



**VILLAGE COUNCIL MEETING MINUTES
VILLAGE HALL - COUNCIL CHAMBERS
226 CYPRESS LANE • PALM SPRINGS, FLORIDA
SEPTEMBER 26, 2024 AT 6:30 PM**

CALL TO ORDER

Mayor Bev Smith called the Village Council Regular meeting to order at 6:30 p.m.

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 were Village Manager Michael Bornstein, Village Attorney Christy Goddeau, Village Clerk Kimberly Wynn, Police Chief Thomas Ceccarelli as Sergeant in Arms, Assistant Village Manager Kim Glas-Castro, Director of Public Works Felipe Lofaso, Director of Planning, Zoning and Building Iramis Cabera, Director of Library Services Jossie Maliska, Police Explorers, Director of Utilities Dr. Jimmie Johnson, and Assistant Public Works Director Timothy Crespo.

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

There were no Additions, Deletions, or Modifications to the agenda.

CONSENT AGENDA

Council Member Ready made a motion to approve the agenda as presented, and Vice Mayor Waller seconded it. The said motion carried 5-0.

1. **Resolution No. 2024-45 Contract Award RFP No. 2024R-005 Holiday Tree Lighting and Decoration Displays - Parks and Recreation Department (FY 2025 Funded - General Fund) - Shellard Lighting Design, LLC:** Motion for the approval of Resolution No. 2024-45 to award RFP No. 2024R-005, the Holiday Tree Lighting and Decoration Project, to Shellard Lighting Design, LLC for a period of three years, with the option to renew for two additional years, based on the outlined pricing structure. Funding will be available contingent upon the approval of the FY25 General Fund - Public Works Budget.
Staff: Juan Ruiz, Director of Parks and Recreation

SUMMARY: The Village Council is asked to approve the award of the contract for

Holiday Season Tree Lighting and Decorations to Shellard Lighting, LLC. This contract will cover various village locations for an initial three-year period with the option for two one-year renewals.

A Request for Proposal (RFP No. 2024R-005) was issued for the provision of tree lighting and decorative services for the holiday season throughout several village locations. The Village received five responses to the RFP. The evaluation committee, reviewing all proposals for price, experience, and service offerings, has selected Shellard Lighting as the preferred vendor.

Shellard Lighting was chosen as the most qualified and cost-effective vendor for this project. Their proposal was deemed to offer the best value for the Village based on competitive pricing, quality of service, completeness of proposal, and their proven experience in similar municipal projects.

Contract Details:

- **Duration:** Three (3) years, with two (2) one-year renewal options.
 - **Year 1 Cost:** Not to exceed \$33,000.
 - **Year 2 and 3 Pricing:** The Vendor has proposed a 12% decrease in pricing for years 2 and 3.
 - **Renewal Years 4 and 5 Pricing:** Vendor has proposed a 15% reduction in costs for years 4 and 5, should the Village exercise the renewal options.

The Village Council is recommended to approve the award of the Holiday Season Tree Lighting and Decorations contract to Shellard Lighting for an initial three-year term, with the option to renew for two additional years, based on the outlined pricing structure.

The proposed agreement was prepared by the Village Attorney and reviewed by the Parks and Recreation Director, Public Works Assistant Director, and Finance Director.

Fiscal Impact: Funding to support this purchase is available within the FY 2025 Budget - General Fund (Public Works). The year one (1) cost will not exceed \$33,000. Budget considerations for future years, as proposed by the selected vendor (years 2 and 3), should account for a 12% price decrease each year. Should the Village opt to extend the contract for years 4 and 5, a 15% reduction will be applied.

2. **Resolution No. 2024-41 Contract Award ITB No. 2024B-014 - Main & RL Pratt Water Treatment Plants Ammonia Feed System Improvements Project Award (Task Order No. 321 & 322) – Utilities Department (FY25 Budget Funded – Water & Sewer Enterprise Fund) - Florida Design Drilling, LLC:** Motion for the approval of Resolution No. 2024-41 to award ITB No. 2024B-014-Task Order No. 321 and 322 with Florida Design Drilling, LLC for \$984,400.00 for replacement and improvements associated with the Main and RL Pratt Water Treatment Plants for the Ammonia Feed System Improvements. Funding to support the proposed Main

& RL Pratt Water Treatment Plants Ammonia Feed System improvements is available within the FY 2024 Budget – Water & Sewer Enterprise Fund.

