

1 CITY OF PALM BEACH GARDENS
2 CITY COUNCIL
3 REGULAR MEETING
4 September 8, 2011
5

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

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8 **I. PLEDGE OF ALLEGIANCE**

9 **II. ROLL CALL**

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

12 Mayor Levy asked for a moment of silence in remembrance of the 911 victims and the men and
13 women in the armed forces.

14 **III. ADDITIONS, DELETIONS, MODIFICATIONS**

15 NONE

16 **IV. ANNOUNCEMENTS AND PRESENTATIONS**

17 UPDATE FROM REPRESENTATIVE ROONEY

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

19 **Councilmember Tinsley** reported Parks and Recreation Advisory Board met on August 15,
20 2011, Fire Rescue accreditation, attended the Northern Palm Beach Chamber of Commerce
21 Women in Business Tea, attended Congressman West's Town Hall meeting, upcoming events
22 include the grand opening of the Nova Southeastern University, Police Explorers golf
23 tournament, fall yard sale, Northern Palm Beach Chamber of Commerce Mayor's breakfast.

24 **Councilmember Russo** recognized Ed McEnroe, Honda Classic Tournament Director, in the
25 audience and discussed next year's Honda Classic golf tournament and commitments from
26 players. **Vice Mayor Premuroso** attended Congressman West's Town Hall meeting, welcomed
27 Chuck Burger to Downtown at the Gardens, announced Historical Society events for upcoming
28 months, and announced the PBGYAA would be meeting tonight. **Councilmember Jablin**
29 attended Congressman West's Town Hall meeting, attended the 9-11 memorial at Howell
30 Watkins Middle School, announced the Green Market will open on Sunday October 16, 2011
31 from 8:00 a.m. to 1:00 p.m. every Sunday and the Taste of the Gardens will be on November 10,
32 2011 at Downtown at the Gardens. **Mayor Levy** announced that Palm Beach Gardens
33 Elementary School is the first in Palm Beach County to be a Sun Safe School, the September 20,
34 2011 Regional Hazmat meeting will be held in Palm Beach Gardens new EOCC (Emergency
35 Operations and Communications Center) and Nova Southeastern University hosted the League
36 of Cities meeting.

37 **VI. CITY MANAGER REPORT**

38 Reported on the September issue of Palm Beach Gardens Lifestyle Magazine articles on the
39 State of the Art Emergency Operations Center and the other featuring Mayor Levy.

40 **VI. CITY MANAGER REPORT**

41 **VII. COMMENTS FROM THE PUBLIC**

42 **Jared Moskowitz**, 565 E. Hillsborough Blvd., Deerfield Beach, FL, **Shawn Videll**, 211
43 Evergrene Parkway, Palm Beach Gardens, FL, **Ken Tuma**, 6641 140th Lane N., Palm Beach
44 Gardens, **Steve Martino**, 3240 Meridian Way S., Palm Beach Gardens.

45 **VIII. CONSENT AGENDA**

46 **Mayor Levy pulled Item i. recused from vote and completed Form 8B.**

47 a. APPROVE MINUTES FROM AUGUST 11, 2011 CITY COUNCIL MEETING.

