



# CITY COUNCIL MEETING

## City of Greenacres, Florida

Monday, March 17, 2025 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

### AGENDA

#### Mayor and City Council

Chuck Shaw, Mayor

Judith Dugo, Deputy Mayor

John Tharp, Councilmember, District I

Peter Noble, Councilmember District II

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

#### Administration

Andrea McCue, City Manager

Christy Goddeau, City Attorney

Glen J. Torcivia, City Attorney

Tanya Earley, City Attorney

Quintella Moorer, City Clerk

#### CALL TO ORDER AND ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### AGENDA APPROVAL

#### COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

#### SPECIAL BUSINESS

1. **Presentation:** Retail Strategies Partnership Kick-Off. - Garet Smitherman and Drew Kaufmann, Retail Strategies.

#### CONSENT AGENDA

2. **Official City Council Meeting Minutes:** City Council Meeting Minutes, March 3, 2025. - Quintella L. Moorer, City Clerk.
3. **Resolution 2025-07:** Amending and adopting the personnel policies handbook; repealing all resolutions and Council Polices in conflict herewith; providing a conflicts clause and a severability clause; providing an effective date and for other purposes. - Suzanne Skidmore, Director of Human Resources and Risk Management.

#### REGULAR AGENDA

4. **PUBLIC HEARING: Ordinance 2025-01: Second Reading:** Amending the Code of Ordinances at Article 2, Administration, of Chapter 16, Zoning Regulations, to revise filing procedures, standards, criteria for approval, and review processes for development applications; to revise notice requirements for development-related applications and ordinances; to revise provisions related to the expiration of development approvals; to update department and advisory board names; to update the procedures and duties of the development review committee; and for other purposes; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and

providing for an effective date.- Gionni Gallier, Senior Planner, Development and Neighborhood Services.

- 5. PUBLIC HEARING: Ordinance 2025-03: Second Reading:** Amending the Code of Ordinances at Article 1, in General, Article 3, District Regulations, Article 4 Supplemental District Regulations, all of Chapter 16, Zoning Regulations, to add Prescribed Pediatric Extended Care Use, standards, and criteria for approval of the same; to move criteria for Therapeutic Adult Day Care Centers from Article I to Article 3, of Chapter 16; and for other purposes; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date. - Millie Rivera, Planner, Development and Neighborhood Services.

#### **DISCUSSION ITEM**

6. Palm Beach County Days Recap. - Councilmember Susy Diaz.

#### **COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS**

#### **CITY MANAGER'S REPORT**

- [7.](#) Community and Recreation Report.  
[8.](#) Development and Neighborhood Services Report.  
[9.](#) Finance Report.  
[10.](#) Fire Rescue Report.  
[11.](#) Information Technology Report.  
[12.](#) Palm Beach County Sheriff's Office, District 16 Report.  
[13.](#) Public Works Report.  
[14.](#) Purchasing Report.  
[15.](#) Youth Programs Report.

#### **CITY ATTORNEY'S REPORT**

#### **MAYOR AND CITY COUNCIL REPORT**

#### **ADJOURNMENT**

#### **Future City Council Meetings**

April 7, 2025.

April 21, 2025.

**Meeting Records Request**

Any person requesting the appeal of a decision of the City Council will require a verbatim record of the proceedings and for that purpose will need to ensure that such verbatim record is made. Pursuant to FS. 286.0105, the record must include the testimony and evidence upon which the appeal is to be based. The City of Greenacres does not prepare or provide such verbatim record.

**Notice of Council Meetings and Agendas**

The first and third Monday of each month are regular meeting dates for the City Council; special or workshop meetings may be called, whenever necessary. Council Agendas are posted on the City's website on the Friday prior to each Council meeting. A copy of the meeting audio and the complete agenda may be requested at [CityClerk@greenacresfl.gov](mailto:CityClerk@greenacresfl.gov) or 561-642-2006.

**Americans with Disabilities Act**

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting City Clerk Quintella Moorer at Greenacres City Hall, 5800 Melaleuca Lane, Greenacres, Florida. Phone No. 561-642-2006. Hearing Assistance: If any person wishes to use a Listen Aid Hearing Device, please contact the City Clerk prior to any meeting held in the Council Chambers.



# CITY COUNCIL MEETING

## City of Greenacres, Florida

Monday, March 03, 2025, at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

### MINUTES

#### Mayor and City Council

Chuck Shaw, Mayor

Judith Dugo, Deputy Mayor

John Tharp, Councilmember, District I

Peter Noble, Councilmember District II

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

#### Administration

Andrea McCue, City Manager

Christy Goddeau, City Attorney

Glen J. Torcivia, City Attorney

Tanya Earley, City Attorney

Quintella Moorer, City Clerk

#### CALL TO ORDER AND ROLL CALL

Mayor Shaw called the meeting to order at 6PM. All Councilmembers were present except for Councilmember Noble.

#### PLEDGE OF ALLEGIANCE

#### AGENDA APPROVAL

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

#### COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

None.

#### SPECIAL BUSINESS

- 1. Proclamation:** Florida Bike Month, March 2025.- Brian Ruscher, Deputy Director of Multimodal, Palm Beach Transportation Planning Agency.

Councilmember Tharp read the proclamation by title.

Mr. Ruscher thanked the Council.

Photos were taken.

- 2. Proclamation:** Women's History Month, March 2025. - Joe Ann Fletcher, Chief Executive Officer, Dress for Success Palm Beaches.

Deputy Mayor Dugo read the proclamation by title.

Ms. Joe Ann Fletcher thanked the Council and provided a brief history of the organization and announced their relocation to the Riverbridge shopping plaza.

Photo were taken.

**CONSENT AGENDA**

- 3. Official City Council Meeting Minutes:** City Council Workshop Meeting Minutes and the Regular City Council Meeting Minutes, February 3, 2025. - Quintella L. Moorer, City Clerk.
- 4. Resolution 2025-06:** Approving the agreement between the City of Greenacres and eighteen (18) firms for engineering, architectural design, and other related professional services in accordance with Florida's Consultants' Competitive Negotiations Act (CCNA), Florida Statutes Section 287.055; authorizing the appropriate City Officials to execute the agreements; providing for an effective date. - Monica Powery, Director of Purchasing.
- 5. Resolution 2025-10:** Approving an Interlocal Agreement with Palm Beach County to re-determine, re-adopt and ratify the existing distribution formula for the six (6) cent Local Option Fuel Tax. - Andrea McCue, City Manager.

Motion made by Deputy Mayor Dugo, Seconded by Councilmember Bousquet to approve the Consent Agenda.

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

**REGULAR AGENDA**

- 6. PUBLIC HEARING: Ordinance 2025-01: First Reading:** Amending the Code of Ordinances at Article 2, Administration, of Chapter 16, Zoning Regulations, to revise filing procedures, standards, criteria for approval, and review processes for development applications; to revise notice requirements for development-related applications and ordinances; to revise provisions related to the expiration of development approvals; to update department and advisory board names; to update the procedures and duties of the development review committee; and for other purposes; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date.- Gionni Gallier, Senior Planner, Development and Neighborhood Services.

Ms. Moorer read the ordinance by title.

Mr. Gallier outlined the changes as read in the ordinance title. He explained the changes would be cost effective and would streamline processes. Mr. Gallier also mentioned fee and timeframe changes.

He mentioned changes to permit and building plan approvals and expiration dates.

Staff recommended approval of Ordinance 2025-01 on First Reading.

Motion made by Councilmember Diaz, Seconded by Councilmember Bousquet to approve the Ordinance on First Reading.

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

- 7. QUASI-JUDICIAL: PUBLIC HEARING: Ordinance 2025-03: First Reading:** Amending the Code of Ordinances at Article 1, in General, Article 3, District Regulations, Article 4 Supplemental District Regulations, all of Chapter 16, Zoning Regulations, to add Prescribed Pediatric Extended Care Use, standards, and criteria for approval of the same; to move criteria for Therapeutic Adult Day Care Centers from Article I to Article 3, of Chapter 16; and for other purposes; providing for repeal of conflicting ordinances;

providing for severability; providing for inclusion in code; and providing for an effective date. - Millie Rivera, Planner, Development and Neighborhood Services.

Ms. Moorer read the ordinance by title.

The item was not a Quasi-Judicial item.

Ms. Linda Mia Franco, Zoning Administrator stated the ordinance was amended to address the need for standards and criteria regarding prescribed pediatric care and update the zoning code for adult therapeutic day care.

Staff recommended approval.

Motion made by Councilmember Tharp, Seconded by Deputy Mayor Dugo to approve Ordinance 2025-03 on First Reading.

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

- 8. QUASI-JUDICIAL: PUBLIC HEARING: Resolution 2025-09:** Approving the Application for Site and Development Plans including a Master Sign Plan to construct sixty (60) two-story townhouses within a Residential High Density zoning district, located approximately 1,200 feet east of Jog Road on the south side of Dodd Road at 6240 Dodd Road and vacant parcel, as requested by the applicant, JMorton Planning/Landscape Architecture, agent for the owners, Morija Evangelical Alliance Church Inc. of Delray Beach and Lake Wellington Professional Center Inc.; providing for repeal of conflicting resolutions; and providing for an effective date. - Gionni Gallier, Senior Planner, Development Neighborhood Services.

Mr. Gallier read the Quasi procedures into the record.

Ms. Moorer sworn in four persons for testimony.

Ms. Moorer read the resolution by title.

Mr. Gallier explained the site plan development project. He said the site would be a townhome property, with three bedrooms and a garage, located on Dodd Road. All necessary requirements had been met.

Mr. Alex Earn DR Horton explained the site plan size, area and residential type. He showed the contextual site plan view, some existing conditions and the proposed site plan.

He mentioned they were aligning with all approvals and Staff recommended approval.

Mr. Gallier stated Condition Number Eight on page six of the resolution was updated prior to the meeting.

Councilmember Diaz questioned the price point and ensured the surrounding residents were contacted.

Maria Bullver, of DR Horton stated the pricing would start at \$300K, first time home buyers were the aim.

Deputy Mayor Dugo questioned the one way in and out option.

Mr. Bob Guzauskas of 2976 Crosley Line questioned the closed private wall building design.

Ms. Emily Jacobs Robarts spoke highly of the new development and felt it was nice for younger families.

Motion made by Councilmember Diaz, Seconded by Deputy Mayor Dugo to approve resolution 2025-09.

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

- 9. QUASI-JUDICIAL: PUBLIC HEARING: Resolution 2025-08:** Approval of Preliminary Plat for Astoria Towns located on the South side of Dodd Road, approximately 1,200 feet east of Jog Road. The project will consist of sixty (60) two-story townhouse residential units on 6.566 acres. - Gianni Gallier, Senior Planner, Development and Neighborhood Services.

Ms. Moorer read the resolution by title.

Approval of the plat was in conjunction with Resolution 2025-09.

Staff recommended approval.

Motion made by Deputy Mayor Dugo, Seconded by Councilmember Tharp to approve resolution 2025-08.

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

## DISCUSSION ITEM

10. Scholarship Donation. - Councilmember Susy Diaz.

Councilmember Diaz stated Mr. J. Mark Sick wanted to donate \$1,500 for a scholarship to target students who have taken STEM/AP Science or Math courses and questioned if the City could establish a 501(C3) or similar structure to encourage more donations.

The Council agreed to have City Manager McCue and Legal look into some options.

## COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Mr. Bob Guzauskas stated he has noticed an issue with workforce housing units in the County.

Mr. Nathan Galang suggested the City reviewed surplus options and housing. He mentioned requiring residents state their address for the record was unsafety.

## CITY MANAGER'S REPORT

Ms. McCue thanked Chief Fuller for a great Chili Cook-off event. She mentioned she would be attending the Palm Beach County Days regarding Legislative Sessions along with Councilmember Diaz and Austin Lee, Communications Director.

## CITY ATTORNEY'S REPORT

Ms. Early asked for some grace on opening a 501-(C3) fund as she would do some legal research.

## MAYOR AND CITY COUNCIL REPORT

*Councilmember Tharp:* Great event Chief Fuller with the Chili Cook-off.

*Councilmember Diaz:* Thanked Fire Rescue for a great event. She also reminded everyone about the Relay for Life event.

*Mayor Shaw:* Thought the event was great. He also mentioned the four new businesses opening in the City. He also mentioned Pinecrest Bakery and a new Asian cuisine.

**ADJOURNMENT**

7:15PM

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**Chuck Shaw**  
Mayor

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**Quintella Moorer, MMC**  
City Clerk

**Date Approved:** \_\_\_\_\_





## Department Report

**MEETING DATE:** 02/3/25

**FROM:** Suzanne Skidmore, Director of Human Resources & Risk Management

**SUBJECT:** Revised Personnel Policies Handbook

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### BACKGROUND

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The City of Greenacres previously adopted a manual of personnel policies in 1983, and revised in 1985, 1994, 2012, 2022, and 2023.

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### ANALYSIS

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The City of Greenacres has decided to update its policies applicable to employees in a comprehensive manner to reflect current local and state and federal laws and current policies and procedures related to day-to-day operations.

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### FINANCIAL INFORMATION

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Any costs associated with the policies are and will be included in the City Budget.

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### LEGAL

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The Handbook has been updated in accordance with all federal, state, and local requirements and has been reviewed by our City Attorney.

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### STAFF RECOMMENDATION

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Approve of Resolution 2025-07.

**RESOLUTION NO. 2025-07**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING AND ADOPTING THE PERSONNEL POLICIES HANDBOOK; REPEALING ALL RESOLUTIONS AND COUNCIL POLICIES IN CONFLICT HEREWITH; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Greenacres recently updated its policies applicable to employees in a comprehensive handbook on February 7, 2022 and subsequent modifications on April 18, 2022; and October 1, 2023; and

**WHEREAS**, the City of Greenacres identified additional areas to be more specifically addressed in keeping with prior practices and procedures and to add new policies; and

**WHEREAS**, the City Council desires to amend the personnel policies to address these areas and to repeal prior resolutions, parts of resolutions, policies or Council Policies in conflict herewith; and,

**WHEREAS**, the City Council finds amending the Personnel Policies Handbook is in the best interests of the City and serves a valid public purpose.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** The foregoing recitals in this Resolution are hereby fully incorporated herein by reference as legislative findings of the City of Greenacres.

**SECTION 2.** The City Council of the City of Greenacres hereby amends and adopts the Personnel Policies Handbook attached as Exhibit A to this Resolution.

**SECTION 3.** All Resolutions, parts of resolutions, policies or Council Policies in conflict herewith are hereby repealed.

**SECTION 4.** If any section, part of a section, paragraph, sentence, clause, phrase or word of this Resolution is for any reason held or declared to be unconstitutional, inoperative or

void, such holdings of invalidity shall not affect the remaining portion of this Resolution and it shall be construed to have been the legislative intent to pass the Resolution without such unconstitutional, invalid or inoperative part therein, and the remainder of this Resolution after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Resolution or any of the provisions thereof shall be held inapplicable to any person, group or persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**SECTION 5.** The City Council of the City of Greenacres hereby authorizes the amended Personnel Policies Handbook to become effective on March 18, 2025.

**SECTION 6.** This Resolution shall become effective on March 18, 2025.

**RESOLVED AND ADOPTED this 17th of day of March 2025**

\_\_\_\_\_  
**Chuck Shaw**, Mayor

\_\_\_\_\_  
*Voted:*  
**John Tharp**, Council Member, *District I*

**Attest:**

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
*Voted:*  
**Peter Noble**, Council Member, *District II*

\_\_\_\_\_  
*Voted:*  
**Judith Dugo**, Deputy Mayor

*Voted:*

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**Susy Diaz**, Council Member, *District IV*

*Voted:*

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**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

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**Glen J. Torcivia**, City Attorney

**CITY OF GREENACRES, FLORIDA**



**PERSONNEL POLICIES  
HANDBOOK**

**Revised and Approved by City Council/Civil Service Board: March 17, 2025**

**Effective: March 18, 2025**

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## Welcome to the City of Greenacres

The City of Greenacres would like to welcome you to our family of employees. You are our most important asset and we depend on all of our employees, no matter what your position, to provide services that exceed the expectations of our residents and visitors as we strive to be good stewards of their taxpayer dollars. Our success as a City is dependent on the success of our employees. Every decision we make contributes toward our success. In hiring you, we are certain we made the right decision.

Greenacres was founded on the idea that our founder Lawrence Carter Swain, wanted to create a community for the working class. The City continues to honor Mr. Swain's vision through our continued commitment to our Mission, Values and Goals to make the City a place where people want to live, learn, work and play.

This Employee Handbook serves as a resource for new and current employee's to refer to for guidance on the City's policies and procedures and your responsibilities as an employee. It has been designed to give clear direction to employees and to create a culture where employee related issues are handled quickly, fairly and consistently. It is each employee's responsibility to take the time to learn and discuss the Employee Handbook with co-workers, supervisors and Human Resources to ensure a complete understanding of its contents. The City reserves the right to make reasonable changes and updates to any of the policies contained in the Handbook and employees will be notified of such changes as they occur.

Once again, welcome to the City of Greenacres! Best wishes to you and we hope that you will reach your goals with us and help us continue to reach ours.

Sincerely,



Andrea McCue, City Manager

## Chapter 1: Introduction

### A. Personnel Policies – Overview

The Charter of the City of Greenacres requires that a Civil Service Board be established. The purpose of this Board is to review and amend personnel rules and regulations for the City's classified service with respect to all Citywide matters except longevity, work hours, holidays, vacation time, and leaves of absence with pay. Established rules and regulations, which are amended by the Civil Service Board, must be submitted to the City Council for approval. The City Council, through City Ordinances has appointed the Mayor and the City Council to serve as the Civil Service Board.

**Amendment and Revision of Rules:** Amendments and revisions of these rules may be implemented by the City Manager through an Administrative Directive so long as any funding relating to the amendment is within the current fiscal year budget and the Administrative Directives are brought to the Civil Service Board/City Council for consideration and adoption within six (6) months of implementation. Any other amendments and revisions of these rules shall be initiated by the City Manager, carefully reviewed by the Civil Service Board/City Council for adoption.

This Handbook is a comprehensive, up-to-date version of the personnel policies of the City of Greenacres. It is applicable to all employees, unless specifically exempted as stated herein. Where an employee is also covered by an existing Collective Bargaining Agreement ("CBA"), these policies will apply unless a conflict exists, in which case the CBA shall control with respect to the conflicting provisions. Similarly, in the case of a conflict between an employment agreement and these policies, the employment agreement will control.

The personnel policies of the City are based upon the following principles:

- Equal opportunity employment without unlawful discrimination based on race, age, color, religion, sex, pregnancy, national origin, physical or mental disability, genetic information, marital status, veteran or military status, sexual orientation, gender identity or expression, or any other category protected by applicable federal, state, or local law.
- To provide fair and equitable compensation and benefits as determined at the discretion and judgment of the City Council and within the limitations of the City's budget as adopted or amended from time to time.
- To improve and utilize employee skills, in order to provide high quality work performance, personal growth, and job satisfaction.
- To reward employees for meeting or exceeding performance standards, to improve deficient performance to the extent feasible and appropriate, and to separate those whose deficient performance is not improved or who otherwise perform or conduct themselves in a manner that is incompatible with continued employment, as determined by the City.
- To provide mechanisms which encourage understanding and communication among employees at all levels of the organization, relating to workplace occurrences.
- To recruit, select, and retain employees based upon their knowledge, skills, and ability to perform the duties of their position.
- To provide a professionally administered personnel system based upon policies and procedures which are uniform, reasonable, and fair.

- To provide safe working conditions conducive to efficient, effective, and high quality public service to the residents of the City.
- To provide necessary services to the City and its residents in an efficient, cordial, ethical, and professional manner.

## NOTICE

This Handbook contains certain policies of the City relating to your employment. This Handbook is intended to help City employees: (1) understand the personnel programs of the City; (2) clarify personnel action to further the efficient operation of the City and decrease the possibility of inappropriate or unlawful workplace behavior; and (3) work together in achieving our common goals.

The contents of this Handbook are presented for your information. Nothing in this Handbook is intended to, or shall, create any contractual obligations of any kind and all provisions in the Handbook are subject to change by the City at any time with or without prior notice. No policy, benefit, or procedure set forth in the Handbook implies or may be construed to imply that this Handbook contains obligations of the City, or otherwise constitutes any contract of employment. All City employment in non-bargaining probationary, seasonal, part-time and temporary positions is at-will, and nothing in this Employee Personnel Policies Handbook is intended to alter this employment-at-will relationship, nor does it create an express or implied contract between employees and the City for any specified period of employment. Importantly, no verbal or written communication made to you by any City employee may alter the at-will nature of City employment. Only a written contract of employment, designated as such, approved and signed by the City Council, approved by the City Attorney, and attested by the City Clerk may alter the at-will nature of City employment. Further, all policies, benefits, compensation structures, and programs provided to employees are subject to funding through the budget process and may be amended or terminated at any time, in the discretion of the City Manager or the authorized designee, with approval of the City Council.

Where an employee is covered by an existing Collective Bargaining Agreement (“CBA”), these policies will apply unless a conflict exists, in which case the CBA shall control with respect to the conflicting provision(s). Similarly, in the case of a conflict between an employment agreement authorized by the City Council and these policies, the employment agreement will control.

To the extent a particular statute, rule, or regulation is amended, any such applicable amendment will control in the event it conflicts with a corresponding policy contained in this Handbook.

Nothing contained in these policies is intended to waive any legal, equitable, or other defense available to any claim, complaint, or cause of action (collectively, “Claims”) asserted by an employee or former employee against the City. To the extent that a particular law, statute, rule, or regulation does not apply to the City as a result of its size, number of employees, or otherwise, nothing in these policies and procedures should be construed as a waiver of any corresponding defense to any Claims asserted under any such law, statute, rule, or regulation.

### **B. Open Door Policy**

The City is committed to open communication. The City wants to ensure that its employees’ ideas,

suggestions, and concerns are heard by management. It is also the policy of management to attempt to resolve concerns and disputes that may arise between or among fellow employees or between employees and their supervisors. The City requires employees who have personal concerns about the workplace to bring such concerns to the attention of their immediate supervisor or Department Director; if the concern is not addressed satisfactorily, the employee may then raise the concern with Human Resources, then the City Manager. This expectation applies to all employees, whether full-time or part-time, or temporary; however, bargaining unit employees may consult with their designated representative. Employees should feel free to voice ideas, suggestions, questions, concerns, or complaints without fear of reprisal, retribution, or retaliation. Although the City has an Open Door Policy, employees are also encouraged to resolve day-to-day issues relating to employment by initially conferring with their immediate supervisor. To the extent the issue, question, or concern is not resolved at that level, employees should then elevate the matter to the next level of management. In this regard, questions, comments, and concerns can be resolved in the most efficient manner at the lowest level of management.

However, in order to protect the integrity of the workforce and to provide for the efficient operation of the City, neither the Mayor nor any member of the City Council shall direct any City employee, who is supervised directly or indirectly by the City Manager, but rather, shall seek such direction only through the City Manager or his or her expressed designee. This shall include, but not be limited to, publicly or privately giving orders, directing employees in their duties, seeking information about City operations, or directing the enforcement of law; but shall not include making personal observations which can be used to assist the Mayor and Council in the formulation of City policy. Nothing in this section shall prohibit the Mayor or any member of the City Council from (1) engaging in informal pleasantries with City employees; (2) making an inquiry or seeking City services solely as a City resident, (3) engaging employees who address the Council during Council meetings, (4) engaging in campaigning for re-election by communicating with City employees who are also City electors, or (5) interacting with the designated officials of an employee bargaining unit certified to represent City employees by the Public Employees Relations Commission.



## **Chapter 2: Hiring and Equal Employment Opportunity**

### **A. Equal Employment Opportunity**

It is the policy and practice of the City of Greenacres to treat all employees with dignity and respect and to provide equal opportunity to all persons without regard to race, age, color, religion, sex, pregnancy, national origin, physical or mental disability, genetic information, marital status, veteran or military status, sexual orientation, gender identity or expression, or any other category protected by applicable federal, state, or local law. The City's responsibility as a public agency is to ensure an on-going commitment to Equal Opportunity and making the workforce profiles more closely reflect the available labor force of the community. Equal opportunity encompasses all aspects of employment practices, including but not limited to recruiting, hiring, training, compensation, benefits, promotions, transfer, layoffs, recall from layoffs, discipline, and department-sponsored education, social, and recreational programs. It is the policy of the City of Greenacres government that all personnel actions and employment practices are based solely on the requirements of the position and the qualifications of the applicant without regard to race, age, color, religion, sex, pregnancy, national origin, physical or mental disability, genetic information, marital status, veteran or military status, sexual orientation, gender identity or expression, or any other category protected by applicable federal, state, or local law.

In addition, the City of Greenacres prohibits retaliation against any individual who reports discrimination or harassment or who participates in any investigation of such reports, or who engages in any other activity protected by applicable law. This policy covers all personnel actions affecting hiring, job assignments, training, promotions, transfers, compensation, discipline, termination of employees, or any other tangible employment benefit or term or condition of employment.

The City of Greenacres will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship or where doing so would cause a direct threat to the health or safety of the individual or others. Reasonable accommodations may also be made for employees' sincerely held religious beliefs and, in certain circumstances, arising out of pregnancy, childbirth or related medical conditions. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training. If, during the course of employment, an employee sustains any type of physical or mental impairment which limits the employee's ability to perform the essential functions of his or her job, the City may require that the employee provide medical documentation regarding any such impairment relating to disability, pregnancy, childbirth or related medical conditions and, if appropriate, identify specific accommodations which may assist the employee. The City will engage in an appropriate interactive process with the employee in determining potential accommodations when requested by the employee. All information provided regarding any impairment will be handled confidentially to the extent required by law. The City prohibits retaliation against employees making these requests or coercing an employee to forego their right to make this type of request.

### **B. Equal Employment Opportunity Complaints**

Employees with questions or concerns about any potential discriminatory or harassing conduct or behavior in the workplace are required to immediately (within 24 hours) bring such concerns to

the attention of their supervisor(s), the Department Director, Human Resources, and/or the City Manager. Complaints should initially be made to the employee's immediate supervisor, unless the supervisor is the subject of the complaint, or if the employee is not comfortable making the complaint to that supervisor. Supervisors and Department Directors receiving a complaint shall immediately (within 24 hours) forward it to Human Resources first and then the City Manager. Inappropriate comments or acts of harassment, whether physical or verbal, regarding race, age, color, religion, sex, pregnancy, national origin, physical or mental disability, genetic information, marital status, veteran or military status, sexual orientation, gender identity or expression, or any other category protected by applicable federal, state, or local law, that interfere with the working environment or the terms and conditions of employment are specifically prohibited. Any individual who is found to have engaged in conduct of a harassing or discriminatory nature in the workplace will be disciplined, up to and including termination. This includes, but is not limited to, harassing conduct in the form of unsolicited or unwelcome sexual overtures or physical contact. Such conduct must be reported immediately to an employee's supervisor, the Department Director, Human Resources, or the City Manager.

### **C. Job Posting**

The City provides employees an opportunity to indicate their interest in open positions and advance within the organization according to their skills and experience. The City will post all bargaining unit job openings in accordance with the applicable collective bargaining agreement. Non-bargaining positions may be posted in the City's sole discretion and judgment and in accordance with applicable laws.

### **D. Applications**

Employment applications and interviews are the starting point in gathering information about prospective employees. To be considered for employment external applicants must submit a completed employment application to the Human Resources Division and internal applicants are required to submit a Letter of Interest and resume, including fingerprints for certain positions. Any falsification or misstatement of information on the application, Letter of Interest, Resume, or during an interview will subject the employee to discipline up to, and including, termination upon discovery of the falsification or misstatement. Fraudulent conduct, false statements or omission of information by an applicant or by others under his or her direction in any application materials shall be deemed cause for the exclusion of such applicant from employment and cessation of the hiring process or discharge from the City's employment.

Complete applications shall be filed with Human Resources. The applications of all individuals shall be preserved by Human Resources and retained in the individuals' personnel files upon hiring, and retained in compliance with the applicable retention schedule promulgated by the Division of Library and Information Services, Department of State. Applications of the individuals who were not hired by the City shall be retained for four (4) anniversary years after the decision. Unsolicited applications that do not respond to a particular job announcement will be retained until obsolete, superseded or administrative value is lost.

### **E. Examination and Testing**

In its discretion and judgment, Human Resources in consultation with the Department Director or appropriate Department supervisor, may conduct appropriate testing of applicants for particular positions including, but not limited to, tests for Administrative Assistant/clerical positions and the

proficiency in various systems or skills. The result of any such validated testing shall be provided to the Department Director or supervisor for consideration during the interview process if a particular applicant is selected for an interview. Persons with a disability requiring reasonable accommodations should contact Human Resources prior to scheduling tests. Any test utilizing numerically based selection process shall provide veterans' preference points in accordance with applicable law.

#### **F. Background Checks**

Applicants offered employment will be subject to a background investigation which may include criminal, academic, motor vehicle records, employment, and reference checks. Background checks and screenings will be conducted in a manner consistent with federal and state law. Additionally, background checks may vary depending on the essential functions and nature of the position, including pre-employment physicals. In addition to initial background checks, certain employees who regularly or periodically operate City vehicles, will be required, as a condition of employment, to provide authorization for the City to perform periodic checks regarding driving history. Such checks regarding driving history will be conducted in accordance with federal and state law. Employees operating City vehicles will be required to provide notification of any suspension, revocation, or restriction of their license to Human Resources within one (1) week of such suspension, revocation, or restrictions. In no event may an employee with a suspended, revoked, or restricted license operate a City vehicle or a personal vehicle while on City business. Employees may be required to have certain vehicle licenses (e.g., CDL license) for certain positions.

#### **G. Work Eligibility Verification**

The City is committed to employing only individuals who are authorized to work in the United States and complies with the Immigration Reform and Control Act of 1986. As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Form I-9 at the time the offer of employment is accepted, but no later than the first day of employment. The employee must also provide the supporting documents within three (3) business days of the first day of employment, or as otherwise provided by law. Before commencing work, newly rehired employees must also complete the Form I-9 if the employee did not previously do so, if the prior Form I-9 is more than three years old or if the previous Form I-9 is no longer valid. Rehired employees must also complete the Form I-9 upon acceptance of the position and also have three (3) business days to provide supporting documentation. Any employee whose immigration employment eligibility status changes at any time during employment must notify Human Resources immediately.

The City utilizes E-Verify, which is an Internet-based system that allows an employer, using information reported on an employee's Form I-9, to determine the eligibility of that employee to work in the United States. The City utilizes E-Verify for all new hires as well as re-hires. New hires must be E-Verified within 3 business days of beginning employment. If the employee is required to be E-Verified and presents a List B document, then that List B document must contain a photograph. The List B photograph is to be compared to the individual during the Form I-9 process. If the employee who is required to be E-Verified chooses to present an Employment Authorization Document (Form I 766), Permanent Resident Card (Form I-551) or U.S. passport/U.S. passport card during the Form I-9 process, the City must copy such document and keep it with the employee's completed Form I-9 (i.e., upload to the electronic I-9 system). The

photo on such document will be compared to a photo displayed by the E-Verify system during the E-Verify process to see if the two photos are reasonably identical.

#### **H. Employment of Relatives/Nepotism**

The City complies with Florida law relating to the restriction of employment of relatives. As such, a public official may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position in the City in which the official is serving or over which the official exercises jurisdiction or control, any individual who is a relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a position in the City if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over the City, who is a relative of the individual or if such appointment, employment, promotion, or advancement is made by a collegial body of which a relative of the individual is a member.

For purposes of this policy, “public official” means an employee of the City in whom is vested the authority by law, rule, or regulation, or to whom the authority has been delegated, to appoint, employ, promote, or advance individuals or to recommend individuals for appointment, employment, promotion, or advancement in connection with employment in the City, including the authority as a member of a collegial body to vote on the appointment, employment, promotion, or advancement of individuals.

It is the policy of the City that no employee shall be hired to work in the same department as a relative as defined below except in accordance with the terms of this section:

1. If two employees change their family relationship by marriage, adoption, or other means so as to come in conflict with these prohibitions, one of them shall be transferred to a different department if possible, granted a waiver by the City Manager or separated from the City service.

If related employees are eligible for promotion, advancement, or a raise in pay or status, other than cost of living increases, the appropriate Department Director shall make a special evaluation of the proposed change and report to the City Manager or designee for a determination before any change takes place.

For purposes of this policy, a “relative” with respect to a public official or employee, means an individual who is related to the public official or employee as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister.

This policy shall be interpreted and applied in a manner consistent with Section 112.3135, Florida Statutes.

Other circumstances may arise that create an actual conflict of interest, or the appearance of a conflict of interest. In such circumstances, the City Manager or designee will have ultimate discretion and authority to determine whether a relative’s appointment to a position is appropriate.

## I. Veterans Preference

In accordance with Florida law, the City provides a Veteran's preference in appointment and retention to qualified Veterans, spouses, and certain family members.

The following persons shall be eligible to receive preference in appointment and retention in employment:

- A Veteran who served on active duty in any branch of the U.S. Armed Forces, received an honorable discharge, and has established the present existence of a service-connected disability that is compensable under public laws administered by the Department of Veterans Affairs ("DVA");
- A disabled Veteran who is receiving compensation, disability, retirement benefits, or pension, by reason of public laws administered by the DVA and the U.S. Department of Defense;
- The spouse of a person who has a total disability, permanent in nature, resulting from a service-connected disability and who, because of such disability, cannot qualify for employment;
- The spouse of a person missing in action, captured in the line of duty by a hostile force, or forcibly detained or interned in the line of duty by a foreign government or power;
- Wartime Veterans as defined under Fla. Stat. § 1.01(14) who served at least one (1) day during a wartime period (Please note: active duty training does not qualify under this provision);
- An unremarried widow or widower of a Veteran who died of a service-connected disability;
- The mother, father, legal guardian, or unremarried widow or widower of a member of the U.S. Armed Forces who died in the line of duty under combat-related conditions, as verified by the U.S. Department of Defense;
- Current members of any Reserve component of the U.S. Armed Forces or the Florida National Guard.

When Veteran's preference positions are posted, the City will provide notice in all announcements and advertisements of vacancies in covered positions that preference in initial appointment will be given to eligible individuals and will inform them of the right to an investigation by the Department of Veteran's Affairs if a non-preference eligible applicant is appointed to a position, the time limits for requesting such investigation, and the address to which the request for an investigation should be sent.

The City's application for positions covered by the Veteran's preference laws will inquire as to whether the applicant is claiming Veterans' preference.

The City will maintain records which document the manner of the selection and the propriety of the selection process and decision in accordance with federal and state laws.

Certain positions are not covered by Veteran's preference. Veteran's preference is not provided with respect to City positions which are filled by officers elected by popular vote or persons appointed to fill vacancies in such offices, members of boards and commissions, persons employed on a temporary basis without benefits, Department Directors, and positions that require that the employee be a member of The Florida Bar, and positions posted internally.

Preference in appointment and employment requires that a preferred applicant be given special consideration at each step of the employment selection process, but does not require the employment of a preferred applicant over a non-preferred applicant who is the most qualified applicant for the position. However, the City reserves the right to waive a postsecondary educational requirement for a position of employment for a current member of any reserve component of the United States Armed Forces or the Florida National Guard or a veteran who has been honorably discharged if the person is otherwise qualified for the position.

Granting of an interview is one example of the type of special consideration which may be given to a preferred applicant. If, at any stage of the hiring process, a preference-eligible Veteran meets minimum qualifications for an open position, then he or she will advance to the next step in the City's selection process. If, at any step in the selection process, a determination is made that the Veteran is not qualified to advance to a subsequent step in the selection process, such determination will receive a review at a higher level of management having authority to overturn the initial determination, to ensure whether the determination was correct.

The City has developed and implemented, or will develop and implement, a written veterans' recruitment plan that establishes annual goals for ensuring the full use of veterans in the City's workforce. Each veterans' recruitment plan must be designed to meet the established goals.

In the event State or local Veterans preference laws and regulations are amended, such applicable amendments will control.

#### **J. Appointment**

The City Manager has the authority to appoint, suspend, or remove all City employees. The City Manager may authorize a subordinate to exercise such powers with respect to that subordinate's department or division.

### Chapter 3: Anti-Discrimination and Anti-Harassment Policy

#### A. City Statement and Philosophy

The City is committed to maintaining a professional work environment in which all individuals are treated with respect and dignity. The environment of the City should be characterized by mutual respect and the absence of intimidation, oppression and exploitation. Employees should be able to work and learn in a safe, yet stimulating atmosphere. The accomplishment of this goal is essential to the mission of the City. For that reason, the City will not tolerate unlawful discrimination or harassment of any kind. Through enforcement of this policy and by education of employees, the City seeks to prevent behavior that violates this policy and will take appropriate corrective action when violations occur.

The City endeavors to provide a collegial and professional work environment which promotes equal opportunities and prohibits harassing or discriminatory behaviors based upon color, race, religion, sex, national origin, citizenship, age, disability, marital status, pregnancy, sexual orientation, military status, genetic information, gender identity or expression, or any other category protected by applicable law. In addition, the City prohibits retaliation against any individual who reports discrimination or harassment or who participates in any investigation of such reports, or who engages in any other activity protected by law. At the City, harassment or discrimination based on any category protected by applicable law, whether occurring in the office, at work assignments outside the office, at office sponsored social functions, or elsewhere, is unacceptable and will not be tolerated.

All employees, regardless of their positions, are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include, but is not limited to, verbal counseling, written reprimand, suspension or termination of employment.

In addition to its prohibition on discrimination or harassment based on a protected category, the City prohibits any “bullying” behavior regardless of whether it is based on a protected characteristic. Such behavior has a negative impact the City’s work environment and is unacceptable.

#### B. Definitions and Examples of Prohibited Behaviors

The City of Greenacres prohibits harassment of any kind, including sexual harassment, and will take appropriate and immediate action in response to complaints or knowledge of violations of this policy. For purposes of this policy, harassment is any verbal or physical conduct designed to threaten, intimidate, denigrate, or show hostility or aversion toward, or coerce an employee, co-worker or any person working for or on behalf of the City of Greenacres. Verbal taunting (including racial and ethnic slurs) that impairs his or her ability to perform his or her job is included in the definition of harassment.

#### *General Harassment*

The following examples of harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal harassment includes comments that are offensive or unwelcome regarding a person's race, color, national origin, ethnicity, age, religion, disability, gender, sexual orientation, gender identity or expression, genetic information, familial status, pregnancy, marital status, veteran's status or other characteristics as prohibited by applicable law.
- Nonverbal harassment includes distribution, display or discussion of any written or graphic material that ridicules, denigrates, insults, belittles or shows hostility, aversion or disrespect toward an individual or group because of national origin, ethnicity, age, religion, disability, gender, sexual orientation, gender identity or expression, genetic information, familial status, pregnancy, marital status, or other characteristics as prohibited by applicable law.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation in the workplace of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail). Harassing conduct also includes physical acts including, but not limited to, blocking or impeding movement, inappropriate touching, or violence.

### ***Sexual Harassment***

Sexual harassment is prohibited. For the purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (ii) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (iii) such conduct is sufficiently severe and pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The following examples of prohibited sexual harassment are intended to be guidelines and are not exclusive when determining whether there has been a violation of this policy:

- Verbal sexual harassment includes innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats; requests for any type of sexual favor (this includes repeated, unwelcome requests for dates); and verbal abuse or "kidding" that is oriented toward a prohibitive form of harassment, including that which is sexual in nature and unwelcome.
- Nonverbal sexual harassment includes the distribution, display or discussion of any written or graphic material, including calendars, posters, videos or other electronic media, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; whistling; obscene gestures; content in letters and notes, facsimiles, e-mail, photos, text messages, tweets and Internet postings; or other form of communication that is sexual in nature and offensive.
- Physical sexual harassment includes unwelcome, unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling, violence, or forced sexual intercourse or assault.



The City prohibits discrimination in employment when based on a person's race, color, national origin, ethnicity, age, religion, disability, gender, sexual orientation, gender identity or expression, genetic information, familial status, pregnancy, marital status, veteran's status or other characteristics as prohibited by applicable law. Discrimination in violation of this policy will subject an employee to disciplinary measures up to and including termination.

This behavior is unacceptable both in the workplace and by any employee in any setting outside the workplace, including but not limited to other work-related settings such as business trips and business-related social events.

### ***Consensual Romantic or Sexual Relationships***

The City strongly discourages romantic or sexual relationships between a manager or other supervisory employee and subordinate in his/her chain of command because such relationships tend to create compromising conflicts of interest or the appearance of such conflicts. If there is such a relationship, one or both parties may be moved to a different department, or other actions may be taken including but not limited to disciplinary action of the appropriate level up to and including termination. If any Manager/Supervisor enters into a consensual relationship that is romantic or sexual in nature with a subordinate within their chain of command (an employee who reports directly or indirectly to him or her), or if one of the parties is in a supervisory capacity in the same department in which the other party works, the parties must notify the Director of Human Resources and Risk Management (also referred to as "Director of Human Resources") or designee. Co-workers who become aware of such a relationship must also report that relationship to Human Resources. This requirement does not apply to employees who do not work in the same department or to parties who do not supervise or otherwise manage responsibilities over the other.

Once the relationship is disclosed, Human Resources will review the situation, (reporting relationship between the parties, effect on co-workers, job titles of the parties, etc.) and will determine whether one or both parties need to be moved to another position or department provided they meet the minimum requirements for another position. If it is determined that one party must be moved, and there are positions in other departments available for both, the parties may decide who will be the one to apply for a new position. If the parties cannot amicably come to a decision, or the party is not chosen for the position to which he or she applied, Human Resources will decide which party should be moved to minimize disruption to the City as a whole. If it is determined that one or both parties must be moved, but no other positions are available for either party, the parties will be given the option of terminating their relationship or resigning.

### **C. Individuals Covered Under This Policy**

This policy covers all employees, appointed officials, and elected officials. The City will not tolerate harassment, discrimination, or retaliation whether engaged in by employees or supervisors. In addition, the City will not tolerate harassment or discrimination engaged in by anyone not a supervisor or an employee (e.g., resident, supplier, etc.) to the extent that it affects any employee of the City.

### **D. Reporting a Complaint**

#### ***Notification/Reporting Procedure***

An individual who believes he or she has been subjected to harassment or discrimination, or other violation of this policy, must immediately (within 24 hours) report the incident to the supervisor, Human Resources, any Department Director, or the City Manager. In the event an employee complains of an elected official's conduct, the employee must report the conduct to the City Manager. Reports do not have to be filed within the chain of command of any department, including the Fire Department. Reports may be filed directly with any Supervisor, Department Director, Human Resources or the City Manager.

When initially reported to the supervisor, Human Resources or a Department Director, the supervisor, Human Resources /Department Director must immediately forward a written report of the complaint to the City Manager for action and assignment of the investigation. Where the complaint involves the City Manager, the supervisor, Human Resources /Department Director shall forward the written complaint to the City Attorney's office to obtain direction and assistance. In the event of a complaint about an elected official's conduct, the City Attorney will be consulted for assistance.

A report may be filed verbally or in writing. A written report may be filed by completing the "City of Greenacres Harassment/Discrimination Report Form", available on the intranet or from the Human Resources Division. A report may also be filed by letter specifying allegations of harassment or discrimination. When a report is submitted verbally either by telephone or in person, Human Resources will use the information to complete the City of Greenacres Harassment/Discrimination Report Form. All oral reports of harassment or discrimination must be reduced to writing by either the complainant or the individual(s) designated to receive complaints.

The written report shall contain the following:

- a) date(s) of the event(s), action(s), or practice(s) giving rise to the report;
- b) a description of the event(s), action(s), or practice(s) giving rise to the report;
- c) name(s) of the alleged violator(s) and potential witness(es);
- d) copies of any written, electronic, pictorial, or other forms of documentation; and
- e) signature of the reporting party.

Incidents may be reported in person, by phone, by FAX, by email, by interoffice mail, or U.S. mail at:

Director of Human Resources  
 Human Resources Division  
 5800 Melaleuca Lane,  
 Greenacres, Florida 33463  
 Phone: 561-642-2001  
 Fax: 561-642-2027

City Manager

Department of Administration  
 5800 Melaleuca Lane,  
 Greenacres, Florida 33463  
 561-642-2017

Department Directors  
 5800 Melaleuca Lane,  
 Greenacres, Florida 33463

Fire Chief	561-642-2101
City Clerk	561-642-2006
Finance Director	561-642-2019
Director of Development and Neighborhood Services	561-642-2040
Public Works Director	561-642-2074
Director of Community & Recreation Services	561-642-2180
Director of Purchasing	561-642-2039
Information Technology Director	561-642-2035
Director of Youth Programs	561-642-2191
Director of Communications	561-642-2015
Director of Economic Development	561-649-5402

Human Resources or designee is responsible for the investigation of all reports. Human Resources will work under the supervision of the City Manager and/or legal counsel if deemed appropriate and in conjunction with other departments depending on the nature of the investigation. If a complaint involves Human Resources, the City Manager will designate an appropriate investigator. Based on the information provided, a report is either investigated by the Director of HR, a designee or referred for outside investigation as may be appropriate. When the information is referred, Human Resources will inform the reporting party of the steps that have been taken. Employees shall not falsify reports, provide false information, or disclose confidential information during any part of any investigation.

Active investigations are exempt from disclosure as public records until a final finding is made, the investigation of the report becomes inactive, or the report or other record is made part of the official record of any hearing or court proceeding. The City will not disclose information about active investigations when covered by this exemption and requests that participants in the investigation maintain confidentiality.

### ***Management Responsibility***

All members of management are expected to be proactive in maintaining a discrimination and harassment-free work environment. All members of management with knowledge of actual or suspected violations of this policy are responsible for promptly reporting such to Human Resources or the City Manager and ensuring conformance to this policy by all of their subordinates. Failure to do so will result in discipline up to and including termination of employment. All members of management are expected to seek advice from Human Resources or designee concerning any questions regarding City practice or interpretation of this policy.

### ***Protection Against Retaliation***

The City will not retaliate against an individual who makes a report of harassment or discrimination under this policy and strictly prohibits any supervisor or employee from retaliating against a complainant. Retaliation is a very serious violation of this policy and must be reported immediately. No employment related loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a good faith complaint under this policy.
- Participating as a witness in the investigation of a complaint.
- Serving as an investigator of a complaint.

Retaliation or attempted retaliation in response to lodging a complaint under this policy or invoking the complaint process is a violation of this policy. Any person who is found to have violated this aspect of the policy will be subject to disciplinary action up to and including termination of employment.

#### **E. Confidentiality**

Any reported complaint of harassment or discrimination will be promptly investigated. Confidentiality will be maintained throughout the investigatory process to the extent practical and appropriate under the circumstances, and the extent consistent with the needs of the investigation. Employees should be aware that the City is obligated to investigate the complaints it receives under this policy. Additionally, the City cannot entertain requests by the reporting employee, or anyone else, that the information received be ignored, be maintained “off the record”, or otherwise fail to act upon the information.

#### **F. Resolution of Complaint**

Upon completing the investigation of a complaint, the investigator will report to the City Manager. The City Manager will review the investigation and decide upon appropriate action to be taken. The City Manager or designee will communicate the findings and the resolution to the complainant and alleged harasser.

If the City Manager concurs that the findings support a conclusion that a violation of this policy occurred, the violator(s) will be subject to appropriate disciplinary procedures, including immediate termination. The complainant will be informed of the disciplinary action.

If the City Manager concurs that the findings do not support a determination that a violation of this policy occurred, this finding will be communicated to the complainant in an appropriately sensitive manner.

If the City Manager concurs that the investigative findings are inconclusive with respect to a violation of this policy, the City may take appropriate action to ensure that all involved individuals fully understand the policy and the behaviors prohibited by the policy. Such appropriate action may include, but is not limited to, education, training, and/or disciplinary action up to, and including, immediate termination.

The elected body shall handle the resolution of complaints regarding any of the elected official’s conduct in consultation with the City Attorney.

The actions taken by the City Manager as a result of the investigation are final.

**G. Discipline**

Individuals found to have engaged in behavior violating this policy or failing to adhere to this policy, whether or not such behavior constitutes harassment or discrimination as defined by law, will be disciplined, up to and including immediate termination. Discipline will be determined by the City Manager. In the rare occasion where the City Manager is found to be the violator, the City Attorney will consult with the City Council in accordance with applicable laws to discuss and determine appropriate action. In addressing incidents of harassment or discrimination, the City may impose: oral or written reprimands; referral to counseling, training or education; withholding of a promotion; demotion; reassignment; temporary suspension without pay; reduction in compensation; limitation on contact between the harasser and the complainant; termination; any other corrective action necessary to stop the behavior complained of; or, any combination of the above.

**H. False Accusations**

If an investigation results in a finding that the complainant falsely and maliciously accused another of harassment or discrimination, the complainant will be subject to appropriate sanctions, as described above, including termination.

## Chapter 4: Employment and Performance Evaluations

### A. Positions Created

The City Manager shall fix and establish the number of employees in the various departments, offices and activities, and determine duties and compensation in accordance with applicable policies, practices and procedures, subject to approval of the City Council and budget limitations.

### B. Types of Employees

#### 1. *Seasonal/Temporary Employee*

Seasonal/Temporary employees are employed in positions other than regular full-time or regular part-time and are designed to be for a brief period, often as a result of seasonal needs, such as camps offered by Youth Programs.

#### 2. *Regular, Part-time Employee*

Regular, part-time employees are employed in positions regularly scheduled for less than 30 hours per week. Part-time employees are generally not entitled to benefits, such as paid leave except as specifically provided in this Handbook.

#### 3. *Regular Full-time Employee*

Regular, full-time employees are employed in positions regularly scheduled for 30 hours or more per week and are generally entitled to benefits. Full-time employees generally work a 40-hour schedule.

#### 4. *Paid Intern*

Paid Interns who work for less than six (6) months are considered Temporary employees. Paid Interns who work for more than six (6) months are considered Regular, Part-time employees.

#### 5. *Unpaid Volunteer Interns*

Unpaid Volunteer Interns are considered volunteers and are not entitled to any pay or benefits offered by the City to its employees other than coverage under the City's workers' compensation policy.

### C. Position Classification and Plan; Compensation Plan

Human Resources shall maintain and update a Position Classification Plan and Compensation Plan such that positions having similar job factors and levels of difficulty shall be classified and compensated on a uniform basis. The Compensation Plan shall consist of a systematic arrangement of pay policies as necessary for City operations and budgets. The compensation considerations for the position classes shall be coordinated with the position classification plan and shall be based on factors as determined by the City.

### D. Probationary Period

Newly hired regular non-union, full-time and part-time employees are subject to a probationary period of six (6) months from the date of hire. Newly hired employees covered by a collective bargaining agreement are subject to a probationary period of one (1) year from the date of hire. Non-union employees who are promoted or transferred to another position are also subject to a probationary period of six (6) months from the date of such promotion or transfer. Bargaining unit

employees who are promoted or transferred to another position are also subject to a probationary period of six (6) months from the date of such promotion or transfer. Department Directors reserve the right to extend the probationary period up to an additional six (6) month period, with approval from the City Manager and in consultation with the Director of Human Resources. The City will not extend a probationary period beyond one year. Notwithstanding the probationary period and consistent with the at-will nature of City employees' employment, an employee may be terminated at any time (including during or after the probationary period), as determined in the sole discretion and judgment of the City. All recommended terminations will be reviewed by the City Manager, in concert with Human Resources, prior to the actual termination of an employee.

#### **E. Performance Evaluations**

The City will utilize a program for evaluating the work performance of its employees that may be amended from time to time. The City, in cooperation with each Department Director, will administer a system of rating employee performance. The standards of performance recommended as a basis of such rating will have reference to the quality and quantity of work performed, the manner in which the work is performed, the conduct of employees, and other characteristics and competencies which measure employees' performance and engagement.

Effective October 1, 2016: The performance evaluation date for employees hired before October 1, 2016, who are promoted, transferred or demoted to another position in the City will not change as a result of the promotion, transfer or demotion. The performance evaluation date for employees hired on or after October 1, 2016 will be their date of hire.

The purpose of these evaluations is to, when possible, enable employees and supervisory personnel to work together to improve job performances and correspondingly, improve the service provided to the residents of the City. A copy of the employee performance evaluation will be provided to and discussed with an employee. The employee, as well as all individuals involved in the rating process, will be required to sign and date the form. The original evaluation shall be placed in the employee's personnel file.

Employee performance evaluations should be conducted prior to the end of the probationary period, or any extension thereof. Additionally, thereafter, Department Directors or their designee are encouraged to conduct performance evaluations on an annual basis. This does not preclude more frequent evaluations, which may be prepared by the Department Director with support from Human Resources. Seasonal and Temporary employees are not subject to the performance evaluation program.

Performance evaluations will be used in determining: the successful completion of an employee's probationary period; any salary increases or decreases; the issuance of disciplinary actions, reprimands, or dismissal; order of layoff; training, promotions, demotions and transfer; and for such other appropriate purpose(s).

Each Department Director or his or her designee shall prepare and record on forms, whether in hard copy or electronic format, prescribed by the City, evaluations of the performance of all regular, full-time employees, probationary employees, and part-time employees. Employees will be provided with comments for each rating below or above the Meets Expectations to document the mastery level behavior and identify areas for improvement and given S.M.A.R.T. goals for

future attainment. The position description shall be reviewed for any changes in position responsibilities, or required knowledge, skills and abilities, and recommendations made for updates. All performance evaluations must have Department Director approval before it is given to an employee. All Performance Improvement Plans (PIPs) and performance evaluations with the following overall rating must be reviewed by Human Resources prior to being given to the employee: Does Not Meet Expectations, Exceeds Expectations, and Greatly Exceed Expectations. The employee will be afforded up to two (2) working days to provide written comments, sign and return the form to the supervisor. If the employee declines to sign the form, he/she shall be encouraged to discuss any concerns with their immediate supervisor. If the employee still declines, the supervisor shall note “employee declined to sign” on the signature line, initial and date the form.

While Seasonal/Temporary employees are not covered by the City’s performance evaluation program, they are subject to all City disciplinary policies and procedures.

**F. Performance Based Pay Increases (MERIT)**

Based on the overall performance identified through the performance evaluation process, performance-based pay increases may be granted in the City’s discretion and judgment, subject to funding and budget. Seasonal and Temporary employees are not eligible for the annual performance-based merit program. Any such performance-based pay increase will be effective annually, usually coinciding with the employee’s date of hire. Merit increases may take the form of a percentage of salary, or a set amount that is either added to the base pay or provided as a one-time lump sum payment. Merit increases added to the base pay shall not cause an employee’s salary to exceed the maximum rate of pay for the position. Employees with salaries at the maximum rate of pay who are eligible for a percentage-based merit increase will receive the increase in the form of a lump sum payment.

Employees whose overall performance is rated as Meets Some Expectations or Does Not Meet Expectations will not be eligible for a merit increase until an overall performance rating of Meets Expectations is achieved for two (2) consecutive rating periods using the Interim Performance Evaluation Form. *Performance based increases shall only be prospective in nature and shall not be retroactive.*

**G. Unsatisfactory Performance**

Employees who fail to perform at a satisfactory level shall be subject to disciplinary action up to, and including, termination. The City may also place an employee on a Performance Improvement Plan (described below), which may include an additional period of probation.

**H. Performance Improvement Plans**

Employees who fail to meet a satisfactory performance standard in any one or more area(s) may be placed on a Performance Improvement Plan, which may also include an additional period of probation. Generally, Performance Improvement Plans are implemented for a 30-90 day period, depending on the nature of the performance issue(s). Employees placed on Performance Improvement Plans are expected to demonstrate immediate and sustained improvement of performance. All employees placed on a Performance Improvement Plan are subject to termination, transfer, extended probation, or demotion for failing to meet the requirements of the plan, failing to improve performance to a satisfactory level, or for experiencing other conduct,



disciplinary, or performance issues during the course of the Plan. Importantly, Department Directors, with the approval of the City Manager and in consultation with the Director of Human Resources reserve the right to terminate an employee, at any time (including during or after the completion of a Performance Improvement Plan). An employee is not entitled to be placed on a Performance Improvement Plan prior to his or her employment with the City being terminated.

### **I. Transfers, Temporary Appointments, and Emergency Appointments**

Employees may be transferred to meet the operational needs of the City. A transfer may require an employee to move from a particular division, the assignment of different work, or the transfer to a different position. Temporary transfers or appointments shall not exceed twelve (12) months. An employee subject to transfer or temporary appointment may receive a different salary from their original position, as described herein. Employees assigned for more than thirty (30) consecutive calendar days to a higher classification shall be paid according to the following:

If an employee is transferred, voluntarily or involuntarily, the rate of pay for the new position shall be determined as follows:

1. If the pay rate of the former position falls within the same range of pay as the new position, the salary rate shall remain the same.
2. If the employee's pay rate of the former position is higher than the pay range of the new position, the salary shall be decreased to the prior pay rate, including any escalators that would have occurred.

An Annual Performance Evaluation will be completed by the new Supervisor on the Employees anniversary date. Employees who change positions due to transfer will have an Interim Evaluation completed by the most recent Supervisor, which will include future goals given by the new Supervisor.

### **PAY GRADE**

Any employee's position that is reclassified to a higher pay grade shall receive a 5% increase or move to the minimum of that new pay grade, whichever is higher.

### **TEMPORARY ASSIGNMENTS**

Employees temporarily assigned to an interim or acting supervisory position in a higher grade shall receive the minimum salary of that grade or a 10% increase, whichever is greater, if the assignment exceeds 30 calendar days.

Any employee temporarily assigned to a project or initiative that falls outside their normal scope of work, shall receive a 10% increase in pay until the assignment has been completed. Such projects and initiatives must be approved by the City Manager.

### **J. Demotions, Reassignment, and Change in Status**

An employee may be demoted or reassigned by the Department Director, with the approval of the City Manager and in consultation with the Director of Human Resources, when such employee's documented work or conduct is unsatisfactory or unacceptable as determined in the City's sole

discretion and judgment. An employee who is demoted or reassigned to a position in a lower pay grade will receive new compensation and shall serve a six (6) month probationary period.

The rate of pay, for employees who are demoted, will be adjusted as follows:

1. If demoted within six (6) months of a promotion, the salary shall reflect the salary prior to such promotion including any escalators that would have occurred.
2. Other than #1 above, If the employee's pay rate of the former position is higher than the pay range of the new position, the salary shall be decreased to the prior pay rate, including any escalators that would have occurred.

In no event will the employee's base rate of pay exceed the maximum for the position to which the demotion is made.

An Annual Performance Evaluation will be completed by the new Supervisor on the Employees anniversary date. Employees who change positions due to demotion, reassignment or change in status will have an Interim Evaluation completed by the most recent Supervisor, which will include future goals given by the new Supervisor.

#### **K. Promotions**

A promotion is defined as the change of an employee from one position to another position for which a higher maximum rate of pay is established.

Employees are eligible for the following salary increases upon promotion:

1. Promotions from exempt to exempt or non-exempt to non-exempt – to minimum of new grade or 5% increase, whichever is higher.
2. Promotions from non-exempt to exempt position - to minimum of new grade or 5% increase whichever is higher. All accrued Compensatory Time must be paid at the employee's current non-exempt salary prior to the effective date of promotion.
3. Promotions from non-supervisory to supervisory positions - to a minimum of the new grade or 10% increase whichever is higher.
4. For Department Director positions ONLY, the City Manager shall have the discretion to promote anywhere within the salary range of the position that is on the salary schedule.

In no event will the employee's base rate of pay exceed the maximum for the position to which the promotion is made.

Promoted employees must successfully complete a six-month probationary period in their new position.

An Annual Performance Evaluation will be completed by the new Supervisor on the Employees anniversary date. Employees who change positions due to promotion will have an Interim Evaluation completed by the most recent Supervisor, which will include future goals given by the new Supervisor.

## **L. Personnel Records**

The City maintains personnel records and files for each employee and tracks employee-related information for internal business purposes, to comply with applicable laws, to administer the City's employment and benefits programs, and to comply with Florida's Public Records Act. In this regard, unless information is exempt or confidential under Florida law, employment records are subject to disclosure requirements of the Florida Public Records Act. Employees wishing to review their personnel file may do so by request made to Human Resources. A representative of Human Resources will be present during such review. Employees may also obtain copies of personnel file materials in accordance with the City's public records policy.

All employee information must be kept current. Employees must provide notification through the online portal immediately following certain changes in status but no later than seven (7) calendar days after such change. Changes in status that must be submitted through the online portal, include, but are not limited to, the following:

- Name, address, telephone number, or email address; and,
- Emergency contact information.

Changes in status that must be reported in writing to Human Resources include, but are not limited to, the following:

- Marital status (for insurance and COBRA purposes);
- Dependent status (for income tax withholding and insurance purposes);
- Beneficiary information (for life insurance purposes); and,
- Bank account information (for direct deposit purposes).

Employees should be aware that because most information contained in a personnel file is not exempt or confidential under Florida's public records law, personnel file materials will be made available for review by the public upon receipt of a public records request. Confidential information will be, and exempt information generally will be, redacted prior to the release of records. Such requests, whether they are made in verbal or written form, must be submitted in accordance with the City's normal procedures.

## Chapter 5: Separation from Employment

### A. Resignation

An employee wishing to voluntarily terminate employment with the City, while remaining in good standing, is asked to submit a letter of resignation to the Department Director or designee. Employees are asked, but are not required, to communicate such resignation not less than fourteen (14) calendar days prior to their effective termination date. Department Directors should endeavor to provide a minimum of thirty (30) calendar days of notice. Upon receipt of a letter of resignation, a Department Director or designee shall immediately route it to Human Resources where it shall become part of the employee's personnel file. Upon submission of a letter of resignation, employees are no longer eligible to use Vacation or Sick leave during the notice period unless approved by the Director of Human Resources. Note: the failure of an employee to communicate their resignation not less than fourteen (14) calendar days prior to their effective termination date will make them ineligible for the payout of sick leave, and may make them ineligible for re-hire.

### B. Involuntary Discharge/Termination

Non-bargaining, probationary, seasonal, part-time and temporary City employees are employed on an at-will basis. Accordingly, either the City or an employee may terminate his or her own employment, with or without cause or prior notice. Termination decisions by a Department Director or designee are conditional and subject to the review by and in consultation with the Director of Human Resources. All terminations will be based on legitimate, non-discriminatory factors.

### C. Layoff

Department Directors, with the approval of the City Manager and in consultation with the Director of Human Resources, retain full authority to lay off employees within their Department. Layoffs may be implemented for reasons including, but not limited to, shortage of work or funds, the elimination of the position, material changes in the duties or organization, or for other reasons which may be determined by the City in its sole discretion and judgment. The temporary or permanent separation of an employee from employment resulting from disciplinary action shall not be considered a layoff. All layoffs will be based on legitimate, non-discriminatory factors.

#### 1. Notification

Employees to be laid off shall be notified in writing by a completed Notice of Layoff form prior to the effective date of the layoff, or as soon as practicable, as determined by the City. Employees subject to layoff will also be provided with additional information regarding benefits continuation and related issues from Human Resources.

