



**CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
January 5, 2017
7:00 P.M.**

**Mayor Tinsley
Vice Mayor Jablin
Councilmember Premuroso
Councilmember Marino
Councilmember Woods**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. ADDITIONS, DELETIONS, MODIFICATIONS:

IV. ANNOUNCEMENTS / PRESENTATIONS:

- a. VETERANS CHECK PRESENTATION
- b. HONDA CLASSIC ECONOMIC IMPACT PRESENTATION
- c. RECOGNIZE ANDREA SANTA AS FIRE INSPECTOR OF THE YEAR.
- d. FDOT PRESENTATION ON THREE ALTERNATIVES FOR THE I-95/NORTHLAKE BOULEVARD AND I-95 AND PGA BOULEVARD INTERCHANGE MODIFICATIONS.

V. ITEMS OF RESIDENT INTEREST AND BOARD/COMMITTEE REPORTS:

VI. COMMENTS FROM THE PUBLIC: (For Items Not on the Agenda, please submit request form to the City Clerk prior to this Item)

VII. CITY MANAGER REPORT:

- a. SOBER HOMES UPDATE

VIII. CONSENT AGENDA:

- a. [APPROVE MINUTES](#) FROM THE DECEMBER 1, 2016 CITY COUNCIL MEETING.
- b. [RESOLUTION 2, 2017](#) – LEASE OF MODEL YEAR 2017 POLICE MOTOR VEHICLES. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE LEASE-PURCHASE OF TWENTY (20) MODEL YEAR 2017 POLICE VEHICLES FROM DUVAL FORD FLEET SALES THROUGH THE SHERIFFS ASSOCIATION'S AND THE STATE OF FLORIDA'S CONTRACTS AND FINANCED THROUGH PNC EQUIPMENT FINANCE; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH LEASE-PURCHASE AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- c. [RESOLUTION 3, 2017](#) – AGREEMENT WITH THE CHILDREN'S HEALTHCARE CHARITY FOR THE 2017 HONDA CLASSIC PGA GOLF TOURNAMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AWARDED A PUBLIC SAFETY GRANT FOR OFF-DUTY POLICE AND FIRE PERSONNEL TO THE CHILDREN'S HEALTHCARE CHARITY, INC. FOR THE 2017 HONDA CLASSIC PGA GOLF TOURNAMENT AND TO APPROVE A LEASE USE AGREEMENT FOR THE USE OF MIRASOL AND PGA NATIONAL PARKS FOR VARIOUS PARKING FACILITIES AND GENERAL OPERATIONS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- d. [RESOLUTION 5, 2017](#) – APPOINTING THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS AS AN ADDITIONAL MEMBER OF THE CANVASSING BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPOINTING THE SUPERVISOR OF ELECTIONS, OR DESIGNEE, AS AN ADDITIONAL MEMBER OF THE CITY OF PALM BEACH GARDENS CANVASSING BOARD; REQUESTING THE SUPERVISOR OF ELECTIONS, OR DESIGNEE, TO CANVASS ALL ABSENTEE BALLOTS; TO CANVASS THE MUNICIPAL ELECTION, ALONG WITH THE CITY'S CANVASSING BOARD; AND TO CONDUCT THE LOGIC AND ACCURACY TESTING FOR ALL ELECTION MACHINERY; AUTHORIZING THE CITY CLERK TO DO ALL THINGS NECESSARY TO CONDUCT THE MUNICIPAL ELECTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. [RESOLUTION 6, 2017](#) – AGREEMENT WITH THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS FOR ELECTION SERVICES. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY AND THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS FOR VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- f. [RESOLUTION 8, 2017](#) - CONVEYANCE OF PROPERTY FOR ROAD RIGHT OF WAY PURPOSES AND EASEMENT FOR SIDEWALK, LANDSCAPE AND BUFFER. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE CONVEYANCE OF PROPERTY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR ROAD RIGHT-OF-WAY PURPOSES BY EXECUTING A CITY DEED; CONVEYANCE OF AN EASEMENT FOR SIDEWALK, LANDSCAPE, AND BUFFER PURPOSES ALONG ALTERNATE A1A, NORTH OF PGA BOULEVARD BY EXECUTING A QUITCLAIM DEED AND RESERVATION OF EASEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- g. [RESOLUTION 11, 2017](#) – ALTON CLARITY POINTE PLAT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING THE CLARITY POINTE PLAT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- h. [PURCHASE AWARD](#) – PURCHASE OF MODEL YEAR 2017 MOTOR VEHICLES

- i. [SETTLEMENT AGREEMENT](#) – APPROVAL OF SETTLEMENT AGREEMENT AND MUTUAL RELEASE IN PALM BEACH GARDENS PLAZA LLC VS. CITY OF PALM BEACH GARDENS
- j. [PROCLAMATION](#) – ARBOR DAY.

