



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE
APRIL 14, 2016
6:30 P.M.**

COUNCIL

- Mayor Bev Smith
- Doug Gunther
- Joni Brinkman
- Patti Waller
- Sergio Escalada

ADMINISTRATION

- Village Manager Richard Reade
- Village Attorney Glen Torcivia
- Village Clerk Susan Caljean

**CALL TO ORDER
ROLL CALL
INVOCATION
PLEDGE OF ALLEGIANCE**

1. CERTIFICATION OF ELECTION

Resolution No. 2016-36

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, CERTIFYING THE ELECTION OF CANDIDATES AND CHARTER AMENDMENTS FOR THE 2016 MUNICIPAL ELECTION; AND PROVIDING AN EFFECTIVE DATE.

Staff: Susan Caljean, Village Clerk

2. OATH OF OFFICE FOR NEW CANDIDATES

3. COUNCIL REORGANIZATION

Resolution No. 2016-37

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, DESIGNATING A VICE MAYOR AND MAYOR PRO TEM FOR THE ENSUING YEAR 2016-2017, AND PROVIDING AN EFFECTIVE DATE.

Staff: Susan Caljean, Village Clerk

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Motion	Second	Vote
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CONSENT AGENDA

(Public Comment on Consent Agenda Items is permissible prior to voting)

- 4. Minutes of Regular Council Meeting on March 10, 2016
Staff: Susan Caljean, Village Clerk
- 5. Resolution No. 2016-19 – Tire purchase agreement - Cooperative Purchasing

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXECUTE A COOPERATIVE PURCHASE CONTRACT WITH GOODYEAR TIRE & RUBBER COMPANY; AND PROVIDING AN EFFECTIVE DATE.

Staff: John Rouse, Public Service Director

- 6. Resolution No. 2016-20 – Final Utility contract close out - Collie & Kivey Drive (Part A)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXECUTE A CHANGE ORDER AMENDING A CONTRACT TO AKA SERVICES FOR COLLIE DRIVE AND KIVEY DRIVE SEWER INSTALLATION AND ROAD RECONSTRUCTION PROJECT. (CLOSE OUT-PART A)

Staff: John Rouse, Public Service Director

- 7. Resolution No. 2016-21 - Final Utility contract close out - Phase IV (Part B)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXECUTE A CHANGE ORDER AMENDING A CONTRACT TO AKA SERVICES FOR PHASE IV SEWER INSTALLATION AND ROAD RECONSTRUCTION PROJECT (10TH AVENUE NORTH SOUTH TO CANAL 11 FROM KIRK ROAD WEST TO MILITARY TRAIL. (CLOSE OUT-PART B)

Staff: John Rouse, Public Service Director

- 8. Resolution No. 2016-33 – Purchase utilities parts and services agreement - Bilfinger Water Technologies (AIRVAC) (Sole Source)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BILFINGER WATER TECHNOLOGIES, INC. (AIRVAC) TO PURCHASE PARTS/SUPPLIES (SOLE SOURCE)

Staff: John Rouse, Public Service Director

- 9. Resolution No. 2016-34 - Purchase DOC Resin IXOM Watercare (Best Interest Acquisitions)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH IXOM WATERCARE, INC. AND PROVIDING AN EFFECTIVE DATE.

Staff: John Rouse, Public Service Director

- 10. Resolution No. 2016-35 - Agreement with East Coast Pyrotechnics, Inc. for the purchase of the July 4th fireworks display.

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH EAST COAST PYROTECHNICS, INC. FOR THE PURCHASE OF A FIREWORKS DISPLAY FOR THE 4TH OF JULY CELEBRATION IN THE AMOUNT OF \$10,000; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Golson, Leisure Services Director

- 11. Resolution No. 2016-38 - Purchase of emergency equipment – Strobes-R-Us (Piggyback)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXECUTE A PIGGYBACK CONTRACT WITH STROBES-R-US FOR THE PURCHASE OF EMERGENCY EQUIPMENT AND INSTALLATION THROUGH THE BROWARD SHERRIF’S OFFICE, BID #13-1040-30 FOR THE POLICE DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

Staff: Tom Ceccarelli, Chief of Police

- 12. Resolution No. 2016-39 – Purchase Sodium Hexametaphosphate agreement - Carus Corp. (Piggyback)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXTEND A PIGGYBACK CONTRACT WITH CARUS CORPORATION FROM MAY 1, 2016 THROUGH APRIL 30, 2018 FOR THE PURCHASE AND DELIVERY OF SODIUM HEXAMETAPHOSPHATE; AND PROVIDING AN EFFECTIVE DATE.

Staff: John Rouse, Public Service Director

- 13. Proclamation - Arbor Day- Friday, April 22, 2016

- 14. Proclamation - National Public Safety Telecommunications Week- April 10th thru 16th

Motion	Second	Vote
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End of Consent Agenda.....

ANNOUNCEMENTS

Award of Property Improvement Program (PIP) Matching Grants
Staff: Kim Glas-Castro, Land Development Director

PUBLIC COMMENT (Three minute limit)

PUBLIC HEARINGS

- 15. Resolution No. 2016-40 – Support major league baseball facility in South Central Palm Beach County

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORID SUPPORTING THE LOCATION OF A MAJOR LEAGUE BASEBALL TRAINING FACILITY IN SOUTH CENTRAL PALM BEACH COUNTY AND PROVIDING FOR AN EFFECTIVE DATE.
Staff: Richard Reade, Village Manager

Motion	Second	Vote
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- 16. Resolution No. 2016-41- Infrastructure Surtax- Interlocal Agreement

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT AMONG PALM BEACH COUNTY, THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, AND THE SIGNATORY MUNICIPALITIES PERTAINING TO THE SHARED DISTRIBUTION AND USE OF THE ONE CENT LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.
Staff: Richard Reade, Village Manager

Motion	Second	Vote
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- 17. Resolution No. 2016-42- CDBG project funding- Kirk Road and Park Lane

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING FUNDS ALLOCATED BY PALM BEACH COUNTY HOUSING AND COMMUNITY DEVELOPMENT TO THE VILLAGE OF PALM SPRINGS FOR FISCAL YEAR 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) BE USED TOWARD THE FIRST PHASE OF THE PARK LANE PARK, LOCATED AT THE NORTHEAST CORNER OF PARK LANE AND KIRK ROAD; AND PROVIDING AN EFFECTIVE DATE.
Staff: Kim Glas-Castro, Land Development Director

