



**VILLAGE COUNCIL MINUTES  
MEETING, COUNCIL CHAMBERS  
226 CYPRESS LANE  
VILLAGE OF PALM SPRINGS, FLORIDA  
SEPTEMBER 22, 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 Shields, Village Manager Richard Reade, Brian Schutt for Village Attorney Glen Torcivia, Village Clerk Susan Caljean.

Absent: Council Member Gunther

Staff present: Police Chief Tom Ceccarelli, as Sergeant at Arms, Finance Director, Rebecca L. Morse, Library Director, Suvi Manner, Leisure Services Director, Bill Golson, Land Development Director, Kim Glas-Castro, John Rouse, Public Service Director.

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 #12, Resolution 2016-68, the abandonment of a portion of Cross Street be continued to the October 13, 2016 Village Council meeting.

Mayor Smith asked for a motion to approve the agenda as presented. Mayor Pro Tem Waller made a motion to approve, seconded by Vice Mayor Brinkman. Motion carried 4-0.

**CONSENT AGENDA**

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

Mayor Smith opened the meeting up for public comment. There were no comments from the public.

1. Approval of Minutes of the Regular Council Meeting of September 8, 2016.
2. Appointment to the Library Board

Village Manager Reade stated that currently, there is one (1) vacancy for Regular Members on the Library Board. Ms. Lenor DiRienzo has submitted an application

expressing her interest in serving as a Regular Member. If approved, Ms. DiRienzo would serve a 3-year term (Expiring April 24, 2017).

If approved, there would be no vacancies on the Library Board.

**FISCAL IMPACT:**

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

3. Approve PC Controls for Repair and Calibrations Services – Piggyback – Public Service Department (FY 2016 Budget Funded)

Village Manager Reade stated that the Public Service department has a need to select a vendor to assist with the repair and calibration of water plant flow meters and related devices (i.e., water treatment plant control panels, lift station electrical issues, water plant pump motors, etc.). To ensure the lowest possible price, staff is recommending that the Village piggyback off the current City of Pompano Beach contract awarded to PC Controls, Inc. This selection by the City of Pompano Beach was completed through a competitive selection process - Repair & Calibration of Flow Meters and Related Devices (RFP #L-51-16) - on September 13, 2016.

To ensure the lowest possible price, staff is recommending that the Village piggyback the City of Pompano Beach's Contract award to PC Controls. The proposed piggyback contract would provide the following pricing:

Services for Work Completed	\$60/Hour
Monday - Friday, 7:00 a.m. – 4:00 p.m.	
Services for Work Completed All Other Times	\$89/Hour
Materials Markup	
Not to exceed Fixed Fee of 1.2 times cost (20%)	

If approved, the Village would accept PC Controls, Inc.'s pricing by piggybacking the City of Pompano Beach's contract including all terms, conditions and pricing therein. The term of the contract is set to expire on September 11, 2017 and it may be renewed for three (3) additional one (1) year periods.

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 the proposed vendor and they provide excellent service and a quality product.

FISCAL IMPACT:

Funding to support purchases under this proposed contract is available within the FY 2016 and 2017 Water & Sewer Enterprise Fund - Repair and Maintenance.

4. Resolution No. 2016-71 - Interlocal Agreement – Information System Services (ISS)  
Palm Beach County

Village Manager Reade stated that the Finance Department is recommending that the Village contract with Palm Beach County to connect into their fiber optic network to enable Village facilities to increase internet speeds from 50 Mbps (megabits-per-second) up to 100 Mbps. If approved, Palm Beach County is expected to complete the installation of the fiber optic line in approximately three (3) months.

The total amount of this expenditure is as follows:

.	Initial Installation	Cost (Estimated)	\$32,045.50
.	Annual Operating Cost		\$ 3,600.00

Note: The annual cost for the network connection is \$2,400 plus the pass-thru cost of \$100 per month for connection to the FL LambdaRail (Florida's Research and Education Network) via PBCnet. Projected total operating cost of \$3,600 per year. Additionally, the proposed PBC annual fees may be adjusted annually.

