



# CITY COUNCIL BUDGET HEARING MEETING

## City of Greenacres, Florida

Monday, September 18, 2023 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

### AGENDA

#### Mayor and City Council

Joel Flores, Mayor

Peter A. Noble, Deputy Mayor

John Tharp, Councilmember, District I

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

#### Administration

Andrea McCue, City Manager

Christy Goddeau, City Attorney

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

#### CALL TO ORDER AND ROLL CALL

#### PLEDGE OF ALLEGIANCE

#### AGENDA APPROVAL

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

#### Second Budget Hearing - Fiscal Year 2024 Proposed Budget.

- 1. PUBLIC HEARING: Ordinance 2023-11: Second Reading:** Establishing a taxable valuation and levying an Ad Valorem Tax on property located within the corporate limits of Greenacres, Florida, as of the year ending December 31, 2023; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Teri Beiriger, Director of Finance.
- 2. PUBLIC HEARING: Ordinance: 2023-12: Second Reading:** Adopting an operating budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Teri Beiriger, Director of Finance.

#### SPECIAL BUSINESS

- 3. Proclamation:** National Hispanic Heritage Month, 2023. - Maria S. Antuña, Hispanic Chamber of Commerce of PBC, Juan J. Pagan, Florida Hispanic American Chamber of Commerce and Fiesta de Pueblo, Inc., and Marino Garcia, PBC Hispanic Bar Association.
- 4. Proclamation:** Legacy Church Ministries' 50th Golden Anniversary, October 7, 2023. - Dr. David Donnelly, Pastor/President, Legacy Church Ministries.
- 5. Proclamation:** IT Professionals Day, September 19, 2023, and Cyber Security Month, September 2023. - Georges Bayard, Director of IT.

#### CONSENT AGENDA

- 6. Official Council Minutes:** City Council Meeting, September 5, 2023. - Quintella Moorer, City Clerk.
- 7. Resolution 2023-29:** Approving Addendum Ten (10) to the Law Enforcement Services Agreement (LESA) with the Palm Beach County Sheriff's Office (PBSO), providing for an effective date. - Andrea McCue, City Manager.
- 8. Resolution 2023-40:** Amending the Collective Bargaining Agreements (attached hereto as Exhibit A and B) between the City of Greenacres and the Professional Firefighters/Paramedics and Supervisory Bargaining Units of Palm Beach County Local 2928, IAFF, Inc, for the period of October 1, 2023, through September 30, 2026; and authorizing the appropriate City Officials to effectuate the terms of agreement. - Suzanne Skidmore, Director of Human Resources and Risk Management.
- 9. Resolution 2023-42:** Authorizing participation in the Public Emergency Medical Transportation (PEMT) supplemental payment program for Medicaid managed care patients; delegating authority to execute letter(s) of agreement with the State of Florida relating to intergovernmental transfers to the state; delegating authority to execute other documents necessary to participate in the program; and providing an effective date - Teri Lea Beiriger, Director of Finance.
- 10. Resolution 2023-43:** Authorizing budget adjustments within the FY 2023 total operating budget. - Teri Lea Beiriger, Director of Finance.
- 11. Resolution 2023-44:** Adopting a Capital Improvements Program for fiscal years 2023-2029. - Teri Lea Beiriger, Director of Finance.
- 12. Resolution 2023-45:** Providing for automatic amendment of the fiscal year 2024 budget to reflect outstanding encumbered orders of fiscal year 2023; providing that the cost of those expenditures to be paid from funds carried forward from fiscal year 2023. - Teri Lea Beiriger, Director of Finance.
- 13. Resolution 2023-46:** Authorizing Staff actions to procure those items approved in the fiscal year 2024 budget. - Teri Lea Beiriger, Director of Finance.
- 14. Resolution 2023-47:** Authorizing an amendment to the City Attorney Agreement between the City of Greenacres and Torcivia, Donlon, Goddeau & Rubin, P.A. - Andrea McCue, City Manager.

## REGULAR AGENDA

- 15. QUASI-JUDICIAL: PUBLIC HEARING: Resolution 2023-16:** Approving the petition for a Special Exception to allow a fast-food drive through restaurant in a Commercial Intensive (CI) zoning district, located within the River Bridge Centre on the southwest corner of Forest Hill Boulevard and South Jog Road, as requested by the petitioner, Andrew Savage, agent for the owner, Publix; providing for repeal of conflicting resolutions; and providing for an effective date.- Denise Malone, Director of DNS. *(Continued from 9/5/2023, Council Meeting).*
- 16. QUASI-JUDICIAL: PUBLIC HEARING: Resolution 2023-17:** Approving a site and development plan to allow for the proposed Chick-Fil-A fast food restaurant with drive-thru. The site is located within the River Bridge Centre on the southwest corner of the intersection of South Jog Road and Forest Hill Boulevard. The project consists of 4,680 square foot restaurant with one drive-thru lane and a by-pass lane that will be utilized to provide service during peak hour demand as requested by the Petitioner, Andrew

Savage, PE of Bohler Engineering, agent for REAL SUB, LLC, providing for repeal of conflicting resolutions; and providing for an effective date. - Denise Malone, Director of DNS. *(Continued from 9/5/2023, Council Meeting)*.

- [17.](#) **Board Appointment:** Council Liaison Appointment to the Education Advisory Committee. - Andrea McCue, City Manager.

### **DISCUSSION ITEM**

18. Diversity Celebration - Mayor Joel Flores.

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

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

- [19.](#) Community Recreation Services Department Report.
- [20.](#) DNS Report.
- [21.](#) Economic Development Report.
- [22.](#) Finance Department Report.
- [23.](#) Fire Rescue Report.
- [24.](#) Palm Beach County Sheriff's Office District 16 Report.
- [25.](#) Public Works Report.
- [26.](#) Purchasing Report.
- [27.](#) Youth Programs Report.

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

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

### **ADJOURNMENT**

### **Upcoming Council Meetings**

October 2, 2023.

October 16, 2023.

**Meeting Records Request**

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

**Notice of Council Meetings and Agendas**

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

**Americans with Disabilities Act**

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





## ITEM SUMMARY

**MEETING DATE:** September 18, 2023  
**FROM:** Teri Lea Beiriger, Director of Finance  
**SUBJECT:** Ord. Nos. 2023-11 and 2023-12

### BACKGROUND

Florida Statutes Section 200.065 specifies the procedural steps that must be followed by each unit of local government in the preparation and approval of the government entity's property tax millage, levy, and annual budget. In accordance with these regulations, the certified taxable property values as of July 1, 2023, provided by the Palm Beach County Property Appraiser will be used to determine the ad valorem tax proceeds in the calculation of the Fiscal Year (FY) 2023-2024 Budget.

Taxing authorities must hold two (2) public hearings to adopt a millage rate and budget. This evening's hearing is the First Public Hearing of the City of Greenacres to adopt a tentative millage rate and budget for Fiscal Year 2023-24.

The tentative millage rate and the budget must be adopted by separate votes. Pursuant to direction provided by the City Council at the budget workshop held on July 17th and the budget meeting held on August 12th, staff has prepared the two (2) ordinances required by the Truth in Millage (TRIM) process for approval by the City Council. The ordinance to establish the taxable value and set the ad valorem rate (Ordinance 2023-11) must be passed first, followed by the ordinance to adopt the budget (Ordinance 2023-12).

### ANALYSIS

The first ordinance, 2023-11, establishes the taxable value and sets the ad valorem rate.

The certified total taxable value of \$2,888,498,573 provided by the Property Appraiser's office is \$351,009,664 more than last year's certified taxable value of \$2,537,488,909. The 13.8% increase in taxable value is due to an increase in property values along with an increase in new construction.

The millage rate of 6.300 mills applicable to the General Fund Levy, for Fiscal Year 2024 is 12.37% greater than the calculated rolled-back millage rate pursuant to Section 200.065(1) F.S. of 5.6067 mills that generates the same amount of property tax revenue as last year on existing real and personal property.

The property tax rate of 6.300 mills set by ordinance 2023-11 would generate \$17,469,639 of ad valorem revenue, or \$2,101,793 more than FY2023.

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The second ordinance, 2023-12, adopts an operating budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024. The proposed budget appropriated revenues and expenditures from \$73,013,015 in FY 2023 to \$63,713,745 in FY 2024.

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### **FINANCIAL INFORMATION**

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The proposed ordinances set the total millage at 6.3000 mills and appropriate \$63,713,745 for the operation of the City in FY2024.

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### **LEGAL**

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The first budget hearing was advertised in the preliminary tax assessment notices as required in F.S. 200.065. The second hearing, to set the millage rate and adopt the FY2024 budget, is scheduled for September 18, 2023, at 6:00 p.m. at the Greenacres City Hall and was advertised in a newspaper that has local circulation in the City.

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### **STAFF RECOMMENDATION**

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Approval of Ordinance 2023-11 and Ordinance 2023-12.

**ORDINANCE NO. 2023-11**

**AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, ESTABLISHING A TAXABLE VALUATION AND LEVYING AN AD VALOREM TAX ON PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF GREENACRES, FLORIDA, AS OF THE YEAR ENDING DECEMBER 31, 2023; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, in accordance with Chapter 200.065 F.S., the Palm Beach County Property Appraiser has certified the tax roll for the City of Greenacres for the purpose of computing an ad valorem tax rate for the fiscal year beginning October 1, 2023, and ending September 30, 2024; and

**WHEREAS**, in the preparation of the operating budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, the City of Greenacres Council has utilized the certified taxable valuation in computing the ad valorem tax rate necessary to fund the operating budget; and

**WHEREAS**, the City Council has determined that setting the millage rate as set forth herein serves a valid public purpose.