#### 2. Transfer

If an employee is scheduled to be laid off, he/she may request a transfer to another position if a vacancy exists and he/she is qualified to fill the vacant position. Subject to approval by the City Manager, the Director of Human Resources, and the Department Director(s), an employee may request a voluntary transfer to another position for which the employee is qualified, if any are available. While voluntary transfers to another position may be requested, the City does not guarantee that such requests will be granted.

### **3. *Approval of City Manager***

Prior to the implementation of a layoff, the names and position titles of any and all employees scheduled for layoff shall be submitted to the City Manager for review and approval.

### **4. *Layoff Guidelines***

In the event that employee layoffs are to occur within a particular Department, the Department Director, under the direction of the City Manager and with the assistance of Human Resources, will generally use the following layoff guidelines:

- Temporary, part-time, and probationary employees in the affected position(s) within the Department will generally be laid off prior to the layoff of regular, full-time employees who have completed their probationary period. However, the City reserves the right to retain temporary, part-time, and probationary employees in positions for which no regular, full-time employees are qualified or otherwise decline to express an interest in the position.
- The basis for determining layoffs of regular, full-time employees who have completed their probationary period shall include an assessment of various legitimate, non-discriminatory factors, including but not limited to: seniority, performance evaluations, and disciplinary actions on file, conduct, qualifications, and any other legitimate, non-discriminatory factors.

The City reserves the right to modify the layoff procedures set forth above based on its operating requirements, as determined in its sole discretion and judgment.

### **5. *Eligibility for Rehire after Layoff***

Employees subject to layoff are eligible for rehire and may submit applications for any vacant positions for which they are qualified.

## **D. *Return of City Property***

An employee leaving employment with the City, whether through resignation, lay-off, involuntary termination, or otherwise, shall return any City property in the employee's possession, custody, or control. Identification cards and access cards, if issued by the City, are City property. Upon separation, such property must be returned to an employee's Department Director or to Human Resources. Departing employees must also return any and all electronic data, information and passwords in addition to executing any documents necessary for transfer of authority with external entities (e.g. banking signatures, etc.) Failure to return City property or information may result in the value of outstanding City property being deducted from the employee's final paycheck in accordance with applicable law or having property or damages recovered by the City through appropriate legal action.

## **E. *Exit Interview***

Any time an employee separates employment with the City, the employee's Department Director may schedule an Exit Interview with the employee and a representative of Human Resources. Exit Interviews shall not affect in any manner, any compensation or benefits due to the employee by virtue of the separation. During the course of the Exit Interview, if conducted, the employee may

be asked to complete an Exit Interview Questionnaire and encouraged to provide input into matters directly associated with their employment with the City such as:

- job satisfaction;
- personnel matters;
- training, both internal and external;
- compensation and benefits;
- general suggestions as to how to improve the delivery of services to both employees and the City's residents; and
- employee's reason for leaving.

#### **F. Final Paycheck**

Any employee leaving City employment shall be entitled to receive: regular and any applicable overtime compensation earned through the last day of employment. Non-probationary employees shall also be entitled to receive the monetary equivalent of accrued and unused vacation time and may be eligible for payout of sick leave under certain circumstances as described in this Handbook. Part-time employees are not eligible for payout of Paid Time Off under any circumstances. All appropriate payroll taxes and withholdings shall be deducted from the foregoing amounts.

#### **G. Disposition of Final Paycheck**

The final paycheck shall be prepared and transmitted to the employee via direct deposit, U.S. Mail, or otherwise on the next regularly scheduled pay date. Vacation and any applicable accrued leave balance will be paid within thirty (30) days of the last day of employment.

#### **H. Disposition of Wages upon Death of Employee**

In the unfortunate event of an employee's death, the City will pay any wages and/or travel expenses due to the deceased employee to the employee's spouse. In the case there is no spouse, then any such amounts will be paid to the employee's child(ren), provided the child(ren) are over the age of 18. In the event there is no child(ren), then such amounts will be paid to the employee's parent(s).

#### **I. Re-employment**

An employee who resigns or is laid off from City employment in good standing, and who subsequently applies for re-employment may be considered in filling available positions for which the individual is qualified. An employee who has resigned from City employment in good standing and is re-employed, shall not be credited with prior City service in the computation of vacation or sick time. With respect to credit for pension service, an employee must return to full-time employment within the time period and circumstances required under the City's retirement plan ordinance. An employee who is involuntarily terminated, resigns without fourteen (14) calendar days prior written notice (or thirty (30) calendar days prior written notice, in the case of Department Directors unless the City Manager waives such notice requirement), resigns while disciplinary action is pending against the individual, or is dismissed from employment, shall not be eligible for re-employment.

## **Chapter 6: Hours of Work, Attendance, and Appearance**

### **A. Working Hours**

The City of Greenacres administrative offices are open for business from 8:00 a.m. to 5:00 p.m., Monday through Friday, except for official holidays. Working time does not include meal periods. Exceptions to the above schedule may be requested by a Department Director and established by the City Manager in accordance with the special requirements of the respective Departments. Furthermore, the City Manager may prescribe hours of work other than those specified, if necessary.

Some, but not all, departments may be eligible to work a four-day workweek. Eligibility for departments utilizing four-day work schedules will be determined based on operational need of the department and the City. Various City operations require coverage 5 days a week, or are required to operate 24 hours per day and a four-day work schedule would not be feasible. The City may administratively modify or discontinue four-day work schedules at any time, for any reason, with or without prior notice. Operating hours for each department will be determined in accordance with the operational needs of the City and the department.

For business reasons beneficial to City operations, the City Manager, in consultation with Human Resources, may authorize certain Departments or Divisions to maintain a Forty (40) Hour, four (4) Day Workweek (10-hour days) for Non-Exempt Personnel. In such event, Four (4) ten (10) hour workdays each workweek shall be based on a fixed schedule. The four (4) day workweek includes working consecutive days, four (4) days on and three (3) days off, unless otherwise directed by the City Manager or designee. Each Department will be responsible for establishing their work hours. It will be the responsibility of the Director to ensure that staff is available to cover key functions during normal work hours. Non-Exempt employees shall not work more than forty (40) hours in any given workweek unless given prior approval from the Department Director.

Subject to work load and the operational needs of the City and its Departments, employees will generally be provided a meal period of at least thirty (30) minutes. Such meal break will be scheduled at the discretion of the Department Director. Non-exempt employees are prohibited from performing any work during bona fide meal periods. Non-exempt employees directed to perform work during their meal break should report such issue to Human Resources immediately.

### **B. Reporting For Work**

Employees shall report promptly at their designated working place and shall devote their entire efforts during working hours to assigned duties. In the event that an employee is unable to report for work as scheduled, the employee must notify the supervisor at one (1) hour prior to the designated starting time daily, unless the employee is experiencing a bona fide health or family emergency (in which case the employee should notify the Department Director or supervisor as soon as possible under the circumstances). Such notification should be conducted in accordance with the directions provided by the Department Director or appropriate supervisor.

Failure to notify the Department Director or supervisor as provided herein may result in denial of the use of accrued sick or vacation leave for that day's absence or other disciplinary action, in

accordance with applicable law. Nothing in this section is intended to infringe upon or eliminate any rights an employee may have under the Family and Medical Leave Act.

### **C. Absence without Leave**

Unauthorized and unreported absences may be considered absences without leave and may constitute grounds for disciplinary action, up to and including termination of employment. Failure to report to work without notice for three (3) consecutive days will generally be considered job abandonment and the employee will be terminated.

### **D. Personal Appearance**

The City considers proper dress, personal appearance, personal cleanliness, and safety, a part of each employee's job and shall be consistent with assigned duties and responsibilities. Clothing shall be businesslike and shall be maintained in good repair, clean, and pressed. An effective dress and grooming policy will contribute to creating a positive public image, establishing a consistent identity for customers and residents, and setting a positive and professional tone for the workplace. The City's policy is set forth below:

1. The dress code may vary for different departments based on assigned duties and responsibilities or essential job functions. This policy may supersede department policy based upon the determination of the City Manager.
2. Office personnel shall dress in appropriate, professional attire and present themselves in a professional manner when on the job.
3. City Identification Badges must be worn and easily visible during work hours by clipping the ID Badge to clothing or a lanyard. Keeping the ID Badge in a pocket, briefcase, purse, backpack or other personal item does not meet this requirement.
4. In departments where uniforms are provided, the uniforms shall be worn during working hours in accordance with the dress code policy of the department. All uniformed personnel shall wear uniforms in the manner they are intended, in good repair, and maintain a neat appearance.
5. Maternity wear shall meet the same general standards as other attire.
6. Although Friday is a "Dress Down" or "Casual Day" for employees not required to wear a uniform, good taste and modesty are still required. Jeans may be acceptable, provided they do not have holes, are not excessively baggy or loose, are not excessively tight, and are otherwise professional.
7. Employees are expected to exercise common sense and dress in an appropriate and tasteful manner. Employees should not wear anything too tight, too loose, sloppy, or too short.
8. Upon request, the department(s) will review uniforms provided to the employees, based on the function(s) performed in the department.



9. City uniforms and uniform items (shirts, pants, jackets, *etc.*) should be worn only during business hours or when City business is conducted after hours with appropriate approval.
10. Regardless of hair length, hair should be clean and combed and/or neatly trimmed or arranged. Additionally, facial hair, including moustaches, sideburns, and beards, should be neatly kept.
11. Facial piercings, aside from earrings, detract from the neat, clean and professional image that the City aims to cultivate. Employees are generally prohibited from wearing facial piercings, other than two per ear lobe, while on duty. However, depending on the nature of the duties and level of interaction with residents, the Director of Human Resources may approve one tasteful and discrete facial piercing per employee.
12. Employees are expected to use good judgment with respect to personal hygiene and grooming standards. In this regard, employees are expected to bathe regularly and exercise oral hygiene to avoid offensive body and mouth odor. Employees should keep their fingernails trimmed and of a reasonable and appropriate length that does not impair work performance or create a safety hazard.
13. Employees should refrain from using excessive amounts of perfume, cologne, aftershave, or lotion. Employees, citizens, and guests who are sensitive to perfumes and chemicals may suffer adverse effects. When wearing perfume, cologne, after-shave, hair-spray, lotion or similar products, please take in to consideration those working around you and anyone from the public you may come in contact with who may have sensitivities to those scents. Employees should also refrain from using scented air fresheners, room deodorizers, plug-in wall air fresheners, or similar products.

The Department Director and City Manager may make exceptions to the dress code policy for special days, such as holidays or special occasions. Employees may request an exception to this policy based on a bona fide religious belief, ethnicity, or disability, by contacting Human Resources to request a reasonable accommodation. Exceptions shall be considered regarding specific job duties and responsibilities, but shall always follow the rule of business necessity. Employees may be allowed to “dress down” with Director’s approval when working on temporary projects or assignments, *i.e.* moving of an office.

Department Directors and all supervisors and managers shall be responsible for the dress code compliance of their respective departments. Open communication is the key to consistent enforcement of the dress code policy.

Should an employee come to work wearing inappropriate attire or otherwise in violation of this policy, the employee is subject to progressive discipline and may be sent home to change. An employee will be considered “off the clock” when sent home in violation this policy. The Department Director and the Director of Human Resources shall make the final determination in questionable situations.

Please note that in applying this policy, the City will undertake to make reasonable accommodations for individuals with sincerely held religious beliefs, as well as for individuals with disabilities, as appropriate, unless doing so would create an undue hardship.

## **Chapter 7: Electronic and Other Communications Policy**

### **A. Electronic Access to Files**

All employees are expected to exercise prudence and take reasonable actions to prevent access by unauthorized persons or groups to the City's networks. This includes being alert to spam and phishing email messages, viruses, Trojans and hacking attempts.

Employees are provided different levels of access within each department and may be provided access to other department's electronic files based on the nature of the specific job responsibilities. While having the ability to access information to effectively perform our responsibilities is important, such access does not ever give one the authority to access information that one has the ability to access but there is no reason to access it. Because the majority of City information is public, employees who are curious about information in an area outside of their job responsibilities are always welcome to make a request for information. Employees are prohibited from accessing information for their own knowledge or use outside of their respective responsibilities.

The City reserves the right to track access of information through random, unannounced audits.

### **B. Internet/Intranet/E-Mail/Devices**

The City's Internet, Intranet, Electronic Mail systems, and devices are intended to facilitate City business objectives and communication among employees, customers, and other governmental and business associates for messages, memoranda, research, or other work-related tasks. The City will maintain a separate Computer Network Security administrative directive policy that may be updated and amended from time to time, as necessary. Violations of this policy or the Computer Network Security policy may result in termination of network access privileges and disciplinary action up to and including termination of employment, and/or criminal or civil penalties or other legal action as applicable. For a copy of the Computer Network Security policy, please contact Human Resources or the IT Department.

The internet, Intranet, E-mail systems, and devices are City property and are intended for City business. The systems and devices are not to be used for employee personal reasons or personal gain or to access, support, or advocate non-City related business or purposes. All data and/or electronic messages created, received, or transmitted within the system or device are the property of the City. E-mail messages may need to be retained as public records depending on their content if so, the Department of State Records retention schedules shall apply.

In addition, the City, through its managers and supervisors will review the contents of any employee's Internet/Intranet/E-mail communications when necessary for City business purposes. However, employees may not intentionally intercept, eavesdrop, record, read, alter, or receive other persons' Internet/Intranet/E-mail messages without proper authorization. Employees who misuse Internet/Intranet/E-mail/Device privileges shall be subject to discipline up to and including termination.

All Department Directors are responsible for the implementation and adherence of this policy within their Department. Department Directors (or their designees) are encouraged to work with their entire staff toward that end. In the event that any Department policy contradicts this policy, this policy shall govern.

### **C. Confidentiality**

Although confidential passwords are issued, users will be aware that this does not suggest that systems are for personal confidential communication, nor does it suggest that access to and use of City of Greenacres Internet/Intranet/E-mail/Device is the property right of the employee. Passwords should be changed every 90 days to ensure security of the E-Mail system. Users should not share their password with anyone else. The Internet/Intranet/Email systems and devices are restricted to City business related usage only.

### **D. Prohibited Uses**

The City's Internet/Intranet/E-Mail systems and devices shall not be used to create, access, or transmit any offensive, inappropriate, or disruptive messages or data. Examples of messages or data which are considered offensive, inappropriate, or disruptive include any message, video, or data which contain sexual implications, pornography, racial slurs, gender specific content, or any other comment that offensively or inappropriately addresses someone's race, gender, age, sexual orientation, religious or political beliefs, national origin, gender identity or expression, genetic information, or disability or any other category protected by applicable federal, state, or local law. Employees are also prohibited from using the City's Internet/Intranet/E-Mail systems and/or devices to engage in inappropriate workplace behavior, such as online dating, gambling, or pornography.

Incidental and occasional personal use of City systems and devices is permitted, but information and messages stored in the City's systems and devices will be treated as business-related and may be viewed by the City at any time with or without prior notice.

### **E. Social Networking, Social Media, and Blogging**

The City takes no position with respect to an employee's decision to engage in social networking, social media, or to start or maintain a blog. However, it is the right and duty of the City to protect itself from unauthorized disclosure of information.

Unless specifically authorized by the City to do so as part of an employee's position (and with supervisor approval), employees are not permitted to blog or use other forms of social networking, media, or technology on the Internet during working hours or at any time on City computers or other City-supplied devices. Blogging or other forms of social media or technology include, but are not limited to, video or wiki postings, chat rooms, personal blogs, or other similar forms of online journals, diaries or personal newsletters (e.g., Facebook, Myspace, Twitter, LinkedIn, YouTube, LiveJournal, SnapChat, Instagram, Tik Tok, etc.) not affiliated with the City.

Unless specifically instructed, employees are restricted from speaking on behalf of the City. Employees may not publicly discuss employees, residents, or any work-related matters, whether confidential or not, outside City-authorized communications, in accordance with applicable law. Employees must protect the privacy of the City, its employees, and residents. Employees are prohibited from disclosing such information to which employees have access through their City position. However, nothing herein shall limit an employee's right to express his or her opinions on matters of public concern related to political, social, or other non-personal concerns in the community. Additionally, nothing herein shall be construed as an attempt to infringe upon an individual's rights under applicable federal, state, or local law.

Bloggers and users of social media and networking sites are personally responsible for their commentary and may be held personally liable for commentary, media, or photography that is considered defamatory, obscene, proprietary, or libelous by any offended party.

Employees may not use City-owned equipment, including computers, City-licensed software or other electronic equipment, City facilities or City time, to conduct personal blogging, social networking, or to use other social media for non-City business.

Employees may not use blogs or social media to harass, threaten, discriminate, or disparage against employees or anyone associated with or doing business with the City.

If an employee chooses to identify himself or herself as an employee of the City, some readers may view the employee as a spokesperson for the City. Because of this possibility, employees must state that the views expressed in their blogs, postings, and other social media outlets are their own and not those of the City, or of any person or organization affiliated or doing business with the City.

Employees are prohibited from posting the name or trademark of the City or any business with a connection to the City on any blog or social media outlet. Employees are prohibited from posting recommendations of current or former employees, current or former vendors, or other persons related to City business without written permission from the Director of Human Resources.

Employees are prohibited from linking from a personal blog or social media site to the City's internal or external web site.

If contacted by the media or press about a post that relates to the City, employees are required to refer the inquiry to the Department Director. If the City engages in social networking activities as an organization for a public purpose, all such communications by employees must maintain and reflect the City's standards of professionalism. Communications must strictly adhere to the City's policies regarding confidentiality and refrain from disclosure of information exempt and/or confidential under the public records laws.

City use of social media sites will comply with all provisions of Florida law, ordinances, resolutions, and policies of the City and any applicable federal or state law rule or regulation, including, but not limited to, the Florida Public Records Act (Chapter 119, Fla. Stat.) and the Standards of Conduct applicable to Public Officials and Employees (Section 112.313, Fla. Stat.).

## **F. Mobile Telephone Policy**

The City discourages the use of mobile telephone devices in certain situations, while prohibiting such use in others, to promote safety, efficiency, and productivity in the workplace. Employees who violate this policy may be subject to disciplinary action, up to and including, immediate termination.

### ***1. Restrictions While Driving (Non-Commercial)***

Employees driving motor vehicles for City purposes must avoid distracted driving and minimize the use of hand-held mobile telephone devices. Employees are expected to assess all driving conditions before using a hand-held mobile telephone device while driving. State law also

prohibits using a handheld device in a school zone, school crossing or active work zone. Employees in the drivers’ seat are prohibited by state law from texting, emailing, or instant messaging while the vehicle is in motion. If it is necessary to use the device while in transit and hands-free is not available, the driver should find an appropriate and safe place to park the vehicle before using the device. The vehicle should be in “park” for automatic transmission vehicles or “neutral” with the parking brake applied for manual transmission vehicles. However, using a hand-held mobile telephone device is permissible when necessary to communicate with law enforcement officials or other emergency services.

**2. Restrictions While Driving (Drivers Operating Commercial Vehicles Regulated by DOT)**

Drivers of City vehicles qualifying as commercial motor vehicles are prohibited from texting and emailing while driving. Texting while driving is only permissible under DOT regulations when necessary to communicate with law enforcement officials or other emergency services.

Drivers of the City’s commercial motor vehicles are prohibited from using a hand-held mobile telephone device while driving a commercial motor vehicle. However, using a hand-held mobile telephone device is permissible when necessary to communicate with law enforcement officials or other emergency services.

**3. Restrictions During Business Hours**

All mobile telephone devices, whether personally owned or issued by the City, should be placed in either vibrate or silent modes during meetings. During the meeting, employees should only utilize the mobile telephone device to obtain urgent information relating to the meeting or operations of the City, or for emergency use. Emergency use is generally related to a threat to the health or safety of a colleague, family member or citizen.

Use of personal mobile telephone devices during business hours is generally prohibited, except when the employee is on an authorized break and away from his or her work station, customers or residents. Employees are prohibited from using a personal mobile telephone device when actively engaged with the citizens or the public. Employees are prohibited from using a personal mobile telephone device at any time during a customer interaction.

**4. City-Issued Devices**

Employees who have been provided with a City-issued mobile telephone device shall operate the device within the terms of the contract to avoid overage charges. Broken or unusable devices shall be returned to the IT Department for reorder or repair. Employees are prohibited from directly contacting the service provider. Employees should be aware that information sent, received, or stored on City-issued devices relating to City business is subject to Florida’s Public Records law.

**5. Using Personal Devices for City Business**

Employees should be aware that information sent, received, or stored on personal cell phone or other device which relates to City business is subject to Florida’s Public Records law, regardless of the fact that it is sent, received, or stored on such personal device.

## **6. Cellular Phone**

Employees holding the position of Department Director or higher may receive one (1) City-issued cellular phone. Other City employees may receive one (1) City-issued cellular phone if the City, in its sole discretion, determines that the position requires a City-issued cellular phone. Should the employee's employment with the City end for any reason, the employee shall return the City-issued cellular phone to the IT Department of the City immediately.

### **G. Telephones and Voicemail**

Employees are not permitted to incur charges on any City equipment including telephones, cellular phones, pagers or computers that are not directly related to City business. Any employee who uses such equipment in violation of this policy shall be personally responsible for the full amount of any charges incurred including any interest charged by the company providing the service on the City's equipment. Any charges incurred by employees in violation of this policy shall be deducted from the employee's next paycheck immediately following discovery of said charges, to the extent permitted by federal and state law.

Moreover, should the charges to the employee exceed the amount that may be deducted from the next paycheck, the City shall continue to deduct the charges from each successive paycheck until the City is completely and fully reimbursed for such charges, to the extent permitted by federal and state law.

Employees have no expectation of privacy with respect to information in voicemail because such information is the sole property of the City and may be inspected by management or others at any time, with or without prior notice. The contents of electronic mail obtained through legitimate business purposes may be disclosed within the City without permission of the employee.

Any violation of this policy shall subject the employee to discipline up to, and including, termination.

The use of City systems may not be used for solicitation of commercial ventures, religious or political causes, outside organizations, or other non-job related solicitations. Furthermore, these systems may not be used to create any offensive or disruptive messages, including any violation of the City's anti-discrimination and anti-harassment policy.

## **Chapter 8: Compensation, Benefits, Overtime, Call Back Pay, and Records**

### **A. Compensation**

Employees shall be compensated on the regular pay date. The City will not provide pay advances on wages or leave to any employee.

### **B. Overtime - General Policy**

Department Directors will make every effort to maintain service level standards while keeping overtime use to a minimum. However, when overtime is worked, the City will compensate employees for the overtime hours in accordance with applicable law.

### **C. Overtime Eligibility**

All nonexempt employees shall be compensated for periods worked in excess of forty (40) hours worked per workweek, at a rate of one and one-half (1 and ½ ) times their regular straight-time rate of pay. The City's workweek runs from Thursday at 12:00 a.m. through Wednesday at midnight for the purpose of calculating hours worked for overtime purposes. Only actual hours will be considered for purposes of determining eligibility for overtime compensation. Approved paid leave will be considered actual hours worked. However, sick leave and sick leave converted to personal leave shall not be considered actual hours worked if used within one working day (before or after) any additional hours worked by an employee. Additionally, emergency hours paid pursuant to the Hurricane and Emergency Preparedness Policy for time not worked will not count toward overtime calculations.

Non-exempt, non-bargaining employees assigned to work on a holiday shall be paid at 1.5 times the regular rate of pay for actual hours worked on the designated holiday.

All overtime work must be approved by the Department Director or his or her designee. While employees will be paid for all overtime work, employees who work unauthorized overtime may be subject to disciplinary action, up to and including termination.

Non-exempt employees will not be compensated for bona fide meal breaks. Non-exempt employees are prohibited from performing work during uncompensated meal breaks. In the event an employee is asked to work during an uncompensated meal break, the employee must contact Human Resources immediately, verbally and in writing.

*Note: Employees may accrue compensatory time off in lieu of payment for overtime up to a maximum of 40 hours.*

### **D. Employees Not Eligible For Overtime**

Generally, employees considered "exempt" from the minimum wage and overtime provisions of applicable law include those employees holding executive, administrative, learned professional, and outside sales positions, among others. These employees are paid a salary that is intended to compensate the employee for all hours worked, including any hours worked over 40 in any given workweek. Employees of the City who are unsure of their status as an exempt or nonexempt employee should contact Human Resources. Exempt employees are not eligible for overtime.



Employees exempt from the overtime provisions of applicable law are expected, as part of their responsibilities, to work in excess of forty (40) hours per week from time to time as required by the requirements and needs associated with their position. Exempt employees do not receive overtime or other compensation relating to hours worked in excess of forty (40) hours per week.

It is our policy and practice to accurately compensate employees in compliance with all applicable state and federal laws. If an employee is classified as an exempt employee, the salary for the position is intended to compensate the employee for all hours worked. While the salary may be subject to review and modification from time to time, the salary is a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work.

Certain deductions from the salaries of exempt employees are permissible. However, exempt employees who believe that their salary may have been improperly reduced, must report their concerns to Human Resources, in writing within fourteen (14) calendar days of receipt of the payroll check reflecting the asserted deduction. To the extent that it is determined that an improper deduction was made, such amounts will be reimbursed to the employees affected and the City will undertake a good faith commitment to comply in the future.

**E. Call Back Pay**

Employees who are subject to call back to meet an emergency or immediate need of the City will receive a minimum of two (2) hours credit, even if the actual time is spent working is less than two (2) hours.

**F. Maintenance of Time Records**

Hourly or exempt employees are required to record all hours worked on the daily time records to ensure the City’s compliance with the Fair Labor Standards Act. At the end of each pay period, employees must submit the daily time records to their Department Director who, together with the employee, will examine those records. The Department Director or Supervisor will approve the time record after review. This process will be done electronically for non-bargaining employees. Once time recorded has been approved, Payroll will review each time record for accuracy and run payroll. Department Directors shall maintain daily time records and shall furnish Payroll with payroll records for all employees under their supervision in accordance with City policies and procedures. Department Directors shall review and sign their payrolls, and shall report any irregularities to the Supervisor and then to Payroll and Human Resources.

*Non-Exempt Employees:* Non-Exempt or hourly employees are required by Federal Law and by the City of Greenacres to accurately record the time they begin and end their work, including the beginning and ending time of bona fide unpaid meal periods. Non-bargaining hourly employees will utilize an electronic timekeeping program (Executime) once fully implemented or, if not available, a time card/sheet for documentation of all hours worked.

Employees are responsible for reviewing their electronically recorded time record, reporting any missed clock punches to their Supervisor or Department Director, and ensuring the accuracy of their time record for each pay period. Employees must submit requests for leave through the electronic system.

The electronic timekeeping system rounds and adjusts pay as set forth below as allowed by applicable law:

- The City will track employee hours worked in 15-minute increments, as the Fair Labor Standards Act allows an employer to round employee time to the nearest quarter hour.
- Therefore, employee time from 1 to 7 minutes must be rounded down, and thus not counted as hours worked, but employee time from 8 to 14 minutes must be rounded up and counted as a quarter hour of work time. This arrangement averages out so that the employees are fully compensated for all the time they actually work.
- Example: If an employee has “clocked” in at 10:07 am, the time clock will automatically round the “clock in” time down to 10:00 am, and conversely if the employee “clocks in” at 10:08 am or later, the time clock will automatically round the clock up to 10:15 am. This same example would apply for similar “clock out” times as well.

Where the electronic timekeeping system is not available or if the employee does not have access, the requirements for manual/paper timekeeping records and other best practices are:

1. Time card/sheet must record the beginning and end of the work day and any unpaid meal or rest period.
2. The employee’s immediate Supervisor or Department Director must preapprove any time worked before or after the assigned schedule, unless an emergency situation occurs. Regardless of when work is performed, all work must be reflected on the time card/sheet.
3. Working hours that are not reported (“off-the-clock” work) is strictly prohibited and violates Florida and federal law. Hourly employees shall not perform any work before they clock in or after they clock out. Regardless of whether hours worked are tracked electronically or manually, working off-the-clock violates both Federal Law and Florida law.
4. Regardless of whether hours worked are tracked electronically or manually, employees must work their assigned work schedules and may not begin work and clock in prior to scheduled time in an effort to end work and clock out earlier at the end of the shift. Any work outside of scheduled hours must be approved by the Supervisor in advance.
5. Employees who regularly miss punching in or out may be subject to discipline.
6. Unpaid meal breaks for non-bargaining employees are either 30 minutes or one (1) hour as determined by the Supervisor or Department Director and no work will be performed during this time. If an employee performs any work during his/her unpaid meal break, the employee must immediately report that issue to his or her supervisor.
7. Each employee must record his or her own work time and shall not enter or modify another employee’s time records. However, the Supervisor may document an

unexpected departure during the work day with the reason for the modification (e.g., an emergency).

*Exempt Employees:* These salaried employees will NOT use the electronic timekeeping system to record their hours worked. Exempt employees are paid a salary without regard to specific hours worked. Exempt employees are expected to work the hours necessary to complete all their job duties and are not covered by the overtime provisions of the Fair Labor Standards Act. Exempt employee must use the Executime to request time off and to manage paid time off.

An employee who believes he or she may not have been paid correctly must report such concern within two (2) weeks of discovering the potential issue, both verbally and in writing, to payroll. Employees must report both instances in which they believe that they may not have received enough compensation, as well as instances in which they believe they may have received too much compensation.

Altering, falsifying, or tampering with time records, the timekeeping system, or the timekeeping equipment is prohibited and will subject employees to discipline up to and including termination.

## **F. Benefits**

### ***1. Insurance***

Full-time employees will be eligible for certain benefits that the City may offer from time to time, including, for example, health, vision, and dental insurance, employee assistance program, retirement benefits, short-term disability benefits, and vacation and sick leave. Participation in such benefits plans is subject to applicable plan rules and requirements. Additionally, the City reserves the right to amend or eliminate benefits in its discretion and judgment based on operating and financial needs, subject to any restrictions imposed by law or contract.

Prior to retirement, employees may consult with the Human Resources Division to obtain information on continuation of group health benefits under the City's then existing plan for the retiree and his or her dependents at the retiree's sole expense.

Please see Human Resources for additional information regarding benefits currently available to full-time employees.

To allow the City to calculate the appropriate insurance premiums and to provide COBRA notices, all employees shall promptly notify Human Resources Division of any changes to marital status or dependents.

### ***2. Performance Based Longevity Award***

The City values its workforce and the ongoing commitment and dedication of its long-term employees. Recognizing the necessity to retain institutional knowledge and reward long-term employees for their performance, the City is implementing a Performance Based Longevity Award on October 1, 2023 for full-time employees.

Full-time employees who have completed the following years of service as a full-time employee are deemed to have achieved the performance related award for that milestone:

<b>Completed Full-Time* Years of Service/Milestone</b>	<b>Performance Based Longevity Award</b>
10**	\$1,000
15	\$1,500
20	\$2,000
25	\$2,500
30	\$3,000

\*Part-time employees are not eligible for the Performance Based Longevity Award.

\*\*The 10-year Performance Based Longevity Award shall be implemented beginning October 1, 2025 as indicated by the method below. Non-exempt employees are considered to have earned the award in the anniversary year of payment and all overtime hours worked during that year will be calculated on the regular rate of pay, which shall be inclusive of the Performance Based Longevity Award.

Implementation: On the first pay period inclusive of October 1, 2023, employees who have achieved any of the four above milestones will receive a one-time award based on the most recent milestone achieved. For example, an employee who completed 23 years of service during fiscal year 2022/2023 will receive a \$2,000 Performance Based Longevity Award in the first pay period inclusive of October 1, 2023. Thereafter, the same employee will receive a \$2,500 Performance Based Longevity Award on the pay period that includes his or her 25-year anniversary date.

Breaks in service of more than 90 days as a full-time employee restart the calculation of completed years of service. For example, if an employee worked for the City for 10 years, resigned but then returned to work for the City after six (6) months, the employee would have zero (0) years of completed service upon being rehired.

Other than in the year of implementation, employees do not receive a Performance Based Longevity Award in the years during which a milestone does not occur.

## Chapter 9: Leave

### A. Temporary Leave Of Absence (Without Pay)

Employees may, upon written request to the Department Director and subsequent approval by the City Manager and in consultation with the Director of Human Resources be granted a leave of absence without pay no more often than once in a 24-month period, rolling backward. A Temporary Leave of Absence Without Pay shall not be granted on an intermittent basis.

A Temporary Leave of Absence Without Pay may be considered in circumstances where: (1) the employee has exhausted FMLA and needs a brief period of additional leave to return to work as certified by the health care provider; (2) the employee is not yet eligible for FMLA due to being employed for less than 12 months and experiences a serious health condition that makes the employee temporarily unable to perform the essential functions of the job; (3) non-job related court appearances; and, (4) new hires with a pre-planned absence during the probationary period that is pre-approved by Human Resources and the Department Director.

A Temporary Leave of Absence shall not be granted solely because an employee has exhausted their paid leave banks, because an employee prefers to “save” their accrued and unused leave for a later date, or because an employee fails to work their regular full schedule.

Requests for a leave of absence without pay shall be made by completing an electronic leave of absence request and shall be for a period determined on a case-by-case basis. However, a leave of absence without pay shall not exceed fifteen (15) days unless approved in writing by the City Manager. The requesting employee shall state the reasons why, in the employee’s opinion, the request should be granted, the date the leave is to begin, and the date of the proposed return to work. The City Manager, upon the recommendation of the Director of Human Resources, may approve or disapprove such request at the City’s sole discretion and may consider, without limitation, the operational requirements of the Department, budgetary considerations, availability of temporary substitute employees, the performance and attendance record of the employee, and the underlying reason for the request.

Except for leave qualified under the FMLA or ADA, no assurances of reinstatement will be given to an employee who has been granted a leave of absence without pay. If the employee's position is in existence and is vacant, an employee returning from leave shall be eligible for re-employment, provided that the employee is capable of performing the essential functions of the position in accordance with applicable law. In the event that the position previously held by the employee is no longer vacant at the time the employee seeks re-employment, an attempt shall be made to offer employment in a closely-related vacant position for which the employee is qualified.

Employees must exhaust paid leave prior to taking an unpaid leave of absence. During any leave of absence without pay, the employee is responsible for paying the employee cost and the City portion of the premium to maintain health insurance in a no-pay status. The first payment is due within two (2) weeks of your last payroll deduction. At the end of the month in which the leave of absence without pay begins, all benefits shall be suspended/terminated until the employee returns to work, unless the employee elects to pay the full premiums for the employee and any dependents and amounts associated with such benefits. Vacation and sick leave benefits will not

continue to accrue during unpaid leaves of absences. Employees must remit payments to Finance in a timely manner. The obligation for payment during the unpaid leave of absence does not apply to newly hired employees within their first six months of employment when absent due to a pre-approved unpaid leave negotiated and approved during the hiring process. Employees who fail to remit payment in a timely manner shall be subject to cancellation of their benefits.

Nothing in the foregoing policy is intended to restrict or modify any rights and responsibilities of the City and eligible employees under the Family and Medical Leave Act and/or the Americans with Disabilities Act.

**B. Jury Duty**

An employee, regardless of temporary, full-time, or part-time status, may be granted paid leave when called to jury duty. Employees called to jury duty on their regularly scheduled days, will receive their regular salary/pay and benefits for the day(s) in which they serve on jury duty, for up to five (5) days. All other jury duty will be unpaid, unless the employee elects to use vacation leave.

If an employee is released from jury duty more than two (2) hours before the end of their scheduled work shift, the employee must report to work that day.

**C. Court Appearances**

**1. Job Related**

Employees required to appear in court for job-related purposes shall be considered on-duty with the City and shall receive compensation in salary/pay and benefits equal to that associated with the employee's regular duty, as long as they remit the entire amounts paid to them by the Court in connection with such Court appearance to the City. Transportation expenses will be reimbursable in accordance with the City's policies. Any monies received for Court appearances or subpoena fees must be forwarded to the City's Finance Department for payment into the general fund of the City. Under no circumstances may an employee keep subpoena or Court appearance fees, while receiving compensation from the City.

**2. Non-Job Related**

Employees subpoenaed to Court for any reason unrelated to their employment with the City, for example, divorce proceedings, custody suits, inheritance suits, bankruptcy, traffic violations, etc., or for criminal actions, may use vacation leave, compensatory time or personal leave. If the employee does not have any vacation leave, compensatory time or personal leave, such leaves of absence shall be without pay, if approved by the City Manager, for an employee who is a defendant in a civil or criminal action or plaintiff or complainant in a civil or criminal action not associated with the City's business or affairs.

**D. Domestic Violence/Sexual Violence Leave**

Eligible employees will be granted up to three (3) days of unpaid Domestic Violence/Sexual Violence Leave in any twelve (12) month period, measured forward from the first date domestic/sexual violence leave is used, according to Florida Statute § 741.313, as amended from

time to time. The City shall not discriminate against an employee for exercising his or her rights under this policy.

Domestic Violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. Domestic violence shall also include any crime the underlying factual basis of which has been found by a court to include an act of domestic violence.

Family or Household Member means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as a family, and persons who are parents of a child in common regardless of whether they have been married. Except for persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same dwelling unit.

Eligible employees may be permitted to use the leave for:

1. Seeking an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
2. Obtaining medical care or mental health counseling for the employee and/or family/household member to address physical or psychological injuries resulting from the domestic or sexual violence;
3. Obtaining services from a victim-services organization as a result of the act of domestic or sexual violence;
4. Making the employee's home secure from the perpetrator of domestic or sexual violence, or to seek new housing to escape the perpetrator;
5. Seeking legal assistance or to attend and prepare for court-related proceedings arising from the act of domestic or sexual violence.

Except in cases of imminent danger to the health or safety of the employee, or to the health or safety of a family household member, an employee shall provide notice to Human Resources as soon as possible after the employee learns of the need for the leave. If the leave is foreseeable, such as Court dates, the employee must provide thirty (30) days' notice. The request for leave must be accompanied with sufficient documentation.

To be eligible for Domestic Violence/Sexual Violence Leave, an employee must have been employed by the City for three (3) or more months. Domestic Violence/Sexual Violence Leave shall be granted if the employee or a family or household member of the employee is the victim of domestic/sexual violence and provides sufficient notice and documentation regarding same.

An employee seeking leave under this section must, before receiving the leave, exhaust all paid leave available.

**E. Military Leave**

The City will comply with the requirements of and grant leave in accordance with the Uniform Services Employment and Reemployment Rights Act (USERRA), Chapter 115 of the Florida Statutes, as amended from time to time, and Florida Statute § 250.48, as amended from time to time.

**1. Training**

All commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard shall receive a leave of absence without loss of vacation leave, pay, time or efficiency rating, on all days during which they are engaged in training ordered under the provisions of the United States military or naval training regulations when assigned to active or inactive duty. In any one annual period, leaves of absence shall not exceed 240 working hours provided that leaves of absence for additional or longer periods of time for assignment to duty functions of a military character shall be granted without pay and without loss of time or efficiency rating.

**2. Active Duty Assignments**

All officers or enlisted personnel in the National Guard or a reserve component of the Armed Forces of the United States who are granted leave to perform active military service will receive their full pay for the first 30 days of any such leave.

All members of the Florida National Guard who are granted leave to engage in active State duty for a named event, declared disaster, or operation pursuant to Florida Statute §§ 250.28 or 252.36, shall receive their full pay for the first 30 days. The leave of absence with full pay shall not exceed 30 days for each emergency or disaster. Additionally, under Florida law, National Guard Members called to active State duty may not be terminated from employment for a period of one (1) year after the date the employee returns to work, except for cause.

Employees and their dependents will continue to be eligible to participate in the City’s health and dental insurance in accordance with the requirements of USERRA.

**3. Notice of Leave**

Employees seeking to invoke military leave shall provide advance notice to the City unless such notice is precluded by military necessity or otherwise impossible or unreasonable as interpreted under applicable law.

**4. Documentation of Leave**

Employees on military leave for periods of more than 30 days shall provide the City with such documentation that can be used to establish the employee’s basic eligibility for protection under USERRA. If the employee is unable to provide satisfactory documentation of military service in excess of 30 days, the City reserves the right to contact the military unit with assistance from the employee to obtain such documentation.

**5. Reinstatement after Leave**

Employees on military leave will be reinstated with the City in accordance with applicable State law and USERRA. Employees who take a military leave of absence are entitled to any seniority-



based rights and benefits that they would have attained had the employee remained continuously employed. The period of military leave is not considered a break in employment unless the employee indicates that he or she will not return from military leave.

Upon the return of any employee from military leave, as described above, the temporary services of any employee filling his or her position shall be terminated or any such temporary employee moved elsewhere in the City’s service, at the City’s sole discretion. If an employee called to active duty is a probationary employee, the remaining number of days left on the probationary status will be added following the employee’s return to work.

**6. Failure to Return after Military Leave**

Should the employee not return to employment with the City following said military leave, any vacation or sick leave accrued while on military leave will be subtracted before any allowable payment of any benefits is made in accordance with other provisions of these policies regarding payment of leave balances upon separation from employment.

**F. Bereavement Leave**

Regular, full-time employees of the City are eligible for bereavement leave in connection with the passing of an immediate family member. Employees will receive twenty-four (24) hours of leave with pay to attend to family matters, arrange and attend funeral services, and other matters relating to the death of an immediate family member. In circumstances in which the funeral is scheduled to take place more than 250 miles from the City, the employee may request up to sixteen (16) additional hours of leave, which can be granted in the City Manager’s or Director of Human Resources’ sole discretion, with pay which shall not be charged against any other type of leave. The Department Director may approve or deny such request in his or her sole discretion and may request appropriate documentation for the need for funeral leave. Employees who need additional time off, regardless of where the funeral takes place, may apply for such leave under other applicable City policies, such as the use of vacation leave.

For purposes of taking bereavement leave, an “immediate family member” means an employee’s spouse, domestic partner, parent, grandparent, grandchild, sibling, child, domestic partner’s parents, domestic partner’s children, foster child, parent-in-law, aunt, uncle, sibling-in-law, grandparents of spouse or domestic partner, or legal guardian.

The Human Resources Division shall coordinate the expressions of congratulations, get well wishes, and sympathy to individuals in an appropriate amount in accordance with the following:

<u>Individual</u>	<u>Event</u>	<u>Expression</u>
Employee or Board/Committee Member	Birth of a Child, Serious Illness, or Death	Flowers or Plant
Immediate Family Member	Death	Flowers or Plant
	Serious Illness	Card
Other Family Member	Death	Card

Retirees/Volunteers	Death	Card
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For purposes of authorized expressions of congratulations, get well wishes and sympathy, an Immediate Family Member is defined as: Spouse, Child, Parent, Brother or Sister; and, Other Family Member is defined as a Grandparent, Grandchild, Mother-in-law, Father-in-law, Brother-in-law or Sister-in-law.

The City may also send appropriate expressions to other individuals such as former board/committee members, and county or other city officials, upon request and authorization of the City Manager, or designee. All associated costs shall be budgeted within the Human Resources Division.

Employees, including supervisors and Department Directors, are prohibited from utilizing the City’s funds or resources to initiate any other activities designed to communicate the City’s condolences to an employee.

Employees are prohibited from individually soliciting donations or accepting donations from individual employees.

**G. Conference and Training Leave**

The City may grant conference and training leave with pay, together with the necessary travel expenses to allow employees to attend conferences, schools, and similar events designed to improve their efficiency, if considered to be in the best interest of the City. Employees seeking such leave and expenses must submit a request in advance to the Department Director for prior review and approval by the Finance Director, or in the case of Department Directors, the City Manager.

The following travel shall require approval by the Department Director: Any in-state travel by City employees below the level of Department Director.

The following travel shall require approval by the City Manager: a) Any in-state travel by a Department Director; b) Out-of-state travel by a Department Director, limited to one (1) conference per budget year; c) Out-of-state training for City employees that is deemed necessary to obtain training and/or maintain required certification for position held, provided such training is not available within the State of Florida; d) Data processing training programs offered by City software/ hardware providers for data processing personnel.

The following travel shall require approval by the City Council: Travel requests that have not been included in a Council adopted budget.

**H. Administrative Leave**

Employees may be placed on administrative leave with or without pay pending an investigation that, in the City Manager’s sole discretion, requires the employee to be off premises and isolated from the work environment. Where the City Manager is unavailable to make a determination as to the necessity of such leave, a Department Director in consultation with the Director of Human

Resources, may temporarily assign an employee to administrative leave with pay until such time the City Manager can make a determination as to the propriety of the leave status.

### **I. Executive Leave**

Employees holding the position of City Manager and Department Director shall be provided forty (40) hours of leave on a pro-rated calendar year basis beginning January 1, 2025. Existing employees in these job categories shall be provided a lump sum of forty (40) hours on January 1 of each calendar year. Employees hired during the year into these job categories shall be provided Executive leave as follows:

Date of Hire	Amount of Executive Leave
January 1 – March 31	40 hours
April 1 – June 30	32 hours
July 1 – September 30	24 hours
October 1 – December 31	16 hours

Executive Leave shall not carry over or accumulate from year to year and shall not be paid upon separation of employment for any reason. Executive Leave shall not be paid in lieu of usage. Any Executive Leave not used on or before January 1 of each calendar year shall be forfeited.

## Chapter 10: Workers' Compensation

*Note: Notwithstanding any provision of this policy, the City and the employee/claimant shall retain all statutory rights under Florida's Workers' Compensation Statute.*

### A. Safe Work Habits

Each City employee is required, as a condition of employment, to develop and exercise safe work habits in the course of their employment, to prevent injuries to themselves, their fellow employees, and to conserve City property and equipment. All employees shall observe the following rules and practices:

- Take every precaution for the prevention of accidents to themselves, their fellow employees and the public.
- Bring any hazardous condition to the attention of their Department Director.
- Be chargeable with responsibility for the proper safe operation of all equipment used in the performance of the employee's duties.
- Observe safety rules, regulations and procedures.
- Wear required safety equipment.
- See to it that the safety equipment they are required to use or wear in the performance of their duties is in proper condition and is used as instructed.

### B. Reporting

Employees who are injured while performing their duties for the City shall make an immediate report of the injury to their immediate supervisor. Every injury, including those not requiring medical attention, shall be reported in writing to the Department Director by the injured employee's supervisor within twenty-four (24) hours of the injury. Department Directors shall be responsible for notifying Human Resources of all injuries reported by employees under their supervision and shall ensure that proper written reports are prepared and forwarded to appropriate officials.

### C. Immediate Medical Attention/Care

If an employee is injured to such an extent that the employee requires immediate medical care, employees, supervisors, co-workers, or other witnesses to the accident should call 911 immediately for emergency assistance. If the need is not immediate, the employee should consult Human Resources for additional information regarding the procedure for obtaining medical treatment.

### D. Workers' Compensation Procedure

An employee who sustains a compensable workplace injury may be eligible to receive certain benefits depending on the nature of the injury. Such benefits may include full wages for the first forty (40) hours following injury, replacement of a percentage of weekly wages, permanent impairment benefits, medical treatment and medication, and reemployment services. In certain circumstances, employees may also be released and eligible for "light duty" work that may be assigned by Human Resources in any department at the City. Additional information and guidance regarding the procedure associated with workers' compensation should be obtained from Human Resources.

### **E. Retaliation Prohibited**

The City will not terminate, discipline, or take any other adverse personnel action against any employee for filing a claim for workers' compensation benefits in good faith.

### **F. Temporary Light Duty**

#### ***1. Work Related Injuries and Illnesses***

If an employee suffers a work-related injury or illness and becomes physically able to perform some useful alternate or transitional duty work, the City will consider temporary alternate or transitional duty work for the employee, if there is such work available and if such work is consistent with the employee's medical limitations. The City is not required to create or provide alternate or transitional duty work. The availability and duration of alternate or transitional duty work is up to the sole and exclusive discretion of the City. If work that is consistent with the employee's medical limitations is available and offered for up to 60 days, the employee must accept and perform such work. Such work can be in any department at the City.

The City provides up to a maximum of twelve (12) months total leave, for the employee to return to the essential duties of their position. If the employee cannot return to full duty upon the expiration of the 12 months, the employee's employment with the City may, in the sole discretion of the City Manager, be terminated.

#### ***2. Non-Job Related Injuries or Illnesses***

If an employee suffers a non-job related injury or illness and becomes physically able to perform some useful alternate or transitional duty work, the City will consider temporary alternate or transitional duty work for the employee, if there is such work available in the employee's department and if such work is consistent with the employee's medical limitations. The City is not required to create or provide alternate or transitional duty work. The availability and duration of alternate or transitional duty work is up to the sole and exclusive discretion of the City. If work that is consistent with the employee's medical limitations is available and offered, the employee must accept and perform such work. Such work can be in any department at the City.

### **G. Accrued Paid Time Off**

Any employee that is out on workers' compensation leave as described herein, shall not accrue any paid time off (vacation, sick, holiday, or otherwise) except when utilizing the accrued paid leave. Employees shall first use any and all accrued time earned in each payroll period to supplement workers' compensation. Once that accrued time is exhausted in that particular payroll period, the employee shall utilize any and all accrued leave time to supplement their workers' compensation benefit up to the regular wage and not to exceed the regular wage had the employee been working full-time.

## Chapter 11: Travel and Vehicles

### A. Travel Expenses and Reimbursement

The City authorizes reimbursement for travel expenses for City employees who are required to use their personal vehicle for City business are eligible for mileage reimbursement which shall be paid monthly at the rate authorized by Florida Statutes or the United States Internal Revenue Code, whichever is greater. Employees requesting mileage reimbursement shall be required to file a copy of a Mileage Reimbursement Statement (see Finance or Human Resources for the form) for each calendar month. The Mileage Reimbursement Statement shall be submitted to the Department of Finance by the 10th of each month. Mileage reimbursements shall not be paid for the use of a personal vehicle involved in travel to and from work.

If applicable, the City Manager shall be reimbursed for mileage driven on official business outside Palm Beach County in his/her private vehicle at the rate as established by his/her employment contract. If not rate is established in his/her employment contract, the rate will be as described above. Department Directors shall be authorized mileage reimbursement for mileage driven on official business outside Palm Beach County in their private vehicles at the rate describe above.

The City will maintain a separate Travel and Reimbursement administrative directive policy that will be updated from time to time, as necessary. For more information on the Travel and Reimbursement administrative policy, contact the Finance Department or Human Resources.

### B. Vehicle Stipend and Use

Employees holding the position of Department Director, Building Official, or higher shall be provided a vehicle stipend for the use of privately owned automobiles on official business, unless a City vehicle is provided to the employee. The Vehicle Stipend shall be \$400 per month effective the first month following the approval of the updated Personnel Policies Handbook. The City Manager may receive a car allowance greater than the then current Vehicle stipend if the City Manager's contract provides for it. Employees receiving a Vehicle Stipend for the use of their private automobile will be reimbursed for the mileage rate identified in Administrative Directive Number 10.

Pursuant to applicable Florida Statutes and Administrative Directive Number 10, the vehicle stipend shall be in lieu of the mileage rate reimbursement for business travel within Palm Beach County. Employees accepting the Vehicle Stipend must ensure business use of the personal vehicle is properly insured at the employee's sole expense and submit proof of such insurance. A Vehicle Stipend is considered wages and subject to applicable taxes and withholdings.

Employees who accept a Vehicle Stipend shall provide the City with a copy of an insurance card evidencing that said vehicle is insured in accordance with Florida Law. Employees who accept the Vehicle Stipend will be required, as a condition of employment, to provide authorization for the City to perform periodic checks regarding driving history. Such checks regarding driving history will be conducted in accordance with federal and state law. Employees accepting the Vehicle Stipend are required to provide notification of any suspension, revocation, or restriction of their license to the City within one (1) week of such suspension, revocation, or restrictions. In

no event may an employee with a suspended, revoked, or restricted license operate a City vehicle or a personal vehicle while on City business.

City vehicles are generally equipped with GPS systems. Employees driving City vehicles must obey all state and local traffic laws including speed limits. Only those employees authorized may operate or drive City vehicles and are expected to drive in a safe and responsible manner. Employees must not operate or drive a City vehicle when his or her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.

Fire Department employees that are assigned personal use City vehicles are as follows: Chief, Assistant Chief, Division Chief, Fire Marshal, and Assistant Fire Marshal. These Fire Department employees are permitted to use City vehicles as authorized by the Fire Department's General Orders.

All City employees authorized by their respective Department Director may use City vehicles for official use. Additionally, the City Manager has the sole discretion and authority to assign the personal vehicle use of City vehicles to employees as deemed appropriate.

Any employee using a City owned or leased vehicle shall adhere to the City Vehicle and/or Equipment Damages and Repairs Administrative policy. A copy of which can be obtained from Human Resources.

### **C. City Vehicle And/Or Equipment Damages and Repairs**

Employees must abide by the following when using City vehicles.

#### **1. Inspection of Vehicles/Equipment**

All departments and employees are required to inspect city owned, leased, or rented vehicles and equipment. It is the policy of the City that every driver or operator of a City vehicle and/or equipment shall perform a daily inspection prior to the operation of the vehicle or equipment. If at any time the driver or operator changes, a vehicle or equipment inspection must be performed by the new driver/operator. Upon completion of the pre-operation inspection the driver/operator shall fill out a City developed form showing he/she has performed the inspection. The Vehicle Inspection Forms can be found at the end of this Handbook. If the inspection forms are not completed by each driver/operator, the driver/operator and the Department Director may be subject to disciplinary action, up to and including termination. This policy is a condition of employment. The inspection forms must be available upon request.

#### **2. Vehicle/Equipment Damage Report**

An employee involved in an accident while operating a City owned vehicle or equipment that results in damage of approximately \$500 or more to a City owned vehicle or equipment or any damage to another's vehicle or property, or results in an injury to motorists or pedestrians shall immediately contact the local Police Department. For the purposes of this policy, damage that results from normal and routine wear and tear for City owned vehicles and/or equipment does not constitute an "accident." Regardless of the level of monetary damage to City owned vehicles and

property, and any time a person is injured as described above, the employee shall complete the Vehicle/Equipment Damage Report (located at the end of this Handbook), with details of the accident, and provide it to their Supervisor/Department Director with any documents (e.g. police report, pictures), if applicable. At a minimum, the employee shall include the following information in the report:

- Any injuries to drivers, passengers, and/or any other individual.
- Description of vehicle(s) and/or equipment involved in the accident/damage including make, model, year, tag #, color, and feature type (i.e. for vehicles: sedan, coupe, extended cab, etc.).
- Outline specific damages to all vehicles and/or equipment involved resulting from the accident or resulting in damage.
- Any pre-existing damages to all vehicles and/or equipment involved.
- Names, addresses, and telephone numbers of persons involved in the accident and/or causation of damage.
- Details about the accident and/or damage, including location, date, time, if the driver(s) and/or operators were using hand held devices, and external circumstances such as weather conditions and visibility.
- Names, addresses, and telephone numbers of anyone who may have witnessed the accident/damage.
- Photo(s) of the vehicles and/or property damage.

Employees must not sign any documents unless required by the Police Department.

The Supervisor/Department Director will review the Vehicle/Equipment Damage Report to ensure the report is complete and all supporting documents are included prior to signing the report. The report and supporting documents are to be forwarded to the Director of Human Resources.

### 3. Inspection & Repair of City Vehicles

- a. If the vehicle is safe to drive, the vehicle shall be taken immediately to the Public Works Vehicle Maintenance Shop. The Vehicle Maintenance Supervisor shall make a general determination about the cost of the repairs within (3) business days of receiving the vehicle.
  - i. If the cost of the repair is estimated to be less than \$2,000, the Public Works Department will obtain three (3) estimates, prepare a requisition and arrange for completion of the repairs. The original estimates, photos of the vehicles, along with the Vehicle/Equipment Damage Report will be emailed to the Director of Human Resources.
  - ii. If the cost of the repair is estimated to exceed \$2,000, the Public Works Department will notify the Director of Human Resources who will contact the City's insurance carrier for assignment of an appraiser. The Director of Human Resources shall provide a copy of the appraiser's report to the Public Works Department, who will arrange for the repair unless it is determined that the repairs exceed the vehicle's value.



- b. If the vehicle is not safe to drive, the Vehicle Maintenance Supervisor or Public Works Director will arrange to have the vehicle towed.
- c. In the event that a vehicle should be disabled outside of Palm Beach County, the employee shall contact the Public Works Department at (561) 642-2071 to facilitate repair or towing of the vehicle. After normal business hours, the employee shall contact the Vehicle Maintenance Supervisor at 561-676-9368 to arrange for repair or towing of the vehicle. If the Vehicle Maintenance Supervisor is not available, the Public Works Director shall be contacted at 561-284-9289 in order to arrange repair or towing.
- d. The Director of Human Resources will submit all applicable documentation to the City's insurance carrier.
- e. The City's insurance carrier shall submit a check to cover the repairs, less the deductible, to the Finance Department. The Finance Department shall forward the receipt and a copy of the check to the Director of Human Resources. If the cost of the damages exceeds \$2,000, the Vehicle Maintenance Supervisor shall arrange for the vehicle to be towed to the appropriate dealership for repairs and obtain a "direct pay authorization" form from the dealership. The form shall be completed by the Director of Human Resources and forwarded to the City's insurance carrier for direct payment to the dealership less the amount of the deductible.
- f. The Public Works Department shall prepare a purchase requisition for the deductible for processing of the payment to the dealership.
- g. A current copy of this policy should be kept in the glove compartment in every vehicle, with the appropriate forms.

## Chapter 12: Employee Training & Development

### A. Tuition Reimbursement Program

Subject to employee application and approval by the City, the City will reimburse regular, full-time employees' tuition costs for approved coursework relating to their job duties or leading to a degree relating to their job based on academic performance, according to the following schedule and procedures described below:

- Grade "C" or better 100%
- Less than "C" is 0%

Employees receiving a grade of less than "C" or below, including withdrawal or incomplete, will not be eligible to receive tuition reimbursement. The City will also reimburse employees for courses which the employee receives a grade of "PASS" in a Pass/Fail class. In those instances, employees receiving a grade of "PASS" in a "Pass/Fail" class will be reimbursed 100% for achieving a passing grade.

The total annual amount a non-bargaining, regular, full-time employee may receive per fiscal year from the City for tuition reimbursement may not exceed \$2,000.00 subject to the availability of budgeted funds. Employees covered by a Collective Bargaining Agreement should refer to the limits contained in the CBA. Employees who are eligible for tuition benefits under any other tuition refund or incentive program, policy, or agreement, are not eligible for tuition benefits from the City.

To be eligible to participate in the program, employees must: be full-time non-probationary employees; be in good standing without having received any suspensions during the last twelve (12) months, and have a current performance evaluation that reflects an overall rating of "Meets Expectations" or above if applicable; be in a paid status; pursue job related undergraduate and graduate level courses taken for academic credit leading to Associate's, Bachelor's, Master's, or Doctoral Degrees through accredited colleges and universities accredited by organizations recognized by the U.S. Department of Education and verified at <http://ope.ed.gov/accreditation/Search.asp>.

Employees interested in participating in the City's Tuition Reimbursement Program should submit a Tuition Reimbursement Program application to their Director for review and consideration prior to registering for coursework, with a minimum of 5 days prior to the start of any class. The Department Director will review and complete the form and forward the application to Human Resources, who will coordinate further review and processing of the application. Upon final approval, the Human Resources Division will notify the employee of such approval and forward the original executed and approved application to the employee.

All approved applicants must resubmit the original application form, along with original receipts for tuition books, and original grade report to Human Resources for reimbursement, no later than 30 days from receipt of the grade(s). Reimbursements will be processed and paid through payroll and included in each employee's direct deposit.

Subject to the fiscal year maximum established herein, reimbursement shall be the actual tuition cost, excluding books and other supplies, based on the established Florida resident credit hour rate for undergraduate or graduate courses in the State of Florida university system attended by the employee. If the Employee did not attend a college within the State of Florida university system, but did attend an accredited college as required by this policy, the City shall reimburse at the rate established for Palm Beach State College or the accredited college the employee attended, whichever is less.

Employees who are candidates for certificates or degrees must also submit a statement from their Academic Department representative, indicating the title of the degree or certificate sought and the field of specialization.

Employees receiving tuition reimbursement from the City will be obligated to remain employed by the City for a minimum of three (3) years from the date of tuition reimbursement. Employees who leave the City's service, whether voluntarily or involuntarily (*e.g.*, performance or disciplinary-based terminations), within three (3) years following tuition reimbursement will be obligated to refund the tuition benefits provided by the City through deductions from their final payroll check on the following schedule:

Within 1st year	100%
Within 2nd year	75%
Within 3rd year	50%

## Chapter 13: Vacation Leave

Vacation leave is provided by the City for regular, full-time employees so that they may have paid time off from the performance of their duties for rest and relaxation. All vacation leave requests must be approved in advance of the leave, by the employee's Department Director based on the operating requirements of the City. Vacation hours will begin to accrue on the first day of employment. As with all vacation requests, vacation requests made by employees within their probationary period are subject to review and approval by their Department Director.

### A. Accrual of Leave

An employee is eligible for vacation leave with pay the 1<sup>st</sup> payroll after 6 months of continuous service. Vacation days are accrued on a bi-weekly basis for purposes of leave due. In computing vacation leave earned, only those months shall be counted during which an employee has worked three-quarters or more of his regular workdays.

Completed Years of Service	Number of Hours Accruable Per Year
1 <sup>st</sup> payroll after 6 months of employment-5	80 hours*
6-10	120 hours
11-15	160 hours
16 or more	200 hours

\*On the first payroll after 6 months of employment, the full 80 hours is provided to the employee. Upon conclusion of the first year of employment, the employee will begin accruing hours each pay period.

Vacation leave may be accumulated up to a maximum of 240 hours of leave time. Each October 1, accruals that exceed 240 hours are adjusted downward to the maximum of 240 hours and any accrued and unused leave in excess of 240 hours at that time is irrevocably forfeited. When the requirements of an employee's job prevent the taking of vacation leave so that such leave accumulates in excess of 240 hours, the period of time during which such excess leave must be used may be extended upon the approval of the City Manager.

### B. Payment of Leave Upon Separation

Upon separation from City service for any reason, an employee shall be paid the remaining balance of accrued and unused vacation leave as of the final date of employment. Payment shall be made on the next regular pay date following the final date of employment. In no event shall such leave payment exceed 240 hours.

While probationary employees accrue vacation leave during the probationary period, such employees are not eligible for payout of unused, accrued vacation, regardless of the reason underlying their separation and such leave is automatically forfeited.

### C. Use of Leave

Employees must take a mandatory forty (40) hours of vacation leave each fiscal year. However, such mandatory leave does not have to be on consecutive business days.

Vacation leave must be requested, scheduled by, and approved by the Department Director or designee as far in advance as possible, but not less than twenty-four (24) hours in advance of the time requested, except in cases of emergency. In addition to using vacation leave for rest and relaxation, employees may also use vacation leave for the following reasons, among others, subject to approval by an employee's Department Director or designee:

- Absences occasioned by illness or injury of a member of the employee's family;
- Absences where personal obligations must be addressed during the employee's assigned hours of work;
- Sick leave, where regular accumulated sick leave days have been exhausted by the employee; however, sick leave may not be used for vacation leave.

