



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

**SEPTEMBER 28, 2006  
7:30 P.M.**

**COUNCIL**

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

**ADMINISTRATION**

- Village Manager Karl E. Umberger
- Village Attorney Karen E. Roselli
- Village Clerk Virginia Walton

**CALL TO ORDER**

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA**

Motion	Second	Vote
--------	--------	------

**CONSENT AGENDA**

1. **Minutes of Regular Council Meeting on September 14, 2006**
2. **Leisure Services Budget Amendment in the amount of \$156,000 from the Council Contingency Fund to match grant funds for the construction of the Summer Street Park and improvements to the Village Center Ballfield Complex as a result of Hurricane Wilma.** Staff: Bill Golson, Leisure Services Director
3. **Library Budget Amendment in the amount of \$8,800.00 from the Council Contingency Fund to cover salaries and wages through the end of this fiscal year.** Staff: Elena Romeo, Library Director
4. **RESOLUTION NO. 2006-66 (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 TONSET COMPANY INC.; OWNER OF A VACANT PARCEL OF LAND CONSISTING OF 16.63 ACRES, LOCATED ON THE NORTHEAST CORNER OF LARK ROAD AND SOUTH CONGRESS AVENUE, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.**

Staff: Bette Lowe, Land Development Director  
Consent Agenda continued.....

**5. RESOLUTION NO. 2006-80 (CONTRACT)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING MODIFICATION NUMBER 3 TO TASK ORDER NO. 91 WITH TLC DIVERSIFIED INC. FOR A CREDIT IN THE AMOUNT OF \$18,712.32; AND PROVIDING AN EFFECTIVE DATE.**

Staff: Bill Davis, Public Service Director

**6. RESOLUTION NO. 2006-86 (EASEMENT)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING AN EASEMENT DEED FROM THE LAKEWOOD HOMEOWNERS ASSOCIATION AS REQUIRED FOR EXPANSION OF WATER AND SANITARY SEWER SERVICES; PROVIDING FOR RECORDATION AND PROVIDING AN EFFECTIVE DATE.**

Staff: Bill Davis, Public Service Director

**7. RESOLUTION NO. 2006-87 (CONTRACT)**

**A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA APPROVING A LABOR AGREEMENT WITH THE NATIONAL CONFERENCE OF FIREMEN AND OILERS (NCFI) AND SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU), FOR THE PERIOD OF OCTOBER 1, 2006 THROUGH SEPTEMBER 30, 2009; AUTHORIZING EXECUTION OF THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

Staff: Karl E. Umberger, Village Manager

**8. RESOLUTION NO. 2006-88 (AGREEMENT)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, VILLAGE MANAGER AND PUBLIC SAFETY DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH PALM BEACH COUNTY LAW ENFORCEMENT AGENCIES, PURSUANT TO SECTION 23.1225 FLORIDA STATUTES, ET SEQ, FOR THE PURPOSE OF CONTINUING PARTICIPATION IN THE MULTI-AGENCY VIOLENT CRIMES TASK FORCE, PURSUANT TO SECTION II OF THE COMBINED MUTUAL AID AGREEMENT, AS DEFINED IN SECTION 252.34, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.** Staff: Jay C. Pickens, Public Safety Director

**9. RESOLUTION NO. 2006-90 (AGREEMENT)**

**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 WASTE MANAGEMENT INC., OF FLORIDA, A FLORIDA CORPORATION D/B/A WASTE MANAGEMENT OF PALM BEACH FROM OCTOBER 1, 2006 TO SEPTEMBER 30, 2007; AND PROVIDING AN EFFECTIVE DATE.**

Staff: Virginia Walton, Village Clerk

Consent Agenda continued.....

**10. RESOLUTION NO. 2006-91 (AGREEMENT)**

**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, 2006 TO SEPTEMBER 30, 2007; AND PROVIDING AN EFFECTIVE DATE.**

Staff: Virginia Walton, Village Clerk

**11. Approval of Property, Casualty, Liability and Workers Compensation Insurance Renewal.** Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
--------	--------	------

End of Consent Agenda.....

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

**ANNOUNCEMENTS AND PROCLAMATIONS – None Scheduled**

**PUBLIC HEARINGS**

**This item will be continued to 10/26/06 agenda**

**12. RESOLUTION NO. 2006-70 (HIGH POINT ON CONGRESS SITE PLAN)**

**This item will be continued to 9/28/06 agenda**

**13. RESOLUTION NO. 2006-76 (CABRERA SUBDIVISION PRELIMINARY PLAT)**

**14. RESOLUTION NO. 2006-81 (AMENDED SITE PLAN – QJ)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA APPROVING WITH CONDITIONS, THE APPLICATION OF ROBERT W. JOHNS, AGENT FOR THE OWNER GUARDIAN AMERICAN HOMES, LLC, FOR AMENDMENT TO SITE PLAN REVIEW (SPR 01-05), REQUESTING TO MOVE PARKING LOT ISLANDS TO ACCOMMODATE STREET LIGHTING AND TO CHANGE THE PERIMETER WALL TO MODIFIED PVC FENCING, TO THE PLAN FOR CONSTRUCTION OF 30 TOWNHOUSE UNITS ON 2.85 ACRES LOCATED 1827 ALICE AVENUE; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director**

Motion	Second	Vote
--------	--------	------

**15. RESOLUTION NO. 2006-82 (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, BUENA VISTA HOMES OF THE PALM BEACHES**

**INC., FOR SITE PLAN REVIEW (SPR 06-09)), FOR CONSTRUCTION OF A 24-UNIT TOWNHOME PROJECT ON 2.18 ACRES LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF 2<sup>ND</sup> AVENUE NORTH AND DAVIS ROAD; AND ESTABLISHING AN EFFECTIVE DATE.** Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
--------	--------	------

