VILLAGE COUNCIL MEETING MINUTES
226 CYPRESS LANE | PALM SPRINGS | FLORIDA 33461
JULY 9, 2020 at 6:30 PM

COUNCIL

- Mayor Bev Smith
- Vice Mayor Patti Waller
- Mayor Pro Tem Gary Ready
- Council Member Doug Gunther
- Council Member Joni Brinkman

ADMINISTRATION

- Village Manager Richard Reade
- Village Attorney Glen Torcivia
- Village Clerk Kimberly Wynn

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1. **CALL TO ORDER:** Mayor Smith called the meeting to order at 6:30 PM

2. **ROLL CALL**

Council Present: Mayor Bev Smith, Vice Mayor Patti Waller, Mayor Pro Tem Gary Ready,

Absent: Council Member Doug Gunther, Council Member Joni Brinkman

Staff Present: Village Attorney Glen Torcivia, Village Manager Richard Reade and Village Clerk Kimberly Wynn Sergeant-at-Arms Robert Perez Assistant Police Chief, Ronald Eyma Public Service Director, Suvi Manner Library Director, Kim Glas-Castro Planning, Zoning and Building Director, Justin Lucas, Parks and Recreation Director, and Thomas Cook IT Director

3. **INVOCATION**

Village Manager Reade led the invocation.

4. **PLEDGE OF ALLEGIANCE**

The Village Council led in the Pledge of Allegiance.

5. **ADDITIONS, DELETIONS, OR MODIFICATIONS, AND APPROVAL OF AGENDA**

Village Manager Reade noted that there were no changes, modifications or deletions to the agenda.

6. CONSENT AGENDA *(Public Comment on Consent Agenda Items is permissible prior to voting)*

Vice Mayor Waller made a motion to approve the Consent Agenda as presented, and it was seconded by Mayor Pro Tem Ready. The motion carries, 3-0.

6.1 **Approval of Joseph L. Fallon Scholarship Awards - Six (6) Scholarship Awards**

6.2 **Approve Village of Palm Springs Library Long Range Plan - 2021-2023**

- Proposed Long Range Plan - Palm Springs Library Plan - 2020-2022
- Long-Range Plan - Palm Springs Library - 2017-2019 (Strike-Thru Version)
- DRAFT Library Board Meeting Minutes June 23, 2020
- Florida Public Library Outcomes & Standards 2015

6.3 **Approve Property Improvement Program (PIP) Matching Grant Award - 101 Woodland Road**

- Property Improvement Grant Agreement - 101 Woodland Road
- 101 Woodland Road - Before After Pictures-Fence Roof

6.4 **Approve Interlocal Agreement (Task Order #234) - Joint Project Funding for Utility Infrastructure Relocation/Adjustments - Prairie Road Bridge Replacement Project - Palm Beach County**

- Proposed Interlocal Agreement - PBC - Prairie Road Bridge
- Exhibit A - Proposed Interlocal Agreement - PBC - Prairie Road Bridge - Bid Tabulations
- Exhibit B - Proposed Interlocal Agreement - PBC - Prairie Road Bridge - Utility Costs

END OF CONSENT AGENDA

Mayor Pro Tem Ready made a motion to approve the Consent Agenda, seconded by Vice Mayor Waller. The motion carries 3-0.

7. PRESENTATIONS

7.1 **Presentation - Joseph L. Fallon Village Scholarship Award Winners - Six (6) Scholarship Awards**

The six (6) students that were awarded the Fallon Scholarship received their received their $1,000 scholarship checks and pictures. Ms. Manner read a letter into the record from Mr. and Mrs. Fallon, who were unable to attend because of the COVID-19 pandemic.

7.2 **Presentation - Property Improvement Program (PIP) Matching Grant Award - 101 Woodland Road**

- 101 Woodland Road - Before & After Photos

The Village Manager introduced this presentation. He said that although Ms. Lynn Scott received her check earlier in the year, she came to the meeting to be recognized by the Village Council.

At this time Ms. Scott commented about the benefits of the program and her completed home project.

8. **PUBLIC COMMENT *The public shall be limited to three (3) minutes to speak on agenda or non-agenda item(s)***

Mayor Smith offered the public an opportunity to speak on non-agenda items.

1. **Virginia Savietto - 5345 Mendoza Street** – Ms. Savietto expressed her interest in running for office at the School Board. She wanted to take the time to introduce her to the Council and the Community.

2. **Roger St. Martin - 3760 Kenyon Road** - Talked about the stretch of Lake Worth Road and the transportation woes near his home that resulted from development. He said that between Kirk Road and Banyan, there would be no exit road for traffic since the roads in that area are dead-end streets. He described the density would present more traffic challenges with the new development. He suggested a roundabout street to help calm the traffic, or traffic light on Dolman Road.