Employees who have submitted their resignation shall not be permitted to use Vacation or Sick Leave during the notice period provided for in the resignation. However, the Director of Human Resources has the discretion to waive such prohibition in the unique circumstance where such dates were pre-approved before the resignation was contemplated or submitted or compelling circumstances exist.

#### **D. Financial Hardship Vacation Buy-Back**

Non-probationary, full-time employees experiencing financial hardship may submit a request to sell up to 160 hours of accrued and unused vacation leave to Human Resources for consideration by the City Manager, provided the employee has met, or will meet, the requirement to take a minimum of forty (40) hours of vacation leave each year. This policy shall not be construed to allow for any type of advance on wages or a loan against future wages.

"Financial Hardship" is an immediate and heavy financial need of the employee, which includes the need of the employee's spouse or dependent. Certain expenses are deemed to be immediate and heavy, including: (1) certain medical expenses; (2) costs relating to the purchase of a principal residence; (3) tuition and related educational fees and expenses; (4) payments necessary to prevent eviction from, or foreclosure on, a principal residence; (5) burial or funeral expenses; and (6) certain expenses for the repair of damage to the employee's principal residence. A financial need may be immediate and heavy even if it was reasonably foreseeable or voluntarily incurred by the employee.

Such request must be on the prescribed application form and contain a detailed explanation of the hardship condition including backup documentation as to the amount needed. All requests shall be subject to budgetary constraints of the department. The employee shall submit the form to the Department Director, who shall assess the request and make a recommendation to the Finance Director. The Finance Director and Director of Human Resources shall review the information provided in total, including the recommendation of the Department Director, and shall make a recommendation to the City Manager.

In granting or denying the request, the City Manager may consider whether the employee is on a performance improvement plan and whether the employee has received disciplinary action within the previous six (6) months, and other relevant factors.

All buyback payments are subject to applicable withholding and taxes.

Application for Vacation Hardship Buy-Back is strictly limited to one time per fiscal year.

## Chapter 14: Part-Time Employee Benefits

### A. Paid Time Off

Effective October 1, 2023, Paid Time Off (“PTO”) is provided by the City for regular, part-time employees who have worked a minimum of 1,040 hours during the preceding fiscal year. This leave may be used for rest and relaxation, illness, to attend to the illness of family members, or other personal matters.

**Accrual:** Regular, part-time employees who have worked a minimum of 1,040 hours during the preceding fiscal year will receive twelve (12) hours of PTO on October 1. PTO hours used in the preceding fiscal year do not count toward the 1,040 hours.

**Use:** All PTO requests must be approved in advance of the leave, by the employee’s Department Director based on the operating requirements of the City. PTO must be used on or before September 30 of the fiscal year in which it was granted, or it will be automatically forfeited.

For example, regular part-time employees who worked 1,040 hours during Fiscal Year 2023 shall receive twelve (12) hours of PTO on October 1, 2023, for use during Fiscal Year 2024.

PTO has no cash value and cannot be bought back or paid out under any circumstances. PTO does not count as “hours” worked for purposes of calculating overtime, if any.

### B. Employee Assistance Program

Effective January 1, 2024, regular, part-time employees shall be eligible to participate in the City’s Employee Assistance Program (“EAP”). This program generally offers free and confidential assessments, short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems. EAPs address a broad and complex body of issues affecting mental and emotional well-being, such as alcohol and other substance abuse, stress, grief, family problems, and psychological disorders.

## Chapter 15: Sick Leave

### A. Sick Leave General

Sick leave is provided by the City for regular, full-time employees so that they will have paid time off when they are unable to report for duty by reason of illness, injury, and/or periods of stress, occasioned by reasons other than causes arising out of employment with the City.

Sick leave may be used in the case of:

- Actual disability arising from illness and/or non-work related injury;
- Medical, dental, or eye treatment or examination for which arrangements could not be made outside the employee's assigned hours of duty;
- The care of an employee's spouse, domestic partner, parent, grandparent, legal guardian, sibling, child, domestic partner's child, parent-in-law, or domestic partner's parent experiencing a serious illness and/or injury, up to and including three (3) consecutive working days. The relations set forth above shall include those arising from marriage or adoption, or guardianship established by Court action.

Sick leave with pay shall be granted to regular employed full-time employees at the rate of 8 hours for each completed month of service. On the date when the employee becomes eligible to take paid sick leave, he or she shall be credited with the appropriate amount of sick leave. Thereafter, earned sick leave will be credited on a bi-weekly basis. In order to accrue sick leave for a month's service, an employee must have worked at least three-quarters of the days or time scheduled to be worked during that month. For purposes of this subsection, days worked shall include vacation leave or approved leave with pay.

Employees may accumulate up to 960 hours of sick leave. As of the last pay date of each fiscal year, employees who have accrued more than 960 hours of sick leave shall be cashed out for all hours above 960 at their regular rate per hour. During the fiscal year, for sick leave accrued above 480 hours, employees may opt to receive compensation at their normal hourly rate, once per fiscal year, for one-half of the total hours accrued above 480 hours. For each half-day of pay (4 hours), one full day of sick leave (8 hours) will be deducted from the employee's accumulated sick leave time.

Upon resignation or retirement in good standing, employees who provide the City with a two (2) weeks' written notice (or thirty (30) days' written notice in the case of Department Directors) shall be paid at their then regular hourly rate for the portion of their accrued sick leave as stated below, not to exceed the maximum 960 hours. Upon resignation, employees are prohibited from using Sick Leave, unless approved by the Director of Human Resources. When it is determined to be in the best interest of the City, the City Manager may waive the requirement for the applicable notice period. Sick leave accrued shall be forfeited if the employee is discharged or is not in good standing at the time of termination.



<u>PERSONNEL</u>	<u>YEARS OF SERVICE</u>	<u>% OF PAYOUT</u>
<b>GENERAL EMPLOYEES</b> Hired before 10/16/06 and <b>BARGAINING UNIT EMPLOYEES</b> Hired before 6/28/00	10 years + in good standing	100%
<b>BARGAINING UNIT EMPLOYEES</b> Hired after 6/28/00 and <b>GENERAL EMPLOYEES</b> Hired after 10/16/06	Retirement* 15 years 10 years 5-10 years 0-5 years	100% 75% 50% 25% 0%

\*When an employee is vested and applies for a retirement benefit under the City's retirement plan.

Should an employee in good standing and eligible for sick leave passes away prior to retirement, payment for accrued sick leave will be made to the employee's designated retirement plan beneficiary, or in the absence of a designated beneficiary, to the employee's next-of-kin.

In order to receive approval for requested sick leave, employees may be required to provide a physician's certification as to the nature of and probable duration of the need for any use of sick leave. Sick leave may be approved for up to three (3) consecutive working days by a Department Director or his or her designee without requiring a physician's certification. A sick leave request of more than three (3) consecutive working days may require a physician's certification. Additionally, the certification of a licensed physician as to the nature of the condition, and as to whether or not the employee is in a condition to return to his or her regular duties without danger to the employee or others may be required in the discretion of the Department Director and the Director of Human Resources.

To be placed on daily sick leave, an employee is responsible for notifying his or her Department Director or designee. Unless an emergency condition exists, as determined by the City, an employee shall provide notice as soon as possible, but not later than one (1) hour before the start of the employee's assigned hours of duty. The employee must provide the reason for the absence, the probable duration, and other related information. Where appropriate notification and information is not provided by the employee, the Department Director or his or her designee shall not authorize payment of sick leave. Such absence shall be recorded as an unauthorized absence without pay.

General employees may use up to 24 hours annually of accrued Sick Leave as Personal Leave. Personal Leave shall be taken in two (2) hour increments. Personal Leave must be approved by the Department Director or designee and shall not cause overtime. The 24 hours of converted time

shall be treated as Sick Leave for overtime purposes and shall not be considered actual hours worked for purposes of calculating overtime if used within one working day (before or after) any additional hours worked by an employee.

#### **B. Voluntary Sick Leave Donation Program**

The City's Sick Leave Donation Program is voluntary and is designed to extend paid benefits to employees who experience a medical emergency that will require the prolonged absence of the employee from duty and will result in a substantial loss in income to the employee because the employee will have exhausted all paid leave.

The following sets forth the eligibility requirements associated with receipt of Sick Leave Donations:

- The employee must be eligible for Family and Medical Leave Act leave.
- The employee must have exhausted his or her vacation and sick leave benefits.
- The employee must complete a Certification of Healthcare Provider, as required under the FMLA.
- The donating and receiving employee must both be either non-bargaining or within any bargaining unit.
- The employee must obtain and fully complete a Sick Leave Donation Application from the Human Resources Division, articulating the reasons why the Sick Leave Donations are appropriate. Employees are prohibited from personally lobbying other employees to request donations as all communications will be issued from the Human Resources Department.
- The employee will only be eligible to receive such donations during the period of any unpaid FMLA leave. As such, the maximum amount of leave an employee may receive is the number of hours necessary to cover the FMLA leave, less any accrued and unused sick and vacation leave balances. As such, the maximum is 480 hours less any available accrued and unused sick and vacation leave balances.
- In order to be eligible to receive Sick Leave Donations, an employee may not be receiving income benefits from other sources, such as Short-Term Disability and Long-Term Disability, or workers' compensation.
- Sick Leave Donation time must generally be taken in full-workday increments.

The following sets forth certain requirements relating to employees contributing Sick Leave Donations:

- The donating employee must complete a Sick Leave Donation Request/Authorization and submit it to Human Resources.
- The donating employee may not designate a specific individual for whom the Sick Leave Donation will be provided. Rather, any such Sick Leave Donations will be placed into the bank for equal distribution.
- The donating employee may only donate a maximum of forty (40) hours of accrued, unused sick leave per fiscal year. Such amount may not exceed more leave than they normally accrue during the fiscal year.
- The donating employee must have at least eighty (80) hours of sick leave remaining in the employee's leave bank after the donation is made to ensure the donating employee's own absences will be covered in the event of unexpected illness.

- Once Sick Leave hours have been donated, they may not be returned, but will remain in the bank for future use.
- Sick Leave Donations must be made in minimum of four (4) hour increments.

Applications for Sick Leave Donation will be reviewed by Human Resources and submitted to the City Manager for consideration and action. The City Manager, in consultation with the Director of Human Resources, shall make the final decision as to whether the application will be approved or denied.

Sick Leave Donation requests and receipt of Sick Leave Donations will be treated in an appropriate manner, respecting the privacy of the recipient employee, as well as the donating employee.

Donated Sick Leave will be provided to a recipient employee on an hour for hour basis.

Donated Sick Leave will be processed through payroll as income to the recipient employee. Further, requests and/or approvals for Sick Leave Donations in any amount are not guaranteed and are subject to employee donations. Again, participation is not required or expected by the City and is completely voluntary.

Employees interested in participating the Sick Leave Donation Program, either as a recipient or as a donor, should contact Human Resources.

**Chapter 16: Holidays**

**A. Observed Holidays**

The following shall be official City holidays during each calendar year:

- New Year’s Day    January 1
- Dr. Martin Luther King, Jr. Day    3rd Monday in January
- President’s Day    3<sup>rd</sup> Monday in February
- Memorial Day    Last Monday in May
- Juneteenth    June 19
- Independence Day    July 4
- Labor Day    1st Monday in September
- Veteran’s Day    November 11
- Thanksgiving Day    4th Thursday in November
- Friday following Thanksgiving
- Christmas Eve    December 24
- Christmas Day    December 25
- Floating Holiday    Date approved by supervisor

If a recognized holiday falls on a Saturday, the designated holiday shall be on the previous Friday. If a recognized holiday falls on a Sunday, the designated holiday shall be on the Monday following the holiday. In cases where Christmas Eve and Christmas day fall on Friday/Saturday, Saturday/Sunday, or on Sunday/Monday, the holidays shall be observed by the City as follows:

<u>Christmas Eve (actual)</u>	<u>Christmas Day (actual)</u>	<u>Observed as:</u>
Friday	Saturday	Thursday and Friday
Saturday	Sunday	Friday and Monday
Sunday	Monday	Monday and Tuesday

Employees who are in an unpaid status at the time the holiday is observed shall not be paid for the holiday. The City Manager, in conjunction with the Department Director, retains ultimate discretion as to whether employees will be required to work on a particular holiday based on the operational needs of the City.

The Floating Holiday shall not carry over from year to year and shall not be paid out at separation of employment for any reason. If the Floating Holiday is not used during the calendar year or is not used prior to separation during any given calendar year, it is forfeited.

**B. Holiday Pay for Regular Full-Time Employees**

Regular, full-time employees are eligible for the receipt of paid holidays as set forth below.

Generally, regular, full-time employees will not be required to work on a recognized holiday and will receive their regular rate of pay for the recognized holiday. In some cases, due to departmental requirements, employees may be scheduled and required to work on a holiday. Non-exempt employees assigned to work on a holiday shall receive eight (8) or ten (10) hours of holiday pay based on their regularly scheduled work hours in lieu of a day off. Additionally, non-exempt non-

bargaining employees assigned to work on a holiday shall be paid at 1.5 times the regular rate of pay for actual hours worked on the designated holiday.

Employees calling in sick the day before or the day after a holiday will not be compensated for the holiday. At the Department Director's discretion, with the Director of Human Resources approval employees may be compensated for the holiday if it is deemed that the employee was legitimately ill. Human Resources may require documentation from the employee's health care provider.

Eligible employees on paid leave shall be granted holiday pay in lieu of a paid leave day. Eligible employees on unpaid leave, suspended without pay, temporary employees, and part-time employees are not eligible for holiday pay.

Regular, full-time employees who do not work on a designated holiday by virtue of a modified work schedule necessitated by the requirements of their position will be credited eight (8) hours of vacation pay for the designated holiday.

### **C. Holiday Pay for Regular Part-Time Employees**

Regular, part-time employees are eligible for the receipt of paid holidays as set forth below. Seasonal and temporary workers are not eligible for holiday pay.

Generally, regular, part-time employees will not be required to work on a recognized holiday. Those regular, part-time employees who have actively worked hours during the pay period that includes the designated holiday will receive their regular rate of pay for four (4) hours of the designated holiday. Regular, part-time employees who do not actively work any hours during the pay period that includes the designated holiday are not eligible for holiday pay.

In some cases, due to departmental requirements, employees may be scheduled and required to work on a holiday. Non-exempt, part-time employees assigned to work on a holiday shall receive four (4) hours of holiday pay based on their regularly scheduled work hours in lieu of a day off.

Employees calling in sick the day before or the day after a holiday will not be compensated for the holiday. At the Department Director's discretion, with the Director of Human Resources' approval employees may be compensated for the holiday if it is deemed that the employee was legitimately ill. Human Resources may require documentation from the employee's health care provider.

Eligible employees on paid leave shall be granted holiday pay in lieu of a paid leave day, provided they have also actively worked hours during the pay period that includes the designated holiday. Eligible part-time employees on unpaid leave or suspended without pay employees are not eligible for holiday pay.

Regular, part-time employees who do not work on a designated holiday by virtue of their work schedule do not receive any additional pay or time off for the designated holiday.

## Chapter 17: Family and Medical Leave Act Leave

### A. General Policy Statement

Eligible employees will be granted up to 12 weeks of unpaid family, medical, or exigency leave during a 12-month period in accordance with the Family and Medical Leave Act (FMLA). Eligible employees will be granted up to 26 workweeks of unpaid leave to care for a covered member or veteran of the Armed Forces, including a member or veteran of the National Guard or Reserves, who is a family member or next of kin, during a single 12-month period in accordance with the FMLA as amended from time to time. The 12-month period is measured backward from the first date an employee uses FMLA leave. However, in the case of caring for a service member, where up to 26 weeks of leave may be taken, the 12-month period is measured forward from the first date of leave.

During this leave, an eligible Employee is entitled to continued group health plan coverage as if the Employee had continued to work, however the employee will not accrue vacation/sick leave during unpaid FMLA leave. At the conclusion of the leave, subject to some exceptions, an Employee generally has a right to return to the same or an equivalent position.

### B. Notice

Employees must provide the Human Resources Department with no less than thirty (30) days' notice of their intent to take FMLA leave when the leave is foreseeable. If such leave is unforeseeable, the employee shall provide notice as soon as possible after the employee learns of the need for the leave. Employees on approved family leave, medical leave, exigency leave, or service member leave under this policy, with or without pay, must make at least monthly contact with Human Resources during their absence and must provide Human Resources with proper documentation, as determined by Human Resources after each visit to a medical professional for a status update. Family Medical Leave under this policy runs concurrently with all other paid or unpaid leaves of absence.

### C. Eligibility

To be eligible for FMLA leave, exigency leave, or service member leave, an employee must have been employed by the City for at least twelve (12) months and must have worked for at least 1,250 hours during the previous twelve (12)-month period. Employees must also work at a site with 50 or more City employees or where 50 or more City employees are located within 75 miles of the worksite.

In addition to the foregoing eligibility requirements, the employee must also show that the reason for the leave falls into one of the following categories:

1. For the birth of a son or daughter, and to care for the newborn child;
2. For the placement of a child with the employee for adoption or foster care, and to care for the newly placed child;
3. To care for an immediate family member (spouse, child, or parent) with a serious health condition;

4. When the employee is unable to work because of a serious health condition;
5. To care for an injured or ill covered service member or covered veteran. The employee must be the family member or the next of kin (nearest blood relative) of the covered service member or covered veteran; and
6. To address any qualifying exigency arising out of the fact that a spouse, child, or parent who is also a military member in the National Guard or Reserves or a regular component of the Armed Forces when the military member is on covered active duty or called to covered active duty status and deployed to a foreign country.

#### **D. Medical Certifications**

The employee shall provide Human Resources with complete and sufficient certification of the need for leave from the health care provider of the employee, family member, or covered service or military member within fifteen (15) days of notification of the need for leave.

The employee will be required to submit a recertification in certain circumstances. Employees bear the entire cost of obtaining all certifications required by the City.

The City may require, at its own expense that the employee obtain the opinion of a second health care provider designated or approved by the City.

Employees must provide complete and sufficient certifications and documentation to Human Resources as required. Employees failing to provide complete and sufficient certifications as required, and after any opportunity to correct, may be denied the taking of FMLA leave. Failure to provide any certification may result in denial of leave under the FMLA policy. Employees who fail to provide requested documentation of the reason for an absence from work may be subject to disciplinary action up to, and including, termination.

#### **E. Intermittent or Reduced Work Week Leave**

Leave can be taken intermittently or on a reduced work schedule when medically necessary for a serious health condition or as a result of a qualifying exigency. However, the employee must provide a certification from the health care provider stating that the employee's reduced work schedule is medically necessary and the expected duration and schedule of the intermittent leave or reduced work schedule when intermittent leave is medically necessary. Employees may also take intermittent leave for pregnancy-related serious health conditions or for birth/placement of a child.

If an employee requests intermittent leave or leave on a reduced work schedule that is foreseeable based on a planned medical treatment, the employee:

1. May be required to transfer temporarily to an available alternative position (for which he or she is qualified) which has an equivalent pay and benefits and which better accommodates recurring periods of leave than the regular position of the employee.
2. Must make reasonable efforts to schedule the treatment so as not to unduly disrupt operations.

## **F. Health Insurance during FMLA Leave**

During approved FMLA leave, the City is required to maintain group health insurance benefits. Maintenance of such group health insurance requires that the employee continue to contribute any co-payment and his or her normal portion of the insurance premiums to the City at the same time payroll deductions would normally be made in order to maintain insurance coverage. If the employee's payment is more than 30 days late, the City may discontinue health insurance coverage upon notice to the employee. To the extent an employee's FMLA leave is paid through available accrued leave balances, the employee's portion of premiums will be collected through payroll deductions. For details on continuation of health insurance benefits for dependents, please contact the Human Resources Department.

## **G. Return from FMLA**

Employees returning from an FMLA leave are required to submit a fitness for duty certification from their healthcare provider prior to returning to work demonstrating the employee can perform the essential functions of the job. Failure to provide that certification may delay the employee's reinstatement.

After the beginning of the leave, an employee may discover that circumstances have changed and the amount of leave time originally anticipated is either reduced or needs to be extended. In foreseeable circumstances where it is necessary to change leave time, the employee is required to give the City notice within two (2) business days.

The City will provide a reasonable break time for an employee to express breast milk for her nursing child for one (1) year after the child's birth each time the employee has need to express the milk. The City will provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. Break times will be compensated or uncompensated in accordance with applicable wage and hour laws. The City will not retaliate against any employee for making requests to use a proper place to express breast milk during work hours.

An employee who accepts other employment during FMLA leave, or who fails to return to work on the next regularly scheduled work day following the expiration of the leave, or who does not accept a position offered by the City when returning from leave, will be separated from their employment. Employees are prohibited from performing any work during FMLA leave, for the City or any other entity or individual, and may be terminated immediately upon discovery of same.

Employees who give notice to the City that they do not intend to return to work upon conclusion of FMLA leave will be considered to have voluntarily resigned.

## **H. Concurrent Paid and Other Leave**

The City requires that employees use their accrued paid leave, such as sick or vacation leave or compensatory time, concurrently with their FMLA leave. Similarly, other leave occasioned by, for example, workers' compensation injury or disability will run concurrently with an employee FMLA entitlement.

Questions on Family and Medical Leave can be directed to the Director of Human Resources.



In the event the requirements under the Family and Medical Leave Act are amended, such requirements shall control.

## **Chapter 18: Drug-Free Workplace Policy**

The City of Greenacres has a longstanding commitment to provide a safe and productive work environment consistent with the standards of the community in which we serve. The use of illegal/illicit drugs by City employees, on or off the job, and the state of being under the influence of drugs or alcohol while at work are inconsistent with the law-abiding behavior expected by all citizens and the special trust placed in City employees as public servants. Alcohol and drug use and abuse poses a threat to the health and safety of the City of Greenacres employees and to the security of the City's property and facilities. The City of Greenacres is committed to the elimination of drug and alcohol use and abuse in the workplace.

### **A. Policy**

This policy outlines the practice and procedure designed to establish the City as a Drug Free Workplace.

1. It is a violation of this policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on the job;
2. It is a violation of this policy for anyone to report to work under the influence of illegal drugs or alcohol;
3. It is a violation of this policy for anyone to use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications);
4. It is a violation of this policy to unlawfully manufacture, distribute, dispense, possess, or use controlled substances in the workplace;
5. It is a condition of employment to abide by the Drug-Free Workplace Policy;
6. Violations of this policy subject all employees to disciplinary action up to and including immediate termination.

The goal of this policy is to balance our respect for individual privacy with the need to maintain a safe, productive and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at the City. In the event the provisions of this policy conflict with a collective bargaining agreement, the collective bargaining agreement will prevail.

### **B. Authority for Drug & Alcohol Testing**

The City has implemented this policy in accordance with the program requirements outlined in Florida Statute § 440.102.

### **C. Full Drug-Free Work Place Policy**

The entire Drug-Free Work Place Policy of the City of Greenacres is attached to this Handbook and incorporated herein as Appendix "A."

**D. Effective Date of Drug-Free Workplace Policy**

This Drug-Free Workplace is effective immediately upon adoption and supersedes any prior policies.

## **Chapter 19: Health and Safety**

### **A. Safety Generally**

The City Manager, in cooperation with Department Directors, shall be responsible for the development and administration of programs providing for the general health and safety of City employees.

The City shall make appropriate efforts to promote among employees and in the departments appropriate standards of safety and good health. All employees shall be responsible for performing work assignments in a safe manner. Prime consideration shall always be given to safety in all work situations.

Supervisors and Department Directors shall:

1. Be responsible for the establishment and implementation of appropriate safety standards within their respective activity areas, for periodically reviewing accident frequencies to determine and correct causes, and for identifying and correcting safety hazards.
2. Ensure that all new employees, including seasonal, temporary, and/or part-time employees are thoroughly advised, instructed, and supervised in necessary safety policies, practices, and procedures.
3. Implement and actively support the City's safety program.
4. Arrange and conduct safety meetings, inspections, and training sessions.
5. Provide and/or require equipment necessary to adequately protect the health and safety of employees.
6. Immediately investigate accidents, and prepare all necessary forms for documentation and future prevention of on-the-job injuries and hazardous conditions.

All employees shall:

1. Be thoroughly familiar with and comply with safety requirements and practices applicable to their respective work assignments.
2. Wear appropriate safety and/or protective gear as applicable to the work assignment.
3. Actively report unsafe or potentially dangerous conditions and accidents or injuries to their supervisor immediately.

Employees may be subject to disciplinary action for failure to comply with health and safety workplace requirements.

### **B. Clean Indoor Air Policy**

All individuals are prohibited from smoking, vaping, or using tobacco products in any enclosed indoor workplace at the City in accordance with Florida law. Enclosed indoor workplaces include any place that is predominantly or totally bounded on all sides and above by physical barriers, which includes City vehicles. "Predominately" generally refers to coverage of more than 50%. Employees unsure of an acceptable location for smoking should consult their supervisor.

Employees who witness individuals smoking, vaping, or using tobacco products in an enclosed indoor workplace must request the individual immediately extinguish the smoking device. If the employee is not comfortable confronting another employee or a citizen about the violation, he or she should immediately seek assistance from his or her supervisor or any member of management if the supervisor is unavailable.

To ensure a professional appearance, employees are also prohibited from smoking, vaping, using tobacco products, or using simulated smoking devices on City property during working hours or while on paid time, as well as while using City vehicles.

Employees who violate this policy may be subject to disciplinary action up to, and including, immediate termination.

The City will not retaliate against any employee who makes good faith reports of suspected violations of this policy.

For purposes of this policy, “tobacco products” include, but are not limited to cigarettes, cigars, chewing tobacco, and pipe smoking. A “simulated smoking device” includes, but is not limited to, electronic cigarettes, electronic pipes, or other devices intended to resemble or having the appearance of a cigarette, cigar, pipe, or other tobacco product. “Vape” or “vaping” means to inhale or exhale vapor produced by a vapor-generating electronic device or to possess a vapor-generating electronic device while that device is actively employing an electronic, a chemical, or a mechanical means designed to produce vapor or aerosol from a nicotine product or any other substance.

### **C. Hurricane & Emergency Preparedness**

In the case of an approaching hurricane or similar emergency, certain employees may be required to continue to perform work for the City (“Essential Personnel”), while other employees may be excused from work (“Non-essential Personnel”).

The following sets forth an overview of compensation in the event the City Council declares a State of Emergency due to a hurricane or similar emergency.

During the declaration of emergency, any approved leave time may be cancelled at the City Manager’s (or designee’s) sole discretion. If the employee is already on vacation or using leave time when the emergency is declared, the employee must make every effort to check in with his or her supervisor for further instructions and may be required to report back to work. The City Manager or designee must approve all regular and overtime hours once the state of emergency has been declared. The City Manager, in consultation with the Fire Chief, will determine actual lockdown hours for purposes of this policy.

#### ***FEMA Requirements***

For purposes of reporting and/or reimbursement by the Federal Emergency Management Agency (FEMA), all hours compensated during a declared emergency will be tracked both electronically and on designated timesheets as directed by the City Manager or designee. Other requirements apply, as determined by the City Manager.

### ***Requirements***

Based on the type of activation, the City may need staff before, during, and after the emergency event. Typically, those who are required to report during the event will be notified prior to its start, however, this may not always be possible. All employees must return to work as instructed by their supervisor and/or via an announcement posted on the City's website or social media. Failure to return to work on the expected return to work day, shall be grounds for discipline, up to and including termination of employment.

### ***Emergency Pay for Non-Exempt Staff***

Non-exempt employees who are required to work during a declared emergency and are scheduled to be in "lockdown" at the direction of the City Manager shall be compensated with regular pay for their regularly scheduled hours during the lockdown period. In addition, for the time actually worked during the lockdown period within the declared emergency time frame, non-exempt employees shall receive time and one-half their regular rate of pay. To the extent applicable there will be no duplication or pyramiding of overtime or premium pay for the same hours worked, including, but not limited to call back and standby pay.

Non-exempt full time employees who are not required to work during the declared emergency, may be released from duty and will be paid regular pay for the declared emergency time frame that City offices are closed due to the emergency event.

Employees with work schedules who have normal scheduled days off during the declared emergency time frame, will not be paid for those hours. Employees with previously scheduled and approved leave time who are not required to work will be paid their regular pay for the declared emergency time frame in lieu of utilizing pay through the applicable leave time policy. Emergency hours paid for time not worked will not count toward overtime calculations.

Non-exempt part time employees who are scheduled to work but are not required to work during the declared emergency may be released from duty and will be paid regular pay for the declared emergency time frame, based on their normal workday schedule.

Seasonal and temporary part time employees and interns will only be paid for hours worked during a declared emergency.

### ***Emergency Pay for Exempt Staff***

Exempt employees who are required to work during the declared emergency and scheduled to be in "lockdown" shall, in addition to receiving the same compensation as other exempt employees who are not required to work during the declared emergency, be compensated one (1) hour of straight time for each hour of time worked within the same pay week. "Straight time" for exempt employees is defined as the annual salary divided by 2080, even though such salary is designed to cover all hours worked, including hours worked over 40.

Exempt employees will also receive compensation of one and one-half hours of pay for each hour of time worked within the same pay week when they perform duties that are directly related to emergency preparation and recovery efforts outside the emergency declaration period and outside their normally-scheduled work shift (which includes all hours over 40 worked within the same pay

week). The City Manager or designee will determine the emergency preparation and post-emergency recovery periods for purposes of this policy.

Exempt employees who are not required to work during the declared emergency may be released from duty and shall be paid regular pay for the declared emergency time frame that City offices are closed due to the emergency event. Exempt employees with previously scheduled and approved leave time who are not required to work will be paid according to their regular pay for the declared emergency time frame in lieu of utilizing pay through the applicable leave time policy.

### ***Conclusion of Emergency***

Once the hurricane or emergency has passed, a press release through the news media, City webpage, or through the Department Director will be made advising Non-essential Personnel to report for work. Non-essential Personnel are required to report to work upon notification from the Department Director or designee where such notice occurs prior to the publication of the press release. At that time, employees should call their respective supervisor to make every reasonable effort to report to work to relieve Essential Personnel who have worked through the hurricane or emergency, and assist in the cleanup/recovery process, as directed/authorized.

### ***Exemptions and Paid Leave***

Essential Personnel who are scheduled to work during the hurricane or emergency, but who call in sick, will be required to provide medical documentation for the absence in order to receive paid sick leave. Essential Personnel who call in for a personal reason may be excused at the discretion of the Department Director. Such employee will be required to use sick or vacation leave for this time off, if the employee has such leave available. Otherwise, it will be unpaid.

In the case of an approaching storm, it may be necessary for the City to revoke previously approved vacation leave in order for employees to assist with City storm-related preparations.

All accruals for vacation and sick will run according to Personnel Policies and Procedures.

### ***Payroll Adjustments***

During a state of emergency the City may process payroll based on estimated scheduled hours. Any adjustments in pay, if required, may be made in a subsequent pay period. Full time employees may be paid for their regularly scheduled hours based on their standard workweek. Regular part time employees may be paid based on their standard schedule. Seasonal and temporary part time employees and interns will only be paid for hours worked.

### ***Holidays***

If the declared emergency occurs during a City-observed holiday and the employee is required to work, the employee will receive emergency pay as outlined above; and in lieu of the holiday, the employee shall receive one (1) Administrative Day per City-observed holiday worked.

## Chapter 20: Workplace Violence

### A. Prohibited Conduct

Threats, threatening language, or any other acts of aggression or violence made toward or by any City employee or visitor **WILL NOT BE TOLERATED**. Examples of threatening language or behavior include any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, unlawful possession and display of weapons, stalking, or any other hostile, aggressive, injurious, or destructive action undertaken for the purpose of intimidation.

To the fullest extent permitted by law, employees and visitors are prohibited from possessing or carrying weapons on City premises. Weapons shall include, but are not limited to, firearms, ammunition, knives, clubs, brass knuckles, explosives or destructive devices, chemical weapons, stun guns, or other objects that may be considered weapons as defined in Section 790.001, Florida Statutes.

### B. Procedures for Reporting a Threat

All potentially dangerous situations, including threats by co-workers, should be reported immediately to Human Resources and, if appropriate, to law enforcement. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede our ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation, or disciplinary action as a result of reporting a threat in good faith under this policy.

If the City determines, after an appropriate, good faith investigation, that someone has violated this policy, it will take prompt and appropriate corrective action, up to and including termination of the transgressor and notification of the appropriate authorities.

An employee who is the recipient of a threat made by an outside party, should follow the steps detailed in this policy. It is important for the City to be aware of any potential danger in the work area. The City is committed to taking effective measures to protect everyone from the threat of a violent act by an employee or by anyone else.

Employees are expected and encouraged to exercise reasonable judgment in identifying potentially dangerous situations.

In an emergency situation (e.g. assault, direct threat of immediate violence, suicide attempt, or any crime in progress) employees shall call 911.

Employees who have concerns about their personal safety in the work environment but have not received a threat, should report the concerns to the Department Director. Under no circumstances are employees permitted to carry weapons in violation of this policy.



## Chapter 21: Outside Employment

The City of Greenacres strongly discourages, but does not prohibit, outside employment with the following prohibitions:

### A. General Prohibitions

Outside employment is prohibited when the work of the outside employment:

1. Is conducted on City time.
2. Is conducted while on paid leave including workers' compensation leave, disability leave, or sick leave.
3. Interferes with working hours or overtime requirements of the employee's position, including mandatory work during emergencies.
4. Involves the use of City uniforms, facilities, equipment or supplies of any kind.
5. May reasonably be construed by the public to be an official act of the City, or that a conflict of interest exists.
6. Reflects adversely upon the employee or the City.
7. Is in conflict with the employee's position with the City. This shall include work which an employee would be expected to do as part of his/her normal duties; work requiring approval or review of the City, or work which would tend to influence the exercise of improper judgment on any matter coming before the employee in the course of his/her City employment.
8. Inhibits the employee's ability to perform their job with the City.

### B. Conflicts Prohibited By State or Local Laws

Employees may hold outside employment as long as they meet the performance standards of their position and they receive advance, written approval by the immediate supervisor, the Department Director, the Director of Human Resources, and the City Manager. Employees who have outside employment are required to complete an "Outside Employment Authorization" form in addition to the "Commission on Ethics Employee Conflict of Interest Waiver." Certain restrictions apply including:

1. Neither the employee nor any relative may work in a City department which enforces, oversees or administers any contract or transaction with his or her outside employer;
2. The outside employment will not interfere or otherwise impair his/her independent judgment or the performance of public duties for the City;
3. Neither the employee nor any relative is allowed to participate in determining the requirements or awarding of any contract to the employee's outside employer.
4. The employee's public job responsibilities and job description will not require him/her to be involved in any contract in any way including, but not limited to, its enforcement, oversight, administration, amendment, extension, termination or forbearance with the outside employer.

5. The employee has complied with all other City policy requirements.

Outside employment that constitutes a conflict or could potentially be perceived to conflict with the Code of Ethics Policy, state or local ethics laws and ordinances, or that could impact or potentially impact negatively on the City or its reputation, is prohibited.

Employees may hold outside jobs as long as no conflict exists, the outside employment has been approved in writing before beginning outside employment, the performance standards of their official duties with the City are met, and outside employment is not conducted during paid or unpaid leave time provided by the City.

### **C. Outside Employment Disclosure and Approval Process**

All employees must advise the City in writing whether they are engaged in outside employment, or as requested by the City from time to time.

Employees seeking to engage in outside employment must submit an Outside Employment Request and Disclosure Form along with the Palm Beach County Conflict of Interest Waiver Form *prior* to engaging in outside employment. A separate form must be submitted for each outside employment situation. Incomplete forms will be denied.

Changes in outside employment including, but not limited to, changes in work schedules at the outside employer, termination from the outside employer, or changes to the ownership interests in the outside employer must be disclosed to the City on a new Outside Employment Request and Disclosure Form within 30 calendar days of the change.

Failure to abide by the City's Outside Employment policy, including the timely disclosure of Outside Employment, may result in disciplinary action up to, and including, termination.

### **D. Injuries and Outside Employment**

If an employee suffers an injury or illness during or resulting from an outside employment activity, the City will not be responsible for any worker's compensation benefits.

If an employee holds outside employment and is injured on their job with the City, the City shall assume no responsibility for wages lost at the outside employment as a result of the injury.

## Chapter 22: Conflicts of Interest and Code of Ethics Policy

It is the policy of the City to require employees to avoid prohibited conflicts of interest. When employees are in doubt as to whether any particular action or inaction presents a prohibited conflict of interest, employees must immediately seek guidance from the immediate supervisor or Department Director.

### A. Definitions for Conflict Of Interest and Code of Ethics Policy

A “conflict of interest” means a situation where regard for an employee’s private interest tends to lead to disregard of a public duty or interest. A “conflict of interest” occurs when employees solicit or accept gifts, do business with the City and/or engage in prohibited employment or business relationships, accept unauthorized compensation, misuse their position, disclose or use certain information, solicit or accept honoraria, or engage in lobbying the City within two years of separation of employment, accept prohibited travel expenses, receive contingency fees, or submit false statements in connection with employment or services provided to the City in violation of this policy, all of which are more fully described below.

A “covered person” for purposes of this Handbook is a City employee. However, the statutes and local ordinances regulating ethics and conflicts of interests also govern the City Council members.

A “domestic partner” is an adult, unrelated by blood, with whom an unmarried or separated official or employee has an exclusive committed relationship and maintains a mutual residence.

A “gift” is something which is paid or given by a person or entity to a City employee, or to another for or on behalf of the employee, directly, indirectly, or in trust for the employee’s benefit or by any other means, where the employee does not, in exchange, give something of equal or greater value to that person or entity within 90 days, including:

- real property or the use of real property
- tangible or intangible personal property or the use of tangible or intangible personal property
- a preferential rate or terms on a debt, loan, goods, or services, which rate is below the customary rate and is not either a government rate available to all other similarly situated government employees or a rate which is available to similarly situated members of the public by virtue of occupation, affiliation, age, religion, sex, or national origin
- forgiveness of an indebtedness
- transportation, other than that provided to a public employee by an agency in relation to officially approved governmental business, lodging, or parking
- food or beverage
- membership dues
- entrance fees, admission fees, or tickets to events, performances, or facilities
- plants, flowers, or floral arrangements
- services provided by persons pursuant to a professional license or certificate
- other personal services for which a fee is normally charged by the person providing the service

- any other similar service or thing having an attributable value not already provided for above

A “gift” does not include the following items:

- Salary, benefits, services, fees, commissions, gifts, or expenses associated with the employee’s employment, business, or service as an officer or director of a corporation or organization.
- Campaign contributions or expenditures reported pursuant to statute, campaign-related personal services provided without compensation by individuals volunteering their time, or any other contribution or expenditure by a political party.
- An honorarium or an expense related to an honorarium event paid to a person or the person’s spouse.
- An award, plaque, certificate, or similar personalized item given in recognition of the employee’s public, civic, charitable, or professional service.
- An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization.
- The use of a public facility or public property made available by a governmental agency, for a public purpose.
- Transportation provided to an employee by an agency in relation to officially approved governmental business.
- Gifts provided directly or indirectly by a state, regional, or national organization which promotes the exchange of ideas between, or the professional development of, government officials or employees, and whose membership is primarily composed of elected or appointed public officials or staff, to members of that organization or officials or staff of a governmental agency that is a member of that organization.

A “household member” includes anyone whose primary residence is in the official’s or employee’s home, including nonrelatives who are not rent payers or employees of the head of household.

“Immediate family” means any parent, spouse, child, or sibling.

A “relative” means an individual who is related to a Covered Person as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, half-sister, grandparent, great grandparent, grandchild, great grandchild, step grandparent, step great grandparent, step grandchild, step great grandchild, person who is engaged to be married to the Covered Person or who otherwise holds himself or herself out as or is generally known as the person whom the Covered Person intends to marry or with whom the Covered Person intends to form a household, or any other natural person having the same legal residence as the Covered Person.

## **B. Prohibited Conflicts Of Interest**

All employees are prohibited from engaging in conduct that creates a conflict of interest. Additionally, employees should avoid engaging in conduct that merely has the appearance of a conflict of interest.

### **C. Solicitation or Acceptance of Gifts**

City employees are prohibited from soliciting or accepting anything of value, including gifts, loans, rewards, promises of future employment, favors or services that are based on any understanding that their vote, official action or judgment would be influenced by such a gift.

Employees are prohibited from soliciting any gift from a political committee, a certified committee of continuous existence, or from a person who, for compensation, seeks or sought to influence the governmental decision making of the employee, or who encouraged the passage, defeat, or modification of any proposal or recommendation by the employee or the City Council, within the past 12 months, where the gift is for the personal benefit of the employee, or any member of their immediate family or household.

Employees, or any person on his or her behalf, are prohibited from knowingly accepting, directly or indirectly, a gift from a political committee, certified committee of continuous existence, or from a person who, for compensation, seeks or sought to influence the governmental decision making of the employee, or who encouraged the passage, defeat, or modification of any proposal or recommendation by the employee, or the City Council, within the past 12 months, if he/she knows or reasonably believes that the gift has a value in excess of \$100.00. However, such a gift may be accepted by the employee on behalf of City or a charitable organization so long as the employee does not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift. The value of the gift is generally determined using the actual cost to the donor, less taxes and gratuities, or the reasonable and customary charge for personal services provided by the donor directly. Compensation provided by the employee to the donor within 90 days after receipt of the gift is deducted from the value.

No Covered Person shall accept or agree to accept a gift from a person or entity, because of:

- An official public action taken or to be taken, or which could be taken;
- A legal duty performed or to be performed or which could be performed; or
- A legal duty violated or to be violated, or which could be violated by any official or employee.

No Covered Person, or any other person or entity on his or her behalf, shall knowingly solicit a gift of any value from any person or business entity that the recipient knows is a vendor, lobbyist or any principal or employer of a lobbyist where the gift is for the personal benefit of the official or employee, another official or employee, or any relative or household member of the official or employee.

Even though the acceptance of gifts may be lawful under the Code of Ethics applicable to City employees, acceptance of gifts may have the unintended consequence of creating the perception of impropriety or self-dealing. For that reason, employees are strongly urged to decline any and all gifts offered by vendors, lobbyists, members of the public, or the principal or employer of a lobbyist doing business with the City. Employees who are unsure how to politely and professionally decline a well-intentioned gift should seek guidance from their supervisor.

#### **D. Gift Reports**

Any employee who receives a gift in excess of one hundred dollars (\$100.00) shall report that gift in accordance with this section.

*Gift reports for employees identified by state law as reporting individuals.*

Those persons required to report gifts pursuant to state law shall report those gifts in the manner provided by Florida Statutes, §112.3148, as may be amended. A copy of each report shall be filed with the Palm Beach County Commission on Ethics.

*All other employees who are not reporting individuals under state law.*

*Personal gifts.* All employees who are not reporting individuals under state law are not required to report gifts in excess of one hundred dollars (\$100.00) so long as those gifts are given to the employee by a personal friend or co-worker and the circumstances demonstrate that the motivation for the gift was the personal or social relationship rather than an attempt to obtain the goodwill or otherwise influence the official or employee in the performance of his or her official duties. Factors to be considered in determining whether a gift was motivated by a personal or social relationship may include but shall not be limited to: whether the relationship began before or after the official or employee obtained his or her office or position; the prior history of gift giving between the individuals; whether the gift was given in connection with a holiday or other special occasion; whether the donor personally paid for the gift or sought a tax deduction or business reimbursement; and whether the donor gave similar gifts to other officials or employees at or near the same time. If the personal friend or co-worker is a vendor, lobbyist or principal or employer of a lobbyist that lobbies the City, then the employee shall not accept a gift in excess of one hundred dollars (\$100.00) in accordance with this policy.

*All other gifts.* All employees who are not reporting individuals under state law and who receive any gift in excess of one hundred dollars (\$100.00), which is not otherwise excluded or prohibited pursuant to this subsection, shall complete and submit an annual gift disclosure report with the County Commission on Ethics no later than November 1 of each year beginning November 1, 2011, for the period ending September 30 of each year. All officials or employees who are not reporting individuals under state law and who do not receive a gift in excess of one hundred dollars (\$100.00) during a given reporting period shall not file an annual gift disclosure report. The annual gift disclosure report shall be created by the County Commission on Ethics and shall be in a form substantially similar in content as that required by state law.

#### **E. Doing Business with the City and Prohibited Employment and Business Relationships**

Covered Persons are prohibited from having an employment or contractual relationship with any business entity or agency which is subject to the regulation of the City or that is doing business with the City.

Covered Persons are prohibited from having an employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

Covered Persons acting in their official capacity as a purchasing agent, with authority to commit the expenditure of public funds through a contract for, or the purchase of, any goods, services, or interest in real property for the City (as opposed to the authority to request or requisition a contract or purchase by another person) are prohibited from either directly or indirectly purchasing, renting, or leasing any realty, goods, or services for the City from any business entity of which the employee, or the employee's spouse or child is an officer, partner, director, or proprietor or in which such employee or his or her spouse or child, or any combination of them, has a material interest. A material interest means direct or indirect ownership of more than 5 percent of the total assets or capital stock of any business entity; however, indirect ownership does not include ownership by a spouse or minor child.

Covered Persons are prohibited from acting in a private capacity to rent, lease, or sell any realty, goods, or services to the City unless the contract for the transaction was entered into prior to the employee's first date of employment at the City.

#### **F. Unauthorized Compensation**

Employees, their spouses and minor children are prohibited from accepting any compensation, payment, or item of value when the employee knows, or should know with the exercise of reasonable care, that is given to influence an action in which the employee was expected to participate in his or her official capacity.

#### **G. Misuse of Position**

Covered Persons are prohibited from, whether corruptly or not, using or attempting to use his or her position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit or exemption for himself, herself, or others. "Corruptly" means done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of an official or employee which is inconsistent with the proper performance of his or her public duties.

Specifically, an employee shall not use his or her official position, or take or fail to take any action, or influence others to take or fail to take any action, in a manner which he or she knows or should know with the exercise of reasonable care will result in a special financial benefit, not shared with similarly situated members of the general public, for any of the following persons or entities:

- Himself or herself;
- His or her spouse or domestic partner, household member or persons claimed as dependents on the official or employee's latest individual federal income tax return, or the employer or business of any of these people;
- A sibling or step-sibling, child or step-child, parent or step-parent, niece or nephew, uncle or aunt, or grandparent or grandchild of either himself or herself, or of his or her spouse or domestic partner, or the employer or business of any of these people;
- An outside employer or business of his or hers, or of his or her spouse or domestic partner, or someone who is known to such official or employee to work for such outside employer or business;
- A customer or client of the official or employee's outside employer or business;
- A substantial debtor or creditor of his or hers, or of his or her spouse or domestic partner— "substantial" for these purposes shall mean at least ten thousand dollars (\$10,000.00) and shall

not include forms of indebtedness, such as a mortgage and note, or a loan between the employee and a financial institution;

- A civic group, union, social, charitable, or religious organization, or other not for profit organization of which he or she (or his or her spouse or domestic partner) is an officer or director.

#### **H. Disclosure of Certain Information**

Current and former employees of the City are prohibited from disclosing or using information not available to members of the general public and gained by reason of his or her position, except for information relating exclusively to governmental practices, for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.

#### **I. Solicitation or Acceptance of Honoraria**

The City Manager, City Clerk, City Building Official, employees with the power to grant or deny a land development permit, and any purchasing agent with authority to make any single purchase in excess of \$20,000 on behalf of the City are prohibited from soliciting an honorarium which is related to their public office or duties. An honorarium means any payment of money or anything of value, directly or indirectly, to the employee, or to any other person on his or her behalf, as payment for a speech, address, oration or other oral presentation by the employee, regardless of whether presented in person, recorded or broadcast over the media, or for a writing by the employee that is intended to be published (other than a book). Because an honorarium does not include the payment or provision of actual and reasonable transportation, lodging, and food and beverage expenses related to the honorarium event, including any event or meeting registration fee for the employee and spouse, the employee may accept payment of such expenses related to an honorarium event, provided the employee receives a statement listing the name and address of the person providing the expenses, a description of the expenses provided each day, and the total value of the expenses provided for the event within 60 days of the event and receives a waiver from the City Council authorizing acceptance of such expenses, as more specifically outlined under the Travel Expenses section of this policy. If the City Council authorizes acceptance of the expenses, the employee must disclose such expenses and approval annually in the financial disclosure when such expenses are paid by a political committee or committee of continuous existence or from a person who, for compensation, seeks or sought to influence the governmental decision making of the City Manager or purchasing agent, or who encouraged the passage, defeat, or modification of any proposal or recommendation by the City Manager, purchasing agent, or the City Council, within the past 12 months.

#### **J. Travel Expenses**

No employee shall accept, directly or indirectly, any travel expenses including, but not limited to, transportation, lodging, meals, registration fees and incidentals from any municipal contractor, vendor, service provider, bidder or proposer as applicable. The City Council may waive the requirements of this subsection by a majority vote of the City Council. The provisions of this subsection shall not apply to travel expenses paid by other governmental entities or by organizations of which the municipality is a member if the travel is related to that membership.



### **K. Contingency Fees**

No person shall, in whole or in part, pay, give or agree to pay or give a contingency fee to another person. No person shall, in whole or in part, receive or agree to receive a contingency fee. "Contingency fee" means a fee, bonus, commission, or nonmonetary benefit as compensation which is dependent on or in any way contingent on the passage, defeat, or modification of: an ordinance, resolution, action or decision of the City Council, any employee authorized to act on behalf of the City Council, the City Manager, or any action or decision of an advisory board or committee. This prohibition does not apply to real estate brokers when acting in the course of their profession as regulated by Florida Statutes, §§ 475.001—475.5018, as may be amended. Nothing in this section may be construed to prohibit any salesperson from engaging in legitimate government business on behalf of a company from receiving compensation or commission as part of a bona fide contractual arrangement with that company provided such compensation or commission is ordinary and customary in the industry. Nothing in this section may be construed to prohibit an attorney from representing a client in a judicial proceeding or formal administrative hearing pursuant to a contingent fee arrangement.

### **L. Honesty in Applications for Positions**

No person seeking to become an officer or employee, or seeking to enter into a contract to provide goods or services to the City, may make any false statement, submit any false document, or knowingly withhold information about wrongdoing in connection with employment by or services to the City.

### **M. Ethics Training**

At the beginning of employment and throughout the course of employment, employees are advised of their obligations to comply with the Palm Beach County and State of Florida Code of Ethics. Training provided by the City is mandatory for all Covered Persons, whether initial training or follow-up training. The City provides initial training within 60 days of employment and follow-up training on the ethics obligations of Covered Persons approximately every 24 months. The Director of Human Resources shall act as liaison between City and the Commission on Ethics with respect to ethics training. Employees must complete the acknowledgement form upon completion of training to be placed in their personnel file.

### **N. Consequences for Violations**

Any employee who engages in a prohibited conflict of interest, as specified above, shall be subject to discipline, up to and including immediate termination of employment.

Additionally, any employee may be subject to investigation by the Florida Commission on Ethics, the Palm Beach County State Attorney's Office, Palm Beach County Commission on Ethics, or other enforcement agencies, which may result in civil and/or criminal penalties, if the violation of this policy also constitutes a violation of Florida or applicable local law.

### **O. Reporting Violations**

Employees must contact their immediate supervisor or Department Director if they have any questions concerning the Conflict of Interest and Code of Ethics Policy. Suspected violations of the Conflict of Interest and Code of Ethics Policy must be reported immediately to their Department Director or the City Manager. Employees may report their concerns verbally or in

writing. Department Directors receiving reports of alleged violations must immediately forward the report to the City Manager for action.

Employees may also report suspected violations of this policy to the Palm Beach County Inspector General or the Palm Beach County Commission on Ethics.

The City will not retaliate against any employee who reports suspected violations of this Conflict of Interest and Code of Ethics Policy unless it is determined the report was made in bad faith or maliciously.

In the event state or local law governing conflicts of interest and ethics is amended, any such applicable amendments will control.

Moreover, the Office of Inspector General (OIG) has the responsibility for investigating possible instances of fraud, waste, mismanagement, misconduct and other abuses by a City official, employee, contractor or any other parties doing business or that have a financial relationship with the City. This directive establishes a policy and procedure for reporting such matters to the OIG.

City Employees shall report any fraud, theft, bribery, contract mismanagement (misuse or loss exceeding \$5,000), or other violations of law, which appear to fall under the jurisdiction of the OIG on matters related to City business in accordance with the procedure established herein.

An employee, who becomes aware of a matter that may be within the responsibility of the OIG, shall promptly report their concerns/information in any of the following ways:

1. to the Office of Inspector General  
[www.pbcgov.com/OIG/rwfa.htm](http://www.pbcgov.com/OIG/rwfa.htm), 561-233-2350; or
2. to the employee's department director; or
3. to the City Manager; or
4. any combination of the preceding.

The employee may choose whichever method they think is appropriate for the matter. Any qualifying matter reported to management shall be promptly reported to the OIG. Staff Cooperation; All employees are expected to fully cooperate with the OIG in the exercise of the OIG's functions, authority and powers. Such cooperation shall include, but not be limited to, providing statements, documents, records, and other information.

## **Chapter 23: Discipline Guidelines**

### **A. Purpose**

It shall be the duty of all City employees to maintain high standards of competence, conduct, cooperation, efficiency, and economy in their work. Department Directors and supervisors shall organize and direct the work under their direction in a manner calculated to achieve these objectives.

When employee performance, conduct, or behavior issues occur, it is the responsibility of all supervisors, managers, and Department Directors to administer disciplinary action in a fair and consistent manner. Disciplinary actions involving suspension, demotion, or termination require the approval of the City Manager, in concert with the Director of Human Resources.

### **B. Standards of Conduct**

Making the City of Greenacres a great place to live and work requires that employees maintain proper standards of conduct at all times. As an employee of the City, your performance and conduct is in the public eye of City of Greenacres residents. Employee actions and behavior directly affect the City's reputation, and you must be constantly aware of the image you project to the public.

The City of Greenacres has established policies and procedures to guide employee performance. These do not cover all the work an employee is required to do, and do not replace the need to use sound judgment and common sense. Employees who fail to maintain proper standards of conduct or exhibit substandard performance may be subject to appropriate corrective action, up to and including termination.

A partial list of unacceptable behavior has been developed as a guideline of employee standards of conduct while employed by the City. Any and all violations may be subject to disciplinary action, up to and including termination. The City recognizes that each instance differs in many respects from seemingly similar situations. The City retains the right to treat each occurrence on an individual basis and without creating a precedent for other cases which may arise in the future. The Types of Offenses are not to be construed as a limitation upon the retained rights of the City. These guidelines provide recommended standard penalties to apply for specific offenses. This means that a more severe penalty may be issued than that which appears as the recommended level of discipline. In addition to the Types of Offenses listed below, infractions of written departmental rules and regulations will subject the employee to disciplinary action.

Non-bargaining, probationary, seasonal, part-time and temporary employees' employment with the City of Greenacres is at-will. The City reserves the right to terminate employment of such employees at any time, for any reason, with or without cause, with or without prior notice or with or without prior disciplinary action.

### **3. Types of Offenses**

The group listings below are not all-inclusive. It is impossible to list all actions and behaviors that would be considered unacceptable and subject an employee to disciplinary action. All employees are required to follow City policies, practices and procedures, use sound judgment and common sense, and to ask their supervisor if they need assistance to guide their actions.

The three (3) groups of offenses and a guide for recommended penalties are as follows:

**1. Group I Offenses**

FIRST OFFENSE	Up to Written Reprimand
SECOND OFFENSE	One (1) Day Suspension
THIRD OFFENSE	Up to Five (5) Day Suspension
FOURTH OFFENSE	Up to Termination

- a. Operating, using or possessing tools, equipment or machines to which the employee has not been assigned or performing other than assigned work.
- b. Quitting work, wasting time, loitering or leaving assigned work area during work hours without permission.
- c. Washing up or changing clothes during working hours without specific permission or supervision.
- d. Taking more than specified time for meals or rest periods.
- e. Productivity or workmanship not up to required standards or performance.
- f. Failure to perform and/or neglect of assigned duties.
- g. Reporting to work or working while unfit for duty.
- h. Posting or removal of any material on bulletin boards or City Property unless authorized.
- i. Distribution of literature for any purpose on the job without the prior approval of the City Manager or his designee.
- j. Discourtesy to persons with whom the employee comes in contact while in the performance of duties.
- k. Wasting valuable work time such as talking about the private affairs of others in a malicious manner, spreading gossip, and other unproductive behavior;
- l. Tardiness or unauthorized failure of an employee to be present punctually for all and any part of the employee’s assigned hours of work.
- m. Chronic absenteeism.
- n. Creating or contributing to unsafe and unsanitary conditions or poor housekeeping.
- o. Failure to report the loss of a City’s identification card to the department Director (if applicable).
- p. Failure to keep the department and Human Resources of proper address or telephone numbers (if any).
- q. Political activity conduct during employee’s regularly scheduled work time.

**2. Group II Offenses**

FIRST OFFENSE	Up to Two (2) Day Suspension
SECOND OFFENSE	Up to Five (5) Day Suspension
THIRD OFFENSE	Up to Termination

- a. Threatening, intimidating, coercing or interfering with fellow employees or supervision, at any time, including abusive language.

- b. Sleeping during duty hours, unless otherwise authorized.
- c. Failure to work overtime, special hours or special shifts after being scheduled.
- d. Negligence or omission in complying with the requirements as set forth in departmental rules and standards of conduct.
- e. Willfully making or publishing false, vicious or malicious statements concerning any employee, supervisor, the City or its operation.
- f. Absent without permission or leave (A.W.O.L).
- g. Use of, or being under the influence of, alcoholic beverage(s), illegal narcotic(s) and/or controlled substances, while on duty.
- h. Negligence which affects the safety of City personnel, equipment, tools or property.
- i. Failure to report a request for information or receipt of a subpoena from a law firm or an attorney for a matter relating to City business.
- j. Solicitation of funds, for any purpose, on the job without the prior approval of the City Manager or designee.
- k. Violation of any or all of the steps outlined in the grievance procedure.
- l. Knowingly harboring a serious communicable disease which may endanger other employees.
- m. Violating a safety rule or safety practice.
- n. Violation of the Mobile Telephone Policy.
- o. Violation of the Clean Indoor Air Policy.
- p. Failure to immediately report an accident or personal injury in which the employee was involved while on the job.
- q. Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, distracting the attention of others, catcalls, demonstrations on the job or similar types of disorderly conduct.

**3. Group III Offenses**

FIRST OFFENSE	Up to Termination
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- a. Wanton duties or willful neglect in the performance of assigned duties.
- b. Theft, willful neglect, and/or misuse of City or employee property, funds, equipment, material(s) and/or supplies.
- c. Solicitation or receipt from any person, or participation in, any fee, gift, or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor or better treatment than that accorded other persons.
- d. Falsification of personnel or City records, including employment applications, accident reports, work records, purchase orders, time sheets or any other report, record or application.
- e. Making false claims or misrepresentation in an attempt to obtain sickness or accident benefits or workers' compensation.
- f. Insubordination by the refusal to perform work assigned or to comply with written or verbal instructions of a supervisor.

- g. Unauthorized use or display of firearms, explosives or weapons on City property.
- h. Theft or removal from City locations, without proper authorization, any City property or property of an employee.
- i. Immoral, unlawful or improper conduct or indecency, either on or off the job, which would tend to affect the employee's relationship to his/her job, fellow workers, reputation or goodwill in the community.
- j. Being absent from duty for a period of three (3) consecutive working days without proper authorization.
- k. Failure to return from an authorized leave of absence.
- l. Permitting another person to use an employee's City identification, using another person's or altering a City identification card.
- m. Incompetence or inefficiency in the performance of assigned duties in an employee's position.
- n. Use or possession of alcoholic beverages or drugs in violation of the Drug Free Workplace policy.
- o. Use or attempted use of political influence or bribery to secure an advantage of any manner.
- p. Conviction or guilt of a felony, or a misdemeanor of the first degree which would tend to affect the employee's relationship to his/her job, either on or off the job.
- q. Concerted curtailment, restriction of production or interference with work in or about the City's work stations including, but not limited to, instigating, leading or participating in any walkout, strike, sit-down, stand-in, slow-down or refusal to return to work at the scheduled time for the scheduled shift.
- r. Participation in a strike against the City as established in Florida Statute Sections 447.201 and 447.505.
- s. Refusal to be examined by a physician, designated and paid by the City, when directed to do so, as required in these regulations.
- t. Provoking or instigating a fight or fighting.
- u. Leaving his/her post at the end of the scheduled shift without being properly relieved by the supervisor or the relieving employee on the incoming shift, for those units operating on a 24-hour basis.
- v. Loss of licensing or certification, when required for the performance of assigned duties.
- w. Inability to secure a surety bond, where required as a condition of employment.
- x. Inability to satisfactorily perform the essential functions of the assigned position class with or without reasonable accommodation.
- y. Violation of any City policy, rule or regulation.

#### **D. Types of Discipline and Disciplinary Process**

The following sets forth major categories of discipline that may be used by the City in personnel issues. Supervisors and Department Directors are encouraged to consult with Human Resources at each step in the disciplinary process. While supervisors may issue Verbal Warnings with the Department Director's approval, only Department Directors may issue Written Reprimands.

Please note that Suspensions, Demotions, and Terminations must be reviewed by Human Resources and approved in writing by the City Manager prior to any action being taken.

### **1. Verbal Warning**

Whenever employee performance, attitude, work habits or personal conduct at any time fall below a desirable level, supervisors and/or the Department Directors shall inform employees promptly and specifically by documented Verbal Warning. A Department Director or supervisor may determine that the first course of disciplinary action is a Verbal Warning. A Verbal Warning shall reference the actions for which the warning is issued. A record of such shall be documented by the individual who issued it, provided to the employee, and a copy shall be provided to Human Resources for the personnel file.

### **2. Written Reprimand**

In situations where a documented Verbal Warning has not resulted in the expected improvement or is insufficient to recognize the seriousness of the unsatisfactory conduct and/or action(s) of the employee, a Written Reprimand may be issued defining the nature of the infraction under the rules. The Written Reprimand shall be provided to the employee and a copy shall be provided to Human Resources to be placed in the employee's personnel file. The employee's Department Director initiates and approves a written reprimand.

### **3. Suspension**

Suspension is the temporary separation of a City employee from assigned duty for a definite period of time without pay. A City employee may be suspended for disciplinary purposes when, in the judgment of the Department Director after consultation with Human Resources and approval by the City Manager, a written warning has not had the desired corrective effect or is insufficient to recognize the seriousness of the unsatisfactory conduct and/or action(s) of the employee. The reason(s) for any suspension and the time period of any such suspension shall be given Human Resources in writing on the form provided, one copy of the form to be given, or mailed, to the employee before the suspension shall become effective; one copy to be retained by the Department Director. No employee shall be suspended for disciplinary purposes for more than thirty (30) days in any calendar year except that extensions may be made by the City Manager or designee.

