



**VILLAGE COUNCIL MINUTES  
MEETING, COUNCIL CHAMBERS  
226 CYPRESS LANE  
VILLAGE OF PALM SPRINGS, FLORIDA  
AUGUST 11, 2016 at 6:30 P.M.**

Mayor Bev Smith called the regular meeting of the Village Council to order at 6:30 p.m.

Present: Mayor Bev Smith, Vice Mayor Brinkman, Mayor Pro Tem Waller, Council Member Gunther, Council Member Shields, Village Manager Richard Reade, Village Attorney Glen Torcivia, Village Clerk Susan Caljean.

Staff present: Police Chief Tom Ceccarelli, as Sergeant at Arms, Land Development Director, Kim Glas-Castro, Finance Director, Rebecca L. Morse, Library Director, Suvi Manner, and Acting Public Services Director, David Harden.

Absent: Public Services Director, John Rouse

The Invocation was given by Village Manager Reade, followed by the Pledge of Allegiance led by Mayor Pro Tem Waller.

**ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA**

The Mayor asked if there were any additions, deletions or modifications to the agenda. Village Manager Reade stated that Item #5 the "Citizen Heroism Awards", will need to be moved to the September 8, 2016 Council Meeting.

Mayor Smith asked for a motion to approve the modifications to the agenda, a motion was made by Mayor Pro Tem Waller, seconded by Council Member Shields. Motion carried 5 – 0.

**CONSENT AGENDA**

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

Mayor Smith opened the meeting up for public comment.

Virginia Savietto is running for District 87 against David Silvers for State Senate and gave a short speech.

Johnnie Tische of 305 Winged Foot is concerned with the Zika outbreak and the local tire companies that are storing tires outside which is against the Village's ordinance.

Kim Glas-Castro, Land Development Director explained that Code Enforcement is monitoring the tire companies for compliance.

Village Manager Reade mentioned that the website as well as the Library has information regarding Zika.

Gary Ready of 3118 Meadow Road called Mosquito Control and they said the mosquitoes were in the storm drain.

Council Member Gunther mentioned that the county had a granular material that they put down the storm drains for mosquito prevention. Vice Mayor Brinkman mentioned that there are granular chemicals on the market for birdbaths, etc.

1. Approval of Minutes of Budget Workshop Meeting and the Regular Council Meeting both held on July 28, 2016
2. Approve Pebble Quicklime - Piggyback – Public Service Department (FY 2017 Budget Funded)

Village Manager Reade stated that the Public Service Department, throughout the year, has the need to purchase pebble quicklime, which is a critical chemical component in the water pre-treatment process by enabling organic contaminants to be saturated and attach to the sand that is used in the process; thus, providing a higher quality of water to our customers.

To ensure the lowest possible price, staff is recommending that the Village renew/amend our existing agreement with Lhoist North America of Alabama, LLC by continuing to piggyback the City of Tamarac's extended contract award to Lhoist North America – through October 31, 2017.

The proposed price provided is as follows: Pebble Quicklime \$202.11/Ton

This selection by the City of Tamarac was originally completed through a competitive selection process – Furnish, Deliver & Discharge of Quicklime (Bid No. 11-25B) - on August 24, 2011, and was recently extended for one final year through October 31, 2017. Additionally, the proposed piggyback contract amendment (renewal) would provide the pricing that is adjusted quarterly based on a formula contained in the Tamarac contract (the previous amount when originally piggybacked was \$213.74/Ton) to the Village.

Note: The proposed piggyback contract was completed as part of The Southeast Florida Governmental Purchasing Cooperative (Co-Op). The intent is to bring member cities together and combine their purchasing needs within the Co-Op (of which the Village is a member) to receive the best (lowest) price possible. As a result of our membership within the Co-Op, we are now able to piggyback on this contract which has already resulted in savings of \$53,885 in the first three quarters of this year.

If approved, the Village would accept Lhoist North America of Alabama, LLC's pricing by piggybacking the City of Tamarac's (Southeast Florida Co-Op) contract including all terms, conditions and pricing therein.

