

1 CITY OF PALM BEACH GARDENS
2 CITY COUNCIL
3 REGULAR MEETING
4 JUNE 2, 2011
5

6 The regular meeting was called to order at 7:12 p.m. by Mayor Levy.

7 **I. PLEDGE OF ALLEGIANCE**

8 Councilmember Russo requested a moment of silence for Gary Carter.

9 **II. ROLL CALL**

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

12 **ABSENT:** Councilmember Eric Jablin.

13 **III. ADDITIONS, DELETIONS, MODIFICATIONS**

14 None.

15 **IV. ANNOUNCEMENTS AND PRESENTATIONS**

16 a. **RECOGNITION OF BENJAMIN SCHOOL LACROSSE IA STATE CHAMPIONS.**

17 Mayor Levy and Councilmembers acknowledged the accomplishments of the Benjamin
18 School Lacrosse Team.

19 b. **LEGISLATIVE UPDATE FROM REPRESENTATIVE ROONEY.**

20 District 83 Representative Patrick Rooney presented the legislative update.

21 c. **PRESENTATION OF CITIZEN LIFE SAVING AWARD.**

22 EMS Division Fire Chief Keith Bryer introduced Dr. Kenneth Scheppke, Fire Rescue
23 Medical Director who presented Robin Johnson and Dr. Peter Virtulli with the Palm Beach
24 Gardens Fire Rescue Life Saving Award for the rescue of Dylan Hunerberg.

25 d. **PUBLIC SECTOR EXCELLENCE AWARD.**

26 Information Technology Administrator Eric Holdt presented the Tyler Technologies 2010
27 Public Sector Excellence Award to Software Systems Manager Matt Dougherty, Human
28 Resources Special Projects Coordinator Niki Spencer and Finance Payroll Coordinator
29 Debby Steinbruckner.

30 **V. ITEMS OF INTEREST AND BOARD/COMMITTEE REPORTS**

31 Councilmember Tinsley reported attending the Amanda Buckley Give a Smile to a Child Golf
32 Tournament, Parks and Recreation Advisory Board meeting, Palm Beach County Code of Ethics
33 training, Memorial Day ceremony, Palm Beach Gardens Youth Athletic Association (PBGYAA)
34 Triple Crown Baseball Tournament and announced the dates of operation for the aquatic
35 complex and tennis center, the Emergency Operations and Communications Center (EOCC)
36 ribbon cutting ceremony, participation in the World's Largest Swim Lesson, Golf Center
37 promotion and participation in the League of Cities webinar regarding the changes to Growth
38 Management. Councilmember Russo reported attending a Honda Classic meeting and thanked
39 the Florida Weekly newspaper for reporting on Palm Beach Gardens events. Vice Mayor
40 Premuroso reported being appointed to the Inspector General Budget Delegation. Mayor Levy
41 reported attending a Bioscience Land Protection Advisory Board meeting and named the new
42 Executive Director for the League of Cities.

43 **VI. CITY MANAGER REPORT**

44 None.

45 **VII. COMMENTS FROM THE PUBLIC**

46 Terence Brady, 4409 Lacey Oak Drive, Palm Beach Gardens; Roger Blangy, 11658 Hemlock
47 Street, Palm Beach Gardens; Eric McClellan, 363-2 Prestwick Circle, Palm Beach Gardens.
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1 **VIII. CONSENT AGENDA**

2 a. APPROVE MINUTES FROM MAY 5, 2011 CITY COUNCIL MEETING.

