



**VILLAGE COUNCIL MEETING MINUTES,  
VILLAGE HALL COUNCIL CHAMBERS  
226 CYPRESS LANE, PALM SPRINGS, FLORIDA 33461  
MAY 11, 2023, AT 6:30 PM**

**CALL TO ORDER**

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

**ROLL CALL:**

**Present:** Mayor Pro Tem Waller, Council Member Gunther, Council Member Ready, Mayor Bev Smith

**Absent:** Vice Mayor Brinkman

**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, Building and Zoning Director Iramis Cabrera, Utilities Director Jimmie Johnson, Assistant Utilities Director Paul Ward, Library Services Director Josefina Maliska, Administrative Assistant (Library) Claudia Ruiz, Assistant Public Works Director Timothy Crespo, and Administrative Assistant (Utilities) Eliza Hansen.

**INVOCATION**

The Village Manager, Mr. Bornstein, led the invocation.

**PLEDGE OF ALLEGIANCE**

The Village Council led the Pledge of Allegiance.

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

There were no additions, deletions, or modifications to the agenda.

Council Member Ready made a motion to approve the agenda as presented. Council Member Gunther seconded the motion. The said motion carried 4-0.

**CONSENT AGENDA**

1. **Approval of Meeting Minutes:** Motion for the approval of October 6, 2022, Village Council Regular Meeting Minutes  
Staff: Kimberly Wynn, Village Clerk
2. **January 26, 2023 Village Council Regular Meeting Minutes:** Motion for the approval of January 26, 2023, Village Council Regular Meeting Minutes  
Staff: Kimberly Wynn, Village Clerk
3. **March 9, 2023 Village Council Regular Meeting Minutes:** Motion for the approval of March 9,

4. **March 28, 2023 Village Council Regular Meeting Minutes:** Motion for the approval of March 28, 2023, Village Council Regular Meeting Minutes  
Staff: Kimberly Wynn, Village Clerk
5. **Reappointments to the Library Advisory Board:** Motion for the approval of Ms. Karen Gebo and Mr. Rick DiRienzo to the Library Advisory Board as a Regular members to serve a three-year term expiring May 14, 2026  
Staff: Kimberly Wynn, Village Clerk

**SUMMARY:** Staff requests that the Village Council reappoint two members to the Library Advisory Board. The term for Ms. Karen Gebo and Mr. Rick Dirienzo will expire on May 14, 2023. No other applications were received.

Ms. Gebo and Mr. DiRienzo have submitted an application indicating their interest in remaining on the Board. Therefore, the staff recommended the reappointment of Ms. Gebo and Mr. DiRienzo to the Library Advisory Board as Regular members for a three-year term that expires May 14, 2026.

If the reappointments are approved, there will be no vacancies on the Library Advisory Board.

**Fiscal Impact:** The proposed appointments do not have a fiscal impact on the Village.

6. **Reappointment to the Construction Board of Adjustment and Appeals:** Motion for the reappointment of Mr. Larry Cellon to the Construction Board of Adjustment and Appeals as a Regular Member to serve a three-year term that expires May 14, 2026.  
Staff: Kimberly Wynn, Village Clerk

**SUMMARY:** The Village Council is requested to reappoint a member to the Construction Board of Adjustment and Appeals. Mr. Larry Cellon's term will expire on May 14, 2023.

Mr. Cellon has submitted an application indicating his interest in remaining on the Board. Therefore, the staff recommends the reappointment of Mr. Cellon to the Construction Board of Adjustment and Appeals for a three-year term that expires May 14, 2026.

If approved, the Construction Board of Adjustment and Appeals would have a vacancy for two (2) Regular Board Members.

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

7. **Reappointment to the Planning & Zoning Board:** Motion for the reappointment of Mr. Peter Braun to the Planning and Zoning Board to serve a three-year term that expires May 14, 2026.  
Staff: Kimberly Wynn, Village Clerk

**SUMMARY:** Staff requests that the Village Council reappoint one Planning & Zoning Board Member. The term for Mr. Peter Braun will expire on May 14, 2023.

Mr. Braun has submitted an application indicating his interest in remaining on the Board. Therefore, the staff recommended the reappointment of Mr. Braun to the Planning and Zoning Board as a Regular Member for a three-year term that expires May 14, 2026.

**Note:** On May 2, 2023, Mr. Larry Saingilus, Senior Alternate, resigned from the Board due to not living within the Village boundaries.

If the reappointment is approved, a vacancy for a Senior and Junior Alternate Member on the Planning and Zoning Board will remain.

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

8. **Purchase Agreement - Submersible Pump Purchase - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - PSI Technologies, Inc.:** Motion to approve a purchase agreement for eleven (1) submersible pumps from PSI Technologies, Inc. The contract term is three (3) years, expiring June 9, 2025, with an option to renew for two additional one (1) year terms. Funding is available for the proposed purchase from the Water & Sewer Enterprise Fund.

Staff: Paul Ward, Assistant Director of Utilities

**SUMMARY:** The Utilities Department must replace eleven (11) aging wastewater pumps at lift stations throughout the Village's utility service area with submersible pumps. Failures and inefficiencies were noticed with the pumps that had to be replaced. It's anticipated that the Village will save money through reduced electricity, staff maintenance costs, etc., by upgrading the pumps to newer, more reliable, and efficient submersible pumps. Our utility customers will benefit from improved operational efficiency.

**Note:** To ensure the lowest possible price and to standardize the types of pumps, accessories, and repair services utilized within our utility processes, the Village issued an Invitation to Bid (ITB) and awarded contracts to three (3) qualified vendors - PSI Technologies, Inc. (WILO), Hudson Pump & Equipment (Barnes), and Wastewater Solutions, LLC (Boesch) on June 9, 2022. This selection by the Village of Palm Springs was completed through a competitive selection process – Submersible Wastewater Pumps, Accessories, and Service (ITB No. 2022B-010 - March 31, 2022).

The Village agreed to each of the three vendors' terms, conditions, and pricing. The term of each contract is set to expire on June 9, 2025, with a renewal option to extend two additional one (1) year terms.

