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**CITY OF PALM BEACH GARDENS
CITY COUNCIL
REGULAR MEETING
OCTOBER 1, 2009**

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

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

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

ABSENT: None.

III. ADDITIONS, DELETIONS, MODIFICATIONS

ADDITIONS

None.

IV. ANNOUNCEMENTS AND PRESENTATIONS

a. Workshop – Briger

A request by Lester Family Investments, L.P., et al, and Palm Beach County, for approval of a rezoning from Planned Development Area (PDA) zoning designation to a Planned Community Development Overlay (PCD) zoning designation. The proposed PCD/DRI will consist of 1.6 million square feet of biotech research space for Phase II of The Scripps Research Institute's (TSRI) Florida campus, 2.4 million square feet of biotechnological/biomedical, pharmaceutical and related ancillary uses, 500,000 square feet of commercial development, and 2,700 dwelling units. The subject site is approximately 681 acres and is located south of Donald Ross Road, north of Hood Road and east and west of Interstate 95.

• LDRA-09-02-000020 Text Amendment to the Land Development Regulations (LDRA) for the Briger Tract

• PDRI-09-02-000002 Briger Development of Regional Impact (DRI)

• PPCD-09-02-000002 Briger Planned Community Development (PCD)

Presented Item: **Planning Manager Natalie Wong, Dana Little**, Treasure Coast Regional Planning Council; **Ken Tuma**, Urban Design Kilday Studio, **Shannon LaRocque**, Assistant County Administrator, Palm Beach County.

Comments from the public: **Wendy Harrison**, Marlberry Circle, Jupiter; **President and CEO Nicole Christian**, Northern Palm Beach County Chamber of Commerce, U.S. Highway 1, North Palm Beach; **Abacoa Executive Director Beth Kelso**, University Boulevard, Jupiter; **John Sickler**, Military Trail, Jupiter;

V. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS

Councilmember Barnett no report. **Vice Mayor Levy** reported attending a Max Planck Institute meeting. **Councilmember Jablin** reported attending the joint meeting of the Art in Public Places and Parks and Recreation Advisory Boards. **Councilmember Premuroso** no report. **Mayor Russo** reported attending a Business Development Board luncheon.

VI. CITY MANAGER REPORT

None.

VII. COMMENTS FROM THE PUBLIC

Jon Channing, 5520 PGA Boulevard, Palm Beach Gardens; **Eileen Tucker**, 1045 Shady Lakes Circle, Palm Beach Gardens; **Carol Estrada**, 309 Riverside Drive, Palm Beach Gardens; **Roger Blangy**, 11658 Hemlock Court, Palm Beach Gardens.

1 **VIII. CONSENT AGENDA**

2 None.

3 **IX. PUBLIC HEARINGS**

4 **Part I – Non-Quasi –judicial**

5 **Part II – Quasi-judicial**

6 **Mayor Russo** announced the procedures for tonight’s proceedings.

7 Those preparing to give testimony were sworn in.

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

9 a. **Ordinance 31, 2009 – (1st reading). Amending Chapter 78, Land Development.** An
10 Ordinance of the City Council of the City of Palm Beach Gardens, Florida amending Chapter
11 78 Land Development at Section 78-46 application procedures by repealing sub-sections 78-
12 46(E)(5), F(2)R and (F)(2)S and readopting same, as revised, in order to clarify the
13 requirements for proof of authority to make application for amendments to planned
14 development approvals and to repeal provisions of the code that are no longer applicable;
15 further amending Chapter 78 at Section 78-80 required application material by repealing Sub-
16 Section 78-80(A)(6) and readopting same, as revised, in order to clarify the requirements for
17 proof of authority to make application for amendments to planned development approvals;
18 further amending Chapter 78 at Section 78-155 PCD – Planned Community Development
19 overlay district (PCD) by repealing Sub-Sections 78-155(N)(2)B and C, in order to repeal
20 provisions of the Code that are no longer applicable; further amending Chapter 78 at Section
21 78-448 submission requirements for subdivision approval by repealing Sub-Section 78-
22 488(A)(3) and readopting same, as revised; in order to clarify the requirements for proof of
23 authority to make application for amendments to Planned Development Approvals; providing
24 that each and every other Section and Sub-Section of Chapter 78 Land Development shall
25 remain the same as previously adopted; providing a conflicts clause, a severability clause, and
26 authority to codify; providing an effective date; and for other purposes.

