



**VILLAGE COUNCIL MINUTES
MEETING, COUNCIL CHAMBERS
226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA
JULY 28, 2016 at 6:30 P.M.**

Mayor Bev Smith called the regular meeting of the Village Council to order at 6:33 p.m.

Present: Mayor Bev Smith, Vice Mayor Brinkman, Mayor Pro Tem Waller, Council Member Gunther, Council Member Shields, Village Manager Richard Reade, Village Attorney Glen Torcivia, Village Clerk Susan Caljean.

Staff present: Police Chief Tom Ceccarelli, as Sergeant at Arms, Land Development Director, Kim Glas-Castro, Finance Director, Rebecca L. Morse, Library Director, Suvi Manner, and Acting Public Services Director, David Harden.

Absent: Public Services Director, John Rouse

The Invocation was given by Village Manager Reade, followed by the Pledge of Allegiance led by Mayor Pro Tem Waller.

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

The Mayor asked if there were any additions, deletions or modifications to the agenda. Hearing none, Mayor Smith asked for a motion to approve the consent agenda, a motion was made by Council Member Gunther, seconded by Mayor Pro Tem Waller. Motion carried 5 – 0.

CONSENT AGENDA

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

1. Approval of Minutes of Regular Council Meeting on June 23, 2016
2. Appointment to the Lake Worth Electric Utility Advisory Board –

Village Manager Reade stated that the City of Lake Worth established the Electric Utility Advisory Board a few years ago to address fair and equitable policies, plans and programs that would be consistent with customer needs, legal mandates, public policy, operational requirements and long-term financial stability and viability of their electric utilities.

Additionally, residents within the portion of Palm Springs that are located in the Lake Worth Electric Service Area formed an Ad Hoc Committee to have their concerns heard by both the Village Council and the Lake Worth City Commission. At that time, the City

of Lake Worth offered to add a member seat to their Advisory Board that would represent Palm Springs interests. Council Member Joni Brinkman held this seat until she resigned as a result of an appointment to the Board of another organization to avoid a potential conflict. Further, the Council made another appointment in November 2014, however, the nominee has not attended the meetings.

Mr. Roger St. Martin was appointed to serve on the Lake Worth Electric Utility Advisory Board by Village Council in October 2015 for the remainder of the vacated three (3) year term. His term expires on July 31, 2016.

It is requested that Council re-appoint Roger St. Martin to the Lake Worth Utility Advisory Board for a three (3) year term.

3. Appointment to Leisure Services Board

Village Manager Reade stated that currently, there are vacancies on the Leisure Services Board due to resignation/retirements. Ms. Angela Eniola has submitted an application expressing her interest to serve as a Senior Alternate Member on the Leisure Services Board, for a current unexpired 1-year term. If appointed, Ms. Angela Eniola term would expire on March 27, 2017. If approved, there would be one (1) Alternate vacancy on the Leisure Services Board.

4. Approve Contract Award - Lime Slaker & Ammoniator Repair Services – Request for Proposals (RFP #2006R-005) - Public Service Department

Village Manager Reade stated that on June 9, 2016, the Village issued a Request for Proposals (RFP) for Lime Slaker and Ammoniator Repair Services (RFP #2016R-005) in an effort to solicit proposals from qualified vendors to perform repair services to the lime slakers and ammoniators located at our water treatment plants. As a result, the Village received two proposals from the following two (2) firms:

- Southland Controls – Palm City, FL
- Water Treatment and Controls – Pensacola, FL

In an effort to evaluate the bids that were received, the Village Manager appointed a five (5) member Employee Committee. The Committee met on July 11, 2016, and after being properly noticed (i.e., posted on the Public Notification Board and notice to the PBC Inspector General's Office), evaluated each vendor's proposal.

As a result, the Committee has unanimously recommended Southland Controls to perform lime slaker and ammoniator repair services for the Village. If approved, the proposed term would be for three (3) years with the option to renew the contract for two (2) additional one (1) year extensions.

Note: The committee determined that the proposal from Water Treatment and Controls was non-responsive. The cover letter states, "we are unable to agree to the terms and

conditions of your request for proposal.” Furthermore, the RFP states under “Terms and Conditions” that, “All proposal forms must be completed in full and include a manual signature, in ink, where applicable.” None of these required forms were included with their proposal. Even if they had submitted a responsive proposal, their hourly rate on site is higher than that proposed by Southland Controls and they would add to the onsite rate five hours for travel from Pensacola.

