



MINUTES
VILLAGE HALL - COUNCIL CHAMBERS
226 CYPRESS LANE • PALM SPRINGS, FLORIDA
AUGUST 8, 2024 AT 6:30 PM

CALL TO ORDER

Mayor Bev Smith called the Village Council Regular Meeting to order at 6:28 PM.

ROLL CALL

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

Absent: None

Also present are Village Manager Michael Bornstein, Village Attorney Glen Torcivia, Village Clerk Kimberly Wynn, Police Captain Peter Buhr as Sergeant-in-Arms, Assistant Village Manager Kim Glas-Castro, Police Captain Ralph Fequire, Assistant Director of Public Works Timothy Crespo, Director of Utilities Jimmy Johnson and the Director of Public Works Felipe Lofaso.

INVOCATION

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

PLEDGE OF ALLEGIANCE

Mayor Smith announced that Scout Troop 241 and 242 were present. They wanted to earn their Citizenship badge. Two Troop members, Tristan and Julian, led the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

The Village Manager, Mr. Bornstein, stated that Item #6, Modify a Purchase Agreement for FY 24 Police Department Vehicle Purchase was an addendum to the agenda. There was additional information posted in Item #9, Amendment No. 1 - Guaranteed Maximum Price (GMP) for Police Department Building Expansion - Contract for Construction Manager at Risk Services - Kaufman Lynn Construction-(Task Order No. 269). Item #5 Co-Op Agreement - Purchase of Three Drones (Police Department FY 23/24 - Grant Award) Safeware was moved to the Regular Agenda as Item #7A and Item #2 Task Order No. 311 (Amendment No. 1) Public Works Department (ARPA - Funded) - 2nd Avenue North Area Drainage System Improvements Project Keshavarz and Associates, Inc. as Item #7B.

Vice-Mayor Waller made a motion to approve the amended agenda, and Mayor Pro Tem Schmitz seconded it. The said motion carried 5-0.

CONSENT AGENDA

1. **July 25, 2024, Village Council Meeting Minutes:** Motion to approve July 25, 2024, Village Council Regular Meeting Minutes.
Staff: Kimberly Wynn, Village Clerk
2. **(MOVED TO ITEM 7A ON THE REGULAR AGENDA) Task Order No. 311 (Amendment No. 1) Public Works Department (ARPA-Funded) - 2nd Avenue North Area Drainage System Improvements Project Keshavarz and Associates, Inc.:** Motion to approve Task Order No. 311 (Amendment No. 1) to Keshavarz and Associates, Inc. for an additional amount not to exceed \$78,910.00 for a complete street infrastructure improvement project consistent with the Village's goals for the Community Redevelopment Agency (CRA) district and the Transportation/Mobility Plan. The consultant is requested to incorporate these complete street elements into the project and perform the necessary services to achieve this goal. This project is ARPA-Funded.
Staff: Felipe Lofaso, Public Works Director

SUMMARY: On April 13, 2023, the Village approved Task Order No. 311 using funds from the American Rescue Plan Act (ARPA). The Village approved Task Order No. 311 (ARPA funded) to Keshavarz and Associates on April 13, 2023, for the engineering design services for the 2nd Avenue North Area Drainage Improvements Project.

During design, the project evolved from a drainage improvement project to the addition of a complete street infrastructure improvement project consistent with the Village's goals and objectives for the Community Redevelopment Agency (CRA) district and the Transportation/Mobility Plan. Thus, the Village has asked the consultant to incorporate these complete street elements into the project and perform the necessary services to complete the overall design to achieve this goal. The Task Order Amendment No. 1 authorizes the consultant to proceed with these additional services at a cost not to exceed \$78,910.00.

Council Member Brinkman spoke about this item. She advised that she wanted to have the easement acquisition for six (6) additional properties placed as a higher priority.

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

Council Member Brinkman made a motion to approve Task Order No. 311 (Amendment No. 1) with Keshavarz and Associates and Mayor Pro Tem Schmitz seconded it. The said motion carried 5-0.

