

CITY OF PALM BEACH GARDENS
CITY COUNCIL
REGULAR MEETING
DECEMBER 16, 2010

The regular meeting was called to order at 7:00 p.m. by Mayor Levy.

I. PLEDGE OF ALLEGIANCE

Mayor Levy requested a moment of silence in remembrance of Palm Beach Gardens resident Thomas Sosey.

II. ROLL CALL

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

ABSENT: None.

III. ADDITIONS, DELETIONS, MODIFICATIONS

UNDER ANNOUNCEMENTS AND PRESENTATIONS

a. Federal Emergency Management Agency (FEMA) Reimbursements Recognition.

Councilmember Jablin made a motion for approval of the addition.

Councilmember Russo seconded.

Motion passed 5-0.

IV. ANNOUNCEMENTS AND PRESENTATIONS

a. Federal Emergency Management Agency (FEMA) Reimbursements Recognition.

City Manager Ferris recognized Risk Management Coordinator Gracie Wong for her efforts in obtaining reimbursement from FEMA for expenses incurred by the City following hurricanes Frances and Jeanne.

V. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS

Councilmember Tinsley thanked Gracie Wong for her hard work and reported on attending a Chamber of Commerce meeting. Councilmember Russo reported on Downtown at the Gardens activities and recognized Thomas Sosey. Vice Mayor Premuroso reported on City financial interests. Councilmember Jablin recognized Thomas Sosey and reported on improvements at Landmark at the Gardens. Mayor Levy reported on the Hanukkah party held at Midtown at the Gardens and a caroling event and wished all happy holidays.

VI. CITY MANAGER REPORT

None.

VII. COMMENTS FROM THE PUBLIC

None.

VIII. CONSENT AGENDA

a. APPROVE MINUTES FROM NOVEMBER 4, 2010 CITY COUNCIL MEETING.

b. APPROVE MINUTES FROM NOVEMBER 18, 2010 CITY COUNCIL MEETING.

c. APPROVE MINUTES FROM DECEMBER 2, 2010 CITY COUNCIL MEETING.

d. PROCLAMATION – LET’S MOVE CAMPAIGN.

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

Councilmember Russo seconded.

Motion passed 5-0.

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

Mayor Levy announced the procedures for tonight’s proceedings.

Those preparing to give testimony were sworn in.

The City Clerk read Ordinance 27, 2010 by title.

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

13 Mayor Levy opened the public hearing.

14 No ex parte communication was declared.

15 Public Comment: None.

16 Mayor Levy closed the public hearing.

17 Councilmember Jablin made a motion for approval of Ordinance 27, 2010 on second
18 reading and adoption.

19 Vice Mayor Premuroso seconded.

20 Motion passed 5-0.

21 The City Clerk read Resolution 91, 2010 by title.

22 b. *RESOLUTION 91, 2010 — OUTDOOR ACCESSORY STRUCTURE AT MIDTOWN. A
23 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
24 FLORIDA APPROVING A MAJOR SITE PLAN AMENDMENT TO THE MIDTOWN PLANNED
25 UNIT DEVELOPMENT (PUD), LOCATED AT 4801 PGA BOULEVARD, AS MORE
26 PARTICULARLY DESCRIBED HEREIN, TO ADD AN OUTDOOR ACCESSORY STRUCTURE
27 IN THE PLAZA BETWEEN CANTINA LAREDO AND III FORKS STEAKHOUSE; PROVIDING
28 CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER
29 PURPOSES.

