



**AGENDA
VILLAGE COUNCIL MEETING
VILLAGE HALL COMMUNITY ROOM
226 CYPRESS LANE
JANUARY 14, 2016
6:30 P.M.**

COUNCIL

- Vice Mayor Doug Gunther
- Council Member Patti Waller
- Mayor Bev Smith
- Mayor Pro Tem Joni Brinkman
- Council Member Sergio Escalada

ADMINISTRATION

- Village Manager Richard Reade
- Interim Village Clerk Jane R. Worth
- Village Attorney Glen Torcivia

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

(Public Comment on Consent Agenda Items is permissible prior to voting)

1. Minutes of Regular Council Meeting on December 10, 2015
Staff: Jane R. Worth, Interim Village Clerk
2. Resolution No. 2016-01 – Roadway Asphalt Milling & Resurfacing – Piggyback – Public Service Department (FY 2016 Budget Funded)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE, TO EXECUTE A PIGGYBACK CONTRACT WITH RANGER CONSTRUCTION INDUSTRIES, INC. FOR THE PROCUREMENT OF ROADWAY ASPHALT MILLING AND RESURFACING; AND PROVIDING AN EFFECTIVE DATE.

Staff: John Rouse, Interim Public Service Director

3. Resolution No. 2016-02 – Sodium Hexametaphosphate – Piggyback – Public Service Department (FY 2016 Budget Funded)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR, AND/OR HER DESIGNEE,

TO EXECUTE A PIGGYBACK CONTRACT WITH CARUS CORPORATION FOR THE PURCHASE AND DELIVER OF SODIUM HEXAMETAPHOSPHATE; AND PROVIDING AN EFFECTIVE DATE.

Staff: John Rouse, Interim Public Service Director

4. Resolution 2016-03 – Authorize Palm Beach County to Demolish Four (4) Unsafe Structures

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, GRANTING AUTHORITY TO UNDERTAKE DEMOLITION OF UNSAFE STRUCTURES PURSUANT TO SECTION 10-28 “ABATEMENT OF UNSAFE BUILDINGS” OF THE CODE OF ORDINANCES OF THE VILLAGE OF PALM SPRINGS TO PALM BEACH COUNTY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Staff: Kim Glas-Castro, Land Development Director

5. Resolution 2016-04 - Coordinated School Planning Interlocal Agreement – Palm Beach County & School District of Palm Beach County

A RESOLUTION OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AUTHORIZING THE MAYOR AND VILLAGE CLERK TO EXECUTE AN INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY, MUNICIPALITIES IN PALM BEACH COUNTY AND THE SCHOOL DISTRICT OF PALM BEACH COUNTY, PURSUANT TO SECTION 163.01, FLORIDA STATUTES, ET SEQ, FOR THE PURPOSE OF ESTABLISHING SCHOOL CONCURRENCY; AND PROVIDING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

6. Resolution 2016-08 – Support Development of C-51 Canal Boat Lift Project – Regional Economic Development

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA SUPPORTING IMPROVEMENTS TO THE CHAIN OF LAKES, THE OCEAN TO LAKE TRAILS INITIATIVE AND DEVELOPMENT OF A BOAT LIFT AT THE C-51 CANAL S155 CONTROL STRUCTURE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Staff: Kim Glas-Castro, Land Development Director

7. Resolution 2016-09 – Support Installation of In-Road, Solar Powered, Marker Lights on State Transportation Facilities

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, CALLING ON FLORIDA GOVERNOR RICK SCOTT, STATE SENATE PRESIDENT ANDY GARDINER, AND STATE SPEAKER OF THE HOUSE STEVE CRISAFULLI TO ENACT A BILL TO INSTALL EMBEDDED, IN-ROAD, SOLAR-POWERED, MARKER LIGHTS IN OR WITHIN

A 1-MILE RADIUS OF AN URBAN AREA IN CONJUNCTION WITH THE CONSTRUCTION, RECONSTRUCTION, OR OTHER CHANGE OF ANY STATE TRANSPORTATION FACILITY.

Staff: Kim Glas-Castro, Land Development Director

- 8. Presentation of the 2015 Holiday Decorating Contest Awards
Staff: John Rouse, Interim Public Service Director

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

PUBLIC COMMENT - (Three minute limit)

PUBLIC HEARINGS

- 9. Ordinance 2015-22 – Comprehensive Plan Text Amendments - Water Supply Plan
(Second Reading)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF PALMS SPRINGS, IN ACCORDANCE WITH THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, AS AMENDED, BEING SECTIONS 163.3161, ET. SEQ., FLORIDA STATUTES, PROVIDING FOR THE AMENDMENT TO THE TEXT OF THE VILLAGE’S INFRASTRUCTURE, CONSERVATION, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS OF THE COMPREHENSIVE PLAN, INCLUDING THE 5-YEAR SCHEDULE FOR CAPITAL IMPROVEMENTS, TO REFLECT THE UPDATE TO THE WATER SUPPLY FACILITIES PLAN FOR THE VILLAGE OF PALM SPRINGS (2015-2025), WHICH AMENDMENTS ARE MORE FULLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR OTHER PURPOSES.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Roll Call Vote
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- 10. Resolution 2016-05 - Preliminary Plat – Wawa - 3950 South Congress

Ave.

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE PRELIMINARY PLAT OF WAWA GAS STATION, SUBMITTED BY BONNIE MISKEL, AGENT FOR THE OWNER, LOCATED AT 3950 SOUTH CONGRESS AVENUE; AND PROVIDING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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- 11. Resolution 2016-06 – Site Plan (SPR15-14) and Special Exception (PSSE-15-11) – Wawa – 1771 & 1769 South Congress Avenue and Alice Avenue

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, (APPROVING/DENYING), WITH CONDITIONS, THE SITE PLAN (SPR15-14) SUBMITTED BY BONNIE MISKEL, AGENT FOR WAWA, FOR CONSTRUCTION OF AN 5,636 SQUARE FOOT GAS STATION WITH CONVENIENCE STORE AND RESTAURANT USES, AND A SPECIAL EXCEPTION USE (PSSE15-11) TO BE ACCOMPANIED BY SIX (6) FUEL PUMPS UNDER A 4,582 SQUARE FOOT CANOPY, FOR THE PROPERTY LOCATED AT 1771 AND 1769 SOUTH CONGRESS AVENUE AND A VACANT LOT ON ALICE AVENUE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Motion	Second	Vote
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- 12. Resolution 2016-07 - Hours of Operation Variance (PSV16-01) – Wawa - 1771 & 1769 South Congress Avenue and Alice Avenue

