



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE
MARCH 26, 2009
7:30 P.M.**

COUNCIL

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

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 March 12, 2009**
2. **Budget Amendment for Public Safety Addition, Fire Rescue Division in the amount of \$485,000** Staff: Karl Umberger, Village Manager
3. **RESOLUTION NO. 2009-22 (AGREEMENT)**

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 2005 DISASTER RECOVERY INITIATIVE PROGRAM GRANT FUNDS, IN THE AMOUNT OF \$150,000, PROVIDED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER ITS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, PURSUANT TO SECTION 125.01 AND SECTION 163, PART III, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE. Staff: Bill Davis, Public Service Director

4. RESOLUTON NO. 2009-24 (AGREEMENT)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH BURGER KING CORPORATION, INC., OWNERS OF THE PROPERTY LOCATED AT 3796 SOUTH CONGRESS AVENUE, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

5. RESOLUTION NO. 2009-25 (AGREEMENT)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN AGREEMENT WITH L & L OF PALM BEACH INC., OWNERS OF A PARCEL OF LAND LOCATED AT 4062 DALE ROAD, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

6. RESOLUTION NO. 2009-26 (AGREEMENT)

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 NEW POLICIES AND REQUIREMENTS FOR CITIES PERFORMING CONSTRUCTION WORK ON COUNTY ROADS, PURSUANT TO SECTION 163, PART III, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

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

ANNOUNCEMENTS AND PROCLAMATIONS

7. Mayor’s Proclamation April as Water Conservation Month

8. Mayor’s Proclamation April as Fair Housing Month

PUBLIC COMMENT - (Five minute limit)

PUBLIC HEARINGS

9. RESOLUTION NO. 2009-16 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF DAREBECAFE INVESTMENT CORP. FOR A SITE PLAN APPROVAL (SPR 09-02) FOR CONSTRUCTION OF 11,775 SQUARE FEET OF RETAIL/OFFICE SPACE AND 4,792 SQUARE FEET OF STORAGE WAREHOUSE, JOINTLY USED AS A PAWN SHOP, ON 1.07 ACRES LOCATED ON THE SOUTHEAST CORNER OF LAKE WORTH ROAD AND COCONUT ROAD; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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10. RESOLUTION NO. 2009-23 (SIGN WAIVER VARIANCE – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, (APPROVING/DENYING) THE APPLICATION OF CARLOS GONZALEZ, AGENT FOR DAREBECAFE INVESTMENT CORPORATION, FOR A VARIANCE FROM SECTION 34-327(b) (1) & (3) OF THE VILLAGE SIGN CODE OF ORDINANCES TO ALLOW A PYLON SIGN AND MONUMENT SIGN ON THE SAME STREET FRONTAGE IN LIEU OF ONE ON EACH STREET FRONTAGE; AND TO ALLOW TENANT LISTINGS ON THE MONUMENT SIGN; FOR THE PROPOSED COMMERCIAL BUILDING TO BE LOCATED AT THE SOUTHEAST CORNER OF COCONUT ROAD AND LAKE WORTH ROAD; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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11. ORDINANCE NO. 2009-05 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES, ENTITLED “LAND DEVELOPMENT”, BY AMENDING ARTICLE VI ENTITLED “LAND USE”, DIVISION 5 ENTITLED “SITE PLAN”, SECTION 34-695 ENTITLED “BUILDING PERMIT TIME REQUIREMENTS”; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; 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. 2009-06 (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 LAND CONSISTING OF LESS THAN 10 ACRES, OWNED BY J WELLS HOFFMAN LLC AND W.J. WELLS FAMILY, LLC, AND LOCATED AT 1760 AND 1800 SOUTH MILITARY TRAIL, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO COMMERCIAL; 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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REGULAR AGENDA

ACTIONS AND REPORTS

- 13. Resident/Student Dylan Kovar Trip to Obama Inauguration Presentation**
- 14. Appointment to the Leisure Services Board**
Staff: Virginia Walton, Village Clerk
- 15. Appointment of Palm Beach County League of Cities Voting Delegates** Staff: Virginia Walton, Village Clerk
- 16. Council District Seat Appointment Application**
Staff: Karl Umberger, Village Manager

VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT LOCAL PLANNING AGENCY MEETING
APRIL 9, 2009 AT 7:15 P.M.**

**NEXT REGULAR COUNCIL MEETING
APRIL 9, 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.