Through the existing agreement with PSI Technologies, the staff was able to obtain the following proposed cost for the purchase of eleven (11) submersible wastewater pumps:

| <b><u>Item</u></b>                                     | <b><u>Amount</u></b> |
|--------------------------------------------------------|----------------------|
| Padron Lift station (1 Pump) PSI Technologies          | \$4,650.00           |
| Boater's World Lift station (2 Pumps) PSI Technologies | \$18,800.00          |
| Henthorne Lift station (2 Pumps) PSI Technologies      | \$19,960.00          |

|                                                             |                     |
|-------------------------------------------------------------|---------------------|
| Abby Road Lift station (2 Pumps) PSI Technologies           | \$25,600.00         |
| Price Street Lift station 9 (2 Pumps) PSI Technologies      | \$25,600.00         |
| Lake Clarke Gardens Lift station (2 Pumps) PSI Technologies | \$27,200.00         |
| <b>Total</b>                                                | <b>\$121,810.00</b> |

The approved FY 2023 Budget - Water & Sewer Fund included \$130,000 for the purchase of replacement lift station pumps.

The proposed quotes were prepared by PSI Technologies and reviewed by the Utilities Supervisor, Utilities Director, Assistant Utilities Director, and Finance Director.

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

**Fiscal Impact:** Funds to support the proposed purchase 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.

9. **Change Order No. 1 - Main & Pratt Water Treatment Plants Automated Chemical Feed Improvements (Task Order Nos. 275 & 276) - Utilities Department - (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - TLC Diversified, Inc.:** Motion to approve Change Order No. 1 with TLC Diversified, Inc. to extend the project completion date by an additional 180 calendar days (total current time from 300 days to 480 days). The proposed Automated Chemical Feed Improvements are expected to be completed by June 26, 2023. There is no direct fiscal impact on this specific request.

Staff: Jimmie Johnson, Utilities Director

**SUMMARY:** On October 22, 2021, the Village Council approved the contract with TLC Diversified for the Automated Chemical Feed Improvements for the Main Water Treatment Plant (Task Order No. 275) and Pratt Plant (Task Order No. 276). A notice to proceed was issued on June 1, 2022, with a contract time of 300 days for substantial completion and 330 days to complete.

The chemical pump skid had to be redesigned during initial construction because the pumps were upsized from 20 to 40 gallons per hour. Additionally, supply chain issues and material shortages caused by Covid 19 delayed the chemical pump skid shipping. As a result, the original contract was completed substantially after November 28, 2022.

TLC Diversified & Utility Department requests an extension of 180 days for Task Orders No. 275 and 276 (Change Order No. 1).

**Fiscal Impact:**

| <u>Item</u>                              | <u>Contract Time /<br/>Additional Days</u> |
|------------------------------------------|--------------------------------------------|
| Original Contract days                   | 300                                        |
| <u>Change Order No. 1 Time Extension</u> | <u>180</u>                                 |
| <b>Revised Contract Days</b>             | <b>480</b>                                 |

If approved, the new substantial completion date will be May 27, 2023, and the new final completion date will be June 26, 2023.

10. **Change Order No. 1 - Main Water Treatment Plant (WTP) Replacement of Sand Loader (Task Order No. 271) – Utilities Department (Fiscal Year 2023 Budget Funded - Water & Sewer Enterprise Fund) - Boromei Construction, Inc.:** Motion for the approval of Change Order No. 1 (Task Order No. 271) with Boromei Construction, Inc. for construction services at the Main WTP for Replacement of the Sand Loader project to extend the project completion date an additional 217 calendar days for substantial completion and 339 calendar days for final completion (total contract time from 270 days to 609 days) and to reconcile the project with a credit for unused contingency allowance in the amount of \$5,000.00. Funding to support the Main WTP Replacement of Sand Loader project (Task Order No. 271) was provided by the Water & Sewer Enterprise Fund.

Staff: Jimmie Johnson, Utilities Director

**SUMMARY:** On August 26, 2021, the Village Council approved Task Order No. 271 with Boromei Construction, Inc. for construction services for the Main WTP Replacement of Sand Loader project in the amount of \$319,949.00.

During the submittal process of the project, it was discovered that the originally specified unit by manufacturer Schenck was no longer available, and a different unit had to be selected. This delayed the approval process as the engineer worked with the Contractor to verify if the new unit would work and determine how it was to be implemented.

The equipment and materials were finally approved and shipped, but several pieces arrived wrong and required to be field modified to work as intended. Some of the equipment parts were required to be weather resistant and some to be stainless steel due to the changed location than what the plans call for. These issues, along with longer lead times due to supply chain issues, have pushed the project out further than was expected.

Therefore, Village's contracted engineer, CHA Consulting, Inc. and the Utilities department are requesting an amendment to the contract for Task Order No. 271 (Change Order No. 1) to extend the project completion date by an additional 217 calendar days for substantial completion and 339 calendar days for final completion (total contract time from 270 days to 609 days) and to reconcile the project with a credit for unused contingency allowance in the amount of \$5,000.00:

| <u>Item</u>              | <u>Contract</u>     | <u>Contract Time/Add'l Days</u> |
|--------------------------|---------------------|---------------------------------|
| Original Contract Amount | \$319,949.00        | 270 days                        |
| CO No. 1                 | -\$ 5,000.00        | <u>339 days</u>                 |
| Revised Contract Amount  | <b>\$314,949.00</b> | <b>609 days</b>                 |

If approved, the total cost of the Main WTP Replacement of Sand Loader project within Task Order No. 271 will be decreased to \$314,949.00 and the total contract time will be increased to 609 days.

If approved, the Main WTP Replacement of Sand Loader project will have a final completion date of May 1, 2023.

The proposed Change Order No. 1 was prepared by Boromei Construction, Inc. and reviewed by the Village's Engineer, CHA Consultants, the Assistant Village Manager, the Utilities Director, the Village Attorney, the Village Project Manager, and the Finance Director.

**Fiscal Impact:** Funding to support the Main WTP Replacement of Sand Loader project (Task Order No. 271) was provided by the Water & Sewer Enterprise 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 Water & Sewer Fund at a later date, if necessary.

11. **Approve Change Order No. 1 - Florida Mango Utility Relocation (Edgewater to Barbados) (Task Order No. 294) - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - TCLM Enterprise, Inc.:** Motion for the approval of Change Order No. 1 (Task Order No. 294) with TCLM Enterprise, Inc. to extend the project completion date an additional 383 calendar days for the Florida Mango Utility Relocation (Edgewater to Barbados) Project. Funding to support the Florida Mango Utility Relocation (Edgewater to Barbados) Project (Task Order No. 294) was provided by the Water & Sewer Enterprise Fund.

