



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
DECEMBER 8, 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

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.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Motion	Second	Vote
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CONSENT AGENDA

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

1. **November 8, 2022 Emergency Meeting Minutes:** Motion to approve the November 8, 2022, minutes from the Village Council Emergency Meeting to

declare a local state of emergency for Tropical Storm Nicole.

Staff: Kimberly Wynn, Village Clerk

2. **Agent of Record–Employee Benefits Broker Services Agreement – Piggyback (Amendment) – The Gehring Group, Inc.:** Approve the First Addendum to the Agreement for the Agent of Record Employee Benefits Broker Services with the Gehring Group piggybacking the City of Oakland Park - (Group Benefits Consultant/Agent of Record - RFP #052716) for \$30,000 per year (\$7,500 per quarter) for a Consultant to help in the selection of health insurance, dental insurance, vision insurance, and other ancillary products. The contract term is two (2) years, beginning November 5, 2022 and ending November 4, 2024. Funding to support this service is available within the FY 2023 Budget - General Fund and Water & Sewer Enterprise Fund.

Staff: Ashley Saingilus, Human Resources Director

3. **Appointments to the Construction Board of Adjustment and Appeals:** Approve the Appointment of Brandon Cabrera and Timothy Dornblaser as Regular Board Members for an unexpired term ending May 14, 2023, plus a three-year term ending May 14, 2026. Upon approval of the appointments, there will be one (1) Regular Board vacancy, one (1) Senior Board vacancy, and one (1) Junior Board vacancy.

Staff: Jane Worth, Deputy Village Clerk

4. **Re-Appointment of Alternate Special Magistrate William P. Doney and Approval of Professional Services Agreement:** Motion to re-appoint Mr. William P. Doney as the Alternate Special Magistrate and approve a Professional Services Agreement with Mr. William Doney, with Caldwell Pacetti Edwards Schoech & Viator LLP, for Alternate Code Enforcement Special Magistrate for the amount of two hundred and ten dollars (\$210.00) per hour. The term of the agreement is for one (1) year, with three (3), one (1) year extensions. The extensions may be exercised by the Village Manager on behalf of the Village. Funds to support this proposed service are available within the FY 2023 Budget - Professional Services - General Fund.

Staff: Kimberly Wynn, Village Clerk

5. **Re-Appointment of Code Enforcement Special Magistrate Ms. Diane James-Bigot and Approval of Professional Services Agreement:** Motion to re-appoint Ms. Diane James-Bigot as the Special Magistrate, and approve a Professional Services Agreement with Ms. Diane James-Bigot, with Law Offices of Diane James-Bigot, for Code Enforcement Special Magistrate for the amount of two hundred and ten dollars (\$210.00) per hour. The term of the agreement is for one (1) year, with three (3), one (1) year extensions. The extensions may be exercised by the Village Manager on behalf of the Village.

Staff: Kimberly Wynn, Village Clerk

6. **Resolution No. 2022-52 - Announcement of Village of Palm Springs Municipal Election, Polling Locations & Establish Canvassing Board - Tuesday, March 14, 2023:** Motion for approval of Resolution No. 2022-52 announcing the Village of Palm Springs Municipal Election for District #4, Polling Locations and Establishing the Canvassing Board on Tuesday, March 14, 2023. If necessary, a Run-Off Election on Tuesday, March 28, 2022.
Staff: Kimberly Wynn, Village Clerk
7. **Resolution No. 2022-51 - Appointment to Palm Springs Community Redevelopment Agency (CRA) Board – Congress Avenue District Member:** Motion for approval of Resolution No. 2022-51 to appoint Dr. Fabiana DesRosiers to the Community Redevelopment Agency Board to represent the Congress Avenue Corridor to serve an unexpired term that ends November 21, 2023.
Staff: Kimberly Glas-Castro, Assistant Village Manager
8. **Motor and Pump Repair Services - Piggyback (Renewal) - Utilities Department (FY 2023 Budget Funded) - Tripp Electric Motors, Inc.:** Approve renewal of a piggyback agreement for Tripp Electric Motors, Inc., for an additional term that expires October 23, 2023, to employ the services to assist the Utilities Department in the repair of motors and pumps throughout the Village's wastewater collection system (i.e., lift station pumps to pump sewage) and two (2) water treatment plants (i.e., high service pumps to deliver drinking water to customers (Martin County - Motor and Pump Repair {RFB #2018-3087 – October 23, 2018}). Funding to support purchases under this proposed authority to purchase is available within the FY 2023 Budget - Water & Sewer Enterprise Fund.
Staff: Paul Ward, Assistant Director of Utilities
9. **Contract for Construction Manager at Risk Services - Kaufman Lynn Construction - Police Department Building Expansion (Task Order No. 269):** Approve a Contract for Construction Manager at Risk Services Agreement (RFP# 2022R-003 (Task Order No. 269) for Construction Manager at Risk Services with Kaufman Lynn Construction for the expansion of the Village of Palm Springs Police Department located at 230 Cypress Lane, which includes pre-construction and construction services along with a guaranteed maximum price (GMP) of the construction costs. Funding to support a construction manager for the Police Department building expansion is available within the FY 2023 Budget - General Fund and the Capital Improvement Plan (CIP) utilizing Infrastructure Surtax (Sales Tax) funds.
Staff: Kimberly Glas-Castro, Assistant Village Manager
10. **Houston-Galveston Area Council (H-GAC) Interlocal Cooperative Purchasing Program Membership:** Approve an Interlocal Agreement allowing the Village to become a member of the Houston-Galveston Area Council (H-GAC) Cooperative Purchasing Program to contract or agree under the terms of the Act to make purchases or to provide purchasing services and other administrative functions

appropriately established by another government entity. No fiscal impact at this time. However, as a member of this purchasing cooperative, the opportunity exists to utilize awards that will increase efficiency and provide cost-savings.

