

**VILLAGE OF PALM SPRINGS
VILLAGE COUNCIL MINUTES
REGULAR MEETING, COMMUNITY ROOM, SEPTEMBER 14, 2006**

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

Vice Mayor Patti Waller called the regular meeting of the Village Council to order at 7:30 p.m.

Present: Vice Mayor Joni Brinkman, Mayor Pro Tem Patti Waller, Council Member Chet Osborne, Council Member Bev Smith, Village Manager Karl E. Umberger, Village Attorney Karen E. Roselli, and Village Clerk Virginia M. Walton. Mayor John M. Davis was absent.

Staff present were Public Safety Director Jay C. Pickens, as Sergeant at Arms, Land Development Director Bette J. Lowe, Finance Director Rebecca L. Morse, Public Service Director Bill Davis and Leisure Services Director Bill Golson.

Invocation was given by Village Manager Karl E. Umberger, followed by the Pledge of Allegiance led by Council Member Chet Osborne.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Village Manager: Item #6 was continued to 9/28/06 agenda

Item #9 PBC Interlocal was revised to delete two parcels and state roads, which would be annexed separately

Item #8 was revised to show a special exception land use

Item #10 was continued to 10/26/06 agenda

Item #11 was changed to first reading

Item #12 was continued to 9/28/06 agenda

Item #15 was continued to 9/28/06 agenda

Item #16 was continued to 9/28/06 agenda

Add item #21 Resolution No. 2006-89 Re-Districting Committee

Council Member Brinkman:

Pull Item #7 from consent agenda for discussion and place as Item #9A

Pull Item #8 from consent agenda for discussion and place as Item #9B

A motion to accept the agenda as revised was made by Council Member Osborne and seconded by Council Member Brinkman. Motion carried 4 – 0.

CONSENT AGENDA

1. **Minutes of Regular Council Meeting on August 24, 2006**
2. **Ratification of Action Taken at Emergency Meeting on August 29, 2006 in preparation for Hurricane/Tropical Storm Ernesto**
Staff: Virginia M. Walton, Village Clerk
3. **Public Safety Budget Amendment to recognize donated funds in the amount of \$17,900.00 from Palm Springs PAL for purchase of a passenger van.** Staff: Jay C. Pickens, Public Safety Director
4. **Administrative Budget Amendment from the Council Contingency to provide additional funding for legal services through fiscal year end.**
Staff: Rebecca Morse, Finance Director

5. **RESOLUTION NO. 2006-65 (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 NUVA GROUP, LLC; OWNER OF TWO PARCELS OF LAND CONSISTING OF .26 ACRES, LOCATED AT 3544 AND 3554 LAKE WORTH ROAD, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

6. **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

9. **RESOLUTION NO. 2006-85 (INTERLOCAL)**

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A REVISED 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 TWENTY-EIGHT (28) 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

A motion to approve the consent agenda as revised was made by Mayor Pro Tem Smith and seconded by Council Member Brinkman. Motion carried 4 – 0.

Item No. 9A (pulled from consent agenda for discussion)

7. RESOLUTION NO. 2006-69 (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 DAREBECAFE INVESTMENT CORPORATION, OWNER OF THE PROPERTY, LOCATED AT THE SOUTHEAST CORNER OF COCONUT ROAD AND LAKE WORTH ROAD, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

Council Member Brinkman stated she had pulled this item from the consent agenda because she has taken a position in the past that agreements which approve non-conforming uses should be open for discussion and comments. This property was a pawn shop, which was not a conforming land use in the Village. Manager Umberger commented that a background check had been completed and there were no negative items on the report. Vice Mayor Waller commented that she had never been in a pawn shop before, but visited another location owned by the same people. The site was clean, well kept and not at all what she expected.

Hearing no further comments, a motion to adopt the resolution approving the agreement was made by Council Member Osborne and seconded by Mayor Pro Tem Smith. Motion carried 3 – 1, with Council Member Brinkman dissenting.

Item No. 9B (pulled from the consent agenda for discussion)

8. RESOLUTION NO. 2006-79 (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 SUMMIT CONGRESS PLAZA LLC, OWNER OF THE PROPERTY LOCATED AT 865 SOUTH CONGRESS AVENUE, FOR VOLUNTARY ANNEXATION INTO THE VILLAGE; AND PROVIDING FOR AN EFFECTIVE DATE.