Staff: Jimmie Johnson, Utilities Director

**SUMMARY:** On January 13, 2022, the Village Council approved Task Order No. 294 with TCLM Enterprise, Inc. for construction services for the Florida Mango Utility Relocation (Edgewater to Barbados) Project for the amount of \$889,355.35.

The work to relocate the existing utilities promptly started and most of the work up to the L-8 Canal was completed by early fall of last year. The Contractor, TCLM Enterprise, Inc., has been on a holding pattern since waiting for the County contractor, Ranger Construction, to complete the demolition and construction of the new bridge. Once this portion of work is complete, then TCLM can complete the final utility connections across the bridge and finish its contracted work.

**Note:** Delays associated with other utilities (AT&T, FPL, and Comcast) having to relocate their services so the bridge work could commence added to the project being pushed out further than what was expected.

The Village's contracted engineer, Wantman Group, and the Utilities department are requesting an amendment to the contract for Task Order No. 294 (Change Order No. 1) with no change in contract price and to extend the project completion date by an additional 383 calendar days (total contract time from 180 days to 563 days):

| <b><u>Item</u></b>             | <b><u>Contract Amount</u></b> | <b><u>Contract Time / Add'l Days</u></b> |
|--------------------------------|-------------------------------|------------------------------------------|
| Original Contract Amount       | \$889,355.35                  | 180 days                                 |
| CO No. 1                       | <u>0.00</u>                   | <u>383 days</u>                          |
| <b>Revised Contract Amount</b> | <b>\$889,355.35</b>           | <b>563 days</b>                          |

If approved, the total cost of the Florida Mango Utility Relocation (Edgewater to Barbados) Project within Task Order No. 294 will remain at \$889,355.35 and the total contract time will be increased to 563 days.

If approved, it is estimated that the proposed Florida Mango Utility Relocation (Edgewater to Barbados) Project will be completed by August of 2023.

**Note:** A project reconciliation will still be done at the conclusion of the project.

The proposed Change Order No. 1 was prepared by TCLM Enterprise, Inc. and reviewed by the Village's Engineer, Wantman Group, the Assistant Village Manager, The Utilities Director, the Village Attorney, the Village Project Manager, and the Finance Director.

**Fiscal Impact:** Funding to support the Florida Mango Utility Relocation (Edgewater to Barbados) Project (Task Order No. 294) was provided by the Water & Sewer Enterprise Fund:

|                                                                                            |                             |
|--------------------------------------------------------------------------------------------|-----------------------------|
| <b><u>Allocated/ Estimated Project Funding:</u></b>                                        |                             |
| FY 2022 Approved Funding - Water & Sewer Enterprise Fund:                                  | \$ 817,880.00               |
| FY 2023 Approved Funding - Water & Sewer Enterprise Fund:                                  | \$ 50,000.00                |
| <b>Total Approved Funding</b>                                                              | <b><u>\$ 867,880.00</u></b> |
|                                                                                            |                             |
| <b><u>Expected Project Costs:</u></b>                                                      |                             |
| Project Costs - Design & Engineering - Water & Sewer Enterprise Fund (Task Order No. 294): | \$ 4,832.20                 |
| Project Costs - Construction - Water & Sewer Enterprise Fund (Task Order No. 294):         | <u>\$ 534,551.45</u>        |
|                                                                                            |                             |
| <b>TOTAL PROJECT COSTS:</b>                                                                | <b>\$ 539,383.65</b>        |

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 Water & Sewer Fund at a later date, if necessary.

12. **Change Order No. 3 - Vac Station No. 1 Safety Improvements (Task Order No. 240, Task Order No. 266, and Task Order No. 278) - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Hinterland Group, Inc.:** Motion for the approval of Change Order No. 3 (TO No. 240, TO No. 266 and TO No. 278) - Vacuum Station No. 1 Safety Improvements to extend the project completion date an additional 222 calendar days (total current contract time from 530 days to 752 days). If approved, it is estimated that the proposed Vac Station No. 1 Safety Improvements Project will be completed by September 14 of 2023.

Staff: Jimmie Johnson, Utilities Director

**SUMMARY:** On July 8, 2021, the Village Council approved Task Order No. 240, 266, 278 with Hinterland Group, Inc. for construction services for the Vac Station #1 Safety Improvements Project for \$472,600.00.

During the construction permitting process, the County Building Department requested a revised site plan with a new easement for the new generator pad location. Several questions arose from the review regarding meeting accessibility requirements and required setbacks. The Village and the EOR made several attempts to clarify that this was a utility building not accessible to the public and that improvements consisted of only adding a stairwell and a new emergency generator. Going back and forth until the concerns were clarified delayed the project for over a year. The initial notice -to-proceed (NTP) was dated August 23, 2021. Palm Beach County finally obtained the permit on January 23, 2023.

**Note:** This is the 2nd time extension request by the Contractor, Hinterland Group, Inc., on this project due to delays beyond their control.

The Village's contracted engineer, CHA Consulting, Inc., and the Utilities department are requesting an amendment to the contract for Task Orders No. 240, 266, and 278 (Change Order No. 3) for \$0 change in the contract amount and to extend the project completion date by an additional 222 calendar days (total current contract time from 530 days to 752 days):

| <b><u>Item</u></b>              | <b><u>Contract Amount</u></b> | <b><u>Contract Time / Add'l Days</u></b> |
|---------------------------------|-------------------------------|------------------------------------------|
| Original Contract Amount        | \$472,600.00                  | 240 days                                 |
| Approved CO No. 1 & CO No. 2    | -\$51,549.95                  | 290 days                                 |
| <b><u>Proposed CO No. 3</u></b> | <b><u>\$0.00</u></b>          | <b><u>222 days</u></b>                   |
| <b>Revised Contract Amount</b>  | <b>\$421,050.05</b>           | <b>752 days</b>                          |

If approved, the total cost of the Vac Station No. 1 Safety Improvements Project within Task Orders No. 240, 266, and 278 will remain at \$421,050.05, and the total contract time will increase by 752

If approved, the Vac Station No. 1 Safety Improvements Project is estimated to be complete by September 14, 2023.

