



**AGENDA  
VILLAGE COUNCIL MEETING  
VILLAGE HALL COUNCIL CHAMBERS  
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461  
NOVEMBER 10, 2022  
6:30 PM**

**COUNCIL**

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

**ADMINISTRATION**

- ☐ Village Manager Michael Bornstein
- ☐ Village Attorney Glen Torcivia
- ☐ Village Clerk Kimberly Wynn

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*If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.*

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**CALL TO ORDER**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

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

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| Motion | Second | Vote |
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**CONSENT AGENDA**

(Public Comment on Consent Agenda Items is permissible prior to voting)

1. **First Amendment to the Agreement for Professional Services - Federal Terms & Conditions - Chen Moore & Associates, Inc.:** Motion to approve First

Amendment to the Agreement for Professional Services with Chen Moore & Associates, Inc., to add terms and conditions required when federal funds are being expended on a project. There is no fiscal impact. The language in this amendment is required for the Village to utilize federal funding.

Staff: Walter Sanchez, Project Manager

2. **First Amendment to the Agreement for Professional Services - Federal Terms & Conditions - RJ Behar & Company, Inc.:** Motion to approve a First Amendment to the Professional Services Agreement with RJ Behar & Company, Inc. to add terms and conditions required when federal funds like the American Rescue Plan Act (ARPA) are being expended on a project. There is no fiscal impact. The language in this amendment is required for the Village to utilize federal funding.

Staff: Walter Sanchez, Project Manager

3. **First Amendment to the Construction Services Agreement - Federal Terms & Conditions - Hinterland Group, Inc.:** Motion to approve a First Amendment to the Construction Services Agreement with Hinterland Group to add federal terms and conditions to the agreement as required if and when federal funds are used. Hinterland Group, Inc. uses American Rescue Plans Act Funds for the Gulfstream Road Stormwater Improvement project (Task Order 277). The First Amendment to the Construction Services Agreement does not have a fiscal impact on the Village. This request has no fiscal impact on the Village.

Staff: Walter Sanchez, Project Manager

4. **First Amendment to the Agreement for Professional Services - Federal Terms & Conditions - Craven Thompson & Associates, Inc.:** Motion to approve a First Amendment to the Agreement for Professional Services with Craven Thompson & Associates, Inc., to add terms and conditions required when federal funds such as the American Rescue Plan Act (ARPA) are being expended on a project. There is no fiscal impact. The language in this amendment is required for the Village to utilize federal funding.

Staff: Walter Sanchez, Project Manager

5. **First Amendment to the Agreement for Professional Services - Federal Terms & Conditions - DRMP, Inc.:** Motion to approve a First Amendment to Agreement for Professional Services with DRMP, Inc. to add terms and conditions required when federal funds are being expended on a project. DRMP, Inc. has been authorized to provide engineering design services for the Lakewood Road West of Kirk Stormwater Improvements project - Task Order 293 - funded with American Rescue Plan Act (ARPA) dollars. There is no fiscal impact. The language in this amendment is required for the Village to utilize federal funding.

Staff: Walter Sanchez, Project Manager

6. **Second Amendment to a Professional Services Agreement - Federal Terms &**

**Conditions - Eckler Engineering:** A motion to approve an amendment to Eckler Engineering's Professional Services Agreement containing additional terms and conditions requiring the expenditure of federal funds. This request does not have a fiscal impact on the Village; however, the vendor needs permits from the Village for federally funded projects.

Staff: Kimberly Glas-Castro, Assistant Village Manager

7. **Second Amendment to the Agreement for Professional Services - Federal Terms & Conditions - Wantman Group, Inc.:** Approval of a Second Amendment to Agreement for Professional Services with Wantman Group, Inc., to add terms and conditions required when federal funds are being expended on a project. This request does not have a fiscal impact on the Village.

Staff: Walter Sanchez, Project Manager

8. **Second Amendment to a Professional Services Agreement - Federal Terms & Conditions - Holtz Consulting Engineers, Inc.:** Motion to approve a Second Amendment to the Agreement for Professional Services with Holtz Consulting Engineers to add terms and conditions required when federal funds are being expended on a project. The proposed request does not have a fiscal impact on the Village; however, it allows the Village to use this vendor for federally funded projects.

