VILLAGE MINUTES
COUNCIL CHAMBERS
226 CYPRESS LANE, PALM SPRINGS, FLORIDA, 33461
MARCH 9, 2023 AT 6:30 PM

CALL TO ORDER

Mayor Bev Smith called the Regular Village Council Meeting to order at 6:42 PM *(Immediately following the LPA Meeting)*

ROLL CALL:

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

Absent: None

Also Present: Village Manager Michael Bornstein, Village Attorney Glen Torcivia, Village Clerk Kimberly Wynn, Police Chief, Thomas Ceccarelli, as Sergeant-in-Arms, Assistant Village Manager Kim Glas-Castro, Planning, Zoning and Building Director Iramis Cabrera, Public Works Director Timothy Crespo, Public Works Superintendent Michael Wood, Utilities Director Jimmie Johnson, and Interim Parks and Recreation Director Jossie Maliska

INVOCATION

The Village Manager, Mr. Michael Bornstein, led the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Brinkman led in the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

The Village Manager, Mr. Bornstein, stated that Item #26, Appointment to the General Employees' Pension Board, was added to the Regular Agenda as an Addendum. In furtherance, Mayor Smith stated that the Public Hearings Section of the Agenda was renumbered beginning with Items #27-31.

Vice-Mayor Gunther made a motion for approval of the agenda amended, and it was seconded by Council Member Ready. The said motion carried 5-0.

CONSENT AGENDA

1. **January 12, 2023 Village Council Regular Meeting Minutes:** Motion for approval of January 12, 2023 Village Council Regular Meeting Minutes

   Staff: Kimberly Wynn, Village Clerk

2. **February 9, 2023 Village Council Regular Meeting Minutes:** Motion for approval of February 9, 2023, Village Council Regular Meeting Minutes

   Staff: Kimberly Wynn, Village Clerk

3. **Resolution No. 2023-11 Village of Palm Springs - Social Media Policy:** Motion to approve Resolution No. 2023-11 to adopt the Village of Palm Springs Social Media policy. Adopting the Village Social Media policy will establish clear guidelines and expectations for employees, citizens, and elected officials, to ensure that the most up-to-date information is publicly available to avoid the spread of misinformation related to Village business. There is no direct fiscal impact associated with Social Media Policy.

   Staff: Ashley Saingilus, Human Resources Director

   SUMMARY: The Village of Palm Springs Social Media Committee has created and implemented a Social Media Policy that establishes guidelines for the use of the Village's social media sites as a means of conveying information to the public.

   The intended purpose of Village social media sites is to disseminate information from the Village about the Village's mission, meetings, events, and activities to the public. Social media tools are used solely for informational purposes only.

   The Social Media Policy includes, but is not limited to, Facebook, Twitter, Instagram, YouTube, LinkedIn, and Nextdoor. The Village's social media sites shall supplement, and not replace, the required notices and standard methods of communication. The Village's official website will remain the primary means of digital communication.

   The Staff is requesting the Council approve the Social Media Policy to set clear guidelines and expectations for citizens, public employees, and elected officials for utilizing government social media accounts. The policy will help ensure that the most up-to-date information is made publicly available and avoid the spread of misinformation related to Village business. The policy would also help defend the Village against potential litigation.

   If approved, the policy will go into effect April 1, 2023.

   Fiscal Impact: There is no fiscal impact related to this policy.

4. **Resolution No. 2023-08 Establish Tuition Reimbursement Policy:** Motion for approval of Resolution of 2023-08 to establish the Tuition Reimbursement Policy that sets the guidelines and procedures for employees to get reimbursed for formal education and training. If approved by the Village Council, Resolution No. 2023-08 will be effective as of October 1, 2023

Staff: Ashley Saingilus, Human Resources Director

SUMMARY: The Village has identified a need to create a policy for Tuition Reimbursement to provide eligible staff with clear guidelines on the process and approval for tuition reimbursement funds.

This policy defines procedures for the form, approval, and disbursement of funds for Tuition Reimbursement. This policy will encourage eligible employees to pursue formal education that will improve their skills and abilities for the position in which the employee was hired to work in or to qualify for career advancement within the Village. With the creation of the Human Resources department, a policy needed to be created to include them in the process for approval and recording purposes.

The staff is requesting Council approval for the policy to help streamline the process for both employees, and the Finance and HR Departments. It will establish fair and consistent practices for all eligible employees while adhering to specific policies and procedures.

If approved, the policy will be effective October 1, 2023 (FY 2024 Budget Process).

Fiscal Impact: Funds for reimbursement are approved yearly by the budget process.

5. **Waiver of Possible Conflict of Interest Arising from Torcivia, Donlon Goddeau & Rubin, P.A.'s Legal Representation of the City of Lake Worth Beach - Subregional Wastewater Interlocal Agreement:** Authorize approval for the Mayor, or designee, to sign a Waiver of Conflict of Interest from Torcivia, Donlon Goddeau & Rubin, P.A.'s. to acknowledge informed consent to the legal representation of several municipalities in certain matters.

   Staff: Kimberly Wynn, Village Clerk

6. **Resolution No. 2023-14 Support Senate Bill (SB 350) and House Bill (HB 235) - Alternative Mobility Funding Systems:** Motion for approval of Resolution No. 2023-14 to support Senate Bill (SB 350 (2023) and House Bill 235 (2023), acts relating to alternative mobility funding systems.

   Staff: Kimberly Wynn, Village Clerk

   SUMMARY: The Village Manager recommends support of HB 235 and SB 350 (Robinson, W.), which clarifies how local governments can adopt a mobility plan and charge a mobility fee. Developers pay a mobility fee to local governments to cover the costs of improvements required to mitigate the development's impact on transportation systems. Within an area that is within a mobility plan, a transportation impact fee or fee that is not mobility-based would not be allowed. In addition, once adopted or updated, the bills require that mobility fees be updated every five years.

A local government must follow comprehensive requirements when implementing a mobility plan and charging for mobility. A revision of the impact fee statute, amended substantially during the 2021 legislative session, was also made in the bills. A certain amount can only increase impact fees; a phase-in period is required based on the amount. However, current law also provides an exception to the impact fee increase process by allowing increases to be more significant than the requirements of the governmental entity and establishing the need for the increased fee under the rational nexus test. A study (completed within the past 12 months) showing extraordinary circumstances requires an increase, at least two public workshops are held, and a vote of 2/3 is required to approve the increase. The bills will eliminate this exception to impact fee increases. Impact fees must comply with the law's increased limits and phase-in requirements.

If approved, the Village Clerk must forward a copy of Resolution No. 2023-14 to Senate President Senator Kathleen Passidomo, Speaker of the House Representative Paul Renner, Senator Jason Brodeur, Representative William "Will" Robinson, and the Palm Beach County Legislative Delegation.

7. **Appointment to the Police Officers' Pension Board of Trustees:** Motion to approve the appointment of Mr. Donald Bell as a Resident Member to the Palm Springs Police Officers' Pension Board of Trustees for an unexpired term that ends September 30, 2023.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: On September 14, 2022, Assistant Police Chief Robert Perez resigned from the Police Officers' Pension Board of Trustees. This left a vacancy for a Resident Member on the pension board to fill an unexpired term that ends on September 30, 2023.

Mr. Donald Bell expressed an interest in becoming a resident member of the Police Officers' Pension Board of Trustees. If appointed, he will serve an unexpired term that ends September 30, 2023.

If approved, the Police Officers' Pension Board of Trustees would have one (1) vacancy for a Resident Member.

Fiscal Impact: The proposed reappointment does not have a fiscal impact on the Village.

8. **Employee Medical, Dental & Other Benefits (FY 2023 Budget Funded):** Motion for approval to renew an Agreement with Humana with a dual-option plan design at an 8% increase of Humana Insurance Plan for Employee Health Benefits for an additional year beginning April 1, 2023, and ending March 31, 2024.

Staff: Ashley Saingilus, Human Resources Director

SUMMARY: Recently, the Gehring Group, the Village's contracted benefits broker, secured a fair renewal offer with the Village's current insurance carrier, Humana, as well as additional options with lower points for consideration.

Staff recommend renewing with Humana with the dual-option plan design at an 8% increase. This was the most cost-effective option after going out onto the market for carrier comparisons. Marketing had provided validation of the renewal rates as Florida Blue and Aetna were non-competitive by a significant margin, but a competitive offer from Cigna Healthcare did signal to Humana that they needed to revisit rates in order to increase the chance of maintaining their partnership with The Village. Employee Deductions will remain the same for the Humana Premier HMO Plan option.

The Village has been insured with Humana since 2018, and during that time has had a single in- network open-access plan. This year, it was decided that The Village would look at a second plan option in order to provide employees with a lower-cost option and the ability to better match their individual healthcare needs. The table below outlines the 5-year renewal increases, which includes the upcoming plan year renewal (after negotiations) for both the single-plan option and the dual- plan option (which assumes a conservative ~9% plan migration to the buy-down plan).

