



**CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
January 7, 2010
7:00 P.M.**

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

- I. **PLEDGE OF ALLEGIANCE**
- II. **ROLL CALL**
- III. **ADDITIONS, DELETIONS, MODIFICATIONS:**
- IV. **ANNOUNCEMENTS / PRESENTATIONS:**
 - a. Mayor's Veterans Golf Tournament – check presentation
- 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 December 17, 2009
 - b. Proclamation – Arbor Day
 - c. Proclamation – Gary and Jennifer Lesser
- IX. **PUBLIC HEARINGS: (* Designates Quasi-Judicial Hearing)**
 - a. ***Resolution 2, 2010** - PGA National temporary module structure. A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving a miscellaneous petition for the PGA National Resort Community Development of Regional Impact (DRI) / Planned Community Development (PCD), which is bounded by PGA Boulevard to the North, Northlake Boulevard to the South, the Florida Turnpike to the East, and the C-18 Canal to the West, as described more particularly herein, to allow construction of a temporary modular structure at the East end of the existing driving range at the PGA National Resort Core Golf Course; providing conditions of approval; providing an effective date; and for other purposes.

- b. [Ordinance 24, 2009](#) – (2nd reading and adoption) Hilltop Gardens Large-scale Comprehensive Plan Future Land Use Plan Amendment. An Ordinance of the City Council of the City of Palm Beach Gardens, Florida adopting a large scale amendment to its Comprehensive Development Plan in accordance with the mandates set forth in Chapter 163, Florida Statutes, specifically Section 163.3184, et seq., Florida Statutes, pursuant to application No. CPMA-09-03-000011, which provides for an amendment to the City’s Future Land Use Map designating one (1) parcel of real property comprising approximately twenty-three and 16/100 (23.16 \pm) acres, more or less, in size as “(C) Commercial”; such parcel being located generally North of Northlake Boulevard, East of the C-17 Canal, South of the Seacoast Utility Richard Road Plant, and West of the Hilltop Park Mobile Home Park, informally known as “Hilltop Gardens”; providing for compliance with all requirements of Chapter 163, Florida Statutes; providing for transmittal to DCA; providing a conflicts clause, a severability clause, and authority to codify; providing an effective date; and for other purposes.

- c. *[Ordinance 25, 2009](#) – (2nd reading and adoption) Hilltop Gardens Rezoning. An Ordinance of the City Council of the City of Palm Beach Gardens, Florida rezoning one (1) parcel of real property comprising approximately twenty-three and 16/100 (23.16 \pm) acres, more or less, in size; such parcel being located North of Northlake Boulevard, East of the C-17 Canal, South of the Seacoast Utility Richard Road Plant, and West of the Hilltop Park Mobile Home Park, informally known as “Hilltop Gardens”; from Residential Medium (RM) to Commercial General (CG1) zoning district; providing that the City zoning district map be revised accordingly; providing a conflicts clause and a severability clause; providing authority to codify; providing an effective date; and for other purposes.

- d. [Ordinance 36, 2009](#) – (2nd reading and adoption) Amendment to the City Code regarding platting requirements. An Ordinance of the City Council of the City of Palm Beach Gardens, Florida amending Chapter 78. Land Development. at Section 78-43. Review of Applications for Development Order Approval by repealing Table 1 of Section 78-43 and readopting same, as revised; further amending Chapter 78 by repealing Section 78-426. Variances. and readopting same, as revised, for internal consistency; further amending Chapter 78 by repealing Subsections 78-427 (b)(1) and (b)(2) and Section 78-428 and readopting same, as revised, in order to provide criteria for platting exceptions; further amending Chapter 78 by adopting new Section 78-429, entitled “Requirements in Lieu of Platting” and new Section 78-430, entitled “Other Platting Requirements” in order to provide regulations when Platting is not required; further amending Chapter 78 by repealing Sections 78-441, 78-445, and 78-446 and readopting same, as revised, in order to clarify application requirements for subdivision plans and to establish regulations for technical compliance review and approval; providing that each and every other Section and Subsection of Chapter 78. Land Development. shall remain in full force and effect as previously adopted; providing a conflicts clause, a severability clause, and authority to codify; providing an effective date; and for other purposes.

- e. [Ordinance 38, 2009](#) – (2nd reading and adoption) Amending Fiscal Year 2009/2010 Budget. 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, 2009, and ending September 30, 2010, inclusive; providing a conflicts clause and a severability clause; providing an effective date; and for other purposes.
- f. [Ordinance 39, 2009](#) - (2nd reading and adoption) Amending Fiscal Year 2009/2010 Budgeted Fund Balances Actual Amounts. 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, 2009, and ending September 30, 2010, inclusive; providing a conflicts clause, and a severability clause; providing an effective date; and for other purposes.
- g. [Ordinance 40, 2009](#) - (2nd reading and adoption) Amending the General Employees Pension Plan. An Ordinance of the City Council of the City of Palm Beach Gardens, Florida amending Chapter 3. Personnel Program. Article XII. General Employees’ Pension Plan (DB) at Section 3-128. Board of Trustees. by repealing subsections (a) – (d) and readopting same, as revised, in order to amend the composition of the board and to authorize the board to contract with Florida Municipal Pension Trust Fund for administrative and investment management services; further amending Chapter 3. at Section 3-129. Finances and Fund Management. by repealing Subsection (c) and readopting same, as revised, in order to add the Florida Municipal Pension Trust Fund to the list of permitted service providers; providing that each and every other Section and Subsection of Chapter 3. Personnel Program. shall remain in full force and effect as previously adopted; providing a conflicts clause, a severability clause, and authority to codify; providing an effective date; and for other purposes.

X. RESOLUTIONS:

NONE

XI ORDINANCES: (For Consideration on First Reading)

NONE

XII. ITEMS FOR COUNCIL ACTION/DISCUSSION:

NONE

XIII. CITY ATTORNEY REPORT:

- a. [Resolution 4, 2010](#) - Stipulated Agreement with Wendy Ross. A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving a Stipulated Agreement and General Release between the City of Palm Beach Gardens and Wendy M. Ross/Ross Sculpture Studio; providing an effective date; and for other purposes.

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.