MINUTES, COUNCIL CHAMBERS
226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
APRIL 13, 2023 AT 6:30 PM

CALL TO ORDER

Mayor Bev Smith called the village Council Regular Meeting to order at 6:35 p.m. *(Immediately following the CRA meeting).*

ROLL CALL

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

Absent: None

Also Present: Village Manager Michael Bornstein, Village Attorney Glen Torcivia, Village Clerk Kimberly M. Wynn, Assistant Village Manager Kim Glas-Castro, Police Chief Tom Ceccarelli, Sergeant-In-Arms, Utilities Director Jimmie Johnson, Assistant Utilities Director Paul Ward, Interim Public Works Director Timothy Crespo, Director of Library Services and Parks and Recreation Jossie Maliska.

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 noted changes to the agenda.

Mayor Pro Tem Waller made a motion to approve the agenda as presented. Council Member Ready seconded the motion. The said motion carried 5-0.

CONSENT AGENDA

1. **Work Authorization No. CD-U05 (TO No. 312) Water Well No. 18 Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Centerline Drilling, Inc.:** Motion to approve Work Authorization No. CD-U05 (TO No. 312) with Centerline Drilling, Inc. to piggyback the current Town of Jupiter Surficial Well Rehabilitation Program (ITB No. W2111- 0-2020 - December 8, 2020) contract for an amount not to exceed $51,851.76 to rehabilitate Well No.18 to restore the quality and quantity of water produced from the well. Funding for TO No. 312 is available within the FY 2023 Budget - Water & Sewer Enterprise Fund.
   Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: The Utilities Department must rehabilitate one (1) surficial aquifer water well (Well No. 18) to restore the quality and quantity of water produced from the well. The Village's two (2) water treatment plants are supplied with raw water from sixteen (16) surficial aquifer wells that are located throughout the Village and were constructed between 1959 and 2006. Hence, periodic rehabilitation of these wells (including acidization, development, and disinfection) is vital to maintaining the long-term integrity and production of the water supply wells.

In July 2018, the Village completed a Raw Water Supply and Wellfield Evaluation (completed by Connect Consulting, Inc.) that identified Well No. 18 as a candidate for rehabilitation. Thus, the Utilities Department is recommending that this well be rehabilitated utilizing the Village's existing (piggybacked) contract with Centerline Drilling, Inc. for the (not-to-exceed) amount of $51,851.76.

To ensure the lowest possible price, staff are recommending that the Village utilize our existing agreement, which was piggybacked off the current Town of Jupiter contract. The Town of Jupiter awarded that to Centerline Drilling on December 8, 2020. This selection by the Town of Jupiter was completed through a competitive selection process – Town of Jupiter Surficial Well Rehabilitation Program (ITB# W2111-0-2020 - December 8, 2020).

The Village accepted Centerline Drilling's pricing as approved under the Town of Jupiter's contract including all terms, conditions, and pricing. The term of the proposed Town of Jupiter contract would expire on February 16, 2024. The Village will not expend more than the amount within the approved Budget as it may be adopted/amended for each of these goods and services over the term of this contract.

All original bid documents authorizing the initial piggyback with Centerline Drilling are available in the Village Clerk's Office.

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

If approved, it is estimated that the proposed project would be completed within 28 days (July 2023) following the Notice-to-Proceed by the Village.

The proposed project Work Authorization No. CD-U05 was prepared by Centerline Drilling and reviewed by the Assistant Utilities Director, the Finance Director, and the Village Attorney.

The Village has previously worked with the proposed vendor and has received excellent service and a quality product.

Fiscal Impact: Funding to support Task Order #312 is available within the FY 2023 Budget - Water & Sewer Enterprise Fund.

2. **Repair and Calibration Services Agreement - Piggyback - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - PC Controls, Inc.:** Motion to approve an Agreement with PC Controls, Inc. for piggybacking City of Pompano Beach (RFP# T-01-22 - February 22, 2022 Repairs and Calibration of Flow Meters and Related Devices) for repair and calibration of water plant flow meters and related devices. The term of the proposed contract would expire on November 17, 2027, and may be renewed for an additional five (5) year period. Funding to support purchases under this proposed agreement is available within the FY 2023 Budget - Water & Sewer Enterprise Fund.
Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: The Utilities Department has a continuing need for a vendor to assist with the repair and calibration of water plant flow meters and related devices (i.e., water treatment control panels, lift station electrical features, water plant pump motors, etc.)

To ensure the lowest possible price, the staff recommended the Village piggyback off the current City of Pompano Beach contract awarded to PC Controls, Inc. completed through a competitive selection process - Repairs and Calibration of Flow Meters and Related Devices (RFP# T-01-22 - February 22, 2022).

If approved, the Village would accept PC Control, Inc.'s pricing and piggyback the City of Pompano Beach's contract, including all terms, conditions, and pricing. The term of the proposed agreement would expire on November 17, 2027, and may be renewed for one (1) additional five (5) year period. The Village will only expend the amount in the approved budget as it may be adopted/amended each year for these goods and services over the term of this contract.

The Village's Purchasing Code, Section 58-9, Accessing contracts of other government agencies, provides that the Village may award a contract by piggybacking or accessing the goods 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 the same or substantially similar goods and/or services were competitively solicited.

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

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

3. **<u>Professional Services Agreement - 4th Amendment - Term Extension - Calvin Giordano:</u>** Motion for approval of the 4th Amendment to the Professional Services Agreement with Calvin Giordano to extend professional arborist services utilized by the staff. The third (final) renewal is for one (1) year in consideration of these services. Therefore, the proposed request has a minimal fiscal impact on the Village.
   Staff: Kimberly Glas-Castro, Assistant Village Manager

   <u>SUMMARY</u>: On December 16, 2015, the Village issued a Request for Qualifications (RFQ) for Professional Engineering, Architectural, and Surveying Consulting Services (RFQ 2016-002) under the Consultants Competitive Negotiation Act (CCNA) – Section 287.55, Florida Statutes.

   As a result, on March 10, 2016, the Village selected four (4) firms to provide design and construction management services for water, wastewater, infrastructure, facilities, general engineering services, plat and plan review services, and building design/review services, including Calvin Giordano & Associates, Inc.

   On May 12, 2016, the First Amendment to each Professional Services Agreement was approved to clarify the terms and fees for each proposed engineering firm. The duration of the agreement was clarified to coincide with the term that was outlined in RFQ No. 2016-002 - an initial term of five (5) years from the date of the agreement with the option, upon approval by both parties, to renew for three (3), one-year periods.

   The initial five-year term expired in 2021, a Second Amendment to the Agreement was approved on March 11, 2021, and a Third Amendment to the Agreement was approved on February 10, 2022, to provide one (1) year renewal.

   Code Enforcement staff receives professional arborist services from Calvin Giordano. Staff proposes a third (final) renewal for one (1) year in consideration of these services.

   The Professional Services Agreement, if approved, would extend until March 11, 2024 without the possibility of a renewal.

   The proposed 4th Amendment was prepared by the Village Attorney and reviewed by the Assistant Village Manager and Planning, Zoning, and Building Director.

   <u>Fiscal Impact:</u> The proposed request has a minimal fiscal impact on the Village.

4. **<u>Work Authorization No. KSV-S01 – Task Order No. 311- Public Works Department (FY 2023 – Stormwater Enterprise Fund 42338-56300) – Keshavarz & Associates, Inc.</u>:** Motion to approve Work Authorization No. KSV-S01(Task Order No. 311) with Keshavarz & Associates, Inc., for $490,025.00 for the 2nd

Avenue North Area Drainage System Improvement Project - Public Works Department (FY 2023 – Stormwater Enterprise Fund 42338-56300) – Keshavarz & Associates, Inc. Funding is available within the FY2023 Stormwater Enterprise Fund.
Staff: Jimmie Johnson, Utilities Director

Summary: The 2nd Avenue North Area has experienced drainage and standing water concerns for several years prior to this area being annexed into the Village and roadways transferred from PBC as identified by Village staff, the Village's Stormwater System Evaluation and Improvement Plan, and the Village of Palm Springs Community Redevelopment Agency.