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, (APPROVING/DENYING) THE APPLICATION SUBMITTED BY BONNIE MISKEL, AGENT FOR THE OWNER, WAWA, FOR A VARIANCE (PSV16-01) FROM SECTION 34-891(1) OF THE VILLAGE CODE OF ORDINANCES TO ALLOW THE HOURS OF OPERATION TO 24 HOURS, FOR THE PROPERTY LOCATED AT 1771 AND 1769 S. CONGRESS AVENUE AND A VACANT LOT ON ALICE AVENUE; AND ESTABLISHING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

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Motion	Second	Vote
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ACTIONS AND REPORTS

VILLAGE MANAGER COMMENTS

VILLAGE COUNCIL COMMENTS

ADJOURNMENT

**NEXT REGULAR COUNCIL MEETING
FEBRUARY 11, 2016 AT 6:30 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.

**VILLAGE OF PALM SPRINGS
VILLAGE COUNCIL MINUTES
REGULAR MEETING, COUNCIL CHAMBERS, DECEMBER 10, 2015**

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

Mayor Bev Smith called the regular meeting of the Village Council to order at 6:30 p.m.

Present: Mayor Bev Smith, Vice Mayor Doug Gunther, Council Member Sergio Escalada, Village Attorney Glen Torcivia, Village Manager Richard Reade and Interim Village Clerk Jane Worth.

Absent: Mayor Pro Tem Joni Brinkman

Staff present: Police Chief Tom Ceccarelli, as Sergeant at Arms, Land Development Director Kim Glas-Castro, Interim Public Service Director John Rouse and Leisure Services Director Bill Golson.

Invocation was given by Village Manager Reade, followed by the Pledge of Allegiance led by Council Member Waller.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

Add: Item #21 – Benefits Agent of Record for Employee Benefits
Item #22 – Approval of the PBA Union Contract
Item #23 – Dispute Resolution Process with the City of Lake Worth

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

CONSENT AGENDA

(Public Comment on Consent Agenda Items is permissible prior to voting)

1. Minutes of Regular Council Meeting on October 22, 2015
Staff: Jane Worth, Interim Village Clerk
2. Proclamation – Remembrance of Carlos Gonzalez
Staff: Richard Reade, Village Manager
3. RESOLUTION NO. 2015-108 – Change Order – AKA Service, Inc. – Florida Mango Road Force Main/PBCWUD Sewer interconnect Project
Staff: John Rouse, Interim Public Service Director
4. Resolution No. 2015-109 - Change Order – AKA Services, Inc. – Task Order 137 Part A - Collie Drive & Kivey Drive Sewer Installation & Road Reconstruction Project
Staff: John Rouse, Interim Public Service Director

- 5. Resolution No. 2015-110 – Change Order – AKA Services, Inc. - Task Order 142 - Part B – Phase IV Sewer Installation & Road Reconstruction
Project Staff: John Rouse, Interim Public Service Director
- 6. Resolution No. 2015-112 – Community Development Block Grant (CDBG) – Agreement with Palm Beach County to Implement Annual Project – FY2016
Staff: Kim Glas-Castro, Land Development Director
- 7. Resolution 2015-115 - Authorize Vehicle Purchase – Piggyback – Police Department (FY 2016 Budget Funded)
Staff: Tom Ceccarelli, Police Chief
- 8. Authorize Police Forfeiture Fund Expenditure
Staff: Tom Ceccarelli, Police Chief
- 9. Authorize Police Forfeiture Fund Expenditure/Donation
Staff: Tom Ceccarelli, Police Chief

End of Consent Agenda.....

Mayor Smith offered public comment opportunity for any item on the consent agenda prior to approvals. A motion to approve the consent agenda as revised was made by Vice Mayor Gunther and seconded by Council Member Escalada. Motion carried 4 – 0.

PUBLIC COMMENT - (Three minute limit)

Gary Ready resident at, 3118 Meadow Road, asked if AKA Services were still working with the Village. Mayor Smith stated they would be working with the Village to finish up the last of the projects.

Mayor Smith read the proclamation in remembrance of Carlos Gonzalez, and presented it to his children, Lizette and David Gonzalez. She stated that Council would have wonderful stories about Carlos, everything he did, he did with such enthusiasm and extended condolences to his family. Vice Mayor Gunther stated as an engineering construction inspector, the finished product and end result that Carlos delivered was hands down. He would be deeply missed and extended his condolences to the family. Council Member Escalada stated as a Cuban born himself, the first time he met Carlos, he said to him “hoy cuida el Village”, which meant “take care of the Village”. He personally admired him, his ability, his technical expertise, he worked very well with Bette, and there were so many stories that could be told about Carlos. He too extended his condolences to the family and friends that were at the meeting. Council Member Waller was very proud of the Kids College as Carlos was, and his generosity that he gave back to the community would not be forgotten.

PUBLIC HEARINGS

PUBLIC COMMENT - (Three minute limit)

Johnnie Tieche resident at 305 Wingfoot Drive, wanted to thank John Rouse and his employees for all the work they did with the colored lights entering onto Greenbrier Drive. They were very attractive and it was a lot of hard work.

Liz Shields resident at 2111 Prairie Road, stated the flag by the Police Station entrance was not lit up. She knew if she had called Manager Reade it would have been handled right away. Also, she loved the new banners, and she was very happy as she had one on her road.

10. Ordinance 2015-37 – Village Charter Amendments Administrative (Housekeeping) Issues (SECOND READING)

Mayor Smith asked if there was a statement of advertisement. Interim Village Clerk Worth stated advertisement was placed in the Lake Worth Herald on November 26, 2015. Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public.

Manager Reade stated Staffs presentation was provided at first reading. He commented that the process of education throughout the community was in the beginning stages. The ballot language was in the newsletter, would be printed on the utility bill, a trifold brochure had been designed although it was the first draft and still in the working stages. He appreciated the help of Staff, Jane Worth, Bill Golson and resident, Susan Chapman, Chair of the Charter Review Committee. Weekly meetings were set up to finalize the marketing to the community and keep them informed of the Charter amendments. Vice Mayor Gunther stated that there was also a link to the website.

