



CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
October 6, 2022
6:00 P.M.

Mayor Reed
Vice Mayor Litt
Councilmember Woods
Councilmember Marciano
Councilmember Tinsley

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. ADDITIONS, DELETIONS, MODIFICATIONS:

IV. ANNOUNCEMENTS / PRESENTATIONS:

- a. HONORING JIM MCCARTEN FOR HIS SERVICE TO THE COMMUNITY.
- b. AGREEMENT ALLOWING PEDESTRIAN CROSSING RAPID FLASHING BEACON SIGNS.

V. COMMENTS FROM THE PUBLIC:

- **For subjects not on the agenda, please submit request form to the City Clerk prior to the commencement of this agenda item.**

VI. CITY MANAGER REPORT:

- a. PALM BEACH COUNTY'S FIVE-YEAR ROAD PROGRAM.

VII. CONSENT AGENDA:

- a. **APPROVE MINUTES** FROM THE SEPTEMBER 22, 2022, CITY COUNCIL MEETING.
- b. **RESOLUTION 53, 2022** – MODIFYING CONDITION OF APPROVAL NUMBER 83 FROM RESOLUTION 42, 2021 (DOWNTOWN PALM BEACH GARDENS). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING RESOLUTION 42, 2021 TO MODIFY CONDITION OF APPROVAL NUMBER 83 FOR DOWNTOWN PALM BEACH GARDENS WITHIN THE REGIONAL CENTER PLANNED COMMUNITY DEVELOPMENT (PCD); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- c. [RESOLUTION 56, 2022](#) – LEASE OF NEW AND REPLACEMENT AMBULANCES. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE LEASE OF THREE MEDIUM DUTY AMBULANCES FOR THE FIRE RESCUE DEPARTMENT FROM P.L. CUSTOM BODY AND EQUIPMENT CO., INC. AND SOUTH FLORIDA EMERGENCY VEHICLES, LLC, ITS DULY AUTHORIZED AGENT, UNDER A CONTRACT WITH THE SOURCEWELL GROUP PURCHASING ORGANIZATION COOPERATIVE PURCHASING PROGRAM, AND FINANCED BY LEASING 2, INC.; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH LEASE AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- d. [RESOLUTION 59, 2022](#) – DECLARING THE RESULTS OF THE AUGUST 23, 2022, PRIMARY ELECTION. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, DECLARING THE RESULTS OF THE PRIMARY ELECTION HELD ON AUGUST 23, 2022; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. [RESOLUTION 60, 2022](#) – PANTHER NATIONAL POD 12 PLAT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE PLAT OF PANTHER NATIONAL AT AVENIR POD 12 WITHIN THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- f. [RESOLUTION 63, 2022](#) – AGREEMENT ALLOWING PEDESTRIAN CROSSING RAPID FLASHING BEACON SIGNS. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE LOCAL AGENCY PROGRAM (LAP) AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE CONSTRUCTION OF ACTIVATED IN-GROUND RECTANGULAR RAPID FLASHING BEACONS, FLASH WARNING, AND STATIC REGULATORY SIGNS AT 12 EXISTING SCHOOL/PEDESTRIAN CROSSINGS AT VARIOUS LOCATIONS IN THE CITY IN THE AMOUNT OF \$525,845.00; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- g. [RESOLUTION 64, 2022](#) – 2022 KEY STRATEGIES AND INITIATIVES. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, ADOPTING PFM GROUP CONSULTING, LLC'S REVIEW OF KEY STRATEGIES & INITIATIVES 2022 AS A COUNCIL STRATEGIC PLAN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- h. [RESOLUTION 68, 2022](#) – SPECIAL WARRANTY DEED (LEVY). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED TO TRANSFER CERTAIN SURPLUS REAL PROPERTY DESCRIBED IN THE SPECIAL WARRANTY DEED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- i. [RESOLUTION 69, 2022](#) – SPECIAL WARRANTY DEED (MCLAREN). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SPECIAL WARRANTY DEED TO TRANSFER CERTAIN SURPLUS REAL PROPERTY DESCRIBED IN THE SPECIAL WARRANTY DEED; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- j. [PURCHASE AWARD](#) – A2023-299PS, BLEACHER COVERS FOR LAKE CATHERINE SPORTS COMPLEX.
- k. [PURCHASE AWARD](#) – ITB2022-151RC, TRANSPORTATION SERVICES.
- l. [PROCLAMATION](#) – FIRE PREVENTION WEEK.
- m. [PROCLAMATION](#) – FLORIDA CITY GOVERNMENT WEEK.
- n. [PROCLAMATION](#) – JUMPSTART’S READ FOR THE RECORD DAY.
- o. [PROCLAMATION](#) – NATIONAL BREAST CANCER AWARENESS MONTH.
- p. [PROCLAMATION](#) – NATIONAL COMMUNITY PLANNING MONTH.
- q. [PROCLAMATION](#) – NATIONAL LONG-TERM CARE RESIDENTS’ RIGHTS MONTH.
- r. [PROCLAMATION](#) – NATIONAL RED RIBBON WEEK.
- s. [PROCLAMATION](#) – SUDDEN CARDIAC ARREST AWARENESS MONTH.

