



**CITY OF PALM BEACH GARDENS
COUNCIL AGENDA
September 10, 2020
6:00 P.M.**

**Mayor Woods
Vice Mayor Marino
Vice Mayor Pro Tem Litt
Councilmember Marciano
Councilmember Reed**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. ADDITIONS, DELETIONS, MODIFICATIONS:

IV. ANNOUNCEMENTS / PRESENTATIONS:

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 AUGUST 6, 2020 CITY COUNCIL MEETING.
- b. **PURCHASE AWARD** – ITB2020-122CS, PUBLIC ART – REPAIR, MAINTENANCE AND CONSERVATION.
- c. **PURCHASE AWARD** – REPLACEMENT AIR CONDITIONING UNITS FOR CITY HALL AND POLICE DEPARTMENT.
- d. **PURCHASE AWARD** – INSTALLATION OF NEW AIR CONDITIONING UNITS AT CITY HALL AND POLICE DEPARTMENT.
- e. **PURCHASE AWARD** – BUILDING MANAGEMENT SYSTEM FOR NEW AIR CONDITIONING UNITS AT CITY HALL AND POLICE DEPARTMENT.
- f. **PURCHASE AWARD** – EMERGENCY MEDICAL SERVICES EXPENDABLE SUPPLIES.
- g. **PURCHASE AWARD** – FLEET INFORMATION MANAGEMENT SYSTEM.
- h. **PURCHASE AWARD** – MICROSOFT ENTERPRISE LICENSE AGREEMENT.

- i. [PURCHASE AWARD](#) – RENEWAL AGREEMENT FOR STOP LOSS INSURANCE COVERAGE.
- j. [PURCHASE AWARD](#) – TECHNICAL SERVICES SUPPORT FOR AEDS, LUCAS CPR SYSTEMS, AND STRYKER STRETCHERS.
- k. [RESOLUTION 58, 2020](#) – COLLECTIVE BARGAINING AGREEMENT. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING AND RATIFYING THE COLLECTIVE BARGAINING AGREEMENT WITH THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU)/FLORIDA PUBLIC SERVICES UNION (FPSU) FOR FISCAL YEARS 2020-2021, 2021-2022, AND 2022-2023; AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE SAID AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- l. [RESOLUTION 59, 2020](#) – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, DENOUNCING HATE CRIMES AGAINST MEMBERS OF THE LGBTQ COMMUNITY AND DISCRIMINATION IN ALL ITS VARIOUS FORMS BASED UPON SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION AND SUPPORTING ALL FEDERAL, STATE, AND COUNTY LEGISLATION THAT SERVES TO PROTECT THE LGBTQ COMMUNITY FROM DISCRIMINATION AND DISPARATE TREATMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- m. [PROCLAMATION](#) – A DAY TO REMEMBER.
- n. [PROCLAMATION](#) – CHILDHOOD CANCER AWARENESS MONTH.
- o. [PROCLAMATION](#) – CONSTITUTION WEEK.
- p. [PROCLAMATION](#) – 100TH ANNIVERSARY OF THE 19TH AMENDMENT TO THE UNITED STATES CONSTITUTION.
- q. [PROCLAMATION](#) – PROSTATE CANCER AWARENESS MONTH.
- r. [PROCLAMATION](#) – WORLD ALZHEIMER'S AWARENESS 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 7, 2020](#) – (1st READING) ADOPTING THE BUDGET FOR FISCAL YEAR 2020/2021. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, ADOPTING THE BUDGET FOR THE CITY OF PALM BEACH GARDENS FOR THE FISCAL YEAR COMMENCING OCTOBER 1, 2020, AND ENDING SEPTEMBER 30, 2021; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