Staff: Kimberly Glas-Castro, Assistant Village Manager

9. **Fourth Amendment to the Agreement for Professional Services - Federal Terms & Conditions and Time Extension - Engenuity Group, Inc.:** Motion to approve a Fourth Amendment to the Agreement for Professional Services with Engenuity Group, Inc., to include federal terms and conditions required when ARPA funds are used or expended on a project. In addition, it extends the agreement to an additional final one (1) year term that expires on March 11, 2024. Engenuity Group provides engineering design and construction oversight services for the Lakewood Road (East) Stormwater Project - Task Order 249. The request does not have a fiscal impact on the Village.

Staff: Kimberly Glas-Castro, Assistant Village Manager

10. **Fourth Amendment to the Agreement for Professional Services - Federal Terms & Conditions and Time Extension - Keshavarz & Associates, Inc.:** Motion to approve a Fourth Amendment to the Agreement for Professional Services with Keshavarz & Associates, Inc., to provide general engineering design and construction oversight services for the Village for the Lake Worth Road Stormwater Project - Task Order 298 . The Fourth Amendment to the Agreement for Professional Services will include federal terms and conditions required when ARPA funds are used or expended on a project. In addition, it extends the agreement for an additional and final one (1) year term that expires on March 11, 2024. The request does not have a fiscal impact on the Village.

Staff: Kimberly Glas-Castro, Assistant Village Manager

11. **Equipment Purchase and Installation – Piggyback (Broward County Sheriff’s Office Contract RFP No. 18006AG – Emergency Equipment for Law Enforcement Vehicles – May 8, 2018) - Police Department (FY 2023 Budget Funded) - Strobes R Us:** Authorize the Police Department to piggyback the Broward County Sheriff’s Office Contract that was completed through a competitive selection process (RFP No. 18006AG – Emergency Equipment for Law Enforcement Vehicles – May 8, 2018) to purchase emergency equipment for eight (8) law enforcement vehicles (five marked police vehicles and three unmarked), along with the associated graphics in the amount of \$65,268.48 from Strobes-R-Us. Funds to support this proposed purchase are available within the FY 2023 Approved Budget - Vehicles - General Fund.  
Staff: Tom Ceccarelli, Police Chief
12. **Change Order No. 1 - SCADA System Upgrades Main Water Treatment Plant (Task Order No. 227) - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Eckler Engineering, Inc.:** Approve Change Order No. 1 - SCADA System Upgrades Main Water Treatment Plant (Task Order No. 227) with Eckler Engineering, Inc. for \$40,160.46 for additional professional engineering services (i.e., design and construction services) related to the proposed SCADA system upgrades at the Main Water Treatment Plant. Funding to support SCADA System Upgrades Main Water Treatment Plant (Task Order No. 227) is provided by the Utilities - Water & Sewer Enterprise Fund.  
Staff: Paul Ward, Assistant Director of Utilities
13. **Change Order No. 1 - Gulfstream Road Stormwater Improvements Project (Task Order No. 277) - Public Works Department (FY 2023 Budget Funded - Stormwater Enterprise Fund) - Hinterland Group:** Approve a Change Order No. 1 (Task Order No. 277) with Hinterland Group Inc. to extend the Gulfstream Road Stormwater (Task Order No. 277). Improvements project completion date by sixty-seven (67) calendar days (contract time from 150 days to 217 days). There is an anticipated completion date of 2023 for Gulfstream Road Stormwater Improvements (Task Order No. 277). Funding is available from the Stormwater Enterprise Fund FY 2023 Budget Fund.  
Staff: Paul Ward, Assistant Director of Utilities
14. **Equipment Purchase - Cooperative Purchase - Utilities Department (FY 2023 Budget Funded):** Approve a Cooperative Agreement with the Sheriff’s Association & Florida Association of Counties Office that was completed through a competitive selection process (FSA20-EQU 18.0 – Heavy Equipment – April 22, 2020) to purchase two (2) portable Dri-Prime pumps for \$90,000 from Xylem. Funds to support this proposed purchase are available within the FY 2023 Approved Budget - Water & Sewer Enterprise Fund.  
Staff: Paul Ward, Assistant Director of Utilities

