



**VILLAGE COUNCIL
MEETING MINUTES,
COUNCIL CHAMBERS 226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
MARCH 10, 2022 AT 6:30 PM**

CALL TO ORDER

Mayor Smith called the Village Council Regular Meeting to order at 7:00 p.m.
(Immediately following the Local Planning Agency [LPA] Meeting)

ROLL CALL

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

Absent: None

Also present: Village Attorney Glen Torcivia, Village Manager Michael Bornstein, Village Clerk Kimberly Wynn, Sergeant-at-Arms Tom Ceccarelli, Police Chief, Assistant Village Manager Kim Glas-Castro, Planning, Building & Zoning Director Iramis Cabrera, Village Planner, Rogelio Gonzalez, Parks and Recreation Director, Justin Lucas, Public Works Director, Jim Schmitz, Interim Public Service Administrator, Interim HR Director, Ashley Saingilus, Paul Ward and Chief Finance Officer, Director Rebecca Morse

1. Resolution No. 2022-15 Reorganization of the Village Council (Designating a New Vice Mayor & Mayor Pro-Tem) (ADDENDUM)

Staff: Kimberly Wynn, Village Clerk

SUMMARY: The Village Charter provides that the Village Council and Mayor serve a four (4) year term and that all elections are held during an odd-numbered year.

Although the Village did not have a Municipal Election in 2022, Section 3.05(a) of the Village Charter requires the nomination and election by Council action of a Vice-Mayor and Mayor Pro-Tem from among its members at the first Regular Council meeting after the General Election (or when the General Election is held - March 2022).

The new Vice-Mayor and Mayor Pro-Tem shall serve a one (1) year term until March 2023 (or immediately following the completion of the election canvassing process when required).

Fiscal Impact:

The reorganization of the Village Council does not have a fiscal impact on the Village (Designating a New Vice-Mayor & Mayor Pro-Tem).

Village Attorney Torcivia read the title of the caption into the record.

Council Member Waller made a motion to appoint Council Member **Gunther as Vice Mayor** and **Council Member Brinkman as Mayor Pro Tem**. Council Member Ready seconded the motion. The said motion carried 5-0.

INVOCATION

Village Manager Bornstein led in the invocation.

PLEDGE OF ALLEGIANCE

The Village Council led in the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Mayor Smith requested Item #20A, Complete Street, be added to the Presentations Agenda.

CONSENT AGENDA

- 2. **Approval of January 13, 2022, Village Council Regular Meeting Minutes**
Staff: Kimberly Wynn, Village Clerk
- 3. **Approval of February 10, 2022, Village Council Regular Meeting Minutes**
Staff: Kimberly Wynn, Village Clerk
- 4. **Approve Gasoline and Diesel Fuel Agreement - Piggyback - Public Works Department (FY 2022 Budget Funded) - Port Consolidated, Inc.**
Staff: James Schmitz, Director of Public Works

SUMMARY: The Public Works Department, throughout the year, must purchase gasoline and diesel fuel for various Village vehicles, heavy equipment, and emergency generators. The Village currently utilizes Port Consolidated, Inc. to assist with purchases and services of this type. However, the existing piggyback agreement (from the Southeast Florida Governmental Purchasing Cooperative Group - City of Pompano Beach) expires on March 14, 2022.

To ensure the lowest possible price, staff recommends that the Village renew our ability to utilize Port Consolidated by continuing to follow the Southeast Florida Governmental Purchasing Cooperative's agreement selected by the City of Pompano Beach as the Lead Agency for the Co- Op. The term of the agreement

is for five (5) years, from March 15, 2022, until March 14, 2027, with an option to renew for an additional five (5) years.

Note: The agreement by Southeast Florida Government Purchasing Cooperative (Co-Op) was completed through a competitive selection process by the City of Pompano Beach as Lead Agency for the Co-op – Unleaded Gasoline & Diesel Fuel for Southeast Florida Governmental Purchasing Cooperative Group (RFP No. E-03-22). The original bid documents authorizing the purchase with Port Consolidated, Inc. are available in the Village Clerk's Office.

If approved, the Village would accept Port Consolidated pricing that is consistent with the existing agreement, and continue to piggyback with the City of Pompano Beach's contract including all terms, conditions, and pricing therein. The term of the proposed agreement would expire on March 14, 2027.

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

The proposed agreement has been prepared by the Village Attorney and reviewed by the Public Works Director, the Interim Public Service Administrator, 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 agreement is available within the FY 2022 Budget - General Fund and Water and 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.

5. **Approve Gulfstream Road Stormwater Improvements Award (Task Order No. 277) - Invitation to Bid (ITB 2022B-004) - Public Service Department (FY 2022 Budget Funded - Stormwater Enterprise Fund) - Hinterland Group, Inc.**

Staff: Walter Sanchez, Project Manager

SUMMARY: The Public Service Department has identified a need to address localized flooding within and around Gulfstream Road between 10th Avenue North and Lake Worth Road. The improvements will include the addition of stormwater piping and structures on Gulfstream Road and the re-establishment of roadside swales.

To ensure the lowest possible price for these projects, the Village issued an Invitation to Bid (ITB 2022B-004) on December 9, 2021, for the installation of a new drainage pipe along Gulfstream Road between Lake Worth Road and Lakewood Road and between the L-11 Canal and 10th Avenue North. This process was completed by the Village through a competitive selection process - Gulfstream Road Stormwater Improvements (ITB No. 2022B-004 - December 9, 2021).

Within the Fiscal Year 2022 Budget - Stormwater Enterprise Fund, the Village Council approved \$448,800 for the Gulfstream Road Stormwater Improvements project. As a result of the Village's ITB, the following two (2) bid proposals were received:

Vendor	Total Bid
Hinterland Group, Inc.	\$ 778,325.00
CK Contractors & Development	\$1,007,139.00

Note: The Village's consultant engineering firm, Craven Thompson, reviewed the bids that were received, and found that one (1) of the bids contained an additional irregularity (Hinterland Group). This error was corrected, and the corrected bid value is presented in the table above.

After reviewing the two (2) bids received, the Acting Public Service Director, Interim Public Service Administrator, Public Service Project Manager, Village Attorney, and the Village's contracted engineer, Craven Thompson, determined that Hinterland Group, Inc. provided the lowest, responsible, and responsive bid. As a result, the staff is requesting the Council to approve Task Order #277 for the amount of \$778,325.00 to Hinterland Group, Inc.

Note: The Village Council has approved funding (\$448,800) within the FY 2022 Budget - Stormwater Fund to support this project. Although the full cost for this project was not included within the FY 2022 Budget - Stormwater Fund due to substantial increases in construction costs from the time the Village's budget was approved, funding to support the proposed Gulfstream Road Stormwater Improvements project is available through the ARPA grant fund.

