & Medium Size Palm Trees	1 tree	1 tree	1 tree	1 tree

[1] Large palm trees are those species, such as Florida Royal, Canary Island Date, or any other palm species determined by staff to provide similar or greater shading compared to a canopy tree.

[2] The cumulative caliper inches of existing trees to be removed shall be replaced on-site with an equal or greater number of caliper inches of a replacement canopy tree or trees.

[3] A cluster of three (3) small or medium size palm trees shall be the equivalent replacement of one (1) canopy tree up to a size of 24 caliper inches. One additional cluster of palm trees shall be required for each increment of four (4) caliper inches (the common mathematical rule of rounding shall be used when tabulating partial increments). For canopy trees having a trunk size equal to or greater than 24 caliper inches, no more than 50% of the caliper inches of the replaced canopy tree shall be substituted with palm species.

D. *Forestry Practices and Procedures.*

1. General. The Director of Planning and Zoning or designee shall use "The Urban Forestry Manual (L)-Trees and Construction", United States Department of Agriculture Forest Service, 2005 edition or latest supplement thereof as the arboricultural standard when determining which forestry practice or procedure to apply when reviewing the following types of activities: 1) any proposal to relocate, replace, or remove trees that are subject to the standards and permitting processes of this article; 2) any proposal where the grade of the site is to be raised or lowered around an existing plant; 3) where ditching for utilities, foundations, swimming pools, driveways or the like will severely cut root systems; 4) where large paved areas will delete the water supply and aeration necessary for the life of the tree or shrub; or 5) where a change in the grade or drainage of development will seriously harm natural areas to be retained.

2. Land Clearing and Construction.

a. Vegetation that is set aside for preservation shall be protected from all on-site construction. During the land clearing and construction stage of development, the developer shall erect and maintain protective barriers (to city requirements consistent with best management practices) around all trees or groups of trees to be protected. The developer shall not allow the

movement of equipment or the storage of equipment, materials, debris or fill to be placed within the protective barrier. Removal or re-grading of soils within preservation areas is prohibited. Any damaged vegetation located within the set-aside areas shall be replaced with vegetation equivalent to the vegetation destroyed.

b. During the construction stage of development, the developer shall not allow the cleaning of equipment or material within the drip line of any protected tree or groups of trees. Neither shall the developer allow the disposal of waste materials such as paint, oil solvents, asphalt, concrete, mortar, and the like within the drip line of any tree or groups of trees.

c. No attachments or wires other than those of a protective nature shall be attached to any tree.

d. If more than one (1) native terrestrial plant community is present on-site, areas representing all existing plant communities shall be preserved on-site unless preserving more of one (1) particular community is more ecologically beneficial.

E. *Seeding and Mulching.* Properties shall be seeded with drought tolerant grass or other Florida-Friendly landscape material, and mulched within thirty (30) days after any clearing, grubbing, excavating, or filling activity, or prior to request for inspection to close out the land development permit, whichever occurs first, or subsequent to other major building demolition or site work. In the case where other site work is to occur and seeding and mulching will not be performed, the other site precautions, such as silt or erosion control fencing as deemed appropriate, protection of storm drains, etc., shall be immediately implemented. Staff shall inspect the seeded and mulched areas to ensure that adequate ground coverage has been obtained. Repeated seeding and mulching may be required until the satisfactory coverage is accomplished.

(Ord. 10-025, passed 12-7-10; Am. Ord. 11-019, passed 8-2-11; Am. Ord. 12-016, passed 10-2-12)

Sec. 5. Fertilizer Regulations.

A. *Purpose and Intent.* This Ordinance regulates the proper use of fertilizers by any applicator; requires proper training of commercial and institutional fertilizer applicators; establishes training and licensing requirements; establishes a prohibited application period; and specifies allowable fertilizer application rates and methods, fertilizer-free zones, and exemptions. This Ordinance requires the use of Best Management Practices to minimize negative environmental effects associated with excessive nutrients in our water bodies. These environmental effects have been observed in and on Palm Beach County's natural and constructed stormwater conveyances, rivers, creeks, canals, lakes, estuaries and other water bodies. Collectively, these water bodies are an asset important to the environmental, recreational, cultural and economic well-being of Palm Beach County residents and the health of the public. Overgrowth of algae and vegetation hinder the effectiveness of flood attenuation provided by natural and constructed stormwater conveyances. Regulation of nutrients, including both phosphorus and nitrogen contained in fertilizer, is anticipated to help improve and maintain water and habitat quality.

B. *Applicability.* This Ordinance shall be applicable to and shall regulate any and all applicators of fertilizer and areas of application of fertilizer to urban landscapes within the City of Boynton Beach, unless such application is specifically exempted by Section 11 of this Ordinance. This Ordinance shall be prospective only, and shall not impair any existing contracts.

C. *Timing of Fertilizer Application.*

1. No applicator shall apply fertilizers containing nitrogen and/or phosphorus to turf and/or landscape plants during the Prohibited Application Period or to saturated soils.

2. Fertilizer containing nitrogen and/or phosphorus shall not be applied before seeding or sodding a site, and shall not be applied for the first thirty (30) days after seeding or sodding, except when hydro-seeding for temporary or permanent erosion control in an emergency situation (wildfire, etc.), or in accordance with the Stormwater Pollution Prevent Plan for that site.

D. *Fertilizer Free Zones.* Fertilizer shall not be applied within ten (10) feet, or three (3) feet if a deflector shield or drop spreader is used, of any pond, stream, water body, lake, canal, or wetland as defined by the Florida Department of Environmental Protection (Chapter 62-340), F.A.C. or from the top of a seawall or lake bulkhead. Newly planted turf or landscape plants may be fertilized in this zone only for a sixty (60) day period beginning thirty (30) days after planting, if needed, to allow the vegetation to become well established. Caution shall be used to prevent direct deposition of fertilizer into the water.

E. *Fertilizer Content and Application Rates.*

1. Fertilizers applied to turf within the City of Boynton Beach shall be applied in accordance with requirements and directions provided by Rule 5E-1.003(2), F.A.C., "Labeling Requirements for Urban Turf Fertilizers". Under Rule 5E-1.003(2), F.A.C., required application rate and frequency maximums, which vary by plant and turf types, are found on the labeled fertilizer bag or container.

2. Nitrogen or phosphorus fertilizer shall not be applied to turf or landscape plants except as provided in subsection A. above for turf, or in UF/IFAS recommendations for landscape plants, vegetable gardens, and fruit trees and shrubs, unless a soil or tissue deficiency has been verified by an approved test.

3. Fertilizer used for sports turf at golf courses shall be applied in accordance with the recommendations in "Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses", published by the Florida Department of Environmental Protection, dated January 2007, as may be amended. Fertilizer used at park or athletic fields shall be applied in accordance with Rule 5E-1.003(2), F.A.C.

F. *Fertilizer Application Practices.*

1. As required herein, spreader deflector shields shall be used when fertilizing via rotary (broadcast) spreaders. Deflectors must be positioned such that fertilizer granules are deflected away from all impervious surfaces, fertilizer-free zones and water bodies, including wetlands. Any fertilizer applied, spilled, or deposited, either intentionally or accidentally, on any impervious surface shall be immediately and completely removed to the greatest extent practicable.

2. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or any other legal site, or returned to the original or other appropriate container

3. In no case shall fertilizer be washed, swept, or blown off impervious surfaces into stormwater drains, ditches, conveyances, or water bodies.

4. Property owners and managers are encouraged to use an Integrated Pest Management (IPM) strategy as currently recommended by the University of Florida Cooperative Extension Service publications and to utilize the plant selection and landscape design standards of the UF/IFAS Florida-Friendly Landscape Program.

G. *Management of Grass Clippings and Vegetative Matter.* In no case shall grass clippings, vegetative material, and/or vegetative debris intentionally be washed, swept, blown, or otherwise deposited onto or into stormwater drains, drainage ditches or conveyances, water bodies, wetlands, sidewalks or roadways. Any material that is accidently deposited shall be immediately removed to the maximum extent practicable and disposed of in accordance with applicable codes and regulations.

H. *Exemptions.*

The provisions set forth above in this Ordinance shall not apply to:

(1) bona fide farm operations as defined in the Florida Right to Farm Act, Section 823.14 F.S.;

(2) other properties not subject to or covered under the Florida Right to Farm Act that have pastures used for grazing livestock;

(3) any lands used for bona fide scientific research, including, but not limited to, research on the effects of fertilizer use on urban stormwater, water quality, agronomics, or horticulture.

I. *Training.*

1. All commercial and institutional applicators of fertilizer within the City of Boynton Beach shall abide by and successfully complete the six-hour training program in the *"Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries"* offered by the Florida Department of Environmental Protection through the University of Florida/Palm Beach County Cooperative Extension Service "Florida-Friendly Landscapes" program or an approved equivalent program.

2. Non-commercial and non-institutional applicators not otherwise required to be certified, such as private citizens on their own residential property, are encouraged to follow the recommendations of the University of Florida/IFAS "Florida-Friendly Landscape Program" and label instructions when applying fertilizers.

J. *Licensing of Commercial Applicators.*

1. All businesses applying fertilizer to turf or landscape plants (including, but not limited to, residential lawns, golf courses, commercial / industrial properties, and multi-family and condominium properties) must ensure that the business owner or his/her designee holds the appropriate "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries" training certificate prior to the business owner obtaining a Local Business Tax Certificate. Owners for any category of occupation which may apply any fertilizer to Turf and/or Landscape Plants shall provide proof of completion of the program to the City of Boynton Beach Business Tax Office. It is the responsibility of the business owner to maintain the "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries" certificate to receive their Business Tax Receipt annually.

2. After July 31, 2019, all commercial applicators of fertilizer within the City of Boynton Beach shall have and carry in their possession at all times when applying fertilizer, evidence of certification by the Florida Department of Agriculture and Consumer Services as a Commercial Fertilizer Applicator per Rule 5E-14.117(18), F.A.C.

3. All businesses applying fertilizer to turf and/or landscape plants (including, but not limited to, residential lawns, golf courses, commercial / industrial properties and multi-family and condominium properties) must ensure that at least one (1) employee has an appropriate "Florida-Friendly Best Management Practices for Protection of Water Resources by the Green Industries" training certificate prior to the business owner obtaining a business tax certificate.

K. *Enforcement.* These provisions shall be enforced by (1) the City of Boynton Beach Code Enforcement Board or Special Master pursuant to the authority granted by Section 162.01 et. seq., F.S., as may be amended and the City of Boynton Beach Code of Ordinances, as may be amended, or (2) the City of Boynton Beach through its authority to enjoin and restrain any person violating the City of Boynton Beach Code of Ordinances through the prosecution of violations in the name of the State of Florida pursuant to the authority granted by Section 125.69, F.S., as may be amended. The City of Boynton Beach may also pursue any other enforcement remedies available at law or in equity.

L. *Penalties.*

1. Failure to comply with the requirement of this Ordinance shall constitute a violation of this Ordinance and shall be punishable by a fine not to exceed $250 per incident for the violation or a fine not to exceed $500 per incident for a repeat violation, and, in addition, may include all costs of repairs and remediation

including administrative costs. Each new day the violation exists it is considered a separate incident.

2. In determining the amount of fines that should be imposed, the Code Enforcement Board or Special Master shall consider the following factors: (1) the gravity of the violation; (2) Any actions taken by the violator to correct the violation; and (3) Any previous violations committed by the violator. If determined the violation is irreparable or irreversible in nature, a fine not to exceed $15,000 per violation may be imposed.

M. *Appeals.* An aggrieved party, including the City of Boynton Beach, may appeal a final administrative order of the Code Enforcement Board or Special Master to the circuit court. Such an appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created before the Board or Special Master. An appeal shall be filed within thirty (30) days of the execution of the order to be appealed.

Sec. ~~5~~6. Hazardous or Diseased Trees.

Any dying or dead tree the city determines poses a threat, hazard, or danger to the public shall be removed without delay by the property owner, without the need for obtaining a permit, provided the subject tree is removed under the supervision of a certified arborist in accordance with the standards of the International Society Arboriculture (ISA). This provision shall include diseased trees or those in a condition that could potentially contaminate other trees, such as the lethal yellowing of coconut palm trees.

(Ord. 10-025, passed 12-7-10)

Sec. ~~6~~7. Prohibited Trees, Exotic, and Invasive Species.

A. *General.* Plants classified as a Category I species on the current prohibited list published by the Florida Exotic Pest Plant Council (FLEPPC) are not allowed within the city.

B. *Tree Removal and Mitigation.* Any tree classified as a prohibited species under this subsection shall be removed at the expense of the property owner prior to commencement of construction in accordance with the following:

1. Vacant and Undeveloped Property.

a. Less than Two (2) Acres. If the parcel of property is less than two (2) acres, no permit or review by the city is required to remove the exotic tree species listed above. A courtesy inspection and identification of exotic species may be performed by staff, at no cost to the property owner, upon request of the property owner.

b. Two (2) Acres or Greater. If the parcel of property is equal to or greater than two (2) acres, a land development permit shall be required in accordance with the procedures set forth in Chapter 2, Article III, Section 3 to remove exotic and invasive species, except where exempt under the provisions of Section 1.E. above.

2. Developed Property. On properties that have valid site plan (landscape plan) approval, no land development permit shall be required to remove exotic or invasive trees unless the subject trees were previously approved as part of, or contribute to landscape buffering, or to

otherwise comply with the standards of Chapter 2, Article II, Landscape Design and Buffering Standards. In these instances, the removal of all such trees shall be subject to the mitigation requirements of Section 3.C. above at the expense of the property owner. For the purpose of this section, the term "site plan" is construed to include master site plan and technical site plan applications, and to ultimately mean the process by which a landscape plan is approved.

