

Monday, May 8, 2023, at 7 PM  
Commission Workshop



Town Hall Commission Chambers  
247 Edwards Lane  
Palm Beach Shores, FL 33404

**Mayor Alan Fiers**  
**Vice Mayor Scott McCrannels**

Commissioner Tracy Larcher  
Commissioner Brian Tyler  
Commissioner Mark Ward

Town Attorney Keith Davis  
Town Accountant Darlene Hopper  
Town Clerk Jude M. Goudreau

**PLEASE NOTE:**

THIS MEETING IS ALSO CONDUCTED USING COMMUNICATION MEDIA TECHNOLOGY  
**Join information.**

**Meeting link:**

<https://townofpalmbeachshores.my.webex.com/townofpalmbeachshores/my/j.php?MTID=m972acc91d920e81b7fea8585ff4162ff> Meeting number: 2634 703 1475 Password: 0508

Join by phone: +1-408-418-9388 United States Toll Access code: 2634 703 1475

**COMMISSION WORKSHOP AGENDA**

**1) Call to Order**

- a) Pledge of Allegiance
- b) Roll Call

**2) Discussion Items:**

- Sea Spray Demolition
- Interlocal Cooperation Agreement with Palm Beach County for purposes of certain federal community development funds from the U.S. Department of Housing and Urban Development.
- EMS Contract- Final Negotiation
- Town Manger- Town Administrator Position
- Consider Supporting Palm Beach State College Proclamation-90<sup>th</sup> Anniversary.
- Updates:
  - Dredging Project
  - Status of New Drains on Lake Drive

**3) Public Comments: 3 minutes per person, per topic.**

(Please state your name)

**4) Adjournment:**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Town Commission with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings, and for such purpose may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The meeting/hearing will be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting. IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. FOR HEARING ASSISTANCE: If any person wishes to use a hearing device, please contact the Town Clerk.



**Keith W. Davis, Esq.**

*Florida Bar Board Certified Attorney in  
City, County and Local Government Law*  
Email: keith@davislawteam.com

**VIA U.S. MAIL AND E-MAIL**

May 1, 2023

Deepak Khosa  
Kannega Glades LLC  
3930 Coral Ridge Drive  
Pompano Beach FL 33065  
[deepak@atlanticnowfl.com](mailto:deepak@atlanticnowfl.com)

Re: 123 Ocean Avenue 101, Palm Beach Shores

Dear Mr. Khosa:

I am General Counsel for the Town of Palm Beach Shores, Florida ("Town"). As you are aware, your development application for site plan modification, SPM 22-11/AAR 22-11, was approved on November 30, 2022 which notified you of the following:

**If a building permit application (including construction cost estimate) is not received by the Town within six (6) months of the date of this Order, the site plan approval shall be null and void.**

As of this date of this letter, the Town of Palm Beach Shores has not received a demolition permit application to demolish the existing vacant structure or a building permit application for the newly site planned building, and the approved development order for the site plan is set to expire May 30, 2023. As such, should you fail to follow the requirements outlined in the development order approved by the Town, **the Town will immediately initiate proceedings through the Town's code enforcement process to have a special magistrate order the condemning of this vacant and abandoned building which constitutes a nuisance and poses a hazard or danger to the health, safety and welfare of the Town residents in violation of Chapter 14, Article XIII of the Town's Code of Ordinances.**

Further, any and all costs incurred by the Town in abating the violations on this property, including all costs of demolition, **will give the Town the legal recourse to place a lien against the property.**

Should you continue to delay and disregard direction from the Town, the Town will utilize all available processes available under the law to ensure that the property is brought into compliance with the Town Code. **Please govern yourself accordingly.**

Sincerely,



Keith W. Davis

cc: Alan Fiers, Mayor  
Charles W. Edgar, Esq. via email ([CEdgar@cherryedgarlaw.com](mailto:CEdgar@cherryedgarlaw.com))





**Hand Delivered to Town Hall**

May 2, 2023

Mayor Alan Fiers  
Town Commission  
Town of Palm Beach Shores  
247 Edwards Lane  
Palm Beach Shores, FL 33404

**RE: Pearl Variance Time Extension Request**

Dear Mr. Mayor and Town Commission:

My name is John F. Hodgdon, Jr. and I am a project manager for the development at 123 Ocean Avenue, now named Pearl ([pearlpalmbeachshores.com](http://pearlpalmbeachshores.com)).

