VILLAGE COUNCIL MEETING MINUTES
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WEBINAR ID: 968-695-363
AUGUST 20, 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 Bev Smith called the Regular Council Meeting to order at 6:53 PM.

2. **ROLL CALL:**
Council:
Present: Mayor Bev Smith, Vice Mayor Patti Waller, Mayor Pro Tem Gary Ready Council Member Doug Gunther, Council Member Joni Brinkman

Absent:

Staff Present:
Village Attorney Glen Torcivia, Village Manager Richard Reade, Village Clerk Kimberly Wynn, Planning, Zoning & Building Director, Kim Glas-Castro, Finance Director, Rebecca Morse, Sergeant-at-Arms Tom Ceccarelli, Police Chief, Ronald Eyma Public Service Director, Assistant Public Service Director Chad Girard, Library Director Suvi Manner, Senior Administrative Manager, Ashley Saingilus, Director of Parks and Recreation Justin Lucas, Assistant Police Chief, Robert Perez, Customer Relations Supervisor, Jancy Bravo and Library Services Administrative Assistant, Jossie Maliska

3. **INVOCATION**
Village Manager Reade led the Invocation.

4. **PLEDGE OF ALLEGIANCE**
Vice Mayor Waller led the Pledge of Allegiance.

5. **ADDITIONS, DELETIONS, OR MODIFICATIONS, AND APPROVAL OF AGENDA**
Village Manager Reade noted that there was a correction to Item 6.1., Approval of Minutes. It reported that the Village Manager gave the Pledge of Allegiance instead of Mayor Smith. The COVID Policy was provided and uploaded to the website for the Public. Finally, he requested that the Utility Rate Study be added to his Village Manager Report and do a presentation for the five-year utility rate study. Mayor Smith asked if Mr. Smith (Consultant) would provide the presentation; should it be moved up? Mayor Asked that the Utility Rate Study be moved to Item 7.2 under the Presentations Agenda.

Vice Mayor Waller made a motion to approve the Consent Agenda, seconded by Council Member Gunther. There was a roll call vote as follows: Vice Mayor Waller - Yes, Mayor Pro Tem Ready - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes and Mayor Smith - Yes. The motion carries 5-0.

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

6.1 Approval of Meeting Minutes
May 14, 2020 - Local Planning Agency Agenda Meeting Minutes August 7, 2020 - Village Council Special Meeting Minutes

6.2 Approve Property Improvement Program (PIP) Matching Grant Awards - 334 Springdale Circle and 802 Springdale Circle
Property Improvement Grant Agreement - 334 Springdale Circle 334 Springdale Circle - Before and After Photos
Property Improvement Grant Agreement - 802 Springdale Circle 802 Springdale Circle - Before and After Photos

6.3 Approve Foreclosure Registration Process Agreement - Best Interest Acquisition - Community Champions Corporation & Property Registration Champions (PROCHAMPS)
Proposed Agreement - Property Registration Champions (PROCHAMPS) Foreclosure Registration Summary from PROCHAMPS

Sec. 58-11. Best Interest Acquisition - Purchasing
Code Sole Source Letter - PROCHAMPS
Village Code - Sec. 58-11 Best Interest Acquisitions

6.4 Authorize Uniform Contract - Piggyback - Public Service Department (FY 2020 Budget Funded) – UniFirst Corporation
Proposed Agreement - Unifirst Corporation
Sourcewell (NJPA) - Contract Award - UniFirst Corporation Sourcewell (NJPA) - Invitation to Bid
Sourcewell (NJPA) - Bid Pricing - UniFirst Corporation

6.5 Approve Roadway Asphalt Milling & Resurfacing Contract - 1st Amendment - (Piggyback - Renewal) - Public Service Department - Public Works (FY 2020 Budget Funded) - Ranger Construction Industries
Proposed Amendment No. 1 to Agreement - Ranger Construction Industries Village of Palm Springs - Agreement for Milling and Resurfacing - Ranger Construction Industries
Approval to Piggyback - Ranger Construction Industries
Palm Beach County - Executed Amendment No. 2 (Contract Renewal) - Ranger Construction Industries
Palm Beach County - Executed Amendment No. 1 (Contract Renewal) - Ranger Construction Industries
Palm Beach County - Executed Agreement - Ranger Construction Industries