(Ord. 10-025, passed 12-7-10; Am. Ord. 11-019, passed 8-2-11)

Sec. ~~7~~8. Appeals.

A. *General.* Any aggrieved person may appeal a decision of an administrative official in accordance with Chapter 1, Article VIII, Section 1.

B. *Environmentally Sensitive Lands.* When appealing the provisions of Section 3.B.4. above, the appellant shall address the following:

1. Whether the subject property is an environmentally sensitive land or contains endangered, threatened, and rear species and/or species of special concern in accordance with the definitions in Chapter 1, Article II; and

2. Whether the conditions placed on the development application are reasonable and represent sound environmental practices necessary to mitigate possible harmful impacts upon the subject property and are necessary in order to protect the health, safety, and welfare of the citizens of the city.

(Ord. 10-025, passed 12-7-10)

Sec. ~~8~~9. Penalties.

The city or any other legal authority shall enforce any violation of this article pursuant to the penalty provisions contained in Chapter 1, Article I, Section 7 of these Land Development Regulations, or as otherwise defined herein. In addition, the removal of each tree shall constitute a separate offense under this article.

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
PROPOSED ORDINANCE NO. 19-020 - FIRST READING - Approve proposed amendments to Part II, Code of Ordinances, Chapter 10, Article II, Refuse, Garbage and Trash, Section 10-30, Rates and charges for City service; allowing rates to be set by resolution of the Commission.

EXPLANATION OF REQUEST:
Solid Waste operations are fully funded through an approved rate structure. As operational and capital costs increase or decrease, rates should be adjusted to ensure financial sustainability of the Division.

In order to maintain long term financial stability, rates should be reviewed and adjusted annually based on projected changes in the cost of supplies, materials, labor, and contractual services. Costs changes in these categories are captured by the federal government and published in various Consumer Price Indices (CPI's).

Staff is proposing to replace the existing fee structure from the City Code of Ordinances and allow rates to be set by resolution of the City Commission.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?
A well managed and funded Solid Waste operation is an important part of the ongoing success of the city. The services provided are some of the essential requirements needed to provide a good quality of life to the residents and business.

FISCAL IMPACT: Budgeted
Appropriate rates for the services of the Solid Waste Division are essential for the long term stability of the operation with the appropriate level of investment in the maintenance and improvement of the Division.

ALTERNATIVES: Maintain the existing method of rate adjustments.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

ATTACHMENTS:

Type	Description
Ordinance	Ordinance approving removal of Solid Waste rates in Code and done by Resolution

ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, AMENDING CHAPTER 10 OF THE CITY'S CODE OF ORDINANCES, "GARBAGE, TRASH AND OFFENSIVE CONDITIONS," ARTICLE II, "REFUSE, GARBAGE AND TRASH", SECTION 10-30, "RATES AND CHARGES FOR CITY SERVICE" ALLOWING FOR SOLID WASTE RATES TO BE SET BY RESOLUTION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, Solid Waste operations are fully funded through an approved rate structure and as operational and capital costs increase or decrease, rates should be adjusted to ensure financial sustainability of the utility; and

WHEREAS, in order to maintain long term financial stability, rates should be adjusted annually based on projected changes in the cost of supplies, materials, labor, and contractual services which costs changes in these categories are captured by the federal government and published in various Consumer Price Indices (CPI's); and

WHEREAS, the City Commission finds the adoption of the proposed ordinance is in the best interest of the health, safety, and welfare of the citizens and residents of the City of Boynton Beach.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH FLORIDA, THAT:

Section 1. Each "Whereas" clause set forth above is true and correct and incorporated herein by this reference.

Section 2. Chapter 10, Garbage, Trash and Offensive Conditions, Article II, Refuse, Garbage and Trash, Section 10-30 is amended as follows:

ARTICLE II. REFUSE, GARBAGE AND TRASH*

…

Sec. 10-30. Rates and charges for City service.

The rates and charges for refuse collection service provided by the City shall be as follows:

Current rate schedules shall be maintained on file in the Office of the City Clerk and shall be available, without charge, to the public. Fees shall be paid according to the fee schedule

approved by the City Commission. All Solid Waste Division fees are subject to amendment by resolution by the City Commission.

~~(a) *Commercial containerized, excluding multifamily residential units:*~~

~~(1) Monthly commercial charges shall consist of a total of the following three (3) items:~~

~~a. Rental charge - The charge assessed to account for expenses related to the provision of commercial refuse containers. The Public Works Director shall annually adjust the container rental fee based upon changing market prices of new containers.~~

~~b. Disposal charge-A fixed disposal charge as set and modified from time to time by the Palm Beach County Solid Waste Authority. This price shall be passed on to the customer directly.~~

~~c. Operating charge-A fixed charge per cubic yard to cover all other labor and equipment hauling expenses and charges of the Solid Waste Department. The rate in 2014 - 2015 will be fixed at four dollars ($4.00) per cubic yard and shall be increased annually thereafter based upon changes to operating expenses at the discretion of the Public Works Director at the beginning of each fiscal year, or as otherwise provided by the City Commission.~~

~~(2) Partial monthly service will be charged on a prorated basis, based on the rates in subsection (1a.) above.~~

~~(3) Mechanical compressed or compactor refuse shall have the disposal rate computed at a three-to-one (3:1) ratio of the disposal rates set forth in subsection (1b.) above. Containers with compactors shall be furnished by the owner, therefore, no rental cost shall be charged.~~

~~(b) *Noncontainerized commercial service:* Refuse picked up from residential type cans at commercial establishments shall have their level of service negotiated by the Public Works Department.~~

~~(c) *Collection rates:*~~

~~Fiscal Year~~	~~Single-Family~~	~~Multi-Family~~
~~FY 2017-18~~	~~$16.00~~	~~$12.75~~
~~FY 2018-19~~	~~$17.00~~	~~$13.75~~
~~FY 2019-20~~	~~$17.50~~	~~$14.25~~
~~FY 2020-21~~	~~$18.00~~	~~$14.75~~

~~(d) *Roll-off rates.* Rates for roll-off dumpsters for construction and demolition debris shall be established and modified from time to time by the Director of Public Works based upon private markets conditions.~~

Section 3. Each and every other provision of Chapter 10, not herein specifically amended shall remain in full force and effect as previously enacted.

Section 4. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 5. Should any section or provision of this ordinance or portion hereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the remainder of this ordinance.

Section 6. Authority is hereby granted to codify said ordinance.

Section 7. This ordinance shall become effective immediately upon its passage and adoption.

FIRST READING this ____ day of _____, 2019.

SECOND, FINAL READING AND PASSAGE this _____ day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	_____	_____
Vice Mayor – Justin Katz	_____	_____
Commissioner – Mack McCray	_____	_____
Commissioner – Christina L. Romelus	_____	_____
Commissioner – Ty Penserga	_____	_____
VOTE	_____	

ATTEST:

_____
Queenester Nieves
Deputy City Clerk

(Corporate Seal)

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: PROPOSED ORDINANCE NO. 19-021 - FIRST READING - Approving the partial abandonment an 11 ft. by 30 ft. portion of an existing utility easement along Woolbright Road as part of the Wawa project located at Woolbright Road and Congress Avenue. This area will be dedicated as public right of way by Palm Beach County, and the City utilities will be located within the public right of way.

EXPLANATION OF REQUEST: As part of the Wawa project at Woolbright Road and Congress Avenue, a partial abandonment of an 11 ft. by 30 ft. portion of an existing utility easement is required. The abandoned portion of the easement will be dedicated as public right of way to comply with Palm Beach County's expanded intersection requirements and allow for a required right turn lane from Woolbright Road to Congress Avenue. The County requires the dedication area to be free and clear of any encumbrances or encroachment, therefore the purpose of the abandonment is to clear the title to allow the dedication as public right of way.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES? There is no adverse impact to City programs or services. The City's utilities will be accessible within the public right of way.

FISCAL IMPACT: Budgeted
There is no fiscal impact to the City.

ALTERNATIVES: Do not approve the abandonment.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

ATTACHMENTS:

	Type	Description
🗋	Ordinance	Ordinance for partial abandonment of existing Utility Easement for Wawa Project (Woolbright)
🗋	Addendum	Utility Easement Abandonment Sketch and Legal Description
🗋	Addendum	Specific Purpose Survey with Portion of Utility Easement to be Abandoned Highlighted
🗋	Addendum	Right of Way Dedication
🗋	Addendum	Existing Utility Easement

ORDINANCE NO. 19-

AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA, AUTHORIZING THE PARTIAL ABANDONMENT OF AN EXISTING 11 FOOT BY 30 FOOT WIDE PORTION OF A UTILITY EASEMENT ALONG WOOLBRIGHT ROAD AS PART OF THE WAWA PROJECT LOCATED AT WOOLBRIGHT ROAD AND CONGRESS AVENUE, SUBJECT TO STAFF COMMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE A DISCLAIMER, WHICH SHALL BE RECORDED WITH THIS ORDINANCE IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is requesting the partial abandonment of a portion of an existing 11 foot by 30 foot wide utility easement recorded December 18, 2000, in ORB 12202, Page 1344 of the Public Records of Palm Beach County; and

WHEREAS, the abandoned portion of the easement will be dedicated as a public right of way to comply with Palm Beach County's expanded intersection requirements and allow for a required right turn lane from Woolbright Road to Congress Avenue; and

WHEREAS, the County requires the dedication area to be free and clear of any encumbrances or encroachments, therefore the purpose of the abandonment is to clear title to allow the dedication as a public right of way and the City's utilities will be accessible within the public right of way; and

WHEREAS, comments have been solicited from the appropriate City Departments, and public hearings have been held before the City Commission on the proposed abandonment; and

WHEREAS, staff finds that the portion of utility easement no longer serves a public purpose, and the City Commission adopts that finding.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA THAT:

Section 1. The foregoing Whereas clauses are true and correct and incorporated herein by this reference.

Section 2. The City Commission of the City of Boynton Beach, Florida, does hereby partially abandon a portion of an existing 11 foot by 30 foot wide utility easement recorded December 18, 2000, in ORB 12202, Page 1344 of the Public Records of Palm Beach County, subject to staff comments. The property being abandoned is more particularly described as follows:

A PORTION OF THE NORTHWEST ONE—QUARTER (NW 1/4) OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST. PALM BEACH COUNTY, FLORIDA AND BEING ALSO KNOWN AS A PORTION OF TRACT H—5 AS MARKED (NOT

INCLUDED) ON THE PLAT OF TENTH SECTION, PALM BEACH LEISUREVILLE RECORDED IN PLAT BOOK 30, PAGES 129 THROUGH 141 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT H—5; THENCE S87”39’39"W ALONG A LINE 53 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF SOUTHWEST 15TH AVENUE (WOOLBRIGHT ROAD) AS SHOWN ON SAID PLAT, A DISTANCE OF 444.27 FEET; THENCE, DEPARTING SAID LINE, N02"20'21“W, A DISTANCE OF 7.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT—OF—WAY LINE OF SAID SOUTHWEST 15TH AVENUE(WOOLBRIGHT ROAD) , AS RECORDED IN OFFICIAL RECORD BOOK 2494, PAGE 586 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE S87"39’39”W ALONG SAID NORTH RIGHT—OF—WAY LINE, A DISTANCE OF 30.00 FEET; THENCE N02"20'21“W, A DISTANCE OF 11.00 FEET; THENCE N87"39’39“E, A DISTANCE OF 30.00 FEET; THENCE S02"20’21"E, A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA
CONTAINING A TOTAL OF 330 SQUARE FEET/0.0076 ACRES MORE OR LESS.

Section 3. The City Manager is hereby authorized and directed to execute the attached Disclaimer and cause the same to be filed, with this Ordinance, in the Public Records of Palm Beach County, Florida.

Section 4. This Ordinance shall take effect immediately upon passage.

FIRST READING this ____ day of _____, 2019.

SECOND, FINAL READING AND PASSAGE THIS _____day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	_____	_____
Vice Mayor – Justin Katz	_____	_____
Commissioner – Mack McCray	_____	_____
Commissioner – Christina L. Romelus	_____	_____
Commissioner – Ty Penserga	_____	_____
VOTE	_____	

ATTEST:

_____

Queenester Nieves
Deputy City Clerk

(Corporate Seal)

DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS that the City Commission of the City of Boynton Beach, Florida, does hereby abandon a portion of an existing utility easement recorded December 18, 2000 in ORB 12202, Page 1344 of the Public Records of Palm Beach County, subject to staff comments. The property being abandoned is more particularly described as follows:

A PORTION OF THE NORTHWEST ONE—QUARTER (NW 1/4) OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST. PALM BEACH COUNTY, FLORIDA AND BEING ALSO KNOWN AS A PORTION OF TRACT H—5 AS MARKED (NOT INCLUDED) ON THE PLAT OF TENTH SECTION, PALM BEACH LEISUREVILLE RECORDED IN PLAT BOOK 30, PAGES 129 THROUGH 141 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT H—5; THENCE S87”39’39"W ALONG A LINE 53 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF SOUTHWEST 15TH AVENUE (WOOLBRIGHT ROAD) AS SHOWN ON SAID PLAT, A DISTANCE OF 444.27 FEET; THENCE, DEPARTING SAID LINE, N02"20'21“W, A DISTANCE OF 7.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT—OF—WAY LINE OF SAID SOUTHWEST 15TH AVENUE(WOOLBRIGHT ROAD) , AS RECORDED IN OFFICIAL RECORD BOOK 2494, PAGE 586 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE S87"39’39”W ALONG SAID NORTH RIGHT—OF—WAY LINE, A DISTANCE OF 30.00 FEET; THENCE N02"20'21“W, A DISTANCE OF 11.00 FEET; THENCE N87"39’39“E, A DISTANCE OF 30.00 FEET; THENCE S02"20’21"E, A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA
CONTAINING A TOTAL OF 330 SQUARE FEET/0.0076 ACRES MORE OR LESS.

