VILLAGE COUNCIL MEETING
MINUTES, COUNCIL CHAMBERS
226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
OCTOBER 10, 2024 AT 6:30 PM

CALL TO ORDER

Mayor Bev Smith called the Village Council Regular meeting to order at 6:31 p.m.

ROLL CALL

Present: Vice Mayor Patti Waller, Mayor Pro Tern 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 Glen Torcivia, Deputy Village Clerk Jane Worth, Police Chief Thomas Ceccarelli as Sergent in Arms, Assistant Village Manager Kim Glas-Castro, Director of Public Works Felipe Lofaso, Director of Planning, Zoning and Building Iramis Cabrera, Director of Utilities Dr. Jimmie Johnson.

INVOCATION

The Village Manager, Mr. Bornstein gave the Invocation and asked for a moment of silence for all victims of Hurricane Milton.

PLEDGE OF ALLEGIANCE

The Village Council led in the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Manager Bornstein made the following changes:
Item #6 Resolution 2024-51 - the final version has the wrong effective date. It will be today, October 10, 2024.
Item #8 moved to Public Hearings as Item #14.5.
Items #13 and #14 should read "Continued to November 14, 2024, Council Meeting" instead of "Postponed."

Council Member Joni Brinkman requested the addition of the TPA Citizens Advisory Committee Member appointment. Mayor Smith agreed to add Item 12A to Public Hearings.

Vice Mayor Waller motioned to approve the modifications as presented, and Mayor Pro Tem Schmitz seconded the motion. The said motion carried 5-0.

CONSENT AGENDA

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

1. **Approval of the September 12, 2024, Village Council Regular Meeting Minutes (First Budget Hearing): Motion for the approval of the September 12, 2024, Village Council Regular Meeting Minutes (First Budget Hearing).**
   Staff: Kimberly Wynn, Village Clerk

2. **<u>Approval of the September 26, 2024 Village Council Regular Meeting Minutes (Final Budget Hearing):</u> Motion for the approval of the September 26, 2024, Village Council Regular Meeting Minutes (Final Budget Hearing).**
   Staff: Kimberly Wynn, Village Clerk

3. **<u>Appointment to the Library Advisory Board:</u> Motion to Approve the appointment of Ms. Stacey-Hill as a Regular Member to the Library Board, to serve an unexpired term that ends May 14, 2027.**
   Staff: Jane Worth, Deputy Village Clerk

   <u>SUMMARY:</u> Currently there is one (1) Regular Member vacancy due to the resignation of Ms. Karen Gebo on August 31, 2023. There are also two (2) Alternate Member vacancies on the Library Board.

   Ms. Stacey Hill has submitted an application expressing an interest in serving as a Regular Member. If approved, she would serve an unexpired three (3) year term that ends on May 14, 2026.

   If the appointment is approved, there will be two (2) Alternate Member vacancies on the Library Board remaining.

   <u>FISCAL IMPACT:</u>
   The proposed appointment does not have a fiscal impact on the village.

4. **<u>Appointment to the Police Officer's Pension Board of Trustees:</u> Motion to approve the reappointment of Mr. Thomas Gehrman as a Resident Member to the Palm Springs Police Officers' Pension Board of Trustees for a term that ends September 30, 2026.**
   Staff: Jane Worth, Deputy Village Clerk

   <u>SUMMARY:</u> Staff requests that the Village Council reappoint one member to the Police Officers' Pension Board of Trustees. The term for Mr. Thomas Gehrman expired on September 30, 2024. No other applications were received.

   Mr. Gehrman has submitted an application indicating his interest in remaining on the Board. Therefore, the staff recommended the reappointment of Mr. Gehrman to the Police Officer's Pension Board of Trustees as a Resident Member for a two-year term that expires September 30, 2026.

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

   <u>FISCAL IMPACT:</u>
   The proposed appointment does not have a fiscal impact on the village.