In 2016, a Consultant was contracted by the Village to conduct and study and prepare the Village's Stormwater System Evaluation and Improvement Plan. The 2nd Avenue North Area was identified as the 3rd highest priority within the Village and identified potential solutions to alleviate the drainage issues within this area through FDOT and LWDD. The 2nd Avenue North Area Drainage System Improvement Project includes approximately 6,100 linear feet of drainage system improvements located within Village roadways and drainage easements located within the southeast portion of the Village as outlined below:

- 2nd Avenue North from Lake Worth Road to Riedel Road (1,900 linear feet)
- Davis Road from Lake Worth Road to Lakewood Road (1,340 linear feet)
- Miller Road, north of 2nd Avenue North (1,000 linear feet)
- Riedel Avenue, north of 2nd Avenue North (1,300 linear feet)
- 10' Drainage Easement from Lake Worth Road to 2nd Avenue North, along the east side of Palm Beach County Fire Station No. 31 (570 linear feet)

As a result, the Village Council is requested to approve Work Authorization KSV-S01 to support all required professional engineering services and related tasks associated with the 2nd Avenue North Area Drainage System Improvement Project by Keshavarz & Associates, Inc., the Village's contracted engineering firm. The proposed tasks and associated costs to provide the professional engineering services to complete this project are as follows:

Work to be Completed	*Amount*
Preliminary Design and Consulting Services	$ 46,280.00
Land Surveying, Coordination for Subsurface Utility Engineering, and Geotechnical Investigation Services	$ 92,210.00
Roadway and Drainage Improvement Design Services	$ 113,150.00

Permitting Services	$ 7,000.00
Bid Assistance	$ 10,100.00
Construction Phase Services	$ 139,280.00
General Consulting Services	$ 20,920.00
Reimbursable Expenses (includes Subconsultant Efforts for SUE and Geotechnical Investigations	$ 61,085.00
Total	$ 490,025.00

The Village Council has approved $1,859,550.00 for the 2nd Avenue North Area Drainage System Improvement Project with the FY 2023 Budget - Storm Enterprise Fund 42338-56300. 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.

Staff recommends approval of the proposed Work Authorization KSV-S01 with Keshavarz & Associates, Inc. in the amount of $490,025.00 for professional engineering services associated with the 2nd Avenue North Area Drainage System Improvement Project. If approved, the Village would accept Keshavarz & Associates, Inc. pricing as outlined within the previously approved General Consulting Services Continuing Contract with Keshavarz & Associates, Inc. including all terms, conditions, and pricing therein.

Note: The Village issued a Request for Qualifications (RFQ) for Professional Engineering Services (RFQ #2016R-002-Utility Engineering Services Continuing Contracts) in accordance with the Consultants Competitive Negotiation Act (CCNA) - Section 287.55, Florida Statutes.

The proposed work authorization was prepared by Keshavarz & Associates, Inc. and reviewed by the Assistant Public Works Director, Village Attorney, and Finance Director.

The Village has worked with the proposed vendor previously and received excellent service and a quality product.

Fiscal Impact: Funding to support purchases under this proposed agreement is available within the FY 2023 Budget - Stormwater Enterprise Fund 42338-56300.

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.

Note: This project is funded by the American Rescue Plan Act (ARPA)

5. **Water Meter Fittings & Water Line Accessories Agreement - Piggyback - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Core & Main LP and Ferguson Enterprise, LLC.:** Motion to approve a piggyback agreement with Core & Main LP and Ferguson Enterprise with the City of Deerfield to purchase water meter fittings and water line accessories. If approved, the agreement will expire on March 5, 2024. Funding is available in the FY 2023 Water & Sewer Enterprise Fund.
   Staff: Paul Ward, Assistant Director of Utilities

   SUMMARY: The Utilities Department, throughout the year, has a need to purchase pipe, water valves, fittings and water line accessories to perform repairs to the Village's two (2) Water Treatment Plants, Distribution System and Wastewater Collection System. These items are used on a daily basis to ensure that the Village's Utility system is operating at a level that ensures the highest quality of water and sewer service for our customers.

   To ensure the lowest possible price, staff recommend that the Village piggyback off the current City of Deerfield Beach contracts awarded to Core & Main LP and Ferguson Enterprise. This selection by the City of Deerfield Beach was completed through a competitive selection process – Water Meter Fittings & Water Line Accessories (ITB No. 2018-19/12 – January 2, 2019).

   Note: The City of Deerfield Beach contract was made available to members of the Southeast Florida Governmental Purchasing Co-operative Group but is also eligible for a piggyback agreement.

   If approved, the Village would accept Core & Main and Ferguson's pricing by piggybacking the City of Deerfield Beach's extended contract, including all terms, conditions and pricing therein. The term of the proposed agreement, if approved, would expire on March 5, 2024 and provides for one (1), one (1) year renewal option. The Village will not expend more than the amount within the approved budget as it may be adopted/amended each year for these goods and services over the term of this contract.

   The Village Purchasing Code, Section 58-9. Accessing contracts of other government agencies provides that the Village may award a contract by piggybacking or accessing the goods and/or services from any State of Florida contract; contracts of any Florida political subdivision; or from any other governmental entity (other than the Federal government); provided that the same or substantially similar goods and/or services were competitively solicited.

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

   The Village has worked with the two proposed vendors and has received excellent services and quality products.

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 within the approved budget as it may be adopted/amended each year for these goods and services over the term of this contract.

6. **Consulting Services for Reconstruction of Surficial Aquifer Well No. 14 (TO No. 316) & emergency backup generator for Well No. 13 & No. 14 (TO No. 323) – Work Authorization No. HE-U13 – Utilities Department (FY 2023 – Water & Sewer Enterprise Fund) – Holtz Consulting Engineers, Inc.:** Motion to approve Consulting Services Agreement with Holtz Consulting Engineering for an amount not exceed $153,715.00 for Reconstruction of Surficial Aquifer Well No. 14 (TO No. 316) and Emergency Backup Generator for Well No. 13 & No. 14 (TO No. 323). Funding is available from the FY 2023 Water & Sewer Enterprise Fund.
Staff: Jimmie Johnson, Utilities Director

SUMMARY: As part of the project, engineering and hydrogeological services will provide to design, permit, bid, construct, and test one existing surficial aquifer, Well No. As well as designing one (1) emergency standby generator with the necessary power, controls, and facilities to provide power to Well 14 and existing Well 13. Each well site shall connect to the proposed generator by conduit/cable.

Staff request the Village Council approve Work Authorization HE-U13, which supports all required professional engineering services and related tasks related to the reconstruction of Well No. 14 by Holtz Consulting Engineers, Inc., the Village's contracted engineering firm. To complete this project, we propose to provide the following professional engineering services and associated costs:

Work to be Completed	*Amount*
Subsurface Utility Locating	$3,230.00
Topographic Survey	$11,110.00
Well No. 14 Reconstruction Design Services	$52,025.00
Permitting Services	$7,300.00
Bidding Services	$5,335.00
Services During Construction	$73,715.00
Expenses/Reimbursable	$1,000.00
Total	$153,715.00

Within the FY 2023 Budget - Water and Sewer Enterprise Fund, the Village Council has approved $300,000 for the reconstruction of surficial aquifer Well No. 14 TO No. 316 and the installation of emergency backup generators for Wells 13 and 14 TO No.

323. During the term of this contract, the Village will only spend as much as is approved in the budget, as adopted/amended annually. The Staff recommends approval of the proposed Work Authorization HE-U13 with Holtz Consulting Engineers, Inc. for $153,715 for professional engineering services related to the reconstruction of Surficial Aquifer Well No. 14 (TO No. 316) and emergency backup generators for Wells 13 and 14 (TO No. 323). Holtz Consulting Engineers, Inc.'s pricing outlined within the previously approved Continuing Contract with Holtz Consulting Engineers, Inc. would be accepted if approved by the Village.

In accordance with the Consultants Competitive Negotiation Act (CCNA) - Section 287.55, Florida Statutes, the Village issued a Request for Qualifications (RFQ) for Professional Engineering Services (RFQ No.2018R-002).