6.6 Approve Work Authorization No. 2 - Roadway Asphalt Milling & Resurfacing - Piggyback - Public Service Department (FY 2020 Budget Funded) - Ranger Construction Industries
Project Work Authorization No. 2 - Road Milling & Resurfacing - Ranger Construction industries
Map - Proposed Roadway Segments to be Milled & Paved - FY 2020
Village of Palm Springs - Proposed Amendment No. 1 to Agreement - Ranger Construction Industries

6.7 Approve Canal 11 Road Improvements Phase II Reconciliation (Closeout & Change Order #3) (Task Order #206) - Public Service Department (FY 2020 Budget Funded - General Fund) - DP Development, LLC
Proposed Change Order No. 3 - DP Development
Change Order No. 2 - DP Development Change Order No. 1 - DP Development Executed Agreement - DP Development

6.8 Approve Change Order No. 3 - Miller Road Drainage Improvements (Task Order No.
213) - Public Service Department (FY 2020 Budget Funded - Stormwater Enterprise Fund) - TCLM Enterprises, Inc.
Proposed Change Order No. 3 - TCLM Enterprises
Change Order No. 2 - TCLM Enterprises Change Order No. 1 - TCLM Enterprises Executed Agreement - TCLM Enterprises

6.9 Authorize Sodium Hexametaphosphate Purchase Contract - Piggyback - Public Service Department (FY 2020 Budget Funded) – Carus Corporation.
Proposed Agreement - Carus Corporation
Approval to Piggyback - Carus Corporation
Palm Beach County - Change Order No. 1 (Renewal)
Palm Beach County - Contract Award
Palm Beach County - Bid Tabulation
Palm Beach County - Carus Corporation Bid Response
Palm Beach County - Invitation to Bid

6.10 Authorize Emergency Purchase – Springdale Boulevard Sewer Force Main Repair – Public Service Department (FY2020 Budget - Water & Sewer Enterprise Fund)
Emergency Request to Repair Sewer Pipe - Springdale Boulevard - Invoice #20-0015-02 - Hinterland Group
Hinterland Group Tanker Hours Breakdown
Executed Village of Palm Springs Agreement -Hinterland Group
Village of Palm Springs Agreement - Contract Unit Prices - Hinterland Group
Village Code - Section 58-12 - Emergency Purchases

6.11 Authorize Emergency Purchase – Florida Mango Sewer Force Main Repair – Public Service Department (FY2020 Budget - Water & Sewer Enterprise Fund)
Emergency Request to Repair Sewer Pipe - Florida Mango Road - Invoice #20-0015-03F - Hinterland Group
Executed Village of Palm Springs Agreement - Hinterland Group
Village of Palm Springs Agreement - Contract Unit Prices - Hinterland Group Village Code - Section 58-12 - Emergency Purchases

6.12 Approve Firm Rankings & Authorize Agreement for Professional Services - RFP No. 2020R- 002 – Impact Fee Study (FY2020 Budget Funded)

Proposed Agreement for Professional Services - Impact Fee Study Exhibit "A" - RFP # 2020R-002 Proposal by Tindale Oliver

Village of Palm Springs - Request for Proposals (RFP) Impact Fee Study - RFP 2020R-002

Selection Committee Recommendation - Final

Selection Committee Recommendation - Shortlist

Impact Fee Study RFP Evaluation Committee Scoring Recommendation Memo June 12, 2020 - E-Bid Responses

Impact Fee Study - RFP # 2020R-002 - Evaluation Committee Members

6.13 Approve PBC Law Enforcement Agencies Combined Operational Assistance and Voluntary Cooperation Agreement (Renewal) - Palm Beach County Mutual Aid Agreement

Proposed PBC Law Enforcement Agencies Combined Operation Assistance and Voluntary Cooperation Mutual Aid Agreement

END OF CONSENT AGENDA

Mayor Pro Tem Ready made a motion to Approve the Consent Agenda as amended, seconded by Council Member Gunther. There was a roll call vote as follows: Vice Mayor Waller - Yes, Mayor Pro Tem Ready - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, and Mayor Smith - Yes. The motion carries 5-0.

