



**CITY OF PALM BEACH GARDENS  
COUNCIL AGENDA  
December 1, 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:**
- 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 NOVEMBER 3, 2011 CITY COUNCIL MEETING.
  - b. PROCLAMATION - INTERNATIONAL GIRL EFFECT WEEK.
- IX. **PUBLIC HEARINGS: (\* Designates Quasi-Judicial Hearing)**
  - a. **RESOLUTION 55, 2010** – SOUTHAMPTON PUD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING AN AMENDMENT TO THE SOUTHAMPTON PLANNED UNIT DEVELOPMENT (PUD), LOCATED AT THE NORTHEAST CORNER OF CENTRAL BOULEVARD AND PGA BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN, TO ALLOW THE CONSTRUCTION OF 96 TOWNHOMES AND 58 SINGLE-FAMILY HOMES; PROVIDING WAIVERS; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- b. [ORDINANCE 20, 2011](#) – (1<sup>st</sup> READING) - MODEL FERTILIZER. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 34. ENVIRONMENT AT ARTICLE II. POLLUTION CONTROL BY ADOPTING NEW SECTIONS 34-33 – 34-46 IN ORDER TO ADDRESS EXCESSIVE NUTRIENT LEVELS IN PALM BEACH COUNTY WATER BODIES BY ADOPTING DEFINITIONS, MAKING LEGISLATIVE FINDINGS, OF PURPOSE AND INTENT, PROVIDING FOR APPLICABILITY, TIMING OF FERTILIZER APPLICATIONS; DESIGNATING FERTILIZER-FREE ZONES; PROVIDING FOR THE REGULATION OF FERTILIZER CONTENT, APPLICATION RATES, AND APPLICATION PRACTICES; PROVIDING FOR MANAGEMENT OF GRASS CLIPPINGS AND VEGETABLE MATTER; PROVIDING FOR EXEMPTIONS; PROVIDING FOR TRAINING; PROVIDING FOR LICENSING OF COMMERCIAL APPLICATORS; PROVIDING FOR ENFORCEMENT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- c. \*[ORDINANCE 21, 2011](#) – (2<sup>nd</sup> READING AND ADOPTION) REZONE THE HOWELL WATKINS MIDDLE SCHOOL SITE. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA REZONING CERTAIN REAL PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF PALM BEACH GARDENS, CONSISTING OF ONE (1) PARCEL OF REAL PROPERTY TOTALING 20.40 ACRES, MORE OR LESS, IN SIZE LOCATED ON THE EAST SIDE OF MACARTHUR BOULEVARD APPROXIMATELY ONE-QUARTER MILE NORTH OF NORTHLAKE BOULEVARD, WITH A STREET ADDRESS OF 9480 AND 9482 MACARTHUR BOULEVARD, INFORMALLY KNOWN AS “HOWELL WATKINS MIDDLE SCHOOL”; PROVIDING THAT THIS PARCEL OF REAL PROPERTY WHICH IS MORE PARTICULARLY DESCRIBED HEREIN SHALL BE ASSIGNED THE CITY ZONING DESIGNATION OF PLANNED UNIT DEVELOPMENT (PUD) OVERLAY WITH AN UNDERLYING ZONING DESIGNATION OF PUBLIC OR INSTITUTIONAL (P/I); PROVIDING THAT THE ZONING MAP OF THE CITY OF PALM BEACH GARDENS BE AMENDED ACCORDINGLY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

**RESOLUTION 64, 2011 IS A COMPANION ITEM TO ORDINANCE 21,  
2011 AND WILL REQUIRE COUNCIL ACTION.**

\*RESOLUTION 64, 2011 - REZONE THE HOWELL WATKINS MIDDLE SCHOOL SITE. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE HOWELL WATKINS MIDDLE SCHOOL PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A WAIVER; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- d. [ORDINANCE 23, 2011](#) – (1<sup>ST</sup> READING) HURRICANE SHUTTERS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 86, BUILDINGS AND BUILDING REGULATIONS AT SECTION 86-29. HURRICANE SHUTTERS. IN ORDER TO PROVIDE REGULATION OF THE TEMPORARY INSTALLATION OF STORM SHUTTERS; FURTHER AMENDING CHAPTER 86 BY ADOPTING NEW SECTION 86-29.5., ENTITLED “REGISTRATION REQUIRED”., ADOPTING REGULATIONS FOR THE ISSUANCE OF A STORM SHUTTER PERMIT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. \*[RESOLUTION 74, 2011](#) - BANYAN TREE PUD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING AN AMENDMENT TO THE BANYAN TREE PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN TO ALLOW AN ADDITIONAL MONUMENT SIGN AND LANDSCAPING MODIFICATIONS ON PHASE III OF THE PUD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING WAIVERS; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- f. [RESOLUTION 75, 2011](#) - SCRIPPS FLORIDA PHASE II/BRIGER PCD AMENDMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING A MISCELLANEOUS PETITION TO AMEND THE SCRIPPS/FLORIDA PLANNED COMMUNITY DISTRICT (PCD) DEVELOPMENT ORDER AT CONDITION OF APPROVAL #29 REGARDING CERTAIN PLATTING REQUIREMENTS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**RESOLUTION 78, 2011 IS A COMPANION ITEM TO RESOLUTION 75, 2011**

- g. [RESOLUTION 78, 2011](#)—SCRIPPS FLORIDA PHASE II BRIGER TRACT DRI – REQUEST. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING AN EXCEPTION TO THE REQUIREMENTS OF PLATTING FOR A FIVE- (5) ACRE UTILITY SITE LOCATED WITHIN THE SCRIPPS FLORIDA PHASE II PLANNED COMMUNITY DEVELOPMENT (PCD); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**X. RESOLUTIONS:**

- a. [RESOLUTION 69, 2011](#) – LEASE/BUY BACK AGREEMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE LEASE PURCHASE/TURN-IN OF TWO (2) RESCUE UNITS AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SAID LEASE-PURCHASE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- b. [RESOLUTION 76, 2011](#) - AMENDING FISCAL YEAR 2011/2012 BUDGET. A RESOLUTION 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, 2011, AND ENDING SEPTEMBER 30, 2012, INCLUSIVE, BY APPROVING THE TRANSFER OF FUNDS PURSUANT TO SECTION 2-293. APPROPRIATIONS, CODE OF ORDINANCES FOR COSTS TO ESTABLISH A PURCHASING AND CONTRACTS DIVISION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**XI. [ITEMS FOR COUNCIL ACTION/DISCUSSION:](#)**

**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.**