

CITY OF PALM BEACH GARDENS  
CITY COUNCIL  
REGULAR MEETING  
MARCH 19, 2009

The regular meeting was called to order at 7:02 p.m. by Mayor Eric Jablin.

**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL**

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

Mayor Jablin requested a moment of silence in remembrance of Harvey Goldberg, Chair of the Budget Oversight Committee.

**III. REORGANIZATION**

1. Appointment of temporary Chairperson to appoint Mayor.

Mayor Jablin made a motion nominating Vice Mayor Levy as the temporary Chairperson.

Councilmember Russo seconded.

Motion passed 5-0.

2. Appointment of Mayor.

Councilmember Premuroso made a motion nominating Councilmember Russo as Mayor.

Councilmember Russo seconded.

Motion passed 4-1 with Vice Mayor Levy opposed.

Mayor Russo accepted the position of Mayor.

3. Appointment of Vice Mayor.

Councilmember Premuroso made a motion nominating Vice Mayor Levy as Vice Mayor.

Councilmember Jablin seconded.

Motion passed 5-0.

The City Clerk read Resolution 29, 2009 by title.

4. **Resolution 29, 2009 – Appointment of Mayor and Vice Mayor.** A Resolution of the City Council of the City of Palm Beach Gardens, Florida appointing the Mayor and Vice Mayor for the City; and providing an effective date; and for other purposes.

Councilmember Jablin made a motion for approval of Resolution 29, 2009.

Vice Mayor Levy seconded.

Motion passed 5-0.

Vice Mayor Levy made a motion reordering the agenda and placing items 5 and 6 at the end of the meeting.

Councilmember Jablin seconded.

Motion passed 5-0.

5. Appointment to External Boards.

6. Appointment to Internal Boards.

**IV. ADDITIONS, DELETIONS, MODIFICATIONS**

**ADDITIONS – CITY MANAGER’S REPORT**

Legislative update.

Vice Mayor Levy made a motion approving the addition.

Councilmember Jablin seconded.

Motion passed 5-0.

**V. ANNOUNCEMENTS AND PRESENTATIONS**

None.

1 **VI. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS**

2 **Councilmember Barnett** announced upcoming City events. **Vice Mayor Levy** announced  
3 attending the Northern Palm Beach County Water Resource Task Force meeting where the G-  
4 160 structure and the C-51 canal were discussed and requested a presentation from staff in  
5 April on the subject. **Councilmember Premuroso** thanked the Palm Beach Gardens  
6 Historical Society for the event they held on March 8, 2009 and recognized the Parks  
7 Department for their work. **Councilmember Jablin** announced the anniversary edition of  
8 Signature City magazine won a gold ADDY® Award and thanks were extended to Public  
9 Relations Director Donna Giuliana and staff for their work. He also reported attending the  
10 Metropolitan Planning Organization (MPO) meeting.

11 **Mayor Russo** suggested placing a brick in Veterans Plaza in recognition of Harvey Goldberg,  
12 discussed the Honda Classic, attended a Crime Watch meeting, Northern Palm Beach County  
13 Chamber of Commerce meeting, Bioscience Land Protection Advisory Board (BLAB)  
14 meeting, and discussed the possible relocation of A.G. Holley State Hospital to the Jupiter  
15 area.

16 **VII. CITY MANAGER REPORT**

17 **City Manager Ferris** introduced **Public Facilities Director Charlotte Presensky** who  
18 suggested November 21, 2009 for the main 50th anniversary event. There was a consensus of  
19 agreement for the suggested date among City Council members. **City Lobbyist Tom DeRita**  
20 discussed the Federal Stimulus Package and presented a report on Bills currently in the State  
21 House of Representatives and State Senate.

22 **VIII. COMMENTS FROM THE PUBLIC**

23 The following individuals commented to the Council: **Paul Guay**, 4345 Daffodil Circle  
24 North, Palm Beach Gardens; **Steve Feldman**, 8960 Oldham Way, Carlton Oaks, Palm Beach  
25 County; **Carey Prince**, 4321 Crestdale Street, Palm Beach Gardens; **Dan Clark**, 18  
26 Princewood, Palm Beach Gardens.

27 **IX. CONSENT AGENDA**

- 28 a. Approve Minutes from January 15, 2009 regular City Council meeting.  
29 b. Approve Minutes from February 3, 2009 Workshop City Council meeting.

30 **Vice Mayor Levy** made a motion for approval of the Consent Agenda.

31 **Councilmember Jablin** seconded.

32 Motion passed 5-0.

33 **X. PUBLIC HEARINGS**

34 **Part I – Quasi – judicial**

35 Mayor Russo announced the procedures that would be followed in tonight's proceedings. The  
36 City Clerk swore in all those intending to offer testimony.