The proposed agreement was prepared by the Acting Public Services Director.

The Village has worked with this vendor previously and they have provided excellent service and a quality product.

5. Approve Task Order #207 - Professional Engineering Services - Supervisory Control and Data Acquisition (SCADA) System Improvements Engineering Design Services – Calvin, Giordano & Associates

Village Manager Reade stated that the Public Service department is requesting approval of Task Order #207 with Calvin, Giordano & Associates for the engineering design of the Village’s Supervisory Control and Data Acquisition (SCADA) System improvements.

The Village currently operates sixty-five (65) wastewater pumping stations of which nineteen (19) are outfitted with a real-time automated SCADA system, which reduces on-going maintenance costs by not requiring frequently visits the lift stations to correct problems and/or observe that they are operating correctly. Further, with the proposed SCADA system, some problems can be corrected remotely and the data collected enables the staff to potentially catch problems earlier and avoid bigger (more expensive) problems.

Note: The Village’s Capital Improvement Plan includes adding SCADA to twenty-three (23) lift stations over the next five (5) years as well as adding a monitoring station at the Utilities Maintenance Building.

Public Service staff has met with Calvin, Giordano & Associates and they have agreed to take on the remaining work for this project (from our previous engineering consultant) and prepare the plans, specifications and contract documents as well as to assist the Village with the selection of a vendor (including bid award) for the 1st phase of this five-year program.

Staff recommends the approval of Task Order #207 with Calvin, Giordano & Associates in the amount of \$66,199.75 for design, specifications, bidding and contract award for the 1st year of our SCADA improvement program. It is estimated that this work will take approximately three (3) months from the date the Task Order is authorized.

The proposed task order has been prepared by Calvin, Giordano & Associates and by Village staff and has been reviewed by the Acting Public Service Director.

6. Resolution No. 2016- 63 – Amendment to the Schedule of Fees

Village Manager Reade stated that periodically, staff reviews the costs involved in meeting all of the services delivered by the Village personnel to the public. As these costs increase or when there are issues that may requires a new fee to be assessed, it is necessary to amend the fee schedule associated with these services to better address the actual impact on the Village budget. The following fees are proposed to be amended/added:

Village Clerk/General Government:

Line search fee (no longer offering expedited request due to on-line access)

****New Rates to begin upon commencement of on-line access**

Police:

Extra Duty Detail (per hour - 2 hour min.).Extra Duty Detail - Holiday/Special Event (per hour - 2 hour min.)

Extra Duty Detail with less than 24 hour notice (per hour - 2 hour min.)

Extra Duty Detail cancelled w/less than 48 hour notice (2 hour min.)

Extra Duty Detail cancelled w/no notice before the start of detail (3 hour min.)

Extra Duty Detail scheduled for 4 hours or less and cancelled after the start of detail (2 hour min.)

Extra Duty Detail scheduled for over 4 hours & cancelled after the start of detail (4 hour min.)

****New Rates to begin Oct. 1, 2016**

Code Enforcement Violations:

Tree Removal without permit (Varies per case - New maximum).Improper

Tree Pruning (hatracking/liontailing) (Varies per case - New maximum)

Leisure Services (Rentals):

Extra Duty Detail for special event w/alcohol (per hour - 2 hour min.)

****New Rates to begin Oct. 1, 2016**

Land Development:

Foreclosure Registration (New fee)

Change of Address (New fee)

The proposed amendment to the Schedule of Fees was prepared by Land Development Director and the Police Chief and reviewed by the Finance Director.

7. Appointment of Audit Selection Committee Members – Independent Auditing Services Request for Proposals (RFP #2016R-006)

Void Previously Awarded Independent Auditing Services Recommendation, Proposal and Agreement – (RFP#2016R-004)

8. Appointment of Audit Selection Committee Members – Independent Auditing Services Request for Proposals (RFP #2016R-006)

Village Manager Reade stated that recently, staff became aware of the need for the Village Council to appoint an Audit Selection Committee pursuant to Section 218.391, Florida Statutes. Due to this requirement, the Village Council is requested to void the previously awarded Independent Auditing Services Recommendation, Proposal and Agreement – (RFP#2016R-004) that was approved on July 14, 2016.

