



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE
NOVEMBER 10, 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 Regular Council Meeting on October 13, 2011
Staff: Virginia Walton, Village Clerk
2. Approval of Eckler Engineering Task Order No. 122 for Design Services, in the amount of \$32,000, including \$5,280 for sixteen easement sketches and descriptions; and Construction Services on an hourly rate plus direct expenses basis not to exceed \$24,800, for the Diamond Lane Water and Sewer Improvements. Staff: Bill Davis, Public Service Director
3. Approval of Police Department Forfeiture Fund Expenditure, in the amount of \$6,775, for the purchase of biometric security software for the new laptop mobile computers, and fingerprint readers and biometric security software for desktop computers with access to FDLE's CJ Net, as mandated by FDLE.
Staff: Chief Mark Hall, Public Safety Director
4. RESOLUTION NO. 2011-79 (AMEND CONTRACT)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING ADDENDUM NUMBER 1 TO TASK ORDER NO. 120 FOR DESIGN SERVICES PROVIDED BY ECKLER ENGINEERING, IN THE AMOUNT OF \$6,700.00, FOR THE REHABILITATION OF STRAWBERRY

REGULAR COUNCIL MEETING AGENDA

FIELDS, MARLBORO COURT AND THE ESTATES OF LAKE CLARKE SHORES PUMP STATIONS; AND PROVIDING AN EFFECTIVE DATE.
Staff: Bill Davis, Public Service Director

5. RESOLUTION NO. 2011-80 (AMEND CONTRACT)

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO EXECUTE AMENDMENT NO. 1 TO THE CONTRACT WITH AKA SERVICES, INC., IN THE ADDITIONAL AMOUNT OF \$54,558.17, FOR A NEW TOTAL AMOUNT OF \$163,952.33, FOR CONSTRUCTION OF THE GRAVITY SEWER SYSTEM IMPROVEMENTS FOR COCONUT ROAD, NORTH OF LAKEWOOD ROAD AND A PORTION NORTH OF HUNT ROAD; AND PROVIDING AN EFFECTIVE DATE.
Staff: Bill Davis, Public Service Director

6. RESOLUTION NO. 2011-81 (EASEMENTS)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING EASEMENT DEEDS FROM NELSON LOPEZ, ROBERT CARTER, JOEY D. TURNER AND ANDREW DIAZ FOR PROPERTIES LOCATED ON COCONUT ROAD, FOR UTILITY PURPOSES; PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.
Staff: Bill Davis, Public Service Director

Motion	Second	Vote
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7. RESOLUTION NO. 2011-82

A RESOLUTION BY THE PALM SPRINGS VILLAGE COUNCIL URGING LOCAL RETAILERS SELLING TOBACCO PRODUCTS, TO REFRAIN FROM SELLING AND MARKETING FLAVORED TOBACCO PRODUCTS, WHICH TEND TO PROMOTE AND INFLUENCE UNDERAGE AND/OR YOUTHFUL CONSUMPTION. Staff: Karl Umberger, Village Manager

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

ANNOUNCEMENTS AND PROCLAMATIONS

8. Announcement of Winners of City Government Week “Design a Neighborhood Park” Contest, and awarding of Certificates and Checks.

PUBLIC COMMENT - (Five minute limit)

PUBLIC HEARINGS

9. ORDINANCE NO. 2011-21 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS FLORIDA AMENDING THE VILLAGE CODE OF ORDINANCES AT CHAPTER 34 "LAND DEVELOPMENT", ARTICLE VI, "LAND USE", DIVISION 7 "SUPPLEMENTAL DISTRICT REGULATIONS", SUBDIVISION 1 "IN GENERAL", ADDING A NEW SECTION 34-895 "TEMPORARY LAND USES IN A ZONING DISTRICT"; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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10. ORDINANCE NO. 2011-22 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE ELEVEN (11) PARCELS CONSISTING OF LESS THAN 10 ACRES EACH, INDIVIDUALLY OWNED, AND LOCATED ON 4062, 4090, 4104, 4117 DALE ROAD, 4097, 4153, 4207, 4219 LINDA LANE, AND 2661, 2674 AND A VACANT PARCEL ON KIRK ROAD, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO MEDIUM DENSITY RESIDENTIAL FOR ALL PARCELS, WITH THE EXCEPTION OF 2674 KIRK ROAD, WHICH SHALL BE "LOW DENSITY RESIDENTIAL"; 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	Vote
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11. ORDINANCE NO. 2011-23 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO

REGULAR COUNCIL MEETING AGENDA

THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE SIXTEEN (16) PARCELS CONSISTING OF LESS THAN 10 ACRES EACH, INDIVIDUALLY OWNED, AND LOCATED ON 3605, 3621, 3635, 3724, 3708 AND A VACANT PARCEL ON GULFSTREAM ROAD, 3660 CANAL ROAD 5, 3660 AND 3915 CANAL ROAD 1, 3527, 3530, 3575, 3591, 3593, 3633, AND 3630 COCONUT ROAD, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO "LOW DENSITY RESIDENTIAL" FOR ALL PARCELS, 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	Vote
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12. ORDINANCE NO. 2011-24 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF PALM SPRINGS, WHICH AMENDMENT IS MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3161, ET. SEQ., FLORIDA STATUTES, PROVIDING FOR THE AMENDMENT OF THE VILLAGE'S FUTURE LAND USE MAP PURSUANT TO THE LARGE SCALE COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, FOR THE PURPOSE OF INCLUDING THE 12.59 ACRE PROPERTY RECENTLY ANNEXED INTO THE VILLAGE, AND LOCATED AT 4260 DALE ROAD, ON THE FUTURE LAND USE MAP "FLUM"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR DIRECTIONS TO THE VILLAGE CLERK; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER PURPOSES. Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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13. ORDINANCE NO. 2011-25 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE

REGULAR COUNCIL MEETING AGENDA

VILLAGE OF PALM SPRINGS, WHICH AMENDMENT IS MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO, IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3161, ET. SEQ., FLORIDA STATUTES, PROVIDING FOR THE AMENDMENT OF THE VILLAGE'S FUTURE LAND USE MAP PURSUANT TO THE LARGE SCALE COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, FOR THE PURPOSE OF INCLUDING THE 10.64 ACRE PROPERTY RECENTLY ANNEXED INTO THE VILLAGE, AND LOCATED AT 4316 FOREST HILL BOULEVARD, ON THE FUTURE LAND USE MAP "FLUM"; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR DIRECTIONS TO THE VILLAGE CLERK; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER PURPOSES.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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14. ORDINANCE NO. 2011-26 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE, PURSUANT TO THE "SMALL SCALE" COMPREHENSIVE LAND USE AMENDMENT LAWS OF THE STATE OF FLORIDA, THE THREE (3) PARCELS CONSISTING OF LESS THAN 10 ACRES EACH, OWNED BY SYMS CORPORATION, AND LOCATED AT 4466 AND 4380 FOREST HILL BOULEVARD AND 1840 MILITARY TRAIL, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO "COMMERCIAL" FOR ALL PARCELS, 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	Vote
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15. ORDINANCE NO. 2011-27 (FIRST READING)

AN ORDINANCE OF THE VILLAGEVILLAGE OF PALM SPRINGS FLORIDA ESTABLISHING REGULATIONS FOR ESTABLISHMENTS THAT DISPENSE CONTROLLED SUBSTANCES; AMENDING THE VILLAGE CODE OF

