



**CITY OF PALM BEACH GARDENS  
COUNCIL AGENDA  
June 17, 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:](#)
- V. [ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS:](#)
- VI. [CITY MANAGER REPORT:](#)
- VII. [COMMENTS FROM THE PUBLIC: \(For Items Not on the Agenda, please submit request form to the City Clerk prior to this Item\)](#)
- VIII. [CONSENT AGENDA:](#)
  - a. APPROVE MINUTES FROM MAY 6, 2010 CITY COUNCIL MEETING.
  - b. APPROVE MINUTES FROM MAY 20, 2010 CITY COUNCIL MEETING.
  - c. RESOLUTION 24, 2010 - STORM DEBRIS DISPOSAL SERVICES. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AWARDED CONTRACTS TO GRUBBS EMERGENCY SERVICES, LLC AS FIRST ALTERNATE CONTRACTOR AND OMNI PINNACLE, LLC AS SECOND ALTERNATE CONTRACTOR FOR STORM DEBRIS DISPOSAL SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENTS; PROVIDING EFFECTIVE DATES; AND FOR OTHER PURPOSES.
  - d. RESOLUTION 35, 2010 - DECLARING SURPLUS PROPERTY. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA DECLARING CERTAIN ITEMS OF PERSONAL PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE BY AUCTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

- a. **\*ORDINANCE 11, 2010** – (2<sup>nd</sup> 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.
  
- b. **ORDINANCE 7, 2010** – (2<sup>nd</sup> READING AND ADOPTION) BUSINESS TAX RECEIPT (OCCUPATIONAL LICENSE). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 66. TAXATION. BY REPEALING ARTICLE II. OCCUPATIONAL LICENSE. IN ITS ENTIRETY AND READOPTING A NEW ARTICLE II WITH A NEW TITLE SUCH THAT ARTICLE II. SHALL NOW BE ENTITLED “BUSINESS TAX AND REGISTRATION” IN ORDER TO COMPLY WITH CHAPTER 205, FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
  
- c. **ORDINANCE 12, 2010** – (1<sup>ST</sup> READING) PARCEL 18 A07 FUTURE LAND USE MAP AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000013, WHICH PROVIDES FOR AN AMENDMENT TO THE CITY’S FUTURE LAND USE MAP DESIGNATING ONE (1) PARCEL OF REAL PROPERTY COMPRISING APPROXIMATELY TWELVE AND 39/100 (12.39±) ACRES, MORE OR LESS, IN SIZE AS “(RL) RESIDENTIAL LOW”; SUCH PARCEL BEING LOCATED GENERALLY AT THE NORTHWEST CORNER OF THE INTERSECTION OF HOOD ROAD AND THE FLORIDA TURNPIKE, IN PALM BEACH COUNTY, FLORIDA, INFORMALLY KNOWN AS “PARCEL 18.A07”; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- d. **ORDINANCE 14, 2010** - (1<sup>ST</sup> READING) ST. IGNATIUS CHURCH LAND USE MAP AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000012(A), WHICH PROVIDES FOR AN AMENDMENT TO THE CITY'S FUTURE LAND USE MAP DESIGNATING ONE (1) PARCEL OF REAL PROPERTY COMPRISING APPROXIMATELY TEN AND 10/100 (10.10±) ACRES, MORE OR LESS, IN SIZE AS "(RM) RESIDENTIAL MEDIUM"; SUCH PARCEL BEING LOCATED GENERALLY AT THE SOUTHWEST CORNER OF HOLLY DRIVE AND MILITARY TRAIL, INFORMALLY KNOWN AS "ST. IGNATIUS CHURCH"; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. **ORDINANCE 15, 2010** - (1<sup>ST</sup> READING) WESTWOOD GARDENS/WESTWOOD LAKES (PUD) LAND USE MAP AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000012(C), WHICH PROVIDES FOR AN AMENDMENT TO THE CITY'S FUTURE LAND USE MAP DESIGNATING CERTAIN PARCELS OF REAL PROPERTY, TOGETHER COMPRISING APPROXIMATELY ONE HUNDRED TWENTY-NINE AND 35/100 (129.35±) ACRES, MORE OR LESS, IN SIZE AS "(RM) RESIDENTIAL MEDIUM"; SUCH PARCELS BEING LOCATED GENERALLY ON THE SOUTH SIDE OF HOOD ROAD BETWEEN THE FLORIDA TURNPIKE AND CENTRAL BOULEVARD, INFORMALLY KNOWN AS "WESTWOOD GARDENS/WESTWOOD LAKES PUD"; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- f. [ORDINANCE 16, 2010](#) - (1<sup>ST</sup> READING) PALOMA (PUD) LAND USE MAP AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000012(D), WHICH PROVIDES FOR AN AMENDMENT TO THE CITY'S FUTURE LAND USE MAP DESIGNATING CERTAIN PARCELS OF REAL PROPERTY, TOGETHER COMPRISING ONE HUNDRED EIGHT AND 79/100 (108.79±) ACRES, MORE OR LESS, IN SIZE AS "(RL) RESIDENTIAL LOW"; SUCH PARCELS BEING LOCATED GENERALLY SOUTH OF HOOD ROAD, WEST OF MILITARY TRAIL, AND EAST OF CENTRAL BOULEVARD AND INTERSTATE 95, INFORMALLY KNOWN AS THE "PALOMA PUD"; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- g. [ORDINANCE 17, 2010](#) - (1<sup>ST</sup> READING) THE OAKS (PUD) LAND USE MAP AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE SCALE AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES, SPECIFICALLY SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO APPLICATION NO. CPMA-10-03-000012(E), WHICH PROVIDES FOR AN AMENDMENT TO THE CITY'S FUTURE LAND USE MAP FOR TWO (2) PARCELS; DESIGNATING ONE (1) PARCEL OF REAL PROPERTY COMPRISING APPROXIMATELY SIXTY-FIVE AND 32/100 (65.32±) ACRES, MORE OR LESS, IN SIZE AS "(RH) RESIDENTIAL HIGH"; SUCH PARCEL BEING LOCATED GENERALLY AT THE SOUTHWEST CORNER OF GARDENS EAST DRIVE AND RCA BOULEVARD, COMMONLY KNOWN AS "SUN TERRACE AT THE OAKS"; DESIGNATING THE SECOND PARCEL OF REAL PROPERTY COMPRISING APPROXIMATELY TWENTY-SEVEN AND 88/100 (27.88±) ACRES, MORE OR LESS, IN SIZE AS "(RL) RESIDENTIAL LOW"; SUCH PARCEL BEING GENERALLY LOCATED AT THE SOUTHEAST CORNER OF GARDENS EAST DRIVE AND RCA BOULEVARD, COMMONLY KNOWN AS "OAKS EAST"; BOTH PARCELS TOGETHER COMPRISING THAT CERTAIN DEVELOPMENT MORE COMMONLY KNOWN AS "THE OAKS PUD"; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- h. [ORDINANCE 18, 2010](#) - (1<sup>ST</sup> READING) CITY-INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT PETITION. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, HOUSING ELEMENT, RECREATION AND OPEN SPACE ELEMENT, COASTAL MANAGEMENT ELEMENT, CAPITAL IMPROVEMENTS ELEMENT, AND INFRASTRUCTURE ELEMENT OF THE CITY'S COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3184, ET SEQ., [FLORIDA STATUTES](#); PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
  