If approved, the term of the agreement would be for one (1) year with automatic annual renewals unless either party provides written notice of termination. By entering into the proposed Interlocal Agreement, the Village is expected to save approximately \$10,000 per year in communications expenses following initial installation.

In accordance with state law (Florida Interlocal Cooperation Act of 1969), the Village and the County can enter into an interlocal agreement for the following purposes:

1. To make the most efficient use of local government powers and enabling cooperation with other localities on the basis of mutual advantage to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities
2. To ensure the performance of service functions of public agencies

As cited under the Village's Purchasing Code, Section 58-2. The Following goods and/or services are approved as exempt purchases when they are included in the adopted annual budget. Exempt purchases are exempt from the competitive selection purchase requirements set forth in this Purchasing Code.

- . (27) Goods and/or Services provided by governmental agencies

Palm Beach County is expected to consider the proposed Interlocal Agreement following approval by the Village Council.

The proposed Interlocal Agreement was prepared by Palm Beach County and reviewed by the Village Attorney.

FISCAL IMPACT:

Funding to support the purchase under the Interlocal Agreement is available within the 2017 Budget – General Fund and Water & Sewer Enterprise Fund.

5. Resolution No. 2016-66 – Interlocal Agreement - Coordination of Towing Services – Town of Lake Clarke Shores

Village Manager Reade stated that the Police Department is planning to issue a Request for Proposals (RFP) to select a single company to provide towing and storage services within the Village of Palm Springs for all police confiscated vehicles, improperly parked and/or inoperable vehicles (at our police department's direction) and inoperable official Village vehicles.

The Town of Lake Clarke Shores has expressed an interest in participating under the proposed towing and storage services contract, which would require the Village and the Town to enter into an interlocal agreement.

Note: Under the proposed RFP, the Village would administer all aspects of the RFP. Further, the Town of Lake Clarke Shores would be required to agree, within the proposed interlocal agreement, to all terms and conditions (between the proposed towing vendor and the Village) to provide towing services within their community.

In accordance with state law (Florida Interlocal Cooperation Act of 1969), law enforcement agencies can enter into an interlocal agreement for the following purposes:

1. To make the most efficient use of local government powers and enabling cooperation with other localities on the basis of mutual advantage to provide services and facilities that will harmonize geographic, economic, population and other factors influencing the needs and development of local communities
2. To ensure the performance of service functions of public agencies

The Town of Lake Clarke Shores has considered the proposed Interlocal Agreement and approved the proposed Resolution on September 13, 2016.

The proposed Interlocal Agreement was prepared by the Village Attorney and reviewed by the Police Chief.

FISCAL IMPACT:

There is no direct fiscal impact to the Village as a result of the proposed agreement.

6. Temporary License Agreement – Temporary Storage – Bayside Pool Services, Inc., – 3945 Davis Road

Village Manager Reade stated that Ms. Pamela Marino, officer of Bayside Pool Services, Inc., is requesting temporary approval to continue utilizing two 8' X45' storage containers for business related materials (i.e., pool pumps, etc.) as outdoor storage on their property located on 3945 Davis Road. At this time, the applicant is unable to accommodate the materials within their existing building and funding is not available to support the construction of a building addition.

The Applicant was previously granted approval for a 2-year Temporary License to provide for time to prepare and file a site plan application to expand their building and accommodate their storage needs. Additionally, prior to the most current agreement, the Village approved a 1-year Temporary License Agreement in 2013 that expired in January 2013.

The most recent Temporary License Agreement expired on September 12, 2016 and the applicant has continued to utilize the storage units.

Note: The Village Code (Section 34-829 – Temporary licensing of certain uses.) provides that temporary, accessory uses in the CG district are permissible for up to five (5) years, renewable at the option of the Village.

As a result, the applicants are requesting to utilize the storage containers as outdoor storage for an additional two (2) year period.