5-Year Medical Insurance Renewal Increases

2019-2020	2020-2021	2021-2022	2022-2023	2023-2024 (Single Opt.)	2023-2024 (Dual Opt.)
0.0%	1.0%	0.0%	11.5%	9.3%	8.0%

If approved, the Village would extend the current Agreement for an additional one (1) year term, beginning April 1, 2023, and ending March 31, 2024, for medical, dental, and vision benefits. Funding to support the proposed annual premiums is included within the approved FY 2023 Budget (and will be presented for approval within the FY 2024 Budget). The Village will not spend more than the amount in the approved Budget as it may be adopted/amended each year for these goods and services over the term of this contract.

The Gehring Group and staff recommend the following for your consideration:

Health Insurance - Humana Premier HMO Plan: Remains the same

- Continuation of Humana's annual biometric screenings, angio-screening, and their Go365 wellness platform for employees.
- Employees will still have access to both Quest and LabCorp.
- Maintain current wellness initiatives (i.e., Health Fair, Smoking Cessation, etc.)
- Humana's Premier Network is seamless, meaning that enrolled members can travel outside of the state and access care with an in-network HMO Premier provider.
- Employee Assistance Program (EAP) sessions remain at six (6) sessions
- Humana staff will be available to meet with Village staff

Introduction of Humana Base Plan:

- Lower cost option with higher deductibles

Dental - Humana:

- Remains the same

Vision – Humana (Voluntary Product):

- Remains the same

Group Basic Life with AD&D – Mutual of Omaha to The Standard:

- Remains the same
- Rates are guaranteed for a three (3) year period (scheduled to expire on March 31, 2025).

Group Supplemental (Voluntary) Products:

- No change in employee rates
- The Village will continue to offer various group supplemental products that are voluntary to provide our employees with additional benefits at a lower cost for accidents, critical illness, and hospital indemnity.
- Existing individual supplemental products may be maintained by employees; however, they will be directly billed (payroll deduction will not be available).
- The Village will continue to offer Pet Insurance (direct billed) and Identity Theft Protection as supplemental products that are voluntary to provide employees with additional benefits at a lower cost.

Benefits Administration:

- BenTek – will continue to provide online enrollment benefits for employees and our Human Resources and Finance staff with an administration system that streamlines the enrollment process and provides various reports and audit features to ensure the integrity of data between our payroll system and BenTek.
- Third-party administrators are recommended to continue to be utilized to assist in monitoring and managing the Village's various federally required benefit programs. These programs are expected to provide additional compliance/legal support and remove the liability associated with staff handling documents containing protected health information:

1. Family Medical Leave (FMLA) Basic FMLA Ease
2. Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) Humana
3. Flexible Spending Accounts (FSA) P&A

If approved, enrollment will begin March 10th through March 19, 2023, as the new plan is effective as of April 1, 2023.

Note: The Service Employees International Union/Florida Public Services Union (SEIU) and the Palm Beach County Police Benevolent Association (PBA) memberships have been notified of the proposed employee benefit plan changes as well as the recommendation for the upcoming plan year. At this time, we are awaiting the PBA and SEIU approval.

Fiscal Impact: The proposed cost/rates for employee benefit premiums are included within the FY 2023 Budget. Funding will be proposed within the FY 2024 Budget to be considered by the Village Council during the upcoming budget process. The Village will not spend more than the amount in the approved Budget as it may be adopted/amended each year for these goods and services over the term of this contract.

Our employees will continue to be provided with a high level of insurance benefits.

9. **Splashpad Removal and Install at Village Complex (Task Order #320) - Piggyback off Clay County Contract - Parks and Recreation Department (FY 2023 Funded - General Fund) - Play Space Services, LLC:** Motion to approve an Agreement with Play Space Services, LLC for $210,045 piggybacking Clay County Contract (RFP# 18/19-2 Various Equipment and Amenities for Parks and Playgrounds) for the installation of a new foundation and with features within the Splashpad, located near the Village Complex at 226 Cypress Lane. Funding to support the demolition and predatory foundation was approved in the FY 2023 General Fund Budget.

   Staff: Josefina Maliska, Interim Director of Parks & Recreation

SUMMARY: The Parks and Recreation Department has identified a need to renovate the existing splashpad at the Village Complex. The removal of the existing splashpad, as well as the installation of a new foundation and new features within the splashpad are necessary in order to provide a safe and fun water play area for residents to enjoy. The cost for the demolition and preparatory foundation work ($210,045) was previously approved by the Council as part of the 2022-2023 Parks and Recreation budget.

If approved, the Village would accept Play Space Services, Inc's pricing by piggybacking the Clay County Contract, including all terms, conditions, and pricing therein. 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.

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/or services were competitively solicited. This is a new piggyback agreement with Play Space Service, another vendor that was awarded the Clay County contract. It contains all the added provisions outlined above.

If approved, the proposed permitting, removal of the existing splash pad, and installation of a new splash pad would be completed following the delivery of new previously purchased splash pad equipment. Installation time is estimated to be completed within 2-4 weeks following the Notice to Proceed/Receipt of Purchase Order by the Village.

The proposed agreement was prepared by the Village Attorney and reviewed by the Parks and Recreation Director, Public Works Director, the Public Service Project Manager, the Assistant Village Manager, and the Finance Director.

The Village has worked with the vendor previously and has received excellent service and quality products.

Fiscal Impact: FY 2023 Approved Budget - General Fund - Village Commons Improvements - $325,000

Estimated/Actual Project Costs:
Amount Proposed Project Cost - Splash Pad Removal and Installation $210,045

10. **Agreement for Acceptance of Antenna Pole Asset - Parks & Recreation Department - Mobilitie, LLC:** Motion to approve an Agreement with Mobilitie, LLC., to transfer ownership of a small-cell communication antenna pole that was used for communications purposes to the Village for additional security lighting, surveillance cameras(s) or weather prediction system. The steel pole with a streetlight is located at Sabal Palm Park, 1051 Summer Street.

Staff: Josefina Maliska, Interim Director of Parks & Recreation

SUMMARY: The Parks and Recreation Department is recommending the Village accept ownership of a utility pole located at Sabal Palm Park, 1051 Summer Street. The pole was installed in 2019 by Mobiliitie, LLC as a small-cell communication antenna on the Summer Street right-of-way and must be designed as a streetlight. As a result of the merger of Sprint and T-Mobile, an antenna is no longer necessary in this area. Mobilitie is decommissioning the equipment and has offered to transfer the pole, streetlight, and conduit to the Village.

Parks and Recreation Department staff and the Village's Utilities Inspector inspected the steel pole. They determined it would be a valuable asset for the Village because of the potential placement of additional security lighting, new surveillance camera(s), or a weather prediction system. Mobilitie estimates the value of the pole, streetlight, and electrical fittings at $19,500.

The Village's Planning, Zoning, and Building Department notified Parks and Recreation of this opportunity, and the Village Attorney reviewed the proposed Agreement.

Fiscal Impact: The Village will assume responsibility for the steel pole, pedestal, streetlight, and electrical service equipment. The estimated value of the pole, streetlight, and electrical fittings is $19,500.

11. **Park Connector Pathway Project Award - Huurr Homes LLC - Sub-Phase 2A-1: Park Lane (Gulfstream Road to Kirk Road) and Phase 3A: Canal 11 - (Task Order No. 255) - Invitation to Bid (ITB) - Parks and Recreation Department (FY23 Budget Funded - CDBG & Sales Tax):** Motion to approve the award of Task Order No. 255 (ITB 2022B-012) to the lowest responsive and responsible bidder, Huurr Homes LLC for $339,553.25 to construct the Park Connector Pathway (Sub-Phase 2A-1 and Phase 3), which affects the segments of Park Lane between Gulfstream Road and Kirk Road (Foxtail Palm Park) and Canal 11, respectively. Funding to support Task Order No. 255 (ITB 2022B-012) is available in the FY 23 Budget - General Fund utilizing CDBG funding and Infrastructure Surtax (Sales Tax) General Funds.

Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: The Parks and Recreation Department recommends that the Village proceed with constructing the Park Connector Pathway (Sub-Phase 2A-1 and Phase 3), which affects the segments of Park Lane between Gulfstream Road and Kirk Road (Foxtail Palm Park) and Canal 11, respectively. The proposed Sub-Phase 2A-1 project has been designed to be located along the north side of Park Lane for approximately 1,255 feet between Gulfstream Road and Kirk Road. The proposed Phase 3A project has been designed along the north side of Canal 11 for approximately 2,633 feet. Therefore, these projects are within the Village's FY 2023 Capital Improvement Plan (CIP) at an estimated cost of $322,553.01 ($181,811.24 and $140,741.77, respectively) based on the Village Engineer's Opinion of Probable Costs.

The Parks and Recreation staff requests the Village Council award this proposed contract (Task Order No. 255) for $339,553.25 to the lowest responsive and responsible bidder, Huurr Homes LLC.