- b. **ORDINANCE 8, 2020** – (2nd READING & ADOPTION) CITY-INITIATED COMPREHENSIVE PLAN TEXT AMENDMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A TEXT AMENDMENT TO THE CITY’S COMPREHENSIVE LAND USE PLAN IN THE FUTURE LAND USE ELEMENT, TRANSPORTATION ELEMENT, CONSERVATION ELEMENT, AND CAPITAL IMPROVEMENTS ELEMENT TO PROVIDE INTERNAL CONSISTENCY WITHIN THE CITY’S COMPREHENSIVE PLAN, MOBILITY PLAN, AND MOBILITY FEE; 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 OTHER PURPOSES.
- c. **ORDINANCE 9, 2020** – (2nd READING & ADOPTION) CITY-INITIATED REQUEST TO AMEND VARIOUS SECTIONS OF THE CITY LAND DEVELOPMENT REGULATIONS (LDRS), CHAPTER 78. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA AMENDING CHAPTER 78. LAND DEVELOPMENT REGULATIONS. AT SECTION 78-44. CONCURRENT PROCESSING. BY ADOPTING NEW SUBSECTION (b)(1)d.; FURTHER AMENDING CHAPTER 78. AT SECTION 78-46. APPLICATION PROCEDURES. BY REPEALING SUBSECTIONS (d)(1)f and (e)(4)a. AND READOPTING SAME, AS REVISED AND BY AMENDING SUBSECTIONS (e)(7) AND (e)(7)f; FURTHER AMENDING CHAPTER 78. AT SECTION 78-52. CONDITIONAL USES. BY REPEALING SUBSECTIONS (d)(4)a. AND (d)(4)c. AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-61. EFFECTIVE PERIOD OF DEVELOPMENT ORDERS AND ENFORCEMENT OF CONDITIONS. BY REPEALING SUBSECTIONS (c)(3), (c)(4), (c)(5), (d), (g)(2)a., (g)(2)b., (g)(2)c. AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-75. ADOPTED LEVELS OF SERVICE. BY REPEALING SUBSECTIONS (a) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-80. REQUIRED APPLICATION MATERIAL. BY REPEALING SUBSECTIONS (a), (a)(3)a AND (a)(10) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-86. PROPORTIONATE FAIR-SHARE PROGRAM. BY REPEALING THE TITLE AND READOPTING SAME, AS REVISED. BY REPEALING SUBSECTIONS (a), (b) AND (c) AND READOPTING SAME, AS REVISED. BY REPEALING SUBSECTIONS (c)(1), (c)(2), (c)(3), (c)(4), AND SUBSECTIONS (d) THROUGH (i) IN THEIR ENTIRETY; FURTHER AMENDING CHAPTER 78. AT SECTION 78-159. PERMITTED USES, MINOR AND MAJOR CONDITIONAL USES, AND PROHIBITED USES. BY REPEALING SUBSECTION (f), AND SUBSECTION (j) AT NOTES (44.1)f., (44.2)f., (49)a., (57)g.6. AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT ARTICLE V. SUPPLEMENTARY DISTRICT REGULATIONS. AT DIVISION 11. TRAFFIC PERFORMANCE STANDARDS. BY REPEALING THE TITLE AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-611. INTENT. BY REPEALING SECTION 78-611 AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-612. APPLICABILITY. BY REPEALING SUBSECTION (a) AND READOPTING SAME, AS REVISED, BY REPEALING SUBSECTIONS (b)(1), (b)(2), (b)(3) AND READOPTING SAME, AS REVISED. BY REPEALING SUBSECTION (b)(4) IN ITS ENTIRETY. BY REPEALING SUBSECTIONS (c)(1),

