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**CITY OF PALM BEACH GARDENS
CITY COUNCIL
REGULAR MEETING
FEBRUARY 3, 2011**

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

I. PLEDGE OF ALLEGIANCE

Mayor Levy announced the passing of Palm Beach Gardens residents Neil Gaeta and former Vice Mayor Lauren Furtado and requested a moment of silence for the Arizona shooting victims.

II. ROLL CALL

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

ABSENT: None.

**III. ADDITIONS, DELETIONS, MODIFICATIONS
UNDER CONSENT**

ADDITIONS

e. Resolution 7, 2011 – Economic Development Grant

f. Proclamation – in recognition of Rose Rosenkranz.

Councilmember Jablin made a motion to accept the additions.

Councilmember Russo seconded.

Motion passed 5-0.

IV. ANNOUNCEMENTS AND PRESENTATIONS

a. HONDA CLASSIC ECONOMIC IMPACT PRESENTATION

Golf course Operations Director Tim Kasher introduced Brent Waugh and Ed McEnroe who presented the Honda Classic Economic Impact presentation.

V. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS

Councilmember Tinsley reported on the January PGA Corridor Association breakfast, State of the County address hosted by the Northern Palm Beach Chamber of Commerce, Downtown at the Gardens charitable event, PGA National Annual Homeowner Association meeting, Arbor Day event at Lake Catherine and Parks and Recreation Advisory Board meeting and welcomed the Honda Classic back to the city. Councilmember Russo reported on the Honda Classic event, Economic Development Advisory Group meeting, acknowledged the passing of former Vice Mayor Lauren Furtado and requested the placement of a brick in the plaza in her memory. Vice Mayor Premuroso congratulated the national signing day athletes, announced the February 9, 2011 Palm Beach Gardens Historical Society meeting, opening day for baseball and softball and reported on the January Budget Oversight Committee meeting. Councilmember Jablin congratulated Councilmember Tinsley and Vice Mayor Premuroso on remaining in office for another three (3)-year term by acclamation, reported attending a meeting at the The Gardens Mall as a precursor to Science Saturday and acknowledged the passing of former Vice Mayor Lauren Furtado. Mayor Levy reported on U.S. Congressman Allen West's visit to the city, attending the Community Aesthetics Board meeting, the Palm Beach and Broward Counties Water Resource Task Force joint meeting and the Loxahatchee River Management Coordinating Council meeting.

VI. CITY MANAGER REPORT

a. ECONOMIC DEVELOPMENT PROJECT

City Manager Ron Ferris introduced Planning and Zoning Department Resource Manager Allyson Black who presented Chromalloy Gas Turbine, LLC's application for a relocation

1 grant. Director of Project Management Greg Lawroski, Design Builders, LLC explained the
2 company's timeframe during the grant process.

3 **VII. COMMENTS FROM THE PUBLIC**

4 Iris Scheibl, 1029 Siena Oaks Circle W, Palm Beach Gardens.

5 **VIII. CONSENT AGENDA**

6 a. APPROVE MINUTES FROM JANUARY 6, 2011 CITY COUNCIL MEETING.

7 b. RESOLUTION 5, 2011 – AGREEMENT WITH THE CHILDREN'S HEALTHCARE
8 CHARITY, INC. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM
9 BEACH GARDENS, FLORIDA APPROVING AN AGREEMENT WITH THE CHILDREN'S
10 HEALTHCARE CHARITY, INC. FOR THE 2011 HONDA CLASSIC PGA GOLF
11 TOURNAMENT TO PROVIDE TEMPORARY VOLUNTEER PARKING, A PUBLIC
12 SAFETY GRANT FOR OFF-DUTY POLICE AND FIRE PERSONNEL, AND EXCLUSIVE
13 USE OF MIRASOL PARK; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER
14 PURPOSES.

