



**MINUTES
VILLAGE HALL - COUNCIL CHAMBERS
226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
SEPTEMBER 27, 2023 AT 6:30 PM**

CALL TO ORDER:

Mayor Smith called the Village Council Regular Meeting to order at 6:32 p.m.

ROLL CALL

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

Village Manager Bornstein noted there was a change to the caption in Item #2, Approve Land Management System Software Agreement - 2nd Amendment - Project Schedule Extension - MaintStar, Inc., to reflect the date of completion to December 2023. Vice-Mayor Brinkman requested that Item #4 be moved to the Regular Agenda for further discussion as Item #7A. Lastly, Item #11, Resolution No. 2023-49 Budget Transfer - FY 2023 Budget Transfer from Parks and Recreation to Special Events was added to the Public Hearings Agenda as an Addendum.

CONSENT AGENDA

1. **Approval of Agenda Minutes - August 17, 2023:** Motion for the approval of the August 17, 2023 Village Council Regular Meeting Minutes
Staff: Kimberly Wynn, Village Clerk
2. **Approve Land Management System Software Agreement - 2nd Amendment - Project Schedule Extension - MaintStar, Inc.:** Motion to approve Second Amendment - Project Schedule Extension - MaintStar, Inc. to authorize the modified Project Schedule extension to December 2023. On July 8, 2021, the Village Council approved an agreement with MaintStar, Inc., to provide all requisite software, project management, and implementation services, including training, technical support, and import/conversion of existing data from the Tyler-Munis platform. On October 6, 2022, the Village Council approved the First Amendment to extend the project completion to December 2022. The initial payment of \$45,000 was implemented within 30 days of executing the agreement. The remaining funding of \$88,500 to complete this project will be paid in two parts since 75% of the project is complete; \$73,000.00 will be paid by the end of FY 2023 and the remaining amount, \$15,500.00, will be paid in FY 2024 upon the successful implementation of the project.
Staff: Iramis Cabrera, PZB Director

SUMMARY: On July 8, 2021, the Village Council approved an agreement with MaintStar, Inc. to provide all requisite software, project management, and implementation services, including training, technical support, and import/conversion of existing data from the Tyler-Munis platform. The software purchase/implementation required an initial payment of \$45,000 within 30 days of executing the agreement. Thus, this project was expected to roll over into the fiscal year (FY 2022), and the remaining funding of \$88,500 to complete this project was to be paid during FY 2022.

On October 6, 2022, the First Amendment was approved to extend the completion date to December 2022. The Planning, Zoning & Building, and Information Technology (IT) Departments have been working with the MaintStar team since October 2021, but due to the lack of access to the Tyler- Munis database and the Village being short-staffed, the project has had significant delays for almost two (2) years.

As a result, the Village Council is requested to authorize the Second Amendment to a standard agreement for specialized professional services between the Village and MaintStar to modify the Project Schedule extending the implementation process from December 2022 to the end of December 2023. The remaining funding of \$88,500 to complete this project will be paid in two parts since 75% of the project is complete; \$73,000.00 will be paid by the end of FY23, and the remaining amount, \$15,500, will be paid in FY24 upon the successful implementation of the project.

Fiscal Impact: Funding to support the proposed purchase and implementation of the Maintstar software is within FY 2021 - FY 2023.

3. **Approve Professional Services - 1st Amendment - Project Schedule Extension - Vision, Comprehensive Plan, and LDR Revisions - Bonnie C. Landry and Associates, P.A.:** Motion for approval of the 1st Amendment to the Professional Services Agreement with Bonnie Landry and Associates, P.A., for Vision, Comprehensive Plan and Land Development Regulation Revisions to modify the Project Schedule extending the completion to the end of January 2025. Funding to support the proposed services is available within the FY 2023 Budget - General Fund - Planning, Zoning, and Building.
Staff: Iramis Cabrera, PZB Director

SUMMARY: On November 10, 2022, the Village Council approved entering into contract negotiations with Bonnie C. Landry and Associates to manage and perform a full and complete revision of the Village's Comprehensive Plan, leading the vision process and managing related modifications to the Land Development Regulations. As a result, an agreement was signed on January 2, 2023.

According to the contract timeline, the policy updates were scheduled to begin in March. The amended timeline shows this project's new start date in September.

The 6-month delay was to accommodate the potential for grant funding for the project. The funding source, the State's Community Planning Technical Assistance Grant (CPTA), grant cycle typically opens in March/ April with grant awards announced in May, and projects begin on or after July 1 to coincide with the States fiscal year.