IN WITNESS WHEREOF, the duly authorized officers of the City of Boynton Beach, Florida, have hereunto set their hands and affixed the seal of the City this ____ day of _____, 2019.

ATTEST: CITY OF BOYNTON BEACH, FLORIDA

_____ _____

Queenester Nieves Lori LaVerriere, City Manager
Deputy City Clerk

STATE OF FLORIDA)
)ss:
COUNTY OF PALM BEACH)

BEFORE ME, the undersigned authority, personally appeared Lori LaVerriere, City Manager of the City of Boynton Beach, Florida, known to me to be the person described in and who executed the foregoing instrument, and acknowledged the execution thereof to be her free hand and deed as such officer, for the uses and purposes mentioned therein; that she affixed thereto the official seal of said corporation; and that said instrument is the act and deed of said corporation.

WITNESS my hand and official seal in the said State and County this _____ day of _____, 2019.

_____
NOTARY PUBLIC, State of Florida
My Commission Expires:

EXHIBIT "A"

DESCRIPTION:

A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST. PALM BEACH COUNTY, FLORIDA AND BEING ALSO KNOWN AS A PORTION OF TRACT H-5 AS MARKED (NOT INCLUDED) ON THE PLAT OF TENTH SECTION, PALM BEACH LEISUREVILLE RECORDED IN PLAT BOOK 30, PAGES 129 THROUGH 141 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT H-5; THENCE S87°39'39"W ALONG A LINE 53 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF SOUTHWEST 15TH AVENUE (WOOLBRIGHT ROAD) AS SHOWN ON SAID PLAT, A DISTANCE OF 444.27 FEET; THENCE, DEPARTING SAID LINE, N02°20'21"W, A DISTANCE OF 7.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF SAID SOUTHWEST 15TH AVENUE(WOOLBRIGHT ROAD) , AS RECORDED IN OFFICIAL RECORD BOOK 2494, PAGE 586 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE S87°39'39"W ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 30.00 FEET; THENCE N02°20'21"W, A DISTANCE OF 11.00 FEET; THENCE N87°39'39"E, A DISTANCE OF 30.00 FEET; THENCE S02°20'21"E, A DISTANCE OF 11.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA
CONTAINING A TOTAL OF 330 SQUARE FEET/0.0076 ACRES MORE OR LESS.

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH A SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON WERE ABSTRACTED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NO. 18127297 JC4, DATE: MARCH 8, 2019 AT 8:00 A.M.. REVISED MARCH 18, 2019 AT 8:31 AM, ALL PLOTTABLE EXCEPTIONS ARE SHOWN.
3. BEARINGS AND DISTANCES SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF S87°39'39"W ALONG THE NORTH RIGHT-OF-WAY LINE OF WOOLBRIGHT ROAD ALSO BEING THE SOUTH LINE OF THAT PARCEL MARKED AS (NOT INCLUDED) TRACT H-5 ON THE PLAT OF TENTH SECTION, PALM LEISUREVILLE, RECORDED IN PLAT BOOK 30, PAGES 129-141 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
4. RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) BASED ON FIELD MEASUREMENTS.
5. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
6. REFERENCES TO PLAT BOOKS OR OFFICIAL RECORDS BOOK PERTAIN TO THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON JUNE 14, 2019. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 3

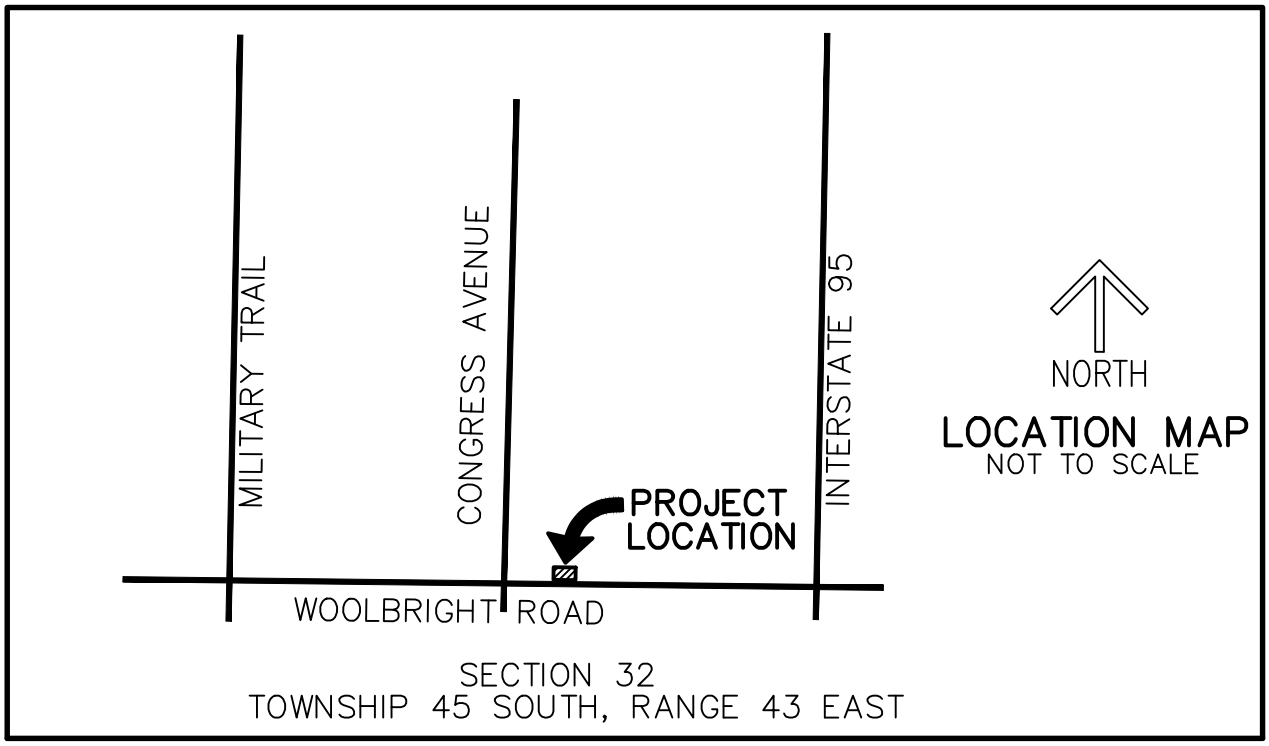
CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

WAWA WOOLBRIGHT AND CONGRESS
BOYNTON UE ABANDONMENT
SKETCH OF DESCRIPTION

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

DATE	6/14/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	7835.bom

EXHIBIT "A"



NOTES
COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 (90 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.000042659
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (90 ADJUSTMENT), FLORIDA EAST ZONE.

ROTATION EQUATION, GRID TO PLAT
00°23'13" CLOCKWISE

LEGEND

℄ – CENTER LINE
B.E. – BUFFER EASEMENT
D.E. – DRAINAGE EASEMENT
ESMT. – EASEMENT
F.P.L.–FLORIDA POWER & LIGHT
L – ARC LENGTH
L.A.E. – LIMITED ACCESS EASEMENT
O.R.B. – OFFICIAL RECORD BOOK
P.B. – PLAT BOOK
P.B.C.R. – PALM BEACH COUNTY RECORD
P.O.B. – POINT OF BEGINNING
P.O.C.– POINT OF COMMENCEMENT
PGS – PAGE(S)
R – RADIUS
R/W – RIGHT–OF–WAY
RGE. – RANGE
SEC – SECTION
Δ – DELTA (CENTRAL ANGLE)
TWP. – TOWNSHIP
U.E. – UTILITY EASEMENT
W.E. – WATER EASEMENT
S.E. – SANITARY EASEMENT

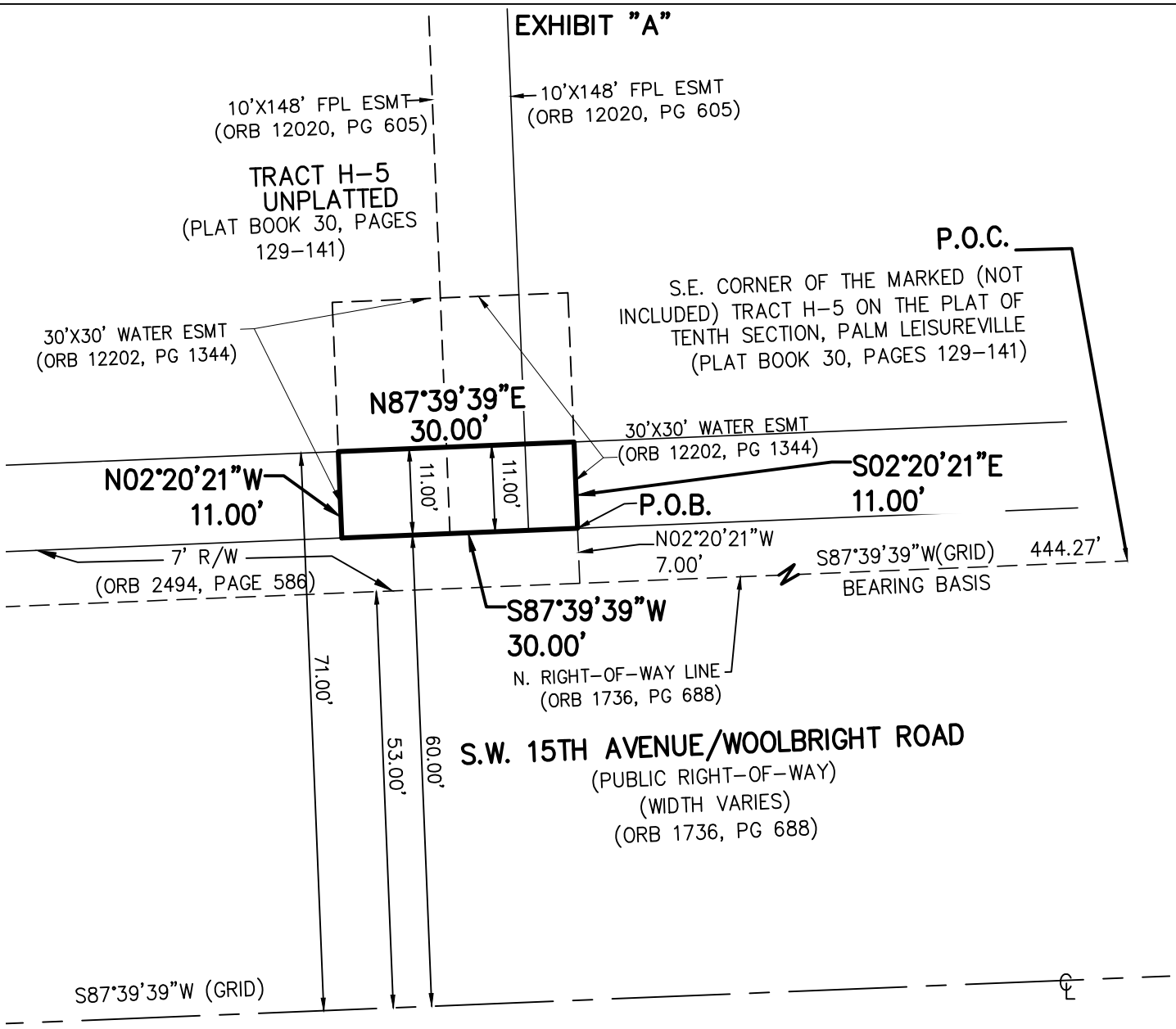
SHEET 2 OF 3

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING – LAND PLANNING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)–392–1991 / FAX (561)–750–1452

DATE	6/14/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	7835.bcm

WAWA WOOLBRIGHT AND CONGRESS
BOYNTON UE ABANDONMENT
SKETCH OF DESCRIPTION

EXHIBIT "A"



NORTH

GRAPHIC SCALE
(IN FEET)
0 10 20 40

INTENDED DISPLAY SCALE
1 INCH = 20 FEET

SHEET 3 OF 3

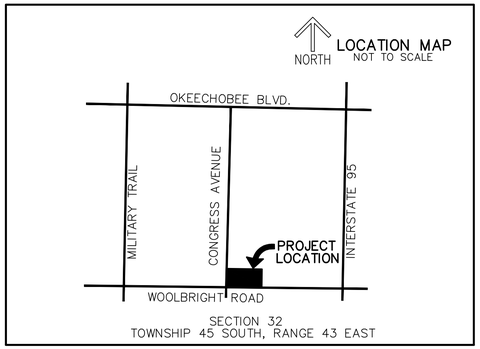
CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING – LAND PLANNING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

WAWA WOOLBRIGHT AND CONGRESS
BOYNTON UE ABANDONMENT
SKETCH OF DESCRIPTION

DATE	6/14/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	1"=20'
JOB NO.	7835.bom

