

1 CITY OF PALM BEACH GARDENS  
2 CITY COUNCIL  
3 REGULAR MEETING  
4 SEPTEMBER 10, 2009  
5

6 The regular meeting was called to order at 7:02 p.m. by Vice Mayor Levy.

7 **I. PLEDGE OF ALLEGIANCE**

8 **II. ROLL CALL**

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

11 **ABSENT:** Mayor Joseph Russo.

12 **III. ADDITIONS, DELETIONS, MODIFICATIONS**

13 **POSTPONEMENTS**

14 XII. a. City Manager Evaluation

15 b. Council Communication

16 c. Office Space

17 Councilmember Jablin made a motion for approval of postponement for the noted items.

18 Councilmember Premuroso seconded.

19 Motion passed 4-0.

20 **IV. ANNOUNCEMENTS AND PRESENTATIONS**

21 Vice Mayor Levy presented City lifeguards with Fire Rescue Life Safety Awards for  
22 heroism.

23 **V. PUBLIC HEARINGS FOR 2009/2010 BUDGET – Non Quasi Judicial**

24 a. Presentation of the Fiscal Year 2009/2010 Budget – City Manager Ron Ferris presented the  
25 criteria used for developing the Fiscal Year 2009/2010 budget. Budget Oversight  
26 Committee (BOC) Chair L. Marc Cohn presented the Budget Advisory Committee Report.  
27 Finance Administrator Allan Owens presented the Fiscal Year 2009/2010 budget summary.

28 The City Clerk read Ordinance 26, 2009 by title.

29 b. Ordinance 26, 2009 – (1<sup>st</sup> reading) Adopting Fiscal Year 2009/2010 budget. An  
30 Ordinance of the City Council of the City of Palm Beach Gardens, Florida adopting the  
31 budget for the City of Palm Beach Gardens for the Fiscal Year commencing October 1, 2009,  
32 and ending September 30, 2010; providing a conflicts clause and a severability clause;  
33 providing an effective date; and for other purposes.

34 Vice Mayor Levy opened the public hearing.

35 Comments from the Public: Louis Satriano, 47 Lakemont Court, Palm Beach Gardens;  
36 Marilyn Lew-Jacobs, 16 Bermuda Lake Drive, Palm Beach Gardens; Doug Virgilio, 9130  
37 Cypress Hollow Drive, Palm Beach Gardens; John Rogalski, 1124 Rainwood Circle, Palm  
38 Beach Gardens.

39 Vice Mayor Levy closed the public hearing.

40 Discussion ensued.

41 Councilmember Jablin made a motion for approval of the proposed operating millage rate of  
42 5.39 mills and a debt millage rate of 0.149 for a total tentative rate of 5.539 mills for Fiscal  
43 Year 2009/2010.

44 Councilmember Premuroso seconded.

45 Motion passed 3-1 with Councilmember Barnett dissenting.

46 Councilmember Jablin made a motion for approval of Ordinance 26, 2009 on first reading to  
47 adopt a tentative budget for Fiscal Year 2009/2010 and setting the second and final reading  
48 for September 24, 2009 at 7:00 p.m. in Council Chambers.

1 Councilmember Premuroso seconded.

2 Motion passed 3-1 with Councilmember Barnett dissenting.

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

4 Councilmember Jablin reported meeting with the Jewish Community Center (JCC) and  
5 discussed the Hanukkah celebration. Councilmember Barnett described her relationship  
6 with City Manager Ferris and stated she will tape all of her future meetings. Vice Mayor  
7 Levy announced that Mayor Russo will give the State of the City Address on September 16,  
8 2009 at the Marriott Hotel and the Community Aesthetics Board (CAB) will be promoting the  
9 Adopt-A-Tree program.

10 **VI. CITY MANAGER REPORT**

11 a. City Manager Evaluation. Postponed to September 24, 2009.

12 City Council will be invited to a Treasure Coast Regional Planning Council meeting being  
13 held regarding the Briger site on Friday, September 18, 2009 at 9:30 a.m. in Stuart. City  
14 Attorney R. Max Lohman explained the Sunshine Laws governing City Council attendance.  
15 Councilmember Premuroso will attend if Mayor Russo is unable to attend.

16 **VII. COMMENTS FROM THE PUBLIC**

17 Mindy Hanken, Associate Executive Director of the JCC; 4803 PGA Boulevard, Palm Beach  
18 Gardens. Consensus was reached to allow two City staff members to attend JCC meetings to  
19 assist with organizing their first Hanukkah celebration.