At this point, Mrs. Glas-Castro intervened and explained that a traffic study would be addressed at the meeting tonight. She stated that she would make sure that Mr. St Martin was part of the study group developed later.

Hearing no further comment, Mayor Smith closed public comments.

9. **PUBLIC HEARINGS**

9.1 **Resolution No. 2020-15 - Site Plan Amendment (SPR20-04) and Special Exception Use (PSSE20-01) - Penuel Evangelical Church - 3401 2nd Avenue North *(Quasi-Judicial Hearing)***

- Proposed Resolution No. 2020-15 - Penuel Evangelical Church - 3401 2nd Avenue North
- Project Narrative and Justification Statements
- Site Plan, Landscape Plans, Architectural Plans and Letters Color Site Plan

- Building Elevations Legal Description
- Aerial and Location Maps
- Exhibit "A" - Staff Report and Conditions of Approval

Mayor Smith asked Council if there was an ex parte communication for Resolution No. 2020-15; there was none. The Village Clerk swore in the applicant Kevin McGinley, and Village staff. Village Manager Reade presented the staff's report. Mr. McGinley presented his testimony to the Council and stated he was available for questions.

Mayor Smith offered the public and Village Council an opportunity to speak on the project. There was no further discussion. Mayor Smith voiced her support of the project and the Council concurred. Village Attorney Torcivia read the title of the caption into the record. The Village Manager thanked the applicant for allowing an additional condition to be added that permitted Penuel Evangelical Church to provide digital divide, affordable internet service for children.

Mayor Pro Tem Ready made a motion to approve Resolution No. 2020-15, seconded by Vice Mayor Waller. The motion carries 3-0.

9.2 **Resolution No. 2020-19 - Final Plat - Beatrice Place - 4405 Dale Road *(Quasi-Judicial Hearing)***

- Proposed Res No. 2020-19 - Final Plat - 4405 Dale Road - Yordan Sardinas
- Proposed Final Plat - Beatrice Place - 4405 Dale Road
- Letter of Compliance with Florida Statutes - Beatrice Place - 4405 Dale Road
- Engenuity Group
- Special Purpose Survey
- Final Plat Narrative - Beatrice Place - 4405 Dale Road
- Aerial Map and Location Map

Mayor Smith asked the Village Council to disclose any ex parte communication; there was none. Village Clerk Wynn swore in Ms. Crystal Garcia, Beatriz Rodriguez's daughter. Ms. Garcia said that was there on behalf of her mother. The Village Manager read the staff's report into the record. Ms. Garcia did not have a presentation; however, she stated she was available for any questions.

Ms. Garcia asked Mrs. Glas-Castro what to expect once the plat was approved by the Council. Mrs. Glas-Castro explained the plat got recorded. Once the plat was recorded, the property could be sold by the applicant at any time.

Mayor Smith offered the public an opportunity to speak on this item; there were no further comments. Village Attorney Torcivia read the title of the caption into the record.

Vice Mayor Waller made a motion to approve Resolution No. 2020-19, seconded by Mayor Pro Tem Ready. The motion carries 3-0.

9.3 **Ordinance No. 2020-08 - Village Code Amendment - Chapter 34 – Land Development Procedures (*Second Reading*)**

- Proposed Ordinance No. 2020-08 - Village Code Amendment - Chapter 34 - Land Development Procedures
- Proposed Ordinance No. 2020-08 - Village Code Amendment - Chapter 34 - Land Development Procedures - Lake Worth Advertisement

Village Clerk Wynn read the statement of advertisement into the record. Mayor Smith asked if staff had further comments on Ordinance No. 2020-08. She opened the meeting to the public and Council for comments and questions; there were none. Village Attorney Torcivia read the title of the caption into the record.

Mayor Pro Tem Ready made a motion to approve Ordinance No. 2020-08, seconded by Vice Mayor Waller. There was a roll call vote as follows: Vice Mayor Waller –Yes, Mayor Pro Tem Ready – Yes, Mayor Smith –Yes. The motion carries 3-0.

9.4 **Ordinance No. 2020-09 - Village Code Amendment - Chapter 34 - Article VI "Land Use" - Mobile Food Dispensing Vehicles (*Second Reading*)**

- Proposed Ordinance No. 2020-09 Food Trucks Approved 2020 House Bill (HB) 1193
- Proposed Ordinance No. 2020-09 - Permit Mobile Food Trucks - Lake Worth Herald Advertisement

Village Clerk Wynn read the statement of advertisement into the record. Mayor Smith asked if staff had any further discussion; there was no additional discussion. Mayor Smith opened the meeting to public comment, there were none. Village Attorney Torcivia read the title of the caption into the record.