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Motion	Second	Vote
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18. Ordinance No. 2016-05- Village Code Amendment- Utility Billing Adjustments (First Reading)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 78 "UTILITIES", ARTICLE II, "WATER AND WASTEWATER SYSTEM", DIVISION 1, "GENERALLY", BY ENACTING A NEW SECTION 78-45, "UTILITY BILLING ADJUSTMENTS" TO PROVIDE REGULATIONS REGARDING ADJUSTMENTS TO CUSTOMER UTILITY BILLS; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

Staff: John Rouse, Public Service Director

Motion	Second	Vote
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19. Ordinance No. 2016-06- Floodplain Management (First Reading)

AN ORDINANCE BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA AMENDING THE VILLAGE CODE OF ORDINANCES TO AMEND CHAPTER 1, "GENERAL PROVISIONS", SECTION 1-2, "DEFINITIONS AND RULES OF CONSTRUCTION", TO CLARIFY DEFINITIONS AS A RESULT OF FLOODPLAIN MANAGEMENT; AND AMENDING CHAPTER 10, "BUILDINGS AND BUILDING REGULATIONS", ARTICLE II, "FLORIDA BUILDING CODE", SECTION 10-32, "TECHNICAL AMENDMENTS" TO ADOPT TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE AS A RESULT OF FLOODPLAIN MANAGEMENT REQUIREMENTS; AND REPEALING ARTICLE II "FLOOD DAMAGE PREVENTION" WITHIN CHAPTER 34, "LAND DEVELOPMENT", IN ITS ENTIRETY, AND TO ADOPT A NEW ARTICLE II "FLOODPLAIN MANAGEMENT" WITHIN CHAPTER 34, "LAND DEVELOPMENT" TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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20. Resolution No. 2016-43 – Hours of Operation Variance (PSV16-02) to allow Chili's Restaurant to remain open until midnight on Thursday, Fridays and Saturdays.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE HOURS OF OPERATION VARIANCE (PSV16-02) TO ALLOW CHILI'S RESTAURANT TO REMAIN OPEN UNTIL MIDNIGHT ON THURSDAYS, FRIDAYS AND SATURDAYS.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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- 21. Resolution No. 2016-44 – Final Plat – Kingswood Academy – 4137 South Congress Avenue

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE FINAL PLAT KINGSWOOD ACADEMY, SUBMITTED BY DAMIAN BRINK, AGENT FOR THE OWNERS AND OPERATORS, LOCATED AT 4137 SOUTH CONGRESS AVENUE; AND PROVIDING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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- 22. Resolution No. 2016-16 - Cabrera Subdivision Site Plan- Kirk Road

A RESOLUTION OF THE VILLAGE COUNCIL APPROVING/DENYING WITH CONDITIONS, THE SITE PLAN (SPR16-02) SUBMITTED BY HECTOR CABRERA, FOR CONSTRUCTION OF SEVEN (7) SINGLE FAMILY HOMES, AS PART OF A RESIDENTIAL PLANNED DEVELOPMENT, ON INDIVIDUAL LOTS ALREADY PLATTED, AND AUTHORIZING THE MAYOR AND/OR DESIGNEE TO APPROVE AND EXECUTE A DEVELOPER'S AND UTILITY EASEMENT AGREEMENT, AS REQUIRED FOR WATER AND SANITARY SEWER SERVICES, LOCATED AT 3386 KIRK ROAD; AND ESTABLISHING EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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ACTIONS AND REPORTS

Discussion Item: Village Maintenance Obligations vs. Property Owners Associations' Responsibilities vs. Special Assessment Districts.

Staff: Kim Glas-Castro, Land Development Director

VILLAGE MANAGER COMMENTS

VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT REGULAR COUNCIL MEETING
MAY 12, 2016 AT 6:30 P.M.**

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 965-4010 at least 3 days prior to the meeting in order to request such assistance.



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Village Clerk/Administration

ITEM #1: Resolution No. 2016-36 - Certification of the March 2016 Municipal Election Results

SUMMARY: During the recent municipal election that was held on Tuesday, March 15, 2016, two Council Member Seats were up for election as well as three (3) Village Charter Amendments. The qualifying period for the election was held from November 10, 2015 through November 24, 2015.

The Village Council is requested to certify the election results as follows:

The Village Clerk certified that only one (1) candidate qualified for each of the available council member seats:

- . Patricia "Patti" Waller - District 2 Council Member Seat
- . Joni S. Brinkman - District 4 Council Member Seat

The *Charter of the Village of Palm Springs Section 5.06* and *Florida Statutes Chapter 101.151(6)* provide that the unopposed council member candidates shall be deemed to have voted for themselves and are certified as elected as of the date of the election, being March 15, 2016.

Note: Due to the approved change in the Village Charter during the March 15, 2016 elections, Council Member Waller and Council Member Brinkman will serve three (3) year terms that will expire in March 2019.

The Village proposed three (3) ballot questions to amend the Village Charter, which had not been amended in 20+ years. The official results, provided by the PBC Supervisor of Elections (SOE) Office, are as follows:

Question 1. Clarify Various Personnel Matters:

Yes Votes	1,721 (76.83%)
No Votes	519 (23.17%)

Question 2. Address Housekeeping & Administrative Issues:

Yes Votes	1,466 (65.48%)
No Votes	773 (34.52%)

Question 3. Address Council Terms, Vacancies & Meeting Procedures:

Yes Votes	1,500 (69.41%)
No Votes	661 (30.59%)

Following certification of the municipal election results by the Village Council, Council Member Waller and Brinkman will be sworn into office to serve their new three (3) year term. Additionally, staff will codify the amended Village Charter and forward it to the State of Florida as required by state law. Further, the new Charter will be posted on the Village's website and be available for public review at various locations within Village Hall and Library.

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

1. Proposed Resolution No. 2016-36
2. Certification of Elections Form
3. Municipal Election Official Results – PBC Supervisor of Elections - March 15, 2016
4. Revised Village Charter



OATH OF OFFICE

I, _____ do solemnly swear that I will support, protect and defend the Constitution of the United States, and the State of Florida against all enemies, domestic or foreign, and that I will bear true faith, loyalty, and allegiance to the same; that I am entitled to hold office under the Constitution and laws of the State of Florida and of the Charter of the Village of Palms Springs; and that I will faithfully perform all of the duties of the office of _____ for the Village of Palm Springs, upon which I am about to enter, so help me God.

