



CITY COUNCIL MEETING

City of Greenacres, Florida

Monday, April 18, 2022 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

AGENDA

Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

SPECIAL BUSINESS

1. **Presentation:** Legislative Update. - The Honorable Lori Berman, District 31 and the The Honorable Representative Matt Willhite, District 86.
2. **Presentation:** Preferred Safety and Risk Management Member Award. - Christopher H. Kittleson, Director of Loss Control Technical Services, Preferred Government Insurance Trust.
3. **Presentation:** Art in Public Places. - Kara Irwin-Ferris, Director of Development and Neighborhood Services.

CONSENT AGENDA

4. **Official Minutes:** City Council Special Meeting Minutes, March 29, 2022 and City Council Meeting Minutes April 4, 2022. - Quintella L. Moorer, City Clerk.
5. **Resolution 2022-17:** Authorizing the execution of the FY 2021-2022 interlocal agreement between Palm Beach County and the City of Greenacres for the full reimbursement of emergency medical services grant equipment in the amount of \$9,415.00; and providing for an effective date. - Brian Fuller, Fire Rescue Chief.
6. **Resolution 2022-18:** Supporting and approving the application for funding from the FY2023 Community Project Funding (CPF) through the Federal appropriation process. - Andrea McCue, City Manager.
7. **Resolution 2022-19:** Satisfying certain liens imposed against residential property, pursuant to Section 15-31, City of Greenacres code. - Teri Beiriger, Director of Finance.

- [8.](#) **Resolution 2022-20:** 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. - Suzanne Skidmore, Director of Human Resources.

REGULAR AGENDA

- [9.](#) **PUBLIC HEARING: Ordinance 2022-10: Second Reading:** Repealing Chapter 2 "Administration", Article 3 "Boards, Committees, Commissions", Division 2 "Code Enforcement"; adopting a new article 8 "Code Compliance"; providing for severability, preservation, conflicts, codification and an effective date. - Kara Irwin-Ferris, Director of Development and Neighborhood Services.
- [10.](#) **Ordinance 2022-07: First Reading:** Amending Chapter 16, Article 3, District Regulations, Division 11, Commercial Intensive, Section 16-499(30) and Article 8, off-street parking and loading regulations, Section 16-1336 and Section 16-1338 to add stand alone car wash facility and allow for the use as a Special Exception in the Commercial Intensive (CI) zoning district; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date. - Kara Irwin Ferris, Director of Development and Neighborhood Services.
- [11.](#) **QUASI-JUDICIAL:** Replat of Braman Honda. - Kara Irwin-Ferris, Director of Development and Neighborhood Services.
- [12.](#) Appointment of Councilmember to serve on City Auditor Selection Committee. - Andrea McCue, City Manager.

DISCUSSION ITEM

- [13.](#) Greenacres American Legion Post 258. - Andrea McCue, City Manager.
- [14.](#) Tree Removal and Replacement. - Andrea McCue, City Manager.
- [15.](#) Appointment of Deputy Mayor. - Andrea McCue, City Manager.
- [16.](#) Use of the City's Seal. - Andrea McCue, City Manager.
- [17.](#) Use of City Commemoratives. - Andrea McCue, City Manager.
- [18.](#) Televising Council Meetings. - Andrea McCue, City Manager.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

CITY MANAGER'S REPORT

- [19.](#) Community & Recreation Services Report.
- [20.](#) Development and Neighborhood Services Report.
- [21.](#) Finance Report.
- [22.](#) Fire Rescue Report.
- [23.](#) Information Technology Report.
- [24.](#) PBSO- District 16 Report.
- [25.](#) Youth Programs Report.

CITY ATTORNEY'S REPORT

MAYOR AND CITY COUNCIL REPORT

ADJOURNMENT**Upcoming Council Meetings**

May 2, 2022

May 16, 2022

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 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 Moorner 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.

ZTA-21-07

Art in Public Places

Purpose



“The city recognizes the importance of public art to enhance our public spaces, promote creativity, enhance community vibrancy, and provide the public with more opportunities to experience public art. The purpose of the public art program is to establish a program for the integration of public art into both public and private spaces throughout the city. Public art will add enormous value to the cultural, aesthetic, and economic vitality of our community. It is a well-accepted principle of urban design that public art contributes to a community's identity, fosters community pride and a sense of belonging, and enhances the quality of life for its residents and visitors. The public art fund is accounted separately from other city monies to support the public art program.”

Zoning Text Amendment

- Article IV Supplemental Regulations, Division 3. Public Places
 - Adding Subdivision II – Art in Public Places
 - Purpose
 - Art in Public Places Requirements
 - Application
 - Violation
 - Requirements for art or fee in lieu
 - Review and approval process
 - Art impact fund
 - Maintenance

Art Requirements – How to Fund

- Through CIP projects – percentage of cost to art
- Development Costs
 - \$500,000 cumulative development costs - 1% - 2% to art on site or fund
- Fund
 - Can be used for art purchases for site
 - Fund 25 years of **maintenance** for projects with fund
 - Consultant costs

Art Requirements – Standards and Approval

- Standards for Art – Location and Visibility
 - Integrated
 - Supported
 - Lighting
 - Removal not permitted
- Reviewed by DRC, Approved by City Council
- Board or Committee

Artwork may include:

- (1) Sculpture: Free-standing, wall supported or suspended; kinetic, electronic; in any material or combination of materials.
- (2) Murals or portable paintings: In any material or variety of materials.
- (3) Fiber works, neon, glass, mosaics, photographs, prints, calligraphy, earthworks, any combination of forms of media, including: Light, sound, literary elements, film, holographic images, and video systems; hybrids of any media and new genres.
- (4) Furnishings or fixtures, including, but not limited to: gates, railings, lighting, street lights, signage, seating, if created by artists as unique elements or limited editions.
- (5) Culturally significant elements.
- (6) Temporary artwork or installations, that serve the purpose of providing community and educational outreach.

Artwork may NOT include:

- (1) Art objects which are mass produced or of standard manufacture, such as playground equipment, fountains, statuary elements, signage, maps, corporate logos or other functional elements, unless incorporated into an artwork by an artist commissioned for that purpose.
- (2) Reproductions, by mechanical or other means, of original artwork, except in the cases of limited editions controlled by the artist, cast sculpture, film, video, photography, printmaking, or other media arts.
- (3) Decorative, ornamental, architectural, or functional elements of the architecture or landscape design which are designed by the building architect. as opposed to elements created by an artist commissioned for that purpose. Such elements may be considered artwork when commissioned from an artist as an integral aspect of the structure or site.
- (4) Commercial expression, including design elements related to the visual identity of a developer or occupant of a building such as a logo, trademark iconography, color scheme or theme, even if created by an artist.
- (5) Services or utilities necessary to operate and maintain an artwork over time.



CITY COUNCIL SPECIAL MEETING

City of Greenacres, Florida

Tuesday, March 29, 2022, at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

MINUTES

Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

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

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

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

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

None.

SPECIAL BUSINESS - None.

CONSENT AGENDA - None.

REGULAR AGENDA

- 1. Greenacres Re-districting Alternatives.** - Steven Bourassa, Professor and Chair, Department of Urban and Regional Planning, FAU and James Gammack-Clark, Senior Instructor, Department of Geosciences, FAU.

Deputy Mayor Tharp questioned what would happen should an existing Councilmember move out of the district.

Mayor Flores asked when did the last re-districting occur in the City. Mayor Flores suggested adding a required ten-year review of the districts to the City's Charter.

Councilmember Bousquet was concerned that more than one Councilmember could represent one community.

Councilmember Diaz questioned what would happen if a current Councilmember was taken out of their district, she stated proposal Maps 2, 3 and 4 would remove a current Councilmember.

Mr. James Gammack-Clark stated he considered each Councilmembers current address.

Mr. Gammack-Clark introduced all Staff that assist with the re-districting and thanked the Council for the opportunity.

Mr. Gammack-Clark highlighted the agenda which would include data used, existing districts, future growth, and the discussion of the presented alternatives.

Mr. Gammack-Clark stated the US Census data and housing data was used to generate the maps.

Mr. Gammack-Clark stated they used reasonable population across districts and a maximum of ten percent was not to be exceeded and geographic continuity were perimeters to consider when creating the maps. Population equity was the primary concern.

Mr. Gammack-Clark stated the City's current district boundaries were heavily unbalanced. The goal was to obtain a total of 5,000 residents in each district.

Mr. Gammack-Clark explained their recommendations for each alternative map. He addressed continuity issues and population balances.

Councilmember Dugo questioned the removal of River bridge Plaza out of District 3. Mr. Gammack-Clark stated the removal was necessary to maintain continuity. Councilmember Dugo preferred to leave the River bridge Plaza in District 3.

Mr. Gammack-Clark continued to discuss the various recommendations and changes.

Mayor Flores highlighted that Councilmember Diaz currently lived in District 4, but the alternatives presented would remove her from District 4. Mr. Gammack-Clark recommended not selecting any alternative maps that would require her to move. Mr. Torcivia stated Councilmember Diaz would be able to continue out her in term but would need to relocate to a new district after her term expired.

The Council agreed to not split River bridge which were included in alternatives 3 and 4.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to remove alternative map options 2,3 and 4 and discuss the differences between alternatives 1 and 5.

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

Voting Nay: Councilmember Noble.

Councilmember Noble preferred to listen to the entire presentation and then decide.

Mr. Gammack-Clark highlighted alternative 5.

Mr. Gammack-Clark stated in summary that all options maintained a balanced population percentage, continuity, and appropriated deviations.

Mayor Flores thanked Mr. Gammack-Clark for a great presentation.

Councilmember Dugo stated she objected the idea of removing River bridge Plaza out of District 4.

Councilmember Noble and Ms. McCue discussion the future land annexation which would require a ballot question. Councilmember Noble was concerned about northern annexation which would open great city growth.

Councilmember Bousquet suggested more comparison to option 1 and 5. Ms. Gammack-Clark stated there was not much, he said the numbers were similar, but option 5 could be viewed as a better layout, they were very similar not major differences.

Ms. McCue stated options 1 and 5 seemed to be the best options.

Councilmember Noble preferred option 1 and Deputy Mayor Tharp and Councilmember Bousquet preferred option 5.

Councilmember Dugo stated again that she preferred to have River bridge Plaza remain in her district she also mentioned that options 1 and 5 would be agreeable to her.

Mr. Gammack-Clark stated he would not support leaving River Bridge Plaza in the District 4 due to continuity reasons.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to select Alternative map option 1.

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

Voting Nay: Councilmember Noble.

Councilmember Noble made an alternative motion to select option 5 which died.

Ms. McCue stated First reading would take place on April 18.

DISCUSSION ITEM - None.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Mr. Leonard Grant, resident of Two Pine Drive, thanked Ms. McCue for her assistance.

CITY MANAGER'S REPORT

None.

CITY ATTORNEY'S REPORT

None.

MAYOR AND CITY COUNCIL REPORT

None.

ADJOURNMENT

6:59PM.

Joel Flores
Mayor

Quintella Moorer, CMC
City Clerk

Date Approved: _____



CITY COUNCIL MEETING

City of Greenacres, Florida

Monday, April 04, 2022 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

MINUTES

Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

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

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Councilmember Dugo, requested to add a discussion item regarding the City's re-districting alternatives.

Motion made by Councilmember Dugo, Seconded by Councilmember Noble to approve the agenda as amended adding a discussion item regarding re-districting.

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

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

None.

SPECIAL BUSINESS

- 1. Proclamation:** Autism Awareness Month. - Lisa Pugliese-LaCroix, Founder and Nicole Erickson, Coach, of Love Serving Autism.

Mayor Flores accepted the proclamation and thanked Love Serving Autism for their dedication and hard work.

- 2. Presentation:** 2021 President's Volunteer Service Awards. - Jowie Mohammed, Director of Youth Programs and Benjamin Dexter, Youth Programs Supervisor.

Mr. Dexter thanked all of the volunteers and their service and Ms. Thompson presented the President's Volunteer Awards to over twenty volunteers whom had served a

numerous amount of hours each. Mayor Flores thanked all of the volunteers. Photos were taken.

Ms. LaCroix and Ms. Erikson thanked the City for their dedication and hard work and asked any stated volunteers were welcome to participate.

CONSENT AGENDA

- 3. Official Minutes:** City Council Meeting Minutes, March 21, 2022. - Quintella L. Moorner, City Clerk.
- 4. Resolution 2022-07:** Approving the agreement between the city of Greenacres and Zahlene Enterprises, Inc., for construction of asphalt pathway and adjacent swale, irrigation pump system and electrical services for pump, landscaping; authorizing the appropriate city officials to execute the agreement; providing for an effective date. - Monica Powery, Director of Purchasing.
- 5. Write-Offs:** False Fire Alarms Write-off for Pacifica Senior Living. - Teri Beiriger, Director of Finance.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Diaz to approve the Consent Agenda.

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

REGULAR AGENDA

- 6. PUBLIC HEARING: Ordinance 2022-04: Second Reading:** Amending Chapter 16, Article 1, in General, Section 16-1; Article 4, Supplemental District Regulations, Division 2, area and height limitations, Section 16-630; to address the size of accessory structures on large lots and provide regulations for mechanical or architectural equipment placed in the setback; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date. - Kara Irwin-Ferris, Director of Development and Neighborhood Services.

City Clerk Moorner read Ordinance 2022-04 by title.

Ms. Irwin-Ferris stated she presented a in-depth presentation at First Reading on March 21,2022, no changes had been made since that meeting. She stated the City was consistent with nearby properties. Staff recommended approval.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet approve Ordinance 2022-04 on Second reading.

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

- 7. PUBLIC HEARING: Ordinance 2022-05: Second Reading:** Amending Greenacres Code of Ordinance at Chapter 16 Zoning Regulations, Article 2 Administration, Section 33 Public Hearings to include a Development Application Approval and Notice Requirement Chart; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

City Clerk Moorner read Ordinance 2022-05 by title.

Ms. Gardner-Young stated since the First Reading on March 21, 2022 no changes had been made. Staff recommended approval.

Motion made by Councilmember Diaz, Seconded by Deputy Mayor Tharp to approve Ordinance 2022-05 on Second reading.

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

- 8. PUBLIC HEARING: Ordinance 2022-06: Second Reading:** Amending Chapter 7, Health, Sanitation and Nuisances, Article 3, Noise, in General, Section 7-56; to reduce construction hours permitted, permit the City Manager the right to approve noise outside the permitted hours, create new sanitation operation hours, and create new noise limitations on heating, ventilation and air conditioning equipment, and landscaping and yard maintenance power tools; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

City Clerk Moorer read Ordinance 2022-06 by title.

Ms. Gardner-Young stated an amendment to the Ordinance occurred since the last reading. She said the ordinance allowed construction Sunday 9am-6pm for property owners only. She said the City proposed noise restrictions on Holidays. Ms. Gardner-Young proposed restricting garbage commercial use to 250 feet from 10pm to 7am. She mentioned the violations would be enforced by Code Enforcement and PBSO. Staff recommended approval.

Mr. Noble questioned the silent Holiday restriction felt it was unusual. Mayor Flores was not in favor of Holiday restrictions for property owners. The Council agreed with Mayor Flores and Councilmember Noble. The Council agreed to not restrict property owners during holidays and Sundays between the hours of 9am to 6pm.

Mr. Benjamin Wade, resident asked if the projects by owners were permitted. Ms. Gardner-Young stated it depended on the project.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet to approve Ordinance 2022-06 as amended on Second Reading.

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

- 9. PUBLIC HEARING: Ordinance 2022-08: Second Reading:** Amending Chapter 11, Streets, Sidewalks, and other Public Places, Article 5, placement of communications facilities in public rights-of-way, Section 11-101, placement or maintenance of a communications facility in public rights-of-way, to address the requirement for City co-location opportunities on Micro Tower Infrastructure within City rights-of-way; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in code; and providing for an effective date. - Kara Irwin-Ferris, Director of Development and Neighborhood Services.

City Clerk Moorer read Ordinance 2022-08 by title.

Ms. Irwin-Ferris stated there was a minor change specific to Micro Towers in the City. No changes had occurred since the First Reading. Staff recommended approval.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Dugo to approve Ordinance 2022-08 on Second reading.

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

10. Ordinance 2022-10: First Reading: Repealing Chapter 2, Administration" Article, "Boards, Committees, Commission", Division 2 "Code Enforcement", adopting a new Article 8, "Code Compliance", providing for severability, preservation, conflicts, codification and an effective date. - Kara Irwin-Ferris, Director of Development and Neighborhood Services.

City Clerk Moorer read Ordinance 2022-10 by title.

Ms. Irwin-Ferris presented various updates to the Code Enforcement process. She stated some issues were addressed and updated and lien reduction caps were added. Ms. Irwin-Ferris reviewed some of the provisions and discussed various elements to streamline the process and make it user friendly. The Council continued to discuss the proposed process.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Dugo to approve Ordinance 2022-10 as amended to 5 percent for homestead and 10 percent for non homestead and the creation of an amnesty process.

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

Voting Nay: Councilmember Noble.

11. Designation of Deputy Mayor: - Andrea McCue, City Manager.

Ms. McCue explained the appointment process.

Deputy Mayor Tharp said it was an honor to serve, he suggested a review of the Deputy Mayor appointment policy and he nominated Councilmember Bousquet to serve as Deputy Mayor. Councilmember Noble nominated himself as he felt it was his turn since he had not served recently. Councilmember Dugo suggested appointing by district sequence. After lengthy discussions, the Council decided to revisit Council Policy 12 regarding appointment of a Deputy Mayor at the next meeting.

Motion made by Councilmember Bousquet, Seconded by Councilmember Diaz to approve Deputy Mayor Tharp as the 2022-2023 Deputy Mayor. Voting Yea: Deputy Mayor Tharp, Councilmember Diaz, and Councilmember Bousquet.

Voting Nay: Councilmember Noble and Councilmember Dugo.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet to add Council Policy 12 to April 18, 2022 agenda.

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

12. Appointment of Palm Beach Transportation Planning Agency, Alternate Member. -

Andrea McCue, City Manager.

Ms. McCue explained the appointment process.

Motion made by Councilmember Dugo, Seconded by Councilmember Diaz to appoint Councilmember Bousquet as the TPA Alternate Member.

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

13. Appointment of League of Cities Voting Delegate. - Andrea McCue, City Manager.

Ms. McCue explained the appointment.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet to appoint Andrea McCue as the Voting Delegate. Mayor Flores, all of City Council and City Clerk Moorer were appointed as Alternate Voting Delegates.

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

DISCUSSION ITEM**City of Greenacres Re-districting. -** Councilmember Dugo.

Councilmember Dugo stated for the record she was opposed to removing the River Bridge Plaza from District 4 she felt the Plaza was a direct link to the community. She said it was a disservice to the community to divide the community and the plaza. She requested reviewing other options that allowed the community and the plaza remained together. She would like the City Manager to meet with FAU consultants to revisit other options. She said the community did not support the proposal to divide.

Ms. McCue confirmed the issue was continuity.

Motion made by Councilmember Dugo, Seconded by Councilmember Noble to revisit the district alternatives to not divide the River Bridge Plaza from the community.

Voting Yea: Deputy Mayor Tharp.

Voting Nay: Councilmember Diaz and Councilmember Bousquet.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

Mr. Johnny Castro, American Legion requested assistance from the City to support the Greenacres American Legion Post 258.

Councilmember Noble requested a discussion item be added to April 18, 2022 Agenda to discuss assisting Post 258.

Ms. Marie Reddy, Perimeter Drive, requested the City review the Tree removal policy when it related to safety hazards.

Mr. Benjamin Wade, suggested the Council review the City's Charter as it relates to the Deputy Mayor appointment.

Mr. J.M. Millien, Pine Wood Drive addressed the noise level at Rambo Park and he suggested bringing a Film Festival to Greenacres for the residents.

CITY MANAGER'S REPORT – no report.

CITY ATTORNEY'S REPORT – no report.

MAYOR AND CITY COUNCIL REPORT

Mayor Flores requested adding the following discussion items to the April 18, 2022, Agenda:

- 1. Use of City Seal.
- 2. City Coins and commemoratives.
- 3. Live meeting streaming.

ADJOURNMENT

8:38pm.

Joel Flores
Mayor

Quintella Moorer, CMC
City Clerk

Date Approved: _____



ITEM SUMMARY

MEETING DATE: April 18, 2022

FROM: Brian Fuller, Fire Chief, Fire Rescue

SUBJECT: Resolution 2022-17 – FY2021-2022 Interlocal Agreement between Palm Beach County and the City of Greenacres for the Full Reimbursement of Emergency Medical Services Grant

BACKGROUND

The State Department of Health provides grant funds to counties to improve and expand pre-hospital Emergency Medical Services (EMS) in their county and encourages each county to assess countywide needs. Palm Beach County, through the EMS Advisory Council, has established a process for providing licensed emergency medical providers with state trust funds based on the established priorities. The city has been approved for grant funding and will utilize this grant to purchase Medical Patient Care Reporting (MPCR) tablets and associated supplies.

ANALYSIS

The Interlocal Agreement between Palm Beach County and the City of Greenacres provides for the city to be fully reimbursed by the County in the amount of \$9,415.00 for the purchase of eight (8) Handtevy Pediatric Bags, eight (8) Handtevy Medication & Equipment Guides, nine (9) Curaplez Quick-Connect Carriers (scoop stretchers). The Fire Rescue Department will submit for reimbursement under the terms and conditions of the EMS County Grant and this Interlocal Agreement.