If approved, the Village would accept Hinterland Group, Inc.'s pricing, including all terms, conditions, and pricing submitted within their ITB proposal and proposed agreement. 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.

The Gulfstream Road Stormwater Improvements project is expected to be completed by August 2022.

The proposed agreement was prepared by the Village Attorney and reviewed by the Acting Public Service Director, the Public Service Project Manager, the Interim Public Service Administrator, and the Finance Director.

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

Fiscal Impact:

Funding to support the Gulfstream Road Stormwater Improvements project (Task Order No. 277) is available within the FY 2022 - Stormwater Enterprise Fund:

<i>Allocated/Estimated Project Funding:</i>	<i>Amount</i>
FY 2021 Actual Funding - Stormwater Enterprise Fund:	\$ 25,120.00
FY 2022 Approved Funding - Stormwater Enterprise Fund:	\$ 448,800.00
FY 2022 Requested ARPA Funding - Stormwater Enterprise Fund:	<u>\$ 341,205.00</u>
TOTAL ALLOCATED/APPROVED BUDGET	\$ 815,125.00
<i>Expected Project Costs:</i>	<i>Amount</i>
FY 2021 Actual Costs - Design & Engineering - Stormwater Fund (TO # 277):	\$ 25,120.00
FY 2022 Projected Costs - Design & Engineering - Stormwater Fund (TO # 277):	\$ 11,680.00
FY 2022 Projected Costs - Construction - Stormwater Fund (TO # 277):	<u>\$ 778,325.00</u>
TOTAL PROJECT COSTS:	\$ 815,125.00

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 services over the term of this contract.

An internal budget transfer or amendment to support the cost above the budgeted amount will be completed within the Stormwater Enterprise Fund at a later date, if necessary.

6 Approve Village Hall North Flex Space Buildout Project Award (Task Order No. 289) - Invitation to Bid (ITB No. 2022B-002) - Public Service Department (FY 2022 Budget Funded - General Fund) - E&F Florida Enterprises, Inc., dba Creative Contracting Group

Staff: Walter Sanchez, Project Manager

SUMMARY: The Public Service Department has identified a need to build additional office space in the North End Flex space on the second floor of Village Hall located at 226 Cypress Lane to accommodate additional staff and provide a space for the IT department.

To ensure the lowest possible price for these projects, the Village issued an Invitation to Bid (ITB No. 2022B-002) on December 9, 2021, for the buildout of new offices in the North End 2nd-Floor Flex space at Village Hall. This process was completed by the Village through a competitive selection process - Village Hall North Flex Space Buildout - (ITB No. 2022B-002 - December 9, 2021).

Within the Fiscal Year 2022 Budget - General Fund, the Village Council approved \$232,200.00 for the Village Hall North Flex Space Buildout project. As a result of the Village's ITB, the following four (4) bid proposals were received:

Vendor	Total Bid
Good News Development	\$259,912.00
Creative Contracting Group	\$309,300.00
Ralph Della-Pietra Inc	\$325,967.00
Intertech Construction Corp.	\$353,212.04

Village staff reviewed the bids and determined the lowest bid proposal did not provide all the required documentation (Good News Development did not provide a complete bid form, a bid bond for the correct amount, missing reference information, bonding company affidavit, and a safety program). Therefore, the second-lowest bid was provided by Creative Contracting Group for the amount of \$309,300.00. Creative Contracting Group gave a complete bid package with the required bid documents and their experience and references indicated they have the qualifications to perform the work advertised.

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 the review of the four (4) bids received, the Acting Public Service Director, the Interim Public Service Administrator, the Public Service Project Manager, the Village Attorney and the Village's contracted architect/engineer, REG Architects/WGI, determined that Creative Contracting Group provided the lowest, responsible, and responsive bid. Hence, staff is requesting the Council to approve Task Order No. 289 in the amount of \$309,300.00 to Creative Contracting Group.

Note: The Village Council has approved funding for \$232,200.00 within the FY 2022 Budget - General Fund to support this project. Although the full cost for this project was not included within the FY 2022 Budget - General Fund due to substantial increases in construction costs from the time the Village's budget was approved, funding to support the proposed Village Hall North End Flex Space Buildout project is available within the General Fund. A budget transfer to support the proposed cost above the budgeted amount is being considered for Council approval at the March 10, 2022 meeting.

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

It is estimated that the Village Hall North End Flex Space Buildout project is expected to be complete by August 2022.

The proposed agreement was prepared by the Village Attorney and reviewed by the Acting Public Service Director, the Interim Public Service Administrator, the Public Service Project Manager, and the Finance Director.

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

Fiscal Impact:

Funding to support the Village Hall North Flex Space Buildout Project (Task Order No. 289) is available within the FY 2022 - General Fund:

<i>Allocated/Estimated Project Funding:</i>	<i>Amount</i>
FY 2021 Actual Funding - General Fund:	\$ 15,000.00
FY 2022 Approved Funding - General Fund:	\$ 232,200.00
FY 2022 Requested Funding - General Fund:	<u>\$ 84,100.00</u>
TOTAL ALLOCATED/APPROVED BUDGET	\$ 331,300.00
<i>Expected Project Costs:</i>	<i>Amount</i>
FY 2021 Actual Costs - Design & Engineering - General Fund (TO #289):	\$ 15,000.00
FY 2022 Projected Costs - Design & Engineering - General Fund (TO #289):	\$ 7,000.00
FY 2022 Projected Costs - Construction - General Fund (TO #289):	<u>\$ 309,300.00</u>
TOTAL PROJECT REQUEST/COSTS:	\$ 331,300.00

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 services over the term of this contract.

A budget transfer to support this proposed cost above the budgeted amount is also being submitted for Council approval at this same meeting.

7. Approve Building Plans Review and Inspection Services Agreement - Piggyback - 1st Amendment - Term Extension - C.A.P. Government, Inc.

Staff: Iramis Cabrera, PZB Director

SUMMARY: The Planning, Zoning & Building Department, throughout the year, has a need to enter into a contract to provide building plan reviews and inspection services to assist the Village with private development that is occurring within the Village. To ensure the lowest possible price, staff recommends that the Village piggyback off the current Palm Beach County contract awarded to C.A.P. Government, Inc. This selection by Palm Beach County was originally completed through a competitive selection process - Building Inspection, Plan Review, and Permit Technician Services (RFP No. 17-023/SC - May 17, 2017).

