MINUTES, COUNCIL CHAMBERS
226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
APRIL 11, 2024 AT 6:30 PM

CALL TO ORDER
Mayor Bev Smith called the Village Council Regular Meeting to order at 6:31 PM. *(Immediately following the CRA Meeting)*

ROLL CALL
Present Mayor Bev Smith, Vice Mayor Joni Brinkman, Mayor Pro Tem Patti Waller, and Council Member Gary M. Ready

Absent Council Member Kim Schmitz

Also present Village Manager Michael Bornstein, Village Attorney Christy Goddeau, Village Clerk Kimberly M. Wynn, Assistant Village Manager Kim Glas-Castro, Police Chief Tom Ceccarelli, as Sergeant-In-Arms, Planning, Zoning, and Building Director Iramis Cabrera, Utilities Director Jimmie Johnson, Assistant Utilities Director Paul Ward, Public Works Director Felipe Lofaso, Assistant Public Works Director Timothy Crespo, Staff Assistant Maria Izzo, Deputy Village Clerk Jane Worth, Records Clerk Andrea Medero, Police Support Manager Katlyn Niskanen, Emergency Communication Officers Vicky Martinez and Josey Khatami.

INVOCATION
The Village Manager, Mr. Bornstein, gave the invocation.

PLEDGE OF ALLEGIANCE
The Village Council led in the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA
The Village Manager indicated the following revision to Item #4 (Purchase Agreement - Financial Sustainability Modeling Services Software - Rafetelis) to add a confidentiality clause to the Agreement as well as a reduced price. Item #5, Agreement with ClearGov, was amended to add language. Lastly, Item #18, the Purchase Agreement with Motorola for Portable Radios, was moved to the May 9, 2024, Council Meeting to allow more review from the Staff.

Council Member Ready made a motion to approve the agenda as amended and Mayor Pro Tem Waller seconded the motion. The said motion carried 4-0.

CONSENT AGENDA

1. **Approval of the March 14, 2024, Village Council Regular Meeting: Motion the approval of the March 14, 2024, Village Council Regular Meeting Minutes.**
   Staff: Kimberly Wynn, Village Clerk

2. **<u>Appointments to the Planning and Zoning Advisory Board:</u> Approve the reappointment of Regular Member Johnnie Tieche and Regular Member Kim Gehrman to the Planning & Zoning Board to serve a three (3) year term that ends on May 14, 2027.**
Staff: Kimberly Wynn, Village Clerk

<u>SUMMARY</u>: Mr. Tieche has shown interest in continuing to serve as a Regular Member and Chair of the Planning & Zoning Board. He has been an asset to the board. If appointed, he will serve a three-year term until May 14, 2027.

Mrs. Gehrman has also expressed interest in continuing to serve as a Regular Member of the board. She has been an asset to the board. If appointed, she will serve a three-year term until May 14, 2027.

If the proposed appointments are approved, there will be no vacancies on the Planning and Zoning Board.

<u>Fiscal Impact</u>: No fiscal impact on the Village.

3. **<u>Appointments to the Library Advisory Board:</u> Approve the reappointment of Regular Member Michelle Dunlap and Regular Member Lenore DiRienzo to the Library Advisory Board to serve a three (3) year term that ends on May 14, 2027.**
Staff: Kimberly Wynn, Village Clerk

<u>SUMMARY:</u> Ms. Michelle Dunlap has expressed her interest in continuing to serve as a Regular Member and Chair of the board. She has been an asset to the board, and her appointment will be for a three-year term until May 14, 2027.

Mrs. Lenore DiRienzo has also expressed her interest in continuing to serve as a Regular Member of the board. She has been an asset to the board, and her appointment will be for a three-year term until May 14, 2027.

If the proposed appointments are approved, there will be one (1) vacancy on the Library Advisory Board.

<u>Fiscal Impact</u>: No fiscal impact on the Village.

4. **<u>Purchase Agreement - Financial Sustainability Modeling Services Software - Finance (FY24 - ARPA Funded) - Raftelis:</u> Motion to approve a Purchase Agreement with Raftelis in the amount of $65,505 to prepare a ten-year financial forecast for the General Fund, Community Redevelopment Agency (CRA), and Stormwater Fund to generate a financial sustainability analysis model. Funding to support the project comes from several individual accounts: General Fund $29,028; CRA $5,313; Stormwater $20,478 and Water and Sewer $10,688. The funds will be reimbursed with ARPA funds.**
Staff: Rebecca Morse, Chief Financial Officer

<u>SUMMARY</u>: The Village has requested the professional services of Raftelis consultants to prepare a comprehensive ten-year financial forecast for the General Fund, CRA, Stormwater

Fund, and Water and Sewer Enterprise Fund. The objective of this forecast is to generate a financial sustainability analysis model that will serve as a decision support tool to ensure long term financial stability for the Village.

As part of this effort, Raftelis will also conduct an analysis of the Water and Sewer Enterprise Fund as part of the rate study work that is being done by Kimley Horn & Associates. This analysis will include meetings with staff and review of results to ensure that the Water and Sewer Enterprise Fund is also financially sustainable in the long-term.

