

1 CITY OF PALM BEACH GARDENS  
2 CITY COUNCIL  
3 REGULAR MEETING  
4 MAY 7, 2009  
5

6 The regular meeting was called to order at 7:04 p.m. by Mayor Russo.

7 **I. PLEDGE OF ALLEGIANCE**

8 **II. ROLL CALL**

9 **PRESENT:** Mayor Joseph Russo, Vice Mayor David Levy, Councilmember Eric Jablin  
10 Councilmember Jody Barnett and Councilmember Robert Premuroso.

11 **III. ADDITIONS, DELETIONS, MODIFICATIONS**

12 **ADDITIONS – CITY MANAGER REPORT**

13 a. Insurance Services Offices (ISO) Building Code Effectiveness Grading Classification  
14 Report

15 b. Legislative Update

16 c. Resolution 44, 2009.

17 Councilmember Jablin made a motion approving the additions to the agenda.

18 Vice Mayor Levy seconded.

19 Motion passed 5-0.

20 **IV. ANNOUNCEMENTS AND PRESENTATIONS**

21 a. Frenchman's Creek Charitable Foundation – recognition for charitable donations was  
22 presented to Frenchman's Creek Charitable Foundation by Recreation Director Mike  
23 Kelly.

24 b. Councilmember Jablin reported Blanche Davidson is doing well following surgery.

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

26 Councilmember Jablin attended the Northlake Boulevard Task Force meeting.

27 Councilmember Premuroso reported on the Budget Oversight Committee (BOC) meeting.

28 Vice Mayor Levy accepted a plaque for the City from the Veterans Administration.

29 Councilmember Barnett attended the NCAA Softball finals at Lake Catherine. Mayor

30 Russo reported on the Business Development Board (BDB) luncheon; a meeting with Roger

31 Dean Stadium Manager Joe Pinto, the opening of the DoubleTree Business Center and the  
32 Honor Services Workshop.

33 **VII. CITY MANAGER REPORT**

34 City Manager Ferris introduced Construction Services Director Todd Engle who then  
35 introduced Acting Building Official Steven Kennedy who reviewed the ISO Building Code  
36 Effectiveness Grading Classification Report.

37 City Lobbyist Tom DeRita reported the status of SB 360, SB 2282, HB 903 and HB 227.

38 Councilmember Barnett made a motion directing Mayor Russo to send a letter to  
39 Governor Crist requesting the First-responders Fee bill be vetoed.

40 Vice Mayor Levy seconded. Discussion ensued.

41 City Manager Ferris asked if Council Members wanted a letter or a Resolution. City

42 Attorney Lohman explained the difference between a letter and a Resolution was that a  
43 Resolution is a written motion.

44 Councilmember Barnett withdrew the first motion.

45 City Attorney Lohman stated Resolution 45, 2009 – A Resolution of the City Council of the  
46 City of Palm Beach Gardens, Florida urging Governor Crist to veto SB 2282, First-  
47 responders Fee, providing an effective date; and for other purposes.

48 Councilmember Barnett made a motion for approval of Resolution 45, 2009.

1 **Vice Mayor Levy** seconded.

2 Motion approved 5-0.

3 **VIII. COMMENTS FROM THE PUBLIC**

4 **The following individuals commented to the Council: Steve Cohen**, PGA Corridor  
5 Association, Heronwood Lane, West Palm Beach; **Don Kiselewski**, Chairman, Palm Beach  
6 Gardens Historical Society, Holly Drive, Palm Beach Gardens; **Linda Hughey**, Reed Drive,  
7 Palm Beach Gardens; **Eileen Tucker**, Shady Lakes, Palm Beach Gardens.

8 **IX. CONSENT AGENDA**

9 a. Approve minutes from March 23, 2009 Budget Workshop meeting.

10 b. Approve minutes from April 2, 2009 City Council meeting.

11 c. **Resolution 38, 2009 – Frequency Reconfiguration Agreement**. A Resolution of the  
12 City Council of the City of Palm Beach Gardens, Florida approving a Change Order Notice to  
13 the Frequency Reconfiguration Agreement with Nextel South Corp.; providing an effective  
14 date; and for other purposes.

15 d. Proclamation – Municipal Clerks Week.

16 e. Proclamation – National Police Week.