If approved, the proposed reconstruction of the surficial aquifer of Well No. 14 (TO No. 316) and the installation of an emergency backup generator for Wells 13 and 14. From the date the Village issues Holtz Consulting Engineers, Inc a work authorization, the project will take approximately 724 days to complete.

Holtz Consulting Engineers, Inc. prepared the proposed work authorization and reviewed it with the Assistant Utilities Director, Utilities Director, Village Attorney, and Finance Director.

In the past, the Village has received excellent service and quality products from the proposed vendor.

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.

7. **Main Water Treatment Plant Ammonia Feed System Improvements (Task Order No. 321) – Work Authorization No. KHU-U16 – Utilities Department (FY 2023 – Water & Sewer Enterprise Fund) – Kimley-Horn & Associates Inc.:** Motion to approve TO No. 321 with Kimley Horn & Associates for $86,720.00 for professional engineering services associated with the Main Water Treatment Plant Ammonia Feed System Improvements. Funding is available for the FY 2023 Water & Sewer Enterprise Fund.
   Staff: Jimmie Johnson, Utilities Director

   SUMMARY: The Village owns and operates the Main Water Treatment Plant that utilizes combined chlorine as the Public Water System residual disinfectant, by combining ammonia and free chlorine to form chloramines. Chlorine in the form of sodium hypochlorite is injected upstream of the filters to achieve a free chlorine residual in the filter effluent prior to the injection of anhydrous ammonia located at the filter effluent structure, downstream of the existing free chlorine analyzer. The feed rate of sodium hypochlorite and anhydrous ammonia requires careful control and operation to allow an adequate free chlorine residual to be maintained prior to the anhydrous ammonia feed point and an adequate anhydrous ammonia feed rate is being utilized during the chloramination process to form monochloramines. The current system is near the end of its useful life and the Village desires to replace the existing system with newer technology to better control anhydrous ammonia feed rates utilizing flow paced feed control, add a monochloramine analyzer downstream of the ammonia injection point to monitor the chloramination process, and replace the existing total chlorine analyzer at the distribution system point of entry.

As a result, the Village Council is requested to approve Work Authorization No. KHU-U16 to support all required professional engineering services and related tasks associated with The Main Water Treatment Plant Ammonia Feed System Improvements by Kimley-Horn and Associates Inc., the Village's contracted engineering firm. The proposed tasks and associated costs to provide the professional engineering services to complete this project are as follows:

Work to be Completed	*Amount*
TASK 1 – Ammonia Feed System Design	$49,776
TASK 2 – Permitting	$5,161
TASK 3 – Bidding Services	$3,009
TASK 5 – Project Management	$3,923
TASK 4 – Construction Services	$25,351
Total	$86,720

The Village Council has approved $250,00.00 for the Main Water Treatment Plant Ammonia Feed System Improvements with the FY 2023Budget - Water and Sewer Enterprise Fund.

Staff recommends approval of the proposed Work Authorization No. KHU-U16 with Kimley-Horn and Associates Inc. for the amount of $86,720.00 for professional engineering services associated with the Main Water Treatment Plant Ammonia Feed System Improvements. If approved, the Village would accept Kimley-Horn and Associates Inc. pricing as outlined within the previously approved General Consulting Services Continuing Contract with Kimley-Horn and Associates Inc. including all terms, conditions, and pricing therein.

Note: The Village issued a Request for Qualifications (RFQ) for Professional Engineering Services (RFQ #20189R-002 - Utility Engineering Services Continuing Contracts) in accordance with the Consultants Competitive Negotiation Act (CCNA) - Section 287.55, Florida Statutes.

If approved, it is estimated that the proposed The Main Water Treatment Plant Ammonia Feed System Improvements work will take approximately 635 days to complete from the date the work authorization is issued to Kimley-Horn and Associates Inc. by the Village.

The proposed work authorization was prepared by Kimley-Horn and Associates Inc. and reviewed by the Assistant Utilities Director, Utilities Director, Village Attorney and Finance Director.

The Village has worked with the proposed vendor previously and received 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.

8. **R.L. Pratt Water Treatment Plant Ammonia Feed System Improvements (Task Order No. 322) – Work Authorization No. KHU-U17– Utilities Department (FY 2023 – Water & Sewer Enterprise Fund) – Kimley-Horn & Associates Inc.:** Motion to approve the Work Authorization No. KHU-U17 (TO No. 322) with Kimley-Horn & Associates Inc. for $86,720.00 for professional engineering services associated with the Pratt Water Treatment Plant Ammonia Feed System Improvements. Funding is available from the FY 2023 Water & Sewer Enterprise Fund.
Staff: Jimmie Johnson, Utilities Director

SUMMARY: The Village owns and operates the R.L. Pratt Water Treatment Plant that utilizes combined chlorine as the Public Water System residual disinfectant, by combining ammonia and free chlorine to form chloramines. Chlorine in the form of sodium hypochlorite is injected upstream of the filters to achieve a free chlorine residual in the filter effluent prior to the injection of anhydrous ammonia located at the filter effluent structure, downstream of the existing free chlorine analyzer. The feed rate of sodium hypochlorite and anhydrous ammonia requires careful control and operation to allow an adequate free chlorine residual to be maintained prior to the anhydrous ammonia feed point and an adequate anhydrous ammonia feed rate is being utilized during the chlorination process to form monochloramines. The current system is near the end of its useful life and the Village desires to replace the existing system with newer technology to better control anhydrous ammonia feed rates utilizing flow paced feed control, add a monochloramine analyzer downstream of the ammonia injection point to monitor the chlorination process, and replace the existing total chlorine analyzer at the distribution system point of entry.

As a result, the Village Council is requested to approve Work Authorization No. KHU-U17 to support all required professional engineering services and related tasks associated with the R.L. Pratt Water Treatment Plant Ammonia Feed System

Improvements by Kimley-Horn and Associates Inc., the Village's contracted engineering firm. The proposed tasks and associated costs to provide the professional engineering services to complete this project are as follows:

Work to be Completed	*Amount*
TASK 1 – Ammonia Feed System Design	$49,776
TASK 2 – Permitting	$5,161
TASK 3 – Bidding Services	$3,009
TASK 5 – Project Management	$3,923
TASK 4 – Construction Services	$25,351
Total	$86,720

The Village Council has approved $250,00.00 for the R.L. Pratt Water Treatment Plant Ammonia Feed System Improvements with the FY 2023Budget - Water and Sewer Enterprise Fund.

Staff recommends approval of the proposed Work Authorization No. KHU-U17 with Kimley-Horn and Associates Inc. for $86,720.00 for professional engineering services associated with the Pratt Water Treatment Plant Ammonia Feed System Improvements. If approved, the Village would accept Kimley-Horn and Associates Inc. pricing as outlined within the previously approved General Consulting Services Continuing Contract with Kimley-Horn and Associates Inc. including all terms, conditions, and pricing therein.

Note: The Village issued a Request for Qualifications (RFQ) for Professional Engineering Services (RFQ #2019R-002 - Utility Engineering Services Continuing Contracts) in accordance with the Consultants Competitive Negotiation Act (CCNA) - Section 287.55, Florida Statutes.

If approved, it is estimated that the proposed R.L. Pratt Water Treatment Plant Ammonia Feed System Improvements work will take approximately 635 days to complete from the date the work authorization is issued to Kimley-Horn and Associates Inc. by the Village.

The proposed work authorization was prepared by Kimley-Horn and Associates Inc. and reviewed by the Assistant Utilities Director, Utilities Director, Village Attorney and Finance Director.

The Village has worked with the proposed vendor previously and received 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.

9. **Change Order No. 3 - Vacuum Station No. 1 Safety Improvements (Task Order No. 240, No. 266, No. 278) - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Hinterland Group, Inc.:** Motion to approve Change Order No. 3 with Hinterland Group, Inc. to extend the project completion date by an additional 222 calendar days (total current contract time from 530 days to 752 days). The proposed Vacuum Station No. 1 Safety Improvements Project is expected to be complete by September 2023. There is no direct fiscal impact on this specific request.
Staff: Eliza Hansen, Administrative Assistant

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

During the permitting process of construction, 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 as to meeting accessibility requirements and required setbacks. The process to clear up that this was a Utility building and that improvements consisted of only adding a stairwell and a new emergency generator delayed the job over a year. The initial NTP was dated August 23, 2021. The permit was finally obtained from the County on January 23, 2003.

