



**VILLAGE COUNCIL REGULAR MEETING MINUTES
COUNCIL CHAMBERS 226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
SEPTEMBER 14, 2023 AT 6:30 PM**

CALL TO ORDER

Mayor Bev Smith called the Regular Village Council Meeting to order at 6:52 PM (following the CRA Budget meeting).

ROLL CALL:

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

Absent: None

Also Present: Village Manager Michael Bornstein, Village Attorney Glen Torcivia, Village Clerk Kimberly Wynn, Captain Jacob Ruiz as Sergeant-in-Arms, Assistant Village Manager Kim Glas-Castro, Planning, Building and Zoning Director Iramis Cabrera, Acting Director of Public Works Timothy Crespo, Public Works Supervisor Michael Wood, Assistant Public Utilities Director Paul Ward, Library Services Director, Jossie Maliska, (Utilities) Administrative Assistant Eliza Hansen, (Library Services) Administrative Assistant Claudia Ruiz, Chief Finance Director Rebecca Morse, Assistant Finance Director Mariana Ortega-Sanchez, and IT Security Specialist Travis Williams

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. Vice-Mayor Brinkman seconded the motion. The said motion carried 4-0.

CONSENT AGENDA

Vice-Mayor Brinkman made a motion to approve the Consent agenda as presented, and Mayor Pro Tem Waller seconded the motion. The said motion carried 4-0.

1. **2023-2024 Council Meeting Dates:** Motion to approve FY 2023-2024 Village Council Schedule of Meeting Dates.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: As required by the Village Charter and Code of Ordinances, the Village Council must meet at least once monthly. Accordingly, the Village Council is requested to approve the proposed meeting schedule for FY 2023-2024.

2023

- October 12, 2023, at 6:30 PM Village Council Regular Meeting
- November 9, 2023, at 6:30 PM Village Council Regular Meeting
- December 14, 2023, at 6:30 PM Village Council Regular Meeting

2024

- *January 11, 2024, at 6:00 PM CRA Regular Meeting*
- January 11, 2024, at 6:30 PM Village Council Regular Meeting
- February 8, 2024, at 6:30 PM Village Council Regular Meeting
- March 14, 2024, at 6:30 PM Village Council Regular Meeting
- *April 11, 2024, at 6:00 PM CRA Regular Meeting*
- April 11, 2024, at 6:30 PM (Immediately after the CRA Meeting) Village Council Annual Reorganizational/Regular Meeting
- May 9, 2024, at 6:30 PM Village Council Regular Meeting
- June 13, 2024, at 6:30 PM Village Council Regular Meeting
- July 11, 2024, at 6:30 PM Village Council Regular Meeting
- *July 18, 2024, at 5:30 PM Village Council Budget Workshop*
- July 25, 2024, at 6:30 PM Village Council Regular Meeting
- August 8, 2024, at 6:30 PM Village Council Regular Meeting
- *September 5, 2024, at 6:00 PM CRA Budget Meeting*
- September 5, 2024, at 6:30 PM Village Council First Budget Hearing
- September 19, 2024, at 6:30 PM Village Council Final Budget Hearing

Note: It is proposed that the Budget Workshop be held on July 18th, 2024. Further, the meeting dates in September are subject to change based on the County's schedule of Budget Hearings in 2024.

2. **Insurance Renewal (FY 2024) - Property, Casualty, Liability, Special Coverage & Workers Compensation - Florida Municipal Insurance Trust (FMIT):** Motion to approve a recommendation to renew insurance coverage with the Village's current carrier, Florida League of Cities (FMIT), for \$1,240,466 for Property, Casualty, Liability, Special Coverage, and Workers' Compensation Insurance. Funding is available from the General Fund and the Water and Sewer Enterprise Fund.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: The Gehring Group is recommending that the Village remain with our current carrier, Florida League of Cities (FMIT), for this upcoming plan year, which would provide the Village with the following benefits:

1. Consistency with a single carrier will assist with current and future premium pricing.
2. Maintaining the current carrier would significantly reduce the education and coverage-related issues associated with changing to another company.
3. Continuity with adjusters assists in expediting the closing of outstanding claims.
4. Provide the highest level of benefits.
5. The Turnkey Recovery program, through Synergy NDS, assists with seamless management of all property damage claims.