The proposed total fee for this project is $65,505, which includes meetings with staff and result reviews. The fee is broken down by fund, with the General Fund costing $29,028, the CRA costing $5,313, the Stormwater Fund costing $20,478, and the Water and Sewer Enterprise Fund costing $10,688.

<u>Fiscal Impact</u>: The cost for these services will be charged to the individual funds and will be reimbursed with ARPA funds.

5. **<u>Purchase Agreement - Budgeting Software (FY2024 General Funds - Finance) - ClearGov:</u> Motion for approval of a Purchasing Agreement with ClearGov for $29,900 the first year, then a multiplier of 3% annually for three years. The budgeting software will include personnel, operating, and capital budgeting, as well as a digital budget book and a transparency module. The term of the Purchase Agreement is October 1, 2024, until September 30, 2027.**

   Staff: Rebecca Morse, Chief Financial Officer

   <u>SUMMARY</u>: The Village recently purchased a prorated Agreement to implement new budgeting software that will be effective from March 8, 2024, to September 30, 2024. This application includes personnel, operating, and capital budgeting, a digital budget book feature, and a transparency module. The proposed Purchase Agreement aims to continue using this application for the next three years, starting from October 1, 2024, through September 30, 2027. The Finance and IT departments are currently working on implementing the application.

   The Village has been using Excel to prepare the annual budget for years. It was easy when there were only a few budgets to manage, such as the General Fund, Debt Service, and Water and Sewer Enterprise Fund budgets. However, the Village now has budgets for the General Fund, American Rescue Plan, two CRA districts, Debt Service, Water and Sewer, and Stormwater Enterprise funds, making the process cumbersome. The Village needs to upgrade its technology and adopt a more flexible application with new features to streamline the preparation process and highlight the new focus on performance measures.

   <u>Fiscal Impact</u>: This is a three-year contract payable annually. The first year is $29,900 and increases each year by a 3% multiplier. Funds to pay for this contract will be budgeted annually from the (General Funds Finance).

6. **<u>Approval of Davis Road Stormwater Improvements Project (Task Order No. 291) - Invitation to Bid (ITB No. 2024B-004) - Public Works Department (FY 2024 Budget Funded Stormwater Enterprise Fund - ARPA) - Rosso Site Development, Inc.:</u> Motion for the approval to award (ITB No. 2024B-004 [TO No. 291]) to Rosso Site Development, Inc. for $1,710,874.13 to improve the stormwater system around Davis Road between Canal 11 and 10th Avenue North. Funding for the Davis Road Stormwater Improvements**

project (TO No. 291) is available within the FY 2024 - Stormwater Enterprise Fund / ARPA Fund.

Staff: Jimmie Johnson, Director of Utilities

Summary: The Public Works Department has identified the need to address localized flooding within and around Davis Road between Canal 11 and 10th Avenue North. The proposed
improvements would include improving the functionality of the existing roadway drainage system by interconnecting existing drainage structures, regrading and creating roadside swales, and adding exfiltration trenches.

To ensure the lowest possible price for these projects, the Village issued an Invitation to Bid (ITB) on January 11, 2024, for the Davis Road Stormwater Improvement project. Village completed this through a competitive bid selection process - Davis Road Stormwater Improvements - (ITB No. 2024B-004 - February 13, 2024).

Within the Fiscal Year 2024 Budget - Stormwater Enterprise Fund - ARPA, the Village Council approved $1,880,000.00 for the Davis Road Stormwater Improvement project.

The Village received four (4) bid proposals. They reviewed the bids and found that RJ Engineering Construction Corporation did not provide all the required documentation. While they did submit a price, they failed to include any of the necessary bid documents. As a result, their bid of $2,407,777.81 was declared nonresponsive. However, three other bidders provided complete bid packages that included the required documents and demonstrated their experience and references to prove they were qualified for the advertised work.

The Village's Purchasing Code, Section 58-5(4)a - Competitive Selection Purchase Requirements, provides that the Village Manager shall have the authority to reject any bids, proposals, or other responses if it is in the Village's best interest.

After reviewing the four (4) bids received, the Public Works Director, the Village Project Manager, the Village Attorney, and the Village's contracted Engineer, Chen Moore and Associates (CMA), determined that Rosso Site Development, Inc. provided the lowest, responsible, and responsive bid. As a result, the staff are requesting the Council to approve Task Order No. 291 for $1,710,874.13 to Rosso Site Development, Inc.

If approved, the Village will accept Rosso Site Development, Inc.'s pricing, including all terms, conditions, and pricing submitted within their ITB proposal. Further, Rosso Site Development, Inc.'s proposed bid amount ($1,710,874.13) is approximately 35% below the Engineer's cost estimate ($2,430,000.00). The Village will not spend more than the amount in the approved budget, as it may be adopted/amended each year for these goods and services over the term of this contract.

The anticipated time to complete the Davis Road Stormwater Improvements project is December 2024.

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

The proposed vendor has not worked with the Village; however, the Village has received good feedback about the vendor.

Fiscal Impact: Funding to support the Davis Road Stormwater Improvements (Task Order No. 291) is available within the FY 2024 - Stormwater Enterprise Fund/ARPA 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.