CONGRESS/WOOLBRIGHT SPECIFIC PURPOSE SURVEY

A PORTION OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA



ADDRESS OF PROPERTY

2905 W WOOLBRIGHT ROAD, BOYNTON BEACH, FL

SCHEDULE B-II EXCEPTIONS
FILE NO. 18024161

Exception	Instrument Book & Page	Affect on Property
7	Plat Book 30, Page 130	Does not affect - does not lie on property
8	Plat Book 30, Page 129	Does not affect - does not lie on property
9	Deed Book 77, Page 307	Does not affect - does not lie on property
9	Deed Book 118, Page 518	Does not affect - does not lie on property
10	Deed Book 984, Page 477	Does not affect - does not lie on property
10	ORB 1724, Page 917	Does not affect - does not lie on property
10	ORB 2258, Page 497	Does not affect - does not lie on property
11	ORB 1122, Page 590	Does not affect - does not lie on property
12	ORB 1736, Page 688	Does not lie on property - provides access
12	ORB 1933, Page 201	Does not lie on property - provides access
13	Right-of-Way of Congress Ave & Woolbright Road	Does not lie on property - provides access
14	ORB 6495, Page 761	Does not affect
14	ORB 6495, Page 1165	Does not affect
14	ORB 6495, Page 1545	Does not affect
14	ORB 6495, Page 1554	Does not affect
15	ORB 10718, Page 893	Affects as shown
16	ORB 11375, Page 1081	Affects as shown
17	ORB 12020, Page 605	Affects as shown
18	ORB 12202, Page 1340	Does not affect
19	ORB 12202, Page 1344	Affects as shown
20	ORB 12829, Page 1931	Affects as shown
21	ORB 12829, Page 1934	Affects as shown
21	ORB 13450, Page 56	Affects as shown
22	removed as directed	removed as directed
23	ORB 13076, Page 114	Affects as shown
23	ORB 13210, Page 265	Affects as shown

NOTES
COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 (90/98 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.000042659
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (90 ADJUSTMENT), FLORIDA EAST ZONE.
ROTATION EQUATION, GRID TO PLAT
00°23'13" CLOCKWISE

DESCRIPTION:

A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST. PALM BEACH COUNTY, FLORIDA AND BEING ALSO KNOWN AS TRACT H-5, LESS THE EAST 200 FEET THEREOF, AS MARKED (NOT INCLUDED) ON THE PLAT OF TENTH SECTION, PALM BEACH LEISUREVILLE RECORDED IN PLAT BOOK 30, PAGES 129 THROUGH 141 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE, ALONG THE NORTH LINE OF SAID SECTION 32, N87°39'39"E, A DISTANCE OF 60.01 FEET; THENCE, DEPARTING SAID NORTH LINE, ALONG A LINE 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 32, S01°23'16E, A DISTANCE OF 40.01 FEET TO A POINT ON A LINE 40 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 32 AND THE POINT OF BEGINNING;
THENCE, ALONG SAID PARALLEL LINE, N87°39'39"E, A DISTANCE OF 13.76 FEET TO A POINT ON A LINE 73.76 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 32; THENCE, ALONG SAID PARALLEL LINE, S01°23'25"E, A DISTANCE OF 141.94 FEET; THENCE S46°51'53"E, A DISTANCE OF 56.24 FEET TO A POINT ON A LINE 71 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF S.W. 15TH AVENUE (WOOLBRIGHT ROAD), AS NOW LAID OUT AND IN USE; THENCE, ALONG SAID PARALLEL LINE, N87°39'39"E, A DISTANCE OF 436.23 FEET TO A POINT ON A LINE 550 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 32; THENCE, ALONG SAID PARALLEL LINE, S01°23'53"E, A DISTANCE OF 11.00 FEET TO A POINT ON A LINE 60 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF S.W. 15TH AVENUE (WOOLBRIGHT ROAD), AS NOW LAID OUT AND IN USE; THENCE, ALONG SAID PARALLEL LINE, S87°39'39"W, A DISTANCE OF 439.26 FEET; THENCE N46°51'53"W, A DISTANCE OF 71.29 FEET TO A POINT ON A LINE 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 32; THENCE, ALONG SAID PARALLEL LINE N1°23'25"W, A DISTANCE OF 142.20 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA
CONTAINING A TOTAL OF 7,408 SQUARE FEET/0.1701 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

1. REPRODUCTIONS OF THIS SURVEY ARE NOT VALID UNLESS SEALED WITH A SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON WERE ABSTRACTED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NO. 18127297 JC4, DATE: MARCH 8, 2019 AT 8:00 A.M.. REVISED MARCH 18, 2019 AT 8:31 AM..
3. BEARINGS AND DISTANCES SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF S01°23'25"E ALONG THE WEST LINE OF THE NORTHWEST ONE QUARTER OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) AND BASED ON FIELD MEASUREMENTS.
4. THE "LAND DESCRIPTION" HEREON WAS WRITTEN BY THE SURVEYOR.
5. FLOOD ZONE X; FLOOD INSURANCE RATE MAP PANEL NO. 120196 0789 F, EFFECTIVE DATE OCTOBER 5, 2017.
6. THERE IS DIRECT ACCESS TO THE SUBJECT PROPERTY FROM WOOLBRIGHT ROAD AND CONGRESS AVENUE, PUBLIC RIGHT-OF-WAYS.
7. AT THE TIME OF THIS SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF THE SUBJECT PROPERTY BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
8. AT THE TIME OF THIS SURVEY THERE WAS NO OBSERVABLE SURFACE EVIDENCE OF EARTH MOVING WORK OR BUILDING CONSTRUCTION OR PROPOSED STREET RIGHT-OF-WAY CHANGES OR RECENT SIDEWALK CONSTRUCTION.
9. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
10. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
11. THE RELATIONSHIP OF ALL BEARINGS AND DISTANCES SHOWN HEREON ARE RECORD, UNLESS SHOWN OTHERWISE.
12. IN THE COURSE OF CONDUCTING THE FIELD SURVEY, NO WETLAND MARKERS SET BY OTHERS WERE OBSERVED.
13. REFERENCES TO PLAT BOOKS OR OFFICIAL RECORDS BOOK PERTAIN TO THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SPECIFIC PURPOSE SURVEY OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON OCTOBER 29, 2018. I FURTHER CERTIFY THAT THIS SPECIFIC PURPOSE SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

REVISIONS	DATE	BY
REVISED PER PBC COMMENTS	4/26/19	
UPDATE TITLE	03/12/19	DLS
RESIZE R/W DEDICATION	03/12/19	DLS

FILE NAME 7835-SPS2

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - SURVEYING
LANDSCAPE ARCHITECTURE
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

A PORTION OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

DATE	10/29/18
DRAWN BY	DLS
F.B./ PG.	ELEC
SCALE	AS SHOWN

DAVID P. LINDLEY
REGISTERED LAND SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

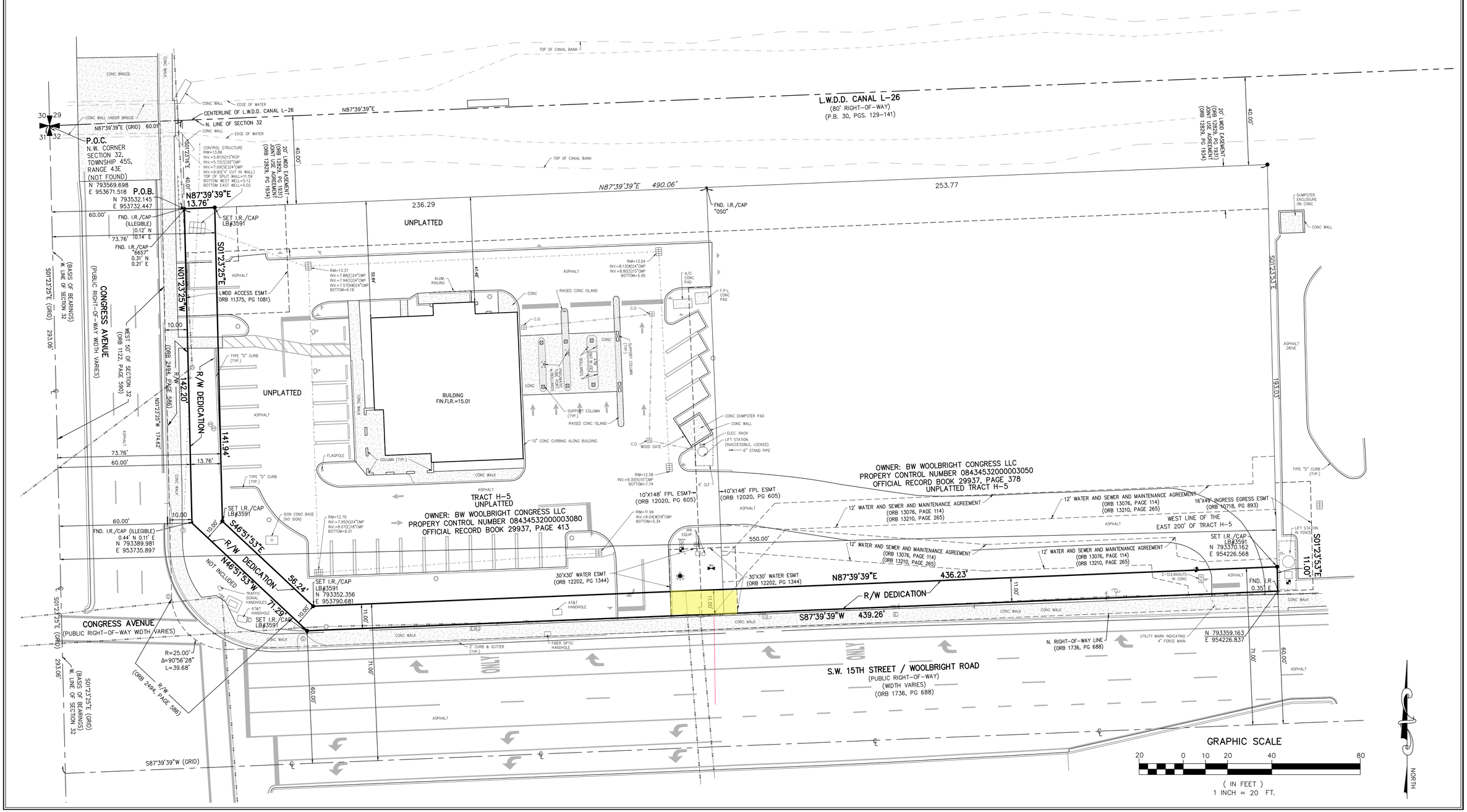
JOB # 7835
SHT.NO. 1
OF 2 SHEETS

CONGRESS/WOOLBRIGHT SPECIFIC PURPOSE SURVEY

A PORTION OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

LEGEND

A/C – AIR CONDITIONER
L – ARC LENGTH
ALUM. – ALUMINUM
B.E. – BUFFER EASEMENT
C.O. – CLEANOUT
CLF – CHAIN LINK FENCE
CONC. – CONCRETE
COV. COVERED
D.E. – DRAINAGE EASEMENT
ELEC. – ELECTRIC
ELEV. – ELEVATION
EQUIP. – EQUIPMENT
ESMT. – EASEMENT
EXIST. – EXISTING
F.P.L.–FLORIDA POWER & LIGHT
FIN. – FINISHED
FLR. – FLOOR
FND. – FOUND
I.R./CAP – IRON ROD & CAP
INV. – INVERT
IRR. – IRRIGATION
L.A.E. – LIMITED ACCESS EASEMENT
O/S – BUILDING OFFSET
O.R.B. – OFFICIAL RECORD BOOK
P.B. – PLAT BOOK
P.B.C.R. – PALM BEACH COUNTY RECORD
P.O.B. – POINT OF BEGINNING
P.O.C.– POINT OF COMMENCEMENT
PGS – PAGE(S)
P.R.M.–PERMANENT REFERENCE MONUMENT
PROP. – PROPOSED
R – RADIUS
R/W – RIGHT–OF–WAY
RGE. – RANGE
SEC – SECTION
Δ – DELTA (CENTRAL ANGLE)
SQ. FT. – SQUARE FEET
TWP. – TOWNSHIP
TYP. – TYPICAL
U.E. – UTILITY EASEMENT
W.M. – WATER METER
W.E. – WATER EASEMENT
S.E. – SANITARY EASEMENT
– LIGHT POLE
– FIRE HYDRANT
– CATCH BASIN
– WATER VALVE
– SET 5/8" IR/CAP LB 3591
– SANITARY MANHOLE
– DRAINAGE MANHOLE
– WOOD POWER POLE (UNLESS NOTED)
– CENTER LINE
– ANCHOR
– WATER METER
– RPZ
– GROUND LIGHT
– ELECTRIC HAND HOLE
– IRRIGATION CONTROL VALVE
– TRAFFIC SIGN
OHW – ELECTRICAL WIRES OVERHEAD



CORRECT BEARING CALL ALONG NORTH PARCEL LINE	04/09/19	DLS
RESIZE R/W DEDICATION	03/12/19	DLS
REVISIONS	DATE	BY
FILE NAME 7835-SPS2		

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING – SURVEYING
LANDSCAPE ARCHITECTURE
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

A PORTION OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

DATE	10/29/18
DRAWN BY	DLS
F.B./ PG.	ELEC
SCALE	1"=20'

JOB # 7835
SHT.NO. 2
OF 2 SHEETS

EXHIBIT "A"

DESCRIPTION:

A PORTION OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST. PALM BEACH COUNTY, FLORIDA AND BEING ALSO KNOWN AS TRACT H-5, LESS THE EAST 200 FEET THEREOF, AS MARKED (NOT INCLUDED) ON THE PLAT OF TENTH SECTION, PALM BEACH LEISUREVILLE RECORDED IN PLAT BOOK 30, PAGES 129 THROUGH 141 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE, ALONG THE NORTH LINE OF SAID SECTION 32, N87°39'39"E, A DISTANCE OF 60.01 FEET; THENCE, DEPARTING SAID NORTH LINE, ALONG A LINE 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 32, S01°23'16E, A DISTANCE OF 40.01 FEET TO A POINT ON A LINE 40 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID SECTION 32 AND THE POINT OF BEGINNING;

THENCE, ALONG SAID PARALLEL LINE, N87°39'39"E, A DISTANCE OF 13.76 FEET TO A POINT ON A LINE 73.76 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 32; THENCE, ALONG SAID PARALLEL LINE, S01°23'25"E, A DISTANCE OF 141.94 FEET; THENCE S46°51'53"E, A DISTANCE OF 56.24 FEET TO A POINT ON A LINE 71 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF S.W. 15TH AVENUE (WOOLBRIGHT ROAD), AS NOW LAID OUT AND IN USE; THENCE, ALONG SAID PARALLEL LINE, N87°39'39"E, A DISTANCE OF 436.23 FEET TO A POINT ON A LINE 550 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 32; THENCE, ALONG SAID PARALLEL LINE, S01°23'53"E, A DISTANCE OF 11.00 FEET TO A POINT ON A LINE 60 FEET NORTH OF AND PARALLEL WITH THE CENTERLINE OF S.W. 15TH AVENUE (WOOLBRIGHT ROAD), AS NOW LAID OUT AND IN USE; THENCE, ALONG SAID PARALLEL LINE, S87°39'39"W, A DISTANCE OF 439.26 FEET; THENCE N46°51'53"W, A DISTANCE OF 71.29 FEET TO A POINT ON A LINE 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SECTION 32; THENCE, ALONG SAID PARALLEL LINE N1°23'25"W, A DISTANCE OF 142.20 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING IN SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, CITY OF BOYNTON BEACH, PALM BEACH COUNTY, FLORIDA

CONTAINING A TOTAL OF 7,408 SQUARE FEET/0.1701 ACRES MORE OR LESS.