15 c. RESOLUTION 6, 2011 – CITY CANVASSING BOARD. A RESOLUTION OF THE CITY
16 COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPOINTING THE
17 SUPERVISOR OF ELECTIONS, OR DESIGNEE, AS AN ADDITIONAL MEMBER OF THE
18 CITY OF PALM BEACH GARDENS CANVASSING BOARD; REQUESTING THE
19 SUPERVISOR OF ELECTIONS, OR DESIGNEE, TO CANVASS ALL ABSENTEE
20 BALLOTS, TO CANVASS THE MUNICIPAL ELECTION, AND TO CONDUCT THE
21 LOGIC AND ACCURACY TESTING FOR ALL ELECTION MACHINERY;
22 AUTHORIZING THE CITY CLERK TO APPOINT ELECTION OFFICIALS FOR THE
23 PURPOSE OF CONDUCTING THE GENERAL ELECTION AND RUN-OFF ELECTION, IF
24 APPLICABLE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

25 d. PROCLAMATION – HONDA CLASSIC WEEK.

26 e. RESOLUTION 7, 2011 – ECONOMIC DEVELOPMENT GRANT – A RESOLUTION OF
27 THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA
28 APPROVING A GRANT TO CHROMALLOY GAS TURBINE LLC IN THE AMOUNT OF
29 \$136,400 AS A LOCAL MATCHING GRANT FOR THE STATE OF FLORIDA QUALIFIED
30 TARGETED INDUSTRY GRANT FOR A PROGRAM OTHERWISE REFERRED TO AS
31 "PROJECT FOIL"; PROVIDING CONDITIONS OF APPROVAL FOR THE FUNDING OF
32 THE GRANT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

33 f. PROCLAMATION – IN RECOGNITION OF ROSE ROSENKRANZ.

34 Councilmember Russo asked that item b, Resolution 5, 2011 be removed from the Consent
35 Agenda.

36 Councilmember Jablin made a motion for approval of the Consent Agenda except item b.

37 Councilmember Russo seconded.

38 Motion passed 5-0.

39 The City Clerk read Resolution 5, 2011 by title.

40 Councilmember Russo abstained from voting on Resolution 5, 2011.

41 Councilmember Jablin made a motion for approval Resolution 5, 2011.

42 Councilmember Tinsley seconded.

43 Motion passed 4-0.

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

45 a. *RESOLUTION 55, 2010 – (CONTINUED FROM DECEMBER 16, 2010) AMENDMENT
46 TO THE SOUTHAMPTON PLANNED UNIT DEVELOPMENT (PUD). A RESOLUTION OF
47 THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA
48 APPROVING AN AMENDMENT TO THE SOUTHAMPTON PLANNED UNIT

1 DEVELOPMENT (PUD), LOCATED AT THE NORTHEAST CORNER OF CENTRAL
2 BOULEVARD AND PGA BOULEVARD, AS MORE PARTICULARLY DESCRIBED
3 HEREIN, TO ALLOW THE CONSTRUCTION OF 96 TOWNHOMES AND 58 SINGLE-
4 FAMILY HOMES; PROVIDING WAIVERS; PROVIDING CONDITIONS OF APPROVAL;
5 PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

6 **Mayor Levy** announced the applicant's request for a continuance
7 Discussion ensued.

8 **Councilmember Jablin** made a motion to continue Resolution 55, 2010 to some time on or
9 before the first meeting in December excluding the month of May.

10 **Councilmember Tinsley** seconded.

11 Motion passed 5-0.

12 The City Clerk read Ordinance 28, 2010 by title.

13 b. ORDINANCE 28, 2010 – (2ND READING AND ADOPTION) AMENDING FISCAL
14 YEAR 2010/2011 BUDGETED FUND BALANCE CARRY. AN ORDINANCE OF THE CITY
15 COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING THE
16 CITY OF PALM BEACH GARDENS' BUDGET FOR THE FISCAL YEAR BEGINNING
17 OCTOBER 1, 2010, AND ENDING SEPTEMBER 30, 2011, INCLUSIVE; PROVIDING A
18 CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE
19 DATE; AND FOR OTHER PURPOSES.

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

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

22 **Public Comment:** None.

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

24 **Councilmember Jablin** made a motion for approval of Ordinance 28, 2010 on second reading
25 and adoption.

26 **Councilmember Russo** seconded.