15. **Resolution 2022-46 - Approve Amendment 2 - Community Development Block Grant (CDBG) Agreement with Palm Beach County - Park Connector Pathway - FY 2023:** Approve Resolution No. 2022-46; Amendment No. 2 to the Interlocal Agreement with Palm Beach County provides a revised project scope that the pathway will run from Davis Road west to Kirk Road, to extend the project completion date to May 2023, and expenditure requirements. There is no fiscal impact on this Amendment request.  
Staff: Justin Lucas, Director of Parks & Recreation
16. **Agreement for Foreclosure and Code Enforcement Legal Services - (FY 2023 - General Fund Budget - Legal) - Goren, Cherof, Doody & Ezrol, P.A. - Brian Sherman:** Motion to approve an Agreement with Goren, Cherof, Doody & Ezrol, P.A., a law firm in the amount of \$250 per hour for foreclosure and code enforcement legal services and establishes a two (2) year term, and may be extended upon written agreement. Funding to support these specialized legal services is available within the FY 2023 General Fund Budget - Legal.  
Staff: Michael Bornstein, Village Manager
17. **Resolution No. 2022-47 - Utilities Interlocal Agreement for the Sale of Water - Town of Lake Clarke Shores:** Approve Resolution No. 2022-47; an Interlocal Agreement with the Town of Lake Clarke Shores for the Village to provide the bulk sale of water.  
Staff: Paul Ward, Assistant Director of Utilities
18. **Vehicle Purchases - Cooperative Purchases - Utilities Department (FY 2023 Budget Funded):** Approve the purchase of one (1) Ford F-250 3/4 ton truck with a utility bed and one (1) Ford F-550 crane truck for the Utilities Department utilizing the Florida Sheriff's Association (Bid FSA22-VEH 20.0 - October 1, 2022) for \$209,741. Funds to support this proposed vehicle purchase are available within the FY 2023 Budget - Water & Sewer Enterprise Fund.  
Staff: Paul Ward, Assistant Director of Utilities
19. **Purchase Eight (8) Vehicles for the Police Department - Piggyback Agreement (FSA #22-VEH30.0)- Police Department - FY 2023 Budget Funded:** Authorize the Police Department to enter a Piggyback Agreement with The Sheriffs' Association & Florida Association of Counties contract was completed through a competitive selection process – Police Rated, Administrative, Utility Vehicles, Trucks & Vans (Bid #FSA22-VEH30.0 – October 1, 2022) that was completed through a competitive selection process to purchase five (5) - 2023 Chevrolet Tahoe 1500 marked vehicles for \$193,310 (\$38,662 per vehicle) and three (3) unmarked Chevrolet Malibus for \$59,268 (\$19,756 per vehicle) from Garber Chevrolet. The remaining budgeted funds will be used to outfit the vehicles with emergency equipment and striping as needed. Funds to support this proposed purchase are available within the FY 2023 Approved Budget - Vehicles - General Fund.

Staff: Tom Ceccarelli, Police Chief

20. **Temporary Use Permit - Sales Center - Boatman Hammock - Assemblage of the Properties 4445 Boatman Street and Vacant Lot on Todd Street:** Approve a Temporary Use Permit with K. Hovnanian Aspire at Boatman Hammock LLC applicant is requesting that a 1,956 square foot townhome be used as a model/sales center; the unit will be a "dry model," providing temporary parking located in the front of a unit and adjacent thereto with a concrete sidewalk. Once the sales are completed for the community or the two years are reached, the temporary parking area and the sidewalk will be removed, and the area will be sodded and restored accordingly with the approved site plan Staff recommends approval of the proposed two (2) year Temporary Use permit to support a temporary sales office until a model unit is built to serve as Boatman's sales office Temporary Use Permit - Sales Center - Fontana Townhomes - 3674 San Bernardino Way (formerly 4090 Coconut Road & 4063 Davis Road)

Staff: Iramis Cabrera, PZB Director

21. **Land Planning and Zoning Consultant Services Contract - Request for Proposal (RFP No. 2022R-004) - Planning, Zoning, and Building Department- FY 2023 Budget General Fund - PZB:** Motion to approve staff's recommendation of the Land Planning and Zoning Consultant (RFP No. 2022R-004 - Vision Comprehensive Plan and LDR Revised) and authorize staff to negotiate with Bonnie C. Landry & Associates an agreement for the Village Vision, Comprehensive Plan, and Land Development Regulation (LDR) Revisions. Under Section 58-5 of the Purchasing Code, the Village used the Competitive Selection Purchase Requirement. Funding to support the proposed services is available within the FY 2023 Budget - General Fund - PZB.

Staff: Iramis Cabrera, PZB Director

22. **Vehicle Purchase - Cooperative Agreement - Public Works Department (FY 2023 Budget Funded):** Approve the purchase of two (2) Ford F-250 3/4 ton trucks with a utility bed for the Public Works Department Cooperative Agreement with the Florida Sheriff's Association (Bid FSA22-VEL 30.0 - October 1, 2022) for \$117,328.00. Funds to support these proposed vehicle purchases are available within the FY 2023 Budget - Public Works Machinery & Equipment.