### **4. Performance Improvement Plans**

An employee who fails or refuses to satisfactorily perform any of the duties of the position may be placed on a Performance Improvement Plan in addition to any disciplinary action. However, the City reserves the right to terminate employees for performance issues without having previously issued a Performance Improvement Plan. Please see **Chapter 4: Employment and Performance** Evaluations above for additional information regarding Performance Improvement Plans.

### **5. Demotion**

An employee may be demoted or assigned to less responsible work for any reason, which may include a corresponding reduction in pay. A demotion occurs where the employee is moved to another position for which a lower maximum rate of pay is established. The City Manager must approve all demotions may consult with Human Resources prior to a determination being made. Documentation of the demotion shall be placed in the personnel file.

## **6. Involuntary Discharge/Termination**

Discharge/termination is permanent separation of employment. Non-bargaining, probationary, seasonal, part-time and temporary employees may be discharged/terminated at any time without cause or prior notice. A City employee subject to a collective bargaining agreement may be discharged/terminated for disciplinary purposes or for good and sufficient cause when, in the judgment of the City Manager or designee, prior written warning and/or suspension has not had the desired corrective effect, or is insufficient to recognize the seriousness of the unsatisfactory conduct and/or action(s) of the employee. The reason(s) for any proposed discharge/termination shall be given to Human Resources in writing on the form provided and shall require the prior approval of the City Manager or designee to be valid; one copy of the form to be given, or mailed, to the employee before the dismissal shall become effective; one copy to be retained by Human Resources in the personnel file. Non-bargaining, probationary, seasonal, part-time and temporary employees and those whose appointment is on other than a permanent basis, may be discharged/terminated at any time without cause or prior notice by the City Manager or designee without the right of appeal or hearing in any manner.

### **E. Pre-Termination Meeting**

Regular, full-time employees covered by collective bargaining agreements will be given an opportunity to attend a pre-termination meeting. The meeting must be held prior to the effective termination date to provide the employee with an opportunity to discuss the specific allegations promoting the proposed termination with the Department Director involved. The City Manager or designee shall preside at such meeting. Upon full and fair consideration of all facts and information presented at the hearing, the City Manager or designee shall notify the employee in writing with respect to his or her decision regarding the proposed termination.

### **F. Post-Termination Name-Clearing Process**

In the event of an involuntary termination, an employee will be provided reasons for termination. When the document providing reasons for the termination has the effect of stigmatizing the employee's reputation, and where the employee claims that such reasons are untrue, the employee shall be provided notice of the opportunity to request a "Name Clearing Process."

The purpose of a "Name Clearing Process" is to allow the employee an opportunity to tell his or her side of the story and respond to the charges. *The "Name Clearing Process" is not an appeal of the termination or an opportunity to gain reinstatement.* At or prior to the meeting, the employee has an opportunity to provide his or her position in writing so that it may be included in the personnel file and made part of the record open to the public under Florida's public records laws.

To request a "Name Clearing Process," employees must deliver the request to the City Manager in writing within ten (10) days of the date of the termination. A meeting will generally be provided by the City within ten (10) days of receipt of the employee's request for such a meeting. No such meeting will be held if a written request is not timely delivered by the employee. The employee may provide witness statements at or prior to the meeting. The meeting will be held before the City Manager or designee, including but not limited to, the Director of Human Resources.



Employees covered by Collective Bargaining Agreements may use this process or any grievance process provided in the CBA, but not both.

**Employee Acknowledgements  
General Acknowledgement**

This Handbook and related personnel policies and procedures describe important information about the City of Greenacres and I understand that I should consult with my immediate supervisor or the Director of Human Resources regarding any questions not answered in this Handbook or any City personnel policies and procedures.

Provided I am not covered by a collective bargaining agreement or an individual employment agreement, I have entered into my employment relationship with the City of Greenacres voluntarily and hereby acknowledge that my employment is at will and that there is no specified length of employment. Accordingly, either the City of Greenacres or I may terminate the employment relationship at will at any time, with or without cause, so long as there is no violation of applicable federal or state law.

Because the information, policies, procedures, and benefits described in this Handbook and elsewhere are subject to change as needed, I acknowledge that revisions to the foregoing may occur, except to the employment-at-will policy. Any such changes will be communicated as soon as possible after the change is instituted. I also understand that the revised information may supersede, modify or eliminate existing policies and procedures. I also understand that only the City Council has the ability to adopt revisions to the rules, policies, and procedures in this Handbook.

\_\_\_\_\_Employee Initials

**Loyalty Oath**

I also understand that as a condition of appointment and as required by State law, I must take the following Loyalty Oath as prescribed by Section 876.05(1), Florida Statutes:

I, \_\_\_\_\_, a citizen of the State of Florida and of the United States of America or a resident alien, and being employed by or an officer of the City of Greenacres, and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

\_\_\_\_\_Employee Initials

**Drug Free Workplace Policy Acknowledgement**

I acknowledge that I received a copy of the Drug-Free Workplace Policy. I understand it is my obligation to read and understand the policy and that failure to comply with the policy shall subject me to disciplinary action up to, and including, termination which may result in forfeiture of my workers' compensation and unemployment compensation benefits.

\_\_\_\_\_Employee Initials

**Equal Employment Opportunity and Anti-Discrimination and Anti-Harassment Acknowledgment**

I acknowledge that I must abide by these policies at all times during my employment and that any failure to abide by them constitutes misconduct connected with employment, as defined by Florida Statute Chapter 443, and shall subject me to immediate termination.

I specifically acknowledge and agree that I will report any inappropriate or questionable behavior that I witness or experience to my immediate supervisor, Department Director, the Director of Human Resources, the City Manager, or the City Attorney immediately. I understand that failure to report such behavior immediately, may subject me to immediate termination for misconduct connected with employment.

\_\_\_\_\_Employee Initials

**E-Mail, Internet and Social Media Acknowledgment and Waiver**

I acknowledge that I have received a copy of the E-Mail, Internet, and Social Media Policy contained in this Handbook. I understand that my use of the E-mail and Internet system constitutes my consent to all the terms and conditions of that policy.

In particular, I understand that (1) the E-mail system and all information transmitted by, received from, or stored in that system are the property of the City, (2) the system is to be used only for business purposes and not for personal purposes, and (3) I have no expectation of privacy in connection with the use of the E-mail system, the Internet, or devices, or with the transmission, receipt, or storage of information in such systems or devices.

I agree not to use a code, access a file, or retrieve stored communications unless authorized. I acknowledge and consent to the City monitoring my use of the E-mail system and the Internet at any time at its discretion, including printing and reading all E-mails or other electronic data entering, leaving, or stored in the system.

I further waive any and all rights and privileges with respect to any and all information, communications, files, and records transmitted through and residing on such systems.

\_\_\_\_\_Employee Initials

**Conflict of Interest and Code of Ethics Policy**

I understand and agree that I must abide by the Conflict of Interest and Code of Ethics Policy. I have been provided training on my obligations and understand that I am subject to both the State of Florida Code of Ethics and the Palm Beach County Code of Ethics, as amended from time to time. Violation of this policy may lead to immediate termination and investigation or other penalties imposed by outside organizations.

\_\_\_\_\_Employee Initials

Furthermore, I acknowledge that this manual of rules, policies and procedures is neither a contract of employment nor a legal document. I have received the manual and understand that it is my responsibility to read and comply with the policies contained herein and any revisions made hereafter.

Dated \_\_\_\_\_, \_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Employee Printed Name

\_\_\_\_\_  
Witness Printed Name

## TUITION REIMBURSEMENT PROGRAM APPLICATION

TUITION REIMBURSEMENT PROGRAM APPLICATION				
SECTION I				
Employee Name:			Payroll ID #:	
Department:		Job Title:		
SECTION II				
School/Institution:		Semester/Term:		
Degree Pursuing: <input type="checkbox"/> Associates <input type="checkbox"/> Bachelors <input type="checkbox"/> Masters		Major:		
<b>Course Information: Separate applications must be utilized when course end dates are different.</b>				
Course #	Course Title	Course Dates/ Day(s) and Times	Number of Credit Hours	Tuition Costs
1.				\$
2.				\$
<b>Books:</b>				Estimated Amount
				\$
SECTION III – Terms of Agreement and Acknowledgment				
<p>It is understood that I am requesting reimbursement of tuition and other costs pursuant to the Personnel Policy Handbook or the IAFF Collective Bargaining Agreement. I understand that activities (i.e. homework, research, etc.) associated with the pursuit of this degree and attendance of the course(s) listed herein shall be during my off-duty hours. I certify that the courses are related to my work field and that I am not receiving payments for these courses from any other source.</p> <p>I agree to remain employed for a minimum of three (3) years from the completion date of the course(s). If I fail to do so for any reason, I shall reimburse the City as stipulated in the Personnel Policy Handbook for payments made to me for reimbursed course(s). I further agree that reimbursement to the City shall be deducted from any benefits due me at the time of my separation from employment. I acknowledge that the City is authorized to enforce the terms and conditions of this Agreement during and after my employment.</p> <p>Employee's Signature _____ Date _____</p>				
ACKNOWLEDGMENT				
STATE OF FLORIDA COUNTY OF PALM BEACH  Sworn and subscribed to before me this ____ day of _____, 20____, by _____, who is personally known to me or has produced _____ as identification.				
_____ Notary Public				
Seal/Stamp				
_____ Notary Name; Stamped, Printed or Typed				
SECTION IV – Course and Reimbursement Approval				
Department Director _____		Date _____		
Human Resources _____		Date _____		
City Manager _____		Date _____		



### HARASSMENT/DISCRIMINATION REPORT FORM

Name of the Complainant: \_\_\_\_\_

Department: \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

Today's Date: \_\_\_\_\_

Name of the Accused: \_\_\_\_\_

Department: \_\_\_\_\_

Relationship of the Accused to the Complainant (Director, Supervisor, Co-worker, Vendor, etc.): \_\_\_\_\_

Phone Number: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Date of Incident:** *(If more than one event, please report each event on a separate form.)*

**Where did the specific event occur?**

**Please explain the events that occurred.**

**How did you react to the situation? Did you take any action to stop perceived inappropriate behavior?**

**Describe the harm you have suffered as a result of the event.**

**Were there any witnesses to this specific event? (If yes, please provide their names.)**

**Is there any physical evidence that supports your complaint? If so, please describe or attach copy of evidence.**

**What would be your desired outcome of the investigation?**

The information provided in this complaint is true and correct to the best of my knowledge. I am willing to cooperate fully in the investigation of my complaint and provide whatever evidence the City deems relevant.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*If additional space is needed, please attach along with this form and return to Human Resources.*



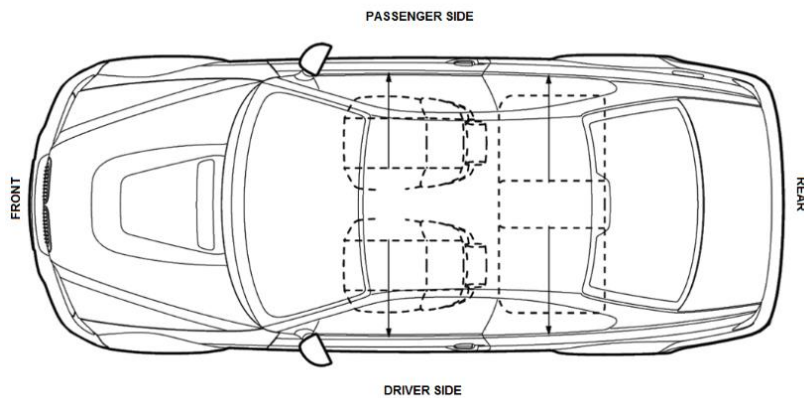
CITY OF GREENACRES

### City Vehicle Inspection Form

Today's Date: \_\_\_\_\_

**\*Pre-Inspection\***

<b>Full Name (Operator):</b>	
<b>Department:</b>	
<b>Time/Day:</b>	
<b>Type of Vehicle:</b>	
<b>Vehicle License Plate #:</b>	
<b>Describe Any Damage to Vehicle in Detail &amp; Mark Diagram Below:</b>	
<b>Same as Previous Day:</b>	<input type="checkbox"/>
<b>Signature:</b>	
<b>Date:</b>	





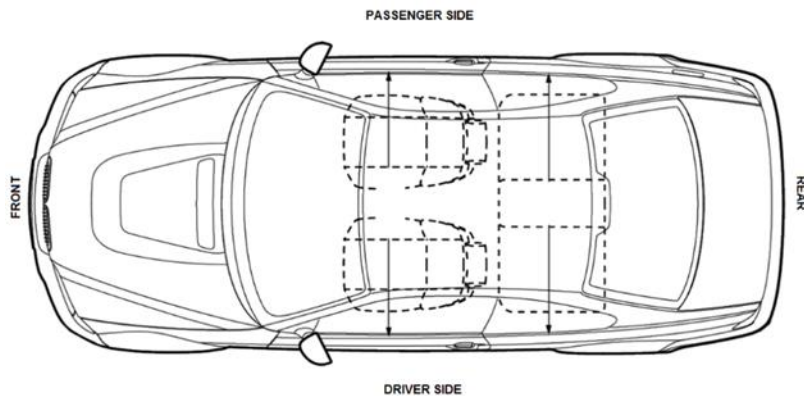


**CITY OF GREENACRES  
City Vehicle Inspection Form**

Today's Date: \_\_\_\_\_

**\*Post-Inspection\***

<b>Full Name (Operator):</b>	
<b>Department:</b>	
<b>Time/Day:</b>	
<b>Type of Vehicle:</b>	
<b>Vehicle License Plate #:</b>	
<b>Describe Any Damage to Vehicle in Detail &amp; Mark Diagram Below:</b>	
<b>Same as Previous Day:</b>	<input type="checkbox"/>
<b>Signature:</b>	
<b>Date:</b>	





CITY OF GREENACRES

**Vehicle/Equipment Damage Report**

The following information is to be completed by the employee involved in an accident or incident in which a city vehicle or equipment is damaged or an injury occurs. The description must include the employee's detailed account of what occurred.

Employee Name: \_\_\_\_\_ Department: \_\_\_\_\_

Date & Time of Accident/Incident: \_\_\_\_\_

Location of Accident/Incident: \_\_\_\_\_

Year/Make of Vehicle: \_\_\_\_\_ Vehicle ID# \_\_\_\_\_ Tag No. \_\_\_\_\_

Employee's Description of Accident/Incident: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Police Report:  Yes  No    Drivable:  Yes  No    Injuries:  Yes  No

Police Report No: \_\_\_\_\_    Drug/Alcohol Tested:  Yes  No

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Department Director Signature

\_\_\_\_\_  
Date

## APPENDIX A

### The City of Greenacres Drug Free Work Place Policy

- PURPOSE:** The City of Greenacres has a longstanding commitment to provide a safe and productive work environment consistent with the standards of the community in which we serve. The use of drugs by City employees, on or off the job, and the state of being under the influence of drugs or alcohol while at work are inconsistent with the law-abiding behavior expected by all citizens and the special trust placed in City employees as public servants. Alcohol and drug use and abuse poses a threat to the health and safety of the City of Greenacres employees and to the security of the City's property and facilities. The City of Greenacres is committed to the elimination of drug and alcohol use and abuse in the workplace.
- POLICY:** This policy outlines the practice and procedure designed to establish the City as a Drug Free Workplace in accordance with the program requirements outlined in Florida Statute § 440.102.
- In the event the provisions of this policy conflict with a collective bargaining agreement the collective bargaining agreement will prevail.
- DEFINITIONS:** "City premises" includes all buildings, offices, facilities, grounds, parking lots, places and vehicles owned, leased, used, or managed by the City of Greenacres or on any site on which the City is conducting business.
- "Drug" means alcohol, including a distilled spirit, wine, a malt beverage, or an intoxicating liquor; an amphetamine; a cannabinoid; cocaine; phencyclidine (PCP); a hallucinogen; methaqualone; an opiate; a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of these substances.
- "Drug Test" means any chemical, biological, or physical instrumental analysis administered by a certified laboratory for the purpose of determining the presence or absence of a drug or its metabolites.
- "Employee" is a person who works for the City on a wage, salary or unpaid basis, who is subject to the control and direction of the City in the performance of their duties. For the purposes of this Policy, this definition includes all volunteers and contract employees.

“Job Applicant” for purposes of this Policy is an individual who has applied for a Special Risk or Mandatory Testing position with the City, has been selected and offered the position contingent upon completion of a background check, post-offer physical and drug test.

“Medical Review Officer” (MRO) is a licensed physician who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results; and who has the necessary medical training to interpret and evaluate an employee’s positive test result in relation to the employee’s medical history or any other relevant biomedical information. The MRO is responsible for receiving and reviewing laboratory drug test results. The MRO assesses and determines whether an alternate medical or other acceptable explanation can account for a confirmed positive test result.

“Mandatory Testing Position” is any position, including a supervisory or management position, a job assignment that requires the employee to carry a firearm, work closely with an employee who carries a firearm, perform life-threatening procedures, work with heavy or dangerous machinery, work as a safety inspector, work with children, work with detainees in the correctional system, work with confidential information or documents pertaining to criminal investigations, work with controlled substances, or a job assignment that requires an employee security background check, pursuant to s. 110.1127, or a job assignment in which a momentary lapse in attention could result in injury or death to another person..

“Special Risk Position” is a position that is required to be filled by a person who is certified as a firefighter by the State.

“Specimen” means a tissue, hair, oral fluid (saliva) or product of the human body capable of revealing the presence of drugs or their metabolites.

"Refuse to cooperate" means to obstruct the collection or testing process; to submit an altered, adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure or otherwise fail to adhere to this policy. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and will automatically be subject to discharge.

"Under the influence of alcohol" means an alcohol concentration equal to or greater than .04, or actions, appearance, speech or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

"Under the influence of drugs" means a confirmed positive test result for drug use per this policy, which may include the misuse of legal drugs (prescription and possibly OTC) when there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization).

**PROCEDURE: A. Substance Abuse Awareness**

Illegal drug use and alcohol misuse have many serious adverse health and safety consequences. Information about those consequences and sources of help for drug or alcohol problems is available from the Human Resources Division along with the Employee Assistance Program.

**B. Employee Assistance**

The City of Greenacres may assist and support employees who voluntarily seek help for such problems before becoming subject to discipline or termination under this or any other City of Greenacres policies. Such employees may be allowed to use accrued paid time off, placed on a leave of absence, referred to treatment providers and otherwise reasonably accommodated as required by law. Such employees may be required to document that they are successfully following prescribed treatment and to take and pass follow-up tests if they hold jobs that are Mandatory Testing or Special Risk positions, require driving, or if they have violated this policy previously. Once a drug test has been scheduled, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and possible discipline, up to and including termination, will be enforced.

**C. Work Rules**

1. The possession or use of medical marijuana is not allowed on City premises.

- a. If an applicant or employee with a legal referral for marijuana (for the treatment of a medical condition) tests positive based on the substance limits for the drug test, it will be reported by the lab as a “positive drug test” and will be treated in accordance with all other positive drug tests.
2. Whenever employees are working or operating any City vehicle, are present on City premises, or are conducting City-related work offsite, they are prohibited from:
  - a. Using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include drug paraphernalia).
  - b. Being under the influence of alcohol or drug as defined in this policy.
  - c. Possessing or consuming alcohol.
3. The presence of any detectable amount of any drug or alcohol in an employee's system, while performing City business or while in a City facility, is prohibited.
4. The City of Greenacres will also not allow employees to perform their duties while taking prescribed drugs that may adversely affect their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
5. Any drug or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.
6. Employees and applicants shall be given an opportunity to provide any relevant information prior to the test, including identification of currently or recently used prescription or non-prescription medications as well as any legal referral for marijuana use for the treatment of a medical condition.
  - a. There are no exceptions for applicants or employees with legal referrals for marijuana.
7. Any employee who believes that another City employee is using or has used drugs or alcohol in violation of this

Policy shall immediately report that information to their Department Director and/or Human Resources. Failure of an employee to make such report could result in disciplinary action up to and including termination.

**D. Required Testing:**

**1. Pre-employment**

All applicants for Special Risk and Mandatory Testing positions and/or those required to drive as part of their position must pass a drug test before beginning work as a condition of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

The City must include notice to job applicants on vacancy announcements for those positions for which drug testing is required (*The City of Greenacres is committed to providing an environment free of the abuse of alcohol and the illegal use of alcohol and other drugs. The City has adopted and implemented programs, including drug testing, that seek to prevent the illicit use of drugs and the abuse of alcohol by City employees, volunteers, or coaches*).

A notice of the employer's drug-testing policy must be posted in plain view on the employer's premises, and copies of the policy must be made available for the employees or job applicants during regular business hours in Human Resources, or other suitable location.

**2. Reasonable Suspicion**

Employees are subject to testing based on (but not limited to) observations by the supervisor of apparent workplace use, possession or impairment. Human Resources shall be consulted before sending an employee for testing. All levels of supervision making this decision must use the Reasonable Suspicion Reporting Form (Attachment B) to document specific observations and behaviors that create a reasonable suspicion that the person is under the influence of drugs or alcohol. If the results of the Reasonable Suspicion Reporting Form indicate further action is justified, the Director or supervisor should confront the employee with the documentation or with another designee. (*Under no circumstances will the employee*

*be allowed to drive himself or herself to the testing facility. A Supervisor or Human Resources must escort the employee; and will make arrangements for the employee to be transported home.*

Some examples of reasonable suspicion may include, but are not limited to:

- Direct observation of drug/alcohol use, or the symptoms of being under the influence of drug(s) or alcohol.
- Abnormal behavior while at work or a significant deterioration in work performance.
- A report of drug use, provided by a reliable and credible source.
- Evidence that an individual has tampered with a drug test during his or her employment with the City.
- Information that an employee has caused, contributed to, or been involved in, an accident while at work.
- Evidence that an employee has used, possessed, sold, or solicited drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery or equipment.

If the testing is conducted on a "reasonable suspicion" basis, the employer must promptly record the circumstances which formed the basis of the determination that reasonable suspicion existed to warrant the testing. A copy of this documentation must be provided to the employee on request, and the original documentation must be kept confidential by the City.

### **3. Post-accident**

All employees contributing to an on-the-job vehicular accident, industrial accident, or who sustain and are evaluated and are treated for an on-the-job injury, or



cause death or serious injury to another will be drug tested as soon as reasonably possible following such incident. Under no circumstance will the employee be allowed to drive themselves to the testing facility.

Employees will be returned to work pending test results, except in the following circumstances where they will be placed on paid leave while pending test results:

- a) There is reasonable suspicion of drug or alcohol use by the employee in addition to the accident;
- b) Employee causes physical injury to self and/or another person requiring immediate medical treatment away from the scene;
- c) Incident results in City or personal vehicle damage;
- d) Incident results in damage to property and/or the circumstances imply that the accident or unsafe practice may have been caused by drug and/or alcohol use;
- e) Incident causes a fatality; or
- f) Employee has been involved in more than one work-related accident within the last 12-month period.

Employees who leave the scene of an accident and/or who do not inform their supervisor or Human Resources of the accident and how to reach them for testing purposes, barring medical-related emergencies, will be considered to have refused testing and may be subject to disciplinary action up to and including termination of employment.

If an employee is injured in the scope of his/her employment and drug tests and/or other medical evidence indicates the presence of drugs or alcohol in the employee's body at that time of the accident, and it can be concluded that the drug(s) or alcohol used contributed to the accident, the employee will be required to forfeit any medical or indemnity benefits available under Florida's Workers' Compensation statute, and will also forfeit eligibility for unemployment benefits. These penalties are in addition to any other penalties that may apply under this Policy or under applicable law.

#### **4. Fitness for Duty**

Employees should report to work fit for duty and free of any adverse effects of drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications that do not impair the ability to safely perform the job. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their supervisor. Employees should not, however, disclose to the City underlying medical conditions unless directed to do so.

Any Employee required to submit to a Fitness for Duty medical examination will be drug tested as part of the examination.

#### **E. Follow-up**

Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including termination. Depending on the circumstances and the employee's work history/record, the City of Greenacres may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance agreement pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by the City for a minimum of one year. If the employee either does not complete the rehabilitation program or tests positive after completing the rehabilitation program, the employee will be subject to immediate termination from employment.

#### **F. Collection and Testing Procedures**

Employees subject to alcohol testing should be driven to a City of Greenacres-designated facility and directed to provide specimens. *(Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A Supervisor or Human Resources must escort the employee; and will make arrangements for the employee to be transported home).* A specimen level of .04 or greater is reported as a positive test result.

Employees subject to drug testing should be driven to a City

of Greenacres-designated facility and directed to provide specimens.

**10 PANEL DRUG SCREEN** with over the counter and prescription drugs which could alter or affect test results\*

Consists of:

1. AMPHETAMINES  
Obetrol, Biphetamine, Desoxyn, Dexedrine, Didrex, Methamphetamine
2. MARIJUANA (CANNABINOIDS) in all forms  
Marinol, (Dronabinol, THC)
3. COCAINE (metabolite)  
Cocaine HCl topical Solution (Roxanne)
4. OPIATES  
Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine. Empirin with Codeine, APAP w/Codeine, Aspirin w/ Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, etc.
5. PHENC YCLIDINE (PCP) Not legal by prescription
6. METHAQUALONE  
Not legal by prescription
7. BARBITURATES  
Amobarbital, Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butalbital, Pentobarbital, Secobarbital, Phrenilin, Triad, etc.
8. BENZODIAZEPINES  
Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Zanax, Serax, Tranxene, Valium, Halcion, Paxipam, Restoril, Centrax
9. METHADONE  
Dolophine, Methadose
10. PROPAXYPHENE  
Darvocet, Darvon N, Dolene, etc.
11. Other Synthetic narcotics not listed herein.
12. Alcohol (.04 or higher)

\*Due to the large number of obscure brand names and constant marketing of new products, this list cannot and is not intended to be all-inclusive. New drugs will automatically be added to the list of controlled

substances based on Florida Statute and federal laws, rules, and regulations.

The laboratory should transmit all positive drug test results to a MRO retained by the City of Greenacres, who should offer persons with positive results a reasonable opportunity to rebut or explain the results within five (5) working days after receiving notification of the test result. If the employee's explanation or challenge is unsatisfactory to the MRO, the MRO may report a positive test result back to the employer.

The City shall incur the cost of all tests which it requires of applicants and employees. An employee shall incur the cost of any additional testing not required by the City.

### **G. Consequences**

Job Applicants who refuse to cooperate with a drug test or who test positive will not be hired and will not be allowed to reapply/retest in the future.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense a drug in violation of this policy will be terminated. *If the employee refuses to be tested, yet the City believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.*

The first time an employee tests positive for alcohol or drug use under this policy, the result will be discipline up to and including termination. The City may not terminate, discipline, or discriminate against an employee because the employee has voluntarily come forth to seek treatment for a drug-related problem prior to being directed to submit to a test or engaging in conduct that would result in a test if the employee has not previously tested positive for drug use.

Employees will be paid for time spent for alcohol or drug testing and then placed on paid leave pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include Department Director, City Manager or Designee, and Human Resources.

An employee who is terminated or denied employment as a result of a positive drug/alcohol test, may not qualify for unemployment compensation benefits.

Violating this policy may negatively impact the employee's ability to gain the benefits of workers compensation insurance, COBRA, and/or unemployment benefits.

#### **H. Confidentiality**

Information and records relating to drug test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO should be kept confidential to the extent required by law and maintained in secure files separate from the personnel files. Such records and information may be disclosed among directors and supervisors on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee.

#### **I. Inspections**

The City of Greenacres reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees, volunteers and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including termination.

#### **J. Crimes Involving Drugs**

The City of Greenacres prohibits all employees from manufacturing, distributing, dispensing, possessing or using a drug in or on City premises or while conducting City business. The City of Greenacres employees are also prohibited from misusing legally prescribed or over-the-counter (OTC) drugs. Law enforcement personnel should be notified, as appropriate, when criminal activity is suspected.

The City of Greenacres does not desire to intrude into the private lives of its employees, but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the City reserves the right to take appropriate disciplinary action for drug use, sale or distribution while off the City premises.

Any City employee who is arrested or convicted for a violation of a criminal drug statute must notify Human Resources in writing of such arrest or conviction immediately but in no event later than five (5) calendar days subsequent to such arrest or conviction. Employees must keep the City advised of the status of any pending criminal drug or alcohol case. Written notification of any criminal drug or alcohol conviction or other court adjudication of charges withheld, pending, and/or completion of court probation must be provided to Human Resources Division within five (5) calendar days of the court's decision. Based on job function and a failure of an employee to make such report could result in disciplinary action up to and including termination.

**K. Reasonable Suspicion and Post-Accident Testing Protocol**

1. The employee will be advised that the City of Greenacres believes that there is reasonable suspicion that he or she is affected by drugs or alcohol (or due to the nature of the accident the policy mandates this) and that this test is being offered to confirm or deny this suspicion.
2. The employee will be transported to any one of the City's contracted testing facilities. A Supervisor or Human Resources Designee will accompany the employee. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*
3. The employee to be tested must present a photo ID (i.e., a driver's license or state ID card) to the testing facility staff before the specimen can be obtained. Ensure that the employee brings the photo ID with him or her when leaving the City of Greenacres premises.
4. The employee to be tested must sign a consent form provided by the testing facility. Refusal to sign is addressed under the "Consequences" section of this document.
5. A City of Greenacres Director/Supervisor must sign as a witness to the collection procedure, along with the tested employee.

6. After returning to the City or when leaving the testing facility, the supervisor/manager or designee must make arrangements to transport the employee home. Under no circumstances will the tested employee be allowed to drive himself or herself home.

#### **L. Challenges to Test Results**

1. Within five (5) working days after receipt of a confirmed positive test result from the MRO, the City will notify the employee in writing of the test result and the consequences of such results.
2. Within 5 working days after receipt of a positive confirmed test result from the MRO, the City will inform an employee or job applicant in writing of the positive test result, the consequences of such results, and the options available to the employee or job applicant. The City will provide to the employee or job applicant, upon request, a copy of the test results.
3. Within 5 working days after receiving notice of a positive confirmed test result, an employee or job applicant may submit information to the City explaining or contesting the test result, and explaining why the result should not constitute a violation of the City's policy.
4. If the employee's or job applicant's explanation or challenge of the positive test result is unsatisfactory to the employer, a written explanation as to why the explanation is unsatisfactory, along with the report of positive result, shall be provided by the City to the employee or job applicant; and all such documentation shall be kept confidential by the City and retained for at least 1 year.
5. During the 180-day period after written notification of a positive test result, the employee or job applicant who has provided the specimen shall be permitted by the City to have a portion of the specimen retested, at the employee's or job applicant's expense, at another licensed and approved laboratory, chosen by the employee or job applicant. The second laboratory must test at equal or greater sensitivity for the drug in question as the first laboratory. The first laboratory that performed the test is responsible for the transfer of the

portion of the specimen to be retested, and for the integrity of the chain of custody during such transfer.

6. The employee or job applicant is responsible for notifying the laboratory of any administrative or civil action brought relating to this policy or the testing.

## **M. Resources**

### **Suicide Prevention Lifeline**

**1-800-273-TALK (8255)**

**TTY: 1-800-799-4889**

Website: [www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)(link is external)

24-hour, toll-free, confidential suicide prevention hotline available to anyone in suicidal crisis or emotional distress. Your call is routed to the nearest crisis center in the national network of more than 150 crisis centers.

### **SAMHSA's National Helpline**

**1-800-662-HELP (4357)**

**TTY: 1-800-487-4889**

Website: [www.samhsa.gov/find-help/national-helpline](http://www.samhsa.gov/find-help/national-helpline)

Also known as, the Treatment Referral Routing Service, this Helpline provides 24-hour free and confidential treatment referral and information about mental and/or substance use disorders, prevention, and recovery in English and Spanish.

### **Disaster Distress Helpline**

**1-800-985-5990**

Website: [www.samhsa.gov/find-help/disaster-distress-helpline](http://www.samhsa.gov/find-help/disaster-distress-helpline)

Stress, anxiety, and other depression-like symptoms are common reactions after any natural or human-caused disaster. Call this toll-free number to be connected to the nearest crisis center for information, support, and counseling.

### **Veteran's Crisis Line**

**1-800-273-TALK (8255)**

**TTY: 1-800-799-4889**

Website: [www.veteranscrisisline.net](http://www.veteranscrisisline.net)(link is external)

Connects veterans in crisis (and their families and friends) with qualified, caring Department of Veterans



Affairs responders through a confidential, toll-free hotline, online chat, or text.

**Drug-Free Workplace  
1-800-WORKPLACE (967-5752)**

Website: [www.samhsa.gov/workplace/resources/drug-free-helpline](http://www.samhsa.gov/workplace/resources/drug-free-helpline)

Assists employers and union representatives with policy development, drug testing, employee assistance, employee education, supervisor training, and program implementation.

**City of Greenacres  
Summary of 2025 Personnel Policy Changes**

<b>Page in Proposed Final</b>	<b>Topic</b>	<b>Summary of Change (Effective 03/18/2025 if approved, unless otherwise stated)</b>
32	Separation of Employment	Upon submission of a letter of resignation, employees are no longer eligible to use Vacation or Sick leave during the notice period unless approved by the Director of Human Resources
44	Overtime Eligibility	Additionally, emergency hours paid pursuant to the Hurricane and Emergency Preparedness Policy for time not worked will not count toward overtime calculations. Removed The City's workweek for regular employees runs from Thursday to Wednesday. The workweek is used to measure hours worked for overtime purposes.
45	Maintenance of Time Records	Removed "the" "Specialist", updated Human Resources to Payroll, added Payroll and
48	Performance Based Longevity Award	Added 10 Years of Service/Milestone \$1,000, The 10-year Performance Based Longevity Award shall be implemented beginning October 1, 2025 as indicated by the method below.
49/50	Leave	Added the employee is responsible for paying the employee cost and the City portion of the premium to maintain health insurance in a no-pay status. The first payment is due within two (2) weeks of your last payroll deduction. Employees must remit payments to Finance in a timely manner. The obligation for payment during the unpaid leave of absence does not apply to newly hired employees within their first six months of employment when absent due to a pre-approved unpaid leave negotiated and approved during the hiring process. Employees who fail to remit payment in a timely manner shall be subject to cancellation of their benefits
53	Bereavement Leave	Updated appropriate, removed not to exceed \$100.00 and
55	Executive Leave	Employees holding the position of City Manager and Department Director shall be provided forty (40) hours of leave on a pro-rated calendar year basis beginning January 1, 2025. Existing employees in these job categories shall be provided a lump sum of

		<p>forty (40) hours on January 1 of each calendar year. Employees hired during the year into these job categories shall be provided Executive leave as follows:</p> <table border="1" data-bbox="747 269 1892 461"> <thead> <tr> <th data-bbox="747 269 1318 310"><u>Date of Hire</u></th> <th data-bbox="1318 269 1892 310"><u>Amount of Executive Leave</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="747 310 1318 350"><u>January 1 – March 31</u></td> <td data-bbox="1318 310 1892 350"><u>40 hours</u></td> </tr> <tr> <td data-bbox="747 350 1318 391"><u>April 1 – June 30</u></td> <td data-bbox="1318 350 1892 391"><u>32 hours</u></td> </tr> <tr> <td data-bbox="747 391 1318 431"><u>July 1 – September 30</u></td> <td data-bbox="1318 391 1892 431"><u>24 hours</u></td> </tr> <tr> <td data-bbox="747 431 1318 461"><u>October 1 – December 31</u></td> <td data-bbox="1318 431 1892 461"><u>16 hours</u></td> </tr> </tbody> </table> <p>Executive Leave shall not carry over or accumulate from year to year and shall not be paid upon separation of employment for any reason. Executive Leave shall not be paid in lieu of usage. Any Executive Leave not used on or before January 1 of each calendar year shall be forfeited.</p>	<u>Date of Hire</u>	<u>Amount of Executive Leave</u>	<u>January 1 – March 31</u>	<u>40 hours</u>	<u>April 1 – June 30</u>	<u>32 hours</u>	<u>July 1 – September 30</u>	<u>24 hours</u>	<u>October 1 – December 31</u>	<u>16 hours</u>
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<u>October 1 – December 31</u>	<u>16 hours</u>											
58/59	Travel and Vehicles	<p>Car/Auto Allowance is now known Vehicle Stipend          Public Information Official removed Building Official added.          Remove \$360          The Vehicle Stipend shall be \$400 per month effective the first month following the approval of the updated Personnel Policies Handbook.          For the mileage          Removed Therefore, those employees shall deduct 25 miles each way (for a total of 50 miles) from their mileage total.          Added and Administrative Directive Number 10, removed such allowance, added the vehicle stipend          Updated car allowance to Vehicle Stipend          Additionally, the City Manager has the sole discretion and authority to assign the personal vehicle use of City vehicles to employees as deemed appropriate.</p>										
64/65	Vacation Leave	<p>*On the first payroll after 6 months of employment, the full 80 hours is provided to the employee. Upon conclusion of the first year of employment, the employee will begin accruing hours each pay period.          Or Sick</p>										

		or compelling circumstances exist.
68/69	Sick Leave	Upon resignation, employees are prohibited from using Sick Leave, unless approved by the Director of Human Resources. Sick leave payout for bargaining Unit Employees hired after 6/28/00 and General employees hired after 10/16/06 - 15 years, 75% payout
72	Holidays	Employees who are in an unpaid status at the time the holiday is observed shall not be paid for the holiday.
74	Family and Medical Leave Act Leave	Chapter 17
75	Intermittent or Reduced Work Week Leave	Employees may also take intermittent leave for pregnancy-related serious health conditions or for birth/placement of a child.
78	Drug-Free Workplace Policy	Chapter 18
80	Health and Safety	Chapter 19
84	Workplace Violence	Chapter 20
85	Outside Employment	Chapter 21
87	Conflicts of Interest and Code of Ethics Policy	Chapter 22
95	Discipline Guidelines	Chapter 23



**ITEM SUMMARY**

**MEETING DATE:** March 17, 2025  
**FROM:** Denise Malone, AICP, Development and Neighborhood Services Director  
**SUBJECT:** **Ordinance 2025-01 – ZTA-24-11 – Second Reading**  
**Chapter 16 Filing Procedures, Review Processes, Expirations, Approval Criteria and Standards.**

**BACKGROUND**

The proposed Zoning Text Amendment addresses key areas of the City’s Zoning Code to better address evolving community needs, align with Florida statutory requirements, and reflect best planning practices. By streamlining filing procedures, clarifying review processes, and refining expiration provisions, the amendment enhances efficiency and transparency in development approvals. The changes improve clarity and enable City staff and applicants to work toward high-quality outcomes while maintaining established timeframes, such as those mandated by F.S. §166.033. Additionally, the amendment responds to evolving public notice requirements by incorporating electronic publication as an alternative to traditional printing. Given the Lake Worth Herald’s recent closure, the ability to utilize electronic notices under F.S. §50.011 & 50.0311 will increase cost-effectiveness while ensuring compliance with state law.

**ANALYSIS**

The proposed amendment directly aligns with and furthers the goals, objectives, and policies of the City’s Comprehensive Plan, the purposes of the City’s Zoning Code, and other City Codes. Specifically, these changes emphasize sustainable land use and promotes safe and visually appealing environments. By refining the standards for Special Exceptions and Site and Development Plans, the amendment supports the City’s vision for creating walkable, people-oriented spaces with the incorporation of public art, recreational amenities, pedestrian-friendly design. The Planning and Zoning Board of Appeals recommended approval by a vote of 5-0 at their meeting on February 13, 2025. The City Council voted four (4) to zero (0) to recommend approval of Zoning Text Amendment ZTA-24-11 on first reading March 3, 2025.

**FINANCIAL INFORMATION**

N/A.

**LEGAL**

Ordinance 2025-01 was prepared in accordance with all applicable state statutes and City Code Requirements.

**STAFF RECOMMENDATION**

Staff recommends approval of ZTA-24-11 through Ordinance 2025-01.

## ORDINANCE NO. 2025-01

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA AMENDING THE CODE OF ORDINANCES AT ARTICLE II, ADMINISTRATION, OF CHAPTER 16, ZONING REGULATIONS, TO REVISE FILING PROCEDURES, STANDARDS, CRITERIA FOR APPROVAL, AND REVIEW PROCESSES FOR DEVELOPMENT APPLICATIONS; TO REVISE NOTICE REQUIREMENTS FOR DEVELOPMENT-RELATED APPLICATIONS AND ORDINANCES; TO REVISE PROVISIONS RELATED TO THE EXPIRATION OF DEVELOPMENT APPROVALS; TO UPDATE DEPARTMENT AND ADVISORY BOARD NAMES; TO UPDATE THE PROCEDURES AND DUTIES OF THE DEVELOPMENT REVIEW COMMITTEE; AND FOR OTHER PURPOSES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Greenacres, Florida (the “City”) is a duly constituted municipality having such home rule power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

**WHEREAS**, the Department of Development & Neighborhood Services has submitted a request for a Code Text Amendment to amend Chapter 16, Article II, Administration; to revise filing procedures, standards, criteria for approval, and review processes for development applications; to revise notice requirements for development-related applications and ordinances; to update provisions related to the expiration of development approvals; to update department and advisory board names; and to clarify the procedures and duties of the Development Review Committee; and

**WHEREAS**, it has been determined, in accordance with the Development & Neighborhood Services Staff Report and Recommendation, “Exhibit A” (attached), that the proposed amendments to the City’s Code of Ordinances are appropriate; and

**WHEREAS**, the Development Review Committee provided its recommendation regarding the proposed amendment to the Code of Ordinances; and

**WHEREAS**, the Planning and Zoning Board of Appeals, after notice and public hearing, has considered the proposed amendment to the Code of Ordinances, more specifically described herein, and submitted its recommendation to the City Council; and

**WHEREAS**, the City Council, after notice and public hearing, has considered the proposed amendment to the Code of Ordinances, the recommendations of the Planning and Zoning Board of Appeals, and all public comments; and

**WHEREAS**, the City Council finds that the proposed amendment to the Code of Ordinances is consistent with the City of Greenacres Comprehensive Plan; and

**WHEREAS**, the City Council desires to amend the Code of Ordinances in order to incorporate the above-described amendment; and

**WHEREAS**, the City Council deems approval of this Ordinance to be in the best interest of the health, safety, and welfare of the residents and citizens of the City of Greenacres and the public at large.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AS FOLLOWS:**

**Section 1.** Chapter 16, Article II, Administration is hereby amended as follows (Deletions are marked with a strikethrough, and additions are marked with an underline):

**ARTICLE II. ADMINISTRATION**

**DIVISION 1. GENERALLY**

**Sec. 16-29. Enforcement officer.**

The provisions of this chapter shall be administered and enforced by the ~~planning and engineering~~ development and neighborhood services director or their designee in conjunction with the code enforcement procedures of section 2-72.

### Sec. 16-30. Development order consistency.

Pursuant to Chapter 163 Florida Statutes, the city may not approve any development order which is not consistent with the adopted 1989 Comprehensive Plan, as amended, of the City of Greenacres. All development orders shall also be consistent with the Zoning Code.

### Sec. 16-31. Concurrency management.

The development of residential and commercial land shall be timed and staged in conjunction with the provision of supporting community facilities such as streets, water, sewer, stormwater drainage outfall, public safety service, public schools, and recreation facilities. Future land use amendments, zoning changes, site and development plans, ~~approvals~~, building permits, and other development orders as defined in Florida Statutes, shall only be approved if public facilities necessary to meet the level of service standards established in the Comprehensive Plan are available concurrent with the impacts of development.

### Sec. 16-32. Building permits.

- (a) No building permit shall be issued by the building official without written certification by the ~~planning and engineering~~ development and neighborhood services department that plans submitted conform with applicable zoning regulations and with the approved site and development plans or other development order for the property.
- (b) Each application for a building permit pertaining to a principal structure or addition shall be accompanied by a survey bearing an original seal prepared within the last one (1) year and ~~copies of a site and development set of plans demonstrating compliance with the applicable zoning and land development regulations~~. For all other building permits, a survey bearing a seal prepared in excess of one (1) year prior to the permit request is acceptable, provided that such survey accurately depicts the property and is acceptable to the ~~planning and engineering~~ development and neighborhood services director or their designee. The ~~set of site and development plans~~ shall be drawn to scale showing the actual dimensions of the lot or lots to be built upon, height, setbacks, the size of the building or structure to be erected or site altered and the location of the building or structure on the lot or lots. Additionally, such other information which the ~~planning and engineering~~ development and neighborhood services director or their designee shall deem necessary for the enforcement of this chapter shall be provided. The application and copies of all surveys and ~~site and development~~ associated plans shall be kept as a permanent record in the building division of the development and neighborhood services department.

### Sec. 16-33. Public hearing.

Public hearings required or called under the provisions of this chapter shall be conducted in accordance with this section.

- (~~1a~~) In accordance with F.S. § 166.041, requirements for advertisement, the city clerk shall publish notice of hearing in a newspaper of general circulation or electronically pursuant to F.S. § 50.0311, shall post such notice in a prominent location at the city hall, and shall give notice by mail to the developer, property owner and/or applicant of the subject property; and
- (~~2b~~) At least ten (10) days in advance of a hearing or as otherwise required by Florida Statutes, the city shall notify all owners of property within a three-hundred-foot radius of the boundary lines of the subject property of the hearing by mail. The list of property owners within the stated radius shall be provided by the applicant from the most recent tax roll information as provided by the county property appraiser's office and the applicant must furnish an affidavit signed by the person responsible for providing the aforementioned list. Notwithstanding any other provision herein contained, failure to provide written



notice to any adjacent property owners shall not constitute a procedural defect provided that proper legal notice has been published.

~~(2c)~~ The public notice shall:

~~(1a-)~~ Give the time and place of the hearing;

~~(2b-)~~ Contain a statement identifying the specific request of the applicant, the type of change requested, and the section of this chapter to be changed;

~~(3e-)~~ Location description of the subject property and, if available, the street address; and

~~(4e-)~~ Specify the official or employee of the city from whom additional information can be obtained.

(d) Community meetings are highly encouraged, a community meeting may be required at the discretion of the Development and Neighborhood Services Director or their designee based on the nature, size, or location of a proposed development. When required, the community meeting is recommended to be held prior to Development Review Committee (DRC) review. If such meeting is required, the applicant shall mail notices with proper postage at least 14 days prior to the community meeting to all property owners and/or to the official neighborhood organizations whose boundaries fall within 300 feet of the boundary lines of the subject property. The notice shall include the date, time, and location of the meeting; the application name and number; a description of the proposed development; and the location of the project.

The applicant shall submit the following to the City, at least 21 days prior to the first scheduled public hearing:

(1) A meeting sign in sheet and summary of materials presented;

(2) Issues raised by attendees and the applicant's responses;

(3) A copy of the meeting notice; and

(4) A copy of mailed notices, including the mailing list and proof of mailing.

(5e) The development application approvals and notice requirements for each development application are as listed below in Table 16-33.:

**TABLE 16-33: SUMMARY TABLE OF DEVELOPMENT APPLICATION APPROVALS AND NOTICE REQUIREMENTS**  
 (D—Decision | R—Recommendation | S—Staff Review | #—Mandatory Pre-application Meeting Conference | PBC Website— Publicly accessible Palm Beach County website established in accordance with F.S. § 50.0311.)

Review Procedure	City Council	Planning and Zoning Board <del>of Appeals (PZAB)</del> <u>(PZB)</u>	DNS Director	DRC	NOTICE REQUIREMENTS
<b><u>PetiApplications</u></b>					
Abandonment of Easement or ROW-# (Cross Access, Drainage and LAE do not require newspaper notice and only require first class mail)	D			S	Newspaper <u>or</u> <u>PBC Website</u> Mail Posting City Hall
Annexation, voluntary and involuntary - #	D 2 meetings	R		S	Newspaper <u>or</u> <u>PBC Website</u>

					Mail Posting City Hall
Comprehensive Plan Amendment (text) - #	D 2 meetings	R		S	Newspaper or PBC Website Posting City Hall
Comprehensive Plan Amendment small scale - #	D 2 meetings	R		S	Newspaper or PBC Website Mail Posting City Hall
Comprehensive Plan Amendment large scale - #	D 2 meetings	R		S	Newspaper or PBC Website Mail Posting City Hall
Master Plan - #	D	R		S	Posting City Hall
Master Plan Amendment - #	D	R		S	Posting City Hall
<u>Master Sign Plan - #</u>	<u>D</u>			<u>S</u>	<u>Posting City Hall</u>
Master Sign Plan <u>Amendment</u> <u>Program</u> - #			<u>D</u>	S	Posting City Hall
Plat - Preliminary - #	D		S	S	<u>Posting City Hall</u>
Plat - Final - #			D	S	
Plat Exemption - #			D	S	
Site and Development Plans - #	D	R		S	Posting City Hall
Site and Development Plans Amendment (Minor) - #			D	S	
Site and Development Plans Amendment (Major) - #	D	R		S	Posting City Hall
Special Exception ( <del>Developed</del> ) - #	D	R		S	Newspaper or PBC Website Mail Posting City Hall
<del>Special</del> <del>Exception</del> ( <del>Undeveloped</del> ) - #	<del>D</del>	R		<del>S</del>	<del>Newspaper</del> <del>Mail</del> <del>Posting City Hall</del>
Special Exception Amendment (Minor) - #			D	S	
Special Exception Amendment (Major) - #	D	R		S	Newspaper or PBC Website Mail Posting City Hall
Unity of Title - #				S	
Variance (Administrative) - #			D	S	
Variance ( <del>single family</del> ) - #		D		S	Newspaper or PBC Website Mail Posting City Hall

Variance (residential but single family) - #		<del>D</del>		<del>S</del>	Newspaper Mail Posting City Hall
Variance (non residential) - #		<del>D</del>		<del>S</del>	Newspaper Mail Posting City Hall
Zoning Map Amendment - #	D 2 meetings	R		S	Newspaper or PBC Website Mail Posting City Hall
Zoning Text Amendment (general <u>No change to the actual list of permitted, conditional, or prohibited uses within a zoning category</u> ) - #	D 2 meetings	R		S	Newspaper or PBC Website, in accordance with F.S. § 166.041(3)(a) Posting City Hall
Zoning Text Amendment (Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category) - #	<u>D</u> <u>2</u> <u>meetings</u>	<u>R</u>		<u>S</u>	Newspaper or PBC Website, in accordance with F.S. § 166.041(3)(c) Posting City Hall

#### Sec. 16-34. Filing Application procedures and fees.

- (a) The development and neighborhood services department shall maintain a review schedule and submittal checklists for all application types. The filing deadline for filing all applications shall be at noon on the fifteenth of the month or the previous regular business day. All applications filed with the department shall be reviewed to determine whether the application is complete, and in compliance with the filing procedures, submittal checklists, and applicable code requirements. Completeness or a complete application means that the application package includes all information, documents, and analyses as required by the Comprehensive Plan, the Zoning Code, and any implementing regulations necessary for staff to properly review the application. Applicants will be notified in writing whether the application is complete or of any deficiencies, with such notification provided in accordance with the timeframes set forth in F.S. § 166.033, as amended.
- (b) Once an application is deemed complete, it shall proceed into the applicable review process. All other applications submitted after the filing deadline shall be placed on the next month's agenda. All applications shall be in compliance with filing the procedures and code requirements set forth herein. Any additional information required to complete the application shall be submitted by the twentieth of the month or the next succeeding business day. In the event that the application does not meet the filing requirements by the timeframe set forth above, the application shall be considered incomplete and shall not be submitted to the staff for consideration. Detailed procedures regarding application review, responses to deficiencies and comments, timeframes for resubmittals, requests for time extensions, and decision-making processes are outlined in the policies of the development and neighborhood services department.
- (c) A project that requires the filing of more than one application type pursuant to the City's Code of Ordinances shall file all related applications concurrently, unless these requirements are waived by the Director. If a project requires more than one (1) development application type, the applications shall be combined and reviewed in accordance with the procedures for the highest level of required review.
- (d) Burden of proof. The applicant shall have the burden of demonstrating that all standards, requirements, and criteria set forth in the Code of Ordinances have been met.

**Sec. 16-35. Filing fees.**

(ea) *Fees.* The ~~planning and development and neighborhood services director~~ department, planning and zoning board of appeals or the city council shall not consider any matter ~~pertaining to this chapter~~ until there is first paid a nonrefundable fee as required below, except that such fee shall not be required where the city or any official body thereof is the initiating party. ~~(b)~~ The amount of required fees shall be adopted through a resolution of the city council and shall be kept on file ~~in the office of~~ with the planning and development and neighborhood services department.

**Secs. 16-356—16-50. Reserved.*****DIVISION 2. DEVELOPMENT REVIEW COMMITTEE*****Sec. 16-51. Creation.**

- (a) *Established.* The development review committee (DRC) shall be established and is an administrative and technical committee that provides input on technical issues raised by a development project for consistency with policies established by the city council, specifically the Zoning Code and the City Code.
- (b) *Members.* The DRC is composed of representatives from the following disciplines: planning and zoning, building, fire, police, recreation, public works, and other departments as determined by the development and neighborhood services department.
- (c) Other city, county, state, or federal agencies may be consulted by the DRC for advice or recommendations on any matter or application being considered by the DRC. The development and neighborhood services department shall have the authority to add or delete members of the DRC as may be deemed necessary.

**Sec. 16-52. Rules of procedure.**

- (a) The development review committee shall be chaired by a representative of the planning division of development and neighborhood services department and the meetings shall be recorded but minutes need not be drafted. Although the development review committee meetings are open to the public, no decision is made at the meeting and public comment is not intended to be solicited.
- (b) The development and neighborhood services department shall be responsible for intake, agenda preparation, public notice, distribution of plans and specifications, collection of fees, audio recording of meetings, notification to applicants of the meetings and written notification to applicant of the outcome of the development review committee review.
- (c) Regular meetings of the Development Review Committee shall be held at least once per month, unless there is no business to conduct, to perform technical reviews and provide recommendations on applications following a determination of completeness. Meetings shall follow a schedule established by the Development and Neighborhood Services Department. Special meetings may be called by the Chair when the need arises or, if appropriate, the application may be distributed to DRC members for technical review comments in lieu of holding a technical review meeting. Technical review means the evaluation of an application to verify its compliance and consistency with the intent, standards, and minimum technical requirements set forth in the Comprehensive Plan, Zoning Code, and any applicable implementing regulations. Applications which have been found to be sufficient for processing by the city shall be scheduled for presentation by the applicant on the second Thursday of the month following a determination of sufficiency. Technical review by the development review committee shall take place on the third Thursday of the month if deemed necessary. These dates may be modified in the event of a city holiday falling on the scheduled meeting date or if a special meeting is required due to time constraints.
- (d) Review comments and questions by the development review committee, ~~as well as~~ city consultants, and any other agency reviewing the proposal shall be consolidated and sent ~~in writing~~ to the applicant by the development and neighborhood services department within two (2) weeks of the technical review meeting.

- (e) The development review committee shall have the right to require additional reviews of the application as necessary to ensure all comments have been addressed or resolved prior to further processing. An application that has already been reviewed through two (2) technical review meetings by the development review committee will not be scheduled for a third technical review meeting, unless conditions have changed substantially to warrant another meeting.
- (f) The application and proposed development plans, if any, shall to the extent possible incorporate all changes mutually agreed upon by the development review committee and the applicant prior to further processing.
- (g) ~~An application or/and development plans that have already been reviewed two (2) times by the development review committee will not be scheduled for a third meeting, unless conditions have changed substantially to warrant another meeting.~~ Failure of the development review committee to identify any required permits or procedures shall not relieve the applicant of any such requirements, nor constitute a waiver of the requirement by the decision-making body.
- (h) The development review committee shall recommend the application to the planning and zoning board ~~of appeals~~, local planning agency, and/or city council, as appropriate, for approval, approval with conditions, or denial. The development and neighborhood services department shall prepare a staff report and recommendation which shall include an explanation of the application, analysis in comparison to relevant Code standards, the recommendation of the development review committee, and any proposed conditions of approval and provide such report to the planning and zoning board ~~of appeals~~, local planning agency, and/or city council.

### **Sec. 16-53. Functions, powers, and duties.**

The development review committee shall have the following functions, powers, and duties:

- (a) To review and make recommendations to approve, approve with conditions, or deny applications for:
  - (1) Annexation.
  - (2) Comprehensive Plan amendment.
  - (3) Zoning changes.
  - (4) Special exceptions.
  - (5) Site and development plans.
  - (6) Special exception and site and development plans amendments.
  - (7) Variances.
  - (8) Text amendments to the Zoning Code.
  - (9) Temporary Use and Live Entertainment permits in accordance with section 16-718.
  - (10) Preliminary and Final Plats.
  - (11) Master Sign Plans.
  - (12) Perform such additional duties as the development and neighborhood services department may from time-to-time assign.
- (b) To conduct review and recommendation based on all relevant requirements of the Comprehensive Plan, City Code, policies of the city, and information received from the city's consultants and other reviewing agencies.
- (c) To prepare a staff report and recommendation which explains the application, references relevant Comprehensive Plan policies and Code requirements, summarizes the recommendation of the development review committee and the comments of other reviewing agencies, proposes necessary conditions of approval, and summarizes the approval or denial action of each successive reviewing body. The report shall contain exhibits such as plans and maps as necessary to adequately explain and detail the application.

**Secs. 16-54—16-80. Reserved.*****DIVISION 3. PLANNING AND ZONING BOARD (PZB)-OF APPEALS/LOCAL PLANNING AGENCY*****Sec. 16-81. Creation.**

(a) There is hereby established a planning and zoning, board of appeals (~~PZAB~~)(PZB) which shall consist of five (5) members, all of whom shall be appointed by the mayor upon advice and consent of the city council. ~~During the month of January 2022, five (5) members shall be appointed to the following terms:~~

- (1) One (1) member to a one-year term.
- (2) Two (2) members to a two-year term.
- (3) Two (2) members to a three-year term.

Thereafter, as each term shall expire, all appointments or reappointments shall be for a term of three (3) years. Members can be reappointed to the ~~PZAB-PZB~~ for an indefinite number of terms; the reappointments shall be by the mayor upon advice and consent of the city council. Vacancies that arise during the term shall be filled by the mayor upon advice and consent of the city council for the unexpired term of any member whose seat has become vacant. In the case of vacancies, the mayor may elect to fill such vacancies with the designated alternates and appoint new alternates upon the advice and consent of city council. All members of the ~~PZAB-PZB~~ shall be residents of the city except as authorized by Article VIII Section 5 of the City Charter in order to obtain members with technical and professional expertise from within Palm Beach County to serve on the ~~PZAB-PZB~~. All members of the ~~PZAB-PZB~~ shall serve without compensation except for reimbursement of out-of-pocket expenses, if any.

- (b) In addition to the regular ~~PZAB-PZB~~ members, the mayor shall appoint upon the advice and consent of city council two (2) alternate members designated as ~~PZAB-PZB~~ alternate #1 and alternate #2. The alternate members shall serve in that order for succession and voting purposes at meetings of the ~~PZAB-PZB~~ when such alternate member is substituting for an absent regular ~~PZAB-PZB~~ member. In the event that all five (5) regular members and the two (2) alternate members are present at a meeting, the alternate members may take part in the discussion, but shall not cast a vote
- (c) The absence of a member for three (3) consecutive meetings, without an excuse approved by the chair of the ~~PZAB-PZB~~, and noted in the minutes, shall be deemed cause for removal by the city council. In the event of a vacancy on the ~~PZAB-PZB~~ such vacancy shall be filled within a period of thirty (30) days from the occurrence of such vacancy in the manner provided herein.
- (d) No member of the ~~PZBA-PZB~~ shall be an elected official of the state, county, or city, or a state, county or municipal officer, or an employee of the city.
- (e) Pursuant to, and in accordance with F.S. § 163.3174 (and the Community Planning Act), the ~~PZAB-PZB~~ is hereby designated and established as the local planning agency for the incorporated territory of the city.

**Sec. 16-82. Conflict of interest.**

- (a) Members of all of the ~~PZAB-PZB~~ shall be subject to removal from office by the city council for nonfeasance, malfeasance, misfeasance, or for other good cause shown to the city council.
- (b) No member shall have any interest, financial or otherwise, direct or indirect, or engage in any business, transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of the member's duties in the public interest. To implement such policy and strengthen the faith and confidence of the citizens of the city, the members of the ~~PZAB-PZB~~ are directed as follows:
  - (1) Not to accept any gift, favor, or service that might reasonably tend to improperly influence the member in the discharge of official duties.

- (2) To make known by written disclosure any interests which such members shall have in pending application or other matters prior to a hearing thereof. In the event the member is not aware of the member's interest or a conflict becomes known during a hearing thereof, the member shall immediately disclose the member's interest and shall abstain from voting on such matter.
- (3) To refrain from disclosing confidential information gained by reason of official position and to refrain from using such information for personal gain or benefit.
- (4) To refrain from accepting or receiving any compensation from any source which might impair his independence of judgment in the performance of his public duties.
- (5) To refrain from participation in any matter in which such member shall have a personal investment which will create a substantial conflict between the member's private interests and the public interests.
- (6) Willful violation of this provision shall constitute malfeasance in office and shall render the action voidable by the city council.

### **Sec. 16-83. Officers, rules of procedures.**

- (a) The ~~PZAB-PZB~~ shall elect annually a chair and vice-chair from among its regular members, and the chair and vice-chair shall have the same voting rights as any other regular member.
- (b) The ~~PZAB-PZB~~ shall be governed by Roberts' Rules of Order, latest edition, in all of its procedural matters. The presence of at least three (3) ~~PZAB-PZB~~ members (inclusive of alternate members) shall constitute a quorum.
- (c) Meetings of the ~~PZAB-PZB~~ shall be regularly scheduled on a monthly basis on a consistent day as determined by the ~~PZAB-PZB~~ and at such other times as the ~~PZAB-PZB~~ chair or majority of the members may determine to be necessary. The chair, or in the chair's absence, the vice-chair, or in the vice-chair's absence the longest serving regular member, shall conduct the meeting. All meetings shall be open to the public. The ~~PZAB-PZB~~ shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its official actions, all of which shall be a public record and be filed in the office of the city clerk.