- 1 b. RESOLUTION 37, 2011 - CONTRACT AWARD FOR EMERGENCY DEBRIS AND
2 DISASTER RECOVERY SERVICES. A RESOLUTION OF THE CITY COUNCIL OF THE
3 CITY OF PALM BEACH GARDENS, FLORIDA AWARING CONTRACTS TO CERES
4 ENVIRONMENTAL SERVICES, INC. AS PRIMARY CONTRACTOR, AND PHILLIPS AND
5 JORDAN, INCORPORATED, AND ASHBRIIT, INC. AS ALTERNATE CONTRACTORS
6 FOR EMERGENCY DEBRIS AND DISASTER RECOVERY SERVICES; AUTHORIZING
7 THE MAYOR TO EXECUTE THE AGREEMENTS; AUTHORIZING THE CITY MANAGER
8 TO EXECUTE FUTURE ADDENDA; PROVIDING AN EFFECTIVE DATE; AND FOR
9 OTHER PURPOSES.
- 10 c. RESOLUTION 48, 2011 - OLD PALM PLAT THREE REPLAT. A RESOLUTION OF THE
11 CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE
12 OLD PALM PLAT THREE REPLAT OF LOTS 123 THROUGH 143; PROVIDING AN
13 EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- 14 d. RESOLUTION 49, 2011 - OLD PALM PLAT FOUR PARTIAL REPLAT. A RESOLUTION OF
15 THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING
16 THE OLD PALM PLAT FOUR PARTIAL REPLAT; PROVIDING AN EFFECTIVE DATE;
17 AND FOR OTHER PURPOSES.
- 18 e. RESOLUTION 55, 2011 – SURPLUS ITEMS FOR AUCTION. A RESOLUTION OF THE
19 CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA DECLARING
20 CERTAIN ITEMS OF PERSONAL PROPERTY AS SURPLUS PROPERTY AND
21 AUTHORIZING ITS SALE BY AUCTION; PROVIDING AN EFFECTIVE DATE; AND FOR
22 OTHER PURPOSES.
- 23 f. RESOLUTION 57, 2011 – NATIONAL MOMENT OF REMEMBRANCE. A RESOLUTION
24 OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA JOINING
25 THE NATIONAL MOMENT OF REMEMBRANCE OF THE 10TH ANNIVERSARY OF
26 SEPTEMBER 11TH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- 27 g. RESOLUTION 58, 2011 – SHARED USE OF FIBER NETWORK. A RESOLUTION OF THE
28 CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE
29 FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT WITH PALM BEACH
30 COUNTY FOR THE SHARED USE OF THE PALM BEACH COUNTY FIBER NETWORK;
31 PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- 32 h. RESOLUTION 59, 2011 - PUBLIC SAFETY RADIO COMMUNICATIONS. A RESOLUTION
33 OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA
34 APPROVING THE PURCHASE OF COMMUNICATIONS EQUIPMENT IN AN AMOUNT
35 NOT TO EXCEED \$79,367.43 IN ORDER TO ENHANCE CITYWIDE COMMUNICATIONS;
36 PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- 37 i. RESOLUTION 62, 2011 – SUPPORT FOR TENET FLORIDA INC. A RESOLUTION OF
38 THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA
39 EXPRESSING SUPPORT FOR TENET FLORIDA INC. AND THE SCRIPPS RESEARCH
40 INSTITUTE TO BUILD AN 80-BED ACADEMIC MEDICAL CENTER, INCLUDING AN 80-
41 BED ACUTE CARE HOSPITAL AND SPECIALIZED MEDICAL/SURGICAL SERVICES ON
42 A PORTION OF COUNTY-OWNED LAND WITHIN THE SCRIPPS FLORIDA PHASE II
43 CAMPUS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- 44 j. PROCLAMATION – NILE TREASURE FLORIDA DAYS HONORING SHRINERS
45 HOSPITAL.
- 46 k. PROCLAMATION – NATIONAL SICKLE CELL MONTH.

47 Councilmember Jablin made a motion for approval of the Consent Agenda without Item i.

48 Councilmember Tinsley seconded.

49 Motion passed 5-0.

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1 The City Clerk read Resolution 62, 2011 by title.

2 i. RESOLUTION 62, 2011 – SUPPORT FOR TENET FLORIDA INC. A RESOLUTION OF
3 THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA
4 EXPRESSING SUPPORT FOR TENET FLORIDA INC. AND THE SCRIPPS RESEARCH
5 INSTITUTE TO BUILD AN 80-BED ACADEMIC MEDICAL CENTER, INCLUDING AN 80-
6 BED ACUTE CARE HOSPITAL AND SPECIALIZED MEDICAL/SURGICAL SERVICES ON
7 A PORTION OF COUNTY-OWNED LAND WITHIN THE SCRIPPS FLORIDA PHASE II
8 CAMPUS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

9 **Councilmember Russo** made a motion for approval of Resolution 62, 2011.

10 **Councilmember Jablin** seconded.

11 Motion passed 4-0.

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

13 a. PRESENTATION OF THE FISCAL YEAR 2010/2011 BUDGET.

14 The City Clerk read Ordinance 18, 2011 by title.

15 b. ORDINANCE 18, 2011 – (1ST READING) ADOPTING FISCAL YEAR 2011/2012 BUDGET.
16 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
17 FLORIDA ADOPTING THE BUDGET FOR THE CITY OF PALM BEACH GARDENS FOR
18 THE FISCAL YEAR COMMENCING OCTOBER 1, 2011, AND ENDING SEPTEMBER 30,
19 2012; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING
20 AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

21 **Staff Presentation: Finance Administrator Allan Owens.**

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

23 **Public Comment: Joan Elias**, 1009 Diamond Head Way, Palm Beach Gardens.