Gary Ready resident at 3118 Meadow Road, asked if the words would be on the electoral ballot, and would individuals have to read them word for word at the voting station, as older residents have problems with their eyes. Manager Reade stated they would be the ballot questions that the Village was trying to educate the community on, just as they would be on the electoral ballot. Vice Mayor Gunther stated that a sample ballot would be mailed out in advance and with the public outreach that Staff was promoting he felt the word would be reached by the public.

Village Attorney Torcivia read the ordinance by title. Hearing no further comments, a motion to approve Staff's recommendation was made by Council Member Waller and seconded by Vice Mayor Gunther. A roll call vote was in favor of adoption 4 – 0.

11. Ordinance 2015-38 – Village Charter Amendments – Department Head Appointment/Removal Regulations and Grievance Process
(SECOND READING)

Mayor Smith asked if there was a statement of advertisement. Interim Village Clerk Worth stated advertisement was placed in the Lake Worth Herald on November 26, 2015.

Village Attorney Torcivia read the ordinance by title. Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Hearing no further comments, a motion to approve Staff's recommendation was made by Council Member Escalada and seconded by Council Member Waller. A roll call vote was in favor of adoption 4 – 0.

12. Ordinance No. 2015-39 – Village Charter Amendments - Council Terms, Vacancies and Meeting Procedures
(SECOND READING)

Mayor Smith asked if there was a statement of advertisement. Interim Village Clerk Worth stated advertisement was placed in the Lake Worth Herald on November 26, 2015.

Village Attorney Torcivia read the ordinance by title. Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Hearing no further comments, a motion to approve Staff's recommendation was made by Vice Mayor Gunther and seconded by Council Member Escalada. A roll call vote was in favor of adoption 4 – 0.

13. Ordinance No. 2015-43 – Village Code Amendment – Stormwater Utility
(SECOND READING)

Mayor Smith asked if there was a statement of advertisement. Interim Village Clerk Worth stated advertisement was placed in the Lake Worth Herald on November 26, 2015.

Village Attorney Torcivia read the ordinance by title. Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Hearing no further comments, a motion to approve Staff's recommendation was made by Council Member Waller and seconded by Vice Mayor Gunther. A roll call vote was in favor of adoption 4 – 0.

14. Resolution No. 2015-90 – Establish Non-Ad-Valorem Assessment Rates - Stormwater Fees – FY 2016/2017

Manager Reade stated Staff was proposing an amendment to the Village Code to provide for a uniform method of collecting stormwater utility fees as a Non Ad-Valorem Assessment. If approved, the fee would begin to be collected during FY

2016/2017 and would be included on each property's annual tax and assessment bill (similar to the Village's charges for solid waste collection costs). All fees collected would be used for the construction and maintenance of needed Stormwater management facilities within the Village limits.

Manager Reade said the Village Code currently provides for the collection/billing of stormwater utility fees on a quarterly basis from each property within the Village. Converting the collections/billings to a Non Ad-Valorem assessment by the Palm Beach County Tax Collector (payable at the same time as all other annual property taxes and assessments) was expected to result in lower billing costs (due to postage savings) and improve total collections received.

Vice Mayor Gunther stated he knew that this had been workshopped and everyone had worked hard to put this together. He said this was a much needed improvement that the Village would be looking at for the next three (3) years.

Johnnie Tiech resident at 305 Winged Foot Drive, asked if there was a vehicle in the Village Code that could possibly fine the lawn maintenance businesses when they blow the landscaping materials into the drainage when they are finished. Manager Reade stated there are opportunities within the code, the problem would have to be physically catching them at the time of the act. He also stated possibly after the three (3) years, the Village could think about a street sweeper. Vice Mayor Gunther mentioned reaching out to Code Enforcement and make them more aware of the circumstances.

Mayor Smith stated this was a public hearing and asked for questions or comments from the Council and then from the public. Hearing no comments, Village Attorney Torcivia read the ordinance by title. A motion to approve on first reading was made by Council Member Escalada and seconded by Vice Mayor Gunther. Motion carried 4 – 0.

Gary Ready resident at 3118 Meadow Road, also stated the Village contract company and the Village employees that do the maintenance around the Village are also in violation of such acts.

15. Ordinance 2015-40 – Village Code Amendment – Minimum Lot Size – Residential Single Family (RS)
(SECOND READING)

Mayor Smith asked if there was a statement of advertisement. Interim Village Clerk Worth stated advertisement was placed in the Lake Worth Herald on November 26, 2015.

Village Attorney Torcivia read the ordinance by title. Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Hearing no further comments, a motion to approve Staff's recommendation was

made by Vice Mayor Gunther and seconded by Council Member Waller. A roll call vote was in favor of adoption 4 – 0.

16. Ordinance No. 2015-41 – Village Code Amendment – Site Plan & Special Exception Time Extensions
(SECOND READING)

Mayor Smith asked if there was a statement of advertisement. Interim Village Clerk Worth stated advertisement was placed in the Lake Worth Herald on November 26, 2015.

Manager Reade stated special exception approvals are currently valid for an 18-month period in which the use must be established while site plan approvals are valid for two (2) years during which a building permit application must be submitted. Additionally, the Council may grant time extensions; however, the Code is silent as to the term (duration) of an extension approved by the Council.

Manager Reade commented many cities have a “use it or lose it” policy in which a hardship must be demonstrated in order to obtain a time extension. Without a policy, the Village Council can be placed in the position of considering a lengthy time period for which they are not comfortable. This will require property owners to provide good faith efforts to either develop the property or sell it and not sit on entitlements with no intention of moving forward with construction.

The Land Development Board considered the proposed amendments at their November 10th meeting and recommended approval. The proposed ordinance was approved on 1st reading during the November 12, 2015 Council Meeting and is being presented for 2nd and final reading.

Village Attorney Torcivia read the ordinance by title. Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Hearing no further comments, a motion to approve Staff’s recommendation was made by Council Member Waller and seconded by Council Member Escalada. A roll call vote was in favor of adoption 4 – 0.

17. Ordinance No. 2015-42 – Village Code Amendment – Chain Link Fences
(SECOND READING)

Mayor Smith asked if there was a statement of advertisement. Interim Village Clerk Worth stated advertisement was placed in the Lake Worth Herald on November 26, 2015.

