



**VILLAGE COUNCIL MINUTES
REGULAR MEETING, COUNCIL CHAMBERS
226 CYPRESS LANE
VILLAGE OF PALM SPRINGS, FLORIDA**

MAY 12, 2016 at 6:30 P.M.

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

Present: Mayor Bev Smith, Vice Mayor Brinkman, Mayor Pro Tem Waller, Council Member Gunther, Council Member Escalada, 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, CFO Rebecca L. Morse, Public Service Director John Rouse and Leisure Services Director Bill Golson, and Suvi Manner, Library Director.

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

ADDITIONS, DELETIONS OR MODIFICATIONS, AND APPROVAL OF AGENDA

The Mayor asked if there were any additions, deletions or modifications to the agenda. Village Manager Reade had one modification to the agenda, item #14 on the revised schedule of fees, on page 3, under improper location of bulk trash for collection. There will be two courtesy notifications per year before a fine will be issued. Village Manager Reade also included pictures to be added as exhibits.

Mayor Smith asked for a motion to approve the agenda items as revised, a motion was made by Council Member Escalada, seconded by Mayor Pro Tem Waller. Motion carried 5 – 0.

CONSENT AGENDA

Mayor Smith opened the meeting up for public comment. There was no public comment.

1. Minutes of Regular Council Meeting on April 14, 2016
Staff: Susan Caljean, Village Clerk
2. Appointments to the Construction Board of Adjustment and Appeals Board
Staff: Susan Caljean, Village Clerk
3. Proclamation announcing Municipal Clerk's Week
4. Proclamation designating the week of May 15 through May 21, 2016 as "Police Week" and May 15, 2016 as "Peace Officers Memorial Day"
5. Professional Services Agreement for Engineering Services – First Amendment – Terms and Fees Keshavarz & Associates
Staff: John Rouse, Public Services Director

6. Professional Services Agreement for Engineering Services – First Amendment – Terms and Fees Giordano & Associates
Staff: John Rouse, Public Services Director
7. Professional Services Agreement for Engineering Services – First Amendment – Terms and Fees Engenuity Group
Staff: John Rouse, Public Services Director
8. Professional Services Agreement for Engineering Services – First Amendment – Terms and Fees Eckler Engineering Inc.
Staff: John Rouse, Public Services Director
9. Professional Engineering Services for Development Review - Task Order No. EN-100 Engenuity Group
Staff: Kim Glas-Castro, Land Development Director
10. Professional Engineering Services for Development Review - Task Order No. KE-100 Keshavarz Associates
Staff: Kim Glas-Castro, Land Development
11. Professional Engineering Services for Development Review - Task Order No. CA-100 Calvin Giordano Associates
Staff: Kim Glas-Castro, Land Development
12. Wastewater Gravity Lines & Manhole Rehabilitation Construction Services – Piggyback
Staff: John Rouse, Public Service Director
13. Purchase Agreement Water Meters – Best Interest Acquisition
Staff: John Rouse, Public Services Director
14. Resolution No. 2016-45 - Amendment to the Schedule of Fees

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING CHAPTER 2 “ADMINISTRATION” “VILLAGE CLERK/GENERAL GOVERNMENT”, DIVISION 2 “DEPARTMENT OF PUBLIC SAFETY”, AND CHAPTER 38 “LEISURE SERVICES”, TO UPDATE THE SCHEDULE OF FEES FOR VARIOUS SERVICES, AND RESTATING THE FEES FOR CHAPTER 2 DIVISION 2 “CODE ENFORCEMENT”, CHAPTER 42 “LIBRARY”, CHAPTER 62 PUBLIC SERVICE “SOLID WASTE”, CHAPTER 74 “TRAFFIC AND VEHICLES”, CHAPTER 34 “LAND DEVELOPMENT”, CHAPTER 10 “BUILDINGS AND BUILDING REGULATIONS” DEPARTMENTS OF THE VILLAGE; AND PROVIDING AN EFFECTIVE DATE.

Staff: Rebecca Morse, Finance Director

Mayor Smith asked for a motion to approve the agenda items including the revision of item #14, a motion was made by Vice Mayor Brinkman, seconded by Council Member Gunther. Motion carried 5– 0.