Staff maintains concern with recommending approval for a temporary license for the proposed use. However, due to the applicants' stated financial hardship as a result of the economy, recommends a final 2-year Temporary License Agreement during which a building expansion must be approved and constructed

FISCAL IMPACT:

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

7. Temporary Non-Exclusive License Agreement – Village Center Athletic Complex - Elite Soccer Academy, Inc.

Village Manager Reade stated that Mr. Dusco Piljic, President of Elite Soccer Academy, Inc., is requesting approval to utilize field space, on a temporary basis, at the Village Center Athletic Complex for his private competitive soccer club for eight (8) weeks - beginning Monday, September 19<sup>th</sup>, 2016 through Friday, November 11<sup>th</sup>, 2016.

The Elite Soccer Academy has utilized our facilities for many years and they have built their soccer club to include more than 200 youth participants from around the County (approximately 5 players are from the Palm Springs community). At this time, their soccer training and related costs, in addition to the limited number of players from Palm Springs, have grown to a point that exceeds the Village's ability to continue subsidizing this program. As a result, Elite is currently looking for alternative soccer fields/facilities to relocate their program.

The approximate program costs (and subsidy) to host this program within the Village's Athletic Complex (not including Village administrative costs, new Village equipment, storage of Elite's equipment and vehicles, etc.) are provided within the attached spreadsheets. The projected cost recovery (break even point), based on the cost share percentage for Elite Soccer Academy from the past year's usage and the Village's maintenance expenditures, are as follows:

<u>Previous Year Field Usage</u> <u>9 months per year (Weekdays)</u>	<u>Annualized Cost</u>	<u>Monthly Cost</u>
. 50% Cost Share	\$63,962.83	\$7,106.98
. 25% Cost Share	\$35,238.65	\$3,915.41

Note: These are projected costs based on actual Village expenditures and do not include all associated costs (i.e., Village administrative costs, new Village equipment, storage of Elite's equipment and vehicles, etc.) to support the Elite Soccer Academy on the Village's Athletic Complex fields.

In an effort to work with Elite Soccer Academy to enable them to find alternative fields, staff is proposing to enter into a two (2) month Temporary Non-Exclusive License Agreement for the use of certain portions of the Village's Athletic Complex (as determined by Village staff) in the total amount of \$7,500 (approximately 25% cost share) to be paid over two, equal payments. The proposed Agreement will end on November 11, 2016.

The proposed Facility Use Agreement was prepared by Leisure Services Director and reviewed by the Village Attorney.

#### FISCAL IMPACT:

The proposed agreement, although not covering the full 50% cost share for utilization of the Village's Athletic Complex, will produce rental revenues to offset a portion of the Village's field maintenance costs.

Mayor Smith asked for a motion to approve the consent agenda, a motion was made by Vice Mayor Brinkman, and seconded by Council Member Shields. Motion carried 4-0.

Council Member Gunther arrived 6:37 p.m.

**PRESENTATIONS**

Mayor Smith presented a check in the amount of \$4,750 to Mr. & Mrs. Pica for the Property Improvement Program.

8. Award of Property Improvement Program (PIP) Matching Grant Monies

Village Manager stated that a PIP applicant has completed their improvement project and has filed the necessary documentation to receive the Village matching grant funds.

- 1) Owner/Resident: Daniel and Sherry Pica  
 Address: 444 Alameda Drive (Since 2003)  
 Project: Replaced Windows with Impact Resistant Glass  
 and Front Door  
 Eligible Costs: \$ 9,500.00  
 Grant Award: \$ 4,750.00

**FISCAL IMPACT:**

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

Mayor Smith opened the meeting up for public comment.

Johnnie Tische of 305 Winged Foot thanked the Chief of Police in being proactive with regards to Zika and the outside storage of tires. Also thanked Council Member Shields, Village Manager Reade and Leisure Services Director, Bill Golson for attending the presentation of the proclamation to the Veterans of Foreign Wars for the Prisoners of War and those Missing in Action.

