



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COUNCIL CHAMBERS
226 CYPRESS LANE ■ PALM SPRINGS, FL 33461
MAY 11, 2023
6:30 PM**

COUNCIL

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

ADMINISTRATION

- Village Manager Michael Bornstein
- Village Attorney Glen Torcivia
- Village Clerk Kimberly Wynn

If a person decides to appeal any decision made by the Council concerning any considered matter, they will need a record of the proceeding. For such purposes, they may need to ensure that a verbatim record of the proceedings is available. The recording includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

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)

1. **Approval of Meeting Minutes:** Motion for the approval of the October 6, 2022 Village Council Regular Meeting Minutes
Staff: Kimberly Wynn, Village Clerk

2. **Approval of Minutes:** Motion for the approval of January 26, 2023, Village Council Regular Meeting Minutes
Staff: Kimberly Wynn, Village Clerk
3. **Approval of Minutes:** Motion for the approval of the March 9, 2023, Village Council Regular Meeting Minutes
Staff: Kimberly Wynn, Village Clerk
4. **Approval of Minutes:** Motion for the approval of March 28, 2023, Village Council Regular Meeting Minutes
Staff: Kimberly Wynn, Village Clerk
5. **Reappointments to the Library Advisory Board:** Motion for the approval of reappointments of Ms. Karen Gebo and Mr. Rick DiRienzo to the Library Advisory Board as a Regular member to serve a three-year term that expires May 14, 2026.
Staff: Kimberly Wynn, Village Clerk
6. **Reappointment to the Construction Board of Adjustment and Appeals:** Motion for the approval of reappointment of Mr. Larry Cellon to the Construction Board of Adjustment and Appeals as a Regular Member to serve a three-year term that expires May 14, 2026.
Staff: Kimberly Wynn, Village Clerk
7. **Reappointment to the Planning & Zoning Board:** Motion for the approval of reappointment of Mr. Peter Braun to the Planning and Zoning Board to serve a three-year term that expires May 14, 2026.
Staff: Kimberly Wynn, Village Clerk
8. **Purchase Agreement - Submersible Pump Purchase - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - PSI Technologies, Inc.:** Motion to approve a purchase agreement for eleven (1) submersible pumps from PSI Technologies, Inc. The contract term is three (3) years, expiring June 9, 2025, with an option to renew for two additional one (1) year terms. Funding is available for the proposed purchase from the Water & Sewer Enterprise Fund.
Staff: Paul Ward, Assistant Director of Utilities
9. **Change Order No. 1 - Main & Pratt Water Treatment Plants Automated Chemical Feed Improvements (Task Order Nos. 275 & 276) - Utilities Department - (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - TLC Diversified, Inc.:** Motion to approve Change Order No. 1 with TLC Diversified, Inc. to extend the project completion date by an additional 180 calendar days (total current time from 300 days to 480 days). The proposed Automated Chemical Feed Improvements is expected to be completed by June 26, 2023.

There is no direct fiscal impact on this specific request.
Staff: Jimmie Johnson, Utilities Director