The Gehring Group assisted the Village with a market bid for the plan, reducing premiums. Due to the current market conditions with inflation causing both increases to property replacement values and salaries and the devastation Hurricane Ian caused, hardening the Florida Property insurance market further, Gehring Group advised that a market bid would not provide results similar to what was seen in years prior, particularly with corrections to property rating bases unilaterally.

FMIT provided the following program rates for the renewal term commencing on 10/1/2023:

<u>COVERAGE TYPE</u>	<u>Current Rates FY 2023</u>	<u>Renewal Rates FY 2024</u>
Property & Equipment	\$136,105	\$513,299
General Liability*	\$146,980	183,170
Auto Liability & Auto Physical Damage	\$103,487	\$106,339
Workers' Compensation	\$395,486	\$431,224
Pollution Liability	\$3,524	\$3,524
Statutory AD&D	\$2,910	\$2,910
LESS: Return of FMIT Premium Credit	N/A	N/A
Total Annual Premium	\$788,492	\$1,240,466

*Includes Public Officials Liability & Employment Practice Liability, Law Enforcement Liability, and Cyber Security Liability insurance.

Note: Due to catastrophic events worldwide and the steep rise in reinsurance

costs, FMIT's annual Return of Premium Credit program was suspended by its board of governors in 2019. It has not been reinstituted for FY 23/24.

The Gehring Group recommends that the Village remain with FMIT and continue its coverage. The Village Clerk (who manages the Village's insurance program) has reviewed the proposed annual premium.

If approved, the Village would accept the Florida Municipal Insurance Trust's (FMIT) pricing including all terms, conditions, and pricing. The term of the proposed contract would be for one (1) year and expire on September 30, 2024. 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 contract term.

The Village's Procurement Code, Section 58-2. - Exempt purchases., provides that the following goods and/or services are approved as exempt purchases when included in the adopted annual budget. Exempt purchases are exempt from the competitive selection purchase requirements outlined in this purchasing code: (29) Payments for casualty and property insurance after approval of a contract by the Village Council.

The proposed annual premiums were prepared by FMIT and reviewed by the Gehring Group, and the Village Clerk (who manages our insurance program).

If approved, the Village's new premiums for FY 2024 will be effective beginning October 1, 2023.

Fiscal Impact: The proposed premiums are included within the proposed FY 2024 Budget - General Fund and Water and Sewer Enterprise Fund.

3. **Appointment to the Parks and Recreation Board:** Motion to Approve the appointment of Mrs. MaryAnne Klausner as a Regular Member to the Parks and Recreation Board to serve an unexpired term that ends May 14, 2024.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: There is a Regular member vacancy due to the resignation of Mrs. Ashley Saingilus. There are also two (2) Alternate member vacancies on the Parks and Recreation Board.

Mrs. MaryAnne Klausner, a long-term community resident, is interested in serving on the Parks and Recreation Board. She can provide valuable input to improve our

parks and recreation program.

If approved, Mrs. Klausner would serve an unexpired term that expires on May 14, 2024.

There would be one (1) Senior Alternate and one (1) Junior Alternate vacancy remaining on the Parks and Recreation Board.

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

4. **Appointment to the PBC Multi-Jurisdictional Issues Coordination Forum (Issues Forum) - Regular Member:** Motion to approve the appointment of Michael Bornstein to the PBC Multi- Jurisdictional Issues Coordination Forum (Issues Forum) as a Regular Member.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: The Issues Forum was created through an Interlocal Agreement in 1993. It consists of all participating governments (County, Municipalities), school boards, SFWMDs, and special districts. It intends to identify multi-jurisdictional issues and find solutions to them. Additionally, it develops a countywide position in multi-jurisdictional matters and provides constructive feedback on county legislative proposals. The forum meets quarterly to discuss issues, refer topics for further investigation, oversee the Executive Committee, and foster good intergovernmental cooperation and relationships.

Members of the Issues Forum are usually elected officials. Each signatory has one vote, allowing everyone to accept, veto, or modify an Executive Committee decision by 2/3 of the participants and to raise an issue of multi-jurisdictional significance. Due to the recent resignation of Council Member Doug Gunther, there is a need to appoint a representative from the Village to serve on the Multi-Jurisdictional Issues Coordination Forum (Issues Forum). The Village Manager, Michael Bornstein, has volunteered to serve as the representative for the Village, if the Village Council approves.

