



VILLAGE COUNCIL MEETING MINUTES
Village Hall - Council Chambers
226 Cypress Lane | Palm Springs, FL 33461
Thursday, August 26, 2021, at 6:30 PM

COUNCIL

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

ADMINISTRATION

- Village Manager Richard Reade
- Village Attorney Glen Torcivia
- Village Clerk Kimberly Wynn

Persons who need an accommodation to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least three (3) business days prior to the meeting to request such assistance.

1. CALL TO ORDER:

Mayor Smith called the Regular Council Meeting to order at 6:28 PM. She explained that this was a "hybrid" meeting. Some Council Members and staff would appear remotely for the meeting.

2. ROLL CALL:

Present: Mayor Bev Smith, Vice Mayor Gary Ready, Mayor Pro Tem Doug Gunther (appeared remotely), Council Member Joni Brinkman, Council Member Patti Waller (appeared remotely), Village Attorney Glen Torcivia, Village Manager Richard Reade (Remote), and Village Clerk Kimberly Wynn (Remote)

Absent: None

Also present: Police Chief Tom Ceccarelli as Sergeant in Arms, Assistant Village Manager Kim Glas-Castro (Remote), Planning, Zoning and Building Director Iramis Cabrera (Remote), Parks & Recreation Director Justin Lucas (Remote), Chief Finance Officer Rebecca Morse (Remote), Director of Information Technology Thomas Cook, and Interim Public Service Administrator Paul Ward

Mayor Pro Tem Gunther and Council Member Waller appeared for the meeting remotely. Mayor Pro Tem Gunther and Council Member Waller stated they could not attend the meeting because of health issues.

3. INVOCATION:

Vice-Mayor Ready led in the invocation and asked for a moment of silence to recognize the families and military troops affected by the suicide bombing in Afghanistan.

4. PLEDGE OF ALLEGIANCE:

Council Member Brinkman led the Pledge of Allegiance.

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

Village Manager Reade requested that Item 6.10, Approve Retainer Agreement for Lobbyist Services with GrayRobinson removed from the agenda.

Council Member Brinkman made a motion to approve the agenda as amended, seconded by Vice-Mayor Ready. The motion carries 5-0.

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

6.1 Approve May 13, 2021, Village Council Regular Meeting Minutes
- [May 13, 2021, Village Council Regular Meeting Minutes](#)

6.2 Approve June 10, 2021, Village Council Regular Meeting Minutes
- [June 10, 2021, Village Council Regular Meeting Minutes](#)

6.3 Approve Police Department Building Expansion Phase II (Task Order No. 269 – Work Authorization #SA- PD01) - Professional Architectural and Engineering Services - Police Department – Song & Associates, Inc.
- [Proposed Professional Services Agreement - Song & Associates](#)
- [Song & Associates - Task Order No. 269 - Phase II - Architectural and Engineering Design Services](#)
- [Work Authorization - Song and Associates](#)
- [Capital Improvement Project Detail Form - PD Expansion](#)

6.4 Acceptance of Utility Easement Agreement - 3810 South Military Trail - Atlas Transmission
- [Proposed Utility Easement Agreement - Atlas Transmission - 3810 South Military Trail](#)
- [Exhibit A - Description of Utility Easement - 3810 South Military Trail](#)
- [Aerial & Location Map - 3810 South Military Trail](#)

6.5 Approve Well No. 10 Replacement (Task Order No. 242) - Invitation to Bid (ITB) - Public Service Department (FY 2021 Budget Funded - Water & Sewer Enterprise Fund) - Florida Design Drilling Corp.

- Village Engineer's Recommendation of Award - Well 10 Replacement - ITB #2021B-009
- Bid Proposal - Well 10 Replacement - Florida Design Drilling Corp
- Bid Tabulation Form - Well 10 Replacement - ITB #2021B-009
- Invitation to Bid - Well 10 Replacement - ITB #2021B-009
- Addendum 1 - Well 10 Replacement - ITB #2021B-009 Bid Plans - Well 10 Replacement - ITB #2021B-009
- Bid Specifications - Well 10 Replacement - ITB #2021B 009 Well 10 Replacement - CIP Form
- Lake Worth Herald Advertisement for ITB# 2021B-009 - Well 10 Replacement

6.6 Approve Lakewood Road Stormwater Improvements (Stormwater Master Plan Project #5A & 5B) - Work Authorization DRMP-S02 (Task Order No. 293) - Professional Engineering Services - Public Service Department (FY 2021 Budget Funded - Stormwater Enterprise Fund) - DRMP, Inc.

