

1 CITY OF PALM BEACH GARDENS
2 CITY COUNCIL
3 REGULAR MEETING
4 September 22, 2011
5

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

7 **I. PLEDGE OF ALLEGIANCE**

8 **II. ROLL CALL**

9 **PRESENT:** Mayor Levy, Vice Mayor Premuroso, Councilmember Russo, Councilmember
10 Jablin and Councilmember Tinsley.

11 **ABSENT:** None

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

13 Under consent. New Item b. Proclamation for Pancreatic Cancer Awareness Month.

14 **IV. ANNOUNCEMENTS AND PRESENTATIONS**

15 None.

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

17 **Councilmember Jablin** reported on the first annual Chamber of Commerce Golf Tournament,
18 Police Explorer Golf Tournament and the Chamber of Commerce Mayor's Breakfast,
19 **Councilmember Russo** attended the Chamber of Commerce Mayor's Breakfast,
20 **Councilmember Tinsley** attended the Grand Opening of Nova Southeastern University,
21 Explorer Golf Tournament, Chamber of Commerce Mayor's Breakfast, Literacy Coalition
22 meeting, upcoming events are Read for the Record on October 6, 2011 at 10:00 a.m., Public
23 Auction on September 24, 2011 and the Youth Triathlon on October 2, 2011. **Mayor Levy**
24 attended the upcoming Palm Beach Gardens High School Magnet Program Golf Tournament on
25 October 7, 2011 at PGA National Resort, attended the Green Building Initiative meeting at PGA
26 National Resort, attended the Palm Beach County Water Task Force meeting.

27 **VI. CITY MANAGER REPORT**

28 City Manager Ferris reported a tentative bargaining agreement with the SEIU/Florida Public
29 Services Union and a Special City Council meeting is scheduled on October 6, 2011 at 6:00 p.m.
30 for the Inspector General to make a presentation.

31 **VII. COMMENTS FROM THE PUBLIC**

32 **Carol Estrada** 309 Riverside Drive, Palm Beach Gardens. **Don Kiselewski** 4705 Holly Drive,
33 Palm Beach Gardens.

34 **VIII. CONSENT AGENDA**

35 a. RESOLUTION 56, 2011 – AWARD CONTRACT FOR TOWING SERVICES. A
36 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
37 FLORIDA APPROVING AGREEMENTS WITH ALL FLORIDA TOWING, ALL-TIME
38 TOWING, INC., AND KAUFF'S OF PALM BEACH, INC. FOR VEHICLE TOWING
39 SERVICES VIA INVITATION TO BID NO. 2011-005, AND SETTING THE MAXIMUM
40 ALLOWABLE TOWING CHARGES; AUTHORIZING THE MAYOR TO EXECUTE THE
41 AGREEMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

43 **Councilmember Russo** seconded.

44 Motion passed 5-0.

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

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

47 **Staff Presentation: Finance Administrator Allan Owens**. Allen Owens introduced the Budget
48 Oversight Committee Members, Chair L. Marc Cohn, Vice Chair Phillip Woodall, and Dr.
49 Bernard Pettingill.

1 Chair Marc Cohen read the Budget Oversight Committee's report to Council regarding the
2 Fiscal Year 2011/2012.
3 **Mayor Levy** opened the public hearing.
4 City Clerk read Resolution 54, 2011 by title.
5 b. RESOLUTION 54, 2011 - ADOPTING A TAX LEVY AND MILLAGE RATE. A RESOLUTION
6 OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA
7 ADOPTING A TAX LEVY AND MILLAGE RATE FOR THE CITY OF PALM BEACH
8 GARDENS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2011, AND ENDING
9 SEPTEMBER 30, 2012; DIRECTING THE CITY CLERK TO FORWARD A CERTIFIED
10 COPY OF THIS RESOLUTION TO THE PROPERTY APPRAISER AND TAX COLLECTOR
11 WITHIN THREE (3) DAYS AFTER ITS ADOPTION; PROVIDING AN EFFECTIVE DATE;
12 AND FOR OTHER PURPOSES.
13 **Mayor Levy** opened the public hearing.
14 **Public Comment:** None
15 **Mayor Levy** closed the public hearing.
16 **Councilmember Jablin** made the required announcement that the City of Palm Beach Gardens
17 proposes to adopt a final millage rate of 5.9225 mills, which includes a debt millage of .1821 and
18 an operating rate of 5.7404 mills, which is less than the rolled-back rate of 5.9008 by 2.719%
19 **Councilmember Jablin** made a motion to adopt Resolution 54, 2011.
20 **Councilmember Tinsley** seconded.
21 Motion passed 5-0
22 City Clerk read Ordinance 18, 2011 by title.
23 a. ORDINANCE 18, 2011 – (2ND READING AND ADOPTION) ADOPTING FISCAL YEAR
24 2011/2012 BUDGET. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM
25 BEACH GARDENS, FLORIDA ADOPTING THE BUDGET FOR THE CITY OF PALM
26 BEACH GARDENS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2011, AND
27 ENDING SEPTEMBER 30, 2012; PROVIDING A CONFLICTS CLAUSE AND A
28 SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER
29 PURPOSES.
30 **Mayor Levy** opened the public hearing.
31 **Public comment:** none.
32 **Mayor Levy** closed the public hearing.
33 **Councilmember Jablin** made a motion to move Ordinance 18, 2011 on second and final
34 reading adopting a budget for Fiscal Year 2011/2012
35 **Councilmember Tinsley** seconded.
36 Motion passed 5-0
37 City Clerk read Ordinance 12, 2011 by title.
38 a. ORDINANCE 12, 2011 – (1ST READING) AMEND THE CITY'S PARKS AND RECREATION
39 CODE. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH
40 GARDENS, FLORIDA REPEALING CHAPTER 46. PARKS AND RECREATION IN ITS
41 ENTIRETY AND READOPTING SAME, AS REVISED, IN ORDER TO AMEND AND
42 CLARIFY THE REGULATIONS THAT GOVERN THE USE OF THE CITY'S PARKS AND
43 RECREATION FACILITIES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY
44 CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR
45 OTHER PURPOSES.
46 **Mayor Levy** opened the public hearing.
47 Staff presentation **Tim Kasher, Recreation Director**
48 **Public comment:** none.
49 **Mayor Levy** closed the public hearing.
50 **Councilmember Jablin** made a motion to move Ordinance 12, 2011 on first reading.