Fiscal Impact: The proposed appointment does not have a direct fiscal impact to the Village.

5. **Service Employees International Union/Florida Public Services Union (SEIU/FPSU) Agreement - Reopener Amendments (TA):** Motion for the approval of the Service Employees International Union/Florida Public Services Union (SEIU/FPSU) Agreement to amend two (2) Articles within the existing three (3) year union agreement, which expires on September 30, 2024.

Staff: Kimberly Wynn, Village Clerk

Summary: The Village and the Service Employees International Union/Florida Public Services Union (SEIU/FPSU) have negotiated and come to a Tentative Agreement (TA'ed) to amend two (2) Articles within the existing three (3) year union agreement, which expires on September 30, 2024.

The Village and SEIU have agreed with a 3% Across the Board effective October 1, 2023, and a 2% merit increase upon a passing evaluation. For Fiscal Year 2023-2024 only, "topped out" employees shall be eligible for the merit increase, but any such increase shall not further adjust the wage scale.

The Articles with significant changes from the previous contract are:

1. Article 33 - Standby - Recall
2. Article 39 - Compensation Plan

On August 24, 2023, SEIU members voted on the proposed article with a 54-0 result, thus passing the proposed changes.

The Village Council is requested to approve the Tentative Agreement (TA'ed) between the Village and SEIU to amend two (2) Articles within the existing three (3) year union agreement, which expires on September 30, 2024.

Fiscal Impact: The impacts related to the salary increases are included within the proposed FY 2024 Budget - General Fund.

6. **Resolution No. 2023-45 Budget Transfer for Multiple Departments:** Motion to approve a budget transfer from Council Contingency to multiple Departments to cover necessary costs for operating expenses in FY 2022-2023.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: Staff is requesting the Village Council to consider a Budget Transfer from Council Contingency (\$30,000 total) to cover additional costs in various departments for FY 2023.

The proposed budget transfer would amend the following Department budgets for the FY 2022- 2023:

Account Number	Account Name	Proposed Change
01114-53100	Professional Fees - Legal	\$17,000 Increase
01115-53400	Other Contractual Services	\$13,000 Increase

Council Contingency has a current budget of \$217,725. After this transfer, Council Contingency will have a remaining balance of \$187,725.

Fiscal Impact: The budget for Council Contingency is \$217,725, which will be decreased by \$30,000. Legal fees will increase by \$17,000 from \$171,000 to \$188,000, and Other Contractual Services in Human Resources will increase by \$13,000 to cover additional team-building training sessions. Council Contingency will have a balance of \$187,725 after this transfer.

7. **Lakewood West of Kirk Road Stormwater Improvements (Task Order No. 293) - Invitation to Bid (ITB No. 2023B-002) - Public Works Department (FY2024 Budget Funded - Stormwater Enterprise Fund - American Rescue Plan Act (ARPA) - R & D Paving, LLC:** Motion to approve a contract award with R & D Paving, LLC (Task Order No. 293) in the amount of \$1,307,925.69, to provide stormwater improvements along Lakewood Road west of Kirk Road. Funding is available from the Public Works Department (FY2024 Budget) - Stormwater Enterprise Fund-American Rescue Plan Act (ARPA) - R & D Paving, LLC.

Staff: Jimmie Johnson, Utilities Director

Summary: The Public Works Department, through the Stormwater Master Plan, has identified a need to address localized flooding on segments of Lakewood Road at the intersections with Almar Road and Patio Court. The proposed improvements will include the addition of stormwater piping and structures on Price Street, Patio Court, Alamar Road, and Lakewood Road, as well as the re-establishment of roadside swales.

The Village Council has authorized DRMP, Inc. to serve as the Village's Consulting Engineer to complete the engineering and design for this project (Task Order No. 293) for \$99,940. The proposed construction project involves installing additional catch basins and connecting features to the existing drainage system, which will alleviate local drainage issues and re-establish roadside swales.

To ensure the lowest possible price for this project, the Village issued an Invitation to Bid (ITB) on June 8, 2023, for Lakewood Road West of Kirk Road Stormwater Improvements (ITB No. 2023B- 002 - June 8, 2023).

