

**CITY OF PALM BEACH GARDENS
JOINT COUNCIL MEETING
PALM BEACH GARDENS AND LAKE PARK
January 8, 2004**

The January 8, 2004 Joint Council Meeting between the City Council of the City of Palm Beach Gardens, Florida, and the Town of Lake Park, Florida was called to order at 7:13 P.M. in the Council Chambers of the Municipal Complex, located at 10500 North Military Trail, Palm Beach Gardens, Florida, and opened with the pledge of allegiance.

ROLL CALL: The City Clerk called the roll and the following elected officials were found to be in attendance: Mayor Jablin, Vice Mayor Sabatello, Councilmember Clark, Councilmember Russo, and Councilmember Delgado. Vice Mayor Balius, Commissioner Longtin and Commissioner Otterson were present from the Town of Lake Park. Commissioner Garretson was absent from the meeting. Mayor Jablin reported Mayor Castro of Lake Park had called to say he would arrive shortly and to start discussion without him.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

PUBLIC HEARINGS:

Part 1 – Quasi-Judicial

Mayor Jablin announced that quasi-judicial hearings would be held on Ordinance 35, 2003 and Resolution 176, 2003 and announced the procedures to be followed. The City Clerk swore in all those intending to offer testimony on any of these cases.

Ordinance 35, 2003 – Northlake Square West Planned Unit Development. An Ordinance of the City Council of the City of Palm Beach Gardens, Florida rezoning the 5-acre portion an 8.80-acre parcel of land located on the Southwest corner of Northlake Boulevard and Congress Avenue which lies within the municipal boundaries of the City of Palm Beach Gardens, as described more particularly herein, from a zoning designation of research and light industrial park (M1) to Planned Unit Development (PUD) overlay with an underlying zoning district of general commercial (CG-1); and providing an effective date – for consideration of second reading and approval. Senior Planner Natalie Wong presented the staff presentation. Dodi Glas indicated there was no presentation from the petitioner. Councilmember Russo commented at the last meeting he attended he had expressed traffic concerns; however, since that time he had spoken with City Engineer Dan Clark who indicated he had found no concerns with the traffic through that area. Mayor Jablin declared the public hearing open and the City Clerk read Ordinance 35, 2003 by title. Hearing no comments from the public, Mayor Jablin declared the public hearing closed. Mayor Jablin called for exparte communications. Councilmember Delgado reported she had met with staff; Vice Mayor Sabatello reported he had met with staff and the petitioner, and Councilmember Clark and Mayor Jablin reported exparte conversations had been held with both staff and the petitioner. Mayor Castro clarified that the Lake Park Commissioners had had no exparte communications since the last meeting on this subject. Councilmember Delgado stated she still had had exparte communications, Mayor Jablin indicated he had not had any exparte communications since the last meeting. For the Town of Lake Park, Vice Mayor Balius made a motion to approve Ordinance 35, 2003. Commissioner Otterson seconded the motion. Motion carried by unanimous 4-0 vote. For the City of Palm Beach Gardens, Councilmember Clark made a motion to place Ordinance 35, 2003 on second reading and to approve Ordinance 35, 2003. Councilmember Delgado seconded the motion, which carried by unanimous 5-0 vote.

Resolution 176, 2003 -- Northlake Square West Planned Unit Development. A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving the master development plan for Congress Plaza West on the 5-acre portion an 8.80-acre parcel of land located on the Southwest corner of Northlake Boulevard and Congress Avenue which lies within the municipal boundaries of the City of Palm Beach Gardens, as described more particularly herein, to allow for a 41,000 square-foot fitness center, a 12,389 square-foot pharmacy with a two-lane drive-through, and a 12,000 square-foot restaurant/retail building with an outdoor seating area; providing for waivers; providing conditions of approval; and providing an effective date. The City Clerk read Resolution 176, 2003 by title. Mayor Jablin declared the public hearing open. Hearing no comments from the public, Mayor Jablin declared the public hearing closed. Mayor Jablin called for exparte communications since the last meeting on this resolution. Mayor Jablin, Vice Mayor Sabatello, Councilmember Clark, Councilmember Russo, and Councilmember Delgado all reported exparte communications with staff on Resolution 176, 2003 since the last meeting. It was clarified that no vote was required by the Town of Lake Park on Resolution 176, 2003. For the City of Palm Beach Gardens, Councilmember Clark made a motion to approve Resolution 176, 2003 as amended with the amendments provided in the staff memorandum circulated today. Councilmember Delgado seconded the motion, which carried by unanimous 5-0 vote. For the Town of Lake Park, Vice Mayor Balius made a motion to approve Resolution 3-01-04. Commissioner Longtin seconded the motion, which carried by unanimous 4-0 vote. Mayor Castro noted that reading the resolution by caption was not required by the Town of Lake Park.

