



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE
JUNE 9, 2011
7:30 P.M.**

COUNCIL

- Mayor Bev Smith
- Vice Mayor Doug Gunther
- Mayor Pro Tem Joni Brinkman
- Council Member Patti Waller
- Council Member Sergio Escalada

ADMINISTRATION

- Village Manager Karl E. Umberger
- Village Attorney Glen J. Torcivia
- Village Clerk Virginia M. Walton

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

1. Minutes of Local Planning Agency Meeting on May 12, 2011
2. Minutes of Regular Council Meeting on May 12, 2011
3. RESOLUTION NO. 2011-32

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AWARDED BID NO. 2011B-002, AND AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXECUTE AN AGREEMENT WITH PARADIGM CONSTRUCTION MANAGEMENT, LLC, FOR THE REMODELING OF THE R. L. PRATT WATER TREATMENT PLANT LABORATORY, IN THE AMOUNT OF SIXTY-FIVE THOUSAND SEVEN HUNDRED NINE DOLLARS (\$65,709); AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

4. RESOLUTION NO. 2011-33

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE THE NATIONAL POLLUTANT

DISCHARGE ELIMINATION SYSTEM (NPDES) THIRD TERM PERMIT INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

- 5. Approval of Village Library Long Range Plan 2012 – 2014
Staff: Elena Romeo, Library Director

- 6. RESOLUTION NO. 2011-38

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, PALM BEACH COUNTY, FLORIDA, URGING ALL PALM BEACH CITIZENS AND THE ELECTED OFFICIALS AND LEADERSHIP OF VARIOUS PALM BEACH COUNTY GOVERNMENTAL BODIES TO DO ALL THINGS WITHIN THEIR POWER TO BRING THE PALM BEACH COUNTY SHERIFF’S OFFICE AND THE PALM BEACH COUNTY SCHOOL DISTRICT UNDER THE OVERSIGHT OF THE OFFICE OF INSPECTOR GENERAL TO FACILITATE PRUDENT AND RESTRAINED BUDGET GOVERNANCE WITH REDUCED FRAUD AND WASTE; SETTING FORTH INSTRUCTIONS FOR DISTRIBUTION OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Staff: Virginia Walton, Village Clerk

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

ANNOUNCEMENTS AND PROCLAMATIONS –

- 7. Legislative Update by Representative Jeff Clemens

PUBLIC COMMENT - (Five minute limit)

PUBLIC HEARINGS

- 8. ORDINANCE NO. 2010-17 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 12.5933 ACRES; OWNED BY HORIZON HOMES AT MARLBORO COURTS INC, LOCATED AT 4261 HILLARY CIRCLE; AND MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR AMENDMENT TO THE CORPORATE LIMITS OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AS SET FORTH IN SECTION 2.01 OF THE VILLAGE CHARTER TO INCLUDE SAID ANNEXED LANDS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR ADVERTISING; AND PROVIDING THAT THIS ORDINANCE

SHALL BE FILED WITH THE CLERK OF THE CIRCUIT COURT OF PALM BEACH COUNTY, FLORIDA, AND FLORIDA DEPARTMENT OF STATE UPON ADOPTION. Staff: Bette Lowe, Land Development Director

Motion	Second	Roll Call Vote
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9. ORDINANCE NO. 2011-06 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING ORDINANCE NO. 2010-24, ADOPTED SEPTEMBER 23, 2010 PROVIDING FOR A REVISED AND RESTATED POLICE PENSION PLAN; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Karl Umberger, Village Manager

Motion	Second	Roll Call Vote
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10. ORDINANCE NO. 2011-07 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A TOTAL OF SIX (6) PARCELS OF LAND, PURSUANT TO SECTION 171.0413 (5)&(6) FLORIDA STATUTES, CONSISTING OF A TOTAL OF APPROXIMATELY 4.11 ACRES, OWNED BY THE PALM BEACH COUNTY BOARD OF COMMISSIONERS; LOCATED AT 2634, 2658, 2684, 2790 KIRK ROAD AND 3980 AND 3981 PARK LANE; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO LOW DENSITY RESIDENTIAL, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT RESIDENTIAL MULTI-FAMILY ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Roll Call Vote
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11. ORDINANCE NO. 2011-08 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING FIVE (5) PARCELS OF LAND, PURSUANT TO SECTION 171.0413 (5)&(6), CONSISTING OF A TOTAL OF 6.72 ACRES, INDIVIDUALLY OWNED;

LOCATED AT 2640/2650, 2690, 2700 AND 2788 SOUTH MILITARY TRAIL, AND 4476 PARK LANE; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO "COMMERCIAL", PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, SAID LANDS TO BE CONCURRENTLY DESIGNATED WITHIN A LAND DEVELOPMENT "COMMERCIAL GENERAL" ZONING DISTRICT ON THE VILLAGE OF PALM SPRINGS OFFICIAL ZONING MAP; PROVIDING DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Roll Call Vote
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12. ORDINANCE NO. 2011-10 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE EMPLOYMENT REGULATIONS FOR VILLAGE EMPLOYEES AT DIVISION 7, SECTION 24-231, ENTITLED "GRIEVANCE PROCEDURES"; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Karl Umberger, Village Manager