Staff: Bette Lowe, Land Development Director

Council Member Brinkman stated she had pulled this item from the consent agenda because she wanted a clarification on the setback for the building noted in the agreement. There were two parcels, only one being annexed at this time. It appeared that the setback waiver was for the building on the site not being annexed. Director Lowe replied the setback waiver was for the existing building on the parcel being annexed.

Hearing no further comments, a motion to adopt the resolution approving the agreement was made by Council Member Osborne and seconded by Mayor Pro Tem Smith. Motion carried 4 – 0.

PUBLIC COMMENT - None

PUBLIC HEARINGS

This item was continued to 10/26/06 agenda

10. RESOLUTION NO. 2006-70 (SITE PLAN – QJ)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING WITH CONDITIONS THE APPLICATION OF DALE R. HEDRICK, AGENT FOR THE OWNER, HIGH POINT ON CONGRESS, LLC; FOR SITE PLAN REVIEW (SPR 06-08); FOR CONSTRUCTION OF 8,130 SQUARE FEET OF RETAIL SPACE, 33,740 SQUARE FEET OF WAREHOUSE SPACE, 33,670 SQUARE FEET OF OFFICE SPACE AND A SPECIAL EXCEPTION USE (PSSE 06-01) TO PERMIT A 4,550 SQUARE FOOT DRIVE-THRU FAST FOOD RESTAURANT WITH SEATING FOR 110; ON 7.34 ACRES LOCATED ON THE EAST SIDE OF CONGRESS AVENUE, IMMEDIATELY SOUTH OF HOLLY DRIVE; AND ESTABLISHING AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

11. ORDINANCE NO. 2006-41 (SECOND FIRST 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

Manager Umberger advised the Council this property was contiguous to the Village with the Blankenship property to the east, and was currently the site of a retail florist shop. The Land Development Board had recommended approval at their regular meeting on July 11, 2006. Vice Mayor Waller stated this was a public hearing and asked for questions or comments from the Council and from the public. Hearing none, Village Attorney Roselli read the ordinance by title. A motion to adopt on first reading was made by Mayor Pro Tem Smith and seconded by Council Member Osborne. Motion carried 4 – 0.

This item was continued to 9/28/06 agenda

12. ORDINANCE NO. 2006-42 (SECOND 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 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

13. ORDINANCE NO. 2006-43 (SECOND READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING TWENTY-SIX (26) PARCELS OF LAND CONSISTING OF A TOTAL OF 13.76 ACRES; INDIVIDUALLY OWNED, LOCATED AT 3578, 3672

AND 3864 COCONUT ROAD, 3579, 3582, 3625, 3629 AND 3901 DAVIS ROAD, 3512, 3537, 3538, 3551, 3562, 3574, 3588, 3589 AND 3601 HUNT ROAD, 3808, 3825, 3901 AND 3902 LAKEWOOD ROAD, 103, 104, 112, 115 AND 121 PLEASANT PLACE, PLUS THE ROAD RIGHTS-OF-WAY FOR DAVIS ROAD FROM CANAL ROAD TO LAKE WORTH ROAD, FOR COCONUT ROAD FROM CANAL ROAD TO SECOND AVENUE NORTH, FOR HUNT ROAD BETWEEN COCONUT ROAD AND DAVIS ROAD AND FOR LAKEWOOD ROAD BETWEEN COCONUT ROAD AND DAVIS ROAD; 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

Village Clerk Walton advised the Council notice of public hearing was placed in the Lake Worth Herald on August 3 and August 10, 2006. Village Attorney Roselli read the ordinance by title. There were no comments from Staff or Council. Vice Mayor Waller stated this was a public hearing and asked for questions or comments from the public. Hearing none, a motion to adopt on second reading was made by Council Member Joni Brinkman and seconded by Mayor Pro Tem Smith. A roll call vote was in favor of adoption 4-0.

14. ORDINANCE NO. 2006-44 (FIRST 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 AUGUST 24, 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

Manager Umberger advised the Council this property was contiguous to the Village with the NUVA property to the east, and was currently a vacant parcel. The Land Development Board had recommended approval at their regular meeting on September 12, 2006. Vice Mayor Waller stated this was a public hearing and asked for questions or comments from the Council and from the public. Hearing none, Village Attorney Roselli read the ordinance by title. A motion to adopt on first reading was made by Council Member Osborne and seconded by Mayor Pro Tem Smith. Motion carried 4 – 0.