- Proposed Work Authorization - Task Order #293 - Lakewood Rd W of Kirk Stormwater Improvements (Projects 5A & 5B) - Design & Engineering - DRMP General Engineering Consulting Services Continuing Contract - DRMP
- FY 2021 CIP Form - Lakewood Rd W of Kirk Stormwater Improvements (Projects 5A & 5B) - Design & Engineering
Village Stormwater Master Plan - Area 5A & 5B - Lakewood Rd West of Kirk

6.7 Approve OnBase Digital Document Management, Digital Forms and Enterprise Information Software Agreement - Interstate Cooperation Contract with the State of Texas - IT Department (FY 2021 Budget Funded - General Fund & Water & Sewer Fund) - Hyland Software, Inc.

- Hyland OnBase Software Proposal - Village of Palm Springs - Quote Q-181366
- Hyland OnBase Professional Services Proposal - Village of Palm Springs Florida
- Texas Department of Information Resources - Blanket Services Agreement
Texas Department of Information Resources - Software Maintenance Agreement
Texas Department of Information Resources - Subscription Agreement
- Texas Department of Information Resources - Appendix A Standard Terms and Conditions

- Texas Department of Information Resources - Village of Palm Springs Interlocal Cooperation Contract
- 6.8 Renewal of Village Attorney Agreement - Torcivia, Donlon, Goddeau & Rubin, P. A.
 - Proposed Renewal Legal Agreement with Torcivia, Donlon, Goddeau & Rubin, P.A.
 - E-mail Requesting Renewal of Agreement and Hourly Rate Increase
- 6.9 Approve American Rescue Plan Act (ARPA) Coronavirus Local Fiscal Recovery Fund Agreement - State of Florida
 - American Rescue Plan Agreement - State of Florida
- 6.10 Approve Retainer Agreement for Lobbyist Services with GrayRobinson **(REMOVED)**
 - THE PROPOSED RETAINER AGREEMENT WILL BE PROVIDED PRIOR TO THE VILLAGE COUNCIL MEETING
 - Proposal - GrayRobinson State Lobbying Services

END OF CONSENT AGENDA

7. PRESENTATIONS

- 7.1 Updates on Legislative Session - Representative David Silvers Florida State House - District 87

Representative Silvers discussed the legislative updates. Mayor Smith asked Representative Silvers about the bill regarding the fire tax or fire assessment to districts proposed by Palm Beach County Fire Rescue. The Council continued to speak to Representative Silvers about their understanding of the suggested bill. They discussed when the bill could get implemented in 2023. Mayor Smith asked about future legislation (inaudible).

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

Johnnie Tieche - 305 Winged Foot Drive - Mr. Tieche commented on the condition of the sidewalks, code enforcement issues, and home-based businesses.

9. PUBLIC HEARINGS

- 9.1 Ordinance No. 2021-06 - Land Use and Rezoning (Small-Scale) Amendments - Boatman's Hammock - 4445 Boatman Street and Vacant Lot

on Todd Street (*Quasi-Judicial Hearing*) (2nd Reading) **THIS ITEM WAS POSTPONED TO OCTOBER 14, 2021, VILLAGE COUNCIL MEETING**

9.2 Resolution 2021-18 - Site Development Plan - Boatman's Hammock Residential Planned Development Site Plan with Waivers (SPR21-09) - (*Quasi-Judicial Hearing*) **THIS ITEM WAS POSTPONED TO OCTOBER 14, 2021, VILLAGE COUNCIL MEETING**

9.3 Resolution No. 2021- 20 - Approve Proposed Mural Permit Application - Little Blue Academy - 2423 South Congress Avenue (*Quasi-Judicial Hearing*) THIS ITEM IS CONTINUED FROM THE JULY 8, 2021, VILLAGE COUNCIL MEETING

- Proposed Resolution No. 2021-20 Brave Little Stars - 2423 South Congress Avenue
- Application and Justification Statement
- Proposed Mural - Little Blue Academy
- Previous Mural Artwork by Proposed Artist - Rebecca Butler Clark Aerial Map and Location Map

Village Manager Reade requested that the staff report get submitted as their presentation. Mayor Smith gave a summary of on Resolution No. 2021-20. The Applicant, Ms. McClurry, talked about the proposed murals.