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

**SECTION 1.** For the purpose of setting an ad valorem tax rate for the operating budget, the effective taxable value for all real and personal property for the year 2023 was certified on July 1, 2023, to be \$2,888,498,573. The 2023 certified value was higher by \$351,009,664 (13.8%) than the 2022 final certified value of \$2,537,488,909.

**SECTION 2.** For the purpose of funding the operating budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024, the effective taxable value as listed above will be and is hereby taxed at the total rate of 6.300 mills.

**SECTION 3.** The millage rate of 6.300 mills applicable to the General Fund Levy, for Fiscal Year 2023 is 12.37% greater than the calculated rolled-back millage rate pursuant to Section 200.065(1) F.S. of 5.6067 mills that generates the same amount of property tax revenue as last year on existing real and personal property.

**SECTION 4. 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 5. Severability.**

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

**SECTION 6. Effective Date**

The provisions of this Ordinance shall become effective October 1, 2023, in accordance with the laws of the State of Florida.

**Passed on the first reading this 5<sup>th</sup> day of September 2023.**

**PASSED AND ADOPTED on the second reading this 18th day of September 2023.**

*Voted:*

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**Joel Flores**, Mayor

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**Peter Noble**, Deputy Mayor

**Attest:**

*Voted:*

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

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**John Tharp**, Council Member, *District I*

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

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

*Voted:*

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

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

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney



## ITEM SUMMARY

**MEETING DATE:** September 18, 2023  
**FROM:** Teri Lea Beiriger, Director of Finance  
**SUBJECT:** Ord. Nos. 2023-11 and 2023-12

### BACKGROUND

Florida Statutes Section 200.065 specifies the procedural steps that must be followed by each unit of local government in the preparation and approval of the government entity's property tax millage, levy, and annual budget. In accordance with these regulations, the certified taxable property values as of July 1, 2023, provided by the Palm Beach County Property Appraiser will be used to determine the ad valorem tax proceeds in the calculation of the Fiscal Year (FY) 2023-2024 Budget.

Taxing authorities must hold two (2) public hearings to adopt a millage rate and budget. This evening's hearing is the First Public Hearing of the City of Greenacres to adopt a tentative millage rate and budget for Fiscal Year 2023-24.

The tentative millage rate and the budget must be adopted by separate votes. Pursuant to direction provided by the City Council at the budget workshop held on July 17th and the budget meeting held on August 12th, staff has prepared the two (2) ordinances required by the Truth in Millage (TRIM) process for approval by the City Council. The ordinance to establish the taxable value and set the ad valorem rate (Ordinance 2023-11) must be passed first, followed by the ordinance to adopt the budget (Ordinance 2023-12).

### ANALYSIS

The first ordinance, 2023-11, establishes the taxable value and sets the ad valorem rate.

The certified total taxable value of \$2,888,498,573 provided by the Property Appraiser's office is \$351,009,664 more than last year's certified taxable value of \$2,537,488,909. The 13.8% increase in taxable value is due to an increase in property values along with an increase in new construction.

The millage rate of 6.300 mills applicable to the General Fund Levy, for Fiscal Year 2024 is 12.37% greater than the calculated rolled-back millage rate pursuant to Section 200.065(1) F.S. of 5.6067 mills that generates the same amount of property tax revenue as last year on existing real and personal property.

The property tax rate of 6.300 mills set by ordinance 2023-11 would generate \$17,469,639 of ad valorem revenue, or \$2,101,793 more than FY2023.

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The second ordinance, 2023-12, adopts an operating budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024. The proposed budget appropriated revenues and expenditures from \$73,013,015 in FY 2023 to \$63,713,745 in FY 2024.

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#### **FINANCIAL INFORMATION**

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The proposed ordinances set the total millage at 6.3000 mills and appropriate \$63,713,745 for the operation of the City in FY2024.

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#### **LEGAL**

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The first budget hearing was advertised in the preliminary tax assessment notices as required in F.S. 200.065. The second hearing, to set the millage rate and adopt the FY2024 budget, is scheduled for September 18, 2023, at 6:00 p.m. at the Greenacres City Hall and was advertised in a newspaper that has local circulation in the City.

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#### **STAFF RECOMMENDATION**

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Approval of Ordinance 2023-11 and Ordinance 2023-12.



**ORDINANCE NO. 2023-12**

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

**WHEREAS**, the City Manager, in accordance with provisions of State Law and the City Charter, has submitted a proposed budget to the City Council for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024; and

**WHEREAS**, the City Council has considered the recommendations of the City Manager and has made revisions thereto; and

**WHEREAS**, the City Council has complied with Chapter 200.065 F.S., in the setting of a proposed millage rate and the computation of a roll-back rate; and

**WHEREAS**, the City Council has scheduled and advertised public hearings on the proposed operating budget in accordance with Chapter 200.065, Florida Statutes.

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

**SECTION 1.** For the purpose of fixing the amount of appropriations for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024, it is estimated that revenues will be available to meet budgeted appropriations according to the following sources:

**REVENUES**  
**GENERAL FUND**

<i>Ad Valorem Taxes</i> .....	\$ 17,469,639
<i>Utility Taxes</i> .....	3,326,000
<i>Other Taxes</i> .....	2,835,738
<i>Permits &amp; Fees</i> .....	3,107,701
<i>Intergovernmental</i> .....	7,213,653
<i>Charges for Services</i> .....	6,863,005
<i>Fines &amp; Forfeitures</i> .....	122,350

**Ordinance No. 2023-12 | Adoption of Operating Budget**

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<i>Interest Income .....</i>	369,446
<i>Rents &amp; Royalties .....</i>	410,573
<i>Miscellaneous .....</i>	246,912
<b><i>Total Revenues - General Fund .....</i></b>	<b>\$ 41,965,017</b>

**SPECIAL REVENUE FUNDS****Forfeitures Fund**

<i>Florida State Statute 932.7055 Prohibits Budgeting Anticipated Revenue ...</i>	N/A
<i>Use of Fund Balance .....</i>	\$ 94,718
<b><i>Sub-Total Forfeitures Fund .....</i></b>	<b>\$ 94,718</b>

**Arboreous Fund**

<i>Revenue - Contributions, Interest Earned, Impact Fees .....</i>	\$ 975
<i>Use of Fund Balance .....</i>	6,025
<b><i>Sub-Total Arboreous Fund .....</i></b>	<b>\$ 7,000</b>

**Fire Rescue Donations and Contributions Fund**

<i>Revenue - Contributions &amp; Interest Earned .....</i>	\$ 180
<i>Use of Fund Balance .....</i>	2,214
<b><i>Sub-Total Public Safety Donation and Contributions Fund .....</i></b>	<b>\$ 2,394</b>

**Youth Programs Fund**

<i>Revenue - Intergovernmental Grants, Fees, Contributions .....</i>	\$ 961,034
<i>Budgeted Fund Balance Surplus .....</i>	-37,730
<b><i>Sub-Total Youth Programs Fund .....</i></b>	<b>\$ 923,304</b>

***Total Revenues - Special Revenue Funds .....*** **\$ 1,027,416**

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**DEBT SERVICE FUND****Public Facility Improvement Notes**

<i>Interest Earned .....</i>	<i>\$</i>	<i>9,950</i>
<i>Inter-fund Transfer .....</i>		<i>380,000</i>
<i>Budgeted Fund Balance Surplus .....</i>		<i>13,309</i>
<b><i>Total Revenues - Debt Service Fund .....</i></b>	<b><i>\$</i></b>	<b><i>403,259</i></b>

**CAPITAL PROJECTS FUNDS**

<i>Revenue New Growth Fund .....</i>	<i>\$</i>	<i>758,469</i>
<i>Revenue Parks and Recreation .....</i>		<i>690,216</i>
<i>Revenue Reconstruction &amp; Maintenance .....</i>		<i>1,288,095</i>
<i>Revenue Infrastructure Surtax .....</i>		<i>7,173,061</i>
<i>Revenue American Rescue Plan .....</i>		<i>7,234,748</i>
<i>Use of Fund Balance .....</i>		<i>3,173,464</i>

***Total Revenues - Capital Projects Funds .....*** ***\$*** ***20,318,053***

***Total Revenues Available .....*** ***\$*** ***63,713,745***

**SECTION 2.** For the purpose of financing the operations of the City of Greenacres, Florida, for the Fiscal Year beginning October 1, 2023, and ending September 30, 2024, there is hereby appropriated from taxes and other revenues and sources received by the City of Greenacres, the following amounts:

**APPROPRIATIONS****GENERAL FUND**

<i>Administration .....</i>	<i>\$</i>	<i>3,227,345</i>
<i>Finance .....</i>		<i>1,138,844</i>
<i>Purchasing.....</i>		<i>403,684</i>
<i>Information Technology.....</i>		<i>1,650,001</i>
<i>Development &amp; Neighborhood Ser .....</i>		<i>2,681,170</i>

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<i>Public Works .....</i>	<i>3,774,622</i>
<i>Fire Rescue .....</i>	<i>11,393,308</i>
<i>Community and Recreation Services.....</i>	<i>1,836,191</i>
<i>Non-Departmental .....</i>	<i>14,569,853</i>
<i>Interfund Transfers .....</i>	<i>1,240,000</i>
<i>Contingency.....</i>	<i>50,000</i>
<b>Total General Fund Appropriations .....</b>	<b>\$ 41,965,017</b>

**SPECIAL REVENUE FUNDS**

<i>Forfeitures Fund .....</i>	<i>\$ 94,718</i>
<i>Arboreous Fund.....</i>	<i>7,000</i>
<i>Public Safety Donation &amp; Contribution Fund .....</i>	<i>2,394</i>
<i>Youth Programs Fund.....</i>	<i>923,304</i>
<b>Total Special Revenue Appropriations .....</b>	<b>\$ 1,027,416</b>

**DEBT SERVICE****Public Facility Imp. Notes**

<i>Principal .....</i>	<i>\$ 391,384</i>
<i>Interest .....</i>	<i>\$ 11,875</i>
<b>Total Debt Service Fund Appropriations .....</b>	<b>\$ 403,259</b>

**CAPITAL IMPROVEMENT FUNDS**

<i>New Growth .....</i>	<i>\$ 1,140,810</i>
<i>Parks and Recreation .....</i>	<i>506,147</i>
<i>Reconstruction &amp; Maintenance .....</i>	<i>1,421,256</i>
<i>Infrastructure Surtax.....</i>	<i>8,565,155</i>
<i>American Rescue Plan.....</i>	<i>8,684,685</i>
<i>Inter-fund Transfer.....</i>	<i>0</i>
<b>Total Capital Funds Appropriations .....</b>	<b>\$ 20,318,053</b>
<b>Total Appropriations.....</b>	<b>\$ 63,713,745</b>

**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.

**Ordinance No. 2023-12 | Adoption of Operating Budget**

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**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 October 1, 2023, in accordance with the laws of the State of Florida.

