



CITY COUNCIL MEETING

City of Greenacres, Florida

Monday, July 18, 2022, at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

MINUTES

Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

Mayor Flores called the meeting to order at 6PM and City Clerk Moorer called the Roll.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Motion made by Councilmember Bousquet, Seconded by Councilmember Noble to approve the agenda. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

1. Jim Harrington said he and the Association agreed with the Shutter Code. He asked Staff to define the term occupied as it related to the Code. Mr. Harrington felt snowbirds should be excluded from Shutter Code.
2. Michele Steinberg said she drafted an amendment to the Code for the Council to consider which was forwarded to the City Manager. She suggested leaving a door or window unlocked instead of removing the shutters for safety. Ms. Steinberg stated the shutters could be an insurance liability hazard.
3. Emily Robarts suggested the Shutter Code be modified for practicality. She also questioned the citation process.
4. Luba Wagner agreed with the previous speakers and mentioned residents were experiencing hardship and suggested modifying the Shutter Code.

SPECIAL BUSINESS**1. Proclamation:** Kidsfit Jamathon. - Wil Romulus, Digital Vibe.

City Clerk Moorer read the proclamation by title. Mr. Romulus thanked the City of Greenacres for their support and recognition. Photos were taken.

2. Presentation: Lobbyist Legislative Update. - Joseph Salzverg, Gray Robinson.

Mr. Salzverg thanked the Council for allowing him to present. He highlighted the State passed the highest amount of bills in history and also vetoed the most bills in history. He highlighted various projects and studies currently happening. He also suggested the City enter into vulnerability studies to find out where the City was as it related to sea levels and climate change. The study would make the City eligible for the Resilient Florida Trust Fund. He said he was working to have the application in by September. Mr. Salzverg suggested the Council stay active in the Palm Beach League of Cities.

Finally, he spoke on the newly revised public notice policies which now allowed electronic notices.

He thanked the Council and stated he would return in the Fall of 2022.

3. Presentation: Community Showcase Video. - Andrea McCue, City Manager.

Ms. McCue presented videos showcasing the City's Live, Work and Play theme partnered with CGI. Ms. McCue thanked Austin Lee, Public Information Officer for his hard work with constructing the video clips.

CONSENT AGENDA**4. Official Minutes:** City Council Meeting Minutes, June 6, 2022 and City Council Special Meeting Minutes, June 6, 2022. - Quintella Moorer, City Clerk.**5. Resolution 2022-31:** Authorizing Fire Rescue to administer a Pilot Program using patient positioning cardiopulmonary resuscitation health service devices and to collect data; authorizing the City Manager or designee to execute all program documents; and providing for an effective date. - Teri Beiriger, Director of Finance.**6. Resolution 2022-32:** Authorizing the submittal of the FY2022 Justice Assistance Grant (JAG) program application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice assistance, and authorizing the City Manager to sign all grant documents and accept award of the grant and authorizing the city Manager with signature authority responsible for implementation equipment and technology to be used by Law Enforcement; and providing for effective date. - Teri Beiriger, Finance Director.**7. Resolution 2022-33:** Relating to the provision of residential Solid Waste Collection Services in the City of Greenacres, Florida; approving the Assessment rate for residential Solid Waste Collection Services for the fiscal year beginning on October 1, 2022; imposing a Residential Solid Waste Collection Services Assessment against assessed property located within the City of Greenacres for the fiscal year beginning on October 1, 2022; providing for severability; providing for conflicts; and providing an effective date. - Teri Beiriger, Director of Finance.

Motion made by Councilmember Diaz, Seconded by Deputy Mayor Tharp to approve the Consent Agenda. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

REGULAR AGENDA

- 8. PUBLIC HEARING: Ordinance 2022-14: Second Reading:** Amending Chapter 8, Licenses and Business Regulations, Article 3, Business Taxes, Section 8-46 through 8-736, to correct the applicable department names, to clarify Business Inspections, to create criteria for denying, suspending and revoking Business Tax Receipts, providing for appeals to the Special Magistrate, and for other purposes; providing for repeal of conflicting ordinances, severability, inclusion in Code, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated the ordinance was needed for clarification and updates. She said no changes had been made since the First Reading. Staff recommended approval.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Noble to approve Ordinance 2022-14 on Second Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

- 9. PUBLIC HEARING: Ordinance 2022-18: Second Reading:** Amending Chapter 9 "Miscellaneous Offenses" by adopting Article 3, "Landlord/Tenant Notice Requirements," Section 9-30 "Notice of Termination of Monthly Residential Tenancy Without Specific Duration" and Section 9-31 "Written Notification Requirements related to Rental payment increases for Rental Tenancies," to require 60 days written notice for termination of certain tenancies and increases in rental rates; providing for severability, preservation, conflicts, codification, and an effective date. - Glen Torcivia, City Attorney.