Council Member Waller said that she liked the idea and thought the added artwork was whimsical. Mayor Pro Tem Gunther wanted to know about the trees located on the property near the swale. He was interested in there would be landscaping in the future. Ms. McClurry stated she had no plans to do any landscaping with the trees.

Mayor Pro Tem Gunther made a motion to approve Resolution No. 2021-20, seconded by Council Member Waller. The motion carries 5-0.

9.4 Resolution No. 2021-25 - Residential Multi-Family Site Development Plan (SPR21-

10) - 3901 Gulfstream Road (*Quasi-Judicial Hearing*)

- Proposed Resolution No. 2021-25 - Residential Multi-Family Site Development Plan
- 3901 Gulfstream Road Exhibit "A" Staff Report
- Site Plan, Landscape Plans, Architectural Plans, Civil Plans and Letters Color Site Plan and Color Rendering
- Project Narrative and Justification Statement
- Annexation Agreement - Res. 2012-14 Quit Claim Deed
- Aerial and Location Maps

Mayor Smith asked the Council to disclose their ex-parte communication; there was none.

The Council acknowledged that Representative Silvers had arrived and asked if they could go back to the Presentations Agenda (Item 7.1).

The Applicant Mr. Brandon Cabrera was sworn in by the Village Clerk, Ms. Wynn. Mayor Smith introduced the item, and Mr. Cabrera entered his presentation into record and gave an overview. He discussed the proposed amenities and plans for single-family homes.

Mayor Smith offered the public and Council an opportunity to speak on this item. Council Member Waller asked about bathtubs and dishwashers in the units. Mr. Cabrera explained that each unit is believed to have at least one tub, but a dishwasher will not be provided. Mr. Cabrera also explained his company name - Brandx. Mayor Pro Tem Gunther wanted to know if they would allow storage on the property in a building that appeared to look like a two car garage. Mr. Cabrera advised the Council that storage was for him to store off-site job equipment.

Mayor Pro Tem Gunther requested a condition added to the staff report limiting the number of apartments to eight (8). There was further discussion about the layout of the apartments. Vice-Mayor Ready asked if the units were affordable housing. Mr. Cabrera discussed the projected rental cost for a 2-bed/2-bath and a 3-bed/2-bath unit. The Village Attorney read the title of the caption into the record.

Mayor Pro Tem Gunther made a motion to approve Resolution No. 2021-25 provided the project remained eight units, seconded by Vice Mayor Ready. The motion carried 5-0.

9.5 Resolution No. 2021-28 - Site Development Plan Amendment - Legend Plaza – 1696 South Military Trail (*Quasi-Judicial Hearing*)

- Proposed Resolution No. 2021-28 - Site Development Plan Amendment (SPR21-13)
- Redesign the Site Due to FDOT Right-of-Way - 1696 South Military Trail
- Exhibit "A" Staff Report
- Variance Justification Statement
- Site Plan, Landscape Plans and Letters Warranty Deed

- Stipulated Order of Taking
- Aerial and Location Maps
- LWH Advertisement for Resolution No. 2021-28 on July 29, 2021

Mayor Smith asked the Council if there was ex-parte communication to disclose. The applicant, Mr. Vijay Mishra, and Erin (?) were sworn in by the Village Clerk. Mayor Smith gave a summary of Resolution No. 2021-28. She offered the public an opportunity to speak. There were no comments from the public.

Council Member Brinkman discussed Condition #3 and Condition #8. She does not agree with the property owner having to pay the cost to remove and haul the Live Oak tree on the property. She requested that staff get with FDOT and see if other arrangements could be made. Council Member Brinkman asked about the Palm Tran condition.

The Council Members concurred that it should not be an expense of the property owner to remove the tree and they want to remove Conditions #3 and #8.

Council Member Brinkman made a motion to approve Resolution No. 2021-28 with Conditions #3 and #8 removed, seconded by Council Member Waller. The motion carried 5-0.