This year, the grant cycle did not kick off until mid-June and projects selected for funding were not announced until late August. Because this grant typically does not reimburse funds expended prior to the grant agreement, the project was postponed so as not to jeopardize the potential to be reimbursed. Unfortunately, the project was not selected for state funding.

As a result, the Village Council is requested to authorize the First amendment to the Agreement for Professional Services between the Village and Bonnie C. Landry and Associates, P.A. for Vision, Comprehensive Plan and Land Development Regulation Revisions to modify the Project Schedule extending the completion to the end of January 2025.

Fiscal Impact: Funding to support the proposed services is available within FY 2023 Budget - General Fund – PZB

4. **MOVED TO PUBLIC HEARINGS AS ITEM 7A.**

5. **Appointment to the Police Officer's Pension Board of Trustees:** Motion to approve reappointment of Mr. Donald Bell as a Resident Member to the Palm Springs Police Officers' Pension Board of Trustees for a term that ends September 30, 2025.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: Staff requests that the Village Council reappoint one member to the Police Officer's Pension Board of Trustees. The term for Mr. Donald Bell will expire on September 30, 2023. No other applications were received.

Mr. Bell has submitted an application indicating his interest in remaining on the Board. Therefore, the staff recommended the reappointment of Mr. Bell to the Police Officer's Pension Board of Trustees as a Resident Member for a two-year term that expires September 30, 2025.

If the reappointment is approved, there will be no vacancies on the Police Officer's Pension Board of Trustees.

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

End of Consent Agenda....

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

Mayor Pro Tem Waller made a motion to approve the Consent Agenda and it was seconded by Council Member Ready. The said motion carried 4-0.

PRESENTATIONS**6. National Hispanic Heritage Month Proclamation**

Staff: Jossie Maliska, Director of Library Services

Mayor Smith read the proclamation into the record. Ms. Jossie Maliska was present to accept the proclamation, and she gave comments. Ms. Maliska thanked the staff and explained that this was a big event turnout. There were approximately 1,000 residents in attendance. Mayor Smith talked about the educational component of Hispanic Heritage Month. Also present was Ms. Karen Gebo, the Children's Librarian.

7. Proclamation Recognizing Palm Springs Middle School Boys and Girls Basketball Teams

Staff: Kimberly Wynn, Village Clerk

Mayor Smith read the proclamation into the record. She congratulated the team and announced that she and the Village Manager would attend an event at the school and have a pizza party.

REGULAR AGENDA

None

PUBLIC COMMENT

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

PUBLIC HEARINGS

- 7A. **Approval of an Agreement with Faith Presbyterian:** Motion for the approval of an Agreement with Faith Presbyterian Church to permit the Village temporary use of premises.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: The upcoming Police Department building project will necessitate

closing the Cypress Lane entrance and the west parking lot. This configuration will be in place for the duration of the construction, negatively impacting response times for the north and northeast quadrants of the Village. The closure also eliminates 50 parking spaces for police staff that would have to be replaced within the limited parking spaces at the Village Commons complex. The staff has been working with the neighboring Faith Presbyterian Church to address a direct route to Alameda Road for emergency calls and staff parking. The local church and the Tropical Florida Presbyterian (Regional Presbyterian Entity) have received a Construction Easement Agreement to facilitate Emergency Vehicle access and staff parking needs. The Presbyterian meeting is on September 27th.

If the Presbyterian and the Village approve, an access drive between Cypress Lane and the church parking lot will be created. The Village will install appropriate signage striping and indemnify the church against any resulting issues that may arise from this use.

Vice-Mayor Brinkman spoke on this item. She stated that she requested this item get moved from the Consent Agenda because she was under the impression that Council would receive an agreement from Faith Presbyterian Church before the meeting. The Council did not receive an agreement, so from a legal standpoint, she wanted to know if the Council did not have anything to review, could the Council move forward with approving this item. Alternatively, can the Council give authority to the Village Manager (assuming the Village Manager has reviewed the agreement).

At this point, Village Manager Bornstein stated albeit the agreement was not included with the packet due to an oversight, it was crafted by the Village Attorney's Office. He intended to include it on the agenda. Vice-Mayor Brinkman wanted to know the next step to move forward with an agreement. Village Attorney Torcivia and Village Manager Bornstein discussed the details of the agreement like the recommended signage, ingress and egress.

Vice-Mayor Brinkman asked if Village Manager Bornstein can sign the agreement and bring it back at the next (Council) meeting on October 12, 2023.