Fiscal Impact: Task Order No. 311 (ARPA funded) Amendment No. 1 to Keshavarz will be funded through ARPA at a cost not to exceed \$78,910.00. The original Task Order amount is \$490,025.00, and with the addition of \$78,910.00 for

Amendment #1, the total Task Order amount will now be \$568,935.00.

3. **Resolution No. 2024-38 - ITB #2024B-013 - Greenbrier Drive and Davis Road Intersection Improvements Project (TO No. 314) - Public Works (FY 2024 Budget Funded-ARPA Funds) - Heavy Civil, Inc.:** Motion to approve Resolution No. 2024-38 to award ITB #2024B-013 (TO No. 314) - Greenbrier Drive and Davis Road Intersection Improvements Project to Heavy Civil, Inc. in the amount not to exceed \$636,276.74 for the first of two projects that will provide beautification, traffic-calming and community identity for the Village. Funding for this project is available from ARPA Funds.

Staff: Felipe Lofaso, Public Works Director

SUMMARY: The Village recently completed the multi-year planning and design process for the neighborhood improvement projects along Greenbrier Drive as part of the overall gateway improvements. The Greenbrier Drive and Davis Road Intersection Improvements Project is the first of 2 projects that will provide beautification, traffic-calming and community identity for the Village, with the second phase at Greenbrier Drive and Congress Avenue scheduled for construction later this year.

On July 24, 2024, the Village received a total of 3 bids for the project.

<u>NAME</u>	<u>BID AMOUNT</u>
Heavy Civil, Inc.	\$ 636,276.74
R&D Paving, LLC	\$718,470.15
Rosso Site Development	\$735,586.50

Upon review of the bid proposals, it was determined that Heavy Civil, Inc. was the lowest, most responsive, and responsible bidder. The Agreement for the construction services is being recommended to Heavy Civil, Inc. at a cost not to exceed \$636,276.74 (TO No. 314, ARPA funded).

Fiscal Impact: The Agreement with Heavy Civil, Inc. is being funded through ARPA funds from 01441-56300 (T.O.#314) at a cost not to exceed \$636,276.74.

4. **Ratify the Drone Replacement Program Financial Assistance Agreement with the Florida Department of Law Enforcement:** Motion to ratify a Financial Assistance Grant Agreement with the Florida Department of Law Enforcement for \$74,892 for the purchase of three drones to be used by the Police Department.

Staff: Thomas Ceccarelli, Police Chief

SUMMARY: In 2021, the Police Department purchased three (3) DJI (Da-Jiang Innovations) drones. In 2023, the Department of Management Services published

an update to the Florida Administrative Code with a minimum security standard for drones used by governmental entities. The current Police Department DJI drones do not meet this standard and need to be replaced by drones that meet the minimum security standard. To assist Florida police departments in acquiring drones that meet the minimum security standards, the Florida Department of Law Enforcement (FDLE) created a grant opportunity to fully finance replacement drones, up to \$25,000 per drone, for agencies that have drones that are not in compliance. In order to apply for this grant, the Drone Replacement Program Financial Assistance Agreement must be signed by the Chief Official for the Village. FDLE has designated the Mayor as the Chief Official for the Village. The Agreement was reviewed by the Village Attorney.

Fiscal Impact: The fiscal impact to replace three drones is \$74,892, which will be fully reimbursed through the grant. There will be a budget amendment to recognize the grant revenue, and the funds will be provided to the Police Department.

5. **(MOVED TO ITEM 7B ON THE REGULAR AGENDA) Co-Op Agreement - Purchase of Three Drones (Police Department FY 23/24 - Grant Award)**

Safeware: Motion to approve the purchase of three (3) drones for \$74,892 for the Police Department via Safeware Co-Op Agreement to meet standards for government agencies. Funding for the drones is supported by a Florida Department of Law Enforcement (FDLE) grant.

