



**VILLAGE COUNCIL MEETING MINUTES
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE, PALM SPRINGS, FLORIDA 33461
FEBRUARY 9, 2023 AT 6:30 PM**

CALL TO ORDER

Mayor Bev Smith called the Regular Council Meeting to order at 6:30 PM.

ROLL CALL

Present: Mayor Bev Smith, Vice Mayor Doug Gunther, Mayor Pro Tern Joni Brinkman, Council Member Patti Waller, and Council Member Gary Ready

Absent: None

Also Present: Assistant Village Manager Kim Glas-Castro, Village Attorney Glen Torcivia, Village Clerk Kimberly Wynn, Police Chief Tom Ceccarelli as Sergeant-in-Arms, Assistant Director of Public Works Timothy Crespo, Utilities Director Jimmie Johnson, Assistant Utilities Director Paul Ward, Planning, Zoning and Building Director Iramis Cabrera and Interim Parks & Recreation Director/Director of Library Services Jossie Maliska.

INVOCATION

The Assistant Village Manager, Ms. Kim Glas-Castro, led the invocation.

PLEDGE OF ALLEGIANCE

The Village Council led the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS. AND APPROVAL OF THE AGENDA

Assistant Village Manager Glas-Castro indicated no additions, deletions, or modifications to the Agenda.

Council Member Waller made a motion to approve the Agenda as presented. Vice-Mayor Gunther seconded the motion. The said motion carried 5-0.

CONSENT AGENDA

1. **December 8, 2022 Village Council Regular Meeting Minutes: Motion for approval of December 8, 2022, Village Council Regular Meeting Minutes.**
Staff: Kimberly Wynn, Village Clerk

2. **Resolution No. 2023-07 - Modified Village of Palm Springs Emergency Management Plan (EMP)**: Motion for approval of Resolution No. 2023-07 to modify the Village's processes and procedures, as the Palm Beach County Department of Emergency Management dictates, appoint newer Village departments with emergency responsibilities (Information Technology, Human Resources, Public Works, and Utilities (f/k/a Public Services), and resolve internal inconsistencies.

Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: On April 14, 2022, the Village Council approved an Emergency Management Plan (EMP) to guide Village operations during emergencies, disasters, hazards, or storm events that may threaten the lives and property of the Village's residents, businesses, and stakeholders.

The EMP was implemented twice during 2022 with Hurricanes Ian and Nicole. Before both storms, the Village declared a local state of emergency. As a result, during the storms, the Village Emergency Operations Center (EOC) was not activated. Still, all departments undertook pre-storm preparedness and readiness activities. In addition, incident Command staff participated in countywide municipal emergency management update calls hosted by the Palm Beach County Department of Emergency Management (PBC DEM).

While no substantive changes were made, modifications are proposed throughout the EMP to update processes and procedures dictated by PBC DEM to recognize and assign specific emergency responsibilities to newer Village departments (Information Technology, Human Resources, Public Works, and Utilities (vs. Public Services)) and to clean up internal inconsistencies.

A committee consisting of the Public Works Assistant Director, Utilities Director, Utilities Assistant Director, Police Captain, and Assistant Village Manager reviewed the EMP and prepared the proposed modifications. Each of the Department Directors reviewed the proposed EMP.

Fiscal Impact: There is no direct fiscal impact on the Village.

3. **Change Order No. 1 - Lakewood Road (East) Stormwater Improvements Project (Task Order No. 249) - Public Works Department (FY 2023 Budget Funded - Stormwater Enterprise Fund) - Engenuity Group, Inc.**: Motion for Approval of Change Order No. 1 (Task Order No. 249) to provide a Purchase Order increase of \$13,500 for additional consulting services to obtain necessary easements for Engenuity Group, Inc. The Lakewood Road (East) Stormwater Improvements Project (Task Order 249) is funded by the Stormwater Enterprise Fund.

Staff: Timothy Crespo, Assistant Public Works Director

Summary: On March 10, 2016, the Village Council approved Task Order No. 249 with Engenuity Group Inc. for design services for the Lakewood Road Stormwater Improvements (East) Project for the amount of \$20,848.00.

As part of the initial design phase, it was discovered that existing utility easements were required, as was a drainage easement for stormwater modifications along the drainage ditch at the rear of the properties.