Signed

Attest



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Village Manager's Office

ITEM #3 : Resolution No. 2016-37 - Reorganization of Village Council

SUMMARY: The Village Council has certified the results of the March 15, 2016 municipal election and the Oath of Office has been administered to the newly elected officials.

Section 3.05(a) of the Charter of the Village requires the nomination and election by Council Action of a Vice Mayor and Mayor Pro Tem from among its members at the first regular council meeting after the General Election. The new Vice Mayor and Mayor Pro Tem shall serve until March/April 2017.

FISCAL IMPACT:

There is no fiscal impact.

ATTACHMENTS:

1. Proposed Resolution No. 2016-37



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Public Service

ITEM #5: Resolution 2016-19 – Tires & Related Accessories, Services & Supplies – Cooperative Purchasing – Public Service Department (FY 2016 Budget Funded)

SUMMARY: The Public Service Department has a need to select a vendor to provide tires and related supplies for the Village's fleet of vehicles. To ensure the lowest possible price, staff is recommending that the Village utilize the National Joint Powers Alliance (NJPA) contract award to Goodyear Tire & Rubber Company. This selection by the National Joint Powers Alliance (NJPA) was completed through a competitive selection process – Tires Together With Related Accessories, Services and Supplies (RFP #041712-GTC) – on May 15, 2012.

If approved, the Village would accept Goodyear Tire & Rubber Company's pricing by utilizing the National Joint Powers Alliance (NJPA) contract including all terms, conditions, and pricing therein. The term of the contract is set to expire on May 15, 2017.

Note: The Village is an official member of the NJPA (Member #85582) and we are eligible to join members across the United States to combine our purchasing needs within the Cooperative to receive the best (lowest) purchasing prices possible. As a result of our membership and participating under this contract, we are expecting to realize a significant cost savings annually.

As cited under the Village Purchasing Code, Section 58-8. Cooperative Purchasing., the Village may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for purchasing. Such cooperative purchasing may include, but is not limited to, joint or multi-party contracts between government entities. Purchases through a cooperative purchasing agreement are exempt from the competitive selection purchase requirements set forth in this Purchasing Code.

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

FISCAL IMPACT:

Funds to support purchases under this proposed contract are available within the FY

2016 Budget – Vehicle Repairs & Maintenance (Various Departments).

ATTACHMENTS:

1. Proposed Resolution No. 2016-19 – Cooperative Contract – Goodyear Tire & Rubber Company
2. National Joint Powers Alliance (NJPA) Member Certificate Approval
3. National Joint Powers Alliance (NJPA) – Tires Together With Related Accessories, Services, and Supplies (RFP #041712-GTC)
4. NJPA - Proposal Offering and Acceptance and Award (Agreement)
5. Goodyear Tire & Rubber Company - Price List
6. Proposed Agreement for the Procurement of Tires Together with Related Accessories, Services and Supplies



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Public Service

ITEM #6: Resolution 2016-20 - Final Contract Reconciliation (Close Out) – Sewer Installation & Road Reconstruction Project – Collie Drive & Kivey Drive (Part A)

SUMMARY: On August 28, 2014, the Council awarded Bid No. 2014B-006 to AKA Services for the construction of wastewater infrastructure and road reconstruction within the Village's Utility Service Area (not within the boundaries of the Village – east of Military Trail). This contract for construction services was broken up into two (2) separate wastewater projects:

Part A – Collie Drive and Kivey Drive Sewer Installation and Road Reconstruction Project

Part B - Phase IV Sewer Installation and Road Reconstruction Project (10th Avenue North south to Canal 11 and from Kirk Road west to Military Trail)

The original contract amount to AKA Services for Part A (\$862,980) was reduced by \$70,089.32 due to the direct purchase by the Village (to achieve sales tax savings) for sewer pumps from Xylem Water Solutions and S.C.A.D.A. and pump controls from C.C. Controls. As a result, the revised contract amount to AKA Services that is proposed to be closed out is \$792,890.68, which is \$550.12 below the awarded/budgeted amount.

The final reconciliation (close out) for the awarded Part A contract is as follows:

Original Contract Amount	\$862,980.00
Less: Direct Purchases	<u>(\$ 70,089.32)</u>
Revised Contract Amount	\$792,890.68
Less: Unused Miscellaneous Work Allowance	<u>(\$ 550.12)</u>
Final (Revised) Contract Amount	\$792,340.56

Note: On December 10, 2015, the Village Council authorized Change Order #1 to extend the contract for Part A by 85 days, thus, increasing the total contract time to 445 days.

The Public Service Department is recommending the close out of Part A under the Village's Bid No. 2014B-006. Part B is also being requested to be closed out within a separate agenda item within the Council's April 14th Agenda.

FISCAL IMPACT:

Funding to support the awarded contract was provided within the Water and Sewer Enterprise Fund.

ATTACHMENTS:

1. Proposed Resolution 2016-20
2. Summary of Overall Project Costs - Collie and Kivey Gravity Sewer Installation & Road Reconstruction Project – Part A - Eckler Engineering



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Public Service

ITEM #7: Resolution 2016-21 – Final Utility Contract Reconciliation (Close Out) - Sewer Installation & Road Reconstruction Project - Phase IV (Part B)

SUMMARY: On August 28, 2014, the Council awarded Bid No. 2014B-006 to AKA Services for the construction of wastewater infrastructure and road reconstruction within the Village's Utility Service Area (not within the boundaries of the Village – east of Military Trail). This contract for construction services was broken up into two (2) separate wastewater projects:

Part A – Collie Drive and Kivey Drive Sewer Installation and Road Reconstruction Project

Part B – Phase IV Sewer Installation and Road Reconstruction Project (10th Avenue North south to Canal 11 and from Kirk Road west to Military Trail)

The original contract amount to AKA Services for Part B (\$2,315,880) was reduced by \$64,546 due to the direct purchase by the Village (to achieve sales tax savings) for sewer pumps from Xylem Water Solutions and S.C.A.D.A. and pump controls from C.C. Controls. Additionally, on December 10, 2015, the Village Council authorized Change Order #1 due to the following:

- . Extensive roadway paving above the amount identified in the design plans that were included as part of the bid package
- . Installation of ten (10) speed humps that were not included in the plan design
- . Installation of more single service wastewater connections than had been provided for in the bid documents to ensure that our customers are able to connect directly into our sewer system without disturbing existing driveways and/or parking lots (resulting in lower customer connection costs)

As a result, the revised contract amount to AKA Services that is proposed to be closed out is \$2,397,801.59, which is \$81,921.59 (amount of approved Change Order #1) above the awarded/budgeted amount.