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

28 **Presented item: Growth Management Administrator Kara Irwin.**

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

30 **Vice Mayor Levy** made a motion for approval on first reading.

31 **Councilmember Jablin** seconded.

32 Motion passed 5-0.

33 **X. RESOLUTIONS**

34 The City Clerk read Resolution 88, 2009 by title.

35 a. **Resolution 88, 2009 – Appoint members to the Fire Fighters Pension Board.** A
36 Resolution of the City Council of the City of Palm Beach Gardens, Florida approving the
37 appointment of regular members to the City of Palm Beach Gardens Fire Fighters Pension
38 Board; providing an effective date and for other purposes

39 **Presented item: Finance Administrator Allan Owens.**

40 **Vice Mayor Levy** made a motion for approval of Resolution 88, 2009.

41 **Councilmember Barnett** seconded.

42 Motion passed 5-0.

43 **XI. ORDINANCES (For Consideration on First Reading)**

44 The City Clerk read Ordinance 35, 2009 by title.

45 a. **Ordinance 35, 2009 – Amending Ordinance 5, 2009 – Boards and Committees.** An
46 Ordinance of the City Council of the City of Palm Beach Gardens, Florida amending Chapter
47 2, Administration at Article III, Boards and Committees in order to amend the composition of
48 the City’s Boards and Committees and to revise the attendance policy and the appointment

1 procedures for same; providing that each and every other section and sub-section of Chapter
2 2, Administration shall remain the same as previously adopted; providing a conflicts clause, a
3 severability clause, and authority to codify; providing an effective date; and for other
4 purposes.

5 **Presented item: City Attorney R. Max Lohman.**

6 **Comments from the public: Tory Buckley, 4454 Daffodil Circle South, Palm Beach Gardens;**
7 **David Porter, 11 Kintyre Road, Palm Beach Gardens; Randolph Hansen, 9 Dunbar Road,**
8 **Palm Beach Gardens.**

9 **Councilmember Jablin** made a motion for approval of Ordinance 35, 2009 on first reading.

10 **Vice Mayor Levy** seconded.

11 Motion passed 5-0.

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

13 a. **Office Space**

14 **Councilmember Barnett** withdrew her request.

15 b. **Adopt-a-Street Program**

16 **Presented item: Public Works Superintendent Prince Alexander.**

17 **Comments from the Public: Mark Lenow, 500 Bella Vista Way, No. 103, Palm Beach**
18 **Gardens; Joan Elias, 1009 Diamond Head Way, Palm Beach Gardens; Donna Wisneski,**
19 **Firefighters Pension Board; Pat Hughey, 9120 Reed Drive, Palm Beach Gardens.**

20 **Councilmember Jablin** made a motion directing Public Works to go forward with the Adopt-
21 A-Street program.

22 **Vice Mayor Levy** seconded.

23 Motion passed 5-0.

24 c. **Ordinance 4, 2009 – Red Light Camera**

25 **City Manager Ferris** presented the status of Ordinance 4, 2009.

26 d. **Council discussion on Council policies**

27 **Mayor Russo** discussed and Council agreed on how Council communication would be
28 conducted in the future.

29 **XIII. CITY ATTORNEY REPORT**

30 **City Attorney R. Max Lohman** reported on legal issues.

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1 **XIV. ADJOURNMENT**

2 **Vice Mayor Levy made a motion to adjourn.**


3 **Councilmember Premuroso seconded.**


4 Motion passed 5-0.

5 The meeting adjourned at 10:07 p.m.

6 The next regularly scheduled City Council meeting will be held October 15, 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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19 Eric Jablin, Councilmember

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22 Jody Barnett, Councilmember

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25 Robert G. Premuroso, Councilmember

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28 **ATTEST:**

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32 _____
33 Patricia Snider, CMC
34 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.**
42