REGULAR COUNCIL MEETING AGENDA

ORDINANCES AT CHAPTER 1 "GENERAL PROVISIONS", SECTION 1-2; AT CHAPTER 34 "LAND DEVELOPMENT", ARTICLE VI, "LAND USE", DIVISION 6 "DISTRICT REGULATIONS", SUBDIVISION IV, "CN COMMERCIAL NEIGHBORHOOD", SECTION 34-792 and SUBDIVISION V, "CG COMMERCIAL GENERAL", SECTION 34-824; AND ADDING A NEW SUBDIVISION XXV AT CHAPTER 34 "LAND DEVELOPMENT", ARTICLE VI, "LAND USE", DIVISION 7 "SUPPLEMENTAL DISTRICT REGULATIONS", ENTITLED "SALE OR DISPENSING OF CONTROLLED SUBSTANCES"; RENUMBERING CHAPTER 34 "LAND DEVELOPMENT", ARTICLE VI, "LAND USE", DIVISION 8 "OFF STREET PARKING AND LOADING"; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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16. ORDINANCE NO. 2011-28 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A VACANT PARCEL OF LAND CONSISTING OF .05 ACRES OWNED BY PALM BEACH COUNTY; LOCATED ON COCONUT ROAD SOUTH; 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	Vote
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17. RESOLUTION NO. 2011-70 (INTERLOCAL)

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 FOUR (4) ENCLAVES, CONSISTING OF A TOTAL OF SIXTEEN (16) PARCELS, OF TEN ACRES OR LESS, AND TWO (2)

REGULAR COUNCIL MEETING AGENDA

ROAD RIGHTS-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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18. RESOLUTION NO. 2011-75 (TEMPORARY LICENSE APPEAL)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, (APPROVING/DENYING) THE EXTENSION OF A TEMPORARY LICENSE AGREEMENT SUBMITTED BY FORDS OFF LEASE INC., FOR VEHICLE STORAGE ON A VACANT LOT ACROSS FROM THE EXISTING CAR SALES BUSINESS LOCATED AT THE NORTHWEST CORNER OF 2ND AVENUE NORTH AND DAVIS ROAD; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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19. RESOLUTION NO. 2011-77 (TEMPORARY LICENSE APPEAL)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, (APPROVING/DENYING) THE A TEMPORARY LICENSE AGREEMENT SUBMITTED BY UNITED CEREBRAL PALSY ASSOCIATION OF MIAMI, INC., FOR USE OF FORTY (40) PARKING SPACES FOR OFF LEASE INC. EMPLOYEE VEHICLES ON THEIR PROPERTY LOCATED AT 3592 2ND AVENUE NORTH; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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20. RESOLUTION NO. 2011-78 (AMEND NUISANCE LIENS)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING AMENDMENT NO. 4 TO THE LIENS AGAINST CERTAIN PARCELS OF LAND SERVICED BY THE VILLAGE OF PALM SPRINGS AS A RESULT OF VIOLATIONS OF THE PUBLIC NUISANCE ORDINANCE, FOR OUTSTANDING NUISANCE ABATEMENT SERVICE CHARGES; AUTHORIZING THE VILLAGE MANAGER OR DESIGNEE TO PERIODICALLY IDENTIFY OTHER PARCELS WITH OUTSTANDING NUISANCE ABATEMENT SERVICES CHARGES; DIRECTING THE VILLAGE

REGULAR COUNCIL MEETING AGENDA

CLERK TO RECORD SAID LIEN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ALL RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
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21. RESOLUTION NO. 2011-83

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO EXECUTE AN AGREEMENT WITH MUNICIPAL CODE CORPORATION ADVANTAGE FOR LASER PRINTING AND MAILING SERVICES OF UTILITY BILLS AND DELINQUENT NOTICES, IN ACCORDANCE WITH VILLAGE CODE CHAPTER 58 "PURCHASING", SECTION 58-23 "PROFESSIONAL SERVICE CONTRACTS"; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

Motion	Second	Vote
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REGULAR AGENDA

RESOLUTIONS

22. Renewal of yearly Contract for Glen J. Torcivia and Association, Inc., Village Attorney

Staff: Karl Umberger, Village Manager

Motion	Second	Vote
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ACTIONS AND REPORTS

23. Appointment to the Leisure Services Board

Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
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REGULAR COUNCIL MEETING AGENDA

VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT LOCAL PLANNING AGENCY MEETING
DECEMBER 8, 2011 AT 7:15 P.M.**

**NEXT REGULAR COUNCIL MEETING
DECEMBER 8, 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.