Manager Reade stated that following 1st reading, staff had amended the ordinance to provide for the following, in an effort to contribute to the Village’s goal to *Promote Economic (Re-) Development within Our Commercial and Residential Areas:*

- . Permit up to four foot (4') vinyl coated chain link fencing with a four foot (4') hedge/landscaping on both sides of the fencing within the front buffer
- . Permit up to six foot (6') vinyl coated chain link fencing with a four foot (4') hedge/landscaping on both sides of the fencing within the side buffer
- . Approval of chain link may be received either by a decision of the Land Development Director or the Village Council

Manager Reade said the Land Development Board considered the proposed amendments at their November 10th meeting and recommended approval. The proposed ordinance was approved on 1st reading during the November 12, 2015 Council Meeting and is being presented for 2nd and final reading.

Village Attorney Torcivia read the ordinance by title. Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Hearing no further comments, a motion to approve Staff's recommendation was made by Vice Mayor Gunther and seconded by Council Member Escalada. A roll call vote was in favor of adoption 4 – 0.

Vice Mayor Gunther stated in the language it did not include vinyl coated chain link fence. Director Glas-Castro stated in section 2 it did specify. Council Member Escalada asked how air conditioner handlers were screened. Director Glas-Castro stated that all mechanical equipment should be screened from view, an example would be from a public right of way. Mayor Smith asked about the difference in cost of going from a 36 to 48 inch hedge, she didn't want it to be a costly move for residents/businesses.

18. Resolution 2015-105 – Special Exception (PSSE-15-10) – Charlie's Happy Corn - 3273 Lake Worth Road, Suites E & F

Manager Reade stated Mr. Bradley Miller, authorized agent for the property owner, Princeton Properties, was requesting a special exception (PSSE-15-10) to allow a 752 s.f. restaurant with 640 s.f. of storage within the Palm Springs Commercial Center's "flex units" (Bays E and F) located at 3273 Lake Worth Road. A restaurant was a special exception use within the CG land development (zoning) district. No exterior improvements were proposed. Staff evaluated parking generation needs based on the existing tenant mix, and confirmed that there was sufficient parking for all uses per minimum parking ratios in the Code. The Land Development Board recommended conditional approval of the restaurant use during its November 10th meeting.

Interim Clerk Worth swore in Mr. Bradley Miller for testimony. Mr. Miller stated he was representing the owner Ms. Miriam Mareno. He said it was a small restaurant.

Council Member Waller asked about the menu. Mr. Miller stated the predominant business was fruit baskets. The product was primarily imported from

Mexico, various fruit products and ice creams. Director Glas-Castro stated it was an exceptionally small use, but as code was written, all restaurants necessitate special exemption use. Vice Mayor Gunther asked if they were fresh perishable fruits that are sold in the baskets. Mr. Miller stated they were.

Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Village Attorney Torcivia read the resolution by title. Hearing no further comments, a motion to approve Staff's recommendation was made by Council Member Escalada and seconded by Council Member Waller. Motion carried 4 – 0.

19. Resolution 2015-111 – Hours of Operation Variance (PSV15-23) - Walmart Neighborhood Market – 4400 Forest Hill Boulevard

Manager Reade stated, Mr. Greg Wilfong, Kimley-Horn, authorized agent for the property owner, TPH Forest Hill, LLC, was requesting a variance (PSV15-23) from the Village Code Section 34-891(1) to operate a 24-hour Walmart Neighborhood Market, which will occupy the former Syms store space located at 4400 Forest Hill Boulevard. The applicant was requesting approval to deviate from Section 34-891(1), "Hours of Operation and Hours of Construction Activity", which specified that no commercial activity shall occur before 7:00 a.m. or after 11:00 p.m.

Manager Reade said the proposed Walmart Neighborhood Market was currently undergoing tenant improvement renovations that included a drive-up window for a pharmacy within the store (Resolution 2015-53). The pharmacy window was restricted to the same hours as the retail store and would be eligible to maintain 24-hour operations if approved by the Village Council (Note: The pharmacy window may be operated with limited hours). Based on the surrounding characteristics, staff did not find that the requested deviation will negatively impact the area or be detrimental to the public welfare.

Ms. Patricia Baloyra, with Broad and Cassell, they were seeking a variance as they exist under the code and would like to operate 24 hours as a convenience to their customers. Vice Mayor Gunther asked if there would be any deliveries after the hours. Ms. Baloyra stated the deliveries would not take place before 7 am or after 11 pm. Council Member Escalada asked if the drive-thru asked if the traffic would be diverted behind the store. Ms. Baloyra stated it did not.

Gary Ready resident, 3118 Meadow Road asked about the surveillance security of the property. Ms. Baloyra stated she could not answer the security questions. Manager Reade stated there was a condition of approval with the site plan, required by code.

Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Hearing no further comments, a motion to approve

Staff's recommendation was made by Vice Mayor Gunther and seconded by Council Member Escalada. Motion carried 4 – 0.

20. Resolution No. 2015-116 – 2016 Municipal Elections Agreement – Supervisor of Elections

Manager Reade stated the Palm Beach County Supervisor of Elections (SOE) had presented the Village with an agreement that clarifies the duties and responsibilities of the SOE and the municipalities during the Presidential Primary Election and the 2016 municipal elections [which will not be necessary for the Village due to the fact that we did not have multiple candidates qualify for the two (2) open Council seats].

The proposed Agreement provides the following:

- . Breakdown of costs incurred for the proposed three (3) Village Charter ballot questions
- . Cost information for any non-partisan ballots printed (independents and "other" listed voters) that will be billed to each respective municipality

Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Village Attorney Torcivia read the resolution by title. Hearing no further comments, a motion to approve Staff's recommendation was made by Council Member Escalada and seconded by Council Member Waller. Motion carried 4 – 0.

ADD ON:

21. Resolution 2015-117 - Agent of Record – Employee Benefit Broker

Manager Reade stated the Village had a need to utilize a consultant to assist in selecting providers for all employee benefits (i.e., health insurance, dental insurance, vision coverage and other ancillary products). The Village had been utilizing Arthur J. Gallagher and Company for more than 20+ years. As a result, staff determined it would be in the best interest of the Village to advertise and solicit proposals under a competitive Request for Proposals (RFP) for Agent of Record – Employee Benefit Broker (RFP #2016R-001) – November 2, 2015. Two (2) firms responded:

- . Gehring Group (Palm Beach Gardens, Florida)
- . Arthur J. Gallagher and Company (West Palm Beach, Florida)

Manager Reade said in an effort to review and rank each proposal, the Village Manager formed a Selection Committee that included Chair Lynette Levy, Finance Director Rebecca Morse, and Human Resource Specialist Vicki Van Fossen. The Committee met on Wednesday, December 9, 2015 in accordance with state and local laws and evaluated each proposal based on the criteria that was outlined in the RFP.

