



**CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
January 15, 2009
7:00 P.M.**

**Mayor Jablin
Vice Mayor Levy
Council Member Russo
Council Member Barnett
Council Member Premuroso**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. ADDITIONS, DELETIONS, MODIFICATIONS:

IV ANNOUNCEMENTS / PRESENTATIONS:

- a. Certificate of Achievement for Excellence in Financial Reporting.
- b. Northern County Area Dispatch Consolidation.

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 6, 2008 regular City Council meeting.
- b. Approve Minutes from November 20, 2008 regular City Council meeting.
- c. Approve Minutes from December 4, 2008 regular City Council meeting.
- d. Approve Minutes from December 18, 2008 regular City Council meeting.

- e. Resolution 6, 2009 – Agreement with Natural Resources Conservation Services. A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving a project Agreement with Natural Resources Conservation Services to provide financial assistance for repairs to the Bellewood Canal caused by Tropical Storm Fay; approving a work authorization and notice to proceed to Murray Logan Construction, Inc. for such repairs; providing an effective date and for other purposes.
- f. Proclamation – Arbor Day

IX. PUBLIC HEARINGS:

Part I – Quasi-judicial

- a. Ordinance 2, 2009 - (1st reading) Waterway Café. An Ordinance of the City Council of the City of Palm Beach Gardens, Florida rezoning one (1) parcel of real property comprised of approximately one and 50/100 (1.50±) acres, more or less, in size, from Residential Medium (RM) to General Commercial zoning district (CG-1); such parcel is located on the South side of PGA Boulevard approximately ¼ mile East of Prosperity Farms Road, informally known as the “Waterway Café Parcel”, as described more particularly herein; providing revisions to the zoning district map; providing a conflicts clause, a severability clause, and authority to codify; providing an effective date; and for other purposes.

Part II – Non-Quasi-judicial

- a. Ordinance 33, 2008 – (2nd reading and adoption) FY 2008 Budget Amendment. An Ordinance 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, 2007, and ending September 30, 2008, inclusive; providing a conflicts clause, a severability clause and authority to codify; providing an effective date; and for other purposes.
- b. Ordinance 34, 2008 - (2nd reading and adoption) FY 2009 Budget Amendment. An Ordinance 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, 2008, and ending September 30, 2009, inclusive; providing a conflicts clause, a severability clause and authority to codify; providing an effective date; and for other purposes.

X. RESOLUTIONS:

- a. Resolution 3, 2009 - Contract Award to Harvard Jolly, Inc. A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving an Agreement for Design Criteria Professional Services with Harvard Jolly, Inc. for the construction of an Emergency Operations and Communications Center; providing an effective date; and for other purposes.

- b. Resolution 4, 2009 - Miscellaneous petition for LA Fitness Plaza. A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving the LA Fitness Plaza Planned Unit Development (PUD), formerly known as Shoppes on the Green, to update the commercial plaza's exterior colors, materials, signage and landscaping, as described more particularly herein; providing for waivers; providing for conditions of approval; providing an effective date; and for other purposes.
- c. Resolution 5, 2009 - Median signage for LA Fitness Plaza. A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving the monument sign located in the median of the Fairway Drive right-of-way in the PGA National Planned Community Development (PCD), to be modified to reflect the plaza's name change from Shoppes on the Green to LA Fitness Plaza, as described more particularly herein; providing an effective date; and for other purposes.

XI. ORDINANCES: (For Consideration on First Reading)

- a. Ordinance 1, 2009 – Adopting the City Logo and official seal. An Ordinance of the City Council of the City of Palm Beach Gardens, Florida, amending Chapter 2, Administration at Article I, in general by adopting an entirely new Section 2-2 to be entitled “City Seal”; providing for the official adoption of a City Seal; describing the City Seal; providing that the said City Seal may only be utilized for official City of Palm Beach Gardens business; further amending Chapter 2, Administration by adopting a new Section 2-3 to be entitled “City Logo”; providing for the official adoption of the City Logo; describing the City Logo; providing that the said City Logo may only be utilized for official City of Palm Beach Gardens business; providing that the City Council may grant approval for the use of the Logo for a proper purpose; providing that the City Council may adopt reasonable rules for the manufacture, use, facsimile, or reproduction of this Logo; providing for penalties; providing for registration with the Secretary of State of Florida; providing that each and every other Provision, Section, and Article of Chapter 2, Administration shall remain in full force and effect as previously enacted; providing a conflicts clause, a severability clause, and authority to codify; providing an effective date; and for other purposes.

XII. ITEMS FOR COUNCIL ACTION/DISCUSSION:

XIII. CITY ATTORNEY REPORT:

XIV. 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.