The proposed Change Order No. 3 was prepared by Hinterland Group, Inc. and reviewed by the Village's Consulting Engineer, CHA Consulting, Inc., the Assistant Village Manager, the Utility Director, the Village Attorney, the Village Project Manager, the Finance Director.

Fiscal Impact:

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 Water & Sewer Fund at a later date, if necessary.

13. **Change Order No. 2 (Closeout) - Main & Pratt WTP MIEX Regeneration Upgrade (Task Order No. 268 & Task Order No. 238) - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Lawrence Lee Construction Services, Inc.:** Motion for the approval of Change Order No. 2 (Closeout) with Lawrence Lee Construction Services, Inc. to extend the contract time 131 days and reduce the amount to \$142,886.50 (\$91,343 Main WTP and \$51,543.50 Pratt WTP) for construction services of the Main Water Treatment Plant (WTP) and Pratt Water Treatment Plant (WTP) MIEX Regeneration Upgrade Project. Funding to support the project (Task Order No. 268 and Task Order No. 238) was provided by the Water & Sewer Enterprise Fund.

Staff: Eliza Hansen, Administrative Assistant

**SUMMARY:** On October 6, 2021, the Village Council approved Task Orders No. 268 and No. 238 with Lawrence Lee Construction Services, Inc. for construction services for the Main Water Treatment Plant (WTP) and Pratt Water Treatment Plant (WTP) MIEX Regeneration Upgrade Project for the combined amount of \$3,414,000.00.

The Village retained the option of directly purchasing MIEX units from the manufacturer and thereby receiving tax savings. Deductive change orders were issued to Lawrence Lee Construction Services, Inc. for each MIEX unit under the option the Village exercised. The Village issued a purchase order directly to the manufacturer of the MIEX Regeneration equipment, IXOM Watercare, in the amounts of \$1,156,100.00 for the Main WTP MIEX Regeneration equipment (TO No. 268) and \$889,355.00 for the Pratt WTP MIEX Regeneration equipment (TO# 238). The tax savings by directly purchasing the MIEX units from the manufacturer was \$115,229.00.

The project was awarded as one contract with two task orders and two purchase orders.

The work started on the project on December 13, 2021, and both projects reached substantial completion on March 24, 2023. In order to reconcile the two projects, change orders were prepared for each, and time extensions were requested due to longer than normal material lead times.

CHA Consulting, Inc., the Village's contracted engineer, and the Utilities department are requesting an amendment to the contract for Task Order No. 268 and No. 238 (Change Order No. 2) to reconcile both projects for unused contingency allowances. In addition to a deductive change order for the Main WTP of \$91,343.00 and a deductive Change Order for the Pratt WTP of \$51,543.50, an extension of 131 additional calendar days is being requested as part of the project contract extension (total contract time increased from 365 days to 496 days). Accordingly, the total cost of the Main & Pratt WTP MIEX Regen Upgrade Project will be \$1,295,713.50, with a total contract time of 496 days. The final completion date for the proposed Main & Pratt WTP MIEX Regeneration Upgrade Project is April 24, 2023.

The proposed reconciliation Change Order No. 2 was prepared by Lawrence Lee Construction Services, Inc. and reviewed by the Village's Contract Engineer, Utilities Director, Assistant Utilities Director, and Finance Director.

**Fiscal Impact:**

| <b><u>Item</u></b>             | <b><u>Contract Amount</u></b> | <b><u>Contract Time / Add'l Days</u></b> |
|--------------------------------|-------------------------------|------------------------------------------|
| Original Contract Amount       | \$3,414,000.00                | 365 days                                 |
| CO #1 - Main WTP               | -\$1,156,100.00               | 0 Days                                   |
| CO #1 - Pratt WTP              | -\$819,300.00                 | 0 Days                                   |
| Proposed CO #2 - Main WTP      | -\$91,343.00                  | 0 Days (combined below)                  |
| Proposed CO #2 - Pratt WTP     | <u>-\$51,543.50</u>           | <u>131 days</u>                          |
| <b>Revised Contract Amount</b> | <b>\$1,295,713.50</b>         | <b>496 days</b>                          |

If approved, the revised total construction cost of the Main & Pratt WTP MIEX Regen Upgrade, Task Orders No. 268, and No. 238, will be \$1,295,713.50 and the total contract time will be 496 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 WTP and Pratt WTP MIEX Regen Upgrade Project (Task Order No. 268 and Task Order No. 238) was provided by the Water & Sewer Enterprise Fund.

14. **Resolution No. 2023-24 - Approval of Interlocal Agreement - Extension/Amendment 002 (Renewal) - Urban County Qualification Process Program Participation in Community Development Block Grant (CDBG) - Fiscal Year's 2024-2026 - Palm Beach County:** Motion to approve Amendment 002 with Palm Beach County for participation in the Urban County Qualification Process for Fiscal Year 2024 through Fiscal Year 2026. The first Interlocal Agreement with Palm Beach County was executed on July 10, 2014, Resolution 2014-41. The Village receives funding from the Federal Community Development Block Grant (CDBG), supporting different improvements within the Village. This agreement will renew for an additional three (3) years for Fiscal Years from October 1, 2024, to September 20, 2027.

Staff: Claudia Ruiz, Administrative Assistant

**SUMMARY:** The Village staff is recommending that the Village extend the current interlocal agreement with Palm Beach County as part of the Urban County Qualification Process for FY 2024 FY 2026. This would provide the Village with annual proportionate Federal Community Development Block Grant (CDBG) funding to support various improvements within the Village.

Title 1 of the Federal Housing and Community Development Act of 1974 mandates that counties and their local municipalities enter into an Interlocal Cooperation Agreement in order to implement CDBG activities within that municipality. In accordance with Housing and Urban Development (HUD) and CDBG requirements, the Village has participated in the County's Urban County Qualification Process Program and has received funding that is intended to:

- Benefit low-and moderate-income persons
- Including a public facility in need of repair or replacement, including ADA and accessibility improvements, and/or
- Aid in the elimination of blight

On July 10, 2014, an Interlocal Agreement with Palm Beach County was executed (Village R2014-41); Palm Beach County Interlocal Agreement (R2014-1167) (the "Agreement"), for the purpose of implementing the (CDBG), Home Investment Partnership (HOME) and Emergency Solutions Grant (ESG) Programs, Pursuant to Section 125.01 and Section 163, Part III, Florida Statutes, for Fiscal Years 2015, 2016 and 2017; and providing an effective date.