17 **Councilmember Barnett** requested Item a, March 23, 2009 Budget Workshop minutes, be  
18 pulled for discussion.

19 **Councilmember Jablin** made a motion approving the Consent Agenda without Item a.

20 **Vice Mayor Levy** seconded.

21 Motion passed 5-0.

22 **Councilmember Barnett** requested the minutes be modified to include the City Manager's  
23 March 23, 2009 memorandum.

24 **Councilmember Jablin** made a motion to approve the March 23, 2009 Budget Workshop  
25 minutes as amended.

26 **Councilmember Barnett** seconded.

27 Motion passed 5-0.

28 **X. PUBLIC HEARINGS**

29 **Part I – Quasi-judicial**

30 **Part II – Non-Quasi-judicial**

31 The City Clerk read Ordinance 19, 2009 by title.

32 a. **Ordinance 19, 2009 – (1st reading) Budget amendment**. An Ordinance of the City  
33 Council of the City of Palm Beach Gardens, Florida amending the City of Palm Beach  
34 Gardens' budget for the fiscal year beginning October 1, 2008, and ending September 30,  
35 2009, inclusive; providing a conflicts clause and a severability clause; providing an effective  
36 date; and for other purposes.

37 **Finance Administrator Owens** explained the purpose of **Ordinance 19, 2009**.

38 **Mayor Russo** opened the public hearing.

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

40 **Councilmember Jablin** made a motion for approval of **Ordinance 19, 2009** on first reading.

41 **Vice Mayor Levy** seconded.

42 Motion passed 5-0.

43 **X. RESOLUTIONS**

44 The City Clerk read Resolution 44, 2009 by title.

45 a. **Resolution 44, 2009** – A Resolution of the City Council of the City of Palm Beach  
46 Gardens, Florida urging **Governor Charlie Crist** to veto Senate Bill 360 entitled  
47 "Community Renewal Act"; providing an effective date; and for other purposes.

48 **Councilmember Jablin** made a motion for approval of **Resolution 44, 2009**.

1 **Vice Mayor Levy** seconded.

2 Motion passed 5-0.

3 **XII. ITEMS FOR COUNCIL ACTION/DISCUSSION**

4 a. **Select dates for the July and August Council meetings.**

5 Council Members agreed to meet the third Thursday of July and August (July 16, 2009 and  
6 August 20, 2009 respectively).

7 b. **Discussion of the MacArthur Statue.**

8 **Councilmember Jablin** read letters he received regarding the location of the John D.  
9 MacArthur statue into the record. Discussion ensued between **Council Members**.

10 **The following individuals commented to the Council:** **Sherman Adler**, North Flagler Drive,  
11 West Palm Beach; **Steve Cohen**, Heronwood Lane, West Palm Beach; **Joan Elias**, Diamond  
12 Head Way, Palm Beach Gardens; **Joan Altwater**, Cypress Hollow Drive, Palm Beach  
13 Gardens; **Carol Estrada**, Riverside Drive, Palm Beach Gardens; **Don Kiselewski**, Holly  
14 Drive, Palm Beach Gardens; **Barry Present**, Prestwick Circle, Palm Beach Gardens;  
15 **Raymond Katz**, Sun Terrace Court, Palm Beach Gardens; **Rick Warner**, 87th Trail West;  
16 West Palm Beach; **Eileen Tucker**, Shady Lakes, Palm Beach Gardens; **Pat Hughey**, Palm  
17 Beach Square, Palm Beach Gardens.

18 **XIII. CITY ATTORNEY REPORT**

19 **City Attorney Lohman** noted the Gardens Pointe check for \$110,000.00 has been received.  
20 Options with the Borland Center and Ram Realty are being pursued.

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1 **XIV. ADJOURNMENT**

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

3 **Vice Mayor Levy seconded.**


4 Motion passed 5-0.

5 The meeting adjourned at 9:03 p.m.

6 The next regularly scheduled City Council meeting will be held May 21, 2009.


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8 **APPROVED:**

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13 Joseph R. Russo, Mayor


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16 David Levy, Vice Mayor

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20 Eric Jablin, Councilmember

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23 Jody Barnett, Councilmember

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26 Robert G. Premuroso, Councilmember

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31 **ATTEST:**

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34 \_\_\_\_\_  
35 Patricia Snider, CMC  
36 City Clerk

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