Within the FY 2024 Budget - Stormwater Enterprise Fund (ARPA Funded) and the Capital Improvement Plan (CIP), the Village approved \$667,382.00 for the Lakewood Road West of Kirk Road Stormwater Improvements Project (Task Order No. 293). The Village received three (3) bid proposals:

<u>Vendor</u>	<u>Total Bid</u>
R & D Paving LLC	\$ 1,307,925.69
Rosso Site Development, Inc.	\$ 1,363,461.62
FG Construction LLC	\$ 1,416,956.25 (Incomplete)

After reviewing the three (3) bids received, the Assistant Public Works Director, the Utilities Project Manager, the Village Attorney, and the Village's Consulting Engineer, DRMP, Inc., determined that R & D Paving LLC provided the lowest responsible and responsive bid. As a result, the staff recommends that the Council award the proposed contract (Task Order No. 293) to R & D Paving LLC for \$1,307,925.69.

Following the Notice to Proceed from the Village, the project will take approximately 240 days (May 2024).

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

The Village has previously not worked with the proposed vendor, but reference check responses were positive.

Fiscal Impact: Funding to support the proposed Lakewood Road West of Kirk Road Stormwater Improvements project is available within the FY 2024 Budget - Stormwater Enterprise Fund (ARPA).

Note: The proposed bid amount of \$1,307,925.69 was submitted by R & D Paving LLC. The amount is above the engineer's estimate of \$830,000.

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/or services over the term of this 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.

8. **Approve Change Order No. 1 (WA No. KH-U20.1) - FDOT Military Trail & Forest Hill Boulevard Water Main Modifications (Task Order No. 303) - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Kimley-Horn & Associates:** Motion for the approval of Change Order No. 1 (WA No. KH-U20.1) with Kimley Horn & Associates for \$19,350.00 for the additional services to amend the cost to cover construction management services during construction to include Construction Administration and Observation Services. If approved, the total cost for engineering services for the Military Trail & Forest Hill Boulevard Water Main Modifications within Task Order No. 303 will increase to \$43,700.00. Funding to Support the FDOT Military Trail & Forest Hill Boulevard Water Main Modifications (Task Order No. 303) was provided by the Water & Sewer Enterprise Fund.

Staff: Jimmie Johnson, Utilities Director

SUMMARY: On March 2, 2022, the Village approved Work Authorization No. KH-U20.1 (Task Order No. 303) with Kimley-Horn for professional engineering services associated with the FDOT Military Trail & Forest Hill Boulevard Water Main Modifications. The Utility Department is requesting approval of Change Order No. 1 to Work Authorization No. KH-U20.1 (Task Order No. 303) for Kimley-Horn to provide additional construction administration services required during the construction phase (Task Order No. 303) of the project.

The Village's contracted engineer, Kimley-Horn, and the Utilities Department are requesting an amendment to the contract for Work Authorization No. KH-U20.1, Task Order No. 303 (Change Order No. 1) for the sum of \$19,350.00 for the additional services.

Fiscal Impact:

Item	Contract Amount
Original Contract Amount (WA KH-U20).1	\$24,350.00
<u>Change Order No. 1 (Task Order No. 303)</u>	<u>\$19,350.00</u>
Revised Contract Amount (WA KH-U20.1)	\$43,700.00

If approved, the total cost for engineering services for the Military Trail & Forest Hill Boulevard Water Main Modifications within Task Order No. 303 will increase to \$43,700.00.

Funding to Support the FDOT Military Trail & Forest Hill Boulevard Water Main Modifications (Task Order No. 303) was provided by the Water & Sewer Enterprise

Fund. 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.

9. **Lift Station Rehabilitation Contract - Piggyback - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Hinterland Group, Inc.;** Motion to approve a piggyback agreement with Hinterland Group, Inc., through the Indian River County- Wide Contract for Lift Station Rehabilitation Services (ITB# 2019047 - April 16, 2019). To ensure a rapid response to customer issues and reduce customer problems, Village lift stations need utility repair services. The term of the proposed agreement is set to expire on June 2, 2024, and is the final renewal option. The Water & Sewer Enterprise Fund can provide funding.

Staff: Jimmie Johnson, Utilities Director

SUMMARY: The Utilities Department, throughout the year, requires construction services (i.e., equipment and personnel) to assist the Village with minor repairs and rehabilitation of wastewater lift stations. To ensure the lowest possible price, the staff recommends that the Village piggyback off the current Indian River County contract awarded to Hinterland Group, Inc., completed through a competitive section process - County-Wide Contract for Lift Station Rehabilitation Services (ITB#2019047 - April 16, 2019).