The Village's contracted engineer, Engenuity Group Inc., and the Public Works department are requesting an amendment to the contract for Task Order No. 249 (Change Order No.1) of \$13,500.00 for the additional design services.

Fiscal Impact:

Item	Contract Amount
Original Contract Amount	\$20,848.00
CO No. 1	\$13,500.00
Revised Contract Amount	\$34,348.00

If approved, the total cost of the Lakewood Road Stormwater Improvements (East) Project within Task Order No. 249 will increase to \$34,348.00.

Funding to support the Lakewood Road Stormwater Improvements (East) Project (Task Order No. 249) was provided by the Stormwater Enterprise Fund.

4. **Vacuum Sewer System (AIRVAC) Parts & Supplies Purchase - Single-Source Purchase - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Aqseptance Group, Inc. (AIRVAC):** Motion for approval of a single-source purchase agreement with Aqseptance Group, Inc. to buy parts and supplies would provide a 5% discount off the current listed price for all AIRVAC parts and Busch vacuum pumps, as well as fixed rates for the Busch "Exchange Plus" program. Funding to support purchases under this proposed contract is available within the FY 2023 Budget - Water & Sewer Enterprise Fund.

Staff: Eliza Hansen, Administrative Assistant

SUMMARY: The Utilities Department, throughout the year, needs to purchase parts and supplies for the Village's three (3) Vacuum Sewer Systems. This sewer system is proprietary and provided by Aqseptance Group, Inc., and it recommends that we utilize their patented parts and supplies within our Vacuum Sewer System.

Aqseptence Group has provided a letter outlining the proprietary nature of this system and that the parts and supplies would only be available directly from their company. The proposed agreement to purchase parts and supplies would provide a 5% discount off the current listed price for all AIRVAC parts and Busch vacuum pumps, as well as fixed rates for the Busch "Exchange Plus" program. Thus, it is recommended to authorize the Village to make the necessary AIRVAC parts purchases under the Single-Source purchasing provision within the Village's Purchasing Code.

The Village's Purchasing Code - Section 58-7. Conducting a search for available sources, the Procurement Official and the user/requesting department determine that only a single-source is practicable, or for other reasons, a single-source is in the Village's best interest. Upon determination of a single-source, contract negotiations shall commence with the single-source. If the contract terms are agreed upon, the single-source purchase may have a total value of \$35,000 or less. In that case, a contract between the Village and the single source may be approved and executed by the Village Manager. If contract terms are agreed upon, and the single-source purchase is anticipated to have a total value of more than \$35,000, the Council must approve the contract between the Village and the single-source.

If the single-source contract is approved, the Village will accept the Aqseptence group pricing, including all terms and conditions therein. The duration of the proposed agreement will expire on December 31, 2023.

The Village Attorney prepared the proposed agreement and reviewed it with the Assistant Utilities Director, Utilities Director, and Finance Director.

The Village has worked with the proposed vendor previously, and they have provided excellent service and quality products.

Fiscal Impact: Funds for purchases under this proposed contract are available within the FY 2023 Budget - Water & Sewer Enterprise Fund. The Village will not expend more than the amount within the approved Budget as it may be adopted/amended each year for these goods and services over the term of this contract.

5. **Equipment Purchase (Task Order No. 266) - Cooperative Purchase - Utilities Department (FY 2023 Budget Funded) - Tradewinds Power Corp.:** Motion for approval for the purchase of one (1) Emergency Back Up Generator for Vacuum Station No. 1 and accept Tradewinds Power Corp price of \$103,718.00 thru the Florida Sheriff's Association & Florida Association of Counties (Bid No. FSA20EQU18.0). Funding for the proposed equipment purchase is available from the FY 2023 Budget - Water & Sewer Enterprise Fund.

Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: The Utilities Staff recommends cooperative purchasing of the current Sheriffs' Association & Florida Association of Counties contract awarding one (1) Emergency Back Up Generator for Vacuum Station No. 1 Task Order No. 266. In October 2020, the Florida Sheriff's Association & Florida Association of Counties completed a competitive selection process for heavy equipment (Bid No. FSA20-EQU18.0). Bid documents are on file in the Office of the Village Clerk.

Within the FY 2023 Budget, the Village Council approved the purchase of one (1) Emergency Back Up Generator for \$111,100.00. In addition, the Utilities Department obtained a bid for \$103,718.00 from Tradewinds Power Corp.