Vice Mayor Waller made a motion to approve Ordinance No. 2020-09, seconded by Mayor Pro Tem Ready. There was a roll call vote as follows: Mayor Pro Tem Ready – Yes, Vice Mayor Waller – Yes, Mayor Smith – Yes. The motion carries 3-0.

9.5. **Ordinance No. 2020-10 - Village of Palm Springs General Employees' Pension Fund (*Second Reading*)**

- Proposed Ordinances No. 2020-10 - General Employee Pension (Board Composition) (Final Version)
- E-mail from Plan's Attorney Regarding Proposed Ordinance No. 2020-10 - June 2020
- Previous Version (Prior to the Review by the Plan's Attorney) - Proposed Ordinance No. 2020-10 - General Employee Pension (Board Composition)
- E-mail from Pension Attorney - Removing Unchanged Procurement Language from Proposed Ordinance No. 2020-10 (Following 1st Reading)
- Final Actuarial Impact Statement - Freiman Little Actuaries
- E-mail Requesting an Actuarial Impact Statement Regarding Ordinance No. 2020-10 - Sent to the Plan's Pension Administrator - June 2020
- Proposed Ordinance No. 2020-10 - General Employee Pension (Board Composition) - Lake Worth Herald Advertisement
- E-mail Confirming Proposed Ordinance No. 2020-10 has been Received by the State of Florida
- E-mail Requesting Proposed Ordinance No. 2020-10 & Actuarial Impact Statement be Submitted to the State of Florida
- Village Attorney Opinion - Pension Ordinance Properly Added to Agenda - June 2020

The statement of advertisement was read into the record by Village Clerk Wynn. Village Manager Reade discussed additional key points about Ordinance No. 2020-10. Mayor Smith offered the public an opportunity to speak on the ordinance.

1. Krystal Rea – **2000 Springdale Boulevard** – Ms. Rea commented on the Finance Director being removed from the General Pension Board. The Finance Director (Rebecca Morse) is a tenured employee with 32-years of service. Ms. Rea expressed her concern with the Village Manager appointed as Chairperson. She talked about his alleged reputation for use of bullying tactics in other cities, and she was concerned with pensions being taken and potential conflict of interest.

Mayor Smith provided Village Attorney Torcivia an opportunity to address the comments. Village Manager Reade stated Ms. Rea's comments were inaccurate. He said that the ordinance intended was to conform with other plans around the state. In furtherance, certain aspects of the ordinance may violate the plan. The suggested fifth member would not have a vested interest in the Village. There were no further comments.

10. ACTIONS AND REPORTS

10.1. Discussion - Proposed Village of Palm Springs Transportation/Mobility Plan - Draft Scope of Services

- DRAFT Scope of Services - Transportation/Mobility Plan - Village of Palm Springs Plan - Scope of Work Revised
- Map of Federal Aid Highway System

Village Manager Reade read staff's report into the record and then introduced Mr. Edward Ng, Consultant with the Corradino Group. Mr. Ng explained that a Scope of Services was drafted, and they wanted to present it to Council before they send it to the Transportation Planning Agency (TPA) for consideration.

Mayor Smith discussed the mobility study and asked for clarification on how this related to the Lake Worth Road Florida Department of Transportation (FDOT) project. She asked about a traffic light on Lake Worth Road. Vice Mayor Waller asked about resurfacing. Mayor Pro Tem Ready discussed the dead-end roads with no outlets on Kirk and Lake Worth Road in the area.

In consensus, the Council supported the proposed plan. They requested that people from the community be part of the Transportation Mobility Study Committee. Mayor Pro Tem Ready asked if there was a deadline to get projects completed. Mayor asked would this project interface with the new walkways. She supported the idea of roundabouts. It was suggested to have three (3) public meetings.

11. VILLAGE MANAGER COMMENTS

The Village Manager discussed Council Member Brinkman's item about Gulfstream and Coconut entrance for the Homeless Resource Center 2 (HRC2). He gave an update on Council Member Brinkman's first meeting regarding HRC2 and the County.

Mr. Lucas gave an update on Foxtail Palm Park. He said the project is scheduled to be completed shortly, and a grant was received.

Village Manager Reade talked about the (COVID) testing sites in the community and the success in outreach. Over seven hundred (700) people were tested. More sites were being considered. He discussed the Census outreach and food distributions in the community. He was not certain if the budget would be ready before the workshop on July 23rd. The workshop may be postponed to the 3rd or 4th Thursday in August. He addressed Ms. Rea's comment and stated the difficulty to hear certain things being said that were unfound, or untrue.

12. VILLAGE COUNCIL COMMENTS

At this point, Mayor Smith asked Mrs. Manner to discuss the new Digital Divide project. Mrs. Manner described how the project would provide homes with internet to underprivileged families. Mayor Pro Tem Ready asked if the Village considered piggybacking the library service.