**16. RESOLUTION NO. 2006-83 (SITE PLAN – QJ)**

**A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF FLORIDA CONCEPTS INC., AGENT FOR THE OWNER, GOLD COAST FEDERAL CREDIT UNION AND GOLD COAST EDUCATIONAL FEDERAL CREDIT UNION; FOR SITE PLAN REVIEW (SPR 06-10) AND A SPECIAL EXCEPTION USE (PSSE 06-02) FOR A 2,756 SQUARE FOOT EXPANSION OF THE EXISTING FINANCIAL INSTITUTION BUILDING, THE ADDITION OF TWO DRIVE-THRU AISLES, THE RECONFIGURATION OF THE EASTERN AND WESTERN DRIVEWAYS ON MEADOW ROAD, AND THE ADDITION OF PARKING SPACES ON TWO PARCELS TOTALING 2.983 ACRES, LOCATED AT 2226 CONGRESS AVENUE; AND ESTABLISHING AN EFFECTIVE DATE.**

Staff: Bette Lowe, Land Development Director

Motion	Second	Vote
--------	--------	------

**This item will be continued to 9/28/06 agenda**

**17. RESOLUTION NO. 2006-84 (PEOPLE WITHOUT WALLS CHURCH SITE PLAN)**

**18. ORDINANCE NO. 2006-41 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWO PARCELS OF LAND CONSISTING OF .26 ACRES OWNED BY NUVA GROUP, LLC; LOCATED AT 3544 AND 3554 LAKE WORTH ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING THAT THE ANNEXATION IS SUBJECT TO THE ANNEXATION AGREEMENT ENTERED INTO AND ACCEPTED THROUGH RESOLUTION NO. 2006-65 ON SEPTEMBER 14, 2006; 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
--------	--------	----------------

**19. ORDINANCE NO. 2006-44 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A VACANT PARCEL OF LAND CONSISTING OF ONE ACRE OWNED BY DAREBECAFE INVESTMENT CORPORATION; LOCATED AT THE SOUTHEAST CORNER OF COCONUT ROAD AND LAKE WORTH ROAD, WEST OF DAVIS ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING THAT THE ANNEXATION IS SUBJECT TO THE ANNEXATION AGREEMENT ENTERED INTO AND ACCEPTED THROUGH RESOLUTION NO. 2006-69 ON SEPTEMBER 14, 2006, AND INCORPORATED HEREIN BY REFERENCE; 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 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
--------	--------	----------------

**20. ORDINANCE NO. 2006-51 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING ONE PARCEL OF LAND CONSISTING OF 5.36 ACRES; OWNED BY SUMMIT CONGRESS PLAZA LLC, LOCATED AT 865 SOUTH CONGRESS AVENUE; AND MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING THAT THE ANNEXATION IS SUBJECT TO THE ANNEXATION AGREEMENT ENTERED INTO AND ACCEPTED THROUGH RESOLUTION NO. 2006-79 ON SEPTEMBER 14, 2006; 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
--------	--------	----------------

**21. ORDINANCE NO. 2006-52 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA AMENDING ORDINANCE NO. 2005-29 ADOPTED OCTOBER 27, 2005; PROVIDING FOR A REVISED AND RESTATED GENERAL EMPLOYEES MUNICIPAL PENSION TRUST FUND; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR PUBLICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

Staff: Karl E. Umberger, Village Manager

Motion	Second	Roll Call Vote
--------	--------	----------------

**22. ORDINANCE NO. 2006-49 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ADOPTING THE FINAL LEVY OF AD VALOREM TAXES IN AND FOR THE VILLAGE OF PALM SPRINGS, FLORIDA FOR FISCAL YEAR 2006/2007; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.** Staff: Rebecca Morse, Finance Director

Motion	Second	Roll Call Vote
--------	--------	----------------

**23. ORDINANCE NO. 2006-50 (SECOND READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ADOPTING AN ANNUAL BUDGET FOR THE YEAR BEGINNING OCTOBER 1, 2006 AND ENDING SEPTEMBER 30, 2007; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Staff: Rebecca Morse, Finance Director

Motion	Second	Roll Call Vote
--------	--------	----------------

**24. ORDINANCE NO. 2006-42 (FIRST READING)**

**AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A VACANT PARCEL OF LAND CONSISTING OF 16.63 ACRES; OWNED BY TONSET COMPANY INC., LOCATED AT THE NORTHEAST CORNER OF LARK ROAD AND SOUTH CONGRESS AVENUE; AND MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING THAT THE ANNEXATION IS SUBJECT TO THE ANNEXATION AGREEMENT ENTERED INTO AND ACCEPTED THROUGH RESOLUTION NO. 2006-66 ON SEPTEMBER 14, 2006 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
--------	--------	------

**This item will be continued to the October 14, 2006 agenda**

**25. ORDINANCE NO. 2006-46 (M.I.M. INC. ANNEXATION - FIRST READING)**

This item will be continued to the October 14, 2006 agenda

**26. ORDINANCE NO. 2006-47 (MIN. HOUSING STANDARDS - FIRST READING)**

**REGULAR AGENDA**

**ACTIONS AND REPORTS – None scheduled**

**VILLAGE COUNCIL COMMENTS**

**ADJOURNMENT**

**NEXT LOCAL PLANNING AGENCY MEETING  
OCTOBER 12, 2006 AT 7:15 P.M.**

**NEXT REGULAR COUNCIL MEETING  
OCTOBER 12, 2006 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.