On May 10, 2018, the Village entered into an agreement for Building Inspection/Plan Review based upon the Palm Beach County Contract. The initial term for the 2018 agreement was to run concurrently with that contract until May 12, 2022. On November 23, 2021, the term of the Palm Beach County Contract was extended from the period May 16, 2022, through November 15, 2022. The purpose of this First Amendment is to extend the term of the Agreement from the period May 16, 2022, through November 15, 2022, and to add contract provisions concerning E-Verify that became a requirement under Florida law subsequent to the date of the original agreement. Fees are not proposed to be increased.

If approved, the Village would continue to accept the C.A.P. Government's services by piggybacking on the Palm Beach County contract including all terms, conditions, and pricing therein. The term of the contract is for six (6) months and will expire on November 15, 2022. 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. The

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

The proposed Agreement has been prepared by the Village Attorney and reviewed by the Assistant Village Manager, Planning, Zoning, and Building Director, and Finance Director.

The Village has been working with the vendor and finds their plan review services to be thorough.

Fiscal Impact:

Funds to support this proposed Agreement are available with the FY2022 Budget - General 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.

8. Approve Property Improvement Program (PIP) Matching Grant Awards - 3691 Riedel Avenue and 43 Springdale Circle

Staff: Iramis Cabrera, PZB Director

SUMMARY: The Village's Property Improvement Program (PIP) Committee is recommending that two (2) grant awards be approved for property owners who have completed an improvement project to their property and filed the necessary documentation to receive matching grant funding under this program:

Fiscal Impact:

Funding to support the proposed awards is available within the FY22 Budget - General Fund.

- Owner/Resident: Yoan Enriquez Brana
- Address: 3691 Riedel Avenue
- Project: Construct a circular driveway with pavers
- Eligible (Project) Cost(s): \$13,810.17
- Matching Grant Award: \$5,000.00

- Owner/Resident: Chester D. Osborne
- Address: 43 Springdale Circle
- Project: Replaced mansard roof with Davinci Bellaforte (composite shake roof)
- Eligible (Project) Cost(s): \$6,975.00
- Matching Grant Award: \$3,487.50

The PIP Selection Committee met on October 28, 2021, and recommended approval of the grant awards (up to 50% of \$5,000). If approved by the Village Council, the awardees will be mailed their checks and may be acknowledged at a future Village Council meeting.

9. Approve Pump Station SCADA Upgrades (Task Order No. 284) - Invitation to Bid (ITB No. 2022B-003) - Utilities Department (FY 2022 Budget Funded - Water & Sewer Enterprise Fund) - Engineer Service Corporation

Staff: Paul Ward, Superintendent of Utilities

SUMMARY: The Utilities Department has a need to upgrade the existing Supervisory Control and Data Acquisition (SCADA) system to include the remaining 20 Village-owned lift stations that currently do not have SCADA. By installing a SCADA system at each lift station, the Village will be assured of improved service to customers through reduced response times to lift station problems, reduced liability exposure to the Village (in terms of quicker responses to wastewater overflows/backups), fewer equipment repair costs due to early detection and diagnosis of potential problems and minimized capital and ongoing maintenance costs.

Currently, the Village Council has authorized Eckler Engineering to serve as the Village's consulting engineer to complete the engineering and design for this project (Task Order #284) for the amount of \$156,407. The proposed construction project consists of the construction and installation of control panels, radio antennas, programming, electrical wiring, and site restoration. This upgrade would enable Village utility field staff to monitor these additional lift stations and ensure their continued operation.

Note: To ensure the lowest possible price for this project, the Village issued an Invitation to Bid (ITB) on November 18, 2021, for Pump Station SCADA Upgrades. This process was completed by the Village through a competitive bid selection process - Pump Station SCADA Upgrades (ITB No. 2022B-003 - November 18, 2021).

Within the FY 2022 Budget - Water & Sewer Enterprise Fund and the Capital Improvement Plan (CIP), the Village approved \$820,000.00 for the Pump Station SCADA Upgrades. As a result of the Village's ITB, the following five (5) bid proposals were received:

<u>Vendor</u>	<u>Total Bid</u>
Engineer Service Corporation	\$400,700.00
General Control Systems	\$577,215.00

Hinterland Group, Inc.	\$822,800.00
Revere Control Systems, Inc.	\$945,310.00
TLC Diversified, Inc.	\$1,135,000.00

After reviewing the five (5) bids received, the Interim Public Service Administrator, Public Service Project Manager, the Village Attorney, and the Village's consulting engineer, Eckler Engineering, determined that Engineer Service Corporation provided the lowest responsible and responsive bid. As a result, staff is recommending that the Council award this proposed contract (Task Order #284) to Engineer Service Corporation for the amount of \$400,700.00.

If approved, the Village would accept Engineer Service Corporation's pricing, including all terms, conditions, and pricing as submitted within their ITB proposal and proposed agreement. 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.

The project will take approximately 330 days (February 2023) to complete following the Notice to Proceed from the Village.

The proposed agreement was prepared by the Village Attorney and reviewed by the Interim Public Service Administrator, the Public Service Project Manager, and the Finance Director.

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

Fiscal Impact:

Funding to support the proposed Automated Chemical Feed Improvements project is available within the FY 2022 Budget - Water & Sewer Enterprise Fund:

<i>Allocated/Estimated Project Funding:</i>	<i>Amount:</i>
FY 2020 Actual Funding - Water & Sewer Fund TO#284	\$45,776.50
FY 2021 Actual Funding - Water & Sewer Fund TO#284	\$12,425.05
FY 2022 Approved Funding - Water & Sewer Fund TO#284	\$820,000.00
Total Allocated/Approved Budget - TO#284:	\$878,201.55

FY 2020 Project Cost - Actual Engineering - Water & Sewer Fund TO #284	\$45,776.50
FY 2021 Project Cost - Actual Engineering - Water & Sewer Fund TO #284	\$12,425.05

FY 2022 Project Cost - Estimated Engineering - Water & Sewer Fund TO #284	\$98,205.45
FY 2022 Project Cost - Estimated Construction Cost - Water & Sewer Fund TO #284	\$400,700.00
Total Project Request/Cost - TO# 284	\$557,107.00

Note: The proposed bid amount (\$400,700.00) was submitted by Engineer Service Corporation and was below the engineer's estimate of \$746,000.00. 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.

10. Resolution No. 2022-12 Approval of Budget Transfer from Public Works to Library and General Government

Staff: Rebecca Morse, Chief Financial Officer

SUMMARY: Staff requests approval of the transfer of budgeted funds to cover additional costs to build out the "Flex Area" on the North End of Village Hall and to cover the estimated cost of a new roof for the Library. Funds are proposed to be transferred from Public Works that were originally budgeted to repair and repaint village roofs.