If approved, the Village would accept Tradewinds Power Corp. pricing by utilizing the Florida Sheriff's Association & Florida Association of Counties' cooperative purchasing contract, including all terms, conditions, and pricing. The term of the contract will expire on September 30, 2023.

Note: This purchase is about Vacuum Sewer Station No. 1 Building improvements Task Orders No. 240, 266, and 278 awarded to Hinterland Group on July 8, 2021. Change Order 1 was issued to cover the Emergency Generator portion of the awarded contract, Task Order 266.

By Section 58-8 of the Purchasing Code, the Village may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for purchasing. Such cooperative purchasing may include, but is not limited to, joint or multi-party contracts between government entities. Purchases through a cooperative purchasing agreement are exempt from the competitive selection purchase requirements outlined in this purchasing code. The Council must approve all Village purchases from a cooperative purchasing agreement which expects to have a total value of more than \$35,000.00.

The Utilities Director, Assistant Utilities Director, and Finance Director reviewed the equipment purchase proposal. The vendor has previously provided quality products and services to the Village.

Fiscal Impact: Funds to support this proposed equipment purchase are available within the FY 2023 Budget - Water & Sewer Enterprise Fund.

6. **Police Forfeiture Fund Donation:** Motion for approval of a request from the Police Department to donate \$9,250 to the Police Department's Explorer (PAL) program.

Staff: Tom Ceccarelli, Police Chief

SUMMARY: Per *Florida State Statute 932.7055 (5c3)*, "any local law enforcement agency that acquires at least \$15,000 pursuant to the Florida Contraband Forfeiture Act within a fiscal year must expend or donate no less than 25 percent of such proceeds for the support or operation of any drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood, or school resource officer program(s)."

During the fiscal year 2021-2022, the Police Department took in \$36,960.29 in forfeiture money. Twenty-five percent of that figure is \$9,240.07. The department is now requesting to donate \$9,250 to the Police Department's Explorer(PAL) program. This donation will exceed our statutory requirement.

This expenditure complies with the Florida State Statute and helps the police department meet its requirement to donate funds in support of a crime prevention or safe neighborhood program.

Fiscal Impact: Funds for this expenditure are available and have been planned for through the Police Department's Forfeiture Funds account.

7. **Amendment No. 2 to the Specialized Professional Services Agreement Land Management Software System Software Agreement for Code Enforcement Module Police Department {FY 2022-2023 General Fund} - MaintStar, Inc.:** Motion for approval of Amendment No. 2 to the Land Management System Software Agreement with MaintStar to include the Code Enforcement module for Code Enforcement - Police Department. The cost of licensing and professional services for the first year is \$30,000. The annual recurring cost is \$6,500 per year for a period of five (5) years, plus the option to receive additional online training for \$3,000. There is funding to support this request in the FY 2022-2023 Budget.

Staff: Tom Ceccarelli, Police Chief

SUMMARY: On July 8, 2021, the Village Council approved an agreement with MaintStar Inc. to provide all requisite software, project management, and implementation services, including training, technical support, and import/conversion of existing data from the Tyler-Munis platform. The requested software purchase/implementation will add the Code Enforcement function to the previously purchased product. The cost of the additional software is \$39,500.

The Planning, Zoning & Building (PZ&B) and Information Technology (IT) Departments have been working with the MaintStar team since October 2021 to implement the PZ&B project. All of the parties mentioned above indicated

that their project would be far enough along to begin the implementation of the MaintStar Code Enforcement module. Therefore, to complete the project during FY 2023, we request to proceed with the \$39,500 approved by the Village Council.

Fiscal Impact: In the FY 2022/2023 Budget, the Village Council approved funding to purchase and implement MaintStar Code Enforcement software.

8. **Change Order No. 1 - Village Hall N Flex Space Buildout (Task Order No. 289) - Public Works Department (FY 2023 Budget Funded - General Fund) - E&F Florida Enterprises, Inc.**: Motion to approve Change Order No. 1 (Task Order No. 289) for the Village Hall N Flex Space Buildout, located at 226 Cypress Lane, for an extension to the contract time due to supply chain issues and building department delays. An extension of 154 days is being requested for a total contract time of 304 days to bring the date of Substantial Completion to February 2023.