5. **<u>Agent of Record–Employee Benefits Broker Services Agreement – Piggyback – RSC INSURANCE BROKERAGE, INC (d/b/a The Gehring Group):</u> Approve the piggyback Agreement for the Agent of Record Employee Benefits Broker Services with the RSC INSURANCE BROKERAGE, INC piggybacking the City of Parkland - (Group Benefits Consultant/Agent of Record - RFP # 2022-03) for $30,000 per year ($7,500 per quarter) for a**

Consultant to help in the selection of health insurance, dental insurance, vision insurance, and other ancillary products. This Agreement shall commence on October 1, 2022, and shall remain in effect for two (2) years, with three (3) additional one (1) year term(s). Funding to support this service is available within the FY 2025 Budget - General Fund and Water & Sewer Enterprise Fund.
Staff: Ashley Saingilus, Human Resources Director

<u>SUMMARY:</u> The Village uses a consultant to select health insurance, dental insurance, vision insurance, and other ancillary products. RSC INSURANCE BROKERAGE, INC currently provides employee benefits.

The Village is proposing to accept RSC INSURANCE BROKERAGE, INC's Employee Insurance pricing by piggybacking the City of Parkland's RFP #2022-03 contract, including all terms, conditions, and pricing therein. The City of Parkland has approved the extension of services using the first of three (3) one year extensions. This extension is subject to all terms/conditions contained in the original contract. This contract renewal is in effect for the period beginning October 1, 2024 and ending September 30, 2025. The Village will not expend more than the amount within the approved budget as it may be adopted/amended each year for these goods and services over the term of this contract.

The Village may award a contract by piggybacking or accessing the goods and/or services from any State of Florida contact; 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 per Village Purchasing Code.

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

<u>FISCAL IMPACT:</u>
Funding to support this service is available within the FY 2025 Budget - General Fund and 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.

<u>Note:</u> A flat annual consulting fee (equal to the estimated commission) will remain the same at $30,000 ($7,500 quarterly).

6. **<u>Resolution No. 2024-51 - In Support of a Collaborative Process for Developing and Creating a Countywide Transportation Plan:</u> Motion for the approval of Resolution No. 2024-51 to support the procurement and oversight of consultants for developing a countywide Transportation Plan, supporting the formation of a Technical Advisory Committee. There is no direct fiscal impact on the Village.**
Staff: Kimberly Glas-Castro, Assistant Village Manager

<u>SUMMARY:</u> The Palm Beach County City Manager's Association (PBCCMA) has drafted a Scope of Services for a Countywide Transportation Planning effort. This countywide project proposes that the Intergovernmental Coordination Program (ICP), which all cities, the county, and several special districts are party to, provides the framework for a planning process.

- The ICP's Multijurisdictional Issues Coordination Forum Executive Committee (MICFEC) is proposed to serve as the Oversight Board for the Consulting Firm hired to craft the Countywide Transportation Plan.

- The formation of an expanded version of the Intergovernmental Plan Amendment Review Committee (IPARC) is proposed by adding municipal and County Engineers, Public Works, IT, and others as deemed appropriate by MICFEC to serve as the Technical Advisory Committee (TAC).

If approved, the proposed resolution will be provided to the Palm Beach County Board of County Commissioners, to the other 38 cities, and to the School Board.

FISCAL IMPACT:
There is no direct fiscal impact as a result of this item.

7. **Resolution No. 2024-48 Grant Agreement with the State of Florida (FY25 Appropriation) - Congress Avenue Sanitary Sewer Force Main - $1,000,000: Motion for the approval of Resolution No. 2024-48 that the Florida Legislature appropriated $1 million in the FY24-25 budget to the Village of Palm Springs' Congress Avenue Sanitary Sewer Force Main Project. This $1 million appropriation is a reimbursement grant administered by the Florida Department of Environmental Protection.**
Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: The Florida Legislature approved a $1 million appropriation in its 2024-2025 budget for the Village of Palm Springs' Congress Avenue Sanitary Sewer Force Main Project. In May 2024, the Village and County entered into an Interlocal Agreement to partner in installing sanitary sewer lines along the Congress Avenue corridor in a $3 million project.

The Village had requested a $3 million appropriation to expand the scope of the wastewater project to serve additional properties along the Congress Avenue corridor and within the Palm Springs Community Redevelopment Agency (CRA) District. While less than the original request, the $1 million State appropriation will assist in funding a portion of the project's construction costs on a reimbursement basis.

Note: Holtz Consulting Engineers, the Village's Engineer of Record, is finalizing the construction plans. Staff will be proposing that the construction contract be awarded to one of the Palm Beach County Water Utility Department's contractors via piggyback on a continuing construction services agreement. Award of a construction contract is estimated to occur in May 2025.