Fiscal Impact:

This has no impact on the General Fund. Staff requests approval to transfer funds from Public Works to the Library for the estimated cost of a new roof and transferring funds to the General Government to cover the additional costs needed to complete the flex area buildout.

11. Approve Foxtail Palm Park Shade Structure Purchase Contract (Task Order No. 301) - Piggyback - Parks and Recreation Department (FY 2022 Funded - General Fund) - Shade Systems, Inc.

Staff: Justin Lucas, Director of Parks & Recreation

SUMMARY: The Parks and Recreation Department has identified a need to purchase a shade structure to provide shade for the previously installed playground equipment at Foxtail Palm Park. This type of shade structure is important for the safety of our children utilizing playground equipment. The Florida weather limits the ability for residents to use playground equipment in the heat of the day, especially during the summer. This new structure would contribute toward ensuring a more safe and fun play space for our community.

To ensure the lowest possible price, staff recommends that the Village piggyback off the Volusia County School District Contract awarded to Shade Systems, Inc.

This selection through Volusia County School District is through a competitive selection process - Playground and Related Equipment (ITB MTS-906BC - October 23, 2018). Files are available in the Village Clerk's Office.

Note: Through the Volusia County School District contract, the Parks and Recreation Department would be able to obtain a price of \$39,995.50 that includes a 25% discount (per the terms of the approved contract) from their retail catalog pricing.

Within the FY 2022 Budget - General Fund and the Capital Improvement Plan (CIP), the Village Council approved \$80,000 for the purchase and installation of a shade structure for the playground at Foxtail Palm Park.

If approved, the Village would accept Shade System, Inc.'s pricing by piggybacking the Volusia County School District Contract, including all terms, conditions, and pricing therein. 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 has received a proposal from a separate vendor to provide the installation for this structure.

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

If approved, the proposed permitting and installation of the new shade structure system would be completed in conjunction with the installation of the previously approved playground equipment and is estimated to be complete within 150 days (August/September 2022) following the Notice to Proceed/Receipt of Purchase Order by the Village.

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

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

Fiscal Impact:

Funding to support this purchase is available within the FY 2022 Budget - General Fund. This is for the shade structure only. A separate vendor will be doing the installation.

Allocated/Estimated Project Funding:	
FY 2022 Approved Budget - General Fund	\$80,000.00
Proposed Project Cost - Foxtail Palm Park Shade Structure (Task Order No. 301) - FY 2022	\$39,995.50
Proposed Project Cost - Foxtail Palm Park Shade Structure Installation (Task Order No. 301) - FY 2022	\$23,977.00

12. Resolution No. 2022-10 - Community Development Block Grant (CDBG) - FY 2023 Annual Project - Park Connector Pathway Project - Phase II (Canal Road Sub-Phase)

Staff: Justin Lucas, Director of Parks & Recreation

SUMMARY: This is the 8th year that the Village of Palm Springs is an "Entitlement City" with a delineated Community Development Block Grant (CDBG) Target Area in the Palm Beach County 5-Year Consolidated Plan. Our proposed CDBG allocation for FY 2022/2023 is estimated to be approximately \$130,515.

Under Housing and Urban Development (HUD) and CDBG requirements, the Village must submit a project to be included within the County's Annual CDBG Work Plan that meets the following requirements:

- Benefits low and moderate-income persons
- Include a public facility in need of repair or replacement, including ADA accessibility improvements, and/or
- Aid in the elimination of blight

Therefore, the staff is proposing a continuation of funding for the next phase of construction (Phase II of the Park Connector Pathway Project) utilizing the Village's projected FY 2023 CDBG funding allocation. The Park Connector Pathway is a village-wide trail designed to interconnect nine (9) of the Village's parks for 6.7 miles with a sidewalk system where possible, enhanced with pedestrian amenities, such as benches, water fountains, distance markers, trail information boards, etc. Phase II of the Park Connector Pathway Project includes the construction and the installation of the proposed improvements.

Note: The Village Council (on November 7, 2019) provided input and direction on the proposed engineering and design plans that have been developed by the Village's consulting engineer before proceeding with additional Sub-Phases for the engineering and design portion of this project, which will include wide concrete sidewalks, paver brick separators, concrete illuminated feature, stamped

pavement options, landscaping improvements, proposed signage, and information boards, etc.

The Park Connector Pathway project consists of two (2) primary components:

Phase I is the professional engineering and design - Village's FY 2019 CDBG Project - Resolution No. 2018-07 - March 8, 2018.

Phase II is the construction of the system - Village's FY 2020 CDBG Project - Resolution No. 2019- 07 - March 14, 2019. Within each of these Phases, the project has been broken into five (5) "Sub- Phases" and, thus, the work authorizations are (will be) referenced as such.

Sub-Phase I - South side of Alameda Drive (Davis Road east to the intersecting Pathway Park sidewalk that is located behind the Village Center Complex Ballfields) for a total of approximately 1,400 feet. This sub-phase was completed in February 2021 and has been a welcome addition to the Village.

Sub-Phase II - Davis Road, from Alameda Drive south to approximately 300 feet north of Lakewood Road (to include Royal Palm Park), approximately 2,600 feet of Greenbriar Drive that turns into Park Lane and west to Kirk Road to include the new Foxtail Palm Park and 600 feet of 10th Avenue North heading east off of Davis Road for a total of approximately 1.4 miles.

Note: Sub-Phase II was broken into two (2) separate projects (Sub-Phase IIA & Sub-Phase IIB) to better fund this large project for years rather than at a single time. The sub-phase IIB Davis Road, from Greenbrier to Lakewood Road, was completed in January 2022. The Village is being considered for a Recreation Trails Grant for the section along Davis Road (Alameda to Greenbrier and west to Foxtail Palm Park) that's waiting for approval from the FWHA (Florida Highway Administration).

Sub-Phase III - Lakewood Road (Davis Road west to Kirk Road), Canal Road (Davis Road west to Kirk Road), and Kirk Road (Lakewood Road north to Canal Road) for a total of approximately 1.26 miles.

Sub-Phase IV - Kirk Road (between Canal Road and Park Lane), 10th Avenue North (from Sago Park Road - Sago Palm Park - to Summer Street), and Summer Street (700 feet north to Sabal Palm Park) for a total of approximately 1.42 miles

Sub-Phase V - At this time, the location for the final connection of the proposed Pathway (Sub- Phase V) has not been determined but is expected to connect to a potential new park (that is expected to be located east of Congress Avenue).