In an effort to comply with state law, the following employees are recommended to serve on the Independent Auditing Services Audit Selection Committee:

- . William Golson, Parks and Recreation Director
- . David Harden, Acting Public Services Director
- . Rebecca L. Morse, Finance Director - Audit Selection Committee chair
- . Robert Perez, Police Captain
- . Mariana Ortega-Sanchez, Assistant Finance Director

If appointed by the Council, the committee is expected to meet during the early part of next week (August 1st through the 5th).

As required by the statute, the Audit Committee will be required to establish factors to use for the evaluation of the audit services to be provided to the Village. These factors will then be included into the Request for Proposals (RFP #2016R-006) for Independent Auditing Services, which will then be publicly advertised and made available for interested firms to review and provide proposals. Following the closing date to receive proposals, the Committee will then meet to evaluate the proposals received and make a recommendation to the Village Council (expected in September 2016).

9. Resolution No. 2016-59 – Public Nuisance Abatement Program – Record Special Assessment Liens (Village Abatement Costs)

Village Manager Reade stated that in accordance with the procedures outlined within the Nuisance Abatement section of the Village Code (Resolution No. 2011-78 - November 10, 2011), the liens that have been incurred by the Village to abate unsafe and unhealthy conditions from foreclosed, neglected and/or abandoned homes must be updated and recorded to ensure reimbursement from the property owner (at some future point in time).

Pursuant to Section 170.21 Florida Statutes, the costs expended in manpower, supplies and equipment to maintain the properties in a safe condition are considered a municipal service which benefited a particular property. As a result, the Village maintains the legal authority to levy a special assessment lien (which survives a foreclosure) to recover all costs incurred.

The proposed Resolution contains a list of forty-six (46) properties with liens totaling \$51,845.59 that are requested to be approved by the Council as a special assessment lien. If approved, the Resolution and associated liens will be forwarded to the Clerk of the Courts to be recorded in the public records of Palm Beach County.

The proposed special assessment liens will enable the Village to recover previously paid expenditures to ensure the health and safety of our community.

End of Consent Agenda.....

Mayor Smith asked for a motion to approve the consent agenda, a motion was made by Vice Mayor Brinkman, and seconded by Council Member Shields. Motion carried 5 – 0.

PRESENTATIONS

10. Proclamation – Retirement of Mike Snook

The Mayor presented the proclamation to Mike Snook and wished him well for his years of dedicated service. Council Member Gunther stated he has a wealth of information over the years.

WHEREAS, Mike Snook began his career on December 10, 1986 with the Village of Palm Springs Utilities Department as a Pipe Crew worker; and having achieved the milestone of 29 years of full-time service and dedication to the Village, retired on July 5, 2016; and

WHEREAS, Mike Snook’s career has taken him from Pipe Crew worker to Meter Reader to Field Service to Superintendent of Public Services, and to Superintendent to Field Operations; and

WHEREAS, Mike Snook has always had a knack for special events such as the Santa Sleigh Ride and the judging of the Christmas Lights Contest and the Arbor Day Celebration and whatever came his way; and

WHEREAS, Mike Snook’s commendations included refurbishing the Village Archives/Records room, signage for Village streets & parks, sanitation and recycling, Book-fest set-up, and many “Thank You’s” from residents for his friendly smile & prompt service; and

WHEREAS, Mike Snook's efforts have left the Village a better place to live, work, and to enjoy the unique quality of life known in the Village; and

WHEREAS, Mike Snook served on many committees, such as Hurricane Committee, Tree City, Safety Committee, Library 20th Anniversary Committee and the 50th Village Anniversary Committee; and

WHEREAS, by his service, Mike Snook, has set the standard for future employees with his warmth, sense of humor, and involvement with the residents and citizens alike.

NOW, THEREFORE, THE VILLAGE COUNCIL, THE CITIZENS AND THE EMPLOYEES OF THE VILLAGE OF PALM SPRINGS:

All wish to thank Mike Snook for his 29 years of dedicated and faithful public service and wish him the best of health, happiness and relaxation during his retirement.

11. Award of Property Improvement Program (PIP) Matching Grant Monies

Village Manager Reade stated that the PIP applicant has completed his improvement project and has filed the necessary documentation to receive the Village matching grant funds. The Mayor awarded the check to Mr. & Mrs. Hoffman. The Hoffman's thanked the Mayor and Council and staff, Laura, for all the help for this wonderful opportunity! Vice Mayor Brinkman added that another \$75,000 has been budgeted for this program.