FISCAL IMPACT:
This $1 million appropriation is treated as a reimbursement grant and is administered through the Florida Department of Environmental Protection.

8. **Temporary Use Permit Agreement - Tacos al Carbon - 4420 Lake Worth Road: Motion to consider a Temporary Use Permit Agreement with Tacos al Carbon at 4420 Lake Worth Road to allow the continued use of the 1.5-acre property as a restaurant with accessory outdoor seating area, and commercial vehicle storage (food trailer, corn roasters, storage**

trailer, etc.) while the property pursues final site plan approval process.
Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Kevin McGinley, agent for Tacos Al Carbon, is requesting approval of a temporary use permit to allow the continued use of the 1.5-acre property as a restaurant with accessory outdoor seating area, and commercial vehicle storage (food trailer, corn roasters and refrigerated storage trailer) while the property seeks final site plan approval process.

The temporary use permit is being requested for a maximum of nine months to continue to occupy the property notwithstanding certain non-conformities with the current annexation agreement and the Village's regulations while the site plan is being processed and construction of required improvements is completed.

Note: Village Land Development regulations Section 34-895 governing temporary use permits limit the approval of temporary uses to a 2-year duration.

The property presently supports a 1,197 sq ft restaurant building, which was annexed to the Village in 2014 under an annexation agreement. Provisions of the annexation agreement required that the property owner complete construction of all improvements depicted on the final site plan approved by Palm Beach County within twelve months of the effective date of the annexation agreement (improvements were supposed to be completed by December 11, 2015).

Additionally, at the time of the execution of the annexation agreement, the following identified permitted uses were allowed to remain:

- Mobile food trailers shall be permissible use for 12 years - mobile sales shall be conducted from a single portable trailer or truck and shall be removed/relocated at least three times per week (no use of unapproved portable stands, tents, canopies, trailers, etc. permitted).
- Signage shall comply with the Village Land Development Regulations.
- Parking lots and access drives shall be maintained in good and non-dusting conditions.
- Garbage shall be disposed of in an approved dumpster and screened in accordance with the Village's land development standards.
- No additional mobile food trailer or concession equipment may be operated on the property at any time.
- A maximum of four mobile corn roasters, one cold storage trailer and one dry storage trailer is permitted to be stored within the storage area, screened from view, and secured with a fence or wall in compliance with the Village's regulations.

Compliance with the Annexation Agreement between the property owner and the Village shall include compliance with all the following:

- Obtain an approved site plan or remove all violations from the property and return it to a state of compliance with all applicable Village of Palm Springs ordinances.
- Mobile Food Trailer to be removed/relocated at least three times per week; no use of unapproved portable stands, tents, canopies, trailers. This food trailer is not mobile. It is anchored to the ground and tied to electricity and plumbing <u>without permits and inspections</u>. All unpermitted electrical and plumbing must be disconnected until permitted.
- Remove all prohibited use of tents, canopies, and trailers

- Remove or obtain permits for all upgraded electricity without permits and inspections
- Remove all prohibited A-Frame signage.
- Repair and improve the parking lot, which is not maintained in good, non-dusting condition.
- Screen the dumpster from view and remove all trash and debris present.
- Only one (1) cold storage trailer, one (1) dry storage trailer, and one (1) corn roaster are allowed on site and must be stored in the newly constructed storage area.

Since the property owner has failed to comply with the December 2014 Annexation Agreement and has continued to operate for the last nine years without any improvements or real investment, staff does not support the applicant's request and recommends denial of the temporary use agreement. The CRA staff wants to be supportive of neighborhood-oriented businesses. However, the proposed temporary use may contribute to blight rather than assist in achieving the redevelopment and revitalization objectives of the Lake Worth Road district.

Should the Village Council desire to recommend approval of the Temporary Use, the Village's attorney shall review and approve the agreement.

FISCAL IMPACT:
The proposed request does not have a fiscal impact on the Village.