This item was continued to 9/28/06 agenda

15. ORDINANCE NO. 2006-46 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING A VACANT PARCEL OF LAND CONSISTING OF .80 ACRES OWNED BY M.I.M. INC.; LOCATED OFF CONGRESS AVENUE, EAST OF LARK ROAD FRONTING PRAIRIE ROAD; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; AND CONCURRENTLY AMENDING THE COMPREHENSIVE LAND USE PLAN OF THE VILLAGE TO MEDIUM DENSITY RESIDENTIAL, 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 MULTI-FAMILY RESIDENTIAL 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

This item was continued to the 9/28/06 agenda

16. ORDINANCE NO. 2006-47 (FIRST READING)

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 10, ARTICLE 1 OF THE CODE OF ORDINANCES, TO CREATE NEW CODE PROVISIONS PERTAINING TO

HOUSING OCCUPANCY STANDARDS; PROVIDING FOR THE CREATION OF NEW CODE SECTION 10-2 TO BE ENTITLED "PURPOSE AND INTENT;" CREATING NEW CODE SECTION 10-3 TO BE ENTITLED "RESPONSIBILITY OF OCCUPANT;" CREATING NEW CODE SECTION 10-4 TO BE ENTITLED "RESPONSIBILITY OF OWNER;" CREATING NEW CODE SECTION 10-5 TO BE ENTITLED "OCCUPANCY LIMITATIONS;" CREATING TABLE 1 TO BE ENTITLED "MINIMUM AREA REQUIREMENTS;" CREATING NEW CODE SECTION 10-6 TO BE ENTITLED "BASIC EQUIPMENT AND FACILITIES;" PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. Staff: Bette Lowe, Land Development Director

17. ORDINANCE NO. 2006-51 (FIRST READING)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, ANNEXING ONE PARCEL OF LAND CONSISTING OF 5.7 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

Manager Umberger advised the Council this property was contiguous to the Village with the High Point on Congress property to the east, and was currently a mixed use shopping center. The Land Development Board had recommended approval at their regular meeting on September 12, 2006. Vice Mayor Waller stated this was a public hearing and asked for questions or comments from the Council and from the public. Hearing none, Village Attorney Roselli read the ordinance by title. A motion to adopt on first reading was made by Council Member Brinkman and seconded by Council Member Osborne. Motion carried 4 – 0.

18. ORDINANCE NO. 2006-52 (FIRST 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

Manager Umberger advised the Council the amendments to this pension plan were to increase the multiplier from 2.25% to 2.50% and to increase the employee contribution from 1% to 3%. The employees had submitted a petition to the General Employees Pension Board, who had approved an impact statement and revised ordinance for submission to the Council. The increased contribution would fund the majority of the added benefit.

Vice Mayor Waller stated this was a public hearing and asked for questions or comments from the Council and the public. Mayor Pro Tem Smith stated she had been a trustee on the pension board for several years and realized the Board had been working on this benefit for a long time; however, she had concerns because the Fund was presently under funded. Village Clerk Walton, who was Chairman of the General Employees Pension Fund, replied that the Fund had been affected by the past few years of unstable market, as had all other pension funds. There were several changes made by the Board, such as reviewing performance and changing money managers, as well as adjusting the allocations to allow more flexibility in response to market changes. These changes had improved the performance of the Fund; however, the affects of the market drop were spread out by a smoothing process to alleviate large yearly fluctuations to the Fund. Finance Director Morse, also a trustee on this Board, explained further the smoothing process and other issues affecting the funding status.

Council Member Brinkman commented that the cost to the Village would be a good investment in retaining valued employees, rather than the cost of continually hiring and training new employees. Council Member Osborne commented that the willingness of the employees to contribute 3% of their salaries for the benefits showed the employees were making an effort and wanted to stay with the Village.

Hearing no further comments, Village Attorney Roselli read the ordinance by title. A motion to adopt on first reading was made by Council Member Brinkman and seconded by Mayor Pro Tem Smith. Motion carried 4 – 0.