Staff: Jimmie Johnson, Public Works Director

SUMMARY: On March 10, 2022, the Village Council approved Task Order #289 with E&F Florida Enterprises, Inc., for construction services for the Village Hall N Flex Space Buildout Project in the amount of \$309,300.00.

During the construction process, the Contractor, E&F Florida Enterprises, Inc., experienced delays in procuring some of the materials due to supply chain issues. This has extended the amount of time it would have normally taken to complete certain tasks and has held up others that follow them sequentially.

In addition, during inspections performed by the PBC fire inspector, concerns were brought up about the building type designation that was assigned to this building and its corresponding fire protection requirements. After several discussions between the building official and the fire inspector, a resolution was finally reached, the construction plans had to be revised, and then the Contractor was allowed to proceed with his work. This delay also contributed to pushing the project completion date out further.

Note: This change order is **only** for a time extension to the contract time. Any contract reconciliation required for contract amounts will be done in a future change order as necessary.

The Village's contracted Engineer, Wantman Group, Inc., their registered Architect, REG Architects, Inc., and the Public Works Department are requesting an amendment to the contract for Task Order #289 (Change Order #1) for a \$0.00 change for construction services and to extend the project completion date by an additional 154 calendar days (total contract time from 150 days to 304 days):

<u>Item</u>	Contract Amount	Contract Time / Add' l Days
Original Contract Amount	\$309,300.00	150 days
CO No. 1 (Proposed)	<u>\$0.00</u>	154 days
Revised Contract Amount	\$309,300.00	304 days

If approved, the total cost of the Village Hall N Flex Space Buildout Project within Task Order #289 will remain the same, and the total contract time will be increased to 304 days.

If approved, it is estimated that the proposed Village Hall N Flex Space Buildout Project will be completed by the end of February 2023.

The proposed Change Order No. 1 was prepared by E&F Florida Enterprises, Inc. and reviewed by the Village's Engineer, Wantman Group, Inc., the Architect, REG Architects, Inc., the Assistant Village Manager, the Village Attorney, the Village Project Manager, and the Finance Director.

Fiscal Impact: Funding to support Village Hall N Flex Space Buildout Project (Task Order No. 289) was provided within the General Fund:

<i>Allocated /Estimated Project Funding:</i>	<i>Amount</i>
FY 2023 Approved Funding - General Fund:	100,000.00
<i>TOTAL APPROVED FUNDING</i>	<i>\$ 100,000.00</i>
<i>Expected Project Costs:</i>	<i>Amount</i>
Projected Costs - Design & Engineering - General Fund (TO No. 289):	\$ 3,168.00
Project Costs - Construction - General Fund (TO No. 289):	\$141,518.60
<i>TOTAL PROJECTED COSTS:</i>	<i>\$ 144,686.60</i>

The Village will not expend more than the amount in the approved Budget as it may be adopted/approved each year for these goods and services for the term of the contract.

An internal Budget transfer or amendment to support the proposed costs above the budgeted amount will be completed within the General Fund at a later date if necessary.

9. **Change Order No. 1 & No. 2 - Main WTP Equipment Storage Building & Kirk Road Pipe and Materials Building (Task Orders No. 260 & 261) - Public Works & Utilities Department (FY 2023 Budget Funded - General Fund and Water & Sewer Enterprise Fund) - Walker Design & Construction Co.**; Motion to approve Change Order No. 1 for the Kirk Road Storage Building for contract reconciliation with time extension and Change Order No. 2 for the Main Water Treatment Plant Storage Building for a contract time extension. A total of 256 days is being requested for this combined project due to supply chain issues for a total contract time of 556 days. The new Substantial Completion date would be February 2023.
Staff: Walter Sanchez, Project Manager

SUMMARY: On August 23, 2021, the Village Council approved Task Orders No. 260 & No. 261 with Walker Design & Construction Co. for the construction of the Main Water Treatment Plant (WTP) Equipment Storage Building and the Material Storage Building at 2400 Kirk Road for a combined contract amount of \$385,016.00.

During the initial phases of construction, the Village Contractor informed the Village that there would be delays in delivering the metal prefabricated buildings due to supply chain issues. Therefore, the Contractor requested additional time added to the contract for those delays.

Also, during the foundation work at the Main Water Treatment plant, the Contractor unexpectedly encountered buried concrete footers and a concrete slab that required removal prior to the installation of the new building foundations. The costs for this additional work were covered by the project contingency, but for this, the Contractor is also looking for additional time.