8. **(Second Reading) Ordinance No. 2023-09 - Establish FY 23-24 Millage Rates - Operating & Debt Service:** Motion to approve Ordinance No. 2023-09 on Final 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; the total taxable value within for the Village debt service is \$1,906,567,750, based on this valuation the Village's debt service millage rate is proposed at \$0.2319 mills.

Staff: Kimberly Wynn, Village Clerk

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 2022.
- 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) are 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.

The proposed FY 2024 millage rate ordinance will be presented to the Village Council for consideration at 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.

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.

The Village Clerk, Ms. Wynn, read the statement of advertisement in the record. Mayor Smith called for public comments and further discussion. There was none. Mayor Smith read the required budget caption into the record. Village Attorney Torcivia read the title of the caption in the record.

Vice-Mayor Brinkman made a motion to approve Ordinance No. 2023-09 and it was seconded by Council Member Ready. The said motion carried 4-0.

9. **(Second 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 Second and Final Reading.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: Under the Village Charter and state law, the proposed ordinance establishes a balanced annual budget for the Village of Palm Springs of \$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 was advertised in the Palm Beach Post on September 24, 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.

The Council will consider Ordinance No. 2023-10, adopting the Final Budget at the Final Hearing on September 27, 2023.

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.

The Village Clerk, Ms. Wynn, read the statement of advertisement in the record. Ordinance No. 2023-10 was advertised in the Palm Beach Post on September 24, 2023. Mayor Smith offered the public and Council an opportunity for further discussion. There was none.

Council Member Ready made a motion to approve Ordinance No. 2023-10 and it was seconded by Vice-Mayor Brinkman. The said motion carried 4-0.

10. **(Quasi-Judicial Hearing) Resolution No. 2023-48 Site Plan Amendment (SPR23-09) and Special Exception Use (PSSE23-04) - St. Peter Coptic Orthodox Church - 3405 Forest Hill Boulevard:** Motion to approve Resolution No. 2023-48, an application submitted by Land Research Management, Inc., agent for St. Peter Coptic Orthodox Church (Owner), for a Site Plan Amendment (SPR23-09) and Special Exception (PSSE23-04), requiring an expansion of the existing building, including construction of a 11,478 square foot sanctuary in addition to the existing building, totaling 31,287 square feet of commercial general property at 3405 Forest Hill Boulevard.

Staff: Iramis Cabrera, PZB Director

SUMMARY: Land Research Management, Inc. (Applicant), agent for St. Peter Coptic Orthodox Church (Owner), requests approval of a Site Plan Amendment (SPR23-09) and Special Exception Use (PSSE23-04) to allow an expansion of the existing building with the construction of an 11,478 square feet sanctuary in addition to the existing building for a total of 31,287 square feet of the Commercial General (CG) property located at 3405 Forest Hill Boulevard.

The property was annexed into the Village of Palm Springs on August 12, 2004, and designated by the Commercial General zoning district and Commercial Future Land Use.

The existing 25,681 sq. ft. house of worship is proposed to be expanded and renovated to accommodate a new sanctuary and the needs of the congregation in terms of interior offices and classrooms for religious education and meetings. The applicant is proposing to demolish 4,872 square feet of the existing building and construct a new 11,478 sq. ft. sanctuary building in its place for a total of 32,287 sq. ft. (net increase of 6,606 sq. ft.). Estimated construction costs are anticipated to be \$4 million.

In addition to the proposed expansion, the driveway connection to Forest Hill Boulevard is being moved further east to provide for additional vehicular stacking and improve the internal traffic circulation.

As part of the proposed Site Plan Amendment, the applicant requested a variance, which the Planning and Zoning Advisory Board approved during their regular meeting on September 12, 2023:

1) PSV23-10 - A variance relief from Section 34-1329 (2) (a) to allow a total of 181 parking stalls where 189 parking spaces are required.

Additionally, the applicant requests separate consideration from the Village's Council for the building height allowance.

According to Sec. 34-824 (a)(1) - Churches and houses of worship shall not be subject to the height restrictions of the CG district. Still, the height of such structures shall be subject to determination during the Site Plan approval process at the discretion of the Village Council.

The applicant proposes:

Structure	Height
Existing building	15'4"
Dome at the entry door	19'5"
New building	47'
Bell Tower	80'
Note: The maximum height permitted within the Commercial General district is 45'.	

The Planning, Zoning, and Building staff do not object to the proposed Site Plan Amendment, Special Exception Use, and Variance requested and recommend conditional approval to facilitate the redevelopment of the property.