Village Manager Reade would like to advertise this event on the LED Board for next year and post it on the website.

Gary Ready of 3118 Meadow Road supports medical marijuana. He mentioned the fountains at Lake Frost do not seem to be operating properly.

Bill Golson, Leisure Services Director, explained that they had put something in the lake to contain the weeds.

**PUBLIC HEARINGS**

Clerk stated that said ordinance was advertised in the Palm Beach Post on September 19, 2016. Mayor Smith asked the Village Attorney Schutt to read the Ordinance by title.

9. Ordinance No. 2016-14 - Establish FY 2016-2017 Millage Rates - Operating & Debt Service

Village Manager Reade stated that the Village Council is requested to establish the final operating and debt service millage (property tax) rates for the Village of Palm Springs for the upcoming Fiscal Year (FY) beginning October 1, 2016 and ending September 30, 2017. Additionally, the Council is requested to consider certifying the Village's taxable values to the PBC Property Appraiser as well as other related financial information:

- . Gross taxable property value for the FY 2017 is \$913,864,847 – an increase of \$93,988,249 over FY 2016
- . The Village's proposed FY 2017 General Fund operating millage is \$3.9000 per \$1,000 of taxable value or an increase of 10.08% over the rolled-back rate
- . Rolled-back rate is calculated at \$3.5428 per \$1,000 of taxable value
- . Total taxable value within the Village to calculate the debt service millage rate is \$916,187,067; thus, the proposed millage rate required to pay the Village's general obligation debt for FY 2017 is \$0.4930 per \$1,000 of taxable value
- . Proposed operating millage rate of \$3.9000 per \$1,000 of assessed valuation and the voted debt service millage rate of \$0.4930 per \$1,000 of taxable value provide for a total millage rate of \$4.3930
- . The proposed combined millage rates for FY 2017 (3.9000 operating + .4930 debt) are .0554 mills lower than the approved combined millage rates for FY 2016 (3.9000 operating + 0.5484 debt)

The proposed FY 2017 millage rate ordinance was approved on 1<sup>st</sup> reading on September 8<sup>th</sup>, and is being presented for 2<sup>nd</sup> and final reading.

Note: Staff will submit the required Form DR-420 – Certification of Taxable Value and the Form DR-420Debt – Certification of Voted Debt Millage to the PBC Property Appraiser, PBC Tax Collector and the State of Florida following final approval.

#### FISCAL IMPACT:

The proposed combined millage rates (4.3930) for FY 2017 (3.9000 operating + .4930 debt) are .0554 mills lower than the approved combined millage rates for FY 2016 (3.9000 operating + 0.5484 debt).

Mayor opened the meeting to the public. There were no public comments.

Mayor Smith asked for a motion to approve Ordinance 2016-14, a motion was made by Council Member Gunther seconded by Mayor Pro Tem Waller. Roll Call Vote, Motion carried 5-0.

Clerk stated that said ordinance was advertised in the Palm Beach Post on September

19, 2016. Mayor Smith asked the Village Attorney Schutt to read the Ordinance by title.

10. Ordinance 2016-15 - Adopt FY 2016-2017 Budget

Village Manager Reade stated that in accordance with the Village Charter and state law, the proposed ordinance establishes the balanced annual budget for the Village of Palm Springs in the amount of \$37,966,444 for Fiscal Year (FY) beginning October 1, 2016 and ending September 30, 2017. The proposed FY 2017 Budget is comprised of the following funds:

General Fund Budget	\$18,363,217
Debt Service Fund Budget	\$ 429,125
Water and Sewer Enterprise Fund Budget	\$18,801,280
Stormwater Enterprise Fund	\$ 372,822

The Village Council held a budget workshop on July 28, 2016 to discuss the proposed budget and review staff recommendations. The proposed ordinance establishes this budget for the upcoming fiscal year.

Attached to the proposed ordinance is a summary of the proposed revenues by source and proposed expenditures by function, as they will appear in the budget summary advertisement that will be published in the Palm Beach Post on September 19, 2016 and posted on the Village's website – [www.vpsfl.org](http://www.vpsfl.org) – in accordance with state law.

