



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE
OCTOBER 13, 2005
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
• Deputy Village Clerk Virginia Walton
• Village Attorney Paul J. Nicoletti

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 September 21, 2005 Regular Council Meeting**
- 2. Minutes of September 28, 2005 Final Budget Hearing**
- 3. RESOLUTION NO. 2005-87**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING ADDENDUM NUMBER 1 TO TASK ORDER NO. 90, IN THE AMOUNT OF \$97,400 FOR ENGINEERING DESIGN, AND IN AN AMOUNT NOT TO EXCEED \$67,200 FOR SERVICES DURING CONSTRUCTION OF RAW WATER WELLS 18 AND 19 TO ECKLER ENGINEERING, INC.; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

4. RESOLUTION NO. 2005-88

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT FOR THE COLLECTION OF SOLID WASTE WITH REPUBLIC SERVICES OF FLORIDA, L.P. D/B/A SUNBURST SANITATION CORPORATION FROM OCTOBER 1, 2005 TO SEPTEMBER 30, 2006; AND PROVIDING AN EFFECTIVE DATE.

Staff: Virginia M. Walton, Deputy Village Clerk

5. Approval of Property, Casualty, Liability and Workers Compensation Insurance Renewal. Staff: Virginia M. Walton, Deputy Village Clerk

6. Rejection of Bid No. 2005-006 Site Drainage and Construction of Summer Street Parking Lot Staff: Bill Davis, Public Service Director

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

ANNOUNCEMENTS AND PROCLAMATIONS

7. Mayor’s Proclamation for City Government Week, October 16-22, 2005

PUBLIC COMMENT - (Five minute limit.)

PUBLIC HEARINGS

8. RESOLUTION NO. 2005-41 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF SAEID MIRZADEH, AGENT FOR THE OWNER, MIRZA HOME & CONSTRUCTION CO.; FOR SITE PLAN REVIEW (SPR 05-08) FOR CONSTRUCTION OF FIVE (5) SINGLE FAMILY TWO-STORY RESIDENCES ON .52 ACRES LOCATED ON THE EAST SIDE OF DAVIS ROAD, ONE QUARTER MILE NORTH OF LAKE WORTH ROAD; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

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Motion	Second	Vote
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9. RESOLUTION NO. 2005-77 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF CARLOS M. GONZALEZ, AGENT FOR THE OWNER, ABEL ECHEMENDIA; FOR AMENDMENT TO SITE PLAN REVIEW (SPR 05-06) TO RELOCATE STREETS IN ORDER TO ALLOCATE 20.5 FEET FOR FUTURE EXPANSION OF THE 3.58 ACRE HARDMAN’S SUBDIVISION PROJECT LOCATED ON THE WEST SIDE OF REO LANE, SOUTH OF PARK LANE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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10. RESOLUTION NO. 2005-78 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF ANGELA D. USHER, AGENT FOR THE OWNER, PALM BEACH COUNTY SCHOOL BOARD; FOR SITE PLAN REVIEW (SPR 05-17) FOR CONSTRUCTION OF A 9,600 SQUARE FOOT TRAINING FACILITY AND ADDITIONAL PARKING ADJACENT TO THE SCHOOL DISTRICT MAIN ADMINISTRATIVE OFFICE COMPLEX ON 3 ACRES LOCATED ON THE EAST SIDE OF TUCKER ROAD, 500 FEET SOUTH OF FOREST HILL BOULEVARD; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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11. ORDINANCE NO. 2005-25 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 30 LAND DEVELOPMENT; ARTICLE VI, LAND USE; DIVISION 1, GENERALLY; AND DIVISION 7. SUPPLEMENTAL DISTRICT REGULATIONS; SUBDIVISION II. RECREATIONAL VEHICLES, COMMERCIAL VEHICLES AND SIMILAR

VEHICLES BY AMENDING VARIOUS PROVISIONS RELATED TO PARKING; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Paul J. Nicoletti, Village Attorney

