



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

COUNCIL

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

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 October 8, 2009
2. Approval of Library Annual Plan of Services
3. Public Safety Budget Amendment to recognize Justice Assistance Grant Funds in the amount of \$27,540.00, which will be utilized to purchase Level IIIA Ballistic Shields and Level IIIA Ballistic Helmets.
4. Public Safety Forfeiture Fund Expenditure in the amount of \$1,470.00, for the purchase of 42 Surefire® flashlights.
5. RESOLUTION NO. 2009-82

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AWARDED A BID FOR UTILITY FENCING AROUND THE WATER TREATMENT PLANT AND VARIOUS SEWAGE LIFT STATIONS TO COMMERCIAL FENCE CONTRACTORS, INC., IN THE AMOUNT OF \$48,060.00; AND PROVIDING AN EFFECTIVE DATE. \

Staff: Bill Davis, Public Service Director

6. RESOLUTION NO. 2009-83

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING AN EASEMENT DEED FROM KENNETH E. NOLEN, ROBERT S. TEMPLE AND ERNESTO GODOY-ESPINAL, OWNERS FO THE PROPERTIES LOCATED AT 3975 COCONUT ROAD, 3672 COCONUT ROAD AND 3618 LAKEWOOD ROAD, FOR UTILITY PURPOSES; PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.
Staff: Bill Davis, Public Service Director

7. RESOLUTION NO. 2009-85

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING AN EASEMENT DEED FOR FIVE (5) EASEMENTS FROM CHURCH OF HOLY REDEEMER, INC., OWNER OF THE PROPERTY LOCATED AT 3730 KIRK ROAD, FOR UTILITY PURPOSES; PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.
Staff: Bill Davis, Public Service Director

8. Approval of Task Order No. 101 to Eckler Engineering Inc. in the amount of \$55,000 for design services and limited services during construction not to exceed \$24,000, for the 24-Inch Force Main between LWDD Canal 8 and LWDD Canal 9.

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

ANNOUNCEMENTS AND PROCLAMATIONS – None Scheduled

PUBLIC COMMENT - (Five minute limit)

PUBLIC HEARINGS

9. ORDINANCE NO. 2009-10 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BASED ON THE VILLAGE’S ADOPTED EVALUATION AND APPRAISAL REPORT AND UPDATED DATA AND ANALYSIS, WHICH INCLUDE AMENDMENTS TO THE TEXT OF THE FUTURE LAND USE, TRANSPORTATION, HOUSING, INFRASTRUCTURE, CONSERVATION, RECREATION AND OPEN SPACE, INTERGOVERNMENTAL COORDINATION, CAPITAL IMPROVEMENTS, AND PUBLIC SCHOOL FACILITIES ELEMENTS OF THE ADOPTED

COMPREHENSIVE PLAN AS AMENDED; TO REVISE AND UPDATE THE EXISTING GOALS, OBJECTIVES, AND POLICIES IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, AUTHORIZING TRANSMITTAL OF THESE ADOPTED AMENDMENTS TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; 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. 2009-16 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, PERTAINING TO THE REGULATION OF NIGHTCLUBS; PROVIDING SHORT TITLE; PROVIDING DEFINITIONS; PROVIDING A SECURITY/LAW ENFORCEMENT PRESENCE; PROVIDING MANDATORY IDENTIFICATION REQUIREMENT; PROVIDING ENFORCEMENT AND PENALTIES; PROVIDING POLICE SUPERVISION LIMITATION; PROVIDING RIGHT OF ENTRY FOR PURPOSE OF INSPECTION; PROVIDING FOR LIMITATION OF LIABILITY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Staff: Jay Pickens, Public Safety Director

Motion	Second	Roll Call Vote
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11. ORDINANCE NO. 2009-19 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, REGARDING THE RE-DESIGNATION OF TWO PARCELS TOTALING 17.44 ACRES, OWNED BY CORNERSTONE PALM SPRINGS LLC, LOCATED AT 2765 10TH AVENUE NORTH; AMENDING THE OFFICIAL LAND DEVELOPMENT DISTRICT (ZONING) MAP OF THE VILLAGE OF PALM SPRINGS BY RE-DESIGNATING 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	Vote
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12. ORDINANCE NO. 2009-20 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF 1.11 ACRES OWNED BY RITZ ASSOCIATES LLP; LOCATED AT 3678 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	Vote
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13. ORDINANCE NO. 2009-21 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING SECTION 34-891, VILLAGE CODE, TO ALLOW FOR PERIODS OF LONGER THAN ONE YEAR FOR DEVIATIONS FROM THE LIMITATIONS ON HOURS OF OPERATION FOR COMMERCIAL USE BUSINESS ACTIVITIES; 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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14. RESOLUTION NO. 2009-08 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE SITE PLAN (SPR09-08) SUBMITTED BY STOREFRONTS AT CONGRESS, FOR CONSTRUCTION OF A COMMERCIAL BUILDING CONSISTING OF 23,637 SQUARE FEET OF RETAIL OR OFFICE SPACE, OR A MIXTURE OF RETAIL/OFFICE SPACE, FOR THE 2.48 ACRE VACANT PROPERTY LOCATED 265 FEET FROM THE INTERSECTION OF CONGRESS AVENUE AND 2ND AVENUE NORTH, ON THE SOUTH SIDE OF 2ND AVENUE NORTH; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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15. RESOLUTION NO. 2009-71 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF LAKESHORE CENTER LLC FOR SITE PLAN (SPR09-09) FOR A COMMERCIAL CLUSTER DEVELOPMENT CONSISTING OF 21,758 SQUARE FEET OF RETAIL/OFFICE MIXED USE SPACE IN ADDITION TO THE EXISTING BUILDINGS, PARKING, LANDSCAPING AND DRIVEWAYS, 8.55 ACRES LOCATED AT 2677 FOREST HILL BOULEVARD IN LAKESHORE PLAZA; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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16. RESOLUTION NO. 2009-75 (SPECIAL EXCEPTION – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF DEBBIE CALLOWAY, FOR A SPECIAL EXCEPTION USE (PSSE09-09) FOR OPERATION OF A HOME DAYCARE FACILITY IN A RESIDENTIAL HOME LOCATED AT 429 SAN MATEO DRIVE; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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REGULAR AGENDA

ACTIONS AND REPORTS – None Scheduled

RESOLUTIONS

17. RESOLUTION NO. 2009-81

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA APPROVING A LABOR AGREEMENT WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION/FLORIDA PUBLIC SERVICES UNION (SEIU/FPSU), FOR THE PERIOD OF OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2012;

AUTHORIZING EXECUTION OF THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. Staff: Karl Umberger, Village Manager

Motion	Second	Vote
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18. RESOLUTION NO. 2009-84

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING A DEED OF DEDICATION FOR BONNIE BOULEVARD, FROM CONDOMINIUM ASSOCIATION OF LAKESIDE VILLAGE, INC., USE AS A PUBLIC ROAD; PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE. Staff: Karl Umberger, Village Manager

Motion	Second	Vote
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VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT LOCAL PLANNING AGENCY MEETING
DECEMBER 10, 2009 AT 7:15 P.M.**

**NEXT REGULAR COUNCIL MEETING
DECEMBER 10, 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.