7. **Resolution 2024-14 Florida Urban and Community Forestry Grant Application - (Public Works Department) - Florida Department of Agriculture and Consumer Services Tree Canopy at Greenbrier Drive Entryway Beautification Project: for the Florida Urban and Community Forestry Grant Application, which is submitted by the Public Works Department. The grant application is for the Tree Canopy at Greenbrier Drive Entryway Beautification Project. The resolution seeks approval to submit the grant application to the Florida Department of Agriculture and Consumer Services, requesting a sum of $75,000. The funds will be used for the installation of approximately twenty-three trees to beautify the Greenbrier Drive Entryway.**
Staff: Felipe Lofaso, Public Works Director

SUMMARY: As part of the Inflation Reduction Act, the Florida Urban and Community Forestry Program has made available a grant of up to $75,000 for the increase of tree canopy coverage and enhancing public access to nature. The grant does not require a match from the receiving agency.

The staff has reviewed candidate areas for the increase in tree canopy coverage and has identified the Greenbrier Drive Gateway project as the potential candidate for new and additional tree plantings as part of the overall project.

NOTE: Resolution No. 2024-14 to contain language about the Managing agency (The Village) to concur with the grant proposal and maintenance plan.

Fiscal Impact: The Grant does not require a match from the Village; therefore, a potential revenue source of up to $75,000 is available.

8. **Amendment No. 8 to Agreement - Document Storage and Inventory Management Modules Utilities Department (FY 2024 Budget - Water & Sewer Enterprise Fund) - Tyler MUNIS Technologies: Motion for the approval of Amendment No. 8 to Agreement with Tyler MUNIS Technologies for $28,326 for the implementation and equipment costs associated with the addition of the Inventory Management and Document Storage modules. Funding to support this project is available from the FY24 Water and Sewer Fund.**
Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: The Village has been utilizing Tyler Technologies for its MUNIS applications since 1992. In July 2023, the Village signed Amendment No. 7, extending the Agreement for three more years.

Amendment No. 8 includes recurring, implementation, and equipment costs for a document storage solution and inventory management solution added to their current suite of Tyler products. The document storage solution provides enhanced functionality throughout the

Village's current suite of Tyler products. The inventory management solution would allow the user departments, mainly Utilities and Public Works, to manage their inventories more accurately and efficiently, using barcodes to check in and out inventory.

Completing both modules is crucial so that the Utilities and Public Works departments can continue working towards their goal of implementing Asset Management Software. The increase in cost will be as follows:

Document Storage:

- Implementation cost - $8,400.00
- Recurring cost - $5,000.00
- Total: $13,400.00

Inventory Management:

- Implementation cost - $4,900.00
- Recurring cost - $3,116.00
- Equipment cost - $6,280.00
- Total: $14,926.00

Fiscal Impact: Funding to support purchases under this proposed amendment is available within the FY 2024 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.

Note: Funding is available under the line item of Asset Management Software on account 41336- 56601.

9. **Resolution No. 2024-04 - Interlocal Agreement - Wastewater Service and Wastewater Facilities Cost Sharing - Amendment 1 - Utilities Department: Motion for the approval of Resolution 2024-04 of an Interlocal Agreement between the City of Lake Worth Beach and the Water and Sewer Enterprise Fund. The Agreement provides wastewater service and facilities cost-sharing services from September 30, 2023, until September 30, 2033, with two renewal options. Resolution No. 2024-04 continues from February 8, 2024, Village Council Regular Meeting.**
Staff: Kimberly Wynn, Village Clerk

SUMMARY: The Utilities Department is requesting the Village to renew an Interlocal Agreement with The City of Lake Worth Beach to provide wastewater service and wastewater facilities cost- sharing services. The Village has been in an Interlocal Agreement for these services for ten (10) years.

The original Interlocal Agreement between the City of Lake Worth Beach and the Village went into effect on March 27, 2013, and expired on September 30, 2023. The City of Lake Worth Beach has proposed the attached first amendment to the existing Agreement, which the Lake Worth Sub-Regional Board reviewed during meetings on November 8, 2023, and December 13, 2023.

If approved, the Agreement will commence for a ten (10) year term, retroactively commencing on September 30, 2023, and expiring on September 30, 2033, with two (2) additional ten (10) year renewal options remaining.

The amended Agreement includes the following changes that take effect during the 2024-2025 fiscal year.

- The Capital/Repair & Restoration Reserve Fund has been tentatively set at $2,500,000.00 by the board and shall be reviewed annually during budgeting.
- In case of emergency repairs to the shared wastewater collection system, a Catastrophic Fund will be established with a balance of $1,000,000.00 and reviewed annually during budgeting.

The proposed Interlocal Agreement was prepared by the Village Attorney and reviewed by the Lake Worth Sub-Regional Board, Assistant Utilities Director, and Utilities Director.

Fiscal Impact: Funds to support the proposed Interlocal Agreement are available within the FY 2024 Budget - Water & Sewer Enterprise Fund.

