



CITY COUNCIL MEETING

City of Greenacres, Florida

Monday, August 19, 2024 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

AGENDA

Mayor and City Council

Chuck Shaw, Mayor

Judith Dugo, Deputy Mayor

John Tharp, Councilmember, District I

Peter Noble, Councilmember District II

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Christy Goddeau, City Attorney

Glen J. Torcivia, City Attorney

Tanya Earley, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

SPECIAL BUSINESS - None.

CONSENT AGENDA

- 1. Official Council Meeting Minutes:** City Council Meeting Minutes, August 5, 2024. - Quintella L. Moorer, City Clerk.

REGULAR AGENDA

- 2. Resolution 2024-36:** Approving the assessment rate for residential solid waste collection services for the fiscal year beginning on October 1, 2024; imposing a residential solid waste collection services assessment against assessed property located within the City of Greenacres for the fiscal year beginning on October 1, 2024; providing for severability; providing for conflicts; and providing an effective date. - Andrea McCue, City Manager and Teri Lea Beiriger, Director of Finance.
- 3. PUBLIC HEARING: Ordinance 2024-17: Second Reading:** Amending Chapter 16, Article 4, Supplementary District Regulations, Division 1, generally, by adopting new section 16-613, to be entitled "Electric Substation Siting and Development Standards"; providing for severability, conflicts, codification, an effective date; and for other purposes. - Gionni Gallier, Senior Planner.
- 4. PUBLIC HEARING: Ordinance 2024-18: Second Reading:** Amending Chapter 16, Zoning Regulations, Article IV, Supplementary District Regulations, Division 3, Public Places, Subdivision II, Art in Public Places to revise provisions for the use of funds generated by the Public Art fee and to allow murals in additional locations within the City;

providing for severability, conflicts, codification, an effective date; and for other purposes.
- Gionni Gallier, Senior Planner.

5. PUBLIC HEARING: Ordinance 2024-21: Second Reading: Amending the City of Greenacres' Budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, inclusive, providing for repeal of conflicting ordinances, providing for severability; and providing for an effective date. - Teri Beiriger, Director of Finance.

6. QUASI-JUDICIAL: PUBLIC HEARING: Resolution 2024-42: Approving the application for site plan approval to construct a one-story 9,695 medical office building within a Mixed Use Development - Office (MXD-O) zoning district, located approximately 500 feet south of Chickasaw Road at 3581 S. Jog Road, as requested by the petitioner, Patricia Lentini, Agent for the owner, Soma Investors, LLC; providing for repeal of conflicting resolutions; and providing for an effective date. - Gionni Gallier, Senior Planner.

DISCUSSION ITEM - None.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

CITY MANAGER'S REPORT

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

CITY ATTORNEY'S REPORT

MAYOR AND CITY COUNCIL REPORT

ADJOURNMENT

Upcoming Council Meetings

September 3, 2024

September 16, 2024.

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 Moorer at Greenacres City Hall, 5800 Melaleuca Lane, Greenacres, Florida. Phone No. 561-642-2006. Hearing Assistance: If any person wishes to use a Listen Aid Hearing Device, please contact the City Clerk prior to any meeting held in the Council Chambers.



CITY COUNCIL MEETING

City of Greenacres, Florida

Monday, August 05, 2024, at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

MINUTES

Mayor and City Council

Chuck Shaw, Mayor

Judith Dugo, Deputy Mayor

John Tharp, Councilmember, District I

Peter Noble, Councilmember District II

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Christy Goddeau, City Attorney

Glen J. Torcivia, City Attorney

Tanya Earley, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

Mayor Shaw called the meeting to order at 6:02pm and City Clerk Moorer called the roll.

Councilmember Tharp was absent.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Motion made by Deputy Mayor Dugo, Seconded by Councilmember Diaz to approve the agenda with the removal of Agenda Item number 9.

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

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

None.

SPECIAL BUSINESS

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

Mr. Salzberg attended the meeting virtually and stated it was an honor to work with Ms. McCue, Mr. Austin Lee and Staff. He was proud of the accomplishments of the Chickasaw Road projects.

Mayor Shaw asked if there were any Constitutional Amendments the City should be aware of for the upcoming years. He recommended reviewing the budget and allocation effectively. Mayor Shaw questioned the hunting and fishing amendment. Mr. Salzverg stated he was not totally sure of all the changes in the County, but felt it was probably more of support.

The Council thanked Mr. Salzverg.

CONSENT AGENDA

- 2. Official Council Meeting Minutes:** City Council Meeting Minutes, July 15, 2024, and City Council Budget Meeting Minutes, July 15, 2024. - Quintella L. Moorer, City Clerk.
- 3. Resolution 2024-40:** Satisfying certain liens imposed against residential property, pursuant to Section 15-31, City of Greenacres Code. - Teri Beiriger, Director of Finance.
- 4. Resolution 2024-41:** Authorizing the Interlocal Cooperation Agreement R2023-0987 for the fiscal year 2024-2025 Community Development Block Grant (CDBG) for Phase 3 North Lift Station Original Section Sewer Project. - Carlos Cedeno, Director of Public Works.

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

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

REGULAR AGENDA

- 5. PUBLIC HEARING: Ordinance 2023-13: Final Second Reading:** Amending all the Comprehensive Plan Elements and Map Series of the City's Comprehensive Plan to implement the recommendations of the 2023 Evaluation and Appraisal Review; providing for repeal of conflicting ordinances; providing for severability; providing for transmittal to the Florida Department of Commerce; providing for inclusion in the Comprehensive Plan; and providing for an effective date. - Denise Malone, Development and Neighborhood Services Director.

Ms. Moorer read the ordinance by title.

Ms. Malone stated the final reading was a formality as requested by state requirements. The Comp Plan would be transmitted to the State within the required ten days. No changes have been made since the last Second Reading. Staff recommended approval.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Dugo to approve Ordinance 2023-13 on Final Second Reading.

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

- 6. PUBLIC HEARING: Ordinance 2024-17: Second Reading:** Amending Chapter 16, Article 4, Supplementary District Regulations, Division 1, generally, by adopting new section 16-613, to be entitled "Electric Substation Siting and Development Standards"; providing for severability, conflicts, codification, an effective date; and for other purposes. - Gionni Gallier, Senior Planner.

Ms. Moorer read the ordinance by title.

Mr. Gallier stated the ordinance would create a new section to Chapter 16 of the City's Code. He said the changes were meant to ensure compatibility with surrounding land uses and maintain infrastructure as required by state law. Mr. Gallier stated the new section limited locations of sub stations on land. He mentioned other changes such as the approval process and sound limits. Mr. Gallier stated the ordinance was aligned with all required laws.

Staff recommended approval.

Motion made by Deputy Mayor Dugo, Seconded by Councilmember Diaz to approve Ordinance 2024-17 on Second Reading.

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

- 7. PUBLIC HEARING: Ordinance 2024-18: Second Reading:** Amending Chapter 16, Zoning Regulations, Article 4, Supplementary District Regulations, Division 3, Public Places, Subdivision II, Art in Public Places to revise provisions for the use of funds generated by the Public Art fee and to allow murals in additional locations within the City; providing for severability, conflicts, codification, an effective date; and for other purposes. - Gionni Gallier, Senior Planner.

Ms. Moorer read the ordinance by title.

Mr. Gallier stated the purpose of the ordinance was to establish a limited reimbursement grant program for murals which was funded by the City's Public Art fee.

No changes had been made since the First Reading. Staff recommended approval.

Motion made by Councilmember Diaz, Seconded by Councilmember Bousquet to approve Ordinance 2024-18 on Second Reading.

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

- 8. Ordinance 2024-21: First Reading:** Amending the City of Greenacres' Budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, inclusive, providing for repeal of conflicting ordinances, providing for severability; and providing for an effective date. - Teri Beiriger, Director of Finance.

Ms. Moorer read the ordinance by title.

Ms. Beiriger stated the ordinance adjustment was required to provide funding for four capital improvement projects: Chickasaw, Gladiator, Dillman Trails and the Youth Programs building. The total was estimated at over \$600K.

Motion made by Deputy Mayor Dugo, Seconded by Councilmember Noble to approve Ordinance 2024-21 on First Reading.

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

- 9. PUBLIC HEARING: Ordinance 2024-19:** Amending Chapter 16, Zoning Regulations, Article VIII, off-street parking and loading regulations to clarify, update and enhance the regulations for parking and loading; and amending Section 16-767, adding a new Division 12 outdoor lighting to Article IV, Supplementary District Regulations, to be entitled "outdoor lighting", to regulate outdoor lighting; providing for severability, conflicts, codification and an effective date. - Gionni Gallier, Senior Planner. **ITEM POSTPONED - TBA.**

This item was removed. No discussion.

DISCUSSION ITEM

10. Greenacres Emergency Management Plan Overview and Hurricane Preparedness. - Andrea McCue, City Manager.

Ms. McCue highlighted the City's Emergency Management Plan and ensured Council that the City was prepared should an emergency arise.

She reviewed the purpose, scope and methodology. Ms. McCue talked about the City's demographics and mobile home park process. She stated the steps of operations for a declaration of emergency. Ms. McCue continued to list department duties, resources and decision-making.

Lastly, she listed the City's post event flow, to include assessments, press release, and updating data.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

None.

CITY MANAGER'S REPORT

Ms. McCue stated the City would submit a notice of intent for ballasted film for the Youth Programs building.

She thanked Community Recreation's team and volunteers for a successful Backpack give-away. Early Voting begins August 10. The City would be a satellite site for John I. Leonard High School as of August 16. September 28 would be the Senior Fair.

CITY ATTORNEY'S REPORT

No report.

MAYOR AND CITY COUNCIL REPORT

Councilmember Diaz congratulated some of Greenacres schools for grade improvements such as A's and B's, she updated the Council regarding her attendances at various meetings regarding Transportations Sur-tax options, she mentioned cliff notes about timeframe of the tax, use of the dollars and comment from other cities. Mayor Shaw said he was concerned the funds would only benefit certain cities. Councilmember Noble questioned the length of the sunset.

Mayor Shaw also congratulated the schools on grade increases, praised the Backpack giveaway, and mentioned the upcoming Principals Luncheon.

ADJOURNMENT - 7:11PM.

Chuck Shaw
Mayor

Quintella Moorer, MMC
City Clerk

Date Approved: _____



ITEM SUMMARY

MEETING DATE: August 19, 2024
FROM: Teri Lea Beiriger, Finance Director
SUBJECT: Res. 2024-36 Solid Waste Annual Assessment

BACKGROUND

The City of Greenacres approved Ordinance No. 2019-08 the franchise agreement with Advanced Disposal Services Solid Waste Southeast, Inc. (nka Waste Management) for solid waste collections with an initial term of October 1, 2019, through September 30, 2024 (“Franchise Agreement”). Section 6-276 of the City’s Code of Ordinances incorporates the Franchise Agreement into the Code and addresses the terms, conditions, and continuation of the Franchise Agreement. Resolution 2024-35 amended and renewed the franchise agreement. The original contract price allowance increase was tied to the Consumer Proce Index (CPI) and capped at 3.5%. The newly agreed upon rate increased to \$18.29 for monthly curbside pickup, which reflects the necessary adjustments to accommodate the rising costs in the industry. Additionally, an automatic 5% yearly increase was implemented for all residential pickup for an additional five (5) years, to and including September 30, 2029.

ANALYSIS

This resolution will formally adopt the solid waste assessment roll to be provided to the property appraiser as necessary for inclusion on the 2024 tax bill and set the assessment rates for the fiscal 2025 solid waste collection and recycling charges. The Greenacres solid waste assessment is billed in advance for solid waste collection and recycling services for the period of October 1, 2024, through September 30, 2025.

The Greenacres assessment for solid waste collection and recycling is distinguishable from the Solid Waste Authority’s assessment on the tax bill from solid waste disposal costs at the County’s landfills.

Greenacres solid waste assessment rates are designed to generate the revenues necessary to cover the contractual and administrative costs of providing the solid waste and recycling collection services. The City uses three (3) rate tiers based on the type of service provided and the frequency of collection. Curbside service rates are higher than containerized rates due to the increased number of individual stops at each individual residence to provide collection services. Multi-family developments using containerized services result in efficiencies and cost savings for the City’s contracted waste hauler that are passed on to those property owners resulting in lower rates. The following annual residential rates are proposed:

Fiscal 2025 Annual Residential Collection Rates (Assessed on 2024 Tax Bill)	Proposed Rates	With 4% Tax Collector Discount	<i>Item # 2.</i>
Curbside pickup	\$251.50	\$241.40	
Containerized pickup (dumpsters) 2x/week	\$123.40	\$118.50	
Containerized pickup (dumpsters) 3x/week	\$163.20	\$156.70	

The total assessment for a residential duplex would be calculated by multiplying the number of residential units in the duplex by the Annual assessment rate, as shown in the example below:

Parcel #: <u>18-42-43-27-01-001-0001</u>	Address: <u>123 Greenacres Lane, Greenacres FL 33467</u>
Number of residential units <u>2</u>	x Annual garbage rate \$ <u>\$251.50</u> = Total assessment \$ <u>503.00</u>

FINANCIAL INFORMATION

The estimated cost of residential solid waste collection and recycling services for the fiscal year 2025, including administrative and franchise fees, is \$3,202,708 to be covered by residential solid waste assessments totaling \$3,246,534. (See Exhibits A & B of Resolution 2024-36).

The above proposed total assessment for 2024 includes a 36% increase in the annual garbage rate from the 2023 annual garbage rate.

LEGAL

Resolution 2024-36 has been prepared in accordance with applicable City regulations.

STAFF RECOMMENDATION

Council approval of Resolution 2024-36 to adopt the solid waste assessment roll and set the final assessment rates for the solid waste assessment on the 2024 tax bill that covers the solid waste collection and recycling services for the period beginning October 1, 2024, through September 30, 2025, the City's 2024-25 fiscal year.

Attachments:

- Exhibit A - Greenacres FY2025 Solid Waste Rates for 2024 Tax Bill
- Exhibit B - Greenacres Cost of Residential Solid Waste Collection and Recycling Services

RESOLUTION NO. 2024-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, RELATING TO THE PROVISION OF RESIDENTIAL SOLID WASTE COLLECTION SERVICES IN THE CITY OF GREENACRES, FLORIDA; PROVIDING FOR PURPOSE AND DEFINITIONS; PROVIDING FOR LEGISLATIVE DETERMINATIONS; APPROVING THE ASSESSMENT RATE FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2024; IMPOSING A RESIDENTIAL SOLID WASTE COLLECTION SERVICES ASSESSMENT AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF GREENACRES FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2024; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, City of Greenacres Ordinance No. 2018-15, adopted on August 20, 2018, provides for the home rule authority of the City to impose Residential Solid Waste Collection Services Assessments against residential property located within the City, and provides findings of special benefit to real property as a result of such services; and,

WHEREAS, the City has in place a Solid Waste and Recycling Collection Contract with Advanced Disposal Services Solid Waste Southeast, Inc. (nka "Waste Management"), pursuant to which the City provides Residential Solid Waste Collection Services to; among others, all residential properties that receive Residential Solid Waste Collection Services within the City; and,

WHEREAS, the City Commission desires to impose a Residential Solid Waste Collection Services Assessment within the City for the Fiscal Year beginning on October 1, 2024, using the tax bill collection method; and,

WHEREAS, the Ordinance 2018-15 requires the City Council to adopt an Annual Assessment Resolution during its budget adoption process, which establishes the rate of assessment and approves the Assessment Roll for the upcoming Fiscal Year, with such amendments as the City Council deems appropriate, after hearing comments and objections of

Resolution No. 2024-36 | Solid Waste Annual Assessment

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all interested parties; and,

WHEREAS, the updated Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance; and

WHEREAS, notice of a public hearing was published and mailed when and as required by Florida Statutes, which provided notice to all interested persons of an opportunity to be heard; and,

WHEREAS, consistent with the published notice, a public hearing was held on August 19, 2024, and comments and objections of all interested parties have been heard and considered; and,

WHEREAS, the City Council has determined that the adoption of this Annual Assessment Resolution and the Assessment Roll for the Fiscal Year beginning October 1, 2024, 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 "WHEREAS" clauses are hereby ratified and confirmed by the City Council as true and correct statements and incorporated herein by this reference.

Section 2. This Resolution is adopted pursuant to the provisions of the Ordinance and sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

Section 3. The rate schedule attached hereto as Exhibit "A" and hereby incorporated herein by reference, and the schedule of costs attached hereto as Exhibit "B" specifying the Residential Solid Waste Collection Services Assessed Rates and Costs determined in Section 9 of this Final Assessment Resolution and the Residential Solid Waste Collection Services Assessments established in Section 9 of this Final Assessment Resolution.

Resolution No. 2024-36 | Solid Waste Annual Assessment

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Section 4. Upon the imposition of the Residential Solid Waste Collection Services Assessment for Residential Solid Waste Collection Services upon assessed property located within the City, the City shall provide Residential Solid Waste Collection Services to such assessed property through the Collection Contract. The cost to provide such Residential Solid Waste Collection Services to Assess Properties, as described herein, shall be funded from the proceeds of the Residential Solid Waste Collection Services Assessment. It is hereby ascertained, determined, and declared that each parcel of assessed property located within the City will be benefited by the City's provision of Residential Solid Waste Collection Services in an amount not less than the Residential Solid Waste Collection Services Assessment imposed against such parcel, computed in the manner set forth in this Final Assessment Resolution.

Section 5. Residential Solid Waste Collection Services Assessments shall be imposed against all assessed properties that receive Residential Solid Waste Collection Services, as provided herein. The Cost Apportionment described herein is approved and adopted as the methodology to impose and compute the Residential Solid Waste Collection Services Assessment.

IMPOSITION AND COLLECTION

5.1 The Residential Solid Waste Collection Services Assessments to be imposed pursuant to this Resolution shall constitute non-ad valorem assessments within the meaning and intent of the Uniform Assessment Collection Act.

5.2 The Residential Solid Waste Collection Services Assessment imposed pursuant to this Resolution is imposed by the City Council of the City of Greenacres, not the Palm Beach County Board of County Commissioners, Property Appraiser or Tax Collector. Any activity of the

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Property Appraiser or Tax Collector under the provisions of this Resolution, and pursuant to the City's agreements with such entities, shall be construed as ministerial.

APPORTIONMENT

5.3 The size or the value of the Residential Property does not determine the scope of the required solid waste services. The potential demand for Residential Solid Waste Collection Services is driven by the existence of a Residential unit and the type and frequency of collection provided.

5.4 Apportioning the Residential Solid Waste Assessed Costs for Residential Solid Waste Collection Services attributable to assessed properties on a per Residential unit basis according to the type and frequency of service provided is required to avoid cost inefficiency and unnecessary administration and is a fair and reasonable method.