Note: The proposed bid amount of \$984,400.00 was submitted by Florida Design Drilling, LLC, and was above the engineer's estimate of \$949,300.00. The Village will not expend more than the amount within the approved budget as it may be adopted/amended each year for these goods and/or services over the term of this contract.

Staff: Jimmie Johnson Director of Utilities, Paul Ward, Assistant Director of Utilities

SUMMARY: The Village owns and operates the Main Water Treatment Plant and the RL Pratt Water Treatment Plant, which utilize combined chlorine as the Public Water Systems residual disinfectant, the feed rate of sodium hypochlorite and anhydrous ammonia requires careful control and operation to allow an adequate free chlorine residual to be maintained before anhydrous ammonia feed point for an adequate anhydrous ammonia feed rate to be 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, the addition of 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 to maintain high- quality drinking water.

To ensure the lowest possible price for this project, the Village issued an Invitation to Bid (ITB) on August 1, 2024, for the Main & RL Pratt Water Treatment Plants Ammonia Feed System improvements. This process was completed by the Village through a competitive selection process-Main & RL Pratt Water Treatment Plants Ammonia Feed System Improvements (ITB No. 2024B- 014) on August 29, 2024.

Within the FY 2025 Budget – Water & Sewer Enterprise Fund and the Capital Improvement Plan (CIP), the Village approved \$800,000.00 (TO#321 - \$400,000.00 – TO#322 - \$400,000.00) for the Main & RL Pratt Water Treatment Plants Ammonia Feed System improvements. 2 bid proposals were received.

<u>Vendor</u>	<u>Total Bid</u>
Lawrence Lee Construction Services, Inc	\$1,304,000.00
Florida Design Drilling, LLC	\$984,400.00

After reviewing the 2 bids received, the Utilities Director, Assistant Utilities Director, Utilities Project Manager, the Village Attorney, and the Village's Consulting Engineer, Kimley-Horn, determined that Florida Design Drilling, LLC provided the lowest responsible and responsive bid. As a result, the staff is recommending that the Council award this proposed contract (Task Orders No. 321 & 322) to Florida Design Drilling, LLC for the amount of \$984,400.00.

The project will take approximately 365 days to complete following the Notice to Proceed from the Village.

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

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

Fiscal Impact: Funding to support the proposed Main & RL Pratt Water Treatment Plants Ammonia Feed System improvements is available within the FY 2024 Budget – Water & Sewer Enterprise Fund.

Note: The proposed bid amount \$984,400.00 was submitted by Florida Design Drilling, LLC and was above the engineer's estimate of \$949,300.00.

The Village will not expend more than the amount within the approved budget as it may be adopted/amended each year for these goods and/or services over the term of this contract.

3. Resolution No. 2024-40 Replacement of Surficial Aquifer Well No. 14 Project Award (Task Orders No. 316 & 323) ITB #2024B-015 - All Webbs Enterprises, Inc.: Motion for the approval of Resolution No. 2024-40 to award ITB No. 2024B-015 - Task Orders No. 316 and 323 to All Webbs Enterprises for \$1,742,114.00 to reconstruct one existing production Well No. 14 and Emergency Back-Up Generator for Surficial Aquifer Well No. 14. Funding to support the Reconstruction of Surficial Aquifer Well No. 14 (Task Orders No. 316 and 323) 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. Staff: Jimmie Johnson Director of Utilities, Paul Ward, Assistant Director of Utilities

SUMMARY: The Utilities Department identified the need to replace Well No. 14 due to low water production. The project will require re-locating the well and providing new piping, valves, instruments, and a new pump. In addition, a permanent standby generator will be provided to service this well, as well as Well No. 13.

To ensure the lowest possible price for this project, the Village issued an Invitation to Bid (ITB) #2024B-015 on August 1, 2024, to reconstruct one (1) existing production Well No. 14 and Emergency Back-Up Generator. This process was completed by the Village through a competitive selection process on August 22, 2024.