Note: The intent for recommending this agreement is to provide needed utility repair services for our lift stations to ensure quick response and reduce customer issues. The contract is utilized to support minor repairs. For repairs exceeding the Village Manager's \$35,000 purchasing threshold, the staff will present these repairs to the Council for approval before the work is complete, provided there is no emergency repair. The purchase will be presented to the Council at the next immediate meeting for support).

If approved, the Village would accept Hinterland Group, Inc.'s pricing by piggybacking the Indian River County contract, including all terms, conditions, and pricing therein. The term of the proposed agreement is set to expire on June 2, 2024, and is the final renewal option.

The Village's Purchasing Code, Section 58-9. Accessing contracts of other government agencies; The Village may award a contract by piggybacking or accessing the goods or 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 competitive bids are conducted for

the same or substantially similar goods or services.

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

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

Fiscal Impact:

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

10. **Resolution No. 2023-46 Amendment No. 3 to the CDBG Grant Agreement:**
Motion to approve Resolution No. 2023-46; Amendment No. 3 to the Agreement with Palm Beach County to modify the project completion timelines impacted due to supply and labor delays. The construction completion date is September 14, 2023, with the expected reimbursement date of October 28, 2023.

Staff: Juan Ruiz, Parks & Recreation Director

SUMMARY: The expected completion date for this portion of the project was originally July 30, 2023; however, there were delays in the start time due to weather and material and supply availability. Final completion will be completed by September 14, 2023, and final reimbursement by Palm Beach County is expected on October 28, 2023.

As a result, Palm Beach County and Village staff are recommending the approval of the proposed Agreement Amendment No. 3 to extend the Interlocal Agreement and ensure that the Village is following the performance requirements set by the initial agreement.

If approved by the Village Council, the proposed Amendment will be submitted to the Palm Beach County Department of Housing and Economic Sustainability Director for execution.

Fiscal Impact: Final completion will be completed by September 14, 2023, and final reimbursement by Palm Beach County is expected on October 28, 2023.

End of Consent Agenda....

Mr. Randy Wertpny, Village Engineer of Keshvarz & Associates, discussed the 2nd Avenue project. He talked about his PowerPoint (which was entered into the record), and gave the status of the project along with conceptual plans. He asked to move forward with approval from the Council of the reviewed plans.

Mayor Smith asked the Council and public if there were any comments or further discussion.

Council Member Ready wanted to know when the existing drainage was located. Mr. Wertpny advised the Board that the piping on Lake Worth Road had been installed around 1960. Vice-Mayor Brinkman had questions about the positive outfall. Mr. Wertpny explained the process needed. Hearing no further discussion, the Council thanked Mr. Wertepny for his thorough presentation.

Fiscal Impact: The proposed project does not have a direct fiscal impact to the CRA, but will facilitate redevelopment in the area.

REGULAR AGENDA

13. **Health Insurance Coverage for Elected Officials:** Motion for the approval to provide the option for Elected Officials to participate in the Village's Insurance program.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: The Council does not participate in the Village's Health Insurance program. This item proposes allowing them to opt into the program for single premium coverage, the same as employees. The proposed change will align the compensation package with similar municipalities. It also helps attract a broader range of residents to serve on the Council.

The monthly premium is \$740.25, of which the insured pays \$17.31 weekly. The Village Manager, Mr. Bornstein introduced this item. He explained the many obstacles involved with getting and keeping the Council on board. New legislation discouraged more people from getting involved. Additional benefits were necessary to attract more people to become elected officials.

Mayor Smith offered the Council an opportunity to discuss this matter further.

Vice-Mayor Brinkman voiced her initial non-support of providing the Council with insurance. She said that many elected officials were discouraged by the new Form 6 legislation.

Mr. Bornstein advised the Council that healthcare coverage would be effective as of October 1, 2023.

Council Member Ready made a motion to approve Healthcare Coverage for elected officials, and Mayor Pro Tem Waller seconded the motion.

14. **Professional Services Agreement - Lobbying Services - Ronald L. Book, P.A.:** Motion to approve a Professional Services Agreement with Ronald L. Book, P.A., for a retainer amount of \$50,000 for state lobbying services. Funding that is available is the proposed FY 2024 Village Council Budget.

Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: Each legislative session, the Village has submitted an Appropriation Request through its State Representative and Senator but has not received funding. These seats are currently filled by Representative David Silvers and Senator Bobby Powell. Although for the past two years (2022 and 2023), funding was approved by the Legislature, it was vetoed by the Governor.

The staff is recommending that the Village engage a law firm that specializes in lobbying services to represent our interests in Tallahassee and place us in a better position for State discretionary funding. Without having representation there is little chance that the Village's interest will be represented at the level needed to secure funding.

By way of background, Ronald L. Book, P.A., has an office in Tallahassee (Florida) and Hollywood (Florida). They bring extensive experience in legislative representation as well as professional respect amongst legislators. Locally, they have represented the Village of Royal Palm Beach, Loxahatchee Groves, Palm Beach County, and numerous other South Florida cities.

The staff recommends that the Village Council approve the proposed Professional Services Agreement with Ronald L. Book, P.A., for State lobbying services.

Mr. Bornstein presented this item. He discussed the difficulties faced when the Village tried to get appropriations. Having a lobbyist as an advocate is an investment that would benefit the Village with policy and grant issues. He warned that an addendum may be presented in the future because of current discussions. The effective date of the agreement is October 1, 2023.

Vice-Mayor Brinkman talked about how lobbying services can help Form 6 - the Village Attorney agreed.

Vice-Mayor Brinkman made a motion to approve the Professional Services Agreement with Ronald Books. Council Member Ready seconded the motion. The sad motion carried 4-0.

Fiscal Impact:

The proposed Fiscal Year 2024 Village Council budget includes \$50,000 for a lobbyist.

PUBLIC COMMENT

Mayor Smith opened the meeting with public comment. There were none.

PUBLIC HEARINGS

15. **(First Reading) Ordinance No. 2023-09 - Establish FY 23-24 Millage Rates - Operating & Debt Service:** Motion to approve Ordinance No. 2023-09 on First Reading for the FY 23-24 operating millage rate for the Village of Palm Springs is hereby levied for 3.5000 mills which is a 5.02% increase, over the rolled-back rate of \$3.3328. The real property tax roll for the current calendar year has been certified by the Palm Beach County Property Appraiser for a nonexempt valuation of \$1,808,641,226 and of tangible personal property for nonexempt valuation of \$94,018,755 of a total gross taxable value for operating purposes of \$1,902,659,981. If approved, the final public hearing to adopt the FY 23-24 millage rate for operating and debt service is scheduled for September 27, 2023.

Staff: Rebecca Morse, Chief Finance Director

SUMMARY: The Village Council is requested to establish the final operating and debt service millage (property tax) rates for the Village of Palm Springs for the upcoming Fiscal Year (FY 23-24) beginning October 1, 2023, and ending September 30, 2024. Additionally, the Council is requested to consider certifying the Village's taxable value to the PBC Property Appraiser as well as other related financial information:

- The gross taxable value for all properties within the Village for FY 2023 is \$1,902,659,981, an increase of \$226,792,324 over FY 2023.
- The roll-back rate is calculated at 3.3328 per 1,000 taxable values.
- The Village's proposed FY 23/24 operating millage for the General Fund is \$3.50 per \$1,000 of the taxable value or an increase of 5.02% over the

rolled-back rate (At 100% collection, the operating millage is expected to generate \$6,659,310 in ad-valorem tax revenue; however, the Village budgets at a 96% collection ratio; thus, the proposed budgeted revenue is expected to be \$6,392,938).

- The total taxable value within the Village to calculate the debt service millage rate is \$1,906,567,750; thus, the proposed millage rate required to pay the Village's general obligation debt for FY 23/24 is \$0.2319 per \$1,000 of taxable value. That is a decrease of 0.0320 from FY 22/23.
- The gross taxable increment value (TIF) for the Palm Springs Community Redevelopment Agency (CRA) for FY 2024 is \$124,182,408. The Palm Springs CRA will receive TIF funding from the Village of Palm Springs and Palm Beach County at the Village's approved millage rate - a proposed \$3.50 per \$1,000 taxable value. At 100% collection, the total increment/revenue expected to generate is \$434,638; however, the Village budgets at a 95% collection ratio; thus, the proposed budgeted increment/revenue expected is \$412,907). This is the fourth year the Village has had the Palm Springs CRA.
- The combined proposed millage rates for FY 2024 (3.5000 operating + 0.2319 debt = 3.7319 total mills) is 0.0320 mills lower than the combined approved millage rates for FY 2023 (3.5000 operating + 0.2639 debt = 3.7639 total mills).