5.5 There are two types of residential service provided:

5.5.1 Curbside solid waste collection and recycling services - the collection of solid waste and recyclable materials from all residential dwelling units that receive individualized solid waste and recycling collections services generally using individual containers for each residential dwelling unit ("Curbside"); or

5.5.2 Containerized solid waste collection and recycling services - the collection of solid waste and recyclable materials from all residential dwelling units that use central or shared containers, with or without a compactor, and not by means of individual containers ("Containerized").

5.6 The frequency of solid waste collection shall be 2 times per week for all Curbside solid waste collection and recycling services, and 2 or 3 times per week, as deemed necessary and upon request by the residential property owners, for all Containerized solid waste collection and recycling services.

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5.7 Unoccupied Residential units in the City may not receive residential Solid Waste Collection Services during such time as the Residential unit is unoccupied, however, the City cannot know which Residential units are unoccupied at the time the assessments are levied. Therefore, it is fair and reasonable to impose the assessment on all Residential units designated on the Solid Waste Assessment Roll and which are expected to or actually receive Residential Solid Waste Collection Services. Unoccupied Residential units also derive some benefit from the provision of Residential Solid Waste Collection Services to neighboring Residential units, which avoids blight and health and safety issues associated with the accumulation of solid waste in the surrounding areas and neighborhood.

Section 6. The Collection Contract provides for an annual charge to the assessed properties for the Residential Solid Waste Collection Services provided by the city through its Collection Contract. The Residential Solid Waste Collection Services Assessed Costs include other costs associated with the Residential Solid Waste Collection Assessment, which are then allocated to the assessed properties in addition to the annual charge in the Collection Contract to determine the Assessment Amount. The Assessment Amount is then multiplied by the number of Residential units on such Tax Parcel. For the Fiscal Year commencing October 1, 2024, the annual charge per residential unit for Solid Waste Collection services shall be assessed according to the following service types and frequencies:

- | | | |
|------------|--|-----------|
| 6.1 | Curbside service, Frequency 2 times per week
(\$241.40 with tax collector discount) | \$ 251.50 |
| 6.2 | Containerized pickup, Frequency 2 times per week
(\$118.50 with tax collector discount) | \$ 123.40 |
| 6.3 | Containerized pickup, Frequency 3 times per week
(\$156.70 with tax collector discount) | \$ 163.20 |

Resolution No. 2024-36 | Solid Waste Annual Assessment

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Section 7. The Residential Solid Waste Collection Service Assessed Costs to be assessed and apportioned among assessed properties pursuant to the cost Apportionment for the Fiscal Year commencing October 1, 2024, is the amount determined in the Residential Solid Waste Collections Services Cost Schedule, attached hereto as Exhibit B. The proposed Residential Solid Waste Collection Services Assessments specified in the Assessment Rate Schedule, attached hereto as Exhibit A, are hereby established to fund the Residential Solid Waste Collection Services Assessed Costs determined to be assessed in the Fiscal Year commencing October 1, 2024. The Residential Solid Waste Collection Services Assessments established in this Annual Assessment Resolution shall be the assessment rates applied by the Assessment Coordinator in the preparation of the updated Residential Solid Waste Collection Services Assessment Roll for the Fiscal Year commencing October 1, 2024.

SECTION 8. The adoption of this Final Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the assessed property, the method of apportionment and assessment, the rate of assessment, the Assessment Roll and the levy and lien of the Residential Solid Waste Collection Services Assessment).

SECTION 9. The Assessment Roll, as defined in the Ordinance 2018-15, shall be filed with the City Clerk and the Residential Solid Waste Collection Services Assessments set forth therein shall stand confirmed. All Residential Solid Waste Collection Services Assessments shall constitute legal, valid, and binding first liens, unless otherwise provided by law, upon property against which such Assessments are made until paid.

Resolution No. 2024-36 | Solid Waste Annual Assessment

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SECTION 10. The Assessment Roll, as adopted and approved herein, shall be certified by the Assessment Coordinator, and delivered no later than September 15, 2024, to the Palm Beach County Property Appraiser.

SECTION 11. If any clause, section, or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Resolution.

SECTION 12. That all prior Resolutions or parts of resolutions in conflict herewith, are hereby repealed to the extent of such conflict.

SECTION 13. This Annual Assessment Resolution shall take effect immediately upon its passage and adoption.

RESOLVED AND ADOPTED this 19th day of August 2024

Chuck Shaw, Mayor

Voted:
John Tharp, Council Member, District I

Attest:

Quintella Moorer, City Clerk

Voted:
Peter Noble, District II

Voted:
Judith Dugo, Council Member, Deputy Mayor

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

Greenacres FY2025 Solid Waste Rates for Tax Bill

Rates and Percentage Increases FY2022, 2023, 2024 & 2025 (Proposed)

	FY2022	4% Discount FY2022	FY2023	4% Discount FY2023	FY2024 Assessment	4% Discount FY2024	FY2025 Assessment	4% Discount FY2025
Residential Rates								
A Curbside pickup	172.60	165.70	178.60	171.50	184.90	177.50	\$251.50	\$241.40
B Containerized pickup (dumpsters) 2x/week	115.20	110.60	119.20	114.40	123.40	118.50	\$123.40	\$118.50
C Containerized pickup (dumpsters) 3x/week	152.40	146.30	157.70	151.40	163.20	156.70	\$163.20	\$156.70
		With 4% Discount		With 4% Discount		With 4% Discount		With 4% Discount
	FY2022	FY2022	FY2023	FY2023	FY2024	FY2024	FY2025	FY2025
Annual Increases in Dollars	\$ Increase	\$ Increase	\$ Increase	\$ Increase	\$ Increase	\$ Increase	\$ Increase	\$ Increase
A Curbside pickup	5.80	5.60	6.00	5.80	6.30	6.00	\$66.60	\$63.90
B Containerized pickup (dumpsters) 2x/week	3.90	3.70	4.00	3.80	4.20	4.10	\$0.00	\$0.00
C Containerized pickup (dumpsters) 3x/week	5.20	5.00	5.30	5.10	5.50	5.30	\$0.00	\$0.00
		After 4% Discount		After 4% Discount		After 4% Discount		After 4% Discount
	FY2022	FY2022	FY2023	FY2023	FY2024	FY2024	FY2025	FY2025
Annual Percentage Increase	% Increase	% Increase	% Increase	% Increase	% Increase	% Increase	% Increase	% Increase
A Curbside pickup	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	36.0%	36.0%
B Containerized pickup (dumpsters) 2x/week	3.5%	3.5%	3.5%	3.4%	3.5%	3.6%	0.0%	0.0%
C Containerized pickup (dumpsters) 3x/week	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%	0.0%	0.0%

Total assessment calculation, at discounted rates:

Rate Class	<u>FY2025 Annual Rate</u>	x	<u>Residential Units</u>	=	<u>Total Assessment</u>
A Curbside pickup	\$241.40		9,012		\$ 2,175,497
B Containerized pickup (dumpsters) 2x/week	\$118.50		6,662		789,447
C Containerized pickup (dumpsters) 3x/week	\$156.70		1,797		281,590
					<hr/>
Total FY2025 Solid Waste Assessment					3,246,534
					<hr/>
FY2025 Calculated Solid Waste Costs					3,202,708
					<hr/>
Net					\$ 43,826

Greenacres Cost of Residential Solid Waste Collection and Recycling Services

Calculate tax collector discount and estimated uncollectible:

Total Assessments	3,246,534
Est collection rate 96.5%	3,132,905
Discount, 3.5%	113,629
Estimated uncollectible, 3.5% of assessment*	113,629

* Based on Greenacres' average 96.6% collection rate of property taxes over last 10 years

Administrative costs

Greenacres administrative costs, personnel	\$ 88,884
Tax Collector, 1% of collections	31,329
Property Appraiser - postage cost	200
Palm Beach County Information Systems Services fee	3,850
Palm Beach Post - advertising	1,000
Printing and mailing services for rate increase	12,000
Estimated uncollectable	113,629
Total Administrative Costs	\$ 250,892

Solid waste Collection and Recycling:

Contract costs:

Waste Hauler	\$ 2,804,707
Franchise Fees	\$ 147,109
Total waste hauler	\$ 2,951,816

Greenacres total solid waste costs **\$ 3,202,708**



ITEM SUMMARY

MEETING DATE: August 19, 2024
FROM: Denise Malone, AICP, Development and Neighborhood Services Director
SUBJECT: Ordinance 2024-17 – ZTA-24-08 – Second Reading
Electrical Substation Siting and Development Standards

BACKGROUND

The city-initiated Zoning Text Amendments (ZTA) to Chapter 16 Article IV, Supplementary District Regulations, establishing a new Division 12, Section 16-613 Electric Substation Siting and Development Standards.

ANALYSIS

This city-initiated Zoning Text Amendment is to address the need for clear and comprehensive standards for the siting and development of electric substations. The objective is to ensure these facilities are developed in a manner that protects public health and safety, preserves environmental quality, and maintains the visual and aesthetic character of the city while acknowledging that electric substations play a critical role in the electrical infrastructure by converting high-voltage electricity from transmission lines to lower voltages for distribution to homes and businesses. The proposed regulations aim to balance the need for reliable electrical infrastructure with the concerns of the community ensuring that the siting and development of substations comply with all relevant local, state, and federal regulations including adherence to Florida Statute 163.3208 which allows local governments to adopt and enforce reasonable land development regulations for electric substations, addressing setback, landscaping, buffering, screening, lighting, and other aesthetic compatibility-based standards. The Planning and Zoning Board of Appeals recommended approval by a vote of 4-0 at their meeting on July 11, 2024. The City Council voted four (4) to zero (0) to recommend approval of Zoning Text Amendment ZTA-24-08 on first reading August 5, 2024.

FINANCIAL INFORMATION

N/A.

LEGAL

Ordinance 2024-17 was prepared in accordance with all applicable state statutes and City Code Requirements. The document has been reviewed for legal sufficiency.

STAFF RECOMMENDATION

Staff recommends approval of Ordinance 2024-17.

ORDINANCE NO. 2024-17

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 16, ARTICLE IV, SUPPLEMENTAL DISTRICT REGULATIONS, DIVISION 1, GENERALLY, BY ADOPTING NEW SECTION 16-613, TO BE ENTITLED “ELECTRIC SUBSTATION SITING AND DEVELOPMENT STANDARDS”; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Greenacres City Council, as the governing body of the City of Greenacres (the “City”), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (Zoning Code); and

WHEREAS, the reliable and efficient delivery of electricity is essential for the health, safety, and welfare of the City’s residents and businesses; and

WHEREAS, the City recognizes the need to establish comprehensive siting and development standards for electric substations to ensure they are located, designed, and operated in a manner that minimizes adverse impacts on surrounding land uses; and

WHEREAS, the City aims to maintain the aesthetic character and visual quality of the community by implementing visual mitigation and landscaping standards for electric substations; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the City of Greenacres;

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

SECTION 1. Chapter 16, Zoning Regulations, Article IV, Supplementary District Regulations, Division 1, Generally, is hereby amended by adding section 16-613, as follows:

Sec. 16-613. Electric Substation Siting and Development Standards

(a) Purpose and Intent.

The purpose and intent of this section is to regulate the siting, construction, and expansion of electric substations, ensuring that such facilities are compatible with surrounding land uses while maintaining the reliability and efficiency of the electric infrastructure, as required by F.S. 163.3208. The regulations herein are designed to balance the need for electric substations with the aesthetic and land use concerns of the community. The City shall, in a manner consistent with state law, avoid locating substations where they would be incompatible with adjacent land uses.

(b) Definitions.

For the purposes of this section, the following definitions apply:

- (1) Electric Substation:** An electric substation, including accessory administration or maintenance buildings and related accessory uses and structures, which takes electricity from the transmission grid and converts it to another voltage or lower voltage for distribution to customers through one or more lines.
- (2) Residential Areas:** Future land use categories where a primary function is to provide dwellings for individuals and families. These areas are characterized by various densities and types of residential development, including accessory buildings and open land used by dwelling occupants. The following future land use categories are considered Residential Areas:

 - a. RS-LD (Residential Low Density):** Residential future land uses providing dwellings for one family or household in low-density developments. This includes single-family homes and associated accessory buildings and open land.
 - b. RS-MD (Residential Medium Density):** Residential future land uses providing dwellings for one or more families or households in low to medium-density developments. This includes single-family homes, duplexes, townhomes, multi-family units, and associated accessory buildings and open land.
 - c. RS-HD (Residential High Density):** Residential future land uses providing dwellings for one or more families or households in medium to high-density developments. This includes single-family homes, duplexes, townhomes, multi-family units, mobile homes, apartment projects, and associated accessory buildings and open land.

- d. **MU (Mixed Use):** Future land uses that provide diversified residential options alongside amenities, enhancing the residential experience. These developments may include a combination of residential, professional, business, and retail uses within an individual development.
- (3) **Nonresidential Areas:** Future land use categories where the primary function is to support commercial, public, institutional, or recreational activities, and not primarily for residential living. These areas include various types of future land uses that provide services, commodities, and amenities to the public or serve specific non-residential purposes. The following future land use categories are considered Nonresidential Areas:
 - a. **CM (Commercial):** Future land uses that promote the supply of commodities and services to the general public, including retail, professional business and personal services, restaurants, and necessary storage and parking ancillary to these uses.
 - b. **PI (Public/Institutional):** Future land uses owned, leased, or operated by government agencies, including civic community centers, libraries, police and fire stations, public schools, and other similar public institutions.
 - c. **RO (Recreation/Open Space):** Future land uses concerned with either active or passive recreational uses or the enhancement of the surrounding area through publicly owned open space. Areas assigned the RO future land use category are designated for preservation and conservation. This designation serves multiple critical functions including but not limited to: it protects natural habitats and biodiversity, provides essential recreational spaces for the community, helps mitigate flooding by preserving natural landscapes, enhances community aesthetics and quality of life, and helps combat the urban heat island effect.

(c) Permitted Locations.

Electric substations are not permitted on land that has been designated for preservation, conservation, or historic preservation in the City's comprehensive plan or zoning regulations. Electric substations are permitted in all other areas of the City, subject to the restrictions and requirements outlined in this section.

(d) Siting and Development Standards

The following siting and development standards shall apply to electric substations:

- (1) **Setback Requirements:**
 - a. **Residential Areas:** A minimum setback of 100 feet is required from the substation property boundary to any permanent equipment structures. An open green space with native landscaping, including trees and shrubs, and an 8-foot-high opaque buffer wall, must be installed, consistent with [Section 16-1286](#).

- b. **Nonresidential Areas:** Substations must comply with the setback and landscaped buffer criteria applicable to other similar uses in the district, consistent with [Section 16-1286](#).
- (2) **Landscaping and Buffering:**
 - a. A vegetated buffer or screening is required to enhance aesthetic compatibility. Such buffers must be maintained at a height not exceeding 14 feet beneath aerial access points to substation equipment.
 - b. Florida-Friendly Landscaping materials and techniques must be used for all required buffers and screening.
 - c. To the extent feasible, the site shall be designed with a compatible palette of landscape materials in the front landscape buffer that harmonizes with those of the adjacent property.
- (3) **Lighting:**
 - a. Lighting for substations must be designed, in accordance with [Section 16-1335\(15\)](#) (Lighting). All lighting shall either be shielded or screened in a manner that limits spillover of lighting onto adjacent property and rights-of-way.
- (4) **Screening:**
 - a. Substation equipment and structures must be screened from view using landscaping and decorative walls. Screening methods must be consistent with the aesthetic character of the surrounding area.
- (5) **Noise Mitigation:**
 - a. Substations must employ noise mitigation measures to ensure compliance with any applicable City Code of Ordinances. Sound barriers, baffles, or other noise-reducing technologies must be utilized as necessary to minimize noise impact on adjacent properties.

(e) Application and Review Process.

(1) Review of Proposed Placement of New Electric Substations in Residential Areas.

- a. This subsection shall apply to applications for the proposed placement of new electric substations in residential areas.
- b. *Pre-Application Meeting.* Prior to submitting an application under this subsection, a utility proposing to place a new electric substation within a residential area must schedule a pre-application meeting to consult with the City to discuss potential sites.
- c. *Application.* After the preapplication meeting, the utility shall submit an application for site approval on a form provided by the City. The utility shall provide information regarding the utility's preferred site within Palm Beach County and as many as three alternative available sites, including sites within nonresidential areas, that are technically and electrically reasonable for the load to be served.

- d. Siting Determination. The final determination as to the preferred and alternative sites shall be made solely by the City, within 90 days of presentation of all the necessary and required information on the preferred site and on the alternative sites. If the utility and the City cannot agree on an appropriate site, the disagreement will be resolved in accordance with the dispute resolution procedure set forth in F.S. 163.3208(6)(a), including any amendments thereto.
- e. Review of Development Standards. Once a site has been determined pursuant to this subsection, the utility shall submit an application for development review. The application development review shall be submitted and processed in accordance with subsection 16-613(e)(2).

(2) Development Review.

a. This subsection shall apply to the following: applications for development review of new electric substations to be located in nonresidential areas; applications for changes to existing electric substations in all areas; and to applications for development review of electric substations at residential sites approved pursuant to subsection 16-613(e)(1).

b. A utility seeking to install a new electric substation or to make changes to an existing substation shall submit a written application for development review on a form provided by the City. The application shall include all of the following: a detailed site plan; a landscaping plan; a lighting plan; noise mitigation strategies; and any other relevant information to demonstrate compliance with the standards in section 16-613(d).

c. The City will review each application for compliance with all applicable standards. A decision to approve or deny the application will be made within 90 days of the application being declared complete.

d. The City will notify the applicant within 30 days whether the application is complete. Additional completeness determinations will be provided within 15 days after receipt of further information.

e. The City shall review applications for compliance with the criteria in section 16-613(d).

(f) Compliance and Enforcement.

- (1) Electric substations must be maintained in accordance with the approved application, including any related site and development and/or landscaping requirements. Any change to an approved application for an electric substation shall be made only after the City has reviewed the change and approved it in

accordance with section 16-613(e) Approval for the substation may be revoked if it is found that the substation is not in compliance with the approved plans.

- (2) The location or maintenance of any electric substation in violation of this article is subject to the enforcement provisions of Chapter 2, Division 2 (Code Enforcement). In addition, the City reserves the right to pursue any and all legal remedies to ensure or obtain compliance with this section.

SECTION 2. Repeal of Conflicting Ordinances. All other ordinances or parts thereof or parts of the Code conflicting or inconsistent with this ordinance are hereby cancelled, repealed or revised to be consistent with provisions and elements of this Ordinance.

