



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE**

**OCTOBER 27, 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
- 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 Local Planning Agency Meeting on October 13, 2005
2. Minutes of Regular Council meeting on October 13, 2005
3. Approval of Library Annual Plan of Service

Consent Agenda continued.....

4. RESOLUTION NO. 2005-86

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING MODIFICATION NUMBER 2 TO TASK ORDER NO. 91 FOR REHABILITATION OF McDONALD'S, SHADE TREE AND LAKE ARBOR PUMP STATIONS TO TLC DIVERSIFIED IN THE AMOUNT OF \$121,356; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

5. RESOLUTION NO. 2005-91

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE TOWN OF LAKE CLARKE SHORES FOR PUBLIC SAFETY COMMUNICATION DISPATCH SERVICES FOR A FIVE-YEAR PERIOD; PURSUANT TO SECTION 163.01, FLORIDA STATUTES, ET SEQ.; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Jay C. Pickens, Public Safety Director

6. RESOLUTION NO. 2005-92

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE 9-1-1 INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY; PURSUANT TO SECTION 163.01, FLORIDA STATUTES, ET SEQ.; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Jay C. Pickens, Public Safety Director

7. RESOLUTION NO. 2005-94

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING ADDENDUM NUMBER 1 TO TASK ORDER NO. 91, FOR THE ADDITION OF THE LAKESIDE VILLAGE PUMP STATION REHABILITATION, IN THE AMOUNT OF \$10,000 FOR ENGINEERING DESIGN, AND IN AN AMOUNT NOT TO EXCEED \$22,000 FOR SERVICES DURING CONSTRUCTION, TO ECKLER ENGINEERING, INC.; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bill Davis, Public Service Director

Consent Agenda continued.....

8. RESOLUTION NO. 2005-95

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING ADDENDUM NUMBER 1 TO TASK ORDER NO. 89, FOR ADDITIONAL TIME REQUIRED FOR DEVELOPMENT OF SUPPORTING DATE TO MEET SFWMD REQUIREMENTS, IN THE AMOUNT OF \$10,000 TO ECKLER ENGINEERING, INC.; AND PROVIDING AN EFFECTIVE DATE. Staff: Bill Davis, Public Service Director

9. RESOLUTION NO. 2005-96

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING ADDENDUM NUMBER 1 TO TASK ORDER NO. 74, FOR INCREASED CONSTRUCTION SERVICES, IN THE AMOUNT OF \$35,000, TO ECKLER ENGINEERING, INC.; AND PROVIDING AN EFFECTIVE DATE. Staff: Bill Davis, Public Service Director

10. Approval of Unity of Title by Enrique Casarrubias in favor of the Village of Palm Springs Staff: Bette Lowe, Land Development Director

11. Approval of Cross Access and Parking Easement Agreement between Hugh W. Bayless and Janet L. Truesdell, Trustee, and the Village of Palm Springs
Staff: Bette Lowe, Land Development Director

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

ANNOUNCEMENTS AND PROCLAMATIONS

12. Mayor’s Proclamation for November as Hospice/Palliative Care Month

13. Presentation in Honor of Retirement of Village Clerk Irene Burroughs

PUBLIC COMMENT - (Five minute limit.)