### **Sec. 16-84. Authority, functions, powers and duties.**

The ~~PZAB-PZB~~ shall have the authority and duty to:

- (a) Hear, consider, and make recommendations to the city council to approve, approve with conditions, or deny applications for:
  - (1) Annexations.
  - (2) Rezoning.
  - (3) Special exceptions.
  - (4) Site and development plans.
  - (5) Zoning text amendments.
- (b) Serve as the local planning agency for the city to hear, consider and make recommendations to the city council for text amendments to the Comprehensive Plan and site-specific future land use amendments to the future land use map of the Comprehensive Plan.
- (c) Serve as a design review body to hear, consider, and make recommendations to the city council with regard to community appearance as part of site and development plans ~~petition~~ applications to:
  - (1) Balance carefully the natural environment with manmade systems which preserve, protect and conserve the natural environment;

- (2) Sustain the comfort, health, tranquility and contentment of residents and attract new residents by reason of a desirable urban environment;
  - (3) Minimize incompatible surroundings and visual blight which prevent orderly community development and reduce property values;
  - (4) Encourage and promote development which features amenities and excellence in the form of variations of siting, types of structures and adaptation to and conservation of native vegetation and other environmental design features;
  - (5) Foster civic pride and community spirit by maximizing the positive impact of developments;
  - (6) Inspire creative approaches to the use of land and related physical developments;
  - (7) Encourage the realization and conservation of a desirable aesthetic urban environment through simple and cost-effective design elements;
  - (8) Foster the development of a positive visual character for the city by promoting a high degree of compatibility between land uses;
  - (9) Promote orderly growth, development and placement of all land uses so as to encourage a balanced natural, physical, and economic environment and advance the quality of life for city residents.
- (d) Hear, consider and make recommendations to the city council with regard to the principles of Crime Prevention Through Environmental Design (CPTED) as part of site and development plans petition applications.
  - (e) Consider amendments to previously approved special exceptions and site and development plans.
  - (f) Conduct public hearings as may be required to gather information necessary for the maintenance of the Comprehensive Plan and such additional public hearings as required to perform their duties.
  - (g) Formulate and propose general recommendations to the city council regarding matters within the realm of community appearance and the scope of this chapter.
  - (h) Establish principles and policies for guiding action in the development of the area.
  - (i) Acquire and maintain information and materials as necessary to gain an understanding of past trends, present conditions and forces at work to cause changes in these conditions.
  - (j) Perform such other duties and assignments as are authorized by the city council.
  - (k) Hear and decide appeals in accordance with section 16-85 where it is alleged there is an error in any interpretation or administration of Chapter 12 and 16 of the City Code by the administrative official.
  - (l) In accordance with Section 16-103, grant, grant with conditions or deny variances from the provisions of Chapter 12 and Chapter 16 of the City Code.

### **Sec. 16-85. Appeals.**

- (a) Appeals to the ~~PZAB~~ PZB concerning interpretation or administration of Chapter 12 and Chapter 16 of the City Code may be made by any person aggrieved or by any officer or department of the City affected by any decision of the administrative official. Such appeal shall be made within a reasonable time, not to exceed fifteen (15) days from the date of the decision being rendered by filing a notice of appeal with the development and neighborhood services department. The notice of appeal shall be made by filing a written application on forms provided by the development and neighborhood services department and paying the applicable fee. The notice of appeal must contain the following information:
  - (1) A written description of the decision by the administrative official that is being appealed;



- (2) A brief statement of facts and issues involved in the appeal;
  - (3) A brief statement of the alleged error(s) made by the administrative official in rendering the administrative official's decision;
  - (4) Any exhibits or materials relevant to the issues forming the basis of the appeal, such as vegetative surveys, environmental assessments and relevant permits issued by other governmental agencies;
  - (5) The name, address and telephone number of the property owner;
  - (6) A legal description of the property;
  - (7) A boundary survey of the property, completed within twelve (12) months of the appeal; and
  - (8) Such other information as may reasonably be requested by the development and neighborhood services department.
- (b) The development and neighborhood services department shall transmit to the ~~PZAB-PZB~~ the applicant's notice of appeal as well as all documents constituting the record upon which the administrative official's decision was based.
  - (c) No notice of appeal shall be considered or construed to be filed until the required fee has been paid.
  - (d) The development and neighborhood services department shall fix a reasonable time for hearing the appeal which shall not to exceed forty-five (45) days from the date the notice of appeal is deemed as filed. The development and neighborhood services department shall give public notice of the appeal hearing following the procedures set forth in section 16-33 for public hearings.
  - (e) At the hearing, the party filing the appeal may appear in person, by an attorney-at-law authorized to practice in the state, or by an agent who received written authorization from the party filing the appeal which is submitted to the ~~PZAB-PZB~~ no later than the commencement of the hear.
  - (f) When an appeal is made to the ~~PZAB-PZB~~, all work and proceedings shall stop on the project, premises and/or property in question unless the administrative official whose decision is under appeal certifies in writing that a stay would cause imminent peril to life or property. In such case, work and proceedings shall not stop unless a court of competent jurisdiction issues a temporary restraining order.
  - (g) In exercising its powers, the ~~PZAB-PZB~~, in conformity with the provisions of Chapter 12 and Chapter 16, revers or affirm, wholly or partly, or may modify the order requirements, decision or determination made by the administrative official and make such order, recommendation, decision or determination as ought to be made, and to that end shall have all the powers of the administrative official from whom the appeal is taken.

**Secs. 16-86—16-100. Reserved.**

***DIVISION 4. VARIANCE***

**Sec. 16-101. Purpose.**

- (a) The purpose of this section is to provide for relief from certain provisions in Chapter 12 and Chapter 16 of the City's Code when the strict administration of such regulations prevents an important need and the reasonable use of the property for which a variance is sought. In so doing, the following rules apply:
  - (1) Use variances are not permitted.
  - (2) All variances run with the land.
  - (3) All variance requests to the requirements of the Florida Americans with Disabilities Accessibility Implementation Act must be preceded through the procedures required under such act.
- (b) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Practical difficulty* means use of all or a portion of the property at issue cannot occur with reasonable physical accommodation that is economically reasonable.

*Unnecessary hardship* means a practical difficulty which exists due to an unintended effect of the land development regulation.

*Use variance* means an exception to the uses permitted in a particular zoning district by right, special exception or conditional use.

### **Sec. 16-102. Application requirements.**

- (a) Application by a property owner for a variance shall include the following:
- (1) Completed application form signed by the property owner including reasons identifying why a variance is warranted. (Note The burden of proof is the obligation of the applicant. Justification for compliance with the criteria for a variance must be fully documented and proven by the applicant. Each variance must stand on its own merits. Past variances will not be grounds for approval of future variances.).
  - (2) Agent's authorization or power of attorney if the applicant is other than the property owner.
  - (3) Warranty deed.
  - (4) Survey including a legal description of the property and all easements of record, referenced by Official Records Book and page, prepared by a surveyor registered in the State of Florida.
  - (5) List of property owners within a three-hundred-foot radius and mailing envelopes as necessary to meet the requirements of section 16-33 for two (2) public hearings.
  - (6) One set of stamped plain envelopes with the typed names of owners within a three hundred-foot radius of the boundary lines of the subject property. No return address.
  - (7) Dimensioned plans showing the improvements that are the subject of the variance request.
- (b) All requests for variances shall be made by filing an application on forms provided by the neighborhood and development services department by noon on the fifteenth of the month or previous regular business day.
- (c) No application shall be considered or construed to be filed until the required fee has been paid.

### **Sec. 16-103. Standards of review.**

- (a) The ~~PZAB-PZB~~ shall have the power to authorize upon appeal such variance from the terms of Chapter 12 and Chapter 16 as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of Chapter 12 and Chapter 16 will result in unnecessary and undue hardship. In order to authorize any variance in the terms of Chapter 12 and Chapter 16, ~~PZAB-PZB~~ must and shall find:
- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
  - (2) That the special conditions and circumstances do not result from the actions of the applicant.
  - (3) That granting the variance request will not confer on the applicant any special privilege that is denied by this chapter to the other lands, buildings, or structures in the same zoning district.
  - (4) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.
  - (5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

- (6) No nonconforming use of neighboring lands, structures or buildings in the same or other districts and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.
- (b) In granting any variance, the ~~PZAB-PZB~~ shall prescribe appropriate conditions and safeguards in conformity with Chapter 12 and Chapter 16 and as the ~~PZAB-PZB~~ determines are reasonably necessary in keeping with the above stated six (6) criteria. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of City's Code. The ~~PZAB-PZB~~ may also prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. If no such limit is stated, section 16-105 shall apply.
- (c) Financial hardship is not to be considered alone as sufficient evidence of a hardship in the granting of a variance.
- (d) Requested variances shall be reviewed by the development and neighborhood services department and a development and neighborhood services department staff report and recommendation shall be prepared and forwarded to the ~~PZBA-PZB~~ at least four (4) days prior to the scheduled hearing.
- (e) The development and neighborhood services department shall fix a reasonable time for the hearing of the variance request not to exceed forty-five (45) days from the date the application is deemed filed and the applicant has satisfied all comments and questions of the development and neighborhood services department staff. The development and neighborhood services department shall give public notice of the variance following the procedures set forth in section 16-33 for public hearings.
- (f) At the hearing, the applicant may appear in person, by an attorney-at-law authorized to practice in the state, or by an agent who has received written authorization from the applicant which is submitted to the ~~PZAB-PZB~~ no later than the commencement of the hearing.

#### Sec. 16-104. Review of decisions; venue.

- (a) No person aggrieved by any decision of the ~~PZAB-PZB~~ may apply to the court for relief unless the person aggrieved has first exhausted the remedies provided for herein and has taken all available steps provided by the City Code. A decision of the ~~PZAB-PZB~~ may be reviewed by filing a ~~petition~~application for a writ of certiorari in the circuit court for the fifteenth judicial circuit in and for the county, within thirty (30) days from the date of the decision sought to be reviewed.
- (b) Costs shall not be allowed against the ~~PZAB-PZB~~.

#### Sec. 16-105. Timeframe.

- (a) Expiration of Variances. A variance granted by the PZB shall become null and void one (1) year from the date of the final decision granting the variance, unless otherwise provided in the final decision, under the following conditions:
- (1) A variance approval shall become null and void if a building permit, where required by law, has not been issued in accordance with the approved plans and conditions of the variance. It shall be the obligation of the owner to file written notice with the development and neighborhood services department that the proposed work has begun; and
- (2) A variance approval shall become null and void if a building permit issued in accordance with the plans and conditions upon which the variance was granted expires and is not renewed pursuant to the applicable provisions regarding renewal of building permits.

~~Variances granted by the PZAB shall become void if not exercised within six (6) months of the date granted. It shall be the obligation of the owner to file written notice with the neighborhood and development services department that the proposed work has begun. Prior to the expiration of such six month period, the applicant may make a written request to the development and neighborhood services department for a six month~~

~~extension. Further extensions of time shall require a new application to be processed in the manner described herein.~~

- (b) Variance requests which have been denied may not be resubmitted for a period of one (1) year. An application for reconsideration will be filed with the ~~neighborhood development and development neighborhood~~ services department along with the appropriate documentation and fees. The city council shall consider the following in granting a waiver of the one-year waiting period:
- (1) Whether conditions affecting such property materially changed.
  - (2) Whether there has been an error in substantive or procedural law before the planning and zoning board ~~of appeals~~.
  - (3) Whether competent and substantial new evidence is available which was not presented to the planning and zoning board ~~of appeals~~.
  - (4) Whether a modified plan is presented.
  - (5) Whether the particular facts and circumstances otherwise warrant another hearing before the planning and zoning board ~~of appeals~~.

### **Sec. 16-106. Administrative Variances**

- (a) Administrative variances may be approved by the city manager or designee pursuant to this section. An administrative variance may be considered only for:
- (1) An adjustment up to ten (10) percent for non-residential development.
  - (2) An adjustment of a lot(s) within an area where at least fifty (50) percent of the lots within approximately three hundred (300) feet, have already been developed or platted.
  - (3) An adjustment of no more than ninety (90) percent of a setback required by the underlying district regulations.
  - (4) An adjustment of no more than ten (10) percent of the lot coverage for a principal and/or accessory structure as required by the underlying district regulations.
  - (5) An adjustment of spacing between structures on the same lot may be reduced; provided, however, in no event shall such spacing be less than five (5) feet.
  - (6) An adjustment for shared parking when minimum is not met; provided, however, in no event shall such adjustment be less than ten (10) percent of the required parking.
  - (7) An adjustment to screening, type/mixing of materials, reduced landscape heights due to availability.
  - (8) An adjustment for non-residential properties to provide fences and landscaping in lieu of walls.
  - (9) An adjustment for the construction of an addition or an accessory structure within a single-family or two-family residential lot, where the minimum yard requirements were made more restrictive since the principal residence was lawfully constructed.
- (b) At any time prior to the final decision, the city manager or designee shall have the authority to refer the decision to the PZAB-PZB.
- (c) ~~In addition to any other application requirements of this section, an application for administrative variance shall include letters of no objection from all abutting property owners and the governing homeowners' association, if applicable. If such letters of no objection cannot be obtained, then the applicant may apply for a variance to the PZAB.~~

- (~~cd~~) In consultation with the development and neighborhood services department staff, the city manager or designee shall consider applications for administrative variance according to the criteria set forth above and the following standards:
- (1) The variance is necessary because of practical difficulty peculiar to the land, structure or building involved and which is not applicable to other lands, structures and buildings in the same zoning district.
  - (2) The variance is the minimum variance necessary to alleviate the practical difficulty.
  - (3) The variance will be in harmony with the general intent and purpose of the zoning code and will not be injurious to the area involved or otherwise detrimental to the public welfare.
- (~~de~~) The city manager or designee shall set forth his or her findings and conclusions on the application in a "notice of intent to approve" or a "notice of intent to deny" and provide such notice to the applicant in writing. A "notice of intent to approve" may include conditions necessary for the mitigation of any external impacts of the administrative variance and/or are necessary to accomplish the goals, objectives and policies of the Comprehensive Plan and this chapter, including, but not limited to, limitations on size, bulk, location, requirements for lighting and provision of adequate ingress and egress.
- (~~ef~~) Any "notice of intent to approve" shall be provided to the city council and mailed to surrounding property owners within three hundred (300) feet of the subject property.
- (f) Protest procedure. Any property owner who wishes to protest the notice of intent to approve the administrative variance shall submit a written protest (by mail or hand-delivery) to the Planning, Engineering and GIS Division no later than the fifteenth day following the date postmarked on the mailed notice. The fifteen-day period shall be referred to as the "protest period." It is the responsibility of the protestor to ensure and confirm that the Planning, Engineering and GIS Division receives the protest notice within the protest period. The written protest shall not be valid unless the protestor's name, address, telephone number, and email address (if available) are included on the written protest. If the Planning, Engineering and GIS Division receives a written protest within the protest period, the protest shall operate to preclude the use of the administrative variance approval process, the application shall then be processed as a non-administrative variance.
- (g) No sooner than ~~ten (10) but no later than~~ twenty (20) days after the mailing of the "notice of intent to approve," the city manager or designee shall consider any public comments or additional information submitted in relation to the application and render a final decision, setting out in writing the reasons for such approval or denial, and any conditions of approval. If any applicant is aggrieved by a final decision rendered by the city manager or designee, such applicant may appeal such decision to the ~~PZAB-PZB~~ as authorized by this chapter.
- (h) Expiration of Administrative Variances. An administrative variance shall become null and void one (1) year from the date of the final decision granting the variance, unless otherwise provided in the final decision, under the following conditions:
- (1) An administrative variance approval shall become null and void if a development application for the development contemplated in the administrative variance application is not issued within one (1) year of the final decision or if a building permit, where required by law, has not been issued or the building permit has expired in accordance with the approved plans and conditions upon which the administrative variance was granted; and
  - (2) An administrative variance shall become null and void if a building permit issued in accordance with the plans and conditions upon which the administrative variance was granted expires and is not renewed pursuant to the applicable provisions regarding renewal of building permits.

**Secs. 16-107—16-115. Reserved.**

## **DIVISION 5. ANNEXATION**

### Sec. 16-116. Florida Statutes.

The annexation of any lands into the municipal boundaries of the city shall be in accordance with the Florida Statutes in effect at the time of the ~~petition~~application for annexation.

### Sec. 16-117. Comprehensive Plan.

The annexation of any lands into the municipal boundaries of the city shall be in accordance with the annexation element of the City's Comprehensive Plan, including satisfaction of the criteria of Objective 41.3, Policy 1.3.1(a) and, for proposals ten (10) acres or larger in size, completion of the feasibility study requirements of Objective 41.3, Policy 1.3.1(b).

### Sec. 16-118. Application requirements.

- (a) Application by a property owner for voluntary annexation into the city shall include the following:
  - (1) Completed application form signed by the property owner and the applicant.
  - (2) Agent's authorization or power of attorney if the applicant is other than the property owner.
  - (3) Warranty deed.
  - (4) Survey including a legal description of the property and all easements of record, referenced by Official Records Book and page, prepared by a surveyor registered in the State of Florida.
  - (5) List of property owners within a three-hundred-foot radius and mailing envelopes as necessary to meet the requirements of section 16-33 for two (2) public hearings.
  - (6) Vicinity map depicting the proposed annexation in relation to the existing city boundary.
- (b) City initiated annexations, including annexations by referendum and through interlocal agreement, shall follow the requirements of Chapter 171 of the Florida Statutes.

### Sec. 16-119. Processing requirements.

- (a) Annexation ~~petition~~applications may be initiated by either the city or the property owner. No individual may submit an annexation application for property which they do not own except as an authorized agent for the owner.
- (b) Application by the property owner shall be submitted by noon on the fifteenth of the month or previous regular business day on forms provided by the ~~planning and engineering~~ development and neighborhood services department and shall include the documents in section 16-118(a) above as well as any other information necessary for review to ensure compliance with Florida Statutes and the annexation element of the Comprehensive Plan.
- (c) Proposed annexations shall be reviewed by the development review committee and a development ~~review committee~~ and neighborhood services department staff report and recommendation prepared and forwarded to the planning and zoning board ~~of appeals~~ at least four (4) days prior to the scheduled hearing.
- (d) The planning and zoning board ~~of appeals~~ shall hold an advertised public hearing in accordance with section 16-33, shall review the proposal, shall provide a nonbinding recommendation to the city council, and shall have the recommendation incorporated into the development ~~review committee and neighborhood services department staff~~ report and recommendation and forwarded to the city council. Annexations proposed through an interlocal agreement may omit the planning and zoning board ~~of appeals~~ hearing.
- (e) Upon determination that the necessary criteria have been met, the city council shall adopt the annexation through an ordinance, unless otherwise provided by Florida Statutes, after an advertised public hearing in accordance with section 16-33.

- (f) Unless otherwise provided through the adopting ordinance or resolution, annexations shall be effective upon adoption and the city's official boundary legal description shall be considered amended to include the annexed area.

**Secs. 16-120—16-125. Reserved.**

***DIVISION 6. COMPREHENSIVE PLAN AMENDMENTS***

**Sec. 16-126. Purpose.**

In accordance with the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act in Florida Statutes Chapter 163, the City of Greenacres has adopted a Comprehensive Plan. The provisions of this division 6 are intended to provide a means of amending the adopted Comprehensive Plan. These amendments may consist of either site-specific amendments to future land use designations or text changes to elements of the plan.

**Sec. 16-127. Application requirements.**

- (a) Site-specific future land use amendments applications shall include the following:
- (1) Completed application form signed by the property owner and the applicant, along with the appropriate fees as established by the city council.
  - (2) Agent's authorization or power of attorney if the applicant is other than the property owner.
  - (3) Warranty deed.
  - (4) Survey including a legal description of the property and all easements of record, referenced by Official Record Book and Page, prepared by a surveyor registered in the State of Florida.
  - (5) List of property owners within a three hundred-foot radius and mailing envelopes as necessary to meet the requirements of section 16-33 for public hearing(s) as required by Florida Statutes.
  - (6) Documentation establishing the proposal's satisfaction of and effect on the concurrency requirements of section 16-31.
  - (7) Traffic impact analysis addressing the impact of the proposed future land use designation on the Metropolitan Planning Organization's current (at the time of the application) adopted Long Range Transportation Plan in comparison to the existing future land use designation.
- (b) Other than site-specific future land use amendments, amendments to the Comprehensive Plan shall only be initiated by the ~~planning and engineering~~ development and neighborhood services department if necessary to comply with Florida Statutes, if necessary to maintain consistency between the Comprehensive Plan and the Zoning Code, as recommended in the periodic evaluation and appraisal report, or as directed by the local planning agency or city council. Application materials shall be as necessary to perform a complete analysis of the proposal and to comply with Florida Statutes.

**Sec. 16-128. Processing requirements.**

- (a) Site-specific future land use amendments may be initiated by either the city or the property owner. No individual may submit a future land use amendment application for property which they do not own except as an authorized agent for the owner.
- (b) Other amendments shall only be initiated by the ~~planning and engineering~~ development and neighborhood services department per section 16-127(b).
- (c) Application by the property owner shall be submitted by noon on the fifteenth of the month or previous regular business day on forms provided by the ~~planning and engineering~~ development and neighborhood

services department and shall include the documents in section 16-127(a) above as well as any other information necessary for review to ensure compliance with Florida Statutes and the Comprehensive Plan.

- (d) Proposed amendments shall be reviewed by the development review committee and a development ~~review committee~~ and neighborhood services department staff report and recommendation prepared and forwarded to the planning and zoning board ~~of appeals~~ at least four (4) days prior to the scheduled hearing.
- (e) The planning and zoning board ~~of appeals~~, sitting as the local planning agency, shall hold an advertised public hearing in accordance with section 16-33 and Florida Statutes, shall review the proposal, shall provide a nonbinding recommendation to the city council, shall have it incorporated into the development ~~review committee~~ and neighborhood services department staff report and recommendation, and forward it to the city council.
- (f) Review by the city council at public hearing(s) and adoption of the amendment by ordinance shall be in accordance with Florida Statutes.

### **Sec. 16-129. Standards of review.**

All proposed future land use amendments to the City's Comprehensive Plan shall be reviewed against the following criteria:

- (a) Compatibility with adjacent and nearby future land use designations.
- (b) Consistency with Chapter 163 of the Florida Statutes, the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan, and the City of Greenacres Comprehensive Plan.
- (c) Maintenance of established levels of service (concurrency).

### **Sec. 16-130. Denial.**

If the city council denies an application for amending the future land use designation of a property, the city shall not accept any future land use amendments for the same property for a period of twelve (12) months from the date of the council action.

### **Secs. 16-131—16-150. Reserved.**

## ***DIVISION 7. ZONING TEXT AMENDMENTS AND REZONING***

### **Sec. 16-151. Zoning amendments.**

These zoning regulations, the official zoning map and schedule of district regulations which are a part of this chapter may from time to time be amended, supplemented, changed or repealed.

### **Sec. 16-152. Initiation of proposals for amendment.**

A zoning amendment may take two (2) forms: as a rezoning of the district designation applied to a parcel of land which accordingly amends the official zoning map; or a text amendment which amends provisions of this chapter and the schedule of district regulations.

- (a) A zoning amendment may be proposed by:
  - (1) City council;
  - (2) Planning and zoning board ~~of appeals~~;
  - (3) Any other department or agency of the city;



- (4) Any person other than those listed in ~~a-(1)-(3)d-~~ above; provided, however that no person shall propose an amendment for the rezoning of property (except as an agent or attorney for an owner) which he does not own. The name of the owner shall appear on each application.
- (b) All proposals for zoning amendment shall be considered first by the development review committee and the planning and zoning board ~~of appeals~~ in the manner herein set out prior to review by the city council.
- (c) All proposals for zoning amendments shall be submitted in writing to the office of ~~planning and engineering~~ development and neighborhood services department, accompanied by all pertinent information required by these zoning regulations and which may be required by the planning and zoning board ~~of appeals~~ or the ~~planning and engineering~~ development and neighborhood services department for proper consideration of the matter, along with payment of such fees and charges as have been established by the city council. No application for zoning amendment shall be heard by the development review committee until such fees and charges have been paid.

### **Sec. 16-153. Planning and Zoning Board~~development commission~~ report.**

- (a) The planning and zoning board ~~of appeals~~ shall submit a report to the city council which shows that the commission has studied and considered the proposed amendment for rezoning of property and change to the official zoning map in relation to the following, where applicable:
- (1) Whether the proposed change would be contrary to the land use plan and would have an adverse effect on the Comprehensive Plan;
  - (2) The existing land use pattern;
  - (3) The possible creation of an isolated district unrelated to adjacent and nearby districts;
  - (4) The population density pattern and possible increase or overtaxing of the land on public facilities such as schools, utilities, streets, etc.;
  - (5) Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change;
  - (6) Whether changed or changing conditions make the passage of the proposed amendment necessary;
  - (7) Whether the proposed change will create or excessively increase traffic congestion or otherwise affect public safety;
  - (8) Whether the proposed change will adversely influence living conditions in the neighborhood;
  - (9) Whether there are substantial reasons why the property cannot be used in accord with existing zoning; and
  - (10) Whether the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the public welfare.
- (b) When pertaining to other proposed text amendments of this chapter, the planning and zoning board ~~of appeals~~ shall consider and study:
- (1) The need and justification for the change; and
  - (2) The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the Comprehensive Plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter on other city codes, regulations and actions designed to implement the Comprehensive Plan.

### Sec. 16-154. Restrictions, stipulations and safeguards.

- (a) The planning and zoning board of ~~appeals~~ may recommend that a ~~petition~~application to amend or supplement a district be approved subject to stipulations limiting the use of the property. The city council, after receiving the recommendation from the planning and zoning board of ~~appeals~~ on a request to amend or supplement a district, may grant such amendment and make the granting conditional upon such restriction, stipulation and safeguard as it may deem necessary to ensure compliance with the intent and purposes of the Comprehensive Plan.
- (b) Restrictions, stipulations and safeguards attached to an amendment may include but are not limited to those necessary to protect adjacent or nearby land owners from any deleterious effects from the full impact of any permitted uses, limitations more restrictive than those generally applying to the district regarding density, height, connection to central water and sewer systems and stipulations requiring that development take place in accordance with the development concept plan submitted. The city council may also stipulate that the development take place within a given period of time after which time public hearings will be indicated and the district returned to the assigned designation or such other designation as determined appropriate by city council in accordance with the Comprehensive Plan. In cases where stipulations, restrictions or safeguards are attached, all representation of the owner or his authorized agents at public hearings shall be deemed contractual and may be enforced by suit for injunction or other appropriate relief. All costs, including reasonable attorney's fees shall be awarded to the governmental unit if it prevails in such suit.

### Sec. 16-155. Zoning amendment process.

- (a) A written ~~petition~~application for rezoning shall be submitted by noon on the fifteenth of the month or previous regular business day on forms provided by the ~~planning and engineering~~ development and neighborhood services department and shall indicate the sections of this chapter under which the rezoning is sought and stating the grounds on which it is requested with particular reference to the written findings in section 16-153. The ~~petition~~application shall include all material necessary to meet the requirements listed below and any additional information that will demonstrate the rezoning approval is proper.
- (1) A signed and sealed survey not more than one (1) year old, including the legal description of the property and any easements, with reference to the Official Record Book and Page, prepared by a surveyor registered in the State of Florida.
- (2) Development concept plan on one (1) or more sheets of paper measuring not more than twenty-four (24) inches by thirty-six (36) inches and drawn to a scale not smaller than one hundred (100) feet to the inch. The following information shall be provided on the development concept plan:
- Scale, date, north arrow, vicinity sketch, title of the project and total gross acreage.
  - The boundaries and dimensions of the property and its relationship to the surrounding road system including the width of the existing travelway.
  - The location and dimension of existing manmade features such as existing roads and structures with indication as to which are to be removed, renovated or altered.
  - The location of existing easements, watercourses, section lines, water and sewer lines, well and septic tank location, and other existing important physical features in and adjoining the project.
  - Identification of surrounding land use and zoning within one hundred (100) feet of the site as well as the land use and zoning of the subject~~petitioned~~ site.
  - A layout of the proposed lots and/or building sites including the following site data:
    - Common open areas;
    - Generalized landscaping and buffer areas;

3. Internal circulation patterns including off-street parking and loading facilities;
  4. Total project density;
  5. Percentage of building lot coverage;
  6. Percentage of impervious surface coverage;
  7. Percentage of open space areas;
  8. The shape, size, location and height of all structures.
- (3) A traffic impact analysis as required by the city engineer including the following:
- a. Future right-of-way dedications;
  - b. Intersection improvements;
  - c. Traffic-control devices;
  - d. Traffic generation analysis, including compliance with the Palm Beach County Traffic Performance Standards Ordinance;
  - e. Distribution and assignment of traffic;
  - f. Additional roadway needs (travel lanes and turn lanes).
- (4) The proposed phasing of construction for the project if applicable.
- (5) Commercial, office and uses other than residential shall provide the estimated square footage of the structures, the number of employees, estimated seating, and the estimated number of users of the facility, such as members, students, and patients.
- (6) Proposed hours of operation for commercial uses.
- (7) A drainage statement or drainage plan as required by the city engineer.
- (b) If it has been determined to have met the submittal requirements, the application shall be reviewed by the development review committee within thirty (30) days of the submission deadline. Upon development review committee review and analysis of all submitted materials, the ~~planning and engineering~~ development and neighborhood services department shall forward the development ~~review committee and neighborhood services department staff~~ report and recommendation to the planning and zoning board ~~of appeals~~ at least four (4) days prior to the scheduled public hearing.
- (c) A public hearing shall be held by the planning and zoning board ~~of appeals~~. The property owner may appear personally or by agent or attorney.
- (1) Notice of public hearing shall be advertised following the procedures set forth in section 16-33 for public hearings.
  - (2) The recommendation of the planning and zoning board ~~of appeals~~ shall be advisory only and shall not be binding upon the city council.
  - (3) The written recommendation and conditions, if any, of the planning and zoning board ~~of appeals~~ shall be incorporated into the development ~~review committee and neighborhood services department staff~~ report and recommendation and transmitted to city council in accordance with adopted city council agenda procedures.
- (d) Upon receipt of the planning and zoning board ~~of appeals~~'s recommendation, the city council shall hold a public hearing at second reading of the ordinance relating to the rezoning request and take appropriate action with the application as set out in sections 16-153 and 16-154.

### Sec. 16-156. Limitations on the rezoning of property.

- (a) Whenever city council has denied an application for the rezoning of property, the city shall not thereafter accept any further zoning change application for the same property for a period of twelve (12) months from the date of such action.
- (b) The city council shall have the authority to establish a period of time of not less than two (2) years in duration commencing on the effective date of any rezoning of property within which such property shall not be the subject of another rezoning ~~petition~~ application to a more intense zoning classification.
- (c) The time limits of subsections (a) and (b) above may be waived by a two-thirds (⅔) majority vote of the city council when such action is deemed necessary to prevent injustice or to facilitate the proper development of the city.

### Secs. 16-157—16-170. Reserved.

## DIVISION 8. SPECIAL EXCEPTIONS

### Sec. 16-171. Statement of purpose.

The development and execution of a zoning ordinance is based upon the division of the city into districts, within which the use of land and structures and the bulk and location of structures in relation to the land are substantially uniform. It is recognized, however, that there are certain uses and features which because of their unique characteristics, cannot be distinctly classified or regulated in a particular district or districts, without consideration in each case, of the impact of such uses and features upon neighboring uses and the surrounding area, compared with the public need for them at particular locations. Such uses and features are therefore treated as special exceptions. A special exception is not the automatic right of any applicant.

### Sec. 16-172. General provisions.

Certain uses are permissible in designated zoning districts as special exceptions granted by the city council provided such use is specified under the special exception subsection of the appropriate zoning district.

### Sec. 16-173. Findings.

Before any special exception is granted, city council shall apply the standards set forth herein and shall determine that satisfactory provision and arrangement of the following factors have been met by the ~~petitioner~~ applicant, where applicable:

- (1) Compliance with all ~~elements~~ goals, objectives, policies and other applicable requirements of the City's Comprehensive Plan and provisions of the City Code;
- (2) Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, efficient traffic flow and control, and access in case of fire or catastrophe;
- (3) Off-street parking and loading areas are well-designed to meet operational needs ~~where required with particular attention to the items in (2) above~~;
- (4) Refuse and service areas are appropriately located and designed, with attention to safety, accessibility, and aesthetic compatibility ~~with particular reference to items (2) and (3) above~~;
- (5) The proposed use must not introduce nuisance factors detrimental to adjacent and nearby properties and the city as a whole. Nuisance factors shall include, but not necessarily be limited to, noise, odor, smoke, glare, electrical interference and/or mechanical vibrations;
- (6) Utilities, with reference to location, availability and compatibility;

- (7) Screening and buffering with reference to type, dimensions and character;
- (8) Signs and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district;
- (9) Required yards and other open space ;
- (10) General compatibility with adjacent properties, the surrounding district, and the overall character of the community, considering architectural style, scale, density, land use, hours of operation, and other factors that may be used to measure compatibility. ~~and other property in the district;~~
- (11) The proposed use will be in the best interests of the city, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity.
- (12~~1~~) Whether the change suggested is out of scale with the needs of the neighborhood or the city;
- (13~~2~~) Any special requirements set out in the schedule of district regulations for the particular use involved.

### **Sec. 16-174. Conditions and safeguards.**

- (a) In addition to the standards listed above and specific conditions listed for each particular special exception listed within the schedule of district regulations, the city council may impose other such conditions and safeguards as it deems appropriate in conformity with this chapter for the protection of the surrounding properties and the neighborhood or general welfare of the public.
- (b) Once established and not expired or voided, the approval of a special exception use shall run with the property unless otherwise stipulated as a condition of approval. If a special exception is granted for a specific location within a property, such as a designated bay within a shopping center, the approval shall be limited to that location and shall not extend to the entire property. Any modification to an approved special exception shall require an amendment pursuant to Division 10 of this chapter. Furthermore, any such modification shall remain subject to the previously imposed conditions of approval unless those conditions are formally amended.

### **Sec. 16-175. Denial.**

Should the city council deny a special exception, it shall state fully for the record the reasons for doing so. Such reasons shall take into account the factors under section 16-173 and all other conditions and particular regulation relating to the specific special exception requested.

### **Sec. 16-176. Limitations on the filing of a special exception.**

- (a) Whenever city council has denied an application for a special exception, the city shall not thereafter accept any further application for special exception on any part or on all of the same property for a period of twelve (12) months from the date of such action.
- (b) The time limits of subsection (a) above may be waived by a two-thirds ( $\frac{2}{3}$ ) majority vote of the city council when such action is deemed necessary to prevent injustice or to facilitate the proper development of the city.

### **Sec. 16-177. Time limits for special exceptions.**

A special exception shall commence within twelve (12) months from the date of grant unless extended by action of city council.

- (1a) Commencement of a special exception occurs upon the filing issuance of an application for all necessary building permits, or if no building permit is required, at the time a Business Tax Receipt and/or Registration is issued~~preliminary plat or site plan, or upon the initiation of significant action to satisfy requirements for improvements contained in a development order or other regulatory documents~~

~~relating to such special exception. If at any time a master building permit lapses, the special exception, including all phases thereof, shall be considered null, void, and of no further effect.~~

- (2b) Only one (1) extension shall be permitted and shall not exceed six (6) months.
- (2c) Special exceptions granted to any governmental unit shall be exempt from the provisions of this section, unless a time limitation is made a specific condition of the special exception.

### **Sec. 16-178. Special exception application process.**

- (a) A written ~~petition~~application for special exception shall be submitted by the property owner or authorized agent by noon on the fifteenth of the month or previous regular business day on forms provided by the ~~planning and engineering~~development and neighborhood services department and indicating the section of this chapter under which the special exception is sought and stating the grounds on which it is requested, with particular reference to the written findings in section 16-173 and other specific conditions, if applicable which city council shall address. The ~~petition~~application shall include all material necessary to meet the requirements listed below and any additional information that will demonstrate that the grant of special exception will be in harmony with the general intent and purpose of these zoning regulations. Fees as established by the city council shall be paid at the time of application.
- (1) A signed and sealed survey not more than one (1) year old, including the legal description of the property and any easements, with reference to the Official Record Book and Page, prepared by a surveyor registered in the State of Florida.
- (2) A development concept plan meeting the technical requirements for site and development plans as outlined in Section 16-197. ~~on one (1) or more sheets of paper measuring not more than twenty-four (24) inches by thirty-six (36) inches and drawn to a scale not smaller than one hundred (100) feet to the inch. The following information shall be provided on the development concept plan:~~
- ~~a. Scale, date, north arrow, vicinity sketch, title of the project and total gross acreage.~~
  - ~~b. The boundaries and dimensions of the property and its relationship to the surrounding road system including the width of the existing travelway.~~
  - ~~c. The location and dimension of existing man-made features such as existing roads and structures with indication as to which are to be removed, renovated or altered.~~
  - ~~d. The location of existing easements, water courses, section lines, water and sewer lines, well and septic tank location, and other existing important physical features in and adjoining the project.~~
  - ~~e. Identification of surrounding land use, zoning and existing buildings within one hundred (100) feet of the petitioned site, as well as the land use and zoning of the petitioned site.~~
  - ~~f. A layout of the proposed lots and/or building sites including the following site data:~~
    - ~~1. Common open areas;~~
    - ~~2. Generalized landscaping and buffer areas;~~
    - ~~3. Internal circulation patterns including off-street parking and loading facilities;~~
    - ~~4. Total project density;~~
    - ~~5. Percentage of building lot coverage;~~
    - ~~6. Percentage of impervious surface coverage;~~
    - ~~7. Percentage of open space areas;~~
    - ~~8. The shape, size, location and height of all structures.~~
- (3) A traffic impact analysis as required by the city engineer including the following:
- a. Future right-of-way dedications.
  - b. Intersection improvements.
  - c. Traffic-control devices.
  - d. Traffic generation analysis, including compliance with the Palm Beach County Traffic Performance Standards Ordinance.
  - e. Distribution and assignment of traffic.
  - f. Additional roadway needs (travel lanes and turn lanes).

- (4) The proposed phasing of construction for the project if applicable.
  - (5) Commercial, office and uses other than residential shall provide the estimated square footage of the structures, the number of employees, estimated seating, and the estimated number of users of the facility, such as members, students, and patients.
  - (6) Proposed hours of operation for commercial uses.
  - (7) A drainage statement or drainage plan as required by the city engineer.
  - (8) Size, location and orientation of signs.
  - (9) Proposed lighting of the premises.
  - (10) Such additional data, maps, plans, surveys or statements as may be required by city officials for the particular use or activity involved or listed on the applicable checklist.
- (b) If it has been determined to have met the submittal requirements, the application shall be reviewed by the development review committee within thirty (30) days of the submission deadline. Upon development review committee review and analysis of all submitted materials, the ~~planning and engineering~~ development and neighborhood services department shall forward the development ~~review committee~~ and neighborhood services department staff report and recommendation to the planning and zoning board ~~of appeals~~ at least four (4) days prior to the scheduled public hearing.
- (c) A public hearing shall be held by the planning and zoning board ~~of appeals~~. The property owner may appear personally or by agent or attorney.
- (1) Notice of public hearing shall be advertised following the procedures set forth in section 16-33 for public hearing.
  - (2) The recommendation of the planning and zoning board ~~of appeals~~ shall be advisory only and shall not be binding upon the city council.
  - (3) The written recommendation and conditions, if any, of the planning and zoning board ~~of appeals~~ shall be incorporated into the development ~~review committee~~ and neighborhood services department staff report and recommendation and transmitted to city council in accordance with adopted city council agenda procedures.
- (d) Upon receipt of the planning and zoning board ~~of appeals~~'s recommendation, the city council shall hold a public hearing relating to the special exception request which has been advertised following the procedures set forth in section 16-33 for public hearings and take appropriate action with the application as set forth in sections 16-173, 16-174 and 16-175. The city council shall, in the form of a resolution, make written findings of fact pertaining to the granting or denial of the special exception request application.

**Secs. 16-179—16-195. Reserved.**

***DIVISION 9. SITE AND DEVELOPMENT PLANS***

**Sec. 16-196. Applicability.**

No person shall commence any use or erect any residential structure, any commercial structure, or parking area without having first received approval of a site and development plans for the property. This requirement excludes the construction of a single-family residential dwelling or duplex, including accessory structures, on a vacant, lawfully established lot. After approval of the site and development plans, no structure shall be changed and no other improvements or construction shall be undertaken unless consistent with the site and development plans or approved on ~~an~~ amended site and development plans.

## Sec. 16-197. Procedure.

- (a) A written ~~petition application~~ for site and development plans approval shall be submitted by the property owner or authorized agent by noon on the fifteenth of the month or previous regular business day on forms provided by the ~~planning and engineering~~ development and neighborhood services department and indicating the uses, structures, and layout to be approved. The ~~petition application~~ shall include all material necessary to meet the requirements listed below and any additional information that will demonstrate that the approval of the site and development plans will be in harmony with the general intent and purpose of these zoning regulations. Fees as established by the city council shall be paid at the time of application.

The ~~planning and engineering~~ development and neighborhood services director or their designee may waive items if he determined~~s~~ that one (1) or more of such elements does not apply to the particular development.

- (1) Statements of ownership and control of the proposed development, including the warranty deed.
- (2) Project Description and Justification Statement describing in detail the character and intended use of the development, demonstrating compliance with all relevant zoning regulations and alignment with the goals, objectives, and policies of the Comprehensive Plan. The statement must identify how the project meets the criteria outlined in Section 16-198, include an overview of current site conditions, and provide a summary of the property's history, including any prior approvals.
- (3) General location map, showing relation of the site for which site and development plan approval is sought to major streets, schools, existing utilities, shopping areas, important physical features in and adjoining the project and the like.
- (4) A signed and sealed survey not more than one year old, prepared by a surveyor registered in the State of Florida. The survey shall include the following:
  - a. Legal description.
  - b. All easements including a reference to the Official Record Book and Page.
  - c. Existing topography on the property.
  - d. Existing streets and roadway improvements (medians, landscaping, signage, driveways, etc.) within one hundred (100) feet of the project boundary.
  - e. Existing structures within one hundred (100) feet of the project boundary.
  - f. Existing utilities, including inverts of pipes, rim elevations, wells, and septic tanks, etc. within one hundred (100) feet of the project boundary.
  - g. Existing trees on the property, identified by Caliper and species.
- (5) ~~A s~~Site and development plans containing the title of the project, the names of the project planner and developer, date, north arrow, and the additional information below:
  - a. Boundaries of the project, any existing streets, buildings, watercourses, easements and section lines;
  - b. Exact location of all buildings and structures;
  - c. Access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic;
  - d. Off-street parking and off-street loading layout and access, including bicycle racks;
  - e. Location and nature of recreational facilities and common area amenities, if any;
  - f. All landscape details including all trees, shrubs, groundcover ~~with indication as to types, numbers and sizes,~~ all screens and buffers with cross-sectional drawings illustrating the buffers in context with the surrounding features, including adjacent buildings, signs, and roadways, ~~and provision for~~ Indicate the botanical and common names, height, spread, and spacing of all plant materials. Specify whether the plant materials are native, drought-tolerant, Florida-Friendly, and/or flowering. Provide irrigation and maintenance plans;
  - g. Refuse collection areas with details, including sizing, height, screening, gates, and materials;
  - h. Access to utilities and points of utilities hookup;



- i. Project information including the number of users of the facility, employees, seating, and hours of operation;
  - j. ~~Location of lighting and foot candle dispersion~~Photometric Plan for all outdoor lighting, including the location and height of all lighting fixtures, as well as illumination levels measured to all property lines, spill, direction, and shielding. Provide details for lighting, including materials, finishes, colors, and anchoring; and
  - k. Land use and zoning of the site and zoning of adjacent properties.
- (6) Tabulation of total gross acreage in the project and the percentage thereof proposed to be devoted to:
- a. Various permitted uses;
  - b. Ground coverage by structures;
  - c. Impervious surface coverage;
  - d. Derivation of numbers of off-street parking and off-street loading spaces listed in subsection (4) above; and
  - e. Total project density in dwelling units per ~~net~~ acre.
- (7) If common facilities (such as recreation areas, private streets, common open space, etc.) are to be provided for the development, statements as to how such common facilities are to be provided and permanently maintained. Such statements may take the form of proposed deed restrictions, home owners associations, surety arrangements or other legal instruments providing adequate guarantees to the city that such common facilities will not become a future liability of the city.
- (8) Conceptual engineering plans containing the following:
- a. Proposed streets and roadways with dimensions and cross sections.
  - b. Curve radii for all internal and external vehicular use areas.
  - c. Access to the property by means of paved dedicated right-of-way.
  - d. Proposed traffic control signs and striping.
  - e. Proposed water distribution system showing location of all existing and proposed utilities for water. Fire hydrants, water mains, service lines and Fire Department connections, with size of line with location of fire hydrants and point of connection.
  - f. Proposed sanitary sewer collection system and point of connection, or size and location of septic tank and drainfield if applicable.
  - g. ~~Written drainage statement providing a comprehensive description of describing the system design and the applicable design standards utilized~~used.
  - h. Proposed storm water management system with location of inlets, piping and legal positive outfall along with typical section and top surface area of storm water retention/detention pond, including soil types, slope, bottom and top elevations, normal water surface elevation, the max water surface elevations for storm events, and finish floor elevations.
  - i. Existing and proposed fire protection systems.
- (9) Traffic impact analysis addressing at a minimum: Distribution and assignment of traffic, intersection improvements, additional roadway needs (travel lanes and/or turn lanes), traffic control devices, future right-of-way dedications and compliance with the Palm Beach County Traffic Performance Standards Ordinance.
- (10) Architectural floor plans and elevations ~~for buildings~~ from all exposures, including construction materials, finishes, and colors; and the exact number of dwelling unit sizes and types. Provide color-rendered elevations accurately depicting the proposed development and landscaping upon completion, including front, side, and rear views showing concealment of any rooftop mechanical equipment. For multi-level buildings, include dimensions and clear heights for each level.
- (11) ~~Signage Plans including, locations, signage area, height, lighting and type of materials used for signs, if any.~~
- (12) Plans for public art, if any.

- (132) Proposed phasing of construction, if applicable.
- (143) Such additional data, maps, plans, surveys or statements as may be required by city officials for the particular use or activity involved or listed on the applicable checklist.
- (154) Such additional data as the applicant may believe is pertinent to the site and development plans.
- (165) Items (4), (5) (8) and (9) and (10) above shall be prepared by registered surveyor, engineer, landscape architect or architect as may be appropriate to the particular item. All site and development plans shall be submitted on one (1) or more sheets of paper measuring not more than twenty-four (24) inches by thirty-six (36) inches and drawn to a scale not smaller than one hundred (100) feet to the inch.
- (b) If it has been determined to have met the submittal requirements, the application shall be reviewed by the development review committee within thirty (30) days of the submission deadline. Upon development review committee review and analysis of all submitted materials, the ~~planning and engineering~~ development and neighborhood services department shall forward the development ~~review committee~~ and neighborhood services department staff report and recommendation to the planning and zoning board ~~of appeals~~ at least four (4) days prior to the scheduled hearing.
- (c) A hearing shall be held by the planning and zoning board ~~of appeals~~. The property owner may appear personally or by agent or attorney.
- (1) The meeting shall be open to the public (1) and the public shall be allowed reasonable time to address the planning and zoning board ~~of appeals~~ regarding the proposal.
- (2) The written recommendation and conditions, if any, of the planning and zoning board ~~of appeals~~ shall be incorporated into the development ~~review committee~~ and neighborhood services department staff report and recommendation and transmitted to city council in accordance with adopted city council agenda procedures.
- (d) Upon receipt of the planning and zoning board ~~of appeals~~'s recommendation, the city council shall hold a hearing relating to the site and development plans request and take appropriate action with the application as set forth in sections 16-198 and 16-199.

### Sec. 16-198. Site and building design.

- (a) The ~~goal purpose~~ of this section is to ensure that all proposals for new or amended site and development plan ~~proposals~~ have the highest possible aesthetic and functional appearance qualities through cost effective and sustainable design by concentrating on the interrelationship between structures and their surroundings. The recognition of the South Florida climate, including its influence on building shape and orientation, roof design, overhangs, and window placement, is integral to achieving these objectives. New or amended developments should incorporate high-quality site design to enhance the community image and foster pedestrian-oriented spaces with a distinctive sense of place.
- (b) The ~~establishment of the following four (4) general principles is intended~~ Design and Performance Standards are established to stimulate ensure creative design and planning solutions, ~~which would directly result in~~ enhancing the visual appearance within the city, and promoting the public health, safety, and welfare of its residents through high-quality design and the integration of architectural, landscape, urban design elements, and pedestrian and streetscape connections, by incorporating the following in each application, to the extent they are applicable and feasible:
- (1) *Site development relationships:*
- a. *Transition.* The site should be planned to accomplish a smooth transition from adjacent properties that differ in land use and/or design philosophy by the use of site breaks such as landscaping, berms, fences, and walls for aesthetic purposes.

- b. Engineering Design treatment. The design of drainage systems, water management areas, wetlands, and utility placements must seamlessly integrate functionality with visual appeal, adhering to sound engineering practices. Utilities should be installed underground to prevent conflicts with landscape growth and enhance aesthetic quality, with utility hardware discreetly located and effectively screened. Low Impact Development practices, such as bioswales, permeable pavements, and rain gardens, are to be incorporated to promote environmental sustainability and resilience. The site should be planned so that the drainage, ponds, wetlands, and placement of utilities on and off the site are designed in an aesthetic manner subject to sound engineering practices and principles by, for example, installing all utilities underground so as not to conflict with landscape growth and discreetly locating and screening utility hardware.
- c. Control of effects of lights from automobiles or other sources. Where the site plan indicates potential adverse effects of parking or of other sources on the lot on which the nonresidential use is to be located, such effects shall be eliminated or at a minimum prevented so that lights do not illuminate adjacent residential property below a height of five (5) feet at the residential lot line, or from shining into any residential window if there is to be nonresidential parking on the premises after dark.

In addition to the above, outdoor lighting is subject to the provisions of Section 16-767 and if in conflict with the provisions of this section, the more restrictive provisions shall apply.

(2) *Building and site design relationships:*

- a. *Buildings.* Buildings should demonstrate compatibility in materials and consistency in style throughout all exterior elevations by:
1. Being compatible with adjacent land uses in terms of scale and lot coverage.
  2. Using color schemes that blend with those of neighboring developments ~~while~~ using accent colors chosen to enhance architectural details.
  3. Using building wall extensions to connect structures and other site elements.
  4. Incorporating canopies or awnings to enhance building character and shelter pedestrians from the elements.
  5. Designing building signs as integral architectural elements with their proportions ~~relat~~aligned to the surfaces to which they are attached.
  6. Rooftops. Screening rooftop equipment ~~from the public right-of-way and residential areas~~ in such a manner as to present an integrated appearance relative to overall design. Parapets, pediments, and other traditional design should be used to articulate the roofline and conceal flat roofs and rooftop equipment.  
Roof finishes should be light in color to encourage maximum reflection/minimum transmission of heat loadings.
  7. Defining building entrances through the use of massing, design elements, architectural features, and logical location. Primary building facades and entries should face public rights-of-way and provide a clear destination point for approaching pedestrians.
  8. Ensuring that the building proportions, ~~and the proportions of the~~ along with its component elements, incorporates materials of durable quality to promote longevity, are ~~is~~ harmonious and ~~are~~ compatible with the architectural style of the building and its surroundings. Harmony does not require buildings to look identical or be of the same style. Harmony can be achieved by proper consideration of combining various factors such as setbacks, floor and overall heights, scale, massing, bulk, proportions, orientation, landscaping, materials, and architectural components, including but not limited to balconies, porches, roof types, fenestration, entrances, and stylistic expressions.

9. Ground-floor transparency should be prioritized, particularly at building corners, entries, corridors, and public spaces, to enhance engagement and connectivity with the public realm.
  10. Applying principles of Crime Prevention Through Environmental Design (CPTED) by ensuring open sightlines, utilizing effective territorial reinforcement, lighting, and landscaping to encourage natural surveillance.
- b. *Site design.* Sites should enhance the streetscape and provide for variety in relationships between buildings and site design by:
1. Defining entrances through lighting and design mechanisms, such as elevated landscape areas, back lighting of signs, ~~and/or~~ landscaping elements, and architectural focal points.
  2. Encouraging ~~yard~~ setbacks in excess of zoning requirements to provide diversity in site appearance contributing to aesthetic variety and usability.
  3. Locating loading, service, and refuse facilities and areas ~~and refuse containers~~ to the rear of buildings for screening from public view. These facilities must be of sufficient size, design, and location to accommodate access by large vehicles servicing such facilities.
  4. Adding pedestrian-focused elements such as public art, exterior lighting fixtures, street furniture, street trees, bike racks, and other exterior features ~~so as~~ to be compatible with and complementary to site and building design.
  5. Designing free-standing signs as integral parts of the development theme, including the use of colors, materials, and features that reflect and complement the architectural character of the principal building or buildings.
  6. Installing ~~building~~ foundation landscaping to soften building edges and enhance the site's aesthetic appeal.
- (3) *Parking and circulation relationships:*
- a. *Parking.* ~~Site parking areas lots~~ should be designed to indicate separation through landscaping to avoid minimize impervious surface areas masses and enhance usability and aesthetics by:
    1. Including curbed landscape islands to break up large impervious surface areas and also reduce heat island effects.
    2. Incorporating pedestrian crosswalks and pathways through landscape areas.
    3. Installing wheel stops to avoid trees, poles, or interruption of sidewalks by overhanging vehicles.
    4. Structured parking garages must minimize the appearance of expansive blank walls along the ground floor by employing thoughtful exterior design, architectural features, and landscaping to blend with the surrounding context.
  - b. *Circulation.* The site should have defined vehicular and pedestrian access and circulation elements by:
    1. Differentiate ~~fining~~ walkways and circulation patterns through variations of pavement textures, ~~and materials~~ through sign placement.
    2. Using landscaping element features that define walkways and circulation patterns, such as flower beds, hedges, and landscaped embankments to define walkways and circulation patterns.
    3. Providing clear wayfinding signage for vehicles and pedestrians for ease of navigation.

4. Providing cross-access connections where appropriate between adjacent properties and within developments to reduce reliance on collector and arterial streets and enhance overall connectivity.

(4) *Open space relationships:*

- a. Landscaped and usable open spaces should be designed as integral ~~parts~~ components of the site and building design. Open spaces shall provide opportunities for respite, community interaction, engagement, and recreation by:
1. Incorporating public art installations, fountains, or other focal points to create unique and engaging spaces.
  2. Ensuring open spaces are accessible to all users, including individuals with disabilities.
  3. Designing open spaces to accommodate a diverse range of activities, from passive relaxation to active recreation.
- b. The location and configuration of usable open space should be so designed as to encourage social interaction, recreation, maximize its utility and facilitate maintenance by:
1. Selecting plant materials with consideration for building design, growth patterns, colors, texture, spacing, shade, maintenance needs, and compatibility with site activity.
  2. Preserving and incorporating existing natural features including topography, watercourses, and vegetation into the site design.
  3. Designing planting areas to avoid injury to pedestrians and vehicular traffic through the use of curbing, terracing, and other such elements.
  4. Creating pedestrian-friendly spaces with walkways, bike paths, and seating arrangements within open space areas that encourage social interaction and activity. Include street furnishings that complement the architectural style and surrounding context to create a cohesive public realm.
  5. Incorporating buffers and berms for topographical diversity, separation, and noise control.

### Sec. 16-199. Standards for review.

The following standards of review shall be applied when considering a request for site and development plans approval:

- (a) Compliance with all ~~elements~~ goals, objectives, policies of the City's Comprehensive Plan and applicable provisions of the Zoning City's Code of Ordinances;
- (b) Satisfaction of the concurrency requirements of section 16-31;
- (c) Ingress and egress to the property and proposed structures thereon with particular attention to automotive and pedestrian safety and convenience, efficient traffic flow and control, and access in case of fire or emergency;
- (d) Off-street parking, loading, and circulation are well-designed to meet operational needs;
- (e) Refuse and service areas are appropriately located and designed, with attention to safety, accessibility, and aesthetic compatibility;
- (f) Utilities with reference to service location and compatibility;
- (g) Screening and buffering with reference to type, dimension, and character;
- (h) Setbacks and open space are designed to promote walkability, social interaction, and environmental preservation, with a focus on connecting to adjacent public amenities or pathways;

- (i) Signs and exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with adjacent properties and the rest of the district;
- (j) The proposed use must not introduce nNuisance factors detrimental to adjacent and nearby properties and the city as a whole. Nuisance factors include but are not limited to noise, odor, smoke, glare, electrical interference, and mechanical vibrations;
- (k) Compliance with the site and building design standards of section 16-198 and any standards specific to applicable zoning districts and overlay areas as authorized by the Code; and
- (l) General compatibility with adjacent properties, the surrounding district, and the overall character of the community, considering architectural style, scale, density, and land use and other property in the district.

### Sec. 16-200. Limitation of authority.

- (a) ~~A~~Site and development plans ~~authorizes~~ only the use arrangement and construction set forth in such approved plans and applications. Changes different from that authorized that were not permitted via amendment shall be deemed a violation of this chapter.
- (b) Statements made by the applicant in conjunction with the submitted site and development plans shall be deemed official statements. Approval of the site and development plans shall in no way exempt the applicant from strict observation of applicable provisions of this chapter and all other applicable regulations, ordinances, codes and laws.
- (c) ~~A~~Site and development plans approved in error shall not confer any rights or privileges to the applicant to proceed with development, and the city shall have the power to revoke such approval.

### Sec. 16-201. Required impact fees.

The following impact fees are applicable:

- (1) New residential development shall be required to dedicate land for parks and recreation and for general government services pursuant to the subdivision regulations, or provide payment in lieu of land dedication payable at the time of plat approval or issuance of a building permit, whichever occurs first.
- (2) All new commercial structures, and additions to existing commercial structures, shall be required to dedicate to the city's capital improvement fund two dollars and eighty cents (\$2.80) per square foot of gross floor area. Such dedication is required in order that the capital needs of police, fire, public works and administrative services of the city can be supplemented due to increased activity which can burden existing services and facilities. Payment shall be required prior to issuance of the building permit.
- (3) The provision of section 16-201 shall be effective: for all approved projects which have not submitted a complete and sufficient application for a building permit as of January 21, 2016; for all approvals pending as of that date; and for all projects submitted for approval after January 21, 2016. For all other projects, the prior rate of two dollars and twenty-five cents (\$2.25) per square foot of gross floor area shall apply.

### Sec. 16-202. Duration of approval.

Approval of ~~the an~~ application for ~~a~~a site and development plans by the city council shall be effective for a period of two (2) years from the date of such approval. Commencement of development of ~~an~~ approved site and development plans must occur within the two-year time frame and is considered to start upon ~~city council approval of the plat, the issuance of all necessary building permits, or upon the initiation of significant action to satisfy requirements for all improvements set forth on the approved site and development plans and those contained in the site and development review committee and neighborhood services department staff report and recommendation. Such building permits shall remain valid, and in effect until a Certificate of Occupancy (CO), or equivalent approval is granted. Should no plat, building permit, or further development action occur, if no building~~ city council approval of the plat, the issuance of all necessary building permits, or upon the initiation of significant action to satisfy requirements for all improvements set forth on the approved site and development plans and those contained in the site and development review committee and neighborhood services department staff report and recommendation. Such building permits shall remain valid, and in effect until a Certificate of Occupancy (CO), or equivalent approval is granted.

permits are issued within the two (2)-year time frame, the approval of the site and development plans shall expire be considered null, void, and of no further effect, unless an extension is granted in accordance with the provisions below. If at any time a master building permit lapses, the site and development plans, including all undeveloped phases thereof, shall be considered null, void, and of no further effect.

- (1) In the event that expiration of ~~this two-year period~~ has occurred without any of the actions above being commenced, the granting of up to two (2) additional one-year time extensions may be approved subject to the following requirements:
  - a. The first one-year time extension shall be requested by the ~~petitioner applicant~~ prior to the expiration of the original time approval ~~[two (2) years from the date of final approval by city council]~~, and the second one-year time extension shall be requested by the ~~petitioner applicant~~ prior to the expiration of the first-time extension. Such requests to be made to the ~~planning and engineering development and neighborhood services department~~.
  - b. The ~~planning and engineering development and neighborhood services~~ department shall review the proposed extension of time to determine if any modifications have been made to the previously approved site and development plans, and if changes have occurred to this chapter, concurrency approvals, or other development regulations which would affect the original approval.
  - c. Substantial modifications shall necessitate a completely new review of the site and development plans by the planning and zoning board of ~~appeals~~ and city council. Conditions which shall require a new review are as follows:
    1. A change to approved site and development plans approval change which involves an increase in floor area.
    2. ~~A~~ The site and development plans which would be affected by any changes in this chapter or other development regulations which have occurred subsequent to the time of the original approval.
    3. Any other proposed change which is deemed by the ~~planning and engineering development and neighborhood services~~ director or their designee to be a substantial deviation to the original approval.
    - d. The ~~planning and engineering development and neighborhood services~~ director or their designee will also review the time extension request with the development review committee and provide a recommendation to the city council in writing. If no member of the city council objects to the proposed time extension within seven (7) working days, the proposed modification will be approved by the ~~planning and engineering development and neighborhood services~~ director or their designee.
- (2) ~~The provisions of section 16-202 shall be effective: for all approved projects which have not yet expired as of May 19, 2008; for all approvals pending as of that date; and for all projects submitted for approval after May 19, 2008.~~ For requests submitted on or after March 18, 2025, any period of extension authorized under state law or by executive action shall reduce the available time for any extension under this section on a one-day-for-one-day basis.
- (3) Extensions granted under state law do not preclude or limit the city's authority to review applications for local extensions in accordance with this section.

**Secs. 16-203—16-210. Reserved.**

## **DIVISION 10. AMENDMENTS TO APPROVED SPECIAL EXCEPTIONS AND SITE AND DEVELOPMENT PLANS**

### Sec. 16-211. Purpose.

From time to time, in response to changing market conditions, social and economic circumstances, fashion, and changing desires of the property owner, it is necessary to change the materials, physical appearance, layout, intensity, and/or uses called for in approved special exceptions and site and development plans. The purpose of this division ~~10~~ is to establish procedures for modifying these previous approvals, including planned commercial developments and/or special exceptions which have been used at times as the functional equivalent of site and development plans, and providing an appropriate level of review and input by the bodies which provided the original approval.

### Sec. 16-212. Minor special exception and site and development plans amendment process

- (a) The following types of changes shall be categorized as a minor site and development plans and special exception amendment:
- (1) Modification to signage and lighting plans when such changes are consistent with the intent of the approved master sign plan or lighting plan.
  - (2) Additional landscape species and structure screening.
  - (3) Outdoor coolers.
  - (4) Exterior modification to approved residential models or addition of new models.
  - (5) Addition or relocation of refuse areas.
  - (6) Protection of existing vegetation.
  - (7) A one-time or cumulative decrease in non-residential floor area of less than ten (10) percent.
  - (8) A one-time or cumulative decrease in residential dwelling units of less than ten (10) percent.
  - (9) A one-time or cumulative increase or decrease in non-residential parking or open space of less than ten (10) percent.
  - (10) Exterior residential or non-residential appearance modifications, including color.
  - (11) Shared parking agreement for mixed use zoning districts.
  - (12) Alteration of the location of road, walkway, or structure by not more than five (5) feet.
  - (13) Decrease in the height or number of stories of a structure.
  - (14) Relocation of parking/signage/landscaping due to loss of site area to accommodate widening of public rights-of-ways or intersections.
  - (15) Particular amendments may not meet the criteria for minor site and development plans or special exception amendments but due to their uniqueness or meeting goals of the city, the following amendments will be processed as a minor site and development plans or special exception amendment:
    - (i) Amendment makes a significant positive impact on the city's employment;
    - (ii) Amendment is a significant financial generator;
    - (iii) Amendment involved innovative and high-quality design, architecture, site layout or sustainability features or;
    - (iv) Amendment significantly furthers establishment of a city council approved plan;
    - (v) Modifications to any conditions of approval.
- ~~(16)~~ Any other proposed amendment which is deemed by the development and neighborhood director or his/her ~~their~~ designee to be a minor amendment.