**Ordinance No. 2023-12 | Adoption of Operating Budget**

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**Passed on the first reading this 5<sup>th</sup> day of September 2023.**

**PASSED AND ADOPTED on the second reading this 18th day of September 2023.**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**Peter Noble**, Deputy Mayor

**Attest:**

*Voted:*

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

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

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

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

*Voted:*

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

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

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney



# CITY COUNCIL BUDGET HEARING MEETING

## City of Greenacres, Florida

Tuesday, September 05, 2023 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

### MINUTES

#### Mayor and City Council

Joel Flores, Mayor

Peter A. Noble, Deputy Mayor

John Tharp, Councilmember, District I

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

#### Administration

Andrea McCue, City Manager

Christy Goddeau, City Attorney

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

#### CALL TO ORDER AND ROLL CALL

Deputy Mayor Noble called the meeting to order at 6:04PM. City Clerk Moorer called the Roll. Mayor Joel Flores was absent due to an emergency. Ms. Tanya Earley, served as City Attorney for the meeting.

#### PLEDGE OF ALLEGIANCE

#### AGENDA APPROVAL

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

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

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

None.

#### First Budget Hearing - Fiscal Year 2024 Proposed Budget

- 1. PUBLIC HEARING: Ordinance 2023-11: First Reading:** Establishing a taxable valuation and levying an Ad Valorem Tax on property located within the corporate limits of Greenacres, Florida, as of the year ending December 31, 2023; 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. McCue thanked the Council, Directors and especially Ms. Beiriger for doing such a wonderful job on the budget.

Ms. McCue read the required Florida State Statue 200.065 which were steps to follow for the method of fixing millage and adopting the annual budget into the record.



Ms. McCue stated the millage rate was proposed at 6.3 mills, which would generate over \$17 million. The second hearing was set for September 18, 2023 at 6pm and all legal advertisements were met. Staff recommended approval of Ordinance 2023-11.

Motion made by Councilmember Dugo, Seconded by Councilmember Bousquet to approve Ordinance 2023-11 on First Reading.

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

- 2. PUBLIC HEARING: Ordinance: 2023-12: First Reading:** Adopting an operating budget for the fiscal year beginning October 1, 2023, and ending September 30, 2024; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Ter Beiriger, Director of Finance.

Ms. Moorer read the ordinance by title.

Ms. McCue stated the ordinance was adopting an operating budget of over \$63 million. Staff recommended approval.

Motion made by Councilmember Dugo, Seconded by Councilmember Diaz to approve Ordinance 2023-12 on First Reading.

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

## SPECIAL BUSINESS

- 3. Proclamation:** Hunger Action Month, Hillary Gale, Director of Client Services, Feeding South Florida.

Ms. Moorer read the proclamation title.

Ms. Gale thanked the City for the proclamation.

Photos were taken.

- 4. Proclamation:** Firefighter Appreciation Month, Brian Fuller, Fire Chief, Fire Rescue.

Ms. Moorer read the proclamation by title.

Photos were taken.

## CONSENT AGENDA

- 5. Official Council Minutes:** City Council Meeting and City Council Special Meeting Minutes, August 21, 2023.
- 6. Resolution 2023-34:** Approving a maintenance service agreement for landscape maintenance services for facilities and parks; authorizing the appropriate City Officials to execute the agreement; providing for an effective date. - Monica Powery, Director of Purchasing.
- 7. Resolution 2023-35:** Approving a maintenance service agreement for pressure cleaning services; authorizing the appropriate City Officials to execute the agreement; providing for an effective date. - Monica Powery, Director of Purchasing.
- 8. Resolution 2023-38:** Approving the maintenance service agreement between the City of Greenacres and HYVAC Mechanical Services, Inc. to provide hvac and ice machine services; authorizing the appropriate City Officials to execute the agreement, providing for an effective date. - Monica Powery, Director of Purchasing.

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

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

## REGULAR AGENDA

- 9. QUASI-JUDICIAL: PUBLIC HEARING: Resolution 2023-16:** Approving the petition for a Special Exception to allow a fast-food drive through restaurant in a Commercial Intensive (CI) zoning district, located within the River Bridge Centre on the Southwest corner of Forest Hill Boulevard and South Jog Road, as requested by the petitioner, Andrew Savage, agent for the owner, Publix; providing for repeal of conflicting resolutions; and providing for an effective date.- Denise Malone, Director of DNS. **(Continued from 8/21/2023, Council Meeting).**

Ms. Earley stated since the item was continued from the August 21, 2023, meeting the Council needed to state any Ex-parte communications and all persons providing testimony shall be sworn in.

Ms. Moorer read the resolution by title.

Ms. Moorer swore in six persons.

No ex-parte communications were reported from the Council.

Mr. Nicolas Hagood, of Bohler Engineering highlighted some changes to the presentations such as location, signage, Publix level support and proposed conditional framework language to allow flexibly.

The Council continued to discuss their concerns regarding signage, code enforcement policies, the conditional approval language, drive-thru lanes, parking, traffic, and the Management Plan approval.

Mr. Hagood stated Publix was working to establish concrete conditional language.

Ms. Earley recommended continuing the item until all language was confirmed and upfront before approval.

Mr. Michael Rodriguez, Wendy's owner, was concerned with the number of signs being offered for the parking lot.

The Council agreed to continue Resolution 2023-16, to the September 18, 2023, Council Meeting at 6pm.

Motion made by Councilmember Tharp, Seconded by Councilmember Bousquet to continue Resolution 2023-16 to the September 18, Council Meeting.

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

- 10. QUASI-JUDICIAL: PUBLIC HEARING: Resolution 2023-17:** Approving a site and development plan to allow for the proposed Chick-Fil-A fast food restaurant with drive-thru. The site is located within the River Bridge Centre on the southwest corner of the intersection of South Jog Road and Forest Hill Boulevard. The project consists of 4,680 square foot restaurant with one drive-thru lane and a by-pass lane that will be utilized to provide service during peak hour demand as requested by the Petitioner, Andrew Savage, PE of Bohler Engineering, agent for REAL SUB, LLC, providing for repeal of

conflicting resolutions; and providing for an effective date. - Kara Irwin-Ferris, AICP, City Consultant. **(Continued from 8/21/2023, Council Meeting).**

Motion made by Councilmember Bousquet, Seconded by Councilmember Dugo to continue Resolution 2023-17 to the September 18, 2023 Council meeting.

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

**11. PUBLIC HEARING: Ordinance 2023-09: Second Reading:** Amending Chapter 15 Utilities, Article 4, Wastewater, Division 2, improvements, to include an additional project at Section 15-95 for expansion of Palm Beach County's wastewater system within the City of Greenacres; which project may be funded by special assessments determined by Palm Beach County; providing for conflicts, severability, codification, and an effective date. - Andrea McCue, City Manager.

Ms. Moorer read the ordinance by title.

Ms. McCue stated no changes had been made since the First reading on August 21. Staff recommended approval.

Motion made by Councilmember Dugo, Seconded by Councilmember Tharp to approve Ordinance 2023-09 on Second reading.

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

## DISCUSSION ITEM

12. Diversity Celebration - Mayor Joel Flores.

The Council agreed to move this item to the September 18, 2023 Meeting as Mayor Flores was absent.

## COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

None.

## CITY MANAGER'S REPORT

No report.

## CITY ATTORNEY'S REPORT

No report.

## MAYOR AND CITY COUNCIL REPORT

*Councilmember Diaz* thanked the City Manager and Staff for the success of the budget preparation.

## ADJOURNMENT

7:09PM

\_\_\_\_\_  
**Joel Flores**  
Mayor

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

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



## ITEM SUMMARY

**MEETING DATE:** September 18, 2023

**FROM:** Andrea McCue, City Manager, Administration

**SUBJECT:** Resolution 2023-29 – Law Enforcement Service Agreement (LESA)  
Addendum Ten (10)

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### BACKGROUND

The City entered a LESA with the Palm Beach County Sheriff's Office on or about August 10, 2015, with an effective date of February 1, 2016, for law enforcement services. The LESA has been subsequently adjusted through addendums one (1) through nine (9).

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### ANALYSIS

The provided cost increase established by PBSO includes a 3% increase in the contract

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### FINANCIAL INFORMATION

Total cost for the FY23 budget is \$11,057,893.00.

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### LEGAL

City Attorney has reviewed the Resolution and all supporting documents for legal sufficiency and compliance.

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### STAFF RECOMMENDATION

Staff is recommending approval of Resolution 2023-29.