Note: This is the second time extension request by the Contractor, Hinterland Group, Inc., on this project.

The Village's contracted engineer, CHA Consulting, Inc. and the Utilities department are requesting an amendment to the contract for Task Order No. 240, 266, 278 (Change Order No. 3) in the amount of $0.00 for additional construction services (at this time) and to extend the project completion date by an additional 222 calendar days (total current contract time from 530 days to 752 days):

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

If approved, the total cost of the Vacuum Station NO. 1 Safety Improvements

Project within Task Order No. 240, No. 266, No. 278 will remain at $421,050.05 and the total contract time will be increased to 752 days.

If approved, it is estimated that the proposed Vacuum Station #1 Safety Improvements Project will be completed by September 14 of 2023.

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

10. **Change Order No. 1 – SCADA System Upgrades R.L. Pratt Water Treatment Plant (Task Order No. 226] – Utilities Department (FY 2023 Budget Funded – Water & Sewer Enterprise Fund) - CHA Consulting, Inc. (Formerly known as Eckler Engineering, Inc.):** Motion for approval of Change Order No. 1 with CHA Consulting, Inc. for an additional $188,320.95 and an extension of 687 days for the additional services. Funding to support this project is available within FY 2023 Water & Sewer Enterprise Fund.
Staff: Jimmie Johnson, Utilities Director

SUMMARY: On October 12, 2021 the Village Council approved Task Order No. 226 with CHA Consulting, Inc. for SCADA System Upgrades R.L. Pratt Water Treatment Plant for the amount of
$93,965.70.

The original SCADA System Improvements completed at the R.L. Pratt Water Treatment Plant were designed for future networking and incorporation of the onsite control systems. This project proposes to integrate the existing control systems into the existing SCADA system. The SCADA System Upgrade at this facility was previously designed along with the work recently completed at the Main WTP.

This engineering scope revision will cover the work required to update the Bid Documents, finalize the design/bid/award phase and provide engineering services during construction.

The Village's contracted engineer, CHA Consulting, Inc. and the Utilities department are requesting an amendment to the contract for Task Order No. 226 (Change Order No. 1) of $188,320.95 increase and an extension of 687 days for the additional services.

Item	Contract Amount	Contract Time / Add'l Days
Original Contract Amount	$93,965.70	N/A
Proposed CO No. 1	$188,320.95	687 days
Revised Contract Amount	$282,286.65	687 days

If approved, the total cost of the SCADA System Upgrades R.L. Pratt Water Treatment Plant within Task Order No. 226 will increase to $282,286.65 and the total contract time will be increased to 687 days.

If approved, it is estimated that the SCADA System Upgrades R.L. Pratt Water Treatment Plant will be completed by February 28, 2025.

The proposed Change Order No. 1 was prepared by CHA Consulting, Inc. and reviewed by the Assistant Village Manager, the Utility Director, the Village Attorney, the Village Project Manager, and the Finance Director.

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

11. **Corrective Action for Change Order No. 1 – Pump Station SCADA Upgrades (Task Order No. 284) – Utilities Department (FY 2023 Budget Funded – Water & Sewer Enterprise Fund) - Engineer Service Corporation:** Motion to approve Change Order No. 1 had been previously submitted with an error requesting approval for Eckler Engineering, Inc. The requested Change Order should have been for Engineer Service Corporation. The Council is therefore requested to approve Change Order No. 1 – Pump Station SCADA Upgrades (Task Order No. 284) for $0.00 and 89 days for the additional services provided by Engineer Service Corporation (FY 2023 Budget Funded – Water & Sewer Enterprise Fund).
Staff: Jimmie Johnson, Utilities Director

SUMMARY: On March 9, 2023, the Village Council approved Change Order No. 1 – Pump Station SCADA Upgrades (Task Order No. 284) – Utilities Department (FY 2023 Budget Funded – Water & Sewer Enterprise Fund) - Eckler Engineering, Inc. for a time increase of 89 days.

However, within the Executive Brief, there was an error requesting approval for the contractor Eckler Engineering, Inc. The requested Change Order should have been for contractor Engineer Service Corporation. As a result, the Council is asked to approve the (previously approved) Change Order No. 1 – Pump Station SCADA Upgrades (Task Order No. 284) – Utilities Department (FY 2023 Budget Funded – Water & Sewer Enterprise Fund) - Engineer Service Corporation for $0.00 and 89 days for the additional services.

On March 10, 2022, the Village Council approved Task Order No. 284 with Engineer Service Corporation for Pump Station SCADA Upgrades for $400,700.00.

Due to supply chain issues and material shortages caused by COVID-19, a delay in the required generator receptacle components resulted in the shipping of the components after the original contract completion date of March 8, 2023. As a result, the Village's contracted engineer, Eckler Engineering, Inc., and the utility department are requesting an amendment to the contract for Task Order No. 284 (Change Order No. 1) of $0.00 and 89 days for the additional services.

Fiscal Impact:

Item	Contract Amount	Contract Time / Add'l Days
Original Contract	$400,7000	300
Proposed CO No. 1	$0.00	89
Revised Amount/Time	$400,700	389

If approved, the total days of the Pump Station SCADA Upgrades within Task Order No. 284 will increase to 389 days. Funding to Support the Pump Station SCADA Upgrades (Task Order No. 284) was provided by the Water & Sewer Enterprise Fund.

12. **Approve Professional Service Agreement – 6th Amendment – Term Extension – CHA Consulting Inc.:** Motion to approve a one (1) year renewal of the Professional Services Agreement for CHA Consulting, Inc. On December 16, 2015, the Village issued a Request for Qualifications (RFQ) for Professional Engineering, Architectural, and Surveying Consulting Services (RFQ 2016-002). The amended agreement will take effect on March 11, 2023, which will be extended until March 11, 2024. This will be the final renewal available for this agreement.
Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: On December 16, 2015, the Village issued a Request for Qualifications (RFQ) for Professional Engineering, Architectural, and Surveying Consulting Services (RFQ 2016-002) under the Consultants Competitive Negotiation Act (CCNA) – Section 287.55, Florida Statutes.

As a result, on March 10, 2016, the Village selected four (4) firms to provide design and construction management services for water, wastewater, infrastructure, facilities, general engineering services, plat and plan review services, and building design/review services.

- Keshavarz & Associates
- Calvin Giordano & Associates, Inc.
- Engenuity Group, Inc.
- Eckler Engineering, Inc.

On May 12, 2016, the First Amendment to each Professional Services Agreement was approved to clarify the terms and fees for each of the proposed engineering firms. The term of the agreement was clarified to coincide with the term that was outlined in RFQ No. 2016-002 - an initial term of five
(5) years from the date of the agreement with the option, upon approval by both parties, to renew for three (3), one-year periods.

The initial five-year term expired in 2021, and the Second and Third Amendments to the Agreement were approved on March 11, 2021, and February 10, 2022, to provide the first and second, one (1) year renewals in consideration of the ongoing Task Orders that we have with each firm. On March 9, 2023, the council approved a Fifth Amendment to assign the active agreement with Eckler Engineering to CHA Consulting, Inc. following the acquisition of Eckler Engineering by CHA Consulting. Staff proposes a third, one (1) year renewal. If approved, the Professional Services Agreement for CHA Consulting, Inc. would be extended until March 11, 2024. The amended agreement will take effect March 12, 2023. This will be the final renewal available for this agreement.

The proposed 6th Amendment was prepared by the Village Attorney and reviewed by the Utilities Director, Assistant Utilities Director, and the Finance Director.

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

13. **Geographic Information System Services - Piggyback - All Departments (FY 2023 Budget Funded - General Fund/ Water & Sewer Enterprise Fund) - Florida Technical Consultant, LLC.**: Motion for approval of a Piggyback Agreement with Florida Technical Consultants, LLC., through Cooper City, for continued Geographic Information System (GIS) services on an as-needed basis in an amount not to exceed $115,000 for a contract term expiring on May 28, 2024. Under this proposed agreement, funds from the FY 2023 General Fund and Water and Sewer Enterprise Fund will be available to support services.
Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: Various Village of Palm Springs departments need continued Geographic Information System (GIS) services. The services include adding GIS data, such as easements, boundaries, as-builts, pipelines, lift stations, and fire hydrants, and updating and correcting existing GIS data.