- i. \*[RESOLUTION 32, 2010](#) - PARCEL 31.04, CIMARRON COVE AND PALOMA A FUNDING AGREEMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING A POOLING AGREEMENT, ALLOWING FOR IMPACT FEE CREDITS TO BE ESTABLISHED FOR THE PARCEL 31.04 PLANNED COMMUNITY DEVELOPMENT (PCD) AND THE PALOMA PLANNED UNIT DEVELOPMENT (PUD), BASED ON THE DEVELOPERS' CONTRIBUTIONS FOR THE CONSTRUCTION OF VICTORIA FALLS BOULEVARD BETWEEN MILITARY TRAIL AND CENTRAL BOULEVARD AND ELM AVENUE FROM HOOD ROAD SOUTH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
  
- j. \*[RESOLUTION 33, 2010](#) - PARCEL 31.04, CONDITION OF APPROVAL. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE MASTER DEVELOPMENT PLAN FOR THE 50.58-ACRE PARCEL 31.04 MIXED-USE PLANNED COMMUNITY DEVELOPMENT (MXD/PCD), GENERALLY BOUNDED BY INTERSTATE 95 AND CENTRAL BOULEVARD TO THE WEST, VICTORIA FALLS BOULEVARD TO THE NORTH, THE FUTURE EXTENSION OF ELM AVENUE TO THE EAST, AND THE PALOMA PLANNED UNIT DEVELOPMENT (PUD) TO THE SOUTH, AS MORE PARTICULARLY DESCRIBED HEREIN, TO INCORPORATE A CONDITION OF APPROVAL RELATED TO CERTAIN TRAFFIC IMPROVEMENTS REQUIRED BY PALM BEACH COUNTY'S TRAFFIC DIVISION INTO THE MASTER PCD DEVELOPMENT ORDER; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
  
- k. \*[RESOLUTION 34, 2010](#) - PARCEL 31.04, RELOCATE A CONDITION OF APPROVAL. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA DELETING A CONDITION OF APPROVAL FROM RESOLUTION 4, 2007, WHICH APPROVED THE SITE PLAN FOR "LATITUDES IN THE GARDENS" WITHIN THE PARCEL 31.04 MIXED-USE PLANNED COMMUNITY DEVELOPMENT (MXD/PCD) SINCE THE SUBJECT CONDITION HAS BEEN INCORPORATED INTO THE MASTER PCD DEVELOPMENT ORDER BY THE ADOPTION OF RESOLUTION 33, 2010, PARCEL 31.04 PCD BEING GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTRAL BOULEVARD AND VICTORIA FALLS BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

X. **RESOLUTIONS:**

XI. **ITEMS FOR COUNCIL ACTION/DISCUSSION:**

- a. AMEND THE LAND DEVELOPMENT REGULATIONS TO REVISE THE SIGN CODE.

XII. **CITY ATTORNEY REPORT:**

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.**