SECTION 3. 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 4. Inclusion in the Code. It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Greenacres, Florida; that the Section(s) of

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

SECTION 5. Effective Date. The provisions of this Ordinance shall become effective immediately upon adoption.

[Remainder of the page intentionally blank.]

Passed on the first reading this 5th day of August, 2024.

PASSED AND ADOPTED on the second reading this 19th day of August, 2024.

Chuck Shaw, Mayor

Attest:

Quintella Moorer, City Clerk

Voted:

Judith Dugo, Deputy Mayor, *District III*

Voted:

John Tharp, Council Member, *District I*

Voted:

Peter Noble, Council Member, *District II*

Voted:

Susy Diaz, Council Member, *District IV*

Voted:

Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney



ITEM SUMMARY

MEETING DATE: August 19, 2024

FROM: Denise Malone, AICP, Development and Neighborhood Services Director

SUBJECT: **Ordinance 2024-18 – ZTA-24-09 – Second Reading**
Mural Grant for Art in Public Places

BACKGROUND

The city-initiated request for a Zoning Text Amendment has been brought forth to revise the Art in Public Places outlined in Chapter 16, Article IV of the City Code of Ordinances. This amendment will establish a limited reimbursement grant program for the installation of murals on nonresidential property by utilizing public art fee funds.

ANALYSIS

In 2022, the City adopted Ordinance 2022-16, creating an Art in Public Places Program for City Beautification. Subsequently, in 2024, the City adopted Ordinance 2024-14, revising the Art in Public Places Program and establishing criteria and procedures for the approval of murals. To continue to enhance the City's artistic heritage and encourage the visual arts throughout the City, staff seeks approval of proposed revisions to establish a limited reimbursement grant program for the installation of murals on nonresidential property, using funds generated by the public art fee. Each grant will be limited to 50% of the total installation cost of the mural or \$10,000, whichever is lower. The Planning and Zoning Board of Appeals reviewed this city-initiated text amendment on July 11, 2024, and recommended approval by a vote of 4-0. The City Council voted four (4) to zero (0) to recommend approval of Zoning Text Amendment ZTA-24-09 on first reading August 5, 2024.

FINANCIAL INFORMATION

N/A.

LEGAL

Ordinance 2024-18 was prepared in accordance with all applicable state statutes and City Code Requirements. The document has been reviewed for legal sufficiency.

STAFF RECOMMENDATION

Staff recommends approval of Ordinance 2024-18.

ORDINANCE NO. 2024-18

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 16, ZONING REGULATIONS, ARTICLE IV, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 3, PUBLIC PLACES, SUBDIVISION II, ART IN PUBLIC PLACES TO REVISE PROVISIONS FOR THE USE OF FUNDS GENERATED BY THE PUBLIC ART FEE AND TO ALLOW MURALS IN ADDITIONAL LOCATIONS WITHIN THE CITY; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the Greenacres City Council, as the governing body of the City of Greenacres (the "City"), pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider changes to its Land Development Regulations (Zoning Code); and

WHEREAS, in 2022, the City adopted Ordinance No. 2022-16, thereby creating an Art in Public Places Program for City Beautification; and

WHEREAS, in 2024, the City adopted Ordinance No. 2024-14, thereby revising and clarifying certain provisions related to the Art in Public Places Program and establishing criteria and a procedure for the approval of murals; and

WHEREAS, the City has identified the use of the public art fee as an important tool in the furtherance of the City's goal of enhancing its artistic heritage and encouraging the visual arts; and

WHEREAS, the City desires to establish a program that utilizes funds generated by the public art fee to establish a limited reimbursement program for the installation of murals on commercial property; and

WHEREAS, the City desires to provide for the installation of murals in additional locations within the City, specifically on utility boxes located on nonresidential property; and

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WHEREAS, the City Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the City of Greenacres;

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

SECTION 1. Chapter 16, Article IV, Division 3, Public Places, Subdivision II, Art in Public Places, section 16-662 is hereby amended as follows:

Sec. 16-662. Art in Public Places requirements.

- (a) *Application requirements.* The applicant shall provide the information described below and any additional information requested by the development and neighborhood services department necessary to review the application pursuant to the standards of the Code.
- (1) *Application forms.* The application shall be made on forms provided by the development and neighborhood services department.
 - (2) *Artist information.* Portfolio containing photographs of the artist's existing work, exhibition and sales history, and biography.
 - (3) *Miscellaneous plans, renderings, and details.* Artist's color renderings and/or photographs of proposed artwork; materials sample board; site plan depicting the proposed location of the artwork; landscape plan, if necessary, depicting additional landscaping or modifications to existing landscaping; architectural elevations, if necessary, depicting structures associated with the artwork; lighting location plan and light fixture details; or other information requested by staff, the art in public places advisory board, or the city council. All submittals shall be required to provide an accurate representation of the proposed artwork.
- (b) *Violations.* Violation of this subdivision shall be subject to enforcement as provided in chapter 2, article VIII.
- (c) *Requirements for art or fee in lieu of art.* All development activities, except city projects, where total construction costs of all buildings on a project site are equal to or greater than two hundred fifty thousand dollars (\$250,000.00) shall provide art valued in an amount of seventy (70) percent of the one (1) percent of the total construction costs, as provided in this section and section 16-663, thirty (30) percent of the one (1) percent shall be deposited in the city's public art fee. All buildings within planned developments shall be assessed cumulatively towards the art in public places requirement, even if they are permitted or owned separately. If the aggregate cost of the entire project exceeds the two hundred fifty dollars (\$250,000.00) threshold, each phase of development shall contribute the required one (1) percent of construction cost towards art in public places for the building project. The art fee for redevelopment of an existing building shall be calculated based on the construction costs of the new development.

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- (1) *Private development.* A private developer may choose either to provide artwork on the project site with a budget of seventy (70) percent of the one (1) percent fee for art or to contribute one (1) percent of the total construction costs to the city's public art fee. The city's public art fee shall be interest bearing with all interest to be retained by the city.
- a. *Contribution of art.* If the developer chooses to provide artwork, the Art Advisory Board shall review the proposed artwork and shall recommend to the city council whether to approve, deny, or approve with conditions the selection and location of the artwork according to the standards of this division. The artwork shall be provided as follows:
1. *Deposit of funds.* The building division/finance department shall administer the billing and collection of the thirty (30) percent of the one (1) percent of the public art fee at the time of building permit issuance to the public art fee. The developer shall submit documentation to the city showing that a deposit was made in the amount of the seventy (70) percent of the one (1) percent fee with the developer's attorney into an escrow account in an amount of money equal to seventy (70) percent of the one (1) percent art fee prior to the issuance of the first building permit. The developer's attorney will furnish the city documentation of the withdrawals for payment of art fees in accordance with the terms of the contract between the developer and the artist or artists, or the developer's arts consultants. The developer and/or the developer's attorney will provide the city a final written certification and accounting of the payment of art and consulting fees at the conclusion of the placement of artwork. This certification shall be provided in a manner acceptable to the city.
 2. *Surplus balance.* Any surplus balance existing in the escrow accounts after the developer has installed the required artwork shall be collected by the city. The surplus balance shall be held in a segregated, interest-bearing fund (the "public art fee"), and shall be used for the provision of additional art work at the construction site or another site within the city. Use of such funds shall be determined by the city council, following a recommendation by the city staff, and shall be in accordance with further provisions of this division.
 3. *Artist selection.* The selection and commissions of the artists shall be by written contract between the developer and artists.
 4. *Art consultant.* The developer may utilize up to twelve (12) percent of the required fee to retain an art consultant to assist in the selection and procurement of required artwork; an additional three (3) percent of the required fee shall be used to pay the city for administering the art in public places program. The art consultant shall have no financial relationship with the artist, nor any ownership in artwork purchased by the developer. The artist shall be allowed to act as the art consultant for the art petition but shall be precluded from receiving the art consultant fee.
 5. *Construction cost overruns.* Prior to the issuance of the final certificate

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of occupancy for a project, the developer shall submit a revised construction cost certification. If the final cost of the vertical construction for the entire project is higher than the cost figure used to calculate the preliminary art budget, the art budget shall be increased as necessary to equal one (1) percent of the actual defined total vertical construction cost for the project. The art budget shall be revised within thirty (30) calendar days of any such changes. The increase in the art budget due to the final increase of the vertical construction cost for the entire project shall be placed in the city public art fee or shall be used for the provision of art on site, at the option of the developer.

6. *Appraisal.* To establish the value of art submitted to comply with this division, the city may employ an independent art appraiser to provide a written appraisal of the art submitted. Such appraisal will be paid for by the developer as part of the overall art contribution.
7. Artwork purchased pursuant to the requirements of this section belongs to the property owner and shall be insured and maintained in good condition at all times as determined by the city's code enforcement official. Maintenance shall include any associated landscaping or related improvements. The city has the right to maintain any art it deems improperly maintained and charge the owner the cost of such maintenance, including cost of collection, interest, and attorney's fees.
8. Unless an alternative deadline is established in a development order, or a time extension is granted by the director of development and neighborhood services, no certificate of occupancy for the project shall be issued until the artwork is installed and the final certification and accounting of the payment of the escrow fees has been provided. Artwork installed in accordance with this division cannot be altered or removed from the site without approval of the city council.
9. The artist of approved artwork shall grant to the City of Greenacres an unlimited, perpetual, non-exclusive, royalty-free, irrevocable license to reproduce and distribute two-dimensional reproductions of the artwork for city-related purposes, and grant to the city the exclusive irrevocable ownership rights in any trademark, service mark, or trade dress rights regarding the artwork, pursuant to a license that shall be approved by the city attorney. City approval of the artwork shall be deemed to be a grant of the artist for authorization by third parties to review and reproduce documents provided by the artist to the city which are deemed to be public records pursuant to public record laws of the state. The city shall also have the option of referring to the name and title of the artist and artwork in reproductions.
10. *Review by the development review committee.*
 - A. *Workshop.* The applicant shall appear before the Art Advisory Board in order to receive guidance in the initial stages of the review. In this case, the applicant shall choose between two (2) types of review described below:
 - i. The applicant may appear before the committee in order

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to receive more detailed direction, if the applicant does not have a set direction, prior to receiving a final recommendation by the committee. The applicant is strongly encouraged to submit the portfolios of up to three (3) artists. The portfolios shall contain photographs of the artists' existing works, as well as the artists' biographies; or

- ii. The applicant may have a set direction regarding the artwork and may appear before the committee for preliminary comments prior to receiving the committee's final recommendation. The applicant shall submit the portfolio of the proposed artist which shall contain photographs of the artist's existing works, as well as the artist's biography.

B. *Criteria for review of artwork by the committee.* In making its recommendation to the city council, the committee shall consider the quality of the artwork; the exhibition and sales history of the artist; the artist's works in public collections and previous public art purchases or commissions; the ability of the artist to complete the project within a specified schedule; and the compliance with the standards of this division.

C. *Guidelines.* The development review committee may adopt art in public places implementation guidelines to assist both the public and private sector planning activities.

11. *Review by staff.* In making recommendations to the Art Advisory Board and to the city council, staff shall consider the standards of this division in association with sound planning principles.

12. In the case of redevelopment of a property which has contributed artwork on the site pursuant to this article, the artwork may be replaced, at the option of the developer, with new artwork pursuant to this article, or the existing artwork may remain on the site. In the latter case, the value of the existing artwork and its placement must comply with this article as if it were new artwork.

b. *Fee in lieu of artwork.* Instead of providing artwork on the project site, a developer may choose to contribute one (1) percent of the total construction

costs as the required art fee. If the contribution is made, the contribution shall be divided into two payments as follows:

1. Prior to building permit issuance, the developer shall submit to the building division/finance department a preliminary certification of total construction costs. The preliminary certification shall be used to calculate developer's initial payment of thirty percent (30%) of the contribution. The developer shall make the initial payment to the building division/finance department prior to building permit issuance.

2. Prior to issuance of the final certificate of occupancy for the project, the developer shall submit to the building division/finance department a final

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certification of the total construction costs. The final certification shall be used to calculate the outstanding portion of the contribution. The developer shall pay the outstanding portion of the contribution prior to issuance of the final certificate of occupancy for the project.

3. The contribution shall be placed in the city's public art fee fund and used as provided in subsection 16-662(c)(2). The contributor shall have no input in the use of such funds.

(2) *Public art fee fund.* When the developer provides a fee in lieu of artwork pursuant to subsection 16-662(c)(1)b or pays the thirty (30) percent of the one (1) percent when providing art on site, the following shall apply to the use of the funds:

a. The fee shall be placed in the city's public art fee fund. Funds from the public art fee fund may be spent anywhere in the city, and such funds may be spent on any art or art-related costs such as, but not limited to, lighting, consulting, landscaping, aesthetic features or enhancements, maintenance of art work, and to promote public art and the public art process in the city. In addition, funds generated from the public art fee may be used for the limited reimbursement program established in subsection 16-665(j).

b. *Artist selection.* The city council may choose either to select an artist through a call-to-artist process or to procure works of art through commission via written contract with a specific artist for a specific work of art.

1. *Call to artists.* If a preferred artist has not been determined, the city may issue a call to artists to procure a work or works of art. A selection committee will review the submitted proposals and shall select at least two (2) finalists for consideration by the city council. The city council shall review the finalists' proposals and make a final determination on the selection and commission of the artist and the artwork. The selection and commission of the artist and artwork shall be by written contract between the city and the artist. Final decision-making authority regarding the artwork and artist shall be at the sole discretion of the city council.

2. *Artist/artwork selection.* The city may utilize funds allocated from the public art fee to retain a specific artist for a specific artwork on city-owned land, a city-owned building, a facility that is leased or rented by the city or on any property where the city has granted permission by the property owner. The selection and commission of the artist and artwork shall be by written contract between the city and artist. Final decision-making authority regarding the artwork and artist shall be at the sole discretion of the city council.

3. *Contracts for artwork.* Artists, as a part of any commission or contract with the city for the provision of artwork, shall be required to submit to the city a "maintenance and inventory sheet," which shall include an annual cost estimate for the annual maintenance necessary in order to properly preserve and maintain the artwork in substantially the same condition that it was in when accepted by the city.

4. *Use of purchased art.* Except as provided in section 16-665(j), all Art

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artwork purchased by the city-required art fee contribution shall be displayed on city-owned land, a city-owned building, or a city-leased or rented facility unless otherwise approved by the city. The artwork shall be displayed in a visually accessible location, which shall be suitable to the design of the site, in order for the public to receive the most enjoyment and benefit from the art.

- c. *Art consultant.* The city may utilize funds allocated from the art account to retain an art consultant. The artist shall be allowed to act as the art consultant but shall be precluded from receiving the art consultant fee.
- d. Proper insurance coverage shall be maintained by the city on artwork purchased with funds generated by this article or on artwork whose ownership has been transferred to the city. The artwork owned by the city shall be maintained by the city.
- e. *Maintenance of artwork.* The public art fee fund shall be utilized to cover the costs of acquiring and maintaining public works of art purchased for display on city-owned, -leased, or -rented property/buildings, or on any property where the city has been granted permission by the property owner.
 - 1. *Public art maintenance fund.* The city council shall designate portions of the public art fee fund in order to provide for the maintenance and upkeep of all publicly-owned works of art in order to ensure that proper preservation and maintenance is provided.
 - 2. *Art maintenance requirement.* When the city council approves the acquisition of a public work of art, the city council shall designate funds from the public art fund dedicated to the continual maintenance and preservation of the subject work of art for a period of no less than twenty-five (25) years.
 - 3. *Maintenance funds.* Maintenance funds may be expended to cover any and all expenses reasonably associated with the maintenance and preservation of public works of art.

SECTION 2. Chapter 16, Article IV, Division 3, Public Places, Subdivision II, Art

in Public Places, section 16-663 is hereby amended as follows:

Sec. 16-663. Standards for artwork.

- (a) Maintenance of the public art shall be the sole responsibility of the current property owner in perpetuity, and this obligation shall be deemed to run with the land. Failure to maintain public art in compliance with the public art plan shall be considered a violation of this chapter. Artwork shall be displayed in a visually accessible location, which shall be suitable to the design of the site, in order for the public to receive the most enjoyment and benefit from the art.
- (b) Consideration shall be given to the appropriateness of the project’s proposed materials and construction for questions of durability, maintenance, appropriateness, safety, and security.

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- (c) Artwork shall be integrated into the overall planning and design for a structure or project, ensuring compatibility with the intent and purpose of the structure at which the work or works are located. Additionally, all artwork shall align with the four general principles of Sec. 16-198 - Site and Building Design which aims to stimulate creative design and planning solutions that directly enhance the visual appearance of the city, and promote public health, safety, and welfare.
- (d) Artwork shall be integrated into the overall landscaping plan, and landscaping shall be utilized to enhance the visibility of such works.
- (e) Artwork shall be lighted at a minimum from dusk until midnight. The lighting shall be designed and located in order to prevent excessive lighting, energy waste, glare, light trespass, and sky glow.
- (f) Artwork installed pursuant to the division cannot be altered or removed from the site without approval of the city council.
- (g) *Maintenance.* Artwork shall be maintained in good condition at all times, including any associated landscaping or related improvements. Maintenance of the public art shall be the sole responsibility of the property owner, and this obligation shall be deemed to run with the land. Failure to maintain public art in compliance with the plan shall be considered a violation of this subdivision.
- (h) Except as provided in section 16-665(j), all Artwork purchased from the public art fund shall be displayed on city-owned land, a city-owned building, or a city-leased or -rented facility.
- (i) *Zoning and building consideration.* Consideration shall be given to project zoning. Permits and building approval shall be obtained, when necessary, and shall be in compliance with the Florida Building Code, the National Electric Code, and the previously-approved plans by city council.

SECTION 3. Chapter 16, Article IV, Division 3, Public Places, Subdivision II, Art in Public Places, section 16-664 is hereby amended as follows:

Sec. 16-664. Definitions.

The following words, terms, and phrases, when used in this subsection, shall have the meanings ascribed herein except where the context clearly indicates a different meaning:

Art, artwork, or works of art means all tangible creations by artists exhibiting the highest quality of skill and aesthetic principles, and includes all forms of the visual arts conceived in any medium, material, or combination thereof, including, but not limited to, painting, sculpture, fountains, engraving, carving, frescos, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, artist-designed seating, or other functional art pieces and collaborative design projects between architects and/or landscape architects and artists, together with all hard costs and soft costs such as, but not limited to, lighting, landscaping, or other aesthetic effects or enhancements integrated with the art and approved by the city council ~~growth management administrator~~. The city council shall not consider for approval art objects which are mass-produced in unlimited quantities. Artwork may include, but is not limited to:

- (1) Sculpture: Free-standing, wall supported or suspended; kinetic, electronic; in any

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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.