10. **Work Authorization No. 1 - Valve Replacement at Main Water Treatment Plant (WTP) - Utilities (FY 2024 - Water and Sewer Fund) - Hinterland Group: Motion to approve Work Authorization No. 1 with Hinterland Group in the amount of $88,510.00 to replace two (2) valves at the Main Water Treatment Plant (WTP) utilizing a Piggyback Agreement with City of Lake Worth Beach. Funding to support purchases under this proposal is available within the FY 2024 - Water and Sewer Fund.**
Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: The Utilities Department needs to replace two valves at the Main Water Treatment Plant. These valves control the flow of water from the contact basin to the recovery basin. They allow the contact basin to be emptied for routine cleaning and maintenance while the recovery basin is used to return the water to the water treatment plant, reducing water loss. Since the piping is large (16") and deep, the Village staff cannot make repairs. Therefore, a contractor that specializes in underground utility repairs will be hired. The cost of replacing both valves is $88,510.00.

To ensure the lowest possible price, the Village staff suggests piggybacking the City of Lake Worth Beach's Emergency Repair contract. This contract is for water, wastewater, and stormwater and was chosen by the City of Lake Worth Beach through a competitive selection process (ITB# 20-106 - June 23, 2020). The Village will accept Hinterland Group, Inc.'s pricing, which is approved under the City of Lake Worth Beach's contract, including all terms, conditions, and pricing. The proposed City of Lake Worth Beach contract will expire on May 30, 2024, but there is an additional one-year renewal option.

The Village's Purchasing Code, Section 58-9, allows it to access contracts from other government agencies for goods and services. 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.

Fiscal Impact: Funding to support purchases under this proposal is available within the FY 2024 - Water and Sewer Fund.

This repair was not requested in the FY 23-24 Utilities Budget as the valves failed during the FY 2024 budget year. An internal budget transfer or budget amendment will be made at a later date, if necessary, to cover the needed repairs.

11. **Authorize Emergency Repair - Force Main Repair L-9 Canal - Utilities (FY 2024 Budget - Water & Sewer Enterprise Fund): The motion to ratify an emergency purchase for repairs was initiated on February 20, 2024, when the Village's force main broke and wastewater spilled into the L-9 canal. Hinterland Group, Inc. was hired for repairs and cleanup, costing $351,712.51. Funding to support the emergency purchase is available from the FY 2024 Budget - Water & Sewer Enterprise Fund.**
Staff: Paul Ward, Assistant Director of Utilities

Summary: On February 20th, 2024, there was a 16-inch force main break in the Village that resulted in the discharge of wastewater into the L-9 canal. The Hinterland Group, Inc. was selected by Utilities to fix the force main and help with the cleanup process due to their immediate availability and experience with the Village. The cost of repairs and cleanup totaled $351,712.51, which the Village Manager approved as an Emergency Purchase.

As per the Village's Purchasing Code, the item is now being presented to the Council for approval, as it exceeded the $35,000 threshold.

Fiscal Impact: Funds to support this emergency repair are available within the FY 2024 Budget – Water and Sewer Fund. A budget amendment or internal budget transfer will be requested if needed at a later date.

12 **Approval of Kudza Road Lift Station Emergency Generator Project Award (Task Order No. 317) - Invitation to Bid (ITB No. 2024B-002) - Utilities Department (FY 2024 Budget Funded - Water & Sewer Enterprise Fund) - Hinterland Group Inc: Motion for the approval to award (ITB No. 2024B-002 - TO No. 317) to Hinterland Group, Inc. for $508,000.00 to incorporate an emergency generator at the Kudza Road Lift Station. Funding for the Kudza Road Lift Station Emergency Generator project (TO No. 317) is available within the FY 2024 – Water & Sewer Enterprise Fund.**
Staff: Walter Sanchez, Project Manager

Summary: The Utilities Department has identified a need for an emergency backup generator to ensure the continuous operation of this critical sewer lift station during power outages.

To ensure the lowest possible price for these projects, the Village issued an Invitation to Bid (ITB No. 2024B-002) on January 25, 2024, for the Kudza Rd. Lift Station Emergency Generator. This process was completed by the Village through a competitive selection process - Kudza Road Lift Station Emergency Generator - (ITB No. 2024B-002 on February 20, 2024).

Within the Fiscal Year 2024 Budget - Water & Sewer Enterprise Fund and the Capital Improvement Plan (CIP), the Village Council approved $250,000.00 for the Kudza Rd Lift Station Emergency Generator. As a result of the Village's ITB, the following single bid proposal was received:

Vendor	Total Bid
HINTERLAND GROUP INC.	$508,000.00

The Village's Purchasing Code - Section 58-5(4)a - Competitive Selection Purchase Requirements, provides that the Village Manager shall have the authority to reject any and all bids, proposals, or other responses if he determines that it is in the best interest of the Village to do so.

After reviewing the one (1) bid received, the Utilities Assistant Director, the Village Project Manager, the Village Attorney, and the Village's contracted Engineer, Holtz Consulting Engineers Inc., determined that Hinterland Group Inc. provided the lowest, responsible, and responsive bid. As a result, the staff is requesting the Council to approve Task Order No. 317 in the amount of $508,000.00 to Hinterland Group Inc.