NOTES:

1. REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH A SURVEYOR'S SEAL.
2. LANDS SHOWN HEREON WERE ABSTRACTED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NO. 18127297 JC4, DATE: MARCH 8, 2019 AT 8:00 A.M.. REVISED MARCH 18, 2019 AT 8:31 AM, ALL PLOTTABLE EXCEPTIONS ARE SHOWN.
3. BEARINGS AND DISTANCES SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF S01°23'25"E ALONG THE WEST LINE OF THE NORTHWEST ONE QUARTER OF SECTION 32, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) AND BASED ON FIELD MEASUREMENTS.
4. THE "LAND DESCRIPTION" HEREON WAS PREPARED BY THE SURVEYOR.
5. REFERENCES TO PLAT BOOKS OR OFFICIAL RECORDS BOOK PERTAIN TO THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON APRIL 26, 2019. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

SHEET 1 OF 7

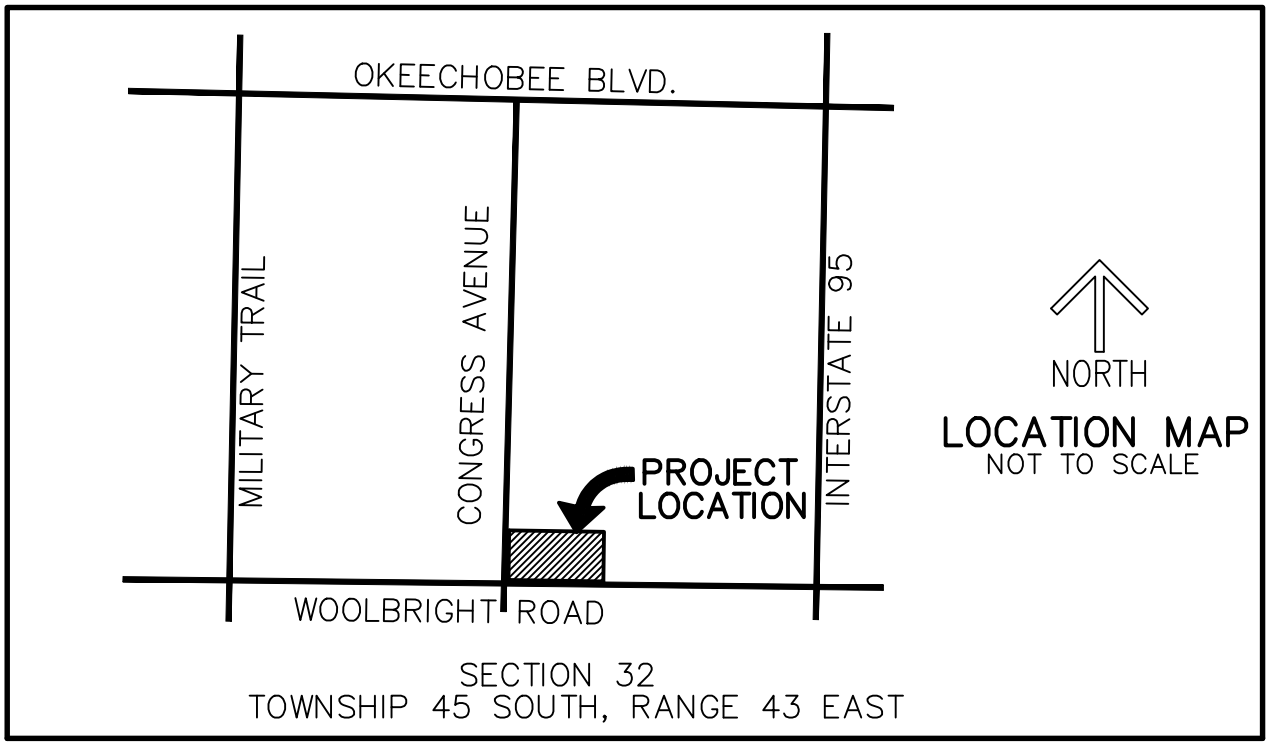
CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

WAWA WOOLBRIGHT AND CONGRESS
RIGHT-OF-WAY DEDICATION PARCEL
SKETCH OF DESCRIPTION

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
L.B. 3591

DATE	4/26/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	7835-RWD4

EXHIBIT "A"



NOTES
COORDINATES, BEARINGS AND DISTANCES

COORDINATES SHOWN ARE GRID
DATUM = NAD 83 (90/98 ADJUSTMENT)
ZONE = FLORIDA EAST
LINEAR UNIT = US SURVEY FEET
COORDINATE SYSTEM 1983 STATE PLANE
TRANSVERSE MERCATOR PROJECTION
ALL DISTANCES ARE GROUND
SCALE FACTOR = 1.000042659
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
BEARINGS AS SHOWN HEREON ARE GRID DATUM,
NAD 83 (90 ADJUSTMENT), FLORIDA EAST ZONE.
ROTATION EQUATION, GRID TO PLAT
00°23'13" CLOCKWISE

LEGEND

℄ – CENTER LINE
B.E. – BUFFER EASEMENT
D.E. – DRAINAGE EASEMENT
ESMT. – EASEMENT
F.P.L.–FLORIDA POWER & LIGHT
L – ARC LENGTH
L.A.E. – LIMITED ACCESS EASEMENT
O.R.B. – OFFICIAL RECORD BOOK
P.B. – PLAT BOOK
P.B.C.R. – PALM BEACH COUNTY RECORD
P.O.B. – POINT OF BEGINNING
P.O.C.– POINT OF COMMENCEMENT
PGS – PAGE(S)
R – RADIUS
R/W – RIGHT–OF–WAY
RGE. – RANGE
SEC – SECTION
Δ – DELTA (CENTRAL ANGLE)
TWP. – TOWNSHIP
U.E. – UTILITY EASEMENT
W.E. – WATER EASEMENT
S.E. – SANITARY EASEMENT

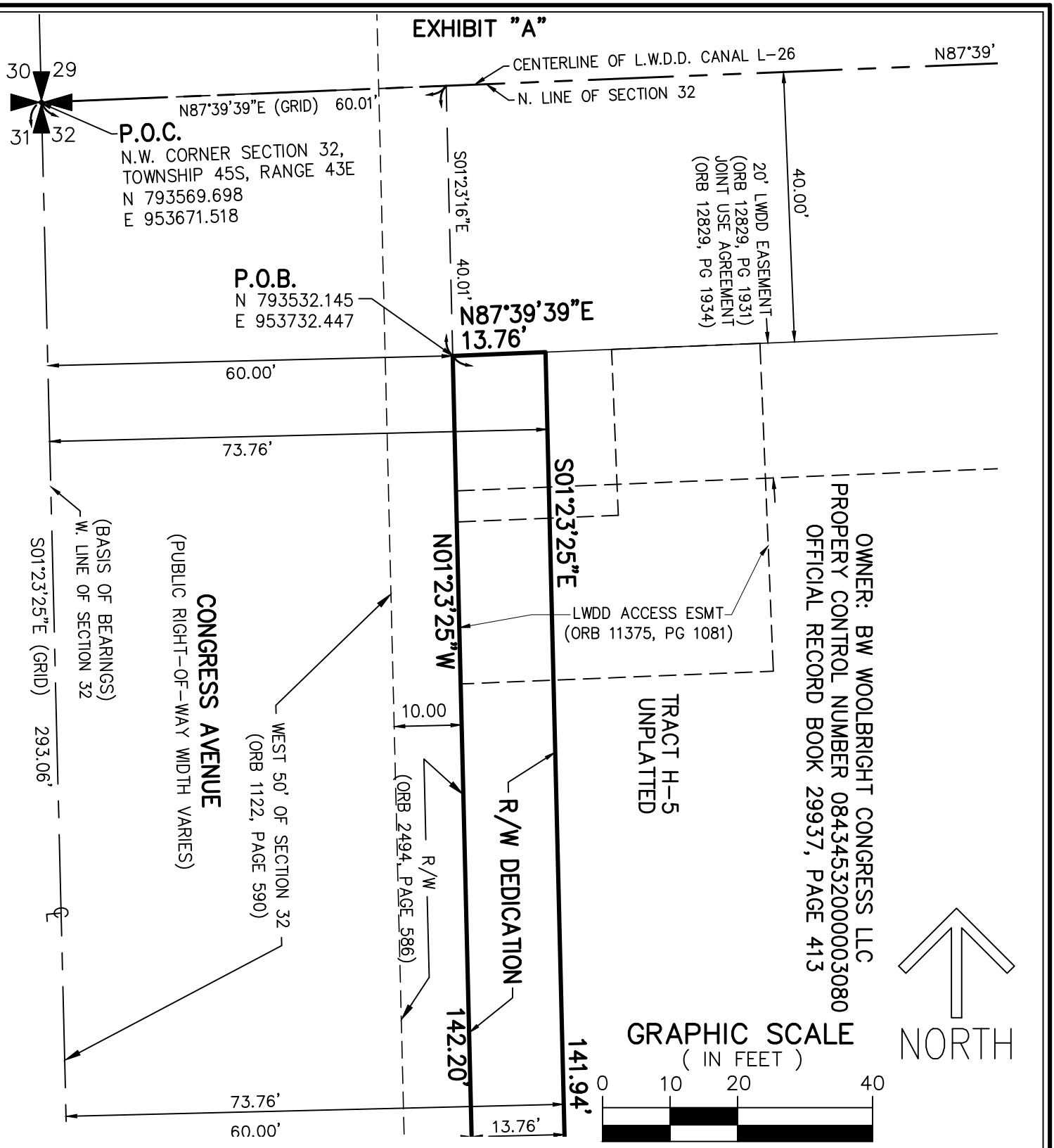
SHEET 2 OF 7

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING – LAND PLANNING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)–392–1991 / FAX (561)–750–1452

DATE	4/26/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	7835-RWD4

WAWA WOOLBRIGHT AND CONGRESS
RIGHT–OF–WAY DEDICATION PARCEL
SKETCH OF DESCRIPTION

EXHIBIT "A"



INTENDED DISPLAY SCALE
1 INCH = 20 FEET

MATCHLINE SEE SHEET 5 OF 8

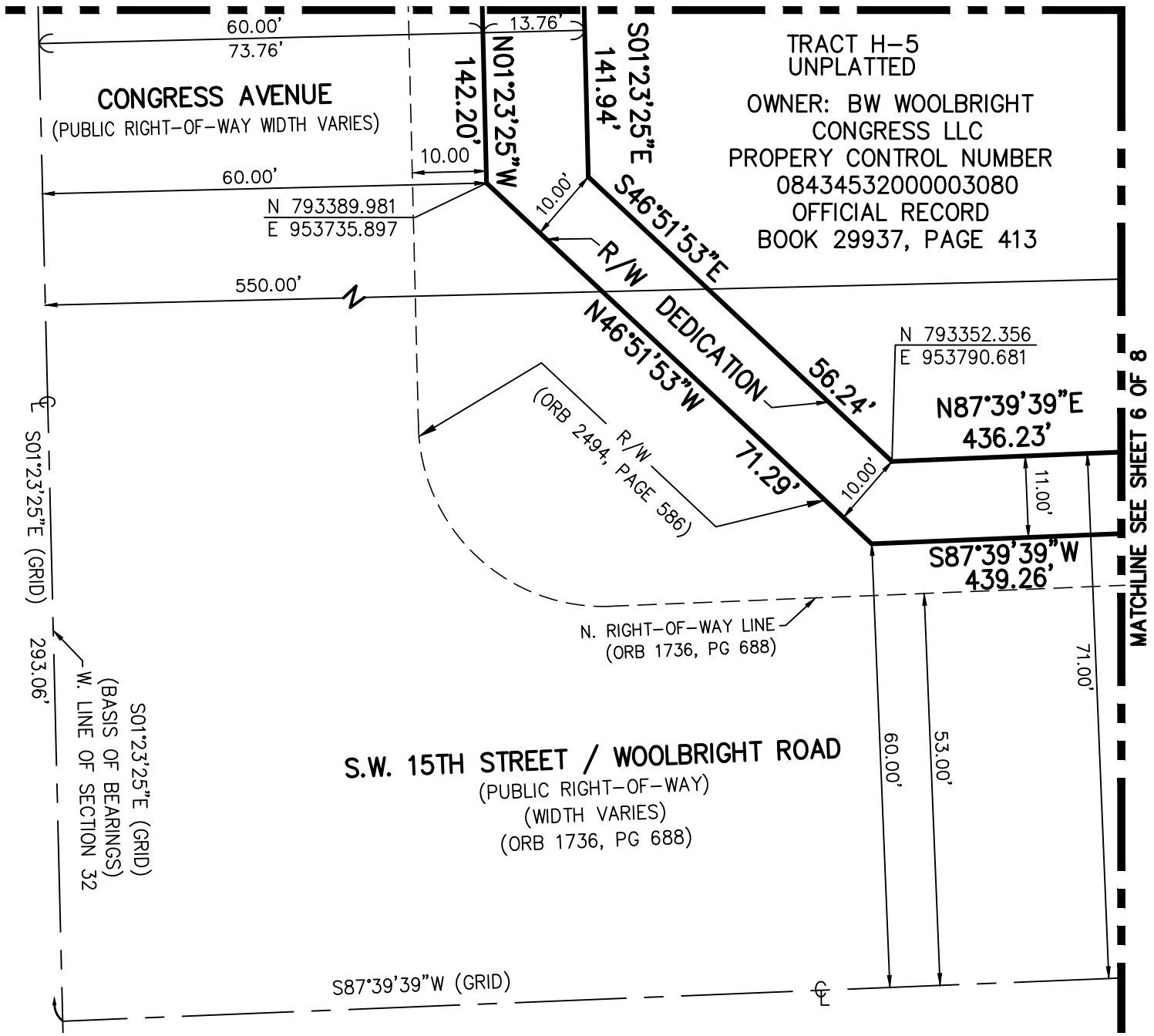
SHEET 3 OF 7

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING – LAND PLANNING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