Ineligible artwork. The following shall not be considered artwork:

- (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.

Development, as it pertains to art means any project to construct or remodel any private or public development, or any portion thereof within the limits of the city, where total construction costs equal or exceed two hundred and fifty thousand dollars (\$250,000.00).

Remodeling or conversion, as it pertains to art means alterations made to a building within any twelve-month period, including, but not limited to, changes to the façade of a building, changes to the interior of a building, increases or decreases in the floor area of a building and changes to exterior improvements.

Total Construction Costs means the total cost of the improvements, excluding demolition costs and real property acquisition costs, approved for a development project, as indicated on the construction contract(s) for the subject improvements. For purposes of calculating the public art fee, total construction costs shall include, but not be limited to, all building, engineering, landscaping, plumbing, mechanical, and electrical permit applications for the project.

SECTION 4. Chapter 16, Article IV, Division 3, Public Places, Subdivision II, Art

in Public Places, section 16-665 is hereby amended as follows:

Sec. 16-665. -Murals.

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(a) *Applicability.* All proposed murals that are not approved pursuant to the Art in Public Places Program shall be reviewed and approved in accordance with this section. The city is exempt from the requirements of this section.

(b) *Definition of Mural.* For purposes of this section, the term mural means any drawing, artwork, inscription, or marking that is marked, etched, drawn or painted on the exterior walls of a nonresidential building, or a nonresidential structure, or an electrical box if the electrical box is installed on nonresidential property. Items or works that are excluded from the definition of artwork in Sec. 16-664 shall not be considered murals, and they are not permitted on the roof of a nonresidential building or structure.

(c) *Review Criteria.* Prior to installation, all proposed murals shall be reviewed by the Art Advisory Board and approved by the city council pursuant to the following criteria:

- (1) In all districts, murals shall be evaluated on a case-by-case basis in relation to their surroundings and environment.
- (2) Murals may co-exist with all types of on premises signs.
- (3) Murals shall be integrated into the overall planning and design for a structure project and shall be compatible with the intent and purpose of the proposed structure.
- (4) Additionally, the city council may adopt reasonable guidelines and policies consistent with these regulations to assist the city in the review of proposed murals. After ratification, the adopted administrative policies shall be applied by the Art Advisory Board and the city council in reviewing applications for permits to install murals. Copies of adopted administrative policies shall be provided to all property owners considering the placement of murals.
- (5) When reviewing an application for a mural under this section, the Art Advisory Board may recommend that the city council approve an application, approve an application with conditions, or deny an application. The recommendation of the Art Advisory Board shall not be binding on the city council.

(d) *Application Requirements.* A written application for mural approval shall be submitted to the development and neighborhood services department using forms which shall be provided. The application shall include the following information:

- (1) The name and address of the applicant.
- (2) The name and address of the property owner.
- (3) The street address and location of the proposed mural.
- (4) The written consent of the building owner.
- (5) Renderings and sketches prepared in a professional manner clearly indicating the intended appearance of the proposed mural. A sketch of the mural shall be sufficiently detailed and depicted on a scaled elevation of the wall(s) on which it will be applied. Colored photographs of the building shall accompany the mural sketch, showing the wall to be painted in relation to adjacent streets and buildings.

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- (6) Color samples shall be precisely identified.
- (7) Such other reasonable and relevant information as the development and neighborhood services department may require.

(e) *Installation and maintenance.* Murals shall be:

- (1) Installed in strict conformity with their approved plans and any conditions of approval.
- (2) Installed by professional artists or licensed painters, or under their direct supervision.
- (3) Properly and safely applied to building surfaces, using proper exterior paint or other materials.
- (4) Suitably weatherproofed and protected against deterioration.
- (5) Maintained in their original condition.

(f) *Removal of murals.* If an applicant begins work on an approved mural and fails to complete it, or if an approved mural at any time enters into a deteriorated condition and no longer satisfies the terms of the approval as determined by the development and neighborhood services department, the following procedure may be used to abate the mural:

- (1) *Notice to owner.* Notice to the owner shall conform to the provisions set forth in F.S. § 162.12.
- (2) *Appeal by owner.* The owner shall have thirty (30) days from the date of service to remove the mural or to request an appearance before the Art Advisory Board to seek reversal of the decision of the development and neighborhood services department. If the appellate board affirms the department's decision, the owner shall have fifteen (15) days from the date of the appellate board meeting to remove the mural. The appellate board may, in its own discretion, impose conditions on the owner for the restoration of the mural.
- (3) *City's right to enter and abate.* If the owner fails to remove the mural after thirty (30) days or the time limit imposed by the appellate board, the city may, at its own discretion, take such reasonable action as necessary to enter the property and remove the mural from the property, or restore the mural to a condition which is in compliance with the original terms of the approval.
- (4) *Costs of abatement by the city.*
 - a. Upon the city's abatement of the mural, the costs thereof, including the administrative costs incurred by the city, shall be assessed against the real property from which the mural was removed. Mural abatement assessments shall be levied by resolution of the city council and the date of levy shall be the date of adoption of such resolution. The resolution shall be filed in the office of the finance director as a lien against the land where the mural was abated, and shall be recorded in the public records of Palm Beach County,

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Florida, to afford notice to the public.

b. Such assessment shall be a lien against the land which the same is made effective as of the date of levy by the city council. Such lien shall be prior, and prior in dignity, to all other liens against such property, save and except a lien for taxes. Liens shall be payable on the date of levy, and shall, from the date of delinquency (thirty (30) days after the date of levy), bear interest at a rate determined by the city council.

c. The lien shall be subject to foreclosure as provided by law if not completely paid within three (3) years after date of delinquency. Three (3) years after the date of delinquency the interest on the unpaid principal shall be at a rate determined by the city council.

d. Nothing in this subsection shall in any way limit the city to the remedy listed above. This remedy shall be in addition to any other remedy which the city can legally pursue.

(5) *Removal by owner.* Any mural may be removed by the property owner at any time.

[Remainder of the page intentionally blank.]

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(g) *Removal agreement.* Approved murals shall not be installed until the city receives a written removal agreement properly executed by the applicant and building owner. Such agreement shall be furnished by the city. The mural approval and agreement to remove shall be recorded in the records of the city, and may be recorded in the official records of Palm Beach County and shall be binding upon the heirs, personal representatives, grantees, successors in interest, or assigns of the parties.

(h) *Art Consultant.* The city may engage one or more art consultants to assist in the development of review criteria, to assist the Art Advisory Board and the city council in reviewing applications submitted pursuant to this section, and for any other purpose to effectuate this section.

(i) *Violations; enforcement.* In addition to the remedies set forth in subsection 16-665(f), the city may enforce violations of this section as provided in Chapter 2, Article VIII.

(j) *Limited reimbursement grant program.* Funds from the public art fee established in section 16-662 may be used to pay for grants that reimburse the cost of installing murals on nonresidential property approved under this section. The criteria and procedure for the award of such grants shall be established by resolution of the city council. Each grant shall be limited to fifty percent (50%) of the total cost of installation of the mural or ten thousand dollars (\$10,000.00), whichever amount is lower.

SECTION 5. Repeal of Conflicting Ordinances. All other ordinances or parts thereof or parts of the Code conflicting or inconsistent with this ordinance are hereby cancelled, repealed or revised to be consistent with provisions and elements of this Ordinance.

SECTION 6. 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,

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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 7. Inclusion in the Code. It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section", "Article" or another word.

SECTION 8. Effective Date. The provisions of this Ordinance shall become effective immediately upon adoption.

[Remainder of the page intentionally blank.]

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Passed on the first reading this 5th day of August, 2024.

PASSED AND ADOPTED on the second reading this 19th day of August, 2024.

Chuck Shaw, Mayor

Judith Dugo, Deputy Mayor

Voted:

Attest:

Quintella Moorer, City Clerk

John Tharpe, Council Member, *District I*

Voted:

Peter Noble, Council Member, *District II*

Voted:

Susy Diaz, Council Member, *District IV*

Voted:

Paula Bousquet, Council Member, *District V*

Voted:

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney



ITEM SUMMARY

MEETING DATE: August 19, 2024
FROM: Teri Lea Beiriger, Director of Finance
SUBJECT: Ord. No. 2024-21 Budget Adjustment: Chickasaw, Dillman, Gladiator, and Youth Program Building

BACKGROUND

Council Policy No. 6 requires City Council action to authorize budget adjustments between cost centers, departments, and funds. A budget adjustment is required to account for the unbudgeted re-prioritizing of the Chickasaw Road Improvements project, the Gladiator Lake Enhancement, Dillman Trail Project and the Youth Programs Building.

Chickasaw Road, Gladiator Lake and Dillman effects the Infrastructure Surtax (305) fund. The Youth Program Building effects the 306 American Rescue Plan Fund.

The Chickasaw project was prioritized to 2024 by a budget adjustment 2023-19 on January 8th, 2024, for \$3,000,000. After further discussion with the developer and to ensure project stays on schedule Alternate 1 from Bid 24-006 was awarded for \$616,007.50 or \$617,000. Funding will be reimbursed by the developer. Revenue not expected until Budget Year 2025.

In 2020, the City was approved for grant funding from the Division of Emergency Management for the Gladiator Lake Enhancement Project. The bidding process determined the cost of this project exceeded the funding. 2024 brought an increase in funding and a time extension, however through a new bid process the price was still higher than expected by about \$97,855. A budget increase of \$150,000 is needed to cover the difference plus any unexpected cost. The revised grant agreement will cover \$106,449.25 rounded up to \$106,450. Revenue is not expected until May 2025.

In April 2023, a \$90,000 budget adjustment was approved for the Dillman trail project. The \$90,000 was underestimated by \$50,000.

Youth Building Project (306) was budgeted in 2024 for \$7,684,685. Estimates show this project will be around \$11,709,770. To keep this project moving and to have the ARPA funds committed by December 31, 2024, a budget increase is needed for \$4,125,085. The transfer of grant unearned revenue in the amount of \$4,125,085 ARPA funds will bring the net cost effect to zero. Transfer will take place at the time of each expenditure.

ANALYSIS

Ordinance 2024-21 is to authorize a budget adjustment for the total amount of \$4,942,085 that documents the movement of the fund balance from the two CIP funds to cover the increase cost of unbudgeted dollars.

FINANCIAL INFORMATION

The proposed ordinance increases the budget for the Chickasaw project, Gladiator Lake, Dillman Trail and Youth Program building by \$4,942,085. Net effect on the projects is (\$93,550).

LEGAL

The proposed Budget Amendment has been prepared in accordance with the applicable State Statutes and City Code Requirements

STAFF RECOMMENDATION

Approval of Ordinance 2024-21.

ORDINANCE NO. 2024-21

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING THE CITY OF GREENACRES' BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, AND ENDING SEPTEMBER 30, 2024, INCLUSIVE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Greenacres, Florida adopted a budget for the 2023/2024 Fiscal Year; and

WHEREAS, the City Council has determined that an amendment needs to be made to the previously adopted Fiscal Year Budget; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the City of Greenacres.

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

Section 1. The City Council hereby amends the expenditures in the Infrastructure Surtax (305) fund, expenditures in the American Rescue Plan (306) fund and the balances listed in attached Exhibit "A" by and adopts such amendments to the Budget of the City of Greenacres for the Fiscal Year October 1, 2023, through September 30, 2024, inclusive.

Section 2. 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 3. 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 4. Effective Date.

The provisions of this Ordinance shall become effective upon adoption.

Passed on the first reading this 5th day of August 2024.

PASSED AND ADOPTED on the second reading this 19th day of August 2024.

Voted:

Chuck Shaw, Mayor

John Tharp, Council Member, *District I*

Attest:

Voted:

Quintella Moorer, City Clerk

Peter Noble, *District II*

Voted:

Judith Dugo, Council Member, *Deputy Mayor*

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

FYE 9/30/2024
Exhibit "A"

Fund 305 Infrastructure Surtax

		Increase (Decrease)
Revenue		
Fed Grant Other Physical*	305-30-331-390	\$ 106,450
Private Reimb (Developer) *		<u>\$ 617,000</u>
Total Revenue		\$ 723,450
Expense		
CIP-233 Chickasaw Rd Imprv	305-40-42-63-12	\$ 617,000
CIP-226 Gladiator Lake Impro	305-30-31-63-25	\$ 150,000
CIP-232 Dillman Trail	305-30-31-63-161	<u>\$ 50,000</u>
Total Expense		\$ 817,000
Net Effect on Projects		(\$ 93,550)
Net effect on 2024 Fund Balance		\$ 817,000

Fund 306 American Rescue Plan

Revenue		
ARPA Grant **		\$ 4,125,085
Total Revenue		\$ 4,125,085
Expense		
CIP-236 Youth Building	306-60-64-62-43	\$ 4,125,085
Total Expense		\$ 4,125,085
Net Effect on Projects		(0)
Net effect on 2024 Fund Balance		\$ 4,125,085

* Reimbursement expected in FY 2025 (amount will be added to FY 2025 budget)

** Revenue will be recorded at time of expense



ITEM SUMMARY

MEETING DATE: August 19, 2024

FROM: Denise Malone, AICP, Director Development and Neighborhood Services

SUBJECT: **Resolution 2024-42 SP-23-04**
Soma Medical

BACKGROUND

Patricia Lentini, agent for Soma Medical Center is requesting Site Plan approval of the proposed Soma Medical project. The subject site is located approximately 500 feet south of Chickasaw Road on the west side of S. Jog Road at 3581 S. Jog Road.

The petition is for Site and Development Plan approval for a 9,695 square foot Medical Office building and parking to be constructed on the subject 1.15-acre site

The Development Review Committee has reviewed this proposal and recommended approval, followed by the Planning and Zoning Board of Appeals which recommended approval by a vote of 5-0 at their meeting on August 8, 2024.

ANALYSIS

The application is for Site and Development Plan approval to construct a one-story 9,695 square foot medical office building. The existing single-family residence was built in 1976 and the applicant is proposing to demolish the existing single-family residence to make way for the new construction. The proposed building is oriented perpendicular to Jog Road, with parking located behind the front façade facing Jog Road, thereby aligning with the Mixed-Use character of the zoning district. The parking for the medical office building consists of 53 parking spaces, including three (3) Americans with Disabilities Act (ADA) accessible parking spaces meeting the city's requirement of 1 space per 200 square feet for a medical office, which necessitates a minimum of 48 spaces. There is one (1) ingress and egress point onto Jog Road, for vehicular access and includes a sidewalk for pedestrian access. There is a six (6) foot high masonry wall being provided along the east, south, and north property lines, along with a landscape buffer on the entire perimeter.

The proposal has satisfied code requirements for approval of a Site Plan and staff's findings of fact are indicated in the staff report with twenty-seven conditions of approval. Specifically, the proposed project meets floor area ratio and setbacks. Further the height of the building does not exceed the allowable height. The petitioner has obtained all outside agency concurrency requirements including the Traffic Performance Standards from Palm Beach County which has a build out date of December 31, 2028. The petitioner will be required to pay all impact fees including amounts due under the City's Public Arts Program.

FINANCIAL INFORMATION

Petitioner will be required to pay the City's Arts in Public Places (AIPP) public art fee if the total construction costs is two hundred fifty thousand dollars (\$250,000) or greater, in accordance with Section 16-661.

LEGAL

Resolution 2024-42 was prepared in accordance with all applicable State statutes and City Code requirements.

STAFF RECOMMENDATION

Approval of SP-23-04 through the adoption of Resolution 2024-42.

RESOLUTION NO. 2024-42

A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING THE APPLICATION FOR SITE PLAN APPROVAL TO CONSTRUCT A ONE-STORY 9,695 MEDICAL OFFICE BUILDING WITHIN IN A MIXED USE DEVELOPMENT – OFFICE (MXD-O) ZONING DISTRICT, LOCATED APPROXIMATELY 500 FEET SOUTH OF CHICKASAW ROAD AT 3581 S. JOG ROAD, AS REQUESTED BY THE PETITIONER, PATRICIA LENTINI, AGENT FOR THE OWNER, SOMA INVESTORS, LLC; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Patricia Lentini., hereinafter "Petitioner", as agent for the owner, The Soma Investors, LLC, has made an application for Site Plan approval for construction of a one-story 9,695 Medical Office Building within a Mixed Use Development – Office (MXD-O) zoning district, located approximately 500 feet south of Chickasaw Road at 3581 S. Jog Road; and

WHEREAS, the petitioner presented this matter to the Development Review Committee of the City of Greenacres which provided comments to the Planning, Engineering, and GIS Division which, in turn, recommended approval of the Site Plan to allow for construction a one-story 9,695 Medical Office Building located approximately 500 feet south of Chickasaw Road at 3581 S. Jog Road with the conditions identified herein; and

WHEREAS, the Planning and Zoning Board of Appeals held a public hearing August 8, 2024, reviewed the Petitioner's request, and made a recommendation on the petition with a vote of 5 to 0; and

WHEREAS, this matter has been presented to the City Council for final approval, and the Council has voted to approve the Site Plan for construction of a one-story 9,695 Medical Office Building within a Mixed Use Development – Office (MXD-O) zoning district located approximately 500 feet south of Chickasaw Road at 3581 S. Jog Road, subject to the conditions of approval and staff recommendation at the August 19, 2024 Public Hearing.

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

SECTION 1. The Petition, SP-23-04, a Site Plan is hereby APPROVED for construction of a one-story 9,695 Medical Office Building within a Mixed Use Development – Office (MXD-O) zoning district located approximately 500 feet south of Chickasaw Road at 3581 S. Jog Road, subject to the conditions of approval contained herein, which are in addition to the general requirements otherwise provided by resolution for real property as follows:

Legal Description

PCN: 18-42-43-27-05-022-0413

The North 150 feet of the South 300 feet of Tract 41, Block 22, The Palm Beach Farms Co Plat No. 3, According to the Map or Plat thereof, as recorded in Plat Book 2, Page 45 through 54, inclusive, of the Public Records of Palm Beach County, Florida.

CONTAINING A TOTAL OF 1.15 ACRES MORE OR LESS.



Subject site outlined in red dashed lines

SECTION 2. All resolutions in conflict herewith are hereby repealed.