- (b) The following process shall apply to all minor site and development plans and special exception amendments:
- (1) A pre-application meeting shall be scheduled and conducted with the development and neighborhood services department prior to the submission of a minor site plan or special exception amendment.
  - (2) A written application for an amendment shall be submitted when ready on forms provided by the development and neighborhood services department, shall indicate what changes are desired, and shall include all documents, of a nature similar to that called for if it was an application for a new approval, necessary to evaluate the proposal. Such information shall include, but not be limited to, as applicable, a site plan, landscape and buffer plan, proposed hours of operations, parking standards and proposed use limitations. The application shall be signed by the owner and the applicant, shall include agent authorization for the applicant to represent the owner, and shall include the application fee as established by the city council. It shall be the applicant's burden of proof to satisfy all applicable requirements for the proposed request.
  - (3) The development and neighborhood services department shall review the proposed changes in comparison to the original approval, original conditions of approval, and current Zoning Code requirements.
  - (4) Once the development and neighborhood services department shall schedule the application for the next available development review committee (DRC) meetings. The DRC shall consider each application, shall complete a technical evaluation of the application, shall identify any deficiencies or discrepancies, and for each comment shall either indicate that the comment involves a code, safety, or engineering requirement or that the comment is advisory. Comments shall consist of the draft comments and items discussed at the DRC meeting. Complete and final comments on all applications considered at the DRC meeting shall be assembled and forwarded to the applicant. At the discretion of the DRC, applications with substantial deficiencies may, upon post-DRC re-submittal, be scheduled for re-review at another DRC meeting.
  - (5) Resubmission. The applicant's response to the DRC comments shall include an itemized letter that recites each staff comment, details how each comment has been adequately addressed, and states where any corresponding plan revision can be located. Once all comments have been adequately addressed, all technical and informational requirements met, and the commenting members of the DRC have recommended approval or approval with conditions on the application, the application shall be sent to the development and neighborhood director or his/her designee for review.
  - (6) If the application is to be approved, a memorandum shall be prepared explaining the request and containing any conditions of approval. It shall be signed by the development and neighborhood services director or his/her designee to indicate official approval and the memorandum and supporting documents placed into the property's file.
  - (7) In the event the applicant does not agree with the conditions of approval or if the application is denied, the development and neighborhood services director or his/her designee shall provide written notice of denial which shall be served to the applicant by certified registered mail. Said notice shall notify the applicant of the city's action and specify the reasons for denial, including applicable Code citations. The applicant may appeal to the city manager within thirty (30) days of the date of the written notice of denial. The city manager's decision will be final.

### **Sec. 16-213. Major site and development plans and special exception amendments review.**

Any deviation from a site and development plans or a special exception that does not meet the criteria for a minor site and development plans or special exception amendment, as defined above, or is not deemed by the Development and Neighborhood Services Director or their designee to be a minor amendment, shall be considered a major amendment. Major amendments shall follow the original site and development plans or special exception application process pursuant to this Code.

- (a) Any proposed amendment may be deemed a major amendment by the Development and Neighborhood Services Director or their designee if it is determined to:
- (1) Have a significant impact on the surrounding area; or
  - (2) Represent a substantial deviation from the originally approved plan; or
  - (3) Raise public interest concerns that warrant further review.

### **Sec. 16-214. Exemptions and duration.**

- (a) The following types of changes shall be exempt from the need to modify the approved special exception or site and development plans using these procedures:
- (1) Floorplan layout changes to the interior of approved residential models or to non-residential buildings provided that the changes have no impact on the exterior appearance, density, or floor area ratio.
  - (2) Minor species substitution and minor location adjustments of landscaping.
  - (3) Items covered under the scope of the temporary use permit provisions of section 16-718.
  - (4) Any other proposed change which is deemed by the development and neighborhood services department director or their designee to be exempt.
- (b) Amendments made through the approval process of this division 10 shall be valid for the life of the underlying original special exception or site and development plan approval. Amendments made by filing for a new review shall have the duration of a new approval.

### **~~Sec. 16-215. Fees.~~**

~~Application fees shall be as established by the city council and shall be paid at the time of application. No review or processing is to be conducted until the necessary fees have been paid.~~

### **Secs. 16-2156—16-220. Reserved.**

{DIVISION 11. *ADULT ENTERTAINMENT ESTABLISHMENTS* has been omitted for brevity.}

### **Section 2. Amending Related Code Sections.**

The Code of Ordinances is hereby amended to update all references to the “Planning and Zoning Board of Appeals” to “Planning and Zoning Board” and all references to the “PZBA” or “PZAB” to the “PZB” throughout the Code to ensure consistency with the renaming of the Planning and Zoning Board of Appeals to Planning and Zoning Board through this ordinance.

**Section 3. Amending Related Code Sections.**

The Code of Ordinances is hereby amended to update all references to "Site and Development Plan" to "Site and Development Plans" to ensure consistency with the approved naming convention and to standardize terminology throughout the Code.

**Section 4. Repeal of Conflicting Ordinances**

All other ordinances or parts thereof or parts of the Code conflicting or inconsistent with this ordinance are hereby cancelled, repealed or revised to be consistent with provisions and elements of this Ordinance.

**Section 5. Severability**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**Section 6. Inclusion in Code**

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "Ordinance"

may be changed to “Section”, “Article” or another word.

**Section 7. Effective Date**

The provisions of this Ordinance shall become effective upon adoption.

Passed on the first reading this 3<sup>rd</sup> day of March 2025.

**PASSED AND ADOPTED** on the second reading this 17<sup>th</sup> day of March 2025.

\_\_\_\_\_  
**Chuck Shaw**, Mayor

\_\_\_\_\_  
*Voted:*  
**Judith Dugo**, Deputy Mayor

**Attest:**

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
*Voted:*  
**John Tharp**, Council Member, *District I*

\_\_\_\_\_  
*Voted:*  
**Peter Noble**, Council Member, *District II*

\_\_\_\_\_  
*Voted:*  
**Susy Diaz**, Council Member, *District IV*

\_\_\_\_\_  
*Voted:*  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney

ZTA-24-11 (Ordinance 2025-01)  
Date: January 02, 2025

Revised: 02/13/2025  
03/03/2025



## DEVELOPMENT & NEIGHBORHOOD SERVICES STAFF REPORT AND RECOMMENDATION

### **I. Project Description:**

City-initiated Zoning Text Amendment (ZTA) to enhance several key areas of the City's Zoning Code, addressing current needs and best practices while aligning with Florida Statutory requirements. This amendment streamlines filing procedures, clarifies review processes, expiration of approvals, and improves standards and criteria for approval to support sustainable aesthetically pleasing development throughout the City.

**Project Manager:** Gianni Gallier, Senior Planner

### **II. Proposed Zoning Code Amendments:**

#### **Overview of Proposed Code Amendments:**

Throughout the document, updates were made to replace the term "petition" with "application," correct references to ensure the department is consistently referred to as Development and Neighborhood Services. All references to the "Planning and Zoning Board of Appeals" were updated to "Planning and Zoning Board," and all instances of "PZBA" were changed to "PZB" for consistency throughout the Code. Additionally, all references to "Site and Development Plan" were updated to "Site and Development Plans" to standardize terminology across the City Code.

- **Division 1. – Generally**

- **Building Permits (Section 16-32)**

- Revises the submittal requirements by removing the term "site and development plan" and replacing it with a set of plans demonstrating compliance with applicable zoning and land development regulations. Added the requirement for the plans to clearly show structure height and setbacks in addition to the other applicable criteria.

- **Public Hearing (Section 16-33)**

- Florida law requires municipalities to publish legal advertisements and public notices. The City previously used the Lake Worth Herald due to its lower cost, but its recent closure has forced reliance on more expensive alternatives.
  - The text amendment introduces the ability to do electronic publication and link the City's website to the County's public notice portal. This ensures compliance with state law while streamlining public notice procedures. Under F.S. §50.011 and 50.0311, municipalities may publish notices electronically if it is more cost-effective than newspaper and staff estimates electronic publication will reduce costs and improve efficiency.

- Table 16-33 has been streamlined for clarity to align with actual application types and review processes mainly for Special Exceptions and Variances, eliminating redundant categories that do not differ in how they are reviewed.
    - Introduces community meetings which are highly encouraged and may be required based on the proposal's nature, size, or location. When required, meetings require mailed notices sent at least 14 days in advance to nearby property owners and neighborhood organizations within 300'. Documentation of the meeting must be submitted to the City at least 21 days before the first public hearing.
  - **Filing Procedures and Fees (Section 16-34)**
    - Combines the procedures and fees into one section and further clarifies that the department creates a review schedules and submittal checklists. Acknowledges the department may make policies to address application review, responses to deficiencies and comments, timeframes for resubmittals, requests for time extensions, and decision-making processes.
    - Defines what completeness or a complete application means and clarifies that applications are reviewed for completeness with written notification of deficiencies provided in accordance with F.S. §166.033.
- **Division 2. – Development Review Committee**
  - **Rules of Procedure (Section 16-52)**
    - Removes prescriptive meeting schedule, such as second & third Thursdays. Provides greater flexibility in scheduling where DRC must meet at least once per month for technical reviews per our established agenda unless no business requires attention, with special meetings as needed.
    - States that failure of the DRC to identify any permit or procedure does not waive or relieve the applicant of such requirements.
  - **Functions, Powers, and Duties (Section 16-53)**
    - Added review and recommendation on Live Entertainment Permits, Master Sign Plans, and Preliminary and Final Plats to DRC's duties.
- **Division 4. – Variances**
  - **Timeframe (Section 16-105)**
    - Extends the validity period for variances from six (6) months to one (1) year before expiration if a building permit has not been issued to align with the Administrative Variance and provide a more reasonable timeframe considering the usual Development Applications that are processed concurrently or considered a Condition of Approval.
    - Ties the variance expiration to the issuance and continued status of a building permit.
  - **Administrative Variances (Section 16-178)**
    - Clarifies the expiration conditions for Administrative Variances, ensuring consistency with a standard Variance and directly links expiration to the issuance and active status of a building permit.

- Removes the requirement for a letter of no objection and introduces a procedure for nearby stakeholders to voice their concerns through the review process and requires the application to proceed as a regular Variance would have to.
- **Division 8. – Special Exceptions**
  - **Findings (Section 16-173)**
    - Revised to strengthen compliance with Comp Plan goals, objectives, policies and Zoning Code provisions along with the evaluation of nuisance factors and compatibility standards with focus on general compatibility with surrounding properties, including architectural style, scale, land use, and operational hours.
  - **Time Limits for Special Exceptions (Section 16-177)**
    - Specifies that commencement occurs upon issuance for a building permit or obtaining a Business Tax Receipt. Removing commencement occurs when filing for a preliminary plat or site plan, or upon the initiation of significant action to satisfy requirements for improvements contained in a development order as these are generally processed concurrently with the Special Exception.
  - **Special Exception Application Process (Section 16-178)**
    - Simplifies the previous requirements for the development concept plan, referencing Section 16-197 (Site & Development Plan) for consistency. A development concept plan must meet the technical requirements for a site and development plan as outlined in Section 16-197.
    - 16-178(a)(10) adds flexibility by allowing city officials to request additional data/info as needed.
- **Division 9. – Site and Development Plans**
  - **Applicability (Section 16-196)**
    - Clarifies site and development plan approval is required for all structures and uses except single-family or duplex dwellings.
  - **Procedure (Section 16-197)**
    - Expanded to require:
      - Justification statement to demonstrate compliance with relevant zoning regulations, criteria outlined in Section 16-198, and alignment with the Comp Plan goals, objectives, and policies, include an overview of current site conditions, and provide a summary of the property's history, including any prior approvals.
      - Inclusion of recreational facilities and common area amenities (if any).
      - Plans for public art (if applicable).
      - Provide color-rendered elevations accurately depicting proposed development and landscaping on completion.
  - **Site and Building Design (Section 16-198)**
    - Introduces sustainability principles (e.g., LID, energy-efficient design), foundation landscaping to soften buildings, public art, pedestrian-friendly spaces, and wayfinding features.



- Emphasizes integration of Crime Prevention Through Environmental Design (CPTED) principles including open sightlines, territorial reinforcement, lighting, and landscape design to enhance security and natural surveillance.
- Encourages cross-access between developments to improve connectivity and reduce traffic on our roadway system.
- Establishes design standards for structured parking garages, including architectural treatments to reduce the visual impact of the parking garage.
- **Standards for Review (Section 16-199)**
  - Strengthens review standards to promote:
    - Compliance with Comp Plan goals, objectives, policies and applicable provisions of the Code of Ordinances along with focus on general compatibility with surrounding properties;
    - Walkability, open space integration, buffering, and compatibility.
- **Duration of Approval (Section 16-202)**
  - Approval remains valid for 2 years with commencement tied to issuance of all necessary building permits. If no building permits are issued within the 2 years then the site plan approval shall be considered null, void, and of no further effect, unless an extension is granted. If at any time a master building permit lapses, the site plan, including all phases thereof, shall be considered null, void, and of no further effect.
  - Allows for up to two 1-year extensions upon request, subject to review for changes in regulations or approvals.

### **III. Staff Analysis:**

#### ***Background:***

This Zoning Text Amendment is at the request of the City’s Development and Neighborhood Services Department to modify regulations in Chapter 16 to enhance several key sections of the City’s Zoning Code to address current needs, align with Florida statutory requirements, and integrate modern best practices. This amendment focuses on streamlining filing procedures, clarifying review processes, refining expiration provisions for approvals, and improving standards and criteria to support sustainable, aesthetically pleasing development citywide consistent with the Comprehensive Plan’s goals and policies. Also addressed are public notice requirements in response to recent changes in local newspaper availability. Florida law requires municipalities to publish legal advertisements and public notices. Previously, the City utilized the Lake Worth Herald due to its lower cost; however, following its closure, the City has had to rely on more expensive alternatives. To enhance efficiency and reduce costs, the amendment introduces the option for electronic publication and allows the City’s website to link to the County’s public notice portal, ensuring compliance with F.S. §50.011 and 50.0311. These provisions authorize electronic publication where it is more cost-effective than newspaper advertisements, with staff estimating that this transition will lower costs and improve efficiency.

The amendment consolidates and clarifies filing and review procedures, ensuring application processes are efficient and align with the timeframes established by F.S. §166.033. It also introduces flexibility within the scheduling of the City’s review processes for efficiency, including allowing the administrative withdrawal for applications with no movement within the specified

timeframe. The amendment expands the Development Review Committee's (DRC) responsibilities to specifically include reviewing and making recommendations on Live Entertainment Permits, Master Sign Plans, and Preliminary and Final Plats.

The updated standards for Special Exceptions and Site and Development Plans emphasize principles such as walkability, compatibility, and connectivity. These enhancements introduce features that improve quality of life, including public art, recreational amenities, pedestrian-friendly spaces, integration of Crime Prevention Through Environmental Design (CPTED) to ensure that developments are not only functional but also safe, enriching, and visually engaging. The standards further emphasize sustainable practices such as Low Impact Development (LID) and energy-efficient design.

The proposed amendment represents a proactive and comprehensive effort to increase efficiency and supports the Comprehensive Plan's vision prioritizing connectivity, sustainability, and aesthetic harmony. By addressing the City's evolving needs, streamlining processes, and establishing clear standards, the amendment ensures that developments align with the City's unique character and high quality of life, benefiting all residents and stakeholders.

***Development Review Committee Staff Comments:***

The request was reviewed by the Development Review Committee on January 16, 2025, and was recommended for approval.

**IV. Zoning Text Amendment Criteria:**

A. *The need and justification for these changes:*

The proposed Zoning Text Amendments aim to address key areas of the City's Zoning Code, ensuring they meet current community needs, align with Florida statutory requirements, and reflect best planning practices. By streamlining filing procedures, clarifying review processes, and refining expiration provisions, these amendments enhance efficiency and transparency in development approvals. The changes improve clarity and enable City staff and applicants to work toward high-quality outcomes while maintaining adherence to established timeframes, such as those mandated by F.S. §166.033.

Furthermore, the amendments clarify that Live Entertainment Permits, Master Sign Plans, and Preliminary and Final Plats go through review with the Development Review Committee (DRC). By emphasizing principles such as sustainability, walkability, and connectivity, these updates ensure developments meet the City's goals for creating functional, aesthetically pleasing, and environmentally responsible spaces that enhance residents' quality of life. The amendment also responds to evolving public notice requirements by incorporating electronic publication as an alternative to traditional print advertisements. Given the recent closure of the Lake Worth Herald, the ability to utilize electronic notices under F.S. §50.011 and 50.0311 will increase cost-effectiveness while maintaining compliance with state law.

- B. *The relationship of the proposed amendments to the purpose and objectives of the City's Comprehensive Plan, and whether the proposed change will further the purposes of the City's Zoning Code regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.*

The proposed amendments directly align with and further the goals, objectives, and policies of the City's Comprehensive Plan and will further the purposes of the City's Zoning Code regulations and other City Codes. Specifically, these changes emphasize sustainable land use, and the promotion of safe and visually appealing environments. By introducing enhanced standards for Special Exceptions and Site and Development Plans, the amendments support the City's emphasis on creating walkable, people-oriented spaces with the incorporation of features such as public art, recreational amenities, and pedestrian-friendly design enhances the livability of neighborhoods and reflects the City's vision for community-oriented growth.

**V. Staff Recommendation:**

*Approval* of ZTA-24-11 through the adoption of Ordinance 2025-01.

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**PLANNING & ZONING BOARD OF APPEALS – February 13, 2025**

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The Planning and Zoning Board of Appeals on a motion made by Board Member Litowsky and seconded by Board Member Hayes, by a vote of five (5) to zero (0) recommended approval of Zoning Text Amendment **ZTA-24-11** (*Chapter 16 Filing Procedures, Review Processes, Expirations, Approval Criteria and Standards*) as presented by staff.

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**CITY COUNCIL ACTION First Reading – March 3, 2025**

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The City Council on a motion made by Councilmember Diaz and seconded by Councilmember Bousquet, by a vote of four (4) to zero (0) recommended approval of Zoning Text Amendment **ZTA-24-11** (*Chapter 16 Filing Procedures, Review Processes, Expirations, Approval Criteria and Standards*) through Ordinance 2025-01 on first reading as presented by staff.

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**CITY COUNCIL ACTION Adoption Hearing – March 17, 2025**

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Attachments:

1. Ordinance 2025-01

# Business Impact Estimate

Proposed ordinance's title/reference:

**ORDINANCE NO. 2025-01**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA AMENDING THE CODE OF ORDINANCES AT ARTICLE II, ADMINISTRATION, OF CHAPTER 16, ZONING REGULATIONS, TO REVISE FILING PROCEDURES, STANDARDS, CRITERIA FOR APPROVAL, AND REVIEW PROCESSES FOR DEVELOPMENT APPLICATIONS; TO REVISE NOTICE REQUIREMENTS FOR DEVELOPMENT-RELATED APPLICATIONS AND ORDINANCES; TO REVISE PROVISIONS RELATED TO THE EXPIRATION OF DEVELOPMENT APPROVALS; TO UPDATE DEPARTMENT AND ADVISORY BOARD NAMES; TO UPDATE THE PROCEDURES AND DUTIES OF THE DEVELOPMENT REVIEW COMMITTEE; AND FOR OTHER PURPOSES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. This Business Impact Estimate may be revised following its initial posting.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The proposed ordinance is a City-initiated amendment designed to serve a public purpose by updating procedures, criteria, and standards related to the processing, review, advertising, and approval of land development applications.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

The proposed ordinance does not impose any new fee or cost and is not expected to have a direct economic impact on private for-profit businesses or the City's regulatory costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The proposed ordinance is applicable Citywide and would thus apply to all businesses within the City.

4. Additional information the governing body deems useful (if any):

Not applicable.



**ITEM SUMMARY**

**MEETING DATE:** March 17, 2025  
**FROM:** Denise Malone, AICP, Development and Neighborhood Services Director  
**SUBJECT:** Ordinance 2025-03 – ZTA-25-01 – Second Reading  
Prescribed Pediatric Extended Care (PPEC)

**BACKGROUND**

The City-initiated request for a Zoning Text Amendment (ZTA) has been brought forth to define Prescribed Pediatric Extended Care (PPEC), add such as a permitted use, and establish standards and criteria under Article III, District Regulations. The revisions for both the PPEC and Therapeutic Adult Day Care Center uses provide clear standards for provider and center licensing requirements in accordance with the requirements of Florida Agency for Health Care Administration (AHCA) and on-site dispensing of controlled substances, and criteria for site circulation.

**ANALYSIS**

The Zoning Text Amendment aims to address the need for clear standards and criteria regarding PPEC’s and revise/reorganize the Zoning Code with respect to Therapeutic Adult Day Care Centers under Chapter 16 of the City Code of Ordinances. Currently, medical offices are permitted by right in the Commercial General (CG) and Commercial Intensive (CI) zoning districts, while childcare center/preschool facilities are permitted through approval of a special exception. PPEC’s are distinct from a medical office or a childcare center/preschool facilities, as they solely serve medically or technologically dependent Medicaid eligible children from birth through age 20, in a daycare-like setting, while providing specialized medical or therapeutic care for their respective needs. Due to the uniqueness of the use, the primary objective of this revision is to establish PPEC as a permitted use by right in the CG and CI zoning districts and provide clear standards and criteria for the same. The request also revise/reorganizes the criteria of Therapeutic Adult Day Care Center from Article I, Definitions to Article III, District Regulations. These changes directly align with the goals, objectives, and policies of the City’s Comprehensive Plan, particularly its goal of improving the quality of life for all residents and patrons. The Planning and Zoning Board of Appeals recommended approval by a vote of 5-0 at their meeting on February 13, 2025. The City Council voted four (4) to zero (0) to recommend approval of Zoning Text Amendment ZTA-24-11 on first reading March 3, 2025.

**FINANCIAL INFORMATION**

N/A.

**LEGAL**

Ordinance 2025-03 was prepared in accordance with all applicable state statutes and City Code Requirements and has been reviewed for legal sufficiency.

**STAFF RECOMMENDATION**

Approval of ZTA 25-01 through Ordinance 2025-03.



**ORDINANCE NO. 2025-03**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA AMENDING THE CODE OF ORDINANCES AT ARTICLE I, IN GENERAL, ARTICLE III, DISTRICT REGULATIONS, ARTICLE IV, SUPPLEMENTAL DISTRICT REGULATIONS, ALL OF CHAPTER 16, ZONING REGULATIONS, TO ADD PRESCRIBED PEDIATRIC EXTENDED CARE USE, STANDARDS, AND CRITERIA FOR APPROVAL OF THE SAME; TO MOVE CRITERIA FOR THERAPEUTIC ADULT DAY CARE CENTERS FROM ARTICLE I TO ARTICLE III, OF CHAPTER 16; AND FOR OTHER PURPOSES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Greenacres City Council, as the governing body of the City of Greenacres (the “City”), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (Zoning Code); and

**WHEREAS**, the City Council finds that this Ordinance is necessary for the preservation of the public health, safety and welfare of the City’s residents;

**WHEREAS**, the City Council finds it periodically necessary to amend its Land Development Regulations to ensure consistency with the City’s goals, enhance regulatory clarity, and accommodate evolving community needs; and

**WHEREAS**, the City Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the City of Greenacres;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF COUNCIL OF THE CITY OF GREENACRES, FLORIDA, THAT:**

**SECTION 1.** Chapter 16, Zoning Regulations, Article I, In General, Division 1, of the City of Greenacres Code of Ordinances is hereby amended as follows (additions are indicated by underlining and deletions are indicated by strikethrough):

**Section 16-1. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

***[The definitions for Building through Premises storage unit have been omitted for brevity.]***

Prescribed Pediatric Extended Care (PPEC) Center shall mean a center, whether operated for profit or not, that provides basic nonresidential services to three (3) or more medically or technologically dependent Medicaid eligible children from birth through age 20 with medically complex conditions to receive licensed medical care, such as nursing services, personal care, developmental therapies, and caregiver training, pursuant to §400.901, Florida Statutes, as amended, in a non-residential setting, up to a maximum of 12 hours per day.

***[The definitions for Principal building through Theater recycling collection have been omitted for brevity.]***

~~Therapeutic adult day care center shall mean an establishment for the care and therapeutic treatment of adults who need a protective setting during the day. Services may include social activities, self-care training, nutritional meals, a place to rest, and respite care. This definition does not include medical or dental office. Such an establishment shall meet the following criteria:~~

- ~~(1) A registered nurse or physician shall be on duty supervising therapy sessions.~~
- ~~(2) A clinical staff trained in therapy shall be on duty.~~
- ~~(3) There shall be daily structured therapeutic activities for all patients.~~
- ~~(4) All patients shall have an individualized care plan.~~
- ~~(5) A regular physician shall have on hand a report detailing the patient's condition.~~
- ~~(6) A current, valid license from the agency for health care administration or successor agency as an "adult day care center" shall be obtained.~~
- ~~(7) Hours of operation shall be 8:00 a.m. to 6:00 p.m.~~
- ~~(8) There shall be no overnight accommodation of patients (no sleeping quarters).~~

***[The definitions for Tire store through Zoning map have been omitted for brevity.]***

**SECTION 2.** Chapter 16, Zoning Regulations, Article III, District Regulations, Division 10, Commercial General, and Division 11, Commercial Intensive of the City of

Greenacres Code of Ordinances are hereby amended as follows (additions are indicated by underlining and deletions are indicated by strikethrough):

***[Section 16-471 has been omitted for brevity.]***

**Section 16-472. Permitted principal uses.**

The permitted principal uses and structures in the commercial general (CG) district shall be:

***[Sections 16-472(1) through 16-472(22) have been omitted for brevity.]***

(23) Therapeutic adult day care center, ~~subject to the requirements of section 16-764.~~

a. Use standards. The following requirements shall apply to the use:

- 1. A registered nurse or physician shall be on duty supervising medical care in accordance with the minimum Florida Agency for Health Care Administration (AHCA) operating requirements.
- 2. A clinical staff trained in therapy shall be on duty.
- 3. There shall be daily structured therapeutic activities for all patients.
- 4. All patients shall have an individualized care plan.
- 5. A regular physician shall have on hand a report detailing the patient's condition.
- 6. A current, valid license from AHCA or successor agency as an "adult day care center" shall be maintained and, operations kept in compliance with their requirements.
- 7. Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m.
- 8. There shall be no overnight sleeping quarters and no overnight stays.
- 9. Maximum occupancy shall be limited to the maximum occupant load as established by the applicable Florida codes, including the Florida Fire Prevention Code, Life Safety Plan requirements, and the Florida Building Code.
- 10. Subject to the requirements of section 16-764.

b. Site circulation. The following requirements shall apply to site circulation:

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1. To minimize traffic conflicts, vehicular and pedestrian traffic shall not intersect within the site unless devices are provided at such intersection in compliance with Code Section 12-67, as amended.
2. Pick-up and drop-off areas shall not impede with the internal circulation or take place in restricted parking areas, including but not limited to fire lanes, drive aisles, "no parking" zones, or loading areas. Vehicles must not interfere with the ingress or egress of abutting property owners or tenants, create hazards to traffic, life, or property, obstruct emergency access, or encroach on sidewalks or ADA-accessible ramps.
3. Parking areas and drive aisles shall not be utilized for vehicular stacking.

**(24) Prescribed Pediatric Extended Care (PPEC) Center.****a. Use standards.** The following requirements shall apply to the use:

1. A registered nurse or physician shall be on duty supervising medical care in accordance with the minimum Florida Agency for Health Care Administration (AHCA) operating requirements.
2. A clinical staff trained in therapy shall be on duty.
3. A regular physician shall have on hand a report detailing the patient's condition.
4. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., not to exceed a maximum of 12 hours.
5. There shall be no overnight sleeping quarters.
6. A current, valid license from AHCA or successor agency shall be obtained. Separate licenses are required for PPEC centers maintained on separate premises, even though they are operated under the same management pursuant to § 400.905, Florida Statutes, as amended.
7. Maximum occupancy shall be limited to the maximum occupant load as established by the applicable Florida codes, including the Florida Fire Prevention Code, Life Safety Plan requirements, and the Florida Building Code.
8. Subject to the requirements of section 16-764.

**b. Site circulation.** The following requirements shall apply to site circulation:

- 1. To minimize traffic conflicts, vehicular and pedestrian traffic shall not intersect within the site unless devices are provided at such intersection in compliance with Code Section 12-67, as amended.
- 2. Pick-up and drop-off areas shall not impede with the internal circulation or take place in restricted parking areas, including but not limited to fire lanes, drive aisles, "no parking" zones, or loading areas. Vehicles must not interfere with the ingress or egress of abutting property owners or tenants, create hazards to traffic, life, or property, obstruct emergency access, or encroach on sidewalks or ADA-accessible ramps.
- 3. Parking areas and drive aisles shall not be utilized for vehicular stacking.

***[Sections 16-473 through 16-481 have been omitted for brevity.]***

**~~Sec. 16-482. Reserved.~~**

**~~Secs. 16-483—16-495. Reserved.~~**

***[Section 16-496 have been omitted for brevity.]***

**Section 16-497. Permitted principal uses.**

The permitted principal uses and structures in the commercial intensive (CI) district shall be:

***[Sections 16-497(1) through 16-497(29) have been omitted for brevity.]***

(30) Therapeutic adult day care center, ~~subject to the requirements of section 16-764.~~

a. Use standards. The following requirements shall apply to the use:

- 1. A registered nurse or physician shall be on duty supervising medical care in accordance with the minimum Florida Agency for Health Care Administration (AHCA) operating requirements.
- 2. A clinical staff trained in therapy shall be on duty.
- 3. There shall be daily structured therapeutic activities for all patients.
- 4. All patients shall have an individualized care plan.
- 5. A regular physician shall have on hand a report detailing the patient's condition.

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6. A current, valid license from AHCA or successor agency as an "adult day care center" shall be maintained and, operations kept in compliance with their requirements.
  7. Hours of operation shall be limited to 8:00 a.m. to 6:00 p.m.
  8. There shall be no overnight sleeping quarters and no overnight stays.
  9. Maximum occupancy shall be limited to the maximum occupant load as established by the applicable Florida codes, including the Florida Fire Prevention Code, Life Safety Plan requirements, and the Florida Building Code.
  10. Subject to the requirements of section 16-764.
- b. Site circulation. The following requirements shall apply to site circulation:
1. To minimize traffic conflicts, vehicular and pedestrian traffic shall not intersect within the site unless devices are provided at such intersection in compliance with Code Section 12-67, as amended.
  2. Pick-up and drop-off areas shall not impede with the internal circulation or take place in restricted parking areas, including but not limited to fire lanes, drive aisles, "no parking" zones, or loading areas. Vehicles must not interfere with the ingress or egress of abutting property owners or tenants, create hazards to traffic, life, or property, obstruct emergency access, or encroach on sidewalks or ADA-accessible ramps.
  3. Parking areas and drive aisles shall not be utilized for vehicular stacking.

(31) Prescribed Pediatric Extended Care (PPEC) Center.

- a. Use standards. The following requirements shall apply to the use:
1. A registered nurse or physician shall be on duty supervising medical care in accordance with the minimum Florida Agency for Health Care Administration (AHCA) operating requirements.
  2. A clinical staff trained in therapy shall be on duty.
  3. A regular physician shall have on hand a report detailing the patient's condition.
  4. Hours of operation shall be limited to 7:00 a.m. to 7:00 p.m., not to exceed a maximum of 12 hours.

5. There shall be no overnight sleeping quarters.
  6. A current, valid license from AHCA or successor agency shall be obtained. Separate licenses are required for PPEC centers maintained on separate premises, even though they are operated under the same management pursuant to § 400.905, Florida Statutes, as amended.
  7. Maximum occupancy shall be limited to the maximum occupant load as established by the applicable Florida codes, including the Florida Fire Prevention Code, Life Safety Plan requirements, and the Florida Building Code.
  8. Subject to the requirements of section 16-764.
- b. Site circulation. The following requirements shall apply to site circulation:
1. To minimize traffic conflicts, vehicular and pedestrian traffic shall not intersect within the site unless devices are provided at such intersection in compliance with Code Section 12-67, as amended.
  2. Pick-up and drop-off areas shall not impede with the internal circulation or take place in restricted parking areas, including but not limited to fire lanes, drive aisles, "no parking" zones, or loading areas. Vehicles must not interfere with the ingress or egress of abutting property owners or tenants, create hazards to traffic, life, or property, obstruct emergency access, or encroach on sidewalks or ADA-accessible ramps.
  3. Parking areas and drive aisles shall not be utilized for vehicular stacking.

***[Sections 16-498 through 16-506 have been omitted for brevity.]***

**Sec. 16-507. Reserved.**

**Secs. 16-508—16-524. Reserved.**

**SECTION 3.** Chapter 16, Zoning Regulations, Article IV, Supplementary District Regulations, Division 11, of the City of Greenacres Code of Ordinances is hereby amended as follows (additions are indicated by underscoring and deletions are indicated by strikeout):

***[Section 16-763 has been omitted for brevity.]***

**Section 16-764. Requirements For Specific Uses.**

***[Sections 16-764(1) through 16-764(3) have been omitted for brevity.]***

**Ordinance No. 2025-03 | Prescribed Pediatric Extended Care**

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- (4) *Therapeutic adult day care center.* On-site dispensing of controlled substances that are identified in Schedule II, III, or IV in § 893.03, and as further amended by §§ 893.035, 893.0355, or 893.0356, Florida Statutes, shall be limited to that administered directly to a patient in an amount adequate to treat the patient during that particular treatment session.
- (5) *Prescribed Pediatric Extended Care (PPEC) Center.* On-site dispensing of controlled substances that are identified in Schedule II, III, or IV in § 893.03, and as further amended by §§ 893.035, 893.0355, or 893.0356, Florida Statutes, shall be limited to that administered directly to a patient in an amount adequate to treat the patient during that particular treatment session.

***[Sections 16-765 through 16-767 have been omitted for brevity.]***

**SECTION 4. Repeal of Conflicting Ordinances.** All other ordinances or parts thereof or parts of the Code conflicting or inconsistent with this ordinance are hereby cancelled, repealed or revised to be consistent with provisions and elements of this Ordinance.

**SECTION 5. Severability.** If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**SECTION 6. Inclusion in the Code.** It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word “Ordinance” may be changed to “Section”, “Article” or another word.

**SECTION 7. Effective Date.** The provisions of this Ordinance shall become effective immediately upon adoption.

**[Remainder of the page intentionally blank.]**





**Ordinance No. 2025-03 | Prescribed Pediatric Extended Care**

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**Passed on the first reading this 3<sup>rd</sup> day of March, 2025.**

**PASSED AND ADOPTED on the second reading this 17<sup>th</sup> day of March, 2025.**

*Voted:*

\_\_\_\_\_  
**Chuck Shaw**, Mayor

\_\_\_\_\_  
**Judith Dugo**, Deputy Mayor, *District III*

**Attest:**

*Voted:*

\_\_\_\_\_  
**Quintella Moorer**, City Clerk

\_\_\_\_\_  
**John Tharp**, Council Member, *District I*

*Voted:*

\_\_\_\_\_  
**Peter Noble**, Council Member, *District II*

*Voted:*

\_\_\_\_\_  
**Susy Diaz**, Council Member, *District IV*

*Voted:*

\_\_\_\_\_  
**Paula Bousquet**, Council Member, *District V*

**Approved as to Form and Legal Sufficiency:**

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney

	<b>DEVELOPMENT &amp; NEIGHBORHOOD SERVICES STAFF REPORT AND RECOMMENDATION</b>
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**I. Project Description:**

City-initiated Zoning Text Amendment (ZTA) pertaining to modifications of Chapter 16 regulations to establish Prescribed Pediatric Extended Care (PPEC) as a permitted use, provide standards and criteria for the same, and revise and reorganize the Zoning Code with respect to Therapeutic Adult Day Care Centers.

**Project Manager:** Millie Rivera, Planner

**II. Proposed Zoning Code Amendments:**

**Overview of Proposed Code Amendments:**

- **For Chapter 16**
  - **Article I, In General**
    - **Definitions (Section 16-1)**
      - Added definition for Prescribed Pediatric Extended Care (PPEC) Center which shall mean a center, whether operated for profit or not, that provides basic nonresidential services to three (3) or more medically or technologically dependent Medicaid eligible children from birth through age 20 with medically complex conditions to receive licensed medical care, such as nursing services, personal care, developmental therapies, and caregiver training, pursuant to §400.901, Florida Statutes, as amended, in a non-residential setting, up to a maximum of 12 hours per day.
      - For organizational clarity, relocated the Therapeutic Adult Day Care Center operational criteria from Article I, Definitions to Article III, District Regulations.
  - **Article III, District Regulations**
    - **Commercial General – Permitted Principal Uses (Section 16-472)**
      - Revised and reorganized Therapeutic Adult Day Care Center standards and operational criteria in addition to existing criteria.
      - Added PPEC as a permitted use, use standards, and criteria for such to ensure comprehensive protection and safety of all patrons and address any potential pedestrian and vehicular site conflicts.
    - **Commercial Intensive – Permitted Principal Uses (Section 16-497)**

- Revised and reorganized Therapeutic Adult Day Care Center standards and operational criteria in addition to existing criteria.
- Added PPEC as a permitted use, use standards, and criteria for such to ensure comprehensive protection and safety of all patrons and address any potential pedestrian and vehicular site conflicts.
- **Article IV, Supplementary District Regulations**
  - **Requirements for Specific Uses (Section 16-764)**
    - Added PPEC under the Sale or Dispensing of Controlled Substances and further establishes criteria, same as that of Therapeutic Adult Day Care Center, for the on-site dispensing of controlled substances.

### **III. Staff Analysis:**

#### ***Background:***

This Zoning Text Amendment is at the request of the City's Development and Neighborhood Services Department to modify regulations in Chapter 16 to define Prescribed Pediatric Extended Care (PPEC), add such as a permitted use, and establish standards and criteria under Article III, District Regulations. The change also revises and reorganizes the criteria of Therapeutic Adult Day Care Center from Article I, Definitions to Article III, District Regulations. PPEC's are distinct from a medical office or a childcare center/preschool facilities, because they specifically serve medically or technologically dependent Medicaid eligible children from birth through age 20, providing specialized care for their respective needs. Due to the uniqueness of the use, the primary objective of these changes is to provide clear standards for provider and center licensing requirements in accordance with the requirements of Florida Agency for Health Care Administration (AHCA), on-site dispensing of controlled substances, and criteria for site circulation. Relating to Therapeutic Adult Day Care Center, the proposed amendments are to revise and reorganize the Zoning Code with respect to Therapeutic Adult Day Care Centers. These updates support the Comprehensive Plan's goal to improve the quality of life for all residents and patrons while maintaining public safety and the aesthetic quality of the City.

#### ***Development Review Committee Staff Comments:***

The request was reviewed by the Development Review Committee on February 5, 2025, and recommended for approval.

### **IV. Zoning Text Amendment Criteria:**

#### ***A. The need and justification for these changes:***

The need for these zoning changes arises from the growing demand for medical facilities that cater to the specific healthcare needs of children, particularly those under the age of 20. By adding Prescribed Pediatric Extended Care (PPEC) as a permitted use and establishing clear standards in the Zoning Code, the City of

Greenacres can ensure that residents, including eligible children in a daycare type setting, have access to specialized medical care in a structured, safe environment. This amendment will not only allow for the development of these facilities but will also establish development standards and introduces regulations that are essential elements such as site circulation and the dispensing of controlled substances to ensure the safety and quality of care provided. Furthermore, moving the Therapeutic Adult Day Care Center criteria from Article I to Article III improves the organization the Zoning Code, ensuring a well-structured approach to regulating healthcare facilities in the City. This change is a response to the community's need for such healthcare services, ensuring the proper framework for both medical care and operational standards.

- B. *The relationship of the proposed amendments to the purpose and objectives of the City's Comprehensive Plan, and whether the proposed change will further the purposes of the City's Zoning Code regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.*

The proposed amendments directly align with the goals, objectives, and policies of the City's Comprehensive Plan, particularly its goal of improving the quality of life for all. By expanding access to essential healthcare services, this directly supports the health and wellness objectives of the Comprehensive Plan, specifically concerning vulnerable populations in need of extended medical care. Additionally, the amendments further the City's broader goals of accessibility, healthcare equity, and safety by providing detailed standards and criteria that align with the city's overall vision for a thriving, healthy community. By addressing specific zoning regulations for both Prescribed Pediatric Extended Care (PPEC) and Therapeutic Adult Day Care Center, the change supports the development of health-related infrastructure that is safe, efficient, and aligned with the city's long-term planning efforts, thus strengthening the city's zoning code and ensuring it serves the needs of its residents.

**V. Staff Recommendation:**

*Approval* of ZTA-25-01 through the adoption of Ordinance 2025-03.

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**PLANNING & ZONING BOARD OF APPEALS Recommendation – February 13, 2024**

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The Planning and Zoning Board of Appeals on a motion made by Board Member Litowsky and seconded by Board Member Hayes, by a vote of five (5) to zero (0) recommended approval of Zoning Text Amendment **ZTA-25-01** (*Chapter 16 Prescribed Pediatric Extended Care and Therapeutic Adult Day Care Center*) as presented by staff.

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**CITY COUNCIL ACTION First Reading – March 3, 2025**

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The City Council on a motion made by Councilmember Diaz and seconded by Councilmember Bousquet, by a vote of four (4) to zero (0) recommended approval of Zoning Text Amendment **ZTA-24-08** through Ordinance 2024-18 on first reading as presented by staff.

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**CITY COUNCIL ACTION Adoption Hearing – March 17, 2025**

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Attachments:

1. Ordinance 2025-03

# Business Impact Estimate

Proposed ordinance's title/reference:

**ORDINANCE NO. 2025-03**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA AMENDING THE CODE OF ORDINANCES AT ARTICLE I, IN GENERAL, ARTICLE III, DISTRICT REGULATIONS, ARTICLE IV, SUPPLEMENTAL DISTRICT REGULATIONS, ALL OF CHAPTER 16, ZONING REGULATIONS, TO ADD PRESCRIBED PEDIATRIC EXTENDED CARE USE, STANDARDS, AND CRITERIA FOR APPROVAL OF THE SAME; TO MOVE CRITERIA FOR THERAPEUTIC ADULT DAY CARE CENTERS FROM ARTICLE I TO ARTICLE III, OF CHAPTER 16; AND FOR OTHER PURPOSES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. This Business Impact Estimate may be revised following its initial posting.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

The proposed ordinance is a City-initiated request for a Zoning Text Amendment that primarily establishes the Prescribed Pediatric Extended Care (PPEC) use, provides standards and criteria for the same, and revises/reorganizes the zoning code with respect to Therapeutic Adult Day Care Centers.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

The proposed ordinance does not impose any new fee or cost and is not expected to have a direct economic impact on private for-profit businesses or the City's regulatory costs.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

The proposed ordinance would require all businesses within the City to comply with land development regulations related to the proposed standards and criteria established for Prescribed Pediatric Extended Care (PPEC) and Therapeutic Adult Day Care Center.

4. Additional information the governing body deems useful (if any):

Not applicable.





## Department Report

**MEETING DATE:** March 17, 2025,  
**FROM:** Michele Thompson, Director, Community & Recreation Services  
**SUBJECT:** Community & Recreation Services Dept. – January & February Report

### ADMINISTRATION

PERFORMANCE MEASUREMENT	THIS PERIOD	FY 2025 TO DATE	FY 2025 BUDGET
No. of Contracts Executed/Renewed	-	-	4
No. of Collaborative Partnerships	5	39	40
No. of Vendor/Independent Contractor Agreements	3	40	55
No. of Educational Scholarship Applications R'cd	3	-	21
No. of Community Events Coordinated	2	3	9
No. of Event Participants	6,101	10,601	42,000
No. of Little Free Libraries (LFL)* / # Replacement Units / <i>Story Walk</i> Boards	0/2	0/2	30/2
No. of Business Sponsorships	2	9	20
No. of Schools/Attendance for "Read for the Record"	-	16/1,625	16/1,500

### FACILITY RENTALS

FACILITY RENTALS	THIS PERIOD	FY 2025 TO DATE	FY 2025 BUDGET
Fields/Concession Stands	162	378	800
Pavilions	65	141	520
Center Facility	128	284 <sup>1</sup>	800
Monthly Center Attendance	9,861	20,723	4500

**239<sup>1</sup>** Additional Free Rentals: **82** Gym: YP/Open Gym; **14** Banquet Hall: ESE/ PBSO/FR/City Rebranding Event/OAP; **40** Room 1: OAP; **5** Room 2: Spotlighters; **2** Room 3: AARP; **24** Room 4: ESOL/ESE; **27** Comm. Park: PB Square Dance; **45** Freedom Park: Tai Chi

**REVENUE**

<b>FACILITY RENTALS REVENUE</b>	<b>THIS PERIOD</b>	<b>FY 2025 TO DATE</b>	<b>FY 2025 PROJECTED</b>
Total Rental Revenue Generated	\$34,527.75	\$75,699.69	\$182,155

**ATHLETICS**

<b>YOUTH ATHLETICS</b>	<b>THIS PERIOD</b>	<b>FY 2025 TO DATE</b>	<b>FY 2025 PROJECTED</b>
FY25 Co-ed Fall Soccer (10/10/24-12/6/24) • Registration Period 8/1/24 – 9/20/24	2	300	220
FY25 Co-ed Spring Soccer (3/6/25-5/16/25) • Registration Period 1/2/25 – 2/21/25	205	205	280
FY25 Co-ed Winter Basketball (12/2/24-3/7/25) • Registration Period 9/3/24 – 11/2/24	10	157	160
Co-ed Summer Basketball Skills Camp • Camp Week: 7/21/25 – 7/24/25 • Registration Period 5/19/25 – 6/30/25	-	-	40

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<b>FOOD DISTRIBUTION</b>	<b>NO. SERVED</b>
PBSO & Restoration Bridge – TBD	-

**OLDER ADULT PROGRAMS**

<b>SOCIAL ACTIVITIES</b>	<b>PARTNERS/SPONSORS</b>	<b>NO. OF PARTICIPANTS YTD</b>
Daily Meal Program; Zumba Games/Bingo; Special Events; Educational Sessions Mon.- Fri. (5 x 27)	HealthSun, Firebush; Flipany; Sr, Dedicated Med. Ctr.; Humana; HealthSun; Universal Coaching; WellCare; Zumba	790

**FY25 EVENTS & SPONSORSHIPS**

Item # 7.

<b>EVENTS</b>	<b>SPONSORS/PARTNERS</b>	<b>FY 2025 EXPENSE</b>	<b>FY 2025 ACTUAL</b>	<b>FY2025 ATTENDEES</b>
Trunk or Treat	PBSO	N/A	N/A	4,500
Holiday in the Park (12/14/24)	FL Blue; WM; Renaissance Charter School (Wellington); Rosenthal, Levy, Simon & Sosa; PBSO	\$35,713	\$31,474	5,000
Fiesta de Pueblo (1/11/25)	Exec. by Fiesta de Pueblo, Inc.	\$4,115	\$2,003	6,000
Daddy Daughter Dance (2/8/25)	N/A	\$5,619	\$2,515	101
Egg'stravaganza (4/19/25)	State Farm – Lily Vasconcelos; FL Blue	\$23,855	\$-	
Rock-n-Roll Sunday/FR Chili Cook-Off (3/2/25)	Coordinated w/ the Nam Knights Motorcycle Club of PBC	\$7,424	\$-	
Ignite the Night (7/4/25)	FPL – Kidz Zone Sponsor	\$81,219	\$-	
<i>Back2School</i> Supply Distribution (7/25/25)		\$8,159	\$-	
Senior Resource Fair (9/27/25)		\$500	\$-	
Sunday Sounds (9/28/25)		\$5,657		

**FY25 Event Actuals = Direct + In-direct – Event Sponsors & Revenues**



## Department Report

**MEETING DATE:** March 17, 2025

**FROM:** Denise Malone, AICP, Development & Neighborhood Services Director

**SUBJECT:** January 1, 2025, through January 31, 2025

## Development & Neighborhood Services Department

### My Government Online Software (MGO)

Implementation of new software online platform to replace New World and Energov for permitting, business tax receipts, contractor licensing, planning and zoning, and code enforcement. Staff continues working with MGO on workflow system mapping in preparation for module configurations.

## Planning, GIS & Engineering Division

### NEW CASES

#### 500 Swain Boulevard

A request for a plat exemption for 500 Swain Blvd to be divided into two separate lots. (Approval memo sent to applicant on January 21, 2025)

#### Wal-Mart – 6294 Forest Hill Blvd (MSP-25-01)

A request for a Master Sign Plan (MSP-25-01) for the Wal-Mart Stores. (Under staff review)

### CURRENT PLANNING CASES

#### Astoria Townhomes – 6240 Dodd Road and adjacent vacant parcel (CPA-23-04), (ZC-23-02), (SP-23-06), (BA-23-07), (PLT-24-02), and (MSP-24-02)

A request for a Future Land Use Map Amendment (CPA-23-04) from Residential Medium Density and Commercial to Residential High Density; a Rezoning (ZC-23-02) from Residential Medium Density and Commercial General to Residential High Density; Site and Development Plan (SP-23-06) to construct a Townhouse Development consisting of 60 townhomes with a configuration of 6-unit building types; and a Variance (BA-23-07) from the minimum side yard setback of 20 ft. between end units and a Master Sign Plan (MSP-24-02). (PZBA approved BA-23-07 on August 8, 2024). The Plat (PLT-24-02) submittal was received on September 30, 2024, comments were provided on October 28, 2024, resubmittal received on December 4, 2024; comments were provided on December 20, 2024. The (CPA-23-

04), (ZC-23-02) were approved at the October 7, 2024, City Council Meeting. The (SP-23-06), (MSP-24-02), and (PLT-24-02) will be scheduled at a later time, since the plat is under review. (Plat resubmittal received on January 20, 2025, comments were provided to applicant on January 28, 2025, and we are awaiting the resubmittal and applicant's response to comments.)

#### **Barclay Square – 2902-2994 Jog Road (MSP-24-08)**

A request for a Master Sign Plan (MSP-24-08) for the Barclay Square Plaza. (Sufficiency comments sent to applicant on December 9, 2024. Awaiting applicant's response to comments and resubmittal).

#### **Bethesda Tabernacle – 4901 Lake Worth Road (SP-99-04C) and (SE-23-01)**

A request for a Site and Development Plan (SP-99-04C) approval on a vacant parcel to modify the previously approved site plans and a Special Exception (SE-23-01) to develop a 28,930 sf House of Worship and accessory uses. (Resubmittal received on March 15, 2024, resubmittal comments sent to applicant on April 18, 2024; meeting with applicant was held on May 3, 2024; applicant indicated on October 22, 2024, they are awaiting Access Easement Maintenance Agreement for resubmittal; awaiting applicant's response to comments and resubmittal).

#### **Buttonwood Plaza – 3016-3094 Jog Road (MSP-24-07)**

A request for a Master Sign Plan (MSP-24-07) for the Buttonwood Plaza. (Sufficiency comments sent to applicant on December 9, 2024, awaiting applicant's response to comments and resubmittal).

#### **C&C Legacy Plaza – 3494 South Jog Road (SP-24-01), (BA-24-01), (MSP-24-03) and (PLT-24-01)**

A request for Site and Development Plans (SP-24-01) approval on a vacant parcel to construct a 2,598 sf one story office building and a two-story townhouse building with three townhouses; a Variance (BA-24-01) from the landscape code requirements for a one-story office building and a two-story townhouse building with three townhouses; and a Master Sign Plan (MSP-24-03; and a Plat (PLT-24-01). (PZBA approved the Variance request (BA-24-01) on August 8, 2024. (The Site and Development Plans and Master Sign Plan were approved by City Council on September 16, 2024. Sufficiency letter was sent for the Plat (PLT-24-01) on September 12, 2024; resubmittal received on October 30, 2024; comments were provided on November 18, 2024, and we are awaiting the resubmittal).

#### **City-initiated Chickasaw and Wry Roads Annexations (ANX-24-01), (CPA-24-05), and ZC-24-05)**

Annexation of an enclave located on Chickasaw and Wry Road into the City through an Interlocal Agreement with Palm Beach County. A Future Land Use map amendment and Rezoning for the sixteen parcels that will be annexed into the City will be processed concurrently through the City. The properties are located on the north side of Chickasaw and along Wry Road. (Staff is processing the necessary documentation to provide to Palm Beach County for review/approval as an enclave annexation. On November 20, 2024, the Draft Interlocal Agreement was sent to Palm Beach County for review. On December 16, 2024, Palm Beach County provided comments that are under review by legal and staff. January 2025, revisions were approved by legal. Coordination with legal for notice letter is underway. Once

completed, the official packet will be sent to PBC for further notice and processing. In addition, per 197.3632, Florida Statutes, subsection (4)(a)(3), and legal's recommendation, a letter will need to be sent to each property owner to be annexed for notification and to request their written consent to the solid waste assessment. Coordination with legal will continue to ensure documents and process are met.)

#### **Garden Square – 6645 Chickasaw Road (SP-23-03)**

A request for Site and Development Plans approval to construct four (4) five-unit townhomes and six (6) four-unit townhomes (total of 44 units). (DRC comments provided on August 20, 2024. On September 20, 2024, staff met with applicant for follow-up to DRC comments. Resubmittal was received on November 14, 2024. DRC comments sent on December 17, 2024, Awaiting applicant's response to comments and resubmittal.)

#### **Greenacres Bowl – 6126 Lake Worth Road (BA-24-04)**

A request for an Administrative Variance to replace the existing concrete slatted wall with an opaque PVC fence and landscaping for an approximately 340ft portion along the southern property line. (Additional information was submitted on December 12, 2024, sufficiency letter sent December 28, 2024. Awaiting applicant's response to comments and resubmittal.)

#### **Greenacres Sunoco and Offices - 3067 South Jog Road (SP-24-02)**

A request for Site and Development Plans (SP-24-02) approval to construct a 6,000 sq ft office/retail building with a 798 sq. ft. mezzanine. (Sufficiency letter sent March 11, 2024, resubmittal received September 30, 2024, comments were provided on November 1, 2024. Awaiting applicant's response to comments and resubmittal.)

#### **Ice Cream La Bendicion – 560 Jackson Avenue (SP-24-04)**

A request for Site and Development Plans (SP-24-04) approval to construct an 882 sq ft two story building with ice cream/raspado shop on the ground floor and one dwelling unit on the second floor. (Awaiting receipt of applicant's response to the sufficiency letter provided on July 5, 2024, ongoing discussions have occurred with applicant regarding the required items. October 2024, continued discussions have occurred with staff and applicant regarding required items. Awaiting receipt of applicant's response.)

#### **Iglesia Bautista Libre Emmanuel – 5083 Lake Worth Road (SE-22-04), (BA-22-01), and (SP-22-05A)**

A Special Exception request (SE-22-04) to allow a House of Worship within an existing building located in the Commercial Intensive (CI) zoning district, a Variance (BA-22-01) to allow for a reduction in the front and rear landscape buffers, and a Major Site and Development Plan Amendment (SP-22-05A). Staff has been coordinating with Code Enforcement on code enforcement case for work without permit and operating without an approved Special Exception. (DRC comments sent to applicant on June 6, 2024; meeting with applicant held on June 17, November 5, and December 5, 2024; meeting with property owner held on December 1, 2024; meeting with property owner and agent held on December 5, 2024; property owner and applicant no-showed the Special Magistrate Hearing held on November 20, 2024, for subject parcel 5057 Lake Worth Road pending Unity of Title, with Board Order Finding Violation to comply by December 21, 2024. The property has not come into compliance and is subject to a fine of \$100 per day; resubmittal received on

December 23, 2024; insufficiency comments sent to applicant on January 29, 2025; awaiting applicant's response to comments and resubmittal).

**Kids in Care – Buttonwood Plaza – 3032 South Jog Road (SP-84-05I), (SE-24-02), and (BA-24-02)**

A request for a Major Site and Development Plan Amendment (SP-84-05I), a Special Exception (SE-24-02) to allow for a Prescribed Pediatric Extended Care (PPEC) center; and a Variance request (BA-24-02) to eliminate the minimum outdoor play area. (Coordinating with Code Enforcement for ongoing code violation related to the use. Initial submittal received on June 27, 2024; completeness comments sent to applicant on July 15, 2024; resubmittal received on August 7, 2024; completeness comments #2 sent to applicant on August 30, 2024; resubmittal received on September 17, 2024, and digital copies of resubmittal received on November 12, 2024. January 2025, draft ZTA 25-01 for PPEC use is underway. Scheduled for the February 13, 2025, PZBA meeting and City Council meetings for 1<sup>st</sup> Reading on March 03, 2025, and 2<sup>nd</sup> Reading on March 17, 2025. The project will be withdrawn, once the ZTA is approved, and applicant will be notified to update necessary BTR paperwork to be updated with required associated paperwork to meet criteria for PPEC use.)

**Lake Worth Plaza West – 6404 Lake Worth Road (MSP-24-01)**

A request for a Master Sign Plan for Lake Worth Plaza West. (Sufficiency comments sent to applicant on July 9, 2024; staff is working with the new Property Manager to finalize Master Sign Plan for the entire plaza; awaiting applicant's response to comments and resubmittal; follow up email sent on December 26, 2024).

**Mil Lake Plaza – 4507-4639 Lake Worth Road (MSP-24-09)**

A request for a Master Sign Plan (MSP-24-09) for the Mil Lake Plaza. (Sufficiency comments sent to applicant on December 12, 2024; staff is working with the new Property Manager to finalize Master Sign Plan for the entire plaza; follow up email sent on January 30, 2025; awaiting applicant's response to comments and resubmittal).

**Murphys USA Greenacres – 6270 Forest Hill Boulevard (SE-23-05), (BA-23-08), (SP-23-07), and (MSP-24-06)**

A Special Exception (SE-23-05) request to allow a Convenience Store with Fuel Sales within the Commercial Intensive (CI) zoning district, a Variance (BA-23-08) from the required 1500ft separation of an existing gas station and convenience store to 768ft, Site and Development Plans (SP-23-07) request to construct a 2,824-square-foot convenience store and associated overhead canopy and six (6) dual sided fuel dispensing pumps serving twelve (12) fueling stations, and a request for a Master Sign Plan (MSP-24-06). (Resubmittal received on January 14, 2025, comments were provided to applicant on January 30, 2025, and we are awaiting the resubmittal and applicant's response to comments.)

**Orchid Cove – 1105 South Jog Road (SP-23-01) and (BA-23-04)**

A request for a Site and Development Plan (SP-23-01) approval to construct six (6) two-family units (Total of 12 units), and an Administrative Variance (BA-23-04) for a 5-ft reduction from the required rear and side street setbacks. (DRC comments provided on June 7, 2024; meeting with applicant was held on June 10 and in October

of 2024; applicant notified staff they will be resubmitting soon on January 14, 2025; awaiting applicant's response to comments and resubmittal).

**Perry Office – 3130 Perry Avenue (SP-22-03) and (BA-23-03)**

A request for Site and Development Plans (SP-22-03) approval for a vacant parcel to construct a 6241 sq ft office totaling 4 bays for flexible office space use. The site is located on the northeast corner of Perry Avenue and 10<sup>th</sup> Avenue South. The request also includes a variance (BA-23-03) to reduce the landscape buffer on the eastern side of the site plan from 10 ft to 5 ft. (Resubmittal received on August 21, 2024, DRC was held on September 19, 2024, subsequent meetings and discussions with applicant and design team to include preliminary engineering considerations. DRC comments were provided on November 7, 2024. Awaiting applicant's response to comments.)

**Pentecostal Tabernacle – 6030 Lake Worth Road (BA-23-05)**

A request for a Variance to allow for a fence to be located within the front yard of the House of Worship. (DRC meeting was held on July 18, 2024. Further information is needed for sufficiency to be scheduled for PZBA. Applicant is gathering additional information to substantiate the hardship and demonstrate why a variance is necessary).

**Walmart – 6294 Forest Hill Blvd (SP-88-06AA) and (BA-24-03)**

A request for a Major Site and Development Plan Amendment (SP-88-06AA) to add 3,370 sq ft and replace 12 designated customer pick-up parking spaces and 33 regular parking spaces with 33 designated customer pick-up parking spaces and a Variance (BA-24-03) to reduce the number of required parking spaces. (Sufficiency comments sent to applicant on December 3, 2024; staff is working with the applicant to finalize Site Plan for the entire shopping center; resubmittal was received on January 31, 2025, under Staff review and processing).

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**SITE PLAN AMENDMENTS**

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**Dunkin Donuts – Aloha Shopping Center – 4644 Lake Worth Road (SP-16-07A) and (MSP-24-04)**

A request for a Minor Site and Development Plan Amendment (SP-16-07A) to modify the exterior façade of the Dunkin Donuts outparcel and a Master Sign Plan (MSP-24-04) for the entire Aloha Shopping Center. (Sufficiency comments sent to applicant on August 27, 2024; meeting held with applicant on November 19, 2024; resubmittal received on December 17, 2024; Sufficiency comments sent to applicant on December 27, 2024; meeting with property owner and applicant held on January 9, 2025; awaiting applicant's response to comments and resubmittal).

**Ministries in Bethel – 3950 South 57<sup>th</sup> Avenue (SP-84-12E)**

A request for a Minor Site and Development Plan Amendment and Engineering Permit revision to relocate parking spaces and update ramp to meet ADA. (Awaiting receipt of applicant's response to sufficiency comments provided on June 27, 2024. City Engineer spoke with applicant's team on November 22, 2024, to clarify for final submittal).



### **Palm Beach Christian Preparatory School – Church in the Palms – 3812 South Jog Road (SP-02-08C)**

A request for a Major Site and Development Plan Amendment to establish a private school (Palm Beach Christian Preparatory School) in the Commercial Intensive (CI) zoning district. (Sufficiency comments sent to applicant on June 10, 2024; awaiting applicant's response to comments and resubmittal; follow up email sent on August 12, September 12, and October 8, 2024, and January 27, 2025. Coordinating with Code Enforcement for violation; case was heard at the Special Magistrate Hearing held on November 20, 2024, Code Enforcement requested a Finding of Fact).

### **Woodlake Plaza – 5815 Lake Worth Road (PCD-84-02DD)**

A request for a Minor Site and Development Plan Amendment (PCD-84-02DD) to change color of the building awnings. (Awaiting receipt of applicant's response to sufficiency comments provided on August 8, 2024. Follow up email sent on December 26, 2024 by City Staff).

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## **ZONING TEXT AMENDMENTS**

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### **ZTA-24-03 Pervious Surface and Driveways**

A City-initiated request for a Zoning Text Amendment to provide updated standards for overall impervious coverage on residential lots, ensuring consistency with standards governing lot coverage for residential lots, as well as limits on driveways expansions. (Recommended for approval by the PZBA on April 11, 2024. Additional review and analysis of proposed changes are desired to address certain City neighborhood conditions and ongoing which will result in additional ZTA language changes. Tentatively scheduled for the PZBA meeting on April 10, 2025, and City Council meetings for 1<sup>st</sup> Reading on May 5, 2025, and 2<sup>nd</sup> Reading on May 19, 2025.)