I am requesting that our Pearl development team be placed on the Town Commission agenda for Monday, May 22, 2023. At that time the Pearl development team will provide details with respect to the good faith actions and efforts undertaken and intentions to move forward related to the Pearl development.

Please email or snail-mail me a response to this letter as soon as possible. I appreciate your time.

Sincerely,

John F. Hodgdon, Jr.

Project Manager: Pearl

[john@pearlpalmbeachshores.com](mailto:john@pearlpalmbeachshores.com)

1281 N Ocean Ave. #129

Singer Island, FL

33404

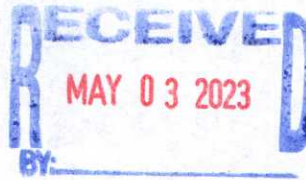
CC: Wendy Wells, Town Administrator & Treasurer; Jude Goudreau, Town Clerk





CHERRY,  
EDGAR &  
SMITH, P.A.

ATTORNEYS AT LAW



8409 N. MILITARY TRAIL • SUITE 123  
PALM BEACH GARDENS, FL 33410  
P: (561) 471.7767  
F: (561) 471.7974

WWW.CHERRYEDGARLAW.COM

May 3, 2023

Hon. Alan Fiers, Mayor  
Town Commissioners  
Town of Palm Beach Shores  
247 Edwards Lane  
Palm Beach Shores, FL 33404

Re: Pearl, a Condominium (f/k/a 123 Ocean Avenue)

Dear Mr. Mayor and Commissioners:

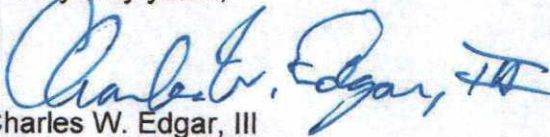
We represent Kannega Glades, LLC which, as you know, is the developer of the above-referenced condominium.

I have had extensive discussions with our client's principal, Mr. Deepak Khosa, and his development team regarding the progress being made toward the demolition of the former hotel on this site and, most recently, the May 1, 2023 letter to him from Town Attorney Keith W. Davis.

I can report to you that Mr. Khosa and his entire team are re-doubling efforts to move forward with demolition as expeditiously as is practicable. That being said, however, it appears that while progress is being, and will be, made, we anticipate the need to address this with you and the Town Commission at your meeting on Monday, May 22, 2023. For this reason, we respectfully request that this matter be placed on the agenda for that meeting at which time we can present the developer's good faith efforts to proceed with demolition and address the anticipated need for a time extension based upon demonstrable facts obtained from a demolition contractor who we intend to have under contract very soon.

We appreciate your kind attention to this matter and look forward to what we hope will be a favorable response.

Very truly yours,

  
Charles W. Edgar, III

CWE:jfo

cc: Deepak Khosa  
Charles W. Millar, Jr.  
Pearl Development Team  
Keith W. Davis, Esq.





**Department of  
Housing & Economic  
Development**

Strategic Planning Division

100 Australian Avenue - Suite 500

West Palm Beach, FL 33406

(561) 233-3600

[www.pbcgov.com/hed](http://www.pbcgov.com/hed)

**Palm Beach County  
Board of County  
Commissioners**

Gregg K. Weiss, Mayor

Maria Sachs, Vice Mayor

Maria G. Marino

Michael A. Barnett

Marci Woodward

Sara Baxter

Mack Bernard

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

April 20, 2023

Wendy Wells, Town Administrator  
Town of Palm Beach Shores  
247 Edwards Lane  
Palm Beach Shores, FL 33404

RE: Urban County Qualification Process FYs 2024 - 2026

Dear Ms. Wells:

On August 19, 2014, the Board of County Commissioners (BCC) executed an interlocal cooperation agreement (R2014-1166) and amended August 25, 2020 (R2020-1219) with the Town of Palm Beach Shores as part of the Urban County Qualification Process for Federal Fiscal Years 2015-2017. Under this Agreement, the Town of Palm Beach Shores agreed to participate with the County in the creation of the Urban County Program jurisdiction for the receipt of federal community development funds from the U.S. Department of Housing and Urban Development (HUD).

The Agreement states, "*The agreement shall be automatically renewed at the end of the qualification period and at the end of each subsequent qualification period unless either party provides a written notice in which it elects to not participate in a new qualification period.*" The current three year qualifying period will expire on September 30, 2024 and will require your renewal to cover the October 1, 2024 to September 30, 2027 time period.