The proposed FY 2022-2023 Community Development Block Grant (CDBG) Program application is to construct a pathway along the north side of Canal Road

located between Kirk Road and Davis Road along the Lake Worth Drainage District (LWDD) easement. The pathway will be a meandering coquina pathway with native Florida landscaping.

Note: This project is expected to be presented to the Council for consideration as the Village's annual CDBG project over the next two (2) to three (3) CDBG funding cycles (provided CDBG funding is available by the federal government) to support the expected construction and installation costs associated with the proposed Park Connector Pathway System improvements. Additional requests for funding (i.e., CDBG, Sales Tax, Grant Funding, General Fund, etc.) may be required depending on the construction (competitive) pricing that is received by vendors to complete this project.

The FY 2022/2023 CDBG allocation that the Village expects to be approved by PBC is approximately \$130,515 and will get reimbursed to the Village - the remaining FY 2023 project budget funding will be supported utilizing Infrastructure Surtax (Sales Tax) dollars, other grant funding and /or Village General Fund allocation.

The proposed pathway improvements are located both inside and outside of the Village's CDBG Target Area, but will serve low- and moderate-income residents of the target area by providing an interconnected, pedestrian-friendly pathway between nine (9) of the Village's parks. The proposed pathway would also be ADA-compliant to serve those in the Village with unique abilities as well as our senior population. Additionally, the pathway network will benefit all Village residents; however, 4,730 CDBG Target Area residents living immediately along the Park Connector Pathway, will directly benefit from the new facilities.

Under the previously approved Interlocal Agreement with Palm Beach County that enables the Village to serve as a CDBG sub-recipient ("entitlement") city (Resolution No. 2015-112), the Village (with County oversight), is responsible for all aspects of this project (i.e., establishing a general project timeframe, upfront funding of all associated project costs and outline county and federal requirements - compliance with Palm Beach County Purchasing Code and Davis-Bacon Act minimum wages).

If approved, project bidding and selection is expected to be complete by the end of January 2023 with construction expected to begin by Spring 2023 with an expected completion by September 2023.

Note: The Village issued a Request for Qualifications (RFQ) for professional engineering services (i.e., design, bidding, and construction services) (RFQ #2019-001 - General Consulting Services Continuing Contracts) in accordance with the Consultants Competitive Negotiation Act (CCNA) - Section 287.55, Florida Statutes. The selected engineer - Wantman Group, Inc. - for this project is required to meet local, state, and federal procurement funding requirements.

The Planning & Zoning Board considered the proposed project during their February 13, 2018 meeting and recommended (conceptual) approval.

The proposed project application was prepared by the Parks and Recreation Program Supervisor and reviewed by the Parks and Recreation Director and Planning Zoning and Building Director.

Fiscal Impact:

The proposed FY 2023 CDBG allocation for the Village is estimated to be \$130,515 and is requested to be approved to support the Park Connector Pathway Project - Sub Phase III. Additional funding above the proposed CDBG allocation (\$130,515) will be funded utilizing Infrastructure Surtax (Sales Tax) dollars, and/or Village General Fund allocation.

Estimated FY 2023 CDBG Allocation - Village CDBG	\$130,515.00
Estimated Construction Cost - Canal Road (Davis Road to Kirk Road)	\$141,457.00

13. Interlocal Agreement - Mutual Use of Recreational Facilities - School District of Palm Beach County

Staff: Justin Lucas, Director of Parks & Recreation

SUMMARY: The Village entered into an Interlocal Agreement on May 11, 2017, with the School District of Palm Beach County for the mutual use of recreational facilities. This agreement is set to expire on May 11, 2022. Renewing this Agreement will allow the Village to host recreation programs and events that benefit the community.

The Parks and Recreation Department is recommending the renewal of this Agreement, to ensure gymnasium space within our local community for the Village's youth basketball and any future gymnasium-based programming. The proposed Agreement is similar to other agreements currently in place with other municipalities in Palm Beach County.

The proposed Agreement, if approved, would be for an initial one (1) year term with four (4) additional automatic one (1) year renewals, unless either party provides written notice of non-renewal thirty (30) days prior to the expiration of the current term.

Note: The School Board of Palm Beach County is scheduled to consider the proposed agreement during their meeting on May 11, 2022.

The proposed Interlocal Agreement was prepared by the School District of Palm Beach County and has been reviewed by the Village Attorney, Planning Zoning and Building Director, and the Parks and Recreation Director.

Fiscal Impact:

There is no direct fiscal impact on the Village as a result of this proposed Agreement.

14. Approve Park Connect Pathway Sub-Phase 2B (Change Order No. 1 & Closeout) (Task Order # 255) - Parks and Recreation Department (FY 2022 Budget Funded - General Fund) - E&F Florida Enterprises

Staff: Justin Lucas, Director of Parks & Recreation

SUMMARY: On April 8, 2021, the Council approved Task Order #255 with E&F Florida Enterprises, Inc. for the Park Connector Pathway Sub-Phase 2B (Davis Road - Greenbrier south to near Lakewood Road) project for the amount of \$505,065.50. The project involved the replacement of a deteriorating existing five (5) foot-wide sidewalk with an eight (8) foot-wide enhanced sidewalk pathway along the west side of Davis Road, where space allowed. The project also included replacing sod along with the construction areas, paver crosswalks at designated locations, and Village-seal stamped concrete.

The project was started on June 7, 2021, and was substantially complete and inspected by January 31, 2022, and with no punch items identified, declared finished on the same day.

Note: The project entailed additional quantities of six (6) inch concrete work along the pathway as well as additional American Disabilities Act (ADA) Detectable Warnings, a field decision to install St. Augustine sod instead of Bahia in multiple areas to match existing, and required concrete work due to damage caused by Lake Worth Beach Utilities while installing new utility poles along Davis Road. Lake Worth Beach Utilities was invoiced and is reimbursing the Village for the incurred cost of replacing the damaged sidewalk.

The Village's contracted engineer, Wantman Group, Inc., and the Parks and Recreation Department are recommending approval of a final reconciliation change order (Change Order #1) in the amount of \$7,445.40 in order to complete this project.

The final reconciliation (close out) for the Park Connector Pathway Sub-Phase 2B contract to E&F Enterprises Florida, Inc. is as follows:

Work Completed	Amount
Original Contract Amount	\$505,065.50
Add: Change Order No. 1	\$ 7,445.40
Final Revised Contract Amount	\$512,510.90

If approved, the revised total cost of the Park Connector Pathway Sub-Phase 2B project within Task Order #255 will be \$512,510.90. No additional change orders are anticipated for this project. Construction work is complete and, if approved, the contract will be closed.