Note: The soil boring conducted within the proposed building footprint did not reveal any buried concrete at this location. Both projects contained contingency amounts to cover unexpected costs in the amount of \$20,000.00 each.

For Task Order No. 260, the Village's contracted Engineer, Eckler Engineering, and the Utilities Department are requesting a contract reconciliation (Change Order No. 1) for a credit amount of \$20,000.00 for the unused portion of the project allowance with an additional 28 days for delays.

For Task Order No. 261, the Village's contracted engineer, Eckler Engineering and the Public Works department are requesting an additional 228 days

(Change Order No. 2) in order to extend the combined project contract time by an additional 256 calendar days (from 300 days to 556 days total).

If approved, the total cost of the Main WTP Equipment Storage Building and the Material Storage Building at 2400 Kirk Road projects within Task Orders No. 260 & 261 will be decreased to **\$377,620.53**, and the total contract time will be increased to **556 days**.

It is estimated that the proposed Main WTP Equipment Storage Building project will be completed by February 2023.

Note: The Material Storage Building at 2400 Kirk Road was completed on July 18, 2022.

Note: The awarded original contract includes two combined projects: the Material Storage Building at 2400 Kirk Road project (TO No. 260) for the original contract amount of \$202,120.00 for the Utilities Department and the Main WTP Equipment Storage Building project (TO No. 261) in the amount of \$182,896.00 for the Public Works Department for a total contract amount of \$385,016.00. With the approval of these change orders, the Material Storage Building at 2400 Kirk Road will have a reduced contract amount of \$182,120.00. The Main WTP Equipment Storage Building had an increase to \$195,500.53 from the previously approved Change Order No. 1, which brings the revised total for both projects to \$377,620.53.

The proposed Change Order No. 1 (TO No. 260) and Change Order No. 2 (TO No. 261) were prepared by Walker Design & Construction and reviewed by the Village's Engineer, Eckler Engineering, the Assistant Village Manager, the Village Attorney, the Village Project Manager, and the Finance Director.

Fiscal Impact: Funding to support the Main WTP Equipment Storage Building and the Material Storage Bldg. at 2400 Kirk Road Project (Task Orders No. 260 & 261) was provided by the Water & Sewer Enterprise Fund and the General Fund.

The Village will not expend more than the amount in the approved Budget as it may be adopted/approved each year for these goods and services for the term of the contract.

An internal Budget transfer or amendment to support the proposed costs above the budgeted amount will be completed within the General Fund and the Water & Sewer Fund at a later date, if necessary.

10. **Termination of Unity of Title - 2187 Prairie Road:** Motion to Approve a request from the applicant, Mary Jo Moore, located at 2187 Prairie Road, for the Village to release a Unity of Title originally recorded December 15, 2006, to the Palm Beach Clerk and Comptroller. The applicant is proposing to terminate the unity of title that joined the two residential parcels to delineate two (2) individual single-family lots and facilitate the development of the vacant lot.

Staff: Iramis Cabrera, PZB Director

SUMMARY: The property owner, Mary Jo Moore, requests to release the Unity of Title recorded on December 15, 2006, in the Official Record Book 21200, Page 1298 of the Public Records of Palm Beach County, Florida. The applicant is proposing to terminate the unity of title that joined the two residential parcels to delineate two individual single-family lots and facilitate the development of the vacant lot located at 2187 Prairie Road.

Fiscal Impact: The termination of the unity of title will facilitate the development of the vacant lot, thereby increasing the value of this parcel.

11. **Fire Backflow Annual Test Services - 1st Amendment (Renewal) - Piggyback - Utilities Department (FY 2023 Water & Sewer Enterprise Fund) - Florida Fire and Backflow:** Motion to approve First Amendment to the Agreement with Florida Fire and Backflow to piggyback the Town of Longboat Key, Florida - Fire Backflow Annual Test - IFB 19-092 to extend the expiration to October 7, 2023. Funding to support purchases under this proposed agreement is available within the FY 2023 Budget - Water & Sewer Enterprise Fund.

Staff: Eliza Hansen, Administrative Assistant

SUMMARY: The Utilities Department, throughout the year, has an obligation to annually inspect fire flow backflow connections. Currently, the Village utilizes Florida Fire and Backflow to assist with these types of services, and the existing piggyback contract with the Town of Longboat Key, Florida, expired on October 7, 2022.

