



VILLAGE COUNCIL MEETING MINUTES
Village Hall - Council Chambers
226 Cypress Lane | Palm Springs, FL 3461
Thursday, April 8, 2021 at 6:30 PM

COUNCIL

- Mayor Beverly Smith
- Vice Mayor Gary Ready
- Mayor Pro Tem Doug Gunther
- Council Member Joni Brinkman
- Council Member Patti Waller

ADMINISTRATION

- Village Manager Richard Reade
- Village Attorney Glen Torcivia
- Village Clerk Kimberly Wynn

Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least three (3) business days prior to the meeting in order to request such assistance.

1. CALL TO ORDER:

Mayor Smith called the Regular Council meeting to order at 6:54 PM.

2. ROLL CALL:

Present: Mayor Bev Smith, Vice Mayor Gary Ready, Mayor Pro Tem Doug Gunther, Council Member Joni Brinkman, Council Member Patti Waller, Village Attorney Glen Torcivia, Village Manager Richard Reade, and Village Clerk Kimberly Wynn

Absent: None

Staff Present: Sergeant-at-Arms Tom Ceccarelli Police Chief, Chad Girard Assistant, Jossie Maliska Interim Library Director, Kim Glas-Castro Assistant Village Manager, Iramis Cabrera Interim Planning, Building and Zoning, Justin Lucas, Parks and Recreation Director, Marianna Ortega-Sanchez Assistant Finance Director and Thomas Cook IT Director.

3. INVOCATION:

Village Manager Reade led in the Invocation.

4. PLEDGE OF ALLEGIANCE:

Mayor Pro Tem Gunther led in the Pledge of Allegiance.

5. ADDITIONS, DELETIONS, OR MODIFICATIONS, AND APPROVAL OF AGENDA

Village Manager Reade noted additional information was provided to the Council before the meeting for Item 6.10, Approve Florida Mango Road Utility Relocation Design (Task Order No. 294) - Work Authorization WG - U01 - Professional Engineering Services -

Public Services Department (FY 2021 Budget - Water and Sewer Enterprise Fund - WGI. Item #10.2, Discussion - Village of Palm Springs Police Department Building Expansion Update & Options, will be moved to next month's agenda. Lastly, Item 10.4. was placed on the agenda under Actions and Reports as an Addendum.

Mayor Pro Tem Gunther made a motion to approve the agenda as presented, seconded by Vice Mayor Ready. The motion carries 5-0.

6. CONSENT AGENDA (*Public Comment on Consent Agenda Items is permissible prior to voting*)

6.1 Approval of March 11, 2021 Regular Village Council Meeting Minutes

- March 11, 2021 Village Council Regular Meeting Minutes

6.2 Resolution No. 2021-07 - Support Home Rule Authority - 2021 Florida Legislative Session

- Proposed Resolution No. 2021-07 - Support of Home Rule
- 2021 Legislative Appropriations Grants Priorities Issues - Village of Palm Springs Goals & Objectives - Village of Palm Springs
- Florida League of Mayors - Resolution on Preemption of Home Rule

6.3. Approve Independent Auditing Services Agreement (Extension) - 1st Amendment - Caler, Donten, Levine, Cohen, Porter and Veil, P.A.

- Proposed 1st Amendment to Agreement & Addendum - Caler, Donten, Levine, Cohen, Porter and Veil P.A.
- Approval to Extend Annual Independent Audit Services Agreement - Caler, Donten, Levine, Cohen, Porter & Veil, P.A.

April 8, 2021 Village Council Regular Meeting Minutes

- Approved Annual Independent Audit Services Agreement - 2016-2020
- Caler, Donten, Levine, Cohen, Porter & Veil, P.A.