30 Mayor Levy opened the public hearing.

31 No ex parte communication was declared.

32 Presentation by: Alessandra Kalfin, Coteleur & Hearing, Inc.

33 Staff Presentation: Director of Planning and Zoning Natalie Wong.

34 Public Comment: Vito DeFrancesco, 1049 Shady Lakes Circle, Palm Beach Gardens.

35 Mayor Levy closed the public hearing.

36 Councilmember Jablin made a motion for approval for Resolution 91, 2010.

37 Vice Mayor Premuroso seconded.

38 Motion passed 5-0.

39 The City Clerk read Ordinance 28, 2010 by title.

40 c. ORDINANCE 28, 2010 – (1ST READING) AMENDING FISCAL YEAR 2010/2011
41 BUDGETED FUND BALANCE CARRY. AN ORDINANCE OF THE CITY COUNCIL OF
42 THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE CITY OF PALM
43 BEACH GARDENS’ BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1,
44 2010, AND ENDING SEPTEMBER 30, 2011, INCLUSIVE; PROVIDING A CONFLICTS
45 CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND
46 FOR OTHER PURPOSES.

47 Mayor Levy opened the public hearing.

48 Staff Presentation: Finance Administrator Allan Owens.

49 Public Comment: None.

1 **Mayor Levy** closed the public hearing.
2 **Councilmember Jablin** made a motion for approval for Ordinance 28, 2010 on first reading.
3 **Vice Mayor Premuroso** seconded.
4 Motion passed 5-0.
5 The City Clerk read Ordinance 29, 2010 by title.
6 d. ORDINANCE 29, 2010 – (1ST READING) AMENDING THE FISCAL YEAR
7 2010/2011 BUDGET. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
8 PALM BEACH GARDENS, FLORIDA AMENDING THE CITY OF PALM BEACH
9 GARDENS’ BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND
10 ENDING SEPTEMBER 30, 2011, INCLUSIVE; PROVIDING A CONFLICTS CLAUSE
11 AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR
12 OTHER PURPOSES.
13 **Mayor Levy** opened the public hearing.
14 **Staff Presentation: Finance Administrator Allan Owens.**
15 **Public Comment: None.**
16 **Mayor Levy** closed the public hearing.
17 **Councilmember Jablin** made a motion for approval for Ordinance 29, 2010 on first reading.
18 **Vice Mayor Premuroso** seconded.
19 Motion passed 5-0.
20 e. *RESOLUTION 55, 2010 – (CONTINUED FROM NOVEMBER 18, 2010)
21 AMENDMENT TO THE SOUTHAMPTON PLANNED UNIT DEVELOPMENT (PUD). A
22 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
23 FLORIDA APPROVING AN AMENDMENT TO THE SOUTHAMPTON PLANNED
24 UNIT DEVELOPMENT (PUD), LOCATED AT THE NORTHEAST CORNER OF
25 CENTRAL BOULEVARD AND PGA BOULEVARD, AS MORE PARTICULARLY
26 DESCRIBED HEREIN, TO ALLOW THE CONSTRUCTION OF 96 TOWNHOMES AND
27 58 SINGLE-FAMILY HOMES; PROVIDING WAIVERS; PROVIDING CONDITIONS OF
28 APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
29 **Mayor Levy** continued the public hearing.
30 **Presentation by: Dodi Glas, Gentile, Holloway, O’Mahoney & Associates.**
31 **Public Comment: None.**
32 **Mayor Levy** let the public hearing remain open.
33 **Councilmember Jablin** made a motion to continue Resolution 55, 2010 to date certain
34 February 3, 2011.
35 **Vice Mayor Premuroso** seconded.
36 Motion passed 5-0.
37 **X. RESOLUTIONS**
38 The City Clerk read Resolution 93, 2010 by title.
39 a. RESOLUTION 93, 2010 – APPOINTMENT OF ONE MEMBER TO THE BUDGET
40 OVERSIGHT COMMITTEE. A RESOLUTION OF THE CITY COUNCIL OF THE CITY
41 OF PALM BEACH GARDENS, FLORIDA APPROVING THE APPOINTMENT OF A
42 REGULAR MEMBER TO THE BUDGET OVERSIGHT COMMITTEE; PROVIDING AN
43 EFFECTIVE DATE; AND FOR OTHER PURPOSES.
44 Discussion ensued.
45 **Councilmember Jablin** made a motion to approve Resolution 93, 2010 nominating **Marilyn**
46 **Lew Jacobs** for membership on the Budget Oversight Committee.
47 **Councilmember Tinsley** seconded.
48 Motion passed 5-0.

