



**VILLAGE COUNCIL REGULAR MEETING MINUTES
226 CYPRESS LANE | PALM SPRINGS | FLORIDA 33461
JUNE 10, 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

1. CALL TO ORDER

Mayor Smith called the Regular Village Council Meeting to order at 7:15 PM.
(Commenced immediately after the Local Planning Agency Meeting)

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

Also Present: Kimberly Wynn, Village Clerk, Glen Torcivia, Village Attorney, Thomas Ceccarelli, Police Chief as Sergeant-in-Arms, Iramis Cabrera, Interim Planning, Zoning & Building Director, Josie Maliska, Library Services Director, Thomas Cook, IT Director, Justin Lucas, Parks and Recreation Director, Chad Girard, Assistant Public Service Director, Paul Ward, Utilities Superintendent, James Schmitz, Public Works Superintendent, Walter Sanchez, Project Manager, Mariana Ortega-Sanchez, Assistant Finance Director, and Robert Perez, Assistant Police Chief

3. INVOCATION

4. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Gunther led in the Pledge of Allegiance.

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

The Village Manager noted that Council Member Brinkman requested Item #6.1, Resolution No. 2021-17, Support Prioritization of Congress Avenue Pedestrian Improvements by Palm Beach Transportation Planning Agency, get moved to Public Hearings as the first item. There were no additional changes.

Council Member Waller made a motion to approve the agenda as amended and seconded by Mayor Pro Tem Gunther. The motion carries 5-0.

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

Mayor Smith offered the public an opportunity to speak on any item on the Consent Agenda. There were no comments at this time.

6.1 (MOVED TO THE PUBLIC HEARINGS AS 9.1.A.)

6.2 Approve Change Order #1 - Impact Fee Study - Planning, Zoning & Building Department (FY 2021 Budget Funded - General Fund) - Tindale Oliver

- Proposed 1st Amendment - Agreement for Professional Services - Impact Fees - Tindale Oliver
- Exhibit "A" - Additional Services Quote
- Agreement for Professional Services - Impact Fees - Tindale Oliver

6.3 Approve Interlocal Agreement - Restrictions of Land Development - Community Land Trust of Palm Beach County

- Proposed Interlocal Agreement - Restrictions on Development of Land - Community Land Trust (CLT) of Palm Beach County
- Community Land Trust (CLT) Approved Site Plan and Final Surveys Certificates of Occupancy - 3960 Dale Rd & 3974 Dale Rd

6.4 Approve Minor Construction Projects Contract - Piggyback - Public Service Department (FY 2021 Budget Funded) – Wynn and Sons Environmental Construction, Inc.

- Piggyback Agreement for Minor Construction 2021- Wynn and Sons.pdf
- Approval to Piggyback - Wynn and Sons Environmental Construction
- Palm Beach County - Executed Contract - Wynn and Sons Environmental Construction
- Palm Beach County - Bid Tabulation - Wynn and Sons Environmental Construction
- Palm Beach County - Bid Response - Wynn and Sons Environmental Construction Palm Beach County - Invitation to Bid

6.5 Approve Water Well #17 Rehabilitation (Task Order No. 290) - Work Authorization No. CD-U03- Public Service Department (FY 2021 Budget Funded - Water & Sewer Enterprise Fund) - Centerline Drilling, Inc.

- Village of Palm Springs - Work Authorization Number CD-U03 - Well 17
- Cost Estimate - Centerline Drilling, Inc.