6.4. Approve Park Connector Pathway Project Award - Sub- Phase II - Davis Road [Greenbrier to Lakewood] (Task Order No. 255) - Invitation to Bid (ITB) - Parks and Recreation Department (FY 2021 Budget Funded - CDBG & Sales Tax) - E&F Florida Enterprises, Inc. d/b/a Creative Contracting Group

- Proposed Agreement E&F Florida Enterprises, Inc. dba Creative Contracting Group Award Recommendation Letter - Wantman Group
- ITB #2021B-001 - Bid Tabulation Comparison of Unit Pricing
- Bid Submittal - E&F Florida Enterprises, Inc. d/b/a Creative Contracting Group
- Bid Submittal - R&D Paving LLC
- Bid Submittal - Waypoint Contracting
- ITB 2021B-001 - Park Connector Pathway SubPhase IIB
- ITB 2021B-001 - Park Connector Pathway Bid Plans
- ITB 2021-001 - Addendum No 1 - March 8, 2021 CIP Form - Park Connector Pathway

6.5. Approve Lakewood Gardens Park Concrete Replacement Award (Task Order No. 286)- Piggyback - Parks and Recreation Department (FY 2021 Funded - General Fund) - Flying Scot, Inc.

- Proposed Agreement - Lakewood Gardens Park Concrete Replacement Project - Flying Scot
- Proposal - Flying Scot - Village of Palm Springs Approval to Piggyback - Flying Scot
- ITB 2020-124PS - Approved Agreement - Flying Scot - City of Palm Beach Gardens ITB 2020-124PS - Award Recommendation - City of Palm Beach Gardens
- ITB 2020-124PS - Approved Pricing List - Flying Scot - City of Palm Beach Gardens ITB 2020-124PS - Bid Submittal Documents - Flying Scot - City of Palm Beach Gardens
- ITB 2020-124PS - Bid Announcement - City of Palm Beach Gardens
- ITB 2020-124PS - Invitation to Bid - City of Palm Beach Gardens - August 2, 2020 CIP Form - Lakewood Gardens Park

April 8, 2021 Village Council Regular Meeting Minutes

6.6. Approve Davis Road (Canal Road to 10th Avenue North) Stormwater Improvements (Stormwater Master Plan Project #7) Work Authorization CM-S01 (Task Order No. 291- Professional Engineering Services - Public Service Department (FY 2021 Budget - Stormwater Enterprise Fund) – Chen Moore and Associates, Inc.

- Proposed Work Authorization - Task Order #291 - Davis Road Stormwater Improvement Project - Chen Moore and Associates
- General Consulting Services Continuing Contracts - Chen Moore & Associates
- FY 2021 CIP Form -Davis Road Stormwater Improvement Project Stormwater Master Plan - Davis Road Stormwater Improvement Project

6.7. Approve Change Order No. 1 - Main Lift Station Piping Repair (LS No. 39) - Public Service Department (FY 2021 Budget - Water & Sewer Enterprise Fund) - Hinterland Group

- Proposed Change Order # 1 - Hinterland Group
- Approved Purchase Request to Repair Lift Station Piping - Main Lift Station LS No. 39 - Hinterland Group
- Executed Village of Palm Springs Agreement - Hinterland Group
- Village of Palm Springs Agreement - Contract Unit Prices - Hinterland Group

6.8. Approval to Rescind/Void Material Storage Bays at Main WTP Construction Services Contract (Task Order No. 258) - Invitation to Bid (ITB #2020B-007) - Republic Construction

- E-mail Notification that Republic Construction (competitively awarded vendor) would not be proceeding with Construction Services Contract for the Material Storage Bays at Main WTP

6.9. Acceptance of Utility Easement Agreement - 2755 10th Avenue North - USA Auto Wash, Inc.

- Proposed Utility Easement Agreement - USA Auto Wash, Inc. - 2755 10th Avenue North
- Sketch & Description
- Aerial & Location Map - 2755 10th Avenue North

April 8, 2021 Village Council Regular Meeting Minutes

6.10. Approve Florida Mango Road Utility Relocation Design (Task Order No. 294) – Work Authorization WG-U01 – Professional Engineering Services - Public Service Department (FY 2021 Budget - Water and Sewer Enterprise Fund) – WGI

- Proposed Work Authorization - Task Order #294 - Proposed Florida Mango Road Utility Relocation Project - Design & Engineering - WGI
- General Engineering Consulting Services Continuing Contract - WGI
- FY 2021 CIP Form - Proposed Florida Mango Road Utility Relocation Project - Design & Engineering
- (Additional Information) Public Notice FL Mango Road
- (Additional Information) Florida Statutes Chapter 337.401

6.11 Approve Resilience Assessment and Emergency Response Plan – Work Authorization EE-U09 – Professional Engineering Services - Public Service Department (FY 2021 Budget - Water and Sewer Enterprise Fund) – Eckler Engineering, Inc.