Nine (9) years and the Village has received (and is estimated to receive) \$1,599,562 in CDBG funding. To date, this CDBG funding has supported the completion and/or the ongoing design and construction of the following projects:

- Replacement of Davis Road (L-10 Canal) Pedestrian Road Walking Bridge
- Development of Foxtail Palm Park
- Development of the Areca Palm Fitness Park
- Development of the new Park Connector Pathway Project

This agreement (R2014-1167) was extended/amended on May 14th, 2020 with Palm Beach County as part of the Urban County Qualification Process Program Participation in CDBG for FY 2021 to FY 2023 (R2020-1220). Under this agreement, the Village agreed to participate with the county in the creation of the Urban County Program jurisdiction for the receipt of federal community development funds from the U.S. Department of Housing and Urban Development (HUD).

The Village has actively participated with Palm Beach County for many years, through this interlocal agreement process, in order to be eligible for funds. The current three-year qualifying period will expire on September 30, 2024, and renewal must be executed no later than May 19, 2023. This is necessary because HUD has amended one of the clauses in the original agreement to promote adherence to regulations pertaining to non-discrimination in HUD programs or activities receiving Federal Financial Assistance.

If approved, the proposed extended agreement would renew for an additional three (3) years, covering FY 2026 (October 1, 2024, to September 30, 2027).

In order to continue participation in the Urban County Program and renew the Interlocal Agreement, Village staff is recommending that the Village executes the extension/amendment 002 to the Interlocal Agreement between Palm Beach County and the Village of Palm Springs.

**Note:** Pursuant to the Florida Statutes and the Florida Interlocal Cooperation Act of 1969, local governments are permitted to enter into interlocal agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographies, economic population, and other factors influencing the needs and development of local communities.

Florida Statutes permit public agencies as defined therein, to enter into interlocal agreements with each other to exercise jointly, power, privilege, or authority which such agencies share in common and which each might exercise separately.

Thus, in accordance with state law (Florida Interlocal Cooperation Act 1969), the Village staff is proposing to extend the existing Interlocal Agreement with the County that would enable the Village to participate as an Entitlement City within the County's Urban County Qualification Process Program and to receive annual entitlements (funding) for Community Development Block Grant, Emergency Solutions Grant, and HOME Investment Partnership Program funding.

**Fiscal Impact:** Continued federal grants and/or cooperative funding through all programs available through Palm Beach County will provide a direct fiscal impact on the Village and assist with needed infrastructure improvements and will contribute to the Village's economic development efforts and priorities.

15. **Joseph Fallon Scholarship Award - Six (6) Scholarship Awards (FY 2023):** Motion to recommend approval to award six (6) students scholarship checks for \$1,000 each for the Joseph Fallon Scholarship Award. Funding to support the proposed awards is available within the FY 2023 Budget - General Fund.

Staff: Kimberly Wynn, Village Clerk

**SUMMARY:** The Joseph Fallon scholarship was established in 1996, in memory of Joseph Fallon, a Palm Springs resident and library volunteer who passed away suddenly during his senior year at John I. Leonard High School. To honor his memory, each year the Village of Palm Springs awards scholarships to selected high school seniors who live in the Village that submit an essay before the deadline and meet all criteria.

The Fallon Scholarship Committee evaluates each package. Students are scored on several components. This year, the Village Council selected six (6) recipients for the Joseph L. Fallon Scholarship award:

- **Chimdindu Ejidike:** Chimdindu is a student at Forest Hill Community High School and plans to attend Emory University in Atlanta, GA. Her major is Computer Science.
- **Colin Coppin:** Colin is a student at Atlantic High School and plans to attend FAU in Boca Raton, FL. His major is Software Engineering.

- **Valeria Estrada:** Valeria is a student at G-Star School of the Arts and plans to attend Savannah College of Art & Design in Savannah, GA. Her major is Animation.
- **Aarnav Gautam:** Aarnav is a student at Suncoast High School and plans to attend Massachusetts Institute of Technology in Cambridge, FL. His major is Mechanical Engineering.
- **Meybelyn Bauza:** Maybelyn is a student at John I. Leonard High School and plans to attend the University of Florida in Gainesville, FL. Her major is Psychology.
- **Brando Santana:** Brando is a student at John I. Leonard high School and plans to attend Florida International University in Miami, FL. His major is Management Information Systems.

The Fallon Scholarship Committee met on April 10th, 2023, and recommended approval of six (6) scholarship awards to local high school students to assist with their plans to attend college.

The Village Council is requested to approve the recommendation, and if approved, they shall present each scholarship recipient with a check during the May 11th, 2023, Village Council Meeting.

**Fiscal Impact:** Funding to support the proposed awards is available within the FY 2023 Budget - General Fund.

### **End of Consent Agenda....**

Mayor Smith offered an opportunity for public comment. There were no comments from the public.

Mayor Pro Tem Waller made a motion to approve the Consent Agenda. Council Member Gunther seconded the motion. The said motion carried 4-0.

### **PRESENTATIONS**

16. **Joseph Fallon Scholarship Award Presentation:** Six (6) seniors graduating from area high schools will be presented with the Fallon Scholarship Award.

Staff: Claudia Ruiz, Administrative Assistant

**Summary:** This year, the Fallon Scholarship Committee selected six (6) recipients for the Joseph Fallon Scholarship Award:

- **Chimdindu Ejidike:** Chimdindu is a student at Forest Hill Community High School and plans to attend Emory University in Atlanta, GA. Her major is Computer Science.
- **Colin Coppin:** Colin is a student at Atlantic High School and plans to attend FAU in Boca Raton, FL. His major is Software Engineering.
- **Valeria Estrada:** Valeria is a student at G-Star School of the Arts and plans to attend Savannah College of Art & Design in Savannah, GA. Her major is Animation.
- **Aarnav Gautam:** Aarnav is a student at Suncoast High School and plans to attend Massachusetts Institute of Technology in Cambridge, MA. His major is Mechanical Engineering.
- **Meybelyn Bauza:** Maybelyn is a student at John I. Leonard High School and plans to attend the University of Florida in Gainesville, FL. Her major is Psychology.
- **Brando Santana:** Brando is a student at John I. Leonard high School and plans to attend Florida International university in Miami, FL. His major is Management Information Systems.

