



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE
JANUARY 11, 2007
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
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CONSENT AGENDA

1. Minutes of Local Planning Agency Meeting on December 14, 2006
2. Minutes of Regular Council Meeting on December 14, 2006
3. RESOLUTION NO. 2007-02

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ACCEPTING AN EASEMENT DEED FROM MICHAEL OHERRON AND MARY JANE OHERRON AS REQUIRED FOR EXPANSION OF WATER AND SANITARY SEWER SERVICES; PROVIDING FOR RECORDATION 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

- 4. **Awards Presentation for Village Resident Holiday Decorating Contest Winners by Mayor Davis**

PUBLIC COMMENT - (Five minute limit.)

PUBLIC HEARINGS

This item will be continued to the January 25, 2007 agenda:

- 5. **RESOLUTION NO. 2006-104 (SITE PLAN FOR CONGRESS OAKS)**

This item will be continued to the January 25, 2007 agenda:

- 6. **ORDINANCE NO. 2006-48 (SECOND READING – CUSICK/4275 FOREST HILL BOULEVARD ANNEXATION)**

- 7. **ORDINANCE NO. 2006-60 (SECOND READING)**

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A PARCEL OF LAND CONSISTING OF .60 ACRES OWNED BY DANIELLA HENRY; LOCATED AT 1466 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 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
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- 8. **ORDINANCE NO. 2006-61 (SECOND 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 SUMMIT CONGRESS PLAZA LLC, AND LOCATED AT 865 SOUTH CONGRESS AVENUE, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; TO COMMERCIAL LAND USE; 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
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9. ORDINANCE NO. 2006-62 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE OF PALM SPRINGS, FLORIDA TO ASSIGN THE VILLAGE’S RESIDENTIAL MULTI-FAMILY (RM) ZONING CATEGORY TO APPROXIMATELY 17.44 ACRES OF LAND GENERALLY LOCATED AT 2765 10TH AVENUE NORTH, AS DEPICTED ON THE ATTACHED LOCATION MAP (EXHIBIT “A”) AND WHICH IS OWNED BY CORNERSTONE PALM SPRINGS LLC; 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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This item will be continued to the January 25, 2007 agenda:

10. ORDINANCE NO. 2006-63 (SECOND READING – ROLLING HILLS FARMS/4323, 4387 AND 4349 FOREST HILL BLVD ANNEXATION, LAND USE AMENDMENT AND REZONING)

This item will be continued to the January 25, 2007 agenda:

11. ORDINANCE NO. 2006-64 (SECOND READING – TRAIL PROPERTIES/4397 FOREST HILL BLVD ANNEXATION, LAND USE AMENDMENT AND REZONING)

12. ORDINANCE NO. 2007-01 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE CODE OF ORDINANCES TO CHANGE THE TERM “OCCUPATIONAL LICENSE(S) TO THE TERM “BUSINESS TAX AND BUSINESS TAX RECEIPT TO CONFORM WITH FLORIDA STATUTORY CHANGES EFFECTIVE JANUARY 2007, AND SPECIFICALLY AMENDING CHAPTER 1, SECTION 1-2 ENTITLED “DEFINITIONS”, AND AMENDING SECTION 1-12(d) ENTITLED “GENERAL PENALTY”; AMENDING CHAPTER 10, SECTION 10-53 (a) ENTITLED “INSPECTION FEES”; CHAPTER 34, AMENDING SECTION 34-890 ENTITLED “HOME OCCUPATIONS”, AMENDING SECTION 34-983 ENTITLED “ALF, OCCUPATIONAL LICENSE, REQUIRED”, AMENDING SECTION 34-1003 ENTITLED “NURSING FACILITIES OCCUPATIONAL LICENSES, REQUIRED”, AMENDING SECTION 34-1023 ENTITLED “CHILD CARE FACILITY OCCUPATIONAL LICENSES, REQUIRED”, AMENDING SECTION 34-1043 ENTITLED “FAMILY

DAYCARE FACILITY OCCUPATIONAL LICENSES, REQUIRED”, AMENDING SECTION 34-1295(a) ENTITLED “PERMITTED USES”; AND CHAPTER 70, ARTICLE II “INSURANCE PREMIUM TAX”, AMENDING SECTION 70-31 ENTITLED “IMPOSED”, AMENDING SECTION 70-32 ENTITLED “DUE DATE”, AMENDING SECTION 70-94 ENTITLED “OCCUPATIONAL LICENSES REQUIRED, EXEMPTIONS”, AMENDING SECTION 70-95 ENTITLED “DUE DATE; DELINQUENCIES”, AMENDING SECTION 70-96 ENTITLED “APPLICATION; DISPLAY”, AMENDING SECTION 70-97 ENTITLED “SUPPORTING AFFIDAVITS, AMENDING SECTION 70-98 ENTITLED “TERM OF LICENSE; TRANSFERABILITY; FEE PRORATION”, AMENDING SECTION 70-99 ENTITLED “EVIDENCE OF ENGAGING IN BUSINESS”, AMENDING SECTION 70-100 ENTITLED “DUPLICATION LICENSE AND SPECIAL PERMIT PROCEDURE” AND AMENDING SECTION 70-101 (1 THRU 10) ENTITLED “LICENSE FEE SCHEDULE”; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.
 Staff: Karen E. Roselli, Village Attorney

Motion	Second	Roll Call Vote
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13. ORDINANCE NO. 2007-03 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE VILLAGE OF PALM SPRINGS CHAPTER 39, SECTION 39-2 ENTITLED “DEFINITIONS”; AND SECTION 39-3, ENTITLED “PROHIBITIONS; EXCEPTIONS; PENALITES”; TO EXPAND THE SCOPE OF THE SEXUAL PREDATOR REGULATIONS TO APPLY TO SEXUAL OFFENDERS CONVICTED OF SIMILIAR SEXUAL OFFENSES IN OTHER STATES AND JURISDICTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Jay C. Pickens, Public Safety Director

Motion	Second	Roll Call Vote
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14. ORDINANCE NO. 2007-04 (SECOND READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 34, ARTICLE VI, DIVISION 12 OF THE CODE OF ORDINANCES, PERTAINING TO TRANSPORTATION PERFORMANCE STANDARDS TO CREATE NEW CODE SECTION 34-1434 TO BE ENTITLED “PROPORTIONATE FAIR-SHARE MITIGATION PROGRAM”; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; 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

15. Appointments to the Land Development Board

Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
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RESOLUTIONS

16. RESOLUTION NO. 2007-01 (ELECTIONS)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNOUNCING QUALIFICATIONS AND THE QUALIFYING TIME FOR CANDIDATES FOR THE GENERAL ELECTION MARCH 13, 2007; DESIGNATING VOTING LOCATIONS; APPOINTING THE CANVASSING BOARD; ASSIGNING THE SUPERVISOR OF ELECTIONS TO HANDLE THE ABSENTEE BALLOTS; PROVIDING FOR A RUN-OFF ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Virginia Walton, Village Clerk

Motion	Second	Vote
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VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT LOCAL PLANNING AGENCY MEETING
JANUARY 24, 2007 AT 7:00 P.M.**

**NEXT REGULAR COUNCIL MEETING
JANUARY 25, 2007 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.