3 b. RESOLUTION 28, 2011 – NORTHLAKE BOULEVARD INTERLOCAL AGREEMENT. A
4 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA
5 APPROVING A FOURTH AMENDMENT TO THE AMENDED AND RESTATED INTERLOCAL
6 AGREEMENT BETWEEN THE VILLAGE OF NORTH PALM BEACH, THE TOWN OF LAKE
7 PARK, PALM BEACH COUNTY, AND THE CITY OF PALM BEACH GARDENS; PROVIDING AN
8 EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9 c. RESOLUTION 29, 2011 – INTERLOCAL AGREEMENT WITH NORTHERN PALM
10 BEACH COUNTY IMPROVEMENT DISTRICT. A RESOLUTION OF THE CITY COUNCIL
11 OF THE CITY OF PALM BEACH GARDENS, FLORIDA AUTHORIZING THE MAYOR
12 TO EXECUTE AN INTERLOCAL AGREEMENT WITH NORTHERN PALM BEACH
13 COUNTY IMPROVEMENT DISTRICT FOR NATIONAL POLLUTANT DISCHARGE
14 ELIMINATION SYSTEM (NPDES) THIRD-TERM PERMIT; PROVIDING AN EFFECTIVE
15 DATE; AND FOR OTHER PURPOSES..

16 d. RESOLUTION 32, 2011 – DECLARING SURPLUS PROPERTY. A RESOLUTION OF
17 THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA
18 DECLARING CERTAIN ITEMS OF PERSONAL PROPERTY AS SURPLUS PROPERTY
19 AND AUTHORIZING ITS SALE BY AUCTION; PROVIDING AN EFFECTIVE DATE;
20 AND FOR OTHER PURPOSES.

21 e. RESOLUTION 34, 2011 – INTERLOCAL AGREEMENT WITH PALM BEACH
22 COUNTY. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH
23 GARDENS, FLORIDA APPROVING AN INTERLOCAL AGREEMENT WITH PALM
24 BEACH COUNTY FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME
25 INVESTMENT PARTNERSHIPS PROGRAM ACTIVITIES FOR FISCAL YEARS 2012,
26 2013, AND 2014; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

27 f. RESOLUTION 35, 2011 – SUPPORT OF A PETITION FROM THE FLORIDA
28 DEPARTMENT OF ENVIRONMENTAL PROTECTION. A RESOLUTION OF THE CITY
29 COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA REQUESTING THAT
30 THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY GRANT THE
31 FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION’S PETITION
32 REQUESTING THAT THE UNITED STATES ENVIRONMENTAL PROTECTION
33 AGENCY WITHDRAW ITS DETERMINATION THAT NUMERIC NUTRIENT CRITERIA
34 ARE NECESSARY IN FLORIDA; REPEAL FEDERALLY PROMULGATED CRITERIA
35 FOR FLORIDA; AND DISCONTINUE PROPOSING OR PROMULGATING ADDITIONAL
36 NUMERIC NUTRIENT CRITERIA IN FLORIDA; PROVIDING AN EFFECTIVE DATE;
37 AND FOR OTHER PURPOSES.

38 **Councilmember Russo** made a motion for approval of the Consent Agenda.

39 **Vice Mayor Premuroso** seconded.

40 Motion passed 4-0.

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

42 **Mayor Levy** announced the procedures for tonight’s proceedings.

43 Those preparing to give testimony were sworn in.

44 The City Clerk read Ordinance 10, 2011 by title.

45 a. ORDINANCE 10, 2011 – (2nd READING AND ADOPTION) AMEND THE CITY’S
46 LAND DEVELOPMENT REGULATIONS FOR THE NORTHLAKE BOULEVARD
47 OVERLAY ZONE (NBOZ). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
48 PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND

1 DEVELOPMENT. BY REVISING SECTION 78-228(b)(1) AND SECTION 78-229(a)(2) IN
2 ORDER TO EXTEND THE DEADLINE FOR SIGNAGE AND LANDSCAPING
3 COMPLIANCE UNDER THE NORTHLAKE BOULEVARD OVERLAY ZONE TO MAY 31,
4 2014; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF
5 CHAPTER 78. LAND DEVELOPMENT. SHALL REMAIN IN FULL FORCE AND EFFECT
6 AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY
7 CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND
8 FOR OTHER PURPOSES.