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

25 Discussion ensued.

26 **Councilmember Jablin** made a motion to adopt the proposed operating millage rate of 5.7404 mills, and
27 a debt millage rate of .1821 for a total tentative rate of 5.9225 mills for fiscal year 2011/2012.

28 **Vice Mayor Premuroso** seconded.

29 Motion passed 5-0.

30 **Councilmember Jablin** announced that the proposed rate is less than the roll-back rate by 2.719 percent.

31 **Councilmember Jablin** made a motion to approve Ordinance 18, 2011 on first reading adopting a
32 tentative budget for fiscal year 2011/2012 and setting the second and final reading for September 22,
33 2011 at 7:00 p.m. in the Council Chambers.

34 **Vice Mayor Premuroso** seconded.

35 Motion passed 5-0

36 The City Clerk read Ordinance 19, 2011 by title.

37 ORDINANCE 19, 2011 – (1st READING) AMENDING THE CITY'S ADVISORY BOARDS AND
38 COMMITTEES. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH
39 GARDENS, FLORIDA AMENDING CHAPTER 2. ADMINISTRATION AT ARTICLE III. BOARDS
40 AND COMMITTEES; REPEALING SECTIONS 2-109, 2-119, 2-139, AND 2-149, ALL
41 ENTITLED MEETINGS. IN ORDER TO AMEND MEETING FREQUENCY; FURTHER
42 AMENDING ARTICLE III. BY REPEALING SECTIONS 2-125. THROUGH 2-129. IN THEIR
43 ENTIRETY IN ORDER TO ELIMINATE THE ECONOMIC DEVELOPMENT ADVISORY
44 BOARD AND RESERVING THE SUBJECT SECTIONS FOR FUTURE LEGISLATION;
45 FURTHER AMENDING ARTICLE III. BY REPEALING SUB-SECTION 2-148(b) AND
46 READOPTING SAME, AS REVISED IN ORDER TO REVISE THE MEMBERSHIP
47 REQUIREMENTS OF THE PLANNING AND ZONING BOARD; PROVIDING THAT EACH AND
48 EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 2. ADMINISTRATION SHALL
49 REMAIN THE SAME AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A
50 SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE
51 DATE; AND FOR OTHER PURPOSES.

1 **Staff Presentation: City Clerk Patricia Snider.**
2 **Mayor Levy** opened the public hearing.
3 **Public Comment: None.**
4 **Mayor Levy** closed the public hearing.
5 **Councilmember Jablin** made a motion for approval of Ordinance 19, 2011.
6 **Councilmember Tinsley** seconded.
7 Motion passed 5-0
8 The City Clerk read Resolution 41, 2011 by title.
9 a. RESOLUTION 41, 2011 – FEES AND CHARGES SCHEDULE. A RESOLUTION OF THE
10 CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA UPDATING THE
11 SCHEDULE OF FEES AND CHARGES FOR VARIOUS SERVICES RENDERED BY THE
12 CITY OF PALM BEACH GARDENS FOR ITS CITIZENS AND OTHER MEMBERS OF THE
13 PUBLIC FOR FISCAL YEAR 2011/2012; PROVIDING AN EFFECTIVE DATE; AND FOR
14 OTHER PURPOSES.
15 **Staff Presentation: Finance Administrator Allan Owens.**
16 **Councilmember Jablin** made a motion for approval of Resolution 41, 2011.
17 **Councilmember Tinsley** seconded.
18 Motion passed 5-0
19 **XI. ITEMS FOR COUNCIL ACTION/DISCUSSION**
20 None.
21 **XII. CITY ATTORNEY REPORT**
22 None.
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1 **XIII. ADJOURNMENT**

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

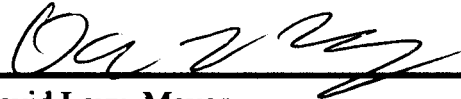
3 **Councilmember Tinsley** seconded.

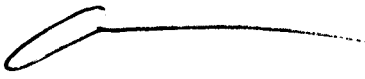
4 Motion passed 5-0.

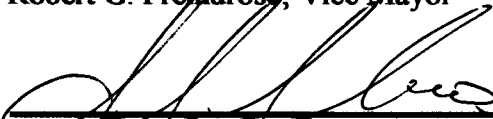
5 The meeting adjourned at 8:31 p.m.


6 The next regularly scheduled City Council meeting will be held September 22, 2011.

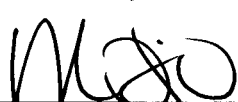
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8 **APPROVED:**

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12 David Levy, Mayor


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15 Robert G. Prepiuroso, 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

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