SECTION 3. This resolution shall be effective upon its adoption subject to the following conditions, which shall be responsibility of and binding upon the Applicant, its successors, or assigns:

1. The most stringent requirements of this DNS Staff Report and Recommendation dated July 25, 2024, and strict compliance with the Site and Development Plan exhibits stamped approved by the City of Greenacres on _____, _____ and listed below, which are attached hereto and made part hereof as Exhibit "A"
 - A. SP-23-04 Soma Medical Office Building **Site Plan**, Sheet SP-1 and SP-2, received by DNS on July 12, 2024, and prepared by M. Troy Holloway of 2GHO
 - B. SP-23-04 Soma Medical Office Building **Landscape/Irrigation Plan**, Sheets LP-1 through LP-2, and IR-1 received by DNS on July 12, 2024, and prepared by Jack Wensell of the Wensell Group Landscape Architecture
 - C. SP-23-04 Soma Medical Office Building **Photometric Plan**, Sheet SL-1, received by DNS on July 12, 2024, and prepared by Fernando Prieto of Team Architecture
 - D. SP-23-04 Soma Medical Office Building **Architectural Plan**, Sheets A-200, received by DNS on July 12, 2024, and prepared by Fernando Prieto of Team Architecture
 - E. SP-23-04 Soma Medical Office Building **Master Sign Plan**, Sheets MSP-1 through MSP-7, received by DNS on July 12, 2024, and prepared by Fernando Prieto of Team Architecture
 - F. SP-23-04 Soma Medical Office Building **Civil/Engineering Plan**, Sheets C1 through C11, received by DNS on July 12, 2024, and prepared by Todd McLeod of McLeod McCarthy & Associates, P.A. Civil Engineers
2. Permits from the South Florida Water Management District (SFWMD), Lake Worth Drainage District (LWDD), and Palm Beach County Land Development, as required, for the stormwater management system must be obtained prior to the issuance of an Engineering Permit. (Engineering)
3. Permits from the Health Department for modifications to the water and sewer system must be obtained prior to the issuance of an Engineering Permit. (Engineering)
4. An Engineering Permit, issued by the City of Greenacres, is required prior to any sitework or construction activities outside of the proposed structures and work related to subdivision and/or development improvements taking place. The Engineering Permit must be closed out before any Certificates of Occupancy (CO) are issued for any buildings or structures. No Engineering Permit shall be issued for construction or work until an approved cost estimate and a bond for all sitework has been posted. (Engineering)
5. Complete drainage calculations addressing water quality and quantity in accordance with the requirements of SFWMD and City of Greenacres must be submitted for review along with complete paving and drainage construction plans and subsurface investigation with percolation test must be submitted with the application for Engineering Permits. (Engineering)

6. The Site and Development Plan shall be revised as necessary and as otherwise noted herein to reflect all conditions of approval and re-submitted prior to the issuance of Engineering Permits and Building Permits. (Planning, Building, Engineering and Public Works)
7. In accord with the requirements of the National Pollution Discharge Elimination System (NPDES), best management practices shall be used to control runoff from construction activities. An NPDES Permit shall be provided to the City, prior to any site activity, as part of the Engineering Permit. (Planning, Engineering, Building and Public Works)
8. Any site permits required and/or obtained shall be maintained in an active status with the respective permitting agency until all the work covered by the permit is satisfactorily completed, any applicable inspections passed, and officially closed out with the City. (Building, Planning, Engineering and Public Works)
9. The project shall participate in the City Tree Dedication Program per Section 16-1293; prior to the issuance of any Building Permit, one (1) tree to be donated per 1,000 sq. ft. of building area or fraction thereof, therefore **ten (10) Live Oaks or equivalent cash payment shall be donated to the City** subject to the following specification: Live Oak, Florida Grade #1 Container Grown; minimum 12 ft. high; 2-inch diameter trunk at 4 ft.; and 5 ft. spread. (Planning and Building)
10. The project shall be required to pay the City's impact fee of \$2.80 per square foot of gross floor area per Section 16-201. The amount of **\$27,146** shall be paid, prior to the issuance of Building Permits. (Planning and Building)
11. The project shall be required to pay the City's Arts in Public Places (AIPP) public art fee if the total construction costs is two hundred fifty thousand dollars (\$250,000) or greater, in accordance with Section 16-661. If applicable, the public art fee shall be equal to one (1) percent of the total construction costs of the project. The contribution shall be placed in the city's public art fee fund and the contributor shall have no input in the use of such funds. The contribution shall be divided into two (2) payments as follows:
 - A. **Prior to Building Permit Issuance:** The developer shall submit to the building division/finance department a preliminary certification of the total construction costs. This preliminary certification shall be used to calculate the developer's initial payment of thirty (30) percent of the contribution. The developer shall make this initial payment to the building division/finance department prior to the issuance of the building permit.
 - B. **Prior to Issuance of the Final Certificate of Occupancy:** The developer shall submit to the building division/finance department a final certification of the total construction costs. This final certification shall be used to calculate the outstanding portion of the contribution. The developer shall pay the outstanding portion of the contribution prior to the issuance of the final certificate of occupancy for the project.

12. Utilities shall be provided underground and sufficient in size to properly serve the site. Appurtenances to these systems which require above-ground installation must be effectively screened from view. If it is determined by the City that the screening does not effectively mitigate the impact, additional screening may be required. (Planning, Engineering and Building)
13. All utilities and services to the site shall be provided by entities holding valid franchise agreements with the City. (Engineering and Building)
14. Any portions of the existing site drainage system to remain shall be cleaned to ensure efficient operation. Existing stormwater drain pipes that are no longer in service shall be removed. (Engineering)
15. The building must be provided with an automatic fire sprinkler system and a monitored fire alarm system. In addition, the building shall have a Knox box keyed for the City of Greenacres at the entrance. The order form shall be obtained from the City's Fire Marshal. (Fire Rescue)
16. For roofing materials, all exterior roof surfaces shall be either rated by the Cool Roof Rating Council or labeled as an Energy Star qualified roof product and be in accordance with the Florida Building Code. This excludes portions of the roof acting as a rooftop deck, green roof, or any area of a roof utilized by photovoltaic and solar equipment. Product specifications for roofing materials must be submitted and approved as part of the roofing-related Building Permit submittals. (Planning and Building)
17. All rooftop equipment shall be completely screened from view on all sides. All ground mounted mechanical equipment (air conditioning, backflow preventer, etc.) shall be screened from view. No equipment shall be taller than the proposed screening. (Planning and Building)
18. The dumpster enclosure walls shall match the finish, color and design elements of the building walls and trim, per Section 16-757. (Planning)
19. The hours of operation and delivery hours shall be limited to 6:00 a.m. to 8:00 p.m. Monday through Saturday. (Planning and Building)
20. Landscaping shall be maintained in perpetuity in accordance with the City's Landscaping Regulations and the approved Landscaping Plan, including specifications for plant size, number, location, and type of landscaping material. All plant life shown on an approved landscape plan shall be replaced if it dies, is seriously damaged, or removed. All plant material shall be kept reasonably free of visible signs of pests, infestation, or disease. (Planning)
21. A certified cost estimate by a FL Registered Landscape Architect or Engineer, for the project's landscape materials, installation, irrigation and labor to establish a 1-year maintenance financial guarantee or financial security in a form acceptable to the City Attorney in the amount of 110% of the estimate shall be posted for the project's landscaping, in

addition to the other bonds required for site improvements. The owner shall provide this financial guarantee or financial security before the City performs any landscape inspection or issues a Certificate of Occupancy. If project's landscaping is not maintained, the City may use the financial guarantee or financial security to maintain or replace dead or unacceptable landscape materials and irrigation components after providing written notice to the property owner. (Planning and Engineering)

- a. The project Landscape Architect shall conduct a field inspection at substantial completion of the project to verify that the landscape and irrigation installation complies with the approved plans and is healthy and flourishing before the project's 1-year maintenance financial guarantee/security period begins. The project Landscape Architect shall then submit a Certificate of Compliance letter to the City of Greenacres and request a final City inspection of the landscape installation.
 - b. The project Landscape Architect shall conduct an interim field inspection near the 6-month mark of the project's 1-year maintenance period to verify that the landscape and irrigation installation continues to comply with the approved plans and is healthy and flourishing. The project Landscape Architect shall then submit a Certificate of Compliance letter to the City of Greenacres and request an interim City re-inspection of the maintained landscaping at the 6-month mark of the maintenance financial guarantee/security period.
 - c. The project Landscape Architect shall conduct a field inspection near the completion of the project's 1-year maintenance period to verify that the landscape and irrigation installation continues to comply with the approved plans and is healthy and flourishing. The project Landscape Architect shall then submit a Certificate of Compliance letter to the City of Greenacres and request a final City re-inspection of the maintained landscaping, 30 days prior to the end of the maintenance financial guarantee/security period.
 - d. Upon passing the final re-inspection, the property owner may request in writing the release and return of any remaining financial guarantee/security. If the location fails the final re-inspection, the financial guarantee/security shall not be released to the property owner. Once the property owner completes the required improvements, the financial guarantee/security shall be released. If these necessary improvements do not occur, the City may use the financial guarantee/security to maintain or replace landscape items as necessary.
22. A site clearing and tree removal permit shall be required prior to any clearing activities on site. This permit shall demonstrate protection of existing trees to remain. Additions to the landscaping plan may be necessary to meet Code requirements if existing material to remain is unsuitable for buffer purposes. (Planning, Engineering, and Building)
23. By the initial landscape inspection, all existing invasive non-native plants shall be removed from the property. It shall be the responsibility of the property owner to maintain the site free from invasive plants in perpetuity. (Planning)

24. In accord with the determination of compliance with the Traffic Performance Standards by Palm Beach County Engineering, no building permits shall be issued after the **build-out date of December 31, 2028**, unless a revised traffic study with a later build-out date has been approved by the County and a copy of the approval provided to the City of Greenacres. (Planning, Engineering, and Building)
25. No outdoor speakers shall be permitted. (Planning and Building)
26. All advertisements and legal addresses on insurance policies and business correspondence shall clearly state that the project is located within the "City of Greenacres". (Planning)
27. Non-compliance with any of the conditions of approval will result in withholding of the issuance of building permits or a Certificate of Occupancy. (Planning, Engineering, and Building)
28. The conditions of approval herein shall apply to the Owner, Applicant, and their successors and assigns.
29. **CITY ADVISORY NOTICES:**
- (1) **Development permits and orders.** As provided by subsection 166.033(6), Florida Statutes, issuance of a development permit by a municipality does not create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
 - (2) **No Guarantee by City.** It is specifically understood that the City is not guaranteeing the appropriateness, efficiency, quality or legality of the use or development of the Property, including but not limited to, drainage or water/sewer plans, fire safety, or quality of construction, whether or not inspected, approved, or permitted by the City.
 - (3) **Indemnification.** The Owner/Developer shall indemnify and hold the City harmless from any and all claims, demands, disputes, costs, expenses, (to include attorney's fees whether or not litigation is necessary and if necessary, both at trial and on appeal), incurred by the City as a result, directly or indirectly, of the use or development of the Property, except those claims or liabilities by or arising from gross negligence or intentional acts of the City, or its employees, contractors or agents.

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RESOLVED AND ADOPTED this 16th of day of September, 2024

Voted:

Chuck Shaw, Mayor

Judith Dugo, Deputy Mayor

Attest:

Voted:

Quintella Moorer, City Clerk

John Tharpe, Council Member, *District I*

Voted:

Peter Noble, Council Member, *District II*

Voted:

Susy Diaz, Council Member, *District IV*

Voted:

Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney



Department Report

MEETING DATE: August 19, 2024
FROM: Michele Thompson, Director, Community & Recreation Services
SUBJECT: Community & Recreation Services Dept. – July Report

ADMINISTRATION

PERFORMANCE MEASUREMENT	THIS PERIOD	FY2024 TO DATE	FY 2024 BUDGET
No. of Contracts Executed/Renewed	1	5	3
No. of Collaborative Partnerships	11	70	27
No. of Vendor/Independent Contractor Agreements	11	89	30
No. of Educational Scholarship Applications R'cd	-	20	20
No. of Community Events Coordinated	2	8	10
No. of Event Participants	10,010	36,100	36,900
No. of Little Free Libraries (LFL)* / # Replacement Units / <i>StoryWalk</i> Books	#1 & #1	32/2	32/2
No. of Business Sponsorships	5	29	22

FACILITY RENTALS

FACILITY RENTALS	THIS PERIOD	FY2024 TO DATE	FY 2024 BUDGET
Fields/Concession Stands	64	615	900
Pavilions	39	410	500
Center Facility	74 ¹	594 ¹	900
Monthly Center Attendance	3,602	36,264	4,200

¹129 Additional Free Rentals: **71** Gym: YP/Open Gym/Tai Chi, **8** Banquet Hall: PBSO/ ESOL/Business Summit, **22** Room 1: Older Adults Program, **4** Room 2: Tai Chi, **0** Room 3, **1** Room 4: AARP, **23** Comm. Park: PB Square Dance

REVENUE

FACILITY RENTALS REVENUE	THIS PERIOD	FY2024 TO DATE	FY2024 PROJECTED
Rental Revenue Generated	\$13,427.75	\$143,237.56	\$170,000

ATHLETICS

YOUTH ATHLETICS	THIS PERIOD	FY2024 TO DATE	FY2024 PROJECTED
FY24 Co-ed Fall Soccer (10/6/23-12/8/23) • Registration Period 7/31/23 – 10/6/23	-	229	200
FY24 Co-ed Spring Soccer (3/4/24-5/17/24) • Registration Period 1/8/24 – 3/1/24	-	301	260
FY24 Co-ed Winter Basketball (12/4/23-3/8/24) • Registration Period 9/5/23 – 11/2/23	-	150	160
FY24 Basketball Skills Program	-	-	340
Co-ed Summer Basketball Skills Camp	7	34	40

-

FOOD DISTRIBUTION	NO. SERVED
Cros Ministries - April 11 th & 25 th	607 / 916
PBSO & Restoration Bridge - April 17 th & June 18 th	452 / 375

SENIOR PROGRAMS

SOCIAL ACTIVITIES	PARTNERS/SPONSORS	NO. OF PARTICIPANTS YTD
Meal Program; Dances; Games/Bingo; Special Events; Educational Sessions Mon.- Fri. (5 x 27)	Capitel Outreach; Clare Medica; Flipany; FPL; NAMI; Conviva; Intergenerational TaiChi; Firebush; Sr. Dedicated Med.; Zumba	2,312

FY24 EVENTS & SPONSORSHIPS

Item # 7.

EVENTS	SPONSORS/PARTNERS	FY2024 EXPENSE	FY2024 ACTUAL	FY2024 ATTENDEES
Trunk or Treat	PBSO	N/A	N/A	1,100
NNOAC	PBSO	\$3,131	\$1,835	1,200
Holiday in the Park (12/9/23)	\$13,500: WM; Nissan; Florida Blue; Wellington Renaissance Charter; Sunshine Health; Ambetter; Steinger/Green/Feiner; Forest Hill Orthodontics; Rosenthal/Levy/Simon/Sosa, Glasser, PBSO, FR	\$35,171	\$14,871	5,500
Fiesta de Pueblo (1/6/24)	Co-Sponsored by Fiesta de Pueblo, Inc.	\$4,317	\$5,781	11,500
Artzy Eve. at City Hall (1/27/24)	\$1,000: Waste Management; Greenacres Nissan; The Glasser Family	\$15,611	\$8,126	250
Daddy Daughter Dance (2/10/24)	\$500: Waste Management; The Glasser Family	\$6,662	\$5,644	122
Egg'stravaganza (3/30/24)	\$10,000: The Glasser Family; Nissan; WM; Ed's/Tapatia; FL Blue; Renaissance Charter; State Farm; Rosenthal/Levy/Simon/Sosa	\$22,594	\$21,563	6,500
Rock-n-Roll Sunday/FR Chili Cook-Off (5/19/24)	Coordinated w/ the Nam Knights Motorcycle Club of PBC	\$8,789	\$7,280	2,000
Ignite the Night (7/4/24)	\$11,500: FPL; Waste Management; Zambelli; Greenacres Nissan; The Glasser Family	\$77,477	\$55,907	10,000
<i>Back2School</i> Supply Distribution (7/27/24)	\$3,400: Donation boxes: Bingo Magic; Ed's; City Hall; Comm. Ctr.; Pete's Place; Chucho's Tacos	\$8,249		10 Greenacres Schools
Senior Health Fair (9/18/24)				

FY24 Event Actuals = Direct + In-direct – Event Sponsors & Revenues



Department Report

MEETING DATE: August 19, 2024
FROM: Denise Malone, AICP, Development & Neighborhood Services Director
SUBJECT: July 1, 2024, through July 31, 2024

Development & Neighborhood Services Department

Planning, GIS & Engineering Division

NEW CASES

- Dunkin Donuts – 4644 Lake Worth Road - (SP-16-07A)**
A Minor Site and Development Plan Amendment to modify existing exterior color scheme.
- Soma Medical – 3581 S. Jog Road (MSP-24-05)**
A request for a Master Sign Plan for Soma Medical – 3581 S. Jog Road.
- Murphys USA Greenacres – 6270 Forest Hill Boulevard Soma Medical (MSP-24-06)**
A request for a Master Sign Plan for Murphys USA Greenacres – 6270 Forest Hill Blvd.

CURRENT PLANNING CASES

- 3067 S. Jog Road (SP-24-02)**
A request for a Site and Development Plan to construct a 6,000 sq ft office/retail building with a 798 sq. ft. mezzanine. (Sufficiency letter sent March 11, 2024, awaiting receipt of applicant’s resubmittal)
- Perry Office - 3130 Perry Avenue (SP-22-03) and (BA-23-03)**
A request for a Site and Development Plan (SP-22-03) for a vacant parcel to construct a 6241 sq. ft office space totaling 4 bays for flexible office space use. The site is located on the northeast corner of Perry Avenue and 10th Avenue South. A request by the owner for a variance (BA-23-03) request to reduce the landscape buffer on the eastern side of the site plan from 10 ft to 5 ft. (Awaiting receipt of applicant’s response to DRC comments and outside agency approvals for the site plan submittal. The variance application is on hold until DRC comments are addressed for the site plan)

Astoria Townhomes – 6240 Dodd Road and adjacent vacant parcel (CPA-23-04), (ZC-23-02), (SP-23-06), (BA-23-07), and (MSP-24-02)

A request for a Future Land Use map amendment (CPA-23-04) from Residential Medium Density and Commercial to Residential High Density; a Rezoning (ZC-23-02) from Residential Medium Density and Commercial General to Residential High Density; Site and Development Plan (SP-23-06) to construct a Townhouse Development consisting of 60 townhomes with a configuration of 6-unit building types; and a Variance (BA-23-07) from the minimum side yard setback of 20 ft. between end units and a Master Sign Plan (MSP-24-02) for townhome development. (Scheduled for PZBA meeting on August 8, 2024)

Bethesda Tabernacle – 4901 Lake Worth Road (SP-99-04C) and (SE-23-01)

A request for a Site and Development Plan (SP-99-04C) approval to modify the previously approved site plan and a Special Exception (SE-23-01) to develop a 28,930 square foot House of Worship and accessory uses. (Awaiting receipt of applicant's response to the resubmittal comments provided on April 18, 2024; meeting with applicant was held on May 3, 2024).

