



**CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
June 3, 2010
7:00 P.M.**

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

- I. **PLEDGE OF ALLEGIANCE**
- II. **ROLL CALL**
- III. **ADDITIONS, DELETIONS, MODIFICATIONS:**
- IV **ANNOUNCEMENTS / PRESENTATIONS:**
 - a. **REPRESENTATIVE CARL DOMINO – LEGISLATIVE WRAP-UP.**
 - b. **RECOGNITION OF PALM BEACH GARDENS HIGH SCHOOL SOFTBALL CLASS 6A CHAMPIONS.**
- V. **ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS:**
- VI. **CITY MANAGER REPORT:**
- VII. **COMMENTS FROM THE PUBLIC: (For Items Not on the Agenda, please submit request form to the City Clerk prior to this Item)**
None.
- VIII. **CONSENT AGENDA:**
 - a. APPROVE MINUTES FROM MAY 6, 2010 CITY COUNCIL MEETING.
 - b. RESOLUTION 28, 2010 – OPPOSING AMENDING THE FLORIDA CONSTITUTION. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA EXPRESSING OPPOSITION TO A PROPOSED AMENDMENT TO THE FLORIDA CONSTITUTION THAT WOULD FORCE VOTERS TO DECIDE ALL CHANGES TO A MUNICIPALITY'S OR COUNTY'S COMPREHENSIVE PLAN; AUTHORIZING THE CITY MANAGER TO DO ALL THINGS NECESSARY TO CARRY OUT THE PURPOSE AND INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- c. RESOLUTION 31, 2010 – WATSON B. DUNCAN’S ACADEMY OF LITERARY AND FINE ARTS. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA IN SUPPORT OF THE TRIBUTE TO WATSON B. DUNCAN III THROUGH THE IMPLEMENTATION OF THE WATSON B. DUNCAN LITERARY AND FINE ARTS ACADEMY AT WATSON B. DUNCAN MIDDLE SCHOOL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

- a. [ORDINANCE 8, 2010](#) – (2nd READING AND ADOPTION) AMEND THE LAND DEVELOPMENT REGULATION TO ALLOW FOR COMMUNITY GARDENS. 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)(71) AND AMENDING TABLE 21: PERMITTED, CONDITIONAL AND PROHIBITED USE CHART IN ORDER TO CREATE A COMMUNITY GARDENS USE AND ADOPT REGULATIONS PERTAINING TO COMMUNITY GARDENS; 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.
- b. [*ORDINANCE 10, 2010](#) - (2nd READING AND ADOPTION) ST. MARK’S EPISCOPAL CHURCH AND SCHOOL. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA PROVIDING FOR THE EXPANSION OF ST. MARK’S EPISCOPAL CHURCH AND SCHOOL, LOCATED AT THE CORNER OF GARDENS EAST DRIVE AND BURNS ROAD AND HAVING A STREET ADDRESS OF 3395 BURNS ROAD; AMENDING ORDINANCE 24, 1999 AND ORDINANCE 32, 2000, WHICH APPROVED AND AMENDED, RESPECTIVELY, THE ST. MARK’S EPISCOPAL CHURCH AND SCHOOL PUD, IN ORDER TO TRANSFER AND AMEND THE SITE PLAN APPROVAL AND RELATED CONDITIONS OF APPROVAL TO A SEPARATE RESOLUTION; PROVIDING THAT FUTURE AMENDMENTS TO THE SITE PLAN AND CONDITIONS OF APPROVAL FOR THE PUD MAY BE MADE BY RESOLUTION OF THE CITY COUNCIL; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION 22, 2010 IS A COMPANION ITEM TO ORDINANCE 10, 2010 AND WILL REQUIRE COUNCIL ACTION.