Within the Fiscal Year 2024 Budget - Water & Sewer Enterprise Fund and the Capital Improvement Plan (CIP), the Village Council approved \$1,200,000.00 for the Reconstruction of Surficial Aquifer Well No. 14 and Emergency Back Up Generator. As a result of the Village's ITB, the following two (2) bid proposals were received:

<u>Vendor</u>	<u>Total Bid</u>
All Webbs Enterprises, Inc.	\$1,742,114.00
Florida Design Drilling LLC.	\$2,001,520.00

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 two (2) bids received, the Village Assistant Director of Utilities, the Village Project Manager, the Village Attorney, and the Village's contracted Engineer, Holtz Consulting Engineers, Inc., determined that All Webbs Enterprises, Inc. provided the lowest, responsible, and responsive bid. As a result, the staff is requesting the Council to approve Task Orders No. 316 & 323 in the amount of \$1,742,114.00 to All Webs Enterprises, Inc.

If approved, the Village would accept All Webbs Enterprises, Inc.'s pricing, including all terms, conditions and pricing as submitted within their ITB proposal. Further, the proposed bid amount submitted by All Webbs Enterprises, Inc. (\$1,742,114.00) is below the Engineer's cost estimate (\$1,912,100.00) by approximately 9%. 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 Reconstruction of Surficial Aquifer Well No. 14 and the Emergency Back-Up Generator project is expected to be completed by November 2025.

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

The Village has not previously worked with the proposed contractor but has received excellent references.

Fiscal Impact: Funding to support the Reconstruction of Surficial Aquifer Well No. 14 (Task Order #316 & 323) is available within the FY 2025 - 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.

4. **Professional Services Agreement - Lobbying Services - Ronald L. Book, P.A.:**
Motion to approve a Professional Services Agreement with Ronald L. Book, P.A.,

for a retainer amount of \$50,000 for state lobbying services. Funding that is available is the proposed FY 2025 Village Council Budget.

Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: Last year was the first time that the Village engaged a law firm that specializes in lobbying services to represent our interests in Tallahassee and place us in a better position for State discretionary funding. With the assistance of the team from Ronald L. Book, P.A., the Village was able to obtain a State appropriation of \$1 million for the Congress Avenue Sanitary Sewer Force Main project.

Staff is recommending that the Village again engage Ronald L. Book, P.A., who has an office in Tallahassee (Florida) and Hollywood (Florida). They bring extensive experience in legislative representation as well as professional respect among legislators. Locally, they have represented the Village of Royal Palm Beach, Loxahatchee Groves, Palm Beach County, and numerous other South Florida cities.

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

Fiscal Impact: The proposed Fiscal Year 2025 Village Council budget includes \$50,000 for a lobbyist. Item is budgeted in account 01111-53100 for Fiscal Year 2025.

5. **Sodium Hypochlorite Contract - Piggyback - Utilities Department (FY 2025 Budget Funded - Water & Sewer Enterprise Fund) - Allied Universal Corporation:** Approve a piggyback agreement with Allied Universal Corporation for a Sodium Hypochlorite Contract – Piggyback - Utilities Department (FY 2025 Budget Funded - Water & Sewer Enterprise Fund) - Allied Universal Corporation.
Staff: Paul Ward, Assistant Director of Utilities.

SUMMARY: The Utilities Department, throughout the year, purchased Sodium Hypochlorite, which is a critical chemical component in the water treatment process and works in conjunction with ammonia to create chloramine used as a disinfectant. The Village utilizes chloramine as a long- lasting disinfectant that aids in ensuring that we maintain compliance with Health Department standards and provide high-quality water for our customers. The Village currently uses Allied Universal Corporation to assist with this type of chemical, and the previously piggybacked contract (from Charlotte County) expires on September 30, 2024.

To ensure the lowest possible price, staff recommended the Village piggyback Charlotte County's current contract and awarded Allied Universal Corporation. This selection by Charlotte County was completed through a competitive selection process - Water and Wastewater Chemicals (ITB #2024000547–August 14, 2024).

If approved, the Village would accept Allied Universal Corporation's pricing by piggybacking Charlotte County's contract, including all terms, conditions, and

pricing therein. The term of the proposed Agreement would expire on September 30, 2025, and may be renewed for two (2) additional one (1) year periods. The Village will not expend more than the amount in the approved budget as it may be adopted/amended yearly for these goods and services over the contract term.

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 and reviewed the proposed Agreement with the Utilities Director, Assistant Utilities Director, and Finance Director.

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 2025 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.

6. **Change Order #2 to Rosso Site Development for the Davis Road Stormwater Improvements Project in an amount not to exceed \$203,407.33 (ARPA - TO#291):** Motion for the approval of Change Order #2 with Rosso Site Development for an amount not to exceed \$203,407.33 for the importation of clean fill, haul-off/disposal of muck, and loss of crew production to compensate the contractor related to the Davis Road Stormwater Improvement Project. This is an ARPA Funded project.