IX. [PUBLIC HEARINGS:](#) (* Designates Quasi-Judicial Hearing)

- a. [ORDINANCE 17, 2016](#) – (2nd READING AND ADOPTION) – AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD) COMMUNITY DEVELOPMENT DISTRICT (CDD). AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA REGARDING APPLICATION TO ESTABLISH THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD) COMMUNITY DEVELOPMENT DISTRICT (CDD), CONSISTING OF APPROXIMATELY 2427.5 ACRES OF LAND LOCATED APPROXIMATELY ONE (1) MILE EAST OF PRATT-WHITNEY ROAD ON THE NORTH SIDE OF NORTHLAKE BOULEVARD; MAKING FINDINGS OF FACT REGARDING THE PETITION; ESTABLISHING AND NAMING THE AVENIR COMMUNITY DEVELOPMENT DISTRICT; DESCRIBING THE BOUNDARIES OF THE DISTRICT; NAMING THE FIVE (5) PERSONS DESIGNATED TO BE THE INITIAL MEMBERS OF THE BOARD OF SUPERVISORS; PROVIDING CONSENT FOR THE EXERCISE OF CERTAIN POWERS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- b. [ORDINANCE 1, 2017](#) - (1ST READING) TREVI ISLES LAND USE AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ADOPTING A LARGE-SCALE AMENDMENT TO ITS COMPREHENSIVE 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-14-07-000018 WHICH PROVIDES FOR AN AMENDMENT TO THE FUTURE LAND USE MAP IN ORDER TO CHANGE THE LAND-USE DESIGNATION ON 12.50 ± ACRES IN SIZE, MORE OR LESS, FROM RESIDENTIAL LOW (RL) TO RESIDENTIAL MEDIUM (RM); PROVIDING A NOTATION ON THE FUTURE LAND USE MAP PERTAINING TO THE PERMITTED LAND-USE DENSITY, TO BE 50 UNITS, RELATED TO THE SUBJECT PROPERTY WHICH IS LOCATED ON THE NORTH SIDE OF HOOD ROAD, IMMEDIATELY WEST OF FLORIDA'S TURNPIKE; PROVIDING FOR COMPLIANCE WITH ALL REQUIREMENTS OF CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO); PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- c. [*ORDINANCE 2, 2017](#) – (1ST READING) TREVI ISLES REZONING. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA REZONING CERTAIN REAL PROPERTY, SUCH PROPERTY BEING COMPRISED OF 12.50± ACRES IN SIZE, MORE OR LESS, AND LOCATED ON THE NORTH SIDE OF HOOD ROAD, IMMEDIATELY WEST OF FLORIDA'S TURNPIKE; PROVIDING THAT THE PARCEL OF REAL PROPERTY, WHICH IS MORE PARTICULARLY DESCRIBED HEREIN, SHALL BE REZONED FROM RESIDENTIAL LOW DENSITY-2 DISTRICT (RL-2) TO PLANNED UNIT DEVELOPMENT WITH A

RESIDENTIAL MEDIUM (RM) UNDERLYING ZONING; PROVIDING THAT THE ZONING MAP OF THE CITY OF PALM BEACH GARDENS BE AMENDED ACCORDINGLY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION 1, 2017 IS A COMPANION ITEM TO ORDINANCE 2, 2017 AND WILL REQUIRE COUNCIL ACTION ON SECOND READING.