The proposed reconciliation Change Order #1 was prepared by E&F Florida Enterprises, Inc. and reviewed by the Village's Contracted Engineer, the Public Services Project Manager, Parks and Recreation Director, and the Finance Director.

Fiscal Impact:

Funding to support Park Connector Pathway Sub-Phase 2B project (Task Order No. 255) was provided within the General Fund Budget - Capital Improvement Plan:

Project Costs	Amount
FY 2021 Approved Contract Award	\$505,065.50
FY 2022 Requested Funding Change Order No. 1	\$ 7,445.40 1
Total Project Cost	\$512,510.90

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.

15. Interlocal Agreement Renewal and Amendment - Homeless Resource Center

Staff: Tom Ceccarelli, Police Chief

SUMMARY: Pursuant to the Florida Statutes and the Florida Interlocal Cooperation Act of 1969, local governments are permitted to enter into interlocal agreements to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.

On May 22, 2012, the Village entered into an Interlocal Agreement with Palm Beach County in order to provide protocol by which the Village refers and transports homeless individuals for acceptance into the Homeless Resource Center and provides for the payment of any transportation costs.

The original Agreement was effective for five years until 2017. In May of 2017, the Agreement was renewed for the first of three possible renewals and the Agreement continued for five years until May 21, 2022. This will be the second renewal, and the following are changes to the new Interlocal Agreement:

- Section 12: Remedies (Original Section Deleted and Replaced)
- Section 18: Non-Discrimination (Original Section Deleted and Replaced)
- Section 19: Assignment (New)
- Section 20: Severability (New)
- Section 21: Counterparts (New)
- Section 22: Effective Date (New)

Upon execution of the new Agreement, it will continue for five years until May 20, 2027. Thereafter, it may be renewed for one (1) additional five-year term.

If approved by the Village Council, the Agreement will be presented to the Director of Facilities Development and Operations Department, to whom the Palm Beach County Board of County Commissioners has delegated authority to execute the agreement.

The proposed Interlocal Agreement has been prepared by Palm Beach County and reviewed by the Chief of Police and the Village Attorney.

Fiscal Impact:

There is no fiscal impact at this time.

16. Approval of Employee Medical, Dental & Other Benefits (FY 2022 Budget Funded)

Staff: Ashley Saingilus, Interim Human Resources Director

SUMMARY: Recently, the Gehring Group, the Village's contracted benefits broker, secured a fair renewal offer with the Village's current insurance carrier, Humana, as well as additional options with lower points for consideration.

Staff recommends that the Village remain with Humana for the sixth year in a row with an alternative design plan at an increase of 11.5% for medical and 0.05% for dental. There will be a slight increase in employee costs (see breakdown below) . The increase is due to both a direct and indirect response to COVID-19. Carriers in the insurance market have increased costs over the last 7-8 months. Therefore, the increase in both employer and employee costs was inevitable. Remaining with Humana is still the most cost-effective option for the Village. Increasing costs now will alleviate the impact in the future.

If approved, the Village would extend the current Agreement for an additional one (1) year term, beginning April 1, 2022 and ending March 31, 2023 for medical, dental and vision benefits. Funding to support the proposed annual premiums is included within the approved FY 2022 Budget (and will be presented for approval within the FY 2023 Budget). 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.

The Gehring Group and staff recommend the following for your consideration:

Health Insurance - Humana:

- Increase deductible from \$250 to \$300 (single) and from \$500 to \$600 (family)
- Emergency Room Charge \$250 to \$300

- Employee Rate Changes:
 - Employee Only from \$15.50 to \$17.31
 - Employee + 1 (Spouse or One Child) \$48.50 to \$53.08
 - Employee + 2 (Spouse + Child or Children) \$78.50 to \$85.38
 - Employee + 3 or More (Spouse and Children or Children) \$98.50 to \$109.62
- Continuation of Humana’s annual biometric screenings, angio-screening and their Go365 wellness platform for employees.
- Employees will still have access to both Quest and LabCorp.
- Maintain current wellness initiatives (i.e., Health Fair, Smoking Cessation, etc.)
- Humana’s Premier Network is seamless, meaning that enrolled members can travel outside of the state and access care with an in-network HMO Premier provider.
- Employee Assistance Program (EAP) sessions remain at six (6) sessions

- Humana staff will be available to meet with Village staff

Health Insurance - Teledoc:

- Discontinue services with Teledoc due to low employee usage. The Villages Humana Health plan offers a telehealth service as part of the medical plan.
Doctor On Demand® is a convenient video consultation platform that provides immediate medical assistance for many conditions.

Dental - Humana:

- 0.5% Increase
- Endodontics (Root Canal Therapy) changed from a Basic Service covered at 80% after deductible to a Major Service at 50% after deductible.

Vision – Humana (Voluntary Product):

- Remains the same

Group Basic Life with AD&D – Mutual of Omaha to The Standard:

- Changing to the standard results in \$3000 savings.
- Reduced rates for employees for Long- Term Disability
- Rates are guaranteed for a three (3) year period (scheduled to expire on March 31, 2025).

Group Supplemental (Voluntary) Products:

- No change in employee rates
- The Village will continue to offer various group supplemental products that

are voluntary to provide our employees with additional benefits at a lower cost for accident, critical illness, and hospital indemnity.

- Existing individual supplemental products may be maintained by employees; however, they will be direct billed (payroll deduction will not be available).
- The Village will offer Pet Insurance (direct billed) and Identity Theft Protection as supplemental products that are voluntary to provide employees with additional benefits at a lower cost

Benefits Administration:

- BenTek – will continue to provide online enrollment benefits for employees and our Human Resources and Finance staff with an administration system that streamlines the enrollment process and provides various reports and audit features to ensure integrity of data between our payroll system and BenTek.
- Third party administrators are recommended to continue to be utilized to assist in monitoring and managing the Village's various federally required benefit programs. These programs are expected to provide additional compliance/legal support and remove the liability associated with staff handling documents containing protected health information:
 1. Family Medical Leave (FMLA) Basic FMLA Ease
 2. Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) Humana
 3. Flexible Spending Accounts (FSA) P&A

If approved, enrollment will begin March 7th through March 21st, 2022 as the new plan begins on April 1, 2022.

Note: The Service Employees International Union/Florida Public Services Union (SEIU) and the Palm Beach County Police Benevolent Association (PBA) memberships have been notified of the proposed employee benefit plan changes as well as the recommendation for the upcoming plan year. At this time, we are awaiting the PBA and SEIU approval.