20 Eileen Tucker, Shady Lakes, Palm Beach Gardens.

21 **VIII. CONSENT AGENDA**

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

23 Councilmember Premuroso seconded.

24 Motion passed 4-0.

25 **X. PUBLIC HEARINGS**

26 **Part I – Non-Quasi –judicial**

27 The City Clerk read Ordinance 24, 2009 by title.

28 a. **Ordinance 24, 2009 – (1st reading) Hilltop Gardens Large-scale Comprehensive Plan**  
29 **Future Land Use Plan Amendment**. An Ordinance of the City Council of the City of Palm  
30 Beach Gardens, Florida adopting a large scale amendment to its Comprehensive Development  
31 Plan in accordance with the mandates set forth in Chapter 163, Florida Statutes, specifically  
32 Section 163.3184, et seq., Florida Statutes, pursuant to application No. CPMA-09-03-000011,  
33 which provides for an amendment to the City's Future Land Use Map designating one (1)  
34 parcel of real property comprising approximately twenty-three and 16/100 (23.16 ±) acres,  
35 more or less, in size as "(C) Commercial"; such parcel being located generally North of  
36 Northlake Boulevard, East of the C-17 Canal, South of the Seacoast Utility Richard Road  
37 Plant, and West of the Hilltop Park Mobile Home Park, informally known as "Hilltop  
38 Gardens"; providing for compliance with all requirements of Chapter 163, Florida Statutes;  
39 providing for transmittal to DCA; providing a conflicts clause, a severability clause, and  
40 authority to codify; providing an effective date; and for other purposes.

41 Vice Mayor Levy opened the public hearing.

42 Presented Item: Ordinance 24, 2009 and Ordinance 25, 2009: Ken Tuma, Urban Design  
43 Kilday Studios; Planner Martin Schneider.

44 Comments from the Public: Carol Estrada, 309 Riverside Drive, Palm Beach Gardens.

45 Vice Mayor Levy closed the public hearing.

46 Councilmember Jablin made a motion for approval of Ordinance 24, 2009 on first reading.

47 Councilmember Premuroso seconded.

48 Motion passed 3-1 with Councilmember Barnett dissenting.

1 **Part II – Quasi-judicial**

2 **Vice Mayor Levy** announced the procedures for tonight's proceedings.

3 Those preparing to give testimony were sworn in.

4 The City Clerk read Ordinance 25, 2009 by title.

5 a. **Ordinance 25, 2009 – (1st reading) Hilltop Gardens Rezoning.** An Ordinance of the  
6 City Council of the City of Palm Beach Gardens, Florida rezoning one (1) parcel of real  
7 property comprising approximately twenty-three and 16/100 (23.16±) acres, more or less, in  
8 size; such parcel being located North of Northlake Boulevard, East of the C-17 Canal, South  
9 of the Seacoast Utility Richard Road Plant, and West of the Hilltop Park Mobile Home Park,  
10 informally known as "Hilltop Gardens"; from Residential Medium (RM) to Commercial  
11 General (CG1) zoning district; providing that the City zoning district map be revised  
12 accordingly; providing a conflicts clause and a severability clause; providing authority to  
13 codify; providing an effective date; and for other purposes.

14 **Vice Mayor Levy** opened the public hearing.

15 **Vice Mayor Levy, Councilmember Jablin, Councilmember Barnett and Councilmember**  
16 **Premuroso** declared ex parte communication.

17 **Vice Mayor Levy** closed the public hearing.

18 **Councilmember Jablin** made a motion for approval of Ordinance 25, 2009 on first reading.

19 **Councilmember Premuroso** seconded.

20 Motion passed 3-1 with **Councilmember Barnett** dissenting.

21 The City Clerk read Resolution 72, 2009 by title.

22 b. **Resolution 72, 2009 – Northcorp Corporate Park PCD – TNS Landis Building.** A  
23 Resolution of the City Council of the City of Palm Beach Gardens, Florida amending the  
24 signage of the TNS Landis Building to construct a parapet wall and raise the height of two (2)  
25 tenant signs on the West elevation of said building, generally located at the Northwest corner  
26 of the intersection of Burns Road and Riverside Drive, as described more particularly herein;  
27 providing an effective date; and for other purposes.