In comparison, Gehring Group provided a lower cost proposal, value-added services, in-depth public service experience and an unparalleled service standard. Additionally, they maintain extensive experience (23 years as Benefits Consultant/Broker) with more than 80 Florida public sector clients. As a result, the Committee unanimously recommended Gehring Group serve as the Villages' Agent of Record for Employee Benefits and that the Village enter into a three (3) year contract with an option for three, one (1) year terms.

Manager Reade commented that the Village currently works with Gehring Group serving as the Village's broker for liability and workers compensation claims. They have provided excellent customer service and assisted in ensuring that the Village's insurance premiums were lower than expected (based on claims and experience).

Council unanimously agreed that the Gehring Group had served the Village well with the liability and workers compensation claims, and provided excellent assistance.

Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Village Attorney Torcivia read the resolution by title. Hearing no further comments, a motion to approve Staff's recommendation was made by Vice Mayor Gunther and seconded by Council Member Waller. Motion carried 4 – 0.

22. Resolution 2015-118 - Palm Beach County Police Benevolent Association (PBA) Agreement - Three (3) Year Contract

Manager Reade stated the Village and the Palm Beach County Police Benevolent Association (PBA) have negotiated and come to an agreement (Sergeants and Corporals/Officers) on a new three (3) year Agreement beginning (retroactively) October 1, 2015 and would expire on September 30, 2018. Each party to the proposed Agreement shall have the opportunity to reopen two (2) Articles for FY 2017/2018, as well as those that deal with compensation. The PBA membership conducted a ratification vote on, Tuesday, December 8, 2015 and Wednesday, December 9, 2015. The vote resulted is a ratification by the margin of 36 Yes votes, 1 No vote. The proposed 3-Year Agreement has been reviewed by the Police Department, Administration/Human Resources and the Village Attorney.

Upon approval by Council, the new contract will be effective immediately; however, the compensation article would be retroactive to the beginning of the 2016 Fiscal Year.

Mayor Smith asked what the salary increase would be for the 2015. Manager Reade stated it would be 3% across the board and 1% merit. Next year would be 2% across the board and 2% merit at a higher evaluation score. He also mentioned that if it was approved by Council tonight, they would like to offer the same to the SEIU.

Manager Reade stated it was a long process and there was good partnership with PBA. Staff, including Lynette Levy, Police Chief Ceccarelli and Attorney Glen Torcivia.

Council Member Waller asked if the Village would be supplying the gas to those vehicles that would be taken home. Manager Reade answered the Village would supply the gas. Vice Mayor Gunther asked for confirmation on the 10 mile radius of taking vehicles home. Manager Reade stated yes, it was no more than a 10 mile radius. Council Member Escalada stated the focus was compensation to Staff, but there were items that were improved, such as education. Council Member Waller also thanked Staff and all their hard work that was put into the negotiations. Village Attorney Torcivia stated conversations were extremely energetic and there was give and take on both sides, as is with any negotiation.

Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Village Attorney Torcivia read the resolution by title. Hearing no further comments, a motion to approve Staff's recommendation was made by Vice Mayor Gunther and seconded by Council Member Waller. Motion carried 4 – 0.

23. Resolution No. 2015-119 – Approve Dispute Resolution Procedures – City of Lake Worth, Florida

Manager Reade said in an effort to resolve a long-standing issue concerning the distribution of outstanding utility taxes and franchise fees from the City of Lake Worth to the Village, staff is recommending that the Village begin the dispute (or conflict) resolution process, as required under Chapter 164, F.S., (a.k.a. the Florida Governmental Conflict Resolution Act). This request is presented only after numerous attempts to work with and resolve the issue with Lake Worth officials without satisfaction over the past two plus (2+) years. The proposed dispute resolution process under state law provides procedures that can provide an equitable, expeditious, effective and inexpensive method for resolution of conflicts between and among local and regional governmental entities prior to litigation.

Manager Reade stated the Village's Utility Attorney, Trela White, Corbett, White, Davis and Ashton, P.A. has assisted with the Village's previous attempts to resolve the outstanding issues and recommends proceeding with the proposed conflict resolution process.

Council was concerned with the time that has passed. It was agreed to go forward and proceed.

Mayor Smith stated this was a public hearing and asked for questions or comments from Council and then from the public. Village Attorney Torcivia read the resolution by title. Hearing no further comments, a motion to approve Staff's recommendation was made by Council Member Waller and seconded by Vice Mayor Gunther. Motion carried 4 - 0

ACTIONS AND REPORTS - None**VILLAGE MANAGER COMMENTS**

Manager Reade had a sample Charter Ballot brochure to show Council. He explained that it was a rough draft, it would be tri-fold. He would bring a proposed brochure to the next meeting. He also stated John Rouse, Bill Golson and Kim Glas-Castro went out to Belle Glade and met with the Legislative Delegation to talk about appropriation money for storm water infrastructure. There would be a \$25,000 match on that. The focus would be to reach out to the Legislation in the future. Manager Reade also thanked Staff, Bill Golson and Public Service Maintenance for all the work that they did with the new flags for the holidays. It would also be nice to think of other banners for the future.

VILLAGE COUNCIL COMMENTS

Council Member Waller stated she enjoyed the tree in Village Hall. She was disappointed that she didn't make the judging of the residents decorating contest and the tree lighting ceremony, or the Tri-Cities barbecue. She also was happy that she was unopposed and Joni Brinkman also. She wished everyone a Merry Christmas and Happy Hanukah.

Vice Mayor Gunther congratulated Council Member Waller and Vice Mayor Pro Tem Brinkman on their success. Movie night numbers were low but it was still a great night, a good movie. Tree and Menorah lighting went very well. The entertainment and the twirlers were wonderful. The decorating of home contestants were up to 20, and it was a good night. He wished everyone a very Merry Christmas and Happy Hanukah and Healthy New Year.

Council Member Escalada congratulated the unopposed Council members on their victories. The tree lighting was wonderful, he helped the Vice Mayor pull the lever down as it was difficult for him. It would be nice to use the Chambers and have the entertainment that was there to come and perform here. The home decorating judging was fun also. He was very happy with the banners and he wanted Staff to know it was greatly appreciated for everything they did to get the banners up. Merry Christmas and Happy Hanukah.