FINANCIAL INFORMATION

The Interlocal Agreement between Palm Beach County and the City of Greenacres is 100% reimbursed in the amount of \$9,415.00. This project was included in the FY 2022 Capital Improvement Program.

LEGAL

The resolution has been prepared in accordance with City Code requirements.

STAFF RECOMMENDATION

Approval of the FY 2022 Palm Beach County Interlocal EMS Agreement through the adoption of Resolution 2022-17.

RESOLUTION NO. 2022-17

A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AUTHORIZING THE EXECUTION OF THE FY 2021-2022 INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF GREENACRES FOR THE FULL REIMBURSEMENT OF EMERGENCY MEDICAL SERVICES GRANT EQUIPMENT IN THE AMOUNT OF \$9,415.00; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.01, Florida Statutes, known as the “Florida Interlocal Cooperation Act of 1969” authorizes local governments to make the most efficient use of their powers by enabling them to cooperate with the localities on a basis of mutual advantage and thereby to provide services and facilities that will harmonize geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, Part 1 of Chapter 163, Florida Statutes, permits public agencies as defined therein to enter into Interlocal Agreements with each other to jointly exercise any power, privilege, or authority which such agencies share in common and which each might exercise separately; and

WHEREAS, the Department of Health, Bureau of Emergency Medical Services (DOHEMS) is authorized by Chapter 401, Part II, Florida Statutes, to dispense grant funds. Forty-five percent (45%) of these funds are made available to the sixty seven (67) Boards of County Commissioners (BCC) throughout the State to improve and expand pre-hospital Emergency Medical Services (EMS) in their county; and

WHEREAS, DOHEMS County grants are only awarded to Boards of County Commissioners (BCC), however, each BCC is encouraged to assess its countywide EMS needs and establish priorities before submitting a grant application; and

Resolution No. 2022-17 | Palm Beach County EMS Grant

Page No. 2

WHEREAS, the Palm Beach County has agreed to fully reimburse the City of Greenacres from its FY 2021-2022 EMS State Grant funds for the purchase of Eight (8) Handtevy Pediatric Bags, Eight (8) Handtevy Medication & Equipment Guides, Nine (9) Curaplez Quick-Connect Carriers (scoop stretchers) ; and

WHEREAS, the City of Greenacres agrees to enter the FY 2021-2022 Interlocal Agreement with Palm Beach County and accept said full reimbursement under the terms and conditions of the EMS State Grant and the Interlocal Agreement; and,

WHEREAS, the City Council for the City of Greenacres has determined that entering the FY 2021-2022 Interlocal Agreement with Palm Beach County for EMS reimbursement as stated herein serves a valid public purpose.

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

SECTION 1. The City Council authorizes the execution of the FY 2020-2021 Interlocal Agreement between Palm Beach County and the City of Greenacres for the full reimbursement of Emergency Medical Services Grant Equipment in the amount of \$9,415.00, which is attached hereto as Exhibit "A".

SECTION 2. The City Council further authorizes the appropriate City officials to execute all necessary documents required to effectuate the terms of the Interlocal Agreement.

SECTION 3. This resolution shall be effective upon its adoption.

RESOLVED AND ADOPTED this 2nd of day of May 2022

Joel Flores, Mayor

Voted:
John Tharp, Deputy Mayor

Attest:

Quintella Moorer, City Clerk

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

Voted:
Judith Dugo, Council Member, *District III*

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



ITEM SUMMARY

MEETING DATE: April 6, 2022
FROM: Andrea McCue, City Manager
SUBJECT: Resolution 2022-18 Fiscal Year 2023 Community Project Funding

BACKGROUND

Community Project Funding (CPF), formerly known as earmarks, is a way for members of Congress to submit specific local projects to be included in the annual appropriations bill for funding.

ANALYSIS

Each member of Congress may request up to 15 total CPF's across 12 appropriation accounts. Only non-profits and government entities are eligible for funding. Congresswoman Frankel has had numerous calls with the municipalities she represents requesting projects to submit for consideration. After review of the appropriation guidelines for each account, City staff has determined that the Youth Programs building could be a very viable project considering the Gold Seal, nationally accredited status of the program, the need to expand services in various areas and the alignment with the City's overall vision and strategic priorities. Demand for our program has increased significantly over the last five years, particularly in the teen group as they currently age out of the majority of programs at 12 years of age. The teenage years are a critical and formative time in their lives and the City has made it our goal and mission to ensure that we are able to continue to serve individuals through high school.

FINANCIAL INFORMATION

The City is applying for \$2,000,000.00 in funding to go toward the construction of the new Youth Programs building.

LEGAL

The City Attorney has reviewed the Resolution and supporting documentation for legal sufficiency.

STAFF RECOMMENDATION

Staff is recommending approval of Resolution 2022-18

RESOLUTION NO. 2022-18

A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, SUPPORTING AND APPROVING THE APPLICATION FOR FUNDING FROM THE FY2023 COMMUNITY PROJECT FUNDING (CPF) THROUGH THE FEDERAL APPROPRIATION PROCESS.

WHEREAS, Community Project Funding (CPF), formerly known as earmarks, is a way for Members of Congress to submit specific local projects to be included in the annual appropriations bill for funding; and

WHEREAS, each member of Congress may request up to 15 total CPF's across all 12 appropriation bills; and

WHEREAS, Congresswoman Lois Frankel put out a call to local governments and non-profit organizations in the area for project requests; and

WHEREAS, the City of Greenacres is proposing to address the lack of year-round out-of-school time programming for youth in Middle and High School; and

WHEREAS, the City of Greenacres has a need for additional infrastructure to be constructed to allow for the expansion of the City's Youth Programming; and

WHEREAS, the City of Greenacres is submitting this project to Congresswoman Lois Frankel for potential funding through the Community Project Funding appropriations.

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

SECTION 1. The City Council grants authorization for the submittal of the application to the Office of Congresswoman Lois Frankel for Fiscal Year 2023 Community Project Funding for the Construction of a new Youth Programs Building.

SECTION 2. The City Council further authorizes the appropriate City officials to execute and submit all necessary documents for the Capital Project Funding request.

RESOLVED AND ADOPTED this 18th day of April 2022

Joel Flores, Mayor

Attest:

Quintella Moorer, City Clerk

Voted:
John Tharp, Deputy Mayor

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

Voted:
Judith Dugo, Council Member, *District III*

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



ITEM SUMMARY

MEETING DATE: April 18, 2022

FROM: Teri Lea Beiriger, Finance Director, Department of Finance

SUBJECT: Resolution No. 2022-19 Release of Liens for Solid Waste Collection

BACKGROUND

Section 15-30, City of Greenacres Code, provides for the imposition of liens upon residential properties for the non-payment of City solid waste bills. Section 15-32, City of Greenacres Code, provides for release of the liens when accounts are paid in full.

ANALYSIS

Seventy-three (73) liens on nine (9) solid waste accounts totaling \$42,270.94 have been paid in full. The attached Resolution No. 2022-19 releases those seventy-three (73) liens on nine (9) accounts.

FINANCIAL INFORMATION

Liens amounting to \$42,270.94 have been paid in full and are proposed for release.

LEGAL

The resolution has been prepared in accordance with all applicable City regulations.

STAFF RECOMMENDATION

Approval of Resolution No. 2022-19.

RESOLUTION NO. 2022-19**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, SATISFYING CERTAIN LIENS IMPOSED AGAINST RESIDENTIAL PROPERTY, PURSUANT TO SECTION 15-31, CITY OF GREENACRES CODE.**

WHEREAS, the City Council of Greenacres, Florida, adopted Resolutions contained in the list, attached hereto as Exhibit "A", imposing liens upon certain residential properties for the owners' failure to pay for the collection and disposal of garbage, recyclable materials and vegetative waste as required by Section 15-26, City of Greenacres Code; and

WHEREAS, the owners of the residential properties contained in Exhibit "A", have brought their accounts current for the payment of the debts and charges for the collection and disposal of garbage, recyclable materials and vegetative waste, plus applicable interest, and administrative fees.

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

SECTION 1. Under the terms of Section 15-32, City of Greenacres Code, residential properties contained in the list supplied by the Finance Department of Greenacres, Florida, attached to this Resolution as Exhibit "A", have satisfied their imposed liens as recorded with the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Official Records Book.

SECTION 2. This Resolution shall be recorded in the Public Records of Palm Beach County, Florida, and shall have the effect of releasing said liens against those residential properties contained in the list attached hereto as Exhibit "A" only.

RESOLVED AND ADOPTED this 18th of day of April, 2022.

Joel Flores, Mayor

Voted:
John Tharp, Deputy Mayor

Attest:

Quintella Moorer, City Clerk

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

Voted:
Judith Dugo, Council Member, *District III*

Voted:
Suzy Diaz, Council Member, *District IV*

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

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney

City of Greenacres Solid Waste Collections
RELEASE OF LIENS

Resolution #2022-19

Exhibit A

Through March 31, 2022

Account Number	PCN	Customer Name	Property Address	Lien #	Lien Amount	Lien Pd
01492-001	18-42-44-23-02-008-0040	Gatchell, David	3061 Martin Ave, Greenacres, FI 33463	2011-39	\$ 2,805.03	by 3/31/2022
01492-001	18-42-44-23-02-008-0040	Gatchell, David	3061 Martin Ave, Greenacres, FI 33463	2012-25	\$ 2,298.43	by 3/31/2022
01492-001	18-42-44-23-02-008-0040	Gatchell, David	3061 Martin Ave, Greenacres, FI 33463	2014-05	\$ 4,066.69	by 3/31/2022
01492-001	18-42-44-23-02-009-0020	Gatchell, David	3040 Martin Ave, Greenacres, FI 33463	2015-46	\$ 509.81	by 3/31/2022
01492-001	18-42-44-23-02-009-0030	Gatchell, David	3050 Martin Ave, Greenacres, FI 33463	2015-46	\$ 509.81	by 3/31/2022
01492-001	18-42-44-23-02-009-0040	Gatchell, David	3060 Martin Ave, Greenacres, FI 33463	2015-46	\$ 509.81	by 3/31/2022
01492-001	18-42-44-23-02-009-0050	Gatchell, David	3070 Martin Ave, Greenacres, FI 33463	2015-46	\$ 509.81	by 3/31/2022
01492-001	18-42-44-23-02-009-0060	Gatchell, David	3080 Martin Ave, Greenacres, FI 33463	2015-46	\$ 509.81	by 3/31/2022
01492-001	18-42-44-23-02-008-0040	Gatchell, David	3061 Martin Ave, Greenacres, FI 33463	2015-46	\$ 764.70	by 3/31/2022
01492-001	18-42-44-23-02-008-0050	Gatchell, David	3073 Martin Ave, Greenacres, FI 33463	2015-46	\$ 764.70	by 3/31/2022
01492-001	18-42-44-23-02-008-0060	Gatchell, David	3091 Martin Ave, Greenacres, FI 33463	2015-46	\$ 509.81	by 3/31/2022
01492-001	18-42-44-23-02-008-0070	Gatchell, David	3101 Martin Ave, Greenacres, FI 33463	2015-46	\$ 509.81	by 3/31/2022
01492-001	18-42-44-23-02-008-0040	Gatchell, David	3061 Martin Ave, Greenacres, FI 33463	2017-40	\$ 8,303.42	by 3/31/2022
07329-001	18-42-44-23-02-019-0010	Gatchell, David	3023 Jackson Ave, Greenacres, FI 33463	2010-35	\$ 180.67	by 3/31/2022
07329-001	18-42-44-23-02-019-0010	Gatchell, David	3023 Jackson Ave, Greenacres, FI 33463	2011-39	\$ 260.39	by 3/31/2022
07329-001	18-42-44-23-02-019-0010	Gatchell, David	3023 Jackson Ave, Greenacres, FI 33463	2012-25	\$ 300.43	by 3/31/2022
07329-001	18-42-44-23-02-019-0010	Gatchell, David	3023 Jackson Ave, Greenacres, FI 33463	2013-36	\$ 342.91	by 3/31/2022
07329-001	18-42-44-23-02-019-0010	Gatchell, David	3023 Jackson Ave, Greenacres, FI 33463	2014-29	\$ 390.66	by 3/31/2022
07329-001	18-42-44-23-02-019-0010	Gatchell, David	3023 Jackson Ave, Greenacres, FI 33463	2015-46	\$ 464.08	by 3/31/2022
07329-001	18-42-44-23-02-019-0010	Gatchell, David	3023 Jackson Ave, Greenacres, FI 33463	2017-14	\$ 755.83	by 3/31/2022
07329-001	18-42-44-23-02-019-0010	Gatchell, David	3023 Jackson Ave, Greenacres, FI 33463	2018-10	\$ 602.69	by 3/31/2022
07330-001	18-42-44-23-02-019-0020	Gatchell, David	3039 Jackson Ave, Greenacres, FI 33463	2010-35	\$ 180.67	by 3/31/2022
07330-001	18-42-44-23-02-019-0020	Gatchell, David	3039 Jackson Ave, Greenacres, FI 33463	2011-39	\$ 260.39	by 3/31/2022
07330-001	18-42-44-23-02-019-0020	Gatchell, David	3039 Jackson Ave, Greenacres, FI 33463	2012-25	\$ 300.43	by 3/31/2022
07330-001	18-42-44-23-02-019-0020	Gatchell, David	3039 Jackson Ave, Greenacres, FI 33463	2013-36	\$ 342.91	by 3/31/2022
07330-001	18-42-44-23-02-019-0020	Gatchell, David	3039 Jackson Ave, Greenacres, FI 33463	2014-29	\$ 390.66	by 3/31/2022
07330-001	18-42-44-23-02-019-0020	Gatchell, David	3039 Jackson Ave, Greenacres, FI 33463	2015-46	\$ 464.08	by 3/31/2022
07330-001	18-42-44-23-02-019-0020	Gatchell, David	3039 Jackson Ave, Greenacres, FI 33463	2017-14	\$ 755.83	by 3/31/2022
07330-001	18-42-44-23-02-019-0020	Gatchell, David	3039 Jackson Ave, Greenacres, FI 33463	2018-10	\$ 602.69	by 3/31/2022
07331-001	18-42-44-23-02-019-0030	Gatchell, David	3043 Jackson Ave, Greenacres, FI 33463	2010-35	\$ 180.67	by 3/31/2022
07331-001	18-42-44-23-02-019-0030	Gatchell, David	3043 Jackson Ave, Greenacres, FI 33463	2011-39	\$ 260.39	by 3/31/2022
07331-001	18-42-44-23-02-019-0030	Gatchell, David	3043 Jackson Ave, Greenacres, FI 33463	2012-25	\$ 300.43	by 3/31/2022
07331-001	18-42-44-23-02-019-0030	Gatchell, David	3043 Jackson Ave, Greenacres, FI 33463	2013-36	\$ 342.91	by 3/31/2022
07331-001	18-42-44-23-02-019-0030	Gatchell, David	3043 Jackson Ave, Greenacres, FI 33463	2014-29	\$ 390.66	by 3/31/2022
07331-001	18-42-44-23-02-019-0030	Gatchell, David	3043 Jackson Ave, Greenacres, FI 33463	2015-46	\$ 464.08	by 3/31/2022
07331-001	18-42-44-23-02-019-0030	Gatchell, David	3043 Jackson Ave, Greenacres, FI 33463	2017-14	\$ 755.83	by 3/31/2022
07331-001	18-42-44-23-02-019-0030	Gatchell, David	3043 Jackson Ave, Greenacres, FI 33463	2018-10	\$ 602.69	by 3/31/2022
07989-001	18-42-44-35-19-000-3890	Garcia Jr, Miguel & Maria	5522 Albin Dr, Greenacres, FI 33463	2013-36	\$ 234.54	by 3/31/2022
07989-001	18-42-44-35-19-000-3890	Garcia Jr, Miguel & Maria	5522 Albin Dr, Greenacres, FI 33463	2014-29	\$ 266.41	by 3/31/2022
07989-001	18-42-44-35-19-000-3890	Garcia, Miguel & Maria	5522 Albin Dr, Greenacres, FI 33463	2009-07	\$ 130.15	by 3/31/2022
07989-001	18-42-44-35-19-000-3890	Garcia, Miguel & Maria	5522 Albin Dr, Greenacres, FI 33463	2012-25	\$ 518.17	by 3/31/2022
07989-001	18-42-44-35-19-000-3890	Garcia, Miguel, Jr	5522 Albin Dr, Greenacres, FI 33463	2015-46	\$ 316.98	by 3/31/2022
07989-001	18-42-44-35-19-000-3890	Garcia, Miguel, Jr. & Maria	5522 Albin Dr, Greenacres, FI 33463	2017-14	\$ 503.19	by 3/31/2022
07989-001	18-42-44-35-19-000-3890	Garcia, Miguel, Jr. & Maria	5522 Albin Dr, Greenacres, FI 33463	2018-10	\$ 405.72	by 3/31/2022

08850-001	18-42-44-36-36-000-0350	Pierre, Samuel & E	4103 Windmill Palm Way, Greenacres, Fl 33463	2015-46	\$ 300.62	by 3/31/2022
08850-001	18-42-44-36-36-000-0350	Pierre, Samuel & Elouna	4103 Windmill Palm Way, Greenacres, Fl 33463	2009-07	\$ 130.15	by 3/31/2022
08850-001	18-42-44-36-36-000-0350	Pierre, Samuel & Elouna	4103 Windmill Palm Way, Greenacres, Fl 33463	2014-29	\$ 900.50	by 3/31/2022
08850-001	18-42-44-36-36-000-0350	Pierre, Samuel & Elouna	4103 Windmill Palm Way, Greenacres, Fl 33463	2017-14	\$ 476.93	by 3/31/2022
08850-001	18-42-44-36-36-000-0350	Pierre, Samuel & Elouna	4103 Windmill Palm Way, Greenacres, Fl 33463	2018-10	\$ 385.50	by 3/31/2022
08953-001	18-42-44-23-01-011-0130	L & L of Palm Beach, Inc.	248 Walker Ave, Greenacres, Fl 33463	2009-07	\$ 130.15	by 3/31/2022
08953-001	18-42-44-23-01-011-0130	L & L of Palm Beach, Inc.	248 Walker Ave, Greenacres, Fl 33463	2010-06	\$ 160.76	by 3/31/2022
08953-001	18-42-44-23-01-011-0130	L & L of Palm Beach, Inc.	248 Walker Ave, Greenacres, Fl 33463	2011-07	\$ 185.90	by 3/31/2022
08953-001	18-42-44-23-01-011-0130	L & L of Palm Beach, Inc.	248 Walker Ave, Greenacres, Fl 33463	2012-05	\$ 202.03	by 3/31/2022
08953-001	18-42-44-23-01-011-0130	L & L of Palm Beach, Inc.	248 Walker Ave, Greenacres, Fl 33463	2013-05	\$ 235.85	by 3/31/2022
08953-001	18-42-44-23-01-011-0130	L & L of Palm Beach, Inc.	248 Walker Ave, Greenacres, Fl 33463	2014-05	\$ 280.17	by 3/31/2022
08953-001	18-42-44-23-01-011-0130	L & L of Palm Beach, Inc.	248 Walker Ave, Greenacres, Fl 33463	2015-04	\$ 292.15	by 3/31/2022
08953-001	18-42-44-23-01-130-0130	L & L Of Palm Beach, Inc.	248 Walker Ave, Greenacres, Fl 33463	2016-11	\$ 258.81	by 3/31/2022
08954-001	18-42-44-23-01-011-0140	L & L of Palm Beach, Inc.	252 Walker Ave, Greenacres, Fl 33463	2009-07	\$ 130.15	by 3/31/2022
08954-001	18-42-44-23-01-011-0140	L & L of Palm Beach, Inc.	252 Walker Ave, Greenacres, Fl 33463	2010-06	\$ 160.76	by 3/31/2022
08954-001	18-42-44-23-01-011-0140	L & L of Palm Beach, Inc.	252 Walker Ave, Greenacres, Fl 33463	2011-07	\$ 185.90	by 3/31/2022
08954-001	18-42-44-23-01-011-0140	L & L of Palm Beach, Inc.	252 Walker Ave, Greenacres, Fl 33463	2012-05	\$ 202.03	by 3/31/2022
08954-001	18-42-44-23-01-011-0140	L & L of Palm Beach, Inc.	252 Walker Ave, Greenacres, Fl 33463	2013-05	\$ 235.85	by 3/31/2022
08954-001	18-42-44-23-01-011-0140	L & L of Palm Beach, Inc.	252 Walker Ave, Greenacres, Fl 33463	2014-05	\$ 280.17	by 3/31/2022
08954-001	18-42-44-23-01-011-0140	L & L of Palm Beach, Inc.	252 Walker Ave, Greenacres, Fl 33463	2015-04	\$ 292.15	by 3/31/2022
08954-001	18-42-44-23-01-140-0140	L & L Of Palm Beach, Inc.	252 Walker Ave, Greenacres, Fl 33463	2016-11	\$ 258.81	by 3/31/2022
08955-001	18-42-44-23-01-011-0150	L & L of Palm Beach, Inc.	256 Walker Ave, Greenacres, Fl 33463	2009-07	\$ 130.15	by 3/31/2022
08955-001	18-42-44-23-01-011-0150	L & L of Palm Beach, Inc.	256 Walker Ave, Greenacres, Fl 33463	2010-06	\$ 160.76	by 3/31/2022
08955-001	18-42-44-23-01-011-0150	L & L of Palm Beach, Inc.	256 Walker Ave, Greenacres, Fl 33463	2011-07	\$ 185.90	by 3/31/2022
08955-001	18-42-44-23-01-011-0150	L & L of Palm Beach, Inc.	256 Walker Ave, Greenacres, Fl 33463	2012-05	\$ 202.03	by 3/31/2022
08955-001	18-42-44-23-01-011-0150	L & L of Palm Beach, Inc.	256 Walker Ave, Greenacres, Fl 33463	2013-05	\$ 235.85	by 3/31/2022
08955-001	18-42-44-23-01-011-0150	L & L of Palm Beach, Inc.	256 Walker Ave, Greenacres, Fl 33463	2014-05	\$ 280.17	by 3/31/2022
08955-001	18-42-44-23-01-011-0150	L & L of Palm Beach, Inc.	256 Walker Ave, Greenacres, Fl 33463	2015-04	\$ 292.15	by 3/31/2022
08955-001	18-42-44-23-01-150-0150	L & L Of Palm Beach, Inc.	256 Walker Ave, Greenacres, Fl 33463	2016-11	\$ 258.81	by 3/31/2022

9 accounts 73 liens \$ 42,270.94



Department Report

MEETING DATE: 4/18/22

FROM: Suzanne Skidmore, Director of Human Resources

SUBJECT: Personnel Policies Handbook

BACKGROUND

The City of Greenacres recently updated its policies applicable to employees in a comprehensive handbook on February 7, 2022.