### **ZTA-24-11 Timeframe and Procedures**

A City-initiated request for a Zoning Text Amendment to enhance several key areas of the City's Zoning Code, addressing current needs and best practices while aligning with Florida Statutory requirements. This amendment streamlines filing procedures, clarifies review processes, expiration of approvals, and improves standards and criteria for approval that aligns with the goals, objectives, and policies of the Comprehensive Plan. (DRC meeting was held on January 16, 2025; scheduled for the PZBA meeting on February 13, 2025, and City Council meetings for 1<sup>st</sup> Reading on March 3, 2025, and 2<sup>nd</sup> Reading on March 17, 2025.)

### **ZTA-25-01 Prescribed Pediatric Extended Care**

A City-initiated request for a Zoning Text Amendment to add Prescribed Pediatric Extended Care (PPEC) use, add standards and criteria for the same, and moving the criteria of Therapeutic Adult Day Care Center from Article I to Article III, of Chapter 16. (Scheduled for the PZBA meeting on February 13, 2025, and City Council meetings for 1<sup>st</sup> Reading on March 3, 2025, and 2<sup>nd</sup> Reading on March 17, 2025.)

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## **RESIDENTIAL DEVELOPMENT PROJECTS**

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### **Blossom Trail (Nash Trail)**

Plat application received on July 8, 2022. Plat was approved by City Council on November 18, 2024. Complete application submittal with all outside agency approvals received November 5, 2024. Final Engineering Permit issued, Construction Bond and Contract in place. Master Building Permits have been applied for the Townhouse units.

### **Ranchette Road Townhomes**

Approved for 74 Townhomes. 73 Certificate of Completion issued to date. Traffic Control Jurisdiction Agreement (TCJA) approved. Approved Construction Bond in place, received August 26, 2021. Reduced Construction Bond received April 20, 2023. (May 2024, Engineering, Zach provided comments regarding outstanding items that need to be repaired to developer. Zach sent a follow-up email on October 11, 2024, to developer to remedy and schedule inspection prior to release of the bond. December 2024 Engineering Civil inspection was completed with contractor. Zoning had been working with applicant to address outstanding issues with revising plans to reflect required lake littoral Plantings. Applicant has indicated they will not be installing the required amount of littoral Planting and will be turning the project over to HOA. January 2025, Legal has advised staff that a Code Enforcement case will have to be created, to rectify the issue with not meeting Code requirements and bond will need to be released if Engineering inspection is approved. Staff will reach out to developer to get some compliance with littoral planting requirements, so that HOA can get some relief from cost to meet Code requirements.)

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## **NON-RESIDENTIAL DEVELOPMENT PROJECTS**

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### **Chick Fil A (SP-85-12RR) - 6860 Forest Hill Boulevard**

The Building Permit and Engineering Permit have been issued. The site is located within the River Bridge Centre on the southwest corner of the intersection of South Jog Road and Forest Hill Boulevard. (Preconstruction meeting held on May 16, 2024. Letter of credit received for civil work which expires February 28, 2025. Staff is monitoring the site work and engineering inspections are being conducted. Staff is in discussion seeking resolve regarding site issues including construction crew damage to the oak trees. Staff met with applicant on-site on October 15, 2024, and is continuing working with applicant on landscape plans to include a combined landscape buffer plan with adjacent IHOP. Since November 2024, Staff has had multiple discussions and coordination with the applicant to resolve pending items. Staff is waiting for Landscape Plan amendment and permit application submittals from applicant. Legal has been coordinating with their legal team to get property owner's consent or obtain proper legal documentation approved to allow lease holder of IHOP to agree to the Landscape Easement agreement. This documentation is necessary to move forward with said agreement and property owner's consent for amendment applications to finalized outstanding landscape issues required per Code and Building Permit. Additionally, CFA has obtained approval of building permit and Temporary Use Permit to install Container office and use it for restaurant planning and hiring purposes, prior to opening the restaurant. The FDOT permits have been completed to obtain electricity to the site as part of the building permit requirements for the project.)

### **Church of God 7<sup>th</sup> Day of Palm Beach – 3535 S. Jog Road**

The building permit and engineering permit expired. New permit applications and outside agency approvals would be required to be submitted in order to obtain development approval. Additionally, Code Enforcement provided a time certain of July

19, 2024, to bring the exterior code maintenance items into compliance. Applicant complied. (Applicant requested a meeting with staff to discuss the site. The meeting was held on September 12, 2024. Awaiting applicant's decision if proceeding. Current expired permits, site maintenance issues, and building items are being addressed through Code Enforcement. Adjacent single-family house has code enforcement case, Special Magistrate in November, fines accruing \$100/day.)

#### **El Car Wash (6200 Lake Worth Road) (SP-22-02B)**

The Special Exception and Site and Development Plans were approved by City Council on December 19, 2022. The Engineering Permit was issued on April 26, 2024. Preconstruction meeting held on April 26, 2024. Letter of credit received for civil work which expires February 28, 2025. (Construction is underway).

#### **Mint Eco Car Wash (4840 Lake Worth Road) (SP-22-04A)**

The Special Exception and Site and Development Plans were approved by City Council on March 6, 2023. The Engineering Permit was applied for in December 2023. Comments were provided on March 12, 2024. Awaiting applicant's response to comments including bond. On September 23, 2024, staff provided a determination of a time extension for the Special Exception which now expires 06/29/2027. A demolition permit for the existing main building on site was approved on December 23, 2024 and building demolished.

#### **The Pickleball Club (5200 S Haverhill Road) (SP-23-05)**

Application for the Pickleball Club was received on 11/20/2023. The Special Exception and Site and Development Plans were approved by City Council on February 5, 2024, and Administrative Variance approved on February 26, 2024. Property was under contract with The Pickleball Club. Future unknown.

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## **GIS**

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### **GIS Database**

DNS continues implementing a clear, organized hierarchy that separates different stages of data management and processing including addressing. This structure is designed to ensure easy access for all departments, enhance collaboration, and streamline maintenance.

### **Safe Streets for All (SS4A)**

DNS is collecting and processing data for the SS4A Action Plan in accordance with the Interlocal Agreement with Treasure Coast Regional Planning Council. Attending meetings as applicable.

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## **TEMPORARY USE PERMITS**

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### **LE-2024-2729 – El Valle Hondu-Mex Restaurant – 4992 10th Ave N – (In Process)**

A request from El Valle Hondu-Mex Restaurant for a "Live Entertainment Permit" for DJs/Karaoke/Live local artists for Friday and Saturdays from 9:00 pm to 1:30 am and for scheduled sports games. Went to September 19, 2024, DRC meeting. (DRC comments provided on October 31, 2024; meeting held with applicant on November 1, 2024; awaiting applicant's response to comments and resubmittal).

**TU-2025-0469 – Chick Fil A – 6860 Forest Hill Boulevard (Office Trailer) - (Approved)**

A temporary use permit request from Josh Markham of Chick-fil-A for the temporary use of a container office for restaurant planning and employee hiring purposes, to be on site from Friday, January 31, 2025, to Friday, March 28, 2025, or until construction is completed and prior to opening.

**LE-2025-0704 – El Centenario (C & O Restaurant Group Inc.) – 6376 Forest Hill Boulevard (In Process)**

A request from El Centenario Restaurant for a “Live Entertainment Permit” for DJs/Karaoke/Live local artists for Friday and Saturdays from 9:00 PM to 1:30 AM. (DRC meeting was held on January 16, 2025; DRC comments sent to applicant on January 30, 2025; awaiting applicant’s response to comments and resubmittal)

**LE-2025-0709 – Caribbean Tease Restaurant – 6295 Lake Worth Road (In Process)**

A request by Wayne Vassell on behalf of Caribbean Tease for a “Live Entertainment Permit” for DJ and Live Band for Friday, Saturday and/or Sunday from 3:00 PM to 11:00 PM and for scheduled special occasions. (DRC meeting was held on January 16, 2025; DRC comments sent to applicant on January 30, 2025; awaiting applicant’s response to comments and resubmittal).

**TU-2025-0836 – City Vape – 6159 Lake Worth Road – (Approved)**

A temporary use permit request from Salim Hilo for a temporary freestanding 2x2 sign for a Grand Opening event to be held between February 3, 2025, through February 16, 2025.

**TU-2025-0841– Pine Ridge South I Flea Market – (Approved)**

A temporary use permit request from Margaret Ranalletta, on behalf of the Condo Association for a Flea Market with sign event to be held on Saturday, January 25, 2025, from 8:00 AM to 12:00 PM at the Pine Ridge South II, Clubhouse, 200 Pine HOV Circle.

**TU-2025-0737– Pine Ridge South II Flea Market – (Approved)**

A temporary use permit request from Lois Cross, on behalf of the Condo Association for a Flea Market with sign event to be held on Saturday, February 1, 2025, from 8:00 AM to 12:00 PM at the Pine Ridge South II, Clubhouse 300 Knotty Pine Circle.

**FY 2025 Data:**

<b>Case Approvals Issued</b>	<b>Current Period</b>	<b>FY 2025 to Date</b>	<b>FY 2025 Budget*</b>
Annexation	0	0	2
Comprehensive Plan Amendment	0	0	3
Zoning Changes	0	0	3
Special Exceptions	0	0	4
Site Plans	0	0	5
Site Plan Amendments	0	0	10
Variances	0	0	3
Zoning Text Amendments	0	0	3
Master Sign Plan	0	0	2

<b>Inspection Type</b>	<b>Current Period</b>	<b>FY 2025 to Date</b>	<b>FY 2025 Budget</b>
Landscaping	4	12	80
Zoning	3	7	45
Engineering	2	16	75

\* Assumes progress of proposed Developments such that inspections are requested.

## Building Division

### Building Department Report (January 1, 2025 – January 31, 2025)

#### 1) ADMINISTRATION:

- a) Researched and completed Fifty-Six (59) lien searches providing open and/or expired permit information.
- b) Researched and completed Twenty (23) records requests for historical permits.

#### 2) PERMITS/INSPECTIONS:

PERMITS/INSPECTIONS	DURING THIS PERIOD	FYTD 2025
New Applications Received / Permits Created	209	835
Applications Approved	151	465
Applications Canceled	3	14
Applications Denied	0	1
Applications Reopened	2	5
Permits Issued	200	775
Permits Completed	222	807
Permits Canceled	4	22
Permits Reopened	49	170
Permits Expired	20	70
Inspections Performed	454	2,257
Construction Value of Permits Issued	\$2,764,015.57	\$12,846,832.4
Construction Reinspection Fees	\$1,050.00	\$3,500
Extension/Renewal Fees	\$2,714.52	\$7,947.18
CO's Issued	1	9
CC's Issued	1	1
Temporary CO's Issued	0	0

#### 3) BUSINESS AND CONTRACTOR REGISTRATION:

(See Attached Summary Reports)

#### 4) PERMIT APPLICATIONS IN PLAN REVIEW – PRINCIPAL NEW OR REMODEL PROJECTS:

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT#
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 8 Units	2025-0823
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 7 Units	2025-0822
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 5 Units	2025-0809
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 6 Units	2025-0821
La Tapatia Market	2962 S Jog Rd	15705	Interior Renovation	2025-0799
La Tapatia Market	2980 S Jog Rd	3879	Interior Renovation	2025-0769
SFH	229 Martin Ave	3393	New SFH	2025-0173
El Rey Del Taco	5283 Lake Worth Rd	2,857	Interior Renovation	2025-0488
SFH	145 Walker Ave	2,051	New SFH	2025-0146

#### 5) PROJECTS IN PROGRESS – PRINCIPAL REMODELING/RENOVATION:

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT #
Dress 4 Success	6832 Forest Hill Blvd	6174	Interior Renovation	2025-0182
WIC (City Job)	5985 10 <sup>th</sup> Ave N		Bathroom Renovation	2025-0174
SFH	533 Broward Ave	1,870	New SFH	2024-2848
Duffy's	6848 Forest Hill Blvd	1,530	Interior Remodel	2025-0275
Medimore Md	6334 Forest Hill Blvd	1,130	Interior Remodel	2024-2513
El Car Wash	6200 Lake Worth Rd	3,724	Construct Car Wash	2023-2487
Chik fil A		4,997	New Construction	2024-0270

	6802 Forest Hill Blvd			
Gastro Health	6125 Lake Worth Rd	238	Interior Renovation	2024-0874
Aaxon Laundry	3989 S Jog Rd	2633	Interior Renovation	2024-0587
Retro Fitness	4558 Lake Worth Rd	1547	Interior Renovation	2024-0783
Certified Spine	6415 Lake Worth Rd #307	1598	Tennant Improvement	2023-2290
Ministries in Bethel	3950 S 57 <sup>th</sup> Ave	6,939	House of Worship	2021-0365





# License Activity Report

Activity Date Range 01/01/25 - 01/31/25  
Summary Listing

License Type	Category	Application Received	Application Denied	Application Approved	New License Issued	License Renewed	License Revoked	License Cancelled
Food Service - Food Service / Bar / Lounge	Business	0	0	0	3	6	0	0
General Retail - General Retail	Business	3	0	0	3	1	0	0
General Service - General Service	Business	10	0	0	15	22	0	0
General Svc Reg - General Service Registration	Business	2	0	0	3	3	0	0
Home - Home Based Business	Business	5	0	0	5	28	0	0
Professional - Professional	Business	8	0	0	11	18	0	0
Rental Unit - Rental Unit	Business	4	0	0	4	49	0	0
Storage/WH Units - Storage / Warehouse Units	Business	1	0	0	0	0	0	0
<b>Grand Totals</b>		<b>33</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>127</b>	<b>0</b>	<b>0</b>

**CITY OF GREENACRES**  
**Licensing Revenue Summary Report**  
 Licensing Revenue Summary Report - Summary  
 From Date: 01/01/2025 - To Date: 01/31/2025

Charge Code	No. of Billing Transactions	No. of Adjustment Transactions	Billed Amount	Adjustments	Net Billed
License Type: Food Service-Food Service / Bar / Lounge					
Food-Food Service	3	0	\$382.89	\$0.00	\$382.89
Food Per Seat-Food Per Seat	5	0	\$1,018.34	\$0.00	\$1,018.34
Transfer-Transfer	2	0	\$46.44	\$0.00	\$46.44
License Type Food Service-Food Service / Bar / Lounge Totals	10	0	\$1,447.67	\$0.00	\$1,447.67
License Type: General Retail-General Retail					
General Retail-General Retail Sq Feet	7	0	\$710.00	\$0.00	\$710.00
Com Inspection-Commercial Inspection	3	0	\$225.00	\$0.00	\$225.00
Zoning Review-Zoning Use Review Fees (BTR)	2	0	\$100.00	\$0.00	\$100.00
Transfer-Transfer	1	0	\$16.29	\$0.00	\$16.29
25% Penalty-25% Penalty	1	0	\$40.72	\$0.00	\$40.72
License Type General Retail-General Retail Totals	14	0	\$1,092.01	\$0.00	\$1,092.01
License Type: General Service-General Service					
General Service-General Service	26	0	\$2,635.89	\$0.00	\$2,635.89
Com Inspection-Commercial Inspection	7	0	\$525.00	\$0.00	\$525.00
Zoning Review-Zoning Use Review Fees (BTR)	9	0	\$450.00	\$0.00	\$450.00
Transfer-Transfer	1	0	\$11.62	\$0.00	\$11.62
License Type General Service-General Service Totals	43	0	\$3,622.51	\$0.00	\$3,622.51
License Type: Home-Home Based Business					
Home-Home Based Business	13	0	\$1,054.00	\$0.00	\$1,054.00
Zoning Review-Zoning Use Review Fees (BTR)	4	0	\$200.00	\$0.00	\$200.00
License Type Home-Home Based Business Totals	17	0	\$1,254.00	\$0.00	\$1,254.00
License Type: Professional-Professional					
Professional-Professional	12	0	\$1,244.70	\$0.00	\$1,244.70
Cosmetology-Cosmetology / Barber	7	0	\$284.27	\$0.00	\$284.27
Real Estate-Real Estate Broker / Ins Agents	2	0	\$195.30	\$0.00	\$195.30
License Type Professional-Professional Totals	21	0	\$1,724.27	\$0.00	\$1,724.27
License Type: Rental Unit-Rental Unit					
Rental Unit-Rental Unit	34	0	\$1,353.50	\$0.00	\$1,353.50
25% Penalty-25% Penalty	2	0	\$20.30	\$0.00	\$20.30
License Type Rental Unit-Rental Unit Totals	36	0	\$1,373.80	\$0.00	\$1,373.80

## Code Enforcement Division

### Code Division Report (January 1, 2025 – January 31, 2025)

CODE ENFORCEMENT	DURING THIS PERIOD	FYTD 2025
Inspections Related to Active Code Cases	202	694
New Cases Started	117	255
Cases Complied	57	185
Current Open Cases	310	1047
Notices Sent	134	477
Illegal Signs Removed from right-of-way	438	1905
Inspections Not Related to Active Code Cases	202	694
Complaints Received and Investigated	9	38
Warning Tickets	6	53

# Code Enforcement - STATS FY 2025

	<u>NOTICES MAILED</u>	<u>SIGNS</u>	<u>INSPECTIONS</u>	<u>COMPLAINTS</u>	<u>WRITTEN WARNINGS</u>
OCTOBER 2024	232	267	284	10	35
NOVEMBER 2024	110	727	134	12	3
DECEMBER 2024	162	527	164	15	42
JANUARY 2025	134	438	202	9	6
FEBRUARY 2025					
MARCH 2025					
APRIL 2025					
MAY 2025					
JUNE 2025					
JULY 2025					
AUGUST 2025					
SEPTEMBER 2025					



## Department Report

**MEETING DATE:** March 17, 2025

**FROM:** Denise Malone, AICP, Development & Neighborhood Services Director

**SUBJECT:** February 1, 2025, through February 28, 2025

## Development & Neighborhood Services Department

### My Government Online Software (MGO)

Implementation of new software online platform to replace New World and Energov for permitting, business tax receipts, contractor licensing, planning and zoning, and code enforcement. Staff continues working with MGO on workflow system mapping in preparation for module configurations.

## Planning, GIS & Engineering Division

### NEW CASES

#### ZTA-25-02 Live Entertainment and Nightclubs

A City-initiated request for a Zoning Text Amendment to define Live Entertainment and Nightclub, and revise the definitions under Article I, In General; clarify permitted uses under Article III, District Regulations; and clarify the standards and criteria associated with Live Entertainment Permits and Mobile Food Dispensing Vehicles under Article IV, Supplementary District Regulations. (Scheduled for the PZBA meeting on March 13, 2025, and City Council meetings for 1<sup>st</sup> Reading on April 7, 2025, and 2<sup>nd</sup> Reading on April 21, 2025.)

#### ZTA-25-03 Signage Regulations and Master Sign Plans

A City-initiated request for a Zoning Text Amendment to Chapter 16, Article V, Division 9 - Planned Commercial Development and Article VI - Sign Regulations to update regulations related to temporary and election signage, signage amortization, Master Sign Plans, conflicts between Planned Commercial Development (PCD) and general sign regulations, and general sign standards including by zoning district. (Scheduled for the PZBA meeting on April 10, 2025, and City Council meetings for 1<sup>st</sup> Reading on May 5, 2025, and 2<sup>nd</sup> Reading on May 19, 2025.)

#### Nautica Isles HOA (SP-84-12E)

A request for a Minor Site and Development Plan Amendment to add speed humps within the neighborhood. (Under staff review)

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## CURRENT PLANNING CASES

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### **Astoria Townhomes – 6240 Dodd Road and adjacent vacant parcel (CPA-23-04), (ZC-23-02), (SP-23-06), (BA-23-07), (PLT-24-02), and (MSP-24-02)**

A request for a Future Land Use Map Amendment (CPA-23-04) from Residential Medium Density and Commercial to Residential High Density; a Rezoning (ZC-23-02) from Residential Medium Density and Commercial General to Residential High Density; Site and Development Plans (SP-23-06) including a Master Sign Plan (MSP-24-02) to construct a townhouse development of 60 units configured as 6-unit buildings; and a Variance (BA-23-07) from the minimum side yard setback of 20 ft. between end units, with the Variance approved by PZBA on August 8, 2024. The (CPA-23-04) and (ZC-23-02) were approved at the October 7, 2024, City Council Meeting. The Preliminary Plat (PLT-24-02) submittal was received on September 30, 2024, with initial comments provided on October 28, 2024, resubmittal received December 4, 2024; comments were provided December 20, 2024, resubmittal received January 20, 2025, comments were provided January 28, 2025, resubmittal received February 7, 2025, and the plat was certified as sufficient by the City Engineer & City Surveyor on February 20, 2025. (Preliminary Plat, Site Plan, and Master Sign Plan tentatively scheduled for City Council on March 3, 2025, to be considered concurrently.)

### **Barclay Square – 2902-2994 Jog Road (MSP-24-08)**

A request for a Master Sign Plan (MSP-24-08) for the Barclay Square Plaza. (Sufficiency comments sent to applicant on December 9, 2024; follow up email sent on February 27, 2025; awaiting applicant's response to comments and resubmittal).

### **Bethesda Tabernacle – 4901 Lake Worth Road (SP-99-04C) and (SE-23-01)**

A request for Site and Development Plan (SP-99-04C) approval on a vacant parcel to modify the previously approved site plan and a Special Exception (SE-23-01) to develop a 28,930 sf House of Worship and accessory uses. (Resubmittal received on March 15, 2025, resubmittal comments sent to applicant on April 18, 2024; meeting with applicant was held on May 3, 2024; resubmittal received on February 14, 2025, under staff review).

### **Buttonwood Plaza – 3016-3094 Jog Road (MSP-24-07)**

A request for a Master Sign Plan (MSP-24-07) for the Buttonwood Plaza. (Sufficiency comments sent to applicant on December 9, 2024; follow up email sent on February 27, 2025; awaiting applicant's response to comments and resubmittal)

### **C&C Legacy Plaza – 3494 South Jog Road (SP-24-01), (BA-24-01), (MSP-24-03) and (PLT-24-01)**

A request for Site and Development Plans (SP-24-01) approval on a vacant parcel to construct a 2,598 sf one story office building and a two-story townhouse building with three townhouses; a Variance (BA-24-01) from the landscape code requirements for a one-story office building and a two-story townhouse building with three townhouses; and a Master Sign Plan (MSP-24-03; and a Plat (PLT-24-01). (PZBA approved the Variance request (BA-24-01) on August 8, 2024. (The Site and Development Plans

and Master Sign Plan were approved by City Council on September 16, 2024. Sufficiency letter was sent for the Plat (PLT-24-01) on September 12, 2024; resubmittal received on October 30, 2024, comments provided November 18, 2024; resubmittal received on February 3, 2025, comments were provided on February 14, 2025, and we are awaiting the resubmittal).

### **City-initiated Chickasaw and Wry Roads Annexations (ANX-24-01), (CPA-24-05), and ZC-24-05)**

Annexation of an enclave located on Chickasaw and Wry Road into the City through an Interlocal Agreement with Palm Beach County. A Future Land Use map amendment and Rezoning for the sixteen parcels that will be annexed into the City will be processed concurrently through the City. The properties are located on the north side of Chickasaw and along Wry Road. (Staff is processing the necessary documentation to provide to Palm Beach County for review/approval as an enclave annexation. On November 20, 2024, the Draft Interlocal Agreement was sent to Palm Beach County for review. On December 16, 2024, Palm Beach County provided comments that are under review by legal and staff. January 2025, revisions were approved by legal. February 2025, coordination with legal documents for notice of letters currently underway, once completed, the official packet will be sent to PBC for further notice and processing. In addition, per 197.3632, Florida Statutes, subsection (4)(a)(3), and legal's recommendation, a letter will need to be sent to each property owner to be annexed for notification, and also send a letter to request written consent for the solid waste assessment. Coordination with legal will continue to ensure documents and process are met.)

### **Garden Square – 6645 Chickasaw Road (SP-23-03)**

A request for Site and Development Plans approval to construct four (4) five-unit townhomes and six (6) four-unit townhomes (total of 44 units). (DRC comments provided on August 20, 2024. On September 20, 2024, staff met with applicant for follow-up to DRC comments. Resubmittal was received on November 14, 2024. DRC comments sent on December 17, 2024. Resubmittal received on February 03, 2025; comments were provided on February 24, 2025. Awaiting applicant's response to comments and resubmittal. Staff is working with applicant to finalize outstanding comments. Tentatively scheduled for the March 13, 2025, PZBA meeting, If applicant resubmits by February 28, 2025, and the Site and Development Plans are certified as sufficient by Planning, Engineering and Fire.)

### **Greenacres Bowl – 6126 Lake Worth Road (BA-24-04)**

A request for an Administrative Variance to replace the existing concrete slatted wall with an opaque PVC fence and landscaping for an approximately 340ft portion along the southern property line. (Additional information was submitted on December 12, 2024, sufficiency letter sent December 28, 2024. Resubmittal received February 14, 2025. DRC meeting held on February 20, 2025, pending confirmation of comments.)

### **Greenacres Sunoco and Offices - 3067 South Jog Road (SP-24-02)**

A request for Site and Development Plans (SP-24-02) approval to construct a 6,000 sq ft office/retail building with a 798 sq. ft. mezzanine. (Sufficiency letter sent March 11, 2024, resubmittal received September 30, 2024, comments were provided on November 1, 2024. Awaiting applicant's response to comments and resubmittal.)

**Ice Cream La Bendicion – 560 Jackson Avenue (SP-24-04)**

A request for Site and Development Plans (SP-24-04) approval to construct an 882 sq ft two story building with ice cream/raspado shop on the ground floor and one dwelling unit on the second floor. (Awaiting receipt of applicant's response to the sufficiency letter provided on July 5, 2024, staff had ongoing discussions with applicant regarding the required items. Resubmittal received, February 21, 2025, under staff review.)

**Iglesia Bautista Libre Emmanuel – 5083 Lake Worth Road (SE-22-04), (BA-22-01), and (SP-22-05A)**

A Special Exception request (SE-22-04) to allow a House of Worship within an existing building located in the Commercial Intensive (CI) zoning district, a Variance (BA-22-01) to allow for a reduction in the front and rear landscape buffers, and a Major Site and Development Plan Amendment (SP-22-05A). Staff has been coordinating with Code Enforcement on code enforcement case for work without permit and operating without an approved Special Exception. (DRC comments sent to applicant on June 6, 2024; meeting with applicant held on June 17, November 5, and December 5, 2024; meeting with property owner held on December 1, 2024; meeting with property owner and agent held on December 5, 2024; property owner and applicant no-showed the Special Magistrate Hearing held on November 20, 2024, for subject parcel 5057 Lake Worth Road pending Unity of Title, with Board Order Finding Violation to comply by December 21, 2024. The property has not come into compliance and is subject to a fine of \$100 per day; resubmittal received on December 23, 2024; insufficiency comments sent to applicant on January 29, 2025; awaiting applicant's response to comments and resubmittal).

**Kids in Care – Buttonwood Plaza – 3032 South Jog Road (SP-84-05I), (SE-24-02), and (BA-24-02)**

A request for a Major Site and Development Plan Amendment (SP-84-05I), a Special Exception (SE-24-02) to allow for a Prescribed Pediatric Extended Care (PPEC) center; and a Variance request (BA-24-02) to eliminate the minimum outdoor play area. (Coordinating with Code Enforcement for ongoing code violation related to the use. Initial submittal received on June 27, 2024; completeness comments sent to applicant on July 15, 2024; resubmittal received on August 7, 2024; completeness comments #2 sent to applicant on August 30, 2024; resubmittal received on September 17, 2024, and digital copies of resubmittal received on November 12, 2024; January 2025, draft ZTA 25-01 for PPEC use is underway. ZTA 25-01 was approved on February 13, 2025, PZBA meeting and is scheduled for City Council meetings for 1<sup>st</sup> Reading on March 03, 2025, and 2<sup>nd</sup> Reading on March 17, 2025. The project will be withdrawn, once the ZTA is approved, and applicant will be notified to update necessary BTR paperwork to be updated with required associated paperwork to meet criteria for PPEC use.)

**Lake Worth Plaza West – 6404 Lake Worth Road (MSP-24-01)**

A request for a Master Sign Plan for Lake Worth Plaza West. (Sufficiency comments sent to applicant on July 9, 2024; staff is working with the new Property Manager to finalize Master Sign Plan for the entire plaza; awaiting applicant's response to comments and resubmittal; follow up email sent on December 26, 2024).

**Mil Lake Plaza – 4507-4639 Lake Worth Road (MSP-24-09)**

A request for a Master Sign Plan (MSP-24-09) for the Mil Lake Plaza. (Sufficiency comments sent to applicant on December 12, 2024; staff is working with the new



Property Manager to finalize Master Sign Plan for the entire plaza; follow up email sent on January 30, 2025; awaiting applicant's response to comments and resubmittal).

**Murphys USA Greenacres – 6270 Forest Hill Boulevard (SE-23-05), (BA-23-08), (SP-23-07), and (MSP-24-06)**

A Special Exception (SE-23-05) request to allow a Convenience Store with Fuel Sales within the Commercial Intensive (CI) zoning district, a Variance (BA-23-08) from the required 1500ft separation of an existing gas station and convenience store to 768ft, Site and Development Plans (SP-23-07) request to construct a 2,824-square-foot convenience store and associated overhead canopy and six (6) dual sided fuel dispensing pumps serving twelve (12) fueling stations, and a request for a Master Sign Plan (MSP-24-06). (Resubmittal received on January 14, 2025, comments were provided to applicant on January 30, 2025. Resubmittal received February 11, 2025. Tentatively scheduled for the March 13, 2025, PZBA meeting.)

**Orchid Cove – 1105 South Jog Road (SP-23-01) and (BA-23-04)**

A request for a Site and Development Plan (SP-23-01) approval to construct six (6) two-family units (Total of 12 units), and an Administrative Variance (BA-23-04) for a 5-ft reduction from the required rear and side street setbacks. (DRC comments provided on June 7, 2024; meeting with applicant was held on June 10 and in October of 2024; applicant notified staff they will be resubmitting soon on January 14, 2025. Follow-up email sent to applicant on February 24, 2025, awaiting applicant's response to comments and resubmittal).

**Perry Office – 3130 Perry Avenue (SP-22-03) and (BA-23-03)**

A request for Site and Development Plans (SP-22-03) approval for a vacant parcel to construct a 6241 sq ft office totaling 4 bays for flexible office space use. The site is located on the northeast corner of Perry Avenue and 10<sup>th</sup> Avenue South. The request also includes a variance (BA-23-03) to reduce the landscape buffer on the eastern side of the site plan from 10 ft to 5 ft. (Resubmittal received on August 21, 2024, DRC was held on September 19, 2024, subsequent meetings and discussions with applicant and design team to include preliminary engineering considerations. DRC comments were provided on, November 7, 2024. Awaiting applicant's response to comments.)

**Pentecostal Tabernacle – 6030 Lake Worth Road (BA-23-05)**

A request for a Variance to allow for a fence to be located within the front yard of the House of Worship. (DRC meeting was held on July 18, 2024. Further information is needed for sufficiency to be scheduled for PZBA. Applicant is gathering additional information to substantiate the hardship and demonstrate why a variance is necessary. Staff is coordinating a code case due to the fence being installed without the proper approvals and permits).

**Walmart – 6294 Forest Hill Blvd (SP-88-06AA), (BA-24-03), and (MSP-25-01)**

A request for a Major Site and Development Plan Amendment (SP-88-06AA) to add 3,370 sq ft and replace 12 designated customer pick-up parking spaces and 33 regular parking spaces with 33 designated customer pick-up parking spaces, a Variance (BA-24-03) to reduce the number of required parking spaces, and a Master Sign Plan (MSP-25-01). (Sufficiency comments sent to applicant on December 3, 2024; staff is

working with the applicant to finalize Site Plan for the entire shopping center; resubmittal was received on February 12, 2025, under Staff review and processing).

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## SITE PLAN AMENDMENTS

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### **Dunkin Donuts – Aloha Shopping Center – 4644 Lake Worth Road (SP-16-07A) and (MSP-24-04)**

A request for a Minor Site and Development Plan Amendment (SP-16-07A) to modify the exterior façade of the Dunkin Donuts outparcel and a Master Sign Plan (MSP-24-04) for the entire Aloha Shopping Center. (Sufficiency comments sent to applicant on August 27, 2024; meeting held with applicant on November 19, 2024; resubmittal received on December 17, 2024; Sufficiency comments sent to applicant on December 27, 2024; meeting with property owner and applicant held on January 9, 2025; awaiting applicant's response to comments and resubmittal).

### **Ministries in Bethel – 3950 South 57<sup>th</sup> Avenue (SP-84-12E)**

A request for a Minor Site and Development Plan Amendment and Engineering Permit revision to relocate parking spaces and update ramp to meet ADA. (Awaiting receipt of applicant's response to sufficiency comments provided on June 27, 2024. City Engineer spoke with applicant's team on November 22, 2024, to clarify for final submittal. Resubmittal received on February 28, 2025, to address comments regarding ADA and dumpster enclosure, under staff review).

### **Palm Beach Christian Preparatory School – Church in the Palms – 3812 South Jog Road (SP-02-08C)**

A request for a Major Site and Development Plan Amendment to establish a private school (Palm Beach Christian Preparatory School) in the Commercial Intensive (CI) zoning district. (Sufficiency comments sent to applicant on June 10, 2024; awaiting applicant's response to comments and resubmittal; follow up email sent on August 12, September 12, and October 8, 2024, and January 27, 2025. Coordinating with Code Enforcement for violation; case was heard at the Special Magistrate Hearing held on November 20, 2024, Code Enforcement requested a Finding of Fact).

### **Woodlake Plaza – 5815 Lake Worth Road (PCD-84-02DD)**

A request for a Minor Site and Development Plan Amendment (PCD-84-02DD) to change color of the building awnings. (Awaiting receipt of applicant's response to sufficiency comments provided on August 8, 2024. Follow up email sent on December 26, 2024 by City Staff).

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## ZONING TEXT AMENDMENTS

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### **ZTA-25-04 Pervious Surface and Driveways**

A City-initiated request for a Zoning Text Amendment to provide updated standards for overall impervious coverage on residential lots, ensuring consistency with standards governing lot coverage for residential lots, as well as limits on driveways expansions. (Recommended for approval by the PZBA on April 11, 2024. Additional review and analysis of proposed changes needed to address certain City neighborhood conditions and ongoing which will result in additional ZTA language changes. Scheduled for the

PZBA meeting on April 10, 2025, and City Council meetings for 1<sup>st</sup> Reading on May 5, 2025, and 2<sup>nd</sup> Reading on May 19, 2025.)

#### **ZTA-24-11 Timeframe and Procedures**

A City-initiated request for a Zoning Text Amendment to enhance several key areas of the City's Zoning Code, addressing current needs and best practices while aligning with Florida Statutory requirements. This amendment streamlines filing procedures, clarifies review processes, expiration of approvals, and improves standards and criteria for approval that aligns with the goals, objectives, and policies of the Comprehensive Plan. (DRC meeting was held on January 16, 2025; recommended for approval by PZBA at the February 13, 2025, meeting; tentatively scheduled for City Council meetings for 1<sup>st</sup> Reading on March 3, 2025, and 2<sup>nd</sup> Reading on March 17, 2025.)

#### **ZTA-25-01 Prescribed Pediatric Extended Care**

A City-initiated request for a Zoning Text Amendment to add Prescribed Pediatric Extended Care (PPEC) use, add standards and criteria for the same, and moving the criteria of Therapeutic Adult Day Care Center from Article I to Article III, of Chapter 16. (Recommended for approval by PZBA at the February 13, 2025, meeting; and scheduled for City Council meetings for 1<sup>st</sup> Reading on March 3, 2025, and 2<sup>nd</sup> Reading on March 17, 2025.)

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### **RESIDENTIAL DEVELOPMENT PROJECTS**

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#### **Blossom Trail (Nash Trail)**

Plat application received on July 8, 2022. Plat was approved by City Council on November 18, 2024. Complete application submittal with all outside agency approvals received November 5, 2024. Final Engineering Permit issued, Construction Bond and Contract in place. Master Building Permits have been applied for the Townhouse and Single-Family units.

#### **Ranchette Road Townhomes**

Approved for 74 Townhomes. 73 Certificate of Completion issued to date. Traffic Control Jurisdiction Agreement (TCJA) approved. Approved Construction Bond in place, received August 26, 2021. Reduced Construction Bond received April 20, 2023. (May 2024, Engineering, Zach provided comments regarding outstanding items that need to be repaired to developer. Zach sent a follow-up email on October 11, 2024, to developer to remedy and schedule inspection prior to release of the bond. December 2024 Engineering Civil inspection was completed with contractor. Zoning had been working with applicant to address outstanding issues with revising plans to reflect required lake littoral Plantings. Applicant has indicated they will not be installing the required littoral Planting and will be turning the project over to HOA. Legal has advised staff that a Code Enforcement case will have to be created, to rectify the issue with not meeting Code requirements and bond will need to be released if Engineering inspection is approved. Staff will reach out to developer to get some compliance with littoral planting requirements, so that HOA can get some relief from cost to meet Code requirements.)

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### **NON-RESIDENTIAL DEVELOPMENT PROJECTS**

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#### **Chick Fil A (SP-85-12RR) - 6860 Forest Hill Boulevard**

The Building Permit and Engineering Permit have been issued. The site is located within the River Bridge Centre on the southwest corner of the intersection of South Jog Road and Forest Hill Boulevard. (Preconstruction meeting held on May 16, 2024. Letter of credit received for civil work which expires February 28, 2025. Staff is monitoring the site work and engineering inspections are being conducted. Staff is in discussion seeking resolve regarding site issues including construction crew damage to the oak trees. Staff met with applicant on-site on October 15, 2024, and is continuing working with applicant on landscape plans to include a combined landscape buffer plan with adjacent IHOP. Since November 2024, Staff has had multiple discussions and coordination with the applicant to resolve pending items. Staff is waiting for Landscape Plan amendment and permit application submittals from applicant. Legal has been coordinating with their legal team to get property owner's consent or obtain proper legal documentation approved to allow lease holder of IHOP to agree to the Landscape Easement agreement. This documentation is necessary to move forward with said agreement and property owner's consent for amendment applications to finalized outstanding landscape issues required per Code and Building Permit. Additionally, CFA has obtained approval of building permit and Temporary Use Permit to install Container office and use it for restaurant planning and hiring purposes, prior to opening the restaurant. The FDOT permits have been completed to obtain electricity to the site as part of the building permit requirements for the project.)

#### **Church of God 7<sup>th</sup> Day of Palm Beach – 3535 S. Jog Road**

The building permit and engineering permit expired. New permit applications and outside agency approvals would be required to be submitted in order to obtain development approval. Additionally, Code Enforcement provided a time certain of July 19, 2024, to bring the exterior code maintenance items into compliance. Applicant complied. (Applicant requested a meeting with staff to discuss the site. The meeting was held on September 12, 2024. Awaiting applicant's decision if proceeding. Current expired permits, site maintenance issues, and building items are being addressed through Code Enforcement. Adjacent single-family house has code enforcement case, Special Magistrate in November, fines accruing \$100/day.)

#### **EI Car Wash (6200 Lake Worth Road) (SP-22-02B)**

The Special Exception and Site and Development Plans were approved by City Council on December 19, 2022. Preconstruction meeting held April 26, 2024. The Engineering Permit was issued on April 26, 2024. Engineering Permit was closed out on February 13, 2025. Maintenance bond took effect on February 13, 2025. A TCO was issued on February 25, 2025. The owner is coordinating with the adjacent HOA to remove the fence and install a buffer wall along the property line for a better outcome.

#### **Mint Eco Car Wash (4840 Lake Worth Road) (SP-22-04A)**

The Special Exception and Site and Development Plans were approved by City Council on March 6, 2023. The Engineering Permit was applied for in December 2023. Comments were provided on March 12, 2024. Awaiting applicant's response to comments including bond. On September 23, 2024, staff provided a determination of a time extension for the Special Exception which now expires 06/29/2027. A demolition permit for the existing main building on site was approved on December 23, 2024, and the permit has been deemed complete as of February 4, 2025. The site is actively being marketed for sale.

### **The Pickleball Club (5200 S Haverhill Road) (SP-23-05)**

Application for the Pickleball Club was received on 11/20/2023. The Special Exception and Site and Development Plans were approved by City Council on February 5, 2024, and Administrative Variance approved on February 26, 2024. Property was under contract with The Pickleball Club. Future remains uncertain. On February 3, 2025, staff processed and provided a determination of a time extension for the approvals, the Special Exception (SE-23-02), now expires on 7/2/2029; the Administrative Variance (BA-23-06), now expires on 7/23/2029; and the Site and Development Plans (SP-23-05), now expire on 7/1/2030.

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## **GIS**

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### **Blossom Trail Addresses**

On February 19, 2025, the developer submitted a formal request for the City to establish addresses for the entire community. DNS is currently developing an addressing plan and will coordinate with all relevant external agencies.

### **GIS Database**

DNS continues implementing a clear, organized hierarchy that separates different stages of data management and processing including addressing. This structure is designed to ensure easy access for all departments, enhance collaboration, and streamline maintenance.

### **Safe Streets for All (SS4A)**

DNS is actively collecting and processing data for the SS4A Action Plan in accordance with the Interlocal Agreement with Treasure Coast Regional Planning Council. Attending meetings as applicable.

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## **LIVE ENTERTAINMENT PERMITS**

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### **LE-2024-2729 – El Valle Hondu-Mex Restaurant – 4992 10th Ave N (In Process)**

A request from El Valle Hondu-Mex Restaurant for a “Live Entertainment Permit” for DJs/Karaoke/Live local artists for Friday and Saturdays from 9:00 pm to 1:30 am and for scheduled sports games. Went to September 19, 2024, DRC meeting. (DRC comments provided on October 31, 2024; meeting held with applicant on November 1, 2024; awaiting applicant’s response to comments and resubmittal).

### **LE-2025-0704 – El Centenario (C & O Restaurant Group Inc.) – 6376 Forest Hill Boulevard (In Process)**

A request from El Centenario Restaurant for a “Live Entertainment Permit” for DJs/Karaoke/Live local artists for Friday and Saturdays from 9:00 PM to 1:30 AM. (DRC meeting was held on January 16, 2025; DRC comments sent to applicant on January 30, 2025; awaiting applicant’s response to comments and resubmittal)

**LE-2025-0709 – Caribbean Tease Restaurant – 6295 Lake Worth Road (In Process)**

A request by Wayne Vassell on behalf of Caribbean Tease for a “Live Entertainment Permit” for DJ and Live Band for Friday, Saturday and/or Sunday from 3:00 PM to 11:00 PM and for scheduled special occasions. (DRC meeting was held on January 16, 2025; DRC comments sent to applicant on January 30, 2025; awaiting applicant’s response to comments and resubmittal).

**TEMPORARY USE PERMITS**

**TU-2025-0836 – City Vape – 6159 Lake Worth Road – (Approved)**

A temporary use permit request from Salim Hilo for a temporary freestanding 2x2 sign for a Grand Opening event to be held between February 3, 2025, through February 16, 2025.

**TU-2025-0737– Pine Ridge South II Flea Market – (Approved)**

A temporary use permit request from Lois Cross, on behalf of the Condo Association for a Flea Market with sign event to be held on Saturday, February 1, 2025, from 8:00 AM to 12:00 PM at the Pine Ridge South II, Clubhouse300 Knotty Pine Circle.

**FY 2025 Data:**

<b>Case Approvals Issued</b>	<b>Current Period</b>	<b>FY 2025 to Date</b>	<b>FY 2025 Budget*</b>
Annexation	0	0	2
Comprehensive Plan Amendment	0	0	3
Zoning Changes	0	0	3
Special Exceptions	0	0	4
Site Plans	0	0	5
Site Plan Amendments	0	0	10
Variances	0	0	3
Zoning Text Amendments	0	0	3
Master Sign Plan	0	0	2

<b>Inspection Type</b>	<b>Current Period</b>	<b>FY 2025 to Date</b>	<b>FY 2025 Budget</b>
Landscaping	3	15	80
Zoning	4	12	45
Engineering	19	35	75

\* Assumes progress of proposed Developments such that inspections are requested.

**Building Division**

**Building Department Report  
(February 1, 2025 – February 28, 2025)**

**1) ADMINISTRATION:**

- a) Researched and completed Seventy-Eight (80) lien searches providing open and/or expired permit information.
- b) Researched and completed Twenty-Five (28) records requests for historical permits.

**2) PERMITS/INSPECTIONS:**

<b>PERMITS/INSPECTIONS</b>	<b>DURING THIS PERIOD</b>	<b>FYTD 2025</b>
New Applications Received / Permits Created	220	1,055
Applications Approved	130	595
Applications Canceled	4	18
Applications Denied	1	2
Applications Reopened	0	5
Permits Issued	177	952
Permits Completed	218	1,025
Permits Canceled	6	28
Permits Reopened	65	235
Permits Expired	11	81
Inspections Performed	546	2,803
Construction Value of Permits Issued	\$2,209,051.03	\$15,055,883.47
Construction Reinspection Fees	\$100.00	\$3,600
Extension/Renewal Fees	\$1,937.61	\$9,884.79
CO's Issued	2	11
CC's Issued	1	2
Temporary CO's Issued	1	1

### 3) BUSINESS AND CONTRACTOR REGISTRATION:

(See Attached Summary Reports)

**5) PERMIT APPLICATIONS IN PLAN REVIEW – PRINCIPAL NEW OR REMODEL PROJECTS:**

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT#
Absolute Bet Ins.	3080 S Jog Rd		Interior Renovations	2025-1102
SFH	121 Swain Blvd	2143	New SFH	2025-1168
SFH	117 Swain Blvd	1875	New SFH	2025-1173
SFH	113 Swain Blvd	1875	New SFH	2025-1166
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 8 Units	2025-0823
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 7 Units	2025-0822
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 5 Units	2025-0809
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 6 Units	2025-0821
La Tapatia Market	2962 S Jog Rd	15705	Interior Renovation	2025-0799
La Tapatia Market	2980 S Jog Rd	3879	Interior Renovation	2025-0769
SFH	229 Martin Ave	3393	New SFH	2025-0173
El Rey Del Taco	5283 Lake Worth Rd	2,857	Interior Renovation	2025-0488
SFH	145 Walker Ave	2,051	New SFH	2025-0146

**6) PROJECTS IN PROGRESS – PRINCIPAL REMODELING/RENOVATION:**



PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT #
Dress 4 Success	6832 Forest Hill Blvd	6174	Interior Renovation	2025-0182
WIC (City Job)	5985 10 <sup>th</sup> Ave N		Bathroom Renovation	2025-0174
SFH	533 Broward Ave	1,870	New SFH	2024-2848
Duffy's	6848 Forest Hill Blvd	1,530	Interior Remodel	2025-0275
Medimore Md	6334 Forest Hill Blvd	1,130	Interior Remodel	2024-2513
El Car Wash	6200 Lake Worth Rd	3,724	Construct Car Wash	2023-2487
Chik fil A	6802 Forest Hill Blvd	4,997	New Construction	2024-0270
Gastro Health	6125 Lake Worth Rd	238	Interior Renovation	2024-0874
Aaxon Laundry	3989 S Jog Rd	2633	Interior Renovation	2024-0587
Retro Fitness	4558 Lake Worth Rd	1547	Interior Renovation	2024-0783
Certified Spine	6415 Lake Worth Rd #307	1598	Tennant Improvement	2023-2290
Ministries in Bethel	3950 S 57 <sup>th</sup> Ave	6,939	House of Workship	2021-0365

**3) ADMINISTRATION:**

- c) Researched and completed Fifty-Six (59) lien searches providing open and/or expired permit information.
- d) Researched and completed Twenty (23) records requests for historical permits.

**4) PERMITS/INSPECTIONS:**

PERMITS/INSPECTIONS	DURING THIS PERIOD	FYTD 2025
New Applications Received / Permits Created	209	835
Applications Approved	151	465
Applications Canceled	3	14
Applications Denied	0	1
Applications Reopened	2	5
Permits Issued	200	775
Permits Completed	222	807
Permits Canceled	4	22
Permits Reopened	49	170
Permits Expired	20	70
Inspections Performed	454	2,257
Construction Value of Permits Issued	\$2,764,015.57	\$12,846,832.4
Construction Reinspection Fees	\$1,050.00	\$3,500
Extension/Renewal Fees	\$2,714.52	\$7,947.18
CO's Issued	1	9
CC's Issued	1	1
Temporary CO's Issued	0	0

**3) BUSINESS AND CONTRACTOR REGISTRATION:**

(See Attached Summary Reports)

**4) PERMIT APPLICATIONS IN PLAN REVIEW – PRINCIPAL NEW OR REMODEL PROJECTS:**

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT#
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Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 8 Units	2025-0823
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 7 Units	2025-0822
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 5 Units	2025-0809
Blossom Trail	5595 S Haverhill Blossom Trl		New TWH Master 6 Units	2025-0821
La Tapatia Market	2962 S Jog Rd	15705	Interior Renovation	2025-0799
La Tapatia Market	2980 S Jog Rd	3879	Interior Renovation	2025-0769
SFH	229 Martin Ave	3393	New SFH	2025-0173
El Rey Del Taco	5283 Lake Worth Rd	2,857	Interior Renovation	2025-0488
SFH	145 Walker Ave	2,051	New SFH	2025-0146

### 5) PROJECTS IN PROGRESS – PRINCIPAL REMODELING/RENOVATION:

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT #
Dress 4 Success	6832 Forest Hill Blvd	6174	Interior Renovation	2025-0182
WIC (City Job)	5985 10 <sup>th</sup> Ave N		Bathroom Renovation	2025-0174
SFH	533 Broward Ave	1,870	New SFH	2024-2848
Duffy's	6848 Forest Hill Blvd	1,530	Interior Remodel	2025-0275
Medimore Md	6334 Forest Hill Blvd	1,130	Interior Remodel	2024-2513
El Car Wash	6200 Lake Worth Rd	3,724	Construct Car Wash	2023-2487
Chik fil A	6802 Forest Hill Blvd	4,997	New Construction	2024-0270
Gastro Health	6125 Lake Worth Rd	238	Interior Renovation	2024-0874
Aaxon Laundry	3989 S Jog Rd	2633	Interior Renovation	2024-0587

Retro Fitness	4558 Lake Worth Rd	1547	Interior Renovation	2024-0783
Certified Spine	6415 Lake Worth Rd #307	1598	Tennant Improvement	2023-2290
Ministries in Bethel	3950 S 57 <sup>th</sup> Ave	6,939	House of Workship	2021-0365

**CITY OF GREENACRES**  
**Licensing Revenue Summary Report**  
 Licensing Revenue Summary Report - Summary  
 From Date: 02/01/2025 - To Date: 02/28/2025

Charge Code	No. of Billing Transactions	No. of Adjustment Transactions	Billed Amount	Adjustments	Net Billed
License Type: Food Service-Food Service / Bar / Lounge					
Food-Food Service	1	0	\$127.63	\$0.00	\$127.63
Food Per Seat-Food Per Seat	1	0	\$52.08	\$0.00	\$52.08
License Type Food Service-Food Service / Bar / Lounge Totals	2	0	\$179.71	\$0.00	\$179.71
License Type: General Service-General Service					
General Service-General Service	9	0	\$1,045.98	\$0.00	\$1,045.98
Vending Machine-Amuse/Vending / Coin Operated	1	0	\$1,364.58	\$0.00	\$1,364.58
Com Inspection-Commercial Inspection	7	0	\$525.00	\$0.00	\$525.00
Zoning Review-Zoning Use Review Fees (BTR)	6	0	\$300.00	\$0.00	\$300.00
Transfer-Transfer	1	1	\$9.03	\$2.59	\$11.62
25% Penalty-25% Penalty	2	0	\$58.12	\$0.00	\$58.12
License Type General Service-General Service Totals	26	1	\$3,302.71	\$2.59	\$3,305.30
License Type: Home-Home Based Business					
Home-Home Based Business	9	1	\$732.51	(\$81.39)	\$651.12
Zoning Review-Zoning Use Review Fees (BTR)	3	0	\$150.00	\$0.00	\$150.00
25% Penalty-25% Penalty	1	0	\$20.35	\$0.00	\$20.35
License Type Home-Home Based Business Totals	13	1	\$902.86	(\$81.39)	\$821.47
License Type: Professional-Professional					
Professional-Professional	5	0	\$610.15	\$0.00	\$610.15
Cosmetology-Cosmetology / Barber	2	0	\$81.22	\$0.00	\$81.22
Transfer-Transfer	1	0	\$4.06	\$0.00	\$4.06
License Type Professional-Professional Totals	8	0	\$695.43	\$0.00	\$695.43
License Type: Rental Unit-Rental Unit					
Rental Unit-Rental Unit	18	1	\$726.92	(\$40.61)	\$686.31
25% Penalty-25% Penalty	1	0	\$10.15	\$0.00	\$10.15
License Type Rental Unit-Rental Unit Totals	19	1	\$737.07	(\$40.61)	\$696.46



# License Activity Report

Activity Date Range 02/01/25 - 02/28/25  
Summary Listing

License Type	Category	Application Received	Application Denied	Application Approved	New License Issued	License Renewed	License Revoked	License Cancelled
Food Service - Food Service / Bar / Lounge	Business	1	0	0	0	0	0	0
General Retail - General Retail	Business	0	0	0	1	0	0	0
General Service - General Service	Business	6	0	0	2	2	0	0
General Svc Reg - General Service Registration	Business	1	0	0	1	1	0	0
Home - Home Based Business	Business	3	0	0	4	5	0	0
Professional - Professional	Business	6	0	0	5	2	0	0
Rental Unit - Rental Unit	Business	9	0	0	10	6	0	0
	Grand Totals	26	0	0	23	16	0	0

## Code Enforcement Division

### Code Division Report (February 1, 2025 – February 28, 2025)

CODE ENFORCEMENT	DURING THIS PERIOD	FYTD 2025
Inspections Related to Active Code Cases	233	927
New Cases Started	96	351
Cases Complied	71	256
Current Open Cases	326	1373
Notices Sent	159	636
Illegal Signs Removed from right-of-way	280	2185
Inspections Not Related to Active Code Cases	233	927
Complaints Received and Investigated	8	46
Warning Tickets	4	57

## Code Enforcement - STATS FY 2025

	<u>NOTICES MAILED</u>	<u>SIGNS</u>	<u>INSPECTIONS</u>	<u>COMPLAINTS</u>	<u>WRITTEN WARNINGS</u>
OCTOBER 2024	232	267	284	10	35
NOVEMBER 2024	110	727	134	12	3
DECEMBER 2024	162	527	164	15	42
JANUARY 2025	134	438	202	9	6
FEBRUARY 2025	159	280	233	8	4
MARCH 2025					
APRIL 2025					
MAY 2025					
JUNE 2025					
JULY 2025					
AUGUST 2025					
SEPTEMBER 2025					





## Department Report

**MEETING DATE:** March 17, 2025  
**FROM:** Teri Lea Beiriger, Director of Finance  
**SUBJECT:** Department of Finance Activity Report

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### DEPARTMENT HIGHLIGHTS

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The following report provides activity within the Department of Finance for the reporting period from January 1 through February 28, 2025:

#### General Operations

- Issued 2024 1099's, W2's and 1095's

#### Grants

- Submitted applications for the following grants:
  - Lowe's Hometowns 2025
- Submitted quarterly progress reports on the following grants:
  - 2023 JAG Camera grant (final report)
  - 2024 JAG Camera grant
  - 2022 Opioid Settlement
  - 2022 Safe Street Grant
  - 2024 Firefighter Supplemental
  - ARPA Youth Building
  - FL Dept of Education Youth Program Capital Outlay
  - FL Dept of Environmental Protection Swain Sewer Grant
  - FL Dept of Transportation Chickasaw Rd. Expansion



## Department Report

**MEETING DATE:** March 17, 2025  
**FROM:** Brian Fuller, Fire Chief  
**SUBJECT:** Fire Rescue January and February

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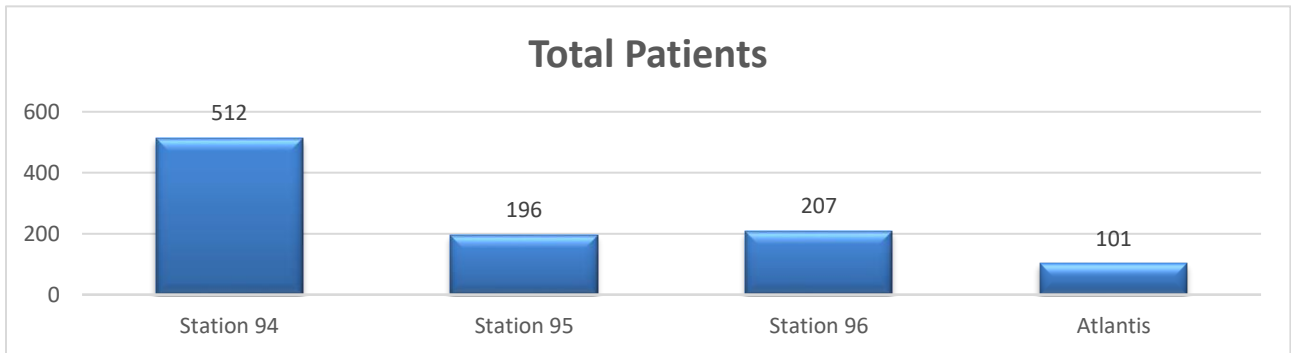
### FR CALLS

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CALLS	MONTHLY TOTALS
Total Alarms dispatched in December	1,039
Average alarms per day	20.78
Total calls this fiscal year	3,048

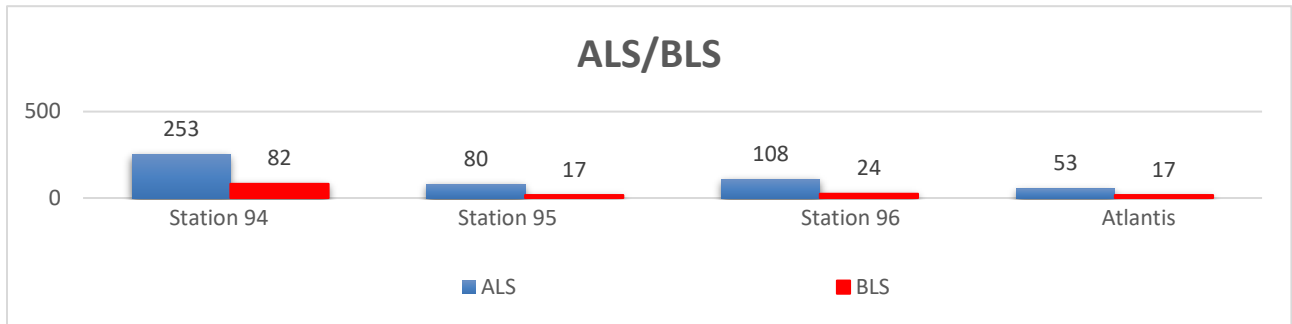
In January and February of 2025, 915 patients were treated for Emergency Medical related services. Of those patients, 101 were in the City of Atlantis. These requests vary from a single unit responding to help an individual who has fallen to the floor, to a cardiac arrest necessitating multiple units, along with a mix of personnel, advanced skills and equipment.

Service Calls, Cancels, and Public Assists totaled 60. The requests include, but are not limited to, persons locked out of home, water evacuation, animal problem, police assist, defective elevator, and canceled due to wrong address.



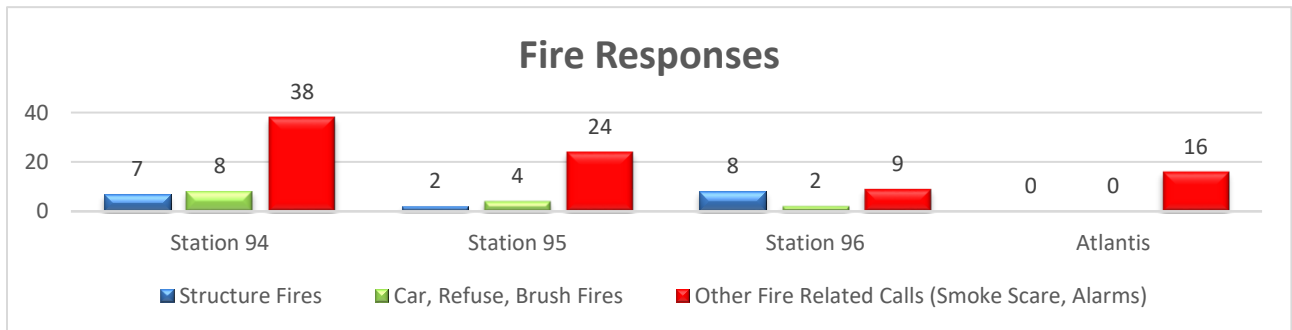
## ALS/BLS

Fire Rescue transported 564 patients to a hospital or 62% of the patients we were called to treat. The majority of those (441) required Advanced Life Support procedures. ALS emergencies require additional personnel, specialized equipment, and skills. Often, an EMT or Paramedic will be taken from the ALS Engine to accompany the one person in the rear of the Rescue to assist with life-saving therapies.

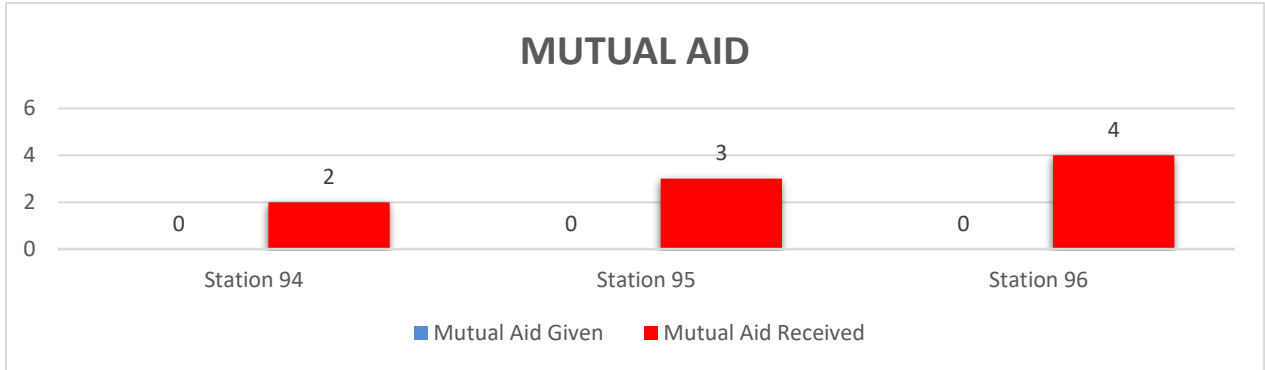


## FIRE RESPONSES

Fire Rescue responded to 71 calls for a fire or smoke related emergency. There were fourteen (14) requiring an escalated response to a car, brush, or refuse fire; seventeen (17) were in a residential or commercial structure.