ANNOUNCEMENTS AND PROCLAMATIONS

15. Joseph Fallon Scholarship Award Presentations

Village Manager Reade stated that each year, the Village of Palm Springs awards scholarships to selected high school seniors. Applicants are judged based on financial need, grades, experience and personal appraisal by a committee of judges representing the Village. In 1996, the annual Village scholarship was named in memoriam for Palm Springs resident and library volunteer Joseph Fallon, who died suddenly during his senior year at John I. Leonard High School.

The 2016 Village of Palm Springs Joseph Fallon Scholarship winners are:

Cesar A. Rodriguez:

Cesar is a student at Forest Hill High School and plans to attend the University of Florida in Gainesville, FL. His major is Economics.

Geronimo Morales:

Geronimo is a student at Alexander W. Dreyfoos School of the Arts and plans to attend the University of Florida in Gainesville, FL or the University of Miami in Miami, FL. His major is Political Science.

Ryan Diaz:

Ryan is a student at John I. Leonard High School and plans to attend the University of Florida in Gainesville, FL or the University of Florida in Central Orlando, FL. His major is Physical Therapy/ Sports Medicine.

Elise M. Contreras:

Elise is a student at Palm Beach Central High School and plans to attend the University of Central Florida in Orlando, FL or Florida State University in Tallahassee, FL. Her major is Biology.

Antonio Miragaya:

Antonio is a student at Suncoast Community High School and plans to attend Florida International University in Miami, FL or Florida Atlantic University in Boca Raton, FL. His major is Architecture.

Mr. Fallon thanked the Mayor and Council and the residents of Palm Springs. He presented the awards to the students. Mayor Smith also congratulated all the recipients of the awards.

16. Council Member Escalada read his letter of resignation. The Mayor thanked Council Member Sergio Escalada for his years of service.

17. Mayor Smith read the Proclamation Honoring Council Member Sergio Escalada:

HONORING COUNCIL MEMBER SERGIO ESCALADA

WHEREAS, Council Member Sergio Escalada and his family immigrated to the United States from Cuba in November 1969 and made Palm Springs their home, and

WHEREAS, as a 12 year all boy, Sergio played basketball and tennis for the first time in Palm Springs facilities, and

WHEREAS, Sergio met his wife, Gigi of 38 years, a Palm Springs resident, and they made their home in Palm Springs in 1984 and raised their son, Danny, and daughter, Gillian - both attended our district schools graduating with honors and worked for the Village's summer youth programs, and

WHEREAS, Council Member Sergio Escalada has served the Village of Palm Springs, Florida admirably since he was appointed as Council Member on March 10th, 2011 and as the Village's Mayor Pro-Tem in 2013 and Vice-Mayor in 2014, and

WHEREAS, Council Member Escalada represented the Village Council as the Village's Voting Delegate during the 2011 and 2015 Florida League of Cities Annual Conferences, and

WHEREAS, Council Member Sergio Escalada has worked with diligence, cooperation and respect with the Mayor and Council to set clear goals for the future of the Village of Palm Springs as he was dedicated in promoting the values and quality of life for all Palm Springs residents, and

WHEREAS, Council Member Sergio Escalada has been a constant source of wisdom and forethought as he, and the Village Council, have guided Palm Springs through a period of calculated growth while maintaining the "small town" feel that our residents continue to enjoy, and

WHEREAS, The Village Council of the Village of Palm Springs sincerely thanks Council Member Sergio Escalada for his 5+ years of service and wishes him, his wife Gigi and their family good luck in all of their future endeavors as he is moving to North Florida to be closer to his family.

NOW, THEREFORE, THE VILLAGE COUNCIL, THE STAFF, ALL EMPLOYEES AND THE CITIZENS OF THE VILLAGE OF PALM SPRINGS wish to thank Council Member Sergio Escalada for all of his efforts and commitment to making the Village a better place to live, work and play over these past 5+ years, and honors him by setting aside Thursday, May 12th, 2016 as:

Council Member Sergio Escalada Day in Palm Springs, Florida and appoints Council Member Escalada as **"Honorary Village Council Member for Life"**

Council Member Escalada thanked the Mayor, Council and the staff of Palm Springs. He read his letter of resignation effective May 12, 2016.