Note: The Village Council has approved funding ($250,000) within the FY 2024 Budget - Water & Sewer Enterprise Fund to support this project. Although the full cost for this project was not included within the FY 2024 Budget - Water & Sewer Enterprise Fund due to substantial increases in construction costs from the time the Village's budget was approved, funding to support the proposed Kudza Road Lift Station Emergency Generator project is available within the Water & Sewer Fund. An internal budget transfer or amendment to support this proposed cost above the budgeted amount will be completed within the Water & Sewer Enterprise Fund at a later date, if necessary.

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

If approved, it is estimated that the proposed Kudza Rd Lift Station Emergency Generator project is expected to be completed by January 2025.

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

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

Fiscal Impact: Funding to support the Kudza Lift Station Emergency Generator (Task Order No. 317) is available within the FY 2024 - Water and Sewer Enterprise Fund. An internal budget transfer or amendment to support this proposed cost above the budgeted amount will be completed within the Water and Sewer Enterprise Fund at a later date, if necessary.

13. **Approval of Surficial Wellfield No. 12 Rehabilitation (Task Order No. 332) – Work Authorization No. CDU-U01 - Utilities Department (FY 2024 - Water & Sewer Enterprise Fund) - Centerline Drilling, Inc.: Motion for the approval to award a piggyback contract to Centerline Drilling, Inc. for $59,801.28 to perform the rehabilitation of Well No. 12 work. Funding for the Well No. 12 Rehabilitation project (TO No. 332) is available within the FY**

2024 - Water & Sewer Enterprise Fund.
Staff: Jimmie Johnson, Director of Utilities

Summary: The Utilities Department plans to rehabilitate existing Surficial Well No. 12 to provide additional flow and pressure to the Main Water Treatment Plant (WTP), meet regulatory requirements, improve the reliability and redundancy to provide a firm capacity of raw groundwater to the Main Water Treatment Plant. The proposed cost to complete this rehabilitation is $59,801.28.

Note: To ensure the lowest possible price, Village staff are recommending piggybacking the Town of Jupiter's current contract for Surficial Wellfield Rehabilitation. This selection by the Town of Jupiter was completed through a competitive selection process - Surficial Wellfield Rehabilitation Program - (ITB No. W2412 - January 9, 2024). The Village will accept Centerline Drilling, Inc.'s pricing approved under the Town of Jupiter's contract, which includes all terms, conditions, and pricing therein. The term of the proposed Agreement would expire on January 9, 2025, and may be renewed for two (2) additional one (1) year terms.

The Village's Purchasing Code, Section 58-9, Accessing Contracts of Other Government Agencies, provides that the Village may award a contract by piggybacking or accessing the goods and/or services from any State of Florida contract; contracts of any Florida political 38 subdivision; or from any other governmental entity (other than the Federal government); provided that the same or substantially similar goods and/or services were competitively solicited.

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

The Village has previously 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 2024 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.

14. **Pour in Place Foundation Foxtail Palm Park (Task Order No. 345) - Cooperative Purchasing Agreement off Omnia Partners Contract with City of Charlotte - Parks and Recreation Department (FY 2024 Funded - General Fund) – Playcore Wisconsin, Inc. dba GameTime: Motion to approve an Agreement with Playcore Wisconsin, Inc. dba GameTime for $114,737.50 from the Omnia Partners Contract (Playground and Outdoor Fitness Equipment, Site Accessories, Surfacing, and Related Products and Services) through the cooperative purchasing process for the installation of new playground surfacing at Foxtail Palm Park, 3981 Park Lane Road. Funding to support the demolition and preparatory foundation was approved in the FY 2024 General Fund Budget.**
Staff: Juan Ruiz, Director of Parks and Recreation

SUMMARY: The removal of the existing surfacing at the Foxtail Palm Park playground, as well as the installation of a new pour in place surfacing are necessary in order to provide a safer environment for residents utilizing the play area. The cost for the demolition and preparatory foundation work ($114,737.50) was previously approved by the Council as part of the 2023-2024 Parks and Recreation budget.

If approved, the Village would accept Playcore Wisconsin, Inc. d/b/a Gametime's pricing through a cooperative purchasing Agreement off the Omnia Partners Contract with City of Charlotte (RFP #269-2017-0281; Playground Equipment, Outdoor Fitness Equipment, Surfacing, Site Accessories and Related Products and Services) including all terms, conditions, and pricing therein.

The Village's Purchasing Code, Section 58-8: The Village may participate in, sponsor, conduct, or administer a cooperative purchasing Agreement for purchasing. Such cooperative purchasing may include, but is not limited to, joint or multi-party contracts between government entities. Purchases through a cooperative purchasing Agreement are exempt from the competitive selection purchase requirements set forth in this purchasing code. The Council must approve all Village purchases from a cooperative purchasing Agreement which are anticipated to have a total value of more than
$35,000.00

If approved, the proposed removal of the existing playground surfacing and installation of the new pour in place surfacing would be completed within 90-days following the Receipt of Purchase Order by the Village.

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

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

Fiscal Impact: FY 2024 Approved Budget - General Fund – Foxtail Palm Park Improvements - $115,000

Estimated/Actual Project Costs:
Amount Proposed Project Cost – Playground Surfacing Removal and Installation $114,737.50

End of Consent Agenda....
Mayor Smith offered the public an opportunity for public comment. There were no comments from the public on the Consent Agenda. Vice-Mayor Brinkman made a motion to approve the Consent Agenda and Council Member Ready seconded. The said motion carried 4-0.