28 **Councilmember Jablin** declared ex parte communication.

29 Presented Item: **Brian Cheguis**, Coteleur & Hearing.

30 **Vice Mayor Levy** opened the public hearing.

31 **Vice Mayor Levy** closed the public hearing.

32 **Councilmember Jablin** made a motion for approval of Resolution 72, 2009.

33 **Councilmember Premuroso** seconded.

34 Motion passed 4-0.

35 The City Clerk read Resolution 74, 2009 by title.

36 c. **Resolution 74, 2009 – Doubletree North PUD miscellaneous petition.** A Resolution of  
37 the City Council of the City of Palm Beach Gardens, Florida amending the sign program of  
38 the Doubletree Hotel Planned Unit Development (PUD) to increase the size of the signage for  
39 the pharmacy building, generally located at the Northeast Corner of PGA Boulevard and  
40 Military Trail, as described more particularly herein: providing an effective date; and for other  
41 purposes.

42 **Councilmember Jablin** declared ex parte communication.

43 **Vice Mayor Levy** opened the public hearing.

44 Presented Item: **Craig McDonald**, Corporate Property Services, Inc.; **Planning Manager**  
45 **Natalie Wong**.

46 **Councilmember Jablin** made a motion for approval of Resolution 74, 2009.

47 **Councilmember Premuroso** seconded.

48 Motion passed 4-0.

1 **X. RESOLUTIONS**

2 The City Clerk read Resolution 69, 2009 by title.

3 a. **Resolution 69, 2009 – Updating the Schedule of Fees and Charges for Various**  
4 **Services.** A Resolution of the City Council of the City of Palm Beach Gardens, Florida  
5 updating the schedule of fees and charges for various services rendered by the City of Palm  
6 Beach Gardens for its citizens and other members of the public for Fiscal Year 2009/2010;  
7 providing an effective date; and for other purposes.

8 **Councilmember Jablin** made a motion for approval of Resolution 69, 2009.

9 **Councilmember Premuroso** seconded.

10 Motion passed 4-0.

11 **XI. ORDINANCES**

12 a. **Ordinance 27, 2009 – False alarms for police and fire response.** An Ordinance of the  
13 City Council of the City of Palm Beach Gardens, Florida amending Chapter 30 Emergency  
14 Services of the Code of Ordinances of the City of Palm Beach Gardens repealing Article II,  
15 Alarm Systems in its entirety and re-adopting same, as revised; providing regulations  
16 regarding excessive false alarms, fines, and appellate review; further amending Chapter 30 by  
17 adopting an entirely new Article III, Misuse of 911 or Emergency Call System; providing  
18 regulations, fines, and appellate review; providing that each and every other section and  
19 subsection of Chapter 30 shall remain in full force and effect as previously enacted; providing  
20 a conflicts clause, a severability clause, and authority to codify; providing an effective date; and  
21 for other purposes.

22 **Councilmember Jablin** made a motion for approval of Ordinance 27, 2009.

23 **Councilmember Premuroso** seconded.

24 Motion passed 4-0.

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

26 a. **Council Communication.** Postponed to September 24, 2009.

27 b. **Office Space.** Postponed to September 24, 2009.

28 c. **Owner Authorization for PUD and PCD Amendments.**

29 **Presented Item: Growth Management Administrator Kara Irwin.**

30 Council consensus was reached to prepare an Ordinance.

31 **XIII. CITY ATTORNEY REPORT**

32 None.

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1 **XIV. ADJOURNMENT**

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

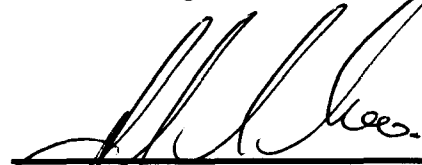
3 **Vice Mayor Levy seconded.**


4 Motion passed 5-0.


5 The meeting adjourned at 9:46 p.m.


6 The next regularly scheduled City Council meeting will be held September 24, 2009.

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8 **APPROVED:**

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13 Joseph R. Russo, Mayor


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15 \_\_\_\_\_  
16 David Levy, Vice Mayor

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18 \_\_\_\_\_  
19 Eric Jablin, Councilmember

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21 \_\_\_\_\_  
22 Jody Barnett, Councilmember

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24 \_\_\_\_\_  
25 Robert G. Premuroso, Councilmember

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31 **ATTEST:**

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35 Patricia Snider, CMC  
36 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.