PUBLIC HEARINGS

14. RESOLUTION NO. 2005-09 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF NIVALDO VAZQUEZ, AGENT FOR THE OWNER, INTERAMERICAN BANK; FOR SITE PLAN REVIEW (SPR 05-02); FOR CONSTRUCTION OF A 1,755 SQUARE FOOT ONE-STORY ADDITION, A 179 SQUARE FOOT COVERED ENTRY; AND A 639 SQUARE FOOT COVERED DRIVE-THRU LOCATED AT 2265 SOUTH CONGRESS AVENUE AND A SPECIAL EXCEPTION (PSSE 05-02) FOR AUTOMATED TELLER MACHINES (ATM’S) AND OTHER DRIVE-IN, DRIVE-UP, DROP-OFF OR WALK-UP FACILITIES IN A COMMERCIAL GENERAL ZONING DISTRICT; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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15. RESOLUTION NO. 2005-58 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF PETER GILSTAD/SONG & ASSOCIATES, AGENT FOR THE OWNER, COMPREHENSIVE COMMUNITY CARE NETWORK, INC.; FOR SITE PLAN REVIEW (SPR 05-11); FOR RENOVATION OF THE ENTIRE 15,000 SQUARE FOOT FIRST FLOOR AREA FOR A SPECIAL NEEDS CLINIC, SOCIAL SERVICES OFFICES AND A NEW ENTRANCE/RECEPTION AREA, AND 5,000 QUARE FEET ON SECOND FLOOR AREA FOR NEW MEETING ROOMS AND STAFF SUPPORT AREAS, AND EXTERIOR RENOVATIONS TO INCLUDE NEW SITE LIGHTING, FULL LANDSCAPING, RECONSTRUCTED PARKING SURFACE AND REPLACEMENT OF EXISTING MANSARD ROOFS WITH NEW STUCCO SURFACES, 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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16. RESOLUTION NO. 2005-97 (PLAT – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE PRELIMINARY PLAT FOR ST. GEORGE LANDINGS, SUBMITTED BY CARLOS GONZALEZ, AGENT FOR THE OWNER, GONZALEZ-MUSIBAY CONSTRUCTORS AND LAND DEVELOPERS LLC, FOR THE PROPRETY LOCATED ON SECOND AVENUE NORTH WEST OF CONGRESS AVENUE; AND PROVIDING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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17. RESOLUTION NO. 2005-98 (PLAT – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE PRELIMINARY PLAT FOR ST. CHARLES LANDINGS, SUBMITTED BY CARLOS GONZALEZ, AGENT FOR THE OWNER, GONZALEZ-MUSIBAY CONSTRUCTORS AND LAND DEVELOPERS LLC, FOR THE PROPRETY LOCATED ON SECOND AVENUE NORTH WEST OF CONGRESS AVENUE; AND PROVIDING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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This item will be continued to November 10, 2005 Agenda

18. RESOLUTION NO. 2005-64 (SITE PLAN)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF CHRISTIAN BALLESTEROS/CBR GROUP ARCHITECTS, AGENT FOR THE OWNER, DOWNTOWN SHOPS LLC; FOR SITE PLAN REVIEW (SPR 05-15); FOR CONSTRUCTION OF 20,894 SQUARE FEET OF OFFICE AND RETAIL SPACE ON 1.46 ACRES LOCATED ON THE SOUTHWEST CORNER

**OF THE INTERSECTION OF LAKE WORTH ROAD AND ADCOCK LANE;
AND ESTABLISHING AN EFFECTIVE DATE.**

This item will be continued to November 10, 2005 Agenda

19. RESOLUTION NO. 2005-85 (SITE PLAN)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION SUBMITTED BY JASON WOBESER, OWNER OF WOODY’S CAR WASH FOR SITE PLAN REVIEW (SPR 05-20) AND A SPECIAL EXCEPTION (PSSE 05-05) FOR CONSTRUCTION OF A 4,454 SQUARE FOOT AUTOMATIC CAR WASH WITH CUSTOMER SERVICE AND DETAILING AREAS, LOCATED AT 3263 LAKE WORTH ROAD; AND ESTABLISHING AN EFFECTIVE DATE.

20. RESOLUTION NO. 2005-90

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 ANNEXATION OF FIFTY-FIVE (55) PARCELS OF TEN ACRES OR LESS THOSE LANDS MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; AND PROVIDING AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
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21. ORDINANCE NO. 2005-29 (SECOND 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	Roll Call Vote
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22. ORDINANCE NO. 2005-30 (SECOND 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	Roll Call Vote
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23. ORDINANCE NO. 2005-31 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING 190 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	Roll Call Vote
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24. ORDINANCE NO. 2005-32 (SECOND 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	Roll Call Vote
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REGULAR AGENDA

ACTIONS AND REPORTS

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Motion	Second	Vote
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VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT REGULAR COUNCIL MEETING
NOVEMBER 10, 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.