Staff: Thomas Ceccarelli, Police Chief

SUMMARY: The Police Department has previously purchased three (3) DJI drones at a cost of \$2,997 in 2021. In an update to the Florida Administrative Code, the Department of Management Services has published a minimum security standard for drones used by governmental entities. The drones the Police Department currently owns do not meet this standard, and these drones need to be replaced by drones that meet the minimum security standard. The Florida Department of Law Enforcement (FDLE) has created a grant opportunity (up to \$25,000 per drone) to finance replacement drones for agencies that still have drones that are not in compliance. This grant has been requested, and we will make the purchase upon receipt of the grant funding. The total purchase price for the three drones is \$74,892.

The purchase is being made pursuant to section 58-8 of the Village's Purchasing Code, which allows the purchase of goods via a Cooperative Purchase Agreement. This purchase will be made from Safeware's cooperative purchasing agreement.

Fiscal Impact: The total cost for the three replacement drones with accessories is \$74,892; however, the FDLE grant will cover the full cost of the replacement drones. A budget amendment will be made to recognize the grant revenue and provide the funds for the police department.

Captain Buhr presented this item. He explained that the Police Department purchased three(3) DJI drones for \$2,997 in 2021. An update to the Florida Administrative Code (FAA) has established a minimum security standard for drones used by governmental entities. The current drones do not meet this standard and need to be replaced with compliant ones. The Florida Department of Law Enforcement (FDLE) offered a grant of up to \$25,000 per drone to finance replacement drones for non-compliant agencies. The Village applied for the grant to fund the purchase of three (3) replacement drones at a total cost of \$74,892. The purchase is made under the Village's Purchasing Code, using Safeware's cooperative purchasing agreement.

Mayor Smith offered the public an opportunity to comment. There were no comments from the public. Council Member Ready asked if the drone system is able to secure Be On the Lookout (BOLOs). Captain Buhr advised that the drone system magnified the resources for the Police Department. Vice-Mayor Waller inquired how the drones would be used. Captain Buhr explained the drones can help locate missing children, investigate criminal activity, map out and photograph crime scenes and Buhr explained drones can assist with locating missing children, criminal activity, map and photo crime scenes, and to assess damage after storms or disasters.

Council Member Ready made a motion to approve the Co-Op Agreement with Safeware to purchase three (3) drones for the Police Department and Vice-Mayor Waller seconded it. The said motion carried 5-0.

6. **(ADDENDUM) Modify a Purchase Agreement for FY24 Police Department Vehicle Purchase:** Motion for the approval to modify a purchase Agreement approved on January 11th, 2024, by the Village Council for the purchase of six (6) 2024 vehicles to adjust the purchase of two (2) out of the four (4) marked vehicles from 2024 Chevrolet Tahoe 1500 to 2023 Chevrolet Tahoe 1500. The adjusted amount, including outfitting, would be \$10,601.10 less.
Staff: Thomas Ceccarelli, Police Chief

SUMMARY: On January 11th, 2024, the Village Council approved the purchase of six (6) vehicles: four (4) - 2024 Chevrolet Tahoe 1500 marked vehicles for \$197,650.72 (\$49,412.68 per vehicle), one (1) – 2024 Chevrolet Tahoe 1500 unmarked vehicle for \$54,693.60, and one (1) – 2024 Chevrolet Equinox unmarked vehicle for \$25,822.10 from Garber Chevrolet.

Due to dealership inventory and department standards, we are requesting Village Council approval to adjust the purchase of two (2) out of the four (4) marked vehicles from 2024 Chevrolet Tahoe 1500 to 2023 Chevrolet Tahoe 1500.

The current vendor stock for the 2024 Chevrolet Tahoe is white. Due to department standards, marked vehicles used by sworn personnel are required to be black. To satisfy the Village's requirement, the vendor has available two (2)

2023 Black Chevrolet Tahoe 1500, which have already been outfitted with most of our required emergency equipment.

Vehicles	Base Price	Outfitting Costs	Total Cost
2024 Chevrolet Tahoe (2)	\$98,825.36	\$28,276.74	\$127,102.10
2023 Chevrolet Tahoe (2)	\$113,988.00	\$2,513.00	\$116,501.00
		Net Savings	\$10,601.10

The purchase of these vehicles falls under the current Sheriffs Association & Florida Association of Counties contract (FSA23-VEH31.0 – October 1, 2023), which is on file with the Clerk's Office per the previous Council approval on January 11th, 2024.