- 1) Owner/Resident: Mark and Angie Hoffman
Address: 420 Inglewood Drive (since 1988)
Project: Replaced 7 Windows and 2 Doors with Impact Resistant Glass
Eligible Costs: \$10,889.00
Grant Award: \$ 5,000.00

FISCAL IMPACT:

Funding is available in the FY 2016 General Fund Budget for property improvement incentives.

PUBLIC COMMENT (Three minute limit)

The Mayor opened the meeting to the public. Gary Reade of 3138 Meadow Road stated that the University of Massachusetts has identified the gene that causes ALS from the funding of the ice bucket challenge.

PUBLIC HEARINGS

The Mayor opened the meeting to the public. No comments.

12. RESOLUTION No. 2016-58 – FY 2016 Preliminary Millage Rates - Operating & Debt Service

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, TENTATIVELY ESTABLISHING A MILLAGE RATE FOR THE 2016-2017 FISCAL YEAR; SETTING REQUIRED PUBLIC HEARINGS; AND PROVIDING AN EFFECTIVE DATE.

Village Manager Reade stated that recently, the Village received the Form DR-420 – Certification of Taxable Value and the Form DR-420Debt – Certification of Voted Debt Millage from the PBC Property Appraiser’s Office. These forms certify the Village’s taxable values for the upcoming fiscal year (FY 2017) as well as other related financial information:

The gross taxable value for the FY 2017 is \$913,864,847, which is an increase of \$93,988,249 over FY 2016

The rolled-back rate is calculated at \$3.5428 per \$1,000 of taxable value

The Village’s proposed FY 2017 operating millage for the General Fund is \$3.9000 per \$1,000 of taxable value or an increase of 10.08% over rolled back rate

The taxable value for debt service is \$916,187,067, thus, the proposed millage rate required to pay the general obligation debt for FY 2017 is \$0.4930 per \$1,000 of taxable value

The combined proposed millage rates for FY 2017 (3.9000 operating + .04930 debt) is .0554 mills lower than the combined approved millage rates for FY 2016 (3.9000 operating + 0.5484 debt)

As a result, the proposed Resolution establishes the tentative millage rates for Fiscal Year 2017. The Village Council will be requested to establish the final millage rates in September 2016.

FISCAL IMPACT:

The combined proposed millage rates for FY 2017 (3.9000 operating + .04930 debt) is .0554 mills lower than the combined approved millage rates for FY 2016 (3.9000 operating + 0.5484 debt)

Village Attorney Torcivia read the resolution by title. Mayor Smith asked for a motion to approve Resolution #2016-58, a motion was made by Mayor Pro Tem Waller, seconded by Council Member Gunther. Motion carried 5 – 0.

The Mayor asked the Clerk to swear in any applicants/representatives that are in attendance to provide testimony regarding an item. The Clerk swore in Mr. Kevin McGinley.

13. ORDINANCE No. 2016-12 – (First Reading) Comprehensive Plan Text Amendment – “College-Hospital Overlay” (CHO) District - South Congress Avenue

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE COMPREHENSIVE PLAN OF THE VILLAGE OF PALM 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 FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO CREATE A “COLLEGE-HOSPITAL OVERLAY”, WHICH AMENDMENT IS MORE FULLY DESCRIBED IN EXHIBIT “a” ATTACHED HERETO; PROVIDING FOR DIRECTIONS TO THE VILLAGE CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR OTHER PURPOSES.

Village Manager Reade stated that the following the completion of the Congress Avenue Corridor Study, staff has drafted provisions for a new zoning overlay district to encourage re-development near Palm Beach State College and JFK Hospital. As a result, a new College-Hospital Overlay (“CHO”) district is proposed to expand development allowances and flexibility to create value-added opportunities along the south Congress Avenue corridor.

The CHO is established in recognition of the 30,000+ students and 2,500 staff that attend and work at Palm Beach State College (a commuter campus) and the 500 doctors and 2200 health care professionals that provide care to patients at the 472-bed JFK Hospital (a full service surgical and emergency facility). Both institutions are located along south Congress Avenue and there is a need for retail, restaurants and personal services in proximity to these important institutions.