ANALYSIS

The City of Greenacres identified two areas to be more specifically addressed in keeping with prior practices and procedures.

FINANCIAL INFORMATION

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

LEGAL

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

STAFF RECOMMENDATION

Approve of Resolution 2022-20.

RESOLUTION NO. 2022-20

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

WHEREAS, the City of Greenacres identified two areas to be more specifically addressed in keeping with prior practices and procedures; 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 April 19, 2022.

SECTION 6. This Resolution shall become effective on April 19, 2022.

RESOLVED AND ADOPTED this DD of day of Month 2022

Joel Flores, Mayor

Voted:
John Tharp, Deputy Mayor

Attest:

Quintella Moorer, City Clerk

Voted:
Peter Noble, Council Member, District II

Voted:
Judith Dugo, Council Member, District III

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



ITEM SUMMARY

MEETING DATE: April 18, 2022

FROM: Kara Irwin-Ferris, AICP, Development & Neighborhood Services Director

SUBJECT: **Ordinance 2022-10** Amending City Code Chapter 2 “Administration, Article VIII Code Compliance”
Code Enforcement Revisions

BACKGROUND

On September 22, 2021, the City’s attorney, Christy Goddeau, presented to City Council regarding the City’s Code compliance policy and changes proposed for an improved process. The City Council has requested the update at a previous meeting, as well as changes to the process for reducing liens placed on properties in city. The City Council wanted a 10% minimum lien reduction for properties that had been brought into compliance.

Currently, the city code regulates code enforcement under Chapter 2 Administration, Article III, Boards, Committees, Commissions, Division 2, Code Enforcement. Previously, the city had a Code Enforcement Board that was comprised of appointed residents to make determinations for all code enforcement issues. The board was disbanded and a Special Magistrate that had been previously enacted was responsible for all code violations moving forward. The Special Magistrate was included under Boards and Committees, which needed to be revised. The City Attorney has provided those changes in coordination with the changes requested by City Council to set a minimum reduction for liens.

The following changes are being proposed to the code:

1. The draft ordinance proposes to delete the entire code compliance provision from its current location (under city boards) and create a new article in Chapter 2 solely for code compliance.
2. The draft ordinance sets forth some basic provisions and definitions (Division 1); the typical process under Chapter 162, Part 1, Florida Statutes (Division 2); and a new alternative citation process (Division 3).
3. Under Division 2, the more efficient process of not having a second hearing (but allowing the violator to request a fine challenge hearing) is included.
4. Under Division 3, the new alternative citation process is a much more streamlined version of the process and removes some of the oddities in the current citation process. The current violation and fines schedule has been re-adopted into this version.
5. Finally, the proposed revisions allows for an amnesty period by resolution if the City Council desires to do that at any time; and, allows for a property improvement

account to be set up to have funding for property improvements (by resolution as well).

The proposed changes will be effective upon adoption. In addition, staff shall also prepare a resolution that sets forth the administrative charges that may be assessed in each case and the fees to be charged for various services. The resolution will be adopted concurrent with this ordinance.

The City Council approved this petition on first reading April 4, 2022 by a vote of 5-0.

ANALYSIS

This is a city-initiated code change as directed by City council. City staff initiated this code change after direction from the City Council on September 22, 2021.

Staff has concerns regarding adding the minimum lien reduction to 10%, which will have an impact on those that purchase properties to improve and bring into compliance after the accrual of liens on the property. In order to reduce the lien further, the City Council will have property owner's directly petitioning them for reductions and will have to make determinations regarding whether or not a reduction should be approved.

FINANCIAL INFORMATION

N/A

LEGAL

Ordinance 2022-10 was prepared in accordance with all applicable state statutes and City Code Requirements.

STAFF RECOMMENDATION

Approval of Ordinance 2022-10.

ORDINANCE NO. 2022-10

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, REPEALING CHAPTER 2 “ADMINISTRATION”, ARTICLE III “BOARDS, COMMITTEES, COMMISSIONS”, DIVISION 2 “CODE ENFORCEMENT”; ADOPTING A NEW ARTICLE VIII “CODE COMPLIANCE”; PROVIDING FOR SEVERABILITY, PRESERVATION, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, Chapter 162, Part I, Florida Statutes, sets forth the process the City has been utilizing for traditional code compliance for properties which violate the City’s code of ordinances within the City; and

WHEREAS, the City also currently uses its code compliance citation process in order to more efficiently and effectively address day-to-day simple violations; and

WHEREAS, the City Council recognizes the need to update its ordinances regarding code compliance in order to make the entire process more efficient, effective, and address the reduction of liens when properties are brought into compliance; and

WHEREAS, the City Council recognizes that by updating its code compliance processes as set forth herein such updates should help to encourage voluntary code compliance by all property owners; and

WHEREAS, the City Council of the City of Greenacres legislatively determines and declares that creation of a new code compliance ordinance as set forth herein is in the public interest of the health, safety and general welfare of the residents and business community of the City.

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

SECTION 1. LEGISLATIVE FINDINGS, INTENT AND PURPOSE.

The WHEREAS clauses contained herein are legislatively determined to be true and correct and are incorporated herein and represent the legislative findings of the City Council. It is the purpose and intent of this ordinance to promote the health, safety, and general welfare of the residents of the City, to obtain voluntary compliance with the City’s code of ordinances and efficiently and effectively pursue violations when voluntary compliance is not achieved.

SECTION 2. BOUNDARIES.

That this Ordinance shall apply to all properties located within the boundaries of the City of Greenacres, Florida.

SECTION 3. REPEAL OF CHAPTER 2 ADMINISTRATION, ARTICLE III BOARDS, COMMITTEES, COMMISSIONS, DIVISION 2 CODE ENFORCEMENT.

The City Council hereby repeals, in full, Chapter 2. Administration, Article III. Boards, Committees, Commissions, Division 2. Code Enforcement.

SECTION 4. CREATION OF CHAPTER 2 ADMINISTRATION, ARTICLE VIII CODE COMPLIANCE.

The City Council hereby amends the Greenacres Code by adding Chapter 2 Administration, Article VIII Code Compliance, which shall read as follows:

* * * * *

ARTICLE VIII. – CODE COMPLIANCE

DIVISION 1. – GENERALLY

Sec. 2-287. – Intent, applicability and jurisdiction.

(a) It is the intent of this article to promote, protect and improve the health, safety and welfare of the citizens of the city by authorizing the appointment of one (1) or more special magistrates with authority to impose administrative fines and other noncriminal penalties, to provide an equitable, expeditious, effective and inexpensive method of obtaining compliance with the city’s codes and ordinances, and obtaining enforcement where a pending or repeated violation continues to exist.

(b) This article creates the city’s code compliance process consistent with the Chapter 162, Part I, the Local Government Code Enforcement Boards Act, as set forth in sections 162.01 – 162.13, Florida Statutes (as amended from time to time).

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(c) As an alternative to the enforcement procedures authorized under Chapter 162, Part I, Florida Statutes, and pursuant to sections 162.13 and 162.22, Florida Statutes, the city hereby adopts a civil citation procedure as set forth in this article at division 3.

(d) The city hereby authorizes its special magistrate(s) to hold hearings and assess fines against violators of the city's code of ordinances in accordance with the terms and conditions set forth in this article and with the Local Government Code Enforcement Boards Act (not applicable to division 3).

(e) The jurisdiction of the city's special magistrate(s) shall not be exclusive. Any alleged violation of the city's code of ordinances may be pursued by appropriate remedy in court or other appropriate venue at the option of the city.

(f) The city council reserves the right to establish a code compliance board consistent with the Local Government Code Enforcement Boards Act.

Sec. 2-288. – Special magistrate appointed.

(a) The city council may appoint one (1) or more special magistrates who shall have the authority to hold hearings and assess fines against violators of the ordinances of the city, as provided in Chapter 162, Part I, Florida Statutes, and in this article. The special magistrate shall serve in an *ex officio* capacity if the appointed special magistrate serves other local governments as a special magistrate. Such service to other local governments does not create duties inconsistent with serving as special magistrate to the city.

(b) A special magistrate shall be an attorney admitted to the Florida Bar who possesses experience in zoning and land use law, building regulations, code enforcement, and/or administrative law.

(c) A special magistrate shall not be a city employee, but shall enter into an agreement to provide professional services at a rate established by the city.

(d) The city shall provide necessary and reasonable clerical and administrative support to enable a special magistrate to perform his or her duties. A special magistrate shall not be authorized to hire or use the services of any person except those provided by the city to assist him or her in the performance of his or her duties.

Sec. 2-289. - Powers of special magistrate.

A special magistrate shall have the power to:

(a) Adopt rules for the conduct of hearings.

(b) Subpoena alleged violators and witnesses to special magistrate hearings. Subpoenas may be served by the sheriff of the county or police department of the city.

(c) Subpoena evidence to special magistrate hearings.

(d) Take testimony under oath.

(e) Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

Sec. 2-290. - Definitions.

Except as otherwise clarified herein, the terms used in this article shall have the same definition as set forth in Chapter 162, Part I, Florida Statutes:

(a) *Special magistrate* means an attorney admitted to the Florida Bar who possesses experience in zoning and land use law, building regulations, code enforcement and/or administrative law, and has been appointed by the city council to hold hearings and assess fines against violators of the city ordinances.

(b) *Code compliance administrator* means the city employee or his or her designee having the responsibility for providing administrative support for special magistrates, accepting applications, giving notices, presenting cases and otherwise supporting the code compliance program.

(c) *Code officer* means any authorized agent or employee of the city whose duty it is to assure code compliance.

(d) *Repeat violation* means a violation of a provision of an ordinance by a person who has been previously found through a code enforcement board, special magistrate or any other quasi-judicial or judicial process, to have violated or who has admitted violating the same provision within five (5) years prior to the violation, notwithstanding the violations occurred at different locations. All repeat violations shall be subject to an administrative fee which reasonably represents the costs to the city for original and repeat enforcement of its code of ordinances. The administrative fee shall be set by resolution and shall be included in a lien authorized under this division.

Secs. 2-291 – 2-294. – Reserved.

DIVISION 2. – NOTICE OF VIOLATION PROCEDURE (CHAPTER 162, PART I, FLORIDA STATUTES)

Sec. 2-295. - Compliance procedure.

(a) *Generally.* It shall be the duty of the code officer to initiate enforcement proceedings of the various codes; no special magistrate shall have the power to initiate such proceedings.

(b) *Notification of violation; hearing; written notice of hearing.* Except as provided in subsections (c) and (d), if a violation of the codes is found, the code officer shall notify the violator and give him or her a reasonable time to correct the violation. The notice may also include the notice of hearing should the violation continue beyond the time specified for correction; or, code compliance may issue a separate notice of hearing should the violation continue beyond the time specified for correction. The written notice of violation and notice of hearing shall be served as provided in this article to the violator. If the violation is corrected and then recurs or if the

violation is not corrected by the time specified for correction by the code officer, the case may be presented to the special magistrate even if the violation has been corrected prior to the hearing, and the notice shall so state.

(c) Repeat violations. If a repeat violation is found, the code officer shall notify the violator, but is not required to give the violator a reasonable time to correct the violation. This notice may include a notice of hearing if an upcoming hearing date is known. The code officer, upon notifying the violator of a repeat violation, shall notify a special magistrate and request a hearing. The code officer shall schedule a hearing and shall provide notice pursuant to this article to the violator (unless already provided). The case may be presented to the special magistrate even if the repeat violation has been corrected prior to the hearing, and the notice shall so state.

(d) When code officer may immediately notify a special magistrate. If the code officer has reason to believe a violation presents a serious threat to the public health, safety or welfare or if the violation is irreparable or irreversible in nature, the code officer shall make a reasonable effort to notify the violator and may immediately notify a special magistrate and request a hearing. The original notice to the violator may include the notice of hearing if an upcoming hearing date is known.

Sec. 2-296. - Conduct of hearing.

(a) Manner of calling hearing; open to public. Upon request of the code officer, or at such other times as may be necessary, a special magistrate may call a hearing. All hearings and proceedings shall be open to the public.

(b) Presenting cases. Each case before a special magistrate shall be presented by the city attorney or designee or by the code compliance administrator or designee.

(c) Testimony; rules of evidence. The special magistrate shall proceed to hear the cases on the agenda for that day. All testimony shall be under oath and shall be recorded. The special magistrate shall take testimony from the code officer, alleged violator and such other witnesses as may be necessary in the special magistrate's determination. Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceedings.

(d) Findings of fact; order of compliance.

(1) At the conclusion of the hearing, the special magistrate shall issue findings of fact, based on evidence of record and conclusions of law, and shall issue an order affording the proper relief consistent with powers granted herein. The order may include a notice that it must be complied with by a specified date, and that if the order is not complied with by said date, the following may be imposed: a daily accruing fine and the assessment of the costs of repair (if applicable). The order may, upon the request of the city, authorize the city to enter onto the property to make the necessary repairs if the violator fails to timely do so. The order may also impose the city's administrative costs of prosecution. A certified copy of such order may be recorded in the official records of the county and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, subsequent purchasers, successors

in interest, or assigns. If an order is recorded in the official records pursuant to this subsection and the order is complied with by the date specified in the order, the special magistrate shall issue an order acknowledging compliance that shall be recorded in the official records. A hearing is not required to issue such an order acknowledging compliance.

(2) Further, if a violation is found, the violator shall be given twenty (20) days within which to request a hearing to challenge the fine amount imposed by the order. If such a hearing is not timely requested and if the violation is not corrected by the time established in the order and/or all administrative costs are not timely paid, the city may record a certified copy of the order in the official records of the county and thereafter the order shall constitute a lien under section 162.09, Florida Statutes. The hearing to challenge the fine amount imposed by the order shall be requested in writing to the code compliance administrator and shall be limited to a consideration of only those new findings necessary to impose a fine. The violator shall bear the burden of proof at such hearing to show cause why the fine imposed in the order is not appropriate. If a request for hearing to challenge the fine amount is timely received by the code compliance administrator, a hearing will be set and notice of the hearing date and time shall be sent by regular U.S. mail to the address provided on the written request for the hearing. All orders entered by the special magistrate at this hearing which impose a fine and/or administrative costs may be recorded in the official records of the county by the city and thereafter the orders shall constitute a lien under section 162.09, Florida Statutes.

(3) If fines accrue under the order by the special magistrate prior to the order becoming a lien, the special magistrate may reduce the fines consistent with this article for the reduction of liens.

Sec. 2-297. - Waiver of hearing procedure; stipulation and agreed order.

(a) *Voluntary stipulation option.* In the event that a violator agrees with the violation(s) contained on the notice of violation(s), but needs more time to correct the violations, the violator shall have the option to enter into a voluntary stipulation wherein the violator agrees to the violation(s) and waives the violator's right to all further hearings before the special magistrate. The violator shall then have additional time as agreed to between the violator and the code officer to correct the violation(s) before any fine begins to accrue.

(b) *Stipulation form.* The stipulation must be in writing and on a form provided to the violator by the code officer. The stipulation shall indicate that the waiver of hearing is solely at the option of the violator, and that the violator has an absolute right to have a hearing before the special magistrate. The stipulation shall further contain the date that the violator must correct the violation(s) before a fine begins to accrue, and shall state the amount of the daily fine if the violation(s) is not corrected by the correction date.

(c) *Agreed order.* By signing the stipulation, the violator agrees to the entry of an agreed order approving the stipulation. The violator is not required to be present at the hearing at which the stipulation is reviewed by the special magistrate. The order shall provide that the stipulation shall have the same effect as an order entered by the special magistrate imposing a fine and creating a lien in the event that the violator does not correct the violation(s) by the correction date or

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otherwise fails to timely and fully comply with the terms of the stipulation. The city may record the stipulation in the official records of the county if the violator does not correct the violation(s) by the correction date or otherwise fails to timely and fully comply with the terms of the stipulation.

(d) *Agreed order not entered.* In the event the special magistrate does not approve the stipulation, the violator shall not be prejudiced for not appearing at the hearing and shall be given additional reasonable time for compliance and shall be issued a notice of hearing to appear at the next available hearing. Said notice shall be sent by regular U.S. Mail to the address contained on the stipulation.

(e) *Lien reduction rights not waived.* The stipulation shall not waive the violator's right to request a lien reduction hearing if a lien is imposed as a result of the stipulation.

Sec. 2-298. - Administrative fines; liens.

(a) *Generally.* A special magistrate may order the violator to pay a fine in an amount specified in this section for each day the violation continues past the date set for compliance or, in the case of a repeat violation, for each day the repeat violation continues, beginning with the date the repeat violation is found to have occurred by the code officer.

(b) *Amount of fines.*

(1) A fine imposed pursuant to this section shall not exceed two hundred fifty dollars (\$250.00) per day for a first violation and shall not exceed five hundred dollars (\$500.00) per day for a repeat violation, and, in addition, may include all costs of repairs incurred in accordance with this article. However, if a special magistrate finds the violation to be irreparable or irreversible in nature, the special magistrate may impose a fine not to exceed five thousand dollars (\$5,000.00) per violation.

(2) In determining the amount of the fine, if any, the special magistrate shall consider the following factors:

- a. The gravity of the violation;
- b. Any actions taken by the violator to correct the violation; and
- c. Any previous violations committed by the violator.

(c) *Administrative fee related to the prosecution of code compliance cases.* Costs incurred by the city in the successful prosecution of a code compliance case, including a repeat violation, may be assessed against the violator pursuant to section 162.07, Florida Statutes. The amount of these costs may be set from time to time by resolution of the city council. Such costs may be included in the lien authorized under this division.

(d) *Fine imposed.* Unless a fine has already been converted to a lien under section 2-296, a certified copy of an order imposing a fine, or a fine plus repair costs, may be recorded in the official records of the county by the city and thereafter shall constitute a lien against the land on which the violation exists and upon any other real or personal property owned by the violator. Upon petition to the circuit court, such order and an order recorded under section 2-296 may be enforced in the same manner as a court judgment by the sheriffs of this state, including levy

against personal property, but such order shall not be deemed to be a court judgment except for enforcement purposes. A fine imposed pursuant to this article shall continue to accrue until the violator comes into compliance or until judgment is rendered in a suit to foreclose on a lien or in a suit to recover a money judgment, pursuant to this section, whichever occurs first. A lien arising from a fine imposed pursuant to this article runs in favor of the city, and the special magistrate and/or the city may execute a release of lien or partial release of lien as specifically authorized under this article. After three (3) months from the filing of any such lien which remains unpaid, the special magistrate may authorize the city attorney or designee to foreclose on the lien or to sue to recover a money judgment for the amount of the lien plus accrued interest. No lien created pursuant to the provisions of this article may be foreclosed on real property which is homestead under Section 4, Article X of the Florida State Constitution.

Sec. 2-299. - Duration of lien.

No lien provided under this article shall continue for a period longer than twenty (20) years after the certified copy of an order imposing fine or an order recorded under section 2-296 has been recorded, unless within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction. In an action to foreclose on a lien, the prevailing party is entitled to recover all costs, including reasonable attorney fees, incurred in the foreclosure. The city shall be entitled to collect all costs incurred in recording and satisfying a valid lien. The continuation of the lien effected by the commencement of the action shall not be good against creditors or subsequent purchasers for valuable consideration without notice, unless a notice of lis pendens is recorded.

Sec. 2-300. - Appeals.

An aggrieved party, including the city, may appeal a final administrative order of a special magistrate to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the special magistrate. An appeal shall be filed within thirty (30) days of the execution of the order to be appealed. The city attorney or designee is hereby authorized to defend such appeals on behalf of the city and/or special magistrate. Except for an appeal filed by the city, notice of the appeal shall be sent to the city's code compliance division.

Sec. 2-301. - Applications for lien reductions, release of liens and partial releases of liens; lien caps; waiver of hearing; amnesty; and, property improvement account.