Ms. Claudia Ruiz introduced Mr. Jim and Carolyn Fallon, parents of the late Joseph Fallon. Mr. Fallon explained how he had participated in giving out this scholarship for over twenty years. The scholarship was started in honor of his son who volunteered at the Palm Springs Library, and died during his senior year of high school. The Fallon scholarship has been given to over 100 students that have moved forward successfully to prominent careers. Mr. Fallon thanked the Village and Council for their continued support and congratulated the students on their achievement.

Mayor Smith, Mr. Fallon, and Mrs. Fallon gave six students their certificates and scholarship checks. She thanked the Fallon Scholarship Committee, especially Mayor Pro Tem Waller for her service.

At this point, Mayor Smith moved to Item #21, Legislative Update from House Representative, David Silvers

17. **PayNearMe Demonstration by the Utilities Department: Presentation by the Utilities Department**

Staff: Eliza Hansen, Administrative Assistant

Dr. Johnson introduced Mr. Ward and Ms. Hansen. Dr. Johnson said that this project was in conjunction with Finance and IT with the intention of providing a better customer service experience. PayNearMe will allow the customer to pay at multiple retail, service locations, and through applications.

Mr. Ward and Ms. Hansen showed the Council an interactive presentation (entered into record). They highlighted some of the features of the program, such as the customer does not have to log in to pay. There is a QR code specific to each bill. This code enables the customer to pay their bill without having to log in, or remember passwords. The company works with several municipalities, which include Lake Worth Beach. Customers can also search for nearby locations to pay their bill using an application on their phone.

Mayor Smith offered the Council an opportunity to ask questions. Council Member Ready asked if customers could pay in advance using this function. Mr. Ward explained that the customer has the ability to pay in advance. Council Member Gunther asked if an additional fee would apply. Ms. Hansen and Mr. Ward advised there is an additional convenience fee. To avoid the convenience fee, customers can sign up for ACH transactions. Council Member Gunther also asked if paper bills would eventually get eliminated. Mr. Ward answered that eventually there will come a time when paper bills may go away, but that is not immediate.

Overall, the Council supported the system and look forward to the Village moving forward.

18. **Drinking Water Proclamation: A proclamation to recognize May 7-13, 2023 as Drinking Water Week.**

Staff: Kimberly Wynn, Village Clerk

Mayor Smith did not read the proclamation into the record; however, she recognized the Utilities Department for Drinking Water Month.

19. **Police Week and Peace Officer Memorial Day Proclamation - May 14 - 20, 2023:** A proclamation to recognize "Police Week" on May 14, 2023 and "Peace Officers Memorial Day" on May 15, 2023

Staff: Jane Worth, Deputy Village Clerk

Mayor Smith did not read the proclamation into the record; however, she recognized the Police Department for Police Week and Peace Officer memorial Day.

20. **Building Safety Month Proclamation - May 2023:** A proclamation to recognize the month of May 2023 as Building Safety Month

Staff: Kimberly Wynn, Village Clerk

Mayor Smith did not read the proclamation into the record; however, she recognized the Planning, Building & Zoning Department for Building Safety Month.

21. **(ADDENDUM) Legislative Update from State Representative David Silvers**

Staff: Kimberly Wynn, Village Clerk

Mayor Smith introduced Representative David Silvers. Representative Silvers provided a legislative update to the Council on several House Bills:

- House Bill 29 - Tax Exemption for Diapers and Incontinence Products - Exempts for sale of human use of diapers, incontinence undergarments, incontinence pads, and incontinence liners from sales and use tax. (Bill died May 5, 2023)
- House Bill 269 – Public Nuisances - Prohibits a person from distributing onto private property any material for the purpose of intimidating or threatening the owner, resident, or invitee; prohibits person from willfully and maliciously harassing, threatening, or intimidating another person based on person's wearing or displaying of any indicia relating to any religious or ethnic heritage; requires violations be reported as hate crimes; prohibits display or projection of images onto building, structure, or property without permission; prohibits person who willfully enters campus of state university or Florida College System institution for purpose of threatening or intimidating another person from remaining on such campus after being warned to depart.
- House Bill 543 - Concealed Weapons - Authorizes a person to carry a concealed weapon or firearm if he or she is licensed to do so or meets specified requirements. A request for a person who is carrying a concealed weapon or firearm without a license to carry identification and display upon demand by law enforcement a concealed weapons permit.
- House Bill 829 - Mental health bill for children (Baker Act) - Requires the Department of Children and Families (DCF) to provide specified information to certain individuals and organizations. It requires DCF to maintain an information handbook and a repository of answers to frequently asked questions; it provides requirements for such a handbook and repository. The Regulations book has not been updated since 2014.

The Council thanked Representative Silvers for his hard work to get bills passed and getting appropriations for the Police Department Building.

Fire Chief Tracy Adams discussed the Annual Palm Beach County Fire Rescue Report and entered it into the record. She talked about the number of incidents that took place last year and the response time for First Responders. Chief Adams stated that it is National Arson Awareness Week, and asked that the Village engage in activities that promote prevention. She also mentioned there was a new Fire Chief

hired last year, Patrick Kennedy. She encouraged residents to begin their preparations for the hurricane season.

Mayor Smith thanked Chief Adams for the update.

### **PUBLIC COMMENT**

Mayor Smith opened the meeting for public comment.

1. **Johnnie Tieche 305 Winged Foot Drive** - Mr. Tieche mentioned that he participated in the Fishing Frenzy Special event with his granddaughter and complimented Public Works Superintendent, Michael Woods. Mr. Tieche appreciated the PayNearMe demonstration and asked the staff how the new pay system would get marketed. Dr. Johnson explained that the new technology would get posted on social media, the website, customers' utility bills, newsletters, and the Village's Code Red Alert System. Mr. Tieche asked Chief Ceccarelli to talk about the dirt bikes in the area. He thanked the staff for the ride-along with Code Enforcement. Mr. Tieche said he was able to go with the Code Officers to see the issues in the Village.

Hearing no further comments, Mayor Smith closed this session of the meeting.