Mayor Smith suggested that the Village restart virtual meetings. The Village Manager told the Council that this was recommended and doable.

Council gave a brief update of their activities in the Village.

13. ADJOURNMENT

Hearing no further business Mayor Smith adjourned the meeting at 8:15 PM.

NEXT MEETING

BUDGET WORKSHOP

THURSDAY, JULY 23, 2020 AT 5:00 PM

If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who need an accommodation to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least 3 business days prior to the meeting in order to request such assistance.

The undersigned is the Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Regular Council Meeting held on **July 9, 2020** Which minutes were formally approved and adopted by the Village Council on **January 14, 2021.**

Kimberly M. Wynn

Kimberly M. Wynn, Village Clerk

VILLAGE OF PALM SPRINGS
SEAL
1957
FLORIDA

ATTEST:

Bev Smith, Mayor

RESOLUTION NO. 2021-01

A RESOLUTION OF THE VILLAGE COUNCIL ~~OF THE~~ VILLAGE OF PALM SPRINGS, FLORIDA, REQUESTING (APPROVING/DENYING), WITH CONDITIONS, A SITE DEVELOPMENT ~~PLAN,~~ (SPR20-08) FOR A RESIDENTIAL PLANNED DEVELOPMENT WITH WAIVERS FOR CONSTRUCTION OF TWELVE (12) FEE SIMPLE RESIDENTIAL SINGLE FAMILY HOMES, ZERO LOT LINES, ON 2.11 ACRES, LOCATED AT 3673 COCONUT ROAD AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Mr. Kyle Cruz, Agent for Creative Financing LLC ("Applicant and Owner") is requesting a Site Development Plan approval (SPR20-08) for a Residential Planned Development (RPD) with five (5) waivers, consisting of twelve (12) fee simple single-family dwelling units. The proposed project is 2.11 acre, located at 3673 Coconut Road; and

WHEREAS, the recommendation of the Planning, Zoning and Building Department is to approve this application, subject to staff report conditions; and

WHEREAS, the Village Council and Planning & Zoning Board has heard this matter in public session; has considered the presentation and other evidence presented by the Applicant; has received and considered the recommendations of the Village Staff; and has otherwise been fully informed regarding this matter.

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. The Village Council having received and considered the request of Mr. Kyle Cruz, agent for Creative Financing LLC ("Applicant and Owner"), for approval of Site Development Plan (SPR20-08) and five (5) waivers within the proposed Residential Planned Development (RPD).

Note: Within the proposed Site Development Plan, the Applicant is requesting five (5) waivers:

1) Relief from Sec. 34-1064(c) - Allow a residential planned development project to be developed on 2.11 acres property instead of 3 acres minimum required.

2) Relief from Sec. 34-766(1) - Allow 12 single-family homes to be constructed on a 2.11 acres property instead of 2.3 minimum lot size required.

3) Relief from Sec. 34-1328 - Allow 22' instead of 26' required for a double vehicular drive isle.

4) Relief from Sec. Sec.34-162(b)(3) - Allow a 4' wide landscape buffer instead of 10' required along the west side of the property.

5) Relief from Sec. 34-1063(a)(1) - Allow for one sidewalk on a street or primary driveway instead of sidewalks on both sides of the main street.

The Planning & Zoning Board considered these requests during their December 8, 202 meeting and; and having been otherwise fully apprised of the premises herein, the Village Council hereby (approves/denies) the said application as revised, with the staff report conditions attached hereto as **Exhibit "A"**, and which is incorporated herein by reference:

Notwithstanding any exceptions, conditions or other approvals granted herein, the applicant must conform to all other applicable codes, ordinances, and laws whether stated herein or not.

Section 2. This Resolution shall take effect immediately upon adoption.

Council Member Brinkman offered the foregoing resolution. Council Member Waller seconded the motion, and upon being put to a vote, the vote was as follows:

	Aye	Nay	Absent
BEV SMITH, MAYOR	☑	☐	☐
PATTI WALLER, VICE MAYOR	☑	☐	☐
GARY M. READY, MAYOR PRO TEM	☑	☐	☐
DOUG GUNTHER, COUNCIL MEMBER	☑	☐	☐
JONI BRINKMAN, COUNCIL MEMBER	☑	☐	☐

The Mayor thereupon declared the Resolution duly passed and adopted this 14th day of January 2021.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: ______________________

BEV SMITH, MAYOR

ATTEST:

BY: Kimberly M. Wynn

KIMBERLY M. WYNN, VILLAGE CLERK

VILLAGE OF PALM SPRINGS
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REVIEWED FOR FORM AND LEGAL SUFFICIENCY

BY: Glen J. Torcivia

GLEN J. TORCIVIA, VILLAGE ATTORNEY