(a) *Applicability.* The procedures set forth in this division for lien reductions, releases of liens and partial releases are applicable to any violator whose case has been heard before the city's code compliance special magistrate or board.

(b) *Application.* The code compliance administrator shall furnish the form for an application for a lien reduction, a release of lien and a partial release of lien. In order to be considered, the application form must be fully completed and submitted to the code compliance administrator with the applicable fees set by city council resolution. The application fees are non-refundable.

(c) *Waiver of lien reduction hearing.* Upon receipt of a completed application for a lien reduction which satisfies the criteria set forth in section 2-302 below, the code compliance administrator

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or designee shall calculate the amount of the reduction consistent with this division. The code compliance administrator or designee shall notify the applicant of the proposed reduction amount and, if the applicant agrees with the proposed reduction amount, the applicant may enter a voluntary reduction stipulation with the code compliance administrator. The form of the voluntary reduction stipulation shall be determined by the code compliance administrator in consultation with the city attorney. A fully executed voluntary reduction stipulation may be approved by the special magistrate administratively, without a hearing. Upon payment of the reduction amount set forth in the voluntary reduction stipulation as approved by the special magistrate, the city shall execute and record a release of the lien in the official records of the county. If the applicant does not agree with the proposed reduction amount, or the special magistrate does not approve the executed voluntary reduction stipulation, the code compliance administrator or designee shall set the reduction application for a hearing before the special magistrate consistent with this division.

(d) *City council amnesty.* The city council may from time to time by resolution approve an amnesty program to incentivize property owners to bring their properties into compliance and obtain a release of lien(s) from the city. The amnesty program may reduce the maximum lien reduction percentage set forth in section 2-302(f). The amnesty program resolution shall set forth a temporary timeframe for the amnesty program to be available to property owners by written application.

(e) *Property Improvement Account.* City council may from time to time by resolution authorize a Property Improvement Account in which a percentage of all code compliance fees, fines, liens and other charges paid to the city shall be deposited. If authorized, the City Manager or designee shall establish policies and programs for utilization of the Property Improvement Account funds to assist homestead property owners and to assist those other property owners seeking to improve the overall appearance of their property and the city.

Sec. 2-302. - Lien reductions.

(a) *Criteria.* The following criteria must be complied with prior to a lien reduction hearing before a special magistrate:

(1) The property in question must be in total compliance and an affidavit of compliance must be issued for the case(s) being considered.

(2) The property in question must be free of all outstanding debts (including taxes) due to the city.

(3) The request for lien reduction application must be completed and submitted to the code compliance administrator along with the applicable fee as set by city resolution. All outstanding administrative fees owed to the City, as ultimately determined by the code compliance administrator, shall also be paid at the time of application; however, the code compliance administrator may allow the outstanding administrative fees to be paid, in full, as part of a reduced lien amount.

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(4) All other properties owned by the violator within the city must not have any active code compliance case(s). The applicant shall provide the city a list of all properties owned by the applicant within the city along with the application.

(b) *Hearing scheduled; option to postpone.* Except as otherwise set forth herein, if the reduction application is complete and the above criteria have been met, a lien reduction hearing shall be scheduled before a special magistrate. The applicant will be notified in writing of the scheduled hearing at least five (5) days prior to the hearing date by regular U.S. Mail to the address provided on the application. In its sole discretion, the city may postpone such hearing if it wishes to pursue the collection of the lien(s) through an alternate remedy at law or in equity, and the city shall notify the applicant of such postponement in writing. If the postponement is anticipated to last longer than three (3) months, the City may in its sole discretion deny the reduction application and return any fee paid for the same.

(c) *Lien reduction hearing.* The special magistrate at a lien reduction hearing shall make one (1) of the following determinations: The lien may be reduced to a specified amount, or the request for lien reduction may be denied. The special magistrate shall review all the facts set forth in the application to determine if the applicant is eligible for the requested relief prior to making a decision and entering an order. The lien reduction hearing shall not be a hearing de novo of the original case, but shall be limited solely to the issue of whether the lien assessed should be reduced. The burden of proof shall be on the applicant to show cause for reducing the lien. The city attorney, code compliance administrator and/or their designee may make recommendations regarding any lien reduction. Any lien reduction made pursuant to this section is not applicable to any administrative fees or costs assessed at any prior hearing.

(d) *Factors considered.* In determining how much to reduce the outstanding lien, the special magistrate shall consider the following factors:

- (1) The gravity of the violation;
- (2) Any action taken by the violator to correct the violation; and,
- (3) Any previous violations committed by the violator.

(e) *City debts to be paid.* The cost of the lien reduction application fee and any code compliance administrative fees associated with the property and any other city debts (including taxes) that are required to be paid, as ultimately determined by the code compliance administrator, shall not be included in any lien reduction and must be paid.

(f) *Maximum reduction.* The special magistrate shall not reduce any lien to less than ten (10) percent of the remaining outstanding balance of the lien for commercial or non-homesteaded residential properties and 3% for homesteaded residential properties.

(g) *Release of lien.* Upon full compliance with the special magistrate's order reducing the lien, the city shall prepare a release of lien and record the release of lien in the official records of the county.

(h) Reversion of original lien amount. If a respondent fails to timely and fully pay the reduced lien amount, the lien shall automatically revert back to the original, pre-reduced amount and the special magistrate's order reducing the lien shall not be recorded.

Sec. 2-303. – Unenforceable lien releases.

(a) Unenforceable liens. In addition to the reduction of liens described above, the city shall be authorized to execute a release of a code compliance lien which has been deemed in writing by the city attorney to be legally unenforceable or uncollectible as described below:

- (1) The statute of limitations relating to the lien has otherwise expired;
- (2) The lien was properly foreclosed by order of an appropriate court with jurisdiction;
- (3) The lien was properly discharged in a bankruptcy proceeding by order of a bankruptcy court;
- (4) The property encumbered by the lien is currently owned by the city; and/or,
- (5) Any other reason as determined by the city attorney that establishes the lien is legally unenforceable or uncollectible.

(b) Application. An application for a release of lien shall be submitted to the code compliance administrator along with the application fee to cover the city's costs for the processing of the application and recording costs.

(c) Recording of release. If issued, the city shall record the release of lien in the official records for the county.

Sec. 2-304. – Partial release of liens.

An applicant may request a partial release of lien where the lien on the property inside the city's boundaries attaches to another property located inside or outside the city's boundaries pursuant to section 162.09, Florida Statutes. The following procedures shall apply to such request:

- (1) The applicant shall complete an application for such partial release and pay all applicable application fees as set by city resolution.
- (2) The property for which the partial release is requested must be free of all outstanding debts (including taxes) due to the city.
- (3) All property owned by the applicant in whole or in part that is located in the city, including the property for which the lien originated, must be in compliance with all city ordinances prior to the granting of the partial release of lien. If the applicant's property within the city is not in compliance, the applicant may provide the city with a letter of credit to guarantee compliance within a set timeframe not to exceed 120 days. The form of the letter of credit shall be approved

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by the city attorney and the amount of the letter of credit shall be ten (10) percent of the total lien amount.

(4) Upon the applicant's payment of ten (10) percent of the total lien amount, the code compliance administrator shall notify the city attorney of the partial release of lien application and payment of the applicable fees.

(5) Upon notice from the code compliance administrator, the city attorney or designee shall prepare the partial release of lien for execution by the city and the city shall record the partial release of lien in the official records of the county.

Sec. 2-305. - Notices.

Notice delivery. Unless otherwise set forth in this article, all notices required by this article shall be provided to the alleged violator by:

(1) Certified mail, and at the option of the city return receipt requested, to the address listed in the tax collector's office for tax notices or to the address listed in the county property appraiser's database. The city may also provide an additional notice to any other address it may find for the property owner. For property owned by a corporation, notices may be provided by certified mail to the registered agent of the corporation. If any notice sent by certified mail is not signed as received within thirty (30) days after the postmarked date of mailing, notice may be provided by posting as described in subparagraphs (b)(1) and (2);

(2) Hand delivery by the sheriff or other law enforcement officer, code officer, or other person designated by the city council;

(3) Leaving the notice at the violator's usual place of residence with any person residing therein who is above fifteen (15) years of age and informing such person of the contents of the notice; or

(4) In the case of a commercial premises, leaving the notice with the manager or other person in charge.

(b) Additional notice options. In addition to providing notice as set forth in subsection (a), at the option of the city, notice may also be served by publication or posting, as follows:

(1) Such notice shall be published once during each week for four (4) consecutive weeks (four (4) publications being sufficient) in a newspaper of general circulation in Palm Beach County. The newspaper shall meet such requirements as are prescribed under Chapter 50, Florida Statutes, for legal and official advertisements. Proof of publication shall be made as provided in sections 50.041 and 50.051, Florida Statutes.

(2) In lieu of publication as described above, such notice may be posted at least ten (10) days prior to the hearing, or prior to the expiration of any deadline contained in the notice, in at least two (2) locations, one of which shall be the property upon which the violation is

alleged to exist and the other of which shall be city hall. Proof of posting shall be by affidavit of the person posting the notice, which affidavit shall include a copy of the notice posted and the date and places of its posting.

(3) Notice by publication or posting may run concurrently with, or may follow, an attempt or attempts to provide notice by hand delivery or by mail as required under subsection (a).

(c) Notice requirements met. Evidence that an attempt has been made to hand deliver or mail notice as provided in subsection (a), together with proof of publication or posting as provided in subsection (b), shall be sufficient to show that the notice requirements of this part have been met, without regard to whether or not the alleged violator actually received such notice.

Sec. 2-306. - Disclosure requirements when transfer of ownership.

(a) Transfer of ownership. If the owner of property that is subject to an enforcement proceeding before the code enforcement board or special magistrate transfers ownership of such property between the time the notice of violation was served and the time of the hearing, such owner shall:

(1) Disclose, in writing, the existence and the nature of the proceeding to the prospective transferee.

(2) Deliver to the prospective transferee a copy of the notices and other materials relating to the code enforcement proceeding received by the transferor.

(3) Disclose, in writing, to the prospective transferee that the new owner will be responsible for compliance with the applicable code and with orders issued in the code enforcement proceeding.

(4) File a notice with the city manager of the transfer of the property, with the identity and address of the new owner and copies of the disclosures made to the new owner, within 5 days after the date of the transfer.

(b) Failure to provide notice. A failure to make the disclosures described in paragraphs (1), (2) and (3) above before the transfer, creates a rebuttable presumption of fraud. If the property is transferred before the hearing, the proceeding shall not be dismissed, but the new owner shall be provided a reasonable period of time to correct the violation before the hearing is held.

Secs. 2-307 – 2-312. – Reserved.

DIVISION 3. – CIVIL CITATION PROCEDURE

Sec. 2-313. - Citation procedure.

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(a) Citation authorized. If a violation (or a repeat violation) of the city's code, for which the city has set specific fines, is believed to have occurred or to exist, a code officer may issue the violator a courtesy warning notice or a civil citation (hereinafter "citation").

(b) Reasonable cause. A code officer is authorized to issue a citation to an individual or entity (hereinafter "person") when based upon personal investigation, the officer has reasonable cause to believe that the person has committed a violation of the code for which the city has set a specific fine.

(c) Citation criteria. A citation issued by a code officer shall contain:

- (1) The date and time of issuance.
- (2) The name and address of the person to whom the citation is issued.
- (3) The date and time the civil infraction was committed, if known.
- (4) The facts constituting reasonable cause.
- (5) The number or section of the code violated.
- (6) The name of the code officer.
- (7) The procedure for the person to follow in order to pay the civil penalty or to contest the citation.
- (8) The date, time and location of the hearing to be held if the citation fine is not paid or if the violation is not timely complied.
- (9) The applicable penalty if the person elects to contest the citation.
- (10) The applicable penalty if the person elects not to contest the citation.
- (11) The time set for compliance with the code and for payment of the fine.
- (12) A statement that if the person fails to appear before the special magistrate to contest the citation, he or she shall be deemed to have waived his or her right to contest the citation and that, in such case, an order may be entered against the person for an amount up to the maximum civil penalty plus the city's administrative costs.

(d) Delivery of citation. The citation shall be delivered to the violator in accordance with section 2-305 of this article.

(e) Compliance. A violator who has received a citation shall either:

- (1) Comply with the code section cited, if applicable, and pay the fine, on or before the time set forth in the citation; or
- (2) Appear at the hearing, as scheduled on the citation, and contest the violation cited. If the alleged violator elects to appear at the hearing and contest the violation, he or she shall bring any witnesses or evidence to the hearing.

(f) Waiver of rights. If the alleged violator fails to appear at the hearing, the alleged violator shall have waived all rights to a hearing and to otherwise contest the citation.

(g) Special magistrate hearing and order. The special magistrate, after a hearing on the citation, shall make a determination of whether or not a violation of the code has been committed. The hearing shall be conducted in accordance with section 2-296. If a violation is found to have occurred, the special magistrate may enter an order, as set forth in section 2-296, requiring the payment of the citation fine, payment of the administrative costs of the hearing, and the compliance of the violation, all by a date certain, along with the imposition of a daily fine and the

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authorization of the city to enter onto the property to make necessary repairs and the assessment of the costs of such repair (if applicable) if such compliance date is not met. A certified order assessing fines and/or administrative costs (and costs of repairs, if applicable) may be recorded as a lien against the subject property as set forth in section 2-296.

(h) *Payment constitutes admission.* Payment of a citation shall constitute admission of a violation for purposes of finding a repeat violation.

Sec. 2-314. - Schedule of violations and fines.

(a) The following schedule of violations and fines may be assessed by code officers and by the special magistrate in its review and adjudication of matters in accordance with this division.

<u>Violation:</u>	<u>First Offense</u>	<u>Second Offense</u>	<u>Third Offense</u>	<u>Fourth* Offense**</u>
<u>County Ordinance*</u>	<u>\$100.00</u>	<u>\$200.00</u>	<u>\$300.00</u>	<u>\$300.00— \$500.00</u>
<u>City Code Chapter 3 Animals</u>	<u>\$150.00</u>	<u>\$250.00</u>	<u>\$350.00</u>	<u>\$335.00— \$500.00</u>
<u>City Code Chapter 4 Buildings</u>	<u>\$100.00</u>	<u>\$200.00</u>	<u>\$300.00</u>	<u>\$300.00— \$500.00</u>
<u>City Code Chapter 5 Fire Prevention</u>	<u>\$200.00</u>	<u>\$300.00</u>	<u>\$400.00</u>	<u>\$400.00— \$500.00</u>
<u>City Code Chapter 7 Nuisance</u>	<u>\$100.00</u>	<u>\$200.00</u>	<u>\$300.00</u>	<u>\$300.00— \$500.00</u>
<u>City Code Chapter 8 Licensing***</u>	<u>\$100.00</u>	<u>\$150.00</u>	<u>\$200.00</u>	<u>\$200.00— \$500.00</u>
<u>City Code Chapter 9 Miscellaneous</u>	<u>\$100.00</u>	<u>\$200.00</u>	<u>\$250.00</u>	<u>\$250.00— \$500.00</u>
<u>City Code Chapter 11 Streets, Sidewalks</u>	<u>\$150.00</u>	<u>\$200.00</u>	<u>\$250.00</u>	<u>\$250.00— \$500.00</u>
<u>City Code Chapter 12 Subdivisions***</u>	<u>\$150.00</u>	<u>\$200.00</u>	<u>\$250.00</u>	<u>\$250.00— \$500.00</u>
<u>City Code Chapter 14 Traffic****</u>	<u>\$100.00</u>	<u>\$200.00</u>	<u>\$300.00</u>	<u>\$300.00— \$500.00</u>
<u>City Code Chapter 15 Utilities</u>	<u>\$100.00</u>	<u>\$200.00</u>	<u>\$250.00</u>	<u>\$250.00— \$500.00</u>
<u>City Code Chapter 16 Zoning***</u>	<u>\$150.00</u>	<u>\$200.00</u>	<u>\$250.00</u>	<u>\$250.00— \$500.00</u>
<u>All other applicable local, state or federal***</u>	<u>\$150.00</u>	<u>\$200.00</u>	<u>\$250.00</u>	<u>\$250.00— \$500.00</u>

* or as specified by county ordinance.

** mandatory appearance for fourth offense.

*** or as specified by state statute or other applicable code or regulation.

**** \$35.00 per violation for parking violations from section 14-28.

(b) For violations of any section of this code for which a specific fine is not prescribed as set forth above, the code administrator may set a fine to be imposed of up to two hundred fifty dollars per day for a first violation and five hundred dollars per day for a second, third, or fourth violation.

* * * * *

SECTION 5. SEVERABILITY

Should any one or more of the provisions or element of this ordinance be held invalid, such provision or element shall be null and void, and shall be deemed separate from the remaining provisions or elements of this ordinance and shall in no way affect the validity of any of the remaining provisions or elements of this ordinance.

SECTION 6. PRESERVATION

All pending code compliance cases and code compliance orders existing at the time of the adoption of this ordinance are preserved and shall remain in full force and effect. All code compliance cases to be taken before the special magistrate after the date of adoption of this ordinance shall be processed in accordance with this ordinance. All requests for a release or partial release of an existing code compliance order which are made after the date of the adoption of this ordinance shall be processed in accordance with this ordinance.

SECTION 7. CONFLICTS

All other ordinances and resolutions in conflict with this ordinance are hereby cancelled, repealed or revised to be consistent with provisions and elements of this Ordinance.

SECTION 8. CODIFICATION

Ordinance No. 2022-10 | Code Enforcement Compliance
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Specific authority is hereby granted to codify Section 4 of this Ordinance by removing the current Division 2, entitled “Code Enforcement”, as set forth in Chapter 2, Article III; and, replacing it with the newly created Article VIII, entitled “Code Compliance”, to be set forth at Chapter 2. The sections set forth in Section 4 of this Ordinance may be renumbered to accomplish such intentions.

SECTION 9. EFFECTIVE DATE

That this Ordinance shall take effect immediately upon its final approval and adoption.

[The remainder of this page intentionally left blank.]

Passed on the first reading this 4th day of April, 2022.

PASSED AND ADOPTED on the second reading this DD day of Month, 2022.

Voted:

Joel Flores, Mayor

John Tharp, Deputy Mayor

Attest:

Voted:

Quintella Moorer, City Clerk

Peter Noble, Council Member, *District II*

Voted:

Judith Dugo, Council Member, *District III*

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



ITEM SUMMARY

MEETING DATE: April 18, 2022

FROM: Kara Irwin-Ferris, AICP, Development & Neighborhood Services Director

SUBJECT: **Ordinance 2022-07, ZTA-22-01**
Stand Alone Car Wash

BACKGROUND

On September 15, 2008, the City Council adopted Ordinance 2008-02 which provided for three (3) changes to the Zoning Code: provided a definition of “Stand Alone Car Wash Facility”, incorporated Stand-Alone Car Wash Facilities into the Commercial Intensive (CI) zoning district as a Special Exception use, and provided for off-street parking and loading requirements for this use. Before the amendment, car washes were only approved as accessory uses to existing full-service fuel stations and car dealerships, not as a stand alone use. The amendment allowed for a car wash to develop on a property provided it was located adjacent to an existing or planned full-service fuel station and provided cross access easements to the gas station. The City Council concurrently approved a Stand-Alone car wash as a special exception, Sparkles, submitted by the same applicant that was to be developed at 4605 Melaleuca Lane, adjacent to an existing Texaco gas station. The car wash was never developed, and the approvals expired on September 15, 2010. To date, the city has not approved another stand-alone car wash in the city.

Currently, the city has received an application to amend the code to allow for a stand-alone car wash use as a special exception within the Commercial Intensive (CI) zoning district that is not required to be co-located adjacent to a full-service fuel station or gas station. The proposed language includes increasing the distance requirement between car wash facilities from 1,500 feet to 3,000 feet, prohibiting exterior detailing and waxing, and requiring a landscape buffering for accessory equipment in the parking area of the site.

The proposed amendments maintain consistency between the Comprehensive Plan and Zoning Code by providing for appropriate commercial development and will allow the provision of additional amenities for the residents of the City. The proposed City criteria will provide greater protection for neighboring uses by increasing the separation requirement between the same two uses by an additional 1,500 feet, providing a minimum three thousand (3,000) feet between the same two uses. In addition, the City will require City Council approval through the Special Exception process and thus must meet a higher review threshold.

The Land Development Staff has reviewed these text amendments and is recommending approval. The Planning and Zoning Board of Appeals reviewed this staff-initiated text amendment on March 10, 2022, and recommended approval by a vote of 3-0.

ANALYSIS

The proposed amendment was submitted by an applicant that also has submitted a concurrent development application for a stand-alone car wash in the city. Currently, car washes are only allowed as an accessory or adjacent use to a gas station or a full-service fuel station. The proposed amendments will provide adequate criteria for the review and approval of such an establishment as a principal use, as well as providing those specific conditions of approval can be imposed through the Special Exception process to ensure compatibility with the commercial intensive zoning district and surrounding properties. Given that there is a market demand for this use within the city, and it is already allowed in conjunction with gas stations, the proposed amendments are acceptable.

FINANCIAL INFORMATION

N/A

LEGAL

Ordinance 2022-07 was prepared in accordance with all applicable state statutes and City Code Requirements.

STAFF RECOMMENDATION

Approval of ZTA-22-01 through the adoption of Ordinance 2022-07.