***RESOLUTION 1, 2017** – TREVI ISLES PUD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING A PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN TO ALLOW THE DEVELOPMENT OF A 50-TOWNHOME RESIDENTIAL SUBDIVISION CALLED TREVI ISLE PUD, WHICH IS LOCATED ON THE NORTH SIDE OF HOOD ROAD, IMMEDIATELY WEST OF FLORIDA'S TURNPIKE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING WAIVERS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- d. **ORDINANCE 3, 2017** - (1ST READING) 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, 2016, AND ENDING SEPTEMBER 30, 2017, INCLUSIVE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. **ORDINANCE 4, 2017** – (1ST READING) OSPREY ISLES AND CARLETON OAKS ANNEXATION. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ANNEXING A CONTIGUOUS AND COMPACT AREA OF UNINCORPORATED REAL PROPERTY COMPRISING A TOTAL OF 284.02 ACRES, MORE OR LESS, COMMONLY KNOWN AS “OSPREY ISLES, THE STAR OF DAVID CEMETERY OF THE PALM BEACHES, WEST PALM BEACH FIRE STATION #8, AND CARLETON OAKS” IN ACCORDANCE WITH SECTION 171.0413, FLORIDA STATUTES, SUCH PARCELS BEING GENERALLY LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD AND ADJACENT TO THE CITY'S MUNICIPAL GOLF COURSE, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING ARTICLE II OF THE CITY CHARTER TO REDEFINE THE CORPORATE LIMITS PURSUANT TO INVOLUNTARY ANNEXATION; CALLING A REFERENDUM ON THE QUESTION OF ANNEXATION FOR THE REGISTERED ELECTORS WITHIN THE PROPERTY PROPOSED FOR ANNEXATION; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- f. **ORDINANCE 5, 2017** – (1ST READING) CREATION OF BUDGET OVERSIGHT REVIEW BOARD. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 2. ADMINISTRATION. AT ARTICLE III. BOARDS AND COMMITTEES; CREATING A NEW DIVISION 4. TO BE ENTITLED BUDGET OVERSIGHT REVIEW BOARD.; ESTABLISHING A NEW BUDGET OVERSIGHT REVIEW BOARD AND INCLUDING MEMBERSHIP REQUIREMENTS, MEETING SCHEDULE, AND POWERS AND DUTIES; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 2. ADMINISTRATION. SHALL

REMAIN THE SAME AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- g. [*RESOLUTION 4, 2017](#) - SITE PLAN AMENDMENT FOR EXTERIOR WALL SIGN. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA GRANTING APPROVAL OF A SITE PLAN AMENDMENT FOR A 10,000-SQUARE-FOOT RESTAURANT WITH 940 SQUARE FEET OF OUTDOOR SEATING AND ONE (1) EXTERIOR FLAT/WALL SIGN FOR COOPER'S HAWK WINERY AND RESTAURANT AT THE GARDENS MALL; THE SUBJECT SITE IS GENERALLY LOCATED NORTH OF PGA BOULEVARD, EAST OF FAIRCHILD GARDENS AVENUE, SOUTH OF GARDENS PARKWAY, AND WEST OF KEW GARDENS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING A WAIVER; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- h. [*RESOLUTION 7, 2017](#) – MIDTOWN PLANNED UNIT DEVELOPMENT AMENDMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA APPROVING A PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT TO ALLOW THE DEVELOPMENT OF A 63-TOWNHOME RESIDENTIAL SUBDIVISION AND 25,344-SQUARE-FOOT SPECIALTY GROCERY FOR MIDTOWN PUD, WHICH IS LOCATED ON THE NORTH SIDE OF PGA BOULEVARD, IMMEDIATELY EAST OF SHADY LAKES DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING WAIVERS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

X. RESOLUTIONS:

- a. [RESOLUTION 12, 2017](#) – INFRASTRUCTURE ONE-CENT SALES TAX PROPOSAL. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA; ADOPTING A FORMAL POLICY AND PLAN FOR THE EXPENDITURE OF THE ONE-CENT INFRASTRUCTURE SALES SURTAX; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- b. [RESOLUTION 13, 2017](#) – FUTURE ANNEXATION PROPOSAL. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA ACCEPTING THE “ANNEXATION AREAS OF INTEREST STUDY” FOR FUTURE ANNEXATION AREAS; DIRECTING THE CITY MANAGER TO CONTINUE WITH THE “ANNEXATION AREAS OF INTEREST STUDY” AS POLICY GUIDANCE FOR THE ANNEXATION INITIATIVE, CONSISTENT WITH CHAPTER 171, *FLORIDA STATUTES*; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

XI. ITEMS FOR COUNCIL ACTION/DISCUSSION:

XII. CITY ATTORNEY REPORT:

XIII. 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 parties 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 five (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.