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

- **For subjects under Public Hearings, please submit request form to the City Clerk prior to the commencement of this agenda item.**
- a. [ORDINANCE 10, 2022](#) – (1ST READING) CITY-INITIATED LAND DEVELOPMENT REGULATIONS TEXT AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 78. LAND DEVELOPMENT REGULATIONS. AT SECTION 78-159. PERMITTED USES, MINOR AND MAJOR CONDITIONAL USES, AND PROHIBITED USES. BY REPEALING SUBSECTION (j)(61) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-222. TRANSIT ORIENTED DEVELOPMENT (TOD) OVERLAY DISTRICT. TO CREATE THE TRANSIT ORIENTED DEVELOPMENT (TOD) OVERLAY DISTRICT, PROVIDING FOR PERMITTED, PROHIBITED, AND CONDITIONAL USES, AND DEVELOPMENT CRITERIA; FURTHER AMENDING CHAPTER 78. AT SECTION 78-751. DEFINITIONS. BY ADOPTING A NEW DEFINITION FOR “ACTIVE GROUND FLOOR USES”; 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.
- b. [ORDINANCE 11, 2022](#) – (1ST READING) AMENDING SECTION 78-54 PUBLIC NOTICE IN THE LAND DEVELOPMENT REGULATIONS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 78. LAND DEVELOPMENT. AT SECTION 78-54. – PUBLIC NOTICE. BY AMENDING THE PUBLIC NOTICE PROVISIONS SET FORTH IN TABLE 4: REQUIRED PUBLIC NOTICE AND BY REPEALING SUBSECTION (b)(2) AND READOPTING SAME, AS REVISED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- c. [ORDINANCE 12, 2022](#) – (1ST READING) AMENDING CHAPTER 66 ECONOMIC DEVELOPMENT EXEMPTION. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 66. TAXATION AT ARTICLE VI. ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION BY REPEALING SECTION 66-310. SUNSET PROVISION. AND READOPTING SAME, AS REVISED, TO RENEW THE CITY COUNCIL'S AUTHORITY TO GRANT PROPERTY TAX EXEMPTIONS TO CERTAIN QUALIFIED BUSINESSES PURSUANT TO STATE LAW AND THE CITY; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 66. TAXATION 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.
- d. [ORDINANCE 13, 2022](#) – (1ST READING) CITY MANAGER PURCHASING AUTHORITY. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING CHAPTER 2. ADMINISTRATION BY REPEALING SECTION 2-294. – BIDDING THRESHOLD., AND READOPTING SAME, AS REVISED, IN ORDER TO AMEND CERTAIN PURCHASING LIMITS AND REMOVE CERTAIN REFERENCE TO STATE LAW; PROVIDING THAT THE REMAINDER OF CHAPTER 2. ADMINISTRATION SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. [ORDINANCE 14, 2022](#) – (1ST READING) END OF YEAR 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, 2021, AND ENDING SEPTEMBER 30, 2022, INCLUSIVE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- f. [*RESOLUTION 58, 2022](#) – PANTHER NATIONAL MASTER PLAN AMENDMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A MASTER SITE PLAN AMENDMENT TO ADD 24 DWELLING UNITS TO THE PANTHER NATIONAL MASTER PLAN WITHIN THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD) THAT IS GENERALLY LOCATED ON THE WEST SIDE OF COCONUT BOULEVARD APPROXIMATELY 0.9 MILES NORTH OF THE INTERSECTION OF AVENIR DRIVE AND COCONUT BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

IX. RESOLUTIONS:

- **For subjects under Resolutions, please submit request form to the City Clerk prior to the commencement of this agenda item.**
- a. [RESOLUTION 49, 2022](#) – APPOINTMENTS AND RE-APPOINTMENTS TO THE ART IN PUBLIC PLACES ADVISORY BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE APPOINTMENT OF REGULAR MEMBERS TO THE ART IN PUBLIC PLACES ADVISORY BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- b. [RESOLUTION 50, 2022](#) – APPOINTMENTS AND RE-APPOINTMENTS TO THE PARKS AND RECREATION ADVISORY BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE APPOINTMENT OF REGULAR AND ALTERNATE MEMBERS TO THE PARKS AND RECREATION ADVISORY BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- c. [RESOLUTION 51, 2022](#) – APPOINTMENTS AND RE-APPOINTMENTS TO THE PLANNING, ZONING AND APPEALS BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE APPOINTMENT OF REGULAR AND ALTERNATE MEMBERS TO THE PLANNING, ZONING, AND APPEALS BOARD; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

X. ITEMS FOR COUNCIL ACTION/DISCUSSION AND ITEMS OF INTEREST:

XI. CITY ATTORNEY REPORT:

XII. 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.