C&C Legacy Plaza – 3494 S. Jog Road (SP-24-01), (BA-24-01) and (MSP-24-03)

A request for a Site and Development Plan (SP-24-01) to construct a 2,598 sq. ft one story office building and a two-story townhouse building with three townhouses; a Variance (BA-24-01) from the landscape code requirements for a one-story office building and a two-story townhouse building with three townhouses and a Master Sign Plan (MSP-24-03) and a Plat application for the site and development plan. (Scheduled for PZBA meeting on August 8, 2024)

Church in the Palms – 3812 S. Jog Road (SE-24-01)

A request for a Special Exception for a private school (Palm Beach Christian) in a commercial zoning district. (Awaiting receipt of applicant's response to the insufficiency letter provided on June 10, 2024).

City-initiated Chickasaw and Wry Roads Annexations (ANX-22-02)

Annexation of sixteen enclaves located on Chickasaw and Wry Road into the City through an Interlocal Agreement with Palm Beach County. (Staff anticipates initiating in the near future, given progress on the City proposed Chickasaw Road Improvement).

Ice Cream La Bendicion - 560 Jackson Avenue - (SP-24-04)

A request for a Site and Development Plan (SP-24-04) to construct an 882 sq ft two story building with ice cream/raspado shop on the ground floor and a single unit living quarters on the second floor. (Awaiting receipt of applicant's response to the insufficiency letter provided on July 15, 2024).

Kids in Care – Buttonwood Plaza – 3032 S Jog Road - (SP-84-05I), (SE-24-02) and (BA-24-02)

A request for a Major Site Plan Amendment (SP-84-05I) and a Special Exception (SE-24-02) to allow a prescribed pediatric extended care center to special needs children and a request for variances (BA-24-02) to eliminate the minimum outdoor play are and relocation of passenger drop off. (Awaiting receipt of applicant's response to the insufficiency letter provided on July 15, 2024).

Lake Worth Plaza West (6404 Lake Worth Road) (MSP-24-01)

A request for a Master Sign Plan for Lake Worth Plaza West. (Awaiting receipt of applicant's response to the insufficiency letter provided on July 9, 2024).

Garden Square – 6645 Chickasaw Road (SP-23-03)

A request for a Site and Development Plan approval to construct 4 - five-unit townhomes and 6 - four-unit townhomes (total of 44 units). (Scheduled for DRC meeting on December 21, 2023) (Resubmittal was received on July 12, 2024, under DRC review).

Iglesia Bautista Libre Emmanuel – 5083 Lake Worth Road (SP-22-05A), (SE-22-04) and (BA-22-01)

A request for a Major Site Plan Amendment (SP-22-05A) and a Special Exception (SE-22-04) to allow a house of worship within an existing building located within the Commercial Intensive zoning district, and a Variance (BA-22-01) to allow for a reduction in the front and rear landscape buffers. (Awaiting receipt of applicant's response to the DRC comments provided on June 1, 2024).

Murphys USA Greenacres – 6270 Forest Hill Boulevard (SE-23-05), (BA-23-08) and (SP-23-07)

A request for a Special Exception (SE-23-05) for a proposed convenience store and gasoline service station within the Commercial Intensive zoning district, a Variance (BA-23-08) from the required 1500-foot separation of an existing gas station and convenience store to 750 feet and a Site and Development Plan (SP-23-07) to construct a 2,824-convenience store and gas station with 6 pumps. (Resubmittal received July 19, 2024; under staff review)

Orchid Cove – 1105 S. Jog Road (SP-23-01) and (BA-23-04)

A request for a Site and Development Plan (SP-23-01) approval of a twelve duplex unit development, an Administrative Variance (BA-23-04) for a 5' reduction from the required rear and side street setbacks. (Awaiting receipt of applicant's response to DRC comments provided on June 7, 2024).

Pentecostal Tabernacle – 6030 Lake Worth Road (BA-23-05)

A request for a Variance to allow for a fence to be located within the front yard of the Church. (Resubmittal was received on July 16, 2024; under DRC review).

Retro Fitness - Aloha Shopping Center – 4558 Lake Worth Road (SP-16-03B) and (MSP-24-04)

A request for a Minor Site and Development Plan Amendment (SP-16-03B) to change the exterior façade of the leased area for Retro Fitness premises only and a Master Sign Plan (MSP-24-04) for the Aloha Shopping Center. (Resubmittal received July 30, 2024; under staff review)

Soma Medical – 3581 S. Jog Road (SP-23-04)

A request for a Site and Development Plan to construct a 9,695 sq.ft. medical office building. (Scheduled for PZBA meeting on August 8, 2024).

SITE PLAN AMENDMENTS

Ministries in Bethel – 3950 S. 57th Avenue (SP-84-12E)

A request for a Minor Site and Development Plan Amendment to relocate parking spaces.

Potentia Academy – 4784 Melaleuca Lane (SP-11-01D)

A request for a Minor Site and Development Plan Amendment to add a portable 1,269 sq. ft. classroom. (May 26, 2023, meeting with applicant. Awaiting receipt of remaining fees for Major Site plan amendment and applicant response).

Woodlake Plaza – 5815 Lake Worth Road – (PCD-84-02DD)

A request for a Site and Development Plan Amendment (PCD-84-02DD) to change color awning. (Submittal received June 28, 2024; under staff review)

ZONING TEXT AMENDMENTS

ZTA-24-03 Pervious Surface and Driveways

A City-initiated request for a Zoning Text Amendment to provide updated standards for overall impervious coverage on residential lots and in front yards within residential zones, ensuring consistency with the standards governing lot coverage for residential lots, as well as limits on driveways expansions. Recommended for approval by Planning and Zoning Board of Appeals (PZBA) on April 11, 2024. Scheduled for City Council Meetings for 1st reading on September 16, 2024, and 2nd Reading on October 7, 2024.

ZTA-24-07 Parking Regulations

A City-initiated request for a Zoning Text Amendment pertaining to modifications of ARTICLE VIII. – Off-Street Parking and Loading Regulations. Recommended for approval by Planning and Zoning Board of Appeals (PZBA) on May 9, 2024. Scheduled for City Council Meetings for 1st reading on September 16, 2024, and 2nd Reading on October 7, 2024.

ZTA-24-08: Electric Substation

A City-initiated request for a Zoning Text Amendment regarding electric substation provisions. Recommended for approval by Planning and Zoning Board of Appeals (PZBA) on July 11, 2024. Scheduled for City Council Meetings for 1st reading on August 5, 2024, and 2nd Reading on August 19, 2024.

ZTA-24-09: Art in Public Places

A City-initiated request for a Zoning Text Amendment to provide for further standards and the use of the City Art Fund. Recommended for approval by Planning and Zoning Board of Appeals (PZBA) on July 11, 2024. Scheduled for City Council Meetings for 1st reading on August 5, 2024, and 2nd Reading on August 19, 2024.

RESIDENTIAL DEVELOPMENT PROJECTS

Catalina Estates

Approved for 20 single-family units. Final inspections have been completed. Approved Maintenance Bond in place until July 2024. Bond released on July 25, 2024.

Ranchette Road Townhomes

Approved for 74 Townhomes. 73 Certificate of Completion issued to date. Traffic Control Jurisdiction Agreement (TCJA) approved. Approved Construction Bond in place.

Blossom Trail (Nash Trail)

Plat application received on July 8, 2022. Complete submittal of application received. Final engineering permit reviewed and awaiting issuance with the Plat. (Plat was resubmitted on July 18, 2024, awaiting City Engineer to review and sign and scheduled for next available City Council meeting.

NON-RESIDENTIAL DEVELOPMENT PROJECTS

Church of God 7th Day of Palm Beach – 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. Numerous meetings have been held with Building Official and Consultant Engineer as well as DNS staff. Code Enforcement provided a time certain of July 19, 2024, to bring the exterior code maintenance items into compliance. (Applicant responded to Code Enforcement request for site maintenance. Active building permits. Code and Building Divisions continue to monitor for compliance.) Applicant requested for a Site and Development Plan Amendment (SP-08-01C) to change the metal roof to asphalt shingle, due to cost constraints. (DRC meetings April 14 and April 21, 2022. City Council on May 2, 2022. The City Council postponed until the applicant is ready for certificate of occupancy).

Chick Fil A (within River Bridge Center) (SP-85-12RR)

The Building Permit has been applied for. Awaiting receipt of Engineering Permit application and outside agency permits. The site is located within the River Bridge Centre on the southwest corner of the intersection of South Jog Road and Forest Hill Boulevard. Preconstruction meeting held on May 16, 2024. Letter of credit received for civil work which expires February 28, 2025

EI Car Wash (6200 Lake Worth Road) (SP-22-02B)

The Engineering Permit was issued on April 26, 2024. Preconstruction meeting held on April 26, 2024. Letter of credit received for civil work which expires February 28, 2025.

Mint Eco Car Wash (4840 Lake Worth Road) (SP-22-04A)

The Engineering Permit was applied in December 2023. Comments were provided on March 12, 2024. Awaiting applicant's response to comments including posting bond.

The Pickleball Club (FKA Palm Beach Christian Academy) (5200 S Haverhill Road) (SP-23-05)

Application for the Pickleball Club was received on 11/20/2023. The Special Exception and Site and Development Plans were approved by City Council on February 5, 2024, and Administrative Variance approved on February 26, 2024. Property is currently under contract with The Pickleball Club.

GIS

Damage Assessment Training

DNS participated in the countywide Annual Hurricane Exercise for damage assessment training in preparation for Hurricane Season. DNS will continue attending ongoing weekly meetings.

GIS Database Organization

Implementing a clear, organized hierarchy that separates different stages of data management and processing. This structure is designed to ensure easy access for all departments, enhance collaboration, and streamline maintenance.

BTR/Fire/Finance Fees Map/Database

Complete the map of all active/inactive BTR licenses. Create a citywide database that will combine to show active fees for fire inspections and BTRs. This effort attempts to provide a workaround for Fire, Finance, and Business Tax to query and record all fees attached to BTRs. The goal is to use GIS as a central database that can be used in the field for fire inspections and in house by Finance staff.

Finance Asset Management

Assist the Finance Department with the mapping of all major and minor assets. This effort provides spatial visualization of all assets and database for quick access. The purpose is to assist with FEMA and insurance reimbursement.

TEMPORARY USE PERMITS

TU-2024-0109 – C & O Restaurant Group Inc. – 6376 Forest Hill Blvd (El Centenario) – In Process

A request from the restaurant for “Live Entertainment Permit” for DJs/Karaoke/Live local artists for Friday and Saturdays from 9:00 pm to 1:30 am. Waiting for applicant’s response.

TU-2024-1307 – West Pines Baptist Church – 4906 Melaleuca Lane – In Process

A temporary use permit request for two signs for the Soccer Camp for June 10 to June 14, 2024, Monday to Friday from 6:30 pm to 8:00 pm. (4/2/24 - Contacted applicant via email and noted request is not currently allowed by Code indicated bulletin board sign option. Awaiting applicant response.)

TU-2024-1308 – West Pines Baptist Church – 4906 Melaleuca Lane – In Process

A temporary use permit request for two signs for the Soccer Camp for June 24 to June 28, 2024, Monday to Friday from 6:30 pm to 8:00 pm. (4/2/24 - Contacted applicant via email and noted

request is not currently allowed by Code indicated bulletin board sign option. Awaiting applicant response)

TU-2024-1528 – Charley Cheesesteaks - 6726 Forest Hill Blvd - Approved

A temporary use permit request for a Grand opening and building banner sign for May 31, 2024.

TU 2024-1670 – Total by Verizon - 6081 Lake Worth Road – Approved

A request by Ricky Torres of ASG Sign, for a temporary use permit for a banner sign with business name for 20 days, while permanent wall sign is approved through Building Permit and a Master Sign Plan is reviewed and approved, at 6081 Lake Worth Road.

TU 2024-1723 – Greenacres Bowl – 6126 Lake Worth Road – Approved

A request by Gator Bowling, for a temporary use permit to allow for a mobile mini storage container and a waste management dumpster at their parking lot for POS System and Furniture Upgrade project until June 25, 2024, at 6126 Lake Worth Road. Pursuant to City of Greenacres Code, the maximum allowed time for this type of TUP request is 30 days since it is not tied to a building permit. The subject site shall be returned to its original condition immediately upon removal of the trailers and/or expiration of this Temporary Use Permit.

Temporary Use Permit TU 2024-2385 – Discount Tire – 5990 Lake Worth Road – In Process

A request by Chuck Hewitt on behalf of Discount Tire, for a temporary use permit to allow for temporary sales office, customer waiting trailer, storage office, storage containers, debris bin and porta potties, at their parking lot for remodeling/project, at 5990 Lake Worth Road. This Temporary Use Permit is tied to Building Permit # 2024-00000536 and construction trailer temp offices #2024-2518. Under review by DRC.

FY 2024 Data:

Case Approvals	Current Period	FY 2024 to Date	FY 2024 Budget*
Annexation	0	3	2
Comprehensive Plan Amendment	0	3	3
Zoning Changes	0	3	3
Special Exceptions	0	2	4
Site Plans	0	2	5
Site Plan Amendments	1	6	10
Variances	0	2	3
Zoning Text Amendments	0	6	3

Inspection Type	Current Period	FY 2024 to Date	FY 2024 Budget
Landscaping	3	45	80
Zoning	1	24	45
Engineering	1	36	75

* Assumes progress of proposed Developments such that inspections are requested.

Building Division

Building Department Report (July 1, 2024 – July 31, 2024)

1) ADMINISTRATION:

- a) Researched and completed Eighty-Seven (87) lien searches providing open and/or expired permit information.
- b) Researched and completed Forty-Three (43) records requests for historical permits.

2) PERMITS/INSPECTIONS:

PERMITS/INSPECTIONS	DURING THIS PERIOD	FYTD 2024
New Applications Received / Permits Created	289	2,348
Applications Approved	150	1,372
Applications Canceled	6	56
Applications Denied	0	18
Applications Reopened	0	16
Permits Issued	289	2,262
Permits Completed	236	1,948
Permits Canceled	7	77
Permits Reopened	49	450
Permits Expired	18	308
Inspections Performed	454	4.466
Construction Value of Permits Issued	\$12,567,994.82	\$37,101,257.76
Construction Reinspection Fees	\$400.00	\$5,200
Extension/Renewal Fees	\$5,026.03	\$28,471.19
CO's Issued	3	40
CC's Issued	0	0
Temporary CO's Issued	0	7

3) BUSINESS AND CONTRACTOR REGISTRATION:

(See Attached Summary Reports)

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

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT#
Medimore Md	6334 Forest Hill Blvd		Interior Remodel	2024-2513
H&R Block	6754 Forest Hill Blvd	1680	Interior Remodel	2024-1950
Supertech Comm	5305 Lake Worth Rd		Interior Remodel	2024-1285
Dunkin Donut	4644 Lake Worth Rd	2169	Interior Remodel	2024-0471

6) PROJECTS IN PROGRESS – PRINCIPAL REMODELING/RENOVATION:

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT #
El Car Wash	6200 Lake Worth Rd	3724	Construct Car Wash	2023-2487
Chik fil A	6802 Forest Hill Blvd		New Construction	2024-0270
Dollar Tree	4640 Lake Worth Rd	8924	Interior Renovation	2024-1182
Gastro Health	6125 Lake Worth Rd	238	Interior Renovation	2024-0874
Finlay Medical	6803 Lake Worth Rd	1805	Interior Remodel	2024-1237
Discount Tire	5990 Lake Worth Rd	1704	Interior Renovation	2024-0536
Aaxon Laundry	3989 S Jog Rd	2633	Interior Renovation	2024-0587
Retro Fitness	4558 Lake Worth Rd	1547	Interior Renovation	2024-0783
Certified Spine	6415 Lake Worth Rd #307	1598	Tennant Improvement	2023-2290
Walmart	3911 Jog Rd	15,000	Interior Remodel	2023-2761
Gyro GR	6852 Forest Hill	1682	Interior Remodel	2023-1965

Ministries in Bethel	3950 S 57 th Ave	6,939 sq.ft.	House of Workship	2021-0365
Church of God 7 th Day	3535 S Jog Rd	11,500 sq. ft.	New Church	2016-2382



License Activity Report

Activity Date Range 07/01/24 - 07/31/24
Summary Listing

License Type	Category	Application Received	Application Denied	Application Approved	New License Issued	License Renewed	License Revoked	License Canceled
Food Service - Food Service / Bar / Lounge	Business	1	0	0	1	0	0	0
General Retail - General Retail	Business	1	0	0	1	0	0	0
General Service - General Service	Business	10	0	0	5	6	0	0
Home - Home Based Business	Business	6	0	0	6	2	0	0
Professional - Professional	Business	5	0	0	2	0	0	0
Rental Unit - Rental Unit	Business	7	0	0	7	0	0	0
Storage/WH Units - Storage / Warehouse Units	Business	1	0	0	0	0	0	0
Grand Totals		31	0	0	22	8	0	0

CITY OF GREENACRES
Licensing Revenue Summary Report
 Licensing Revenue Summary Report - Summary
 From Date: 07/01/2024 - To Date: 07/31/2024