**MUTUAL AID**

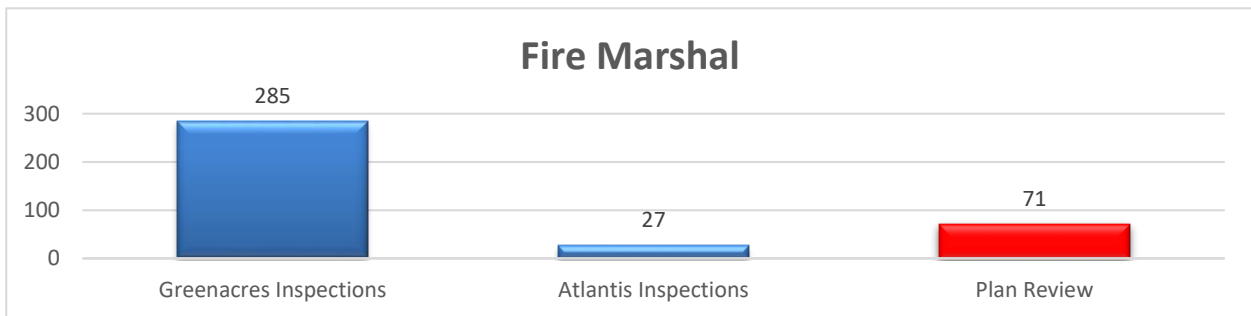


Mutual aid is the sending or receiving of emergency resources (apparatus, personnel) to or from another entity or agency upon request. No community has sufficient resources to handle every emergency of all sizes. Therefore, neighboring agencies work together through a system called Mutual Aid. That system is designed to be limited to large events that tax the resources beyond the normal capabilities of the community.

**FIRE MARSHAL**

Fire Prevention and Protection focuses on protecting people and property from fire through fire safety inspections, fire plans review, fire cause and origin investigations, and public education. In addition, the Fire Marshal provides fire safety lectures, attends land development meetings, and testifies at code enforcement hearings.

Inspections	312
Plans Review	71
Dollar Loss due to fire	\$325,200



**SPECIAL SERVICES**

Blood Pressure Screenings	0
Presentations, Station Tours/Attendees	12/346
Persons Trained in CPR	19



## Department Report

**MEETING DATE:** March 17, 2025

**FROM:** Georges Bayard, Director, Information Technology

**SUBJECT:** Department of Information Technology – January-February 2025 Activity Report

### DEPARTMENT HIGHLIGHTS

The following report provides the highlights of activity within the Information Technology Department for the reporting period from January 1, 2025 - February 28, 2025.

1. CIP 304-091 completed: Installed and configured new server computer hardware for the City's virtual server environment. All virtual servers were migrated, which completes the upgrade of the entire system after last year's data storage upgrade.
2. Completed the upgrade replacement of the City's primary data backup appliance.
3. Completed implementation of Tyler Payments for New World ERP, configured to pass credit card fees for payments made to the Finance department to the customer.
4. Began implementation of new credit card merchant accounts with Vermont Systems RecTrac, to pass credit card fees for payments to the CRS department to the customer.
5. MyGovernmentOnline implementation project continues with the Development & Neighborhood Services Department, to manage all Permitting, Planning & Zoning, Code Enforcement and BTR activities. Staged Go-Live is planned to start June 1, 2025.
6. Training for EasyVote EasyCampaignFinance is complete. City Clerk is configuring the system prior to making it available for use.
7. Solarwinds Service Desk for the Vehicle Maintenance division of Public Works went live.
8. Advanced cybersecurity awareness training completed by all IT personnel, directors, and staff with access to highly sensitive information.
9. Monthly KnowBe4 simulated phishing test results:
  - a. **January:** Links clicked: 5; attachments opened: 0; QR codes scanned: 0. Phish-prone users (vulnerable to phishing attacks): 2.75%, down from 3.31% during the previous month's campaign.
  - b. **February:** Links clicked: 5; attachments opened: 0; QR codes scanned: 0. Phish-prone users (vulnerable to phishing attacks): 2.75%, down from 3.31% during the previous month's campaign.

While the use of Artificial Intelligence (AI) in current real phishing campaigns significantly increases the effectiveness of attackers' messaging, the overall online behavior of City personnel remains more cautious than the average KnowBe4 customer. Users who take potentially dangerous actions will continue to be assigned remedial training to reinforce the secure handling of emails.

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**SERVICE DESK REQUESTS**


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**January 2025**

<b>DEPARTMENT</b>	<b>CURRENT PERIOD</b>	<b>FY 2025 YTD</b>	<b>FY 2025 BUDGET</b>
Administration	18	41	-
Community & Recreation Services	8	24	-
Development & Neighborhood Svcs.	9	35	-
Finance	3	16	-
Fire Rescue	6	20	-
Information Technology	6	18	-
Public Works	4	13	-
Purchasing	4	5	-
Youth Programs	4	24	-
<b>Total Service Desk Requests</b>	<b>62</b>	<b>196</b>	<b>800</b>

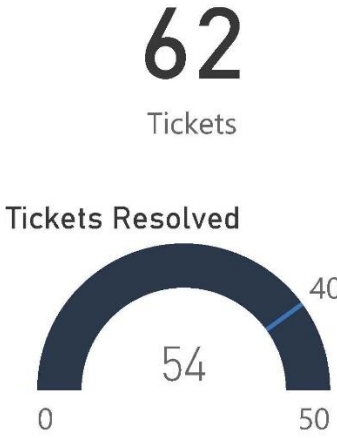
**February 2025**

<b>DEPARTMENT</b>	<b>CURRENT PERIOD</b>	<b>FY 2025 YTD</b>	<b>FY 2025 BUDGET</b>
Administration	24	65	-
Community & Recreation Services	7	31	-
Development & Neighborhood Svcs.	7	42	-
Finance	2	18	-
Fire Rescue	4	24	-
Information Technology	4	22	-
Public Works	4	17	-
Purchasing	2	7	-
Youth Programs	4	28	-
<b>Total Service Desk Requests</b>	<b>58</b>	<b>254</b>	<b>800</b>

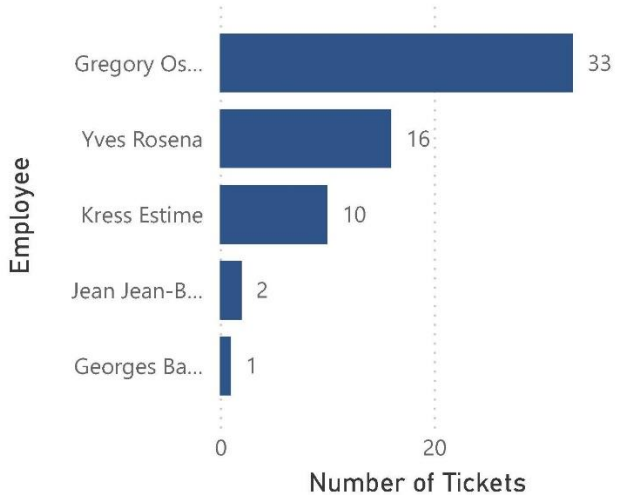


# IT Department Monthly Activity Report - January, 2025

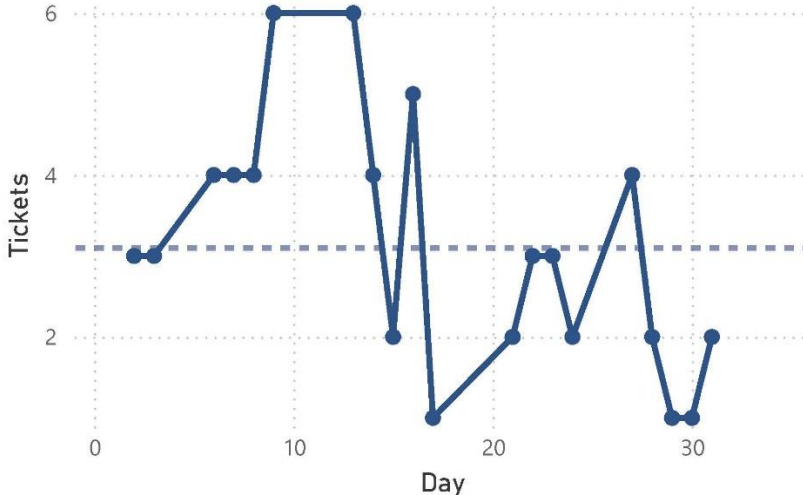
Number of Total Tickets



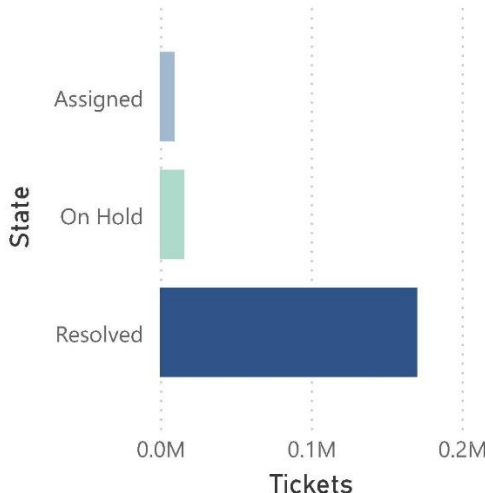
Number of Tickets by Employee



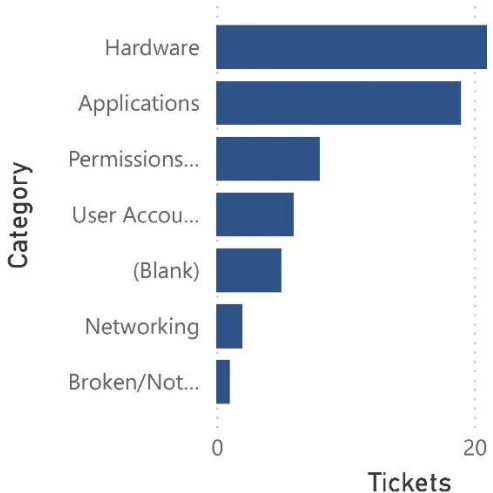
Tickets by Day



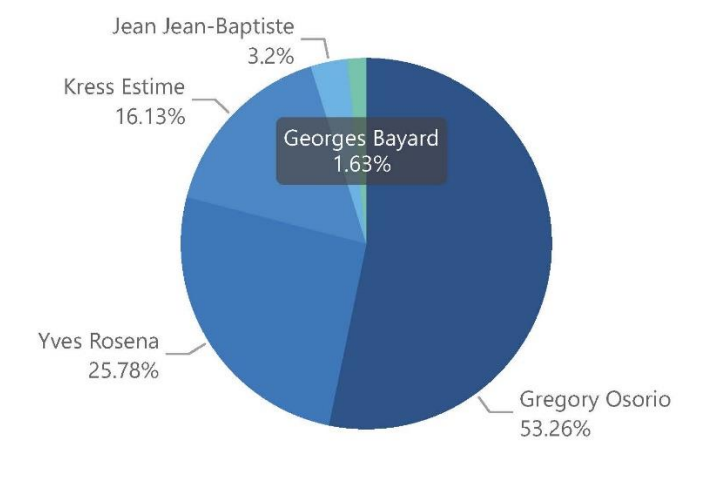
Tickets by State



Tickets by Category

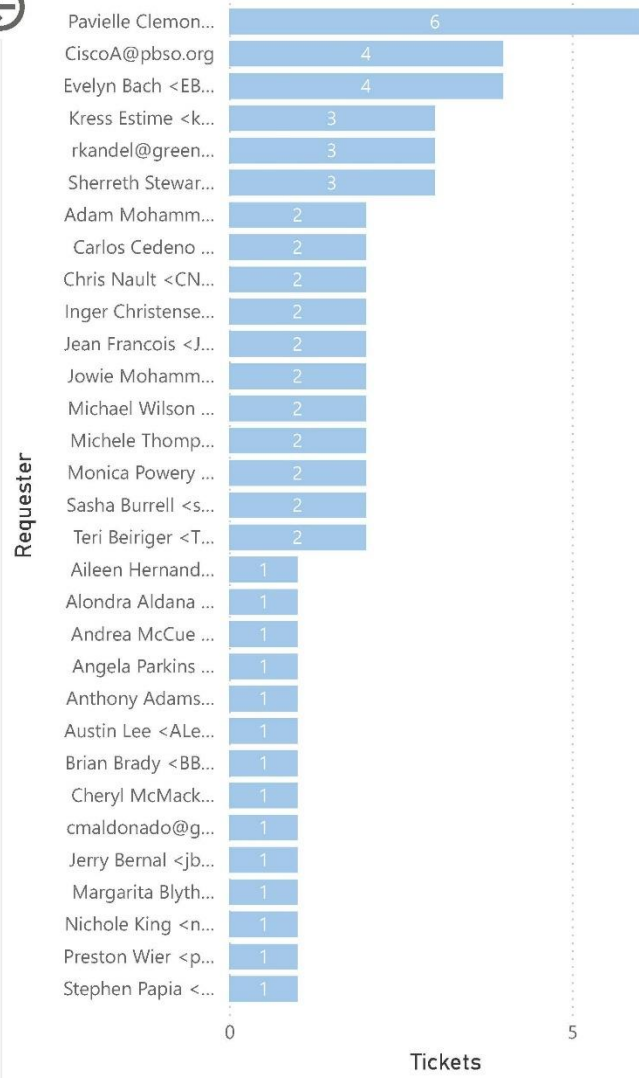


% of Tickets by Employee

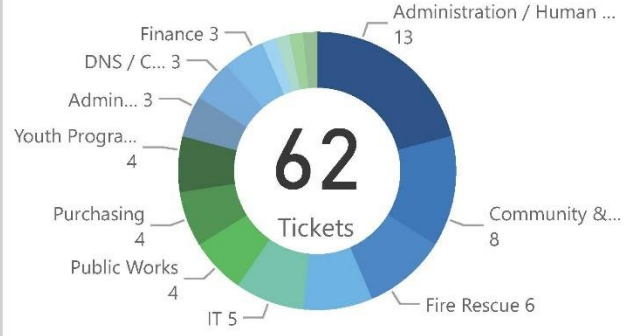




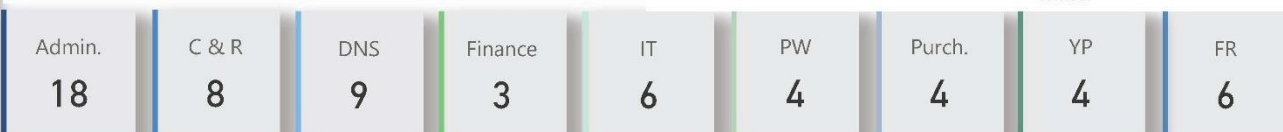
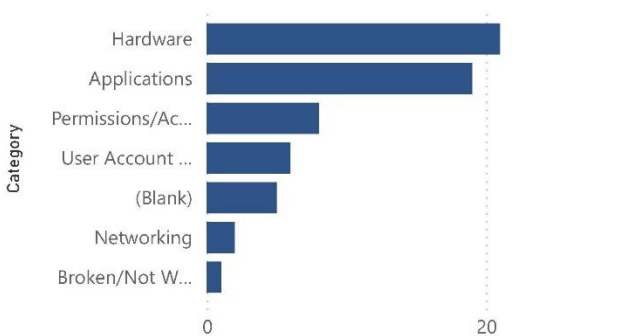
### Tickets by Requester



### Tickets by Department



### Tickets by Category



### Tickets by Subcategory



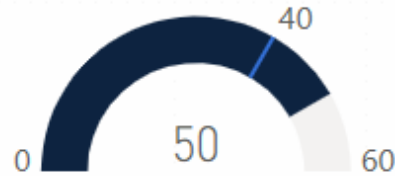


# IT Department Monthly Activity Report - February, 2025

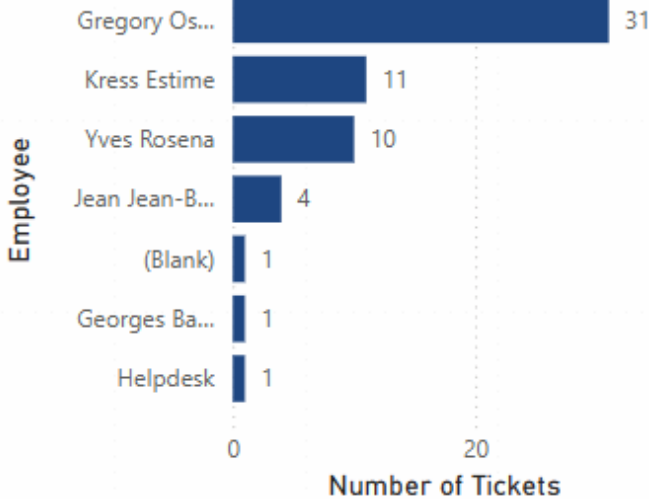
Number of Total Tickets

**58**  
Tickets

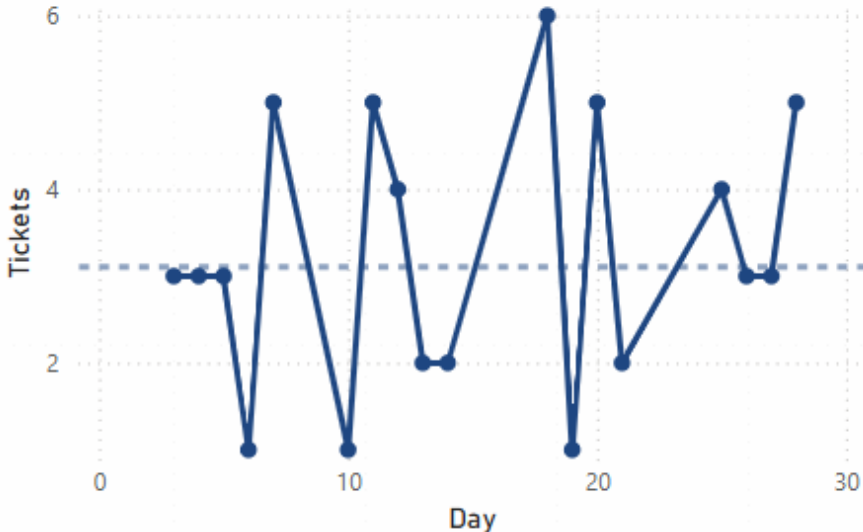
Tickets Resolved



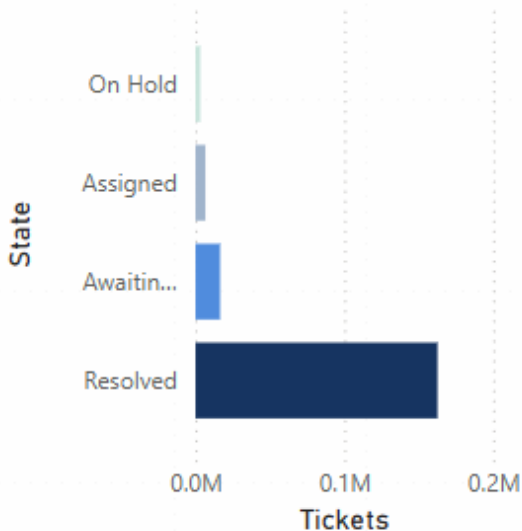
Number of Tickets by Employee



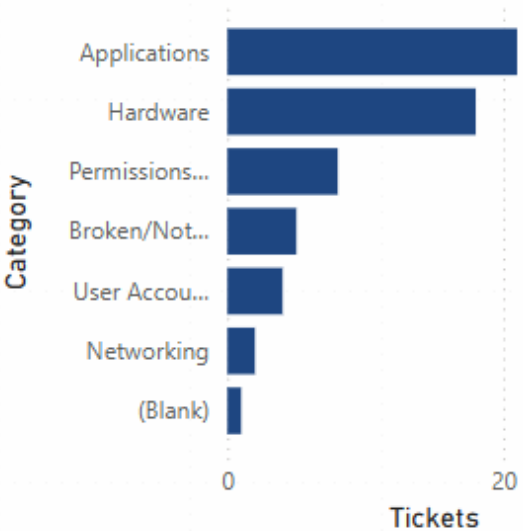
Tickets by Day



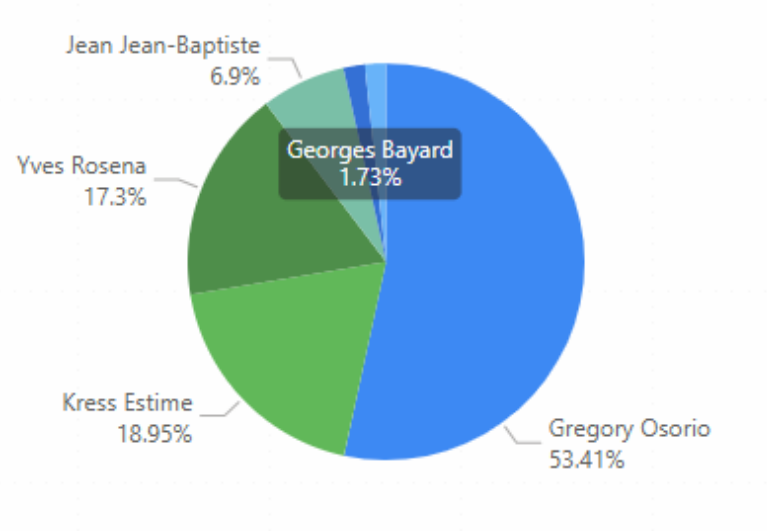
Tickets by State



Tickets by Category



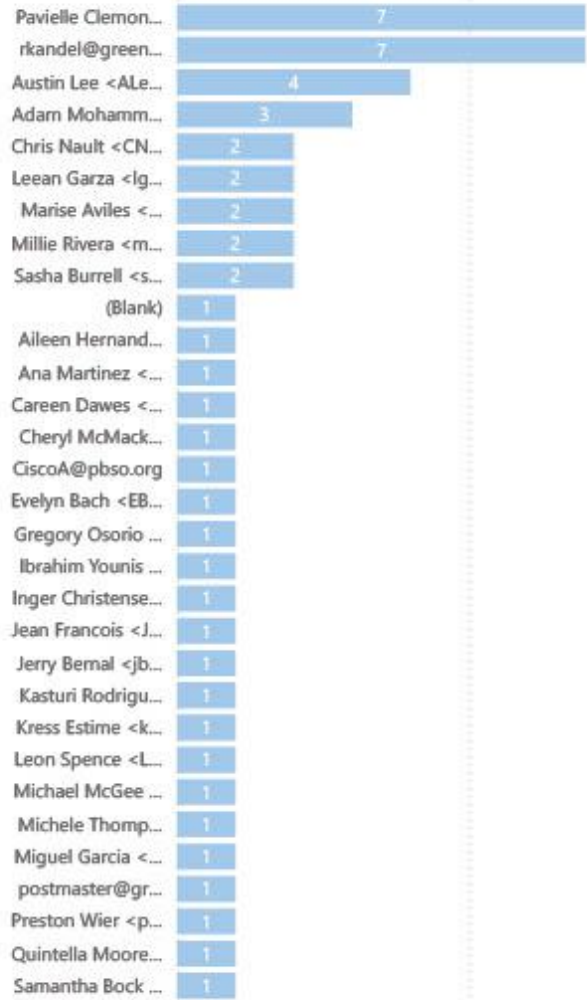
% of Tickets by Employee



### Tickets by Requester



Requester



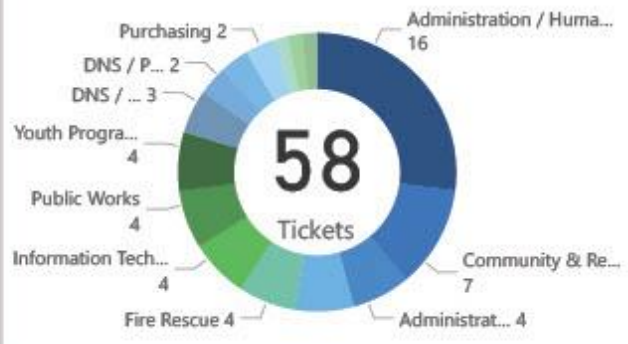
0 Tickets 5

Requesters  
**37**

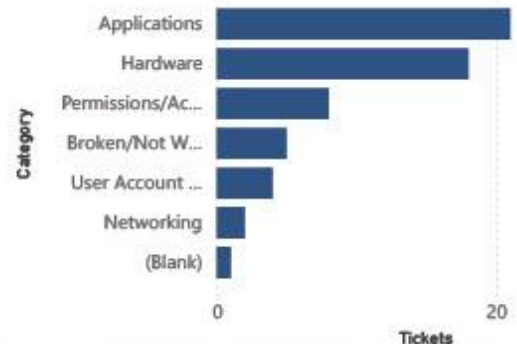
Categories  
**7**

Departments  
**15**

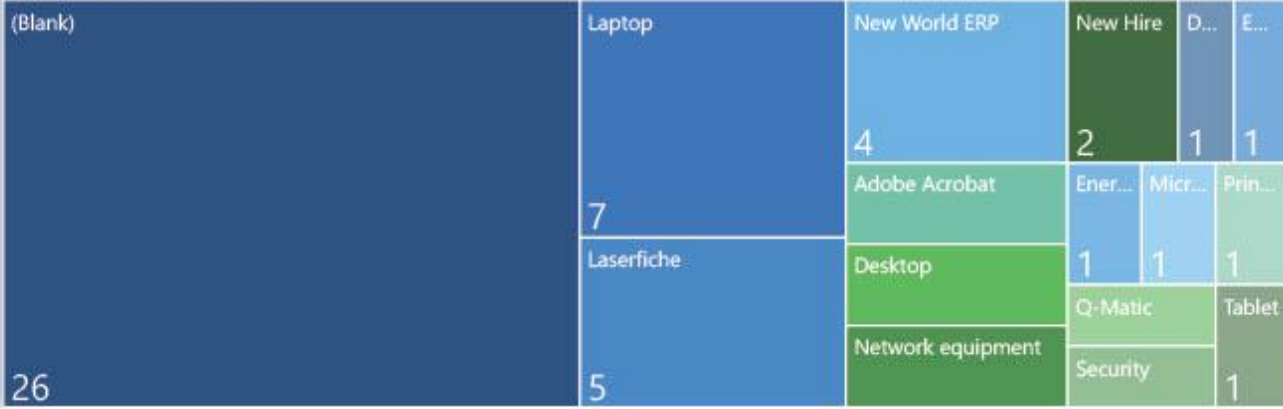
### Tickets by Department



### Tickets by Category



### Tickets by Subcategory





## Department Report

**MEETING DATE:** March 17, 2025  
**FROM:** Captain Craig Turner, PBSO District 16  
**SUBJECT:** PBSO District 16 Report – January 2025

### CAD CALLS

CAD CALLS	MONTHLY TOTALS
Business / Residence Checks	1,366
Traffic Stops	743
Calls for Service	1,804
<b>All CAD Calls - Total</b>	<b>3,913</b>
<b>Total Calls for Service – FY 2025</b> (October 2024 – September 2025)	<b>15,230</b>

Data Source: CADS/Premier 1  
 \*Omit Miscellaneous Calls

*Note: P1 is a dynamic system. Meaning that #'s can change from what was previously reported in the event there is a location or call type re-classification/modification.*

### SUMMARY

During the month, there were 3,913 generated calls within the District and 54% of these calls were self-initiated.

### TRAFFIC ACTIVITY

DISTRICT 16 PERSONNEL	
Total Citations	Total Citations
450	432

Data Source: CAU / TraCS

PBSO MOTORS UNIT	
Total Citations	Total Citations
183	92

Data Source: Traffic Unit

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## COMMUNITY POLICING EVENTS

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- 01/09/25: West Pines Baptist Church Site Review
- 01/11/25: Fiesta De Pueblo
- 01/15/25: Assisted the Department of Agriculture with an illegal possession of a firearm investigation
- 01/29/25: Meeting with the Community Center in reference to upcoming events
- 01/30/25: 2025 Homeless Outreach County Homeless County

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## STREET CRIMES UNIT

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- The Probation Division requested District 16 Street Crimes Unit's assistance in apprehending a suspect for two felony warrants. The suspect was located, taken into custody, and charged accordingly.
- The District 16 Street Crimes Unit made contact with a person loitering. This person was found to be in possession of drug paraphernalia and an active warrant out of Palm Beach County. The person was charged accordingly.
- The District 16 Street Crimes Unit conducted a traffic stop. Probable cause was developed to search the vehicle, where the driver was found in possession of 100g of Marijuana in Tang drink containers with false bottoms, along with paraphernalia for packaging and sale. The driver was recently arrested for the same offense and was charged accordingly.

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## PROPERTY DETECTIVES

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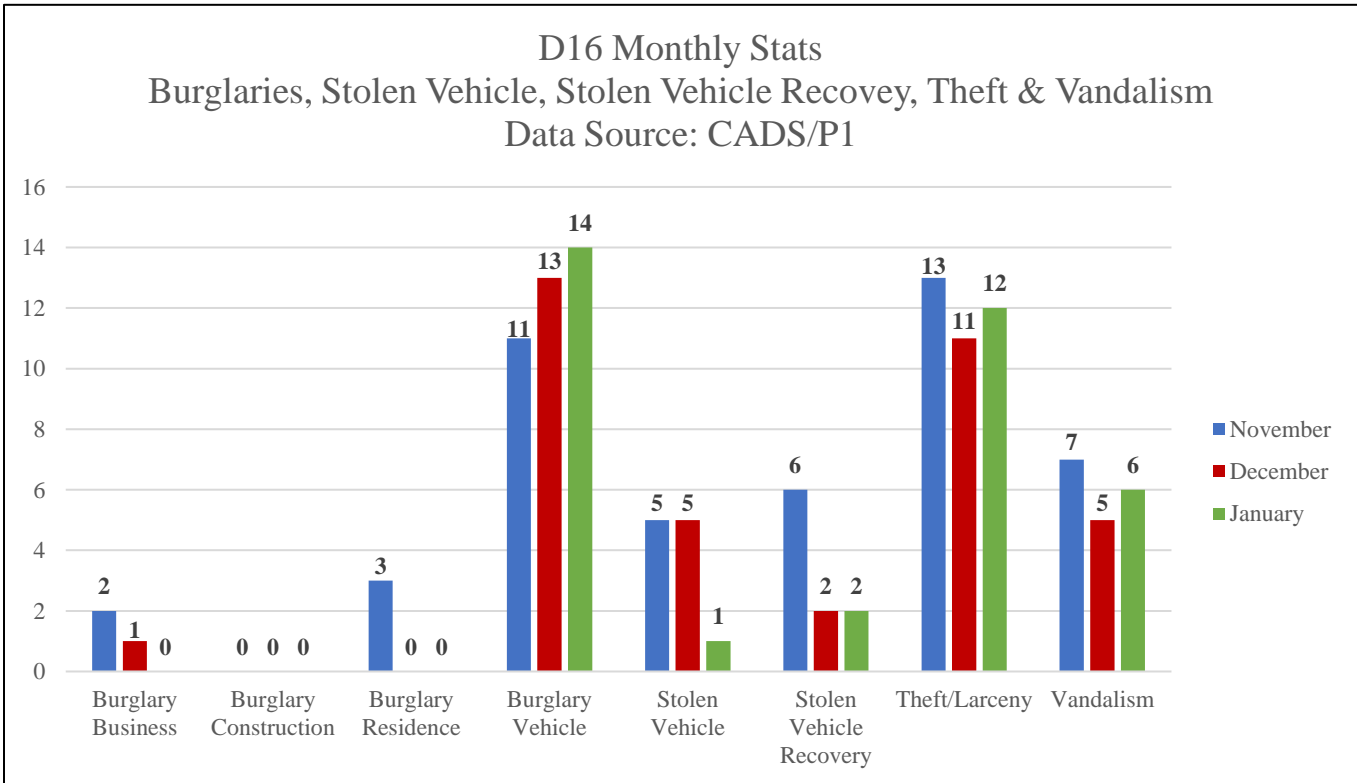
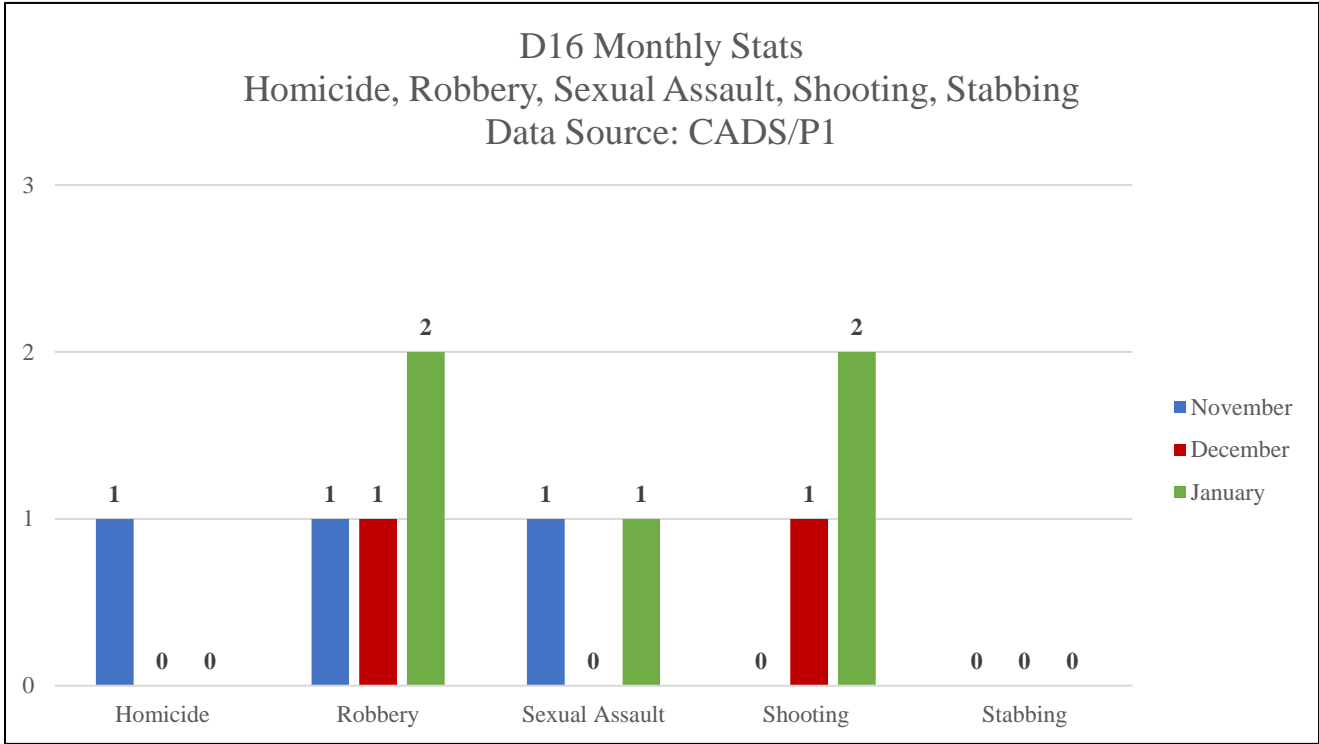
- A vehicle burglary occurred where the rear window of a maintenance van was shattered and various tools within the vehicle were stolen. The suspect was located, identified, and probable cause was established. This case was cleared by arrest.
- Detectives received a case from Easton Police Department in Maryland. The suspect in this case intercepted a check in the mail and deposited it into an account in Greenacres. The cell phone dump for this fraud case was received and thoroughly searched, which confirmed the suspect's involvement. Results were documented and provided to the SAO for an arrest warrant to be issued. This case was cleared by arrest.

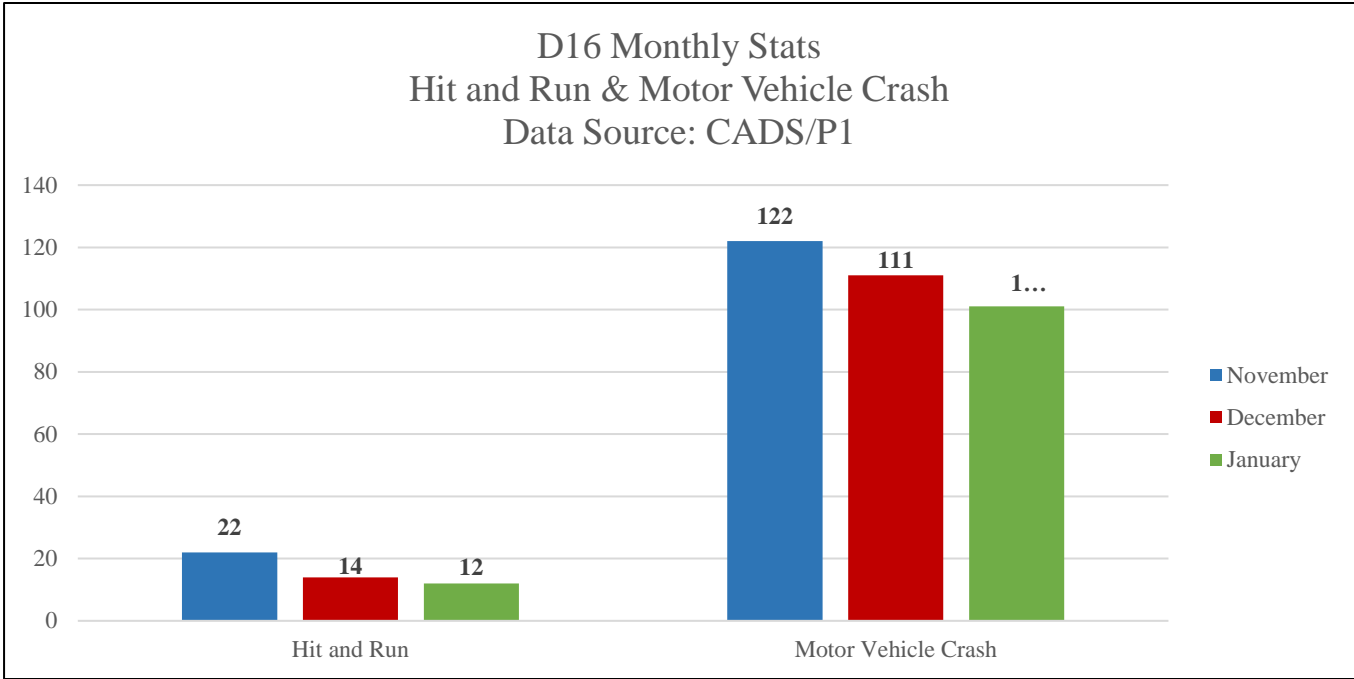
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## DATA ANALYSIS

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The data included in this report is charted and graphed to illustrate and compare changes over a specific time period. These charts and graphs are utilized to assist in determining crime trends and to measure enforcement efforts. This data is utilized in conjunction with other analysis to develop directed patrol and various enforcement activities. The analysis included on these pages is presented as a brief highlight to explain the salient points of this report.





**TOP ACCIDENT LOCATIONS FOR JANUARY 2025 - CASE NUMBER INCIDENTS**

LOCATION	CASE NUMBER COUNT
S Jog Road / Lake Worth Road	8
S Jog Road / Forest Hill Boulevard	8
S Jog Road / 10th Avenue N	6
Purdy Lane / S Jog Road	4
S Haverhill Road / Melaleuca Lane	4
S Haverhill Road / Lake Worth Road	4
S Military Trail / Melaleuca Lane	4



## Department Report

**MEETING DATE:** March 17, 2025  
**FROM:** Captain Craig Turner, PBSO District 16  
**SUBJECT:** PBSO District 16 Report – February 2025

### CAD CALLS

CAD CALLS	MONTHLY TOTALS
Business / Residence Checks	1,229
Traffic Stops	514
Calls for Service	1,655
<b>All CAD Calls - Total</b>	<b>3,398</b>
<b>Total Calls for Service – FY 2025</b> (October 2024 – September 2025)	<b>18,628</b>

Data Source: CADS/Premier 1  
 \*Omit Miscellaneous Calls

*Note: P1 is a dynamic system. Meaning that #'s can change from what was previously reported in the event there is a location or call type re-classification/modification.*

### SUMMARY

During the month, there were 3,398 generated calls within the District and 51% of these calls were self-initiated.

### TRAFFIC ACTIVITY

DISTRICT 16 PERSONNEL	
Total Citations	Total Citations
168	214

Data Source: CAU / TraCS

PBSO MOTORS UNIT	
Total Citations	Total Citations
281	144

Data Source: Traffic Unit



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## COMMUNITY POLICING EVENTS

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- 02/11/25: PBSO Homeless Intervention Meeting with the City of Greenacres Code Enforcement Unit
- 02/12/25: Liberty Elementary District Tour
- 02/12/25: Food Distribution at the Pickwick Mobile Home Park
- 02/13/25: Liberty Elementary District Tour
- 02/13/25: Pickwick Mobile Home Park PBSO Mentorship Room Grand Opening Event
- 02/13/25: Community Partnership Meeting with the City of Greenacres Media Relations Unit
- 02/14/25: Day of Good Deeds Event
- 02/18/25: Career Day at Heritage Elementary School
- 02/20/25: West Pines Baptist Church Site Review Presentation
- 02/27/25: Lunch with Heritage Elementary Mentorship Group

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## STREET CRIMES UNIT

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- The District 16 Street Crimes Unit assisted the District 16 Detective Bureau with executing two residential search warrants simultaneously, as they were located at two separate residences. After executing the first residential search warrant, Detectives established probable cause for the arrest of a suspect who was on scene and placed into custody. The Street Crime Unit detained other occupants then cleared the residence making it safe for detectives to further their search.
- The District 16 Street Crimes Unit received probable cause to arrest a suspect for an armed robbery. The suspect was located, apprehended, and charged accordingly
- The District 16 Street Crimes Unit received probable cause to arrest a suspect for participating in an organized ring of thefts from a business while working as an employee. The suspect was located apprehended, and charged accordingly.

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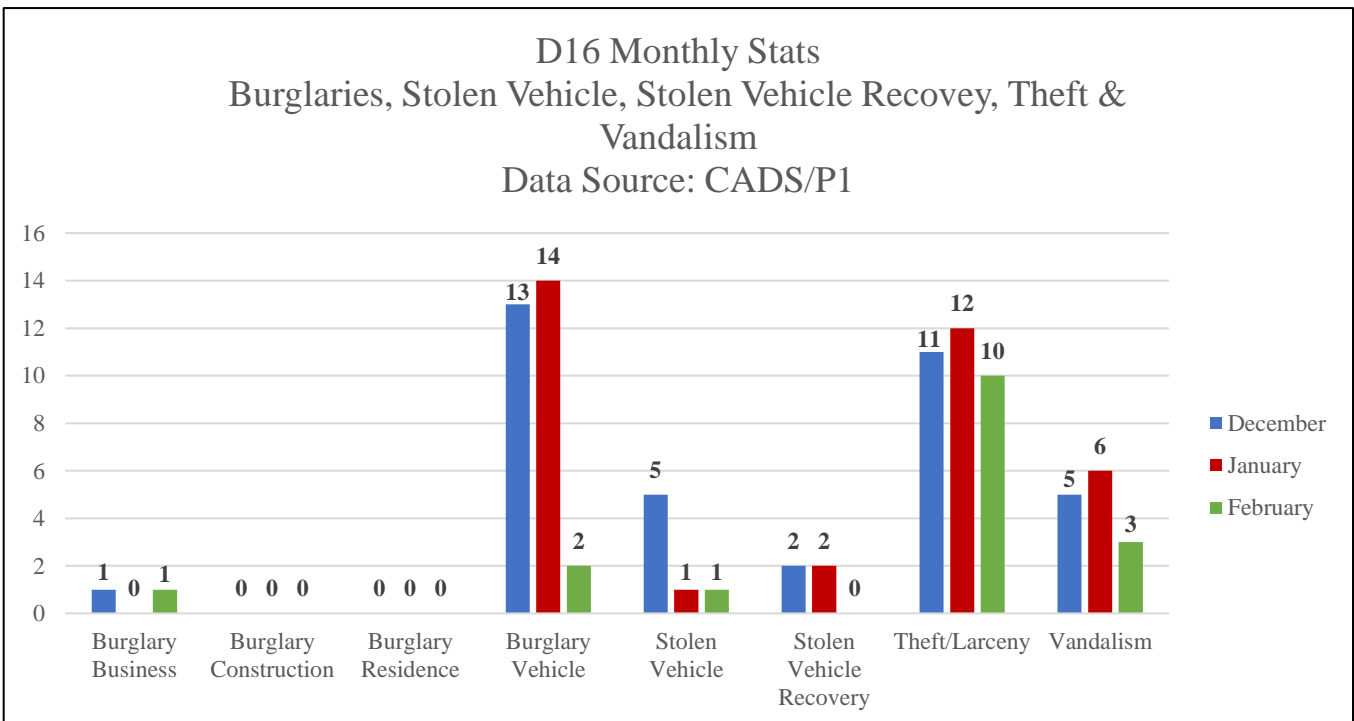
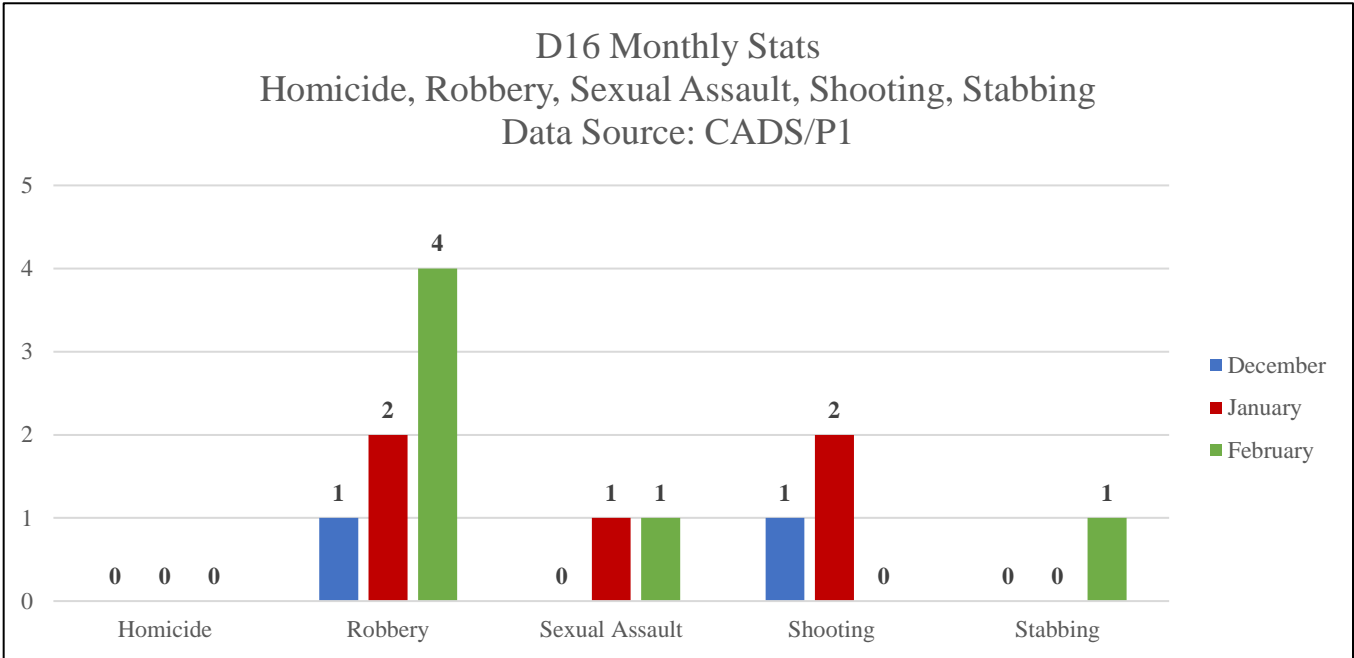
## PROPERTY DETECTIVES

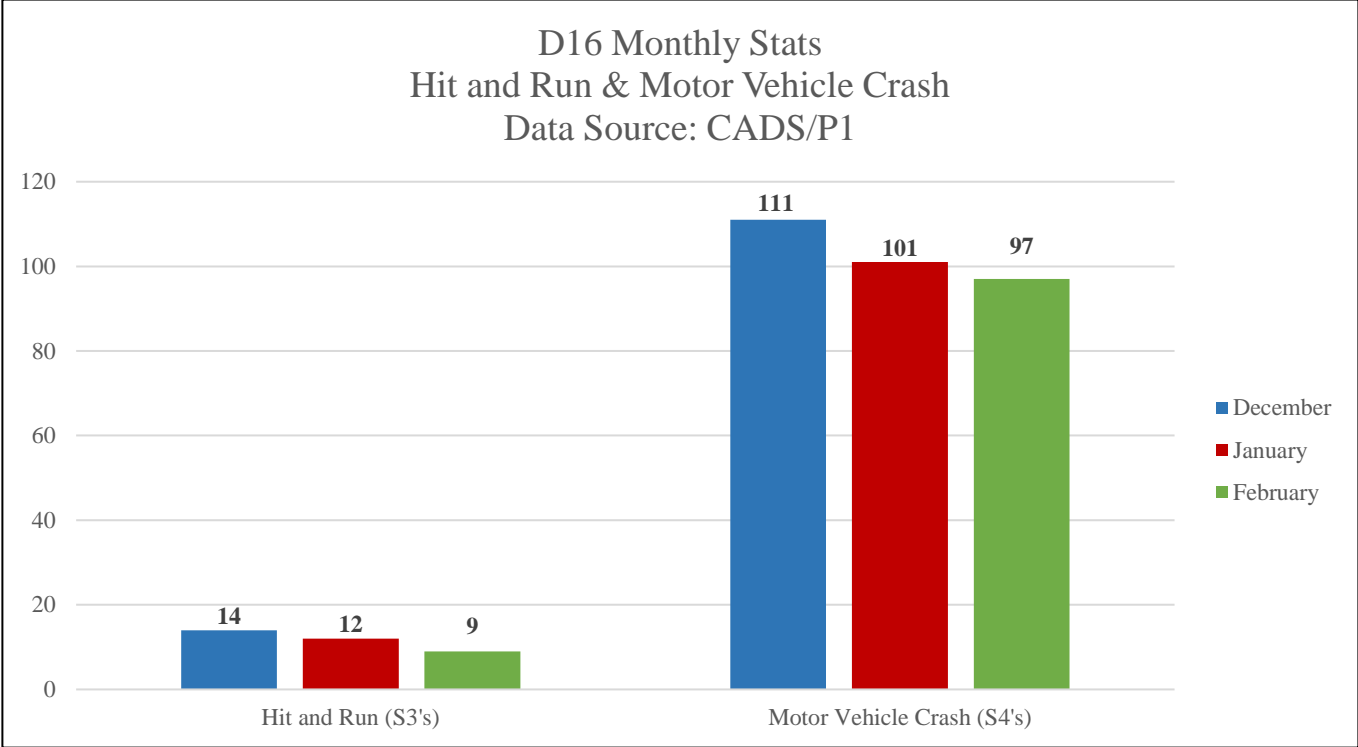
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- A stabbing occurred where Detectives responded to the scene and discovered that the same suspect had committed an armed robbery prior to the stabbing. The suspect was apprehended by road patrol after an Arson incident in District 1. During a post Miranda Interview, the suspect provided a full confession. This case was cleared by arrest.
- A business burglary occurred at city business. An unknown suspect entered the business, reached over the counter to the employee side, took the cash out of the tip jar, and fled on foot. Detectives discovered that the suspect in this case was the same suspect from another robbery that occurred in Greenacres. Probable Cause was established and Detectives worked with VCD to execute a residential search warrant. The District 16 Street Crimes Unit apprehended the suspect, during a post Miranda interview, the suspect provided a full confession. This case was cleared by arrest.
- A vehicle burglary occurred at a business located in the city. A person watched a parent walk into a school without their purse, the suspect parked their vehicle adjacent to a parent's vehicle, and used their driver door as concealment as they burglarized the vehicle. The suspect was identified and probable cause was established. The suspect was located, arrested by the District 16 Street Crimes Unit, and this case was cleared by arrest.

## DATA ANALYSIS

The data included in this report is charted and graphed to illustrate and compare changes over a specific time period. These charts and graphs are utilized to assist in determining crime trends and to measure enforcement efforts. This data is utilized in conjunction with other analysis to develop directed patrol and various enforcement activities. The analysis included on these pages is presented as a brief highlight to explain the salient points of this report.





**TOP ACCIDENT LOCATIONS FOR FEBRUARY 2025 - CASE NUMBER INCIDENTS**

Location	Case Number Count
S Jog Road / Lake Worth Road	8
S Jog Road / Forest Hill Boulevard	8
Lake Worth Road / S Haverhill Road	6
S Military Trail / Melaleuca Lane	6
S Military Trail / Lake Worth Road	5
Forest Hill Boulevard / Olive Tree Boulevard	3
Lake Worth Road / Sherwood Forest Boulevard	3
Melaleuca Lane / S Haverhill Road	3



## Department Report

**MEETING DATE:** March 17, 2025

**FROM:** Carlos Cedeño, Public Works Director

**SUBJECT:** Public Works Department Report

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### DEPARTMENT HIGHLIGHTS

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Listed below is a brief summary of the activities undertaken by the Public Works Department during the period of January 1, 2025 through February 28, 2025.

#### 1. ADMINISTRATION:

- Four (4) new exercise stations were installed around the Municipal Complex Lake.
- Staff coordinated the renovation of rooms 1, 2 and 3 at the Community Center with new flooring, wall guard panels and fresh paint.
- CIP updates:
  - Chickasaw Rd (CIP-233): Final walkthrough and engineering inspection completed. Pending one (1) punch list item and final LWDD and PBC acceptance.
  - Gladiator Lake Drainage Enhancements (CIP-226): Excavation and fill are 80% complete. Final and the installation of the seawall has started. Overall project is 50% complete.

#### 2. ROADS AND DRAINAGE MAINTENANCE

- Approximately 40 linear feet of invasive roots and damaged sidewalks were removed on Broward Ave; sidewalks were replaced.
- Approximately 40 linear feet of invasive roots and damaged sidewalks were removed on Chickasaw Circle; sidewalks were replaced
- Two (2) LED radar signs on Empire Way and one (1) on Sherwood Forest Blvd were replaced.
- A hazardous Slash Pine tree struck by lightning was removed on the edge of a nature preserve area.
- Two (2) chlorine/rust deterrent pumps were replaced on irrigation stations on Jog Road medians.
- Lake Worth Rd, Jog Rd, and 10<sup>th</sup> Ave, Haverhill Rd, and Forest Hill Blvd medians were fertilized.

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**3. VEHICLE MAINTENANCE**

- Staff attended the “*Workplace Safety Training*” hosted by Human Resources and “*Fire Extinguisher*” training by the Fire Department.
- Implemented a new service portal for all City-wide vehicle maintenance and repair requests, for a more efficient and better reporting process.
- Preventative maintenance was performed on eighteen (18) Fire Rescue vehicles and eight (8) DNS vehicles.
- Prepared new Toyota Rav-4 Prime (plug in hybrid) and delivered to the CRS Department for use.

**4. BUILDING SERVICES**

- Coordinated the annual Fire Sprinkler inspections of City buildings.
- Staff coordinated the duct cleaning and installation of new ceiling tiles in the Council Chambers.
- Staff assisted with the set up and take down of the Fiesta del Pueblo Event.
- Staff attended the “*Workplace Safety Training*” hosted by Human Resources and “*Fire Extinguisher*” training by the Fire Department.

**5. PARKS MAINTENANCE**

- Exercise stations at Freedom Park, Community Park, Bowman Park and the IVB Playground were re-mulched.
- Landscape beds at City Hall and the Community Center were re-mulched.
- Staff assisted with the set up and take down of the Fiesta del Pueblo Event.
- Staff excavated, prepared and installed heavy duty plastic grid and split rail fencing area at Freedom Park for better parking access.



## Department Report

**MEETING DATE:** March 17, 2025

**FROM:** Monica Powery, Director, Purchasing

**SUBJECT:** Department of Purchasing Activity Report

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### DEPARTMENT HIGHLIGHTS

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The following report provides the highlights of activity within the Department of Purchasing for the reporting period from January 1 through February 28.

- a. 24-021 Progressive Design/Build- Emergency Operations Center – This RFQ was advertised on May 29, 2024 and closed on July 1, 2024 with eight (8) proposals received. The Selection Committee met on July 25, 2024, to review, discuss and shortlist the proposals received. Three (3) proposers were shortlisted. On August 6, 2024, the Selection Committee conducted site visits of EOCs completed by each proposer. On August 8, 2024, the Selection Committee met for presentations and the final evaluation. The Selection Committee has recommended awarding the project to Kaufman Lynn Construction, Inc. Legal is currently in the process of drafting the agreement.
  
- b. 25-001 Continuing Professional Consulting Services (CCNA) – This RFQ for Continuing Professional Consulting Services was advertised on September 1, 2024, and closed on October 3, 2024 with thirty-one (31) companies submitting proposals. The Selection Committee met on November 20, 2024 to review, discuss and shortlist the proposals received. The Selection Committee Meeting met on December 4, 2024 to disclose the short-list tabulation and determine the final number of companies to be short-listed for each discipline. Per the RFQ, the Selection Committee may choose to either have the shortlisted companies present or provide a written response to follow-up questions. The Committee chose to have presentations for the following disciplines: Architectural Design; Civil Engineering; Landscape Architect (Includes Land Planning); and Transportation Engineering. The Committee chose to ask follow up questions for the following disciplines: Construction Engineering and Inspection (CEI) Services; Geo-Technical, Construction Materials Testing and Inspection Services; Structural Engineering Design and Consulting; and Surveying and Mapping Services. The Selection Committee Meeting met on December 20, 2024 to discuss the presentations and decided whether or not to move forward with the final evaluation. The Committee decided to move forward with the final evaluation for Architectural Design; Civil Engineering; and Landscape Architect (Includes Land Planning). The Committee needed further information from the companies that submitted for Transportation Engineering. The Selection Committee will meet at least two more times in January. The Selection Committee met on January 13, 2025 discuss the shortlisted proposers for the following disciplines: Construction Engineering and Inspection (CEI) Services; Geo-Technical, Construction Materials Testing and Inspection Services; Structural Engineering Design & Consulting and Surveying and Mapping Services. The Selection Committee also continued the discussion on the Transportation Engineering discipline. The Committee decided to move forward with the final evaluation for Construction Engineering and Inspection (CEI) Services; Geo-Technical, Construction Materials Testing and

Inspection Services; Structural Engineering Design & Consulting; Surveying and Mapping Services and Transportation Engineering. The Selection Committee Meeting met on January 22, 2025 to disclose the final evaluation tabulation for all disciplines. The attached tabulation sheet summarizes the committee’s final evaluation ranking and number of awarded firms per discipline. To go before Council for approval at the meeting to be held on March 3, 2025.

- c. Solicitations In Progress – Furniture for New Youth Programs Building and Technology for New Youth Programs Building; Parks Master Plan; Fireworks Display; AV System Upgrade and Equipment Replacement; Rehabilitation of Municipal Complex Pathway; Rehabilitation of SJF Community Park Pathway; and HVAC Unit Wiring at WIC Building.
- d. RFQ 25-004/ADMIN Car Wash Services – This Request for Quote was issued on February 19, 2025 and opens on March 3, 2025.
- e. Training – The Senior Buyer conducted a P-Card training for three (3) new users. The Buyer conducted Purchasing 101 training for the Community and Recreation Services Department which covered topics such as the Procurement Code, Purchasing Procedures, and Purchasing Cards.

**DEPARTMENT ACTIVITY**

ACTIVITY	CURRENT PERIOD	FY 2025 YTD
Purchase Orders Issued	72	322
Purchase Order Amounts	\$ 960,211.70	\$ 32,259,684.95
Solicitations Issued	1	4
Solicitations in Progress	7	-
Central Store Requests	7	17
Contracts Managed	78	78
Purchasing Card Purchases	609	1,403
Purchasing Card Transactions	\$ 100,563.21	\$ 231,540.03
No. of Training Sessions Conducted	2	3
Towing Revenue	\$ 6,298.00	\$ 15,678.00



## Youth Programs Department Monthly Report

**MEETING DATE:** March 17, 2025

**FROM:** Jowie Mohammed, Director of Youth Programs

**SUBJECT:** January & February 2025 Department Report

### PROGRAMMING

- Youth Programs provided daily transportation from the following schools:
  - Elementary: Greenacres, Liberty Park, and Heritage.
  - Middle: L.C. Swain and Okeeheelee.
  - High: John I Leonard (on rainy days).
- January - Eighteen (18) days of after-school provided & three (3); full days of Winter Camp programming from 7:30a.m. - 5:30p.m., including field trips and (3) meals served daily.
- February - Eighteen (18) days of after-school provided & one (1); full day of programming from 7:30a.m. - 5:30p.m.

### PERFORMANCE MEASUREMENTS

PERFORMANCE MEASUREMENT	AVERAGE THIS PERIOD	FY 2025 TO DATE
# of Participants	117	121
# of Participants in Sierra Club ICO	15	15
# of Licenses Coordinated	1	1
# of MOU's Coordinated	1	1
# of Part.'s in Teen Advisory Council (TAC)	8	8
# of Part.'s in TOP Program	40	40
# of Part.'s in Garden Club	34	34
# of Presidential Volunteer Service Hours	2199	2199

### FINANCIAL INFORMATION

GRANTS COORDINATED	AVERAGE THIS PERIOD	FY 2025 TO DATE
Early Learning Coalition	\$14,018.68	\$63,778.51
Parent & Registration Fees	\$17,317.00	\$55,511.00
Youth Services Department SEL Grant	\$7,700.80	\$30,803.20
Textile Funds	\$660.00	\$660.00



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### **C.A.R.E.S REPORT**

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- On 1/02/25 our K-1<sup>st</sup> grade group was able to participate in an intergenerational activity with Elison Independent Living Facility where the Seniors did various activities with the youth such as the reading of a Butterfly book, coloring activities, and a tour of their Garden.
- Throughout the months of January and February, the CARES Junior Garden Club continued to tend to the garden by maintaining the garden by watering plants, trimming plants, keeping the beds fertilized and healthy, and ensuring that the garden is weeded.
- On February 26<sup>th</sup> Youth Programs celebrated Pink Shirt Day where we promoted kindness and raised awareness about bullying prevention. The youth enjoyed various anti bullying activities, pink food/ drinks, and the pink fire truck from Fire Rescue! It was a huge success and wanted to thank everyone for participating around the city!

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### **TEEN PROGRAMS REPORT**

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- In January, the teens in our program participated in a community service project by creating handmade cards for children at Palms West Hospital. These cards featured uplifting messages, creative drawings, and words of encouragement to bring joy and comfort to the young patients. The activity fostered empathy, creativity, and social responsibility while allowing the teens to make a meaningful impact in their community.
- On January 23<sup>rd</sup>, the teens attended the Future Leaders Link-Up, an event focused on leadership development, teamwork, and personal growth. They engaged in activities, discussions, and team-building exercises while networking with peers and gaining insights from guest speakers on leadership, goal setting, and community involvement. The event was inspiring and motivating, with many teens expressing a newfound interest in taking on leadership roles in future initiatives.