7. PRESENTATIONS

7.1 Ensuring Access to Quality Distance Learning Opportunities for All - School District, County and Village of Palm Springs partnership to provide access to Internet Ensuring Access to Quality Wi-Fi Access - Village of Palm Springs Presentation Village of Palm Springs Wi-Fi Project Fact Sheet V2

Map of Students Receiving Free and Reduced Lunch in the Village of Palm Springs that Need Internet Service

7.2 Utility Rate Study (*ADDENDUM*)

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

Mayor Smith opened the meeting up for Public Comment on Agenda and Non-Agenda items. There were no comments.

9. PUBLIC HEARINGS

9.1 Resolution No. 2020-06 - Site Plan (SPR20-03) and Four (4) Waivers - 3922 Park Lane (*Quasi-Judicial Hearing*) [Continued from May 14, 2020 meeting]

Proposed Resolution No. 2020-06 - Site Plan & Four (4) Waivers
Exhibit "A" - Staff Report and Conditions of Approval
Agent's Letter Outlining Revisions Made in Response to Village Council Direction Site Plan, Landscape Plan, Architectural Plans, Civil Plans and Letters
Project Narrative and Justification Statement
Colored Site Plan and Building Elevations and Renderings Legal Description
Aerial Map and Location Map
Applicant Presentation - 3392 Park Lane Townhouses

Mayor Smith asked if there was any ex parte communication, there was none. Council Member Brinkman disclosed that she had no additional ex parte aside from the communication she spoke about in the first meeting (April 23rd). The applicant, Mr. Cory Cross was sworn in by the Village Clerk. The Village Manager read staff's presentation into the record. Mr. Cross explained that a financial analyst did a project estimation. The Analyst reviewed the project, and determined the project was not financially feasible at eight units (8). The project was just almost feasible at nine (9) units, barely not quite breaking even. Mr. Cross said that they decided to move forward with the project to make use of the site. They believe that the value of the property will increase, and the property will be financially feasible. Thus, they reduced the project by one unit instead of two (2) as requested by Council. The lowered the mass of the building and lowered it by four (4) to make the units a little wider, eliminate the third floor. He described the modifications made to the site plan to keep everything small-scale as possible and maintain a residential look within the limitations. Mr. Cross stated that they would provide a space for the wi-fi radios (PBC School Board Digital Divide Project) and donate.

Mayor Smith opened the meeting up for discussion and comments.

Vice Mayor Waller expressed her concerns with the density of the unit (with the reduced 9-units) is too much for the area. Council Member Brinkman supports the project, she understands it must be financially feasible; however, is concerned with the aesthetics (color of the building). The paint color is the same as the art building across the street from the development. Mayor Pro Tem Ready discussed security in the area. He wanted to know if the Village Police would be contacted for problems in the area, or, the owners of the property since it is a rental. Mr. Cross responded that a 24/7 on-site manager would be in the development to address security concerns. Council Member Gunther said that he supported the project; however, he had a concern about the developer selling the units. He wants the units to remain rental units and not become investment property. Council Member Gunther asked that if the units become separate owned individually, can language be included in the site plan approval. The Village Attorney, Mr. Torcivia clarified if Council Member Gunther wanted language that incorporated that state the units could never be owned (individually), they could only be rentals. Council Member Gunther responded that this is the language he wanted. He justified his reason for the language is because of current parking problems throughout the Village. Mrs. Glas-Castro pointed out that Condition #21 in the Site Plan addressed parking issues.

Mayor Smith advised that she did not support the project in the first meeting. She talked about a two (2)-car limit that was discussed n the previous meeting. Mayor Smith said that the Village had several infill lots, and they were not all going to be the same. The Village Attorney said that the language in Condition #21 was the most appropriate. The Village cannot restrict the developer from ever selling the property. Mayor Smith asked Mrs. Glas-Castro if she located the language about the number of cars in the Site Plan. Mrs. Glas-Castro said that the condition is in the Parking Management Plan which is part of their site plan package and within their lease agreements.