Mr. Richard Radcliff, Executive Director of the Palm Beach County League of Cities, thanked Council Member Escalada for his six years of dedicated service to this community.

Mayor Smith thanked Council Member Escalada for all his work on the Council and how he stepped forward in her absence.

John Tieche of 307 Winged Foot Drive thanked Council Member Escalada for his time on the Council.

18. State Senator Jeff Clemens and State Representative Dave Kerner Legislative Update: Senator Clemens gave an update on the budget issues facing the state. Representative Kerner gave an update on the bills that had passed and failed in the House of Representatives.

Council Member Gunther thanked Senator Clemens and Representative Kerner for their service. Mayor Pro Tem Waller thanked Representative Kerner for his work on sober homes.

Representative Kerner is in favor of the Infrastructure Surtax for Palm Beach County and explained the benefits of the tax.

Mayor Smith opens the meeting up for public comment. (Three minute limit)

John Tieche of 305 Winged Foot Drive had a question regarding a meeting that took place the week before in Delray Beach regarding sober homes.

Village Manager Reade stated that the Federal Government is looking at changing the laws regarding this issue.

Carlos Fernandez of 3557 Gulfstream Road is concerned with the condition of Canal Road from Davis Road to Kirk Road. He stated it is very dusty and needs to be repaired, and it has very little lighting.

Village Manager Reade stated that the road is in this year's budget to get repaved.

PUBLIC HEARINGS

19. Infrastructure Surtax – Revised Interlocal Agreement
Staff: Richard Reade, Village Manager

Approve Infrastructure Surtax Interlocal Agreement – Revised - Palm Beach County, School Board of Palm Beach County & Municipalities

Village Manager Reade stated that on April 14, 2016, the Village Council approved an Infrastructure Surtax Interlocal Agreement, which included a defined distribution that would be shared among a number of entities. However, on May 3, 2016, the Palm Beach County Board of County Commissioners (PBC) voted (5 to 2) to amend its plan on the one-cent infrastructure surtax. Thus, the Village (along with all of the other municipalities within the County) would be required to amend or authorize a new Interlocal Agreement.

The proposed new plan by PBC would not include the economic development and cultural components; thus, resulting in a revised distribution between each of the three remaining governmental sections. Further, the proposed sales tax initiative would increase the County's sales tax from 6% to 7% and would be for a 10-year period. This new plan would be presented to the voters in

Palm Beach County for consideration during the November 2016 election.

The proposed revised one-cent sales tax initiative would include the County, the School Board and the Municipalities. The revised proposed distribution is as follows:

Palm Beach County School Board	50%
Palm Beach County	30%
Municipalities (shared by 38 cities)	20%

Note: To include the School Board and change the allocations from the distribution formula as provided within Florida Statutes, an Interlocal Agreement is required from the municipalities representing a majority (51%) of the municipal population within Palm Beach County.

It is anticipated that an ordinance to include ballot language and the details of the County’s plan will be presented to the County Commission in June/July 2016 along with approved municipal agreements.

If approved, the Village could potentially receive a significant amount of funding to support the cost for capital improvement projects (CIP) and equipment that weren’t funded due to the recent economic recession and dramatic decreases in assessed property values over the past decade. Thus, this funding would contribute to Village goals, including a number of economic (re-)development opportunities. As a result of the new plan being proposed by PBC, the projected funding that the Village would receive is as follows:

1 Year Distribution	10 Year Distribution	10 Year Distribution (PBC Projected 3% Revenue Increase)
\$1,256,754	\$12,567,545	\$14,839,500

Note: Based on 2015 State of Florida Sales Tax Distribution Formula

As a result, the Village Council is requested to consider the revised Interlocal Agreement supporting this infrastructure surtax opportunity.