The proposed FY 2017 Budget ordinance was approved on 1st reading on September 8th, and it is being presented for 2nd and final reading.

**FISCAL IMPACT:**

The proposed ordinance establishes the operating budget for the General Fund, Debt Service Fund, Water and Sewer Enterprise Fund and the new Stormwater Enterprise Fund for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

Mayor opened the meeting to the public. There were no public comments.

Clerk stated that said ordinance was advertised in the on September 15, 2016. Mayor Smith asked the Village Attorney Schutt to read the Ordinance by title.

Mayor Smith asked for a motion to approve Ordinance 2016-15, a motion was made by Vice Mayor Brinkman, seconded by Council Member Shields. Roll Call Vote, Motion carried 5-0.

11. Ordinance 2016-13 – Village Code Amendment – Off Duty Police Details

Clerk stated that said ordinance was advertised in the on September 15, 2016. Mayor Smith asked the Village Attorney Schutt to read the Ordinance by title.

Village Manager Reade stated that the Police Department is recommending various amendments to Village Code related to Off-Duty Police Details to clarify certain requirements and fees. The proposed amendments include the following:

- . Fees for off-duty police detail services and the associated administrative expenses will be established in the fee schedule as approved by the Village Council
- . Deletes language defining the minimum charge required when a detail is cancelled within 48 hours prior to the start of the detail. This language has instead been included in the approved fee schedule
- . Off-duty details would be required to first be contracted with the Village's Police Department, and provided that proper notice is provided and the detail cannot be filled by the Village within 24-hours of the event, then another law enforcement agency, having proper jurisdiction, may be contracted to perform services requested

The proposed amendment was prepared by the Village Attorney and reviewed by the Chief of Police.

The proposed ordinance was approved on 1<sup>st</sup> reading on September 8, 2016, and is being presented for 2<sup>nd</sup> and final reading.

#### FISCAL IMPACT:

There is no direct fiscal impact to the Village as a result of the proposed amendment. Mayor Smith had a question regarding the twenty-four (24) notification that would be required for off-duty details. The Chief of Police explained that the Palm Beach Sheriff's office would be notified if the Village's Police Department was not available for coverage.

Mayor opened the meeting to the public. There was no public comment.

Mayor Smith asked for a motion to approve Ordinance 2016-13, a motion was made by Mayor Pro Tem Waller, seconded by Council Member Gunther. Roll Call Vote, Motion carried 5-0.

12. Resolution No. 2016-68 – Abandonment of a portion of Cross Street – to be continued to the October 13, 2016 Council meeting.
13. Resolution 2016-69 - Final Plat – Water's Edge Dermatology - 2669 Forest Hill Boulevard (Lakeshore Center)

Village Manager Reade stated that Mr. Kevin McGinley agent for the owner of the property, Lakeshore Center LLC, has filed the final plat to create a separate parcel that may be conveyed to a contract purchaser, Water's Edge Dermatology, as a legal lot of record. The property owner and the contract purchaser developed an agreement (i.e.,

unity of control) that will outline the responsibilities related to access, utilities, parking, maintenance and drainage.

Note: From a planning and zoning perspective, Lakeshore Center is a single development project with a unified site plan; therefore the creation of a new lot does not require compliance with the standards of the CG zoning district for a stand-alone parcel.

The final plat is consistent with the preliminary plat that was previously approved by the Village Council (Resolution 2016-61 – July 28, 2016).

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

The proposed Unity of Control was prepared by the applicant's attorney and reviewed by the Village Attorney and the Land Development Director.

If approved, the final plat and executed Unity of Control will be recorded in the public records of Palm Beach County prior to issuance of a Certificated of Occupancy and/or any required approval to utilize the building/property as a business (i.e., new dermatology/medical office, etc.).

FISCAL IMPACT:

There is no direct fiscal impact to the Village from the proposed plat.