For the lowest possible price, the staff recommends that the Village piggyback off the current City of Cooper City contract awarded to Florida Technical Consultants, LLC. completed through a competitive selection process - Geographic Information System Services (RFP# 2019-2-UTL - March 21, 2019).

If approved, the Village would accept Florida Technical Consultant, LLC.'s pricing by piggybacking the City of Cooper City's contract, including all terms, conditions, and pricing. The proposed agreement would expire on May 28, 2024, and is the final renewal option. The Village will only expend the amount in the approved budget as it may be adopted/amended each year for these goods and services over the term of this contract.

The Village's Purchasing Code, Section 58-9, Accessing contracts of other government agencies, provides that the Village may award a contract by piggybacking or accessing the goods 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 the same or substantially similar goods or services were competitively solicited.

The Village Attorney prepared the proposed agreement, and the Utilities Director, Planning Zoning & Building Director, Assistant Utilities Director, and Finance Director reviewed it.

The Village has worked with the proposed vendor and has received excellent service and a quality product.

Fiscal Impact: Funding to support services under this proposed agreement is available within the FY 2023 Budget - General Fund and Water & Sewer Enterprise Fund.

14. Resolution No. 2023-21 Budget Transfer for Multiple Departments: Motion to approve several budget transfers from Council Contingency, Parks and Recreation to Public Works, and the Palm Springs Community Redevelopment Agency (CRA), amending the FY22-23 Budget. Staff: Rebecca Morse, Chief Financial Officer

SUMMARY: The first transfer request is from Council Contingency in the amount of $182,275 to cover Core Value promo materials, Lean 6 Sigma Green Belt training, and related costs, Debtbook Software to address Governmental Accounting Standards Board (GASB) Financial Statements 87 & 96, furniture for IT offices, increased cost of General Liability Insurance (General Fund portion), increased funds for Flex Area buildout in excess of amount budgeted, funding for AC unit replacements needed in IT server closets, and cover cost overruns in Special Events.

The second transfer request is a transfer of $50,000 from Parks and Recreation to Public Works for the initial design work for the Greenbrier and Congress entranceway. Public Works will be managing this project.

The third transfer request appropriates a fund balance in the Congress Avenue Community Redevelopment Area district and transfers funds budgeted in the Lake Worth Road Community Redevelopment Area for Department Of Transportation work that was budgeted in FY 2023 but accrued in FY 2022 and appropriating those funds to be utilized for visioning work.

Fiscal Impact: The Council Contingency has a budget of $400,000 for the Fiscal Year 2022-2023. This transfer allocates $3,000 to Council promotional materials to cover the cost of Core Value promotional materials, $13,500 to Village Manager and Clerk to cover cost of Lean 6 Sigma training, $5,850 to Finance for the purchase of software to address Governmental Accounting Standards Board (GASB) Statements 87 and 96, $4,000 for IT to help cover cost of new furniture, $115,200 to General Government (comprised of $5,200 to cover increased cost of General

Liability Insurance and $110,000 to cover the buildout costs for the North Flex Area), $20,000 to Public Works to cover upgrades to A/C units for IT server closets and $20,725 to Special Events to cover cost overruns from events. The total transfer from Contingency is $182,275. After this transfer, Council Contingency will have $217,725 remaining.

The impact of the second transfer lowers the Parks and Recreation budget by $50,000 and increases the Public Works budget by $50,000.

The Community Redevelopment Agency (CRA) Budget transfer increases the total CRA by the appropriated fund balance of $106,016 from the fiscal year ended FY2022 and allocates those funds to other contractual services in Congress Avenue CRA.

15. Emergency Communications Officers Week Proclamation - April 9 - 15, 2023
Staff: Kimberly Wynn, Village Clerk

16. National Library Week Proclamation April 23 - April 29, 2023
Staff: Kimberly Wynn, Village Clerk

17. Arbor Day Proclamation on April 28, 2023
Staff: Kimberly Wynn, Village Clerk

18. Municipal Clerks Week Proclamation Week - April 30, 2023 - May 6, 2023
Staff: Kimberly Wynn, Village Clerk

End of Consent Agenda....
Mayor Smith offered the public an opportunity to comment. There were no comments.

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

PRESENTATIONS

At this point, Mayor Smith announced that there were several proclamations on the Agenda. She did not read the agendas on the record, but she announced them and acknowledged government professionals.

19. Presentation of the Annual Comprehensive Financial Report (ACFR) for the Fiscal Year ended September 30, 2022, and the Auditor's report on the financial statements.: Mr. Moises Ariza, a partner with Marcum, LLP, the Village's independent auditing firm, will present the Annual Comprehensive Financial Report (ACFR) for the fiscal year ended September 30, 2022, including the audit report on the financial statements.
Staff: Rebecca Morse, Chief Financial Officer

SUMMARY: Mr. Moises Ariza, a partner with Marcum, LLP, the Village's independent auditing firm, will present the Annual Comprehensive Financial Report (ACFR) for the fiscal year ending September 30, 2022, including the audit report on the financial statements.

Ms. Mariana Ortega introduced Mr. Moises Ariza, a partner with Marcum, LLP, the Village's independent auditor. Mr. Ariza presented the annual Comprehensive Financial Report (CAFR) to the Council. He stated there were no findings. Mr. Moise discussed various aspects of the report, including the single audit and the changes to the Community Redevelopment Agency budget. He discussed changes to accounting standards that affected policy and procedure industry wide. Changes were made to reporting leased equipment and software products. The Council was pleased with the report, and commended the staff.

Fiscal Impact: This is a report on the Village's financial statements for the year ended September 30, 2022.

REGULAR AGENDA

20. **Appointment of Voting Delegate(s) to the Palm Beach County League of Cities:** Motion to Appoint one voting delegate and alternatives to the Palm Beach County League of Cities to serve a one term as a representative of the Village of Palm Spring.
Staff: Kimberly Wynn, Village Clerk

SUMMARY: Every year, the Palm Beach County (PBC) League of Cities requests that each municipality designate a voting delegate and an alternate(s), if so desired, to vote on behalf of the Village of Palm Springs at the League of Cities general membership, special membership, and general membership functions. The appointed delegate(s) vote on official business items at membership meetings.

Currently, Mayor Smith is the voting delegate for the Village, and Vice Mayor Brinkman, Mayor Pro Tem Waller, Council Member Gunther and Council Member Ready serve as the alternates.

The Village Council is requested to appoint a voting delegate and alternate(s) to the PBC League of Cities.

Ms. Wynn presented this item. She advised that Palm Beach County seek a voting delegate with alternates to be representatives for the municipality.

Mayor Pro Tem Waller made a motion to nominate Mayor Smith as the Palm Beach County Voting delegate and appoint the Council as alternates. Council Member Gunther seconded the motion. The said motion carried 5-0.

Fiscal Impact: There is no direct fiscal impact to the village.

PUBLIC COMMENT

Mayor Smith offered the public an opportunity to comment.

1. Mr. Greg Hauptner discussed a serious incident that recently happened on the G-Star school campus. There was constant bullying taking place in the school. Mr. Hauptner complimented the Police Department and the Assistant Village Manager for their professionalism. Mayor Smith thanked everyone for their constant communication. Mayor Smith offered the public an opportunity to speak. Council Member Ready inquired about the number of students on the campus. Mr. Hauptner informed the Council that there were 700 students in attendance.

PUBLIC HEARINGS

21. <u>(Quasi-Judicial Hearing) Resolution No. 2023-18 - Final Plat - Prince Place - 3075 Prince Drive, 3098 Ferrell Drive, and a vacant lot on Paetzold Drive:</u>
Motion for approval of Resolution No. 2023-18 for an application submitted by Miles Rich ("Applicant") proposing to join three (3) parcels into a unified plat and delineate nineteen (19) individual townhouse lots, consistent with the site plan approved by the Village Council located at 3075 Prince Drive, 3098 Ferrell Drive and a vacant lot on Paetzold Drive.
Staff: Iramis Cabrera, PZB Director

<u>SUMMARY</u>: Mr. Miles Rich, the applicant, has filed a final plat to re-plat portions of Lots C, D, and E, Block 98 of The Palm Beach Farms Co. Plat No. 7 (as recorded in Plat Book 5 page 72 of Public Records of Palm Beach County, Florida). The applicant is proposing to join three (3) parcels into a unified plat and delineate nineteen (19) individual townhouse lots, consistent with the site plan approved by the Village Council (Resolution No. 2021-31 - November 18, 2021).