10. **Change Order No. 1 - Main Water Treatment Plant (WTP) Replacement of Sand Loader (Task Order No. 271) – Utilities Department (Fiscal Year 2023 Budget Funded - Water & Sewer Enterprise Fund) - Boromei Construction, Inc.:** Motion for the approval of Change Order No. 1 (Task Order No. 271) with Boromei Construction, Inc. for construction services at the Main WTP for Replacement of the Sand Loader project to extend the project completion date an additional 217 calendar days for substantial completion and 339 calendar days for final completion (total contract time from 270 days to 609 days) and to reconcile the project with a credit for unused contingency allowance in the amount of \$5,000.00. Funding to support the Main WTP Replacement of Sand Loader project (Task Order No. 271) was provided by the Water & Sewer Enterprise Fund.
Staff: Jimmie Johnson, Utilities Director
11. **Approve Change Order No. 1 - Florida Mango Utility Relocation (Edgewater to Barbados) (Task Order No. 294) - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - TCLM Enterprise, Inc.:** Motion for the approval of Change Order No. 1 (Task Order No. 294) with TCLM Enterprise, Inc. to extend the project completion date an additional 383 calendar days for the Florida Mango Utility Relocation (Edgewater to Barbados) Project. Funding to support the Florida Mango Utility Relocation (Edgewater to Barbados) Project (Task Order No. 294) was provided by the Water & Sewer Enterprise Fund.
Staff: Jimmie Johnson, Utilities Director
12. **Change Order No. 3 - Vac Station No. 1 Safety Improvements (Task Order No. 240, Task Order No. 266, and Task Order No. 278) - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Hinterland Group, Inc.:** Motion for the approval of Change Order No. 3 (TO No. 240, TO No. 266 and TO No. 278) - Vacuum Station No. 1 Safety Improvements to extend the project completion date an additional 222 calendar days (total current contract time from 530 days to 752 days). If approved, it is estimated that the proposed Vac Station No. 1 Safety Improvements Project will be completed by September 14 of 2023.
Staff: Jimmie Johnson, Utilities Director
13. **Change Order No. 2 (Closeout) - Main & Pratt WTP MIEX Regeneration Upgrade (Task Order No. 268 & Task Order No. 238) - Utilities Department (FY 2023 Budget Funded - Water & Sewer Enterprise Fund) - Lawrence Lee Construction Services, Inc.:** Motion for the approval of Change Order No. 2 (Closeout) with Lawrence Lee Construction Services, Inc. to extend the contract time 131 days and reduce the amount to \$142,886.50 (\$91,343 Main WTP and \$51,543.50 Pratt WTP) for construction services of the Main Water Treatment Plant (WTP) and Pratt Water Treatment Plant (WTP) MIEX Regeneration Upgrade Project. Funding to support the project (Task Order No. 268 and Task Order No. 238) was provided by the Water & Sewer Enterprise Fund.

Staff: Jimmie Johnson, Utilities Director

14. **Resolution No. 2023-24 - Approval of Interlocal Agreement - Extension/Amendment 002 (Renewal) - Urban County Qualification Process Program Participation in Community Development Block Grant (CBDG) - Fiscal Year's 2024-2026 - Palm Beach County:** Motion to approve Amendment 002 with Palm Beach County for participation in the Urban County Qualification Process for Fiscal Year 2024 through Fiscal Year 2026. The first Interlocal Agreement with Palm Beach County was executed on July 10, 2014, Resolution 2014-41. The Village receives funding from the Federal Community Development Block Grant (CDBG), supporting different improvements within the Village. This agreement will renew for an additional three (3) years for Fiscal Years from October 1, 2024, to September 30, 2027.

Staff: Josefina Maliska, Library Director/ Interim Director of Parks and Recreation

15. **Jospeh Fallon Scholarship Award - Six (6) Scholarship Awards (FY 2023):** Motion to recommend approval to award six (6) students scholarship checks for \$1,000 each for the Joseph Fallon Scholarship Award. Funding to support the proposed awards is available within the FY 2023 Budget - General Fund.

Staff: Josefina Maliska, Library Director/ Interim Director of Parks and Recreation

End of Consent Agenda....

Motion	Second	Vote
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PRESENTATIONS

16. **Jospeh Fallon Scholarship Award Presentation:** Six (6) seniors graduating from area high schools will be presented with the Fallon Scholarship Award.

Staff: Josefina Maliska, Library Director/ Interim Director of Parks and Recreation

17. **PayNearMe Demonstration by the Utilities Department:** Presentation by the Utilities Department

Staff: Jimmie Johnson, Utilities Director

18. **Drinking Water Proclamation:** A proclamation to recognize May 7-13, 2023 as Drinking Water Week.

