

1 CITY OF PALM BEACH GARDENS
2 CITY COUNCIL
3 REGULAR MEETING
4 DECEMBER 2, 2010
5

6 The regular meeting was called to order at 7:01 p.m. by Mayor Levy.

7 **I. PLEDGE OF ALLEGIANCE**

8 **II. ROLL CALL**

9 **PRESENT:** Mayor David Levy, Vice Mayor Robert Premuroso, Councilmember Joseph
10 Russo, Councilmember Eric Jablin, Councilmember Marcie Tinsley.

11 **ABSENT:** None.

12 **III. ADDITIONS, DELETIONS, MODIFICATIONS**

13 **UNDER CONSENT**

14 c. RESOLUTION 89, 2010 – RECOGNITION OF COUNCILMEMBER RUSSO’S
15 TWENTY-ONE (21) YEARS OF PUBLIC SERVICE.

16 **Councilmember Jablin** made a motion for approval of the addition.

17 **Vice Mayor Premuroso** seconded.

18 Motion passed 5-0.

19 **IV. ANNOUNCEMENTS AND PRESENTATIONS**

20 a. **Recreation Director Charlotte Presensky** presented the City holiday activity schedule.

21 **V. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS**

22 **Councilmember Jablin** announced events being held in Downtown at the Gardens. **Vice**
23 **Mayor Premuroso** announced for the first 30 days the proceeds from the carousel at
24 Downtown at the Gardens will be donated to charities; the Palm Beach Gardens Historical
25 Society holiday events and welcomed Joseph’s Classic Market and Brooklyn Water Bagel
26 restaurant to Palm Beach Gardens. **Councilmember Russo** reported attending the North
27 County Economic Development Advisory Board meeting and thanked **Fire Chief Bergel** and
28 the Big Heart Brigade volunteers for preparing Thanksgiving meals for the disadvantaged.
29 **Councilmember Tinsley** thanked Downtown at the Gardens for the charitable donations from
30 the carousel. **Mayor Levy** announced the passing of **Ernest Volonte** and requested a moment
31 of silence.

32 **VI. CITY MANAGER REPORT**

33 **City Manager Ferris** introduced **Jim McGuinn** from the Florida League of Cities who
34 presented a plaque to **Councilmember Russo** for 20 years of elected service. A cake was then
35 presented to **Councilmember Russo** in honor of his 61st birthday.

36 **VII. COMMENTS FROM THE PUBLIC**

37 **Carol Estrada**, 309 Riverside Drive, Palm Beach Gardens.

38 **VIII. CONSENT AGENDA**

39 a. RESOLUTION 87, 2010 – PURCHASE OF THREE (3) TURF MOWERS. A
40 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
41 FLORIDA APPROVING A PURCHASE AWARD TO WESCO TURF, INC. FOR THREE
42 (3) TURF MOWERS PURUSANT TO AN EXISTING CONTRACT WITH THE STATE
43 OF FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES..

44 b. RESOLUTION 92, 2010 – IDENTITY THEFT PREVENTION PROGRAM. A
45 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
46 FLORIDA APPROVING AN “IDENTITY THEFT PREVENTION PROGRAM” IN
47 ACCORDANCE WITH THE REQUIREMENTS OF THE FAIR AND ACCURATE

1 CREDIT TRANSACTIONS ACT OF 2003; PROVIDING AN EFFECTIVE DATE; AND
2 FOR OTHER PURPOSES.

3 c. RESOLUTION 89, 2010 – RECOGNITION OF COUNCILMEMBER RUSSO’S
4 TWENTY-ONE (21) YEARS OF PUBLIC SERVICE.

5 Councilmember Jablin made a motion for approval of the Consent Agenda.

6 Vice Mayor Premuroso seconded.

7 Motion passed 5-0.

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

9 Mayor Levy announced the procedures for tonight’s proceedings.

10 Those preparing to give testimony were sworn in.

11 The City Clerk read Ordinance 24, 2010 by title.

12 a. *ORDINANCE 24, 2010 – (2ND READING AND ADOPTION – CONTINUED FROM
13 NOVEMBER 18, 2010) AT&T PLANNED UNIT DEVELOPMENT (PUD). AN
14 ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
15 FLORIDA REZONING CERTAIN REAL PROPERTY WITHIN THE CORPORATE
16 LIMITS OF THE CITY OF PALM BEACH GARDENS, CONSISTING OF ONE (1)
17 PARCEL OF REAL PROPERTY COMPRISED OF ONE (1) PLATTED LOT TOTALING
18 0.93 ACRES, MORE OR LESS, IN SIZE, LOCATED ON THE NORTH SIDE OF
19 NORTHLAKE BOULEVARD APPROXIMATELY 500 FEET EAST OF NORTH
20 CONGRESS AVENUE, WITH A STREET ADDRESS OF 3005 NORTHLAKE
21 BOULEVARD, INFORMALLY KNOWN AS THE “AT&T PROPERTY”; PROVIDING
22 THAT THIS PARCEL OF REAL PROPERTY, WHICH IS MORE PARTICULARLY
23 DESCRIBED HEREIN, SHALL BE ASSIGNED THE CITY ZONING DESIGNATION OF
24 PLANNED UNIT DEVELOPMENT (PUD) OVERLAY WITH AN UNDERLYING
25 ZONING DESIGNATION OF GENERAL COMMERCIAL (CG-1); PROVIDING THAT
26 THE ZONING MAP OF THE CITY OF PALM BEACH GARDENS BE AMENDED
27 ACCORDINGLY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE,
28 AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR
29 OTHER PURPOSES.