The Village's Surveyor, Craven Thompson & Associates Inc., has reviewed the proposed plat and determined that it complies with Chapter 177, F.S. - Platting Regulations.

The final plat has been revised after the preliminary plat was approved by the Village Council (Resolution 2022-09 - April 14, 2022) due to the 10' wide right-of-way dedication required by Palm Beach County and a 30' by 30' easement dedication for the proposed lift station.

The recording of the plat is required prior to the issuance of a certificate of occupancy for a new residence.

<u>Fiscal</u> <u>Impact:</u> There is no direct fiscal impact from the proposed plat.

The Village Clerk, Ms. Wynn, read the statement of advertisement on the record. Mayor Smith asked the Council to disclose their ex parte communication. There was none.

Assistant Village Manager, Mrs. Glas-Castro, entered the staff report on the record and presented Resolution No. 2023-18. The applicant was not present. She stated that Mr. Miles Rich submitted a plan to combine three (3) parcels of land at 3075 Prince Drive, 3098 Ferrell Drive and a vacant lot on Paetzold Drive. The plan includes dividing the land into nineteen townhouse lots, which is consistent with the site plan approved by the Village Council. The Village's Surveyor reviewed the proposal and there were no issues. The plan has been revised to include a 10' wide right-of-way dedication required by Palm Beach County and a 30' by 30' easement dedication for the proposed lift station. Recording the plan is necessary before a certificate of occupancy can be issued for a new residence.

The Village Attorney, Mr. Torcivia read the title of the caption on the record. Mayor Smith offered the public an opportunity to speak. There were no comments.

Council Member Ready made a motion to approve Resolution No. 2023-18, Vice Mayor Brinkman seconded the motion. The said motion carried 5-0.

22. **(Quasi-Judicial Hearing) Resolution No. 2023-17- Proposed Mural Permit Application - Shutter Up Windows and Doors - 1042 South Congress Avenue:** Motion for approval of Resolution No. 2023-17 of an application of Kobosko Properties LLC (“Property and Business Owner”) of Shutter Up Windows and Doors to paint two (2) mural signs with the art of native Florida wildlife scenes on the west and south sides of the building located at 1042 South Congress Avenue following Section 34-295 Village Code of Ordinances. The proposed murals do not have a direct fiscal impact on the Village.
Staff: Iramis Cabrera, PZ&B Director

SUMMARY: Kobosko Properties LLC (property and business owner) is requesting approval of a permit to paint two (2) mural signs with the art of native Florida wildlife scenes on the west and south sides of the building located at 1042 South Congress Avenue, which is visible from the public right- of-way. The business "Shutter up Windows and Doors," located on the property, is a design center and showroom that will border Congress Avenue and Palmarita Road.

The property developed with a commercial structure located on the northeast corner of South Congress Avenue and Palmarita Road within the CRA Congress Avenue District. The applicant proposes a mural on both facades facing each public right-of-way. A mural would be on the west side of the building wall facing Congress Avenue. The second would be on the south wall of the building facing Palmarita Road.

The proposed murals are colorful drawings of Florida wildlife and storm weather representing Shutter Up Windows and Doors:

- The West elevation of the building: 546 square feet is proposed, which represents 45% of the building wall. The mural depicts 3 dolphins, a turtle, an octopus, a lobster, and some other fishes.
- The South elevation of the building: 546 square feet is proposed, which represents 23% of the building wall. The mural depicts a drawing of the world showing Florida and a coming storm with some flowers and the Florida flag.

The Village's Code, Section 34-295 Mural permits; purpose; application; review; issuance; fees; provides that the Village Council will review a mural permit application based on the following:

1. The mural will enhance the aesthetic beauty of the area and is compatible (in terms of size, location, design, etc.) with the structure on which it will be displayed as well as the surrounding neighborhood.
2. The mural has balance, order and symmetry, and harmony in the design.
3. The material will not require excessive maintenance by its owner.
4. There are no more than two (2) murals on the premises and the size of each is not greater than 550 square feet.
5. There are no other murals within 1,000 feet of the proposed art forms.
6. The proposed mural is located within a commercial zone district.

Note: The proposed murals will be painted by Sami Makela with an exterior UV clear coat, and lifetime warranty hold. This premium quality and protective durable finish resisted fading, cracking, peeling, and the formation of mildew on the surface. Regular maintenance is key.

If approved, the proposed murals will be painted and completed within two months of the start date.

The Staff recommends approval of the proposed murals. However, due to the sun and the humid conditions that we consistently experience in southeastern Florida, the Planning, Zoning, and Building Department staff recommends that all mural permits be conditioned as follows:

The mural(s) shall be maintained in good condition.

Graffiti, denaturation, cracking, color change, and/or fading, as determined by the Police Chief and/or the Planning, Zoning & Building Director, shall require immediate restoration or removal of the artwork within 30 days of written notice from the Village.

Note: If approved, the Village would have the authority to rescind the mural permit and require the applicant to either maintain and/or remove the murals through code enforcement proceedings, if they are not maintained in accordance with the proposed mural permit.

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

Mayor Smith asked the Council to disclose the ex parte communication. There was none. Ms. Wynn swore in the applicant, Jerry Kobosko the owner.

Mrs. Glas-Castro gave the staff presentation and entered it on the record. She stated that Kobosko Properties LLC wants to paint two large murals on the west and south sides of the building located at 1042 South Congress Avenue. The murals will depict colorful drawings of Florida wildlife and stormy weather, and represent the Shutter Up Windows and Doors business located on the property. The murals will be painted by Sami Makela with a lifetime warranty. If approved, the murals will be completed within two (2) months of the start date. The Village will have the authority to rescind the mural permit if the murals are not maintained in accordance with the proposed mural permit.

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

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

Mayor Pro Tem Waller made a motion to approve Resolution No. 2023-17 and it was seconded by Council Member Gunther. The said motion carried 5-0.

23. **(Second Reading/ Quasi-Judicial Hearing) Ordinance No. 2023-02 - Voluntary Annexation - 2873 Forest Hill Boulevard:** Motion to approve Ordinance No. 2023-02 for a voluntary annexation request from Geoffrey Jervis and Vito Monteleone, the property owners at 2873 Forest Hill Boulevard. The property is adjacent to the Congress Avenue CRA Corridor (east of South Congress Avenue, west of South Florida Mango Road, and north of Forest Hill Boulevard). With an assessed value of $323,468, the property contributes to the Village's overall value. Staff: Iramis Cabrera, PZB Director

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

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

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

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

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

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

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

The proposed ordinance was approved by the Village Council on First Reading at the March 9, 2023 meeting and is being presented for consideration of the Second and Final reading.

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

Mayor Smith requested that the Council disclose any ex parte communication. During the meeting, Vice Mayor Brinkman announced that she had met with the applicant, Josh Nichols, regarding the project on April 13, 2023. The Village Clerk read the statement of advertisement aloud and then swore-in the applicant and staff.

The property owner, Mr. Geoffrey Jervis and Mr. Vito Monteleone, has requested voluntary annexation of their 0.3013 acre property into the Village of Palm Springs. The property is being developed with a 2,400 sf commercial building and the applicants intend to combine it with two other properties and re-develop the property with a modern car wash facility. The annexation will facilitate the assemblage of parcels and the redevelopment of the self-serve car wash property. The Planning & Zoning Board recommended approval and the proposed ordinance is being presented for consideration of the Second and Final reading by the Village Council.

Mrs. Glas-Castro mentioned that the applicant requested to combine Items 23 and

24 and present them separately as Item 25. Although the applicant did not have a presentation, they were available to answer questions. Mayor Smith then offered the Council and the public an opportunity to ask questions or provide comments. However, there were no comments or public input regarding Item 23.