Mayor Smith thanked Vice Mayor Gunther for standing in for her in her absence. She looked forward to the Santa ride on Saturday. Congratulations to Council Member Waller and Mayor Pro Tem Brinkman. She wished everyone a Merry Christmas, Happy New Year and Happy Hanukah. She also wanted Staff to know everything they did was well appreciated.

Attorney Glen Torcivia wished everyone a Merry Christmas, Happy Hanukah,

and Healthy New Year. As always it was a pleasure to be part of the Village.

ADJOURNMENT

**NEXT LOCAL PLANNING AGENCY MEETING
JANUARY 14, 2016 AT 6:30 P.M.**

**NEXT REGULAR COUNCIL MEETING
JANUARY 14, 2016 AT 6:30 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.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 8:00 p.m.

Respectfully submitted,

Interim Village Clerk

Approved by Council _____

Mayor



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2016

DEPARTMENT: Public Services

ITEM #2: Resolution No. 2016-01 – Roadway Asphalt Milling & Resurfacing – Piggyback – Public Service Department (FY 2016 Budget Funded)

SUMMARY: The Public Service Department has a need to mill and resurface roadways within the Village following inspection and rating by staff. Currently, staff is evaluating all the roads in the Village to determine which roads are most in need of asphalt milling and resurfacing. To ensure the lowest possible price, staff is recommending that the Village piggyback off the current Village of Wellington Contract award to Ranger Construction Industries, Inc. This selection by the Village of Wellington was completed through a competitive selection process – Annual Asphalt Milling & Resurfacing (ITB No. 009-15/DZ) – August 11, 2015.

If approved, the Village would accept Ranger Construction Industries Inc.'s pricing by piggybacking the Village of Wellington's contract including all terms, conditions and pricing therein. The term of the contract is set to expire on August 27, 2018.

The proposed asphalt milling and resurfacing prices are provided within the attached documentation.

A portion of the costs for the proposed projects are expected to be within the approved budget funding (\$150,000). The remaining \$500,000 needed will be requested to be funded from the Village's reserves within a forthcoming budget amendment from the Finance Department.

As cited under the Village Purchasing Code, Section 58-9. Accessing contracts of other government agencies; The Village may award a contract by piggy-backing or accessing the goods and/or services from any State of Florida contract; contracts of any Florida political subdivision; or from any other governmental entity (other than the Federal government); provided that the same or substantially similar goods and/or services were competitively solicited.

The Village has worked with the proposed vendor previously and has provided excellent service and a quality product.

FISCAL IMPACT:

Funding for Resolution No. 2016-01 has been budgeted as Road, Sidewalk and Drainage

Maintenance in the General Fund (\$150,000) and the additional \$500,000 is proposed to be provided from Village reserves through a budget amendment that will be forthcoming from the Finance Department.

ATTACHMENTS:

1. Proposed Resolution No. 2016-01 - Piggyback Contract - Ranger Construction Industries, Inc.
2. Approval to Piggyback Letters – Village of Wellington & Ranger Construction Industries
3. Village of Wellington - Annual Asphalt Milling & Resurfacing (ITB No. 009-15/DZ)
4. Village of Wellington & Ranger Construction Industries, Inc. Agreement



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2016

DEPARTMENT: Public Services

ITEM #3: Resolution No. 2016-02 – Sodium Hexametaphosphate – Piggyback – Public Service Department (FY 2016 Budget Funded)

SUMMARY: The Public Service Department, throughout the year, has a need to purchase Sodium Hexametaphosphate, which is a critical chemical component in the water treatment process and assists in preventing corrosion of the metal water treatment equipment and the water distribution pipes.

To ensure the lowest possible price, staff is recommending that the Village piggyback off the current City of Coral Springs contract award to Carus Corporation. This selection by Coral Springs was completed through a competitive selection process – Furnish & Deliver Sodium Hexametaphosphate (Bid No. 14-C-062F) - on May 1, 2014.

The proposed price provided under the City of Coral Springs' contract is as follows:

. Sodium Hexametaphosphate	\$1.02/lb
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Note: The proposed piggyback contract would provide the same pricing that the City is receiving currently.

If approved, the Village would accept Carus Corporation pricing by piggybacking the City of Coral Springs contract including all terms, conditions and pricing therein. The term of the contract is set to expire on April 30, 2016. Additionally, the agreement provides for two additional two (2) year renewal options.

As cited under the Village Purchasing Code, Section 58-9. Accessing contracts of other government agencies; The Village may award a contract by piggy-backing or accessing the goods and/or services from any State of Florida contract; contracts of any Florida political subdivision; or from any other governmental entity (other than the Federal government); provided that the same or substantially similar goods and/or services were competitively solicited.

The Village has worked with the proposed vendor previously and has provided excellent service and a quality product.

FISCAL IMPACT:

Funds for Resolution No. 2016-02 have been budgeted as Chemicals in the Water & Sewer Enterprise Fund.

ATTACHMENTS:

1. Proposed Resolution No. 2016-02 - Piggyback Contract – Carus Corporation
2. Approval to Piggyback Letter – City of Coral Springs & Carus Corporation
3. City of Coral Springs – Furnish & Deliver Sodium Hexametaphosphate (Bid No. 14-C-062F)



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2016

DEPARTMENT: Land Development

ITEM #4: Resolution 2016-03 – Authorize Palm Beach County to Demolish Four (4) Unsafe Structures

SUMMARY: In December, 2014, the Village Council adopted Ordinance 2014-41 that provides an all-inclusive unsafe building abatement code and identifies unsafe buildings, provides due process for property owners and other interested parties, and outlines the authority to order the repair or demolition of such buildings and collect the costs of such action if incurred by the Village.

Land Development Department has been working with Palm Beach County and the Village Attorney to utilize this code and provide notification and due process to property owners and interested parties of five (5) properties with unsafe structures in the Village. Of these 5 properties, one (1) has taken action to remedy the hazardous conditions by filing for permits to make structural improvements to the currently unsafe residence. The property owners of the remaining four (4) properties have been unresponsive.

As a result, the Village's Building Official has determined that the best course of action is to demolish the unsafe structures. Palm Beach County has offered to assist the Village with these efforts through federal grants available for elimination of blight and protection of public safety and welfare.