To ensure the lowest possible price for this project (and to meet CDBG requirements), staff issued an Invitation to Bid (ITB) on January 5, 2023, to construct the Park Connector Pathway - Sub- Phase 2A-1 and Phase 3A. This process was completed by the Village through a competitive selection process - PARK CONNECTOR PATHWAY- Canal Road 3A and Subphase 2A (ITB 2022B-012).

As a result of the Village's ITB, the following two (2) bid proposals were received:

Bidder	**Total Bid**
E&F Florida Enterprise Inc	$461,316.80
Huurr Homes LLC	$339,553.25

After reviewing the two (2) bids received, the Assistant Village Manager, Public Services Project Manager, the Village's contracted engineer, Wantman Group, Procurement Specialist, and the Village Attorney determined that Huurr Homes LLC provided the lowest responsible and responsive bid.

As a result, the staff is requesting the Village Council award this proposed contract (Task Order No. 255) in the amount of $339,553.25 to the lowest responsive and responsible bidder, Huurr Homes LLC.

Note: The proposed contract amount is $17,000.24 (approximately 5%) more than the Engineer's Opinion of Probable Cost; however, the Parks and Recreation Department budget includes sufficient funds for these projects.

If approved, the Village would accept Huurr Homes LLC's pricing, including all terms, conditions, and pricing, as submitted within their ITB proposal and proposed contract. The Village will not expend more than the amount in the approved budget as it may be adopted/amended each year for these goods and services over the term of this contract.

In accordance with the previously approved Interlocal Agreement with Palm Beach County that enables the Village to serve as a CDBG sub-recipient city (Resolution No. 2015-112), the Village (with County oversight) is responsible for all aspects of this project (i.e., establish general project timeframe, funding for all associated project costs and outline county and federal requirements - compliance with Palm Beach County Purchasing Code and Davis-Bacon Act minimum wages).

If approved, the proposed construction is expected to begin in April following the Notice to Proceed by the Village and is estimated to be completed by August/September (or approximately 150 days).

The proposed agreement was prepared by the Village Attorney and reviewed by the Public Service Project Manager, Assistant Village Manager, and Finance Director.

The Village has not worked with the proposed vendor previously but received positive feedback from the Town of Southwest Ranches, Gulf Stream Track and Casino, and MGM General Consulting (Huurr's references).

Fiscal Impact: Funding to support the proposed Park Connector Pathway project (Phase 2A and 3A) is available within the FY2023 Budget - General Fund utilizing CDBG funding and Infrastructure Surtax (Sales Tax) General Fund funds ($88,220.25). The Village is eligible to receive $130,515 in reimbursement through its FY 2022 CDBG Project (Agreement R2022-0594, as amended by R2023-05) and $120,818 through its FY 2023 CDBG Project (R2023-04). Each project will have its own purchase order.

12. **Splashpad Renovation at Village Center Improvement (Task Order# 320) - Piggyback off Clay County Contract - Parks and Recreation Department (FY 2023 Funded - General Fund) - Advanced Recreational Concepts, LLC:** Motion to approve an agreement for $113,385 with Advanced Recreational Concept (ARC), LLC's by piggybacking the Clay County Contract (RFP No. 18/19-2, Various Equipment and Amenities for Parks and Playgrounds for new equipment and features for the Splashpad, located near the Village Complex at 226 Cypress Lane. Funding to support the project is available in FY 2023 Approved Budget - General Fund-Village Center Improvements.

Staff: Josefina Maliska, Interim Parks & Recreation Director

SUMMARY: The Parks and Recreation Department has identified a need to renovate the Splashpad at the Village Complex at 226 Cypress Lane. New equipment and features within the Splashpad are necessary to provide a safe and fun water play area for residents to enjoy. The Council previously approved the cost for the renovation ($113,385) as part of the 2022-2023 Parks and Recreation Budget.

If approved, the Village would accept Advanced Recreational Concept (ARC), LLC's pricing by piggybacking the Clay County Contract (RFP No. 18/19-2, Various Equipment and Amenities for Parks and Playgrounds), including all terms, conditions, and pricing. The Village will only expend 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.

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 services from any State of Florida contract; agreements 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.

If approved, the proposed equipment for the Splashpad would be delivered prior to installation. Delivery is expected within 10-12 weeks following the receipt of the Purchase Order.

Note: The Village previously entered into a piggyback of the Clay County contract with ARC to purchase a picnic pavilion.

The amendment to the Piggyback agreement with Advanced Recreational Concept, LLC (ARC):

1. Broadens the scope to allow for purchase orders to acquire other goods/services within the scope of the Clay County Contract; and
2. extends the term to mirror the Clay County term through May 24, 2023, and any further extension approved by Clay County up to one year; and
3. provides that the terms of the agreement shall survive termination of the contract to the extent necessary to allow for completion of any purchase orders issued before expiration.

The Village has previously worked with the vendor and received excellent service and quality products. The proposed agreement was prepared by the Village Attorney and reviewed by the Interim Parks and Recreation Director, Assistant Public Works Director, the Public Utilities Project Manager, the Assistant Village Manager, and the Finance Director.

Fiscal Impact: Funding to support the project is available in FY 2023 Approved Budget - General Fund - Village Center Improvements- $325,000

Estimated/Actual Project Costs: Amount Proposed Project Cost - Splashpad Renovations $113,385.

13. **<u>Resolution No. 2023-09 - Community Development Block Grant (CDBG) - FY 2024 Annual Project - Street Lights on Lakewood Road:</u>** Motion for approval of Resolution No. 2023-09 to authorize the Mayor, or Designee, to enter into the annual CDBG Agreement with Palm Beach County for an estimated amount of $120,818, for the installation of 17 decorative streetlights along Lakewood Road, between Military Trail and Kirk Road. Lakewood Road Phase 1 Street Lights will be proposed in the FY24 Budget - General Fund.

Staff: Kimberly Glas-Castro, Assistant Village Manager

<u>SUMMARY</u>: This is the 9th year that the Village of Palm Springs is an "Entitlement City" with a delineated Community Development Block Grant (CDBG) Target Area in the Palm Beach County 5-Year Consolidated Plan. Our proposed CDBG allocation for FY23/24 is estimated to be approximately $120,818.

Under Housing and Urban Development (HUD) and CDBG requirements, the Village must submit a project to be included within the County's Annual CDBG Work Plan that meets the following requirements:

- Benefits low and moderate-income persons
- Include public facilities/improvements (such as lighting) that alleviate conditions that pose a threat to the community, and/or
- Aid in the elimination of blight

Therefore, the staff is proposing funding for the installation of new streetlights along Lakewood Road (between Military Trail and Kirk Road) utilizing the Village's projected FY 2024 CDBG funding allocation. There are currently six (6) streetlights along the north side of Lakewood Road within the proposed project area. The proposed CDBG project includes the purchase and installation of seventeen (17) decorative streetlights along the south side of Lakewood Road.

This is envisioned as "Phase 1" of a comprehensive street light program that not only includes the balance of Lakewood Road, to the east of Kirk Road, but the Village at large.

The proposed FY 2023-2024 Community Development Block Grant (CDBG) Program application is to install streetlights in the "South Village", which is within the Village's CDBG Target Area. Specifically, seventeen (17) streetlights are proposed along Lakewood between Military Trail and Kirk Road. This project is envisioned as Phase 1 of a comprehensive street light program for the Village.

<u>Note</u>: This project is expected to be presented to the Council for consideration as the Village's annual CDBG project over the next two (2) to three (3) CDBG funding cycles (provided CDBG funding is available by the federal government) to support the expected construction and installation costs associated with a Village-wide street light program. Additional requests for funding (i.e., General Fund) may be required depending on the construction (competitive) pricing that is received by vendors to complete this project.

The FY 2023/2024 CDBG allocation that the Village expects to be approved by PBC is approximately $120,818 and will get reimbursed to the Village - the remaining FY 2024 project budget funding will be supported utilizing other grant funding [i.e., Florida Department of Economic Opportunity (DEO)], and /or Village General Fund allocation.

Under the previously approved Interlocal Agreement with Palm Beach County that enables the Village to serve as a CDBG sub-recipient ("entitlement") city (Resolution No. 2015-112), the Village (with County oversight), is responsible for all aspects of this project (i.e., establishing a general project timeframe, upfront funding of all associated project costs and outline county and federal requirements - compliance with Palm Beach County Purchasing Code and Davis-Bacon Act minimum wages).

If approved, project bidding and selection are expected to be complete by the end of January 2024 with installation expected to begin by Spring 2024 with expected completion by July 2024.

The Planning & Zoning Board will consider the proposed project during their March 14, 2023 meeting for further public consideration (and assumed support).

The proposed project application was prepared by the Assistant Village Manager and reviewed by the Assistant Public Works Director.

Fiscal Impact: The proposed FY24 CDBG allocation for the Village is estimated to be $120,818 and is requested to be approved to support the addition of streetlights along Lakewood Road, within the Village's CDBG Target Area. Additional Village funding will be included in the FY24 Budget ($358,482) with a Village General Fund allocation.