Staff: Justin Lucas, Director of Parks & Recreation

End of Consent Agenda....

Motion	Second	Vote
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PRESENTATIONS

PUBLIC COMMENT (Three minute limit)

REGULAR AGENDA

PUBLIC HEARINGS

11. **(Second Reading/Quasi-Judicial Hearing) Ordinance No. 2022-07 - Comprehensive Plan Amendment - Tenth Avenue Incubator Overlay:** Motion for approval of Ordinance No. 2022-07 amending the Comprehensive Plan of the Village of Palm Springs, in accordance with the local government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161, et. Seq., Florida Statutes, amending the text of the Village's future land use element of the Comprehensive Plan to create the "Tenth Avenue Incubator Overlay (TAIO)". The allowances of the TAIO shall only be applicable to Commercial General (CG) zoned properties fronting Tenth Avenue, generally located north of 10th Avenue North, between Palm Drive and South Florida Mango Road.

Staff: Iramis Cabrera, PZB Director

Motion	Second	Vote
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12. **(Second Reading/Quasi-Judicial Hearing) Ordinance No. 2022-08 - Village Code Amendment - Chapter 34 - Tenth Avenue Incubator Overlay:** Motion for approval of Ordinance No. 2022-08 amending the Village Code of Ordinances at Chapter 34 "Land Development", Article VI "Land Use", Division 7 "Supplemental District Regulations", to establish provisions of a new Subdivision XI, "Tenth Avenue Incubator Overlay (TAIO)", specifically Sections 34-1090 – 34-1099; to provide incentives for redevelopment located generally located north of 10th Avenue North, between Palm Drive and South Florida Mango Road.

Staff: Iramis Cabrera, PZB Director

Motion	Second	Vote
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13. **(Quasi-Judicial Hearing) Resolution No. 2022-50 - Sign Variances - McDonald's - 3671 South Congress Avenue:** Motion for approval of Resolution No. 2022-50 with conditions is submitted by Mr. Daryl Johnson, an agent for McDonald's (Corporate Office) in response to the request for five (5) sign variances. Two (2) digital menu board signs and two (2) digital presell signs will be installed at each drive-thru lane order point of the McDonald's fast food restaurant located at 3671 South Congress Avenue, one of each sign.
Staff: Iramis Cabrera, PZB Director

Motion	Second	Vote
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14. **Resolution No. 2022-48 - Preliminary Plat - Belmont - 1591 Kirk Road:** Motion for approval of a preliminary plat submitted by Ms. Martha Carter, the agent for D.R. Horton, Inc. ("Applicant"), to subdivide a multifamily property to delineate 42 individual townhouse lots, consistent with the site plan approved by the Village Council (Resolution No. 2022-08 - June 9, 2022), for the property located at 1591 Kirk Road.
Staff: Iramis Cabrera, PZB Director

Motion	Second	Vote
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15. **Resolution No. 2022-49 - Final Plat - 3673 Coconut Road:** Motion for approval of Resolution No. 2022-49, a request from Ms. Molly Brown, agent for BLP Homes LLC, the owner ("Applicant"), for a final plat to subdivide a multifamily property to delineate 12 individual single-family lots, consistent with the site plan approved by the Village Council (Resolution No. 2021-01 - January 14, 2021), for the property located at 3673 Coconut Road.
Staff: Iramis Cabrera, PZB Director

Motion	Second	Vote
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16. **(First Reading) Ordinance No. 2022- 13 - Village Code Amendment - Chapter 34 - Land Development - Article VI, Land Use, Section 34-890 - Home Occupations and Article IV, Signs, Section 34-328 - Wall, Under Canopy, and Window Signs:** Motion for approval of Ordinance No. 2022-13; amending Section 34-328 in the Village Code of Ordinances, to permit and regulate home-based businesses to conform to amendments to Florida Statute 559.955, and to the Home Occupation Code. To minimize adverse impacts from a zoning perspective on residential neighborhoods, Section 34-890 has been modified; and Section 34-328 has been amended to allow and regulate home-based business signage.

Staff: Iramis Cabrera, PZB Director

Motion	Second	Vote
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17. **(First Reading) Ordinance No. 2022-14 Village Code Amendment - Chapter 2 - Local State of Emergency**: Motion for approval of Ordinance No. 2022-14 to modify the procedures by which a local state of emergency is declared in the Village.

Staff: Kimberly Glas-Castro, Assistant Village Manager

Motion	Second	Vote
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ACTIONS AND REPORTS

VILLAGE MANAGER COMMENTS

VILLAGE COUNCIL COMMENTS

ADJOURNMENT

NEXT MEETING
THURSDAY, JANUARY 12, 2023 AT 6:30 PM

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
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
Phone: (561) 584-8200 Ext. 8421