Resolution No. 2023-48 was advertised in the Lake Worth Herald on August 31, 2023.

Fiscal Impact: The proposed redevelopment will enhance the area, although as a non-profit, it will not affect the Village's assessed property valuation.

Mayor Smith asked the Council to disclose their ex parte communication. Mayor Smith announced that she drove by St. Peter Coptic Orthodox Church stated she drove by the church. The applicants were sworn in by the Village Clerk.

Ms. Cabrera gave the staff presentation. She explained that the applicant requests approval of a Site Plan Amendment (SPR23-09) and Special Exception Use PSSE23-04) to allow an expansion of the existing building with the construction of an 11,478 square feet sanctuary in addition to the existing building for a total of 31,287 square feet of the Commercial General (CG) for the property located at 3405 Forest Hill Boulevard.

The agent for the Applicant, Mr. McGinley, gave his presentation. The location was once the old AT&T (more recently People Without Walls Church). He gave background on the location and discussed some of the proposed improvements like enhanced landscaping, improved drainage and updated aesthetics.

Mayor Smith offered the public and Council an opportunity to comment on and discuss Resolution No. 2023-48 further.

Council Member Ready asked about the bus stop in front of the church. He wanted to know if many of the members from the congregation used the bus stop. Vice-Mayor Brinkman asked about the easements. She also wanted to confirm that Palm Beach County Fire Rescue signed their approval for the project. There was in-depth discussion about the elevation and height of the belltower. Ms. Cabrera noted that Palm Beach County School Board is about 70 feet high, but it is set back from the road. Mr. McGinley advised that the bell would not get used, it would be silent.

The Applicants spoke about the elevation in relation to the building. They noted that if the bell were lowered it would take away from the design. The bell is about eight stories high. The dome in the back of the building is about 50 feet tall. The Council ensued in further discussion about the elevation of the belltower. The Council does not think the belltower fits in with the surrounding architecture.

The Council voted to move forward with 70 foot tall belltower. The Applicant also announced there was a plan to resurface the parking lot. Mayor Smith asked if the bus stop matched the building. The Applicant supports the Council's suggestion.

Village Attorney Torcivia read the title of the caption into the record. Mayor Smith gave the public an opportunity to comment on Resolution No. 2023-48. There were no comments.

Mayor Pro Tem Waller made a motion to approve Resolution No. 2023-48 with the recommended changes of 70 foot height for the bell tower and other stipulated changes in the revised staff report and seconded by Council Member Ready. The said motion carried 4-0.

11. **(ADDENDUM) Resolution No. 2023-49 Budget Transfer - FY 2023 Budget Transfer from Parks and Recreation to Special Events:** Motion to approve Resolution No. 2023-49 for an amendment adopting a general appropriation budget amendment to Ordinance No. 2022-11, transferring \$2,500 from the Parks and Recreation budget for necessary Village operating expenses to the Special Events budget. The transfer is for the fiscal year beginning October 1, 2022, and ending September 30, 2023.
Staff: Kimberly Wynn, Village Clerk

SUMMARY: Staff requests the Village Council to consider a budget transfer from Parks and Recreation to Special Events to cover increased costs of enhanced Village events. The transfer of \$2,500 will reduce the Parks and Recreation budget from \$2,755,909 to \$2,753,409 and increase the Special Events budget from \$125,690 to \$128,190.

Fiscal Impact: The budget transfer decreases the Parks and Recreation department budget by \$2,500 and increases the Special Events budget by \$2,500 and has no impact on the total General Fund budget.

Village Manager Bornstein introduced this item. He stated that a transfer was needed to cover the Christmas events that went over budget.

Council Member Ready made a motion to approve Resolution No. 2023-49 and it was seconded by Vice-Mayor Brinkman. The said motion carried 4-0.

ACTIONS AND REPORTS

VILLAGE MANAGER COMMENTS

The Village Manager recognized the Finance Department for their hard work with preparing the budget. He also reminded residents that the hurricane season is very active. It is important to have a hurricane supply kit prepared.

VILLAGE COUNCIL COMMENTS

The Council discussed the Hispanic Heritage Fest and Read for the Record. They encouraged the staff, especially the police department, to participate. The Council also discussed the beautification and landscaping throughout the Village.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the Regular Village Council Meeting at 7:24 p.m.

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 27, 2023**. Which minutes were formally approved and adopted by the Village Council on **December 14, 2023**.

Kimberly M. Wynn
Village Clerk

**NEXT REGULAR MEETING:
THURSDAY, OCTOBER 12, 2023
AT 6:30 P.M.**