

# Summer Updates



## COUNCIL CONTINUES WATER SUPPLY REVIEW

by Ronald Matzner

The Palm Beach Town Council continues to devote a considerable amount of its time to a consideration of state-of-the-art membrane-based technologies and potential locations for a water system to deliver Palm Beach (PB) residents a plentiful supply of safe, potable water in the future.

The Town's current agreement with the City of West Palm Beach (WPB) to supply water to PB residents expires in 2029. PB must determine whether to continue the relationship with WPB or develop an alternative water treatment system, either alone or in conjunction with other nearby jurisdictions.

While the current agreement has provisions for three (3) five year extensions, Town Council members are determined to evaluate the alternatives as soon as possible and determine which options shall be subjected to deeper study and analysis.

Under Town Council direction, the Town's staff and consultants began studying available options months ago. During recent Town Council and Public Works Committee meetings, two general scenarios appear to have risen to the forefront: (1) remain in a partnership with WPB via the construction of a state-of-the-art membrane-based water treatment facility using WPB's existing surface water resources; or (2) pursue desalinization technology on or off the island. Discussions also have been ongoing with Lake Worth. But at least until the next Council meeting in July, no option has been sufficiently vetted yet to enable Council members to designate options to subject to required deeper analysis and study.

Thus far, Council members appear to be in agreement that the Council should only consider the most modern membrane-based technologies including reverse osmosis (RO), nanofiltration (NANO) and desalinization.

One factor that has begun to assume prominence in the Council's consideration is the fact that PB has an aging water system that it does not own. WPB owns the PB water infrastructure system, including all water mains and pipes. Much of it is more than 70 years old. It is increasingly vulnerable to failure and reliant upon WPB to maintain and replace it. If PB renegotiates its agreement and remains with WPB, a key point will likely be the investment WPB is willing to make to systematically replace the PB water infrastructure.

If PB leaves the relationship with West Palm Beach, it will assume ownership of the water system and be responsible for maintaining and replacing it. Town consultants estimate it will cost up to \$300 million to replace the existing system. Regardless of the option eventually chosen, extensive water system replacement appears to be in the Town's future. The Town Council has asked Town Staff to quantify before the July Council meeting the number of miles of existing 60, 70 and 80 year old water pipes.

In order to reduce the disruption arising from such construction, the Council may request Town staff to evaluate the option of placing north-south arterial pipes in the Intracoastal.

One of the factors enabling Council members to prioritize locating a new desalinization facility nearby off island is the apparent ability to run wells and pipes out horizontally into the Intracoastal. That would require a much smaller real estate footprint for the well field than had been assumed if wells had to be dug vertically down into the aquifer.

Town staff will next report to the Public Works Committee the first week of July and to the Council at its July 12 meeting.

# Chamber of Commerce of the Palm Beaches



The Palm Beach County Convention Center was the venue for the 2022 Business Awards presented by Baptist Health. The program was chaired by Bill Bone, Board Chair, whose law firm Larmoyeux & Bone sponsored the Lifetime Leadership Award to Low Crampton, Chairman of the Board at Cox Science Center.



## Above Photo Caption:

(L-R) Bill Bone, Chamber Chair; Steven Kowalski, Project LIFT; Geoff Jervis, Mint Eco Carwash; Kathryn Rossmell, Lewis, Longman & Walker P.A.; Robin Kish, Health Care District of Palm Beach County; Low Crampton, Cox Science Center; Jaene Miranda, Boys & Girls Clubs of Palm Beach County; Kelly Smallridge, Business Development Board; Barbara James, Baptist Health.



Low humbly accepted the award, thanking his wife of 53 years, Kathleen Crampton and other key individuals and mentors that supported him along the way. Parking was complimentary courtesy of GL Homes and early bird coffee was sponsored by Lesser, Lesser, Landy & Smith, PLLC. Congratulations to all of our nominees, finalists, and recipients!



# Mark Your Calendars!

2022 Primary and General Election Dates & Deadlines  
Primary Election

### REGISTRATION DEADLINE

JULY 25, 2022

Last day to register to vote or change party affiliation.

### EARLY VOTING

AUGUST 8 – 21, 2022 • 10:00 a.m. – 7:00 p.m.

Vote at any of our 21 Early Voting locations during voting hours. Visit [www.VotePalmBeach.gov](http://www.VotePalmBeach.gov) for Early Voting location information and wait times.

### VOTE-BY-MAIL BALLOT REQUEST DEADLINE

AUGUST 13, 2022 • 5:00 p.m.

The last day to request that a Vote-by-Mail ballot be mailed to you is 5:00 p.m. on the 10th day before Election Day. If you miss the deadline, you may pick up a ballot in person at any of our four offices until 5:00 p.m. the day before Election Day.

### ELECTION DAY

AUGUST 23, 2022 • 7:00 a.m. – 7:00 p.m.

On Election Day, you must vote at your assigned polling location. The polls open from 7:00 a.m. – 7:00 p.m. on Election Day! It is also the last day to return your Vote-by-Mail ballot.