37 The City Clerk read Ordinance 12, 2009 by title.

- 38 a. **Ordinance 12, 2009 – (2nd reading and adoption) Voluntary Annexation Petition.** An  
39 Ordinance of the City Council of the City of Palm Beach Gardens, Florida annexing, pursuant  
40 to a petition for voluntary annexation, a parcel of land consisting of approximately ten (10)  
41 acres, generally located at the Northwest corner of the intersection of Alternate A1A and  
42 Hood Road, in Palm Beach County, Florida, as more particularly described herein; declaring  
43 that the voluntary annexation petition bears the signature of the owner of the real property  
44 annexed hereby; amending Article II of the City Charter by redefining the corporate limits;  
45 providing a severability clause, a conflicts clause, and authority to codify; providing an  
46 effective date; and for other purposes.

1 **Mayor Russo** opened the public hearing and requested ex parte communication, which were  
2 declared for Ordinance 12, 2009; Ordinance 13, 2009; Ordinance 10, 2009 and Resolution 15,  
3 2009 by **Vice Mayor Levy**, **Councilmember Jablin**, **Councilmember Barnett** and  
4 **Councilmember Premuroso**. **Mayor Russo** stated he spoke with staff only.

5 The following individuals commented on this agenda item: **Jennifer Tighe**, Land Design  
6 South; **Mayor Russo**, **Councilmember Barnett**, **Councilmember Premuroso**.

7 The following individuals made public comments on this agenda item: **Stephen Russell**,  
8 Evergrene, Palm Beach Gardens.

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

10 **Councilmember Jablin** made a motion for adoption of Ordinance 12, 2009 on second  
11 reading.

12 **Vice Mayor Levy** seconded.

13 Motion passed 5-0.

14 The City Clerk read Ordinance 13, 2009 by title.

15 b. **Ordinance 13, 2009 – (2nd reading and adoption) Frenchman’s Crossing**  
16 **Comprehensive Plan Amendment**. An Ordinance of the City Council of the City of Palm  
17 Beach Gardens, Florida, adopting a small-scale amendment to its Comprehensive  
18 Development Plan in accordance with the mandates set forth in Chapter 163, Florida Statutes,  
19 specifically Section 163.3187(1)(c), Et Seq., Florida Statutes, pursuant to City-initiated  
20 Application No. CPMA-07-08-000007, which provides for an amendment to the City’s Future  
21 Land Use Map designating one (1) parcel of real property comprising approximately ten  
22 (10.0 ±) acres, more or less, in size as “(C) Commercial”; such parcel of land is located on the  
23 Northwest corner of the intersection of Hood Road and Alternate A1A, informally known as  
24 “Frenchman’s Crossing”; providing for compliance with all requirements of Chapter 163,  
25 Florida Statutes; providing a conflicts clause and a severability clause; providing an effective  
26 date; and for other purposes..

27 **Mayor Russo** opened the public hearing. Ex parte communication is noted.

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

29 **Councilmember Jablin** made a motion for adoption of Ordinance 13, 2009 on second  
30 reading.

31 **Vice Mayor Levy** seconded.

32 Motion passed 5-0.

33 The City Clerk read Ordinance 10, 2009 and Resolution 15, 2009 by title.

34 c. **Ordinance 10, 2009 – (2nd reading and adoption) Frenchman’s Crossing PUD**. An  
35 Ordinance of the City Council of the City of Palm Beach Gardens, Florida rezoning one (1)  
36 parcel of real property consisting of approximately ten and 00/100 (10.00 ±) acres, more or  
37 less, in size, from County Zoning Designation Agricultural Residential/Special Exception  
38 (AR/SE) to City Zoning Designation General Commercial (CG-1) zoning district with a  
39 Planned Unit Development (PUD) overlay; such parcel is located at the Northwest corner of  
40 Hood Road and Alternate A1A, as described more particularly herein, more commonly  
41 known as the “Frenchman’s Crossing PUD”; providing revisions to the zoning district map;  
42 providing a conflicts clause, a severability clause, and authority to codify; providing an  
43 effective date; and for other purposes.

44 **Resolution 15, 2009 is a companion item to Ordinance 10, 2009 and will require council**  
45 **action.**

46 **Resolution 15, 2009 – Frenchman’s Crossing PUD**. A Resolution of the City Council of the  
47 City of Palm Beach Gardens, Florida approving the Frenchman’s Crossing Planned Unit  
48 Development (PUD) to allow for a 46,031-square-foot retail grocery store and 16,600 square

1 feet of General Commercial uses on a 10-acre parcel, as described more particularly herein;  
2 providing waivers; providing conditions of approval; providing an effective date; and for  
3 other purposes.

4 **Mayor Russo** opened the public hearing. Ex parte communication is noted.

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

6 **Councilmember Jablin** made a motion for adoption of Ordinance 10, 2009 on second  
7 reading.

8 **Vice Mayor Levy** seconded.

9 Motion passed 5-0.

10 **Councilmember Jablin** made a motion for adoption of Resolution 15, 2009 on second  
11 reading.

12 **Vice Mayor Levy** seconded.

13 Motion passed 5-0.

14 The City Clerk read Resolution 26, 2009 by title.

15 d. **Resolution 26, 2009 – Gardens Shul Major Conditional Use and Site Plan Petition.** A

16 Resolution of the City Council of the City of Palm Beach Gardens, Florida approving a major  
17 conditional use and a site plan for a religious institution on a .74-acre parcel of land, located at  
18 7025 Fairview Lane, generally located on the North side of Fairway Drive, South of PGA  
19 Boulevard and West of the Florida Turnpike, as more particularly described herein, to be  
20 referred to as the “Gardens Shul”; approving renovations to the existing building for the  
21 conversion of the use to a religious institution and other site plan modifications; providing  
22 waivers; providing conditions of approval; providing an effective date; and for other purposes.