6.6 Approve R.L. Pratt Water Treatment Plant Emergency Generator Replacement Project (Task Order No. 296 - Work Authorization HE-U09) - Professional Engineering Services - Public Service Department (FY 2021 Budget Funded - Water & Sewer Enterprise Fund) - Holtz Consulting Engineers

- Proposed Work Authorization No. HE-U09 - Task Order #296 - Pratt Plant Replacement Generator - Holtz Consulting
- FY 2021 CIP Form - Pratt Plant Replacement Generator

6.7 Approve Florida Mango Road Utility Relocation Design (Task Order No. 295 – Work Authorization WG-U02) – Professional Engineering Services - Public Service Department (FY 2021 Budget - Water and Sewer Enterprise Fund) – WGI

- Proposed Work Authorization - Task Order #295 - Proposed Florida Mango Road
- Utility Relocation Project (10th Ave N to Edgewater) - Design & Engineering
- WGI General Engineering Consulting Services Continuing Contract - WGI

- FY 2021 CIP Form - Proposed Florida Mango Road (10th Ave N to Edgewater)
- Utility Relocation Project - Design & Engineering
- Public Notice FL Mango Road (Additional Information)
- Florida Statutes Chapter 337.401 (Additional Information)

6.8 Approve Solar Chloride (Solar Salt) Purchase Agreement - Cooperative Purchasing (Piggyback) - Public Service Department (FY 2021 Budget Funded) - Morton Salt, Inc.

- Proposed Agreement - Morton Salt, Inc.
- City of Boca Raton - Executed Contract
- City of Boca Raton - Invitation to Bid
- City of Boca Raton - Bid Tabulation
- City of Boca Raton - Morton Salt Bid Response

END OF CONSENT AGENDA

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

7. PRESENTATIONS

7.1 Updates on Legislative Session - Senator Lori Berman Florida District 31

Mayor Smith introduced Senator Lori Berman to give updates on the Legislative Session and Special Session. She discussed several legislative bills that were passed and preempted. The legislation discussed was impact fees and the purple alert bill. She explained the purple alert bill is an alert for younger patrons that are disabled.

Senator Berman talked about the location of gas stations, and they were preempted. She discussed home-based businesses and their controversial regulations. She urged elected officials to advocate against this bill. Senator Berman advised Council that however popular, vacation rentals and Airbnb were not discussed. Several projects did not move forward. A preemption that was passed is the purple alert. This is for people with disabilities that are younger.

Mayor Smith asked Senator Berman about the request for an administrative fee by cities for using the American Rescue Funds. Senator Berman said that she did not have an answer for Mayor Smith, but she would look into it. Vice Mayor Ready asked

about the number of children that had to attend summer school due to the COVID pandemic. Senator Berman discussed some of the alternatives that the schools suggested instead of holding a student back. She noted parents must decide before the end of June whether they want their child to get promoted to the next grade; or have them do remedial work. She admitted that the Zoom virtual classes were a disaster. There were ill-equipped systems, especially in underserved areas. Consequently, students fell behind.

At this point, Mayor Smith asked Palm Beach County Fire Rescue Chief Tracy Adams to come forward and speak. Chief Adams discussed the average response time (ART) of fire rescue and gave statistics for the community. She reported progressive improvement with the response time. Chief Adams reminded the residents to prepare for the hurricane system and have a backup plan in place.

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

Mayor Smith offered the public an opportunity to speak on agenda and non-agenda items:

1. Mrs. Peggy Van Arman - 4077 Luzon Avenue - Mrs. Van Arman commented on the three (3) proposals for the Police Building Expansion. She and her neighbor recommended Proposal #3. She asked about supplemental funding (i.e., American Rescue Funds). Mayor Smith spoke on funding opportunities.

2. Richard Hughes - 1840 Richard Lane - Mr. Hughes spoke in favor of expanding the police department. He was pleased with the level of service, their responses, and their personalities. He compared an experience he had with another law enforcement agency

9. PUBLIC HEARINGS

9.1.A. Resolution No. 2021-17 - Support Prioritization of Congress Avenue Pedestrian Improvements by Palm Beach Transportation Planning Agency (TPA)

- Proposed Resolution No. 2021-17 Congress Avenue from Lake Worth Road to Forest Hill Blvd
- Proposed Congress Avenue State Road Modifications - Palm Beach Transportation Planning Agency

- Preliminary Cost Estimates - TPA Prioritized Improvements for Congress Avenue

Mayor Smith introduced this item. Mr. Andrew Uhlir, Deputy Director of Program Development with the Transportation Planning Agency (TPA) stated that he was there to answer questions. He discussed upcoming projects of the TPA, and their priority. Mr. Uhlir talked about the next steps. Vice Mayor asked how the information was obtained for traffic studies if it would be used now or at a later date. Mr. Uhlir discussed the different models that are used for traffic studies. Council Member Brinkman discussed the reason she wanted this item to be moved from the Consent Agenda. She talked about the bus shelters and the importance of having the project prioritized. Mayor Pro Tem Gunther discussed the utilities and possible relocation in the future. Mr. Uhlir advised Council that relocation of the utilities is part of the future package. Mayor Smith talked about a fatality that involved her next door neighbor on a rolling cart (motor scooters).

Mayor Smith offered the public an opportunity to speak on this item. There were no comments from the public. The Village Attorney read the title of the caption into the record for Resolution No. 2021-17.

Council Member Brinkman made a motion to approve Resolution No. 2021-17, seconded by Council Member Waller. The motion carries 5-0.

9.1. Resolution No. 2021-16 - Abandonment of Unimproved Platted Alley - East side of Elizabeth Street

- Proposed Resolution No. 2021-16 - Abandonment of Unimproved Platted Alley - East side of Elizabeth Street
- Recorded County Deed - Village of Palm Springs
- Abandonment Request Letter - Iglesia de Dios Ebenezer International
- Abandonment Request Application - Iglesia de Dios Ebenezer International
- Utility Letters - No Objection
- Plat Book 21, Page 41
- Iglesia de Dios Ebenezer International
 - Survey Aerial Map and Location Map
- LWH Advertisement - Resolution No. 2021-16 - Abandonment of Elizabeth Street
-

The Village Manager read the staff report into the record. Applicants were present to answer questions about Resolution No. 2021-16 and give a presentation. The applicants explained that the property was purchased in 1990 and that this sliver of the property was recently discovered through an oversight. Mayor Pro Tem Gunther asked the applicants if there was any consideration to replat the property. Council Member Brinkman suggested that if the applicants considered re-platting the property, they speak with staff.

Mayor Smith offered the public an opportunity to speak on Resolution No. 2021-16. There were no comments from the public. The Village Attorney read the title of the caption into the record.

Council Member Waller made a motion to approve Resolution No 2021-16, it was seconded by Vice-Mayor Ready. The motion carries 5-0.

9.2 Ordinance No. 2021-05 - Land Use Plan Amendment (Large Scale) - 2085 South Congress Avenue and 3243 Lillian Road (Proposed Palm Springs Residences Residential Planned Development) (*First Reading*)

- Proposed Ord No. 2021- 05 - Comprehensive Plan Amendment (Large Scale) 2085 South Congress Avenue and 3243 Lillian Road
- Exhibit "A" - Staff Report and Recommended Conditions of Approval Applicant's Future Land Use Map Amendment Analysis and Justification Site Plan, Civil Plans, Landscape Plans, Architectural Plans & Letters (for informational purposes only)
- Colored Site Plan and Rendering (for informational purposes only)
- School Capacity Availability Determination
- FDOT Pre-Application Approval Letter
- Proposed Median Improvements
- Legal Description and Survey
- Aerial Map, Location Map and Future Land Use Map Letters to Support or Oppose

Mayor Smith asked the Council to disclose any ex-parte communication. The Village Manager entered the staff report into the record. Ms. Bonni Miskel gave a brief statement about Florida Statutes Chapter 163. She said that many of the Council's conditions were met since their last meeting. She then proceeded to discuss the changes and give them during her presentation. She talked about the abundance of parking that was incorporated with the revised plan. Mayor Smith expressed her concern with traffic but was pleased with the improvements made to the plan.

Mayor Smith offered the public and Council an opportunity to speak.

Vice-Mayor Ready wanted to know the status of the Uber and Lyft drivers in the designated areas of the development. Ms. Miskel discussed the Developer's plan to move forward with Uber and Lyft drivers. Vice-Mayor Ready also asked about wi-fi and the electric charging stations (ECV). Ms. Miskel said that electrical charging vehicles will be considered in the future. Council Member Waller questioned who would maintain the nearby ditch in the area. Ms. Miskel explained this is being addressed. Council Member Brinkman asked if they could look at ECVs before the site plan come back to the area.

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

Vice-Mayor Ready made a motion to approve Ordinance No. No. 2021-05, seconded by Council Member Waller. The motion carries 5-0.

9.3 Resolution No. 2021-14 - Site Plan Amendment (SPR21-07) and Special Exception Use (PSSE21-03) - Brave Little Stars Academy - 3108 South Congress Avenue

- Proposed Resolution No. 2021-14 - Site Plan (SPR21-07), Special Exception Use (PSSE21- 03) & Hours of Operation Variance (PSV21-09) - Brave Little Stars Academy - 3108 South Congress Avenue
- Exhibit "A" Staff Report and Conditions of Approval - Brave Little Stars Academy Project Narrative and Justification Statement - Brave Little Stars Academy
- Site Plan, Landscape Plan, Architectural Plans and Letters - Brave Little Stars Academy
- Warranty Deed
- Proposed Color Rendering - Brave Little Stars Academy Aerial Map and Location Map
- LWH Advertisement for Resolution No. 2021-14

The Village Manager read the staff report into the record. The applicants, Mr. Josh Nickels and Ms. Andrea Nickels were present to give their presentation. Mr. Nickels presented his PowerPoint and discussed the key points with staff. Council and staff concurred that the Brave Little Stars Academy project is beneficial since the property has been vacant for so long.

Mayor Smith offered the public an opportunity to speak on Resolution No. 2021-14. There were no comments. Village Attorney Torcivia read the title of the caption into the record.

Vice-Mayor Ready made a motion to approve Resolution No. 2021-14, seconded by Council Member Waller. The motion carries 5-0.

9.4 Public Workshop - Proposed Impact Fees Increase - Extraordinary Circumstances Necessitating and Justifying Impact Fees for Law Enforcement and Parks & Recreation

- [Impact Fee Study - Tindale Oliver - Final Report March 18, 2021](#)
- [New Legislation - House Bill 337 - Impact Fees](#)
- [LWH Advertisement - April 29, 2021 - Notice of Proposed Impact Fee Workshop](#)

9.5 Proposed Ordinance No. 2021-03 - Village Code Amendment - Chapter 34 - Law Enforcement and Parks & Recreation Impact Fees (*Second Reading*) [Hearing Continued from May 13, 2021]

- [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 - Final Report dated 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](#)

The Village Clerk, Ms. Wynn read the statement of advertisement into the record. The Village Attorney read the title of the caption into the record. Mayor Smith offered the public an opportunity to comment on Ordinance No. 2021-03. The Village Manager noted that the staff report was presented on First Reading.

Vice Mayor Ready made a motion to approve Ordinance No. 2021-03, seconded by Mayor Pro Tem Gunther. The motion carries 5-0.

10. ACTIONS AND REPORTS

10.1 Discussion - Village of Palm Springs Police Department Building Expansion - Update & Options

- [Police Department Building Expansion Presentation](#)

Police Chief Ceccarelli introduced Ms. Jill Lanigan from Song & Associates. Chief Ceccarelli gave an overview of his presentation and explained why there is a need for more space. He wants to keep the department together for continuity. The work areas are tight, and not a conducive workspace.

Chief Ceccarelli stated that about twenty-one (21) years ago, the building was underbuilt. In 2018, the Police Department earmarked \$3 million towards expansion. There was further discussion about the current needs and future growth of the agency.

The proposed \$3 million leave the department with too little space. Chief Ceccarelli explained there are three (3) options for expansion. He said that Option #2 provided the police building to be expanded 24,000 square feet; however, by 2040 they will be short on space again. Option #3 is the ideal best option. The public safety building is critical for many reasons. The current building can only sustain a Category 3 hurricane. Public Safety needs a building that can help with Disaster Emergency Management if anything happens. The construction costs have increased because of the COVID pandemic and hiring freezes. Chief Ceccarelli discussed the different financing options and grants.

Council asked when the new building is built, will the old building be remodeled? Staff answered yes the current building would be remodeled. Council wanted to know if there was a basement option offered. Ms. Lanigan advised anything is possible, but difficult to achieve. Council Member Gunther asked about sub-stations through the Village. Chief Ceccarelli cautioned against sub-stations for multiple reasons. He asked how much money is in the fund. Manager Reade stated there is about \$3 million. Council Member Waller supports Option #3. Council Member Brinkman asked what year the project would be completed (shelf-life).

In further discussion, Chief Ceccarelli talked about evidence that was stored outside in the impound. There was a discussion of different ways they could design the new building. Council Member Brinkman said that she supported Option #2. Mayor Smith supported Option #3 for the additional 1.5 million.

Mayor Pro Tem Gunther said that he is divided between Options #2 and Option #3. Village of Palm Springs Construction Project Manager, Walter Sanchez, discussed each option with the Council. Discussion ensued about the increased construction costs for materials. Vice-Mayor Ready said that he supported Option #3.

Three of the Council Members agreed on Option #3 and two agreed on Option #2.

10.2 Discussion - American Rescue Plan (ARP) Act - Update & Options

- American Rescue Plan Presentation
- List of Requested Projects from Department Heads

Village Manager Reade introduced Mariana Ortega to speak on the ARP Act. Ms. Ortega gave a brief overview of the program and the way it was proposed to be implemented. She clarified that everything is still a work in progress, but she continues to get clarification on how the funds can be received and spent. Ms. Ortega said that she is also getting more information about what the fund can be spent on, and the timeframe.

11. VILLAGE MANAGER COMMENTS

The Village Manager introduced Mrs. Jossie Maliska as the new Director of Library Services. He also congratulated Council Member Patti Waller for receiving Home Rule Hero Award. The Village Manager asked Mr. Lucas to provide an update on various Parks and Recreation programs. Mr. Lucas reported the status of Pathway Park Phase 2, Summer Street Park, and a new program they will do at Sabal Palm Park. There was also a brief discussion about the Fourth of July Fireworks. Mr. Lucas said that food will be served by the VFW and there was preregistration for parking to control the crowd.

The Village Manager gave an update on the Digital Divide project and recruitment for the Salvation Army Summer Camp. The benevolence of the Village allowed fourteen children to attend the one-week camp

12. VILLAGE COUNCIL COMMENTS

Vice-Mayor Ready gave an update of his activities for the past several weeks. Council discussed their thoughts on face coverings for employees and residents in Village buildings. Council Member Brinkman talked about an old tree being moved. She also announced the Palm Beach County Planning Commission meeting was the next day and that she would represent the Village. The Council complimented staff on how great the

seals on the sidewalk look. Mayor Smith announced that she would not be present at the Village Council Meeting on July 8, 2021.

13. ADJOURNMENT

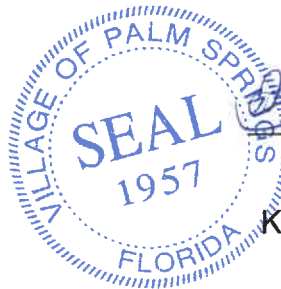
Hearing no further business, Mayor Smith adjourned the meeting at 10:41 PM.

Next Meeting

Thursday, July 8, 2021, at 6:30 PM

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.

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 **June 10, 2021** Which minutes were formally approved and adopted by the Village Council on **August 26, 2021.**



Kimberly M. Wynn

Kimberly M. Wynn, Village Clerk

ATTEST:

Bev Smith
Bev Smith, Mayor