PRESENTATIONS
At this point, Mayor Smith asked Palm Beach County Battalion Fire Chief Tracy Adams to comment on Village statistics for PBCFR. Chief Adams reported that she served the Village area with several other cities for four (4) years. She thanked the staff for an invitation to Taco Fiesta on April 20, 2024. She also acknowledged the Village for acquiring an access driveway for emergency trucks (275 Alemeda Drive). She cautioned residents to be vigilant in their hurricane preparation. She informed the Council that she did not have statistics available because she changed phones, but she could send them to the Council later. She discussed

the drowning coalition sponsored by the Village Council.

Mayor Smith offered the Council and public an opportunity to comment. Council Member Ready asked if there were any changes to any of the hurricane shelter in Palm Beach County. Chief Adam will get back to the Council with an answer.

15. **Emergency Communications Officers Week Proclamation - April 14 - 20, 2024**
Staff: Kimberly Wynn, Village Clerk

Mayor Smith read the proclamation on the record and presented it to Ms. Martinez, Ms. Niskanen and Ms. Khatami. Chief Ceccarelli then gave comments on the emergency operations function.

16. **Arbor Day Proclamation on April 26, 2024**
Staff: Kimberly Wynn, Village Clerk

Mayor Smith read the Arbor Day proclamation on the record. Mr. Lofaso gave comments and informed the Council that the Arbor Day Event will be acknowledged on April 26, 2024, at 11:00 AM. He stated that the Village will plant an Orange Geiger in front of the newly renovated Splash Pad at Village Hall at 11:00 AM.

17. **Municipal Clerks Week Proclamation Week - May 5, 2024 - May 11, 2024**
Staff: Kimberly Wynn, Village Clerk

Mayor Smith read the proclamation on the record and presented it to Ms. Wynn, Mrs. Worth and Ms. Medero. The Village Manager and Mayor Smith followed up with comments about the operations of the Village Clerk's Office.

<u>REGULAR AGENDA</u>

18. **<u>Purchase Agreement - Portable Radios - Police Department (FY 2024 Budget – Machinery and Equipment and Other Contractual Services - ARPA Funded)</u>: Motion to approve an Agreement with Motorola Solutions to purchase sixty-five (65) Motorola APXN70 portable radios for the Police Department for $511,525.95. Funding to support the purchase is available from ARPA funds and FY 2024 Budget – Machinery and Equipment and Other Contractual Services.**
Staff: Katelyn Niskanen, Police Support Manager

<u>SUMMARY:</u> The Police Department has budgeted $58,000 to replace ten (10) radios and $42,000 to encrypt their current radio system for Fiscal Year 2024. The police department currently uses sixty-seven (67) Motorola radios, which are divided into two models: Motorola APX6000 AN (15 radios) and BN (52 radios) models. The AN model has reached its end of life, and the BN model has about five years left before reaching its end.

To replace the radios, staff recommends transitioning all police radios to the new Motorola APXN70 model instead of purchasing a few radios per year. The new model has a longer life expectancy and provides transmission redundancy, which increases officer safety. The new model can also be remotely programmed, eliminating the costly need to physically touch each radio to update it.

The radios operate on the existing Motorola system and are in line with the level of performance and consistency of the current communication equipment of this brand, as per Purchasing Authority 58-10 Village Standard Product. They are also compatible with the police department's emergency communication consoles.
***(ITEM MOVED TO MAY 9, 2024, VILLAGE COUNCIL REGULAR MEETING AGENDA)*.**

Fiscal Impact: The proposed purchase of 65 Motorola APXN70 radios, including encryption and all necessary accessories, would be priced at $527,775.95. The Village will receive $16,250.00 as a trade-in for the old radios, which brings the purchase cost to $511,525.95.

The FY 2024 Budget – Machinery and Equipment and Other Contractual Services has some funds available to support this purchase. The remaining funds required to purchase the newer radios will come from the allotted American Rescue Plan Act (ARPA) funds.

PUBLIC COMMENT

Mr. Johnnie Tieche - 305 Winged Foot Drive - Mr. Tieche commented on the Easter Hunt event. He was excited about the great turnout and the numerous compliments. He complimented the Parks & Recreation Department.

PUBLIC HEARINGS

19. **Resolution No. 2024-12 - Site Plan (SPR24-04), Special Exception Use (PSSE24-01) and Hours of Operation Variance (PSV24-03) - Woodspring Suites & Everhome Suites Hotels - 2645 10th Avenue North: Motion to recommend approval to the Village Council for a Site Plan (SPR24-04), and concurrently requesting a Special Exception Use (PSSE24-01) and Hours of Operation Variance (PSV24-03) to allow the construction of two four-story hotels buildings with a total of 236 hotel rooms for the Commercial General property located at 2645 10th Avenue North.**
Staff: Iramis Cabrera, PZB Director

SUMMARY: Insite Studio, agent for 10th Avenue Partnership LTD ("Applicant"), submitted an application for a Site Plan (SPR24-04) and concurrently requested a Special Exception Use (PSSE24-01) to allow the construction of two four-story hotel buildings with a total of 236 hotel rooms for the Commercial General property located at 2645 10th Avenue North.