Vice Mayor Waller asked if the broadband facilities needed to be included in the 6 conditions. Mrs. Glas-Castro stated that we can add it as a standard condition of approval for commercial properties. She gave them some verbiage to consider. Vice Mayor Waller asked Mr. Cross if he had considered changing the colors of the development. Mr. Cross said that he did not have a problem changing the color or color combination of the building. The Council and Mr. Cross ensued in a discussion about prospective colors.

Mayor Smith asked the Village Clerk, Ms. Wynn, if there were any public comments. There were no public comments presented.

The Village Attorney read the title of caption for Resolution No. 2020-06 into the record.

Council Member Gunther made a motion to approve Resolution No. 2020-06, seconded by Council Member Brinkman. There was a roll call vote Vice Mayor Waller

- Yes, Mayor Pro Tem Ready - Yes, Council Member Brinkman - Yes, Council Member Gunther -Yes, Mayor Smith - Yes. The motion carries 5-0.

9.2 Ordinance No. 2020- 28 - Village Code Amendment - Chapter 2 - Administration

Proposed Ordinance No. 2020-28 - Amendment to Chapter 2 Administration

Village Manager Reade read staff's presentation into the record. Mayor Smith opened the meeting for Council and public discussion. 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. 2020-28 on First Reading, seconded by Vice Mayor Waller. There was a roll call vote: Vice Mayor Waller - Yes, Mayor Pro Tem Ready - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

9.3 Resolution No. 2020-27 - COVID-19 Utility Customer Payment Policy

Proposed Resolution No.2020-27 - COVID-19 Utility Customer Payment Policy UPDATED

Proposed COVID-19 Policy Final

Village Manager Reade read staff's report into the record. He introduced Ms. Jancy Bravo, Customer Utilities Supervisor, and Mr. Ron Eyma, Director of Public Service to answer questions. Mayor Smith offered the Council an opportunity to comment on this item.

Mayor Pro Tem Ready asked the number of residents eligible for service shut-offs as of last month. Ms. Bravo answered there were 334 customers. Council Member Brinkman suggested changes to the Ordinances [Resolution] and one (1) to the policy. She stated that the current language talks about customers subject to disconnection from March 2020 - September 30, 2020. She proposed language to include language that include utility customers who become subject to service disconnection from October 1, 2020, through the end of December 31, 2020. Council Member Brinkman stated her reason for the request is that residents will begin to feel the impact of the reduced $600 unemployment payment (COVID-19 benefit). Within the policy, Council Member Brinkman talked about the vehicle of communication used to communicate the policy. She requested that "or" be removed to include door hangers for residents. Mayor Smith paraphrased Council Member Brinkman's recommendation for clarification.

Village Manager Reade explained that the customer would pay 15% of their outstanding balance, then the balance will be place on a payment plan. An installment plan with up to six (6) equal payments (monthly) is set up for customers to pay their past due balance. Village Manager Reade informed Council that time restraints may limit staff from notifying customers with all suggested methods. Mr. Eyma advised that staff needs to have the flexibility of communication methods to reach out to customers. Additional discussion ensued among the Council and Village Manager about the utility shut-off policy. Council Member Gunther inquired if there was a process to qualify for CARES Act funding.

Ms. Bravo explained that the program is needs-based. The Village has pamphlets translated in Spanish for customers. Council Member Gunther asked if pamphlets could be included with utility bills. Ms. Bravo informed them that a message was printed on the bills for two consecutive months. Mayor Pro Tem Ready asked if CARE funding was one month or multiple months. Ms. Bravo clarified that you can only apply one time; however, the funding covered multiple months.

It was the consensus of the Council to extend the Utility Shut-Off program through December 31, 2020. The Council requested that the wording be changed to include customers effected as of October 1st through December 31st; leave the "or" in the caption.

Mayor Smith opened the meeting to public comments. There were no public comments. Village Attorney Torcivia read the title of the caption into the record.