ORDINANCE NO. 2022-07

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 16, ARTICLE III, DISTRICT REGULATIONS, DIVISION 11, COMMERCIAL INTENSIVE, SECTION 16-499(30) AND ARTICLE VIII, OFF-STREET PARKING AND LOADING REGULATIONS, SECTION 16-1336 AND SECTION 16-1338 TO ADD STAND ALONE CAR WASH FACILITY AND ALLOW FOR THE USE AS A SPECIAL EXCEPTION IN THE COMMERCIAL INTENSIVE (CI) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Dwayne Dickerson of Dunay, Miskel and Backman, LLP, agent for Vybe Acquisitions, LLC. has submitted a request for a zoning text amendment to revise Chapter 16, Article I (In General), Section 16-1 (Definitions); Article III (District Regulations), Division 11 (Commercial Intensive); and Article VIII (Off-Street Parking and Loading Regulations); and

WHEREAS, it has been determined, in accordance with the Land Development Staff Report and Recommendation, "Exhibit A" dated March 2, 2022 (attached), that certain amendments to the City's zoning regulations are appropriate; and

WHEREAS, the Planning and Zoning Board of Appeals, on March 10, 2022, held a duly advertised public hearing and recommended approval of ZTA-07-04 and adoption of Ordinance 2022-07 as presented by staff; and

WHEREAS, the City Council of Greenacres has held two (2) duly advertised public hearings to review this request; and

WHEREAS, the City Council of Greenacres finds that it is in the best interests of the citizens of the City of Greenacres that the provisions of Chapter 16, Article I, III, and VIII of the City's Zoning Code be amended; 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.

Ordinance No. 2022-07 | Stand-Alone Car Wash
Page No. 2

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

Ordinance No. 2022-07 | Stand-Alone Car Wash

Page No. 3

SECTION 1. Chapter 16, Article III, Division 11 is hereby amended as follows:

* * * * *

[Sections 16-496 thru 16-498 to remain unchanged and are omitted for brevity]

Sec. 16-499. Special Exceptions.

[(1) thru (29) and (31) Omitted for Brevity]

(30) Stand-alone car wash facility:

- a. There shall be a minimum distance of ~~one thousand five hundred (1,500)~~ three thousand (3,000) feet shortest airline measurement between the nearest points of any two (2) parcels of land, located within city limits, occupied or to be occupied for stand-alone car wash facilities.
- b. ~~A stand-alone car wash facility shall only be located adjacent to an existing gas station or full service fuel station and, to the maximum extent possible, a vehicular cross connection shall be provided to the gas station.~~
- b. ~~e.~~ Stand-alone car wash facilities shall be limited to ~~county collector, urban minor arterial and urban principle arterial roadway systems.~~
- c. ~~d.~~ Outdoor storage is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- d. ~~e.~~ Outdoor display of merchandise is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- e. ~~f.~~ Hours of operation shall be limited through conditions of approval to promote compatibility with surrounding uses.
- f. ~~g.~~ A stand-alone car wash facility shall have staff on site at all times during the hours of operation.
- g. ~~h.~~ Off-street loading space(s) which are provided for the delivery of materials, merchandise, or any similar accessory or product, shall be in accordance with section 16-1336. In those instances where a loading zone is not required per section 16-1336, a Loading Zone Management Plan shall be submitted and approved by the city prior to site plan approval.
- h. ~~i.~~ Exterior loudspeakers or paging equipment are prohibited.
- i. ~~j.~~ All stand-alone car wash facilities must comply with the following architectural standards:
 - i. Exterior building material shall be stucco or a similar material presenting a high quality appearance.
 - ii. Buildings shall be designed to have the same architectural style and decorative elements on all sides.
 - iii. The colors of the building and accessory structures shall be compatible with the general character of the area.
 - iv. Elevations showing architectural details and colors shall be submitted as part of both the site and development plan and special exception applications.

Ordinance No. 2022-07 | Stand-Alone Car Wash

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- ~~j.~~ ~~k.~~ To protect landscape buffers and prevent unplanned access, a raised curb of at least six (6) inches in height shall be erected along all street property lines except for driveways.
- ~~k.~~ ~~l.~~ The car wash equipment shall use a ninety (90) percent water recycling system, utilizing one hundred (100) percent of the waste water.
- ~~l.~~ All washing facilities and equipment shall be within an enclosed building except that vacuuming facilities and air pumps may be located outside the building, subject to a limitation allowing operation of the exterior vacuum facilities and air pumps only during the hours of operation permitted for the stand-alone car wash facility under Section 16-499(30)e of this code.
- ~~m.~~ Exterior detailing and waxing shall be prohibited.
- ~~n.~~ Special landscape treatment shall be considered to mitigate the visual impact of exterior vacuum equipment on any adjacent right-of-way.
- ~~o.~~ If the opening of the car wash facility faces the adjacent right-of-way, then the opening shall be screened from view of the adjacent right-of-way to the greatest extent possible so that pass-by traffic cannot view the mechanical washing equipment inside the building.

Ordinance No. 2022-07 | Stand-Alone Car Wash

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SECTION 2. Chapter 16, Article VIII is hereby amended as follows:

* * * * *

[Sections 16-1331 thru 16-1335 to remain unchanged and are omitted for brevity]

Sec. 16-1336. Parking and loading requirement. Table 16-1336(B)

The following use is to be added between “Business offices & services” and “Child care center/preschool”. All other text to remain as-is and is omitted for brevity.]

TABLE 16-1336(B) PARKING SPACES; NON-RESIDENTIAL		
Use	Minimum parking requirements	Loading
Business offices & services	1 space per 200 sq. ft. of GFA	B
Car wash facility, stand alone	1 space per 200 sq. ft. of GFA devoted to offices, display area, customer waiting areas, break room and restrooms, plus 1 space per 1,000 sq. ft. of GFA devoted to other areas within enclosed building. In addition, 2 spaces per service/detail lane.; <u>spaces provided to serve self-service vacuum stations may be utilized to satisfy the minimum parking requirement detailed herein.</u>	B
Child care center/preschool	1 space per 200 sq. ft. of GFA & 2 drop off zone spaces	N/A

[Sections 16-1337 is omitted for brevity]

* * * * *

Sec. 16-1338. - Queuing requirements.

Requirements for drive-thru establishments are as follows:

- (1) Each queuing lane must be clearly designed and constructed so as not to conflict or interfere with ingress or egress from the site or with other traffic using the site. A queuing lane shall not share circulation with an access aisle.
- (2) ~~The minimum width of a bypass lane shall be ten (10) feet.~~ Bypass lanes shall be provided as follows:
 - a. Drive thru uses, excluding automated stand-alone car wash facilities, shall provide a continuous bypass lane with a minimum width of ten (10) feet, as illustrated in Figure 161338.
 - b. Automated stand-alone car wash facilities shall provide a point of bypass with a minimum width of ten (10) feet between the pay station and automated car wash tunnel.

Ordinance No. 2022-07 | Stand-Alone Car Wash

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- (3) Each queuing space shall be a minimum of ten (10) feet in width and twenty (20) feet in depth.
- (4) The minimum number of queuing spaces, including the vehicle being served, shall be provided in accordance with Table 16-1338 and Figure 16-1338.

[Sections 16-1339 thru 16-1340 to remain unchanged and are omitted for brevity]

* * * * *

SECTION 3. Repeal of Conflicting Ordinances.

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 4. 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 5. 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-

Ordinance No. 2022-07 | Stand-Alone Car Wash

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lettered to accomplish such intention, and that the word “Ordinance” may be changed to “Section”, “Article” or another word.

Section 6. Effective Date.

The provisions of this Ordinance shall become effective five (5) days after it is adopted.

(Remaining page is intentionally left blank)

Passed on the first reading this 18th day of April, 2022.

PASSED AND ADOPTED on the second reading this DD day of Month, 202Y.

Joel Flores, Mayor

Voted:
John Tharp, Deputy Mayor

Attest:

Quintella Moorer, City Clerk

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

Voted:
Judith Dugo, Council Member, *District III*

Voted:
Suzy 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-22-01 (Ordinance 2022-07)
Exhibit "A"
Date: March 2, 2022

Revised: 03/10/2022

	LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION
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Subject/Agenda Item:

Ordinance 2022-07: ZTA-22-01 – Stand Alone Car Wash

First Reading: A privately initiated Zoning Text Amendment from Dwayne Dickerson of Dunay, Miskel and Backman, LLP., agent for Vybe Acquisitions, LLC. for changes to the existing code requirements for a Stand-Alone Car Wash in the Commercial Intensive (CI) zoning district and related supplementary regulations for the use.

Recommendation to APPROVE

Recommendation to DENY

Quasi-Judicial

Legislative

Public Hearing

Originating Department: Planning & Engineering Project Manager _____ Kara Ferris	Reviewed By: Director of Planning & Engineering _____ Kara L. Irwin-Ferris, AICP
Approved By: City Manager _____ Andrea McCue	Public Notice: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required PC Dates: 12/2/2021 Papers LWH Mailing: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Notice Distance: _____

Attachments: <ul style="list-style-type: none"> • Ordinance 2022-07 	City Council Action: <input type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____
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I. Executive Summary

A privately initiated request to amend the City's Zoning Code to revise the established criteria for a Stand-Alone Car Wash. The applicant plans to propose stricter regulations for the use while removing the requirement for the use to be located adjacent to a full-service fuel station or an existing gas station. The current Stand-Alone Car Wash prohibits the development of the use without an adjacent full-service fuel station connected, to the maximum extent possible, through a vehicular cross connection.

The applicant has submitted a concurrent application for Site Plan Approval for a Stand-Alone Car Wash located at 6200 Lake Worth Road.

II. Background

On September 15, 2008, the City Council adopted Ordinance 2008-02 which provided for three (3) changes to the Zoning Code: provided a definition of "Stand Alone Car Wash Facility", incorporated Stand-Alone Car Wash Facilities into the Commercial Intensive (CI) zoning district as a Special Exception use, and provided for off-street parking and loading requirements for this use. Before the amendment, car washes were only approved as accessory uses to existing full-service fuel stations and car dealerships, not as a stand alone use. The amendment allowed for a car wash to develop on a property provided it was located adjacent to an existing or planned full-service fuel station and provided cross access easements to the gas station. The City Council concurrently approved a Stand-Alone car wash as a special exception, Sparkles, submitted by the same applicant that was to be developed at 4605 Melaleuca Lane, adjacent to an existing Texaco gas station. The car wash was never developed, and the approvals expired on September 15, 2010. To date, the city has not approved another stand-alone car wash in the city.

Currently, the city has received an application to amend the code to allow for a stand-alone car wash use as a special exception within the Commercial Intensive (CI) zoning district that is not required to be co-located adjacent to a full-service fuel station or gas station. The proposed language includes increasing the distance requirement between car wash facilities from 1,500 feet to 3,000 feet, prohibiting exterior detailing and waxing, and requiring a landscape buffering for accessory equipment in the parking area of the site.

The proposed amendments maintain consistency between the Comprehensive Plan and Zoning Code by providing for appropriate commercial development and will allow the provision of additional amenities for the residents of the City. The proposed City criteria will provide greater protection for neighboring uses by increasing the separation requirement between the same two uses by an additional 1,500 feet, providing a minimum three thousand (3,000) feet between the same two uses. In addition, the City will require City Council approval through the Special Exception process and thus must meet a higher review threshold.

III. Proposed Zoning Code Amendments:

The following Zoning Code regulations are impacted by the proposed Zoning Text Amendments. Text shown in ~~strike through~~ is to be deleted. Text shown in underline (proposed by applicant) and double underline (proposed by staff) is to be added:

Proposed Change #1

ARTICLE III. DISTRICT REGULATIONS

DIVISION 11. COMMERCIAL INTENSIVE (CI)

Sec. 16-499. Special Exceptions.

The following are special exceptions, subject to the provisions of section 16-474 et seq. in the Commercial Intensive (CI) district:

[(1) thru (29) and (31) Omitted for Brevity]

(30) Stand-alone car wash facility:

- a. There shall be a minimum distance of ~~one thousand five hundred (1,500)~~ three thousand (3,000) feet shortest airline measurement between the nearest points of any two (2) parcels of land, located within city limits, occupied or to be occupied for stand-alone car wash facilities.
- b. ~~A stand-alone car wash facility shall only be located adjacent to an existing gas station or full service fuel station and, to the maximum extent possible, a vehicular cross connection shall be provided to the gas station.~~
- b. ~~e.~~ Stand-alone car wash facilities shall be limited to ~~county collector, urban minor arterial and urban principle arterial roadway systems.~~
- c. ~~d.~~ Outdoor storage is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- d. ~~e.~~ Outdoor display of merchandise is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- e. ~~f.~~ Hours of operation shall be limited through conditions of approval to promote compatibility with surrounding uses.
- f. ~~g.~~ A stand-alone car wash facility shall have staff on site at all times during the hours of operation.
- g. ~~h.~~ Off-street loading space(s) which are provided for the delivery of materials, merchandise, or any similar accessory or product, shall be in accordance with section 16-1336. In those instances where a loading zone is not required per section 16-1336, a Loading Zone Management Plan shall be submitted and approved by the city prior to site plan approval.
- h. ~~i.~~ Exterior loudspeakers or paging equipment are prohibited.
- i. ~~j.~~ All stand-alone car wash facilities must comply with the following architectural standards:

- i. Exterior building material shall be stucco or a similar material presenting a high quality appearance.
- ii. Buildings shall be designed to have the same architectural style and decorative elements on all sides.
- iii. The colors of the building and accessory structures shall be compatible with the general character of the area.
- iv. Elevations showing architectural details and colors shall be submitted as part of both the site and development plan and special exception applications.
- j. ~~k.~~ To protect landscape buffers and prevent unplanned access, a raised curb of at least six (6) inches in height shall be erected along all street property lines except for driveways.
- k. ~~l.~~ The car wash equipment shall use a ninety (90) percent water recycling system, utilizing one hundred (100) percent of the waste water.
- l. All washing facilities and equipment shall be within an enclosed building except that vacuuming facilities and air pumps may be located outside the building, subject to a limitation allowing operation of the exterior vacuum facilities and air pumps only during the hours of operation permitted for the stand-alone car wash facility under Section 16-499(30)e of this code.
- m. Exterior detailing and waxing shall be prohibited.
- n. Special landscape treatment shall be considered to mitigate the visual impact of exterior vacuum equipment on any adjacent right-of-way.
- o. If the opening of the car wash facility faces the adjacent right-of-way, then the opening shall be screened from view of the adjacent right-of-way to the greatest extent possible so that pass-by traffic cannot view the mechanical washing equipment inside the building.

.....

Proposed Change #2

ARTICLE VIII. OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 16-1336. Parking and loading requirement. Table 16-1336(B)

[All other text to remain as-is and is omitted for brevity.]

TABLE 16-1336(B) PARKING SPACES; NON-RESIDENTIAL		
Use	Minimum parking requirements	Loading
Business offices & services	1 space per 200 sq. ft. of GFA	B
Car wash facility, stand alone	1 space per 200 sq. ft. of GFA devoted to offices, display area, customer waiting areas, break room and restrooms, plus 1 space per 1,000 sq. ft. of GFA devoted to other areas within enclosed building. In addition, 2 spaces per service/detail lane.;	B

	<u>spaces provided to serve self-service vacuum stations may be utilized to satisfy the minimum parking requirement detailed herein.</u>	
Child care center/preschool	1 space per 200 sq. ft. of GFA & 2 drop off zone spaces	N/A

Proposed Change #3

Article VIII. OFF-STREET PARKING AND LOADING REGULATIONS

Sec. 16-1338. - Queuing requirements.

Requirements for drive-thru establishments are as follows:

- (1) Each queuing lane must be clearly designed and constructed so as not to conflict or interfere with ingress or egress from the site or with other traffic using the site. A queuing lane shall not share circulation with an access aisle.
- (2) ~~The minimum width of a bypass lane shall be ten (10) feet.~~ Bypass lanes shall be provided as follows:
 - a. Drive thru uses, excluding automated stand-alone car wash facilities, shall provide a continuous bypass lane with a minimum width of ten (10) feet, as illustrated in Figure 161338.
 - b. Automated stand-alone car wash facilities shall provide a point of bypass with a minimum width of ten (10) feet between the pay station and automated car wash tunnel.
- (3) Each queuing space shall be a minimum of ten (10) feet in width and twenty (20) feet in depth.
- (4) The minimum number of queuing spaces, including the vehicle being served, shall be provided in accordance with Table 16-1338 and Figure 16-1338.

IV. Staff Analysis:

The proposed amendment was submitted by an applicant that also has submitted a concurrent development application for a stand-alone car wash in the city. Currently, car washes are only allowed as an accessory or adjacent use to a gas station or a full-service fuel station. The proposed amendments will provide adequate criteria for the review and approval of such an establishment as a principal use, as well as providing those specific conditions of approval can be imposed through the Special Exception process to ensure compatibility with the commercial intensive zoning district and surrounding properties. Given that there is a market demand for this use within the city, and it is already allowed in conjunction with gas stations, the proposed amendments are acceptable.

Land Development Staff Comments:

The petition was reviewed by the Land Development Staff on February 10, 2022, and February 17, 2022 and recommended for approval.

Planning and Engineering Department:	Incorporated into the change
Building Department:	No objections
Fire Rescue Department:	No objections
Public Works Department:	No objections
PBSO District #16	No objections

V. Zoning Text Amendment Criteria:**A. *The need and justification for these changes:***

The principal intent of these proposed text amendments to the Zoning Code is to allow for stand-alone car wash facilities. Currently, car washes are only allowed as an accessory or adjacent use to a gas station or a full-service fuel station. The proposed amendments will ensure that there are adequate criteria for the review and approval of such establishments as a principal use, as well as providing those specific conditions of approval can be imposed through the Special Exception process to ensure compatibility with the commercial intensive zoning district and surrounding properties. Given that there is a market demand for this use within the city, and it is already allowed in conjunction with gas stations, the proposed amendments are acceptable.

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 are consistent with the Goals, Objectives and Policies of the City's Comprehensive Plan, specifically, Goal 1 of the Future Land Use Element. This states that it shall be the goal of the City of Greenacres to achieve a high quality living environment by ensuring that the character and location of land use maximizes the potential for economic benefit and the enjoyment of natural and man-made resources by the citizenry while respecting the integrity of the natural environment by minimizing the threat to health, safety and welfare posed by incompatible land use and environmental degradation. Furthermore, the proposed amendments are consistent with Objective 1 Policy b) of the Future Land Use Element that states that higher intensities and densities of development shall be located within spheres of activity and along major corridors where public facilities are available (such as Commercial Intensive zoned properties).

Overall, the proposed zoning text amendment will enhance economic opportunities while ensuring that appropriate regulations are incorporated to ensure the health,

safety, and welfare of the residents of the City, thus assuring consistency with both the Comprehensive Plan and the Zoning Code.

VI. Staff Recommendation:

Approval of ZTA-22-01 through the adoption of Ordinance 2022-07.

**PLANNING AND ZONING BOARD OF APPEALS
RECOMMENDATION – March 10, 2022**

The Planning Commission on a motion made by Commissioner Roberts and seconded by Commissioner Edmundson, by a vote of three (3) to zero (0) recommended approval of Zoning Text Amendment **ZTA-22-01** (*Stand Alone Car Wash*) as presented by staff.

CITY COUNCIL ACTION First Reading –

CITY COUNCIL ACTION Adoption Hearing –



ITEM SUMMARY

MEETING DATE: April 18, 2022
FROM: Kara Irwin-Ferris, AICP, Development & Neighborhood Services Director
SUBJECT: Re-Plat Approval for Braman Honda

BACKGROUND

Braman Honda was approved as a Special Exception on September 9, 1997 (SE-97-03), and a Site Plan for a new and used automobile dealership was approved on September 9, 1997 (SP-97-06). A number of modifications have been approved since that time: a reduction in the height and square footage of the building (SP-97-06A); relocation of the proposed lift station from the southeast corner to the northwest corner and a change from public to private (SP-97-06B); minor cosmetic changes and an extension to the car wash (SP-97-06C); more minor changes and another increase to the carwash (SP-97-06D); another minor change (SP-97-06E); and the conversion of the retention and preserve area into vehicle storage parking and dedication of 0.36 acres of right-of-way to provide access to the new L.C. Swain Middle School (SP-97-06F).

The Plat is the final requirement to address the land swap with the Palm Beach County School District and correct the existing Plat for Braman Honda.

ANALYSIS

The review indicates that the attached plat accurately reflects the Site Plan and complies with the City’s Subdivision Code requirements.

LEGAL

The plat has been reviewed in accordance with the requirements of Chapter 12 of the City Code and Chapter 177, Florida Statutes.

FINANCIAL

There are no impact fees required.

STAFF RECOMMENDATION

Approval of the re-plat for Braman Honda.



ITEM SUMMARY

MEETING DATE: April 18, 2022
FROM: Andrea McCue, City Manager
SUBJECT: City Auditor Selection Process

BACKGROUND

Title XIV, Chapter 218.391 Florida Statutes outlines Auditor Selection Procedures and requires that each government entity, prior to entering a written contract, shall use auditor selection procedures when selecting an auditor to conduct the annual financial audit. The committee must, at a minimum, consist of three members with one member being from the governing body.

ANALYSIS

The City entered into the current contract with Nowlen, Holt Miner, P. A. in 2015 and have exhausted all extension provisions of the contract and are required to issue an RFP for Auditing Services in accordance with the requirements outlined in the Florida Statutes.