27 Motion passed 5-0.

28 The City Clerk read Ordinance 29, 2010 by title.

29 c. ORDINANCE 29, 2010 – (2ND READING AND ADOPTION) AMENDING THE FISCAL
30 YEAR 2010/2011 BUDGET. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
31 PALM BEACH GARDENS, FLORIDA AMENDING THE CITY OF PALM BEACH
32 GARDENS' BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2010, AND
33 ENDING SEPTEMBER 30, 2011, INCLUSIVE; PROVIDING A CONFLICTS CLAUSE AND
34 A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER
35 PURPOSES.

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

37 **Presentation by: Finance Administrator Allan Owens.**

38 **Public Comment:** None.

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

40 **Councilmember Jablin** made a motion for approval of Ordinance 29, 2010 on second reading
41 and adoption.

42 **Councilmember Tinsley** seconded.

43 Motion passed 5-0.

44 The City Clerk read Ordinance 1, 2011 by title.

45 d. ORDINANCE 1, 2011 – (2nd READING AND ADOPTION) AMENDING THE CITY'S
46 LAND DEVELOPMENT REGULATIONS. AN ORDINANCE OF THE CITY COUNCIL OF
47 THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND
48 DEVELOPMENT. BY REPEALING SUBSECTION 78-80(a)(12) AND READOPTING

1 SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. BY REPEALING
2 SUBSECTION 78-157(b). DEFINITIONS. IN ITS ENTIRETY AND RESERVING SAME
3 FOR FUTURE LEGISLATION; FURTHER AMENDING CHAPTER 78. BY REPEALING
4 SECTIONS 78-571. AND 78-572. AND SUBSECTION 78-681(b)(5) AND READOPTING
5 SAME, AS REVISED, IN ORDER TO CLARIFY PARK AND RECREATION
6 REQUIREMENTS; FURTHER AMENDING CHAPTER 78. AT SECTION 78-751.
7 DEFINITIONS. BY REPEALING THE DEFINITIONS OF "ALLEY" AND "GOVERNMENT
8 USES" AND READOPTING SAME, AS REVISED, AND ADOPTING NEW DEFINITIONS
9 OF "BUILD TO LINE", "COMMUNITY PARK", "LIVE-WORK", "MAIN STREET",
10 "NEIGHBORHOOD PARK", "PEDESTRIAN-ORIENTED GROUND FLOOR USES",
11 "PRIMARY STREET", "SECONDARY STREET", "TERTIARY STREET", AND "WATER
12 ACCESS"; PROVIDING THAT EACH AND EVERY OTHER SECTION AND
13 SUBSECTION OF CHAPTER 78. LAND DEVELOPMENT. SHALL REMAIN IN FULL
14 FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS
15 CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN
16 EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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

18 **Staff Presentation: Director of Planning and Zoning Natalie Wong.**

19 **Public Comment:** None.

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

21 **Councilmember Jablin** made a motion for approval of Ordinance 1, 2011 on second reading
22 and adoption.

23 **Councilmember Russo** seconded.

24 Motion passed 5-0.

25 The City Clerk read Ordinance 2, 2011 by title.

26 e. **ORDINANCE 2, 2011 – (1ST READING) TEXT AMENDMENT TO THE CAPITAL**
27 **IMPROVEMENTS ELEMENT (CIE).** AN ORDINANCE OF THE CITY COUNCIL OF THE
28 CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING AN AMENDMENT TO ITS
29 COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES
30 SET FORTH IN SECTIONS 163.3177 AND 163.3187, ET SEQ., FLORIDA STATUTES,
31 PURSUANT TO A CITY-INITIATED AMENDMENT WHICH PROVIDES FOR THE
32 ANNUAL UPDATE TO THE FIVE-YEAR CAPITAL IMPROVEMENTS SCHEDULE
33 WITHIN THE CAPITAL IMPROVEMENTS ELEMENT, INCLUDING REVISED TEXT
34 NECESSARY TO UPDATE TABULAR DATA IN THE CAPITAL IMPROVEMENTS
35 ELEMENT; PROVIDING THAT THE TEXT AND DATA, AS AMENDED OR REVISED,
36 SHALL BE SUBSTITUTED FOR AND REPLACE THE EXISTING TEXT OR DATA IN
37 THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR TRANSMITTAL TO THE
38 STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A
39 SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE
40 DATE; AND FOR OTHER PURPOSES.