The final reconciliation (close out) for the awarded Part B contract is as follows:

Original Contract Amount	\$ 2,315,880.00
Add: Changes in Installed Quantities	\$ 80,148.00
Add: Miscellaneous Items Added to the Contract	\$ 55,646.35

Less: Miscellaneous Work Allowance	(<u>\$ 53,872.76</u>)
Final (Revised) Contract Amount	\$ 2,397,801.59

Note: The approved Change Order also extended the contract for Part B by 85 days, thus, increasing the total contract time to 445 days.

The Public Service Department is recommending the close out of Part B under the Village's Bid No. 2014B-006. Part A is also being requested to be closed out within a separate agenda item within the Council's April 14th Agenda.

Fiscal Impact:

Funding for the awarded contract was provided within the Water and Sewer Enterprise Fund.

Attachments:

1. Proposed Resolution No. 2016-21
2. Summary of Overall Project Costs - Phase IV Sewer Installation & Road Reconstruction Project - Part B – Eckler Engineering
3. List of Contract Modifications - Eckler Engineering



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Public Service

ITEM #8: Resolution No. 2016-33 – Vacuum Sewer System (AIRVAC) Parts & Supplies
– Single Source - Public Service Department (FY 2016 Budget Funded)

SUMMARY: The Public Service Department, throughout the year, has a need to purchase parts and supplies for the Village's three (3) Vacuum Sewer Systems (AIRVAC). This sewer system is a proprietary sewer system process (Bilfinger Water Technologies Inc.) and it is recommended to utilize the patented parts and supplies within our systems.

Bilfinger Water Technologies (AIRVAC) has provided a letter outlining the proprietary nature of this system that would make the parts and supplies available directly (only) from their company. The proposed parts and supplies price list would provide the same pricing that the Village is currently receiving. Thus, it is recommended to make AIRVAC parts purchases under the Single Source purchasing provision within the Village's purchasing code:

Sec. 58-7 Single source purchases.

Upon receipt of justification from the user department and/or the proposed single source, the finance department may select a single source without competition if, after conducting a search for available sources, the finance department together with the user department determine that only a single source is practicable or for other reasons 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 purchasing is anticipated to have a total value of \$25,000 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 \$25,000, the Council must approve the contract between the Village and the single source.

If the single source contract is approved, the Village would accept Bilfinger Water Technologies Inc. (AIRVAC) pricing including all terms, conditions and pricing therein. The term of the contract is set to expire on December 31, 2016.

The Village Attorney has prepared the proposed Agreement and it has been reviewed by the Public Service Director and the Finance Director.

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

FISCAL IMPACT:

Funds to support purchases under this proposed contract are available within the FY 2016 Water & Sewer Enterprise Fund Budget - Repairs & Maintenance.

ATTACHMENTS:

1. Proposed Resolution No. 2016-33 - Sole Source Contract – Bilfinger (AIRVAC)
2. Sole Source Letter outlining proprietary nature of vacuum sewer systems (AIRVAC) - Bilfinger Water Technologies Inc.
3. Proposed Agreement with Bilfinger Water Technologies, Inc.
4. List of Components & Prices - Bilfinger Water Technologies Inc.
5. Terms of Condition - Bilfinger Water Technologies Inc.
6. Certificate of Insurance



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Public Service

ITEM #9: Resolution 2016-34 – Miex Doc Resin – Best Interest Acquisition – Public Service Department (FY 2016 Budget Funded)

SUMMARY: The Public Service Department has a need to select a vendor to provide DOC Resin, which is a critical component in the water pretreatment process. The resin chemical assists with improving potable water color and helps with softening. At this time, the Village uses a Miex system, which is a proprietary water treatment process, and the manufacturer, IXOM Watercare, Inc., recommends utilizing their patented DOC Resin within our water treatment plants.

The proposed agreement to purchase Miex Doc Resin is recommended by the manufacturer for the following reasons:

- . The resin beads are very small and magnetized, which allows the contaminants to be absorbed by the resin beads thereby improving water color.
- . The resin beads over time will be joined together (magnetized) and will increase the weight of the beads, thus helping them to sink to the bottom of the water tank. They then go through a regeneration process and the beads are reused (pumped back to the beginning of the water treatment process), which helps with the overall cost of producing potable water.
- . The MIEX® DOC Resin meets all requirements for NSF/ANSI Standard 61 – Drinking Water System Components – Health Effects to control Total Trihalomethanes (TTHM), Haloacetic Acids Five (HAA5) and Color.

As a result, the proposed Miex Doc Resin is essentially a sole source resin for the Miex System. Thus, for the reasons outlined above, it is recommended that the Village acquire the requisite Miex Doc Resin under the Village's Purchasing Code – Section 58-11 Best Interest Acquisitions that enables the Council to approve purchases without utilizing the competitive selection process with at least a four-fifths (4/5) affirmative vote.

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

FISCAL IMPACT:

Funds for Resolution No. 2016-34 have been budgeted as Chemicals in the Water & Sewer Enterprise Fund.

ATTACHMENTS:

1. Proposed Resolution No. 2016-34 – Best Interest Acquisitions - IXOM Watercare
2. Sole Source Letter outlining proprietary nature of Miex Doc Resin - IXOM Watercare, Inc.
3. Certificate of Liability Insurance - IXOM Watercare, Inc.
4. Sec. 58-11. Best Interest Acquisitions – Village’s Purchasing Code



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Leisure Services

ITEM #10: Resolution 2016-35 - 4TH of July Fireworks Vendor Selection

SUMMARY: East Coast Pyrotechnics has provided a proposal for the 2016 4th of July Fireworks display in the amount of \$10,000. This is the amount budgeted and is in line with the previous year. Requests for Proposal were also sent to Zambelli Fireworks and Fireworks by Gucci, Inc., however, both declined to bid.

We have utilized East Coast Pyrotechnics for well over a decade and we have been very satisfied with the show as well as the professionalism of the staff.