WAWA WOOLBRIGHT AND CONGRESS
RIGHT-OF-WAY DEDICATION PARCEL
SKETCH OF DESCRIPTION

DATE	4/26/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	1"=20'
JOB NO.	7835-RWD1

EXHIBIT "A"



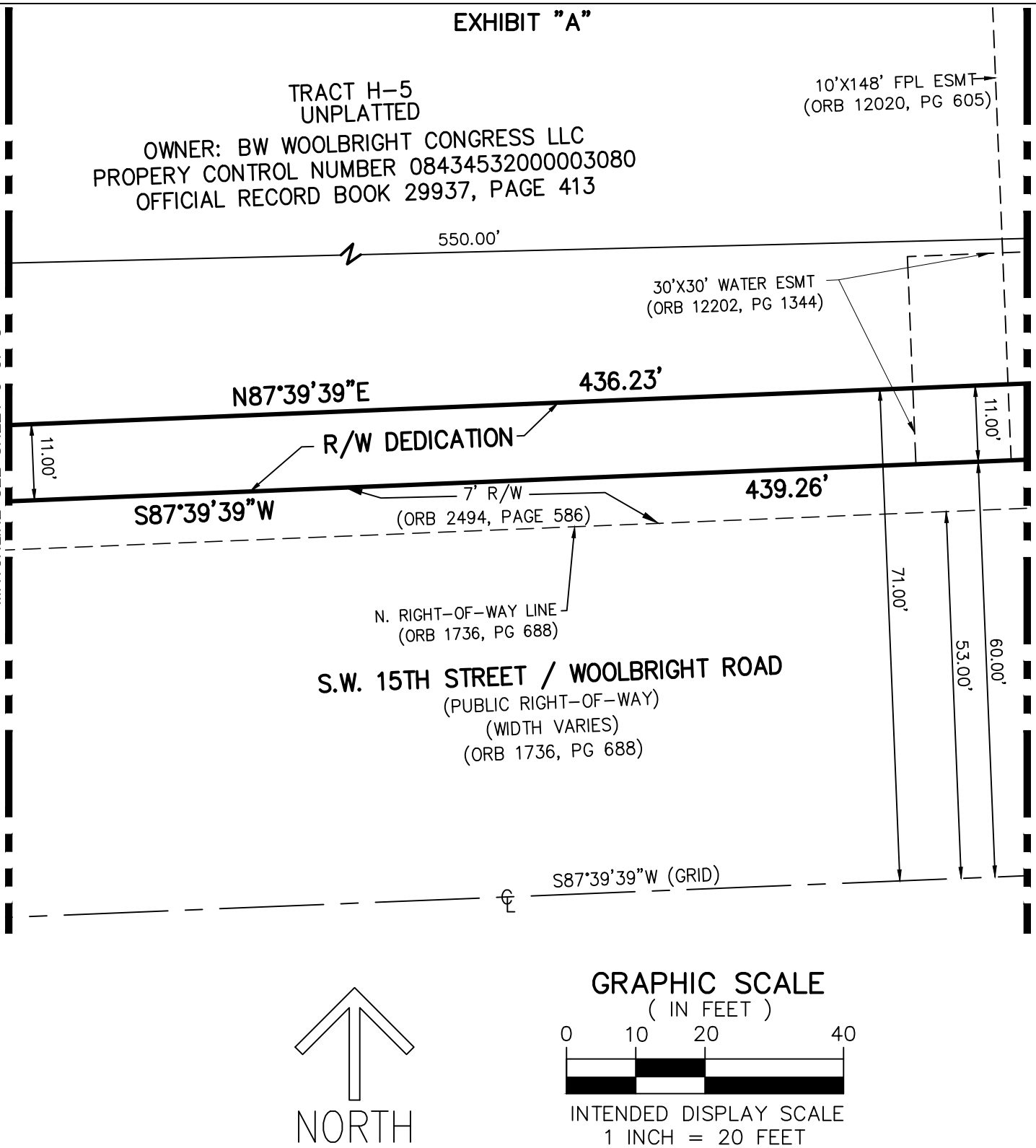
SHEET 4 OF 7

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING – LAND PLANNING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

WAWA WOOLBRIGHT AND CONGRESS
RIGHT-OF-WAY DEDICATION PARCEL
SKETCH OF DESCRIPTION

DATE	4/26/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	1"=20'
JOB NO.	7875-BWS01

EXHIBIT "A"



NORTH

GRAPHIC SCALE
(IN FEET)
0 10 20 40

INTENDED DISPLAY SCALE
1 INCH = 20 FEET

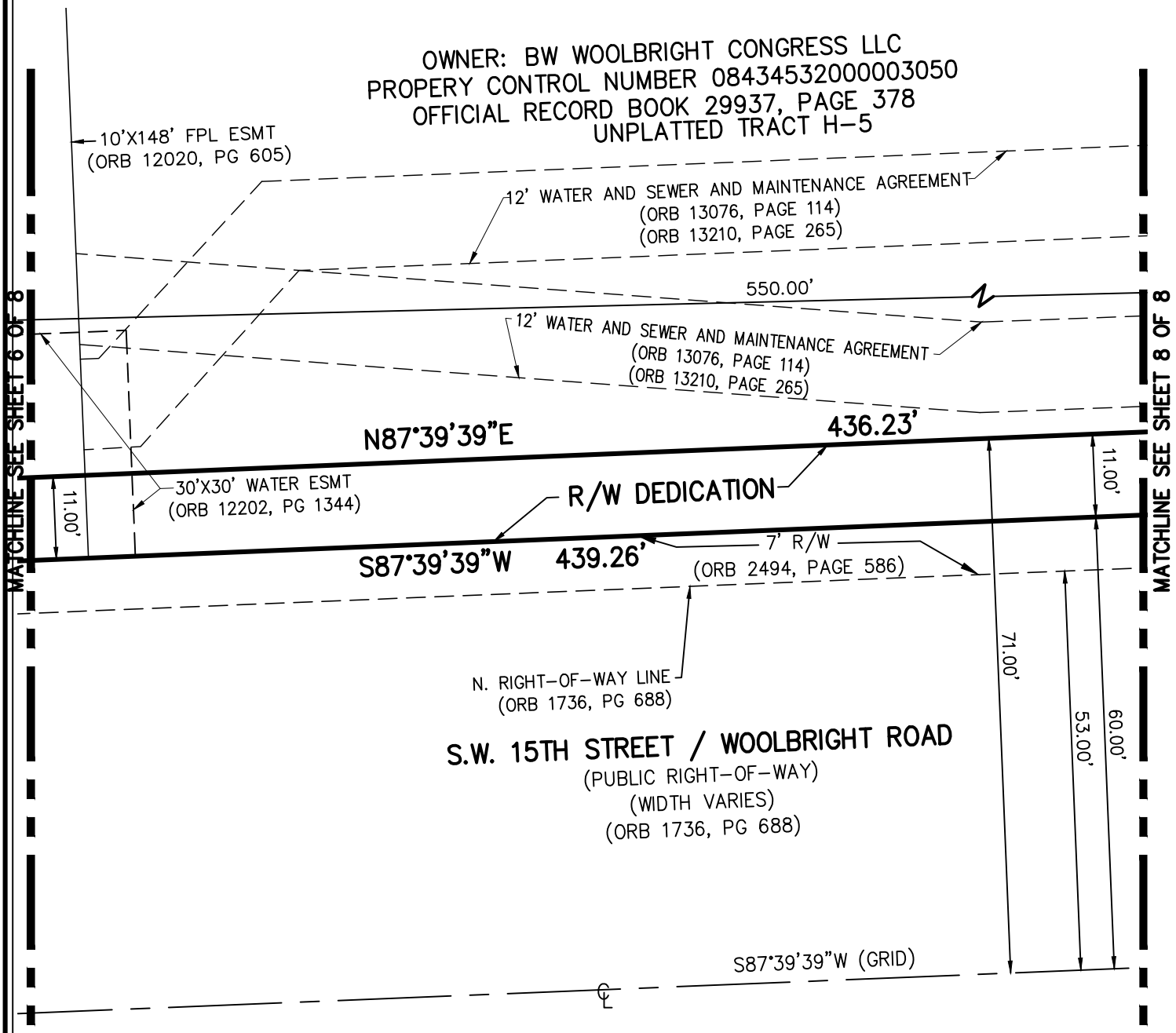
SHEET 5 OF 7

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING – LAND PLANNING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

WAWA WOOLBRIGHT AND CONGRESS
RIGHT-OF-WAY DEDICATION PARCEL
SKETCH OF DESCRIPTION

DATE	4/26/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	1"=20'
JOB NO.	7835-RWD1

EXHIBIT "A"



NORTH

GRAPHIC SCALE
(IN FEET)
0 10 20 40

INTENDED DISPLAY SCALE
1 INCH = 20 FEET

SHEET 6 OF 7

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING – LAND PLANNING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

WAWA WOOLBRIGHT AND CONGRESS
RIGHT-OF-WAY DEDICATION PARCEL
SKETCH OF DESCRIPTION

DATE	4/26/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	1"=20'
JOB NO.	7835-RWD1

EXHIBIT "A"

OWNER: BW WOOLBRIGHT CONGRESS LLC
PROPERY CONTROL NUMBER 08434532000003050
OFFICIAL RECORD BOOK 29937, PAGE 378
UNPLATTED TRACT H-5

12' WATER AND SEWER AND MAINTENANCE AGREEMENT
(ORB 13076, PAGE 114)
(ORB 13210, PAGE 265)

16'X49' INGRESS EGRESS ESMT
(ORB 10718, PG 893)

S01°23'25"E

WEST LINE OF THE
EAST 200' OF TRACT H-5

550.00'

N 793370.162
E 954226.568

12' WATER AND SEWER AND MAINTENANCE AGREEMENT
(ORB 13076, PAGE 114)
(ORB 13210, PAGE 265)

S01°23'53"E
11.00'

436.23'

N87°39'39"E

11.00'

R/W DEDICATION

11.00'

7' R/W
(ORB 2494, PAGE 586)

S87°39'39"W 439.26'

N 793359.163
E 954226.837

(BASIS OF BEARINGS)
W. LINE OF SECTION 32

MATCHLINE SEE SHEET 7 OF 8

71.00'

N. RIGHT-OF-WAY LINE
(ORB 1736, PG 688)

60.00'

60.00'

53.00'

S.W. 15TH STREET / WOOLBRIGHT ROAD
(PUBLIC RIGHT-OF-WAY)
(WIDTH VARIES)
(ORB 1736, PG 688)

℄

S87°39'39"W (GRID)

℄

NORTH

GRAPHIC SCALE
(IN FEET)
0 10 20 40

INTENDED DISPLAY SCALE
1 INCH = 20 FEET

SHEET 7 OF 7

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING - LAND PLANNING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

DATE	4/26/19
DRAWN BY	DLS
F.B./ PG.	N/A
SCALE	1"=20'
JOB NO.	7835-RWD1

WAWA WOOLBRIGHT AND CONGRESS
RIGHT-OF-WAY DEDICATION PARCEL
SKETCH OF DESCRIPTION

City of Boynton Beach
100 E Boynton Beach Blvd
P.O. Box 310
Boynton Beach,Fl 33425

EASEMENT

THIS INDENTURE made this day of , A.D., ,

by Fidelity Federal Bank & Trust,

a corporation existing under the laws of the United States of America,

and having its principal place of business at 205 Datura St.,W.P.B., FL 33401

first part, to the City of Boynton Beach, a political subdivision of the State of Florida, second party:

(Wherever used herein, the terms, "first party" and "second party" shall include singular and plural, heirs, legal representatives and assigns of individuals and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH

Whereas, the first party is the owner of property situate in Palm Beach County, Florida, and described as follows:

PCN 08-43-45-32-00-000-3080 & 08-43-45-32-00-000-3050

Legal Description:

See Attached.

and,

WHEREAS, the second party desires an easement for water and/or other appropriate purposes incidental thereto, on, over and across said property,

and,

WHEREAS, the first party is willing to grant such an easement,

NOW, THEREFORE, for and in consideration of the mutual covenants each to the other running and one dollar and other good and valuable considerations, the first party does hereby grant unto the party of the second part, its successors and assigns, full and free right and authority to construct, maintain, repair, install and rebuild facilities for above stated purposes and does hereby grant a perpetual easement on, over and across the above described property for said purposes.