Staff: Jimmie Johnson, Utilities Director

19. **Police Week and Peace Officer Memorial Day Proclamation - May 14 - 20, 2023:** A proclamation to recognize "Police Week" on May 14, 2023 and "Peace Officers Memorial Day" on May 15, 2023

Staff:

20. **Building Safety Month Proclamation - May 2023:** A proclamation to recognize the month of May 2023 as Building Safety Month
 Staff: Iramis Cabrera, PZB Director

PUBLIC COMMENT (Three minute limit)

REGULAR AGENDA

PUBLIC HEARINGS

21. **(Second Reading) Ordinance No. 2023-05 - Village Code Amendment - Chapter 34 - Electric Vehicle Charging Infrastructure:** Motion for approval of Ordinance No. 2023-05 amending Chapter 34, "Land Development", Article VI, "Land Use", Division 8 "Off-Street Parking", and adding a new section 34-1337 "Electric Vehicle Charging Infrastructure". **THIS ITEM IS A CONTINUANCE FROM THE APRIL 13, 2023, VILLAGE COUNCIL MEETING**
 Staff: Iramis Cabrera, PZB Director

Motion	Second	Vote
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22. **Resolution No. 2023-22 - Variance (PSV23-05) - Hours of Operation - Florida Wingmen, LLC - Wingstop - 3501 South Congress Avenue:** Motion for the approval of Resolution No. 2023-22; an application submitted by Florida Wingmen LLC - Wingstop ("Applicant") for a variance (PSV 23-05) that allows a deviation from Section 34-891(1), "Hours of Operation and Hours of Construction Activity", which stipulates that no commercial activity may take place before 7:00 AM or after 11:00 PM. It is requested that Wingstop Restaurant at 3501 South Congress Avenue be permitted to remain open until midnight.
 Staff: Iramis Cabrera, PZB Director

Motion	Second	Vote
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23. **(First Reading) Ordinance No. 2023-07- Village Code Amendment - Chapter 78 - Utilities:** Motion for the approval of Ordinance No. 2023-07, Amending Chapter 78 "Utilities", Article II, "Water And Wastewater", Division 2 "Connections" By Amending Section 78-69 "Connection Required" Pertaining To Connection To Public Utility Systems. Requiring properties to connect to a utility line within 100' of a residence, regardless of utility service area jurisdiction.
 Staff: Kimberly Glas-Castro, Assistant Village Manager

Motion	Second	Vote
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24. **(First Reading) Ordinance No. 2023-06 - Village Code Amendment - Chapter 10 - Buildings and Building Regulations:** Motion for the approval of Ordinance No. 2023-06 to Amend Chapter 10 “Buildings and Building Regulations, Article I, “In General”, By Amending Sections 10-8 “Exterior Property Areas”, 10-12 “Village Council Findings” and 10-30 “Foreclosed, Vacant And Unimproved Property Registration Program”; to establish minimum requirements for commercial and industrial properties that are vacant and unimproved.
Staff: Kimberly Glas-Castro, Assistant Village Manager

Motion	Second	Vote
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ACTIONS AND REPORTS

VILLAGE MANAGER COMMENTS

VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT MEETING
THURSDAY, JUNE 8, 2023, AT 6:30 PM**

Village of Palm Springs

Title VI/Nondiscrimination Policy

I. Policy Statement:

The Village of Palm Springs values diversity and welcomes input from all interested parties, regardless of cultural identity, background, or income level. Moreover, the Village believes the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the decision-making process. The Village does not tolerate discrimination in any of its programs, services, or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the Village will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, or family status.

II. Persons with Disabilities:

Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal-aid recipients and other government entities to take affirmative steps to reasonably accommodate those with disabilities and ensure that their needs are equitably represented.

The Village will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The Village will also make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by communities with disabilities and disability service groups.

The Village encourages the public to report any facility, program, service, or activity that appears inaccessible to those who are disabled. Also, the Village will provide reasonable accommodation to individuals with disabilities who wish to participate in public involvement events or who require special assistance to access facilities, programs, services, or activities. Because providing reasonable accommodation may require outside assistance, the Village asks that requests be made at least three (3) business days prior to the need for accommodation. Questions, concerns, comments, or requests for accommodation should be made to the Village ADA Officer:

Name: Ashley Saingilus
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: asaingilus@vpsfl.org
Phone: (561) 584-8200 Ext. 8419

III. Complaint Procedures:

The Village has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability or family status in any Village program, service or activity may file a complaint with the Village Title VI/Nondiscrimination Coordinator:

Name: Janette Piedra, Human Resources Manager
Address: 226 Cypress Lane, Palm Springs, FL 33461
Email: jpiedra@vpsfl.org
Phone: (561) 584-8200 Ext. 8421