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**CITY OF PALM BEACH GARDENS
CITY COUNCIL
REGULAR MEETING
JUNE 18, 2009**

The regular meeting was called to order at 7:03 p.m. by Mayor for the Day, Thomas Pelham III.

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

PRESENT: Mayor Joseph Russo, Vice Mayor David Levy, Councilmember Eric Jablin, Councilmember Jody Barnett and Councilmember Robert Premuroso, Mayor for the Day Thomas Pelham III.

III. ADDITIONS, DELETIONS, MODIFICATIONS

ADDITIONS – ITEMS FOR COUNCIL ACTION/DISCUSSION

b. Discussion of statue and gazebo locations.

Vice Mayor Levy made a motion for approval of the Addition as ~~read~~ into the record.

Councilmember Jablin seconded.

Motion passed, 5-0.

IV. ANNOUNCEMENTS AND PRESENTATIONS

None.

V. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS

Councilmember Barnett, no report.

Vice Mayor Levy reported on the Founder's Day celebration.

Councilmember Premuroso reported on the Palm Beach Gardens Historical Society's ribbon cutting, the Youth Athletic Association (YAA) baseball and softball games

Councilmember Jablin reported on a temporary library during construction and the Metropolitan Planning Organization (MPO) meeting.

Growth Management Administrator Irwin reported on the effects of SB 360.

Mayor Russo reported the Budget Information Meeting to be held July 1, 2009 at 7:00 p.m. and requested the September 3rd and 10th City Council meetings be rescheduled to September 10th and 24th respectively.

Councilmember Jablin made a motion to reschedule the meetings as noted.

Vice Mayor Levy seconded.

Motion passed, 5-0.

Mayor Russo reported on the Biotech Overlay meeting.

Councilmember Jablin made a motion in favor of the City Council authorizing City Manager Ferris to send a letter to the Town of Jupiter regarding their plans for property located at I-95 and Indiantown Road.

Vice Mayor Levy seconded.

Motion passed, 4-1, with Councilmember Barnett dissenting.

VI. CITY MANAGER REPORT

None.

VII. COMMENTS FROM THE PUBLIC

The following individuals commented to the Council: Eileen Tucker, Shady Lakes, Palm Beach Gardens; Steve Cohen, PGA Corridor Association and Palm Beach Gardens Historical Society, Palm Beach Gardens.

VIII. CONSENT AGENDA

1 a. Resolution 51, 2009 – Purchase award to Wesco Turf, Inc. A Resolution of the City
2 Council of City of Palm Beach Gardens, Florida approving a purchase award for Lawn and
3 Field Equipment in an amount of \$88,495.59 with Wesco Turf, Inc. via an existing State of
4 Florida Contract (No. 515-630-06-01); providing an effective date; and for other purposes.

5 Councilmember Jablin made a motion for approval of the Consent Agenda.

6 Vice Mayor Levy seconded.

7 Motion passed 5-0.

8 **X. PUBLIC HEARINGS**

9 **Part I – Quasi –judicial**

10 Mayor Russo announced the procedures in tonight’s proceedings.

11 Those preparing to give testimony were sworn in.

12 The City Clerk read Resolution 47, 2009 by title.

13 a. Resolution 47, 2009 - Gardens Commerce Center PUD. A Resolution of the City
14 Council of City of Palm Beach Gardens, Florida approving the conversion of 9,187 square
15 feet of existing light industrial space to general office, the addition of seven (7) parking
16 spaces, and removal of two (2) previously-approved loading zones for the Gardens Commerce
17 Center Planned Unit Development (PUD), as described more particularly herein; providing
18 conditions of approval; providing an effective date; and for other purposes.

19 Mayor Russo opened the public hearing.

20 No ex parte communication was declared.

21 The following individuals commented on this agenda item: Dan Cecil, agent for Riverside
22 Development.

23 Mayor Russo closed the public hearing.

24 Councilmember Jablin made a motion to approve Resolution 47, 2009.

25 Vice Mayor Levy seconded.

26 Mayor Russo asked to reopen the public hearing.

27 Vice Mayor Levy withdrew his second.

28 Councilmember Jablin withdrew his motion.

29 Mayor Russo reopened the public hearing.

30 The following individuals commented to the Council: David Chirico, Jr., Dogwood Avenue,
31 Palm Beach Gardens.

32 Mayor Russo closed the public hearing.

33 Councilmember Jablin made a motion to approve Resolution 47, 2009.

34 Vice Mayor Levy seconded.

35 Motion passed 5-0.

36 The City Clerk read Resolution 50, 2009 by title.

37 b. Resolution 50, 2009 – CVS miscellaneous signage petition. A Resolution of the City
38 Council of City of Palm Beach Gardens, Florida approving an amendment to the Sign
39 Program to relocate signage for the outparcel building of the Prosperity Center Planned Unit
40 Development (PUD), generally bounded by PGA Boulevard to the North, Prosperity Farms
41 Road to the West, and Kidd Lane to the East, as described more particularly herein; providing
42 an effective date; and for other purposes.