### **REGULAR AGENDA**

None

### **PUBLIC HEARINGS**

22. **(Second 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". **THIS ITEM IS A CONTINUANCE FROM THE APRIL 13, 2023, VILLAGE COUNCIL MEETING**

Staff: Iramis Cabrera, PZB Director

**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:

- o All new or existing commercial, mixed-use, or multi-family development projects (with the exception of townhouse projects with individual garages/driveways) with at least fifty (50) parking spaces that enter into either a site plan or site plan amendment process are subject to the following:

A. Two 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.

**Note:** Residential Planned Development projects providing private garages and/or driveways are going to be exempted from the provisions of these regulations.

The Lake Worth Herald published Ordinance No. 2023-05 on February 9 and March 2, 2023.

The Planning, Zoning & Building Director and Village Attorney reviewed the proposed ordinance prepared by the Assistant Village Manager. During its February 14, 2023 meeting, the Planning & Zoning Board approved the ordinance with minor revisions.

The Village Council approved the ordinance during its first reading on March 9, 2023. It is presented for consideration of the 2nd and final reading.

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

The Village Clerk, Ms. Wynn, read the statement of advertisement in the record. Ordinance No. 2023-05 was advertised in the Lake Worth Herald on February 2, and March 9, 2023. Ms. Cabrera gave the staff presentation. She stated that all requested changes to the Ordinances as requested by the Council were made. Ordinance No. 2023-05 was approved on the 1st Reading March 14, 2023. The Village Council postponed approval at the April 14, 2023 meeting to make changes as outlined in the staff report. Village Attorney Torcivia read the title of the caption into the record.

Mayor Smith offered the public and the Council an opportunity to comment. There were no comments.

Council Member Ready made a motion to approve Ordinance No. 2023-05. It was seconded by Mayor Pro Tem Waller. There was a roll call vote as follows: Mayor Pro Tem Waller - Yes; Council Member Ready - Yes; Council Member Gunther - Yes; Mayor Smith - Yes. The said motion carried 4-0.

23. **Resolution No. 2023-22 - Variance (PSV23-05) - Hours of Operation - Florida Wingmen, LLC - Wingstop - 3501 South Congress Avenue:** Motion for the approval of Resolution No. 2023- 22; an application submitted by Florida Wingmen LLC - Wingstop ("Applicant") for a variance (PSV 23-05) that allows a deviation from Section 34-891(1), "Hours of Operation and Hours of Construction Activity", which stipulates that no commercial activity may take place before 7:00 AM or after 11:00 PM. It is requested that the Wingstop Restaurant at 3501 South Congress Avenue be permitted to remain open until midnight.

Staff: Christian Melendez Berrios, PZ&B Technician

**SUMMARY:** Florida Wingmen, LLC - Wingstop, ("Applicant"), is requesting a variance to deviate from Section 34-891(1), "Hours of Operation and Hours of Construction Activity", which specifies that no commercial activity shall occur before 7:00 AM or after 11:00 PM. The Applicant is requesting a one-hour deviation to allow the new Wingstop Restaurant located at 3501 South Congress Avenue to be open until midnight.

**Note:** Other uses in the area have extended hours of operation:

|                                                        |                                                    |
|--------------------------------------------------------|----------------------------------------------------|
| McDonald's (1/4 mile south)                            | 24 hours                                           |
| Walgreens (1/4 mile north)                             | 24 hours                                           |
| CVS (directly across 10th Avenue North)                | open until midnight                                |
| Marathon Gas Station (directly across Congress Avenue) | 24 hours                                           |
| Denny's Restaurant (1/2 mile north)                    | 24 hours                                           |
| Chilis (same plaza)                                    | open until midnight on Fridays and Saturday nights |

The Planning, Zoning & Building staff does not object to the variance requested and recommends approval to provide more alternatives for residents and customers. Staff determined that the variance is aligned with the general intent of the Village Code and won't cause any conflicts with either the use or granting of the variance to extend business operations one hour beyond what is permitted.

Ms. Cabrera gave the staff presentation and entered it into the record. She stated that the staff did not have any concerns about the request. Mr. Craig McDonald was present for the testimony. He did not have a presentation. He stated he basically wanted to remain open until 12 AM for business.

Mayor Smith offered the Council and public an opportunity to comment.

Council Member Ready asked why he needed to remain open for seven days instead of a few days like neighboring restaurants. Mr. McDonald stated that his establishment was more of a takeout and not a sitdown restaurant. Council Ready wanted to know the volume of traffic after 11

PM. Mr. McDonald said he did not have those statistics to provide.

Council Member Gunther asked Mr. McDonald about the banners that were still displayed at the location. He wanted to know if a code violation existed. Chief Ceccarelli spoke about this. He stated that Code Enforcement visited the site last week and warned them to remove the banners. Mr. McDonald stated that he would follow up with them to be sure the banners were removed.

Otherwise, the Village Council is in support of the extended hours until 12 AM. There were no comments from the public on Resolution No. 2023-22.

Village Attorney Torcivia read the title of the caption to the record. He noted a correction to the caption that the extended hours are 12 AM (not 24 hours) and the "Hours of Operation" (not Hours of Construction Activity).

Council Member Gunther made a motion to approve Resolution No. 2023-22. It was seconded by Mayor Pro Tem Waller. The said motion carried 4-0.

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

**24. (First Reading) Ordinance No. 2023-07- Village Code Amendment - Chapter 78 - Utilities:**

Motion for the approval of Ordinance No. 2023-07, Amending Chapter 78 "Utilities", Article II, "Water And Wastewater", Division 2 "Connections" By Amending Section 78-69 "Connection Required" Pertaining To Connection To Public Utility Systems. Requiring properties to connect to a utility line within 100' of a residence, regardless of utility service area jurisdiction.

Staff: Kimberly Glas-Castro, Assistant Village Manager

**SUMMARY:** The Palm Springs Community Redevelopment Agency (CRA) and Palm Beach County have partnered to extend sanitary sewers along the Congress Avenue corridor north of Forest Hill Boulevard. The properties currently served by septic tanks that will benefit from this infrastructure are within the Palm Beach County Water Utilities service area.

During design conversations, the County staff expressed concern about using their code enforcement process to require Village property owners to connect to the sewer force main once installed (this would require a change in County policy). Instead, they suggested that the Village would be in a better position if requiring the connection of a new utility line.