Staff: Timothy Crespo, Public Works Superintendent

23. **Building Plans Review and Inspection Services Agreement - Piggyback Agreement - Term Extension - C.A.P. Government, Inc.:** Approve a Piggyback Agreement with the Town of Jupiter originally completed through a competitive selection process - Building Inspection, Plan Review, and Permit Technician Services (RFP BLD001-2019/LC - May 16, 2019) for Building Inspection/Plan Review for an initial term that expires July 30, 2024 with two twelve-month renewal options. Funds to support this proposed Agreement are available with the FY 2023 Budget - General Fund.

Staff: Iramis Cabrera, PZB Director

24. **Vehicle Purchase - Cooperative Agreement - Public Works Department (FY 2023 Budget Funded):** Approve a vehicle purchase from Sourcewell awarded to various vendors (including Altec Industries, Inc.) through a competitive selection process (Solicitation Number: RFP No. 110421 - January 12, 2022) for \$179,727.00 for a 60-ft bucket truck for the Public Works Department. Funds to support vehicle purchase are available within the FY 2023 Budget - Public Works Machinery & Equipment.

Staff: Timothy Crespo, Acting Public Works Director

25. **Service Employees International Union/Florida Public Services Union (SEIU/FPSU) Agreement - Reopener Amendments (TA); THE ITEM WILL BE AVAILABLE BEFORE THE NOVEMBER 10, 2022 COUNCIL MEETING.**

Staff: Ashley Saingilus, Human Resources Director

End of Consent Agenda....

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| Motion | Second | Vote |
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## PRESENTATIONS

26. **World Aids Day - December 1, 2022 - Proclamation**

Staff: Kimberly Wynn, Village Clerk

## PUBLIC COMMENT (Three minute limit)

## REGULAR AGENDA

## PUBLIC HEARINGS

27. **(Quasi-Judicial Hearing) Resolution No. 2022-45 Special Exception Use (PSSE22-08) and Site Development Plan Amendment (SPR22-15) - Extraordinary Kids Foundation:** Motion to approve Resolution No. 2022-45; an application submitted by Madean Gilzene, agent for the tenant, Extraordinary Kids Foundation ("Applicant"), for a Special Exception Use (PSSE22-08) and Site Plan Amendment (SPR22-15) approval, to allow the conversion of 5,495 square feet of retail-office space into a child care facility located on a 4.25-acre parcel that is located at 4218-4220 Lake Worth Road.

Staff: Iramis Cabrera, PZB Director

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| Motion | Second | Vote |
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28. **(First Reading/Quasi-Judicial Hearing) Ordinance No. 2022-12 - Land Use Amendment and Rezoning (Small-Scale) - Oxygen Development:** Motion to Approve Ordinance No. 2022-12; to amend the land use and zoning designations for 17.74 acres (comprised of eleven parcels) to facilitate an industrial development project that is a proposed small-scale land use change from a Commercial and Medium Density Residential to Light Industrial, concurrent with Rezoning from Commercial General (CG) and Residential Multiple-Family (RM) to Light Industrial (LI) planned for a mix of manufacturing and warehouse use located west of Congress Avenue and North of Forest Hill Boulevard at the Oxygen Development.  
Staff: Iramis Cabrera, PZB Director

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| Motion | Second | Vote |
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#### **ACTIONS AND REPORTS**

#### **VILLAGE MANAGER COMMENTS**

#### **VILLAGE COUNCIL COMMENTS**

#### **ADJOURNMENT**

**NEXT MEETING  
THURSDAY, DECEMBER 8, 2022 AT 6:30 PM  
(IMMEDIATELY FOLLOWING THE LPA MEETING)**

## Village of Palm Springs

### Title VI/Nondiscrimination Policy

#### **I. Policy Statement:**

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

#### **II. Persons with Disabilities:**

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus  
Address: 226 Cypress Lane, Palm Springs, FL 33461  
Email: [asaingilus@vpsfl.org](mailto:asaingilus@vpsfl.org)  
Phone: (561) 584-8200 Ext. 8419

#### **III. Complaint Procedures:**

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager  
Address: 226 Cypress Lane, Palm Springs, FL 33461  
Email: [jpiedra@vpsfl.org](mailto:jpiedra@vpsfl.org)  
Phone: (561) 584-8200 Ext. 8421