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

- Proposed Ordinance No. 2021 -05 - Comprehensive Plan Amendment (Large Scale) 2085 South Congress Avenue and 3243 Lillian Road
- Exhibit "A" - Staff Report and Recommended Conditions of Approval Applicant's Future Land Use Map Amendment Analysis and Justification Site Plan, Civil Plans, Landscape Plans, Architectural Plans & Letters (for informational purposes only)
- Colored Site Plan and Rendering (for informational purposes only)
- School Capacity Availability Determination
- FDOT Pre-Application Approval Letter
- Proposed Median Improvements
- Legal Description and Survey
- Aerial Map, Location Map and Future Land Use Map Letters to Support or Oppose DEO No Objection Letter
- Treasure Coast Regional Planning Council Approval
- LWH Advertisement for Ordinance No. 2021-05 - May 27, June 3, and June 17, 2021

- LWH Advertisement for Ordinance No. 2021-05 - August 12, 2021, Meeting

The Village Clerk, Ms. Wynn, read the statement of advertisement into the record. Mayor Smith asked the public if there were any comments. Village Attorney, Mr. Torcivia, read the title of the caption into the record. Ms. Bonni Miskel, appeared on behalf of the Applicant to answer questions. There were no questions.

Vice Mayor Ready made a motion to adopt Ordinance No. 2021-05, seconded by Mayor Pro Tem Gunther. There was a roll call vote as follows: Vice Mayor Ready - Yes, Mayor Pro Tem Gunther - Yes, Council Member Brinkman - Yes, Council Member Waller - Yes and Mayor Smith - Yes. The motion carries 5-0.

9.7 Resolution No. 2021- 15 - Residential Planned Development Site Plan (SPR21 - 08), one (1) Waiver and a Sign Variance (PSV21- 10) - Palm Springs Residences - 2085 South Congress Avenue & 3243 Lillian Road (*Quasi-Judicial Hearing*)

- Proposed Res No. 2021-15 - Site Plan Development (SPR21-08) one (1) Waiver and Sign Variance (PSV21-10) - Palm Springs Residences - 2085 South Congress Avenue and 3243 Lillian Road
- Exhibit "A" Staff Report and Recommended Conditions of Approval Site Plan, Civil Plans, Landscape Plans, Architectural Plans & Letters Project Narrative and Justification Statement for Site Plan Approval Justification Statement for Sign Variance Colored Site plan and Rendering
- Legal Description and Survey
- Proposed Median Improvements
- Aerial Map, Location Map and Future Land Use Map Letters to Support or Oppose
- LWH Advertisement for Resolution No. 2021-15 - August 12, 2021

Mayor Smith asked the Council if there was any ex-parte Ms. Bonni Miskel, Mr. Bryan Kelley, Senior Traffic Engineer with Simmons & White Engineering and Zackery Todd were sworn in by the Village Clerk. Mayor Smith gave a summary of Resolution No. 2021-15. Mayor Smith asked the Council were there any comments.

Ms. Miskel said that the Applicant has a full presentation if the Council wants to hear it. However, they can have Mr. Kelley, Mr. Todd, and the Clients available to

answer questions. Mayor Smith clarified that only the sidewalk and the signs would be discussed.

Council Member Brinkman asked Ms. Miskel about the electrical charging vehicle station (ECV). Ms. Miskel explained that they wanted to verify that adding the space would not impact their parking. She understood that one of the spots would have to be reserved as a handicap spot. Mayor Pro Tem Gunther asked about the sidewalk located on the south side of the property that will connect to Congress Avenue. He asked for verification that one would be installed. Council Member Waller asked if a wall would be built on the north side of the property. Mrs. Miskel explained there was a change in the drawings. The wall would be located on the south side and west side. There was never a wall located on the north side. Council Member Waller suggested a wall on the north side of the property to protect the residents because of the canal. They said a fence would be installed, not a fence. Council Member Waller asked if it would also be landscaped. Ms. Miskel said the entire perimeter would be landscaped with a mix of vegetation (trees and shrubbery). Council Member asked about the drainage ditch that located nearby. She also asked about the traffic and emergency exit.