9. **Resolution: 2024-52 - Geographic Information System Services - Piggyback - All Departments (FY 2025 Budget Funded - General Fund/ Water & Sewer Enterprise Fund) - Florida Technical Consultant, LLC.: Motion for the approval of Resolution No. 2024-52 to Piggyback an Agreement with Florida Technical Consultants, LLC., through the Town of Jupiter Island, for continued Geographic Information System (GIS) services on an as-needed basis for a contract term expiring on February 22, 2027. Under this proposed agreement, funds from the FY 2025 General Fund and Water and Sewer Enterprise Fund will be available to support services.**
Staff: Paul Ward, Assistant Director of Utilities

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

For the lowest possible price, the staff recommends that the Village piggyback off the current Town of Jupiter Island contract awarded to Florida Technical Consultants, LLC. completed through a competitive selection process - Geographic Information System Consulting Services (RFQ 2023-02).

If approved, the Village would accept Florida Technical Consultant, LLC.'s pricing by piggybacking the Town of Jupiter Island's contract, including all terms, conditions, and pricing. The proposed agreement would expire on February 22, 2027, and has two (2) additional one (1) year renewal options. The Village will only expend the amount in the approved budget as it may be adopted/amended each year for these goods and services over the term of this contract.

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

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

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

FISCAL IMPACT:
Funding to support services under this proposed agreement is available within the FY 2025 Budget Various Depts as follows: General Fund (01224-53400) $100K, (01229-53400) $4,200 (01441-53400) $5,000 & Water/Sewer Enterprise Fund (41336-53400) $35K.

10. **Proposed Resolution No. 2024-50 State of Florida Cooperative Purchase Agreement and Purchase Order with Step One Automotive - Motion for approval of Resolution No. 2024-50 of a Cooperative Agreement with Step One Automotive through the State of Florida Cooperative Purchase Agreement (Contract # 25100000-23-STC) in the amount not to exceed $443,462.92 for nine (9) vehicles for the Water Utilities Department.**
Staff: Felipe Lofaso, Public Works Director

SUMMARY: The Village's Water Utilities Department is actively engaged in the maintenance and management of the water and sewer utilities for municipal customers throughout the Village and within the service area. A key component of the success of this responsibility is to keep all assets in proper condition and maintain a replacement schedule as assets age and become too costly to maintain.

The most efficient manner in which to procure vehicle assets is to utilize existing cooperative purchase agreements already in place in the State of Florida. The Staff has reviewed the various available cooperative purchase agreements and is seeking approval of the utilization of the State of Florida Department of Management Services Contract #251000000-23-STC. The approved vendor through this cooperative agreement is Step One Automotive.

The Water Utilities Department has identified a total of nine (9) vehicles that are in need of replacement and are beyond their useful life. The Village has received a proposal from Step One Automotive, who is a member of the State of Florida Department of Management Services Cooperative Purchase Agreement (Contract #25100000-23-STC).

The staff is seeking approval of both the utilization of the State of Florida Department of Management Services Contract #25100000-23-STC and the subsequent purchase order with Step One Automotive for the procurement of 9 vehicles at a cost not to exceed $443,462.92.

FISCAL IMPACT:
The Purchase Order with StepOne Automotive for the procurement of 9 vehicles at a cost not to exceed $443,462.92 from account #41336-56400

End of Consent Agenda....
Motion to approve the Consent agenda as modified was made by Council Member Ready and second by Vice Mayor Waller. Motion carried 5-0

PRESENTATIONS

11. **National Breast Cancer Awareness Month: Recognizing October as National Breast Cancer Awareness Month and October 18th as Mammography Day.**
    Staff: Andrea Medero, Records Clerk

    Mayor Smith read the proclamation into the record and presented the proclamation to Staff member Maria Izzo.

12. **Proclamation Recognizing Florida City Government Week - October 10 - 16, 2024**
    Staff: Andrea Medero, Records Clerk

    Mayor Smith read the proclamation into the record and presented the proclamation to Deputy Village Clerk Jane Worth.

PUBLIC COMMENT

Johnnie Tieche - 305 Winged Foot Road - Mr. Tieche thanked the staff for a great job of keeping the Village in excellent shape during the hurricane. There were other residents that he spoke with who said they were impressed with all the trucks that were out picking up vegetation and other items that people put out at the last minute.

PUBLIC HEARINGS

14A. Council Member Brinkman said Mr. Johnnie Tieche has volunteered to be appointed to the Citizens Advisory Committee. Members review and give input to the Transportation Planning Agency (TPA) on agenda items. The Village Council all agreed Mr. Tieche would do a great job.