Charge Code	No. of Billing Transactions	No. of Adjustment Transactions	Billed Amount	Adjustments	Net Billed
License Type: Amusement-Amusement & Entertainment Vending Machine-Amuse/ Vending / Coin Operated	8	0	\$259.92	\$0.00	\$259.92
License Type Amusement-Amusement & Entertainment Totals	8	0	\$259.92	\$0.00	\$259.92
License Type: Cont Office-Contractor Office Cont Office-Contractor Office	9	0	\$1,098.27	\$0.00	\$1,098.27
License Type Cont Office-Contractor Office Totals	9	0	\$1,098.27	\$0.00	\$1,098.27
License Type: Food Service-Food Service / Bar / Lounge Food-Food Service	39	0	\$4,913.76	\$0.00	\$4,913.76
Food Per Seat-Food Per Seat	31	0	\$8,436.96	\$0.00	\$8,436.96
Vending Machine-Amuse/ Vending / Coin Operated	2	0	\$162.45	\$0.00	\$162.45
Com Inspection-Commercial Inspection	1	0	\$75.00	\$0.00	\$75.00
License Type Food Service-Food Service / Bar / Lounge Totals	73	0	\$13,588.17	\$0.00	\$13,588.17
License Type: General Retail-General Retail General Retail-General Retail Sq Feet	54	0	\$28,599.57	\$0.00	\$28,599.57
Vending Machine-Amuse/ Vending / Coin Operated	4	0	\$747.27	\$0.00	\$747.27
Com Inspection-Commercial Inspection	1	0	\$75.00	\$0.00	\$75.00
General Service-General Service	4	0	\$464.88	\$0.00	\$464.88
Food Service-Food Service	2	0	\$255.26	\$0.00	\$255.26
Food Svc/Seating-Food Svc/Seating	2	0	\$101.64	\$0.00	\$101.64
License Type General Retail-General Retail Totals	67	0	\$30,243.62	\$0.00	\$30,243.62
License Type: General Service-General Service General Service-General Service	167	1	\$19,227.12	(\$116.22)	\$19,110.90
Com Inspection-Commercial Inspection	7	0	\$525.00	\$0.00	\$525.00
Collection Fee-Collection Fee	3	0	\$75.00	\$0.00	\$75.00
Delinquent > 150-Delinquent Over 150 Days	4	0	\$400.00	\$0.00	\$400.00
Cosmetology-Cosmetology / Barber	5	0	\$203.05	\$0.00	\$203.05
General Retail-General Retail Sq Feet	2	0	\$162.78	\$0.00	\$162.78
License Type General Service-General Service Totals	188	1	\$20,592.95	(\$116.22)	\$20,476.73
License Type: Home-Home Based Business Home-Home Based Business	79	0	\$6,226.36	\$0.00	\$6,226.36
Collection Fee-Collection Fee	3	0	\$75.00	\$0.00	\$75.00

Delinquent >150-Delinquent Over 150 Days	3	\$300.00	\$300.00	\$300.00
25% Penalty-25% Penalty	1	\$20.35	\$20.35	\$20.35
License Type Home-Home Based Business Totals	86	\$6,621.71	\$6,621.71	\$6,621.71
License Type: Industrial-Industrial				
Industrial Sq Ft-Industrial Square Feet	3	\$488.67	\$488.67	\$488.67
License Type Industrial-Industrial Totals	3	\$488.67	\$488.67	\$488.67
License Type: Professional-Professional				
Professional-Professional	68	\$8,115.01	\$8,115.01	\$8,115.01
Cosmetology-Cosmetology / Barber	25	\$994.95	(\$40.61)	\$954.34
Real Estate-Real Estate Broker / Ins Agents	11	\$1,074.15	\$0.00	\$1,074.15
Collection Fee-Collection Fee	1	\$25.00	\$0.00	\$25.00
Delinquent > 150-Delinquent Over 150 Days	1	\$100.00	\$0.00	\$100.00
General Service-General Service	16	\$1,859.52	\$0.00	\$1,859.52
License Type Professional-Professional Totals	122	\$12,168.63	(\$40.61)	\$12,128.02
License Type: Rental Office-Rental Office				
Rental Office-Rental Office	5	\$814.45	\$0.00	\$814.45
Rental Unit -Rental Unit	1	\$40.61	\$0.00	\$40.61
License Type Rental Office-Rental Office Totals	6	\$855.06	\$0.00	\$855.06
License Type: Rental Unit-Rental Unit				
Rental Unit-Rental Unit	574	\$34,349.79	\$0.00	\$34,349.79
Rental Insp-Rental Inspection	1	\$50.00	\$0.00	\$50.00
Transfer-Transfer	3	\$12.18	\$0.00	\$12.18
Collection Fee-Collection Fee	1	\$25.00	\$0.00	\$25.00
Delinquent >150-Delinquent Over 150 Days	1	\$100.00	\$0.00	\$100.00
25% Penalty-25% Penalty	2	\$20.30	\$0.00	\$20.30
License Type Rental Unit-Rental Unit Totals	582	\$34,557.27	\$0.00	\$34,557.27
License Type: Storage/WH Units-Storage / Warehouse Units				
Storage/WH Units-Storage / Warehouse Units	3	\$1,629.42	\$0.00	\$1,629.42
License Type Storage/WH Units-Storage / Warehouse Units Totals	3	\$1,629.42	\$0.00	\$1,629.42

Code Enforcement Division

Code Division Report (July 1, 2024 – July 31, 2024)

CODE ENFORCEMENT	DURING THIS PERIOD	FYTD 2024
Inspections Related to Active Code Cases	266	1,875
New Cases Started	95	684
Cases Complied	62	522
Current Open Cases	276	1,879
Notices Sent	147	1,363
Illegal Signs Removed from right-of-way	415	1,844
Inspections Not Related to Active Code Cases	266	1,765
Complaints Received and Investigated	18	216
Warning Tickets	160	1,413

- 3950 S.. 57th – Greenacres Learning Ctr — Permit 2023-2376 RPW completed 4/10/24. Drywall passed 6/10/24.
- 3535 S. Jog – Church of Seventh Day – last inspection passed 2/7/24– Permit 2016-2382. On 8/8 if no inspections, will send to NOV – Code Case 6-24-10510.
- 6450 Melaleuca Lane – Crown Plaza – permit issued 1/16/24 # Permit 2023-2451. Code case 4-23-9772. If no inspections by 7/18 will send to hearing (Church Renos). Permit completed 7/25/24. Only violation is needs special exception.
- 4720 Melaleuca – Willow Wood Stables – Code Case 12-23-10103 – (excessive RVs, vehicles, trailers) sent to hearing 7/24/24. Complied 7/16/24. Applied for BTR 600755.
- 3091 S. Jog Rd – Greenacres Farmers Market – Code Case 4-24-10300 – applied for bathroom permit. 2024-1631. Waiting for comments to be answered the building official sent.

El Centenario – signage Ordinance approved 7/15/24. Needs permit for stage, and sign permit. Will come in to talk to Gianni.

Code Enforcement - STATS FY 2024

	<u>NOTICES MAILED</u>	<u>SIGNS</u>	<u>INSPECTIONS</u>	<u>COMPLAINTS</u>	<u>WRITTEN WARNINGS</u>
OCTOBER 2023	112	156	189	21	220
NOVEMBER 2023	96	90	87	19	48
DECEMBER 2023	107	85	89	16	62
JANUARY 2024	156	127	207	24	183
FEBRUARY 2024	161	199	150	28	122
MARCH 2024	142	206	185	27	188
APRIL 2024	156	200	227	19	206
MAY 2024	132	198	233	17	136
JUNE 2024	158	168	255	27	88
JULY 2024	147	415	266	18	160
AUGUST 2024					
SEPTEMBER 2024					



Department Report

MEETING DATE: August 19, 2024
FROM: Teri Lea Beiriger, Director of Finance
SUBJECT: Department of Finance Activity Report

DEPARTMENT HIGHLIGHTS

The following report provides activity within the Department of Finance for the reporting period from July 1 through July 30, 2024.

- Continues to review and update SOP's (Standard Operating Procedures) for all Finance positions.
- Continues to, work on efficiencies to better serve our internal and external customers
- General Operations
 - Continued Budget FY25 prep.
 - Certified property values on eTRIM.
 - Mailed 2024 Solid Waste Assessment letters to all City residents.
 - Welcomed the new Payroll Accountant.
- Grants
 - Submitted application for Next50 grant.
 - Received grant funding from Prime time.
 - Submitted quarterly grant reports for:
 - Asst to Firefighters 2021
 - Asst to Firefighters 2022
 - Opioid Settlement 2022
 - Jag 2023 Camara grant
 - DOT 2022 Safe Streets
 - HMGP Gladiator Lake 2018
 - American Rescue Plan



Department Report

MEETING DATE: August 19, 2024

FROM: Brian Fuller, Fire Chief

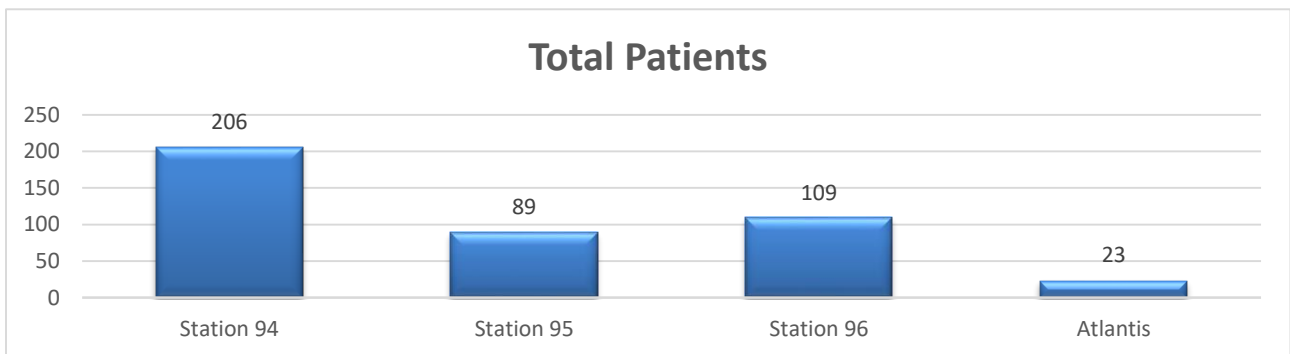
SUBJECT: Fire Rescue July

FR CALLS

CALLS	MONTHLY TOTALS
Total Alarms dispatched in July	528
Average alarms per day	18.86
Total calls this fiscal year	6,364

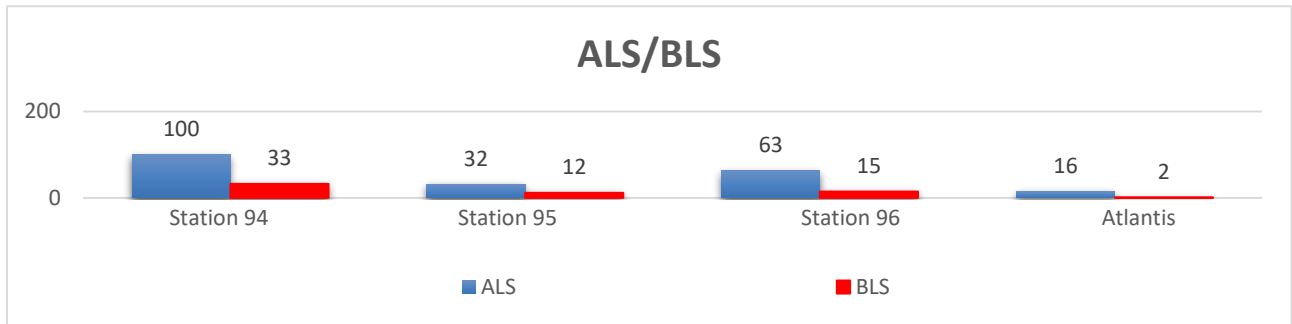
In July 2024, 404 patients were treated for Emergency Medical related services. Of those patients, 23 were in the City of Atlantis. These requests vary from a single unit responding to help an individual who has fallen to the floor, to a cardiac arrest necessitating multiple units, along with a mix of personnel, advanced skills and equipment.

Service Calls, Cancels, and Public Assists totaled 61. 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.



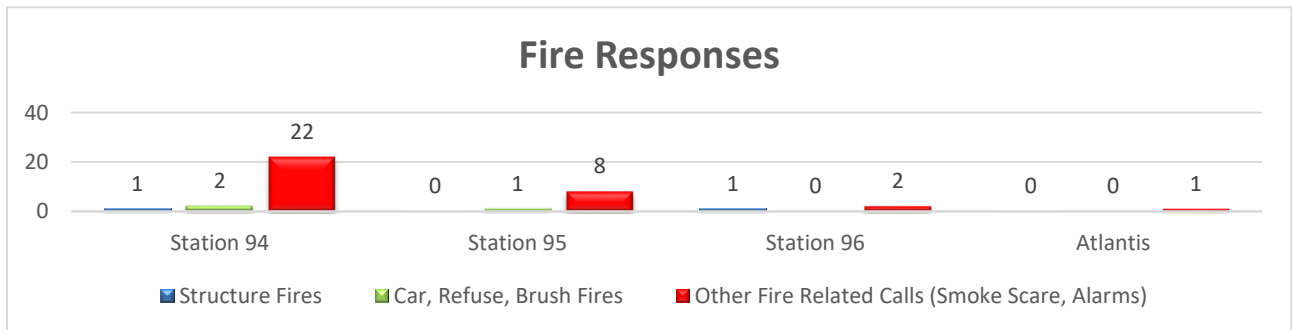
ALS/BLS

Fire Rescue transported 255 patients to a hospital or 63% of the patients we were called to treat. The majority of those (195) required Advanced Life Support procedures. ALS emergencies require additional personnel, specialized equipment, and skills. Often, an EMT or Paramedic will be taken from the ALS Engine to accompany the one person in the rear of the Rescue to assist with life-saving therapies.

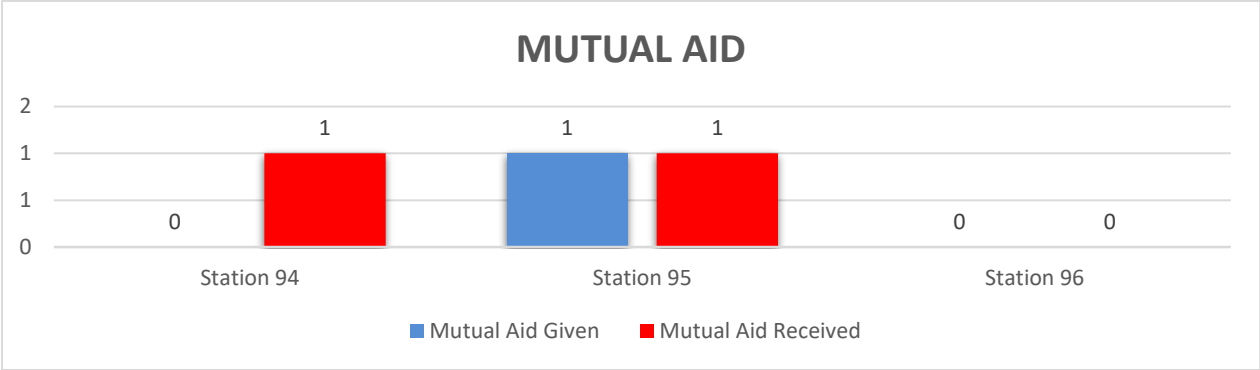


FIRE RESPONSES

Fire Rescue responded to 32 calls for a fire or smoke related emergency. There were two (2) requiring an escalated response to a car, brush, or refuse fire; two (2) were in a residential or commercial structure.



MUTUAL AID

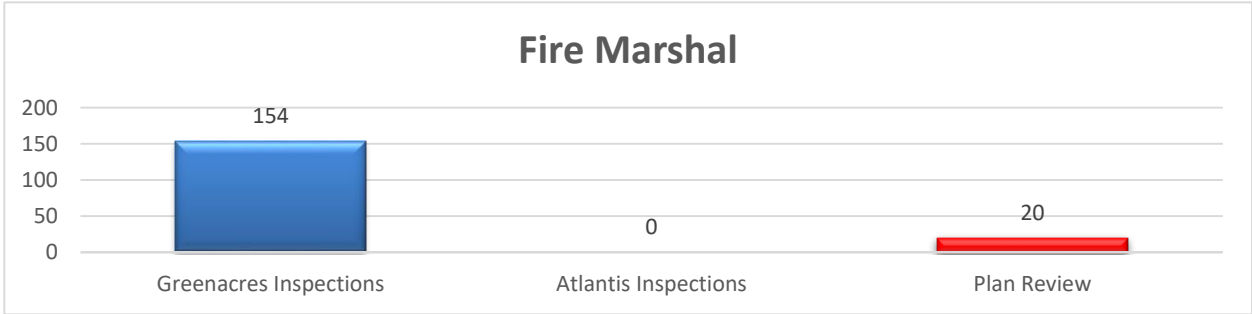


Mutual aid is the sending or receiving of emergency resources (apparatus, personnel) to or from another entity or agency upon request. No community has sufficient resources to handle every emergency of all sizes. Therefore, neighboring agencies work together through a system called Mutual Aid. That system is designed to be limited to large events that tax the resources beyond the normal capabilities of the community.

FIRE MARSHAL

Fire Prevention and Protection focuses on protecting people and property from fire through fire safety inspections, fire plans review, fire cause and origin investigations, and public education. In addition, the Fire Marshal provides fire safety lectures, attends land development meetings, and testifies at code enforcement hearings.

Inspections	154
Plans Review	20
Dollar Loss due to fire	\$127,900



SPECIAL SERVICES

Blood Pressure Screenings	3
Presentations, Station Tours/Attendees	2/18
Persons Trained in CPR	0



Department Report

MEETING DATE: August 19, 2024
FROM: Captain Tristram Moore, PBSO District 16
SUBJECT: PBSO District 16 Report – July 2024

CAD CALLS

CAD CALLS	MONTHLY TOTALS
Business / Residence Checks (Self-Initiated)	2,004
Traffic Stops (Self-Initiated)	694
Calls for Service	1,778
All CAD Calls - Total	4,476
Total Calls for Service – FY 2024 (October 2023 – September 2024)	43,178

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 4,476 generated calls within the District and 60% of these calls were self-initiated.

TRAFFIC ACTIVITY

DISTRICT 16 PERSONNEL	
Total Citations	Total Warnings
359	336

Data Source: TraCS – CAU

PBSO MOTORS UNIT	
Total Citations	Total Warnings
365	232

Data Source: TraCS – Traffic Unit

COMMUNITY POLICING EVENTS

- 07/01/24 – 07/05/24: PBSO District 16 Community Policing Unit Summer Camp – Colonial Mobile Home Park
- 07/04/24: Ignite the Night – Fourth of July Event
- 07/08/24 – 07/12/24: Harmony in the Streets Summer Camp – Pickwick Mobile Home Park
- 07/15/24 – 07/19/24: PBSO District 16 Community Policing Unit Summer Camp – Pickwick Mobile Home Park

STREET CRIMES UNIT

- The District 16 Street Crimes Unit conducted a traffic stop committing traffic infractions. Probable cause to search the vehicle was established. The five occupants denied knowledge of a Glock 19 semi-automatic pistol in the vehicle. DNA warrants were drafted and charges forthcoming.
- The District 16 Street Crimes Unit had probable cause to arrest a suspect for a business burglary. The suspect was located while committing shoplifting and was charged accordingly.
- The District 16 Street Crimes Unit responded to a call for an assault with a knife in progress. District 16 Street Crimes Unit located the suspect who was apprehended and charged accordingly.