To ensure the lowest possible price, the staff recommends that the Village renew our ability to utilize the Florida Fire and Backflow by continuing to piggyback the Town of Longboat Key's contract, which was recently extended for an additional year.

Note: This selection by the Town of Longboat Key was originally completed through a competitive selection process - Town of Longboat Key - Fire Backflow Annual Test Services Agreement - October 8, 2019. The extended piggyback contract (renewal) would provide the same pricing that the Village is currently receiving (All original bid documents provided during the July 29,

2021, Council Meeting authorizing the initial piggyback purchase with Florida Fire and Backflow - Town of Longboat Key, Florida - Fire Backflow Annual Test - IFB 19-092 - October 8, 2019, and are available in the Village Clerk's Office). The proposed contract amendment (renewal) would provide the same pricing that the Village is currently receiving.

If approved, the Village would accept Florida Fire and Backflow pricing by piggybacking the Town of Longboat Key's contract, including all terms, conditions, and pricing therein. The term of the proposed contract is set to expire on October 7, 2023. This is the first of two additional, one year renewal options. During the term of this contract, the Village will not exceed the amount in the approved Budget for these goods and services.

The Village's Purchasing Code, Section 58-9, Accessing Contracts of Other Government Agencies, provides that the Village may award a contract by piggybacking or accessing the goods and/or services from any State of Florida contract; contracts of any Florida political subdivision; or from any other governmental entity (other than the Federal government); provided that the same or substantially similar goods and services were competitively solicited. The proposed amendment was prepared by the Village Attorney and reviewed by the Utilities Director, Assistant Utilities Director, and Finance Director.

The Village has worked with the proposed vendor and has received satisfactory service.

Fiscal Impact: Funding to support purchases under this proposed agreement is available within the FY 2023 Budget - Water & Sewer Enterprise Fund. The Village will not expend more than the amount in the approved Budget as it may be adopted/amended each year for those goods and services over the term of this contract.

End of Consent Agenda....

Mayor Smith offered the public an opportunity to speak. There were no comments from the public.

Council Member Ready made a motion to approve the Consent Agenda. Mayor Pro-Tern Brinkman seconded the motion. The said motion carried 5-0.

PRESENTATIONS

At this point, Mayor Smith introduced Palm Beach County Fire Battalion, Chief Tracey Adams. Chief Adams spoke about a large-scale incident that involved multiple victims in the Lake Worth Beach area that Fire Rescue was responding to currently. She discussed the number of emergency, and non-emergency calls responded to in the Village in December (378 calls). Also, the various events that were taking place. Fire Rescue completed an Active

Shooter class and focused on situational awareness. She expressed the importance of knowing her surroundings. In the event of an active shooter, you must run, hide, and, lastly, fight.

Mayor Smith asked for comments from the public and Council, but there were none.

PUBLIC COMMENT

Mayor Smith offered the public an opportunity to speak, but there were none. Public comment none

REGULAR AGENDA

PUBLIC HEARINGS

12. **(Second Reading/Quasi-Judicial Hearing) Ordinance No. 2023-01 - Land Use Amendment and Rezoning (Small-Scale) Collection Suites Palm Springs - 874. 884 & 964 South Congress Avenue:** Recommendation of approval of Ordinance No. 2023-01 to Village Council requesting a Small-Scale Land Use Amendment of the Future Land Use Map (FLUM), Rezoning and Site Development Plan on 7.313 acres (comprised of three parcels) to facilitate an industrial development project.
Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Javier Fernandez, agent for Collection Suites Palm Springs ("Applicant"), is requesting a Small-Scale Land Use Amendment of the Future Land Use Map (FLUM), Rezoning, and Site Development Plan on 7.313 acres (comprised of three parcels) to facilitate an industrial development project.

The proposed small-scale land use change would be from Commercial Land Use to Light Industrial, concurrent with Rezoning from Commercial General (CG) to Light Industrial (LI). The combined properties are less than 50 acres in size (7.313 acres total) and are planned for a mix of warehouse/self-storage.