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 currently works with this vendor and they provide excellent service and a quality product.

#### FISCAL IMPACT:

Funding to support purchase under this proposed contract are available within the FY 2017 Water & Sewer Enterprise Fund - Chemicals.

Note: All original bid documents provided during the October 8, 2015 Council Meeting authorizing the initial piggyback agreement with Lhoist North America of Alabama, LLC [City of Tamarac was completed through a competitive selection process – Furnish, Deliver & Discharge of Quicklime (Bid No. 11-25B)] are available at the Village Clerk's Office.

### 3. Approve Road Construction and Paving – Piggyback – Public Service Department (FY 2016 Budget Funded)

Village Manager Reade stated that the Village has a need to construct and pave four (4) unpaved roads within the Village - Childs Street, Erie Terrace, Lone Pine Way and Sally Lane. These roads were annexed into the Village as unpaved streets. As a result, the Village contracted with Keshavarz Associates to design and prepare construction plans for this project. To ensure the lowest possible price, staff is recommending that the Village piggyback off the current Town of Loxahatchee Groves Contract that was awarded to Hardrives Paving, Inc. This selection was completed through a competitive selection process (RFB Project No. 2016-01 – B Road Pavement Surfacing Project) – on May 6, 2016.

The proposed price provided under the Town of Loxahatchee's contract for the construction and paving of four (4) roads is as follows:

Childs Street, Erie Terrace, Lone Pine Way & Sally Lane	\$240,631.60
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If approved, the Village would accept Hardrives' pricing by piggybacking the Town of Loxahatchee Groves contract including all terms, conditions and pricing therein for the proposed project.

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 not worked with the proposed vendor; however, staff has received a positive reference from the Town of Loxahatchee Groves.

#### FISCAL IMPACT:

Funding for this project has been budgeted in FY 2016 as Road, Sidewalk and Drainage Maintenance within the General Fund – additional funding may be required to support this project and would be proposed through a budget amendment that will be forthcoming from the Finance Department.

#### 4. Approval of Insurance Renewal - Property, Casualty, Liability, Special Coverage and Workers Compensation – Florida League of Cities (FMIT)

Village Manager Reade stated that historically, the Village has gone out to the insurance marketplace each year to request proposals; however, this practice may result in responses that are under-rated and overly aggressive, which may not result in the most cost effective and comprehensive coverage for property, casualty, liability and workers compensation insurance. Alternatively, the Gehring Group, the Village's Broker, strongly suggested that by negotiating with our current carrier (rather than going out to bid) for this upcoming plan year would provide the Village with following benefits:

1. Enable Gehring to utilize its expertise and experience to negotiate successfully (i.e., lower total annual increase) with our current carrier
2. Consistency with a single carrier will assist with current and future premium pricing
3. Maintaining the current carrier would significantly reduce the education and coverage related issues associated with changing to another company
4. Provide the highest level of benefits

As a result, the Gehring Group began negotiating directly with our current carrier, Florida League of Cities (FMIT), which provided a very successful benefit for the Village. This process is provided within the Village's Procurement Code under Sec. 58-2. Exempt Purchases.

After review, the Gehring Group recommends that the Village remain with FMIT and continue its coverage, which will provide the Village with an overall 3.08% total savings. The proposed premium for FY 2017 will be \$562,473, which is a decrease of \$17,880 over last year. Additionally, the proposed annual rate includes premiums for special coverage policies - AD&D Statutory Coverage for Police and Pollution and Remediation Liability for our utility sites.

**FISCAL IMPACT:**

The proposed premiums are included within the proposed FY 2017 Budget.

Mayor Smith asked for a motion to approve the consent agenda, a motion was made by Council Member Gunther, seconded by Vice Mayor Brinkman. Motion carried 5 – 0.