**RESOLUTION NO. 2023-29**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING ADDENDUM TEN (10) TO THE LAW ENFORCEMENT SERVICES AGREEMENT (LESA) WITH THE PALM BEACH COUNTY SHERIFF'S OFFICE (PBSO), PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council entered into a contract with the Palm Beach County Sheriff's Office (PBSO) to provide police services to the City of Greenacres through the execution of a Law Enforcement Services Agreement (LESA); and

**WHEREAS**, the LESA was executed on or about August 10, 2015, with an effective date of February 1, 2016, and has been subsequently adjusted through Addendums one (1) through nine (9); and

**WHEREAS**, based upon the provided cost increase established by PBSO, the annual expenditure for law enforcement services shall be \$11,057,893.00 for FY2024; and

**WHEREAS**, the terms and conditions of this addendum was reduced to writing and entitled Addendum ten (10) to the LESA.

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

**SECTION 1.** The City Council of the City of Greenacres hereby authorizes the appropriate City Officials to execute Addendum ten (10) to the LESA as attached hereto.

**SECTION 2.** The City Clerk is hereby directed to transmit three (3) originals of Addendum ten (10) to the Palm Beach County Sheriff's Office.

**SECTION 3.** This Resolution shall become effective immediately upon adoption.

**RESOLVED AND ADOPTED this 18<sup>th</sup> of day of September 2023**

\_\_\_\_\_  
**Joel Flores**, Mayor

**Attest:**

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

\_\_\_\_\_  
*Voted:*

**John Tharp**, Council Member, *District I*

\_\_\_\_\_  
*Voted:*

**Peter Noble**, Deputy Mayor

\_\_\_\_\_  
*Voted:*

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

\_\_\_\_\_  
*Voted:*

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

\_\_\_\_\_  
*Voted:*

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

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

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney



**TENTH ADDENDUM TO THE LAW ENFORCEMENT SERVICE AGREEMENT**  
**SHERIFF RIC L. BRADSHAW AND GREENACRES**

This Tenth Addendum to the Law Enforcement Service Agreement is made by and between The City of Greenacres (hereinafter referred to as “City”), located in Palm Beach County, and Ric L. Bradshaw, Sheriff of Palm Beach County, Florida (hereinafter referred to as “Sheriff”). Greenacres and the Sheriff shall hereinafter be referred to as the “Parties.”

**WHEREAS**, the Parties executed a Law Enforcement Service Agreement effective February 01, 2016, a First Addendum effective October 01, 2016, a Second Addendum effective February 01, 2016, a Third Addendum effective October 01, 2017, a Fourth Addendum effective October 01, 2018, a Fifth Addendum effective May 01, 2019, a Sixth Addendum effective October 01, 2019, a Seventh Addendum effective October 01, 2020, an Eighth Addendum effective October 01, 2021, and a Ninth Addendum effective October 01, 2022, (the “Agreement”), by which the Sheriff agreed to perform law enforcement services; and

**WHEREAS**, the Parties wish to set forth the consideration for the contract term beginning October 01, 2023 through September 30, 2024.

**NOW, THEREFORE**, in consideration of the mutual covenants herein contained the receipt and sufficiency of which are hereby acknowledged, it is agreed upon as follows:

1. Article 6, Section 6.1 of the Law Enforcement Service Agreement is amended as to the total amount due for services for the period beginning October 01, 2023 through September 30, 2024 as follows: The total amount due for the annual period referenced above shall be \$11,057,892.00. Four monthly payments for the period beginning October 01, 2023 through January 31, 2024 shall be \$903,422.52. Eight monthly payments for the period beginning February 01, 2024 through September 30, 2024 shall be \$930,525.24.
2. In all other respects and unless otherwise stated, the terms and conditions of the Agreement, which includes prior Addendums, shall continue unchanged and in full force and effect.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Addendum to the Agreement as of the last date all signatures below are affixed.

**ATTEST:**

**CITY OF GREENACRES**

By: \_\_\_\_\_  
Quintella Moorer, City Clerk

By: \_\_\_\_\_  
Joel Flores, Mayor

Dated: \_\_\_\_\_

**ATTEST:**

**SHERIFF OF PALM BEACH COUNTY**

By: \_\_\_\_\_  
William Brannin, Major

By: \_\_\_\_\_  
Ric L. Bradshaw, Sheriff

Dated: \_\_\_\_\_



## Department Report

**MEETING DATE:** September 18, 2023

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

**SUBJECT:** Amended of the 2023-2026 Collective Bargaining Agreement-Supervisory with the Professional Firefighters/Paramedics of Palm Beach County Local 2928, IAFF

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### BACKGROUND

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The City approved the Professional Firefighters/Paramedics-Supervisory Bargaining Unit of Palm Beach County, Local 2928 at the August 7, 2023 City Council Meeting. Based on a typo in Article 16 - Section 5 stating employees with Fifteen (15) or more years of service shall receive an annual payment of \$7500. It should say employees with Fifteen (15) or more years of service shall receive an annual payment of \$750.00. The city and the union agree to correct the scrivener's error.

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### ANALYSIS

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See attached Collective Bargaining Unit Supervisory Agreement 2023-2026.

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### FINANCIAL INFORMATION

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Any costs associated with the Collective Bargaining Agreement will be included in the City Budget.

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### LEGAL

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The Collective Bargaining Agreement has been reviewed by our City Attorney.

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### STAFF RECOMMENDATION

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Approve of Resolution 2023-40.

AGREEMENT  
BETWEEN  
THE CITY OF GREENACRES  
AND

The Professional  
Firefighters/Paramedics of  
Palm Beach County,  
Local 2928, IAFF, Inc.



**SUPERVISORY BARGAINING UNIT**

October 1, 2023 – September 30, 2026

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## **ARTICLE 1**

### **PREAMBLE**

This Agreement is entered, into by and between the City of Greenacres, Florida hereinafter referred to as the "City" and the Professional Firefighters/Paramedics of Palm Beach County Local 2928, IAFF, Inc., hereinafter referred to as the "Union". It is the purpose of this Agreement to establish an orderly and peaceful procedure in the settlement of differences which might arise and to provide for joint collective bargaining in the determination of wages, hours and other conditions of employment between the City and the bargaining unit represented by the Union, hereinafter referred to as "members" or "employees".

## **ARTICLE 2 RECOGNITION**

### **Section 1**

The City hereby recognizes the Professional Firefighters/Paramedics of Palm Beach County Local 2928 IAFF, Inc., as the exclusive representative for the purposes of collective bargaining with respect to wages, hours and terms and conditions of employment for all employees in the bargaining unit.

### **Section 2**

The bargaining unit for which this recognition is accorded is as defined in Certificate Number 1979 granted by the Public Employees Relations Commission on July 30, 2020, comprised of all Battalion Chiefs. All other employees of the City of Greenacres are excluded from the bargaining unit.

### **Section 3**

The parties agree that from time-to-time changes are required to the list of classifications/positions/titles that are "included" and "excluded" from this bargaining unit as noted in PERC Certification Number 1979. The parties agree that they collaborate and jointly file, if possible, for clarification of the unit certification with the Public Employees' Relations Commission to correct the unit certification based any future changes.

### **Section 4**

The City shall send notices and communications with respect to changes to bargaining unit members' wages, hours, and terms and conditions of employment to:

Professional Firefighters/Paramedics of Palm Beach County Local 2928 IAFF, Inc.  
2328 S. Congress Avenue Suite 2C  
West Palm Beach, FL 33406



### **ARTICLE 3 NON-DISCRIMINATION**

#### **Section 1**

There shall be no discrimination against any employee covered by this Agreement solely because of Union activities protected by F.S. 447, or because of membership, non-membership or office held in the Union.

#### **Section 2**

The parties recognize that the City has established an internal procedure to investigate and resolve alleged cases of discrimination, which is an addition to existing and adequate procedures established by the State of Florida and the Federal Government. Accordingly, it is agreed that allegations of employment discrimination as described above cannot be processed through the contractual grievance/arbitration procedure.

## **ARTICLE 4 DUES DEDUCTION**

### **Section 1**

Upon receipt of a lawfully executed written authorization form from a bargaining unit member, the City agrees to deduct the current regular association dues deduction and one additional deduction as elected by the bargaining unit member biweekly and remit such deduction to the Secretary-Treasurer of the Union within fifteen (15) working days from the date of deduction. Each Fiscal Year, The Union shall notify the City, in writing, the amount to be deducted from each employee and shall notify the City, in writing, thirty (30) days prior to any change. Deductions may be percentage based. The employer is expressly prohibited from any involvement in the collection of fines, penalties or special assessments and shall not honor any request of this nature.

### **Section 2**

Any employee may, at any time, revoke his/her dues deduction and shall submit such revocation form to the City's finance director with a copy to the Union.

### **Section 3**

The Union may change the amount of dues (including a program or benefit) one time per Fiscal Year, per employee. The City may deduct \$100.00 from dues, per employee, for any changes thereafter.

### **Section 4**

The Union agrees to provide necessary Dues Deduction Authorization forms and Notice to Stop Dues Deduction forms for its members. These forms shall read as follows:

#### **AUTHORIZATION CARD FOR DEDUCTION OF UNION DUES**

I hereby authorize the City of Greenacres to deduct from my wages each pay period an amount equal to the current regular biweekly dues of the Union and the cost of any additional programs or benefits elected by me and to transmit this amount to the Secretary-Treasurer of the Professional Firefighters/Paramedics of Palm Beach County, Local 2928 IAFF, Inc.

Date:

Name:

Address:

Signature:

#### **INSTRUCTION TO STOP DEDUCTION OF UNION DUES**

I hereby instruct the City of Greenacres to stop deducting from my wages each pay period the current regular biweekly Union dues of the Professional Firefighters/Paramedics of Palm Beach

County, Local 2928 IAFF, Inc. A copy of this revocation has been forwarded to the Secretary-Treasurer of the Union.

Date:

Name:

Address:

Signature:

### **Section 5**

The Union shall hold the City harmless against any and all claims, demands, and liabilities of any kind whatsoever arising from any action taken or not taken by the City, its members, officials, agents, or representatives in complying with this Section or in reliance upon any notice, letter, or written authorization supplied to the City pursuant hereto.