Estimated FY 2024 CDBG Allocation	**$120,818**
Anticipated Proposed FY 2024 Village General Fund Allocation	$358,482
Proposed Project Funding	**$479,300**

Estimated Engineering Services Cost	$ 45,000
Estimated Equipment (Poles and Fixtures) Costs	$ 85,000

Estimated Installation Cost - Street Lights (Military Trail to Kirk Road)	$349,300
Total Preliminary Project Budget	**$479,300**

14. **Equipment Purchase - Cooperative Purchase - Utilities Department (FY23 Budget Funded):** Motion to approve a Cooperative Agreement with the Sheriffs' 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 one (1) Vac-Con VecJet for $85,306.00 from Southern Sewer Equipment Sales. Funds to support the proposed purchase are available within the FY 2023 Approved Budget - Water & Sewer Enterprise Fund.
Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: The Utilities Staff recommends utilizing cooperative purchasing of the current Sheriff's Association & Florida Association of Counties contract awarding one (1) Vac-Con VecJet to ensure the lowest price possible. During the month of October 2020, the 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) new jet machine (Vac-Con VecJet) for $75,000.00. However, the Utilities Department obtained a bid for $85,306.00 from the County Sheriffs' Association and Florida Association of Counties. A budget amendment or transfer of the Water & Sewer Fund may be necessary to cover the additional $10,306.00 at a later date.

If approved, the Village would accept Southern Sewer's pricing by utilizing the 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.

In accordance with 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 set forth in this purchasing code. The Council must approve all Village purchases from a cooperative purchasing agreement which is anticipated 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.

15. **Greenbrier Drive and Davis Road Improvements (Task Order No. 314) - Work Authorization CM-S03 Professional Engineering Services- Public Works Department (FY 22/23 Budget Funded) - Chen Moore & Associates, Inc.:** Motion for approval of Work Authorization CM S03 (Task Order #314) with Chen Moore & Associates, for $40,280 to design Greenbrier Drive and Davis Road Intersection Improvements. Funding to support the Work Authorization for the Greenbrier Drive and Davis Road Improvements project is available within the FY23 - General Fund Budget.

Staff: Timothy Crespo, Assistant Public Works Director

SUMMARY: The Public Works Department request approval of Work Authorization CM-S03 with Chen Moore & Associates (Chen-Moore) for professional engineering services (i.e., design and bidding services) for Greenbrier Drive and Davis Road Intersection Improvement Project (Task Order No. 314). Greenbrier Drive and Davis Road Intersection have been identified for improvements that will enhance traffic and pedestrian safety as well as improve the aesthetic features and characteristics of the Village. The proposed improvements would be the initial project within the Village to provide additional vehicular and pedestrian safety opportunities within our residential community while also providing an opportunity to continue the Village's branding efforts.

The Village Council is requested to authorize funding to support all requisite professional engineering services and all related tasks to design the Greenbrier Drive and Davis Road Intersection Improvements project to be completed by Chen-Moore & Associates, the Village's contracted engineering firm. The tasks and associated costs for the professional engineering services to complete this project are as follows:

Work to be Completed	Total
Data Collection	$11,360
Conceptual Design	$12,570
90% Design	$15,550
Reimbursable	$ 800
TOTAL	**$40,280**

Note: Phase 2 of the project will be added to the FY24 Budget for an amount of $59,839 if approved.

Work to be Completed	Total
Data Collection	$ 9,359
100% Design	$16,220
Permitting	$ 2,930
Bid and Award	$ 6,240
Construction Services	$25,090
TOTAL	**$59,839**

The suggested design work is estimated to take about seven (7) months from the date the Work Authorization is authorized to Chen-Moore & Associates (August/September 2023). Construction is expected to begin in FY24.

The staff recommends approval of the proposed Work Authorization CM-S03 (Task Order No. 314) with Chen-Moore & Associates for an amount not-to-exceed $40,280 for professional engineering services related to the Greenbrier Drive and Davis Road Intersection Improvements for FY 2023.

Chen-Moore & Associates prepared the proposed work authorization, which was reviewed by the Village Attorney, Assistant Public Works Director, Assistant Village Manager, and Finance Director.

Fiscal Impact: Funding to support the proposed work authorization is available within the FY 23 Budget with an administrative transfer within Public Works. Next year, Phase 2 and construction will be added to the FY 24 Budget.

16. **Work Authorization CM-S03 Professional Engineering Services - Greenbrier Drive Gateway Improvements (Task Order# 314) - Public Works Department (FY 22/23 Budget Funded) - Chen Moore and Associates.:** Motion for approval of (Task Order #314) Work Authorization CM - S03 with Chen Moore & Associates for $47,942 for design services at Greenbrier Drive Gateway Entrance Project. Funding to support Work Authorization is available within the FY 2023 - General Fund.

Staff: Timothy Crespo, Assistant Public Works Director

SUMMARY: The Public Works Department is requesting approval of Work Authorization CM-S03 with Chen Moore & Associates (Chen-Moore) for professional engineering services (i.e., design and bidding services) for the Greenbrier Drive Gateway Entrance Project (Task Order No. 314). If approved, this proposed project/improvements would be the initial project within the Village to provide an enhanced look at the entrance of the historic Village while also providing an opportunity to continue the Village's branding efforts.

The Village Council is requested to authorize funding to support all requisite professional engineering services and all related tasks to design the Greenbrier Drive Gateway Entrance project to be completed by Chen-Moore, the Village's contracted engineering firm. The proposed tasks and associated costs to provide the professional engineering services to complete this project are as follows:

Work to be Completed	**Total**
Data Collection	$13,632
Conceptual Design	$16,810
90% Design	$16,700
Reimbursable	$ 800
TOTAL	**$47,942**

Note: Phase 2 will be added to FY24 for the amount of $62,129 if approved.

Work to be Completed	**Total**
Data Collection	$9,359
100% Design	$16,220
Permitting	$5,220
Bid and Award	$6,240
Construction Services	$25,090
TOTAL	**$62,129**

The proposed design work will take approximately seven (7) months from the date the Work Authorization is authorized to Chen-Moore (August/September 2023). In FY24, construction is projected to begin.

Staff recommends approval of the proposed Work Authorization CM-S03 (Task Order No. 314) with Chen-Moore in the Not-to-Exceed amount of $47,942 for professional engineering services related to the Greenbrier Drive Gateway Improvements in FY23.

The proposed work authorization has been prepared by Chen-Moore and reviewed by the Village Attorney, the Assistant Public Works Director, Assistant Village Manager, and the Finance Director.

Fiscal Impact: Funding to support the proposed work authorization is available within the FY 2023 Budget with a transfer from Parks and Recreation to Public Works. Phase 2 will be started once approved in 2024 and construction will be added to the FY24 Budget.

17. **<u>Change Order No. 2 & Closeout - Main Water Treatment Plant SCADA System Upgrade (Task Order No. 227) - Utilities Department (FY 2023 Budget Funded - Water & Wastewater Enterprise Fund) - Revere Control Systems, Inc.:</u>** Motion to approve the final reconciliation of Change Order No. 2, for Task Order No. 227, which was approved on May 13, 2021, for the SCADA System Improvements for the Main Water Treatment Plant. A credit will be issued to the Village in the amount of $17,804.00 and a 288-day time extension. Construction work is complete and, if approved, the contract will be closed.

Staff: Paul Ward, Assistant Director of Utilities

<u>SUMMARY</u>: On May 13, 2021, the Council approved Task Order No. 227 with Revere Control Systems, Inc. for the SCADA System Improvements at the Main Water Treatment Plant for
$866,000.00. The project involved the installation of new control panels and SCADA computers, network improvements, SCADA software upgrades, programming, electrical wiring, and site restoration.

The work started on the project on August 9, 2021, and was substantially completed and inspected on January 19, 2023, 258 days behind schedule. All punch list items were addressed following the initial walkthrough.

The awarded contract provided a $50,000.00 contingency allowance for a replacement network rack, additional fiber cables, panel modifications, and the transfer of existing wells and lift stations into the new SCADA program. In total, $32,196.00 of the contingency allowance was used.

The Village's contracted engineer, Eckler Engineering, and the Utilities Department are recommending approval for a final reconciliation change order (Change Order No. 2) for $17,804.00 credit to the Village and a 288-day time extension.

The proposed reconciliation Change Order No. 2 was prepared by Revere Control Systems, Inc. and reviewed by the Village's Contract Engineer, Utilities Director, Assistant Utilities Director, and Finance Director.

<u>Fiscal Impact:</u>

Work to be Completed	Contract Amount	Contract Time
Original Contract Amount	$866,000.00	300 Days
Change Order No. 2	($17,804.00)	+ 288 Days
Final Revised Contract Amount	$848,196.00	588 Days

If approved, the revised total construction cost of the Main Water Treatment Plant SCADA System Upgrade Project within Task Order No. 227 will be $848,196.00 and the total contract time will be 588 days. No additional change orders are anticipated for this project. Construction work is complete and, if approved, the contract will be closed.