Motion	Second	Roll Call Vote
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13. ORDINANCE NO. 2011-11 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, PALM BEACH COUNTY, FLORIDA, AMENDING THE ZONING IN PROGRESS FOR PAIN MANAGEMENT CLINICS TO EXTEND MORATORIUM FROM MAY 13, 2011 TO SEPTEMBER 8, 2011 TO ALLOW THE VILLAGE FURTHER TIME TO DEVELOP REGULATIONS IN CONFORMANCE WITH THE LAND DEVELOPMENT CODE AND THE COMPREHENSIVE PLAN; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Roll Call Vote
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14. ORDINANCE NO. 2011-09 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE VILLAGE OF PALM SPRINGS COMPREHENSIVE PLAN PURSUANT TO SECTION 171.203(9), FLORIDA STATUTES, BY MODIFYING THE INTERGOVERNMENTAL COORDINATION ELEMENT, AS DESCRIBED IN SECTION 163.3177(6)(h)(1), FLORIDA STATUTES, IN ORDER TO INCORPORATE THE INTERLOCAL SERVICE BOUNDARY AGREEMENT ADOPTED BY THE VILLAGE OF PALM SPRINGS AND PALM BEACH COUNTY IN 2008; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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15. ORDINANCE. NO. 2011-12 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 34 ARTICLE VI, DIVISION 7, SECTION 34-914, ENTITLED "PARKING IN SINGLE-FAMILY; RESIDENTIAL LAND USE DISTRICTS;" TO REGULATE THE USE OF PORTABLE STORAGE CONTAINERS AND ROLL-OFF CONSTRUCTION DUMPSTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. Staff:

Bette Lowe, Land Development Director

Motion	Second	Vote
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This item will be continued to the June 23 agenda

16. RESOLUTION NO. 2011-19 (SITE PLAN/SPECIAL EXCEPTION CHURCH/CONGRESS AVENUE)

This item will be continued to the June 23 agenda

17. RESOLUTION NO. 2011-21 (SITE PLAN/SPECIAL EXCEPTION – SACRED HEART NURSING SCHOOL/SOUTH CONGRESS AVE)

18. RESOLUTION NO. 2011-31 (INTERLOCAL AGREEMENT)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY, PURSUANT TO

SECTION 163.01, AND SECTION 171.046 FLORIDA STATUTES, ET SEQ., FOR THE PURPOSE OF ANNEXING ONE (1) ENCLAVE CONSISTING OF A TOTAL OF THREE (3) PARCELS, OF TEN ACRES OR LESS, AND THE ROAD RIGHT-OF-WAY, THOSE LANDS BEING MORE FULLY DESCRIBED IN EXHIBIT "A" TO THE INTERLOCAL AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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19. RESOLUTION NO. 2011-34

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY FOR THE PURPOSE OF IMPLEMENTING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG), HOME INVESTMENT PARTNERSHIP (HOME) AND EMERGENCY SHELTER GRANT (ESG) PROGRAMS, PURSUANT TO SECTION 125.01 AND SECTION 163 , PART III, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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20. RESOLUTION NO. 2011-36

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXECUTE AN ANNUAL CONTRACT WITH COMMUNITY ASPHALT CORP., WITH PRICING TO PIGGYBACK THE PALM BEACH COUNTY CONTRACT NO. 2011051, FOR ASPHALT OVERLAY MILLING AND RESURFACING STREET IMPROVEMENTS FOR STREETS WITHIN THE VILLAGE BOUNDARIES AND THE VILLAGE WATER AND SEWER SERVICE AREAS; AND PROVIDING AN EFFECTIVE DATE. Staff: Bill Davis, Public Service Director

Motion	Second	Vote
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21. RESOLUTION NO. 2011-37

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXECUTE A CONTRACT WITH REHRIG PACIFIC COMPANY, WITH PRICING TO PIGGYBACK THE SOLID WASTE AUTHORITY (SWA) APPROVED BID NO. 09-18JP, FOR THE PURCHASE OF 486 95-GALLON ROLL OUT SANITATION CARTS; AND APPROVING A BUDGET AMENDMENT IN THE AMOUNT OF

\$17,000 TO SUPPLEMENT THE PURCHASE OF THE ROLL OUT CARTS; AND PROVIDING AN EFFECTIVE DATE. Staff: Karl Umberger, Village Manager

Motion	Second	Vote
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REGULAR AGENDA

ACTIONS AND REPORTS

- 22. Appointments to the Leisure Services Board
Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
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- 23. Designation of Florida League of Cities Voting Delegate for upcoming Annual Conference Staff: Karl Umberger, Village Manager

Motion	Second	Vote
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- 24. RESOLUTION NO. 2011-40

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ESTABLISHING A REQUIREMENT FOR LOBBYIST REGISTRATION; CONTAINING DEFINITIONS, REGISTRATION REQUIREMENTS, ONE-TIME REGISTRATION FEES, DISCLOSURE OF EXPENDITURES AND DISCLOSURE OF THIRD PARTY DONATIONS MADE AT THE REQUEST OF A VILLAGE COUNCIL MEMBER; PROVIDING FOR EXEMPTIONS, PROVIDING FOR PENALTIES; PROVIDING FOR A SUNSET CLAUSE UPON PASSAGE OF A COUNTYWIDE REGISTRATION ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.
Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
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- 25. Village Manager Yearly Evaluation and Contract Renewal
Staff: Karl Umberger, Village Manager

Motion	Second	Vote
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VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT LOCAL PLANNING AGENCY MEETING
JUNE 23, 2011 AT 7:15 P.M.**

**NEXT REGULAR COUNCIL MEETING
JUNE 23, 2011 AT 7:30 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.