In order to continue participation in the Urban County Program and renew the Agreement, please execute the enclosed four (4) copies of the amendment to our interlocal cooperation agreement, and return them to HED no later than May 19, 2023. This is necessary because HUD has amended one of the clauses in the original agreement to promote adherence to regulations pertaining to non-discrimination in HUD programs or activities receiving Federal Financial Assistance.

In addition, please provide written confirmation of your continued participation in the Urban County Program utilizing the enclosed letter template. Please send your letter to the PBC Department of Housing and Economic Development, and also to HUD's Miami Field Office addressed as follows:

Lisa Johnson, Director  
Community Planning & Development Division  
U.S. Department of Housing and Urban Development  
909 SE 1st Avenue, Room 500  
Miami, FL 33131



Please contact Sheila Brown, Senior Planner, at (561) 233-3688 or [sabrown@pbcgov.org](mailto:sabrown@pbcgov.org), if you have any questions concerning this letter.

Sincerely,

A handwritten signature in blue ink that reads "Jonathan Brown". The signature is written in a cursive, flowing style.

Jonathan B. Brown, Director  
Department of Housing and Economic Development

Enclosures

CC: Jude Goudreau, Town Clerk, Town of Palm Beach Shores  
Sherry Howard, Deputy Director, PBC HED  
Carlos Serrano, SPO Director, PBC HED

## **AMENDMENT 002 TO THE AGREEMENT WITH TOWN OF PALM BEACH SHORES**

**Amendment 002**, effective as of \_\_\_\_\_, by and between **Palm Beach County** (County), and the **Town of Palm Beach Shores** (Municipality).

WITNESSETH:

**WHEREAS**, Palm Beach County entered into an Interlocal Cooperation Agreement (R2014-1166) (the "Agreement") with the Municipality on August 19, 2014, to formalize the Municipality's participation in the urban county qualification process for Federal Fiscal Years 2014, 2016, and 2017, and amended August 25, 2020 (R2020-1219) (the "Amendment"); and

**WHEREAS**, the Agreement is automatically renewed every three years at the end of the qualification period and is now due for renewal; and

**WHEREAS**, the Amendment provided for revised specific language as requested by the Department of Housing and Urban Development (HUD); and

**WHEREAS**, HUD has expressed in its most recent Instructions for Urban County Participation in Community Development Block Grant (CDBG) Program for FY 2024-2026 that all interlocal agreements should contain specific language; and

**WHEREAS**, the Agreements between Palm Beach County and the municipalities participating in the urban county program did not contain this specific language; and

**WHEREAS**, both parties desire to amend the Agreement, and Amended to comply with HUD's requirements.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements hereinafter set forth, and various other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

The foregoing recitals are true and correct and incorporated herein by reference. Terms not defined herein shall have the same meaning as ascribed to them in the Agreement.

### **A. DELETE THE FOLLOWING CLAUSE 11:**

The Municipality and the County shall take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, the Fair Housing Act, and affirmatively furthering fair housing. The Municipality and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, which incorporates Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws. The County shall not fund any activities in, or in support of, the Municipality should the Municipality not affirmatively further fair housing within its jurisdiction or should the Municipality impede the County's actions to comply with the County's fair housing certification.

### **B. REPLACE DELETED CLAUSE WITH REVISED CLAUSE 11:**

The Municipality and the County shall take all actions necessary to assure compliance with the County's certification required by Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended, regarding Title VI of the Civil Rights Act of 1964, and the implementing regulations at 24 CFR part 1, the Fair Housing Act, and the implementing regulations at 24 CFR part 100, and affirmatively furthering fair housing. The Municipality and the County shall comply with Section 109 of Title I of the Housing and Community Development Act of 1974, and the implementing regulations at 24 CFR part 6, which incorporates Section 504 of the Rehabilitation Act of 1973, and the



implementing regulations at 24 CFR part 8, Title II of the Americans with Disabilities Act, and the implementing regulations at 28 CFR part 35, the Age Discrimination Act of 1975, and the implementing regulations at 24 CFR part 146, Section 3 of the Housing and Urban Development Act of 1968, and other applicable laws. The County shall not fund any activities in, or in support of, the Municipality should the Municipality not affirmatively further fair housing within its jurisdiction or should the Municipality impede the County's actions to comply with the County's fair housing certification. The Municipality agrees to sign the assurances and certifications in the HUD 424-B.

