



**AGENDA  
VILLAGE COUNCIL MEETING  
VILLAGE HALL COMMUNITY ROOM  
226 CYPRESS LANE  
DECEMBER 11, 2008  
7:30 P.M.**

**COUNCIL**

- Mayor John M. "Mike" Davis
- Vice Mayor Joni Brinkman
- Council Member Chet Osborne
- Mayor Pro Tem Patti Waller
- Council Member Bev Smith

**ADMINISTRATION**

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

- 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 November 13, 2008**
2. **RESOLUTION NO. 2008-71 (ISBA)**

**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 TWENTY-SEVEN (27) PARCELS, OF TEN ACRES OR LESS, 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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End of Consent Agenda.....

**ANNOUNCEMENTS AND PROCLAMATIONS**

3. **Excellent Public Safety Service Award to Sgt. Juan Castro**  
Staff: Jay Pickens, Public Safety Director

**PUBLIC COMMENT - (Five minute limit)**

**PUBLIC HEARINGS**

**This item will be pulled from the agenda**

- 4. **RESOLUTION NO. 2008-78 (SITE PLAN – HIGH POINT ON CONGRESS)**

**This item will be continued to the January 8, 2008 agenda**

- 5. **RESOLUTION NO. 2008-80 (SITE PLAN – TONSET TOWNHOMES)**

**This item will be continued to the January 8, 2008 agenda**

- 6. **RESOLUTION NO. 2008-87 (SITE PLAN – OXYGEN CENTER)**

**This item will be continued to the January 22, 2008 agenda**

- 7. **RESOLUTION NO. 2008-92 (SITE PLAN – BURSICO)**

**This item will be continued to the January 8, 2008 agenda**

- 8. **RESOLUTION NO. 2008-93 (SITE PLAN – 7<sup>TH</sup> DAY ADVENTIST CHURCH)**
- 9. **RESOLUTION NO. 2008-94 (SITE PLAN – QJ)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF NORDAP INVESTMENTS INC., FOR SITE PLAN APPROVAL (SPR 08-14) AND A SPECIAL EXCEPTION USE (PSSE 08-12) FOR INTERIOR RENOVATIONS TO AN EXISTING COMMERCIAL BUILDING IN ORDER TO ESTABLISH COMUNIDADE MUNDIAL DE FE CHURCH LOCATED AT 3395 LAKE WORTH ROAD, BAY NO. 6; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director**

Motion	Second	Vote
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- 10. **RESOLUTION NO. 2008-95 (AMEND SITE PLAN – QJ)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE APPLICATION OF PETER GILSTAD/SONG & ASSOCIATES, AGENT FOR THE OWNER, COMPREHENSIVE COMMUNITY CARE NETWORK, INC.; FOR AMENDMENT TO SITE PLAN (SPR 05-11); FOR INSTALLATION OF AN EMERGENCY 300 KW GENERATOR ENCLOSED IN A WEATHER-TIGHT, HIGH-WIND RESISTANT, SOUND-ATTENUATED HOUSING ON A CONCRETE PAD TO BE LOCATED ALONG THE NORTH SIDE OF THE BUILDING, FOR THE EXISTING BUILDING LOCATED AT 2330 SOUTH CONGRESS AVENUE; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director**

Motion	Second	Vote
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**11. RESOLUTION NO. 2008-97 (FINAL PLAT)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE FINAL PLAT FOR C & D PRODUCE SOUTH, SUBMITTED BY THE OWNER, DANIEL SALDANA, FOR THE PROPERTY LOCATED AT 3133 LAKE WORTH ROAD; AND PROVIDING AN EFFECTIVE DATE.**