### General Election

### REGISTRATION DEADLINE

OCTOBER 11, 2022

Last day to register to vote.

### EARLY VOTING

OCTOBER 24 – NOVEMBER 6, 2022 • 7:00 a.m. – 7:00 p.m.

Vote at any of our 21 Early Voting locations during voting hours. Visit [www.VotePalmBeach.gov](http://www.VotePalmBeach.gov) for Early Voting location information and wait times.

### VOTE-BY-MAIL BALLOT REQUEST DEADLINE

OCTOBER 29, 2022 • 5:00 p.m.

The last day to request that a Vote-by-Mail ballot be mailed to you is 5:00 p.m. on the 10th day before Election Day. If you miss the deadline, you may pick up a ballot in person at any of our four offices until 5:00 p.m. the day before Election Day.

### ELECTION DAY

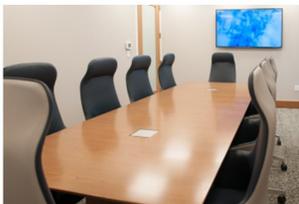
NOVEMBER 8, 2022 • 7:00 a.m. – 7:00 p.m.

On Election Day, you must vote at your assigned polling location. The polls open from 7:00 a.m. – 7:00 p.m. on Election Day! It is also the last day to return your Vote-by-Mail ballot.

DID YOU KNOW? As a registered voter in Palm Beach County, you can look up your voting status and update your voter information online. Simply visit the "My Status" page at [www.VotePalmBeach.gov](http://www.VotePalmBeach.gov) to review and update your voter registration information, find out where you vote on Election Day, check your Vote-by-Mail requests, and more!



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*Building Safety Seminar*  
*COMING IN OCTOBER*

## PALM BEACH CRIME WATCH URGES SCAM AWARENESS EDUCATION

The Palm Beach Police Department and Palm Beach Crime Watch are encouraging our community to educate themselves on Scam Awareness.

To prevent falling victim to scams, never give out personal information over the telephone or email, no matter how legitimate the call may seem. When in doubt, call the police to discuss your concerns. Residents who believe they have been a victim of a scam should call the Palm Beach Police Department for assistance at (561) 838-5454. Please see our short educational video, by clicking [here.](#)

For more information on Palm Beach Crime Watch visit [www.PalmBeachCrimeWatch.com](http://www.PalmBeachCrimeWatch.com).

# NEW LAW ADDRESSES BUILDING SAFETY

by Becker and Poliakoff

The Florida Legislature approved the “Surfside Legislation” in its recent Special Session. Bill (SB 4D) was adopted unanimously and with little debate by the Senate or House and was signed into law by the Governor on May 26, 2022. The new law includes significant obligations related to building inspections and reserve funding and boards who do not comply in a timely fashion will be in breach of their fiduciary duties. Here are some of the highlights of the 88 page Bill, which is somewhat complicated and will need to be studied, digested, and fully understood.

If a condo or cooperative building is 3 or more stories high, a “milestone inspection” must be performed by a licensed architect or engineer. That inspection must occur within 30 years from the date of the Certificate of Occupancy (“CO”). However, buildings within 3 miles from the coastline must perform that inspection within 25 years of the CO date.

If a condo or cooperative building is 3 or more stories high, a “milestone inspection” must be performed by a licensed architect or engineer. That inspection must occur within 30 years from the date of the Certificate of Occupancy (“CO”). However, buildings within 3 miles from the coastline must perform that inspection within 25 years of the CO date.

Any building which received a CO before July 1, 1992, must complete the first milestone inspection by 12/31/24.

Associations will have a deadline to perform a “Phase 1” inspection.

A Phase 2 inspection, which might involve destructive testing, is required if structural deterioration is noted.

The engineer or architect performing either a Phase 1 or Phase 2 inspection must prepare a written inspection report.

The report must be sealed and have a separate summary pointing out its material findings. The report must be given to the association and the local building official. The association must then distribute the report to all unit owners and post a copy of the summary in a conspicuous place on the property. The association must also post the full report on its website, if the association is legally required to have a website.

The new law gives local building officials discretion to prescribe timelines and penalties for non-compliance. County commissions may adopt ordinances establishing timelines for necessary repairs identified in a report, and such repairs must be commenced within 365 days after receiving the report.

The new statute requires a “structural reserve study,” and requires that these reserve studies be maintained as part of the official records of the association for 15 years, the same as for the milestone inspections discussed above.

The reserve schedule must include any items identified in a newly required “structural integrity reserve study.”

The initial study must be completed by 12/31/24 and must be performed at least every 10 years for buildings 3 stories and higher. Effective 12/31/24, an association may not vote to waive or reduce reserves for the items listed in the structural integrity reserve study.

The structural integrity reserve study must include: roofs; load bearing walls or other primary structural members; floors; foundations; fireproofing and fire protection systems; plumbing; electrical systems; waterproofing and exterior paint; windows; and any other item which exceeds \$10,000 in deferred maintenance cost and which was identified by the engineer or architect performing the inspection portion of the structural integrity reserve study.