Funding to support the Main Water Treatment Plant SCADA System Upgrade Project (Task Order No. 227) was provided by the Water & Wastewater Enterprise Fund.

18. **Amendment No. 1 - Davis Road Stormwater Improvements (Task Order #291 - Work Authorization CM-S01.1) - Public Works Department (FY 2023 Budget Funded - Stormwater Enterprise Fund - ARPA Funded) - Chen Moore & Associates, Inc.:** Motion for approval of Amendment No. 1 (Task Order No. 291) for Davis Road Stormwater Improvements, WA #CM- S01, to Chen Moore & Associates, Inc. to include additional services to assist in grant compliance and procurement in a not-to-exceed amount of $15,000. Funding to support the Davis Road Stormwater Improvements project (Task Order No. 291) was provided by the Stormwater Enterprise Fund with ARPA funding.

Staff: Jimmie Johnson, Utilities Director

SUMMARY: On April 8, 2021, the Village Council approved Task Order #291 with Chen Moore & Associates, Inc., for professional engineering services for the Davis Road Stormwater Improvements project located on Davis Road between Canal L-11 and 10th Avenue North.

The Public Works Department is recommending approval of Amendment No. 1 to Task Order #291 (Work Authorization CM-S01.1) for Chen Moore & Associates, Inc. to provide additional services to meet compliance and procurement of federal grants for this project. The project is currently funded through ARPA funds and the Village is looking for additional grant funding to support this project. In addition, due to funding source requirements, other permits may be required through the Army Corps of Engineers which Chen Moore is aiding the Village in obtaining.

Note: The additional federal funding being procured will only reimburse funds for work performed from the date of grant approval going forward and the project has been designed to be 100% planned and is ready to go out to bid once grant approval is obtained.

The Public Works department is recommending an amendment to Work Authorization No. CM-S01 for Task Order #291 (Amendment #1 - WA No. CM-S01.1) for the not-to-exceed amount of $14,940. The proposed tasks and associated costs are as follows:

Item	**Contract Amount**
Original Contract Amount (Tasks #1-7)	$166,747.00
Amendment #1 (Task #8)	$14,940.00
Revised Contract Amount	**$181,687.00**

If approved, the revised total engineering cost for design, bidding, and construction services for the Davis Rd Stormwater Improvements Project within Task Order #291 will be increased by **$14,940** to $181,687.00.

The proposed Amendment No. 1 was prepared by Chen Moore & Associates, Inc. and reviewed by the Assistant Village Manager, the Village Attorney, the Assistant Public Works Director, the Village Project Manager, and the Finance Director.

Fiscal Impact: Funding to support the Davis Road Stormwater Improvements Project (Task Order No. 291) was provided within the Stormwater Enterprise Fund by way of ARPA Funding:

Allocated/Estimated Project Funding:	**Amount**
FY 2023 Approved Funding - Stormwater Enterprise Fund (ARPA Funded):	$1,600,000.00
Total Approved Funding	**$1,600,000.00**
Expected Project Costs:	**Amount**
Project Costs - Design & Engineering - Stormwater Enterprise Fund (TO #291):	$ 4,497.50
Projected Costs - Design & Engineering - Stormwater Enterprise Fund (TO #291):	$ 59,931.14
Total Expected Project Costs	**$ 64,428.64**

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 Stormwater Enterprise Fund at a later date, if necessary.

19. **<u>Change Order No. 1 – Pump Station SCADA Upgrades (Task Order No. 284) – Utilities Department (FY 2023 Budget Funded – Water & Sewer Enterprise Fund) - Eckler Engineering, Inc.:</u> Motion for approval of Change Order No. 1, for Task Order No. 284 with Eckler Engineering, Inc. for the amount of** 400,700. **for an amendment to the contract for an extension of 89 days. Due to supply chain issues, the original contract time was 300 days, and now will be completed in 389 days.**

Staff: Jimmie Johnson, Utilities Director

<u>SUMMARY</u>: On March 10, 2022, the Village Council approved Task Order No. 284 with Eckler Engineering, Inc. for Pump Station SCADA Upgrades for the amount of $400,700.00.

Due to supply chain issues and material shortages caused by COVID-19, a delay in the required generator receptacle components resulted in the shipping of the components after the original contract completion date of March 8, 2023.

The Village's contracted engineer, Eckler Engineering, Inc., and the utility department are requesting an amendment to the contract for Task Order No. 284 (Change Order No. 1) of $0.00 and 89 days for the additional services.

<u>Fiscal Impact:</u>

<u>Item</u>	**<u>Contract Amount</u>**
Original Contract Amount	$400,700
Original Contract Time	300 days
CO No. 1	89 days
Revised Contract Amount/Time	389 days

If approved, the total days of the Pump Station SCADA Upgrades within Task Order No. 284 will increase to 389 days.

Funding to Support the Pump Station SCADA Upgrades (Task Order No. 284) was provided by the Water & Sewer Enterprise Fund.

20. **<u>Repairs and Emergency Services for Water Distribution, Wastewater Collection, and Storm Water Utility Systems – Piggyback – Utilities Department (FY 2023 – Water & Sewer Enterprise Fund) – Madsen-Barr Corporation:</u>** Motion for approval of a Piggyback Agreement with Madsen Barr Corporation for general services and emergency repairs made to the Village's Water Distribution, Wastewater Collection, and Stormwater Systems on an "as-needed" basis. Under the Purchasing Code, Section 58-9 through a competitive selection process – Repairs and Emergency Services for Water Distribution,

Wastewater Collection, and Storm Water Utility Systems Bid No. 019-2821-19/IT – May 7, 2019. Funds for purchases under this proposed agreement are available within the FY 2023 Budget - Water & Sewer Enterprise Fund.

Staff: Jimmie Johnson, Utilities Director

SUMMARY: The Utilities Department, throughout the year, needs to seek the services of a qualified Contractor for general services and emergency repairs made to the Village's Water Distribution, Wastewater Collection, and Stormwater Systems on an "as-needed basis." The scope consists of emergency repairs of various sizes and material pipes for water distribution lines, gravity sewer mains, sewer force mains, stormwater conveyances, and concrete structures for wastewater and stormwater systems; the setup and monitoring of bypass pumping, dewatering systems; and restoration related to landscaping, asphalting and concrete work required as needed. The work will be done at various locations throughout the Village and in extended service areas.

To ensure the lowest possible price, the staff recommended the Village piggyback the City of Boynton Beach's current contract and awarded Madsen-Barr Corp. This selection by the City of Boynton Beach was completed through a competitive selection process – Repairs and Emergency Services for Water Distribution, Wastewater Collection, and Storm Water Utility Systems Bid No. 019-2821-19/IT – May 7, 2019.

If approved, the Village would accept Madsen-Barr Corporation's contract, including all terms, conditions, and pricing. The term of the proposed Agreement would expire on May 7, 2024, and may not be renewed. Therefore, the Village will not expend more than the amount in the approved budget as it may be adopted/amended each year for these goods and services over the term of the contract.

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 38 subdivision; or from any other governmental entity (other than the Federal government); provided that the same or substantially similar goods and/or services were competitively solicited.

The proposed Agreement was prepared by the Village Attorney and reviewed by the Utilities Director, Assistant Utilities Director, and the Finance Director.

The Village has not worked with the proposed vendor but has received positive feedback from the City of Boynton Beach.

Fiscal Impact: Funding to support purchases under this proposed agreement is available within the FY 23 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.

21. **Amendment No. 5 - Agreement for Professional Services - Eckler Engineering - RFQ No. 2016R-002 - Eckler Engineering Agreements Assignment to CHA Consulting Inc. - Successor in Interest:** Motion to approve the assignment of RFQ No. 2016R-002 to CHA Consulting, Inc. On October 28, 2022, CHA Consulting, Inc., acquired the assets of Eckler Engineering, Inc.

    Staff: Jimmie Johnson, Utilities Director

    SUMMARY: On April 6, 2016, the Village Council approved RFQ No. 2016-002 with Eckler Engineering for Professional Services.

    On October 28, 2022, the assets of Eckler Engineering, Inc. (EEI) were acquired by CHA Consulting, Inc. Due to this acquisition, CHA is requesting the assignment of this active agreement between Eckler Engineering and the Village of Palm Springs.

    As the services being rendered are for ongoing projects, it is the Village's recommendation to approve this amendment to assign the existing agreement with Eckler Engineering to CHA Consulting, Inc.

    Fiscal Impact: There is no fiscal impact on the Village of Palm Springs as a result of this amendment.