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

42 **Staff Presentation: Director of Planning and Zoning Natalie Wong.**

43 **Public Comment:** None.

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

45 **Councilmember Jablin** made a motion for approval of Ordinance 2, 2011 on first reading.

46 **Councilmember Tinsley** seconded.

47 Motion passed 5-0.

48 The City Clerk read Ordinance 3, 2011 by title.

1 f. ORDINANCE 3, 2011 – (1ST READING) AMENDING THE CITY’S LAND
2 DEVELOPMENT REGULATIONS. AN ORDINANCE OF THE CITY COUNCIL OF THE
3 CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND
4 DEVELOPMENT. BY ADOPTING NEW SUBSECTION 78-49(e) IN ORDER TO CREATE
5 EXEMPTIONS TO THE ARCHITECTURAL REVIEW REQUIREMENT PROCESS FOR
6 MINOR ARCHITECTURAL MODIFICATIONS WITHIN PLANNED COMMUNITY
7 DEVELOPMENTS (PCDs) AND ADOPT REGULATIONS PERTAINING TO PROCESSING
8 EXEMPTION REQUESTS; PROVIDING THAT EACH AND EVERY OTHER SECTION
9 AND SUBSECTION OF CHAPTER 78. LAND DEVELOPMENT. SHALL REMAIN IN
10 FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS
11 CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN
12 EFFECTIVE DATE; AND FOR OTHER PURPOSES.

13 Mayor Levy opened the public hearing.

14 Staff Presentation: Planner Martin Schneider.

15 Discussion ensued.

16 Public Comment: None.

17 Mayor Levy closed the public hearing.

18 Councilmember Jablin made a motion for approval of Ordinance 3, 2011 on first reading.

19 Councilmember Tinsley seconded.

20 Motion passed 5-0.

21 **X. RESOLUTIONS**

22 The City Clerk read Resolution 8, 2011 by title.

23 a. RESOLUTION 8, 2011 – FEES AND CHARGES SCHEDULE. A RESOLUTION OF THE
24 CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA UPDATING THE
25 SCHEDULE OF FEES AND CHARGES FOR VARIOUS SERVICES RENDERED BY THE
26 CITY OF PALM BEACH GARDENS FOR ITS CITIZENS AND OTHER MEMBERS OF
27 THE PUBLIC FOR FISCAL YEAR 2010/2011; PROVIDING AN EFFECTIVE DATE; AND
28 FOR OTHER PURPOSES.

29 Mayor Levy opened the public hearing.

30 Staff Presentation: Resource Manager Allyson Black.

31 Public Comment: None.

32 Mayor Levy closed the public hearing.

33 Councilmember Jablin made a motion for approval of Resolution 8, 2011.

34 Councilmember Tinsley seconded.

35 Motion passed 5-0.

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

37 Council approved Councilmember Jablin’s request to read the Proclamation in recognition of
38 Rose Rosenkranz at a gala in her honor at Temple Beth David.

39 a. DISCUSSION ON 2011 LEGISLATIVE PRIORITIES.

40 Councilmembers discussed property taxes, the Taxpayer Bill of Rights (TABOR), revision of
41 Florida Statue Chapters 175 and 185, Fire and Police pension-related plans, pension benefits,
42 Medicaid and Medicare costs, unfunded mandates and growth management. Councilmember
43 Tinsley discussed city departments and suggested having a booth at the Green Market that
44 provides information on city functions to citizens.

45 **XII. CITY ATTORNEY REPORT**

46 None.

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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 8:22 p.m.

6 The next regularly scheduled City Council meeting will be held March 3, 2011.

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8 **APPROVED:**

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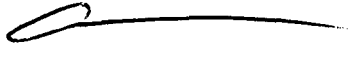
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David Levy, Mayor




Robert G. Premuroso, Vice Mayor



Joseph R. Russo, Councilmember



Eric Jablin, Councilmember



Marcie Tinsley, Councilmember

36 **ATTEST:**

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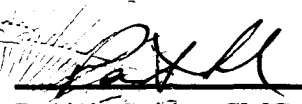
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Patricia Snider, CMC

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.