9 Mayor Levy opened the public hearing.

10 Staff Presentation: None.

11 Public Comment: None.

12 Mayor Levy closed the public hearing.

13 Vice Mayor Premuroso made a motion for approval of Ordinance 10, 2011 on second reading
14 and adoption.

15 Councilmember Tinsley seconded.

16 Motion passed 4-0.

17 The City Clerk read Ordinance 11, 2011 by title.

18 b. ORDINANCE 11, 2011 – (1st READING) AMEND THE CITY’S ELECTION CODE. AN
19 ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
20 FLORIDA AMENDING THE CITY’S CODE OF ORDINANCES BY REPEALING
21 CHAPTER 26. ELECTIONS. IN ITS ENTIRETY AND READOPTING SAME, AS REVISED,
22 IN ORDER TO REVISE AND CLARIFY THE PROCESS UTILIZED TO CONDUCT THE
23 CITY’S MUNICIPAL ELECTIONS AND METHODS OF QUALIFYING; PROVIDING A
24 CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY;
25 PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

26 Mayor Levy opened the public hearing.

27 Staff Presentation: City Clerk Patricia Snider.

28 Public Comment: None.

29 Mayor Levy closed the public hearing.

30 Vice Mayor Premuroso made a motion for approval of Ordinance 11, 2011 on first reading.

31 Councilmember Tinsley seconded.

32 Motion passed 4-0.

33 The City Clerk read Resolution 31, 2011 by title.

34 c. RESOLUTION 31, 2011 – PGA CORPORATE CENTER (PARCEL 5A). A RESOLUTION
35 OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA
36 AMENDING RESOLUTION 166, 2005 TO MODIFY ONE (1) CONDITION OF APPROVAL
37 FOR THE PGA CORPORATE CENTER PLANNED COMMUNITY DEVELOPMENT (PCD),
38 ALSO KNOWN AS “PARCEL 5A,” GENERALLY BOUNDED BY INTERSTATE 95
39 RIGHT-OF-WAY AND MILITARY TRAIL TO THE WEST, THE WINCHESTER COURTS
40 AND GARDEN WOODS RESIDENTIAL DEVELOPMENTS TO THE NORTH,
41 ALTERNATE A1A TO THE EAST, AND PGA BOULEVARD TO THE SOUTH, AS MORE
42 PARTICULARLY DESCRIBED HEREIN; PROVIDING A CONDITION OF APPROVAL;
43 PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

44 Mayor Levy opened the public hearing. No ex parte communication was declared.

45 Staff Presentation: Planner Martin Schneider.

46 Public Comment: None.

47 Mayor Levy closed the public hearing.

48 Vice Mayor Premuroso made a motion for approval of Resolution 31, 2011.

1 **Councilmember Tinsley** seconded.

2 Motion passed 4-0.

3 **X. RESOLUTIONS**

4 The City Clerk read Resolution 30, 2011 by title.

5 a. **RESOLUTION 30, 2011 – INTERLOCAL AGREEMENT WITH JUNO BEACH. A**
6 **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,**
7 **FLORIDA AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT**
8 **WITH THE TOWN OF JUNO BEACH FOR FLEET MAINTENANCE SERVICES;**
9 **PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

10 **Staff Presentation: Operations Director Mike Morrow.**

11 **Public Comment:** None.

12 **Vice Mayor Premuroso** made a motion for approval of Resolution 30, 2011.

13 **Councilmember Russo** seconded.

14 Motion passed 4-0.

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

16 **Vice Mayor Premuroso** stated his concern that all new hire employees complete the
17 Commission on Ethics training. **City Manager Ferris** explained the future process to ensure the
18 training. **Councilmember Tinsley** discussed redistricting and the National Pollutant Discharge
19 Systems (NPDS).

20 **XII. CITY ATTORNEY REPORT**

21 None.

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1 **XIII. ADJOURNMENT**

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

3 **Vice Mayor Premuroso** seconded.

4 Motion passed 4-0.

5 The meeting adjourned at 8:51 p.m.


6 The next regularly scheduled City Council meeting will be held July 19, 2011.

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8 **APPROVED:**

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David Levy, Mayor

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Robert G. Premuroso, Vice Mayor

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Joseph R. Russo, Councilmember

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Eric Jablin, Councilmember

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Marcie Tinsley, Councilmember

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ATTEST:

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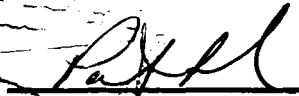
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Patricia Snider, CMC
City Clerk

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