We are looking forward to this important community event and hope to provide a wonderful show in celebration of our country's independence.

FISCAL IMPACT:

Funds for the display have been approved in the Village's Special Events Budget.

ATTACHMENTS:

1. Resolution 2016-35
2. Cost Proposal & Specifications
3. Agreement
4. Contract Addendum
5. Insurance Certificate
6. Hold Harmless Agreement



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Police Department

ITEM #11: Resolution 2016-38 Equipment Purchase and Installation – Piggyback Police Department (FY 2016 Budget Funded)

SUMMARY: The Police Department has a need to purchase and install equipment for its newly purchased vehicles to support the services and activities that are provided by our Police Officers. To ensure the lowest possible price, staff is recommending that the Village piggyback off the current Broward Sheriff's Office contract that was awarded to Strobes-R-Us. This selection by the Broward Sheriff's Office was completed through a competitive selection process – Emergency Equipment for Law Enforcement Vehicles – (ITB #13104030) – August 12, 2013.

Within the FY 2016 budget, the Village Council approved \$189,000 to be used for the purchase of police vehicles and associated graphics and equipment. The police department obtained a price of \$161,483 to purchase the vehicles. Through the Broward Sheriff's Office bid, the police department was able to obtain a price of \$28,477.42 to purchase the necessary emergency equipment and lighting to outfit the following vehicles:

. Four (4) 2016 Ford Interceptor marked patrol (utility) vehicles	\$21,663.80
. One (1) 2016 Ford Interceptor marked patrol vehicle	\$ 5,539.70
. One (1) 2016 Ford Fusion unmarked detective vehicle	\$ 1,273.92

If approved, the Village would accept Strobes-R-Us pricing by piggybacking the Broward Sheriff's Office invitation to bid (a contract/agreement was not required by Broward County for this purchase) including all terms, conditions and pricing therein. The term of the contract is set to expire on August 10, 2016.

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

The Village has purchased and installed equipment from this vendor previously and they have provided a quality product.

FISCAL IMPACT:

Funds to support this purchase are available within the FY 2016 General Fund Budget – Police Department.

ATTACHMENTS:

1. Proposed Resolution 2016-38
2. Proposed Equipment Quotes with Approval to Piggyback – Strobes-R-Us
3. Broward Sheriff's Office - Emergency Equipment for Law Enforcement Vehicles – (ITB #13104030)
4. Broward Sheriff's Office – Proposal Offering and Acceptance and Award Renewal
5. Proposed Agreement for the Purchase and Installation of Emergency Equipment

RESOLUTION NO. 2016-38

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXECUTE A PIGGYBACK CONTRACT WITH STROBES-R-US FOR THE PURCHASE OF EMERGENCY EQUIPMENT AND INSTALLATION THROUGH THE BROWARD SHERIFF'S OFFICE, BID #13-1040-30 FOR THE POLICE DEPARTMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Staff has determined the need of a contractor to provide the Village Police Department with the lowest possible price for the purchase of Emergency Equipment and Installation; and

WHEREAS, Village Staff has determined that through their competitive selection process, (Bid #13-10-4030) contains all the specifications, terms, conditions and pricing to meet the Village's needs; and

WHEREAS, the Village Purchasing Code, Section 58-9, allows for the Village to award a contract by piggy-backing any Florida State, or other governmental entity, contract that provides for the same or substantially similar goods and/or services that have been competitively solicited; and

WHEREAS, it has been determined that it is in the best and most efficient interests of the Village to obtain the emergency equipment purchase and installation for the Police Department through the Broward Sheriff's Office and have made a recommendation of same to the Village Council.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA:

Section 1. Based upon review of the proposal attached hereto and incorporated herein as **Exhibit "A"**, the Village Council hereby authorizes the execution of a piggyback contract (Bid #13-10-4030) through the Broward Sheriff's Office. Funds have been budgeted in the amount of \$28,477.42 through the Police Department's budget.

Section 2. The Mayor and Village Clerk are hereby authorized to execute any and all documents necessary to complete the award of this contract along with a certified copy of this Resolution.

Section 3. This Resolution shall be effective immediately upon its adoption.

Council Member _____ offered the foregoing Resolution. Council Member _____ seconded the Motion, and upon being put to a vote, the vote was as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
BEV SMITH, MAYOR	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DOUG GUNTHER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JONI BRINKMAN	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SERGIO ESCALADA	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PATTI WALLER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of APRIL 2016.

VILLAGE OF PALM SPRINGS, FLORIDA

BY: _____
BEV SMITH, MAYOR

ATTEST:

BY: _____
SUSAN CALJEAN, INTERIM VILLAGE CLERK

REVIEWED AS TO FORM AND LEGAL SUFFICIENCY

BY: _____
GLEN J. TORCIVIA, VILLAGE ATTORNEY



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Public Services

ITEM #12: Resolution No. 2016-39 – Sodium Hexametaphosphate – 1st Amendment (Renewal) - Piggyback – Public Service Department (FY 2016 Budget Funded)

SUMMARY: The Public Service department, throughout the year, has a need to purchase Sodium Hexametaphosphate, which is a critical chemical component in the water treatment process and assists in preventing corrosion of the metal water treatment equipment and the water distribution pipes.

To ensure the lowest possible price, staff is recommending that the Village renew/amend our existing agreement with Carus Corporation by continuing to piggyback the City of Coral Springs' extended contract award to Carus Corporation – May 1, 2016 through April 30, 2018.

The proposed price provided under the City of Coral Springs' renewed contract is as follows:

Sodium Hexametaphosphate	\$1.02/lb
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Note: This selection by Coral Springs was originally completed through a competitive selection process – Sodium Hexametaphosphate (Bulk), Purchase and Delivery of, Term Contract (Bid No. 14-C-062F) - on May 1, 2014. Additionally, the proposed piggyback contract amendment (renewal) would provide the same pricing that the Village is receiving currently.

If approved, the Village would accept Carus Corporation's pricing by amending (renewing) our existing agreement by continuing to piggyback the extended City of Coral Springs' contract including all terms, conditions and pricing therein. The term of the renewed contract is set to expire on April 30, 2018 with one (1) additional two (2) year renewal option remaining.