IN WITNESS WHEREOF, the first party has caused these presents to be duly executed in its name and its corporate seal to be hereto affixed, attested by its proper officers thereunto duly authorized, the day and year first above written.

Signed, sealed and delivered
in the presence of:

Christopher H. Cook

BY _____
EXECUTIVE VICE PRESIDENT

ATTEST: _____
Patricia C. Clager, SECRETARY

(CORPORATE SEAL)

STATE OF FLORIDA

COUNTY OF PALM BEACH

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Christopher H. Cook

well known to me to be the Executive Vice President and Patricia C. Clager, respectively, of the Corporation named as first party in the foregoing Easement and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily, under authority duly vested in them by said Corporation, and that the seal affixed thereto is the true Corporate seal of said Corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 27th day of July A.D., 19~~99~~ 2000.

Notary Public in and for the
State and County aforesaid.

My commission expires:

OFFICIAL NOTARY SEAL
CINDY A COLLINS
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC572392
MY COMMISSION EXP. JULY 25,2000

THIS IS A NOT A BOUNDARY SURVEY

OF

LEGAL DESCRIPTION:

A portion of the South 200 feet of the North 240 feet of the East 500 feet of the West 550 feet of the North One-Quarter (N.1/4 of Section 32, Township 45 South, Range 43 East, Palm Beach Counrty, Florida and being also known as Tract H-5, Less the East 200 feet thereof, as marked (Not Included) on theplat of "TENTH SECTION, PALM LEISUREVILLE, recorded in Plat Book 30, Page 129 through 141, inclusive, public records of Palm Beach County, Florida, being more particularly described as follows;
Commence at the Southeast corner of said Tract H-5; Thence S.88°00'52"W., along a line 53 feet North of and parallel with the centerline of Southwest 15th Avenue, as shown in said Plat Book 30 at Page 129, a distance of 444.27 feet; thence N.01°59'08"W. for a distance of 7.00 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue along the last described course for a distance of 30.00 feet; thence S.88°00'52"W. for a distance of 30.00 feet; thence S.01°59'08"E. for a distance of 30.00 feet to a point on a line 7.00 feet North of the South line of said Tract H-5; thence N.88°00'52"E. along a line 7.00 feet North of the South Line of said Tract H-5 for a distance of 30.00 feet to the POINT OF BEGINNING.

SURVEYOR'S CERTIFICATE:

I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the specific purpose sketch & legal description of the real property described hereon. I further certify that this site plan was prepared in accordance with the applicable provisions of Chapter 61G17-6 Florida Administrative Code.

Ford, Armenteros & Manucy, Inc.

Date : 7/13/00
Revision 1:
Revision 2:

John H. Manucy Jr. P.S.M.
Professional Surveyor & Mapper No. 5158
State of Florida.

SURVEYOR'S NOTES:

1) The Legal Description was provided by the Client.
2) Type of Drawing: SKETCH AND LEGAL DESCRIPTION
3) Bearings shown hereon are based on: The south line of Tract H-5 of the plat of TENTH SECTION, PALM BEACH LEISUREVILLE, as recorded in Plat Book 30 at Page 129, of the Public Records of Palm Beach County, Florida, bears North 88°00'52" East.
4) Reproductions of this Drawing are not Valid unless embossed with the official Seal of the above Surveyor.
5) All bearings and distances shown hereon are recorded and measured unless otherwise shown.
6) © Copyright 2000, Ford, Armenteros, & Manucy, Inc.

SHEET 1 OF 2

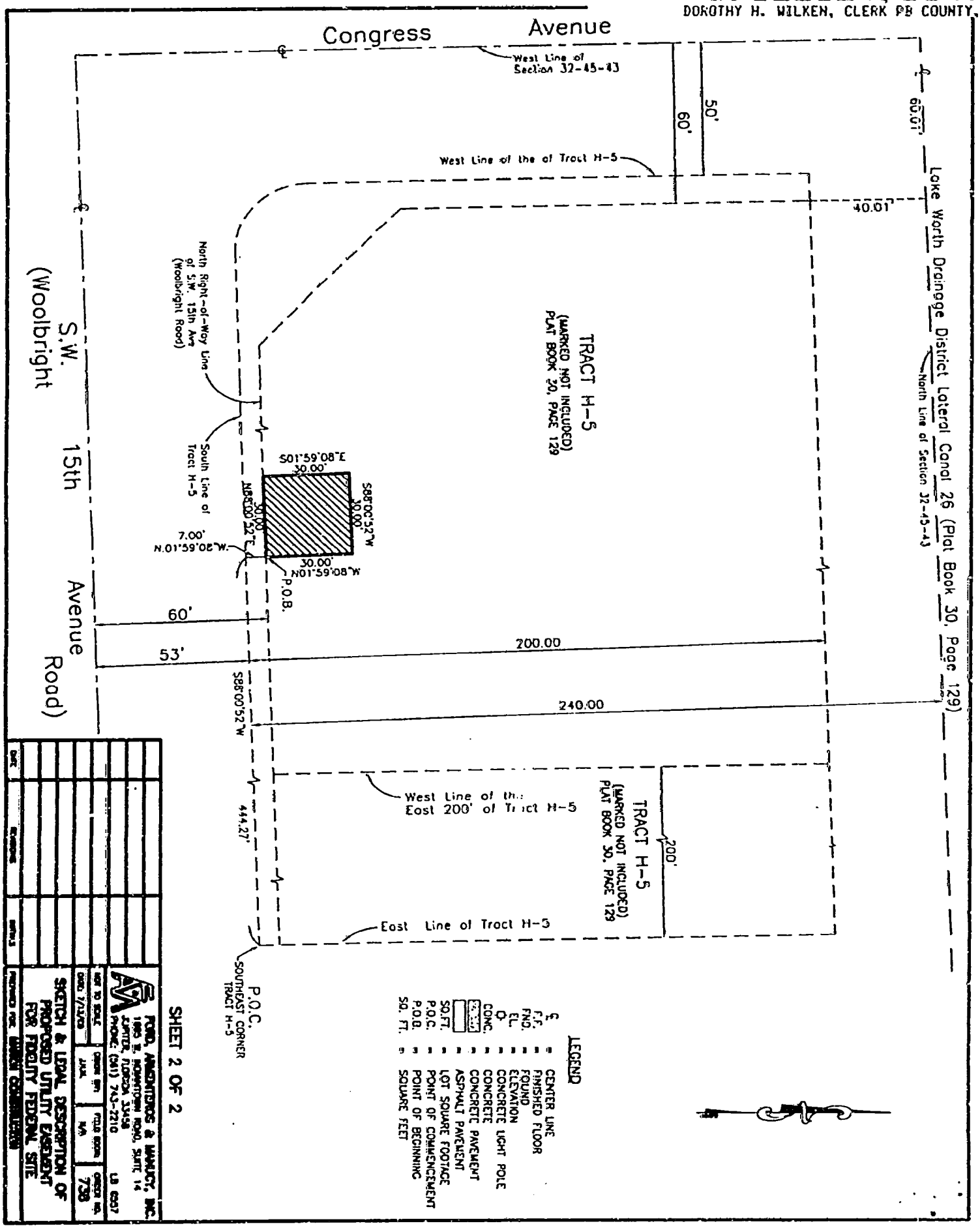
DATE	REVISIONS	INITIALS

FORD, ARMENTEROS & MANUCY, INC.
1695 W. INDIANTOWN ROAD, SUITE 14
JUPITER, FLORIDA 33458
PHONE: (561) 743-2210 LB 6557

NOT TO SCALE	DRAWN BY:	FIELD BOOK:	ORDER NO.
DATE: 7/13/00	JJCR	N/A	738

SKETCH & LEGAL DESCRIPTION OF PROPOSED UTILITY EASEMENT FOR FIDELITY FEDERAL SITE

PREPARED FOR: MANION CONSTRUCTION


Congress Avenue
West Line of Section 32-45-43
60'
50'
60.01'
West Line of the of Tract H-5
40.01'
Lake Worth Drainage District Lateral Canal 26 (Plat Book 30, Page 129)
North Line of Section 32-45-43
TRACT H-5
(MARKED NOT INCLUDED)
PLAT BOOK 30, PAGE 129
North Right-of-Way Line of S.W. 15th Ave (Woolbright Road)
South Line of Tract H-5
S.W. 15th Avenue (Woolbright Road)
S01°59'08"E
30.00'
S88°00'52"W
30.00'
N88°00'52"E
30.00'
7.00'
N01°59'08"W
30.00'
N01°59'08"W
P.O.B.
60'
53'
200.00
240.00
S88°00'52"W
West Line of the East 200' of Tract H-5
TRACT H-5
(MARKED NOT INCLUDED)
PLAT BOOK 30, PAGE 129
200'
444.27'
East Line of Tract H-5
P.O.C.
SOUTHEAST CORNER TRACT H-5
LEGEND
C CENTER LINE
F.F. FINISHED FLOOR
FND. FOUND
EL. ELEVATION
CONCRETE LIGHT POLE
CONC. CONCRETE
CONCRETE PAVEMENT
ASPHALT PAVEMENT
SQ.FT. LOT SQUARE FOOTAGE
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING
SQ. FT. SQUARE FEET
SHEET 2 OF 2
FORD, ARMENTROUT & MANUCY, INC.
1000 E. HOMESTEAD ROAD, SUITE 14
JUPITER, FLORIDA 33458
PHONE: (561) 743-2210
LB 6957
NOT TO SCALE
DRAWN BY: JAM
FIELD BOOK: NA
ORDER NO. 7538
DATE: 7/13/00
SKETCH & LEGAL DESCRIPTION OF
PROPOSED UTILITY EASEMENT
FOR FIDELITY FEDERAL SITE
PREPARED FOR: MARKET CONSTRUCTION
DATE
REVISIONS

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
PROPOSED RESOLUTION NO. R19-070 - Approving Reasonable Accommodation Policy

PROPOSED RESOLUTION NO. R19-071 - Approving Non-Discrimination Policy

---

EXPLANATION OF REQUEST:
Following a period of moratorium and completion of a zoning study by City staff in 2017, a complaint was filed with HUD, based in part, on the Fair Housing Act, alleging that the moratorium had caused a delay in the opening of a group home to serve persons with disabilities.
A Voluntary Compliance Agreement and Conciliation Agreement (aka the Settlement) was agreed upon by all parties in November 2018, which resolved the complaint. Selected requirements of the Settlement are summarized as follows:

- Provide a quarterly report to HUD documenting actions taken on all business tax receipt requests for group homes and requests for Reasonable Accommodation;
- Pay $20,000 to the Fair Housing of the Greater Palm Beaches organization for programming and advertising costs;
- Provide training for staff and elected officials on the subject of fair housing, group home permitting and licensing, and the processing of Reasonable Accommodation requests;
- **Adopt a Reasonable Accommodation Policy approved by HUD** (this agenda item);
- Amend/update the City's Reasonable Accommodation Ordinance for consistency with the Reasonable Accommodation Policy;
- **Adopt a Non-Discrimination Policy approved by HUD** (this agenda item); and
- Amend the City's Non-Discrimination Ordinance for consistency with the Non-Discrimination Policy.

The City established a Reasonable Accommodation process in 2013 to provide individuals with disabilities reasonable accommodations in the City's administration of its programs, services, and activities, including, but not limited to zoning, land use, permitting and licensing regulations, requirements and review and approval practices, to ensure access to housing and related services equal to the access that is provided to those without disabilities. The existing regulations, in part, established submittal requirements for requesting reasonable accommodation, review criteria, review and processing time periods, and an appeal procedure.
The proposed Reasonable Accommodation Policy, as approved by HUD, includes a thorough definition of Reasonable Accommodation including references to the enabling laws represented by the Fair Housing Act (FHA), Title II of the Americans With Disabilities Act (ADA), and Section 504 of the Rehabilitation Act. The Policy also establishes detailed protocol for processing requests for Reasonable Accommodation with an emphasis on clarity of communication and interaction with applicants, including the specific form letters to be used in the process. Lastly, the Policy represents the City's commitment to maximize the awareness of the public of the application process, and to work closely with each eligible applicant to ensure that accommodations are provided, even to the extent of working with each eligible applicant to arrive at acceptable alternative solutions when necessary.
The proposed Non-Discrimination Policy, as approved by HUD, clarifies the City's commitment to non-discrimination and creates a "public facing" document to make sure the public is fully informed about the City's commitment to non-discrimination.

Both policies establish a central point of contact for the public to submit requests, questions, or complaints.

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?
The two proposed policies have been reviewed and approved by HUD, the entity that is overseeing the implementation of the Settlement Agreement. The proposed policies are intended to ensure that the delivery of City services and the enforcement of City standards, regulations, and processes do not interfere with access to housing and services by disabled persons.

The two policies will be distributed to City staff to ensure that all staff are knowledgeable about the reasonable accommodation options available to citizens and customers that utilize the City's programs and services.

FISCAL IMPACT: N/A

ALTERNATIVES: None recommended.