43 Mayor Russo opened the public hearing.

44 No ex parte communication was declared.

45 The following individuals commented on this agenda item: Al Malefatto, Greenberg Traurig;

46 Growth Management Administrator Irwin, Planner Martin Schneider.

47 Mayor Russo closed the public hearing.

48 Councilmember Jablin made a motion for approval of Resolution 50, 2009.

1 **Vice Mayor Levy** seconded.

2 Motion passed 5-0.

3 The City Clerk read Ordinance 20, 2009 by title.

4 c. **Ordinance 20, 2009 – (1st reading) Deannexing from the City of Palm Beach**

5 **Gardens.** An Ordinance of the City Council of City of Palm Beach Gardens, Florida,

6 contracting the City’s Municipal boundaries by deannexing a parcel of real property

7 comprising a total of 61.9 acres, more or less, located on the North side of Northlake

8 Boulevard approximately one-half (1/2) mile West of the intersection of Northlake Boulevard

9 and Coconut Boulevard, as more particularly described herein; amending Article II of the City

10 Charter to redefine the corporate limits; providing a conflicts clause, a severability clause, and

11 authority to codify; providing an effective date; and for other purposes.

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

13 No ex parte communication was declared.

14 **The following individuals commented on this agenda item: Growth Management**

15 **Administrator Irwin; Bruce Thomson, Palm Beach County Planning Division.**

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

17 **Councilmember Jablin** made a motion to approve Ordinance 20, 2009 on first reading.

18 **Vice Mayor Levy** seconded.

19 Motion passed 5-0.

20 **Part II – Non-Quasi-judicial**

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

22 a. **Ordinance 19, 2009 – (2nd reading and adoption) Budget amendment.** An Ordinance

23 of the City Council of the City of Palm Beach Gardens, Florida amending the City of Palm

24 Beach Gardens’ budget for the fiscal year beginning October 1, 2008, and ending September

25 30, 2009, inclusive; providing a conflicts clause and a severability clause; providing an

26 effective date; and for other purposes.

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

28 No ex parte communication was declared.

29 **The following individuals commented on this agenda item: Finance Administrator Owens.**

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

31 **Councilmember Jablin** made a motion to approve Ordinance 19, 2009 on second reading.

32 **Vice Mayor Levy** seconded.

33 Motion passed 5-0.

34 **X. RESOLUTIONS**

35 None.

36 **XI. ORDINANCES**

37 None.

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

39 a. **Discussion of Special Events and Signs**

40 **The following individuals commented on this agenda item: Growth Management**

41 **Administrator Irwin.**

42 **Councilmember Jablin** made a motion to draft an Ordinance per the presented criteria.

43 **Vice Mayor Levy** seconded.

44 Motion passed 5-0.

45 b. **Lake Catherine Project**

46 **Councilmember Jablin** reported on the status of the Lake Catherine gazebo and John D.

47 MacArthur statue. The Art in Public Places Advisory Board approved funding of the history

48 walk.

1 The following individuals commented to the Council: **Roger Blangy**, Garden Woods, Palm
2 Beach Gardens; **Pat Hughey**, Palm Beach Square, Palm Beach Gardens; **Carol Estrada**,
3 Riverside Drive, Palm Beach Gardens; **Fire Chief Pete Bergel**.

4 **XIII. CITY ATTORNEY REPORT**

5 City Attorney **R. Max Lohman** presented the League of Cities agenda.

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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 9:07 p.m.


6 The next regularly scheduled City Council meeting will be held July 16, 2009.

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8 **APPROVED:**

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13 Joseph R. Russo, Mayor

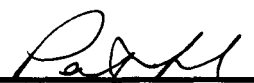
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16 David Levy, Vice Mayor

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19 Eric Jablin, Councilmember

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24 Jody Barnett, Councilmember

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28 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.