5. Resolution No. 2016-64 – Abandonment of Right-of-Way - Portion of Gardenia Avenue (East of 39th Avenue South)

Village Manager Reade stated that Mr. Michael Wirkkala, property owner, is requesting abandonment of unimproved right-of-way located east of the terminus of Gardenia Avenue and east of 39th Avenue South. Mr. and Mrs. Wirkkala had previously dedicated this 40' wide right-of-way to the Village in 2012 for public road purposes. The Village Council accepted the dedication via Resolution 2012-20 and the Deed of Dedication for Public Right-of-Way is recorded within the PBC Official Records Book 28431, Page 1668.

Upon abandonment of the public interest, the right-of-way, as required by state law, will transfer to the adjacent property owners (trusts and individual members of the Wirkkala family) who may utilize the land area within future development plans. The proposed area to be abandoned is approximately 6,414 square feet (0.147 acres) and is located approximately 460' east of Kirk Road.

The Land Development Board will consider this abandonment at its August 9th meeting and their recommendation will be provided to the Council prior to consideration.

Staff recommends that the Council approve the propose abandonment and determine that the right-of-way does not contribute to the Village's roadway system and does not benefit the community as a whole.

Note: Village staff has obtained written confirmation from utility companies that there are no facilities within the right-of-way and they do not object to the abandonment.

**FISCAL IMPACT:**

The abandonment of the unimproved right-of-way may assist in facilitating development of the three adjacent vacant properties, thereby increasing the value of these parcels.

Council Member Gunther had a question regarding the owner's future plans of the property.

Johnnie Tische of 305 Winged Foot had a question regarding the easement on the property.

Gary Ready of 3118 Meadow had a comment regarding the easement.

Village Attorney Torcivia read the resolution by title. Mayor Smith asked for a motion to approve the Resolution 2016-64, a motion was made by Vice Mayor Brinkman, seconded by Council Member Gunther. Motion carried 5 – 0.

#### 6. Creation of a Community Redevelopment Agency (CRA) – Three (3) Districts

Village Manager Reade stated that an economic (re)development strategy of the Congress Avenue Corridor Study is the creation of a Community Redevelopment Agency (CRA) as a means to plan for and fund improvements and incentives that result in economic development. As a result, approval of a CRA will be required by the Village Council and PBC (due to the fact that we are within a Charter County), which is expected to be completed within FY 2017.

A Community Redevelopment Agency (“CRA”) is an independent special district that fosters public and private investment to promote economic growth and redevelopment and improve quality of life within a designated area. A CRA, if approved, maintains the following authority:

- 1) Complete projects/programs to achieve established redevelopment goals/plans
- 2) Initiate community policing innovations
- 3) Establish incentives, grants and loan programs to leverage private investment in the area and/or attract new businesses to contribute to the economic growth of the area
- 4) Acquire properties and solicit proposals for redevelopment projects
- 5) Issue revenue bonds for redevelopment purposes

A “Finding of Necessity” is required before a CRA may be established:

Within Chapter 163, Florida Statutes, a CRA may be created after a “Finding of Necessity” is completed and it is determined that the conditions within the defined area exist constitute a classification of “slum” or “blight” for which concentrated efforts through a redevelopment plan might eliminate these conditions and support growth and development. Conditions that can support the creation of a CRA include:

- . Substandard or inadequate infrastructure (sanitary sewer, drainage, etc.),
- . Inadequate parking
- . Advanced ages of buildings
- . Crime statistics or number of fire code violations
- . Deterioration of streets
- . Inadequate street lighting
- . Number of nonconforming parcels and diversity of land ownership making it difficult to assemble adequate-sized parcels for redevelopment

A Community Redevelopment Plan outlines what a CRA may use funding to support: Following the creation of the CRA, a Community Redevelopment Plan is adopted that provides redevelopment goals and identifies projects and/or programs for the area.

Examples of traditional projects/programs include utility and drainage improvements, streetscape and street tree plantings, grants or loans for property improvements, incentives for business relocation, acquisition of blighted/nonconforming property and community policing or focused code enforcement.