Staff: Felipe Lofaso, Public Works Director

SUMMARY: The Davis Road Stormwater Improvements Project is currently under construction and during the underground stormwater work on Davis Road a very thick layer of unsuitable muck material was encountered that was approximately 4' to 5' thick. As this material cannot be utilized in the trench backfill because it cannot be compacted, it must be excavated, hauled off, disposed of, and replaced with clean suitable fill material. The Village worked with the engineer of record and contractor to determine the total limits of the muck material and negotiated the financial impact to the Village. The change order to Rosso Site Development is inclusive of all labor, equipment, material and disposal costs to properly handle the material and replace it with clean suitable fill. The amount of the change order is \$203,407.33, which includes all the additional work and associated costs that will be required as a result of the unforeseen condition.

Fiscal Impact: The Change Order #2 to Rosso Site Development, Inc. will be paid

for through ARPA funds at a cost not to exceed \$203,407.33, TO #291, Fund 42338-56391.

7. **Approve Main and RL Pratt Water Treatment Plants Protective Coating System Restoration (Task Orders No. 343 & 344) - Work Authorization No. KH-U24 - Utilities Department (FY 2025- Water & Sewer Enterprise Fund) - Kimley-Horn and Associates Inc.:** Motion for the approval of Task Orders No. 343 and 344 - Work Authorization No. KH-U24 to Kimley-Horn and Associates, Inc. for the amount of \$75,000 to perform protective coating system restoration work to the infrastructure at the Main and RL Pratt Water Treatment Plants (WTPs). Funding to support purchases under this proposed agreement is available within the FY 2025 Budget - Water & Sewer Enterprise Fund.

Staff: Jimmie Johnson Director of Utilities, Paul Ward, Assistant Director of Utilities

SUMMARY: The Village needs to perform protective coating system restoration work to the infrastructure at the Main and RL Pratt Water Treatment Plants (WTPs). The coating systems applied to infrastructure are critical in prolonging the service life and mitigating long-term damage to equipment. The condition of existing coating systems is suspect and in need of replacement.

The Village Council is requested to approve Work Authorization No. KH-U24 to support all required professional engineering services and related tasks associated with Main & Pratt Water Treatment Plants Coating System Restoration – (Task Orders No. 343 & 344) - by Kimley Horn and Associates, Inc., the Village's contracted engineering firm. The proposed tasks and associated costs to provide the professional engineering services are \$75,000.00.

The Village Council has approved \$1,800,000.00 for the Main & Pratt Water Treatment Plants Coatings System Restoration (Task Orders No. 343 & 344) within the FY 2025 Budget - Water and Sewer Enterprise Fund.

The staff recommends approval of the proposed Work Authorization No. KH-U24 - Kimley Horn and Associates, Inc. of \$75,000.00 for professional engineering services associated with the Main & Pratt Water Treatment Plants Coatings System Restoration – (Task Orders No. 343 & 344). 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 No. 2024R-001 - Utility Engineering Services Continuing Contracts under the Consultants Competitive Negotiation Act CCNA - Section 287.55, Florida Statutes.

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 2025 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. **Authorize Emergency Repair - Force Main Repair Florida Mango Road - Utilities (FY 2024 Budget - Water & Sewer Enterprise Fund):** Motion to approve an emergency repair and extend the existing Piggyback agreement with the City of Lake Worth for a valve on the Village's 18" force main that runs along Florida Mango Road and interconnects with The City of Lake Worth Beach. Hinterland Group, Inc. was hired for repairs and cleanup, costing \$154,225.96. 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: Following the break on the City of Lake Worth Beach's 36" force main on April 9, 2024, a valve utilized to divert sewage flow to Palm Beach County was found to be faulty. The valve allows the Village to bypass its interconnect with the City of Lake Worth Beach and immediately divert flow to Palm Beach County. Following the completion of the force main repair by Lake Worth Beach, the Village discovered that it could not redirect flow back through the City of Lake Worth Beach and would need the services of a contractor to replace the 18" force main valve. Hinterland Group, Inc. was selected by Utilities to fix the force main due to their immediate availability and experience with the Village, as well as their willingness to allow the Village to utilize the pricing of their emergency repair contract with Lake Worth Beach. The cost of repairs, maintenance of traffic, and site restoration totals \$154,225.96, 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 for this emergency repair are available within the FY 2024 Budget – Water and Sewer Fund. A budget amendment or internal budget transfer will be requested at a later date if needed.

