CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
February 18, 2010
7:00 P.M.

Mayor Russo
Vice Mayor Levy
Council Member Jablin
Council Member Barnett
Council Member Premuroso

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. ADDITIONS, DELETIONS, MODIFICATIONS:

NONE

IV ANNOUNCEMENTS / PRESENTATIONS:

a. HONDA CLASSIC DELEGATION OF ECONOMIC IMPACT.

V. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS:

VI. CITY MANAGER REPORT:

NONE

VII. COMMENTS FROM THE PUBLIC: (For Items Not on the Agenda, please submit request form to the City Clerk prior to this Item)

VIII. CONSENT AGENDA:

a. APPROVE MINUTES FROM JANUARY 14, 2010 CITY COUNCIL MEETING.

b. APPROVE MINUTES FROM JANUARY 21, 2010 CITY COUNCIL MEETING.

c. RESOLUTION 5, 2010 - AGREEMENT WITH THE CHILDREN'S HEALTHCARE CHARITY, INC. FOR THE 2010 HONDA CLASSIC. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING AN AGREEMENT WITH THE CHILDREN'S HEALTHCARE CHARITY, INC. FOR THE 2010 HONDA CLASSIC PGA GOLF TOURNAMENT TO PROVIDE TEMPORARY VOLUNTEER PARKING, A PUBLIC SAFETY GRANT FOR OFF-DUTY POLICE AND FIRE PERSONNEL, AND EXCLUSIVE USE OF MIRASOL PARK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

d. RESOLUTION 7, 2010 – APPOINT THE SUPERVISOR OF ELECTIONS AS AN ADDITIONAL MEMBER TO THE CITY'S CANVASSING BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPOINTING THE SUPERVISOR OF ELECTIONS, OR HER DESIGNEE, AS AN ADDITIONAL MEMBER OF THE CITY OF PALM BEACH GARDENS CANVASSING BOARD; REQUESTING THE SUPERVISOR OF ELECTIONS, OR DESIGNEE, TO CANVASS ALL ABSENTEE BALLOTS; TO CANVASS THE MUNICIPAL ELECTION; AND TO CONDUCT THE LOGIC AND ACCURACY TESTING FOR ALL ELECTION MACHINERY; AUTHORIZING THE CITY CLERK TO APPOINT ELECTION OFFICIALS FOR THE PURPOSE OF CONDUCTING THE MUNICIPAL ELECTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

e. PROCLAMATION – FLORIDA SURVEYORS & MAPPERS WEEK.

f. PROCLAMATION – HONDA CLASSIC CHAMPION – YE YANG DAY

IX. PUBLIC HEARINGS: (* Designates Quasi-Judicial Hearing)

a. **ORDINANCE 2, 2010** – (2ND READING AND ADOPTION) POLICE OFFICERS' RETIREMENT TRUST FUND. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 50. POLICE. OF THE CITY OF PALM BEACH GARDENS CODE OF ORDINANCES AT SECTION 50-61. DEFINITIONS. BY REPEALING THE DEFINITIONS OF "CREDITED SERVICE", "POLICE OFFICER", AND "SALARY" AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 50 BY REPEALING SECTIONS 50-82, 50-90, 50-124 AND 50-127 AND SUBSECTIONS 50-114(E), 50-118(D), 50-120(B) AND 50-152(D) IN ORDER TO ADOPT PROVISIONS OF THE HEROES EARNINGS ASSISTANCE AND RELIEF TAX ACT OF 2008 INTO THE POLICE PENSION TRUST FUND REGULATIONS AND FOR CONSISTENCY WITH CHAPTER 185, *FLORIDA STATUTES;* PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 50. POLICE. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

b. ***ORDINANCE 3, 2010** - (2ST READING AND ADOPTION) REGIONS BANK PLANNED UNIT DEVELOPMENT MAJOR CONDITIONAL USE WITH SITE PLAN. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA REZONING CERTAIN REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF PALM BEACH GARDENS, CONSISTING OF ONE (1) PARCEL OF REAL PROPERTY COMPRISED OF ONE (1) PLATTED LOT TOTALING 1.54 ACRES, MORE OR LESS, IN SIZE LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD APPROXIMATELY 500 FEET EAST OF I-95, WITH A STREET ADDRESS OF 3855 NORTHLAKE BOULEVARD, INFORMALLY KNOWN AS THE "REGIONS BANK PROPERTY"; PROVIDING THAT THIS PARCEL OF REAL PROPERTY WHICH IS MORE PARTICULARLY DESCRIBED HEREIN SHALL BE ASSIGNED THE CITY ZONING DESIGNATION OF PLANNED UNIT DEVELOPMENT (PUD) OVERLAY WITH AN UNDERLYING ZONING DESIGNATION OF CG-1; PROVIDING THAT THE ZONING MAP OF THE CITY OF PALM BEACH GARDENS BE AMENDED ACCORDINGLY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION 3, 2010 IS A COMPANION ITEM TO ORDINANCE 3, 2010 AND WILL REQUIRE COUNCIL ACTION.

RESOLUTION 3, 2010 - REGIONS BANK PLANNED UNIT DEVELOPMENT MAJOR CONDITIONAL USE. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE REGIONS BANK PLANNED UNIT DEVELOPMENT (PUD), MAJOR CONDITIONAL USE, AND SITE PLAN IN ORDER TO ALLOW A 3,820-SQUARE-FOOT BANK WITH FIVE (5) DRIVE-THRU LANES AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING WAIVERS; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

c. **ORDINANCE 5, 2010** – (2ND READING AND ADOPTION) PAIN CLINIC. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND DEVELOPMENT. BY ADOPTING NEW SUBSECTION 78-159(J)(47.1) AND BY AMENDING TABLE 21: PERMITTED, CONDITIONAL AND PROHIBITED USE CHART IN ORDER TO ADOPT REGULATIONS PERTAINING TO MEDICAL OFFICES; FURTHER AMENDING CHAPTER 78 AT SECTION 78-751. DEFINITIONS. BY REPEALING THE DEFINITIONS OF "DRUGSTORE OR PHARMACY", "OFFICE, MEDICAL OR DENTAL", AND "OFFICE, BUSINESS OR PROFESSIONAL" AND READOPTING SAME, AS REVISED, IN ORDER TO REVISE AND CLARIFY SUCH DEFINITIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 78. LAND DEVELOPMENT. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

X. RESOLUTIONS:

NONE

XI. ITEMS FOR COUNCIL ACTION/DISCUSSION:

NONE

XII. CITY ATTORNEY REPORT:

NONE

XIII. ADJOURNMENT

PLEASE TAKE NOTICE AND BE ADVISED that if any interested party wishes to appeal any decision made by the City Council with respect to any matter considered at this public hearing, such interested persons will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the City Clerk's Office at 561-799-4122 no later than 5 days prior to the hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).

NOTE:

All presentation materials must be received by the City Clerk prior to the presentation to the Council.