Motion	Second	Roll Call Vote
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12. ORDINANCE NO. 2005-29 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA AMENDING ORDINANCE NO. 2003-02 ADOPTED OCTOBER 28, 2004; PROVIDING FOR A GENERAL EMPLOYEES MUNICIPAL PENSION TRUST FUND; PROVIDING DEFINITIONS; CONTINUING THE ESTABLISHMENT AND CREATION OF THE FUND; PROVIDING FOR MEMBERSHIP REQUIREMENTS; PROVIDING FOR TRANSFER OF SERVICE BETWEEN VILLAGE PENSION PLANS; PROVIDING FOR A BOARD OF TRUSTEES; PROVIDING FOR MANAGEMENT OF THE PENSION FUND; PROVIDING FOR FINANCING AND CONTRIBUTIONS; PROVIDING FOR BENEFIT AMOUNTS AND ELIGIBILITY; PROVIDING FOR PENSION BENEFITS; PROVIDING FOR PRE-RETIREMENT DEATH BENEFITS; PROVIDING FOR OPTIONAL FORMS OF BENEFITS; PROVIDING FOR BOARD DECISIONS; PROVIDING FOR INVESTMENT AND MANAGEMENT OF PENSION FUND ASSETS; PROVIDING FOR COMMENCEMENT AND DISTRIBUTION OF BENEFITS; PROVIDING FOR DUTIES AND RESPONSIBILITIES OF TRUSTEES; PROVIDING FOR INDEMNIFICATION OF TRUSTEES; PROVIDING THAT BENEFITS ARE EXEMPT FROM EXECUTION AND ASSIGNMENT; PROVIDING FOR MISCELLANEOUS PROVISIONS; PROVIDING FOR TERMINATION OF THE PENSION FUND; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR PUBLICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE. Staff: Paul J. Nicoletti, Village Attorney

Motion	Second	Vote
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13. ORDINANCE NO. 2005-30 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM

SPRINGS, FLORIDA, AMENDING ORDINANCE NO. 2004-45, ADOPTED OCTOBER 28, 2004 PROVIDING FOR A REVISED AND RESTATED HAZARDOUS DUTY EMPLOYEES PENSION FUND; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Paul J. Nicoletti, Village Attorney

Motion	Second	Vote
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14. ORDINANCE NO. 2005-31 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING 189 PARCELS OF LAND CONSISTING OF A TOTAL OF 77.8387 ACRES; INDIVIDUALLY OWNED, GENERALLY LOCATED BETWEEN THE LWDD L-10 CANAL ON THE NORTH, AND THE LWDD L-11 CANAL ON THE SOUTH, AND KIRK ROAD ON THE WEST, AND APPROXIMATELY 200 FEET EAST OF ROSTAN LANE ON THE EAST; AND MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR AMENDMENT TO THE CORPORATE LIMITS OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AS SET FORTH IN SECTION 2.01 OF THE VILLAGE CHARTER TO INCLUDE SAID ANNEXED LANDS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR ADVERTISING; AND PROVIDING THAT THIS ORDINANCE SHALL BE FILED WITH THE CLERK OF THE CIRCUIT COURT OF PALM BEACH COUNTY, FLORIDA, AND FLORIDA DEPARTMENT OF STATE UPON ADOPTION.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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15. ORDINANCE NO. 2005-32 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 30, LAND USE, AT SECTIONS 30-502, 30-504, 30-522, AND 30-524 TO INCLUDE FAMILY DAY CARE HOMES AS A PERMITTED USE IN THE SINGLE FAMILY RESIDENTIAL,RS,

AND MULTI-FAMILY, RM, LAND DEVELOPMENT DISTRICTS; AND AMENDING SECTION 30-564 AND 30-565 TO INCLUDE CAR WASH AS A SPECIAL EXCEPTION USE IN THE COMMERCIAL GENERAL, CG, LAND DEVELOPMENT DISTRICT; 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	Vote
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REGULAR AGENDA

ACTIONS AND REPORTS

16. Appointment of Virginia Walton as Village Clerk

Staff: Karl E. Umberger, Village Manager

Motion	Second	Vote
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17. Council Meeting Schedule for November and December 2005

Staff: Virginia M. Walton, Deputy Village Clerk

Motion	Second	Vote
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VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**SPECIAL COUNCIL MEETING FOR SELECTION OF VILLAGE ATTORNEY
OCTOBER 20, 2005 AT 6:00 P.M.**

**NEXT LOCAL PLANNING AGENCY MEETING
OCTOBER 27, 2005 AT 7:15 P.M.**

**NEXT REGULAR COUNCIL MEETING
OCTOBER 27, 2005 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.