FINANCIAL INFORMATION

Cost of auditing services will be included in the City's annual budget.

LEGAL

The City Attorney has reviewed this Item Summary for legal sufficiency.

STAFF RECOMMENDATION

Staff is recommending appointment of one of the members of the Council to serve on the City Auditor Selection Committee.



ITEM SUMMARY

MEETING DATE: April 5, 2022
FROM: Andrea McCue, City Manager
SUBJECT: City Partnership with American Legion Post 258

BACKGROUND

In June 1999, The City Council authorized an agreement with the American Legion Post 258 to lease two (2) lots in the Original Section for a term of sixty years, through May 2059 at a rate of \$1.00 per year. Through this agreement the American Legion built a 1,500 sqft Legion Hall building and associated parking.

Sometime in 2015, The City was approached by American Legion Post 258 representatives to purchase the lots leased from the City to allow the Legion flexibility in addressing financial matters without the constraints of the existing lease. On October 5, 2015, the City Council authorized the sale of the two (2) City lots to the American Legion Post 258 and the termination of the Lease Agreement upon closing of the sale of the two lots. In February 2016, the American Legion Post 258 sold the Legion Hall building to JM Contracting Group LLC who subsequently sold it to the United Pentecostal Church of West Palm Beach, Inc.

ANALYSIS

The City did not have a lot of contact with American Legion Post 258 following the sale of the property and was not aware of a new Legion Hall location in the City. In an effort to re-establish the Post, the City has offered space to the American Legion at a discounted not-for-profit rate and the Legion has sporadically rented space in the Community Center for meetings.

FINANCIAL INFORMATION

No financial cost to the City and space is provided at a not-for-profit rate.

LEGAL

The City Attorney has reviewed this Item Summary for legal sufficiency and compliance.

STAFF RECOMMENDATION

The City recognizes the value of having American Legion Post 258 in the City and the benefit a local location can be to City veterans and their families. The City does not have dedicated space to offer the Legion at no cost. Staff is recommending that we continue to provide space to the Legion at the not-for-profit rate and partner with the Legion however possible in support of re-establishing Post 258 in the City.



ITEM SUMMARY

MEETING DATE: April 18, 2022
FROM: Andrea McCue, City Manager
SUBJECT: Tree Removal and Replacement

BACKGROUND

Since 1991, the City of Greenacres has been recognized by the Arbor Day Foundation as a Tree City USA. As part of the Tree City USA standards, the City is required to have documentation providing clear guidance for planting, maintaining and removal of trees. Chapter 16 of the City's Zoning Code Outlines requirements for tree removal and relocation and justification and permit exemptions.

ANALYSIS

A permit is required to remove or relocate a tree on commercial or residential property. A tree can only be removed or relocated based on the following conditions in part:

- The tree constitutes an unreasonable impediment to continuance or development of a permitted use of the property by virtue of its location in a buildable area or yard
- The tree is diseased, injured, in danger of falling, is too close to an existing or proposed structure, interferes with utility services, creates unclear vision clearances
- The tree is in excess of the tree requirements for a property containing a single-family residence or duplex and is not listed as a preferred native tree
- The tree has been destroyed or died
- The tree is growing too close in proximity to another tree to permit normal growth
- The tree is not considered a designated historic or specimen tree i.e.: its older than 15 years, it is a very large size for its species and/or it is of a rare variety.

The City enforces the code, as written, consistently throughout the city and does not make any exceptions not listed in the code.

FINANCIAL INFORMATION

Not applicable

LEGAL

In 2019, the Council adopted revisions to section 16-1249 of the City's Code of Ordinances, entitled "Building Permit for Vegetation Removal Required." The revisions were in response to the Legislature's adoption of section 163.045, Florida Statutes, which allows for residential property owners to remove trees if a certified arborist or licensed landscape architect details in writing that the removal of a tree is necessary because it presents a danger to persons or property. Section 16-1249 provides clarity to the statute, which has several undefined terms and vague concepts. This clarity helps to ensure residents have clear notice of when the statute may apply and allows for fair enforcement of the same. Section 16-1249 also helps to maintain the City's status a Tree City USA. The process provided for in the Florida Statutes is only for removals on single-family lots, not applicable to residential common areas or commercial lots.

STAFF RECOMMENDATION

Staff is recommending that the City continue to enforce the Zoning Code and Tree City USA standards.



ITEM SUMMARY

MEETING DATE: April 5, 2022
FROM: Andrea McCue, City Manager
SUBJECT: Appointment of Deputy Mayor

BACKGROUND

City Code, Charter, Article II, Mayor, Section 2, Deputy Mayor states:

The City Council shall designate one (1) of its members as Deputy Mayor, who shall serve in such capacity at the pleasure of the Council. The Deputy Mayor shall perform all of the mayoral duties during the absence or disability of the Mayor.

Council Policy 12 which was established in 1997 and rescinded in 2016 provided that at the first regularly scheduled meeting in April of each year, the Mayor shall nominate one (1) of the members of the City Council to serve as Deputy Mayor for the coming year. The City Council shall then appoint by majority vote, either the Mayor's nominee or any other member of the Council that it may choose. Any nominee for Deputy Mayor must have served one (1) full term as a Council member prior to being eligible for nomination. In addition, no Council member may serve as Deputy Mayor in excess of two (2) successive years.

ANALYSIS

On September 18, 2017, the Charter Review committee met with the City Council to make Charter change recommendations and the following was recommended related to the appointment of Deputy Mayor:

Beginning with the organizational meeting in November 2018, the Deputy Mayor's seat shall rotate annually beginning with Council Seat 1. Any Council member in his/her first term shall defer appointment as Deputy Mayor for a one (1) year period, at which point the appointment will go to the next sequential seat and the deferring member shall serve the subsequent year. Should any Council member decline the appointment, the appointment shall go to the next sequential member and the deferring member will not be appointed until the rotation returns to their seat. Should the Councilmember serving as Deputy Mayor vacate his/her Council seat for any reason, the Deputy Mayor designation shall rotate to the next sequential Council seat and the incumbent therein shall complete the unexpired terms followed by his/her own term as Deputy Mayor. In the event the Deputy Mayor is serving as Mayor pro-tem pursuant to Article II, Section 3 of the Charter, the Deputy Mayor's position will not rotate until a new Mayor is elected.

FINANCIAL INFORMATION

No financial impact to the City.

LEGAL

The City Attorney has reviewed this summary for legal sufficiency and compliance.

STAFF RECOMMENDATION

Staff is requesting input from the Council to develop a policy in coordination with the City Attorney related to the appointment of a Deputy Mayor.



ITEM SUMMARY

MEETING DATE: April 5, 2022
FROM: Andrea McCue, City Manager
SUBJECT: Use of the City Seal

BACKGROUND

On May 21, 2018, the City Council approved Ordinance 2018-08, providing for designation of the City's Official Seal. Once the City designated its official seal, Section 165-043, Florida Statutes makes the unauthorized use of the official seal (i.e., the manufacture, use, display or other employment of any reproduction of the seal) a second-degree misdemeanor.

Subsequently, on May 21, 2018, the City Council also approved Resolution 2018-19, approving a City policy regarding the use of the City of Greenacres Official Seal.

Council Policy 31 attached outlines the purpose and policy related to the use of the City's Official Seal.

ANALYSIS

There is currently no penalty outside of the penalty provided for in the Florida Statutes for unauthorized use of the City's seal. City staff could not find other municipalities that have documented penalties for unauthorized use of their city seals.

FINANCIAL INFORMATION

No financial impact to the City.

LEGAL

The City Attorney has reviewed this Item Summary and Council Policy 31 for legal sufficiency and compliance.

STAFF RECOMMENDATION

Should the Council wish to consider additional penalties for unauthorized use of the City's Seal, staff, in coordination with the City Attorney is prepared to draft language for the Council's consideration.



**CITY OF GREENACRES
COUNCIL POLICY**

Policy No.: 31
Issued: 05-21-18
Revised:

SUBJECT: Use of the City's Official Seal

REFERENCE: Ordinance No. 2018-08
Section 2-1 of Code of Ordinances

PURPOSE: To establish a policy and procedure for the use of the City's officially designated seal.

POLICY:

A. Allowable official uses.

In accordance with Ordinance No. 2018-08 ("City Seal Ordinance"), City officials and employees may use the City's officially designated seal (the "Seal") in the performance of their official duties. Examples of such use include, but are not limited to: council meeting agendas, letterhead from the city manager's office and city departments, news releases, city website, city brochures on services offered to the public, city publications, city Facebook page, proclamations, city emails, public hearing notices, and procurement documents. If a City official or employee is unsure whether the use of the Seal is appropriate under this provision, the City official or employee may request written authorization from the city manager prior to the use of the Seal.

B. Allowable uses for events.

If the City sponsors or co-sponsors an event and that event is included in the budget for the current fiscal year, the Seal may be used on marketing and other event materials without the prior authorization of the city manager. If the event is not included in the budget for the current fiscal year, the City or the event co-sponsor shall secure the written authorization of the city manager prior to the use of the Seal in the event materials. The city clerk shall provide authorized co-sponsors with the Seal to be used in such materials. Co-sponsors shall use only the form of the Seal provided to them by the clerk unless otherwise approved by the city manager.

C. Prohibited uses.

1. The use of the Seal in campaign material is prohibited. This prohibition includes any use, display, reproduction, photograph, mock-up or other duplication of the Seal.

2. Any use of the Seal that is not authorized by this Policy or by the city manager is prohibited.

D. Revocation of authorized use.

The city manager may immediately revoke his/her prior authorization for use of the Seal upon (1) a reasonable belief that false or inaccurate information was submitted to obtain said authorization or (2) a reasonable belief that the Seal may be used or has been used improperly.

EFFECTIVE DATE: This policy shall become effective immediately upon its adoption by the City Council.

ADOPTED ON THIS 21st DAY OF May, 2018.

Voted

Joel Flores
Mayor

Paula Bousquet
Deputy Mayor

Attest:

Joanna Cunningham
City Clerk

John Tharp
Council Member, District I

Peter Noble
Council Member, District II

Judith Dugo
Council Member, District III

Jonathan G. Pearce
Council Member, District IV

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia
City Attorney



ITEM SUMMARY

MEETING DATE: April 5, 2022
FROM: Andrea McCue, City Manager
SUBJECT: Use of the City Commemoratives

BACKGROUND

The City purchases different types of commemoratives (mugs, pins, blankets, coasters, umbrellas, etc.) using the City's Seal which are given to individuals under many different circumstances. In 2021, the City purchased commemorative coins with the official City Seal on one side and a rendering of the front of City Hall on the other side.

ANALYSIS

The coins were procured as a commemorative that the Mayor and City Council could give out at their discretion. The City does not have any policies or guidelines in place on when and/or how commemoratives can be distributed. They Mayor and City Council have received other commemoratives in the past such as lapel pins with the City Seal that they were also able to hand out at their discretion. Commemoratives have been given to employees, residents, volunteers, community partners, business owners and any other party that they Mayor and City Council felt appropriate.

FINANCIAL INFORMATION

Financial impact would be the cost of any commemorative purchased.

LEGAL

The City Attorney has reviewed this Item Summary for legal sufficiency and compliance.

STAFF RECOMMENDATION

Should the Council wish to consider a policy for distribution of City commemoratives, staff, in coordination with the City Attorney is prepared to draft language for the Council's consideration.



ITEM SUMMARY

MEETING DATE: April 5, 2022
FROM: Andrea McCue, City Manager
SUBJECT: Televising of City Council Meetings

BACKGROUND

The City Council Chambers is equipped to accommodate audio recording only of public meetings. When the Chambers was constructed, visual recording was not included.

ANALYSIS

The entire audio system within the Chambers needs a major upgrade. Staff has looked at several options using the infrastructure currently in place and adding an entirely new system including cameras, a managed service package, and captioning, with a cost of approximately \$72,000.00. As the City grows and we see that the demand for virtual participation from our residents has increased, staff feels that the City should upgrade the entire audio system in the Chambers.

Additionally, as we look at future needs to accommodate future growth within City Hall, staff is preparing to make recommendations to the Council during the budget process for modifications to City Hall to provide for long term future growth needs including many upgrades to the Council Chambers.

FINANCIAL INFORMATION

The cost to upgrade the system in the Chambers is not currently in the budget.

LEGAL

The City Attorney has reviewed this Item Summary for legal sufficiency and compliance.

STAFF RECOMMENDATION

Staff is recommending that the Council allow us to present options to upgrade the current system during the budget process as part of the Capital Improvement presentation.



Department Report

MEETING DATE: April 18, 2022
FROM: Michele Thompson, Director, Community & Recreation Services
SUBJECT: Community & Recreation Services Dept. **March Report**

ADMINISTRATION

PERFORMANCE MEASUREMENT	THIS PERIOD	FY2022 TO DATE	FY 2022 BUDGET
No. of Contracts Executed	0	0	2
No. of Collaborative Partnerships	5	7	22
No. of Vendor/Independent Contractor Agreements	7	25	18
No. of Educational Scholarship Applications	5	5	14
No. of Community Events Coordinated	1	2	8
No. of Event Participants	5,000	13,000	28,000
No. of Little Free Libraries (LFL)*/Story Walk	1	26/2	30/2
No. of Business Sponsorships	5	22	17

FACILITY RENTALS

FACILITY RENTALS	THIS PERIOD	FY2022 TO DATE	FY 2022 BUDGET
Fields/Concession Stands	68	542	550
Pavilions	47	201	350
Center Facility	63 ¹	376 ¹	1,100
Monthly Center Attendance	3,253	15,395	N/A

¹ 112 Additional Free Rentals: 29 Gym -YP/BR Dance/BB Lg., 4 Banquet Room -Conversation Series/Palm Springs/PBSO, 4 Room 1 -YP/Mun.Elec., 1 Room 2 -AARP, 13 Room 3 -Senior Social, 4 Room 4 -Garden Club/AARP/GFWC/HOA., 1 SJF Com. Park -Employee Lunch, 1 Freedom Pav. Awning -YP, 23 Freedom Park Large -Tai Chi Classes, 31 IVB Pavilion -Covid-19 Testing/Congresswoman van, 1 BB Courts -BB Lg.

REVENUE

FACILITY RENTALS REVENUE	THIS PERIOD	FY2022 TO DATE	FY2022 PROJECTED
Rental Revenue Generated	\$10,716.50	\$71,148.76	\$134,000

ATHLETICS

YOUTH ATHLETICS	THIS PERIOD	FY2022 TO DATE	FY2022 PROJECTED
Co-ed Fall Soccer (9/13/21-12/10/21)	-	158	160
Co-ed Spring Soccer	116	202	175
Co-ed Winter Basketball (12/6/21-3/10/22) • Registration Period 9/7/21 – 11/2/21	-	100	160
Co-ed Summer Basketball Skills Camp	-	-	40

COMMUNITY SERVICES

CROS MINISTRIES FOOD PANTRY DATES	NO. OF HOUSEHOLDS	NO. OF INDIVIDUALS
October 14 th & 28 th	37 & 31	94 & 81
November 11 th & 24 th	33 & 36	73 & 92
December 9 th & 22 nd	cancelled/25	0/57
January 13 th & 27 th	52/35	132/86
February 10 th & 24 th	33/cancelled	79/cancelled
TOTAL YTD	162	397

COVID TESTING BY BLUE MED CONSULTANTS	NO. TESTED	TOTAL YTD
January	1401	4,896
February	258	5,154
March	267	5,421
MOBILE COVID VACCINATION UNIT	NO. VACCINATED	TOTAL YTD

December	32	32
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SENIOR PROGRAMS

SENIOR SOCIAL	SPONSORS	NO. OF PARTICIPANTS YTD
Games/Bingo/Special Events Mon., Wed., Fri. (3x15)	Humana, Cano Medical, Prominence Health, Dedicated Senior, PBSO, Devoted Health Plans, Absolute Best Insurance	276
Thanksgiving Luncheon	State Farm, Robling Arch, Humana, Frank Miller, DJ Bobby, The Glasser Family	45

FY22 EVENTS & SPONSORSHIPS

EVENTS	SPONSORS/PARTNERS	FY2022 EXPENSE	FY2022 ATTENDEES
Holiday in the Park (12/4/21)	Greenacres Nissan, Ed's Foods, Waste Management, PepsiCo, Tapatia, Humana, Dedicated Sr., Sunshine Health, and BlueMed	\$14,828	5,500
Fiesta de Pueblo (1/8/22) March 5 th	Co-Sponsored w/ FdP, Inc.	\$2,268	
Artzy Eve. at City Hall (1/22/22)	Cancelled	\$3,527	
Daddy Daughter Dance (2/19/22)	Postponed June 4 th	\$3,560	
Egg'stravaganza (4/16/22)		\$13,655	
Rock-n-Roll Sunday	Cancelled	\$1,598	
Ignite the Night (7/4/22)		\$39,165	
<i>Back2School</i> Supply Distribution (August)		\$6,200	



Department Report

MEETING DATE: April 18, 2022

FROM: Kara L. Irwin-Ferris, Director of Development & Neighborhood Services

SUBJECT: March 1, 2022 through March 31, 2022

Development & Neighborhood Services

Planning & Engineering

NEW CASES

ZTA-22-05

A City-initiated request for a text amendment to add Adult Entertainment to zoning districts.

ZTA-22-06

A City-initiated request for a text amendment that require gated communities within the City of Greenacres to install Knox-Boxes and/or Click2Enter Systems per decision of the city's fire chief.

ZTA-22-07

A City-initiated request for a text amendment to amend the final and preliminary plat procedures.

ZTA-22-08

City-initiated zoning text amendment to require all fees owed the City to be paid prior to issuance of a Business Tax Receipt.

Church of God 7th Day of Palm Beach

A request by the applicant for a site plan amendment (SP-08-01C) to change the metal roof to asphalt shingle due to cost constraints. The site is located at 3535 S. Jog Road. (Scheduled for the DRC meetings April 14 and April 21, 2022)

CURRENT PLANNING CASES

ALFA-G Arcade

A request by the owner for a request for a special exception (SE-21-01) to allow an indoor amusement in a commercial zoning district. The site is located at 3757 S. Military Trail. (Item was tabled until appropriate permits are filed)

ANX-08-01

Annexation into the City of various road rights-of-way per Interlocal Annexation Agreement (ANX-07-05). (Staff review)

ANX-20-03 4180 S. Jog Road (Lake Worth Plaza West Shopping Center)

A request by the owner for a voluntary annexation (ANX-20-03) for one parcel of land totaling approximately 27.14 acres. The site is located at 4180 S. Jog Road. The City has been negotiating an Interlocal Service Boundary Agreement with Palm Beach County, in accordance with Florida Statutes to facilitate the annexation of the plaza and the outparcels. Staff has received an Agreement from Palm Beach County and has started the adoption process.

Bethesda Tabernacle

A request by the owner for a request for a site and development plan approval (SP-99-04B) to modify the previously approved site plan and a special exception (SE-21-02) to for a house of worship and develop a 16,459 square foot House of Worship use and accessory uses at 4901 Lake Worth Road. . (Resubmittal received on March 15, 2022 and is under staff review, LDS comments sent on March 24, 2022, meeting scheduled with applicant on March 25 to discuss comments.)

Chick Fil A Greenacres

A request by the owner for a site and development plan (SP-85-12RR) approval to construct a 4,646 fast food restaurant with a drive-thru window and a special exception (SE-21-03) request to allow a fast food/drive thru restaurant in a commercial intensive zoning district. The site is located in the River Bridge Centre on the southwest corner of Forest Hill Blvd and S. Jog Road. (Resubmittal received on March 25, 2022, under consultant review)

ISBA-2020 Northeast Corner of S Jog and Lake Worth Road

A request initiated by the City of Greenacres to Palm Beach County for a Interlocal Service Boundary Agreement (ISBA) to address the potential issues for services upon annexation for the unincorporated property located at the north west corner of Lake Worth Road and South Jog Road. City Council approved Resolution 2020-45 to initiate the action on November 2, 2020. Palm Beach County Board of County Commissioners adopted a Resolution to support the ISBA. City and County staff met in January to start drafting the Agreement and continue to work out issues. City staff and the property owner met with Palm Beach County Fire Rescue and a representative from IAFF on June 29, 2021. Staff is checking in with County staff weekly for an update on the proposed language for the Agreement. PBC Staff has recently forwarded the Agreement, staff is reviewing it and starting the process to bring to Council for adoption.

Pink Bird Stand Alone Car Wash

A request by the applicant to change the special exception (SE-22-01) for a stand alone car wash in a commercial general zoning district. A site and development plan (SP-22-02) request to construct a stand alone car wash. The site is located at 6200 Lake Worth Road. (Scheduled for DRC meetings February 10, 2022 and February 17, 2022)

SITE PLAN AMENDMENTS

AT&T Store

A request by the property owner for a class I site plan amendment (SP-89-06C) to allow for façade improvements to the existing building. The site is located at 5177 Lake Worth Road.