Note: During the School District of PBC’s meeting on May 4, 2016, a number of changes were proposed by School Board Members (i.e., Sunset provision, provision to stop collection of sales tax once a defined amount of revenue is received, separating from PBC and the cities and presenting ½ cent sales tax increase to the voters, etc.). As a result, the proposed Interlocal Agreement may change again following an expected joint meeting between PBC and the School District, which is proposed to take place on or before next Wednesday (prior to the Village Council’s May 12th meeting). If changes are agreed upon by both entities, then a revised Interlocal Agreement will be provided to the Village Council prior to consideration on May 12th. The revised Interlocal Agreement was prepared by Palm Beach County and reviewed by the Village Attorney.

FISCAL IMPACT: If approved by the voters of Palm Beach County during the upcoming

November 2016 election, the Village would receive approximately \$12,567,545 million dollars over a 10-year period to complete various capital related projects.

Council Member Gunther is in favor of the surtax as it will help improve the construction of roadways in Palm Beach County.

No public comment.

Mayor Smith asked for a motion to approve the agenda item, a motion was made by Council Member Escalada, seconded by Council Member Gunther. Motion carried 5 – 0.

20. Ordinance No. 2016-07 – Amendment to Chapter 22 - Candidate Qualifying Period (First Reading)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, EXEMPTING THE VILLAGE OF PALM SPRINGS FROM THE PROVISIONS OF LAWS OF FLORIDA CHAPTER 83-498 BY OPTING OUT OF THE PROVISIONS FOR UNIFORM FILING DATES AND AMENDING THE VILLAGE CODE OF ORDINANCES BY AMENDING CHAPTER 22 “ELECTIONS”, TO CREATE SECTION 22-8, “CANDIDATE QUALIFYING PERIOD” TO PROVIDE FOR THE START AND END DATE FOR THE QUALIFYING PERIOD; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

Staff: Richard Reade, Village Manager

Village Manager Reade stated that as a result of the recently approved Charter Amendments, municipal election qualifying periods are required to be established by ordinance and incorporated into the Village’s Code. Thus, to ensure sufficient time and opportunity for Village Council candidates to distribute their message and enable staff to properly prepare for the election, it is recommended to move our qualifying period for future elections to begin at noon on the 1st Monday in November and end at noon on the 3rd Monday in November preceding the upcoming election.

In addition, this change would ensure sufficient time to submit municipal qualified candidate’s names to the Supervisor of Elections (SOE) for any required concurrent statewide or countywide elections (i.e., presidential primary elections, etc.).

The proposed ordinance was prepared by the Village Attorney and reviewed by the Village Clerk.

Village Attorney Torcivia read the ordinance by title. If approved on 1st reading, the proposed ordinance will be considered for 2nd and final reading by the Village Council on June 9th.

No public comment.

Mayor Smith asked for a motion to approve the agenda item, a motion was made by Vice Mayor Brinkman, seconded by Mayor Pro Tem Waller. Motion carried 5 – 0.

21. Ordinance No. 2016-08 – Amendment to Chapter 22 - Filling a Vacancy After Filing Deadline (First Reading)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING THE VILLAGE CODE OF ORDINANCES BY AMENDING CHAPTER 22 “ELECTIONS”, BY DELETING SECTION 22-3, “FILLING VACANCIES AFTER FILING DEADLINE” AND ENACTING A NEW SECTION 22-3, “FILLING A VACANCY IN CANDIDACY” TO PROVIDE FOR THE FILLING OF A VACANCY AFTER THE QUALIFYING PERIOD; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

Staff: Richard Reade, Village Manager

Village Manager Reade stated that as a result of the recently approved Charter Amendments, municipal election vacancies were removed from the Charter and must now be established by ordinance and incorporated into the Village’s Code. Thus, it is recommended to adopt language that clarifies the process to be followed when a qualified candidate vacates the election process (i.e., death, withdrawal, etc.) and results in one or fewer remaining candidates.

If there is a single remaining qualified candidate, they will be declared elected to the position of mayor or council member.

If there are no remaining qualified candidates, then the vacancy shall be filled either by appointment or special election (pursuant to Section 3.07 of the Village Charter).

The proposed ordinance was prepared by the Village Attorney and reviewed by the Village Clerk.

Village Attorney Torcivia read the ordinance by title. If approved on 1st reading, the proposed ordinance will be considered for 2nd and final reading by the Village Council on June 9th.