The 4.63-acre site is on the northwest corner of the 10th Avenue North & Florida Mango Road intersection. It retains the Future Land Use designation of Commercial and the Commercial General (CG) zoning district classification. The Applicant is proposing a Site Development Plan (within a Commercial Planned Development) and concurrently requesting a Special Exception Use approval with three Variances to allow the construction of 2 four-story hotel buildings with a total of 236 hotel rooms - Everhomes Suites 114 rooms and Woodspring's Suites 122 rooms.

The proposed site plan will be accommodated within Tract 1 as shown on the previously approved Master Commercial Planned Development Site Plan known as "Village Collection of Palm Springs" under Resolution No. 2023-52. The site was previously referenced as a "Future

Development area" with no set use or site layout associated with it.

As part of the proposed Site Development Plan, the Applicant is requesting three variances **(PSV24- 01, PSV24-02 and PSV24-03)**:

Planning & Zoning Board Consideration:

1. **PSV24-01** - The Village is requesting variance relief from Section 34-1329 (5) (q) to allow a reduction of parking spaces from the required 250 spaces to 235 parking spaces.

2. **PSV24-02** - Requesting a Variance relief from Section 34-826 (10) to allow a maximum building height of 50' rather than 45'maximum permitted. Note: During the Planning and Zoning Board meeting on March 12, 2024, the board approved Variance PSV24-02, but Variance PSV24-01 was recommended for approval pending Council consideration on evaluating a proposed mitigation plan for the deficit of parking in case any parking issues arise once the hotel is open for business.

Council Consideration:

3. **PSV24-03** - Requesting variance relief from Section 34-891(1) to allow 24-hour operations.

The Planning and Zoning Board considered this application during their March 12, 2024,

and recommended approval. The Planning, Zoning & Building staff do not object to the proposed Site Development Amendment and Special Exception Use and recommend conditional approval subject to thirty-eight (38) conditions.

Mayor Smith asked the Council to disclose ex parte communication. Vice-Mayor Brinkman stated that she spoke with Agent on Record on Monday (April 8, 2024). The Village Clerk swore in the applicants and agent for the project.

Ms. Cabrera gave the staff presentation. Iramis Cabrera gave the presentation for staff. She stated that the Insite Studio, acting as an agent for 10th Avenue Partnership LTD, submitted a proposal for a site plan and a special exception use to construct two four-story hotel buildings with a total of 236 hotel rooms at 2645 10th Avenue North. The site is on the northwest corner of the 10th Avenue North & Florida Mango Road intersection, and the proposal includes a Site Development Plan and three Variances. The Planning & Zoning Board considered the application during their meeting on March 12, 2024, and recommended approval, subject to thirty-eight (38) conditions.

Mr. Edwin Mueller, Senior Project Manager with InSite Design gave the applicant's presentation. He advised that Jupiter Realty would be present for questions. He gave background on the project. He mentioned that the project was initially a proposed RaceTrac gas station and Tire Kingdom. The idea was abandoned and is now a proposed hotel.

Mr. Mueller explained a site plan amendment for a proposed hotel development in Palm

Springs. The project includes Woodspring Suites and Everhome Suites, which are limited-service hotels that would provide a safe and convenient lodging option for visitors, locals, and regional residents. The site is located at the intersection of Florida Mango Road and 10th Avenue N, which are classified as Urban Principal Arterials and Urban Minor Arterial roads, respectively. The proposed development is a component of a commercial planned development and would be in harmony with the character and development patterns of 10th Avenue North and Florida Mango Road. A parking reduction for Tract 1 is proposed due to the utilization of a shared parking field for the Planned Commercial Development, which promotes efficient land use. Granting the variance will be in harmony with the general intent and purpose of the zoning ordinance and the Commercial General (CG) District.

He discussed the concerns of the Planning and Zoning Board with parking, outdoor dining and security. The hotel developed rules for parking, for the employees and guests. The hotel would use guest parking permits and employees would have alternate parking. He stipulated the changes in the Guest Policies that would be distributed.

Mayor Smith offered the public and Council an opportunity to comment and ask questions. Council Member Ready asked if there was cross Agreements from any of the neighboring businesses when the Hotel has reached capacity. They also wanted Mr. Mueller to consider if Palm Tran canceled routes, what is an alternate plan.

The Council discussed the height of the building in comparison with neighboring buildings. They wanted clarification on the additional 5 feet height of the building is there a reason to need the additional 5 ft that is requested. Under the current condition, the building is exceeding 45 ft.

There Council asked if there is another Woodspring or Evermore in the area. Mr. Mueller advised that another Evermore is on Congress Avenue and Summit Boulevard. They were also interested in ADA based on the Florida Statutes in compliance should they revisit this policy. They discussed how the conditions would be monitored, whether it's the Village or the hotel and the Certificate of Occupancy (CO). Further discussion ensued about the availability of 221 parking spaces in comparison with 236 rooms. The hotel has stated they would stop selling rooms. The establishment does not accept cash; all transactions are handled with a credit/debit card. The guests may stay 4 continuous weeks, then the guest must re-register. Mayor Smith discussed her concern that the hotel would become housing instead of its intended hotel purpose. Mayor concerned that this would become housing instead of a hotel.