Fiscal Impact: With this adjustment and the purchase of 2023 models, the Village will be saving an approximate total of \$10,000 from the previously approved purchase. This includes estimated adjustments for additional outfitting needed for these two vehicles. See chart below for an estimated breakdown per vehicle.

7. **Resolution No. 2024-39 Budget Amendment American Rescue Plan Act (ARPA) Funding:** Motion for the approval of Resolution No. 2024-39 to the American Rescue Plan Funding (ARPA) projects to reflect changes in project costs, the addition of new projects like property acquisition, and removal of projects that may not meet the grant's commitment and expenditure requirements.

Staff: Rebecca Morse, Chief Financial Officer

SUMMARY: The American Rescue Plan Funding (ARPA) projects have been updated to account for changes in project costs, the addition of new projects like property acquisition, and the removal of projects that may not meet the grant's requirements for commitment and expenditure.

Attached is a reconciliation document that outlines the original approved funding amounts and details the adjustments made to arrive at the revised transfer of funding from ARPA to the different funds.

Fiscal Impact: This amendment increases the ARPA funding to General Fund by \$4,824,669, decreases ARPA funding to the CRA by \$1,442,500, increases the funding to the Water and Sewer Enterprise Fund by \$1,075,703 and decreases the ARPA funding for the Stormwater Enterprise Fund by \$1,364,917. These adjustments reflect projected ARPA expenses for FY2024.

End of Consent Agenda....

Mayor Smith offered the public an opportunity for public comment. There was none. Council Member Brinkman made a motion to approve the Consent Agenda and Council Member Ready seconded it. The said motion carried 5-0.

PRESENTATIONS

REGULAR AGENDA

8. **Approve Work Authorization No. CH-U01 – Utilities EOC & Operations Building at Main WTP Project (TO No. 331) - Professional Engineering Services - Utilities Department (FY 2024 Budget Funded - Water & Sewer Enterprise Fund) - CHA Consulting, Inc.** Motion to approve Work Authorization No. CH-U01 with CHA Consulting, Inc., for \$437,873.88 for professional engineering design and bidding services associated with the Utilities EOC & Operations Building at the Main Water Treatment Plant (WTP). Funding to support the Utilities EOC Ops Building at the Main WTP is provided by the FY24 Water & Sewer Enterprise Fund.
Staff: Jimmy Johnson, Director of Utilities

SUMMARY: The Utilities Department is requesting approval of Work Authorization CH-U01 (Task Order No. 331) with CHA Consulting, Inc. for professional engineering services (design) associated with the additional Utilities EOC Operations Building at the Main Water Treatment Plant (WTP).

The Utilities Department recently relocated its operations center and crews in a swap with the Public Works Department from the 2400 Building on Kirk Rd to the Main WTP. The current existing buildings and layouts at the Main WTP are not conducive to handling the needs of the department and with the expansion of the department with additional personnel, and with space needs at the Main Village Hall also increasing, the Utilities Department has identified a need to have its own EOC and Operations Building at the Main WTP. The design services will include the demolition of the existing structures, design of a new building, design of a generator for emergency power of the building as well as replace the existing generator for the Main WTP, design of a new fuel storage system, and the design of any civil needs for the site. The EOC and Operations building will house Utilities Field Operations and Utilities Administration, as well as act as the EOC for Utilities during storm events or emergencies. The estimated total construction cost of the building is \$7 million.

Therefore, CHA Consulting, Inc. (formerly Eckler Engineering, Inc.), one of the Village's contracted engineers, has been requested to provide a Work Authorization proposal to design the Utilities EOC Ops Building at the Main WTP.