Fiscal Impact:

The proposed cost/rates for employee benefit premiums are included within the FY 2022 Budget. Funding will be proposed within the FY 2023 Budget to be considered by the Village Council during the upcoming budget process. 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.

Our employees will continue to be provided with a high level of insurance benefits.

17. Approve Agent Record–Employee Benefits Broker Services Agreement – Piggyback (Renewal) – The Gehring Group, Inc.

Staff: Ashley Saingilus, Interim Human Resources Director

SUMMARY: The Village uses a consultant to help with selecting providers for all employee benefits (i.e., health insurance, dental insurance, vision coverage, and other ancillary products). Currently, the Village utilizes Gehring Group to provide these essential employee benefits, and the existing three (3) year contract will expire on March 31, 2022.

To ensure the lowest possible price, the staff recommended the Village piggyback the current City of Oakland Park contract awarded to Gehring Group, Inc. This selection by the City of Oakland Park was completed through a competitive selection process - Group Benefits Consultant/Agent of Record - (RFP #052716).

If approved, the Village would accept Gehring Group Employee Insurance pricing by piggybacking the City of Oakland Park's contract, including all terms, conditions, and pricing therein. The term of the proposed agreement, if approved, would expire on November 4, 2022, and provides for two (2) one (1) year renewal options. The Village will not expend more than the amount within the approved budget as it may be adopted/amended each year for these goods and services over the term of this contract.

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

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

The proposed agreement was prepared by the Village Attorney and reviewed by the Interim HR Director, the HR Manager, 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 this service is available within the FY 2022 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.

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

18. Approve Interlocal Agreement Governing Use of Palm Beach County Regional Opioid Settlement Funds

Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: The State of Florida (Attorney General's Office) filed litigation on behalf of Florida cities and counties against several entities involved in the manufacturing, marketing, distribution, and/or dispensing of opioids for their actions that contributed to the opioid crisis.

After numerous negotiations, the State and "Pharmaceutical Supply Chain Participants" reached a compromise that is outlined in a Memorandum of Understanding (MOU), which the Village entered into in July 2021. The MOU divides settlement funds into three (3) funds: 1) a City/County Fund, 2) a Regional Fund, and 3) a State Fund.

For Palm Beach County to qualify as a "Qualified County" and receive its share of the Regional Fund, cities representing more than 50% of the municipal population must enter into an interlocal agreement with the County.

Without city participation through the proposed interlocal agreement, Palm Beach County would not meet the requirements to serve as administrator of the funds, and all settlement proceeds would be administered at the regional level through the Southeast Florida Behavioral Health Network.

Note: The proposed interlocal agreement only applies to the funds in the "regional" bucket, and does not affect the funds in the "city/county" bucket, so the Village can still expect to get a direct payout from its share of the city/county settlement proceeds.

The proposed interlocal agreement was prepared by the County Attorney's Office. It was shared with the cities for review and comment last month.

Staff recommends that the Village enter into the proposed interlocal agreement. It will be determined at a later date whether the Village desires to request a portion of these funds to undertake approved activities for the abatement of opioid abuse, or whether the Village will defer to the County to administer programs that benefit the Village, as well as the County as a whole.

Fiscal Impact:

The proposed interlocal agreement does not have an immediate fiscal impact. Should the Village desire to undertake opioid abatement activities in the future pursuant to the State MOU, it may be eligible for \$3,900-\$7,400 annually.

End of Consent Agenda....

Vice Mayor Gunther made a motion to approve the Consent Agenda. Mayor Pro Tem Brinkman seconded the motion. The said motion passed 5-0.

PRESENTATIONS

19. Annual Report from Palm Beach County Fire Rescue - Division Fire Chief Tracy Adams

Staff: Kimberly Wynn, Village Clerk

Division Fire Chief Tracy Adams discussed the highlights of the fire department nearby. She also provided a copy of the Annual Report to the Council members. The response times for the community were discussed and the highlights.

Council Member Ready asked if there were any changes taking place with the new Fire Chief. Division Fire Chief Adams said there were no changes. Mayor Smith inquired about the response times. Division Fire Chief Adams stated that the response times through February are available in the Annual Report, but the Village Manager get a monthly report.

20. Florida Bicycle Month, Bike Safety and Awareness - March 2022

Staff: Justin Lucas, Director of Parks & Recreation

Mayor Smith read the proclamation into the record. Ms. Alyssa Frank from the Transportation Planning Agency (TPA) was present to accept the proclamation and gave comments.

Alyssa Frank said this is the time to get active and involved with the bicycle challenges. Mayor Smith asked if the new bicycle laws were added to the newsletter. Mr. Lucas stated they could be added to the newsletter.

20A. Mayor Smith requested that this item get added to the agenda to recognize Mrs. Kim Glas-Castro. Mrs. Glas-Castro received the Complete Streets Community Award. Mrs. Glas-Castro acknowledged the Transportation Mobility Ad-Hoc Committee, and thanked them for their hard work. Although she was the Project Manager the Committee Members contributed to the overall vision.
(ADDENDUM)

PUBLIC COMMENT

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

REGULAR AGENDA

None

PUBLIC HEARINGS:

21. Ordinance No. 2022-02 - Land Use Amendment (Small-Scale) - Belmont - 1591 Kirk Road (First Reading) (Quasi-Judicial Hearing)

Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Jerrod Purser, agent for D.R. Horton, Inc. ("Applicant"), is requesting a small-scale land use plan amendment on a 5.07-acre property to facilitate a multi-family (townhome) development project.

The proposed small-scale land use change would be from the existing Palm Springs designation to the new Palm Springs designation. The property is less than 50 acres in size (5.07 acres) and planned for urban (residential) use:

Existing Village Future Land Use	Proposed Village Future Land Use
Other Public Facilities	Medium Density Residential (up to 10 du/ac)

The applicant is requesting that the property be designated with the Village's Medium-Density Residential future land use category (10 du/ac), which would allow up to a maximum intensity of 50 residential dwelling units. The property was annexed into the Village of Palm Springs in 2006 and assigned Village Residential Multiple-Family and Other Public Facilities zoning and future land use designations, respectively.

Note: The subject property is bound to the west and the north by Palm Beach County residential land use.

The applicant is concurrently requesting a site plan approval (SPR22-03) and two (2) waivers for residential planned development (RPD) to construct 50 two-story fee-simple townhomes within nine (9) buildings. The proposed community would have access via Kirk Road, and amenities are expected to include playground equipment, picnic tables under a shade structure, and a trail path.

The applicant is requesting two (2) waivers for the proposed RPD site plan:

1. Relief from Sec. 34-1328 to allow a 20' wide drive aisle rather than the 26' wide required
2. Relief from Sec. 34-766(1) to allow the construction of 50 residential dwelling units within 5.07 acres rather than 10.59 acres.