CRA's are funded utilizing Tax Increment Financing ("TIF"):

With the creation of the CRA, the dollar value of real property in the designated area is set, this is known as the "frozen value" or "baseline" within a specific year, which is known as a "base year". As redevelopment is experienced within a CRA district, it will lead to increased property values and this increase over the frozen value is the "increment". The tax increment revenues, which are generally paid to the CRA by the County and municipal from ad-valorem dollars received within the district, are determined by the increase in values above the frozen value. These funds are directed to the CRA's Redevelopment Trust Fund for use by the CRA to accomplish its redevelopment goals/priorities. The term of a CRA is typically limited to 30-40 years, during which time all revenues are to be utilized in implementing the Community Redevelopment Plan. Some types of projects and/or programs that may be completed utilizing TIF dollars include:

- . Demolition, removal, installation, repair, rehabilitation, construction or reconstruction of properties
- . Construction of housing, utilities, parking, parks and playgrounds and public improvements (i.e., drainage, roadways, sidewalks, utilities, etc.)
- . Award redevelopment grants and/or loans
- . Complete appraisals, surveys and plans
- . Support code enforcement, weatherization, disaster mitigation, vacate streets and community policing innovations
- . Acquisition of real property and improvements and solicit development proposals

Some of the areas where TIF funding may not be used include:

- . Construction/expansion of administrative buildings for public bodies, police or fire (unless each taxing authority agrees to it and/or the construction or expansion is part of community policing innovation)
- . Capital improvements/projects that were on a previously approved public capital improvement (overall city CIP) schedule unless such projects or improvements were removed from the list three or more years ago.
- . General government operating expenses unrelated to the planning and carrying out of a community redevelopment plan

Note: A CRA may not be utilized as "special project" fund to be used when revenues are not available in general fund or within other recurring funds.

CRA Boundaries – Three (3) Sub-Areas are proposed to be included under the proposed CRA:

The proposed boundaries for the requested CRA districts are included within the

attached map – three (3) CRA districts are proposed for the following areas:

- . North Congress Avenue
- . Lake Worth Road
- . Military Trail

Although a city may only have one CRA, there can be multiple districts within a CRA - each district having a separate trust fund, accounting and redevelopment plan.

Note: While staff has not completed the corridor studies for Lake Worth Road and Military Trail, it is envisioned that strategies for these corridors will also include establishment of a CRA.

A CRA Board is public board and established by the Village Council:

The CRA Board is a dependent governing body that maintains 5 to 9 members. The Board may be appointed by the Village Council where they may designate themselves as board members and/or include up to 4 business or property owners from the designated area. Additionally, the Board positions may be elected. The Board maintains various responsibilities including:

- . Serving as a Chair and Vice-Chair
- . Approve the annual CRA budget
- . Identify funding and program priorities
- . Propose plan amendments/modifications
- . Allocate trust fund monies
- . Authorize and execute contracts (i.e., consultants, etc.)
- . Carries out/Implements redevelopment plan

Additionally, the CRA Board may hire an independent executive director or appoint the Village Manager (or their designee) to serve in that capacity

There is typically only one CRA Board; however, many cities with multiple districts have a separate (appointed) advisory boards for each district to make recommendations on redevelopment projects and programs within their specific district.

Staff is currently working with the Village Attorney in drafting a Request for Qualification (based on documents that were utilized by other Florida communities – provided and recommended by the Florida Redevelopment Association) for consulting services to prepare and receive approval for the Village's Finding of Necessity, supporting documentation and the development of a Community Redevelopment Plan(s). A recommendation to select a consultant will be presented to the Council for consideration during an upcoming meeting.

Kim Glas-Castro, Land Development Director gave a Power Point presentation and explained the details of a Community Redevelopment Agency. Vice Mayor Brinkman

said there is a lot of data already compiled by other agencies.

A discussion ensued by the Mayor and Council to evaluate Village Manager Reade's job performance. All were happy with his job performance and agreed to a 4% salary increase and contribution to a deferred comp plan.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 7:37 p.m.

Respectfully submitted,

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Susan Caljean, Village Clerk

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Mayor, Bev Smith

NEXT REGULAR MEETING:  
SEPTEMBER 8, 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.