19. ORDINANCE NO. 2006-49 (FIRST 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

Manager Umberger advised the Council that the millage rate would be established at \$4.77714 per \$1,000 of assessed valuation and the voted debt service millage rate would be \$ 0.6657 per \$1,000 of assessed valuation, for a total millage rate of \$5.4371. This millage rate was 29.26% greater than the rolled back rate of \$3.6912.

Vice Mayor Waller stated this was a public hearing and asked for questions or comments from the Council and the public. Jane Perez, 5865 Elder Drive, West Palm Beach, stated she owned several rental properties in the Village and wanted the Council to consider lowering the millage rate because the increased property values made the taxes too high. She couldn't increase the rental rates to cover the increased taxes and still rent affordable housing. The Council thanked her for her comments.

Hearing no further questions or comments, Village Attorney Roselli read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Osborne and seconded by Mayor Pro Tem Smith. Motion carried 4 – 0.

20. ORDINANCE NO. 2006-50 (FIRST 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

Manager Umberger advised the Council that the total budget for fiscal year 2006/2007 would be established at \$25,526,863, which was comprised of the General Fund budget of \$12,876,230; the Debt Service Fund budget of \$517,795, and a Water and Sewer Enterprise Fund budget of \$12,132,838. The second and final reading of the ordinance would be at the council meeting on September 28, 2006.

Vice Mayor Waller stated this was a public hearing and asked for questions or comments from the Council and from the public. Hearing none, Village Attorney Roselli read the ordinance by title. A motion to adopt the ordinance on first reading was made by Council Member Brinkman and seconded by Mayor Pro Tem Smith. Motion carried 4 – 0.

REGULAR AGENDA

RESOLUTIONS

21. RESOLUTION NO. 2006-89 (REDISTRICTING)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPOINTING THE DISTRICTING COMMISSION TO DRAW THE FOUR VILLAGE COUNCIL DISTRICT BOUNDARIES FOR 2006; PROVIDING FOR A CHARGE TO THE COMMISSION; AND PROVIDING AN EFFECTIVE DATE. Staff: Virginia Walton, Village Clerk

Manager Umberger advised the Council that Chapter 5.07 of the Village Charter required that Council District boundaries be revised and drawn up every four years and approved by a seven person Committee consisting of Village residents. The last re-districting was done in 2002. An ordinance reflecting the new district boundaries would be brought forward for Council approval at least 90 days before the next regular election, which was scheduled for March 13, 2007. Eric Forman, Sue Ryan, Johnnie Tieche, Damon Kolb, Kim Moore, John Degnan and Richard Hitt, if approved by Council, would serve on the Districting Committee.

Hearing no comments or questions, Village Attorney Roselli read the resolution by title. A motion to adopt the resolution and appoint the Districting Committee members was made by Council Member Osborne and seconded by Council Member Brinkman. Motion carried 4 – 0.

VILLAGE COUNCIL COMMENTS

Council Member Brinkman stated the County had been working on a workforce housing initiative, which might involve traffic breaks of up to 5% for developers building workforce housing as part of their projects; however, there was a clause that was not widely known that this credit would only be applicable for housing in the unincorporated County. Council Member Brinkman also reminded the Council about the Kick-Off Meeting at the Mounts Facility for the Redevelopment Program.

Mayor Pro Tem Smith commented that there was some confusion as to when the traffic standards in the County would be effective. It was possibly December 1st, but a more definitive answer would be received at the next PBC League of Cities General Meeting. Some of the changes would be phasing concurrency over a five year plan with proportional payment, or pay as you go; for diminished standards, they would need to pass a comp plan amendment; the County code amendments were expected sometime in mid 2007; the County was going to have a \$200 fee for private lift stations, which would impact the Village; and there was a new fee structure for PBC Environmental Control. Mayor Pro Tem Smith also advised everyone that there would be a joint

meeting of the PBC Legislative Delegation and the PBC League Board of Directors, which would be hosted at the Village on December 13, 2006.

Vice Mayor Waller stated the next Local Planning Agency Meeting would be on September 28, 2006 at 7:15 PM and the next Regular Council Meeting and Final Budget Hearing would be on September 28, 2006 at 7:30 PM.

ADJOURNMENT

Hearing no further business, Vice Mayor Waller adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Village Clerk

Approved by Council _____

Mayor