Catalina Estates

A request by the property owner for a class I site plan amendment (SP-18-02C) to modify the previously approved landscape plan. (Resubmittal received received on March 24, 2022)

Tire Kingdom @ Woodlake Plaza

A request by the owner for a class I site plan amendment (PCD-84-02CC) for exterior elevations. The site is located at 5901 Lake Worth Road. (Scheduled for DRC review February 10, 2022 and February 17, 2022)

Wachovia Bank @ Military Crossing

A request by the property owner for a class I site plan amendment (SP-04-06A) to add cash machine. The site is located at 4901 S. Military Trail. (Complete submittal package received on February 14, 2022. Scheduled for DRC review meetings on March 10, 2022 and March 17, 2022)

ZONING TEXT AMENDMENTS

ZTA-21-02 Uses

A request by the Planning & Engineering Department for a zoning text amendment to reflect uses in all zoning districts.

ZTA-21-05 MXD-O

A request by the Planning & Engineering Department for a zoning text amendment to modify MXD-O. (Scheduled for City Council on May 2, 2022)

ZTA-21-07 Art in Public Places

A City-initiated request to add regulations for the creation of a program providing for the placement of art in public spaces within the City. (Staff Review)

ZTA-22-01 Stand Alone Car Wash

A request by the applicant to change the special exception requirements for the Commercial Intensive zoning district for a Stand Alone Car Wash Facility be located adjacent to a gas station but rather provide more stringent location requirements. (Scheduled for first reading at City Council on April 18, 2022)

ZTA-22-02 Construction Noise

A City-initiated request for a text amendment that reduce the hours for construction and machinery activity and to add regulations on commercial sanitation operations, heating, ventilation, and air conditioning (HVAC) equipment on residential property and landscaping and yard maintenance power tools or motorized equipment where the Zoning Code is presently silent. (Scheduled for second reading and adoption at City Council on April 4, 2022)

ZTA-22-03 Public Hearings

A City-initiated request for a text amendment that add a chart which will provide the application approvals and notice requirements for each Planning and Zoning Division petition. (Scheduled for second reading and adoption at City Council on April 4, 2022)

ZTA-22-04

This zoning text amendment proposes to revise Chapter 16, Article IV Supplemental District Regulations, Division 2, Area and Height Limitations, Section 16-630, in order to address accessory structures on large Residential lots and accessory structures allowed within the required setbacks for single family residential structures. (Scheduled for the City Council meeting on April 4, 2022 for second reading and adoption.)

RESIDENTIAL PERMITS

Catalina Estates

Plat application received on May 16, 2019. Comments letter sent to applicant on July 17, 2019, resubmittal received on August 25, 2019 and approved by City Council on October 7, 2019. MOT Plan issued drainage work to begin October 5, 2020.

Ranchette Road Townhomes

Plat Application received on March 23, 2021. Comments letter sent to applicant on May 17, 2021, resubmittal received on June 1, 2021. Final plat received and utility permit reviewed by City's engineer. Plat approved by City Council on October 4, 2021. Utilities permit approved by City's consulting engineer on 10/1/2021. Pre-construction meeting held on November 19, 2021.

COMMERCIAL PERMITS

Braman Honda

Revised replat under review. Construction of the vehicle storage lot is complete. Permit application for the recently approved service department expansion (SP-97-06G) was issued. Comments sent to applicant on March 22, 2021. Final plat received and under review, to be scheduled for a future City Council meeting.

Church of God 7th Day (3535 S Jog Road)

The building permit and engineering permit are both issued for the development. Stop work order was issued by Building Official on September 28, 2018. Subsequent meetings have been held with Building Official and Consultant Engineer. The Building Official has re-issued the permits to the contractor. The construction is moving forward.

Kid's College Greenacres Campus

Plat application received on October 19, 2018 with complete submittal received on November 6, 2018. The Plat was approved January 7, 2019 by City Council. Utility permit issued on January 25, 2019; pre-con meeting for underground work only held on January 30, 2019. Building permit signed off by zoning on February 15, 2019. Pedestrian Access Easement Agreement signed and recorded on May 15, 2019. Building Dept. permit issued on May 15, 2019. Building construction has been completed for the first building. The second building has been completed. Final landscape and building inspections passed on October 18, 2021.

Palm Beach Christian Academy

Revision to building permit received on November 1, 2021 comments sent to applicant on November 17, 2021, waiting on outside agency permits and resubmittal to address City's engineer comments.

CAPITAL IMPROVEMENTS

Original Section Drainage Improvement – Phase 7

An application for Phase 7 of the Original Section Drainage Improvements project was submitted to DHES on March 12, 2020. The CDBG Grant Agreement for FY 20-21 was approved by City Council on September 24, 2020. Agreement sent to DHES on October 6, 2020. Project was advertised for bid on January 31, 2021. Virtual Pre-bid meeting was held on February 17, 2021. The bid opening was March 3, 2021. On March 15, 2021 City Council awarded the bid to TCLM Enterprise Inc. Notice of Award issued on March 24, 2021. The Preconstruction meeting was held on April 21, 2021. Notice to Proceed issued on April 27, 2021. Resident Notification letters sent on April 20, 2021. Physical construction started on May 24, 2021. Substantial completion reached on August 11, 2021; third payment request received and processed on August 24, 2021. Final inspection passed Tuesday, September 14, 2021. Final invoice processed on October 14, 2021. Final close out documents have been sent to DHES.

Original Section Drainage Improvement – Phase 8

An application for Phase 8 of the Original Section Drainage Improvements project was submitted to DES on February 8, 2021. The CDBG Grant Agreement for FY 21-22 was approved by City Council on August 18, 2021. Agreement sent to DHES on August 25, 2021. Design completed January 28, 2022, expected to advertise for bid on January 30, 2022. Pre application meeting was held on February 10, 2022. The bid opening was held on March 2, 2022. On March 21, 2022 the City Council awarded bid to TCLM, Inc.

FY 2022 Data:

Case	Current Period	FY 2021 to Date	FY 2021 Budget
Annexation	0	0	2
Comprehensive Plan Amendment	0	4	5
Zoning Changes	0	1	3
Special Exceptions	0	1	5
Site Plans	1	2	5
Site Plan Amendments	2	6	14
Variances	0	0	4
Zoning Text Amendments	1	2	3

Inspection Type	Current Period	FY 2021 to Date	FY 2021 Budget
Landscaping	2	25	130
Zoning	2	16	121
Engineering	3	61	100

Building Division

1) ADMINISTRATION:

- a) Researched and completed one hundred and forty-five (145) lien searches providing permit and code enforcement case information.
- b) Researched and completed seventy-two (72) records request for historical permits.
- c) Congratulations to Jeremy Scott for receiving his Qualified Stormwater Management Inspector license.

2) PERMITS/INSPECTIONS:

PERMITS/INSPECTIONS	DURING THIS PERIOD	FYTD 2021
New Applications Received / Permits Created	318	1,915
Applications Approved	83	414
Applications Canceled	1	15
Applications Denied	4	50
Applications Reopened	3	19
Permits Issued	334	1,856
Permits Completed	232	1,424
Permits Canceled	2	39
Permits Reopened	28	69

Permits Expired	2	8
Inspections Performed	508	3763
Construction Value of Permits Issued	\$3,515,773.68	\$21,557,531.06
Construction Reinspection Fees	\$400.00	\$2,350
CO's Issued	1	4
CC's Issued	0	11
Temporary CO's Issued	0	0

3) BUSINESS AND CONTRACTOR REGISTRATION (see attached reports):

ACTION	DURING THIS PERIOD	FYTD 2021
BTR Inspections Performed	38	127

(See Attached Summary Reports)

4) PERMIT APPLICATIONS IN PLAN REVIEW – PRINCIPAL NEW OR REMODEL PROJECTS:

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT#
Tire Kingdom – *APPLICATION EXPIRED*	5901 Lake Worth Rd		Exterior Improvements -New storefront Fascade	2021-3309
Palm Beach Christian Academy	5208 S Haverhill Rd	4,250	Construct two new classroom buildings & one bathroom building	2021-3230
Luna Café *APPPLICATION EXPIRED* (Waiting for a Contractor)	2930 S Jog Rd	1,520 sq.ft.	Interior Remodel – Convert office space into Restaurant	2021-2464
ABCE Restaurant	3034 S Jog Rd	1,400	Interior Renovation	2021-1302

5) PROJECTS IN PROGRESS – PRINCIPAL REMODELING/RENOVATION:

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT #
Sanctuary Medicinals LLC	6905 Lake Worth Rd	3,700 sq.ft.	Commerical Renovation – Change of Use	2021-3948
Kids In Care	2904 S Jog Rd	3,385	Remodel – Outpatient Medical Facility	2022-0454
Catayu Baking	3797 S Military Trail		Convert former Carolina Furniture store into Factory for Bakery with Business Use	2021-3806
Eagle Grill	4624 Lake Worth Rd	1,100	Remodel New Kitchen & Accessible Restroom	2021-4016
Convenience Store/Laundry	5470 10 th Ave N	1,604 sq.ft.	Interior Remodel – Add Coin Laundry to Convenience Store	2021-1191
Ministries in Bethel	3950 S 57 th Ave	6,939 sq.ft.	House of Workship	2021-0365
Greenacres Plaza Landlord Improvements	3953 S Jog Rd		Interior Remodel – Subdivide one bay into three.	2021-2600
Greenacres Plaza Landlord Improvements	3951 S Jog Rd		Interior Remodel – Subdivide one bay into three.	2021-2599
Greenacres Plaza Landlord Improvements	3949 S Jog Rd		Interior Remodel – Subdivide one bay into three.	2021-2598
Target	5900 Lake Worth Rd	1,394	Remove Café/Snack Bar & Convert to Online Pick-Up Storage Area	2021-0756
Crunch Fitness	6846 Forest Hill Blvd	26,002	Remodel Gym	2021-2002
Supertech Communications (Waiting for a Contractor)	5305 Lake Worth Rd	800	Interior Remodel	2021-1498
Isabel Barber Salon	3820 S Jog Rd	1,040	Remodel Add Mani/Pedi Stations New Salon	2020-2742
Mission of Grace	6200 Lake Worth Rd	3690 sq. ft.	Convert former Restaurant to House of Workship	2020-2095
Mission of Grace	6200 Lake Worth Rd		Interior Demo of Former Steak N Shake	2020-1748
Church of God 7 th Day	3535 S Jog Rd	11,500 sq. ft.	New Church	2016-2382

6) PROJECTS IN PROGRESS – PRINCIPAL NEW CONSTRUCTION:

PROJECT	ADDRESS/LOCATION	UNITS OR SQ. FT. APPROVED	UNITS C.O.'D
Ranchette Townhomes	1093 Ranchette Rd / Common Area	74 T/H	
Catalina Estates	4500 Catalina Way / Common Area	20 S/F	
Original Section	249 Martin Ave	1,797 sq. ft.	New Single Family
Original Section	349 Jackson Ave	1,951 sq. ft.	New Single Family
Original Section	409 Broward Ave	1,951 sq. ft.	New Single Family

Code Enforcement Division

CODE ENFORCEMENT	DURING THIS PERIOD	FYTD 2021
Inspections Related to Active Code Cases	231	3463
New Cases Started	92	1052
Cases Complied	60	805
Current Open Cases	276	1836
Notices Sent	122	3278
Illegal Signs Removed from right-of-ways	321	3415
Inspections Not Related to Active Code Cases	231	1710
Complaints Received and Investigated	20	435
Warning Tickets	337	1261



License Activity Report Item # 20.

Activity Date Range 03/01/22 - 03/31/22
Summary Listing

License Type	Category	Application Received	Application Denied	Application Approved	New License Issued	License Renewed	License Revoked	License Canceled
Cont Office - Contractor Office	Business	1	0	0	0	0	0	0
Contractor Reg - Contractor Registration	Business	51	0	0	43	8	0	0
Exemptions - Exemptions / Non-Profit	Business	1	0	0	1	0	0	0
General Retail - General Retail	Business	2	0	0	2	0	0	0
General Service - General Service	Business	1	0	0	4	2	0	0
General Svc Reg - General Service Registration	Business	0	0	0	0	1	0	0
Home - Home Based Business	Business	1	0	0	1	2	0	0
Professional - Professional	Business	5	0	0	5	2	0	0
Rental Unit - Rental Unit	Business	11	0	0	5	9	0	0
Grand Totals		73	0	0	61	24	0	0

CITY OF GREENACRES
Licensing Revenue Summary Report
 Licensing Revenue Summary Report - Summary
 From Date: 03/01/2022 - To Date: 03/31/2022

Item # 20.

Charge Code	No. of Billing Transactions	No. of Adjustment Transactions	Billed Amount	Adjustments	Net Billed
License Type: Cont Office-Contractor Office					
Cont Office-Contractor Office	2	0	\$232.44	\$0.00	\$232.44
Com Inspection-Commercial Inspection	1	0	\$69.00	\$0.00	\$69.00
Collection Fee-Collection Fee	1	0	\$25.00	\$0.00	\$25.00
Delinquent >150-Delinquent Over 150 Days	1	0	\$100.00	\$0.00	\$100.00
License Type Cont Office-Contractor Office Totals	5	0	\$426.44	\$0.00	\$426.44
License Type: Exemptions-Exemptions / Non-Profit					
Com Inspection-Commercial Inspection	1	0	\$69.00	\$0.00	\$69.00
License Type Exemptions-Exemptions / Non-Profit Totals	1	0	\$69.00	\$0.00	\$69.00
License Type: Food Service-Food Service / Bar / Lounge					
Food-Food Service	4	0	\$486.20	\$0.00	\$486.20
Food Per Seat-Food Per Seat	4	0	\$1,949.36	\$0.00	\$1,949.36
Com Inspection-Commercial Inspection	1	0	\$69.00	\$0.00	\$69.00
Transfer-Transfer	1	0	\$25.00	\$0.00	\$25.00
Collection Fee-Collection Fee	4	0	\$100.00	\$0.00	\$100.00
Delinquent > 150-Delinquent Over 150 Days	4	0	\$400.00	\$0.00	\$400.00
License Type Food Service-Food Service / Bar / Lounge Totals	18	0	\$3,029.56	\$0.00	\$3,029.56
License Type: General Retail-General Retail					
General Retail-General Retail Sq Feet	8	0	\$1,160.89	\$0.00	\$1,160.89
Com Inspection-Commercial Inspection	2	0	\$138.00	\$0.00	\$138.00
Collection Fee-Collection Fee	5	0	\$125.00	\$0.00	\$125.00
Delinquent >150-Delinquent Over 150 Days	5	0	\$500.00	\$0.00	\$500.00
License Type General Retail-General Retail Totals	20	0	\$1,923.89	\$0.00	\$1,923.89
License Type: General Service-General Service					
General Service-General Service	15	0	\$1,660.35	\$0.00	\$1,660.35
Vending Machine-Amuse/ Vending / Coin Operated	1	0	\$3,805.62	\$0.00	\$3,805.62
Com Inspection-Commercial Inspection	4	0	\$276.00	\$0.00	\$276.00
Collection Fee-Collection Fee	12	0	\$300.00	\$0.00	\$300.00

Licensing Revenue Summary Report

Licensing Revenue Summary Report - Summary

From Date: 03/01/2022 - To Date: 03/31/2022

Charge Code	No. of Billing Transactions	No. of Adjustment Transactions	Billed Amount	Adjustments	Net Billed
Delinquent > 150-Delinquent Over 150 Days	12	0	\$1,200.00	\$0.00	\$1,200.00
Cosmetology-Cosmetology / Barber	2	0	\$77.36	\$0.00	\$77.36
License Type General Service-General Service Totals	46	0	\$7,319.33	\$0.00	\$7,319.33
License Type: General Svc Reg-General Service Registration					
General Svc Reg-General Service Registration	1	0	\$25.00	\$0.00	\$25.00
License Type General Svc Reg-General Service Registration Totals	1	0	\$25.00	\$0.00	\$25.00
License Type: Home-Home Based Business					
Home-Home Based Business	22	0	\$1,705.22	\$0.00	\$1,705.22
Collection Fee-Collection Fee	21	0	\$525.00	\$0.00	\$525.00
Delinquent >150-Delinquent Over 150 Days	21	0	\$2,100.00	\$0.00	\$2,100.00
License Type Home-Home Based Business Totals	64	0	\$4,330.22	\$0.00	\$4,330.22
License Type: Professional-Professional					
Professional-Professional	8	0	\$929.76	\$0.00	\$929.76
Cosmetology-Cosmetology / Barber	5	0	\$193.40	\$0.00	\$193.40
Real Estate-Real Estate Broker / Ins Agents	1	0	\$93.00	\$0.00	\$93.00
Com Inspection-Commercial Inspection	1	0	\$69.00	\$0.00	\$69.00
Collection Fee-Collection Fee	6	0	\$150.00	\$0.00	\$150.00
Delinquent > 150-Delinquent Over 150 Days	6	0	\$600.00	\$0.00	\$600.00
General Service-General Service	1	0	\$110.69	\$0.00	\$110.69
License Type Professional-Professional Totals	28	0	\$2,145.85	\$0.00	\$2,145.85
License Type: Rental Unit-Rental Unit					
Rental Unit-Rental Unit	439	1	\$27,224.28	(\$38.68)	\$27,185.60
Rental Insp-Rental Inspection	9	0	\$400.00	\$0.00	\$400.00
Collection Fee-Collection Fee	229	0	\$5,725.00	\$0.00	\$5,725.00
Delinquent >150-Delinquent Over 150 Days	229	0	\$22,900.00	\$0.00	\$22,900.00
License Type Rental Unit-Rental Unit Totals	906	1	\$56,249.28	(\$38.68)	\$56,210.60



Department Report

MEETING DATE: April 18, 2022

FROM: Teri Lea Beiriger, Director of Finance

SUBJECT: Department of Finance Activity Report

BACKGROUND

The following report provides activity within the Department of Finance for the reporting period from March 1 through March 31, 2022.

In brief, the Finance Department:

- Continued to work on the Annual Comprehensive Financial Report for FY21.
- Continued to reconcile outstanding balances of Miscellaneous Billing.
- Continued to clean up billing on EMS accounts with balances.
- Continued to collect outstanding solid waste accounts; working with IT to retrieve the data contained in the Utilities module in NWS.
- Continued to review and discuss x:/drive format and Laserfiche cleanup.
- Granted a 30-day extension for the submittal of the GFOA Certificate of Achievement for Excellence in Financial Reporting (COA) Award Program, and the Popular Annual Financial Reporting Award Program, due to a delay in obtaining data from the City's audit.

The Finance Department has, and continues to, work on efficiencies to better serve our internal and external customers.



Department Report

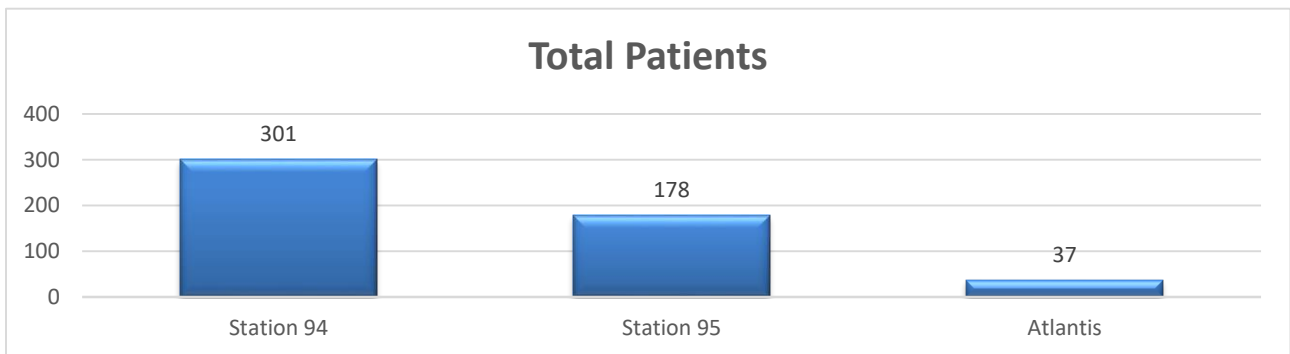
MEETING DATE: April 5, 2022
FROM: Brian Fuller, Fire Chief
SUBJECT: Fire Rescue March Report

FR CALLS

CALLS	MONTHLY TOTALS
Total Alarms dispatched in March	677
Average alarms per day	19.34
Total calls this fiscal year	3,629

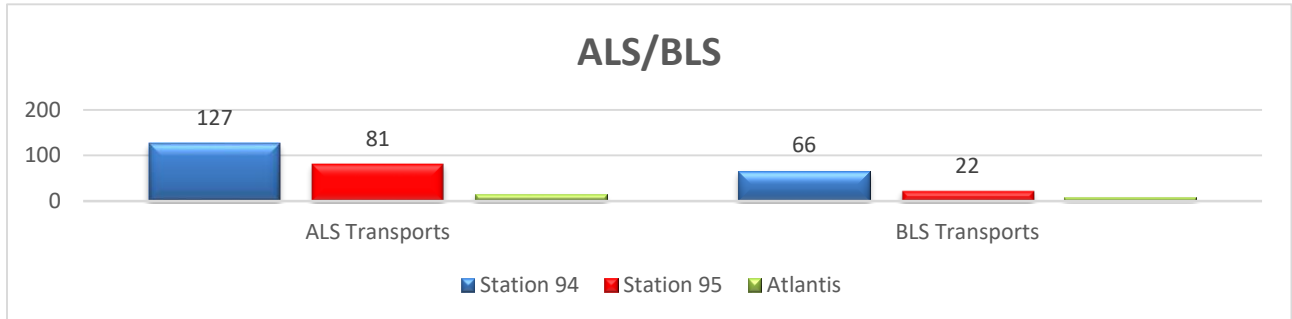
In March 2022, 479 patients were treated for Emergency Medical related services. Of those patients, 37 were in the City of Atlantis. These requests include a single unit responding to assist a person who has fallen to the floor, a cardiac arrest requiring multiple units and a combination of personnel, advanced skills, and equipment.