IN WITNESS HEREOF, the Municipality and the County have caused this Amendment 002 to be executed on the date first written above:

(MUNICIPAL SEAL BELOW)

**TOWN OF PALM BEACH SHORES, a  
municipality duly organized and existing by  
virtue of the laws of the State of Florida**

ATTEST:

By: \_\_\_\_\_  
Alan Fiers, Mayor

By: \_\_\_\_\_  
Jude Goudreau, Town Clerk

By: \_\_\_\_\_  
Wendy Wells, Town Administrator

(COUNTY SEAL BELOW)

**PALM BEACH COUNTY, FLORIDA, a  
Political Subdivision of the State of Florida**

**BOARD OF COUNTY COMMISSIONERS**

ATTEST: JOSEPH ABRUZZO,  
Clerk of the Circuit Court & Comptroller

By: \_\_\_\_\_  
Gregg K. Weiss, Mayor

By: \_\_\_\_\_  
Deputy Clerk

Document No.: \_\_\_\_\_

Approved as to Form and  
Legal Sufficiency

Approved as to Terms and Conditions  
Dept. of Housing and Economic Sustainability

By: \_\_\_\_\_  
Howard J. Falcon, III,  
Chief Assistant County Attorney

By: \_\_\_\_\_  
Sherry Howard  
Deputy Director

April XX, 2023

Lisa Johnson, Director  
Community Planning and Development Division  
U.S. Department of Housing & Urban Development  
909 SE 1<sup>st</sup> Avenue, Room 500  
Miami, FL 33131

Jonathan B. Brown, Director  
Housing & Economic Development  
100 S. Australian Avenue, Suite 500  
West Palm Beach, FL 33406

Re: Palm Beach County Urban County Qualification FYs 2024-2027  
Participation by City / Town / Village

Dear Ms. Johnson:

The purpose of this letter is to confirm the City/Town/Village agreement to continue to participate in Palm Beach County's Urban County Program for Fiscal Years 2024-2027

If you have questions, please contact the City/Town/Village at XXX@XXXXXXX or by telephone (XXX) XXX-XXXX. You may also contact Sheila Brown, Senior Planner, Palm Beach County at (561) 233-3688 or [sabrown@pbcgov.org](mailto:sabrown@pbcgov.org).

Sincerely,

XXXXXXX, Title  
City / Town / Village

cc: Jill Smolen, CPD Representative, US HUD  
Jonathan Brown, Director, PBC HED  
Sherry Howard, Deputy Director, PBC HED  
Carlos Serrano, SPO Director, PBC HED

### **A Proclamation Honoring the 90<sup>th</sup> Anniversary of Palm Beach State College**

1. WHEREAS, Palm Beach State College was founded in 1933 as Florida's first public two-year college and has continuously served the educational needs of Palm Beach County residents for 90 years, first as a junior college, then as a community college, and today as a state college; and
2. WHEREAS, Palm Beach State College, since opening its doors on November 14, 1933, as Palm Beach Junior College, has grown from 41 local students in three classrooms to 40,000 students from 151 countries and territories, studying on five campuses located in Boca Raton, Belle Glade, Lake Worth, Loxahatchee Groves, and Palm Beach Gardens, and online; and
3. WHEREAS, Palm Beach State College, established during the Great Depression when there was no institute of higher learning in Palm Beach County, is now an economic engine, pumping \$1.1 billion into the county's economy each year; and
4. WHEREAS Palm Beach Junior College merged with Roosevelt Junior College, in 1965, which was established in 1958 to serve African American students.
5. WHEREAS, Palm Beach State College has been integral to the remarkable growth and prosperity of Palm Beach County. Our graduates—community and business leaders for generations—have impacted every industry and continue to do so today; and
6. WHEREAS, Palm Beach State College, one of the top producers of associate degree graduates in the United States, also offers baccalaureate degrees, professional certificates, career training, and corporate and continuing education; and
7. WHEREAS, with more than 130 programs of study, Palm Beach State College is the county's leading educator of skilled professionals. Career programs span fields such as health care, computer science, business, biotechnology, creative arts, childcare, human services, teacher education, environmental science, landscape management, a wide variety of skilled trades, engineering, electrical power, and public safety; and
8. WHEREAS, Palm Beach State College's mission of providing accessible, student-centered teaching and learning experiences in academic, technical and lifelong learning to transform lives and strengthen our community is crucial to the vitality of (insert name of municipality); and
9. WHEREAS (Insert Name of Municipality), Florida, commemorates the 90<sup>th</sup> Anniversary of Palm Beach State College with appreciation for its vital role as a provider of excellence in education and career training, and as a driver of economic mobility in partnership with our community, Palm Beach County and State of Florida.

Proclaimed this (insert date) day, of (Insert month), 2023.