Ms. Moorer read the ordinance by title.

Ms. Christy Goddeau, City Attorney explained the changes and highlighted the requirements and timelines. She said no changes had been made since the First Reading. Staff recommended approval.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2022-18 on Second Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

- 10. PUBLIC HEARING: Ordinance 2022-01: First Reading:** Authorizing the City of Greenacres to execute an Interlocal Service Boundary and Joint Planning Agreement between the City of Greenacres and Palm Beach County to coordinate future land use, public facilities and services in advance of annexation, pursuant to Chapter 171, Part 2, Florida Statutes; providing for repeal of conflicting ordinances, severability, and an effective date. - Kara Ferris, Director of Development and Neighborhood Services.

Ms. Moorer read the ordinance by title.

Ms. Irwin-Ferris mentioned an application was accepted for a volunteer annexation and due to certain issues as enclave the City entered into a Joint Planning Agreement with the County. She stated negotiations have taken place and some revisions were regarded due to Fire Rescue. She said the agreement presented worked out all of the issues to cover Police, Fire and level of service.

Councilmember Noble congratulated the Staff on a job well done. Mayor Flores and Deputy Mayor Tharp mirrored the same sentiment.

Motion made by Councilmember Diaz, Seconded by Councilmember Noble to approve Ordinance 2022-01 on First Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

11. PUBLIC HEARING: Ordinance 2022-02: First Reading: Annexing one parcel of land totaling approximately 20.1183 acres, located at the southeast corner of Lake Worth Road and south Jog Road at 4180 south Jog Road, as requested by the petitioner, Matthew Scott of Dunay, Miskel, Backman, LLP, agent for the owner, LW Jog SC Ltd.; providing for redefining the boundary lines of the City of Greenacres to include the subject property in the City's official boundary map; providing for repeal of conflicting ordinances; providing for severability, and providing for an effective date. - Kara Ferris-Irwin, Director of Development and Neighborhood Services.

Ms. Moorer read the ordinance by title.

Mayor Flores recessed the meeting at 6:54PM due to technical difficulties.

Mayor Flores reconvened the meeting at 7:00PM.

Ms. Irwin- Ferris said the ordinance was a companion to Ordinance 2022-01 and was a volunteer annexation. She mentioned the annexation process to include the County's agreement, ISBA completion, with an adoption date of September 14, 2022. Staff recommended approval.

Matthew Scott, Attorney for applicant stated his client was very excited about the annexation.

Motion made by Councilmember Bousquet, Seconded by Councilmember Diaz to approve Ordinance 2022-02 on First Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

12. Ordinance 2022-11: First Reading: Amending Chapter 12, Subdivisions and Land Development Regulations, Article 2, Plats, Division 1, generally, and Division 2, Application Procedure, to create a two- step Plat Approval Process with requirements; amending Chapter 16, Zoning Regulations, Article 2, Administration, Division 1, generally, Section 16-33, Public Hearing, Table 16-33, to reflect the new plat process; providing for repeal of conflicting ordinances, severability, inclusion in code, and an effective date.- Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young explained the ordinance was to improve the plat process. She described a plat with various types. She highlighted a few changes in the process that created checks and balances, approvals and styles. Staff recommended approval.

Motion made by Councilmember Noble, Seconded by Deputy Mayor Tharp to approve Ordinance 2022-11 on First Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

13. Ordinance 2022-17: First Reading: Amending Chapter 11, "Streets, sidewalks and other Public Places", Article 1, "in general", by adding Section 11-6, Right-of-Way Permits; providing for repeal of conflicting ordinances, severability, inclusion in the code, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young defined a right-a-way, what was allowed, what required a permit and what does not. She mentioned enforcement regulations and stated Staff recommended approval.

Ms. Diaz asked about driveway permits requirements for clarification.

Motion made by Councilmember Noble, Seconded by Deputy Mayor Tharp to approve Ordinance 2022-17 on First Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet.