1 The City Clerk read Resolution 94, 2010 by title.
2 b. RESOLUTION 94, 2010 – PURCHASE OF FIFTEEN REPLACEMENT VEHICLES. A
3 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
4 FLORIDA APPROVING THE PURCHASE OF FIFTEEN (15) REPLACEMENT POLICE
5 DEPARTMENT VEHICLES FROM MAROONE DODGE OF PEMBROKE PINES AND
6 HUB CITY FORD, INC. VIA AN EXISTING CONTRACT WITH THE FLORIDA
7 SHERIFF’S ASSOCIATION, CONTRACT NO. 10-18-0907; PROVIDING AN
8 EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9 Staff Presentation: Police Sergeant Joseph Corrao.

10 Public Comment: None.

11 Councilmember Jablin made a motion for approval of Resolution 94, 2010.

12 Vice Mayor Premuroso seconded.

13 Motion passed 5-0.

14 The City Clerk read Resolution 95, 2010 by title.

15 c. RESOLUTION 95, 2010 - GENERAL OBLIGATION REFUNDING BONDS. A
16 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
17 FLORIDA AUTHORIZING THE ISSUANCE OF \$4,440,996.89 GENERAL OBLIGATION
18 REFUNDING BONDS, SERIES 2010 FOR THE PURPOSE OF REFUNDING ALL OF
19 THE CITY’S GENERAL OBLIGATION BONDS, SERIES 1998 AND SERIES 1999, THAT
20 REMAIN OUTSTANDING; PRESCRIBING THE FORM, TERMS, AND DETAILS OF
21 SUCH BONDS; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN
22 CONNECTION WITH THE ISSUANCE OF SUCH BONDS; SPECIFYING THE USE OF
23 THE PROCEEDS OF SUCH BONDS; AWARDING SUCH BONDS TO SUNTRUST
24 BANK BY NEGOTIATED SALE; DIRECTING THE LEVY OF THE AD VALOREM
25 TAXES OF THE CITY OF PALM BEACH GARDENS TO THE REPAYMENT OF THE
26 BONDS; DESIGNATING THE BONDS AS “QUALIFIED TAX-EXEMPT
27 OBLIGATIONS” WITHIN THE MEANING OF SECTION 265(b)(3) OF THE INTERNAL
28 REVENUE CODE OF 1986, AS AMENDED; PROVIDING A CONFLICTS CLAUSE AND
29 A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER
30 PURPOSES.

31 Staff Presentation: Finance Administrator Allan Owens.

32 Public Comment: None.

33 Discussion ensued.

34 Councilmember Jablin made a motion for approval of Resolution 95, 2010.

35 Vice Mayor Premuroso seconded.

36 Motion passed 5-0.

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

38 Councilmember Russo made a motion nominating Councilmember Tinsley as the Council
39 Liaison to the Parks and Recreation Advisory Board.

40 Vice Mayor Premuroso seconded.

41 Motion passed 5-0.

42 **XII. CITY ATTORNEY REPORT**

43 None.

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1 **XIII. ADJOURNMENT**

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

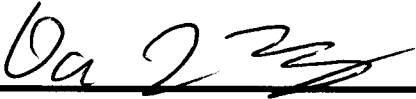
3 **Vice Mayor Premuroso** seconded.

4 Motion passed 5-0.

5 The meeting adjourned at 7:59 p.m.

6 The next regularly scheduled City Council meeting will be held January 6, 2011.

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8 **APPROVED:**

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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 Snider, CMC
40 City Clerk

41 Note: These minutes are prepared in compliance with 286.011 F.S. and are not verbatim transcripts of
42 the meeting. A verbatim audio record is available from the Office of the City Clerk.
43 All referenced attachments are on file in the Office of the City Clerk.
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