

**VILLAGE OF PALM SPRINGS
VILLAGE COUNCIL MINUTES
EMERGENCY MEETING ON JULY 1, 2010**

CALL TO ORDER, ROLL CALL, INVOCATION, AND PLEDGE OF ALLEGIANCE

Vice Mayor Bev Smith called the emergency meeting of the Village Council to order at 4:03 p.m.

Present: Vice Mayor Bev Smith, Mayor Pro Tem Doug Gunther, Council Member Patti Waller, Village Manager Karl E. Umberger, Village Attorney Christy Goddeau, and Village Clerk Virginia M. Walton. Mayor John M. Davis and Council Member Joni Brinkman were absent.

Staff present were Public Safety Director Jay C. Pickens, as Sergeant at Arms.

ORDER OF BUSINESS

1. RESOLUTION NO. 2010-37

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING AMENDMENT NO. 1 TO THE AGREEMENT WITH AMERICAN TRAFFIC SOLUTIONS (ATS) FOR AN EXTENSION TO THE WARNING TIME PERIOD BEFORE CITATIONS ARE ISSUED AND OTHER TERMS TO THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

Staff: Karl E Umberger, Village Manager

Vice Mayor Smith stated the Council was there to discuss Resolution No. 2010-37 and the Agreement with American Traffic Solutions. A lot of things have changed since the original resolution was approved.

Manager Umberger advised the Council that originally a resolution was passed for installation of red light cameras in the Village. At that time there was some talk that the Florida Legislature might institute some regulations that might affect not only the operation of the cameras, what violations could have citations issued by the camera program, and also the distribution of funds to pay for the cameras and the administrative work that goes with them. These changes were passed right at the end of the legislative session. The Village had entered into an agreement with ATS, the provider of the cameras, and had received a two month extension while the Legislature was waiting for the Governor to sign the Bill. The Bill has been signed. Manager Umberger had provided the Council with a brief synopsis of what the Bill contained.

Manager Umberger stated the extension has expired as of today and the discussion today would be these cameras, the affect they are having on traffic in the Village and whatever the wishes of the Council are to move forward.

ATS is represented today by Geoffrey Sluggett and he has provided the Council with a report showing the four cameras now in place and anticipated violations for each camera. Staff recommendation would be to ask ATS for another extension until July 30, 2010, in order to have the time to review these numbers and to use the Police Representative to monitor those intersections to see if, in fact, the violations are as stated in the report. A full report could then be brought before the full Council at the end of the month for consideration. Present today was Chief Pickens and Lt. Robert Perez, who has been monitoring the traffic citations to date.

Before comments or presentations, Vice Mayor Smith disclosed that she had received a phone call from Geoffrey Sluggett last night and they did speak about this item being on the agenda today and he indicated he wished to have any decision regarding his client postponed for thirty days as well.

Mr. Sluggett stated he was here to answer any questions the Council might have; and based on conversations with Council and Manager Umberger regarding specific issues in the contract and how the Legislation signed by the Governor impacts the agreement, ATS thought it would be prudent to sit down with Staff and go over these issues, as well as the revenue issues. ATS was certain this could be done within the next thirty days; therefore, they were also in favor of a thirty day extension.

Council Member Waller stated she would prefer to pass this resolution and wait until after the meeting to get more information prior to asking any specific questions. Mayor Pro Tem Gunther concurred that the extension and further information would be prudent prior to a final decision. Vice Mayor Smith asked Mr. Sluggett if his comments indicated that ATS would be in favor of an additional thirty day extension. Mr. Sluggett stated that was correct and he had a second amendment with him today that would extend the contract for an additional thirty days until July 30, 2010. Mayor Pro Tem Gunther asked if the resolution could be amended today to include this additional addendum. Village Attorney Goddeau stated that ATS had provided today a signed addendum to extend the warning period until July 30, 2010; and with the Council approval, the resolution could be amended today.

Vice Mayor Smith stated this was a big enough issue that the entire five member Council should be present to review all information available prior to making a decision. Vice Mayor Smith stated she personally did not feel she was well versed enough with all the changes made by the Legislature in order to make a final decision today; therefore she would be in favor of the extension. Prior to the Legislation, there would not have been liability on the part of the Village; but now with the new Bill, there might be an issue with liability. It was important that the Council did not enter into any agreement that would impact the Village negatively. Mr. Sluggett responded that ATS valued the Village's business and also wanted to make sure this program would be satisfactory and viable for the Village.

Vice Mayor Smith responded that the main purpose of the program for the Village was to educate the public and reduce red light running. Mr. Sluggett replied that the numbers he had provided to the Council showed that there truly was a red light running problem at the sites already containing cameras and this could be a very viable program.

Hearing no further comments, Vice Mayor Smith advised the Council that the motion today would be for two amendments to the original contract, one for the extension to July 1, 2010 and the second amendment for the extension to July 30, 2010. A motion to adopt the resolution with the two amendments was made by Council Member Waller and seconded by Mayor Pro Tem Gunther. Village Attorney Goddeau read the resolution with revised title. Motion carried 3 – 0.

ADJOURNMENT

Hearing no further business, Vice Mayor Smith adjourned the meeting at 4:12 p.m.

Respectfully submitted,

Village Clerk

Approved by Council _____

Mayor