Ordinance No. 2023-09 establishes the millage rates for the Fiscal Year 23-24.

If approved on the 1st reading, the proposed FY 2024 millage rate ordinance will be presented to the Village Council for consideration on the 2nd and final reading on Wednesday, September 27, 2023, Council meeting.

Note: Following first reading, Ordinance No. 2023-09 will be publicly noticed as required by State Statutes. The staff will submit the required Form DR-420 - Certification of Taxable Value and the Form DR- 420Debt - Certification of Voted Debt Millage to the PBC Property Appraiser, PBC Tax Collector, and the State of Florida.

Ms. Rebecca Morse, Finance Director, presented this item. She explained the millage rate is levied at 3.5000 mills. This represented a 5.02% increase over the rolled back rate, over the rolled back rate of \$3.3328. Further, the nonexempt valuation was \$1,808,641,226 and tangible and of tangible personal property for nonexempt valuation of \$94,018,755 of a total gross taxable value for operating purposes of \$1,902,659,981.

Mayor Smith offered the public an opportunity to speak on Ordinance No. 2023-09. There were no comments from the public. The Council did not engage in further discussion.

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

Mayor Pro Tem Waller made a motion to approve Ordinance No. 2023-09 on the first reading. Vice-Mayor Brinkman seconded the motion. The said motion carried 4-0.

Fiscal Impact: Establishes the final operating millage rate, debt service millage rate and millage rate for the Palm Springs CRA for the proposed budget for the fiscal year 2023-2024.

16. **(First Reading) Ordinance No. 2023-10- Adopt FY 23-24 Budget:** Motion to approve Ordinance No. 2023-10; adopting an annual budget for the year beginning October 1, 2023 and ending September 30, 2024 in the amount of \$89,685,228 for the Village's projected operating expenditures on First Reading.

Staff: Rebecca Morse, Chief Finance Director

SUMMARY: Under the Village Charter and state law, the proposed ordinance establishes a balanced annual budget for the Village of Palm Springs for \$89,685,228 for the Fiscal Year (FY) beginning October 1, 2023, and ending September 30, 2024. The proposed budget includes the following funds:

General Fund	\$ 38,359,824
American Rescue Plan Fund	\$ 6,685,846
Palm Springs CRA	\$ 2,405,721
Debt Service Fund	\$ 424,358
Water and Sewer Enterprise Fund	\$ 36,309,149
Stormwater Enterprise Fund	\$ 5,500,330
Total	\$ 89,685,228

The Village Council held a budget workshop on July 27, 2023, to discuss the proposed budget and review staff recommendations. The proposed ordinance establishes the budget for the upcoming fiscal year.

Attached to the proposed ordinance is a summary of the proposed revenues by source and proposed expenditures by function. The budget summary will be advertised in the Palm Beach Post on September 23, 2023, and posted on the Village's website – www.vpsfl.org – under state law. The complete budget is available in the Office of the Village Clerk for review.

If approved on First Reading, the Council will consider Ordinance No. 2023-10, adopting the Final Budget at the Final Hearing on September 27, 2023.

Ms. Morse presented this item. She provided an update on the FY 23-24 budget. Mayor Smith offered the public an opportunity to speak. There were no comments. Village Attorney Torcivia read the title of the caption into the record.

Fiscal Impact: The proposed ordinance establishes the operating budget for the General Fund, American Rescue Plan Fund, Palm Springs CRA, Debt Service Fund, Water and Sewer Enterprise Funds and the Stormwater Enterprise Fund for the fiscal year beginning October 1, 2023 and ending September 30, 2024.

Council Member Ready made a motion to approve Ordinance No. 2023-10. Mayor Pro Tem Waller seconded the motion. The said motion carried 4-0.