As cited under the Village Purchasing Code, Section 58-9. Accessing contracts of other government agencies; The Village may award a contract by piggy-backing or accessing the goods and/or services from any State of Florida contract; contracts of any Florida political subdivision; or from any other governmental entity (other than the Federal

government); provided that the same or substantially similar goods and/or services were competitively solicited.

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

FISCAL IMPACT:

Funds to support purchases under this proposed contract are available within the FY 2016 Water & Sewer Enterprise Fund Budget - Chemicals.

ATTACHMENTS:

1. Resolution No. 2016-39 - Piggyback Contract – Carus Corporation
2. City of Coral Springs – Contract Renewal
3. Approval to Piggyback E-mail – Carus Corporation
4. Proposed First Amendment to Agreement with Carus Corporation

Note: All original bid documents provided during the January 14, 2016 Council Meeting authorizing the initial piggyback agreement with Carus Corporation [City of Coral Springs' - Sodium Hexametaphosphate (Bulk), Purchase and Delivery of, Term Contract (Bid No. 14-C-062F)] are available at the Village Clerk's Office.

Office of the Mayor

Village of Palm Springs, Florida

Proclamation

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, which was called "ARBOR DAY"; and is now observed throughout the nation and the world; and

WHEREAS, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees truly represent the cycles of life, enhance and vitalize the economics of our business areas, increase property values and bring overall beauty to our Village; and

WHEREAS, the Village of Palm Springs has been recognized as a **TREE CITY, U.S.A.** through the National Arbor Day Foundation every year since 1991; and desires to continue its tree-planting practices by planting a tree at the Maintenance and Utilities building, located 2400 Kirk Road, on Friday, April 22, 2016, at 10:00 a.m., in honor of National Arbor Day.

NOW, THEREFORE, I, BEV SMITH, Mayor of the Village of Palm Springs, urge all our residents to plant trees and support efforts to protect our trees and woodlands for our future generations, and do hereby proclaim April 22, 2016 as

"ARBOR DAY IN PALM SPRINGS"

*In witness whereof I have herunto set my hand
and caused the seal of this city to be affixed*

Mayor _____

Date April 14, 2016



Office of the Mayor

Village of Palm Springs, Florida

Proclamation

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and when those emergency occur, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Palm Springs police-fire communications center; and

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services, as well as the single vital line for our police officers and firefighters by monitoring their activities by radio and providing them with information to ensure their safety; and

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year, and the Village wishes to honor the men and women whose diligence and professionalism keep our Village and citizens safe.

NOW, THEREFORE, I, BEV SMITH, Mayor of the Village of Palm Springs, Florida, do hereby proclaim the week of April 10- - 16, 2016 as

***"Public Safety Telecommunications Week
in Palm Springs"***

*In witness whereof I have herunto set my hand
and caused the seal of this city to be affixed*

Mayor _____

Date April 14, 2016





Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Land Development

ANNOUNCEMENT: Award of Property Improvement Program (PIP) Matching Grant Monies

SUMMARY: Two (2) PIP awardees have completed their improvement projects and have filed the necessary documentation to receive the Village matching grant funds.

- 1) Owner/Resident: Jason & Samantha Merigold
Address: 357 Pinehurst Road (since 2011)
Project: Replaced Driveway
Eligible Costs: \$3,536.00
Grant Award: \$1,768.00

- 2) Owner/Resident: Regina Mackenzie
Address: 3248 Henthorne Drive (since 1981)
Project: Replaced garage door (Impact code approved)
Eligible Costs: \$1,776.00
Grant Award: \$ 888.00

FISCAL IMPACT:

Funding is available in the FY 2016 General Fund Budget for property improvement incentives.

ATTACHMENTS:

1. 357 Pinehurst Road - Before and After Photos
2. 3248 Henthorne Drive - Before and After Photos



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Village Manager's Office

ITEM #15: Resolution No. 2016-40 – Support the exploration of John Prince Park as a potential Major League Baseball Training Camp site

SUMMARY: Recently, there has been discussion about the possibility of locating a Major League Baseball (MLB) training camp at John Prince Park, which is adjacent to the Village's future annexation area near South Congress Avenue, Lake Worth Road and 6th Avenue, South. Should this park, which is owned and maintained by Palm Beach County, be selected as a site to host spring training, the Village could potentially realize a number of economic (re)development and tourism opportunities.

As a result, the Village Council is requested to consider a proposed Resolution supporting this opportunity and urging the Palm Beach County Board of County Commissioners to strongly consider exploring the proposed John Prince Park site as a future MLB spring training site.

Note: The proposed resolution was developed and approved by the City of Lake Worth and other surrounding municipalities are being requested to consider supporting this initiative.

FISCAL IMPACT:

Significant economic (re)development and tourism opportunities would be available to the Village and to the areas around John Prince Park.

ATTACHMENTS:

1. Resolution No. 2016-40



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Village Manager's Office

ITEM #16: Resolution No. 2016-41 – Infrastructure Surtax Interlocal Agreement – Palm Beach County, School Board of Palm Beach County and Municipalities

SUMMARY: On March 22, 2016, Palm Beach County (PBC) approved a plan for a one-cent infrastructure surtax for a 10-year period that would be presented to the voters in Palm Beach County for consideration during the November 2016 election. This proposed sales tax initiative would increase the County's sales tax from 6% to 7%.

Currently, the proposed one-cent sales tax initiative would include the County, the School Board and the Municipalities. The proposed distribution is as follows:

Palm Beach County School Board	48.0%
Palm Beach County	27.5%
PBC Economic Development Cultural Facilities	4.5%
PBC Economic Development Incentives	1.5%
Municipalities	18.5%

Note: To include the School Board and change the allocations from the distribution formula as provided within Florida Statutes, an Interlocal Agreement is required from the municipalities representing a majority (51%) of the municipal population within Palm Beach County.

It is anticipated that an ordinance to include ballot language and the details of the County's plan will be presented to the County Commission in April 2016 along with approved municipal agreements.

If approved, the Village could potentially receive a significant amount of funding to support the cost for capital improvement projects (CIP) and equipment that weren't funded due to the recent economic recession and dramatic decreases in assessed property values over the past decade. Thus, this funding would contribute to Village goals, including a number of economic (re-)development opportunities. Projected funding to the Village is as follows:

1 Year Distribution	10 Year Distribution	10 Year Distribution (Projected 3% Revenue Increase)
\$1,162,498	\$11,624,979	\$13,726,538

Note: Based on 2015 State of Florida Sales Tax Distribution Formula

As a result, the Village Council is requested to consider a proposed Interlocal Agreement supporting this infrastructure surtax opportunity.