22. **Amendment No. 2 - Agreement for Professional Services - Eckler Engineering - RFQ No. 2018R-002 - Eckler Engineering Agreements Assignment to CHA Consulting Inc. - Successor in Interest: Motion for approval of RFQ No. 2018-002 and any active contracts with Eckler Engineering for professional services be reassigned to CHA Consulting, Inc.**
    Staff: Jimmie Johnson, Utilities Director

    SUMMARY: On September 13, 2018, the Village Council approved RFQ No. 2018-002 with Eckler Engineering for Professional Services.

    On October 28, 2022, the assets of Eckler Engineering, Inc. (EEI) were acquired by CHA Consulting, Inc., an innovative, full-service engineering design, consulting, and construction management firm delivering sustainable, integrated solutions to the world's most challenging infrastructure projects. Due to this acquisition, CHA is requesting the assignment of this active agreement between Eckler Engineering and the Village of Palm Springs.

As the services being rendered are for an ongoing project, it is the Village's recommendation to approve this amendment to assign the existing agreement with Eckler Engineering to CHA Consulting, Inc.

Fiscal Impact: There is no fiscal impact on the Village of Palm Springs as a result of this amendment.

23. **Authorize Equipment Licensing Agreement for the Installation of License Plate Recognition (LPR) Cameras – Omnia Partners Contract Pricing - Police Department (FY 2023 Budget Funded):** Motion for approval for the Police Department to enter into a contract with Flock Safety (Flock Group, Inc.) to install 12 (twelve) License Plate Recognition (LPR) cameras/Systems. The total amount for the first 2 (two) years will be $69,200.00. The LPRs will be placed in different locations throughout the Village in order to help with police related activities, including but not limited to identifying stolen vehicles, locating missing people, assisting with warrants, and helping solve crimes. Omnia Partners IT Products, Services, and Solutions base the licensing agreement.
Staff: Thomas Ceccarelli, Police Chief

SUMMARY: The Police Department is requesting to enter into a 24-month licensing agreement with Flock Safety (Flock Group, Inc.) for the purpose of installing 12 (twelve) License Plate Recognition (LPR) Cameras/Systems. The total amount to be expended in the first year is $36,700 and $32,500 in the second year.

Note: The Police Department will retain the option to add additional years to the purchase and/or cancel the agreement after the initial two-year period.
Pricing for the licensing agreement is based on Omnia Partners IT Products, Services, and Solutions Contract No. 4400006644 that expires on October 31, 2023. Multiple departments across Florida have used this licensing agreement for the purchase and implementation of an LPR system.

The Department will place the LPR systems at strategic locations throughout the Village to assist with gathering intelligence information including, but not limited to, solving crimes, locating missing people, etc.

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/or services were competitively solicited.

The proposed LPR equipment purchase was reviewed by the Police Chief, the Village Attorney, and the Finance Director.

Fiscal Impact: Funds are available in the Police Department's FY23 Budget.

24. **Temporary Use Permit - Storage Containers and Contractor Trailer - Palm Springs Residences - 2085 South Congress Avenue:** Motion for approval of a Temporary Use Permit for two (2) years with Ortega Construction Company to allow the placement of eight (8) contractor's containers and one (1) contractor's trailer on the property at 2085 South Congress Avenue that is currently being developed as a multi-family residential complex for the project associated with Palm Springs Residences.

    Staff: Iramis Cabrera, PZB Director

    SUMMARY: Mr. Jeffry Esquivel from Ortega Construction Company ("Applicant") is requesting a temporary use permit to allow for the placement of eight (8) contractor's containers and one (1) contractor's trailer on the property that is being developed as a multi-family residential project located at 2085 South Congress Avenue. The applicant is requesting that the temporary units be utilized for additional storage to facilitate the construction of eleven (11) three-story, 24-unit apartment buildings and a 6,484 square feet clubhouse building.

    On August 26, 2021, the Village Council approved a site plan with one waiver (SPR21-08) for this 264-unit apartment project.

    The applicant requests a Temporary Use Permit for two years, which would permit the completion of the project.

    Note: Section 34-895 - Village code - Temporary land use in zoning districts. - provides that the Village Council may grant approval for temporary, principal uses of land not specifically allowed by the zoning district. A temporary use permit may not exceed two (2) years and is not renewable.

    The new residential development project is currently under construction, and this request appears to be needed to complete this construction project. As a result, staff recommend approval of the proposed two (2) year Temporary Use Permit to provide additional storage.

    Fiscal Impact: The proposed request does not have a direct fiscal impact on the Village.

End of Consent Agenda....

Mayor Smith offered the public an opportunity to comment on Consent agenda items. There were no comments.

Council Member Ready made a motion for approval of the Consent Agenda as presented. Vice-Mayor Gunther seconded the motion. The said motion carried 5-0.

PRESENTATIONS

25. **Proclamation - March as Florida Bicycle Month: Recognizing Florida Bicycle Month in the Village of Palm Springs March 2023.**
Staff: Kimberly Glas-Castro, Assistant Village Manager

Mayor Smith read the proclamation into the record. Ms. Valentina Facuse from the Transportation Planning Agency (TPA) was present to accept the proclamation. Ms. Facuse gave comments about Bicycle Month. She thanked the Council for their support and discussed the importance of bicycle safety and awareness.

PUBLIC COMMENT

Mayor Smith offered the public an opportunity to speak.

1. Johnny Tieche - 305 Wingedfoot Drive: Mr. Tieche complimented the staff on improvements made at the entranceway of the Village. He also mentioned the speed deterrents placed throughout the Village by the Police Department. He appreciated the efforts of the Police Department to enforce speed limits.

Hearing no further comments, Mayor Smith closed the Public Comments.

REGULAR AGENDA

26. **(ADDENDUM) Appointment to the General Employees' Pension Board:** Motion for the approval of an appointment to the General Employees' Pension Board.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: There are five members on the General Employees' Pension Board, including two active employees, a resident of the Village or a business owner elected by a majority of the voting participants in the active employee pension plan, who will serve for four (4) years as a trustee. A Village Council member serving as ex officio for the duration of their membership in Council, or at the Council's pleasure.

The General Employees' Pension Board has a vacancy following the resignation of Council Member Patti Waller on March 9, 2023. She serves on the General Employees' Pension Board as an ex- officio member. To fill the vacancy on the Board, the Village Council is requested to appoint a member.

All vacancies on the General Employees' Pension Board will be filled if approved.

The Village Clerk, Ms. Wynn, presented this item. She explained that the General Employees' Pension Board consists of 5 members. There was a vacancy with the resignation of Council Member Waller due to personal reasons. The position to get filled is ex officio. Mayor Smith explained further that meetings are held quarterly, generally during the day.

Council Member Waller made a motion to nominate Mayor Smith to serve on the General Employees' Pension Board as the *ex officio* Member. Vice-Mayor Gunther seconded the motion. The said motion carried 5-0.

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

PUBLIC HEARINGS

27. **(Quasi-Judicial Hearing) Resolution No. 2023-06 - Light Industrial Planned Development Site Plan (SPR23-01)- Collection Suites Palm Springs - 874, 884, and 964 South Congress Avenue:** Motion to approve Resolution No. 2023-06, an application with conditions for a Light Industrial Planned Development Site Plan (SPR23-01), submitted by Mr. Javier Fernandez from Astrax LLC, agent for Collection Suites Palm Springs ("Applicant"), to allow the development of a warehouse/self-storage building of 79,350 square feet, along with an Indoor Athletic Court of 36,054 square feet on 7.313 acres (composed of three parcels). Additionally, there will be 19 condominium units built. The Applicant also requests approval of six (6) waivers and one variance (PSV23-01) for Collection Suites Palm Springs located at 874, 884, and 964 South Congress Avenue. The proposed development will enhance assessments. The Palm Springs Community Redevelopment Agency (CRA) – Congress Avenue District, and redevelopment would increase Tax Increment Financing (TIF) revenues.

Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Javier Fernandez from Astrax LLC, agent for Collection Suites Palm Springs ("Applicant'), is requesting a Site Development Plan (SPR23-01) approval to allow the development of a 79,350 square foot warehouse/self-storage building along with an existing 36,054 square foot Indoor Athletic Court on 7.313 acres (comprised of three parcels) generally located at 874, 884 & 964 South Congress Avenue.

Note: To achieve this development, the applicant requested a Future Land Use Amendment to the Future Land Use Map (FLUM) as well as a Rezoning to change the land use from Commercial to Light Industrial and from Commercial General (CG) to Light Industrial (LI). These requests were granted by the Village Council on February 9, 2023.

On July 13, 2017, the Village Council adopted Resolution No. 2017-17, approving a site plan and concurrently a Special Exception use with four waivers to permit the development of a 6,800- square-foot restaurant, 25,928 retail building, and 36,000 square feet of an indoor athletic court. While the indoor athletic court was

completed, the balance of the project was never executed.
Currently, the applicant is seeking to develop the site to facilitate the construction of a 79,350- square-foot warehouse/self-storage building called the "Collection Suites Palm Springs." The project will 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 feet clubhouse, 1,283 square foot office, and related support spaces.