Mayor Smith asked for a motion to approve the agenda item, a motion was made by Vice Mayor Brinkman, seconded by Mayor Pro Tem Waller. Motion carried 5 – 0.

No public comment.

Mayor Smith asked the Clerk if this ordinance had been advertised. The clerk stated said ordinance was advertised in the Lake Worth Herald on April 21, 2016.

22. Ordinance No. 2016-05 – Amendment to Chapter 78 - Utility Billing Adjustments (Second Reading)

AN ORDINANCE OF THE VILLAGE OF PALM SPRINGS, FLORIDA, AMENDING ITS CODE OF ORDINANCES BY AMENDING CHAPTER 78 “UTILITIES”, ARTICLE II, “WATER AND WASTEWATER SYSTEM”, DIVISION 1, “GENERALLY”, BY ENACTING A NEW SECTION 78-45, “UTILITY BILLING ADJUSTMENTS” TO PROVIDE REGULATIONS REGARDING ADJUSTMENTS TO CUSTOMER UTILITY BILLS; PROVIDING FOR CODIFICATION,

REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

Staff: John Rouse, Public Service Director

Village Manager Reade stated that in an effort to enhance our customer service and provide clear guidance related to collection/adjustments of Village utility bills, the Public Service Department is recommending the following amendments to the Village Code - Chapter 78 "Utilities":

BILLING ERRORS:

Provides for adjustments to correct billing issues (i.e., charge for water/wastewater in error, a bill was not provided for consumed water/wastewater, etc.)

LEAKS AT THE METER:

Provides a wastewater billing credit for above average usage due to a documented leak on the customer's side of the water meter. Credit for both water and wastewater charges is also provided when the leak is within three (3) feet of the meter and the Village changed out or repaired the meter within the last three (3) months

SWIMMING POOL FILLING:

Provides customers with an opportunity to request a wastewater billing adjustment based on the number of gallons of water that was used to fill a swimming pool

ACTS OF NATURE:

Provides for a credit if an act of nature (i.e., uprooting of a tree that results in a water line break) causes above average water usage

EXCESSIVE USE:

Provides an excessive use credit will be applied when one month's usage is three or more times a customer's average usage and it is not the result of an apparent or deliberate act of the customer

The proposed amendments were developed by the Public Service Department and have been reviewed by the Village Attorney.

The proposed ordinance was approved during 1st reading by the Council on April 14, 2016, and is being presented for consideration on 2nd and final reading.

Mayor Smith asked for a motion to approve the agenda item, a motion was made by Council Member Gunther, seconded by Council Member Escalada. Motion carried 5 – 0.

Mayor Smith asked the Clerk if this ordinance had been advertised. The clerk stated said ordinance was advertised in the Lake Worth Herald on April 21, 2016.

23. Ordinance No. 2016-06 - Floodplain Management (Second Reading)

AN ORDINANCE BY THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA AMENDING THE VILLAGE CODE OF ORDINANCES TO AMEND CHAPTER 1, "GENERAL PROVISIONS", SECTION 1-2, "DEFINITIONS AND RULES OF

CONSTRUCTION”, TO CLARIFY DEFINITIONS AS A RESULT OF FLOODPLAIN MANAGEMENT; AND AMENDING CHAPTER 10, “BUILDINGS AND BUILDING REGULATIONS”, ARTICLE II, “FLORIDA BUILDING CODE”, SECTION 10-32, “TECHNICAL AMENDMENTS” TO ADOPT TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE AS A RESULT OF FLOODPLAIN MANAGEMENT REQUIREMENTS; AND REPEALING ARTICLE II “FLOOD DAMAGE PREVENTION” WITHIN CHAPTER 34, “LAND DEVELOPMENT”, IN ITS ENTIRETY, AND TO ADOPT A NEW ARTICLE II “FLOODPLAIN MANAGEMENT” WITHIN CHAPTER 34, “LAND DEVELOPMENT” TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Village Manager Reade stated that the Land Development department is recommending an amendment to the Village Code due to recent changes to the Florida Building Code (5th Edition) pertaining to buildings and structures within flood hazard areas to ensure consistency between both documents. The proposed ordinance was developed by the Federal Emergency Management Agency (FEMA) and the Florida Division of Emergency Management have developed a model ordinance and is specifically designed to repeal and replace existing regulations to satisfy the National Flood Insurance Program and Florida Building Code requirements.