Note: This proposal currently only includes design, bidding assistance, bid evaluation, and bid recommendation. An additional proposal will be provided for construction management once a design is determined and finalized. The Village

Council is requested to authorize funding to support all requisite professional engineering services, and all related tasks associated with the design of the Utilities EOC & Operations Building at Main WTP to be completed by CHA Consulting, Inc., the Village's contracted engineering firm. The proposed tasks and associated cost to provide the professional engineering Design and Bidding services to complete this project are \$437,873.88.

The Village Council has approved funding (\$250,000) within the FY 2024 Budget - Water & Sewer Enterprise Fund to support this project. 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. If approved, it is estimated that the design work will take approximately fourteen (14) months from the date the task order is authorized to CHA Consulting, Inc. and construction is estimated to take approximately twelve (12) months following the Notice to Proceed by the Village.

Staff recommends the approval of the proposed Work Authorization CH-U01 (Task Order No. 331) with CHA Consulting, Inc. for \$437,873.88 for professional engineering design and bidding services associated with the Utilities EOC Ops Building on the Main WTP project.

The proposed work authorization was prepared by CHA Consulting, Inc. and reviewed by the Assistant Utilities Director, Village Project Manager, and Finance Director.

Fiscal Impact: Funding to support the Utilities EOC Ops Building at the Main WTP Project (Task Order No. 331) was provided within the Water & Sewer Enterprise Fund. The Village will not expend more than the amount in the approved budget as it may be adopted/approved each year for these goods and services for the term of the contract.

Dr. Johnson presented this item. He explained that the Utilities Department is requesting approval for professional engineering services to design an additional Utilities Emergency Operations Center (EOC) and Operations Building at the Main Water Treatment Plant (WTP). The project aligns with a comprehensive plan and infrastructure improvement. The proposed work authorization with CHA Consulting, Inc. totals \$437,873.88 for design and bidding services. The construction cost of the building is estimated at \$7 million. The Village Council has approved \$250,000 within the FY 2024 Budget to support the project. The design work is expected to take approximately fourteen (14) months, followed by an estimated twelve (12) months for construction. He asked for approval of the work authorization.

Mayor Smith offered the public an opportunity to speak. Council Member Ready asked Dr. Johnson what the size of the property is. Dr. Johnson advised that he get this information at a later time for Council Member Ready.

Council Member Ready made a motion to approve Work Authorization No. CH-U01 for a Utilities EOC & Operations Center and Mayor Pro Tem Schmitz seconded it. The said motion carried 5-0.

9. **Amendment No. 1 - Guaranteed Maximum Price (GMP) for Police Department Building Expansion - Contract for Construction Manager at Risk Services - Kaufman Lynn Construction - (Task Order No. 269):** Motion to approve Amendment No. 1 to the GMP Agreement with Kaufman Lynn, Inc., for a Construction Manager at Risk Services for the Police Department Building Expansion to provide pre-construction and construction services for the expansion of the police department building.

Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: Village staff is requesting approval of Amendment No. 1 to the Contract for Construction Manager at Risk Services with Kaufman Lynn Construction, Inc., approved December 8, 2022, to provide pre-construction and construction services for the expansion of the police department building. Amendment No. 1 is the guaranteed maximum price (GMP) of the construction costs for the police department expansion and renovations.

Kaufman Lynn has offered a GMP of \$14,163,938 for the building expansion and selected renovations to the existing building (a preliminary cost estimate of \$14,142,971 was previously provided). The GMP excludes a conservative savings of 1.25% on sales tax for Village purchase exemptions. Village direct purchase of materials and equipment will result in an estimated savings of \$131,750.

As noted at the April 18, 2024 special meeting, there are costs for the police department expansion/renovation that are not included in the GMP including furniture/furnishings and:

Kaufman Lynn's GMP	\$14,163,938
Song & Associates costs to finalize construction drawings	\$ 70,000
Village Responsibility: owner's representative	\$ 200,000
Village Responsibility: network structural cabling	\$ 210,782
Village Responsibility: security access control	\$ 143,000
Village Responsibility: building systems control	\$ 50,000

ESTIMATED TOTAL: \$14,837,720

Upon Council approval of the GMP, the construction manager will be issued a Notice to Proceed, Long-Lead Items (generator and switch gear) will be ordered, and temporary measures for police and fire access will be instituted.