Council Member Brinkman asked about the details of the bus shelter. She wanted to know how the shelter would look. Ms. Miskel did not have the details; however, Ms. Cabrera stated that a condition of the staff is that the bus shelter must be similar in detail to what was used for the Preston Square project. Council stated they did not like the sign used at the bus shelter in Preston Square. Council Member Brinkman also talked about the color and requested that it be consistent with the color of the buildings. In discussing the bus shelter, Mayor Smith mentioned that approximately 20 students from the development may attend John I . Leonard High School. This was something to consider when looking at the size. Mayor Smith asked Ms. Miskel if she was aware of the new police impact fees that would be imposed on the project.

Mayor Smith offered the public an opportunity to speak on this item.

A member from the public raised his hand (virtual) to make a comment; however, he changed his mind.

Johnnie Tieche, located at 305 Winged Foot Drive, asked about the status on the (traffic) light at Forest Hill and Congress Avenue. Mr. Kelly said that a condition of

approval from the Florida Department of Transportation (FDOT) is that they (FDOT) would fund a flashing arrow light on Congress Avenue. In addition, a traffic analysis would be done. At this point Mayor Smith suggested that Mr. Kelly analyze the traffic backups at the intersection of Forest Hill Boulevard and Congress Avenue. Mayor Smith discussed the traffic patterns and where a flashing yellow turn arrow would be most beneficial to alleviate the stalled traffic. At the Forest Hill Boulevard and Congress Avenue intersection, northbound traffic is backed up on Congress Avenue. A flashing yellow turning arrow should be considered for the westbound turn lane and eastbound traffic on Forest Hill Boulevard turning south bound on Congress Avenue. This may prevent northbound traffic congestion on Congress Avenue from cars making a U-turn.

Tim Coffield, Director of the YMCA building commented on their support of the project.

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

Council Member Brinkman made a motion to approve Resolution No. 2021-15 with a condition (outlined in the revised staff report), seconded by Mayor Pro Tem Gunther. The motion carries 5-0.

9.8 Ordinance No. 2021 -08 - Village Code Amendment - Chapter 34 - Administration - Building Design and Architectural Review (*First Reading*)

- [Proposed Ordinance No. 2021-08 - Design and Architectural Review Board Village Code Section 34-1366 - Building Design Guidelines](#)
- [LWH Advertisement Proposed Ordinance No. 2021-08 - August 5 and September 5, 2021](#)

Mayor Smith introduced this item. Ms. Glas-Castro and Ms. Cabrera explained this item is legislative-driven. Mayor Smith asked if the Council had questions. Council Member Brinkman asked the Village Attorney can we consider the Ordinance retroactive from July 1, 2021. The Village Attorney said the Village can try.

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

Council Member Waller made a motion to approve Ordinance No. 2021-08 on First Reading, seconded by Vice Mayor Ready. The motion carried 5-0.

10. ACTIONS AND REPORTS

There were no Actions and Reports.

11. VILLAGE MANAGER COMMENTS

The Village Manager said that sustainability could be added as a part of the Village's plan.

12. VILLAGE COUNCIL COMMENTS

The Village Council gave their updates. The Village Manager interjected and discussed incentives for employees that were vaccinated but contracted COVID. An opportunity to receive a gift card or Paid Leave Time (PLT) would be explored.

13. ADJOURNMENT

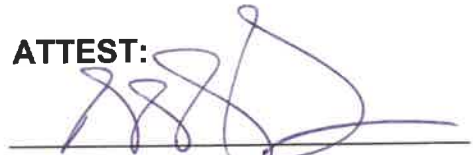
Hearing no further business, Mayor Smith adjourned the meeting at 8:23 P.M.

Next Meeting


**WEDNESDAY, SEPTEMBER 8, 2021, AT 6:30 PM
(FIRST BUDGET HEARING)**

(The CRA Budget Meeting is scheduled at 6:00 PM)

ATTEST:


Bev Smith, Mayor

The undersigned is the Village Clerk of Palm Springs, Florida, and the information provided herein is the Minutes of the Regular Council Meeting held on **August 26, 2021**. Which minutes were formally approved and adopted by the Village Council on **September 8, 2021**.


Kimberly M. Wynn, Village Clerk



If a person decides to appeal any decision made by this Council with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Persons who need an accommodation in order to attend or participate in this meeting should contact the Village Clerk at (561) 965-4010 at least 3 business days prior to the meeting in order to request such assistance.