- Proposed Work Authorization No. EE-U09 - Proposed Resilience Assessment (RRA) and Emergency Response Plan (ERP) - Professional Engineering Services - Eckler Engineering
- Utility Engineering Consulting Services Continuing Contract - Eckler Engineering

END OF CONSENT AGENDA

Council Member Waller made a motion to approve the Consent Agenda, seconded by Council Member Brinkman. The motion carries 5-0.

7. PRESENTATIONS

7.1. Water Conservation Month Proclamation - April 2021

- Water Conservation Month Proclamation - April 2021

Mayor Smith read the proclamation into the record and presented it to Assistant Public Service Director, Mr. Chad Girard.

7.2. National Public Safety Telecommunicators Week - April 11-17, 2021

- Proclamation - Public Safety Telecommunicators Week

Mayor Smith read the proclamation into the record and presented it to Police Chief Tom Ceccarelli. Chief Ceccarelli and the Village Manager gave comments.

7.3. National Library Week in Palm Springs Proclamation

- National Library Week in Palm Springs Proclamation

Mayor Smith read the proclamation into the record and presented it to the Interim Library Services Director, Ms. Jossie Maliska. Mayor Smith commented on the services the library provides to the community.

7.4. National Arbor Day Proclamation - April 30, 2021

- National Arbor Day Proclamation - April 30, 2021

Mayor Smith read the National Arbor Day proclamation into the record and presented it to the Assistant Public Service Director, Chad Girard. She also invited everyone out to the Arbor Day event on April 30th at 10:00 AM.

7.5 Municipal Clerks Week - May 2-8, 2021

- Municipal Clerks Week - May 2-8, 2021

Mayor Smith read the proclamation into the record and presented it to the Village Clerk, Kimberly Wynn.

8. **PUBLIC COMMENT *The public shall be limited to three (3) minutes to speak on agenda or non-agenda item(s)***

At this time, Mayor Smith offered the public an opportunity to speak on agenda and non-agenda items. There were no comments from the public.

9. **PUBLIC HEARINGS**

9.1 Proposed Ordinance No. 2021-03 - Village Code Amendment - Chapter 34 - Law Enforcement and Parks & Recreation Impact Fees (*First Reading*)

- Proposed Ordinance No. 2021-03 - Law Enforcement and Parks & Recreation Impact Fees
- Schedule of Maximum Potential Impact Fee Rates (Proposed) - Law Enforcement and Parks & Recreation
- Impact Fee Study - Tindale Oliver - draft March 18, 2021
- Calculated Percentages of Maximum Potential Impact Fee Rates - Law Enforcement and Parks and Recreation
- Resolution No. 2012-53 - Current Impact Fee Schedule Tindale-Oliver Presentation - Impact Fee Summary

Village Manager Reade read the staff's report into the record. Mrs. Glas-Castro introduced Ms. Nilguin Kamp, a consultant with Tindale-Oliver. Ms. Kamp gave a presentation on Impact Fees. Impact fees were not updated for the Village in a while. She discussed the new law that now placed the burden of proof on the government for impact fees. Ms. Kamp talked about her findings from the study.

April 8, 2021 Village Council Regular Meeting Minutes

The Village of Palm Spring's Law Enforcement impact fees is the second-lowest rate in the jurisdiction compared to other neighboring cities. She briefly discussed the Levels of Service (LOS) in the Parks & Recreation Department. Mayor Smith asked why the numbers were higher for mobile home parks versus multi-family and residential homes. She wanted to know if the most recent data was taken into consideration (2020 Census). Council Member Brinkman asked about waived or reduced fees being offered for Community Redevelopment Agency (CRA) properties. If other incentives could be offered in the future. The Assistant Village Manager, Mrs. Glas-Castro said that incentives can be offered with stipulations.