Note: The Village Code - Section 34-1063(c) Waivers- provides that waivers may be granted by the Village Council following an advisory recommendation by the Planning and Zoning Board. All requests for waivers shall be identified on the site plan and shall accompany an application for site plan approval of planned development.

The applicant is requesting six (6) waivers for the proposed site plan:

1. Relief from Sec. 34-863 (6) to allow a reduction in the required setback along South Congress Avenue from the required 30' to 25' at its narrowest point.
2. Relief from Sec. 34-863 (9) to allow a reduction in the required setback along Holly Road from the required 30' to 20' at its narrowest point.
3. Relief from Sec. 34-863 (10) to allow a reduction in the required setback along Northeast (abutting residential lots) from the required 75' to 39'8"
4. Relief from Sec. 34-896 (d) to allow twelve (12) special events each calendar year (more than four (4) allowed per Code).
5. Relief from Sec. 34-162(b)(5) to allow the reduction of the landscape buffer from the required 15' to 10' wide buffer along S Congress Avenue.
6. Relief from Sec. 34-162(f) to allow 100% landscape overlap of the utility easement adjacent to S Congress Avenue.

Additionally, the applicant is requesting one (1) variance:

1. **(PSV23-01)** - Request to allow extended hours of operation to permit unit owners and their guests to use their individual units 24 hours a day. However, no commercial business activity will occur during the extended hours of operation (Provides relief from Section Sec. 34-891 (2) that restricts hours of operations from 7 am to 11 pm).

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

The Planning, Zoning & Building Staff does not object to the Light Industrial Planned Development Site Plan and recommends conditional approval.

Fiscal Impact: The proposed development will enhance the village's assessed property valuation. This property is located within the Palm Springs Community Redevelopment Agency (CRA) - Congress Avenue District and redevelopment would result in increased tax increment financing (TIF) revenue.

The Village Clerk read the statement of the advertisement on the record and swore in the applicants and staff. Mayor Smith asked the Council to disclose ex parte communication. There was none.

Ms. Cabrera presented the Staff presentation for the record. She explained that the project is a light industrial planned site development that will consist of nineteen condominium units located at 874, 884, and 964 South Congress Avenue. The Developer, Mr. Fernandez, wants to develop a 79,350 square foot warehouse in conjunction with an existing 36,054 square foot indoor athletic court on 7.313 acres of property to house fine collectibles. In addition, Mr. Fernandez would like to extend his hours of operation to 24 hours per day.

Mayor Smith called for the applicant to present his testimony. Mr. Fernandez presented his testimony. He provided the Council with a handout (entered into the record). He discussed the amenities of the project and gave background about the project. Mr. Fernandez accepts the staff recommendations of FPL that landscaping must be approved at the time of permitting, fence details must be submitted with the building permits, and that the bus shelter must be architecturally consistent with the building at the time of permitting.

Mayor Smith offered the Council and public an opportunity to speak and ask questions.

The Council questioned Mr. Fernandez about proposed security measures and how traffic would be monitored. Mr. Fernandez explained that clients are required to provide advance notice to allow proper preparations. The warehouse has showers and clients can eat at the location; however, they are not permitted to stay overnight. The area is closely monitored.

Public Comment

1. Johnnie Tieche 305 Winged Foot Drive - Mr. Tieche stated that this project went before the Planning and Zoning Board and was favored.

Hearing no further comment, Mayor Smith closed this session.

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

Mayor Pro Tem Brinkman made a motion for approval of Resolution No. 2023-06. Council Member Waller seconded the motion. The said motion carried 5-0.

28. **(First Reading) Ordinance No. 2023-02 - Voluntary Annexation - 2873 Forest**

Hill Boulevard: Motion to approve Ordinance No. 2023-02 for a voluntary annexation request from Geoffrey Jervis and Vito Monteleone, the property owners at 2873 Forest Hill Boulevard. Congress Avenue CRA Corridor (east of South Congress Avenue, west of South Florida Mango Road, and north of Forest Hill Boulevard) is where the property is located. With an assessed value of $323,468, the property contributes to the village's overall value.

Staff: Iramis Cabrera, PZB Director

SUMMARY: Pursuant to Village annexation objectives, discussions have been ongoing with the property owner regarding the benefits of annexation. The subject property proposed to be annexed is generally located east of South Congress Avenue, west of South Florida Mango Road, and on the north side of Forest Hill Boulevard.

The property owner, Mr. Geoffrey Jervis, and Mr. Vito Monteleone, has requested voluntary annexation of their property into the Village of Palm Springs in accordance with Section 171.044, Florida Statutes.

The 0.3013 acre property is currently being developed with a 2,400 sq ft commercial building and the applicants have the intention of combining the property with two other properties and re- developing the property with a modern car wash facility in the near future. A proposed village land use and zoning designation will be assigned under a separate ordinance following the annexation process.

The Village Staff finds the annexation to be in compliance with Chapter 171, Florida Statutes, as the proposed annexation is compact and contiguous to the Village boundaries per statutory annexation criteria. The subject property is located within the Village's adopted future annexation area and is within the Palm Beach County utility service area. It is located adjacent to the Congress Avenue District of the Palm Springs CRA. The annexation will facilitate the assemblage of parcels and the redevelopment of the self-serve car wash property.

Palm Beach County issued a letter on February 7, 2023, indicating that there are no concerns with the annexation and that the proposed annexation is consistent with the Florida Statutes and policies in the County's Comprehensive Plan.

The Planning & Zoning Board considered the proposed annexation during their February 14, 2023 meeting and recommended approval.

Ordinance No. 2023-02 was advertised in the Lake Worth Herald on February 2, and March 2, 2023.

The proposed ordinance is being presented for 1st reading and, if approved, will be presented to the Village Council for consideration on the 2nd and final reading on April 13, 2023.

Fiscal Impact: The assessed value of the property is $323,468 and will contribute to the village's overall property value. If approved and constructed, it will further contribute to the village's overall property values.

The Village Clerk read the statement of advertisement on the record. Ms. Cabrera presented Ordinance No. 2023-02. She explained this is a Voluntary Annexation for 2873 Forest Hill Boulevard. The 0.3013 acre property is currently being developed with a 2,400 sq ft. commercial building and the applicants have the intention of combining the property with two other properties and re-developing the property with a modern car wash facility in the near future. A proposed village land use and zoning designation will be assigned under a separate ordinance following the annexation process. The subject property is located within the Village's adopted future annexation area and is within the Palm Beach County utility service area. It is located adjacent to the Congress Avenue District of the Palm Springs CRA. The annexation will facilitate the assemblage of parcels and the redevelopment of the self-serve car wash property.

Mr. Geoffrey Jervis, CEO of Mint Eco Car Wash, Josh Nicols with Schmidt and Nichols Planners and Vito Monteleone, President/Co-Owner of Mint Eco Car Wash were present and gave testimony on the project. Mr. Jervis talked about the fourteen principles of Mint Eco Car Wash and the benefits of their business to the community. He offers a service that is eco-friendly. Mr. Jervis discussed employment benefits and promotion from within. Mr. Jervis offers customer lobbies that are designed like spas instead of canopies. He mentioned he also does a lot of community outreach, especially with schools and organizations. The business is built with a blend of traditional and new car wash.
Mayor Smith offered the Council an opportunity to ask questions.

Council Member Ready wanted to know the largest vehicle the car wash could accommodate. Mr. Jervis said it was a Dually truck. The average wait time for a car to get washed is 5-20 minutes.

Mr. Nichols further discussed the enhancements the car wash offered.

Mr. Jervis addressed the neighborhood concerns with another carwash in the community. He gave several dates when he walked the neighborhood and talked to residents. For the residents that were not home, they left business cards. He discussed car stacking, parking, and traffic concerns. He talked about excessive speed and getting speed bumps installed if Palm Beach County agreed and approved. He confirmed that Clear Channel would remove the billboard no later than May 2023. There is a tire store in the area that is not in good condition. He discussed the safety issues involved and the installation of cameras for security. There are motion sensor cameras and ropes.

Council Member Ready asked about Brownfields. Mayor Pro Tem Brinkman asked about Community Redevelopment Agency (CRA) benefits. Ms. Cabrera explained that this property could not be included in the CRA area because the parcels did not qualify. Council member Ready also wanted to know how many employees were at the location. There are twenty- five employees during the season. He encourages carpooling and biking from employees.

Johnnie Tieche - 305 Winged Foot Drive Mr. Tieche stated his support for the project. The Village Attorney, Mr. Torcivia, read the title of the caption on the record.

Council Member Ready made a motion for the approval Ordinance No. 2023-02. Mayor Pro Tem Brinkman seconded the motion. The said motion carried 5-0.