Council Member Brinkman made a motion to approve Resolution No. 2020-27 as amended, seconded by Vice Mayor Waller. There was a roll call vote: Vice Mayor Waller - Yes, Mayor Pro Tem Ready - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

10. ACTIONS AND REPORTS

10.1 DISCUSSION OF CITY MANAGER EVALUATION

Vice Mayor Waller thinks he is doing good. She said her only complaint is his timeliness. Vice Mayor Waller stated that the Village Manager Reade requested that a clause be added to his contract that a supermajority is required to terminate a Village Manager. She stated that other municipalities like Lake Park and Greenacres have supermajority in their contracts. Vice Mayor Waller was not sure if this clause could just be added, or if an ordinance was required. Village Attorney Torcivia explained that he would have to research how this is done. Mayor Smith explained that the Village Attorney can research and get back to the Village Council. Vice Mayor Waller explained there was a concern about the supermajority vote. Mayor Pro Tem Ready advised the Village Manager to take more vacation time. He needs to give responsibility to staff to get projects completed on time so he can get them to Council. Other than those improvements, he gave him a score of 43. Council

Member Brinkman said she had similar comments as Mayor Pro Tem Ready - as the Village Manager, he cannot do it all. She concurred with the Vice Mayor, and asked that the supermajority vote and salary be reviewed. She did not think that it was fair to have only (3) Council Members vote to let a Village Manager go after discussion at the end of an agenda. Council Member Brinkman said that job stability was more of a concern than salary.

Council Member Gunther echoed Council Brinkman's comments. The Village Manager needs to take more time off and enjoy family. The Village Manager is doing a good job, and the community appreciate him.

Mayor Smith talked about and the Village Manager's ability to balance. She discussed some of his accomplishments:

- Eight (8) consecutive years of decreased millage rate
- 2.CDBG grant funding (recently, the Village received $500,000 in the past
- year)
- Although there was a problem with our technology (Cyber-hijack) it resulted in a more efficient IT department
- LED light bulbs replacement
- Addresses problems quickly (i.e., COVID)
- Implementing the Back-to-School Program
- CRA, Transportation Mobility Plan

Council Member Brinkman stated that because of COVID she was thinking that he should receive what Village employees receive (5%). Vice Mayor Waller stated that he should receive at least 5%. Village Manager Reade is the leader, she suggested 7%. Mayor Pro Tem Ready asked about a city-vehicle instead of a car allowance. Village Manager Reade stated that he was not interested in a city-vehicle.

It was the consensus of the Council that Village Manager Reade must take more time off to enjoy family and he should receive a 7% increase.

Vice Mayor Waller made a motion to increase Village Manager Reade's salary 7 percent (effective as of his contract date) and investigate the supermajority (to terminate) in his contract, seconded by Council Member Gunther. There was a roll call vote: Vice Mayor Waller - yes, Mayor Pro Tem Ready - Yes, Council Member Brinkman - Yes, Council Member Gunther - Yes, Mayor Smith - Yes. The motion carries 5-0.

11. VILLAGE MANAGER COMMENTS

The Village Manager thanked the Council for their comments. Village Manager Reade talked about the storms that were in the area and how staff was preparing. He talked about the Back-2-School program. Mr. Lucas said they expect 30-40 employee members to participate.

12. VILLAGE COUNCIL

Vice Mayor Waller commented on the moved bench at Frost Lake. She talked about the wildlife that is in the area making it difficult to walk around. Council Member Brinkman wished everyone a happy holiday weekend. Council Member Gunther thanked staff for the budget and the Village Manager for his commitment. Mayor Smith thanked staff especially the police department for the body cams. Mayor Pro Tem Ready gave an update of his daily activities with the Village. Mayor Smith is impressed with how staff has handled the COVID pandemic.

13. ADJOURNMENT

Hearing no further business Mayor Smith adjourned the meeting at 9:15 PM

Next Meeting

THURSDAY, SEPTEMBER 10, 2020

AT 6:30 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 to request such assistance.

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 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 **August 20, 2020** Which minutes were formally approved and adopted by the Village Council on **February 11, 2021.**

VILLAGE OF PALM SPRINGS SEAL 1957 FLORIDA

Kimberly M. Wynn

Kimberly M. Wynn, Village Clerk

ATTEST:

Bev Smith, Mayor