1 **Councilmember Tinsley** seconded.

2 Motion passed 5-0

3 City Clerk read Ordinance 19, 2011 by title.

4 b. ORDINANCE 19, 2011 – (2nd READING AND ADOPTION) AMENDING THE CITY'S
5 ADVISORY BOARDS AND COMMITTEES. AN ORDINANCE OF THE CITY COUNCIL OF
6 THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 2.
7 ADMINISTRATION AT ARTICLE III. BOARDS AND COMMITTEES; REPEALING
8 SECTIONS 2-109, 2-119, 2-139, AND 2-149, ALL ENTITLED MEETINGS. IN ORDER TO
9 AMEND MEETING FREQUENCY; FURTHER AMENDING ARTICLE III. BY REPEALING
10 SECTIONS 2-125. THROUGH 2-129. IN THEIR ENTIRETY IN ORDER TO ELIMINATE
11 THE ECONOMIC DEVELOPMENT ADVISORY BOARD AND RESERVING THE
12 SUBJECT SECTIONS FOR FUTURE LEGISLATION; FURTHER AMENDING ARTICLE III.
13 BY REPEALING SUB-SECTION 2-148(b) AND READOPTING SAME, AS REVISED IN
14 ORDER TO REVISE THE MEMBERSHIP REQUIREMENTS OF THE PLANNING AND
15 ZONING BOARD; PROVIDING THAT EACH AND EVERY OTHER SECTION AND
16 SUBSECTION OF CHAPTER 2. ADMINISTRATION SHALL REMAIN THE SAME AS
17 PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY
18 CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR
19 OTHER PURPOSES.

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

21 **Public comment:** none.

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

23 **Councilmember Jablin** made a motion to move Ordinance 19, 2011 on second reading and
24 adoption.

25 **Councilmember Tinsley** seconded.

26 Motion passed 5-0

27 City Clerk read Resolution 61, 2011 by title.

28 a. RESOLUTION 61, 2011 - FUND BALANCE POLICY FOR THE GENERAL FUND. A
29 RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS,
30 FLORIDA ESTABLISHING THE FUND BALANCE POLICY FOR THE GENERAL FUND OF
31 THE CITY OF PALM BEACH GARDENS; PROVIDING AN EFFECTIVE DATE; AND FOR
32 OTHER PURPOSES.

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

34 Discussion ensued.

35 **Councilmember Jablin** made a motion to adopt Resolution 61, 2011

36 **Councilmember Russo** seconded.

37 Motion passed 5-0

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

39 Councilmember Jablin thanked those responsible for the improvements and renovations on
40 Veteran's Plaza, in particular Norman Chabre. City Manager Ferris clarified that the money was
41 not from Ad valorem taxes but from an agreement from a developer. Councilmember Russo
42 wished the Jewish community a Happy New Year. Councilmember Tinsley thanked the City
43 Manager, Department Heads and staff for presenting a sound budget.

44 **XII. CITY ATTORNEY REPORT**

45 None.

46
47 *(The remainder of this page intentionally left blank.)*
48
49
50

1 **XIII. ADJOURNMENT**

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

3 **Councilmember Russo** seconded.

4 Motion passed 5-0.

5 The meeting adjourned at 7:54 p.m.

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

7

8 **APPROVED:**

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36 **ATTEST:**

37

38

39

40

41 Patricia Snider, CMC

42 City Clerk

43

44

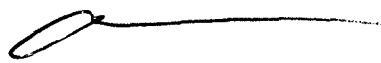
45

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.

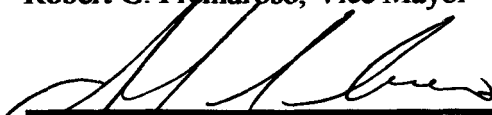
48 All referenced attachments are on file in the Office of the City Clerk.



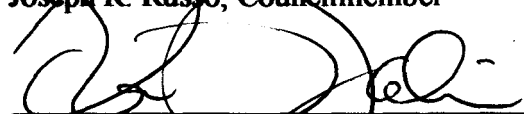
David Levy, Mayor



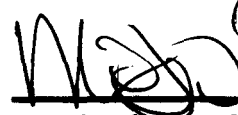
Robert G. Premuroso, Vice Mayor



Joseph R. Russo, Councilmember



Eric Jablin, Councilmember



Marcie Tinsley, Councilmember