CALL YOUR ASSOCIATION ATTORNEY TO DISCUSS THIS NEW LAW..

## Shore Protection Board Elections

All citizens interested in pursuing appointment to the Shore Protection Board must complete the appropriate application for service and submit the same to the Town Clerk by Friday, July 1, 2022, by 5:00 p.m. The appointments to the Shore Protection Board will be scheduled on the agenda for consideration and potential action at the Town Council meeting on Tuesday, July 12, 2022.

## Code Enforcement Board Elections

All citizens interested in pursuing appointment to the Code Enforcement Board must complete the appropriate application for service and submit the same to the Town Clerk’s Office in hard copy or via electronic transmission to [townclerk@townofpalmbeach.com](mailto:townclerk@townofpalmbeach.com) by Friday, July 29, at 5:00 p.m. The appointments to the Code Enforcement Board will be on the agenda for consideration and potential action at the Town Council meeting on Tuesday, August 9, 2022.

## **Palm Beach to Continue Early Morning Maintenance Work Despite New Rules**

[CLICK HERE](#)



# Turtle Nesting Season Reaches Midpoint

by Ronald Matzner

Turtle nesting season has reached its midpoint. Already thousands of hatchlings have made their way from nests to the ocean. Each morning, a walk along the beach reveals the tracks of mother turtles that emerged during the night, dug nests and returned to the water before dawn.

At the recent Beach Management Agreement annual meeting, a speaker from the Florida Fish and Wildlife Commission (FWCC) presented a report with data showing that turtle nesting is doing very well on Palm Beach beaches, including after Reach 7 beach nourishment and Reach 8 dune restoration. The number of successful nests in 2019 and 2020 were among the most in recent memory. Reach 8's dune restoration has been particularly effective at providing quality nesting sites for turtles, resulting in what was expected to be a high success nesting rate this summer.

Three turtle species nest on Palm Beach's 12 mile coastline: loggerhead, green and leatherback. The first two are considered threatened, while leatherbacks are endangered. Mother turtles return to their natal beach every 3 to 7 years. A successful nesting season therefore bodes well for the future.

Emerging turtles leave the beach without nesting 50% to 60% of the time. The level of disturbance on a beach, whether natural or man-made, effects the nesting success rate. Data shows a drop in success rate in years of sand placement on the beach followed by recovery and improvement in subsequent years.

This year, turtles are facing two significant obstacles which may affect the nesting season – Sargasso weed and escarpments.

Sargasso weed is washing ashore this year in unprecedented quantities. It is a macroalgae bloom arising from excess nutrients emanating from the area of the Amazon River in Brazil and moving northward because of climate change.

There are mounds of sargasso weed everywhere on the beaches. In many places it is 30 feet wide and several feet high. It is especially bad on Reach 1 in the North End. Turtles emerging from the sea must navigate the mounds and moguls. For the tiny hatchlings, the barrier is especially daunting. Removal of the sargasso barrier by authorized beach cleaning may this year be a matter of life and death for the baby turtles.

Paul Brazil, Town Director of Public Works, recently submitted a memo to the Town Council regarding turtle monitoring and beach cleaning. According to Mr. Brazil, the only vehicles authorized on the beach during turtle nesting season are ATVs of the permitted and FWCC trained turtle monitor and tractors of authorized beach cleaners.

Some nests are marked with stakes. Most are not in order to hide them from poachers and predators. Because many areas are deemed "non-marking zones", the turtle monitor often uses ATV tracks to cross over, mark and encircle nests. This procedure has been in place by FDEP and FWCC since 2014. The ATVs are specially configured with tire pressure at or below 5 psi.

Beach cleaners hold an FDEP permit to use a tractor to remove and bury seaweed along the WET beach. As noted above, that is especially important this year because of the huge quantities of sargasso weed. It must be done in order to protect hatchling access to the sea.

Fortunately, turtles usually nest above the seaweed line and the mean high water line. They have been doing that for millions of years. The Town's sea turtle monitor works with the town beach cleaner at Mid-Town and Phipps, and the Citizens Association contractor, The Beach Keeper, on Reach 8 to specially mark any nest within 10 feet of the seaweed line.

According to Mr. Brazil, monitors have confirmed to the Town that no sea turtle nests have been damaged and that no adult or baby turtles have been injured or killed as a result of beach cleaning and sargasso weed removal.

During beach nourishment and dune rehabilitation projects, appropriate sloping of the sand is always performed, in part to promote sea turtle nesting. Rough weather this spring caused escarpments to form on some beaches. Typically, such escarpments dissipate naturally as early summer beach-building weather conditions move the near shore sandbar to the beach. Although some escarpments continue to exist, including on Reach 8, turtles appear to be navigating them well, with many nests located beyond the escarpment at or near the dune line.

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**Southern Boulevard Bridge: North side  
of tide relief bridge to Mar-a-Lago opens**

**Wednesday**

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