The proposed Interlocal Agreement was prepared by Palm Beach County and reviewed by the Village Attorney. The proposed 10-year Village project list was prepared by the Public Service Department with input from each Village Department Director and staff.

FISCAL IMPACT:

If approved by the voters of Palm Beach County during the upcoming November 2016 election, the Village would receive approximately \$11,624,979 million dollars over a 10-year period to complete various capital related projects.

ATTACHMENTS:

1. Proposed Resolution No. 2016-41
2. Palm Beach County Infrastructure Letter - Verdenia Baker, County Administrator
3. Proposed Interlocal Agreement - Palm Beach County, School Board of Palm Beach County and Municipalities
4. Proposed List of Capital Projects – 10-year period – Village of Palm Springs
5. Proposed List of Capital Projects – 10-year Period – PBC Municipalities
6. Expected State Distribution of Discretionary Sales Tax Revenues



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Land Development

ITEM #17: Resolution 2016-42 – Selection of Community Development Block Grant (CDBG) Annual Project for FY17

SUMMARY: The Village of Palm Springs, for a second year, will be identified as an “entitlement city” with a delineated Community Development Block Grant (CDBG) Target Area in the Palm Beach County 5-Year Consolidated Plan. Palm Beach County has recently notified the Village that our allocation for FY 2016-2017 is \$99,365.

The Village was required to submit a project for the County’s Annual CDBG Work Plan by April 8th. In order to be eligible for the HUD grant, the Village’s project must 1) benefit low and moderate income persons, 2) include a public facility in need of repair or replacement, including ADA and accessibility improvements and/or 3) aid in the elimination of blight.

Staff is proposing to utilize the available funding to support the 1st phase of the unnamed park at the northeast corner of Park Lane and Kirk Road as this year’s project. This project is proposed in the Village’s Capital Improvement Program at an estimated cost of \$149,365 and will include both CDBG and Florida Recreation Development Assistance Program (FRDAP). The Village will be responsible for any project costs in excess of the \$99,365 from the CDBG reimbursement grant. Additionally, the FRDAP grant award of \$50,000 will be used as matching funds along with Village staff labor as an in-kind match.

The proposed park improvements, while located immediately outside of the Villages’ CDBG Target Area, will serve the residents of the Target Area by providing usable open space and neighborhood park improvements within walking and biking distance. In 2012, the property was transferred from Palm Beach County to be developed as a public park after the Village annexed the surrounding residential area. This year’s CDBG allocation will enable Phase 1 of the park improvements to be completed. The park plan will be designed by a professional which will include the following: preparation of the property to turn the barrow pit lake into a focal point with a walking trail around its perimeter and fountain in the center, playground equipment, landscaping and irrigation system, and paved parking lot with an ADA walkway.

Future park amenities have been identified such as a picnic pavilion and water fountain when funding becomes available. A potential source for the funding could be the FY

2017-2018 CDBG funding allocation.

Through initial discussions with County it has been confirmed that the project will meet the required criteria for CDBG funding.

FISCAL IMPACT:

The Fiscal Year 2016-2017 allocation for the Village is estimated at \$99,365. This is a reimbursement grant.

ATTACHMENTS:

1. Proposed Resolution 2016-42
2. County announcement letter
3. Preliminary Project Budget Estimates
4. Location map of proposed project
5. Village CDBG Target Area Map



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Public Service

ITEM #18: Ordinance No. 2016-05 – Village Code Amendment – Utility Billing Adjustments

SUMMARY: In an effort to enhance our customer service and provide clear guidance related to collection/adjustments of Village utility bills, the Public Service Department is recommending the following amendments to the Village Code - *Chapter 78 "Utilities"*:

BILLING ERRORS:

Provides for adjustments to correct billing issues (i.e., charge for water/wastewater in error, a bill was not provided for consumed water/wastewater, etc.)

LEAKS AT THE METER:

Provides a wastewater billing credit for above average usage due to a documented leak on the customer's side of the water meter. Credit for both water and wastewater charges is also provided when the leak is within three (3) feet of the meter and the Village changed out or repaired the meter within the last three (3) months

SWIMMING POOL FILLING:

Provides customers with an opportunity to request a wastewater billing adjustment based on the number of gallons of water that was used to fill a swimming pool

ACTS OF NATURE:

Provides for a credit if an act of nature (i.e., uprooting of a tree that results in a water line break) causes above average water usage

EXCESSIVE USE:

Provides an excessive use credit to be applied when one month's usage is three or more times a customer's average usage and it is not the result of an apparent or deliberate act of the customer

The proposed amendments were developed by the Public Service Department and have been reviewed by the Village Attorney.

If approved on 1st reading, the proposed ordinance will be presented to the Council for consideration on May 12, 2016 for 2nd and final reading.

FISCAL IMPACT:

There is no direct significant fiscal impact of the proposed amendments.

ATTACHMENTS:

1. Proposed Ordinance No. 2016-05



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Land Development

ITEM #19: Ordinance No. 2016-06 – Village Code Amendment – Floodplain Management

SUMMARY: The Land Development department is recommending an amendment to the Village Code due to recent changes to the Florida Building Code (5th Edition) pertaining to buildings and structures within flood hazard areas to ensure consistency between both documents. The proposed ordinance was developed by the Federal Emergency Management Agency (FEMA) and the Florida Division of Emergency Management have developed a model ordinance and is specifically designed to repeal and replace existing regulations to satisfy the National Flood Insurance Program and Florida Building Code requirements.

Following the effective date of the new Flood Insurance Rate Maps (FIRM), which is the official map of the Village on which FEMA has identified both special hazard areas and the risk premium zones within the Village; the Village will be mandated to adopt these regulations within a 6-month period. As a result, staff is bringing this ordinance forward in advance of the federal mandate.

Note: FEMA is expecting to finalize the FIRM by September 2016 and possible insurance rate adjustments are expected to be implemented by March 2017. At this time, the Village will maintain fewer properties within a flood hazard area under the new maps; thus, significant rate increases are not expected.

The proposed ordinance has been reviewed by the State, and will be provided to them again for review prior to second reading and final reading.

The Land Development Board will consider the proposed amendments at their April 12th meeting and their recommendation will be presented prior to the Council meeting.