## ARTICLE 5 MANAGEMENT RIGHTS

The Union agrees that the City has and will continue to retain, whether exercised or not, the right to operate and manage its affairs in all respects, provided that the exercise of such right does not have the practical effect of violating specific terms of the Agreement. The rights of the City shall include but not be limited to the following:

1. To determine the organization of City Government.
2. To determine the purpose of each of its constituent departments.
3. To exercise control and discretion over the organization and efficiency of the operations of the City.
4. To maintain the sufficiency of the operations of the City and to set standards for service to be offered to the public.
5. To manage and direct the employees of the City, including the right to assign work and overtime, and to establish, modify, or change rules and regulations applicable to employees covered by this Agreement.
6. To hire, examine, classify (subject to language in this agreement), promote, train, transfer, assign, and schedule employees in positions with the City.
7. To suspend, demote, discharge, or take other disciplinary action and impose sanctions for cause.
8. To increase, reduce, change, modify or alter the composition of the work force, including the right to relieve employees from duty because of lack of work, lack of funds, or any other reason not prohibited by Law.
9. To determine and establish internal security practices, including the right to search all areas of City property (e.g., lockers, computers) and personal effects based upon reasonable suspicion.
10. To determine the location, method, means, and personnel by which operations are to be conducted, including the right to determine whether goods or services are to be made or purchased and the right to contract and subcontract existing and future work.
11. To determine the number of employees to be employed by the City.
12. To establish, change, or modify the number, types, and the grades of positions or employees assigned to an organization, department or division thereof, or project.
13. To establish, change or modify duties, tasks and responsibilities or requirements of positions within the City.
14. To establish and revise or discontinue policies, rules, practices, programs, or procedures in Council Policies, Administrative Policies, and/or the Greenacres City Manual of Personnel Policies.

In the event that civil emergency conditions exist, the provisions of this Agreement may be suspended in accordance with the Public Employees Relations Act, as long as pay, benefits and just cause discipline shall remain in effect throughout.

**ARTICLE 6**  
**FIREFIGHTERS' BILL OF RIGHTS**

The City agrees to comply with the provisions of the Firefighters' Bill of Rights, Sections 112.82 and 112.83, Florida Statutes. Members shall have only those rights and remedies provided by the statute and court decisions interpreting it.

The City agrees to comply with the provisions of the Firefighters Cancer Benefit, Sections 112.1816, Florida Statutes.

## **ARTICLE 7**

### **UNION REPRESENTATION**

Neither party, in negotiations, shall have any control over the selection of the negotiating or bargaining representatives of the other party.

If any employee member of the bargaining committee is on duty during negotiation sessions, he/she may attend and participate in said sessions with no loss in pay if approved in advance by the Fire Chief or his/her designee. Said approval may be granted only if the shift would still be adequately staffed and would not cause any overtime in the Department. Such approval shall be within the sole discretion of the Fire Chief or his/her designee.

A Union representative may attend two (2) union meetings per month for up to four (4) hours, and any other emergency meeting scheduled during contract negotiations, without loss of pay, and if approved in advance by the Fire Chief or his/her designee. Said approval may be granted only if the shift would still be adequately staffed and would not cause any overtime in the Department. Such approval shall be within the sole discretion of the Fire Chief or his/her designee and shall not unreasonably be denied.

The City Manager and Fire Chief shall be notified in writing when there is a change to the appointed Union Representative(s).

## **ARTICLE 8 UNION BUSINESS**

### **Section 1**

The Union agrees that there shall be no solicitation of City employees for membership in the Union, signing up of members, collection of initiation fees, dues or assessments, meetings, distribution of Union or affiliated Union literature or any other solicitation activity of the Union during the working hours of City employees; provided, however, that this Section shall not be construed to prohibit communication of official Union business to members prior to the beginning of the work shift and after the regularly scheduled work shift and during the employee's meal period.

The Fire Chief will designate the following bulletin board location in the Fire Rescue Department for the use of the Union bargaining unit herein covered:

- a) Kitchen – Station #94
- b) Hallway into bays – Station #95
- c) Location to be determined - Station #96

The Union may post meeting notices and special information notices on the bulletin boards for a period not to exceed thirty (30) days. Such notices may include notices of Union meetings, notices of Union elections, notices of Union appointments to office, notices of Union recreational and social affairs and Union newsletters. All notices shall be submitted to the Fire Chief or his/her designee for review prior to posting. Permission to post notice shall not be unreasonably withheld.

All costs incidental to preparing and posting of Union material will be borne by the Union.

### **Section 2**

A Union Representative shall be allotted a reasonable amount of time with a minimum of 30 minutes to meet with all new employees during the first week of employment, for the purpose of explaining the Union's role as the Florida certified collective bargaining representative, and to answer any questions regarding the Collective Bargaining Agreement.

### **Section 3**

Any time an investigation is completed, upon request, the Union shall be provided the entire investigative file, together with any proposed discipline, regardless of any bargaining unit member's right to such records. The documents shall be provided to the Union at no cost.

### **Section 4**

There shall be created a pool of time known as Union Time Pool (UTP). Each employee who is covered by this agreement shall contribute four (4) hours of vacation time during the first full pay period of October each year. An employee who is not a member of the Union and who does not

wish to participate in the funding of the UTP may opt out of this program by providing written notice to both the City and the Union by September 15 of each year. The Union Time Pool (UTP) may be used for Union business upon approval by the by the Union president or his/her designee.

Authorization by the Union President or designee for an employee to use the Union Time Pool must be submitted and approved in writing before such assignment is effective. The Union Time Pool shall be charged in one (1) hour increments. There will be no cost to the City for any time off related to the use of the Union Time Pool. If time off for use of the Union Time Pool requires a replacement employee who receives overtime pay, the Union Time Pool shall be charged one and one-half hours for every hour worked by the replacement employee.

A minimum of one (1) hour UTP shall be taken by an approved employee. A maximum of three (3) members may be approved at any one time unless staffing requirements prohibit such request.

Use of the Union Time Pool shall be subject to approval of the Fire Chief and or his/her designee. Approval shall not be withheld unreasonably. Under normal circumstances, the Union President or designee shall provide the Fire Chief or designee at least seventy-two (72) hours-notice before the requested use of the Union Time Pool.



## **ARTICLE 9 SENIORITY**

### **Section 1**

Seniority shall be defined as the total length of continuous service in the Fire Rescue Department and shall be computed from the time of appointment. Seniority shall continue to accrue during worker's compensation leave, holidays, vacation, funeral leave, compensatory leave, military leave, UTP Leave, and sick leave approved by the City. Leaves of absence without pay, either approved or otherwise, shall not count towards the accrual of seniority. Seniority for purposes of shift and station selection shall be defined as continuous service in a job code. The Labor Relations committee shall create a bid policy no later than October 1, 2024, unless otherwise agreed by the Union President and Fire Chief, for approval by the Fire Chief. Once completed, the policy may be amended by mutual agreement between the Fire Chief or designee and Union President. Seniority for purposes of vacation and Kelly days shall be defined as continuous service in the Fire Rescue Department.

### **Section 2**

Employees shall lose their seniority as a result of the following:

1. Termination
2. Retirement excluding DROP
3. Resignation
4. Is absent for three (3) consecutive working days without notification to and approval by the City. An employee may be reinstated to his/her position if the position is still vacant, by a showing of good cause to the Fire Chief, subject to the review of the City Manager, of why notification was not possible within three (3) days.
5. Failure to report to the City Manager's Office intention of returning to work within ten (10) days of receipt of recall as verified by Certified Mail, Return Receipt.
6. Failure to report to work at the termination of a leave of absence without pay.
7. Failure to report from Military Leave within the time limits prescribed by law.

### **Section 3**

The City agrees that seniority shall govern the following matters:

1. In the event of a layoff for any reason, employees shall be laid off in the inverse order of their seniority. Such lay-offs will be accomplished within the established rank structure.
2. Any employee of rank shall be permitted to drop a grade in rank to preclude layoff consistent with his or her seniority.
3. Employees shall be called back from lay-off according to their seniority. Such call backs will be accomplished within the established rank structure in Section 3-1 of this article.
4. Such actions will incorporate a certified letter to the employee who will specify a ten (10) day time limit for reply as to whether or not he/she wishes to be considered for his/her

old position. In any event, no position will be held open longer than ten (10) days after the receipt of the certified letter advising that his/her old position is being held for them.

#### **Section 4**

The City shall have the right to determine the means of effectuating necessitated layoffs. The City may impose general across-the-board layoffs, potentially affecting all members of the Bargaining Unit equally, regardless of classification. The City may impose layoffs which may impact specific classifications only, or other layoff formats that the City chooses in order to operate and manage its affairs in all respects.

#### **Section 5**

Laid off employees who are qualified for an existing opening in the Fire Rescue Department of the same or lesser rank than their former position which they previously held and remain qualified for (including retaining required certifications) will be recalled for up to one (1) year from the time they are laid off. Laid off employees shall be recalled in reverse order in which they were laid off. In the event of a recall, the City shall notify the employee at their last known address of record with the City by certified mail, return receipt, of such recall and give the employee ten (10) days to reply. It is the responsibility of the employee to keep his/her current address on file with the City. No position shall be held open for an employee for more than ten (10) days after he/she has received the Notice of Recall.

## **ARTICLE 10 DRUG FREE WORKPLACE**

### **Section 1**

Drug tests may be administered by the City pursuant to the drug-free workplace program; Section 440.102, Florida Statutes; and the City of Greenacres Drug- Free Workplace Policy which may be amended by mutual agreement by the Union President and the City Manager or their designees.

### **Section 2**

All positions in the bargaining unit are agreed to be safety sensitive positions, including but not limited to regular and probationary Battalion Chiefs employed by the City shall be subject to random screening for the presence of alcohol or drugs.