Mayor opened the meeting to the public.

Gary Ready of 3118 Meadow Road noticed that the dog store is using the parking spaces behind TD Bank.

Village Attorney Schutt read the resolution by title. Mayor Smith asked for a motion to approve Resolution 2016-69, a motion was made by Council Member Shields, seconded by Vice Mayor Brinkman. Motion carried 5-0.

14. Resolution No. 2016-70- Extension of the Village Future Annexation Area

Village Manager Reade stated that Village staff is proposing to expand/extend the Village's Future Annexation Area from its current southeasterly limits on Congress Avenue, south of Lake Worth Road to include the Palm Beach Habilitation Center property on the southeast side of Congress Avenue. Palm Springs' Future Annexation Area was adopted via Resolution 1989-20, and amended via Resolutions 2005-67, 2007-40 and 2015-79.

The proposed expansion of the Village's Future Annexation Area would allow for uniform control over the major corridors and standardization of regulations and incentives to promote economic development and re-development of underutilized properties.

The proposal to extend the Village's annexation area has been shared with the City of Lake Worth, the City of Atlantis and Palm Beach County. The City of Lake Worth has expressed a desire to annex Palm Beach State College into their corporate limits and Palm Beach County would like for John Prince Park to remain within the unincorporated area of the County. The proposal has been formally routed through IPARC and no concerns have been received to date. Further, staff met with Palm Beach County and no concerns were provided.

The proposed Future Annexation Area map is not formally adopted within the Village's Comprehensive Plan, but was included in the 2007 Evaluation and Appraisal Report due to the fact that the Village was outlining our objectives for the upcoming 10 year period. As a result, this expansion would not require a comp plan amendment.

The Land Development Board considered this proposal at its August 9<sup>th</sup> meeting and recommended approval.

#### FISCAL IMPACT:

The legislative act of amending the map does not have a fiscal impact.

Mayor opened the meeting to the public. There was no public comment.

Village Attorney Schutt read the resolution by title. Mayor Smith asked for a motion to approve Resolution 2016-70, a motion was made by Council Member Gunther, seconded by Vice Mayor Brinkman. Motion carried 5-0.

#### **Actions and Reports**

Village Manager Reade received a notice from Palm Beach County agreeing to pay for one third of the paving of roads that was included in their budget. He also reported that the Village has received two proposals that will be opened tomorrow for the CRA and hopes to award the recommendation at the next meeting in October. The annexation schedule will be to introduce the ordinance in November and adopt it in December.

He reported that pressure washing had begun on the buildings and they started painting the Library. Bill Golson gave an update on the new signage and landscaping in the Village. The sanitation brochure has been completed, any changes that are needed please let the Village Manager know before it goes to print. The Village Manager and Kim Glas-Castro, the Land Development Director will be serving on a policy committee for annexations. The Santa's sleigh ride will be December 10<sup>th</sup> and the employee party will be December 17<sup>th</sup>.

#### **Council Comments**

Council Member Shields commented on how nice the Library looked with the new paint. Thanked everyone involved with the "Touch a Truck" event. She welcomed back John Rouse, Public Service Director.

Vice Mayor Brinkman had a question regarding signs at Sago Park.

Council Member Gunther was wondering if Movie Night had been scheduled yet. The Chief reported that October 21<sup>st</sup> is "Goosebumps" and November 18<sup>th</sup> is the "Secret Life of Pets". Thanked the staff for the "Touch a Truck" event, he also welcomed John Rouse back.

Mayor Pro Tem Waller congratulated Mr. & Mrs. Pica for their replacement windows. She's planning on reading books to the school aged students here in town, on October 27<sup>th</sup>. Mayor Smith congratulated the Picas for the PIP grant award.

## **ADJOURNMENT**

Hearing no further business, Mayor Smith adjourned the meeting at 7:30 p.m.

Respectfully submitted,

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Susan Caljean, Village Clerk

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Mayor, Bev Smith

### **NEXT REGULAR MEETING: OCTOBER 13, 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.