(c)(2) AND (c)(3) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-621. ESTABLISHED. BY REPEALING SUBSECTIONS (a) AND (b) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-622. LEVEL OF SERVICE STANDARDS. BY REPEALING TABLE 44 WITH NOTES AND READOPTING SAME, AS REVISED. BY ADOPTING NEW TABLE 44A WITH NOTE; FURTHER AMENDING CHAPTER 78. AT SECTION 78-623. LINK STANDARD. BY REPEALING SUBSECTIONS (a) AND (b) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-624. INTERSECTION STANDARD. BY REPEALING SUBSECTIONS (a) AND (b) AND READOPTING SAME, AS REVISED. BY REPEALING SUBSECTION (c) IN ITS ENTIRETY; FURTHER AMENDING CHAPTER 78. AT SECTION 78-625. RADIUS OF DEVELOPMENT INFLUENCE. BY REPEALING SECTION 78-625 AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-626. PHASING. BY REPEALING SECTION 78-626 AND READOPTING SAME, AS REVISED. BY REPEALING SUBSECTIONS (c), (d) AND (e) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-627. RELIANCE ON COMMITTED ROADWAY IMPROVEMENTS. BY REPEALING THE TITLE AND READOPTING SAME, AS REVISED. BY REPEALING SUBSECTIONS (a), (b), (b)(1), AND (b)(2) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SUBDIVISION III. TRAFFIC IMPACT STUDIES. BY REPEALING THE TITLE AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-641. SUBMISSION REQUIRED FOR DEVELOPMENT APPROVAL. BY REPEALING SECTION 78-641 AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-642. SCOPE. BY REPEALING SECTION 78-642 AND READOPTING SAME, AS REVISED. BY REPEALING SUBSECTIONS (a), (b) AND (c) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-643. METHODOLOGY. BY REPEALING SUBSECTIONS (a), (b), (d), (e), (f), (f)(2), (g)(1), (h)(1), (h)(2), (j)(1), (j)(2), (j)(3), (k), (l), (l)(2), AND (m) AND READOPTING SAME, AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-644. SITE RELATED IMPROVEMENTS. BY REPEALING SECTION 78-644 AND READOPTING SAME WITH A NEW TITLE AND AS REVISED; FURTHER AMENDING CHAPTER 78. AT SECTION 78-751. DEFINITIONS. BY REPEALING THE DEFINITIONS FOR "AVERAGE ANNUAL DAILY TRAFFIC", "COMMITTED ROADWAY IMPROVEMENTS", "CONCURRENCY", "EXISTING PEAK HOUR TRAFFIC", "EXISTING TRAFFIC", "HISTORICAL TRAFFIC GROWTH TABLE", "PERFORMANCE SURETY", "RADIUS OF DEVELOPMENT INFLUENCE", "ROAD AGREEMENT", AND "TOTAL TRAFFIC" AND READOPTING SAME, AS REVISED, BY REPEALING THE DEFINITIONS FOR "MAJOR PROJECT", "MAJOR PROJECT MAP" AND "OFF-PEAK SEASON" IN THEIR ENTIRETY, AND BY ADOPTING NEW DEFINITIONS FOR "MULTIMODAL", "QUALITY OF SERVICE STANDARD" AND "PEAK-HOUR DIRECTIONAL TRAFFIC VOLUME"; 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.

- d. [ORDINANCE 10, 2020](#) – (1ST READING) CITY-INITIATED COMPREHENSIVE TEXT AMENDMENT RELATED TO TRANSIT ORIENTED DEVELOPMENT. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING CITY-INITIATED TEXT AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE CITY'S COMPREHENSIVE PLAN TO INCORPORATE A TRANSIT-ORIENTED DEVELOPMENT (TOD) OBJECTIVE AND TOD POLICIES BASED ON THE RECOMMENDATIONS INCLUDED IN THE CITY'S TOD MASTER PLAN, PREPARED BY THE TREASURE COAST REGIONAL PLANNING COUNCIL; 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 OTHER PURPOSES.
- e. [*RESOLUTION 51, 2020](#) – AVENIR FP&L SUBSTATION. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A SITE PLAN FOR A MINOR UTILITY ELECTRICAL SUBSTATION ON A 4.8-ACRE PARCEL LOCATED WITHIN THE RESIDENTIAL DISTRICT (PARCEL A) IN 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 WAIVERS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- f. [*RESOLUTION 52, 2020](#) – BANYAN TREE PUD PHASE II. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING AN AMENDMENT TO THE BANYAN TREE PLANNED UNIT DEVELOPMENT (PUD) PHASE II SITE PLAN AND MAJOR CONDITIONAL USE TO ALLOW A 175-STUDENT 10,000-SQUARE-FOOT DAY CARE FACILITY THAT IS LOCATED AT THE NORTHWEST CORNER OF NORTHLAKE BOULEVARD AND MACARTHUR BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING WAIVERS; PROVIDING CONDITIONS OF APPROVAL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.
- g. [*RESOLUTION 53, 2020](#) – SITE PLAN AMENDMENT TO AVENIR (RESIDENTIAL POD 2 – SITE PLAN #1). A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM BEACH GARDENS, FLORIDA, APPROVING A SITE PLAN AMENDMENT FOR SINGLE-FAMILY HOME FLOOR PLANS AND ARCHITECTURAL ELEVATION THEMES, TYPICAL LOT LANDSCAPING, AN ENTRY FEATURE, AND A MODEL HOME AND SALES CENTER FOR LA TERRE AT AVENIR (RESIDENTIAL POD 2 – SITE PLAN #1) WITHIN 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.**

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.