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION: N/A

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION: N/A

Is this a grant? No

Grant Amount:

ATTACHMENTS:

Type	Description
Resolution	Resolution approving Reasonable Accommodation Policy
Resolution	Resolution approving the Non-Discrimination Policy
Addendum	Adoption of Reasonable Accommodation Policy
Attachment	Non-Discrimination Policy

RESOLUTION R19-

A RESOLUTION OF THE CITY OF BOYNTON BEACH, FLORIDA, APPROVING A REASONABLE ACCOMMODATION POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as part of a Voluntary Compliance Agreement and Conciliation Agreement, the City is required to adopt a Reasonable Accommodation Policy approved by the Department of Housing and Urban Development; and

WHEREAS, the proposed Reasonable Accommodation Policy, as approved by HUD, includes a thorough definition of Reasonable Accommodation including references to the enabling laws represented by the Fair Housing Act (FHA), Title II of the Americans With Disabilities Act (ADA), and Section 504 of the Rehabilitation Act; and

WHEREAS, the Policy also establishes detailed protocol for processing requests for Reasonable Accommodation with an emphasis on clarity of communication and interaction with applicants, including the specific form letters to be used in the process; and

WHEREAS, the Policy represents the City's commitment to maximize the awareness of the public of the application process, and to work closely with each eligible applicant to ensure that accommodations are provided, even to the extent of working with each eligible applicant to arrive at acceptable alternative solutions when necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. The City Commission does hereby approve the Reasonable Accommodation Policy which has been approved by The Department of Housing and Urban Development, a copy of which is attached hereto and made a part hereof as Exhibit "A".

Section 3. This Resolution will become effective immediately upon passage.

PASSED AND ADOPTED this _____ day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	_____	_____
Vice Mayor – Justin Katz	_____	_____
Commissioner – Mack McCray	_____	_____
Commissioner – Christina L. Romelus	_____	_____
Commissioner – Ty Penserga	_____	_____
VOTE	_____	

ATTEST:

_____
Queenester Nieves
Deputy City Clerk

(Corporate Seal)

RESOLUTION R19-

A RESOLUTION OF THE CITY OF BOYNTON BEACH, FLORIDA, APPROVING A NON-DISCRIMINATION POLICY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as part of a Voluntary Compliance Agreement and Conciliation Agreement, the City is required to adopt a Non-Discrimination Policy approved by the Department of Housing and Urban Development; and

WHEREAS, the proposed Non-Discrimination Policy, as approved by HUD, clarifies the City's commitment to non-discrimination and creates a "public facing" document to make sure the public is fully informed about the City's commitment to non-discrimination.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BOYNTON BEACH, FLORIDA, THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. The City Commission does hereby approve the Non-Discrimination Policy which has been approved by The Department of Housing and Urban Development, a copy of which is attached hereto and made a part hereof as Exhibit “A”.

Section 3. This Resolution will become effective immediately upon passage.

PASSED AND ADOPTED this _____ day of _____, 2019.

CITY OF BOYNTON BEACH, FLORIDA

	YES	NO
Mayor – Steven B. Grant	_____	_____
Vice Mayor – Justin Katz	_____	_____
Commissioner – Mack McCray	_____	_____
Commissioner – Christina L. Romelus	_____	_____
Commissioner – Ty Penserga	_____	_____
VOTE	_____	

ATTEST:

_____
Queenester Nieves
Deputy City Clerk

(Corporate Seal)

CITY OF BOYNTON BEACH

REASONABLE ACCOMMODATION POLICY

Point of Contact:

Julie Oldbury, IPMA SCP, CLRP
Director of Human Resources and Risk Management
Mailing Address: P.O. Box 310, Boynton Beach, Florida 33425
Physical Address: 3301 Quantum Blvd., Suite 101, Boynton Beach, Florida 33426
Phone: 561-742-6275

Reasonable Accommodation (RA) Defined:

It is the policy of the City of Boynton Beach, pursuant to the Fair Housing Act (FHA); Title II of Americans with Disabilities Act (ADA); Section 504 of the Rehabilitation Act (Section 504), as applicable; and any applicable local or State regulations, as may be amended from time to time, to provide individuals with disabilities reasonable accommodations in the City's administration of its programs, services, and activities, including, but not limited to zoning, land use, permitting and licensing regulations, requirements and review and approval practices, to ensure access to housing and related services equal to the access that is provided to those without disabilities. A reasonable accommodation is defined as a change, adjustment, modification, exception, alteration or adaptation in a policy, procedure, practice, program, service, activity, or facility that may be necessary for a qualified individual with a disability to have an equal opportunity to: 1) Use and enjoy a dwelling, including public and common use areas of a development; 2) Participate in, and benefit from, a program (housing or non-housing), service, or activity; or 3) to avoid discrimination against an individual with a disability.

The City commits to granting reasonable accommodations unless the accommodation would result in a fundamental alteration of the program or in an undue financial and administrative burden, considering all resources available. In such a case, the City will offer another accommodation that would not result in a fundamental alteration or an undue financial and administrative burden and that would be effective in meeting the disability-related needs of the individual. However, the individual is not required to accept the alternative accommodation that is offered. Should a particular accommodation result in a fundamental alteration or an undue financial and administrative burden, and the alternative accommodation not be accepted by the individual with the disability, the City will continue to work with the individual with a disability to identify an accommodation that is acceptable and is neither a fundamental alteration or undue financial and administrative burden as is described in "Explanation of the Reasonable Accommodation Process" Section 3(b).

For more information please see the Joint Statements of HUD and the Department of Justice regarding 1) *Reasonable Accommodation under the Fair Housing Act*, and 2) *State and Local Land Use Laws and Practices and the Application of the Fair Housing Act*.

As one example, reasonable accommodations in the zoning and land use context means providing individuals with disabilities, or developers of housing for individuals with disabilities, flexibility in the application of land use, zoning and building regulations, policies, practices and procedures, or even

waiving certain requirements, when it is necessary to eliminate barriers or otherwise ensure equal access to such housing opportunities.

The City commits to reviewing pending amendments to local ordinances and regulations to ensure that any potential conflicts with the requirements of this Policy are avoided.

Reasonable Accommodation Awareness

Notification of the Public :
The point of contact for this Policy will ensure that notices informing the public of the RA Policy and Process are available or circulated as follows:

- Posted where the public files for all applications processed by the Development Department;
- Included with application materials processed for all types of group homes as regulated by the City's Zoning Regulations including building permit and business tax receipt applications, and responses to (both approving and denying) requests for Zoning Verification; and
- On the City's Website, and clearly visible, in an accessible format, where the above-referenced applications are listed and made available for downloading.

Explanation of The Reasonable Accommodation Process in detail :

The process for requesting and receiving reasonable accommodations should be straightforward and not burdensome.

1. All persons seeking a reasonable accommodation must be provided with a copy of the City's Reasonable Accommodation Policy and a Request for Reasonable Accommodation Form ("Request Form"), or upon the individual's request, the Request Form must be provided in an accessible format based on the individual's request. Please note that the Reasonable Accommodation Request form is not required for use by individual making reasonable accommodation requests, but may be useful.

2. Any qualified individual with a disability may request a reasonable accommodation, as defined above, to the City's policies, procedures, practices, programs, services, activities, or facilities. Reasonable accommodation requests may be made orally or in writing at any time and may be made to any City staff. If a City staff person receives a reasonable accommodation request, the staff person will forward the request to the ADA coordinator.

3. Upon receiving this request, the City Official responsible for making determinations on reasonable accommodation requests will promptly notify the applicant that the request has been received and is under review. If a person's disability is obvious or otherwise already known, and if the need for the requested accommodation is also readily apparent or known, then no additional information can be sought about the requester's disability or the disability-related need for the accommodation and the City will expedite the approval. Otherwise, the City will have up to 30 calendar days to review the request and make a determination, including if necessary, the request for additional information..

3(a). If an individual's disability or the need for a requested accommodation is not readily apparent or otherwise known to the City, the City may request additional information or, when necessary, documentation. If additional information or documentation is needed to evaluate a requested reasonable accommodation, the City will seek the information through a written request to the individual making the request using the "Request for Additional Information to Process Reasonable Accommodation Request" form. The City will only require the minimal information necessary to determine if the accommodation sought would serve an individual's disability-related need. Such requests for information or verification will be narrowly tailored. Information and verification requests, and the information received in response, will be held confidentially by the City and will only be disclosed to staff with a need to know.

3(b). The interactive process is also intended to facilitate the consideration of alternative effective accommodations necessary to meet the disability-related needs of the individual with a disability. If the City establishes that the request would cause a fundamental alteration of the City's operations and/or the City's zoning scheme, or impose an undue administrative and financial burden on the City, then the City will engage in an interactive process with the requester to establish other accommodations that could be granted in order to meet the individual's disability-related needs.

4. The City of Boynton Beach will grant or deny the request within no more than 30 calendar days after receiving all information and documentation from the requesting individual. The City will not make a determination until all information has been received. All decisions to grant or deny reasonable accommodations will be communicated in writing using the City's template letters for approval or denial ("Letter Approving Request for Reasonable Accommodations" or "Letter Denying Request for Reasonable Accommodations"), or if required, in an alternative, accessible format. Should the City require additional time to make a determination, the City will provide the requester the reasons for the delay within the timeframe the City otherwise would have had to make a determination.

5. If the request is approved, the City will immediately implement the accommodation.

5(a). If the approved request cannot be honored at the time of the approval, the City will notify the individual with an estimated time frame for when the request can be implemented. The City will also provide interim accommodations as described in the "Letter Approving Request for Reasonable Accommodations," until such time that the request can be fully effectuated.

6. In the event a reasonable accommodation request is denied, individuals have a right to appeal and must do so in writing using the "Application to Appeal Denial of Request for Reasonable Accommodation" form within 30 calendar days of receipt of the letter memorializing the denial. Assistance in completion of the Appeal form will be provided by City Officials if needed. The City of Boynton Beach will honor extensions where there is good cause, including when an individual requests additional time as a reasonable accommodation. Individuals who appeal the denial of their reasonable accommodation request will be provided a hearing with a Special Magistrate. Following the hearing, the Special Magistrate will either uphold the denial or require the City to grant the reasonable accommodation request.

Standard form documents to be used in the RA process: S*ee attached letters*

- Reasonable Accommodation Request Form (optional for use by individuals making reasonable accommodation requests)
- Approval Letters
- Denial Letters
- Request for Additional Information Letters
- Implementation letters
- Application to Appeal Denial of Reasonable Accommodation

Non-Discrimination Policy

The City of Boynton Beach does not and shall not discriminate against any person in its operations, sponsorship, or in the administration of any activities, programs or services or in its hiring or promotion, or engage in any other discriminatory practice against any person(s) based on race, age, religion, color, gender, sex, gender identity or expression, sexual orientation, national origin, marital status, familial status, disability[1], political affiliation, veteran status, or any other characteristic protected by law.

Complaint Procedures

The City is committed to resolving complaints of individuals participating or benefiting from any program, service, or activity administered by the City.

The City has designated its Director of Human Resources and Risk Management as the central contact for any person who wishes to make a complaint alleging violations to the City's Non-Discrimination Policy.

Julie Oldbury, Director of Human Resources and Risk Management
City of Boynton Beach
P.O. Box 310
Boynton Beach, FL 33425
561-742-6275
hr@bbfl.us

Individuals may also file complaints with the appropriate governmental agency responsible for investigating discrimination, such as:

Florida Commission on Human Relations
4075 Esplanade Way Unit 110, Tallahassee, FL 32399
850-488-7082
fchrinfo@fchr.myflorida.com

OR

Region IV Office of FHEO
U.S. Department of Housing and Urban Development
Five Points Plaza
40 Marietta Street, 16th Floor
Atlanta, Georgia 30303-2806
(404) 331-5140
(800) 440-8091
TTY (404) 730-2654
ComplaintsOffice04@hud.gov

[1] Please also refer to the City of Boynton Beach's Reasonable Accommodation Policy.

Employment-related complaints may also be filed directly with the Equal Employment Opportunity Commission (EEOC).

https://www.eeoc.gov
1-800-669-4000 – Phone
1-800-669-6820 – TTY for Deaf/Hard of Hearing
1-844-234-5122 – ASL Video Phone for Deaf/Hard of Hearing
info@eeoc.gov

Anti-Retaliation

The City of Boynton Beach expressly prohibits retaliation in the form of intimidation, threats, coercion, or discrimination against any person for the purpose of interfering with any right or privilege contained in this Policy, or because a person has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing based on this Policy.

Complaints of retaliation should also be made to the City's point of contact for this policy, identified above.

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
Department to give brief presentation of their operations

Development - **July 2019**
Library - **September 2019**

EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Staff to review Development Department's plan review processes to identify efficiencies and technologies to assist with timely review of plans/projects -Also discuss expedited permitting ordinance. **July 16, 2019**

EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Vice Mayor Katz has requested to discuss future Dogs on the Beach Events - **July 16, 2019**

EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Dorothy Jacks, PBC Property Appraiser to address the Commission - **August 6, 2019**

EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION: Staff to present updated Social Media Policy - **August 20, 2019**

EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount:

CITY OF BOYNTON BEACH
AGENDA ITEM REQUEST FORM

COMMISSION MEETING DATE: 7/2/2019

REQUESTED ACTION BY COMMISSION:
The Mayor has requested a discussion of possible changes to Seacrest Corridor zoning and land use - **TBD**

EXPLANATION OF REQUEST:

HOW WILL THIS AFFECT CITY PROGRAMS OR SERVICES?

FISCAL IMPACT:

ALTERNATIVES:

STRATEGIC PLAN:

STRATEGIC PLAN APPLICATION:

CLIMATE ACTION: No

CLIMATE ACTION DISCUSSION:

Is this a grant? No

Grant Amount: