



**VILLAGE COUNCIL MEETING MINUTES,
COUNCIL CHAMBERS 226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
JULY 21, 2022 AT 6:30 PM**

CALL TO ORDER

Mayor Bev Smith called the Regular Village Council Meeting to order at 6:52 p.m.

ROLL CALL:

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

Absent: None

Also Present: Village Manager Michael Bornstein, Village Attorney Susan Garrett, Village Clerk Kimberly Wynn, Assistant Village Manager Kim Glas-Castro, Police Chief Tom Ceccarelli as Sergeant in Arms, Planning, Zoning and Building Director Iramis Cabrera, Superintendent Public Service Timothy Crespo, Assistant Finance Director, Mariana Ortega, Chief Finance Director Rebecca Morse, Parks and Recreation Director, Justin Lucas, Parks and Recreation Supervisor Garrett Pearson, and Assistant Utilities Director Paul Ward, and Utilities Director Jimmie Johnson

INVOCATION

The Village Manager, Mr. Bornstein, led in the invocation by requesting a moment of silence to pay homage to Former Village Manager Mr. Karl Umberger.

PLEDGE OF ALLEGIANCE

The Village Council led in the Pledge of Allegiance.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Mayor Smith asked the staff if there were any Additions, Deletions, or Modifications to the Agenda. Staff stated there was an Addendum to the Agenda, Item #17, (First Reading) - Resolution No. 2022-32 - FY 2023 Preliminary Millage Rates - Operating, Debt Service & CRA Tax Increment Financing (TIF).

Council Member Ready made a motion to approve the agenda as amended. Vice Mayor Gunther seconded the motion. The said motion passed 5-0.

CONSENT AGENDA

- 1. **Minutes: Approve June 9, 2022, Village Council Regular Meeting Minutes**

Staff: Kimberly Wynn, Village Clerk

- 2. **Minutes: Approve July 7, 2022, Village Council Regular Meeting Minutes**

Staff: Kimberly Wynn, Village Clerk

- 3. **Appointment to the Library Advisory Board: Approve the appointment of Mr. Rick DiRienzo as a Regular member of the Library Advisory Board to serve an unexpired three-year term ending May 14, 2023. If approved, there will be a vacancy for one (1) Senior Alternate and one (1) Junior Alternate member to serve a three-year term on the Library Advisory Board.**

Staff: Kimberly Wynn, Village Clerk

SUMMARY: Currently, there are (1) Regular member and two (2) Alternate member vacancies on the Library Advisory Board. Ms. Frances Storey resigned as a Regular member on September 24, 2020, and this position has remained vacant.

Mr. Rick DiRienzo has expressed an interest in serving as a Regular member. If appointed, Mr. DiRienzo would serve an unexpired three-year term ending May 14, 2023.

If approved, there will be a vacancy for one (1) Senior Alternate and one (1) Junior Alternate member to serve a three-year

term on the Library Advisory Board.

Fiscal Impact:

The proposed appointment does not have a fiscal impact on the Village.

- 4. **Resolution No. 2022-26- Utilizing the Palm Beach County League of Cities Infrastructure Surtax Citizens Oversight Committee: Approve Resolution No. 2022-26 to use the Palm Beach County League of Cities Infrastructure Surtax Citizens Oversight Committee; superseding Resolution No. 2017-06 that established membership to Village of Palm Springs Infrastructure Surtax Citizen Oversight Committee.**

Staff: Kimberly Glas-Castro, Assistant Village Manager

SUMMARY: In May 2016, the Village Council entered into an Interlocal Agreement with Palm Beach County and the School Board of Palm Beach County to support a one-cent infrastructure surtax for capital improvement projects and equipment that were not funded due to the recent economic recession and dramatic decreases in assessed property values over the past decade.

The agreement required the Village to establish an Infrastructure Surtax Citizen Oversight Committee (or to utilize the Palm Beach County League of Cities Infrastructure Surtax Citizen Oversight Committee) that would ensure that all expenditures are completed in accordance with County Ordinance 2016-032 and State Statute Sections 212.055(2), 163.3164, 163.3221 & 189.01.

The Village established its own oversight committee via Resolution No. 2017-06. Over the past year, all three committee members have resigned (for various personal reasons). The staff has recommended that the Village utilize the League's Infrastructure Surtax Citizen Oversight Committee, and the League's Board of Directors approved the Village's request at its June 22, 2022 meeting. Seventeen (17) cities utilize the League's oversight committee.

Current members include:

- Chair Ken Schenck, Former Manager
- David Harden, Former Manager
- Shannon LaRocque, Wellington Utility Director
- Ray Liggins, Royal Palm Beach Manager
- Kelly Smallridge, Business Development Board

The League's oversight committee will only review those capital projects that were not previously considered and confirmed eligible by the Village oversight committee.

The proposed Resolution supersedes that approved in 2017 and designates the Palm Beach County League of Cities' Infrastructure Surtax Citizen Oversight Committee to review proposed Village expenditures of surtax dollars.

Fiscal Impact:

Utilizing the League's Infrastructure Surtax Citizen Oversight Committee will not have a direct impact on the Village; however, this committee will assist in ensuring that all surtax expenditures meet the requirements of state law.

5. **Work Authorization No. CD-U04 (Task Order No. 304) Water Well #13 Utilities Department (FY 2022 Budget Funded - Water & Sewer Enterprise Fund) - Centerline Drilling, Inc.:** Approve Work Authorization No. CD-U04 (Task Order No. 304) with Centerline Drilling, Inc. piggybacked off the current Town of Jupiter Surficial Well Rehabilitation Program (ITB# W2111-0-2020 - December 8, 2020) contract for an amount-not-to- exceed \$45,912.36 to rehabilitate Well #13 to restore the quality and quantity of water produced from the well. Funding for Task Order No. 304 is available within the FY 2022 Budget - Water & Sewer Enterprise Fund.

Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: The Utilities Department must rehabilitate one (1) surficial aquifer water well (Well #13) to restore the quality and quantity of water produced from the well. The Village's two (2) water treatment plants are supplied with raw water from sixteen (16) surficial aquifer wells that are located throughout the Village and were constructed between 1959 and 2006. Hence, periodic rehabilitation of these wells (including acidization, development, and disinfection) is vital to maintaining the long-term integrity and production of the water supply wells.

In July 2018, the Village completed a Raw Water Supply and Wellfield Evaluation (completed by Connect Consulting, Inc.) that identified Well #13 as a candidate for rehabilitation. Thus, the Public Service Department is recommending that this well be rehabilitated utilizing the Village's existing (piggybacked) contract with Centerline Drilling, Inc. in the (not-to-exceed) amount of \$45,912.36

To ensure the lowest possible price, the staff is recommending that the Village utilize our existing agreement, which was piggybacked off the current Town of Jupiter contract. Jupiter awarded that to Centerline Drilling on December 8, 2020. This selection by the Town of Jupiter was completed through a competitive selection process – Town of Jupiter Surficial Well Rehabilitation Program (ITB# W2111-0-2020 - December 8, 2020).

The Village accepted Centerline Drilling's pricing as approved under the Town of Jupiter's contract including all terms, conditions, and pricing. The term of the proposed Town of Jupiter contract would expire on February 16, 2024. The Village will not expend more than the amount within the approved Budget as it may be adopted/amended for each of these goods and services over the term of this contract.

All original bid documents authorizing the initial piggyback with Centerline Drilling are available in the Village Clerk's Office.

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, it is estimated that the proposed project would be completed within 28 days (September 2022) following the Notice to Proceed by the Village.

The proposed project Work Authorization No. CD-U04 was prepared by Centerline Drilling and reviewed by the Assistant

Utilities Director, the Finance Director, and the Village Attorney.

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

Fiscal Impact:

<u>Funding to support Task Order #304 is available within the FY 2022 Budget - Water & Sewer Enterprise Fund .Allocated/ Estimated Project Funding:</u>	<u>Amount:</u>
FY 2022 Approved Funding - Water & Sewer Enterprise Fund	\$80,000.00
Total Allocated/Approved Budget:	\$80,000.00

<u>Expected Project Costs:</u>	<u>Amount:</u>
FY 2022 Project Cost - Actual Engineering & Design - Water & Sewer Enterprise Fund	\$14,980.00
FY 2022 Project Cost - Estimated Construction Cost - Water & Sewer Enterprise Fund	\$45,912.36
Total Project Request/Cost:	\$60,892.36

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.

6. **Purchase Agreement - Vacuum Sewer System (AIRVAC) Parts & Supplies Purchase Agreement - Single Source Purchase - Utilities Department (FY 2022 Budget Funded -Water & Sewer Enterprise Fund) - Aqseptence Group:** Approve a Purchase Agreement with Aqseptence Group, under Chapter 58; Section 58-7-Single source purchase - in the Village Code of Ordinances, to authorize the purchase of parts and supplies for the Village's vacuum sewer system (AIRVAC). Funding to support purchases under the Aqseptence Group is available within the FY 2022 Budget - Water & Sewer Enterprise Fund.

Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: The Utilities Department, throughout the year must purchase parts and supplies for the Village's three (3) Vacuum Sewer Systems. This sewer system is a proprietary system provided by Aqseptence Group, Inc. and it is recommended that we utilize their patented parts and supplies within our Vacuum Sewer System.

Aqseptence Group has provided a letter outlining the proprietary nature of this system and that the parts and supplies would only be available directly from their company. The proposed agreement to purchase parts and supplies would provide a 5% discount off the current listed price for all AIRVAC parts and Busch vacuum pumps, as well as fixed rates for the Busch "Exchange Plus" program. Thus, it is recommended to authorize the Village to make the necessary AIRVAC parts purchases under the Single-Source purchasing provision within the Village's purchasing code:

The Village's Purchasing Code - Section 58-7. Conducting a search for available sources, the Procurement Official together with the user/requesting department determines that only a single source is practicable, or, for other reasons, a single source is in the best interest of the Village. Upon determination of a single source, contract negotiations shall commence with the single source. If contract terms are agreed upon and the single source purchase is anticipated to have a total value of \$35,000 or less, a contract between the village and the single source may be approved and executed by the Village Manager. If contract terms are agreed upon and the single source purchase is anticipated to have a total value of more than \$35,000, the council must approve the contract between the Village and the single source.

If the single source contract is approved, the Village would accept the Aqseptence group's pricing including all terms and conditions therein. The term of the proposed contract is set to expire on December 31, 2022. 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 proposed agreement was prepared by the Village Attorney and reviewed by the Assistant Utilities Director, and the Finance Director.

The Village has worked with the proposed vendor previously and they have provided excellent service and quality products.

Fiscal Impact:

Funding to support purchases under this proposed contract is available within the FY 2022 Budget

- 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.

7. **Work Authorization No. SA-PD01C - Professional Architectural and Engineering Services (Task Order No. 269) - Police Department Building Expansion (FY 2022 and FY2023 Budgets - General Fund and the Capital Improvement Plan (CIP) Song & Associates, Inc.:** Approve Work Authorization No. SA-PD01C (Task Order No. 269) with Song and Associates, Inc. for \$679,055 plus reimbursable expenses not-to-exceed \$10,000 for professional architectural and engineering services related to Phase III of the Police Department Building Expansion project for the addition and expansion of the Police building. Funding to

support architectural and engineering design services for the Police Building Expansion is available within the FY 2022 and FY 2023 Budget - General Fund and the Capital Improvement Plan (CIP) utilizing Infrastructure Surtax (Sales Tax) funds.

Staff: Tom Ceccarelli, Police Chief

SUMMARY: The Police Department is requesting approval of Work Authorization No. SA-PD01C (Task Order No. 269) with Song and Associates, Inc. for professional architectural and engineering services related to the Police Department building expansion.

Through a Request for Qualifications (RFQ) for Architectural and Engineering Design Services (RFQ 2019R-002) process, on September 26, 2019, the Village Council selected Song & Associates on a continuing contractual basis to provide the Village with design, engineering, bidding, and construction services for the proposed Police Department building expansion project.

Song & Associates submitted a proposal for full services divided into two (2) phases: Phase 1 - Need Study and Concept

Phase 2 - Final Design Documents and Construction Administration.

After completion of Phase I, on August 26, 2021, the Village Council approved Work Authorization No. SA-PD01 (Task Order No. 269) to support all required professional architectural/engineering services and related tasks (as outlined within Phase II - Advanced Conceptual and Schematic.

On January 13, 2022, the Village Council approved an amendment to Phase II, Design Services, for additional scope of services that included a Topographic and Tree Survey and Utility Locates Survey.

Phase II has been completed, and Song & Associates submitted the Phase III cost proposal, which will consist of Design Development, Construction Documents, Permitting, Bidding/Negotiation Assistance, and Construction Administration.

The Village Council is now requested to authorize funding to support all required professional engineering services and related tasks (as outlined within Phase III) to expand the Police Department building, and to be completed by Song & Associates. The proposed tasks and associated costs to provide professional architectural and engineering services for Phase III of the proposed project are as follows:

Work to be Completed - Phase III	Contract Amount
Basic Services	\$467,455
Required Extended Services	\$149,600
Optional Extended Services	\$ 62,000

Reimbursable Expense Allowance	<u>Not to Exceed \$10,000</u>
TOTAL - Phase III	\$679,055 plus reimbursable expenses

The Village Council has approved funding (\$1,529,662) within the FY 2022 Budget - General Fund to support this project (architectural design and partial construction costs). 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.

Staff recommends the approval of proposed Work Authorization SA-PD01C (Task Order No. 269) with Song & Associates in the amount of \$679,055 plus reimbursable expenses for architectural and engineering, design, bidding, and construction services for the addition/expansion of the PD building.

The original Agreement and work authorizations were prepared by the Village Attorney and Song & Associates and reviewed by the Police Chief, the Assistant Police Chief, the Police Support Services Manager, the Public Services Project Manager, the Finance Director, and the Village Attorney.

Fiscal Impact:

Funding to support architectural and engineering design services for the Police Department building expansion is available within the FY 2022, and FY 2023 Budgets - General Fund and the Capital Improvement Plan (CIP) utilizing Infrastructure Surtax (Sales Tax) funds.

This project is expected to extend into the next fiscal year (and possibly additional fiscal years) and will be included within the proposed FY 2023 Budget - General Fund. As a result, some of the expenditures for this project have been funded within the FY2019, FY2020, FY2021 and the FY2022 Budget - General Fund.

- 8. **Library Metal Roof Replacement Project (ITB No. 2022B-011) - Library Department - Task Order No. 306 - (FY 2022 Budget Funded - Library Buildings) - Pink Eagle Roofing LLC: Approve Contract Award (Task Order No. 306) with Pink Eagle Roofing, LLC. for \$82,140.76 to replace 12,800 square feet (128 squares) of the existing sloped metal seam roof system and flat roof at the Village Public Library located at 217 Cypress Lane. Funding to support the Library Metal Roof Replacement (Task Order No. 306) is available within the FY 2022 Budget- Library Building.**

Staff: Raymond Campbell, Administrative Assistant

SUMMARY: The Public Works Department has identified a need to replace the roofing at the Library as it has suffered some damage, paint peeling, and leaking has begun to occur. The proposed work includes replacing approximately 12,800 square feet (128 squares) of the existing sloped metal seam roof system and flat roof.

To ensure the lowest possible price, staff issued an Invitation to Bid (ITB) on May 25, 2022, to purchase metal roofing and installation services. The Village used a competitive selection process - Library Metal Roof Replacement Project (ITB No. 2022B-011 - May 25, 2022). In response to the Village's ITB, nine (9) proposals were received.

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 bids, proposals, or other responses if he determines it is in the best interest of the Village to do so.

The Village Attorney prepared the agreement, and the Public Works Director, Assistant Village Manager and Finance Director reviewed it.

<u>Vendor</u>	<u>Total Bid</u>
Pink Eagle Roofing, LLC	\$82,140.76
Jeffrey Thomas Murphy Builders-Roofing Contractors	\$100,730.00
Clyde Johnson Contracting & Roofing	\$158,150.00
A1 Property Services Group, Inc.	\$181,619.61
Roofing Painting by Hartzell	\$190,625.00
Fullcover Roofing System, Inc.	\$204,150.00
Lewis Walker Roofing, Inc.	\$204,980.00
Ameritech Roofing, Inc.	\$375,113.00
Atlas Apex Roofing, LLC	\$384,000.00

The Village would accept Pink Eagle Roofing LLC's terms, conditions, and pricing under the submitted ITB package and the 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 services over the term of this contract.

The Village has not worked with the proposed vendor before; however, the Village received positive references from the vendor's clients.

Fiscal Impact:

Funding to support the Library Metal Roof Replacement (Task Order No. 306) is available within the FY 2022 Budget - Library Building (\$100,000.00). The Village will not expend more than the amount in the approved budget as it may be adopted/approved each year for the goods and services for the term of the contract.

9. **Change Order No. 1 (Work Authorization WG-U01A) - Florida Mango (Edgewater Drive to Barbados Drive) (Task Order No. 294) - Utilities Department (FY 2022 Budget Funded - Water & Sewer Enterprise Fund) - Wantman Group, Inc.:** Approve Change Order No. 1 (Work Authorization WG-U01A) - Florida Mango (Edgewater Drive to Barbados Drive) (Task Order No. 294) with Wantman Group, Inc. for \$4,200 for professional engineering services (i.e., design, bidding, and construction services) related to the proposed utility relocations along Florida Mango Road, from Edgewater Drive to Barbados Drive. Funding to support the Florida Mango Road (Edgewater Drive to Barbados Drive) Project (Task Order No. 294) is provided by the Utilities - Water & Sewer Enterprise Fund.

Staff: Walter Sanchez, Project Manager

SUMMARY: On April 8, 2021, the Village Council approved Task Order #294 with Wantman Group, Inc. for professional engineering services (i.e., design, bidding, and construction services) related to the proposed utility relocations along Florida Mango Road from Edgewater Drive to Barbados Road for \$69,910.

During the construction process, it was discovered that the proposed utility easements, where the Village’s relocated utility lines were scheduled to run along the LWDD L-8 canal, are currently encroached on by both adjacent residential properties on both the north and south sides of the canal. Due to this issue, also space constraints to perform work on the north side of the canal, and potential conflicts in driving piles with overhead power lines for the proposed aerial crossing, it was determined that the solution with the least project impact would be to move the utility lines closer to the proposed new bridge and have them cross over the canal on top of the proposed bridge wing walls. For this, the construction plans will need to be modified to include a new structural design for the concrete haunches that will be attached on top of the bridge wing walls to carry the utility line at this location.

Note: Preliminary approvals were received by the County, the County Engineer (Alan Gerwig & Associates), and LWDD for this proposed solution. The County’s engineer will review the design by Wantman Group once this proposal is approved and the design is complete.

As a result, our engineering consultant, Wantman Group, is requesting an amendment to the approved Task Order #294, Work Authorization # WG-U01A (Change Order #1) for \$4,200 for additional design services:

<u>Work to be Completed</u>	<u>Contract Amount</u>
Original Contract Amount	\$69,910.00
Change Order No. 1	<u>4,200.00</u>
Revised Contract Amount	\$74,110.00

If approved, it is estimated that the design work will take approximately 21 days from the date the work authorization is executed and issued to Wantman Group.

The proposed WA #WG-U01A (Change Order #1) was prepared by Wantman Group and reviewed by the Village's Utilities Director, the Utilities Project Manager, the Assistant Village Manager, and the Finance Director.

Fiscal Impact:

Funding to support the Fla Mango (Edgewater to Barbados) Project (Task Order No. 294) was provided by the Water & Sewer Enterprise Fund. 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. An internal budget transfer or amendment to support this proposed cost above the budgeted amount will be completed within the Water & Sewer Fund at a later date, if necessary.

10. **Lift Station Rehabilitation (Task Order No. 233) - Invitation to Bid (ITB) No. 2022B-008 - Utilities Department (FY 2022 Budget Funded - Water & Sewer Enterprise Fund) - B&B Underground Construction, Inc.: Approve a Contract Award (Task Order No. 233) with B&B Underground Construction, Inc. for \$1,226,795.00 for rehabilitation of lift stations identified at Florida Mango, Waterside, and Woodhaven Lift Stations. Funding to support the proposed Lift Station Rehabilitation project is available within the FY 2022 Budget - Water & Sewer Enterprise Fund.**

Staff: Paul Ward, Assistant Director of Utilities

SUMMARY: The Utilities Department must rehabilitate three of its wastewater lift stations. Currently, the Village wastewater collection system serves approximately 12,000 accounts and includes approximately sixty-five (65) lift stations throughout our utility service area that are integral to safe and proper wastewater collection operations. Each year, staff reviews the Village's lift stations and identifies those that are in need of upgrades to maintain reliable service. The lift stations identified for rehabilitation within FY 2018 include PS-31 (FL Mango Lift Station), PS-33 (Waterside Lift Station), and Woodhaven Lift Station.

The Village Council has authorized the Engenuity Group to serve as the Village's consulting engineer to complete the engineering and design for this project (Task Order #233) for \$116,954.00. Proposed upgrades include replacement of pumps, piping, and controls, the lining of the wetwell, installation of SCADA (Supervisory Control and Data Acquisition) technology (for a higher level monitoring), and other site improvements.

To ensure the lowest possible price for this project, the Village issued an Invitation to Bid (ITB) on May 12, 2022, for Lift Station Rehabilitation for Florida Mango, Waterside, and Woodhaven. The process was completed by the Village through a competitive bid selection process - Lift Station Rehabilitation for Florida Mango, Waterside, and Woodhaven (ITB No. 2022B-008 - May 12, 2022).

Within the FY 2022 Budget - Water & Sewer Enterprise Fund and the Capital

Improvement Plan (CIP), the Village approved \$900,000.00 for the Lift Station Rehabilitation for Florida Mango, Waterside, and Woodhaven. Four (4) bid proposals were received:

Vendor	Total Bid
B&B Underground Construction, Inc.	\$1,226,795.00
Hinterland Group, Inc.	\$1,445,725.00
Foster Marine Contractor, Inc.	\$1,343,922.80
Southern Underground Industries, Inc.	\$1 Incomplete

After reviewing the four (4) bids received, the Assistant Utilities Director, the Village Attorney, and the Village's Consulting Engineer, Engenuity Group, determined that B&B Underground Construction, Inc. provided the lowest responsible and responsive bid. As a result, the staff is recommending that the Council award this proposed contract (Task Order No. 233) to B&B Underground Construction, Inc. for the amount of \$1,226,795.00

If approved, the Village would accept B&B Underground Contracting'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 210 days (April 2023) to complete following the Notice to Proceed from the Village. Long lead time on the emergency generator due to supply chain shortages may delay the start of the project.

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

The Village has not worked with the proposed vendor previously but did receive positive feedback from the supplied references.

Fiscal Impact:

Funding to support the proposed Lift Station Rehabilitation project is available within the FY 2022 Budget - Water & Sewer Enterprise Fund:

<u>Allocated/Estimated Project Funding:</u>	<u>Amount:</u>
FY 2018 Actual Funding - Water & Sewer Enterprise Fund Task Order #233	\$ 34,361.00
FY 2019 Actual Funding - Water & Sewer Enterprise Fund Task Order #233	\$ 18,396.00
FY 2020 Actual Funding - Water & Sewer Enterprise Fund Task Order #233	\$ 22,339.00
FY 2021 Actual Funding - Water & Sewer Enterprise Fund Task Order #233	\$ 18,569.00
FY 2022 Approved Funding - Water & Sewer Enterprise Fund Task Order #233	\$900,000.00
FY 2023 Requested Funding - Water & Sewer Enterprise Fund Task Order #233	\$750,000.00
Total Allocated/Approved Budget - Task Order #233:	\$1,743,665.00

<u>Expected/Approved Project Cost:</u>	<u>Amount:</u>
FY 2018 Project Cost - Actual Engineering - Water & Sewer Enterprise Fund Task Order #233	\$ 34,361.00
FY 2019 Project Cost - Actual Engineering - Water & Sewer Enterprise Fund Task Order #233	\$ 18,396.00
FY 2020 Project Cost - Actual Engineering - Water & Sewer Enterprise Fund Task Order #233	\$ 22,339.00
FY 2021 Project Cost - Actual Engineering - Water & Sewer Enterprise Fund Task Order #233	\$ 18,569.00
FY 2022 Project Cost - Estimated Engineering - Water & Sewer Enterprise Fund Task Order #233	\$ 23,289.00
FY 2022/2023 Project Cost - Estimated	\$1,226,795.00

Construction - Water & Sewer Enterprise Fund Task Order #233	
Total Project Request/Cost Task Order #233:	\$1,343,749.00

Note: Construction on the proposed project is expected to continue into FY 2023. As such, the Utilities Department is requesting \$750,000.00 in the FY 2023 Water & Sewer

Enterprise Fund to continue the project.

The proposed bid amount (\$1,226,795.00) was submitted by B&B Underground Contracting, Inc. and was below the engineer's estimate of 1,391,920.00

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.

End of Consent Agenda....

Mayor Smith offered the public an opportunity to speak on Consent Agenda items. There were no comments from the public.

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

PRESENTATIONS

11. **Presentation / Introduction: Ms. Rhonda Giger, General Counsel with the PBC Commission on Ethics**

Staff: Kimberly Wynn, Village Clerk

Ms. Rhonda Giger introduced herself to the Village and spoke about the services offered by the Commission on Ethics (COE). She explained that the agency prefers cities to be proactive. If there is a question, then you can contact the COE.

Mayor Smith invited the public and the council to comment. Council Member Ready asked if the current training video would get updated. The agency has used the same video since 2016. Mrs. Giger said she did not have an answer; however, in-person training could be arranged for the City.

12. **Proclamation for Parks and Recreation Month in Palm Springs - July 2022**

Staff: Kimberly Wynn, Village Clerk

Mayor Smith read the proclamation into the record and complimented the Director of Parks and Recreation, Mr. Lucas, for his work with the program.

PUBLIC COMMENT

Mayor Smith opened the meeting for Public Comments. There were none.

1. **Johnnie Tieche - 305 Winged Foot** - Mr. Tieche talked about the panhandling along 10th Avenue North and Congress Avenue. He also mentioned a volunteer program with inmates, through Palm Beach County, that assisted with the clean-up of parks and drainage systems. Mr. Tieche requested police presence at Planning and Zoning meetings when there are more complex items on the agenda.

PUBLIC HEARINGS

- 13. **(First Reading) - Resolution No. 2022-27 - Garbage Non Ad-Valorem Assessment Rates - FY 2023:** Motion to Approve Resolution No. 2022-27; a proposed preliminary non-ad valorem assessment roll for the Fiscal Year 2022-2023, so as to provide a uniform method for collecting non-ad valorem assessment for garbage, trash, and recyclables collection services and related services on the Palm Beach County tax notices. The garbage, trash and recyclable non ad-valorem assessment rates increased for FY 2022-2023.

Staff: Kimberly Wynn, Village Clerk

SUMMARY: The Council originally established the uniform method for collecting garbage, trash, and recyclables services on the Palm Beach County Tax Notices in February 2008 (Resolution No. 2008-17). The approved Resolution included all parcels within the incorporated municipal boundaries of the Village of Palm Springs at that time, as well as all parcels subsequently annexed into the Village.

As required by state law, an advertisement was placed in a local newspaper (in accordance with state law) noticing the public of the proposed fees and that a public hearing would be held to consider the proposed fees. To date, the Village has not received any calls and/or inquiries regarding the new fees.

The proposed Resolution would establish the Non Ad-Valorem rates for garbage based on the cost of collection and disposal at that time. The Village's costs have continued to increase annually because of a cost of living increase, and, most recently, the new contract with Waste Pro includes a 9% increase that went into effect as of April 2022. In April 2023, the rates are projected to increase by another 9%. The Village has not increased its garbage rates since 2015. In an effort to assist with the reduced administrative margin to offset staff costs.

The proposed annual rates are:

	Annual Rate
Single Family Homes	\$201.00
Multi-Family Homes	\$125.50
Mobile Homes	\$125.50

This was advertised in the Lake Worth Herald on July 1, 2022, and the Palm Beach Post on July 2, 2022.

Mayor Smith introduced this item. The staff did not have a presentation; but, Mayor Smith summarized the item. She explained the purpose of the item is to set the Garbage Non Ad- Valorem for FY 22/23. Mayor Smith explained there was an increase in fees to offset costs from Waste Pro.

Mayor Smith offered the public an opportunity to speak about this item. There were no comments from the public.

The Village Attorney, Ms. Garrett, read the title of the caption in the record.

Council Member Ready made a motion to approve Resolution No. 2022-27. It was seconded by Council Member Waller. The said motion carried 5-0.

Fiscal Impact: The projected total annual revenue that the Village would assess if approved, is expected to be \$1,531,010.40 (which is at a 96% collection rate).

14. **(First Reading) - Resolution No. 2022-28 - Stormwater Non Ad-Valorem Assessment Rates - FY 2023; Motion to Approve Resolution No. 2022-28; establishing rates for Stormwater Management Assessments for each parcel within the benefitted area, other than non- assessed property; providing for the certification and adoption of the Stormwater Assessment Roll In accordance with Chapter 78 of the Code Of Ordinances of The Village of Palm Springs; providing for or a public hearing; providing for the adoption Of The Stormwater Assessment Roll.**

Staff: Kimberly Wynn, Village Clerk

SUMMARY: The proposed Resolution establishes the Non Ad-Valorem assessment roll rates for Fiscal Year (FY) 2023 and provides a uniform method for collecting this assessment for stormwater management services within the Village on the Palm Beach County Tax Notices.

The proposed rates for FY 2023 are as follows:

	Monthly Rate	Annual Rate
Single Family Residential	\$4	\$48
Multifamily	\$4	\$48
Commercial (under 2 ESU's)	\$4	\$48
Commercial (2 to 4.99 ESU's)	\$8	\$96
Commercial (5 to 9.99 ESU's)	\$15	\$180
Commercial (10 ESU's and above)	\$20	\$240

The Village Council initially created a stormwater utility (Ordinance No. 2015-43) and established interim assessment rates (Resolution No. 2015-90), to be collected as an

annual non ad-valorem assessment (beginning in October FY 2016-2017) to support stormwater issues within the Village. The proposed "Interim" stormwater fee was established with the following conditions:

1. The Interim Fee was for a short-term period – of 3 years
2. The interim fee was justified by a short-term study that demonstrated that the needed stormwater projects and operational costs are balanced with projected revenues.
3. A detailed long-term master plan study would be performed during the interim period that is expected to identify future projects and set future fees based on property use and size.

Mr. Paul Ward, Assistant Director of Utilities, introduced this item. The staff did not have a presentation; but, Mr. Ward explained there was no intent to increase the stormwater fee for FY 22/23. He explained the purpose of the item is to set the Stormwater Fee for FY 22/23.

Mayor Smith offered the public an opportunity to speak about this item. There were no comments from the public.

The Village Attorney, Ms. Garrett, read the title of the caption in the record.

Mayor Pro Tem Brinkman made a motion to approve Resolution No. 2022-28. It was seconded by Vice Mayor Gunther. The said motion carried 5-0.

Fiscal Impact:

The proposed FY 2022 - 2023 rates are projected to remain the same as last year's rates and are determined based on the Equivalent Stormwater Unit (ESU) basis, which is based on an impervious area on properties within the Village. The projected total annual revenue that the Village would assess if approved, is expected to be \$528,226 (which is at a 96% collection rate).

All stormwater fees collected are only planned to be utilized to assist in funding stormwater capital projects throughout the Village. This fee would not continue to support (or provide funding for) various personnel and other operational costs, which would be funded utilizing the Village's General Fund.

15. **** (First Reading / Quasi-Judicial Hearing) - Resolution No. 2022-22 - Site Development Plan Amendment (SPR22-11) and Sign Variance (PSV22-11) - Colombino Bakery - 4439 Forest Hill Boulevard; Motion to approve Resolution No. 2022-22; Mr. Leigh Kerr, Agent for the Owner, Colombino Bakery, ("Applicant") is requesting a Site Plan Amendment (SPR22-11) to redesign the site due to Florida Department of Transportation (FDOT) right-of-way acquisition along the southern frontage of the commercial property, located at 4493 Forest Hill Boulevard.**

Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. Leigh Kerr, agent for the owner, Colombino Bakery, Inc., is requesting a Site Development Plan Amendment (SPR22-11) for the Commercial General property located at 4439 Forest Hill Blvd. The applicant proposes redesigning the southern frontage of the property due to right-of-way condemnation by the Florida Department of Transportation (FDOT).

FDOT proposes intersection improvements to State Road 882 (Forest Hill Boulevard) which necessitates widening the roadway along with the approach and departure from the nearby intersection with State Road 809 (South Military Trail). The widening project resulted in the state taking 548 square feet along the length of the southern frontage of the property. The taking will impact the property, causing the loss of right-of-way landscape buffer and the loss of the existing pole sign, leading to the proposal of a new monument sign.

Note: Currently, the 0.3-acre property is being developed with a 1,406 square-foot bakery building and 9 parking spaces. The proposed site plan will reduce the site to 0.28 acres with 8 parking spaces.

The applicant proposes a cure plan for remedial action for the loss of the property and to minimize the negative impact. The proposed plan will re-accommodate the right-of-way landscaped buffers.

As part of the proposed Site Development Plan Amendment, the applicant is requesting three (3) variances:

1. (PSV22-09)- Request to allow an irregular landscape buffer along the south side of the property adjacent to Forest Hill Boulevard, with a minimum width of 4' (a reduction of up to 11') (Provides relief from Section 34-162(b)(5) that requires a minimum 15' wide buffer).
2. (PSV22-10) - Request to allow a 1' width landscaped area around the base of the monument sign (reduction of up to 2') (Provides relief from Section 34-327(a) that requires a minimum of 3' wide landscaped area.
3. (PSV22-11) - Request to allow a 12' height monument sign being setback 15' (Provides relief from Section 34-327(b)(1) that requires a maximum height of 8' when the sign is setback 15')

Note: Variances 1 and 2 were approved by the Planning and Zoning Board during their regular meeting on June 14, 2022. The requested sign setback variance was not considered by the Planning & Zoning Board as the Village Code (Section 34-329) provides that sign variances are approved by the Village Council.

The Planning, Zoning & Building Staff does not support the applicant's request in its entirety. Staff recommends conditional approval of the Site Plan Amendment to facilitate the redevelopment of the property as a result of the state condemnation. However, the staff does not support Variance No. 3 (PSV22-11) for the proposed height of the monument sign. The staff find that the proposed height is excessive considering the

proximity to the street corner. Staff also find that the sign variance may restrict visibility and negatively affect the aesthetics of the area. Staff will support a 1' height variance allowing a 9' height monument sign in constancy with other variances previously granted on commercial properties.

Mayor Smith asked the Council to disclose any ex parte communication; there was none. The Village Clerk, Ms. Wynn, swore in the applicants Ms. Leigh Kerr and ??.

Ms. Cabrera gave the staff presentation and entered it into the record. He explained that staff did not completely agree with the Site Plan Amendment because there were concerns about parking and the height of the sign obstructing traffic visibility.

Mayor Smith gave the applicant, Ms. Kerr an opportunity to give her testimony. The Council and Applicant ensued into a discussion about parking. They discussed the redesign that was needed for the site because of the Florida Department of Transportation's (FDOT) acquisition of the southern frontage of the commercial property.

With the exception of Council Member Waller, the Council supported the Applicant's redesign request that includes a twelve (12) foot sign.

Mayor Smith offered the public an opportunity to speak on Resolution No. 2022-22. There were comments from the public. Village Attorney Garrett read the title of the caption into the record.

Mayor Pro Tem made a motion to approve Resolution No. 2022-22. Vice mayor Gunther seconded the motion. The said motion carried 4-1 (Council Member Waller dissenting).

Fiscal Impact:

The proposed modification to the project is not expected to have a fiscal impact on the Village.

16. **(First Reading) - Resolution No. 2022-21 - Preliminary Plat - Boatman Hammock - 4445 Boatman Street and a vacant lot on Todd Street: Motion to approve a request submitted by Mr. David Milledge, Agent for WPB Partners LLC ("Applicant"), for a preliminary plat to subdivide a multi-family parcel of land located on two (2) unified parcels totaling 5.44 acres submitted by Mr. David Milledge, agent for WPB Partners LLC ("applicant"), for the property located at 4445 Boatman Street and a vacant lot on Todd Street.**

Staff: Iramis Cabrera, PZB Director

SUMMARY: Mr. David Milledge, agent for WPB Partners LLC, the Applicant, has filed a preliminary plat to re-plat the lots 16, 17, 18, 19, and 20 of Block 10, Plat IV. Greenland (as recorded in Plat Book 4, page 6 of the Public Records of Palm Beach County, Florida), together with the E 1/2 of the northwest 1/4 of the northwest 1/4 of the

southwest 1/4 of section 24, township 44 south, range 42 east of Palm Beach County, Florida. The applicant is proposing to join two (2) parcels into a unified plat and delineate 54 individual townhouse lots, consistent with the site plan approved by the Village Council (Resolution No. 2021-18 - October 14, 2021).

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

The Planning & Zoning Board considered the proposed preliminary plat at their June 14, 2022, meeting and recommended approval.

If approved, a final plat will be presented to the Village Council for consideration. The recording of the plat is required prior to the issuance of a certificate of occupancy for a new residence.

Mayor Smith asked the Council to disclose any ex parte communication; there was none. The Village Clerk, Ms. Wynn, swore in the applicants.

Ms. Cabrera gave the staff presentation and entered it into the record. She explained that the staff agreed with the request for a preliminary plat.

Mayor Smith gave the applicant an opportunity to give testimony. The applicant said there was no presentation; however, they were available to answer questions. The request was routine and the adjacent property owners were contacted.

Mayor Smith offered the public an opportunity to speak on Resolution No. 2022-21. There were no comments from the public. Village Attorney Garrett read the title of the caption into the record.

Council Member Ready made a motion to approve Resolution No. 2022-21. Mayor Pro Tem Brinkman seconded the motion. The said motion carried 5-0.

Fiscal Impact:

There is no direct fiscal impact from the proposed plat.

17. **(First Reading) - Resolution No. 2022-32 - FY 2023 Preliminary Millage Rates - Operating, Debt Service & CRA Tax Increment Financing (TIF):** Motion to approve Resolution No. 2022- 32; to certify the Village's taxable values for the upcoming fiscal year (FY 2023) as well as other related financial information. The proposed millage rate is 3.50 with a rollback rate of 3.1016. The proposed millage of 3.50 is 12.84% over the rolled-back rate (*ADDENDUM*).

Staff: Kimberly Wynn, Village Clerk

SUMMARY: The Village received Form DR-420 - Certification of Taxable Value and Form DR-420 Debt - Certification of Voted Debt Millage from the PBC Property Appraiser's Office. These forms certify the Village's taxable values for the upcoming

fiscal year (FY 2023) as well as other related financial information:

The gross taxable value for all properties within the Village for FY 2023 is \$1,678,378,924, an increase in taxable value of \$194,386,542 over FY 2022.

The calculated rolled-back rate is \$3.1016 per 1,000 taxable values. The Village's proposed FY 2023 operating millage for the General Fund is \$3.50 per \$1,000 of the taxable value or an increase of 12.84% over the rolled-back rate. At 100% collection, the expected operating millage is to generate \$5,874,326 in ad-valorem tax revenue; however, the Village budgets at a 96% collection ratio. Thus, the projected revenue expected is \$5,639,353.

The taxable value for debt service is \$1,682,010,606. The proposed millage rate required to pay the general obligation debt for FY 2023 is \$0.2639 per \$1,000 of the taxable value. That is a decrease of \$0.0355 from FY 2022.

The combined proposed millage rates for FY 2023 (3.5000 operating + 0.2639 debt = 3.7639 total mills) are 0.0355 mills lower than the combined approved millage rates for FY 2022 (3.5000 operating + 0.2994 debt = 3.7994 total mills).

The gross taxable increment value (TIF) for the Palm Springs Community Redevelopment Agency (CRA) for FY 2023 is \$64,175,858. The Palm Springs CRA will receive TIF funding from the Village of Palm Springs and Palm Beach County at the Village's approved millage rate - a proposed \$3.50 per \$1,000 taxable value. At 100% collection, the total increment/revenue expected to generate is \$224,615; however, the Village budgets at a 95% collection ratio; thus, the proposed budgeted increment/revenue expected is \$213,385) for the third year.

As a result, the proposed Resolution establishes the tentative millage rates for the Fiscal Year 2023.

The Village Council is requested to establish the final millage rates in September 2022.

Chief Finance Officer (CFO) summarized this item. She explained the purpose of Resolution No. 2022-32 was to set the preliminary millage. The Council can increase the millage rate; however, they cannot lower it under the roll-back rate.

Mayor Smith gave the Council and public an opportunity to speak on Resolution No. 2022-33. There were no comments from the public. Village Attorney Garrett read the title of the caption into the record.

Council Member Waller made a motion to approve Resolution No. 2022-32. Council Member Ready seconded the motion. The said motion carried 5-0.

Fiscal Impact:

Establishes preliminary operating millage rate and debt service millage rates for the proposed budget for the fiscal year 2022-2023

ACTIONS AND REPORTS

The Village Manager did not have any Actions and Reports.

VILLAGE MANAGER COMMENTS

The Village Manager reported that the Palm Beach County League of Cities voted on July 21, 2022, to act as the Infrastructure Surtax Committee for the Village. Mr. Bornstein thanked the staff for the work on the budget, especially Ms. Morse and Mrs. Glas-Castro. He described the process as one of the easiest budgets he had to do. He discussed the new agenda format and the desire to improve upon processes.

VILLAGE COUNCIL COMMENTS

The Village Council thanked the Finance Department, in addition to the Village Staff, for their collaborative effort with getting the budget and the information ready two (2) weeks in advance. They're impressed with the rising values in the Village. They discussed the passing of the former Village Manager, Mr. Karl Umberger.

Mayor Pro Tem Brinkman asked for an update on the YMCA building, getting demolition permits and a Civil Engineer in place. Ms. Cabrera reported that YMCA applied for their permits, and they have a Civil Engineer in place. The project is moving fast.

Mayor Smith commemorated some of the accomplishments of Mr. Umberger. He started the idea of the Pathway Park and the Fire Service. There was also a discussion about the Village's CORE values (Communication, Respect, Teamwork, Service Excellence, Quality, Accountability, and Integrity).

ADJOURNMENT

Hearing no further business, Mayor Bev Smith adjourned the meeting at 7:42 p.m.

The undersigned is the Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Regular Council Meeting held on **July 21, 2022**. Which minutes were formally approved and adopted by the Village Council on **August 18, 2022**.

Kimberly M. Wynn,

Kimberly Wynn

Village Clerk