14. PUBLIC HEARING: Ordinance 2022-22: First Reading: Establishing the Blossom Trail Community Development District pursuant to Chapter 190, Florida Statutes; providing for the establishment and naming of the district; providing for the legal description of the external boundaries of the district; providing for the description of the functions and powers of the district; providing for the designation of the initial members of the district's board of supervisors; providing for notice requirements and for compliance with all remaining sections of Chapter 190, Florida Statutes, and all other applicable laws and ordinances; providing for severability; and providing for an effective date. – Kara Irwin-Ferris, Director of Development and Neighborhood Services.

Ms. Moorer read the ordinance by title.

Mr. Jere Earlywine, KE Law Group explained the proposed Blossom Trail community was planned for 230 plus residents near Haverhill Road and Nash Trail. He stated the CDD would help with over \$8 million in public improvements. He further explained the advantages such as higher quality project and cost savings. Mr. Earlywine said there were over 27 CDD's in Palm Beach County. He continued to explain legal requirements and frequently asked questions.

Ms. Irwin-Ferris reiterated the CDD project and requirements and the approval process.

Councilmember Diaz questioned full disclosure of the bond, tax bill and quality.

Deputy Mayor Tharp asked what the true benefit to the resident was. Mr. Earlywine stated more savings with the market and a quality project.

Councilmember Bousquet was concerned with the lot price ranges.

Ms. Maria Camporeale and West Forestar stated the price of homes were expected to be \$399 - \$400 hundred thousand.

Councilmember Diaz asked about the homeowner association fee, reserve fee, foreclosure costs and bond holder data. Mr. Earlywine stated it was based on the developers and projects.

Mayor Flores voiced his concerns with clarification and cost to the residents. He was not in support of the CDD.

Council continued discussion with Mr. Earlywine and Ms. Goddeau.

Deputy Mayor Tharp desired more information on price amounts and timelines, he preferred to Table the item to a future date, the Council denied the motion.

Motion made by Councilmember Bousquet, Seconded by Councilmember Noble to deny Ordinance 2022-22 on First Reading. Voting Yea: Councilmember Noble, Councilmember Diaz, and Councilmember Bousquet. Voting Nay: Deputy Mayor Tharp.

DISCUSSION ITEM

15. Campaign Free Zone - Councilmember Paula Bousquet.

Councilmember Bousquet suggested a campaign free zone which would not allow campaigning in the chambers such as not wearing political items such as shirts, hats, buttons and or making election announcements. The majority of Council disagreed with creating a campaign free zone.

16. Limited Income Senior Citizen Exemption Program. - Andrea McCue, City Manager.

Ms. McCue explained the exemption and the reduction of the tax bill. She said seniors would need to qualify for the exemption and there were currently over 500 residents that would qualify. Mayor Flores suggested a \$500,000 threshold. Councilmember Bousquet suggested \$25,000.

Council agreed to move forward with creating a program and stated an amount would be established later.

17. Hurricane Shutter Code requirements. - Brian Fuller, Fire Rescue Chief.

Chief Fuller mentioned the NFPA 101 Life Safety Code 2018 and Florida Building Code, he stated they did not mention when to remove shutters. He continued to highlight NFPA sections and safety features.

The 2019 Property Maintenance Code required removal of shutters fourteen days after a hurricane/storm event.

Chief Fuller showed a video detailing safety measures and possible inquiries.

Chief Fuller stated keeping shutters on caused harm to neighbors, flashfires, injuries to firefighters and the home.

Council agreed to not make any changes to the Shutter Code.

Ms. Steinberg stated hurricane season comes with dangers. She stated she was concerned with hurricane requirements regarding hurricane safety.

Mr. Jim Herring thanked the Chief for the presentation.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

None.

CITY MANAGER'S REPORT

No report.

18. Community & Recreation Service Report.

19. Development and Neighborhood Services Report.

20. Finance Report.

- 21. Fire Rescue Report.
- 22. Information Technology Report.
- 23. Palm Beach Sheriff Office District 16 Report.
- 24. Public Works Report.
- 25. Purchasing Report.
- 26. Youth Development Report.

CITY ATTORNEY'S REPORT

No report.

MAYOR AND CITY COUNCIL REPORT

Deputy Mayor Tharp thanked Captain Moore for his efforts during the event.

Councilmember Diaz thanked CRS for a great event and PBSO for supporting the lemonade stand.

Councilmember Bousquet thanked Chief Fuller for a great presentation.

Mayor Flores thanked Captain Moore for his service to the community. He planned to continue with Basketball with Mayor as it was a success.

ADJOURNMENT

9:19PM

Joel Flores
Mayor

Quintella Moorer, CMC
City Clerk

Date Approved: _____