The proposed Overlay would increase the maximum development potential to thirty-five (35) dwelling units per acre and 1.0 FAR for mixed use projects within the outlined area. This is an increase of 15 du/ac and 0.5 FAR over what is currently permissible. The allowances of the Overlay would only be utilized within a mixed-use planned development that fulfills the objectives of the CHO - to provide retail, restaurant and personal services or housing to support the nearby college and hospital uses.

The Land Development Board held a workshop during their June 14th meeting to discuss the proposed Overlay allowances, standards and restrictions. Further, the proposed comprehensive plan language was considered at their July 12th meeting and

recommended approval.

If approved on 1st reading, the proposed comprehensive plan amendment will be transmitted by to the Florida Department of Economic Opportunity for state review. If the DEO does not have any objections to the proposed amendment, the propose Ordinance will be presented to the Village Council for 2nd and final reading at their next available meeting (expected August/September 2016).

The Local Planning Agency (LPA) will consider the proposed comprehensive plan amendments prior to the 2nd and final reading by the Village Council.

FISCAL IMPACT:

Increased development entitlements is expected to facilitate re-development and, thereby, increase property values within the area.

Village Attorney Torcivia read the Ordinance #2016-12 by title. Mayor Smith asked for a motion to approve Ordinance #2016-12 on First Reading, a motion was made by Vice Mayor Brinkman, seconded by Council Member Gunther. Motion carried 5 – 0.

Kim Glas-Castro heard from owners from Seagate and would like to be included in the overlay. All other feedback was positive.

Gary Reade of 3118 Meadow Road was concerned with the time it took for RaceTrac to be built and hopes that this overlay does not take as long.

Kim Glas-Castro stated RaceTrac was delayed because of Palm Beach County utilities and the contractor then had to get recertified by the Palm Beach County Health Department.

14. RESOLUTION No. 2016-60 – Site Plan Amendment (SPR16-05) and Special Exception (PSSE16-05) – Equity One – 1710 South Congress Avenue (Greenwood Plaza)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, (APPROVING/DENYING), WITH CONDITIONS, A SITE PLAN AMENDMENT (SPR16-05) SUBMITTED BY KEVIN MCGINLEY, ON BEHALF OF EQUITY ONE, TO DEMONSTRATE THAT THERE WILL BE ADEQUATE PARKING FOR ALL THE USES WITHIN THE PLAZA AND A SPECIAL EXCEPTION USE (PSSE16-05) FOR APPROVAL OF A 2,856 SQUARE FOOT (150) RESTAURANT WITHIN GREEN WOOD PLAZA, FOR THE PROPERTY LOCATED AT, GREENWOOD SHOPPING PLAZA, 1710 SOUTH CONGRESS AVENUE,; AND ESTABLISHING AN EFFECTIVE DATE.

Village Manager Reade stated that Mr. Kevin McGinley, on behalf of Equity One, property owner, is requesting a site plan amendment and special exception approval for a 2,856 square foot (150 seat) restaurant within the existing commercial plaza located

at 1710 South Congress Avenue (Greenwood Plaza). The proposed location (Bay #1710) was previously utilized for restaurant use, but has been vacant for more than 12 months resulting in the expiration of any prior approvals.

Note: The proposed site plan has been revised by the Applicant to demonstrate that there is adequate parking for all the uses within the plaza and the proposed restaurant use would not require exterior improvements.

Special Exception (PSSE16-05) – Request to permit a 2,856 square foot (150 seat) restaurant

The Applicant, on behalf of Mr. Onelio Delgado, business owner, is proposing to locate a new restaurant tenant - Amigos Mexican & Spanish Restaurant II – to the north of the existing grocery store. Mr. Delgado's former restaurant, which was located at the corner of Forest Hill Boulevard and Congress Avenue, was closed in April 2016 in advance of the construction for the new Wawa gas station.

Note: In the event that Amigos Restaurant does not occupy the space, Equity One is seeking special exception approval to enable another restaurant operation within the proposed location.

The Land Development Board considered these requests during their July 12th meeting and recommended conditional approval.

Vice Mayor Brinkman would like to see the Village's code not be as stringent regarding new businesses.

Village Attorney Torcivia read the resolution by title. Mayor Smith asked for a motion to approve Resolution #2016-60, a motion was made by Mayor Pro Tem Waller, seconded by Vice Mayor Brinkman. Motion carried 5 – 0.