Ms. Kamp talked about the next steps of the Village.

At this time, Mayor Smith offered the public an opportunity to speak on Ordinance No. 2021-03. There were no public comments.

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

Vice Mayor Ready made a motion to approve Ordinance No. 2021-03, seconded by Council Member Waller. The motion to approve 5-0.

9.2 Ordinance No. 2021-04 - Village of Code Amendment - Chapter 34 – Special Events
(*First Reading*)

- Proposed Ordinance No. 2021-04 - Village Code - Chapter 34 - Special Events

Village Manager Reade read the presentation from staff into the record. He said that Ordinance No. 2021-04 is to clarify the definition of a special event. Mayor Smith offered the public and Council an opportunity to speak on Ordinance No. 2021-04. There were no comments from the public.

Council Member Brinkman asked about the noise clause (Section 34.896[10]).

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

Mayor Pro Tem Gunther made a motion to approve Ordinance No. 2021-04, seconded by Council Member Brinkman. The motion carries 5-0.

9.3 Ordinance 2021-02 - Land Use and Rezoning (Small-Scale) Amendments - Fontana Townhomes - 4063 Davis Road & 4090 Coconut Road (Quasi-Judicial Hearing)
(*First Reading*)

- Proposed Ordinance No. 2021-02 - Comprehensive Plan (Small Scale) Land Use
- Map & Rezoning Amendment - 4063 Davis Road & 4090 Coconut Road

April 8, 2021 Village Council Regular Meeting Minutes

- Exhibit "A" Staff Report & Conditions of Approval (combined for both applications)
- Applicant's Justification Statements
- Proposed Site Plan, Landscape Plans, Building Elevations (informational Only)
- Color Site Plan and Color Rendering (informational only)
- Aerial, Location, FLU and Zoning Map

Mayor Smith introduced this item. She asked the Council to disclose any ex parte communication - there was none. Village Clerk Wynn stated that Ordinance No. 2021-02 was advertised in the Lake Worth Herald. The Village Clerk swore in the applicants (WGI and Meritage Homes) that may give testimony in this proceeding.

Village Manager Reade presented staff's report into the record.

Mr. Jerrod Bursar with WGI, located at 2035 Vista Parkway, West Palm Beach, gave the applicant's presentation. He talked about the amenities and development of the project and explained the property is fee simple. Council Member Waller asked about the enforcement of the rules. They are going to be enforced by property management.

There was a discussion about some of the rules that would be put in place. Mayor Pro Tem Gunther asked if the roads would be private during the platting process. Mr. Bursar answered the roads would be private. The estimated price (depending on the market) may start at \$280,000 and the number of units in the development is fifty-nine (59).

At this time, Mayor Smith offered the public an opportunity to speak on Ordinance No. 2021-02. There were no further comments.

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

Council Member Brinkman made a motion to approve Ordinance No. 2021-02, seconded by Vice Mayor Ready. The motion carries 5-0.

10. ACTIONS AND REPORTS

**10.1 Temporary Use Permit - Storage Containers and Contractors Trailers -
4280 Lakewood Road**

- Proposed Temporary Use Permit Agreement
- Proposed Site Logistics Plan (Exhibit "B" to Agreement) Applicant Proposed Temporary Use Narrative
- Aerial and Location Maps
- Sec. 34- 895 Temporary Land Uses in zoning Districts - Land Development Approved Resolution No. 2018-04 and Site Plan - 4280 Lakewood Road

Village Manager Reade read the staff's report into the record.

Mayor Smith offered the Council an opportunity to speak on this item. Council Member Brinkman asked Mr. Smuts if there were two separate trailers on the site. Mr. Smuts explained there is an Owner Management and Construction Management trailer on site. He said that management likes to keep them separate.

Council Member Waller made a motion to approve a Temporary Use Permit for 4280 Lakewood Road, seconded by Mayor Pro Tem Gunther. The motion carries 5-0.