14.5 Temporary Use Permit Agreement - Tacos al Carbon - 4420 Lake Worth Road: Motion to consider a Temporary Use Permit Agreement with Tacos al Carbon at 4420 Lake Worth Road to allow the continued use of the 1.5-acre property as a restaurant with accessory outdoor seating area, and commercial vehicle storage (food trailer, corn roasters, storage trailer, etc.) while the property pursues final site plan approval process.

This item was moved to Item #14.5
4420 Lake Worth Road Tacos El Carbon - Director Iramis Cabrera presented this item. She informed the Council that Tacos El Carbon was requesting the mobile food trailer on the west lot to be permanent for 9 months, while the property seeks final approval for a site plan. Currently, the property has multiple code violations and is not compliant with the Temporary Use Agreement. Staff does not support the request and requests the property owner to move forward with improvement and compliance to their property.

Council Member Brinkman stated she spoke with Mr. McGinley. Mr. Kevin McGinley represented Tacos El Carbon and the owner, Eloisa Delgado. Mr. McGinley first wanted to commend the Villages website as everything regarding announcements during the hurricane was in the hands of the residents.
Mr. McGinley gave a background history of Tacos El Carbon and the requests that are being made by Tacos El Carbon. Mr. McGinley informed the Village Council that Mrs. Delgado has retained a civil engineer, surveyor, and all proper employees to move the project along. Mrs. Eliosa Delgado, the owner of Tacos El Carbon, spoke regarding the history of the business and the obstacles that

happened along the way, causing hardship.

Council members had questions regarding the Special Magistrate violations and fines and the new building proposed. Code Enforcement Officer Nanciann Cuenot informed the Council of the violations brought before the Special Magistrate. A fine of $250.00 per day, per violation will be applied if compliance is not met with the violations.

Village Attorney Glen Torcivia answered questions regarding the violations and procedures of the Special Magistrate.

There were no other comments from the public.

A motion to approve the temporary use agreement for Tacos El Carbon was moved by Council Member Brinkman and seconded by Council Member Ready with all conditions brought forward by staff. Motion carried 5-0.

13. **Proposed Resolution No. 2024-47 - Hours of Operation Variance (PSV-24-07) - El Torito Sports Pub & Cantina - 4469 South Congress Avenue Suite 107-109: Motion to consider an application for Hours of Operation Variance (PSV24-07) from Section 14-61 for a three-hour deviation to allow the existing 8,500 s.f. Sports bar to be open until 5:00 a.m., Thursday through Sunday, instead of 7:00 a.m. to 2:00 a.m.**
    THIS ITEM IS BEING POSTPONED TO NOVEMBER 14, 2024 COUNCIL MEETING
    Staff: Iramis Cabrera, PZB Director

14. ***(Quasi Judicial Hearing / Second Reading)*** **Ordinance No. 2024-06 - Comprehensive Plan Text Amendment - Evaluation and Appraisal Review (EAR) Based Amendments: Motion to approve Ordinance No. 2024-06 to amend the Comprehensive Plan of the Village of Palm Springs with the 2024 Evaluation and Appraisal Review (EAR) based amendments; providing for recitals, adoption, conflicts, repeal, severability, applicability, transmittal.**
    THIS ITEM IS POSTPONED TO THE NOVEMBER 14, 2024 VILLAGE COUNCIL REGULAR MEETING
    Staff: Iramis Cabrera, PZB Director

15. **Preliminary Plat to subdivide the property into two single-family lots for the property located at 4084 Linda Lane: Motion for approval for a Preliminary Plat to subdivide the property into two single-family lots, for the property located at 4084 Linda Lane. There is no direct fiscal impact on the village.**
    Staff: Iramis Cabrera, PZB Director

    SUMMARY: Mr. Brandon Cabrera from BrandX LLC, owner of the property, has filed a preliminary plat to re-plat the Military Hill plat as recorded in Plat Book 23, Page 21 of the Public Records of Palm Beach County, Florida. The applicant proposes subdividing the multifamily lot, located at 4084 Linda Lane, into two (2) separate single-family lots. Each lot will exceed the minimum lot dimension requirements of 64 feet width by 100 feet depth.

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

The Planning and Zoning Board considered the proposed preliminary plat at their September 10, 2024, regular meeting and recommended approval.