If approved on first reading, the proposed ordinance will be presented to the Council for consideration on 2nd and final reading on May 12th.

FISCAL IMPACT:

The proposed request does not have a fiscal impact to the Village.

ATTACHMENTS:

1. Proposed Ordinance No. 2016-06



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Land Development

ITEM 20#: Resolution No. 2016-43 – Hours of Operation Variance (PSV16-02) – Chili's – 3349 South Congress Avenue

SUMMARY: JJ Jamadar, Brinker Florida, Inc., Agent for Chili's Restaurant, is requesting a variance (PSV16-02) from the Village Code to operate the new Chili's Restaurant one hour longer on Friday and Saturday nights. The applicant is requesting approval to deviate from Section 34-891(1), "Hours of Operation and Hours of Construction Activity", which specifies that no commercial activity shall occur before 7:00 a.m. or after 11:00 p.m. The proposed time extension variance would be consistent with other retail uses (within the surrounding area and within the Village) that maintain extended hours of operation.

Based on the surrounding characteristics and the proposed restaurant not being located adjacent to residential properties, staff does not find that the requested variance will negatively impact the area or be detrimental to the public welfare.

FISCAL IMPACT:

The proposed request does not have a fiscal impact to the Village.

ATTACHMENTS:

1. Proposed Resolution No. 2016-43 - Hours of Operation Variance
2. Applicant's Justification Statement(s)
3. Site Plan
4. Aerial and Location maps



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Land Development

ITEM #21: Resolution 2016-44 - Final Plat – Kingswood Academy - 4137 South Congress Avenue

SUMMARY: Mr. Damian Brink, agent for Neil and Janese Williams, owners and operators of Kingswood Academy, has filed the final plat mylar for the proposed new Kingswood Academy at 4137 South Congress Avenue (south of Canal 12 and west of Palm Beach State College) for final approval and authorization to record it in the public records of Palm Beach County. The proposed final plat unifies three (3) parcels.

The final plat is consistent with the approved site plan (Resolution 2015-70 - July 25, 2015) and the preliminary plat (Resolution 2016-15 - February 11, 2016), which were both previously approved by the Village Council.

The Village's Surveyor, Engenuity Group, has reviewed and determined that the proposed final plat mylar is in compliance with Chapter 177, F.S. - Platting Regulations.

FISCAL IMPACT:

There is no direct fiscal impact of the proposed plat.

ATTACHMENTS:

1. Proposed Resolution 2016-44
2. Proposed Final Plat



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Land Development

ITEM #22: Resolution 2016-16 – Site Plan (SPR16-02) – Cabrera Subdivision – 3386 Kirk Road & 6 Vacant Lots on Kirk Road

SUMMARY: Mr. Hector Cabrera, property owner, is requesting site plan approval for a residential planned development consisting of seven (7) single family residences. A similar site plan was previously approved in April 2008 (Resolution 2008-09) and platted (Resolution 2008-38 – May 2008); however, the site plan has expired in 2011.

As a result, Mr. Cabrera is seeking site plan approval based on the 7 previously platted lots, as he wishes to avoid replatting. The proposed residential planned development requires ten (10) waivers:

1. Minimum lot area of 5,600 s.f. in lieu of 6,500 s.f.
2. Minimum lot depth of 80' in lieu of 100'
3. Minimum front yard of 22' in lieu of 25'
4. Minimum buffer of 5' in lieu of 10' along perimeter
5. Minimum side corner setback of 15' in lieu of 25' for lot 7
6. Minimum side setback of 6' in lieu of 7.5' on the East side of lot 7
7. The presence of common area and a property owner's association to maintain the common area (each lot will be individually owned, with exception of public roadway)
8. Minimum buffer of 7.5' in lieu of 15' along Kirk Road
9. Minimum of 40' right of way in lieu of 50' for local street and "Y" turn around in lieu of circle since the site is already platted under Resolution 2008-38
10. Minimum of 1 tree every 20' along perimeter buffer

The developer is responsible for all improvements and upon completion, the public road (Tropical Way), utility lines, street lights and drainage facilities will be inspected and accepted by the Village for ongoing maintenance. A Developer's Agreement and Utility/Drainage Easement are presented for Village Council approval.

The Land Development Board considered the proposed site plan application during at its February 9th meeting and recommended conditional approval.

FISCAL IMPACT:

The construction costs of the residences should enhance property values over those assessed on the vacant lots; however, Village responsibility of the infrastructure maintenance will have a fiscal impact to the Village.

ATTACHMENTS:

1. Proposed Resolution No. 2016-16 - Site Plan
2. Staff Report
3. Applicant's Justification Statement(s)
4. Site Plans and Building Elevations
5. Developer's Agreement
6. Utility/Drainage Easement
7. Aerial and Location Maps



Village of Palm Springs

Executive Brief

AGENDA DATE: April 14, 2016

DEPARTMENT: Land Development

ITEM #23: Discussion Item - Village Maintenance Obligations vs. Property Owners Associations' Responsibilities vs. Special Assessment Districts

SUMMARY: Village Code currently requires a property owners association or equivalent to be established to assume maintenance responsibility for common areas and shared improvements within all new development projects for which there will be multiple ownership interests (i.e., private lots, outparcels, etc.).

Recently, a residential housing project requested a waiver from this requirement stating that the small size of the subdivision would not support an effective homeowners association (HOA). Staff concurs that a traditional Property Owners Association (POA) would not be sustainable for this particular project, however, it has brought forth concerns that the Village may not desire to be obligated to assume long-term maintenance responsibilities (i.e., drainage, street lights, perimeter buffers, etc.) within private neighborhoods.

An alternative to a property owners association would be the implementation of a special assessment district, where the costs for shared maintenance would be paid by the benefiting new properties. Within this structure, financial obligations would be estimated to determine a pro-rata assessment for each benefitted property owner. As a non-ad valorem assessment, the annual costs would be collected by the Tax Collector and when transferred to the Village, held in a special district fund. This fund would be drawn upon to cover ongoing maintenance costs within the district (development project). A special assessment district requires a considerable amount of initial effort to legally establish the district, however, it would avoid the issues that typically develop within a small POA/HOA.

Staff is requesting the Council's input to provide direction on the maintenance responsibilities for future development proposals.

FISCAL IMPACT:

N/A

ATTACHMENTS:

None