The proposed site plan with waivers is presented (within this item) for informational purposes only (no action required at this time). If the proposed small-scale map amendment is approved on the 2nd and final reading, the proposed site plan will be considered by the Village Council under a separate Resolution during the April 14th meeting.

The staff has identified the focal area of concern related to the project with the present traffic conditions at the northern section of the Kirk Road and Forest Hill

Boulevard intersection, primarily because of peak traffic caused by the adjacent middle school. The main issue is the increased vehicular and pedestrian traffic during peak morning and afternoon school traffic. Palm Springs Middle School has an enrollment of 1,636 students, and the school session is from 9:30 a.m. to 4:05 p.m. The peak traffic times for this area range from 8:00 a.m. - 9:00 a.m. and 3:00 p.m. - 4:30 p.m. Kirk Road has hundreds of cars stacked for student drop off and pick up during these times. Hundreds of students cross the adjacent roads at the beginning of school and during dismissal. Officers estimate about 400 students exit the school. Many of them cross the street using the northern crosswalk to go to Dollar General, Cumberland Farms, and Woodhaven Plaza. During peak dismissal, the school staff stops vehicular traffic at the north crosswalk crossing for up to seven minutes, and crossing guards at the corner of Kirk and Forest Hill stop vehicular traffic for multiple twenty-second intervals. In addition, Palm Beach County added a second pedestrian crossing on Kirk Road north of the main intersection on Kirk and Forest Hill to alleviate crowding at the corner crossings. The end of the new crosswalk is too close to the driveway to access Dollar General. As a result, students crossing the street walk directly into traffic that turn left into Kirk since the lack of distance does not allow stacking. We believe the county could have averted this issue if the crosswalk were offset by a few feet further north away from the driveway access.

Note: The Village does not typically place conditions of approval on future land use map changes. The legislative decision as to the appropriateness of the land use, irrespective of potential development plans, is generally made with consideration to compatibility, impact on services, and need for the land use to fulfill village redevelopment and growth objectives.

The proposed request was submitted through the PBC Intergovernmental Plan Amendment Review Committee (IPARC) for intergovernmental review and no comments were received.

Note: IPARC is designated to provide coordination of proposed plan amendments, cooperation between affected local governments and service providers and provides opportunities to resolve potential disputes only within the plan amendment process.

The Planning & Zoning Board considered the requested land use plan amendment during their February 8, 2021 meeting and recommended denial. Board members expressed concerns regarding the number of units suggested, the density, and the amount of traffic generated from the new development.

The Local Planning Agency (LPA) considered this item during their March 10, 2022 meeting and recommended denial.

The Applicant, Ms. Bonnie Miskal, requested that this item be postponed to the next available meeting (May 12, 2022 Village Council Public Hearing). She wants

to correct the density of the project.

Fiscal Impact:

The property land use amendment is not expected to provide a direct fiscal impact on the Village; however, it would facilitate development that will increase the Village's property evaluation. In addition, this project would require various Village services that will result in increased expenditures on the Village.

Vice Mayor Gunther made a motion to postpone Ordinance No. 2022-05 to the May 12, 2022, Public Hearing Meeting. It was seconded by Mayor Pro Tem Brinkman. The motion carries 5-0.

22. Ordinance No. 2022-03 - Village Code Amendment - Chapter 78-45 - Utility Billing Adjustments (First Reading)

Staff: Paul Ward, Superintendent of Utilities

SUMMARY: The Utilities Department requests an amendment to the Village Code - Chapter 78, Section 78-45 Utility Billing Adjustments, to include an adjustment for excessive use caused by a concealed leak.

A concealed leak is an underground leak in the service line, sprinkler line, a leak inside the wall, or a leak under a building, that causes the monthly bill to exceed six (6) times the average monthly consumption based on the last twelve (12) months. In the event of a concealed leak, a residential customer may be eligible for a one-time adjustment of 100% of the excess consumption, one (1) time in a five (5) year period.

To receive excessive use caused by a concealed leak adjustment, the residential customer must meet the following criteria:

- (1) The customer must notify the Village of the apparent water loss on their property within one business day of discovering the water loss, or five (5) business days following the customer's receipt of a water bill indicating inconsistent usage on their property, whichever is sooner.
- (2) The customer must take corrective action to end the loss of water within forty-eight (48) hours of discovering the water loss or receiving an unusually high water bill for their property, whichever occurs first. If no corrective action is feasible, the customer should request that the Village temporarily shut off the water to the property until the repairs are made.

Note: Refunds between \$0 to \$1,000.00 must have the approval of the Customer Relation Supervisor. Refunds greater than \$1,000.00 and up to \$7,500.00 must have the approval of the Utilities Director. Refunds greater than \$7,500.00 must have the approval of the Utilities Director, Finance Director, and Village Manager.

The proposed ordinance was prepared by the Village Attorney and reviewed by the Assistant Village Manager, Public Service Administrator, and the Customer

Relation Supervisor.

If approved on the 1st reading, the proposed ordinance will be considered for the 2nd and final reading by the Village Council on April 14, 2022.

Fiscal Impact:

The proposed amendment will not have a significant fiscal impact on the Village.

Mr. Ward summarized this item. Mayor Smith opened the meeting for discussion and questions from the Council. Vice Mayor Gunther asked if commercial accounts qualified for the credit. Mr. Ward explained that commercial accounts did not qualify for the credit, and that it was only for residential customers. Mayor Pro Tem Brinkman asked how common were leaks under sidewalks and other concealed areas. Mayor Smith opened the meeting to public comment. There were no comments from the public.

Village Attorney Torcivia read the title of the caption into the record.

Council Member Ready made a motion to approve Ordinance No. 2022-03. Council Member Waller seconded the motion. The said motion passed 5-0.

At this time, Village Manager acknowledged Mr. Ward and the Utilities staff for their hard work with crafting this ordinance and looking at neighboring cities.

ACTIONS AND REPORTS

There were no Action or Reports.

VILLAGE MANAGER COMMENTS

There were no Village Manager Comments.

VILLAGE COUNCIL COMMENTS

The Council gave an update on the events they attended like Read Across America and Touch-A-Truck. Mayor Pro Tem Brinkman mentioned there is a Homeless Resource Center (HRC) meeting on March 16, 2022, at the Senior Center. There is also a Transportation Planning Agency Workshop on March 31, 2022. The Council congratulated Assistant Village Manager Glas-Castro once again on her award and on getting re-elected.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 7:47 p.m.

Kimberly Wynn
Village Clerk