15. RESOLUTION No. 2016-61 – Preliminary Plat – Water's Edge Dermatology - 2669 Forest Hill Boulevard (Lakeshore Center)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE PRELIMINARY PLAT FOR WATER'S EDGE DERMATOLOGY, SUBMITTED BY KEVIN MCGINLEY, LOCATED AT 2685 FOREST HILL BOULEVARD, IN THE LAKESHORE CENTER; AND PROVIDING AN EFFECTIVE DATE.

Village Manager Reade state that Mr. Kevin McGinley agent for the owner of the property, Lakeshore Center LLC, has filed the preliminary plat to create a separate parcel that may be conveyed to a contract purchaser, Water's Edge Dermatology, as a legal lot of record. The property owner and the contract purchaser are in the process of drafting an agreement that will outline the responsibilities related to access, utilities, parking, maintenance and drainage.

Note: From a planning and zoning perspective, Lakeshore Center is a single development project with a unified site plan; therefore the creation of a new lot does not require compliance with the standards of the CG zoning district for a stand-alone parcel.

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 considered the preliminary plat at their July 12th meeting and recommended approval with the following conditions - Unity of Control, cross-access, parking, and shared infrastructure agreements must be presented to the Land Development Department for review and approval prior to consideration of the final plat.

If approved, a final plat will be presented to the Village Council for consideration. The recording of the final plat is required prior to issuance of a Certificate of Occupancy for the new dermatology/medical office.

Mr. McGinley was there for any questions. There were no questions from the Council.

Village Attorney Torcivia read the resolution by title. Mayor Smith asked for a motion to approve Resolution #2016-61, a motion was made by Council Member Gunther, seconded by Council Member Shields. Motion carried 5 – 0.

16. RESOLUTION No. 2016-62 – Abandonment of Right-of-Way - Portion of Childs Street (South of Lake Worth Road)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, FOR ABANDONMENT OF A PORTION OF CHILDS STREET, SOUTH OF LAKE WORTH ROAD. CHILDS STREET IS AN UNIMPROVED RIGHT-OF-WAY, UPON ABANDONMENT OF THE PUBLIC INTEREST, HALF OF THE INTEREST OR TITLE (AT CENTERLINE) WILL TRANSFER TO TULLER PROPERTIES AND HALF TO TACOS AL CARBON, OF WHICH BOTH PROPERTY OWNERS INTEND TO UTILIZE THE LAND ARE IN REDEVELOPMENT PLANS, THIS 50' WIDE RIGHT-OF-WAY IS DEDICATED TO THE PUBLIC VIA THE PLANT NO. 1 OF GREENACRES PLAT AND WHICH IS EVIDENCED BY THE RECORD PLAT, PLAT BOOK 12 AT PAGE 72, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS, PROVIDING FOR RECORDATION OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE.

Village Manager Reade stated that pursuant to annexation commitments, Village staff has initiated abandonment of a portion of Childs Street, which is located south of Lake Worth Road (between Bob's Auto Glass and Taco's Al Carbon. The requested portion of Childs Street to be vacated is an unimproved right-of-way that was transferred to the Village from Palm Beach County in December 2014 during the annexation of the area.

This 50' wide right-of-way is dedicated to the public via the Plat No. 1 of Green Acres plat (Plat Book 12, Page 72).

The proposed abandonment of Childs Street would complete the Village's commitment that is contained in the approved Annexation Agreement with Tuller Properties (Bob's Auto Glass). Upon abandonment of the public interest R-of-Way, as required by state law, half of the interest or title (at the centerline) will transfer to Tuller Properties and remaining half to Tacos Al Carbon. Both of the adjacent property owners intend to utilize the land area within their future re-development plans.

The proposed area to be abandonment is approximately 8,120 square feet (0.1864 acres) and is located 93' south of Lake Worth Road and north of Cross Street (a platted right-of-way and unimproved street).

The Land Development Board considered this abandonment at its July 12th meeting and recommended approval.

Staff recommends that the Council approve the propose abandonment and determine that the right-of-way serves only the adjacent businesses (i.e., driveway) and does not contribute to the Village's roadway system and does not benefit the community as a whole.

Note: Village staff has obtained written confirmation from utility companies that there are no facilities within the right-of-way and they do not object to the abandonment.