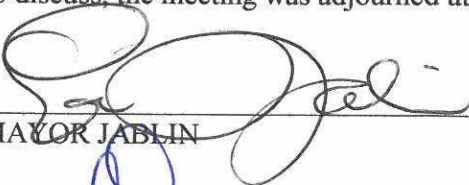
RESOLUTION:

Resolution 170, 2003 - Interlocal Agreement between the City of Palm Beach Gardens and the Town of Lake Park for Northlake Square East – A Resolution of the City Council of the City of Palm Beach Gardens, Florida approving an Interlocal Agreement between the Town of Lake Park and the City of Palm Beach Gardens for the joint development review of a parcel of land located at the Southeast corner of Northlake Boulevard and Congress Avenue, as more particularly described herein; and providing an effective date. Senior Planner Natalie Wong provided a presentation on the proposed interlocal agreement. Mayor Castro indicated most of the changes made by the Palm Beach Gardens staff since the last meeting were fine, but requested clarification on what the concern was with the Town of Lake Park taking the lead in the development application when the majority of the site was within the Town of Lake Park. Discussion ensued. Mayor Castro stated for the record that the Town of Lake Park would not issue a CO for the building until the project was complete. Jurisdiction for law enforcement was discussed. Possible amendments to the proposed agreement were discussed, including addition of language to document “C” regarding the Town of Lake Park taking the lead; that in the event of changes in the site plan there would be the ability to change the interlocal agreement; and that both parties must sign off on everything including CO’s. Since the Town of Lake Park had backed out of the overlay district and the City had not, language would need to properly reflect that, and all language would need to conform to the codes of each municipality. It was determined that each municipality would make changes separately at their first meeting in February. At the request of the applicant, processing of the application was discussed. Applicant indicated they understood that this item would not be scheduled for P& Z hearing until after the amendments were made to the interlocal agreement.

ADJOURNMENT:

There being no further business to discuss, the meeting was adjourned at 8:37 p.m.

APPROVAL:

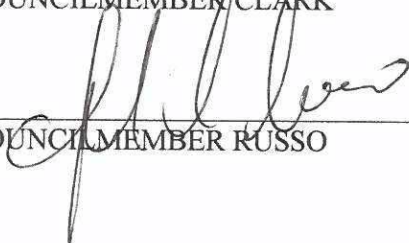


MAYOR JABLIN

VICE MAYOR SABATELLO




COUNCILMEMBER CLARK



COUNCILMEMBER RUSSO

COUNCILMEMBER DELGADO

ATTEST:



PATRICIA SNIDER
CITY CLERK

CITY OF PALM BEACH GARDENS JOINT MEETING WITH TOWN OF LAKE
PARK, 1/08/04

4

APPROVAL:



MAYOR CASTRO

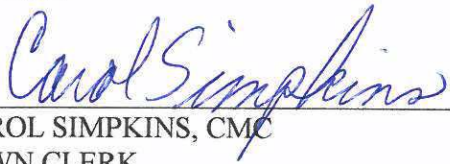
VICE MAYOR BALIUS

COUNCILMEMBER GARRETSON

COUNCILMEMBER LONGTIN

COUNCILMEMBER OTTERSON

ATTEST:



CAROL SIMPKINS, CMC
TOWN CLERK