End of Consent Agenda....

Council Member Brinkman made a motion to approve the Consent agenda, and Mayor Pro Tem Schmitz seconded. The said motion carried 5-0.

PRESENTATIONS

9. **Helix Urgent Care 21st Anniversary Proclamation**

Staff: Kimberly Wynn, Village Clerk

Mayor Smith read the proclamation into the record and presented a proclamation into the record.

REGULAR AGENDA

None

PUBLIC COMMENT

Mayor Smith opened the meeting to public comment.

1. Johnnie Tieche - 305 Winged Foot Drive - Mr. Tieche commented on the success of the fishing tournament. He also appreciated that the Davis Bridge was almost complete.

PUBLIC HEARINGS

10. **(Second Reading/Final Budget Adoption) Ordinance No. 2024-07 - Adoption of FY 24-25 Millage Rates - Operating & Debt Service:** Motion to approve Ordinance No. 2024-07 on First Reading for the FY 24-25 operating millage rate for the Village of Palm Springs is hereby levied for 3.5000 mills which is a 1.12% decrease, below the rolled-back rate of \$3.5396. The real property tax roll for the current calendar year has been certified by the Palm Beach County Property Appraiser for a nonexempt valuation of \$1,989,329,411 and of tangible personal property for nonexempt valuation of \$86,692,464 of a total gross taxable value for operating purposes of \$2,076,021,875.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: The Village Council is requested to establish the final operating and debt service millage (property tax) rates for the Village of Palm Springs for the upcoming Fiscal Year (FY 24-25) beginning October 1, 2024, and ending September 30, 2025. Additionally, the Council is requested to consider certifying the Village's taxable value to the PBC Property Appraiser as well as other related financial information:

The Village received Form DR-420 - Certification of Taxable Value and Form DR-420 Debt - Certification of Voted Debt Millage from the PBC Property Appraiser's Office. These forms certify the Village's taxable values for the upcoming fiscal year (FY 24/25) as well as other related financial information:

- The gross taxable value for all properties within the Village for the fiscal year (FY 24/25) is \$2,071,709,568, an increase of \$171,897,832 over the fiscal year (FY 23/24).

- The rolled-back rate is calculated at 3.5396 per 1,000 taxable values. The Village's fiscal year (FY 24/25) operating millage for the General Fund is \$3.50 per \$1,000 of the taxable value or a decrease of 1.12% below the rolled-back rate (At 100% collection, the expected operating millage is expected to generate \$7,250,983 in ad-valorem tax revenue; however, the Village budgets at a 96% collection ratio; thus, the proposed budgeted revenue is expected to be \$6,960,944).
- The total taxable value within the Village to calculate the debt service millage rate is \$2,076,021,875; thus, the proposed millage rate required to pay the Village's general obligation debt for fiscal year (FY 24/25) is \$0.2121 per \$1,000 of taxable value. That is a decrease of 0.0198 from fiscal year (FY 23/24).
- The combined millage rates for fiscal year (FY 24/25) (3.5000 operating + 0.2121 debt = 3.7121 total mills) are .0198 mills lower than the combined approved millage rates for fiscal year (FY 23/24) (3.5000 operating + 0.2319 debt = 3.7319 total mills).
- The gross taxable increment value (TIF) for the Palm Springs Community Redevelopment Agency (CRA) for fiscal year (FY 24/25) is \$166,959,558. The Palm Springs CRA will receive TIF funding from the Village of Palm Springs and Palm Beach County at the Village's approved millage rate - a proposed \$3.50 per \$1,000 taxable value. At 100% collection, the total increment/revenue expected to generate is \$584,358; however, the Village budgets at a 95% collection ratio; thus,
- The proposed budgeted increment/revenue expected is \$555,141). This is the fifth year the Village has had the Palm Springs CRA.

Ordinance No. 2024-07 establishes the millage rates for the fiscal year (FY 24/25). The proposed fiscal year (FY 24/25) millage rate ordinance was approved on the first reading on September 12, 2024. The proposed fiscal year (FY 24/25) millage rate ordinance is presented to the Village Council for consideration on the 2nd and final reading.