The applicant is concurrently requesting Site Plan approval to allow a development concept of a 79,350 square foot warehouse/self-storage condominium called "Collection Suites Palm Springs" that would contain approximately nineteen (19) condominium units ranging in size from 3,206 square feet to 8,343 square feet, complemented by a 5,256 square foot clubhouse, a 1,283 square foot office, and related support spaces, in addition to the existing 36,054 square foot indoor athletic court (trampoline center).

The proposed site plan is presented (within this item) for informational purposes only (no action is required at this time).

Note: The Village does not typically place conditions of approval on future land use map changes. The legislative decision as to the appropriateness of the land use map and rezoning amendments are approved on the 2nd and Final reading, and the proposed Site Plan will be presented for consideration at a future date.

Ordinance No. 2023-01 was advertised in the Lake Worth Herald on December 29, 2022, and re-advertised in the Palm Beach Post on January 9, 2023, due to changes.

The proposed request was submitted through the PBC Intergovernmental Plan Amendment Review Committee (IPARC) for intergovernmental review, and no comments were received.

Note: IPARC is designated to provide coordination of proposed plan amendments, cooperation between affected local governments and service providers, and provides opportunities to resolve potential disputes only within the plan amendment.

The Planning and Zoning Board considered this item during their January 10, 2023, meeting and recommended approval.

The Local Planning Agency (LPA) considered this item during their January 26, 2023 meeting.

The proposed ordinance was approved on the first reading by the Village Council on January 26, 2023, and it is being presented on the 2nd and Final reading.

Fiscal Impact: The proposed land use and zoning amendments are not expected to provide a direct fiscal impact on the Village; however, they would facilitate development that will increase the Village's property valuation.

Mayor Smith asked the Village Council to disclose their ex parte communication. The Village Clerk read the statement of advertisement and swore in the Applicants.

Ms. Cabrera announced that the staff presentation was presented in its entirety at the First Reading.

The Applicant, Ms. Simone, advised that she was available to answer questions. She gave a brief synopsis of the project. She described Collection Suites as an exclusive high-end condo located at 874, 884 & 964 South Congress Avenue, in the Congress Avenue Corridor Community Redevelopment Agency (CRA) area. Collection Suites are condos, that are exclusive high-end storage units with a “man cave” ambience for tenants to keep their collectors' items like fine art, high end watches, cars, coins, stamps, or whatever is the tenants' passion. Tenants can enjoy the storage condo with their collector's item. They can take a shower, watch television, play billiards, enjoy a meal; however, they cannot stay overnight in the condos. There is on-site management, 24/7 Concierge services, and security personnel on gated grounds. Automobile transfer services requires advance notice. There will be special events at the location that will go through the approval process based on the Village's Code. The Site Plan is included in the backup material, but it is not getting considered yet. The Site Plan will be considered by Council at a future meeting.

Mayor Smith offered the Public and Council an opportunity to speak about this item.

1. Mr. Alberto Jordat, Jr. - 217 Talia Circle. Mr. Jordat questioned the added benefit of the Collector's Suite to the Village. He expressed his view that restaurants and family-friendly places were more favored in the area. Mayor Smith interjected and explained the low maintenance and more controlled traffic for the area. She advised him that the Collectors' Suite drove more tax revenue for the Village as opposed to the challenges of certain businesses.

Mayor Smith closed Public Comment after hearing no further comments.

The Village Attorney, Mr. Torcivia, read the title of the caption into the record.

Council Member Ready motioned for the approval of Ordinance No. 2023-01. Vice Mayor Gunther seconded the motion. There was a roll call vote as follows: Vice-Mayor Gunther - Yes; Mayor Pro Tern Brinkman - Yes; Council Member Waller - Yes; Council Member Ready-Yes and Mayor Smith - Yes. The said motion carried 5-0.

ACTIONS AND REPORTS

There were no Actions and Reports.

VILLAGE MANAGER COMMENTS

There were no comments from Assistant Village Manager Glas-Castro.

VILLAGE COUNCIL COMMENTS

The Council gave a recap about the State of the Village, and Council Member Ready entered his events in the records. The Library Department and Police Department were having a movie/dinner night (Buzz Light Year). Council Member Ready wished several employees that left the organization well and thanked them for their service.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 6:55 PM.

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 **February 9, 2023**. Which minutes were formally approved and adopted by the Village Council on **March 9, 2023**.

Kimberly M. Wynn

Village Clerk

**NEXT REGULAR MEETING:
THURSDAY, MARCH 9, 2023 AT 6:30 PM**