17. **(Second Reading) Ordinance No. 2023-08 Approval of Employment Regulations Handbook Revisions: Motion for the approval of Ordinance No. 2023-08 adopting the revised Employment Regulations; providing for repeal of all Ordinances in conflict with second and final reading.**

Staff: Ashley Saingilus, Human Resources Director

SUMMARY: The Village of Palm Springs Employment Regulations Handbook was established on October 10, 1996 per Ordinance No. 96-07. The last revision of the employee regulations was completed on October 28, 2008 (Ordinance No. 2008-07). The proposed handbook reflects changes and updates to village policies and procedures as well as state laws. The revisions also meet with current practices of the Village.

These regulations provide guidance for Village employees by providing policies, procedures, and appropriate conduct as a Village employee.

The Human Resources Director is responsible for the provisions regarding the employee handbook and will bring forward any amendments to the Village

Council through the Village Manager.

Key Summary of Changes:

- Added the Human Resources department roles and responsibilities
- Updated Village Policies and Procedures to align with the creation of the Human Resources department and Village practices
- Probationary Period - Changed from one year to six (6) months
- All Village employees are "at will" and shall serve a defined probationary period of six (6) months.
 - Time Before Promotion or Transfer, employees are expected to pass their probationary period before being considered for a promotion or transfer. This regulation may be waived by the Village Manager for a good cause.
- Define benefits deductions for terminated employees.
- Personal Use Vehicles – Provide added language for taxation.
 - Employees using take-home vehicles need to keep an odometer log showing travel to and from home and work. The percentage of personal use can be calculated for tax purposes.
- Bereavement Leave – Additional immediate family members covered
 - For the purpose of this policy, an “immediate family member” means an employee’s spouse, domestic partner, parent, grandparent, grandchild, sibling, child, domestic partner’s parents, domestic partner’s children, foster child, parent-in-law, aunt, uncle, sibling-in-law, grandparents of spouse or domestic partner, or legal guardian
- Donation of Personal Leave Time or Comp Time – Added donation of comp time option.
 - It shall be the policy of the Village to permit an employee who has a minimum of 120 hours of personal leave time the opportunity of donating accrued personal leave time or comp time to a designated employee in extraordinary circumstances.
- Added Village Dress Code Policy
- Added reference to both the approved Social Media and Tuition Reimbursement Policies
- Added Alcohol and Drug Testing Program for DOT-Covered Commercial Motor Vehicle Drivers
- Added Local Emergency Pay Conditions

* Please note - Pg 71 and 74 were edited to include the word "hours" under the tables to provide clarity.

The proposed revisions were prepared by the Human Resources Director and reviewed by the Village Attorney and Department Directors. Lake Worth Herald advertised Ordinance No. 2023-08 on August 24, 2023. Ordinance No. 2023-08 is presented for second and final reading.

The Village Clerk, Ms. Wynn, read the statement of advertisement on the record. Mrs. Ashley Saingilus, Human Resources Director, presented this item. She mentioned that staff presented this item on First Reading (August 17, 2023). She made the changes as requested by the Village Council and entered them into the record.

Mayor Smith opened the meeting for public comment. There were none.

Mayor Pro Tem Waller made a motion to approve Ordinance No. 2023-08. It was seconded by Council Member Ready. There was a roll call vote as follows: Vice-Mayor Brinkman – Yes, Mayor Pro Tem Waller – Yes, Council Member Ready – Yes and Mayor Bev Smith – Yes. Said motion carried 4-0.

Fiscal Impact: There is no fiscal impact

ACTIONS AND REPORTS

There were No Actions and Reports from staff.

VILLAGE MANAGER COMMENTS

Village Manager Bornstein complimented the leadership team for producing a good budget. He stated that the Employee Regulations Handbook was a show of good team effort.

VILLAGE COUNCIL COMMENTS

Council Member Ready announced that he resigned on August 8, 2023 as the Village's representative to the Salvation Army because of his conflict in schedule. He also mentioned the recent bankruptcy of Off Lease Cars and its impact (i.e., local residents' loss of job).

The Council continued to talk about Off Lease bankruptcy, their satisfaction with the budget and the upcoming Hispanic Heritage Festival.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 7:24 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 **September 14, 2023**. Which minutes were formally approved and adopted by the Village Council on **October 12, 2023**.

Submitted by:

Kimberly M. Wynn,
Village Clerk

**NEXT REGULAR MEETING:
WEDNESDAY, SEPTEMBER 27, 2023 AT 6:30 PM
(FINAL BUDGET HEARINGS)**