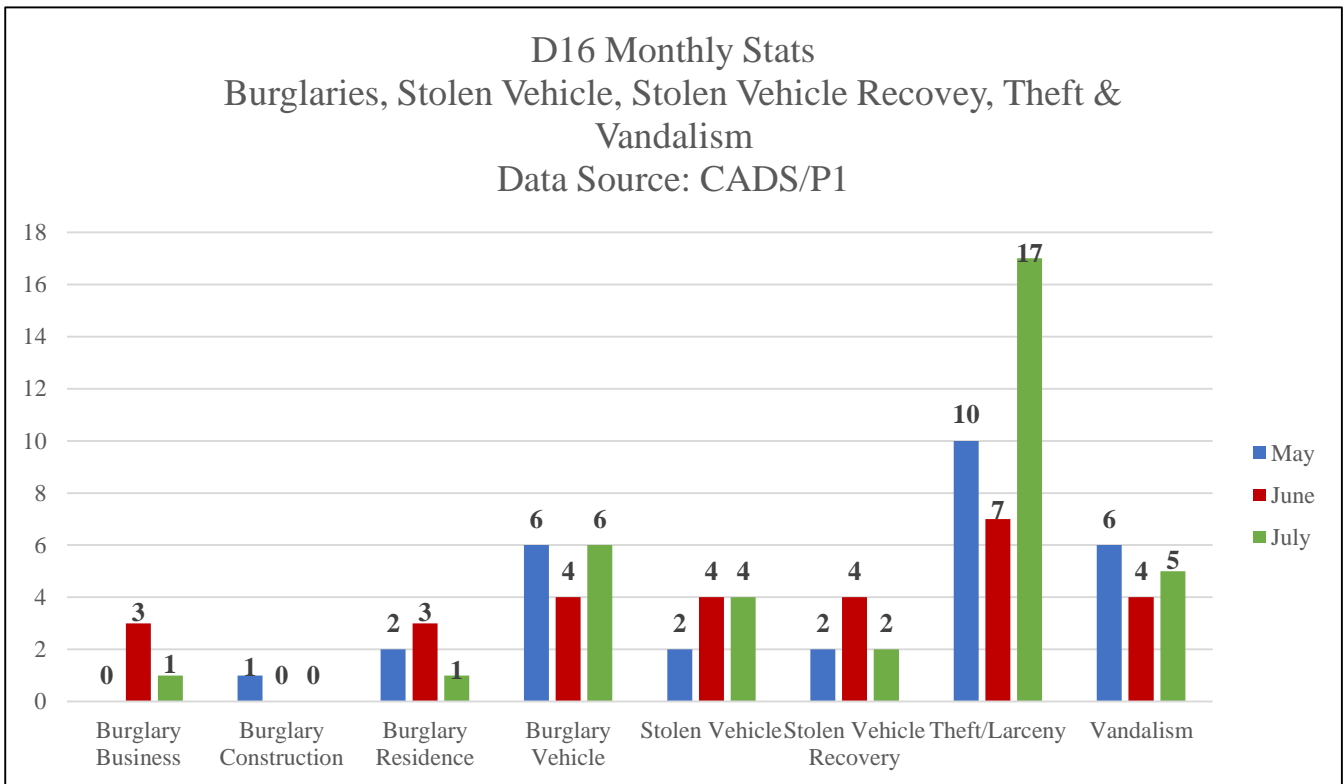
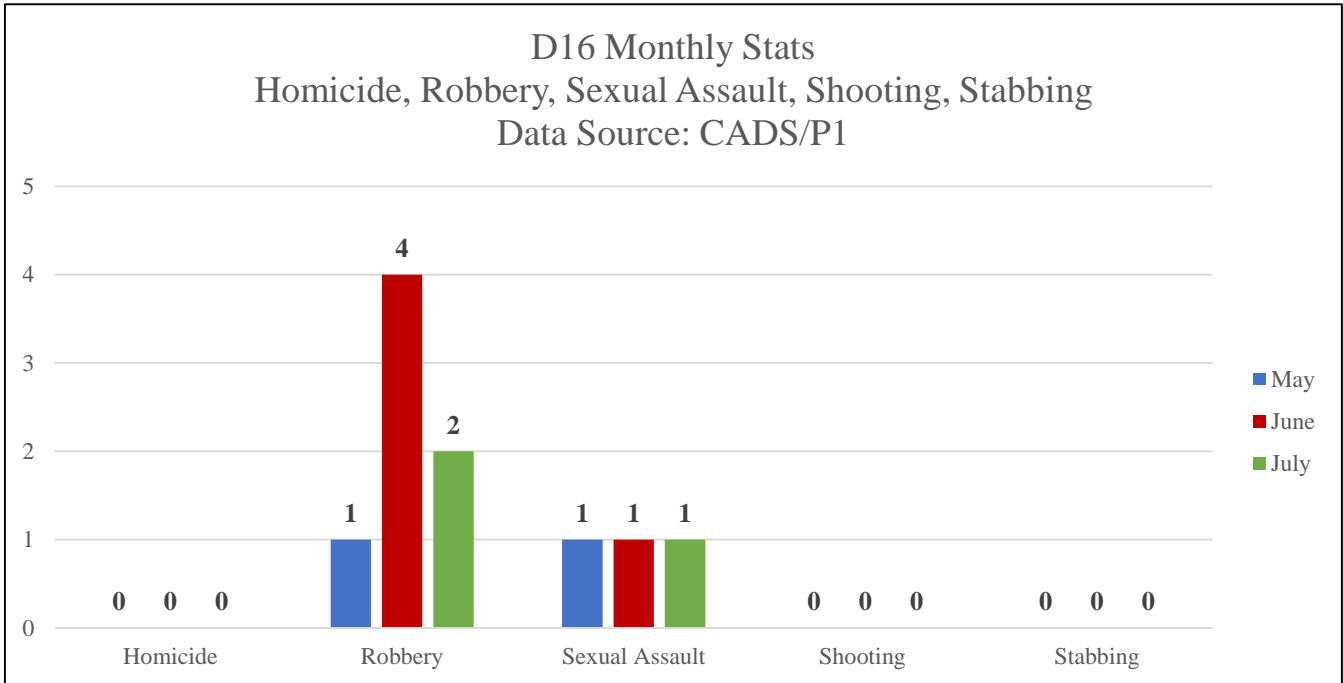
PROPERTY DETECTIVES

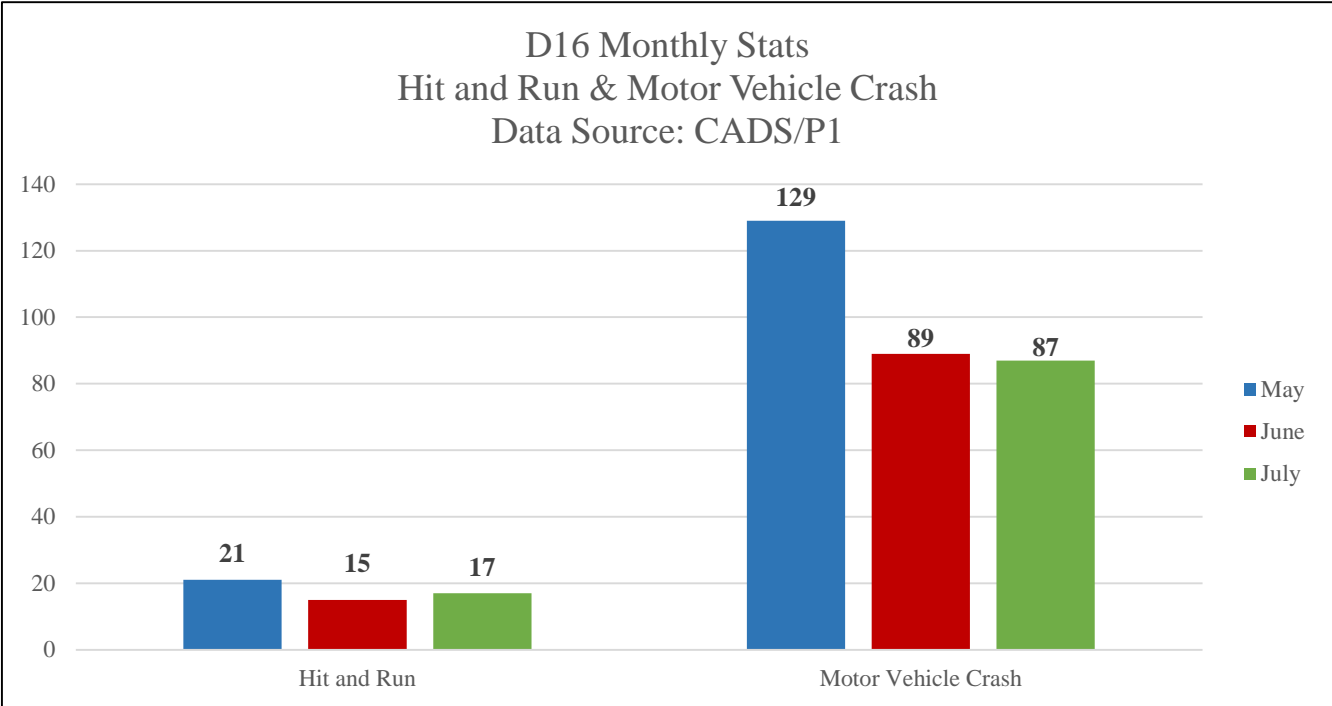
- A vehicle was stolen from a gas station in the city. The vehicle was left running and two suspects were seen taking off in the vehicle. The vehicle was later recovered further east within the same plaza. The vehicle was processed for latent prints and a print came back to one of the suspects. This suspect was located and confessed to using the vehicle. This case was cleared by arrest.
- A suspect was seen burglarizing a vehicle while armed with a handgun sticking out of their front right pocket. The vehicle was processed for latent fingerprints and the results positively identified the suspect. A residential search and arrest warrant were obtained and the suspect was located and taken into custody without incident. This case was cleared by arrest.
- A clubhouse within the city was burglarized. The business sustained a \$2500 loss when the suspect stole their irrigation pump stolen. Through investigative means, the suspect was positively identified and probable cause was established for arrest. The District 16 Street Crimes Unit was able to locate and arrest the suspect who was transported to jail. This case was cleared by arrest.

DATA ANALYSIS

The data included in this report is charted and graphed to illustrate and compare changes over a specific time period. These charts and graphs are utilized to assist in determining crime trends and to measure enforcement efforts. This data is utilized in conjunction with

other analysis to develop directed patrol and various enforcement activities. The analysis included on these pages is presented as a brief highlight to explain the salient points of this report.





TOP ACCIDENT LOCATIONS FOR JULY 2024 – CASE NUMBER INCIDENTS

LOCATION	CASE NUMBER COUNT
S Jog Road / Lake Worth Road	8
Forest Hill Boulevard / S Jog Road	8
10th Avenue N / S Jog Road	4
S Haverhill Road / Lake Worth Road	4



Department Report

MEETING DATE: August 19, 2024
FROM: Carlos Cedeño, Public Works Director
SUBJECT: Public Works Department Report

DEPARTMENT HIGHLIGHTS

Listed below is a brief summary of the activities undertaken by the Public Works Department during the period of July 1, 2024 through July 31, 2024.

1. ADMINISTRATION:

- Exterior painting and landscape enhancements were completed at the Community Center (CIP #304-151).
- City entry markers on Swain Boulevard, located on 10th Avenue N and Lake Worth Road, were re-painted and signs upgraded.
- Staff coordinated a pre-construction public outreach meeting in preparation for the Gladiator Lake Enhancement Project (CIP #305-222).

2. ROADS AND DRAINAGE MAINTENANCE

- Patriotic banners on street poles throughout the City were removed and necessary repairs were made to brackets systems for future installation of banner.
- New posts were installed at the Community Center for *Children at Play* and traffic signs.
- Staff coordinated the replacement of traffic loops with Palm Beach County Traffic Division on Nautica Isles Blvd and Haverhill Road due to recent milling and repaving.

3. VEHICLE MAINTENANCE

- Worked with student intern to train them on the reporting and documentation of Materials Safety Data Sheets (MSDS).

4. BUILDING SERVICES

- Staff assisted with removal of office furniture for three (3) public works offices in preparation of new furniture being delivered.

5. PARKS MAINTENANCE

- A grid surface system was installed connecting the City Hall Complex to the future Emergency Operations Center site for safer and cleaner driving access to the construction site.



Department Report

MEETING DATE: August 19, 2024
FROM: Monica Powery, Director, Purchasing
SUBJECT: Department of Purchasing Activity Report

DEPARTMENT HIGHLIGHTS

The following report provides the highlights of activity within the Department of Purchasing for the reporting period from July 1 through July 31.

- a. 24-012 Construction of New Youth Programs Building – This bid was advertised on May 5, 2024 and opened on June 5, 2024 with seven (7) bids received. City staff has evaluated the proposal and recommends award to Sisca Construction Services, LLC as the lowest responsive and responsible bidder. Went to Council for approval at the meeting July 1, 2024 meeting, and was awarded.
- b. 24-013 WIC Center Restroom Renovations – This bid was advertised on May 19, 2024 and opens on June 25, 2024 with six (6) bids received. To be awarded as a Fiscal Year 2025 project.
- c. 24-021 Progressive Design/Build- Emergency Operations Center – This RFQ was advertised on May 29, 2024 and closed on July 1, 2024 with eight (8) proposals received. The Selection Committee met on July 25, 2024, to review, discuss and shortlist the proposals received. The Selection Committee have shortlisted to three (3) proposers. The Selection Committee will visit an EOC completed by each proposer on August 6, 2024. The Selection Committee will meet again on August 8, 2024 for presentations and final evaluation.
- d. Solicitations In Progress – Furniture for New Youth Programs Building; Technology for New Youth Programs Building; Fire Burglar Alarm & Sprinkler Systems; and Continuing Professional Engineering Services.

DEPARTMENT ACTIVITY

ACTIVITY	CURRENT PERIOD	FY 2024 YTD
Purchase Orders Issued	40	694
Purchase Order Amounts	\$ 771,222.20	\$ 37,817,063.43
Solicitations Issued	0	19
Solicitations in Progress	4	-
Central Store Requests	4	32
Contracts Managed	78	78
Purchasing Card Purchases	384	3,048
Purchasing Card Transactions	\$ 63,492.87	\$ 501,470.79
No. of Training Sessions Conducted	1	7
Towing Revenue	\$ 1,943.00	\$ 34,036.00



Youth Programs Department Monthly Report

MEETING DATE: August 19, 2024

FROM: Jowie Mohammed, Director of Youth Programs

SUBJECT: July 2024 Department Report

PROGRAMMING

- The second session of Summer Camp began on Monday July 1, 2024, and ran through August 2, 2024. Session 2 included 24 days of camp from 7:30a.m. – 5:30p.m.
- Summer Camp Field Trips included: Lion Country Safari, Build-a-Bear, Adrenaline, Lake Lytal Pool, Movies, Bedners, Urban Air, Loggerhead, CiCi's, Astro Skating, Palm Beach Skate Zone, and The Rapids.

PERFORMANCE MEASUREMENTS

PERFORMANCE MEASUREMENT	AVERAGE THIS PERIOD	FY 2023 TO DATE	FY 2023 BUDGET
# of Participants (Summer Camp)	114	110	150
# of Participants in Sierra Club ICO	0	10	25
# of Licenses Coordinated	0	1	1
# of MOU's Coordinated	2	2	6
# of Part.'s in Teen Advisory Council (TAC)	0	5	7
# of Part.'s in TOP Program	0	40	15
# of Part.'s in Garden Club	0	19	20
# of Presidential Volunteer Service Hours	1,967	6,248	9,000

FINANCIAL INFORMATION

GRANTS COORDINATED	AVERAGE THIS PERIOD	FY 2023 TO DATE	FY 2023 BUDGET
Early Learning Coalition	\$14,629.44	\$104,801.66	\$316,817
Parent & Registration Fees	\$3,441.23	\$104,764.43	\$185,419
Youth Services Department SEL Grant	0.00	\$53,904.80	\$77,000
Textile Funds	0.00	\$5,455.00	\$18,000
Florida Blue	\$6,000.00	\$6,000.00	0.00

C.A.R.E.S REPORT

- On Friday July 15th the CARES Program was able to go to Inter-Miami FC to participate in a Soccer Clinic hosted by Inter Miami and Florida Blue Insurance. They received a tour of the entire facility (press room, VIP, locker room), participated in soccer drills, and received a fully catered lunch. A huge thank you to Florida Blue for making this happen and sponsoring the event.
- Throughout the month of July, the CARES Program has partnered with Flipany to conduct classes with Red Team (4th & 5th grade) centered around teaching the youth about healthy diet choices, cooking classes, and healthy lifestyle choices.
- Throughout the month of July, the CARES Program, Green Team (2nd & 3rd grade) participated in the Expanded Learning Opportunity (ELO) COX Science center where children explored subjects like chemistry, biology, engineering, robotics, computer science and programming, and physical science.

TEEN PROGRAMS REPORT

- On July 24, we were excited to share a Tai Chi International Event in partnership with the Community & Recreation Services Department and the Senior Activities Program, as instructed by Carol Willis-Holden. It was a great experience to see the different generations learning tai chi basics together. Tai Chi is an ancient Chinese martial art that combines gentle physical exercise, stretching, and mindfulness. Regular practice can increase flexibility and strength and improve cardiovascular fitness.
- PBSO District 16 Captain Moore visited the City's Teen Summer Camp on July 24. Captain Moore spoke to the teens for over an hour about careers in law enforcement, his experience, and general Q&A. Teens were engaged in the conversation and learned how long the Police Academy lasts, starting salaries for PBSO deputies, vacation accruals, and retirement benefits. They also received valuable advice about the importance of having healthy relationships with local law enforcement and being careful about what they post on social media.
- The teens in Youth Programs participated in a lip dub as a promotional video for the youth program. A lip dub is a music video that combines lip-syncing and audio dubbing. In a lip dub, people lip sync to a song or recorded audio while being filmed, and then the original audio is dubbed over it in post-editing. The Teen Development Coordinator, Kimberley Brown, and the Youth Programs Supervisor, Benjamin Dexter, coordinated the Lip Dub. The teens were very active in the planning, creative process, and execution of Youth Programs Department's Lip Dub. Some of our Teens took on a director/ creator role in making the lip dub. These teens helped edit the music and created the themes and decorations for the lip dub. The teens used their creative skills for this lip dub and expanded on their communication and teamwork skills. The lip dub was only possible with the creativity of the teens in our program.

- Friday, August 2nd, was the last day of summer camp; the Youth Programs Department hosted its annual Summer Bash. The teens in our program assisted the staff with setting up the different attractions held on the field, as well as helping coordinate lunch times. Overall, the teens played a considerable part in the success of this year's summer camp. Their willingness to help and participate led to beautiful memories and excitement for next year.