### **Section 3**

The City will contract with an independent company to conduct one (1) random alcohol/drug screening tests each month from among this bargaining unit and the Rank and File bargaining unit.

One (1) primary name and one (1) alternate will be randomly selected by the testing company.

All employees shall be tested while on duty. Upon notification, the employee shall immediately report to the drug testing facility, accompanied by Fire Rescue Administration or their designee.

No employee shall be randomly tested more than three (3) times in the City's fiscal year.

### **Section 4**

All individuals are prohibited from smoking, using tobacco products, and/or using simulated smoking devices. Employees who violate this policy may be subject to disciplinary action. For purposes of this Article, "tobacco products" include, but are not limited to cigarettes, cigars, chewing tobacco, "dip", and pipe smoking. A "simulated smoking device" includes, but is not limited to, electronic cigarettes, electronic pipes, or other devices intended to resemble or having the appearance of a cigarette, cigar, pipe, or other tobacco product.

## ARTICLE 11 LEAVE POLICY

### **Section 1**

Leaves shall be in accordance with the procedures and policies of the City of Greenacres Manual of Personnel Policies, except as modified below.

### **Section 2**

An employee is eligible for vacation leave with pay the first payroll period beginning on or after the employee completes six (6) months of continuous service at which time the employee shall be credited with their first year of accruals.

Paid vacation for bargaining unit employees shall accrue following their 1 year anniversary in accordance with the following schedule on a bi-weekly basis:

	<u>24/48 Hour Employees</u>	<u>Other Employees</u>
6 months-5 years	4 shifts	80 hours
6-10 year	6 shifts	120 hours
11-15 years	8 shifts	160 hours
16 or more years	10 shifts	200 hours

In the first week of October, the Department will advise employees of the available vacation time based on scheduling and staffing concerns. First round selection of vacation must be made between October 16th and October 31st. Selection will be made by seniority in rounds. Round one vacation must be in increments of at least one (1) week (40 hrs. or 48 hrs.). If an employee wants to select more than one (1) week of vacation during round one, additional weeks must be taken consecutively with the first week. After all employees have made their round one selection, Round 2 selection of vacation will take place November 1st thru November 15th. After Round 1 and Round 2, employees may select any remaining vacation time on a first come, first served basis. First and second round vacation selections may only be cancelled up to twenty-one (21) days in advance of the requested leave.

### **Section 3**

All requests for vacation shall be made at least three (3) days in advance from the start of the requested day. The Fire Chief or his/her designee may at his/her discretion approve vacation time inside of the three (3) day time period if no coverage is needed. Vacations may be canceled in the event of an emergency as determined by the City.

#### **Section 4**

In the event that a shift is at minimum staffing levels, leave requests will be limited to one supervisory position per shift and two (2) non-supervisory positions per shift utilizing vacation time in accordance with this Agreement.

#### **Section 5**

In the last pay period of August each year, vacation time in excess of two hundred sixteen (216) hours up to two hundred forty (240) hours (this creates a twenty-four (24) hour buyback possibility) shall be paid out at the employee's current rate of pay. The payment of leave upon separation and the financial hardship vacation buy-back of vacation leave, or any other payment for vacation leave, shall be governed by the City's policy in the employee handbook as enacted and amended from time to time, except as modified herein. In the event of any such payment, this shall be a separate payment and will have all applicable deductions taken out through the City's normal payroll process.

#### **Section 6**

All employees shall be covered by the sick leave policy maintained in the City's Manual of Personnel Policies, except as modified by this Agreement.

Fire Rescue employees assigned to work 24 hour shifts shall accrue sick leave at the rate of one-third shift each month, for a total of four (4) shifts per year.

Employees utilizing sick time must notify the department via the department approved staffing program.

In the paycheck for the last pay period of each fiscal year bargaining unit employees who have accrued more than 960 hours of sick leave shall be cashed out for all hours above 960 at their regular rate per hour. Employees may use up to 24 hours annually of accrued sick leave as personal leave. Personal leave shall be taken in increments of 2 hours and limited to one person per shift. Personal time must be approved by the Fire Chief or designee and shall not cause overtime. This 24-hour converted time shall be treated as sick leave for overtime purposes. Employees may opt to receive compensation for one-half of the total number of hours accumulated above 480. This compensation shall be paid at one-half the employee's regular rate per hour, such that for each half-hour of pay, one full hour sick leave will be deducted from the employee's accumulated sick time.

Employees shall be covered by the following sick leave policy:

Years of Service	% of Sick Leave Payout
0 to 5	0%
5 to 10	25%
10+	50%
Normal Retirement*	100%

\*When an employee is eligible for and applies for a retirement benefit under FRS or the City Plans

### **Section 7**

Employees working a 40 hour, 5/8 schedule who take sick leave on a holiday, the regularly scheduled day before or the regularly scheduled day after a holiday shall not receive holiday pay. Employees working any other schedule who take sick leave on a holiday, the calendar day before or the calendar day after a holiday shall not receive holiday pay. Employees who work on a holiday shall receive holiday pay notwithstanding any sick leave taken. Bargaining unit employees shall receive eight (8) hours of holiday pay for each City approved holiday, currently 13 per year, whether or not the employee works on the holiday.

### **Section 8**

Shift employees covered by this agreement will receive their holiday pay at straight time in one lump sum in September of each year in a separate payment with all applicable deductions.

The holiday pay benefit for those shift employees who work less than a full fiscal year shall be paid on a pro-rata basis for only those City approved holidays the shift employee has actually earned the holiday pay benefit under Article 11, Section 7 above. Payments shall be paid to shift employees who separate before the end of the fiscal year at the time of the employee's separation.

### **Section 9**

The City reserves the right to require documentation supporting a request for bereavement leave.

40 hr. Employees will receive twenty-four (24) hours of leave with pay to attend to family matters, arrange and attend funeral services, and other matters relating to the death of an immediate family member. In circumstances in which the funeral is scheduled to take place more than 250 miles from the City, the employee may request up to sixteen (16) additional hours of leave, which can be granted in the Fire Chief's sole discretion, with pay which shall not be charged against any other type of leave. The Fire Chief may request appropriate documentation for the need for funeral leave. Employees who need additional time off, regardless of where the funeral takes place, may apply for such leave with the use of vacation leave.

48 hr. Employees will receive twenty-four (24) hours of leave with pay to attend to family matters, arrange and attend funeral services, and other matters relating to the death of an immediate family member. In circumstances in which the funeral is scheduled to take place more than 250 miles from the City, the employee may request up to twenty-four (24) additional hours of leave, which can be granted in the Fire Chief's sole discretion, with pay which shall not be charged against any other type of leave. The Fire Chief may request appropriate documentation for the need for funeral leave. Employees who need additional time off, regardless of where the funeral takes place, may apply for such leave with the use of vacation leave.

## **ARTICLE 12 INSURANCE**

The City shall provide all bargaining unit members with the same insurance plans (health, dental, life insurance – this brief list is illustrative only and in no way limits or binds the City in providing any type of insurance, but merely states that types of insurance the City currently offers in a non-exhaustive fashion) and provide the same premium payment rates as non-bargaining unit City employees. The City's insurance plans shall be uniform across all employees.

The City may alter coverage provided in this article only after providing the union with notice 10 days prior to the effective date of the change.

## **ARTICLE 13**

### **UNIFORMS AND EQUIPMENT**

#### **Section 1**

The City shall furnish uniforms to all bargaining unit members who are required to wear uniforms in the performance of their duties.

#### **Section 2**

Any uniform or related equipment initially supplied by the City, which is damaged or destroyed while an employee is acting in the performance of his/her official duties, shall be replaced by the City at no cost to the employee, provided the same is not the result of his/her negligence. Such claim of loss must be supported with reasonable proof and shall be subject to the approval of the Fire Chief or his/her designated representative.

#### **Section 3** Fire Certified Personnel Uniforms

Effective October 1 of each year, non-probationary fire certified personnel in the bargaining unit shall receive a uniform credit in the amount of five hundred (\$500.00) dollars to be used for the purchase of approved items from the City's selected vendor which may include, but is not limited to, approved uniforms, approved work-related equipment, approved class A uniform, and approved bunker gear bags. The City shall provide needed firefighting gear to firefighters and uniforms to newly hired probationary employees as listed herein. Effective October 1 of each year following completion of probation, the employee will be provided a five hundred (\$500.00) dollar uniform credit to be used for the purchase of approved items. In the event a unit member loses brass, badges, or any other official identifier, the unit member must immediately report the missing items to the department. The ability to utilize the \$500.00 uniform credit for such items will be made on a case-by-case basis in the discretion of the department. The uniform credit account will close, and all orders must be placed by August 1 of each year.

In the first year of the current contract the city agrees to pay the cost of 1 full class A uniform including pants for all non probationary employees.



## **ARTICLE 14 WORKWEEK**

### **Section 1**

Except in the event of an emergency, the City reserves the right to change regular shift (A, B, or C) assignments upon seven (7) days' notice. The Department may not change individual shift assignments solely to avoid payment of overtime.

Fire Rescue employees assigned to work 24 hour shifts shall work an average of 48 hours per week over a 21 day work period that includes a 24 hour shift off (Kelly day) every seventh (7th) shift.

The Department will advise employees of the available Kelly days based on scheduling and staffing concerns. Employees will rank each day of the week by order of their preference (1 to 7), and Kelly days will be determined on the basis of seniority. There will be a maximum of one (1) Battalion Chief off per shift. Battalion Chiefs will not have the same Kelly day as either of the Captains assigned to their shift. The Kelly day selection process will begin again October 1 of each year. Kelly days will take effect the first full three (3) week pay cycle in each January.

### **Section 2**

Employees shall be paid at an overtime rate for all hours worked outside their regularly scheduled work hours.

### **Section 3**

Off-duty employees called out to work shall be paid a minimum of three (3) hours overtime.

## **ARTICLE 15 SHIFT EXCHANGE**

### **Section 1**

Employees may exchange shifts or parts of shifts with another employee in the same classification (job code) with prior approval of the immediate supervisor of the employee requesting the exchange. Approval for exchanges of time shall not unreasonably be denied. All employees seeking to swap shifts must have 36 hours of sick leave accruals available prior to and during each shift on which a swap is to take place in order to be able to comply with Section 3 below. If any requesting employee falls below 36 hours of accrued sick leave, the remaining requested shift swaps will be placed on hold until the sick leave bank accruals are replenished to 36 hours or will be cancelled. Probationary employees cannot participate in shift swaps. The Fire Chief or designee has the discretion to allow exemptions to this paragraph in extenuating circumstances.

### **Section 2**

Shift exchanges must be accomplished within twelve (12) months. Shift exchanges shall not result in the City incurring overtime liability it would not otherwise incur.

### **Section 3**

Employees are responsible for making all exchanges, subject only to approvals as described above. An employee who accepts a shift exchange is responsible for working that exchange, and will be subject to disciplinary action for non-attendance. If the employee who is scheduled to work a shift exchange does not report to work or is absent from any work time during that scheduled shift exchange, that employee will be charged the time from his/her leave accruals required to cover his/her absence, which shall be charged to the employee's accruals at the time and one-half rate if any overtime costs are incurred by the City to obtain coverage for that employee. An employee whose accruals are charged shall also remain subject to disciplinary action for non-attendance.

### **Section 4**

Employees must work their end of all exchanges, and compensation in any other form may not be used to repay an exchange. If an employee quits and owes other employees exchanged shifts, the employees affected are not owed any compensation from the City.

### **Section 5**

Shift exchanges for educational purposes will not be denied if they otherwise meet the requirements of this Article.

### **Section 6**

Kelly Days may be exchanged voluntarily between employees on a temporary or permanent basis as long as it does not create overtime. A Kelly Day may be exchanged for a vacant Kelly Day slot

provided that the exchange is made within one twenty-one (21) day work cycle. All Kelly Day exchanges must have prior approval by the Fire Rescue Division Chief or his/her designee.

## **ARTICLE 16 SALARY PLAN**

### **Section 1**

Promotions - Employees who are promoted to Battalion Chief will be placed at the lowest step providing an increase of at least five percent 5% above their current rate of pay or the highest step. The date the promotion becomes effective will become the employee's new anniversary date.

The City and bargaining unit agree to create a new Probationary Step (also known as Step 0) on the new salary schedule for probationary employees. Upon successful completion of the employee's probationary period, the employee will be slotted into step 1 of the new salary schedule.

### **Section 2**

- A) First year; October 1, 2023 through September 30, 2024.  
Attached to this agreement is a new salary schedule for 2023-2024 including a 5% across the board increase.

Effective upon ratification of this Agreement, each employee will be slotted into the new salary schedule at the first step which is equal to or greater than the employee's base annual wage as of September 30, 2020.

- B) Second Year: October 1, 2024 through September 30, 2025 including a 4% across the board increase.  
The salary schedule for year two of this Agreement is attached hereto and shall be implemented.
- C) Third Year: October 1, 2025 through September 30, 2026 including a 3% across the board increase.  
The salary schedule for year three of this Agreement is attached hereto and shall be implemented.

### **Section 3**

Effective on the employee's anniversary date, the employee shall move to the next level on the salary plan. If an employee reaches the top of the salary plan, said employee shall receive no increase.

### **Section 4**

Assignment Pay - Employees assigned to work in a position outside the bargaining unit shall have their regular rate of pay increased by 5% for all hours worked in such assignment.

**Section 5**

Employees with fifteen (15) or more years of service shall receive an annual payment of \$750.00, with all necessary and applicable deductions during the normal payroll process. This annual payment will be processed during the payroll period after the employee's anniversary date.

**Section 6**

Nothing in this Agreement will require the payment of wage increases of any kind after the expiration of the Agreement.

**Section 6**

The City and Union may agree to exercise a re-opener of Article 16, Section 2, of this Agreement for the limited purpose of re-negotiating the across the board increases provided therein, in the event the City realizes economic losses that render the across the board increases unaffordable. The City and Union shall agree to reopen between May 1, 2024, and 5:00 pm on June 1, 2024, to re-negotiate for the Second Year and between May 1, 2025, and 5:00 pm on June 1, 2025, to re-negotiate for the Third Year. These deadlines shall be strictly enforced. Failure to agree to re-open within the time frames established herein shall constitute a waiver of the City's right to re-open for that fiscal year.

**ARTICLE 17**  
**SAVINGS CLAUSE**

If any article or section of this Agreement should be found invalid, unlawful, or not enforceable by reason of any existing or subsequently enacted legislation or by judicial authority, all other Articles and sections of this Agreement shall remain in full force and effect for the duration of this Agreement.

## ARTICLE 18 GRIEVANCE AND ARBITRATION PROCEDURE

### **Section 1**

A grievance shall be defined as a dispute over the interpretation or application of the specific provisions of this Agreement.

### **Section 2**

Should the City wish to press a grievance, such grievance must be presented to the Union for a response. The Union shall have ten (10) calendar days in which to submit a written response. The City may appeal the Union's response to arbitration pursuant to Section 4 of the procedure below.

### **Section 3**

In a mutual effort to provide harmonious relations between the parties to this agreement, it is agreed to and understood by both parties that there shall be a procedure in this department for the resolution of grievances or misunderstandings between the parties arising from the application or interpretation of this agreement as follows:

- Step 1.           The aggrieved employee or a union representative may present a written grievance to his/her Battalion Chief within ten (10) calendar days of the occurrence or knowledge of the matter-giving rise to the grievance. The Battalion Chief shall attempt to adjust the matter within his/her authority and respond to the party presenting the grievance within ten (10) calendar days.
  
- Step 2.           If the grievance has not been satisfactorily resolved in Step 1, the Union representative and/or the aggrieved employee may appeal the grievance to the Fire Chief, within ten (10) calendar days after the time the response from the previous step is due. The Fire Chief shall respond, in writing, within ten (10) calendar days to the employee and Union.
  
- Step 3.           If the grievance is not satisfactorily resolved in Step 2, the aggrieved employee or the Union may appeal the grievance to the City Manager, in writing, within ten (10) calendar days of the date the response was due in Step 2. The City Manager shall respond in writing within ten (10) calendar days to the employee and the Union.

Note: The time limits set forth may be waived only by mutual agreement, in writing, between the parties. If the Union fails to advance a grievance within these time limits, the grievance will be treated as withdrawn with prejudice.

If the City fails to respond to the grievance within these time limits, the grievance will be treated as denied, effective on the date the response was due. For grievances relating to more than one (1) bargaining unit member, the Union may file a grievance on behalf of all affected Union members at the Step at which there is authority to resolve the grievance.

## **Section 4 Arbitration Referral**

1. If the grievance is not resolved at Step 3 of the Grievance Procedure, the Union may, within (10) calendar days of the date of the response was due in Step 3, submit a request for arbitration to the City Manager. In general, grievances, either the Union or the City may request to take the issue or grievance to arbitration. For grievances filed by an employee or by the Union, the Union shall have the exclusive right to refer a grievance to arbitration except where the Union elects not to represent an employee due non-membership in the Union, in which case the employee may proceed in accordance with Chapter 447, Fla. Stat.
2. If the parties fail to mutually agree upon an arbitrator within ten (10) calendar days after the date of receipt of the arbitration request, a list of seven (7) qualified neutrals from the Federal Mediation Conciliation Service (FMCS) shall be requested by either party, with a copy of the request sent to the other party. Within ten (10) calendar days after the receipt of the list, each party may reject one panel. The party rejecting the panel will pay for the next panel. Once a panel is approved, the parties shall meet and alternately cross out the names on the list, and the remaining name shall be the arbitrator. The party bringing the grievance shall cross out the first name. Failure of the parties to select an arbitrator within thirty (30) calendar days of receipt of the panel from FMCS will be considered a withdrawal of the grievance with prejudice.
3. The hearing on the grievance shall be informal and the strict rules of evidence shall not apply.
4. The arbitrator shall not have the power to add to, subtract from, modify or alter the terms of this collective bargaining agreement in arriving at a decision of the issue or issues presented, and shall confine his/her decision solely to the interpretation or application of the agreement. The arbitrator shall not have the authority to determine any issues not submitted.
5. The decision of the arbitrator shall be final and binding upon the aggrieved employee, the union and employer, except as provided by law.
6. The arbitrator's fee and expenses shall be borne equally by the parties bringing the grievance.
7. Attendance at any arbitration procedure and compensation of participants shall be the responsibility of each side.
8. The arbitrator shall be requested to tender his/her decision as quickly as possible, but in any event, no later than thirty (30) calendar days after the close of the hearing.
9. In the case of a grievance involving any continuing or other money claim against the employer, no award shall be made by the arbitrator, which shall allow any monetary payment, damages or accruals for more than five (5) working days prior to the date when such grievance shall have been first submitted in writing.
10. Upon receipt of the arbitrator's award, corrective action, if any will be implemented as soon as possible.



11. If either party to this agreement requests a copy of transcripts of the arbitration hearings, both parties will share equally the cost of such transcripts.
12. If the party requesting arbitration does not advance the prosecution of the case by, at a minimum, scheduling a date for the hearing, within 60 calendar days of the selection of the arbitrator or 120 calendar days of the grievance being advanced to arbitration, whichever shall last occur, the grievance shall be deemed withdrawn.

### **Section 5**

Non-Probationary employees may appeal disciplinary suspensions of greater than two days, disciplinary demotions or discharges to arbitration under this Article. Notwithstanding the above, non-probationary employees may appeal to arbitration a second suspension of two days or less received within one year. Non-probationary employees may appeal lesser disciplinary penalties through Step 3 of the grievance procedure, and the City Manager's response shall be final. Newly hired probationary employees shall not have the right to appeal discharge.