According to the proposed ordinance, properties must connect to a utility line within 100' of a residence, regardless of utility service area jurisdiction. Code Enforcement will enforce the Village's standard code enforcement procedures.

This ordinance was drafted by the Assistant Village Manager and reviewed by the Village Attorney, Utilities Director, Assistant Utilities Director, and CRA Code Enforcement Officer.

The proposed ordinance will be presented on the 1st reading and, if approved, will be presented on the 2nd and final reading by the Village Council on June 8, 2023.

Mrs. Glas-Castro presented Ordinance No. 2023-07. She explained that the purpose of this ordinance is to provide authority for the Village to require properties to connect to a utility line

whether the property is in the Village or Palm Beach County. This ordinance is amending Chapter 78, Section 78-69. discussed this item. She explained that this is to connect the sanitary sewer to connect to the line.

Mayor Smith offered the public and Council an opportunity to comment. There were no comments from the public.

Council Member Gunther asked if any concerns from Palm Beach County were resolved. Mrs. Glas-Castro assured Council Member Gunther that all concerns were resolved.

Council Member Ready made a motion to approve Ordinance No. 2023-07. Council Member Gunther seconded the motion. The said motion carried 4-0.

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

25. **(First Reading) Ordinance No. 2023-06 - Village Code Amendment - Chapter 10 - Buildings and Building Regulations:** Motion for the approval of Ordinance No. 2023-06 to Amend Chapter 10 "Buildings and Building Regulations, Article I, "In General", By Amending Sections 10-8 "Exterior Property Areas", 10-12 "Village Council Findings" and 10-30 "Foreclosed, Vacant And Unimproved Property Registration Program"; to establish minimum requirements for commercial and industrial properties that are vacant and unimproved.  
Staff: Kimberly Glas-Castro, Assistant Village Manager

**SUMMARY:** The Village staff is requesting an amendment to the Village Code - Chapter 10 - Buildings and Building Regulations, Article I, "In General", Sections 10-8 "Exterior Property Areas", 10-12 "Village Council Findings", and 10-30 "Foreclosed, Vacant and Unimproved Property Registration Program" to establish minimum requirements for vacant and unimproved commercial and industrial property.

In an effort to strategically focus code enforcement activities on those properties that are creating blight and nuisances along the major corridors, the staff is proposing minimum requirements for vacant or unimproved commercial and industrial parcels that have historically been neglected by property owners. The minimum requirements will secure the property, enhance the aesthetics with minimum landscaping, and provide a direct contact person who will be responsible for addressing issues, such as the dumping of trash, graffiti, overgrown grass, and illegal parking of commercial vehicles.

The proposed vacant and unimproved property requirements include: registration with contact information for the owner or authorized individual who has responsibility for the property and can make decisions to address conditions on the property, including expenditures required to remedy issues;

1. Installing/maintaining sod and perimeter landscape hedge, and irrigation;
2. Securing property with a 6' perimeter fence;
3. Providing signage on the fence with contact information.

**Note:** The annual registration fee will be included within the Village's Fee Schedule,

which will be provided to the Council for consideration during the June 8, 2023 meeting and prior to the 2nd and final reading by the Village Council.

The proposed minimum property requirements will require owners to make a minimum investment in the property and not simply hold it as an asset.

The proposed ordinance was prepared by the Assistant Village Manager and reviewed by the Village Attorney, Planning, Zoning, and Building Director, and Code Enforcement Officers.

If approved on the 1st reading, the proposed ordinance will be considered for the 2nd and final reading by the Village Council on June 8, 2023, Regular Council Meeting.

Ms. Glas-Castro presented Ordinance No. 2023-06. She explained the current foreclosure program excluded vacant and unimproved properties. Under the proposed ordinance property owners are accountable for the property's condition. The language used in the ordinance is similar to what other communities use in their ordinances. Code Enforcement Officers are assisting with identifying the properties, then courtesy notices will be sent before this Ordinance is presented for the 2nd Reading.

Mayor Smith invited the Council and public to comment. There were no comments from the public.

Council Member Ready asked if there was an emergency notification list. Ms. Glas-Castro stated that this program would initiate that list. Council Member Gunther asked how the list would get monitored. Mayor Pro Tem Waller questioned if the Village would do the landscaping and maintenance of the property if it were abandoned.

Village Attorney Torcivia read the title of the caption on the record.

Council Member Ready made a motion to approve Ordinance No. 2023-06. Mayor Pro Tem Waller seconded the motion. The said motion carried 4-0.

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

### **ACTIONS AND REPORTS**

There were no actions or reports.

### **VILLAGE MANAGER COMMENTS**

Village Manager Bornstein gave a copy of a PowerPoint presentation to the Council and entered it into the record. He advised the Council that he was seeking direction on the aesthetics of the Public Safety Building. He wanted to know if the Council preferred wood trim or palm frond trim. The consensus of the Village Council is palm fronds, with blue entryway trim paint, and beige paint.

All responses were noted. The Village Manager advised that he would be out on

vacation for his birthday.

**VILLAGE COUNCIL COMMENTS**

Council Member Ready entered his list of attended events into the record:

- April 15, 2023 - Fishing Frenzy
- April 18, 2023 - Weekly Meeting with the Manager
- April 22, 2023 - Great American Clean Up
- April 24, 2023 - Salvation Army Meeting
- April 26 2023 - Florida League of Cities meeting and Workshop
- April 20, 2023 - Police Department Swearing In of New Police Officers
- April 25, 2023 - Bookmark Contest
- May 10, 2023 - Districts 2 & 3 Luncheon

Council Member Gunther thanked the staff for their work and congratulated the Fallon scholarship winners. Mayor Smith discussed the events that took place in the Village. She thanked the Council Member Ready for attending the bookmark contest on her behalf. She reminded everyone about the free Mother's Day brunch taking place on Sunday. In addition, there is a movie night on Friday. She wished the Village Manager, Mr. Bornstein, a happy belated birthday, and a safe trip.

**ADJOURNMENT**

Hearing no further business, Mayor Smith adjourned the Village Council Regular Meeting at 7:54 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 **May 11, 2023**. Which minutes were formally approved and adopted by the Village Council on **June 8, 2023**.



Kimberly M. Wynn, Village Clerk

**NEXT REGULAR MEETING:  
THURSDAY, JUNE 8, 2023, AT 6:30 PM**