



**AGENDA  
VILLAGE COUNCIL MEETING  
VILLAGE HALL COMMUNITY ROOM  
226 CYPRESS LANE  
FEBRUARY 12, 2009  
7:30 P.M.**

**COUNCIL**

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

**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 January 22, 2009**
- 2. Addendum No. 21 to Eckler Engineering Task Order No. 1**  
Staff: Bill Davis, Public Service Director

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

**ANNOUNCEMENTS AND PROCLAMATIONS**

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

**PUBLIC HEARINGS**

This item will be continued to the February 26, 2009 agenda

- 3. RESOLUTION NO. 2008-80 (SITE PLAN – TONSET COMPANY)**

This item will be continued to the February 26, 2009 agenda

- 4. RESOLUTION NO. 2008-87 (SITE PLAN – OXYGEN/FORREST HILL BLVD)**

**5. RESOLUTION NO. 2008-93 (SITE PLAN – QJ)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF FLORIDA CONFERENCE ASSOCIATION OF THE SEVENTH DAY ADVENTIST CHURCH, FOR SITE PLAN APPROVAL (SPR 08-12) FOR CONSTRUCTION OF A 13,632 SQUARE FOOT TWO-STORY CHURCH BUILDING, CONSISTING OF A SANCTUARY, FELLOWSHIP HALL AND CLASSROOMS, ON APPROXIMATELY 3.2 ACRES LOCATED AT 4234 CANAL 8 ROAD; AND ESTABLISHING AN EFFECTIVE DATE.**

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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**6. RESOLUTION NO. 2009-10 (SITE PLAN –QJ)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF BURSICO LLC, THE SITE PLAN (SPR 09-01) FOR CONSTRUCTION OF 25,980 SQUARE FEET OF MEDICAL OFFICE SPACE; AND A SPECIAL EXCEPTION USE (PSSE 09-01) FOR AN ADDITIONAL 8,000 SQUARE FEET OF FLEX/WAREHOUSE SPACE ON TWO VACANT PARCELS, CONSISTING OF 4.44 ACRES, LOCATED AT 3230 LAKE WORTH ROAD; AND ESTABLISHING AN EFFECTIVE DATE.**

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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**7. ORDINANCE NO. 2008-09 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ADOPTING AMENDMENT NO. 08-01 TO THE ADOPTED COMPREHENSIVE PLAN FOR THE VILLAGE OF PALM SPRINGS, FLORIDA, IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3161, ET SEQ., FLORIDA STATUTES, WHICH AMENDMENT IS ATTACHED AS EXHIBIT “A” AND INCORPORATED HEREIN BY REFERENCE; INCORPORATING A NEW WATER SUPPLY FACILITIES WORK PLAN FOR THE VILLAGE OF PALM SPRINGS; 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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**8. ORDINANCE NO. 2009-02 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 8.56 ACRES OWNED BY STUDENTS IN THE ARTS TV/G-STAR TV, INC.; LOCATED AT 2030 SOUTH CONGRESS AVENUE; 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, WITH A SPECIAL EXCEPTION FOR A SCHOOL (CG/SE) 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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**9. ORDINANCE NO. 2009-04 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 0.4523 ACRES OWNED BY MACHA PROPERTIES II LLC, LOCATED AT 3800 SOUTH CONGRESS AVENUE; 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 (CG) 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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**10. ORDINANCE NO. 2009-03 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 1.02 ACRES OWNED BY BURGER KING CORPORATION, INC., LOCATED AT 3796 SOUTH CONGRESS AVENUE; 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 (CG) 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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**REGULAR AGENDA**

**ACTIONS AND REPORTS**

**11. Appointment to the Board of Adjustment**

Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
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**12. Council Appointment to the PBC Intergovernmental Issues Forum**

Staff: Karl Umberger, Village Manager

Motion	Second	Vote
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**RESOLUTIONS**

**13. RESOLUTION NO. 2009-13**

**A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH AMERICAN TRAFFIC SOLUTIONS, FOR A TRAFFIC SAFETY CAMERA PROGRAM, FOR A PERIOD OF FIVE (5) YEARS AFTER THE DATE OF THE FIRST PAID CIVIL FEE; AND PROVIDING AN EFFECTIVE DATE.** Staff: Jay Pickens, Public Safety Director

Motion	Second	Vote
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**14. RESOLUTION NO. 2009-14**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ESTABLISHING AND APPOINTING A LAKE WORTH UTILITIES FRANCHISE REVIEW COMMITTEE TO REVIEW AND RECOMMEND TO VILLAGE COUNCIL IMPROVEMENTS TO THE VILLAGE AGREEMENT WITH THE CITY OF LAKE WORTH; AND PROVIDING AN EFFECTIVE DATE.**

Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
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**15. RESOLUTION NO. 2009-15**

**A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AWARDED BID NO. 2009B-001 AND AUTHORIZING THE MAYOR TO EXECUTE AN**

**AGREEMENT WITH WEST CONSTRUCTION, INC., FOR DESIGN/BUILD SERVICES FOR CONSTRUCTION OF THE 2,800 SQUARE FOOT ADDITION TO THE PUBLIC SAFETY BUILDING (FIRE DIVISION) IN THE AMOUNT OF FOUR HUNDRED SIXTY THOUSAND DOLLARS (\$460,000); AND PROVIDING AN EFFECTIVE DATE.**

Staff: Karl Umberger, Village Manager

Motion	Second	Vote
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**VILLAGE COUNCIL COMMENTS**

**ADJOURNMENT**

**NEXT REGULAR COUNCIL MEETING  
FEBRUARY 26, 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.