If approved, a final plat will be presented to the Village Council for consideration. The recording of the plat is required before the issuance of any certificate of occupancy for any new residence.
Director Iramis Cabrera presented the item. The preliminary plat was approved by the Planning and Zoning Advisory Board on September 10, 2024 and recommended approval.

Mr. Brandon Cabrera was sworn in by Deputy Clerk Worth. Mr. Cabrera, owner of BrandX, gave a presentation of the proposed development.

No comment from the public during the public hearing.

Mayor Smith asked for a motion to approve the preliminary plat located at 4084 Linda Lane. Approval was made by Mayor Pro Tem Schmidt and seconded by Council Member Ready, with the sidewalks to be added to the list of conditions. Motion carried 5-0

FISCAL IMPACT:

The proposed preliminary plat will facilitate the construction of 2 single-family homes, which will further contribute to the village's overall property values.

16. **Temporary License Agreement - Sixteen (16) Temporary-Seasonal Storage Container/Trailer for Three (3) Years (2024-2026) - 2765 10th Avenue North (Walmart): Motion to approve a three-year Temporary License Agreement with Walmart (Store #5882) at 2765 10th Avenue North to allow sixteen (16) storage containers on their premise for the upcoming holiday season to provide inventory and customer layaway storage in the rear and on the side of the store property from September 1, 2024, through January 5, 2025.**

Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Bryant Samuels, Manager of Walmart (store #5882) at 2765 10th Avenue North, is requesting temporary approval to allow a total of sixteen (16) containers/trailers for the upcoming holiday season to provide inventory and customer layaway storage in the rear and on the side of the store property.

In 2020, the Village Council approved the 6th request for a three (3)-year period Temporary License Agreement to utilize temporary storage units at the property for seasonal storage of refrigerated holiday food/grocery inventory and layaway merchandise storage, subject to the following conditions:

- During the 2020 holiday season, a maximum of twenty (20) storage units are allowed.
- During the 2021 holiday season, a maximum of sixteen (16) storage units are permitted.
- During the 2022 holiday season, a maximum of twelve (12) storage units are allowed.

The applicant requests approval of a one (1)-year Temporary License Agreement with the village to install sixteen (16) storage containers/trailers through the holiday season from September 1, 2024–January 5, 2025.

The Village's Code - Section 34-829 - Temporary licensing of specific uses, provides that notwithstanding any other provision of this subdivision, including section 34-823, the PZ&B

Director, or as provided in this section, the Village Council, for good cause shown, may grant a temporary license for an establishment in the CG district, not exceeding five (5) years from the approval date, renewable at the option of the village, for specific uses identified in this subdivision.

The staff maintains that Walmart's utilization of sixteen (16) storage trailers this year is not an issue. However, having an additional storage area is necessary at the end of each year during the holiday season. The request for a temporary license has been brought to the Village Council for consideration and input before administrative action of the Planning, Zoning & Building Director.

Staff is requesting direction/input from the Council to ensure that the proposed request complies with the desires of the Village Council regarding temporary and accessory uses.

Director of Planning, Zoning, and Building Cabrera informed the Council that Walmart is requesting a one (1) year temporary agreement for sixteen (16) seasonal storage containers.

Mr. Brian Samuels, representing Walmart, stated that business is growing. Walmart will make 1/3 of its sales during the 4th quarter. That is the way it has been historically. The Village Council, Mr. Samuels, and the staff continued to discuss the item. Council Member Ready suggested a new location for a storage building. The Village Attorney, Mr. Torcivia read the title of the caption to the record. Village Council agreed to an extension of three (3) years for a Temporary License Agreement.

Mayor Smith asked if anyone had public comment. Johnnie Tieche, 305 Winged Foot, asked if the original agreement had 17 units, and one (1) freezer, which they wound up with 22 units, which included the refrigerator. Discussion took place on this.

Mayor Smith offered the public an opportunity to further comment. There were no comments from the public. Vice Mayor Waller motioned for the approval, and Council Member Brinkman seconded. The said motion carried 5-0

<u>FISCAL IMPACT:</u>
The proposed request does not have a direct fiscal impact on the Village.