Village Attorney Torcivia read the resolution by title. Mayor Smith asked for a motion to approve Resolution #2016-62, a motion was made by Vice Mayor Brinkman, seconded by Mayor Pro Tem Waller. Motion carried 5 – 0.

ACTIONS AND REPORTS

17. Temporary License Agreement - Outdoor Vehicle Storage – Mathias & Rudolf Stemplinger and County Auto, Inc. – South Congress Avenue

Village Manager Reade stated that Mr. Matthias and Mr. Rudolf Stemplinger, owners and operators of County Auto, Inc., are requesting temporary approval to utilize an 11,900 square foot area (170'x70') as an outdoor vehicle storage area (associated with their adjacent automobile repair business) on their property located off South Congress Avenue (south of Lake Worth Road). The applicants are proposing to park/store vehicles within this fenced area that are awaiting repair. The chain-link fence would include slats to screen direct view of the vehicles and be landscaped with a ficus hedge.

Previously, the Applicants were granted approval through an annexation agreement to install a temporary storage yard on a portion of their property, which is now owned and improved by RaceTrac. As a result, the previously approved temporary storage as provided within the annexation agreement is now null and void. Further, the applicants

relocated the storage yard and fencing and have been utilizing this property for vehicle storage without approval. Additionally, millings to create a driveway to the area has been installed outside of the approved agreement.

Note: The Village Code (Section 34-829 – Temporary licensing of certain uses.) provides that temporary, accessory uses in the CG district are permissible for up to five (5) years. As a result, the applicants are requesting to utilize the property for outdoor vehicle storage for a two (2) year period. During this period, the applicants intend on submitting an application to combine their two adjacent properties through a replat and unified site plan. The property would also maintain direct access from Congress Avenue without the need to utilize the RaceTrac property. Once the unified site plan is submitted, staff will fully evaluate the proposed concept plan during formal site plan and plat review.

Staff maintains concern with recommending approval for a temporary license for the proposed use. However, due to the applicants' intention to submit a plan to provide permanent outdoor storage to meet the Village's code within the proposed 2-year Temporary License Agreement period, staff does recommend conditional approval [eight (8) conditions of approval are outlined in the draft Agreement] for the proposed temporary use.

Mr. McGinley stated he would be responsible for them.

Mayor Smith asked if the Council was in agreement. They all agreed.

VILLAGE MANAGER COMMENTS

Manager Reade stated that there will be a brief presentation at the next meeting regarding a Community Redevelopment Agency (CRA) and the benefits to the community. We are looking to go out to bid to accomplish this project. Commission Member Shelley Vana will also be at the August 11th meeting to give an update on the County. The Audit Committee will be meeting on Monday after the Department Head meeting. We will be sending the RFP out again, once the committee agrees to any changes to the RFP. We will bring it back to the Council once the Evaluation Committee meets and recommends their findings. I wanted to also mention software we are renewing with a partnership with Boynton Beach for the Library. I received a letter from the League of Cities stating that there will be a need to establish a committee if the Surtax is approved in November. Manager Reade stated that Mr. Golson, Leisure Services Director is looking into grant monies for special needs individuals for outdoor exercise equipment. Mr. Golson explained the grant opportunities that are available. We are also looking to partnering with the (I.S.S.) County for internet services, scanning and telephone. Manager Reade thanked the Mayor and Council on behalf of the staff for the budget workshop this evening and the proposed salary increases.

VILLAGE COUNCIL COMMENTS

Council Member Shields thanked Mike Snook for his dedicated years of service and to the staff for the budget. She also attended the League luncheon.

Vice Mayor Brinkman thanked staff for the budget. She would like a list of projects that will be impacted if the Surtax gets approved in November.

Council Member Gunther thanked the staff and mentioned that the Village is not raising the millage rate. He is in favor of partnering with the County using I.S.S. for internet.

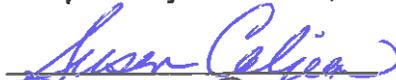
Mayor Pro Tem Waller also thanked the staff for all the work on the budget.

Mayor Bev Smith mentioned the Poke Mon application has got more people out and exercising. There will be a groundbreaking of the dog park at Prince Edward Park. There will be Haitian's Heroes program tomorrow evening at 5:00 at Village Hall.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 7:41 p.m.

Respectfully submitted,



Susan Caljean, Village Clerk



Mayor, Bev Smith

**NEXT REGULAR MEETING:
AUGUST 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.