



CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
November 3, 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. RECOGNITION OF PALM BEACH NORTH CHAMBER OF COMMERCE.
- b. PARTNERSHIP PRESENTATIONS FROM THE PALM BEACH COUNTY SPORTS COMMISSION AND CRESSEY SPORTS PERFORMANCE.

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:

VII. CONSENT AGENDA:

- a. **APPROVE MINUTES** FROM THE OCTOBER 6, 2022, CITY COUNCIL MEETING.
- b. **RESOLUTION 57, 2022** – AMENDING THE DECEMBER 2022 AND THE JANUARY 2023 CITY COUNCIL MEETING DATES. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AMENDING THE SCHEDULE OF THE REGULAR CITY COUNCIL MEETINGS FOR THE MONTHS OF DECEMBER 2022 AND JANUARY 2023; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- c. **RESOLUTION 73, 2022** – FLORIDA DEPARTMENT OF TRANSPORTATION EASEMENT ABANDONMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS DEEMED NECESSARY TO ABANDON AN INGRESS/EGRESS EASEMENT, AS SET FORTH IN EXHIBIT “A”; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- d. [RESOLUTION 75, 2022](#) – AVENIR POD 15 PLAT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING THE PLAT OF AVENIR – POD 15 WITHIN THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- e. [RESOLUTION 77, 2022](#) – 2023 MUNICIPAL ELECTION SERVICES AGREEMENT. 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 78, 2022](#) – PALM BEACH COUNTY SINGLE CANVASSING BOARD. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPOINTING THE PALM BEACH COUNTY CANVASSING BOARD AND THE SUPERVISOR OF ELECTIONS, OR DESIGNEE, TO SERVE AS THE CITY OF PALM BEACH GARDENS CANVASSING BOARD TO CANVASS THE RESULTS OF THE MARCH 14, 2023, MUNICIPAL ELECTION AND TO CONDUCT THE LOGIC AND ACCURACY TESTING FOR ALL ELECTION MACHINERY AND TABULATION EQUIPMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- g. [PURCHASE AWARD](#) – RFQ2022-019CS, FACILITIES MANAGEMENT CONTRACTORS PROGRAM.
- h. [PROCLAMATION](#) – EPILEPSY AWARENESS MONTH.
- i. [PROCLAMATION](#) – FAMILY COURT AWARENESS MONTH.
- j. [PROCLAMATION](#) – LUNG CANCER AWARENESS MONTH.
- k. [PROCLAMATION](#) – NATIONAL GIS DAY.
- l. [PROCLAMATION](#) – NATIONAL HOSPICE AND PALLIATIVE CARE MONTH.
- m. [PROCLAMATION](#) – NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK.
- n. [PROCLAMATION](#) – NATIONAL NURSE PRACTITIONER WEEK.
- o. [PROCLAMATION](#) – WORLD AIDS DAY.
- p. [PROCLAMATION](#) – WORLD PANCREATIC CANCER DAY.

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 9, 2022** – (2ND READING & ADOPTION) LANDSCAPE IRRIGATION CONSERVATION MEASURES. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA; AMENDING CHAPTER 74. UTILITIES. BY REPEALING ARTICLE IV. WATER SHORTAGE REGULATIONS. IN ITS ENTIRETY AND READOPTING ARTICLE IV., AS REVISED AND WITH A NEW “LANDSCAPE IRRIGATION CONSERVATION REGULATIONS”, TO PROVIDE FOR LOCAL IMPLEMENTATION OF THE MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES RULES OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT (40E-24, F.A.C.); PROVIDING DEFINITIONS, LANDSCAPE IRRIGATION MEASURES, EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULE, ESTABLISHING A REQUIREMENT TO UTILIZE RAIN SENSOR TECHNOLOGY, PROVIDING VARIANCE PROCEDURES FROM CERTAIN IRRIGATION LIMITATIONS, AND PROVIDING FOR ENFORCEMENT OF AND PENALTIES FOR VIOLATION OF IRRIGATION REGULATIONS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- b. **ORDINANCE 10, 2022** – (2ND READING & ADOPTION) 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.
- c. **ORDINANCE 11, 2022** – (2ND READING & ADOPTION) 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.

- d. [ORDINANCE 12, 2022](#) – (2ND READING & ADOPTION) 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.
- e. [ORDINANCE 13, 2022](#) – (2ND READING & ADOPTION) 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.
- f. [ORDINANCE 14, 2022](#) – (2ND READING & ADOPTION) 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.
- g. [*RESOLUTION 65, 2022](#) – FRENCHMAN'S CREEK CLUBHOUSE. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A SITE PLAN AMENDMENT TO THE CLUBHOUSE AND RECREATION SITE TO CONSTRUCT A NEW 93,155-SQUARE-FOOT CLUBHOUSE BUILDING AND PARKING LOT WITHIN THE FRENCHMAN'S CREEK PLANNED COMMUNITY DEVELOPMENT (PCD), LOCATED ON TOURNAMENT DRIVE, INTERNAL TO THE FRENCHMAN'S CREEK PCD, WHICH IS LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF DONALD ROSS ROAD AND ALTERNATE A1A, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- h. [*RESOLUTION 66, 2022](#) – SITE PLAN WITHIN THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR A 250-UNIT RESIDENTIAL TOWNHOME SUBDIVISION ON APPROXIMATELY 32.83 ACRES WITHIN THE TOWN CENTER DISTRICT (PARCEL B) OF THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD) MASTER PLAN THAT IS GENERALLY LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD, EAST OF GRAPEVIEW BOULEVARD, WEST OF BAY HILL DRIVE, AND SOUTH OF BEELINE HIGHWAY, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING WAIVERS; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- i. [*RESOLUTION 67, 2022](#) – SITE PLAN WITHIN PARCEL A (POD 20) OF THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR A 144-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION ON APPROXIMATELY 51.16 ACRES, MORE OR LESS, KNOWN AS POD 20 WITHIN THE RESIDENTIAL DISTRICT (PARCEL A) OF THE AVENIR PLANNED COMMUNITY DEVELOPMENT (PCD) THAT IS GENERALLY LOCATED ON THE NORTH SIDE OF NORTHLAKE BOULEVARD, EAST OF GRAPEVIEW BOULEVARD, WEST OF BAY HILL DRIVE, AND SOUTH OF BEELINE HIGHWAY, 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 79, 2022](#) – OPERATION SISTER CITY – CITY OF WAUCHULA, FLORIDA. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, DECLARING THAT THE CITY OF WAUCHULA, HARDEE COUNTY, FLORIDA, IS A SISTER CITY; 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.