The proposed Resolution 2016-03, if approved, grants authority to the County to undertake what would otherwise be Village activities for these four (4) parcels where the due process period has expired.

FISCAL IMPACT:

Demolition of unsafe structures via Palm Beach County will be at no cost to the Village. Should the Village undertake the removal of condemned structures itself, the costs for same will be assessed to the property owner, with the ability to lien the property if necessary.

ATTACHMENTS:

1. Proposed Resolution 2016-03
2. Unsafe Structures Documentation - Four (4) Structures



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2016

DEPARTMENT: Land Development

ITEM #5: Resolution 2016-04 - Coordinated School Planning Interlocal Agreement – Palm Beach County & School District of Palm Beach County

SUMMARY: Currently, Florida Statutes mandates coordinated school planning and these requirements have been met through a countywide Interlocal Agreement (ILA) that was originally established in October 2000 when the Village approved school concurrency. This Agreement has since expired (2011) and the Village has participated with the other PBC municipalities, Palm Beach County and the School District of Palm Beach County to develop a coordinated planning process.

In November, 2011, the School District of Palm Beach County, Palm Beach County and the Palm Beach County League of Cities held a Tri-Board meeting to discuss school planning. As a result, the Intergovernmental Plan Amendment Review Committee (IPARC) was asked to review alternative processes and draft a new Interlocal Agreement. A subcommittee was established and has been meeting over the past several years and has recommended an alternative to school concurrency with a new School Capacity Availability Determination (SCAD) process.

The proposed Interlocal Agreement was approved by the School Board on August 19, 2015 and the County Commission approved it on December 15, 2015. All of the cities within Palm Beach County are now considering entering into the Interlocal Agreement to allow for coordinated planning of school site selection, joint use of facilities, infrastructure planning, school population planning and capital needs.

If approved, the Interlocal Agreement would be for a term of five (5) years, with automatic 5-year renewals (in perpetuity). Should the Village Council choose not to enter into the countywide Interlocal Agreement, a separate agreement between the School Board and Village would be required to comply with State requirements for coordinated planning.

Note: Following approval, the Village's Comprehensive Plan would be required to be amended for consistency with the Interlocal Agreement to eliminate policies pertaining to school concurrency and to add policies recognizing the new SCAD process.

FISCAL IMPACT:

The proposed project does not have a fiscal impact to the Village, however, the operation of our local schools have an impact on public services and facilities within the Village's boundaries.

ATTACHMENTS:

1. Proposed Resolution 2016-04
2. Proposed Interlocal Agreement
3. Coordinated School Planning Interlocal Agreement Update Letter - Tom Lanahan, IPARC Chair



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2016

DEPARTMENT: Village Manager's Office

ITEM #6: Resolution 2016-08 – Support Development of C-51 Canal Boat Lift Project – Regional Economic Development

SUMMARY: The Village has been requested by the Town of Lake Clarke Shores to support a regional economic development project – development of a boat lift at the C-51 Canal S155 Control Structure. This project is expected to provide recreational opportunities, encourage economic development, create new jobs and enhance the environmental attributes within our regional area.

The proposed Resolution has been reviewed by the Village Attorney and would not require a financial contribution from the Village.

FISCAL IMPACT:

The proposed request does not have a fiscal impact to the Village.

ATTACHMENTS:

1. Proposed Resolution 2016-08



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2016

DEPARTMENT: Village Manager's Office

ITEM #7: Resolution 2016-09 – Support Installation of In-Road, Solar Powered, Marker Lights on State Transportation Facilities

SUMMARY: The Village has been requested by SAFE – Safety as Floridians Expect – to support a proposed 2016 Florida Senate Bill 904 that would amend state law to require the State of Florida to install embedded, in-road, solar-powered, marker lights in or within a 1-mile radius of an urban area in conjunction with the construction, reconstruction or other change of any state transportation facility. If enacted by the legislature, this requirement is expected to assist in improving nighttime visibility of bike lanes and bicyclists and reduce the risk of roadway departure crashes.

The proposed Resolution has been reviewed by the Land Development Director and the Village Attorney and would not require a financial contribution from the Village.

FISCAL IMPACT:

The proposed request does not have a fiscal impact to the Village.

ATTACHMENTS:

1. Proposed Resolution 2016-09
2. Proposed Florida Senate Bill 904 (Sachs)



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2016

DEPARTMENT: Public Service

ITEM #8: Presentation of the 2015 Holiday Decorating Contest Awards.

SUMMARY: The Village received a total of 21 entries to participate in the 2015 Holiday Decorating Contest this year. Each location was visited on December 8, 2015 to evaluate each entry. Numerous guests accompanied the judges as they visited each location.

Each entry was judged on a scale from 1 to 10, with a score of ten being the most desirable. A total of 15 residential winners were selected along with an honorary award for Kids College. All winners have been invited to attend the Council Meeting and be presented their awards.

FISCAL IMPACT:

Funds for this contest have been budgeted under the Public Works Division under Trophies and Awards.

ATTACHMENTS:

1. Award Winner List



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2015

DEPARTMENT: Land Development

ITEM #9: Ordinance 2015-22 – Comprehensive Plan Text Amendments - Water Supply Plan

SUMMARY: Local governments are required to update their water supply facilities work plan to be consistent with the South Florida Water Management District's *2013 Lower East Coast Water Supply Plan*. This plan addresses water supply related issues of the region and provides a framework to meet the water needs of all users (i.e., agriculture, conservation, urban uses) through 2025.

Each government's update to its water supply facilities work plan includes:

- . Updated population projections
- . Projections of the water needs for the projected populations and businesses in the utility service area
- . Methods to ensure adequate water supply through the planning period and plans for alternative sources of raw water to ensure long-term availability
- . Actions, programs or initiatives to promote water conservation & reduce water use
- . Annual update to the Capital Improvements Program (CIP), which also includes non-water supply related capital projects

As a result, staff is proposing text amendments to the Infrastructure, Conservation, Intergovernmental and Capital Improvements Elements adopt the Water Supply Facilities Work Plan for the Village of Palm Springs (2015-2025) by reference into the Village's Comprehensive Plan. Additionally, the annual update to the Capital Improvements Schedule is included with the proposed text changes and includes non-water supply related capital projects that are identified in the Village's 6-Year Capital Improvement Program (CIP).