Note: While Kaufman Lynn has worked with sub-contractors to obtain the lowest price for the various components of the building, the Village's Owner's

Representative/Project Manager, Greg Siefker, will continue to review the construction drawings, specifications and schedules and provide "value engineering" recommendations on design and materials to guide a building expansion that 1) will allow continued operations in the existing portion of the building during construction, 2) can be constructed within a 12-16 month timeframe based on supply chain knowledge, and 3) is within the Village's programmed budget.

Amendment #1 was prepared by the Village Attorney and reviewed by the Assistant Village Manager, Project Coordinator and Owner's Representative.

Fiscal Impact: Funding to support the Police Department building expansion/renovation is available within the FY 2024 Budget and Proposed FY2025 Budget - General Fund and the Capital Improvement Plan (CIP) utilizing Infrastructure Surtax (Sales Tax) funds. This project is expected to extend into FY26.

The Village Manager, Mr. Bornstein presented this item. Mr. Bornstein requested approval of Amendment No. 1 to the Contract for Construction Manager at Risk Services with Kaufman Lynn Construction, Inc. The purpose of the amendment is to provide pre-construction and construction services for the expansion of the police department building. Amendment No. 1 represents the Guaranteed Maximum Price (GMP) of the construction costs for the police department expansion and renovations.

Mr. Bornstein stated that the goal is to break ground on August 19, 2024. The Construction Manager at Risk, Mr. Greg Seifert was introduced to the Council. He gave brief comments about the project. He explained there is a plan to replace the windows and doors at the Fire Department. The goal is to complete the project in fourteen (14) months. The Construction Risk Manager plans to work on the expansion and the new building simultaneously.

Mayor Smith offered the public and council an opportunity to speak. There were no comments from the public. Mayor Smith asked if the new building is rated (Hurricane) Category 5.

PUBLIC COMMENT

Mayor Smith introduced Palm Beach County Commissioner Michael Barnett. Commissioner Barnett gave an update about the bridge renovations on 6th Avenue North. He spoke with the Palm Beach County Engineering Department and Mr. David Ricks, who informed him the bridge would reopen August 19, 2024. There is a grand opening expected. He discussed some of the issues that caused delays, like the wrong density that was used by the subcontractor and how there was damage to the piping.

He also complimented the Scouts on their leadership and teamwork - needed lifelong characteristics. He encouraged them to strive and get into public service. The Village Manager, Mr. Bornstein, thanked Commissioner Barnett for his responsiveness to residents.

PUBLIC HEARINGS

None

ACTIONS AND REPORTS

None

VILLAGE MANAGER COMMENTS

The Village Manager, Mr. Bornstein talked about the "Central Cities Coop's".

He mentioned the Transportation Planning Agency's (TPA) discussion and the questions that were asked. The TPA was given a general sense of what is needed to do a short term and long term plan.

VILLAGE COUNCIL COMMENTS

The Council discussed the Village events and invited everyone to the Fishing Event at Sago Park on August 17, 2024, from 10 AM - 12 PM.

At this point, Mayor Smith introduced Battalion Fire Chief Tracy Adams. Chief Adams gave the fire rescue stats. There was a total of 376 calls last month. Council Member Ready asked if the Fire Department used dalmatians. Chief Adams advised that Labradors are generally used.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the Village Council Regular Meeting at 7:22 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 **August 8, 2024**. Which minutes were formally approved and adopted by the Village Council on **September 12, 2024**.

Kimberly M. Wynn

Village Clerk

**NEXT REGULAR MEETING:
THURSDAY, SEPTEMBER 12, 2024, AT 6:30 PM
(IMMEDIATELY FOLLOWING THE CRA BUDGET MEETING)**