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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**12. ORDINANCE NO. 2008-24 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING 29 PARCELS OF LAND CONSISTING OF A TOTAL OF 35.26 ACRES, MORE OR LESS, LOCATED NORTH AND SOUTH OF FOREST HILL BOULEVARD AND EAST OF MILITARY TRAIL; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; THE PARCELS ARE HEREBY ANNEXED PURSUANT TO A VILLAGE INITIATED APPLICATION; DECLARING THAT THE WRITTEN CONSENT TO THE ANNEXATION HAS BEEN OBTAINED BY THE VILLAGE FROM THE OWNERS OF THE REQUIRED PORTIONS OF REAL PROPERTY ANNEXED HEREBY PURSUANT TO SUBSECTION 171.205, FLORIDA STATUTES; PROVIDING THAT ALL PREREQUISITES TO SUCH ANNEXATION REQUIRED BY SECTION 171.204, FLORIDA STATUTES, HAVE BEEN ACCOMPLISHED; PROVIDING FOR CODIFICATION; 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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**13. ORDINANCE NO. 2008-26 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, REGARDING THE REDESIGNATION OF FOUR VACANT PARCELS TOTALING 19.50 ACRES, LOCATED AT THE INTERSECTION OF CONGRESS AVENUE AND LARK ROAD; AMENDING THE OFFICIAL LAND DEVELOPMENT DISTRICT (ZONING) MAP OF THE VILLAGE OF PALM SPRINGS BY REDESIGNATING THE ABOVE DESCRIBED PROPERTIES FROM PALM BEACH COUNTY "RS" AND "CG" TO VILLAGE OF PALM SPRINGS "RM"; 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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**14. ORDINANCE NO. 2008-29 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, PROVIDING FOR AN AMENDMENT TO CHAPTER 1 “GENERAL PROVISIONS” SECTION 1-2 “DEFINITIONS”; PROVIDING FOR AN AMENDMENT TO CHAPTER 34, ARTICLE VI “LAND USE”, AMENDING SECTION 34-824 “SPECIAL EXCEPTIONS”, AMENDING DIVISION 7 “SUPPLEMENTAL DISTRICT REGULATIONS” SECTIONS 34-1300 THRU 34-1320, 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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**15. ORDINANCE NO. 2008-30 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, REGARDING THE REDESIGNATION OF A VACANT PARCEL, OWNED BY HIDDEN ACRES VENTURE, INC., CONSISTING OF 4.74 ACRES, LOCATED ON LONE PINE WAY; AMENDING THE OFFICIAL LAND DEVELOPMENT DISTRICT (ZONING) MAP OF THE VILLAGE OF PALM SPRINGS BY REDESIGNATING THE ABOVE DESCRIBED PROPERTIES FROM VILLAGE OF PALM SPRINGS RESIDENTIAL MULTI-FAMILY “RM” TO VILLAGE OF PALM SPRINGS COMMERCIAL GENERAL “CG”; 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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**16. ORDINANCE NO. 2008-31 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, REGARDING THE REDESIGNATION OF A VACANT PARCEL CONSISTING OF 7.24 ACRES, OWNED BY TEXAS BEVERLY COMPANY, LOCATED AT 1525 SOUTH CONGRESS AVENUE; AMENDING THE OFFICIAL LAND DEVELOPMENT DISTRICT (ZONING) MAP OF THE VILLAGE OF PALM SPRINGS BY REDESIGNATING THE ABOVE DESCRIBED PROPERTIES FROM PALM BEACH COUNTY COMMERCIAL GENERAL “CG” TO VILLAGE OF PALM SPRINGS COMMERCIAL GENERAL “CG”; 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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**17. ORDINANCE NO. 2008-32 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, REGARDING THE REDESIGNATION OF A PARCEL CONSISTING OF 19.35 ACRES, OWNED BY FOUR FLORIDA SHOPPING CENTER PROPERTIES LTD., LOCATED AT 3139 FOREST HILL BOULEVARD; AMENDING THE OFFICIAL LAND DEVELOPMENT DISTRICT (ZONING) MAP OF THE VILLAGE OF PALM SPRINGS BY REDESIGNATING THE ABOVE DESCRIBED PROPERTIES FROM PALM BEACH COUNTY COMMERCIAL GENERAL "CG" TO VILLAGE OF PALM SPRINGS COMMERCIAL GENERAL "CG"; 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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**18. ORDINANCE NO. 2008-33 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, ENTITLED "ADMINISTRATION, BY AMENDING ARTICLE V ENTITLED "CODE ENFORCEMENT", SECTION 2-231 ENTITLED "STATE LAW PROVISIONS FOR ENFORCEMENT ADOPTED", SECTION 2-232 ENTITLED "CODE ENFORCEMENT BOARD", SECTION 2-233 ENTITLED "SUMMARY ENFORCEMENT PROCEDURES; CODE CITATION", SECTION 2-234 ENTITLED "FORMAL ENFORCEMENT PROCEDURES; NOTICE TO APPEAR", SECTION 2-235 ENTITLED "SCHEDULE OF FINES, COSTS AND FEES ESTABLISHED BY RESOLUTION", ADDING SECTION 2-236 ENTITLED "STIPULATIONS", AND ADDING SECTION 2-237 ENTITLED "LIEN REDUCTIONS"; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Glen J. Torcivia, Village Attorney**

Motion	Second	Roll Call Vote
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**REGULAR AGENDA**

**ACTIONS AND REPORTS – None Scheduled**

**VILLAGE COUNCIL COMMENTS**

**ADJOURNMENT**

**NEXT REGULAR COUNCIL MEETING  
JANUARY 8, 2009 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.**