17. **<u>Resolution No. 2024-49 - Adopt Local Mitigation Strategy Plan (Update)</u>: Motion to approve Resolution No. 2024-49 to authorize the Village Council of to approve and Adopt the 2024 Palm Beach County Local Mitigation Strategy (LMS) Plan and establish appropriate responses or mitigation measures for properties within the County.**
Staff: Iramis Cabrera, PZB Director

<u>SUMMARY</u>: The Village participates with Palm Beach County and other cities in a joint planning effort to identify potential hazards (i.e., natural and/or human-caused-fire, flood, storms, etc.) and establish appropriate responses or mitigation measures for properties within the County. This plan, The Palm Beach County Local Mitigation Strategy, is required to be evaluated and updated, as needed, every five (5) years.

The updated 2024 Local Mitigation Strategy (LMS) plan is the product of an 18-month-long evaluation process, and it has been reviewed by the State Division of Emergency Management and found to comply with federal standards. The proposed LMS plan update is subject to FEMA's final approval after all the participating cities have adopted the updated plan via resolution.

In order for the Village to be eligible for the Hazard Mitigation Grant Program, Flood Mitigation Assistant Program, and Pre-Disaster Mitigation funding programs, we are required to approve and adopt a local mitigation strategy. This countywide plan includes village characteristics and provides a means for Village Mitigation projects to be included within the Prioritized Project List and ranked should federal dollars become available and are available to be received. At this time, the Village has six (6) ranked projects within the County's LMS Plan. (Additionally, the LMS Plans serve as the Village's Floodplain Management Plan for the National Flood Insurance Program's Community Rating System (CRS)).

The Village has previously approved an Interlocal Agreement with Palm Beach County (Resolution No. 2000-16) to participate within the County's LMS Plan as well as updated to the Plan in 2010, 2014 and 2019 (Resolution No. 2010-35, Resolution No. 2014-66 and Resolution No. 2019-38).

Director of Planning, Zoning and Building, Iramis Cabrera, informed the Council every five (5) years the Local Mitigation Strategy (LMS) plan is updated and asked for Village Council approval.

Mayor Smith offered the public an opportunity to further comment. There were no comments from the public. There were no comments from the Village Council. The Village Attorney, Torcivia, read the title of the captions into the record.

Council Member Ready motioned for the approval of Resolution No. 2024-49, and Mayor Pro Tem Schmitz seconded. The said motion carried 5-0

<u>FISCAL IMPACT:</u>
A Local Mitigation Strategy Plan is a requirement of the Community Rating System (CRS), which enables properties within the Village to benefit from discounted (or reduced) flood insurance rates through the National Flood Insurance Program.

ACTIONS AND REPORTS

None

VILLAGE MANAGER COMMENTS

Village Manager Bornstein commented on the staff and all those here tonight. Manager Bornstein recognized Directors Felipe, Lafaso, Dr. Jimmy Johnson, Mara Frederiksen, Assistant Director Kim Glas-Castro, Director Iramis Cabrera, Code Enforcement Officer Nanciann Cuenot, and Staff member Maria Izzo and all that were present, and those that were there during the storm warnings. They are all amazing people, and he was grateful to work with them.

Council Member Gary Ready wished everyone a Happy Yom Kippur on Saturday.

Mayor Pro Tem Kim Schmitz thanked the Village staff and their dedication.

Council Member Joni Brinkman said she was following up on the managers' comments. She stated communication on Facebook and the Village website is amazing.

Vice Mayor Patti Waller - appreciative of all the staff. Everyone did a fantastic job - there were photos of guys cleaning sidewalks and swales. Thank God there was not a catastrophic event, and they kept me safe.

Village Attorney Glen Torcivia commented he was very lucky to be here tonight, and that everyone survived the storm. The tornadoes were 100 yards away. Thankfully, everyone here survived it fine.

Mayor Smith commented on Lauren and social media. The staff is great, and Mayor Smith stated she was very appreciative of all that work for the Village.

VILLAGE COUNCIL COMMENTS

ADJOURNMENT

Mayor Smith adjourned the meeting at 8:14 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 **October 10, 2024**. Which minutes were formally approved and adopted by the Village Council on **November 14, 2024.**

Jane R. Worth

Jane R. Worth, Deputy Village Clerk

NEXT REGULAR MEETING:

THURSDAY, NOVEMBER 14, 2024, AT 6:30 PM

(IMMEDIATELY FOLLOWING THE CRA MEETING)