30 RESOLUTION 75, 2010 IS A COMPANION ITEM TO ORDINANCE 24, 2010 AND WILL
31 REQUIRE COUNCIL ACTION

32 *RESOLUTION 75, 2010 – AT&T PLANNED UNIT DEVELOPMENT (PUD). A
33 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
34 FLORIDA APPROVING THE AT&T PLANNED UNIT DEVELOPMENT (PUD) SITE
35 PLAN, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING WAIVERS;
36 PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND
37 FOR OTHER PURPOSES.

38 Vice Mayor Premuroso declared a conflict and left the dais. City Attorney Lohman
39 directed that Form 8B will carry over from the November 18, 2010 hearing.

40 Mayor Levy opened the public hearing.

41 No ex parte communication was declared.

42 Presentation by: Ken Tuma, Urban Design Kilday Studios.

43 Public Comment: None.

44 Mayor Levy closed the public hearing.

45 Councilmember Jablin made a motion for approval of Ordinance 24, 2010 on second
46 reading and adoption.

47 Councilmember Russo seconded.

48 Motion passed 4-0.

1 **Councilmember Jablin** made a motion for approval of Resolution 75, 2010.

2 **Councilmember Russo** seconded.

3 Motion passed 4-0.

4 **Vice Mayor Premuroso** returned to the dais.

5 The City Clerk read Ordinance 27, 2010 by title.

6 b. ***ORDINANCE 27, 2010 – (1ST READING) REZONING PARCEL 18.A07). AN**
7 **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,**
8 **FLORIDA REZONING ONE (1) PARCEL OF REAL PROPERTY CONSISTING OF**
9 **APPROXIMATELY TWELVE AND 39/100 (12.39) ACRES, MORE OR LESS; SUCH**
10 **PARCEL BEING LOCATED GENERALLY AT THE NORTHWEST CORNER OF THE**
11 **INTERSECTION OF HOOD ROAD AND THE FLORIDA TURNPIKE, INFORMALLY**
12 **KNOWN AS “PARCEL 18.A07”, AS MORE PARTICULARLY DESCRIBED HEREIN,**
13 **FROM PALM BEACH COUNTY RESIDENTIAL SINGLE FAMILY (RS) AND**
14 **RESIDENTIAL ESTATE (RE) TO CITY OF PALM BEACH GARDENS RESIDENTIAL**
15 **LOW, UP TO 4 UNITS PER ACRE (RL-2) ZONING DISTRICT; PROVIDING FOR**
16 **REVISIONS TO THE ZONING DISTRICT MAP; PROVIDING A CONFLICTS CLAUSE,**
17 **A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN**
18 **EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

19 **Mayor Levy** opened the public hearing.

20 No ex parte communication was declared.

21 **Presentation by: Jose Martinez, 95 Hood LLC.**

22 **Public Comment: None.**

23 **Mayor Levy** closed the public hearing.

24 **Councilmember Jablin** made a motion for approval for Ordinance 27, 2010 on first reading.

25 **Vice Mayor Premuroso** seconded.

26 Motion passed 5-0.

27 **X. RESOLUTIONS**

28 The City Clerk read Resolution 85, 2010 by title.

29 a. **RESOLUTION 85, 2010 – POLICE PENSION BOARD REAPPOINTMENTS. A**
30 **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,**
31 **FLORIDA RE-APPOINTING TWO (2) MEMBERS TO THE BOARD OF TRUSTEES OF**
32 **THE CITY OF PALM BEACH GARDENS POLICE OFFICERS’ PENSION FUND;**
33 **PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

34 **Presentation: None.**

35 **Public Comment: None.**

36 **Councilmember Jablin** made a motion for approval of Resolution 85, 2010.

37 **Vice Mayor Premuroso** seconded.

38 Motion passed 5-0.

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

40 a. **Councilmember Jablin** discussed the possibility of annexing Eastpointe. Council reached
41 consensus on directing **City Manager Ferris** to look into the possibility of annexing
42 Eastpointe and Old Marsh and provide a report.

43 b. **Councilmember Tinsley** discussed the change to one City Council meeting per month
44 beginning in January 2011.

45 **XII. CITY ATTORNEY REPORT**

46 None.

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1 **XIII. ADJOURNMENT**

2 **Councilmember Jablin** made a motion to adjourn.

3 **Vice Mayor Premuroso** seconded.

4 Motion passed 5-0.

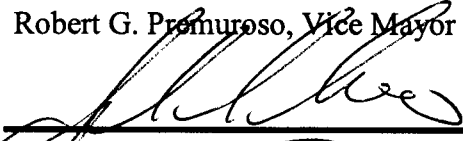
5 The meeting adjourned at 7:49 p.m.


6 The next regularly scheduled City Council meeting will be held December 16, 2010.

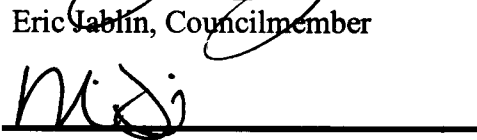
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8 **APPROVED:**

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11 _____
12 David Levy, Mayor


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15 Robert G. Premuroso, Vice Mayor

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18 Joseph R. Russo, Councilmember

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21 Eric Jablin, Councilmember

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24 Marcie Tinsley, Councilmember

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36 **ATTEST:**

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39 Patricia Smider, CMC
40 City Clerk

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45 **Note:** These minutes are prepared in compliance with 286.011 F.S. and are not verbatim transcripts of
46 the meeting. A verbatim audio record is available from the Office of the City Clerk.

47 All referenced attachments are on file in the Office of the City Clerk.