Council Member Ready made a motion to approve Ordinance No. 2023-02, and it was seconded by Council member Gunther. There was a roll call vote as follows: Vice Mayor Brinkman - Yes, Mayor Pro Tem Waller - Yes, Council Member Gunther - Yes, Council Member Ready - Yes, and Mayor Smith - Yes. the said motion carried 5-0.

24. **(Second Reading/ Quasi-Judicial Hearing) Ordinance No. 2023-03 - Land Use and Rezoning (Small-Scale) - 2873 Forest Hill Boulevard**: Motion for approval of Ordinance No. 2023-03 of a request to amend a Small-Scale Land-Use Amendment of the Future Land Use Map (FLUM) and Rezoning of 0.3013 acres located at 2873 Forest Hill Boulevard, which is currently developed with a 2,400 square foot commercial building and projected for redevelopment into a modern car wash. This property is being proposed for development as a modern car wash, along with two additional properties. Voluntary annexation of the subject property is requested.
Staff: Iramis Cabrera, PZB Director

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

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

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

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

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

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

The Local Planning Agency considered the proposed ordinance during their March 9, 2023 meeting and recommended approval.

The proposed ordinance was approved by the Village Council on first reading at the March 9, 2023 meeting and is being presented for consideration at the second and final reading.

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

Mayor Smith asked the Council to disclose their ex parte communication. Mrs. Glas-Castro explained that Ordinance No. 2023-03 is a proposal to change land use and zoning for property at 2873 Forest Hill Boulevard. The property is under 50 acres with a commercial building that will be a modern car wash. The Planning & Zoning Board and Local Planning Agency approved the proposal. The property is next to the Palm Springs CRA District (Congress Avenue Corridor) and will be developed with two (2) other properties.

Mayor Smith offered public and the Council comment. There was none.

Vice-Mayor Brinkman made a motion to approve Ordinance No. 2023-03, and it was seconded by Mayor Pro Tem Waller. There was a roll call vote as follows: Vice-Mayor Brinkman - Yes, Mayor Pro Tem Waller - Yes, Council Member Gunther - Yes, Council Member Ready - Yes, and Mayor Smith - Yes. The said motion carried 5-0.

25. **(Quasi-Judicial Hearing) Resolution No. 2023-19 - Site Development Plan (SPR23-02) and Special Exception Use (PSSE23-01) - Mint Eco Car Wash - 2877 Forest Hill Boulevard:** Motion for Approval of Resolution No. 2023-20 for an application submitted by Mr. John Schmidt of Schmidt Nichols, agent for the property owner, 2877 FOREST HILL OPCO LLC, for a Site Development Plan, (SPR23-02) with conditions, and a modification to the existing Special Exception Use (PSSE23-01), for construction of a 4,414 square foot automatic carwash including, and office, located at 2877 Forest Hill Boulevard, 2910 Shawnee Road and 2873 Forest Hill Boulevard.
Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Jon Schmidt from Schmidt Nichols, agent for the property owner, 2877 FOREST HILL OPCO, LLC, requests approval of a Site Development Plan (SPR23-02) and a modification to the existing Special Exception Use (PSSE23-01) with three (3) variances for the combination of the properties located at 2877 Forest Hill Boulevard, 2910 Shawnee Road and 2873 Forest Hill Boulevard (PCN's 70-43-

44-08-15-005-0071; 70-43-44-08-15-005-0010; and 00-43-44-08-15-005-0061, respectively). The applicant is proposing the construction of a 4,414-square-foot automatic car wash including an office.

Note: The property located at 2873 Forest Hill Boulevard is under the annexation process and is subject to a separate agenda item. The property is currently being developed with a 2.400-square tire shop.

Currently, there is an existing 2,760 square foot car wash facility proposed to be demolished at 2877 Forest Hill Boulevard and to be replaced with a modern 4,414 square foot full-service car wash facility with associated stacking spaces, office, detailing area, and free vacuums. The parcels currently within the Village limits are within the Congress Avenue District CRA, and the redevelopment will enhance values and fulfill CRA objectives.

A car wash is permissible as a Special Exception Use within the CG district. However, since there is an existing car wash facility, the applicant is proposing a modification to the existing Special Exception Use to facilitate the redevelopment of the property with a newly renovated facility.

As part of the proposed Site Development Plan, three (3) variances were approved by the Planning and Zoning Board at its February 14, 2023 meeting:

1. (PSV23-02) - The applicant is requesting a variance relief from Sec.34-826 (8) to allow a reduction in the required side corner setback along Forest Hill Blvd from the required 25’ to 16’at its narrowest point.
2. (PSV23-03) - The applicant is requesting a variance relief from Sec.34-826 (8) to allow a reduction in the required side corner setback along Shawnee Rd. from the required 25’ to 21’ at its narrowest point.
3. (PSV23-04) - The applicant is requesting a variance relief from Sec.34-826 (9) to allow a reduction in the required rear setback adjacent to residential lots from the required 30’ to 17’.

At the Planning and Zoning Board meeting, the applicant voluntarily committed to proposing 5 additional conditions to mitigate some concerns of the neighbors:

1. Coordinate with PBC for the installation of speed bumps along Shawnee Road, from Choctaw to Prairie Road.
2. Channelize the north egress driveway on Shawnee Road to force a left turn only.
3. Channelize the west egress driveway to the left turn only at Choctaw Road.
4. Prohibit any outdoor music from the business and/or the customers while using the facility.
5. Increase the height of the permitter wall from 6' to 8'.

The Planning, Zoning & Building staff does not object to the proposed Special Exception Use and Site Development Plan and recommends conditional approval to facilitate the redevelopment of the property.

Fiscal Impact: The proposed development will enhance the village's assessed property valuation.

Mayor Smith asked the Council to disclose their ex parte communication. There was none.

Mrs. Glas-Castro gave the staff presentation. She stated that Mr. Jon Schmidt from Schmidt Nichols requests approval of a Site Development Plan and a modification to the existing Special Exception Use with three variances for the combination of properties located at 2877 Forest Hill Boulevard, 2910 Shawnee Road and 2873 Forest Hill Boulevard. The applicant is proposing the construction of a 4,414-square-foot automatic car wash including an office. Three variances were approved by the Planning and Zoning Board, and the applicant voluntarily committed to proposing five additional conditions to mitigate some concerns of the neighbors. The Planning, Zoning & Building staff recommends conditional approval to facilitate the redevelopment of the property.

Mr. Schmidt stated that he was available to answer questions from the Council. The Council discussed their concerns about traffic at the location. They were interested in the traffic study, and how traffic patterns would be maintained for busy locations. Mr. Schmidt discussed their plan to contain traffic and how the car wash would be an asset to the community (incentives, jobs, sustainability, etc.)

Council Member Ready made a motion to approve Resolution No. 2023-19, and Council Member Gunther seconded the motion. The said motion carried 5-0.

26. **Resolution No. 2023-13 - Preliminary Plat - Oxygen Development II - 1525 South Congress Avenue**: Motion for Approval of Resolution No. 2023-13 for a preliminary plat to re-plat the Oxygen parcels into a unified plat, generally located west of South Congress Avenue, East of Davis Road, and North of Forest Hill Boulevard at 1525 South Congress Avenue. There is no direct fiscal impact on the village.
Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Marty R. A. Minor from Urban Design Studio has filed a preliminary plat to re-plat the Oxygen Development plat as recorded in Plat Book 112 page 179 of Public Records of Palm Beach County, Florida. The applicant is proposing to join eight (8) parcels of land together with the abandoned right-of-way of Dalinda Lane totaling 17.826 acres into a unified plat consistent with the site plan approved by the Village Council (Resolution 2023-03 - January 12, 2023).