Following the effective date of the new Flood Insurance Rate Maps (FIRM), which is the official map of the Village on which FEMA has identified both special hazard areas and the risk premium zones within the Village; the Village will be mandated to adopt these regulations within a 6-month period. As a result, staff is bringing this ordinance forward in advance of the federal mandate.

Note: FEMA is expecting to finalize the FIRM by September 2016 and possible insurance rate adjustments are expected to be implemented by March 2017. At this time, the Village will maintain fewer properties within a flood hazard area under the new maps; thus, significant rate increases are not expected.

The proposed ordinance has been reviewed and approved for adoption by the State.

The Land Development Board considered the proposed amendments at their April 12th meeting and recommended approval.

The proposed ordinance was approved during 1st reading by the Council on April 14, 2016, and is being presented for consideration on 2nd and final reading.

Village Manager Reade stated that this ordinance was recommended for approval by the Land Development Board heard at their April 12th meeting.

Mayor Smith asked for a motion to approve the agenda item, a motion was made by Mayor Pro Tem Waller, seconded by Council Member Gunther. Motion carried 5 – 0.

Mayor Smith asked if anyone was in the audience that needed to be sworn in. No one to give testimony.

24. Resolution 2016-46 - Final Plat – Wawa (Forest Hill/Congress)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE FINAL PLAT OF WAWA GAS STATION TO BE CONSTRUCTED AT 1771 S. CONGRESS AVENUE, SUBMITTED BY GEORGE BALABAN, AGENT FOR THE PROPERTY OWNER, A 5,636 SQUARE FOOT CONVENIENCE STORE WITH RESTAURANT AND GAS STATION WITH 6 FUELING PUMPS; UNIFYING THREE (3) PARCELS; AND PROVIDING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Village Manager Reade stated that Mr. George Balaban, agent for the property owner, Elwill Associates, Inc., has filed the final plat to construct a new Wawa gas station at 1771 South Congress Avenue (southwest corner of Forest Hill Boulevard and Congress Avenue). The proposed development will include a 5,636 square foot convenience store with restaurant and gas station with 6 fueling pumps. The proposed preliminary plat unifies three (3) parcels.

The final plat is consistent with the approved site plan (Resolution 2016-06 – January 14, 2016) and the preliminary plat (Resolution 2016-27 – March 8, 2016), which were both previously approved by the Village Council.

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

No Public comment.

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

Mayor Smith asked if anyone was in the audience to be sworn in. No one to give testimony.

25. Resolution No. 2016-47 - Preliminary Plat - Evans Place (1020 Evans Drive)

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF PALM SPRINGS, FLORIDA, APPROVING THE PRELIMINARY PLAT LOCATED AT EVANS PLACE -1020 EVANS DRIVE, SUBMITTED BY NORMAN HERNANDEZ, OWNER OF THE PROPERTY, TO SUBDIVIDE THE LOT INTO TWO SEPARATE LOTS, THE VILLAGE STAFF APPROVED AN ADMINISTRATIVE VARIANCE TO ALLOW A LOT WIDTH OF 62.5 FT.IN LIEU OF THE DISTRICT STANDARDS; AND PROVIDING AN EFFECTIVE DATE.

Staff: Kim Glas-Castro, Land Development Director

Village Manager Reade stated that Mr. Norman Hernandez, owner of the property, has filed the preliminary plat to subdivide a single lot, located at 1020 Evans Drive, into two (2) separate lots. While the RS district typically requires lots to have a minimum lot width of 65 feet, Village staff approved an

Administrative Variance to facilitate a “lot split” resulting in two buildable single-family residential lots with lot dimensions of 62.5 feet.

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 April 12th meeting and recommended approval.

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 two single family homes.

Note: The property was previously “donated” to the Village by JPMorgan Chase Bank in 2013 in consideration of the significant code enforcement liens that had accrued. The Village immediately sold the parcel with the intent that it be developed for residential purposes.