23 **Mayor Russo** opened the public hearing. Ex parte communication was declared by **Vice**  
24 **Mayor Levy** and **Councilmember Jablin**.

25 **The following individuals commented on this agenda item: Alexandra Kalfin,** Cotleur &  
26 **Hearing, Growth Management Senior Planner Stephen Mayer, Mayor Russo, Vice**  
27 **Mayor Levy, Councilmember Jablin, Councilmember Barnett, Councilmember**  
28 **Premuroso, Interim City Attorney R. Max Lohman, Matthew Kent,** 29000 Portofina  
29 **Circle No. 13, Palm Beach Gardens; Allyn Pier,** 2601 26th Court, Jupiter; **Marvin Capnick,**  
30 **31 St. George Place, Palm Beach Gardens.**

31 **Councilmember Jablin** made a motion for approval of Resolution 26, 2009 on first reading.

32 **Vice Mayor Levy** seconded.

33 Motion passed 5-0.

34 **Part II – Non-Quasi-judicial**

35 **X. RESOLUTIONS**

36 The City Clerk read Resolution 24, 2009 by title.

37 a. **Resolution 24, 2009 – Concurrent Processing.** A Resolution of the City Council of the  
38 City of Palm Beach Gardens, Florida allowing the concurrent processing of a Development of  
39 Regional Impact application, a Comprehensive Plan Amendment application, a Planned  
40 Community District application, a concurrency application, and a zoning text amendment  
41 application for the proposed development known as the Scripps Florida Phase II/Briger tract  
42 DRI; providing an effective date; and for other purposes.

43 **The following individuals commented on this agenda item: Ken Tuma,** Urban Design Kilday  
44 **Studios.**

45 **Councilmember Jablin** made a motion for approval of Resolution 24, 2009.

46 **Vice Mayor Levy** seconded the motion.

47 Motion passed 5-0.

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1 The City Clerk read Resolution 30, 2009 by title.  
2 b. **Resolution 30, 2009 – Contract Award.** A Resolution of the City Council of the City of  
3 Palm Beach Gardens, Florida awarding a contract to Trans Coastal Construction Company for  
4 the Burns Road Community Center Lobby and Art Room Roof Replacement in the amount of  
5 \$91,245.00; authorizing the Mayor to execute the contract; providing an effective date; and  
6 for other purposes.  
7 **The following individuals commented on this agenda item: Construction Services**  
8 **Operations Director Mike Morrow.**  
9 **Councilmember Jablin** made a motion for approval of Resolution 30, 2009.  
10 **Vice Mayor Levy** seconded.  
11 Motion passed 5-0.  
12 **XI. ORDINANCES (for Consideration on First Reading)**  
13 None.  
14 **XII. ITEMS FOR COUNCIL ACTION/DISCUSSION**  
15 a. **Art in Public Places Bus Shelter Project.**  
16 **The following individuals commented on this agenda item: Growth Management Resource**  
17 **Manager Allyson Black, Councilmember Barnett, Councilmember Premuroso.**  
18 **Councilmember Jablin** made a motion instructing the Art in Public Place Advisory Board to  
19 pursue the bus shelter project.  
20 **Vice Mayor Levy** seconded.  
21 Motion passed 5-0.  
22 **III. REORGANIZATION (Continued from earlier on the agenda.)**  
23 Councilmember Barnett suggested rotating Council Liaison assignments.  
24 5. Appointments to External Boards.  
25 6. Appointments to Internal Boards.  
26 **XIII. CITY ATTORNEY REPORT**  
27 None.  
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31 *(The remainder of this page intentionally left blank.)*  
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1 **XIV. ADJOURNMENT**

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

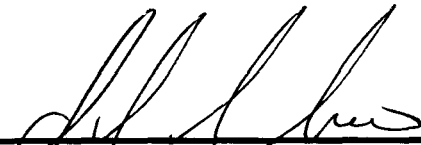
3 **Councilmember Jablin** seconded.


4 Motion passed 5-0.

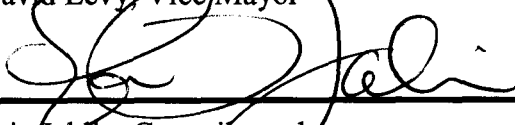
5 The meeting adjourned at 9:48 p.m.


6 The next regularly scheduled City Council meeting will be held April 2, 2009.

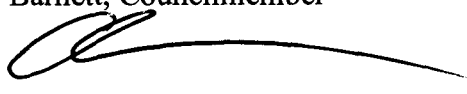
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8 **APPROVED:**

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13 Joseph R. Russo, Mayor


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17 David Levy, Vice Mayor

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21 Eric Jablin, Councilmember

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25 Jody Barnett, Councilmember

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29 Robert G. Premuroso, Councilmember

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31 **ATTEST:**

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

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