10.2 Discussion - Village of Palm Springs Police Department Building Expansion Update Options (*STAFF HAS REQUESTED THIS ITEM BE POSTPONED*)

10.3 Discussion - Proposed American Rescue Plan Act of 2021 (ARP) Funding & Options

Village Manager Reade introduced Marianna Ortega to explain this item and how these funds can be used. She explained that approximately \$10.5 million were assigned to the Village. Currently, the state does not have a say in how the money is spent. Information is being disseminated periodically. Whatever projects the Village chooses, they have to keep in mind that December 21st is the deadline to spend the ARP funds, and they have to be specific about how the funds are spent. Four areas that can be chosen.

Mayor Pro Tem Gunther commented on the regulations. Ms. Ortega elaborated on the stipulations.

April 8, 2021 Village Council Regular Meeting Minutes

10.4 Discussion - Proposed Res. No. 2021-12 - CPF for Park Connector Pathway

- Proposed Res. No. 2021-12 - Federal Community Project Funding for the Park Connector Pathway System (Revised)
- Resolution No. 2021-12

The Village Manager introduced this item. He talked about the urgency to get approval from Council to qualify for the grant. Vice Mayor Ready asked if the Village was going to apply for this grant with Greenacres. Village Manager Reade said that because the grant is a small amount, the Village is not going to apply with Greenacres.

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

Mayor Pro Tem Gunther made a motion to approve Resolution No. 2021-12, seconded by Vice Mayor Ready. The motion carries 5-0.

Recommend for approval Mayor Pro Tem Gunther made a motion to approve Resolution No. 2021-12, seconded by Vice Mayor Ready. The motion carries 5-0.

The Village Manager introduced this item. He talked about the urgency to get approval from Council to qualify for the grant. Vice Mayor Ready asked if the Village was going to apply for this grant with Greenacres. Village Manager Reade said that because the grant is a small amount, the Village is not going to apply with Greenacres.

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

Mayor Pro Tem Gunther made a motion to approve Resolution No. 2021-12, seconded by Vice Mayor Ready. The motion carries 5-0.

11. VILLAGE MANAGER COMMENTS

Village Manager Reade gave routine comments on staff and daily operations.

12. VILLAGE COUNCIL COMMENTS

Vice Mayor Ready gave a summary of the events he had attended since the last meeting. Mayor Pro Tem Gunther thanked staff and recognized Water Conservation Month. Council Member Brinkman enjoyed the CRA presentation. She also talked about an abundance of garbage in and around a canal. Council Member Waller talked about sidewalk sealant around the Village complex. There is a broken sprinkler head near the tennis courts in the municipal complex. Mayor Smith discussed some of the activities in the Village. She talked about the safety on Lake Worth Road (traffic), especially since they moved the homeless

April 8, 2021 Village Council Regular Meeting Minutes

people out of John Prince Park. She recommended that we contact the Homeless Coalition for assistance. Mayor Smith thanked IT and Finance for getting the facts and keeping the Village safe.

At this time, Mayor Smith invited Tracy Adams from PBCFR to come to say a few words.

Fire Chief Tracy Adams discussed the Annual Report for Palm Beach County. She said there was 433 calls total, and about 80% of those calls were medical-related. Vice-Mayor Ready asked if there was an increase in cost/volume since COVID-19. Fire Chief Adams confirmed the volume increased, but she did not have the financials. She can get Vice Mayor Ready's question to her Finance Department. She left a copy of the annual report for the Council

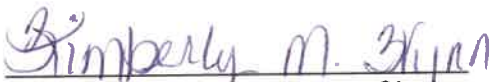
13. ADJOURNMENT

Hearing no further business, the meeting was adjourned at 8:44 PM

ATTEST:


Bev Smith, Mayor

The undersigned is the Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Regular Council Meeting held on **April 8, 2021**. Which minutes were formally approved and adopted by the Village Council on **May 13, 2021**.


Kimberly M. Wynn, Village Clerk



If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least 3 business days prior to the meeting in order to request such assistance.