



**CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
May 5, 2011
7:00 P.M.**

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

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. ADDITIONS, DELETIONS, MODIFICATIONS:

IV. ANNOUNCEMENTS / PRESENTATIONS:

- a. RECOGNITION OF DWYER HIGH SCHOOLS BOYS BASKETBALL 5A STATE CHAMPIONSHIP.
- b. RECOGNITION OF SPRING EVENT SPONSORS.
- c. NORTH COUNTY NEIGHBORHOOD COALITION, INC.

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 APRIL 7, 2011 CITY COUNCIL MEETING.
- b. PROCLAMATION -- NATIONAL MISSING CHILDREN'S DAY.
- c. PROCLAMATION – WATER REUSE WEEK.
- d. PROCLAMATION – NATIONAL POLICE WEEK.

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

- a. **ORDINANCE 4, 2011** – (2nd READING AND ADOPTION) ENVIRONMENTAL LANDS MITIGATION LDR AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND DEVELOPMENT. BY REPEALING SUBSECTIONS 78-158(a) AND (d), 78-242(a), 78-246(a)(13), AND (a)(14) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. BY ADOPTING ENTIRELY NEW SUBSECTIONS 78-246(a)(15), (a)(16), AND (a)(17); FURTHER AMENDING CHAPTER 78. BY REPEALING SECTION 78-249. APPROVAL CRITERIA FOR PROPOSED LAND ALTERATION. AND SUBSECTIONS 78-250(a)(1)a., (a)(1)b., (a)(3)b., (a)(3)c., AND (b) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. BY REPEALING SECTION 78-252. ALTERNATIVE FORMS OF MITIGATION. AND READOPTING SAME, AS REVISED AND WITH A NEW TITLE IN ORDER TO REVISE AND CLARIFY THE REGULATIONS FOR MITIGATION OF ON-SITE PRESERVATION REQUIREMENTS; FURTHER AMENDING CHAPTER 78. AT SECTION 78-751. DEFINITIONS. TO AMEND THE DEFINITIONS OF “ECOSYSTEM, NATIVE FLORIDA”, “ENDANGERED SPECIES, THREATENED SPECIES, AND SPECIES OF SPECIAL CONCERN” AND “LISTED SPECIES” AND TO PROVIDE DEFINITIONS FOR “PROTECTED SPECIES”, “RESTORATION/CREATION”, “THREATENED SPECIES”, AND “UPLAND NATIVE PLANT COMMUNITY”; 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 7, 2011** - (2nd READING AND ADOPTION) AMENDING THE CITY’S LAND DEVELOPMENT REGULATIONS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND DEVELOPMENT. AT SECTION 78-61. EFFECTIVE PERIOD OF DEVELOPMENT ORDERS AND ENFORCEMENT OF CONDITIONS. BY REPEALING SUBSECTION (d) AND READOPTING SAME, AS REVISED, IN ORDER TO CLARIFY BUILD-OUT DETERMINATION REGULATIONS; FURTHER AMENDING CHAPTER 78 AT SECTION 78-159. TABLE 21: PERMITTED, CONDITIONAL, AND PROHIBITED USE CHART AND NOTE (j)(49) OF TABLE 21 IN ORDER TO REVISE AND CLARIFY THE LIST OF ASSEMBLY USES AND TO ADOPT REGULATIONS PERTAINING TO “PLACES OF ASSEMBLY”; FURTHER AMENDING CHAPTER 78 AT SECTION 78-751. DEFINITIONS. BY ADDING THE DEFINITION “PLACES OF ASSEMBLY”; 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.

- c. [ORDINANCE 8, 2011](#) – (2nd READING AND ADOPTION) AMENDING THE FISCAL YEAR 2010/2011 BUDGET. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE CITY OF PALM BEACH GARDENS' BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011, INCLUSIVE; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- d. *[ORDINANCE 9, 2011](#) – (1st READING) AMENDING THE PGA NATIONAL PLANNED COMMUNITY DEVELOPMENT (PCD). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE PGA NATIONAL PLANNED COMMUNITY DEVELOPMENT (PCD), APPROVED BY ORDINANCE 22, 1998, TO ELIMINATE CERTAIN CONDITIONS OF APPROVAL RELATING TO RYDER CUP BOULEVARD; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**RESOLUTION 24, 2011 IS A COMPANION ITEM TO ORDINANCE 9, 2011
AND WILL REQUIRE COUNCIL ACTION AT SECOND READING.**

*RESOLUTION 24, 2011 - TRAFFIC CONTROL AGREEMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE PGA NATIONAL TRAFFIC CONTROL AGREEMENT APPROVED BY RESOLUTION 99, 2006 TO ELIMINATE CERTAIN CONDITIONS OF APPROVAL RELATING TO RYDER CUP BOULEVARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- e. [ORDINANCE 10, 2011](#) – (1st READING) AMEND THE CITY'S LAND DEVELOPMENT REGULATIONS FOR THE NORTHLAKE BOULEVARD OVERLAY ZONE (NBOZ). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND DEVELOPMENT. BY REVISING SECTION 78-228(b)(1) AND SECTION 78-229(a)(2) IN ORDER TO EXTEND THE DEADLINE FOR SIGNAGE AND LANDSCAPING COMPLIANCE UNDER THE NORTHLAKE BOULEVARD OVERLAY ZONE TO MAY 31, 2014; 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:

XI. ITEMS FOR COUNCIL ACTION/DISCUSSION:

- a. FIREFIGHTER AND POLICE PENSION PLANS.

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.