29. **(First Reading/Quasi-Judicial Hearing) Ordinance No. 2023-03 - Land Use and Rezoning (Small-Scale) - 2873 Forest Hill Boulevard:** Motion for the Approval of Ordinance No. 2023-03 of a request to amend a Small-Scale Land-Use Amendment of the Future Land Use Map (FLUM) and Rezoning of 0.3013 acres located at 2873 Forest Hill Boulevard, which is currently developed with a 2,400 square foot commercial building and projected for redevelopment into a modern car wash. As part of the Congress Avenue District of the Palm Springs Community Redevelopment Agency (CRA), this property is being proposed for development as a modern car wash, along with two additional properties. Voluntary annexation of the subject property is requested.

Staff: Iramis Cabrera, PZB Director

SUMMARY: The proposed ordinance would amend the land use and zoning designation for the 0.3013-acre property located at 2873 Forest Hill Boulevard, which is being considered for voluntary annexation (Ordinance No. 2023-02).

Concurrent with the annexation of the property, the Village is initiating small-scale land use and zoning changes from Palm Beach County designations to Palm Springs designations. The property is less than 50 acres in size (0.3013) and is currently developed with a 2,400 square foot commercial building and is planned for redevelopment with a modern car wash facility.

Existing PBC Future Land Use	Proposed Village Future Land Use	Existing PBC Zoning	Proposed Village Zoning
Commercial High	Commercial	Commercial General (CG)	Commercial General (CG)

Note: This property is located adjacent to the Congress Avenue District of the Palm Springs CRA, and is proposed to be developed as a modern car wash with the assembly of two other properties.

The Planning & Zoning Board considered the proposed ordinance during their February 14, 2023 meeting and recommended approval.

Ordinance No. 2023-03 was advertised in the Lake Worth Herald on February 2, and March 2, 2023.

The Local Planning Agency (LPA) will consider the proposed ordinance during their March 9, 2023 meeting and their recommendation will be provided to the Village Council.

The proposed ordinance is being presented for the 1st reading.

Fiscal Impact: The proposed land use and rezoning amendments are not expected to affect the Village's property tax revenue; however, they will assist in facilitating the development of the property.

30. **(First Reading) Ordinance No. 2023-04 - Village Code Amendment - Chapter 34 - Outdoor Lighting:** Motion to approve Ordinance No. 2023-04 to amend the Village Code - Chapter 34 - Section 34-64 "Outdoor Lighting", to include a temperature standard and modified illumination levels.
Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: In 2015, the Village Council approved Ordinance 2015-31 to create new regulations pertaining to outdoor lighting. Until that time, the staff had been informally utilizing Palm Beach County's standards in its review of photometric plans; however, the Village Code didn't contain lighting requirements. At this time, the Planning, Zoning & Building (PZ&B) department is requesting an amendment to the Village Code - Chapter 34 - Section 34-64 "Outdoor Lighting", to include a temperature standard and modified illumination levels.

Some of the key aspects of the amendment include:

- If a property or use with nonconforming lighting is vacant or unutilized for a 12-month period, then all outdoor lighting shall be reviewed and brought into compliance before the use is resumed.
- Accent and landscape luminaries should not exceed 100 watts.
- All light sources shall have a color-corrected temperature (CCT) of 3000 Kelvin or warmer.
- Eliminate the rural and exurban locations from the maximum permitted luminaire height table.

The proposed ordinance was prepared by the Assistant Village Manager and reviewed by outdoor lighting experts: Larry Smith (Smith Engineering Consultants), Ronald Levinson, consulting engineer, and Jillian Churik (Epic Forensics & Engineering), all of whom did not have any concerns about the proposed changes. The proposed ordinance was also reviewed by the Village Attorney and PZ&B Director.

The Planning & Zoning Board considered the proposed ordinance at its February 14, 2023, meeting and recommended approval.

The proposed ordinance is being presented on the first reading and, if it is recommended for approval, will be presented on the 2nd and final reading by the Village Council on April 13, 2023.

Fiscal Impact: The proposed ordinance does not have a fiscal impact on the Village.

Ms. Glas-Castro introduced Ordinance No. 2023-04. She explained that this is a housekeeping ordinance.

Mayor Smith offered the public an opportunity to speak on Ordinance No. 2023-04. There were no comments.

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

Vice-Mayor Gunther made a motion for the approval of Ordinance No. 2023-04. Council member Ready seconded the motion. The said motion carried 4-1 (Mayor Smith dissenting).

31. **(First Reading) Ordinance No. 2023-05 - Village Code Amendment - Chapter 34 - Electric Vehicle Charging Infrastructure:** Motion for Approval of Ordinance No. 2023-05 amending Chapter 34, “Land Development”, Article VI, “Land Use”, Division 8 “Off-Street Parking”, and adding a new section 34-1337 “Electric Vehicle Charging Infrastructure".

Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: The Planning, Zoning & Building Department is proposing amendments to the Land Development Regulations to add a new section within Division 8 to include new regulations for electric vehicle charging infrastructure. These new regulations would provide for the availability of electric vehicle charging stations for residents and visitors to the Village. Transformational initiatives are needed in order to enhance the transportation infrastructure and meet the growing demand for safely moving people while enhancing economic prosperity and preserving the quality of our environment and communities.

The proposed ordinance provides the following:

- All new or existing commercial, mixed-use, or multi-family development projects with at least twenty-five (25) parking spaces that enter into either a site plan or site plan amendment process are subject to the following:

A. Four percent of the total minimum required off-street parking spaces shall be designated and outfitted as electric vehicle charging spaces. Each required space at a minimum shall include the following:

1) A maintained and operational 240-volt charging station, with a cable retraction device and/or place to hang permanent cords and connectors sufficiently above the ground, and mounted at a height which places the connector a minimum of thirty-six (36) inches and a maximum of forty-eight
(48) inches above the ground.

2) Wheel stops or concrete-filled steel bollards to protect the aforementioned charging station.

3) Signage allowing only an electric vehicle to park in such a space and indicating that it is only for electric vehicle charging purposes.

4) The ability for all visitors to the site to access and use such space.

B. Location of charging stations is subject to site plan review for lighting, security, accessibility to the charging infrastructure as well as safe access to the principal building/facility, signage, and compliance with other code requirements such as screening of mechanical equipment.

C. Any development that proposes more than twenty (20) percent of its required off-street parking to be outfitted as electric vehicle charging space, or operates any amount of charging stations as a primary use as determined by the Planning, Zoning & Building Director, shall be classified as a "Fuel Station" use and is subject to special exception procedures outlined in Sec. 34-607.

D. Charging stations in RM land development districts shall be for the exclusive use of the development's residents and guests that are visiting the development's residents, and shall not be made available to the general public.

The proposed ordinance was prepared by the Assistant Village Manager and reviewed by the Planning, Zoning & Building Department and by the Village Attorney.

The proposed ordinance was considered by the Planning & Zoning Board and recommended for approval with minor revisions at its February 14, 2023 meeting.

The proposed ordinance is being presented on the first reading and, if it is recommended for approval, will be presented on the 2nd and final reading by the Village Council on April 13, 2023.

Fiscal Impact: Amending the Land Development Regulations to add a new section does not have a direct fiscal impact on the Village.

Ms. Cabrera introduced this item. She discussed the changes to the Electric Vehicle Charging (EVC) Infrastructure. Mayor Smith offered the Council an opportunity to speak on Ordinance No. 2023-05.

The Council asked about the difference in the EVC types. There was discussion on current business model trends and the timeframe for implementation.
Mayor Smith offered the public an opportunity to speak on Ordinance No. 2023-05.

Mr. Johnnie Tieche - 305 Winged Foot Drive - asked if there were changes to the bollard (sp?). The Village Attorney, Mr. Torcivia, read the title of the caption into the record.

Council Member Waller made a motion for the approval of Ordinance No. 2023-05. Mayor Pro Tem Brinkman seconded the motion. The said motion carried 5-0.

ACTIONS AND REPORTS

There were no Actions and Reports.

VILLAGE MANAGER COMMENTS

The Village Clerk, Ms. Wynn, mentioned on the record that there was a change to one of the polling locations for the March 14th Election from Oasis Church to the Public Library.

VILLAGE COUNCIL COMMENTS

Council Member Ready disclosed that he gave his report of events to the Village Clerk prior to the meeting. He also asked about the status of the repair of Davis Bridge.

Mr. Mike Wood, Superintendent of Public Works, discussed the status. He explained there were actually two accidents that occurred near the bridge (one a direct hit). The Village is in the process of getting the damage assessed by an engineer. The age of the bridge may require more extensive work to take place which will require the Village to go out to bid.

Council Member Waller thanked everyone for the opportunity to serve on the General Employees' Pension Board. She said that Lakeside Condominium Association wanted to be more involved with the Village.

Mayor Pro Tem Brinkman reported that she was monitoring Senate Bill 102. The bill relates to Affordable Housing with regards to density and height.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 8:11 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 **March 9, 2023**. Which minutes were formally approved and adopted by the Village Council on **May 11, 2023.**

Submitted by

Kimberly M. Wynn
Village Clerk

NEXT REGULAR MEETING:
THURSDAY, APRIL 13, 2023, AT 6:30 PM