RESOLUTION 22, 2010 - ST. MARK’S EPISCOPAL CHURCH AND SCHOOL. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE ST. MARK’S EPISCOPAL CHURCH AND SCHOOL PLANNED UNIT DEVELOPMENT (PUD) AND SITE PLAN IN ORDER TO ALLOW A 44,593-SQUARE-FOOT EXPANSION TO THE EXISTING FACILITIES, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING WAIVERS; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- c. [*ORDINANCE 11, 2010](#) – (2nd READING AND ADOPTION) PARCEL 18 A07 VOLUNTARY ANNEXATION. AN ORDINANCE OF THE CITY COUNCIL OF CITY OF PALM BEACH GARDENS, FLORIDA ANNEXING, PURSUANT TO A PETITION FOR VOLUNTARY ANNEXATION, A PARCEL OF LAND CONSISTING OF APPROXIMATELY TWELVE AND 39/100 (12.39) ACRES, GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF HOOD ROAD AND THE FLORIDA TURNPIKE, IN PALM BEACH COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED HEREIN; DECLARING THAT THE VOLUNTARY ANNEXATION PETITION BEARS THE SIGNATURE OF THE OWNER OF THE REAL PROPERTY ANNEXED HEREBY; AMENDING ARTICLE II OF THE CITY CHARTER BY REDEFINING THE CORPORATE LIMITS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- d. [*RESOLUTION 25, 2010](#) - AMENDMENT TO THE OAKBROOK SQUARE PUD MODIFYING THE MASTER SIGNAGE PROGRAM. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE MASTER SIGNAGE PROGRAM OF THE OAKBROOK SQUARE SHOPPING CENTER PLANNED UNIT DEVELOPMENT (PUD) LOCATED AT THE NORTHEAST CORNER OF PGA BOULEVARD AND US HIGHWAY 1, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- e. [RESOLUTION 26, 2010](#) - ART IN PUBLIC PLACES FOR DOWNTOWN AT THE GARDENS. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE ART IN PUBLIC PLACES FOR DOWNTOWN AT THE GARDENS, GENERALLY LOCATED WITHIN THE REGIONAL CENTER DRI/PCD AT THE SOUTHEAST CORNER OF THE INTERSECTION OF GARDENS PARKWAY AND ALTERNATE A1A, NORTH OF KYOTO GARDENS DRIVE AT 11701 LAKE VICTORIA GARDENS AVENUE, AS DESCRIBED MORE PARTICULARLY HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- f. [*RESOLUTION 27, 2010](#) - DOWNTOWN AT THE GARDENS – EXTEND THE TEMPORARY PARKING LOT USE ON THE GARDENS CORPORATE CENTER PARCEL - GOSMAN SITE. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING A DEVELOPMENT ORDER CONDITION OF APPROVAL FOR DOWNTOWN AT THE GARDENS LOCATED WITHIN THE REGIONAL CENTER DRI/PCD, AS DESCRIBED MORE PARTICULARLY HEREIN, TO MODIFY A CERTAIN CONDITION OF APPROVAL RELATED TO TEMPORARY PARKING LOCATED ON THE GOSMAN PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

X. RESOLUTIONS:

- a. [RESOLUTION 20, 2010](#) - RE-ESTABLISHING THE BUDGET OVERSIGHT COMMITTEE. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA RE-ESTABLISHING THE BUDGET OVERSIGHT COMMITTEE; PROVIDING A PURPOSE, POWERS, DUTIES, MEMBERSHIP, AND MEETINGS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- b. [RESOLUTION 21, 2010](#) - REAPPOINTMENT OF FIVE (5) REGULAR MEMBERS TO THE BUDGET OVERSIGHT COMMITTEE. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPOINTING FIVE (5) REGULAR MEMBERS TO THE BUDGET OVERSIGHT COMMITTEE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

XI. ITEMS FOR COUNCIL ACTION/DISCUSSION:

- a. [RESOLUTION OF COLLECTIVE BARGAINING IMPASSE BETWEEN THE CITY AND THE SEIU/FLORIDA PUBLIC SERVICES UNION.](#)
- b. [BUDGET 2010/2011](#)

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.