Mr. Norman Hernandez, owner of the property, has filed the preliminary plat to subdivide a single lot, located at 1020 Evans Drive, into two (2) separate lots. While the RS district typically requires lots to have a minimum lot width of 65 feet, Village staff approved an Administrative Variance to facilitate a “lot split” resulting in two buildable single-family residential lots with lot dimensions of 62.5 feet.

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 April 12th meeting and recommended approval.

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 two single family homes.

Note: The property was previously “donated” to the Village by JPMorgan Chase Bank in 2013 in consideration of the significant code enforcement liens that had accrued. The Village immediately sold the parcel with the intent that it be developed for residential purposes.

No Public comment.

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

ACTIONS AND REPORTS

- 26. Approve Roadway Asphalt Milling & Resurfacing Projects – Public Service Department (FY 2016 Budget & Reserves Funded)

Village Manager Reade stated that the Public Service Department is recommending that various roadways throughout the Village be milled and resurfaced based on visual inspection and rating by staff (See attached map and list). These fourteen (14) roadways and the Village Hall parking area (ring around Village Hall) are currently paved; however, staff is also recommending that five (5) unpaved streets be considered within the proposed project list (Canal 11 Road will be presented for consideration within the FY 2017 budget).

These unpaved roads were annexed without pavement and the Palm Beach County Engineer has committed to presenting the costs of these roads to the PBC Commission with the intention of reimbursing the Village 1/3 of the total paving cost.

Note: Staff met with the County Engineer earlier this week and he committed to including the cost for these roads as well as the project cost to pave Canal 11 Road within their FY 2017 budget. If approved, funding would be reimbursed to the Village following completion of the projects (after November 2016). To ensure the lowest possible price, staff will be utilizing the previously approved piggyback contract with Ranger Construction Industries, Inc. (Resolution 2016-01 –January 14, 2016). Funding for this proposed project is expected to be provided from previously approved funding within the FY 2016 Budget (\$150,000) and General Fund Reserves (\$500,000), which is expected to be requested by budget amendment during the Council's June 2016 meeting. The Village has worked with the proposed vendor previously and they have provided excellent service and a quality product.

FISCAL IMPACT:

Funds to support these proposed roadway paving and asphalt milling & resurfacing projects (excluding Canal 11 Road) are available as Road, Sidewalk and Drainage Maintenance (\$150,000) within the FY 2016 Budget - General Fund as well as a proposed budget amendment from General Fund Reserves (\$500,000) that is expected to be presented to the Council in June 2016. Village Manager Reade submitted pictures of various roadways that need improvements. Mr. Rouse, Public Service Director and Mr. Hardin, examined several roadways that need to be milled and paved.

Mayor Smith asked for a motion to approve the agenda item, a motion was made by Mayor Pro Tem Waller, seconded by Council Member Escalada. Motion carried 5 – 0.

VILLAGE MANAGER COMMENTS

Village Manager Reade requested that due to all the redevelopment in the Village, the Land Development Department is in need of a permit technician. He wants to provide the highest level of service to this community. Council Member Gunther agrees with Village Manager Reade, as he has seen the growth of this department.

Village Manager Reade would like staff to review the Code of the Village, chapter by chapter and have the ordinances updated like the Land Development chapter and the Charter chapter.

Village Manager Reade thanked the Code Enforcement staff for all their hard work.

Village Manager Reade announced future annexation of the southern Congress Avenue corridor. He's met with the County staff already and they are supportive of this initiative.

Kim Glas-Castro, explained the ISO process; every three years they asses the Village for inspections completed and professionalism of our staff, etc. Standards that indicate that the department is doing thorough reviews and inspections. We expect to get rated above average on the report.

Village Manager Reade explained the advertising that was completed for the vacant Council seat in District 3. A closing date of June 17th with a special agenda for a special meeting to be held on June 23, 2016.

VILLAGE COUNCIL COMMENTS

The Village Council requested that the closing date be moved up to June 9th at 12:00 noon to give them time to review the applications.

ADJOURNMENT

Hearing no further business, Mayor Smith adjourned the meeting at 7:59 p.m.

Respectfully submitted,

Susan Caljean, Village Clerk

Mayor Smith

**NEXT REGULAR COUNCIL MEETING
JUNE 9, 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.