The Land Development Board considered the proposed comprehensive plan text amendments at their April 14th meeting and recommended approval.

The LPA will consider the proposed ordinance at its January 14th meeting and their recommendation will be shared with the Council prior to 2nd and final reading.

The proposed ordinance was approved on 1st reading during the June 11, 2015 Council Meeting and is being presented for 2nd and final reading following transmittal to the Florida Department of Economic Opportunity (DEO) and State agencies for review.

Note: The South Florida Water Management District (SFWMD) provided minor comments that resulted in modifications to both the Water Supply Facilities Work Plan and Policy E.2. These changes will be incorporated into the *Water Supply Facilities Work Plan for the Village of Palm Springs (2015-2025)*, which was adopted on June 11, 2015 (Resolution 2015-35) and permitted flexibility to make minor modifications following SFWMD review.

See the attached Water Supply Facilities Work Plan for more information.

FISCAL IMPACT:

The Village's proposed capital improvements (and estimated costs) are provided to ensure that our potable water operations meet the highest standards. These projects/improvements will also be included within the Village's Capital Improvement Program and will annually be presented for budget approval.

ATTACHMENTS:

1. Proposed Ordinance 2015-22 - Comprehensive Plan Text Amendments
2. Proposed Water Supply Facilities Work Plan - 2015-2025
3. Response Letter Addressing SFWMD Review Comments – Eckler Engineering
4. SFWMD Acknowledgement of Satisfaction of Comments



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2016

DEPARTMENT: Land Development

ITEM #10: Resolution 2016-05 - Preliminary Plat – Wawa - 3950 South Congress Ave

SUMMARY: Ms. Bonnie Miskel, agent for the property owner, SFD Holdings, LLC, has filed the preliminary plat to construct a new Wawa gas station at 3950 South Congress Avenue (northeast corner of Lake Worth Road and Congress Avenue). The proposed preliminary plat unifies five (5) parcels and formally vacates all easements within the properties.

The preliminary plat is consistent with the approved site plan, which was approved by the Village Council (Resolution 2015-69) and administratively amended on December 21, 2015.

The Village's Surveyor, Engenuity Group, has reviewed the proposed plat and has determined that it is in compliance with Chapter 177, F.S. - Platting Regulations.

The Land Development Board will consider the preliminary plat at their January 12th meeting and their recommendation will be provided prior to Council consideration.

If approved, a final plat will be presented to the Village Council for consideration. Upon completion of the plat approval process, construction of the new Wawa gas station (with convenience store and restaurant with outdoor seating) project will be able to begin.

FISCAL IMPACT:

There is no direct fiscal impact of the proposed plat.

ATTACHMENTS:

1. Proposed Resolution 2016-05
2. Preliminary Plat and Justification Statement
3. Village Surveyor's Review Letter – Engenuity Group
4. Approved Site Plan
5. Aerial and Location Maps



Village of Palm Springs

Executive Brief

AGENDA DATE: January 14, 2016

DEPARTMENT: Land Development

ITEM #11: Resolution 2016-06 – Site Plan (SPR15-14) and Special Exception (PSSE-15-11) – Wawa – 1771 & 1769 South Congress Avenue and Alice Avenue

ITEM #12: Resolution 2016-07 - Hours of Operation Variance (PSV16-01) – Wawa - 1771 & 1769 South Congress Avenue and Alice Avenue

SUMMARY: Ms. Bonnie Miskel, agent for Wawa, contract purchaser, is requesting site plan and special exception approval for a new gas station with convenience store and restaurant use to be located on 2.6 acres (three parcels) at the southwest corner of Forest Hill Boulevard and Congress Avenue. The proposed building is proposed to be 5,636 s.f. in size and will include six (6) fueling dispenser pumps under a 4,582 s.f. canopy.

Staff has expressed a concern about the proposed configuration of the “Shared Driveway” on Forest Hill Boulevard between the proposed Wawa project and the existing daycare facility and auto parts store. The configuration provides three (3) outbound drive aisles (with stop signs and bars) merging into a shared egress lane that flows onto Forest Hill Boulevard, while the ingress lane has free-flowing travel into all three businesses. In an effort to resolve this issue, the following has been proposed:

1. The proposed Wawa project will build a new ingress and egress point along Alice Avenue allowing alternate access to each of the three businesses from Forest Hill Boulevard. Further, construction of a cross-access driveway at the rear of the Wawa, daycare and auto parts retail store properties will enable traffic to exit onto Congress Avenue
2. Wawa has been requested to support the installation of signage on the daycare and auto parts store properties to provide assistance to customers to better promote the safe driving patterns (navigate) within the area
3. Wawa has been requested (and agreed subject to FDOT approval) to install a median within the shared driveway from Forest Hill Boulevard to prevent the incoming, free-flowing vehicles from cutting (diagonally) over early to access the Wawa site and ensure full visibility from all three (3) stop signs.

Note: The proposed site plan includes a request to allow foundation plantings to be shifted to planter boxes and landscape islands adjacent to the building. Similar to the

Lake Worth Road Wawa, the project includes decorative "paw" style bollards and additional planter boxes between every other pair of bollards, both of which will improve the aesthetics of the building/parking configuration.

Additionally, the applicant is requesting a special exception use:

(PSSE-15-11) – Request to permit a gas station use with convenience store and restaurant use with outdoor seating

Finally, Wawa is requesting a variance (PSV16-01) from the Village Code to operate a 24-hour operation. The applicant is requesting approval to deviate from Section 34-891(1), "Hours of Operation and Hours of Construction Activity", which specifies that no commercial activity shall occur before 7:00 a.m. or after 11:00 p.m. The proposed time extension variance would be consistent with other retail uses (within the surrounding area and within the Village) that maintain extended hours of operation.

The Land Development Board considered these applications at their December 8th meeting and recommended approval.

Based on the surrounding characteristics, staff does not find that the requested changes will negatively impact the area or be detrimental to the public welfare.

FISCAL IMPACT:

The proposed project does not have a fiscal impact to the Village, but should enhance the assessed value of the property.

ATTACHMENTS:

1. Proposed Resolution No. 2016-06 - Site Plan and Special Exception
2. Proposed Resolution No. 2016-07 - Hours of Operation Variance
3. Staff Report
4. Applicant's Justification Statement(s)
5. Applicant's Application and Supporting Materials
6. Site/Landscape Plans and Building Elevations
7. Aerial and Location Maps