Note: Ordinance No. 2024-07 was presented to the Council for the First Reading on September 12, 2024. It was publicly noticed as required by State Statutes. The staff will submit the required Form DR-420 - Certification of Taxable Value and the Form DR- 420Debt - Certification of Voted Debt Millage to the PBC Property Appraiser, PBC Tax Collector, and the State of Florida.

The Village Clerk Ms. Wynn read the advertisement statement into the record. Ordinance No. 2024-07 was advertised in the Palm Beach Post on Sunday, September 22, 2024. Ms. Frederiksen was available to answer questions from the Council and the public. There were no further questions.

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

Council Member Brinkman made a motion to approve Ordinance No. 2024-07 on

First Reading for the FY 24-25 operating millage rate for the Village of Palm Springs is hereby levied for 3.5000 mills, which is a 1.12% decrease, below the rolled-back rate of \$3.5396. The real property tax roll for the current calendar year has been certified by the Palm Beach County Property Appraiser for a nonexempt valuation of \$1,989,329,411 and of tangible personal property for nonexempt valuation of \$86,692,464 of a total gross taxable value for operating purposes of \$2,076,021,875. Mayor Pro Tem Schmitz seconded the motion. There was a roll call vote as follows: Vice Mayor Waller - Yes, Mayor Pro Tem Schmitz - Yes, Council Member Brinkman - Yes, Council Member Ready - Yes, and Mayor Smith - Yes. The said motion carried 5-0.

Fiscal Impact: Establishes the final operating millage rate, debt service millage rate and millage rate for the Palm Springs CRA for the proposed budget for the fiscal year (FY 24/25.).

11. **(Second Reading/ Final Budget Adoption) Ordinance No. 2024-08 - Adopt FY 2024-2025 Budget:** Motion to approve Ordinance No. 2024-08; adopting an annual budget for the year beginning October 1, 2024, and ending September 30, 2025, in the amount of \$102,036,208 for the Village's projected operating expenditures on Final Reading.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: Under the Village Charter and state law, the proposed ordinance establishes a balanced annual budget for the Village of Palm Springs for \$102,036,208 for the Fiscal Year (FY) beginning October 1, 2024, and ending September 30, 2025. The proposed budget includes the following funds:

General Fund	\$48,054,157
American Rescue Plan Fund	\$6,435,383
Palm Springs CRA	\$3,337,381
Debt Service Fund	\$422,618
Water and Sewer Enterprise Fund	\$38,324,227
Stormwater Enterprise Fund	\$5,462,442
Total	\$102,036,208

The Village Council held a budget workshop on July 25, 2024, to discuss the proposed budget and review staff recommendations. The proposed ordinance establishes the budget for the upcoming fiscal year.

Attached to the proposed ordinance is a summary of the proposed revenues by source and proposed expenditures by function. The budget summary was advertised in the Palm Beach Post on September 22, 2024, and posted on the

Village's website – www.vpsfl.org -- under state law. The complete budget is available in the Office of the Village Clerk for review.

The Village Clerk, Ms. Wynn read the advertisement in the record. It was advertised in the Palm Beach Post on Sunday, September 22, 2024. The Village Attorney, Mrs. Goddeau, read the title of the caption to the record. Mayor Smith opened the meeting to public comment. There were no comments from the public or the Council.

Vice Mayor Waller made a motion to approve Ordinance No. 2024-08; adopting an annual budget for the year beginning October 1, 2024, and ending September 30, 2025, in the amount of \$102,036,208 for the Village's projected operating expenditures on Final Reading. Council Member Ready seconded the motion. There was a roll call vote as follows: Vice Mayor Waller - Yes, Mayor Pro Tem Schmitz - Yes, Council Member Brinkman - Yes, Council Member Ready - Yes, and Mayor Smith - Yes. The said motion carried 5-0.

Fiscal Impact: The proposed ordinance establishes the Operating Budget for the General Fund, American Rescue Plan Fund, Palm Springs CRA, Debt Service Fund, Water and Sewer Enterprise Funds, and the Stormwater Enterprise Fund for the fiscal year beginning October 1, 2024, and ending September 30, 2025.

12. **(Quasi-Judicial Hearing) Resolution No. 2024-44 - Palm Beach Habilitation Center - 4522 South Congress Avenue - Site Plan Amendment (SPR24-05) and Special Exception Use (PSSE24-02) to allow the creation of an Arts and Cultural Center:** Motion to approve Resolution No. 2024-44 for a Site Plan Amendment (SPR24-05) and Special Exception Use (PSSE24-02) approval to allow the conversion of three (3) buildings into an Arts and Cultural Center for its clients within the Commercial General property located at 4522 South Congress Avenue.