Together with the plat application, the applicant has submitted the following requests:
1. Dedication, to the Village, of a 50'-wide Right-Of-Way in order to extend/re-route

Lone Pine Way to grant access to the property located on the west side of the project.
2. Release of a 20'-wide drainage easement as recorded in Plat Book 112, Page 179 of Public Record of Palm Beach County, Florida (approximately 1,593 square feet).
3. Release of a 20'-wide drainage easement as recorded in Plat Book 112, Page 179 of Public Record of Palm Beach County, Florida (approximately 1,679 square feet).
4. Release of a 20'-wide drainage easement as recorded in Plat Book 112, Page 179 of Public Record of Palm Beach County, Florida (approximately 400 square feet).
5. Release of a 20'-wide irrigation easement as recorded in Plat Book 112, Page 179 of Public Record of Palm Beach County, Florida (approximately 1,534 square feet).

The Village's Surveyor, Craven Thompson & Associates Inc., has reviewed the proposed plat and has determined that it complies with Chapter 177, F.S. - Platting Regulations.

The Planning & Zoning Board considered the proposed resolution at its March 15, 2023 meeting and recommended approval.

If approved, a final plat will be presented to the Village Council for consideration. The recording of the plat is required prior to the issuance of a certificate of occupancy for the new warehouse building.

Fiscal Impact: There is no direct fiscal impact from the proposed preliminary plat; however, it will assist in facilitating the development of the property.

Mayor Smith asked the Council to disclose their ex parte communication. Vice Mayor Brinkman announced her conflict of interest because she is employed by the agent Urban Design. She submitted a Conflict of Interest form, recused herself, then stepped away from the dais.

Mrs. Glas-Castro presented the staff presentation and entered it in the record. She stated that Marty R. A. Minor from Urban Design Studio filed a preliminary plat to re-plat the Oxygen Development plat as recorded in Plat Book 112 page 179 of Public Records of Palm Beach County, Florida. The proposed plan is to join eight parcels of land together with the abandoned right-of-way of Dalinda Lane totaling 17.826 acres into a unified plat consistent with the site plan approved by the Village Council. The applicant submitted five requests along with the plat application that includes the dedication of a 50'-wide Right-Of-Way to the Village, release of three drainage easements, and the release of a 20'-wide irrigation easement. The proposed plat complies with Chapter 177, F.S. - Platting Regulations as per the Village's Surveyor, Craven Thompson & Associates Inc. The Planning & Zoning Board has recommended approval after its consideration of the proposed resolution. A final plat will be presented to the Village Council for consideration, and the recording of the plat is required before the issuance of a certificate of occupancy for the new warehouse building.

Mr. Marty Minor stated that he was present to answer questions if needed.

Village Attorney Torcivia read the title of the caption on the record. Mayor Smith offered the public and Council an opportunity to comment. There were no additional comments.

Council Member Gunther made a motion to approve Resolution No. 2023-13, and it was seconded by Mayor Pro Tem Waller. The said motion carried 4-0 (Vice-Mayor Brinkman abstained).

27. **Resolution No. 2023-12 - Abandonment of a Portion of Dalinda Lane Right-of-Way:** Motion for approval of Resolution No. 2023-12 for the abandonment of Dalinda Lane which had been dedicated for public road purposes. The abandonment will not interfere with the roadway system of the Village and is no longer necessary or needed by the public. The abandonment of the street will facilitate the development project recently approved under Resolution 2023- 03 for the construction of a 150,780 square feet warehouse building, thereby increasing the value of the property.
Staff: Iramis Cabrera, PZB Director

SUMMARY: Oxygen Development is looking to expand its facility at 1525 South Congress Avenue to bring warehouse operations to the Village. The Village Council approved the proposed site plan during their regular meeting on January 12, 2023, to facilitate the expansion of its current site by 3.4 acres to add a 150,780-square-foot warehouse to the west of the existing building.

The proposed warehouse building will be within the original site boundary, which is currently vacant and has a drainage lake. The existing lake will be filled in, and a new 1.66-acre lake and dry retention area will be provided. This site area currently features vacant land and residential uses owned by the applicant.

A condition of approval of the site plan is the abandonment of the northern 200 feet of the 40-foot- wide right-of-way of Dalinda Lane, which is located between four parcels owned by the applicant, and which is needed to accommodate the 1.66-acre lake proposed at the southwest corner of the site, to provide drainage for the expanded site.

The subject right-of-way proposed for abandonment is generally west of South Congress Avenue, east of Davis Road, and approximately 293' north of Forest Hill Boulevard. The abandonment area is approximately 8,000 square feet (0.1836 acres) in size and is a portion of improved right-of-way, platted with the name "Dalinda Lane," dedicated to the public as shown on the Plat Of Larkwood as recorded in Plat Book 23, Page 227, Palm Beach County Records.

The Planning & Zoning Board considered the proposed resolution at its March 15, 2023, meeting and recommended approval.

Resolution No. 2023-12 was advertised in the Lake Worth Herald on March 2, 2023.

Staff recommends that the Village Council find that the right-of-way does not contribute to the roadway system and does not benefit the community. Further, the Village staff has obtained written confirmation from the utility companies that they do not object to the abandonment.

Fiscal Impact: The abandonment of the street will facilitate the development project recently approved under Resolution 2023-03 for the construction of a 150,780 square feet warehouse building, thereby increasing the value of the property.

Mayor Smith asked the Council to disclose their ex parte communication. Vice-Mayor Brinkman stated that she would recuse herself from Item #27, because she is employed by the agent for the applicant, Urban Design.

Mrs. Glas-Castro presented this item. She stated that Oxygen Development planned to expand its facility at 1525 South Congress Avenue to add a 150,780-square-foot warehouse. The Village Council approved the proposed site plan on January 12, 2023. The proposed warehouse building will be within the original site boundary, which is currently vacant and has a drainage lake. The existing lake will be filled in, and a new 1.66-acre lake and dry retention area will be provided. A condition of approval of the site plan is the abandonment of the northern 200 feet of the 40-foot-wide right-of-way of Dalinda Lane, located between four parcels owned by the applicant. The Planning & Zoning Board recommended approval of the proposed resolution. Staff recommends that the Village Council find that the right-of- way does not contribute to the roadway system and does not benefit the community. Mr. Minor announced that he was available for questions, but he did not have a presentation.

The Village Attorney read the title of the caption on the record. Mayor Smith offered public comment. There were no comments from the public.

Council Member Ready made a motion to approve Resolution No. 2023-12 and it was seconded by Council Member Gunther. The said motion carried 4-0 (Vice-Mayor Brinkman abstained).

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

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

Some of the key aspects of the amendment include:

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

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

Ordinance No. 2023-04 was advertised in the Lake Worth Herald on February 9, and March 2, 2023.

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

The proposed ordinance was approved by the Village Council on first reading at the March 9, 2023 meeting and is being presented for consideration of the 2nd and final reading.

Fiscal Impact: The proposed ordinance does not have a fiscal impact on the Village. The Village Clerk, Ms. Wynn read the advertisement on the record. Mrs. Glas-Castro introduced this item. She stated there were no changes to the ordinances aside from the changes requested by Council as indicated in the staff report. Ordinance No. 2023-04 was presented before the Council as a First Reading on March 9, 2023. Mayor Smith offered the Council and the public an opportunity to speak on Ordinance No. 2023-04. There were no comments. The Village Attorney, Mr. Torcivia, read the title of the caption into the record.

Council Member Gunther made a motion to approve Ordinance No. 2023-04, and 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 Gunther

- Yes; Council Member Ready - Yes and Mayor Smith - Yes. The said motion carried 5-0.

29. ***(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".
    Staff: Kimberly Glas-Castro, Assistant Village Manager
    Mayor Smith requested that Ordinance No. 2023-05 be continued. She would like to receive more information before consideration.

    Council Member Ready made a motion to postpone this item, and it was seconded by Mayor Pro Tem Waller. The said motion carried 5-0.

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

ACTIONS AND REPORTS
There were no Actions and Reports

VILLAGE MANAGER COMMENTS
The Village Manager recapped the purpose of the joint session workshops with the Planning & Zoning Board.

VILLAGE COUNCIL COMMENTS
The Council discussed the Fishing Frenzy event. They also thanked the Finance Department for providing the audit information.

ADJOURNMENT
Hearing no further discussion, mayor Smith adjourned the Village Council Regular meeting at 7:44 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 April 13, 2023.

Kimberly M. Wynn
Village Clerk

NEXT REGULAR MEETING:
THURSDAY, MAY 11, 2023
AT 6:30 PM