



CITY COUNCIL MEETING

City of Greenacres, Florida

Monday, November 06, 2023 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

MINUTES

Mayor and City Council

Joel Flores, Mayor

Peter A. Noble, Deputy Mayor

John Tharp, Councilmember, District I

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Christy Goddeau, City Attorney

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

Deputy Mayor Noble called the meeting to order at six o'clock in the evening. City Clerk Moorer called the roll. Mayor Flores was absent.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Motion made by Councilmember Dugo, Seconded by Councilmember Diaz to approve the agenda.

Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

None.

SPECIAL BUSINESS

- 1. Proclamation:** National Hunger and Homelessness Awareness Week - November 11-18, 2023. - Ruth Mageria and Brian Rowe of CROS Ministries and Graig Carlson of WAWA.

Ms. Moorer read the proclamation by title.

Photos were taken.

Ms. Mageria thanked the City for their recognition and she spoke about the progress and some of the work her organization had achieved.

- 2. Proclamation:** Small Business Saturday - November 25, 2023. - Elite Media Marketing, Nissan Greenacres, Sweet Dulce Bakery, Talented Teen Club and Theo & Charles Learning LLC.

Ms. Moorer read the proclamation by title.

Photos were taken.

Ms. Shawn Ho-Hing King of Talented Teen Club thanked the City for the recognition and spoke about some of the needs and challenges faced by the teens.

Ms. Pamela Jo-Wilson of Theo and Charles Learning, LLC. thanked the City for the recognition and spoke about how the company got started with her sons. She also mentioned types of services provided at the center.

CONSENT AGENDA

- 3. Official Council Minutes:** City Council Meeting, October 16, 2023. - Quintella L. Moorer City Clerk.
- 4. Resolution 2023-54:** Approving an Interlocal Agreement for Code Compliance Services with the City of Atlantis. - Andrea McCue, City Manager.
- 5. Resolution 2023-55:** Approving a maintenance service agreement for landscape maintenance services of canals and medians, authorizing the appropriate City Officials to execute the agreement; providing for an effective date. - Monica Powery, Director of Purchasing.

Motion made by Councilmember Diaz, Seconded by Councilmember Bousquet to approve the Consent Agenda.

Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

REGULAR AGENDA

- 6. PUBLIC HEARING: Ordinance 2023-10: Second Reading:** Amending Chapter 16, Article 1, in General, Section 16-1, definitions; Article 3, District Regulations, Division 8, Office, Professional and Institutional (OPI), Section 16-425; Division 9, Commercial Neighborhood (CN), Section 16-450; Division 10, Commercial General (CG), Section 16-475; Division 11, Commercial Intensive (CI), Section 16-500; Division 14, Mixed Development (MXD), Section 16-546; Division 15, Mixed Use Development - Office (MXD-O), Section 16-562; and Division 16, Mixed Use Development - Original Section (MXD-OS), Section 16-577; creating Chapter 9, Miscellaneous Offenses, Division 1, Section 9-10; prohibiting the dispensing of medical marijuana within the City; providing that each and every other section and subsection of Chapter 16, Zoning Regulations, shall remain in full force and effect as previously adopted; providing for nonconforming uses; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in Code; and providing for an effective date. - Tanya Earley, City Attorney.

Ms. Moorer read the ordinance by title.

Ms. Earley answered a few clarification questions regarding the ordinance.

Mr. Nathan Galang, a Catalina resident stated he was against the ordinance as it was preemptive and unnecessary.

The Council received more clarification from City Attorney Earley.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet to approve Ordinance 2023-10 on Second Reading.

Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

- 7. PUBLIC HEARING: Ordinance 2023-14: Second Reading:** Amending Chapter 16, Zoning Regulations, Article 1, in General, Section 16-1, definitions, by amending certain definitions and adding definitions related to adult arcades; prohibiting simulated gambling devices and adult arcades and providing for nonconforming uses; creating Chapter 9, miscellaneous offenses, Division 1, Section 9-11; providing that each and every other Section and subsection of Chapter 16, Zoning Regulations, shall remain in full force and effect as previously adopted; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date. - Tanya Earley, City Attorney.

Ms. Moorer read the proclamation by title.

Ms. Earley highlighted the proposed ordinance.

No changes were made since the First Reading.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet to approve Ordinance 2023-14 on Second Reading. Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

- 8. Resolution 2023-27:** Approving the agreement between the City of Greenacres and CareATC; and authorizing the appropriate City Officials to effectuate the terms of the agreement. - Suzanne Skidmore, Director of Human Resources/Risk Management.

Ms. Moorer read the resolution by title.

Ms. Skidmore introduced the CareATC representatives. He spoke about the benefits of the clinic, such as multi-use facilities, full prescription fills and after-hour site visits. He also mentioned the cost was covered by the savings recouped from last year's health care premium.

Motion made by Councilmember Tharp, Seconded by Councilmember Diaz to approve Resolution 2023-27.

Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

- 9. Resolution 2023-41:** Repealing Resolution 2021-40 and establishing a Fire Prevention Schedule of Fees for services and functions performed pursuant to Chapter 5 Fire Prevention and Protection of the City of Greenacres Code of Ordinances; and providing for conflicts and an effective date. - Brian Fuller, Fire Chief, Fire Rescue.

Ms. Moorer read the resolution by title.

Ms. McCue stated the need to increase the fee schedule and mentioned she expected a ten-thousand-dollar revenue increase.

Staff recommended approval.

Motion made by Councilmember Dugo, Seconded by Councilmember Tharp to approve Resolution 2023-41.

Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

10. Ordinance 2023-16: First Reading: Amending Chapter 4, entitled Building and Building Regulations, of the City of Greenacres Code, to adopt and incorporate the Florida Building Code 8th Edition, together with all amendments thereto, as recommended by the Building Code Advisory Board of Palm Beach County, Florida and as conformed to the City's operational standards; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in Code; and providing for an effective date. - Michael Jerrahian, Building Official.

Ms. Moorer read the ordinance by title.

Mr. Jerrahian presented various changes to the Building Code 8th Edition which included duties and powers, processes, operations and responsibilities.

Staff recommended approval.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet to approve Ordinance 2023-16 on First Reading.

Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

11. Ordinance 2023-17: First Reading: Amending Chapter 9 "Miscellaneous Offenses," by deleting the title of Article III, "Landlord/Tenant Notice Requirements," and by repealing Section 9-30 "Required Fair Written Notice of Termination of Monthly Residential Tenancy Without Specific Duration" and Section 9-31, "Required Fair Written Notice of Rental Payment Increases for Residential Tenancies," due to preemption by the State of Florida; providing for severability, conflicts, codification, and an effective date, and for other purposes. - Tanya Earley, City Attorney.

Ms. Moorer read the ordinance by title.

Ms. Earley explained the proposed ordinance and the need to change the ordinance was to protect the City due to regulations.

Mr. Nathan Galang stated he was against the ordinance as he felt the City should create better ways to assist and protect resident renters.

Staff recommended approval.

Councilmember Diaz confirmed that approval of the ordinance was needed to avoid a lawsuit. Ms. Earley confirmed.

Motion made by Councilmember Tharp, Seconded by Councilmember Diaz to approve Ordinance 2023-17 on First Reading.

Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

12. Appointment of Education Advisory Committee Member. (Ann Cadaret) - Andrea McCue, City Manager.

Ms. McCue recommended appointing Ms. Cadaret.

The Council agreed on the appointment.

Motion made by Councilmember Bousquet, Seconded by Councilmember Diaz to approve appointment.

Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

DISCUSSION ITEM

13. Council Representative to the 100th Anniversary Committee. - Andrea McCue, City Manager.

The Council appointed Councilmember Dugo as the Council liaison for the City's 100th celebration.

14. Form 6 - Full Disclosure of Financial Interest. - Judith Dugo, Councilmember.

Councilmember Dugo suggested the Council draft a resolution opposing the Form 6 requirements similar to the Town of Briny Breezes resolution. She felt Form 6 was very invasive. After discussion from the Council the discussion was tabled until the next meeting. Ms. McCue stated she would follow up with the City's lobbyist to get more insight and return at the next meeting with a recommendation.

Motion made by Councilmember Bousquet, Seconded by Councilmember Dugo to table the discussion.

Voting Yea: Councilmember Tharp, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Mr. Charles Shaw stated that the Form 6 requirement was an uphill battle and other elected officials on the County level file the form. He also stated the CareATC health benefit was a great bonus to the employees.

Mr. Nathan Galang questioned why residents were required to state their name and address for public comment.

Mr. Fule Dogic questioned the transportation data from the last meeting. He mentioned his concerns regarding housing cost increase; a 5–10-year transportation plan was ideal versus a 25 year plan; long range transportation planning and safer traffic routes.

CITY MANAGER'S REPORT

Ms. McCue reminded the Council about the upcoming Let's Talk conversation and the City would be closed on November 10 to observe Veterans Day.

CITY ATTORNEY'S REPORT

None.

MAYOR AND CITY COUNCIL REPORT

Deputy Mayor Noble: stated the tax bill was out and he felt the highest amount was from the School Board.

Councilmember Tharp: complimented the City's Trunk or Treat and National Night Out event. He also thanked PBSO for keeping the City safe as it relates to traffic, and he thanked Staff for a great Comp Plan report.

Councilmember Dugo: complimented the Staff regarding the health benefit and the Comp Plan report.

Councilmember Diaz: thanked Mr. Jerrahian on such a wonderful report, Captain Moore and Deputy Castel for a great time at National Night Out and Trunk or Treat. She thanked CRS for Read for the Record.

ADJOURNMENT

7:27PM.

Joel Flores
Mayor

Quintella Moorer, CMC
City Clerk

Date Approved: _____