The Village Attorney, Ms. Goddeau, talked about the parking and an attempt to regulate it as much as possible. She stated more clarification can be added to the Site Plan if needed. Police Chief Ceccarelli addressed security at the location. Vice Mayor Brinkman and the Council discussed monthly reports that the hotel would be required to provide to the Village. The report would provide a monthly, daily or weekly report about parking and any other violations. Council Member Ready wanted to know the estimated start time for construction. The Applicant advised that construction would begin in the Summer of 2024. They anticipate completion in 14 months.

Mayor Smith offered the public an opportunity to comment.

Mr. Tieche asked if the Applicant would explain the drivers' license cross check. The applicant explained the process.

The Village Attorney read the title of the caption to the record. Vice Mayor Brinkman made a motion to approve Resolution No. 2024-12. Mayor Smith passed the gavel and gave second. The motion failed 2-2 (Council Member Ready and Mayor Pro Tem Ready dissenting because parking and security).

The Council had further discussion. Council Member Ready explained that he wanted a Cross Agreement for additional parking. The owner explained the restrictions and challenges with parking. He stated he can build additional car park if required. He discussed his reservations while building it up front. It was agreed that a report would be provided to the Council. If the parking lot goes over the proposed capacity more than seven times in a year, they owner must build an additional parking lot.

Vice Mayor Brinkman made a second motion to approve Resolution No. 2024-12 with added conditions that the Applicant must provide a report periodically. If the establishment exceeds 100% capacity seven times or more in a year, additional parking will be built. Council Member Ready seconded the motion. The said motion carried. 4-0.

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

20. **Resolution No. 2024-11: Ratification of Inventory of Municipal Property for Affordable Housing (Senate Bill 102, 2023 Session - Live Local Act): Motion to approve Resolution No. 2024-11 for the Village-owned municipal property inventory for affordable housing under Chapter 125.379 of the F.S. This motion will not affect the Village financially.**
Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: The Live Local Act was passed by the Florida Legislature on October 1, 2023. This legislation requires municipalities to make an inventory list of all real property owned by them or any dependent special district that is appropriate for affordable housing. The list must be approved by resolution, discussed at a public hearing, and posted on the municipality's website.

The Village staff evaluated the properties owned by the Village and found that they all have current viable uses or are reserved for future planned uses. Please note that the Palm Springs CRA does not own any property, and no Village-owned property has been identified as appropriate for affordable housing.

This hearing is solely to meet the legislative requirements and ensure that Village-owned parcels are appropriate for affordable housing. To guarantee this, the staff will review the inventory regularly, at least every three years.

The Assistant Village Manager, Mrs. Glas-Castro introduced this item that the Live Local Act was passed by the Florida Legislature on October 1, 2023, requiring municipalities to make an inventory list of all real property owned by them appropriate for affordable housing. The Village staff has evaluated the properties owned by the Village and found that they all have current viable uses or are reserved for future planned uses. However, the staff will review the inventory regularly, at least every three years, to ensure that Village-owned parcels are appropriate for affordable housing.

Mayor Smith offered the public and Council an opportunity to discuss Resolution No. 2024- 11 further. There were no comments from the public.

The Village Attorney, Ms. Goddeau, read the title of the caption on the record.

Mrs. Glas-Castro stated that the list of properties (although not an inventory) would be posted on the website as required.

Mayor Pro Tem Waller made a motion to approve Resolution No. 2024-11, and Council Member Ready seconded. The said motion carried 4-0.

Fiscal Impact: The discussion of available or surplus Village land does not generate a fiscal impact.

ACTIONS AND REPORTS

There were no Actions and Reports.

VILLAGE MANAGER COMMENTS

The Village Manager, Mr. Bornstein gave an update on the sewer leak in Lake Worth Beach. He complimented the Director, Dr. Jimmie Johnson and the Assistant Director, Paul Ward, for their hard work to get the issue resolved. Although the issue is not the Village directly, our residents are affected. He advised an Emergency Meeting that with being held on April 12, 2024, with the South Florida Wastewater Regional to provide an update on containing the leak. Vice Mayor Brinkman asked if notification could be placed further north to alert the public about closures of the beach, canals for fishing and swimming prohibition.

VILLAGE COUNCIL COMMENTS

The Council discussed events and services around the Villages and thanked the staff for their diligence in containing the sewer leak. Mayor Pro Tem Waller made note that the benches in front of the Library were unattractive, along with the immediate area of the benches. She asked if this could get checked. The Council invited the public to the Great American Clean-Up and the Taco Fiesta event on April 20, 2024.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the Village Council Meeting at 8:04 PM.

The undersigned is the Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Regular Council Meeting held on **April 11, 2024**. Which minutes were formally approved and adopted by the Village Council on **May 9, 2024.**

Kimberly M. Wynn,
Village Clerk

NEXT REGULAR MEETING:
THURSDAY, MAY 9, 2024, AT 6:30 PM