Staff: Iramis Cabrera, PZB Director

SUMMARY: The Palm Beach Habilitation Center is a facility that provides services to adults with developmental, emotional, and physical disabilities to achieve their most significant level of independence. It serves women and men in job training, employment opportunities, recreational experiences, and retirement services.

The applicant is requesting a site plan amendment (SPR24-05) and a special exception use (PSSE24-02) to allow the renovation of three (3) existing buildings to create an Arts and Cultural Center for its clients. This renovation will require a 345-square-foot addition to the warehouse building and a new 3,000-square-foot storage building within 1.26 acres located on the southeast portion of the Palm Beach Habilitation Center campus. The project constitutes an amendment to the previously approved site plan for 2019, where an 11,775-square-foot building was going into construction for a Cultural Arts facility.

The request includes the renovation of three existing buildings (a warehouse, a

workshop building, and a programming building) to be converted into an Arts and Cultural Center for ARC clients. The center will feature a large multipurpose space that can host art shows and workshops, theatrical performances, and other art classes. In addition, buildings will be renovated for a pre-function space and a locker room/restroom.

Additionally, a new parking area with nine additional parking spaces north of the proposed Arts and Cultural Center is proposed in conjunction with new planting materials including Southern Live Oaks and Christmas Palms along the northern façade of the pre-function space.

Within the existing storage area at the southeast portion of the campus, a new 3,000-square-foot storage building is proposed to house the materials currently being stored within the three buildings being renovated for the Arts and Cultural Center. The existing landscaping around the existing storage area will remain.

The Planning and Zoning Board considered this application during their September 10, 2024, meeting and recommended approval.

Based on surrounding characteristics, staff recommends conditional approval of the proposed Site Plan Amendment and Special Exception Use.

Mayor Smith asked the Council to disclose their ex parte communication. There was no ex parte communication; however, Council Member Brinkman declared a Conflict of Interest and recused herself. She stated that Urban Design Studio is her employer.

The Village Clerk swore in the Applicant, Marty Minor. He gave a brief presentation about the project and entered it into the record. Mayor Smith offered the public an opportunity to further comment. There were no comments from the public. The Village Attorney read the title of the caption to the record.

Council Member Ready motioned for the approval of Resolution No. 2024-44, and Vice Mayor Waller seconded. The said motion carried 4-0 (Brinkman abstained).

Fiscal Impact: The proposed request does not have any immediate fiscal impact on the Village since the Palm Beach Habilitation Center is tax-exempt; however, the proposed renovations may have a positive effect on neighboring properties.

ACTIONS AND REPORTS

There were no actions or reports.

VILLAGE MANAGER COMMENTS

The Village Manager, Mr. Bornstein, thanked the council and staff for their support of the budget. He talked about his plan for the upcoming fiscal year regarding the budget.

VILLAGE COUNCIL COMMENTS

Due to the bad weather conditions that were anticipated, the Mayor asked that Council comments be postponed.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the Village Council Regular Meeting at 6:46 p.m.

The undersigned is the Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Regular Council Meeting held on **September 26, 2024**. Which minutes were formally approved and adopted by the Village Council on **October 10, 2024**.

Kimberly M. Wynn
Village Clerk

**NEXT REGULAR MEETING:
THURSDAY, OCTOBER 10, 2024, AT 6:30 PM**

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Brinkman Joni Sue		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Village of Palm Springs Council	
MAILING ADDRESS 201 Rex Court		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY Palm Springs	COUNTY Palm Beach	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY	
DATE ON WHICH VOTE OCCURRED 11/10/22		NAME OF POLITICAL SUBDIVISION: Village of Palm Springs	
		MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE	

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Joni Brinkman, hereby disclose that on September 26, 20 24 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☐ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of Urban Design Studio, by _____ , whom I am retained; or
- ☐ inured to the special gain or loss of _____ , which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I am employed by Urban Design Studio who is acting as agent for the owner processing the Palm Beach Habilitation Center application (public hearing item ~~12~~ on agenda). To avoid a perception of conflict I will not be voting on the item.

~~12~~
12

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

September 26, 2024

Date Filed

Joni Brinkman
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.