Service Calls, Cancels, and Public Assists totaled 93. 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.



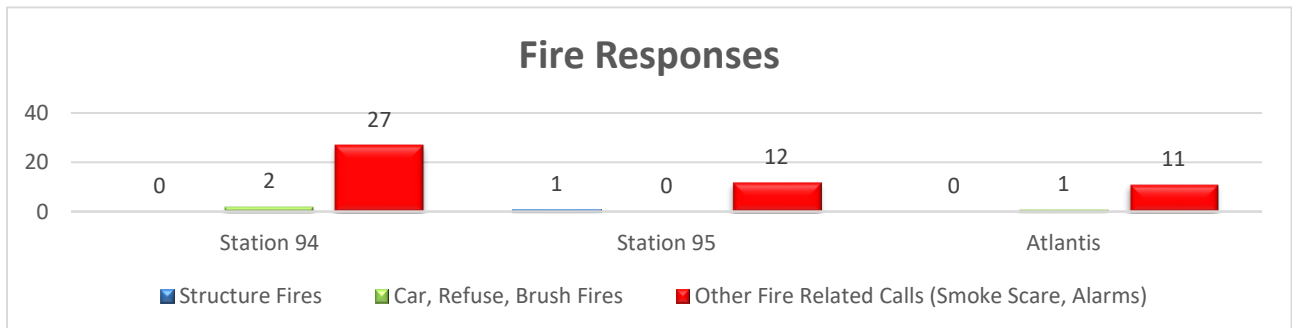
ALS/BLS

Fire Rescue transported 296 patients to a hospital or 62% of the patients we were called to treat. The majority of those (193) required Advanced Life Support procedures. ALS emergencies necessitate 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.



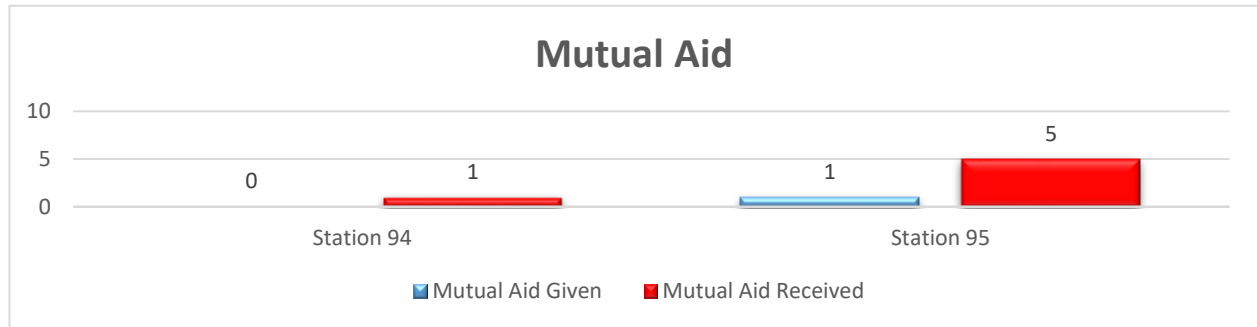
FIRE RESPONSES

Fire Rescue responded to 39 calls for a fire or smoke related emergency. There were three (3) requiring an escalated response to a car, brush, or refuse fire; one (1) was in a residential or commercial structure.



MUTUAL AID

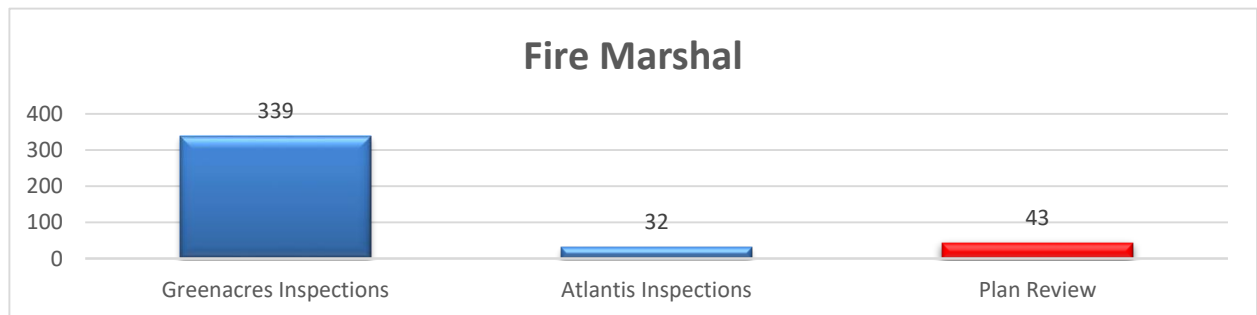
Mutual aid is the sending or receiving of emergency resources (apparatus, personnel) to or from another entity or agency upon request. No community has sufficient resources to handle every emergency of all sizes. Therefore, neighboring agencies work together through a system called Mutual Aid. That system 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	371
Plans Review	43
Dollar Loss due to fire	\$0



SPECIAL SERVICES

Blood Pressure Screenings	5
Presentations, Station Tours/Attendees	2/7
Persons Trained in CPR	16



Department Report

MEETING DATE: April 18, 2022

FROM: Georges Bayard, Director, Information Technology

SUBJECT: Department of Information Technology – March Activity Report

DEPARTMENT HIGHLIGHTS

The following report provides the highlights of activity within the Information Technology Department for the reporting period from January 1-31, 2022.

- a. New Systems Engineer Yves Rosena joined us on April 7. He is currently in training on our systems.
- b. Configured three (3) new wireless mobile credit card readers for use during Egg'stravaganza in Samuel J. Ferreri Community Park.
- c. Installed a new TV with cable service in the City Hall Administration waiting area.
- d. Working with Development & Development Services Department staff to prepare for the project to migrate to the cloud-based Energov SaaS system for Community Development, from our current Energov Desktop and New World ERP CD module. The project is expected to kickoff possibly in June and take 8-9 months to complete.
- e. Ubiquiti network switch refresh project is in progress; 18 of the 20 new switches have been installed.
- f. Monthly KnowBe4 simulated phishing test results:
 - a. Links clicked: 0; attachments opened: 0; replied: 0; Phish-prone users (vulnerable to phishing attacks): 0% (down from 2% in the previous month's campaign).

All City personnel is exhibiting secure online behavior by paying attention to the email messages they receive and not clicking on links or opening attachments indiscriminately. This is the first time we have had no failures during the course of a simulated phishing test.

SERVICE DESK REQUESTS

March 2022

DEPARTMENT	CURRENT PERIOD	FY 2022 YTD	FY 2022 BUDGET
Administration	8	117	-
Community & Recreation Svcs.	9	76	-
Development & Neighborhood Svcs.	6	142	-
Finance	3	140	-
Fire/Rescue	3	111	-
Information Technology	6	60	-
Public Works	3	96	-
Purchasing	2	45	-
Youth Programs	4	80	-
Total Service Desk Requests	44	867	350



Department Report

MEETING DATE: April 18, 2022

FROM: Captain Tristram Moore, PBSO District 16

SUBJECT: PBSO District 16 March Report

CAD CALLS

CAD CALLS	MONTHLY TOTALS
Business / Residence Checks (Self-Initiated)	1,762
Traffic Stops (Self-Initiated)	446
Calls for Service (Excluding 1050's & 1061's)	2,151
All CAD Calls - Total	4,359
Total Calls for Service – FY 2021 (October 2021 – September 2022)	27,736

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 4,359 generated calls within the District and 51% of these calls were self-initiated.

TRAFFIC ACTIVITY

DISTRICT 16 PERSONNEL	
Total Citations	Total Warnings
188	282

Data Source: D16 Office Staff/Monthly Report

PBSO MOTORS UNIT	
Total Citations	Total Warnings
207	248

Data Source: D16 Office Staff

COMMUNITY POLICING EVENTS

- 03/05/22 – Fiesta De Pueblo
- 03/24/22 – Palm Springs Middle School Career Day

STREET CRIMES UNIT

- The District 16 Street Crimes Unit assisted the District 16 Detective Bureau with locating and apprehending a defendant on outstanding charges of felony grand theft. The defendant was taken into custody without incident.
- The District 16 Street Crimes Unit assisted the District 1 Detective Bureau with locating and apprehending two defendants on outstanding charges related to an aggregated assault and attempted homicide. Both suspects were located and taken into custody without incident.
- The District 16 Street Crimes Unit assisted District 16 Detective Bureau with locating a defendant for outstanding charges of Burglary. The defendant was located, taken into custody without incident, and charged accordingly.

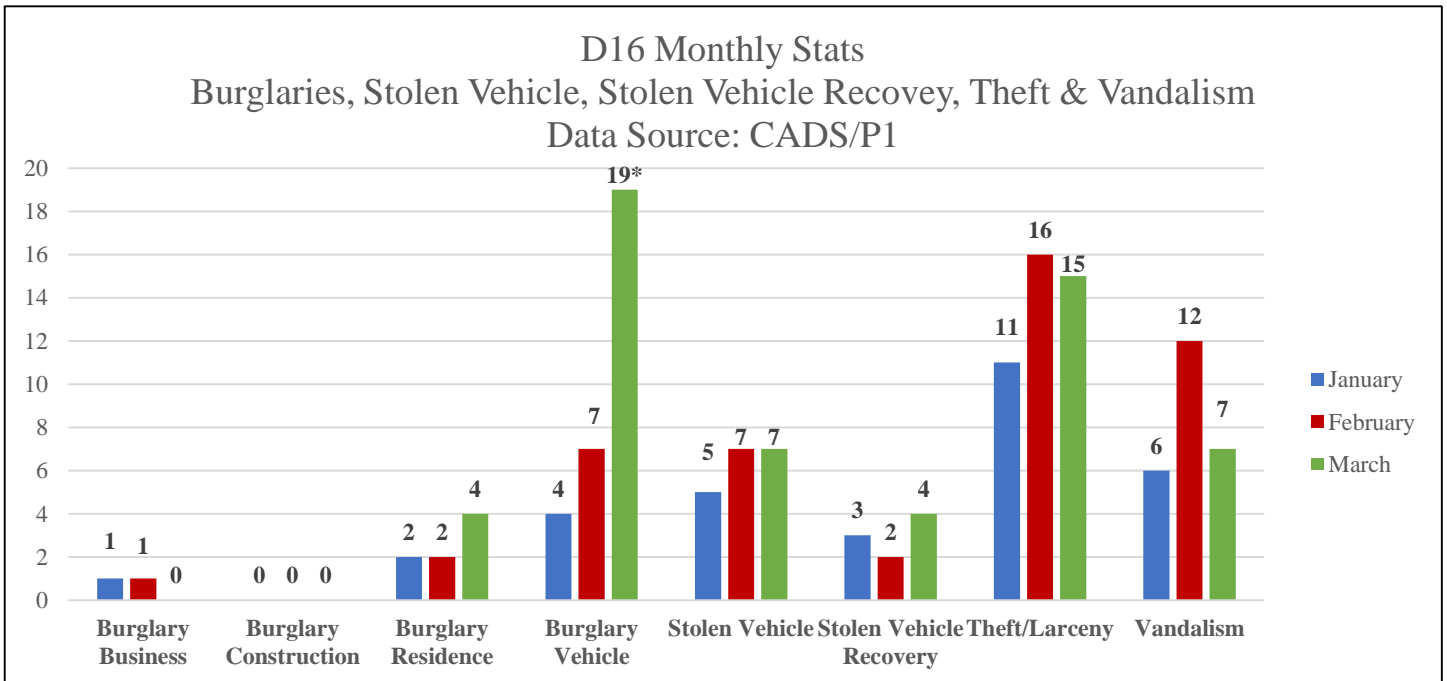
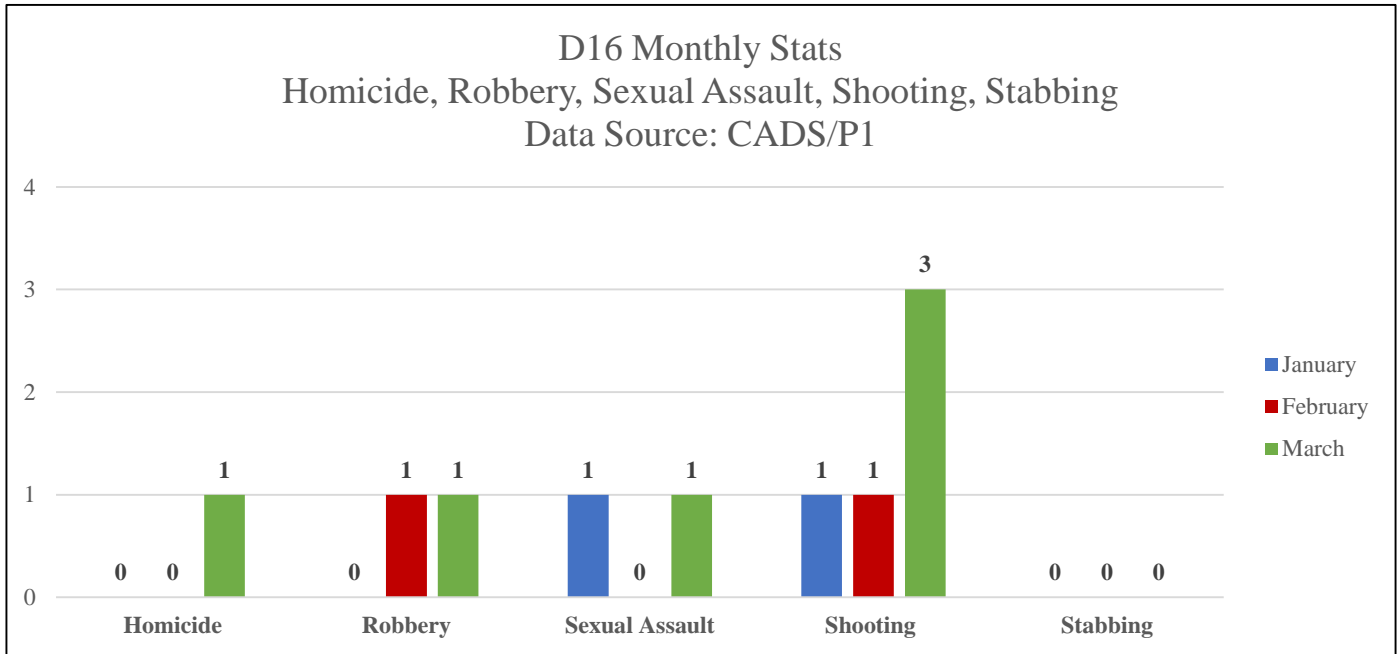
PROPERTY DETECTIVES

- District 16 Detective Bureau Monthly Stats for March 2022:
 - New Cases: 15
 - Cases Cleared by Arrest: 8
 - Search Warrants: 1
 - Operations: 1
- The District 16 Detectives responded to a complaint of multiple cases involving criminal mischief within a subdivision in the city. Multiple suspects were positively identified and probable cause was established for arrest. Detectives located the two suspects and obtained full confessions. This case was cleared by arrest.
- The District 16 Detectives were called out to a city business regarding two suspects committing Retail Theft who were detained by Road Patrol. It was discovered that the suspects were stealing from multiple retail locations throughout PBC and that their vehicles contained a large amount of apparently stolen retail items. The suspects were interviewed by Detectives and full confessions were obtained. The items recovered from the vehicle were returned to the victims. This case was cleared by arrest.
- The District 16 Detectives investigated a retail theft where the suspect was positively identified and probable cause established for arrest. The suspect was apprehended by the District 16 Street Crimes Unit and the case was cleared by arrest.

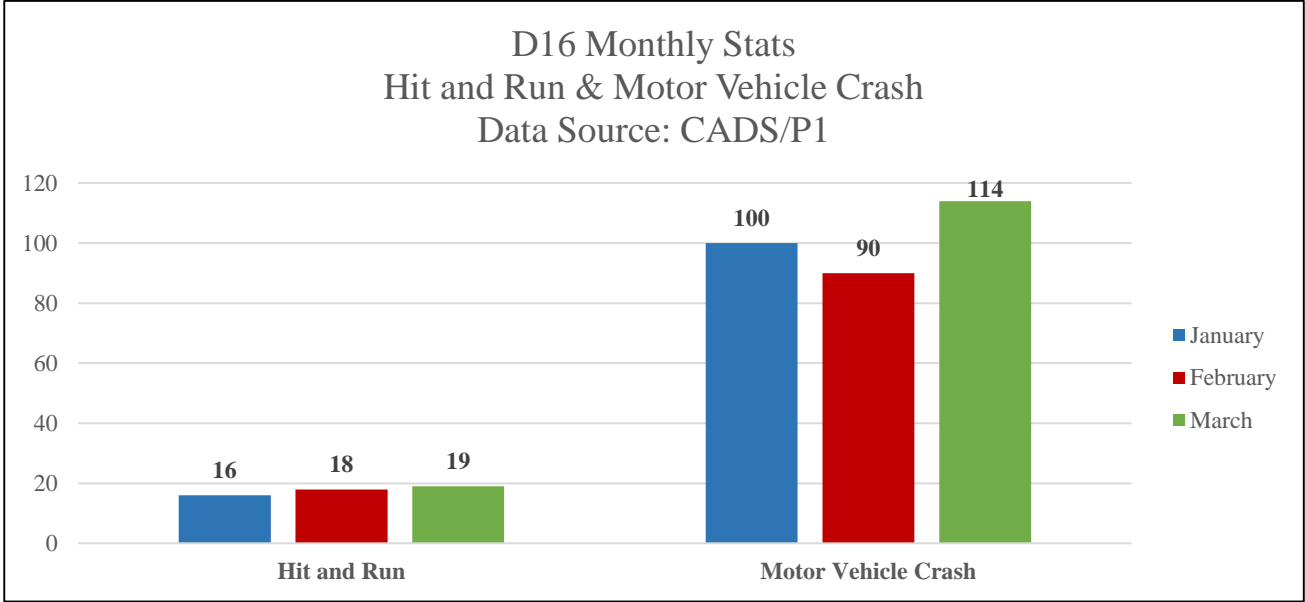
DATA ANALYSIS

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.



*10 of the 19 vehicle burglaries in March was one incident and the suspect was arrested.



TOP ACCIDENT LOCATIONS FOR MARCH 2022

Location	Case Number Count
South Jog Road / Forest Hill Boulevard	13
South Jog Road / 10th Avenue North	9
10th Avenue North / South Haverhill Road	9
South Jog Road / Lake Worth Road	7



Youth Programs Department Monthly Report

MEETING DATE: April 18, 2022

FROM: Jowie Mohammed, Director of Youth Programs

SUBJECT: March 2022 Department Report

PROGRAMMING

- Seventeen (17) days of after-school provided and transportation from six (6) schools within City limits.
- Spring Camp: March 14th – March 21st: Hours of operation: 7:30a.m. – 5:30p.m.

PERFORMANCE MEASUREMENTS

PERFORMANCE MEASUREMENT	AVERAGE THIS PERIOD	FY 2022 TO DATE	FY 2022 BUDGET
# of Participants	52	99	150
# of Participants in Sierra Club ICO	0	10	25
# of Licenses Coordinated	1	1	1
# of MOU's Coordinated	3	2	6
# of Part.'s in Teen Advisory Council (TAC)	5	5	5
# of Part.'s in TOP Program	37	37	15
# of Part.'s in Garden Club	19	19	20
# of Presidential Volunteer Service Hours	626	1,711	8,000

FINANCIAL INFORMATION

GRANTS COORDINATED	AVERAGE THIS PERIOD	FY 2022 TO DATE	FY 2022 BUDGET
Early Learning Coalition	\$6,548.55	\$88,845.69	\$290,400
Parent & Registration Fees	\$6,368.00	\$28,001.76	\$187,481
Youth Services Department SEL Grant	\$4,812.30	\$18,527.39	\$72,805
Textile Funds	\$1080.00	\$2,400.00	-
Youth Services Summer Camp Program	-	-	\$49,400
Community Foundation Grant (Summer)	-	-	-

C.A.R.E.S REPORT

- Once a week throughout the month of March the CARES program has been in an extended learning opportunity offered through Prime Time - Florida Fishing Academy, where the youth will be learning about marine life, fishing techniques, and boat safety.
- Each Friday during the month the CARES Jr. Garden Club has continued its gardening program with the Oleander Garden club. Programming includes various activities centered around plants, recycling, and the importance of coexisting with the environment around us.

TEEN PROGRAMS REPORT

- Our Teens took part in two Community Conversations presented by Palm Beach County Youth Services. They attended the meetings held on March 8th and March 29th, attending Strengthening Out of School Time (OST) and Social and Emotional Learning, respectfully. Providing opportunities for our teens to vocalize their concerns and thoughts about not only our program, but about different items we can help improve in our community.
- Our Teen Advisory Council met with the Teen Program Supervisor, where the teens brought up items they would like to see improve from next year, such as; community projects, more engagement with fellow teens, and getting the teens back in the classrooms to help with Elementary students during homework time and administrative help. The meeting they were treated with some cake for a productive meeting.



Jowie Mohammed, Director
Youth Programs Department