## **ARTICLE 19 WORK STOPPAGES**

### **Section 1**

There will be no strikes, work stoppages, slowdowns, boycotts, job actions, or refusal to perform assigned work by the employees covered under this Agreement. Notwithstanding the above, there shall be no picketing whatsoever in uniform by the employees covered by this Agreement.

### **Section 2**

Recognizing that Florida law prohibits the activities enumerated in Section 1 above, the parties agree that any member who participates in or promotes any of the aforesaid activities may be discharged or otherwise disciplined by the City.

### **Section 3**

It is recognized by the parties that the activities enumerated in Sections 1 and 2 above are contrary to the ideals of the professionalism and to the Fire Rescue Department's community responsibility. Accordingly, it is understood and agreed that in the event of any violation of this Article the City shall be entitled to seek and obtain legal and/or equitable relief available in any forum.

## ARTICLE 20 PENSION

**Section 1.** All eligible unit employees shall continue to participate in existing City pension plans.

**Section 2. Deferred Retirement Option Plan (DROP).**

The pension benefits and employee contributions currently provided for bargaining unit members through the City of Greenacres Police Officers and Firefighters Retirement Plan will be maintained for the duration of this Agreement, except as provided below. The pension changes provided below will take effect on October 1, 2020, or upon implementation of the changes if later (the “effective date”), except as otherwise specified.

### **Deferred Retirement Option Plan**

- A. A deferred retirement option plan ("DROP") shall be established for firefighters on the effective date. The DROP shall be part of the pension plan, and shall contain the following eligibility and participation provisions.
  - 1. A member who attains normal retirement eligibility (age 55 with at least six years of credited service or 25 years of credited service regardless of age) shall be eligible to participate in the DROP. A member may defer participation in the DROP until age 59 or 33 years of service, whichever occurs first.
  - 2. A member must make a written election to participate in the DROP on a form provided by the City. A member's election to participate in the DROP shall be irrevocable.
  - 3. An eligible member may participate in the DROP for a maximum of 5 years.
  - 4. A member who elects to participate in the DROP shall be required to terminate City employment no later than the end of the maximum DROP period. A member who elects to participate in the DROP may terminate DROP participation and City employment sooner than the end of the maximum DROP period, with at least 30 days' advance written notice to the City.
- B. DROP plan features.
  - 1. An eligible member who elects to participate in the DROP will be considered to have retired for purposes of the pension plan. The member's monthly retirement benefit, determined in accordance with the plan based on years of credited service and average final compensation at the time the member enters the DROP, will be paid into the member's DROP account every month during the DROP period. Member DROP accounts are notional accounts, used only for the purpose of calculating DROP benefits, and are not separate accounts within the pension plan. The monies allocated to member DROP accounts shall be invested by the pension board in the same manner as other plan assets, and members shall have no control over the investment of DROP accounts.

2. No member contributions shall be required after a member enters the DROP, and the member will not accrue any additional credited service or any additional benefits under the pension plan after entering the DROP.
3. A member who elects to participate in the DROP shall not be eligible for disability or preretirement death benefits under the pension plan after DROP participation begins.
4. During a member's participation in the DROP, the member's monthly retirement benefit will be paid into the DROP account. The member's DROP account will earn interest at the rate of 3% per annum, compounded monthly. The DROP account shall not earn interest after the member's DROP participation ends.
5. Within thirty (30) days following a DROP participant's termination of city employment or death, the member, or in the event of the member's death the member's designated beneficiary, may submit a written election on a form approved by the pension board, to receive the member's entire DROP account balance, which shall be distributed to the member (or in the event of the member's death to the member's designated beneficiary or estate in accordance with paragraph 6 below) in a cash lump sum, unless the member elects to have all or any portion of an eligible rollover distribution paid directly to an eligible retirement plan specified by the member in a direct rollover. Any such direct rollover would be accomplished in accordance with IRS regulations and the pension plan. In the event a member or designated beneficiary does not submit a written election to receive a distribution of the member's DROP account balance within thirty (30) days following the member's termination of city employment or death, the DROP account shall be maintained but shall not earn interest.
6. If a DROP participant dies before his or her DROP account is distributed, the participant's designated beneficiary shall have the same rights as the participant with respect to the distribution of the DROP account. The member may change the designated beneficiary no more than two times during the member's participation in the DROP. Such change must be on a form prescribed by the City, signed by the member, and filed with the board. If the member has not designated a beneficiary, the DROP account balance shall be paid to the member's estate.
7. Participation in the DROP is not a guarantee of continued employment. DROP participants are subject to the same employment policies and standards as employees who are not in the DROP.
8. A member who participates in the DROP shall be eligible to receive payment for unused sick leave as follows:
  - a. Upon separation from employment – up to 960 hours at 100% of the employees' hourly rate; and
  - b. During DROP – an employee may receive payment for accrued sick leave in excess of 960 hours at 50% of the employees' hourly rate.
9. The DROP account distribution, along with other benefits paid by the pension plan, is subject to limitation under Section 415(b) of the internal Revenue Code.

10. The pension board may adopt any rules for administering the DROP that are necessary to maintain compliance with the Internal Revenue Code.

**COLA.** The 3% annual cost of living adjustment on pension benefits shall be paid beginning 1 year after separation from the City of Greenacres.

### **Chapter 175 Premium Tax Revenues.**

**Mutual Agreement:** The City and Union mutually agree that the first \$160,796 in annual Ch. 175 premium tax revenues will continue to be used to reduce the city's pension contributions, and any annual Ch. 175 premium tax revenues received in excess of \$160,796 shall be used to fund the Share Plan; provided, if the City's pension contribution should exceed 25% of payroll in any plan year based on the most recent actuarial valuation for the plan, up to 50% of the excess premium tax revenues above \$160,796 shall be used to reduce the City's pension contribution, as needed to reduce the City's contribution to 25% of payroll.

### **Section 3. 457 Matching Plan:**

Effective October 1, 2025, the City shall match bargaining unit employee contribution to the City approved Chapter 457 Deferred Compensation Plan at a rate of 50 cents (\$0.50) for every one dollar (\$1.00) contributed to such plan up to a maximum of one hundred twenty dollars (\$120) per month (\$1440 annually) to be contributed by the City on behalf of each bargaining unit employee.

## ARTICLE 21 TEMPORARY DISABILITY LEAVE

### **Section 1**

Certified employees shall be permitted up to eighteen (18) months to return to full duty after : a serious injury in the line of duty caused by traffic at a scene or sustained during fire combat, treatment of a person, vehicle extrication, while engaged in fire rescue activities, or any illness on or off duty. The City Manager or designee may approve these benefits for off duty physical injury at their sole discretion. If available, the City may provide the employee with light duty assignments that comply with any medical limitation the employee may have during the time the employee cannot perform his or her full duty assignments under this Article. The City has the right to assign such light duty across any City department and shall not be confined to only assign bargaining unit members to light duty within the fire department. While on such restricted duty, the member's rate of pay shall not be adjusted; however, the City will provide up to eight (8) hours (1.6 hours per day not to be fractionalized) of straight time in each work week so that members who are working a forty (40) hour weekly schedule will have the opportunity to maintain forty-eight (48) hours of pay in the workweek. If the employee cannot return to full duty upon the expiration of the 18 months described above, the employee's employment with the City may, in the sole discretion of the City Manager, be terminated and there will be no right to grieve a termination under this paragraph.

Employees sustaining such injuries and are not assigned light duty assignments as described above shall receive up to \$175 per week in addition to their workers' compensation benefits; provided that in no case shall they receive more than 100% of their average take home pay over the 13 calendar weeks before the date of the injury.

This section is intended to cover serious injuries that may occur due to the unique hazards of fire/rescue activities and is not intended to cover injuries that could be sustained by other non-special risk City employees. For any injury sustained that could be sustained by other non-special risk City employees, as described above, the City's normal workers' compensation policy in the City's employee handbook shall apply in place of this Article.

For any bargaining unit member that is out on temporary disability leave or workers' compensation leave—regardless of any timeframe described in this article—in the event a medical provider certifies or provides information that the employee has reached maximum medical recovery or improvement (MMR or MMI) but the employee still cannot perform the essential functions of the employee's job description, the employee's employment with the City may, in the sole discretion of the City Manager, be terminated and there will be no right to grieve termination under this paragraph.

In the event of a dispute as to whether the employee is fit to return to duty at the end of the eighteen (18) month period allowed above, or in the event of a dispute as to whether an employee has reached MMR/MMI, the City and the Union shall mutually agree on a third-party physician to perform an independent evaluation with the conclusion of the third-party being final and binding. The cost of this third-party evaluation is split evenly between the City and the Union.

## **Section 2**

Except as provided for in this Article, the City's Manual of Personnel Policies shall determine the level of benefit, if any, provided to all City employees who become temporarily disabled. Employees who are temporarily disabled as a result of a non-job related illness or injury shall have 180 calendar days to return to full duty, which may be extended an additional 90 calendar days at the sole discretion of the City Manager, and may, at the sole discretion of the City, be assigned to light duty. This light duty cannot be refused by the employee. Moreover, for any non-job related injury impacting the employee's ability to perform this position in a full duty capacity, the City shall have the right to send the employee, at the City's expense, to a doctor of the City's choosing for a second opinion.

## **Section 3**

Any employee that is out on workers' compensation leave or temporary disability leave as described herein, shall not accrue any paid time off (vacation, sick, holiday, or otherwise) except when utilizing his or her accrued leave. The employee shall first use any and all accrued time earned in each payroll period to supplement workers' compensation. Once that accrued time is exhausted in that particular payroll period, the employee shall utilize any and all accrued leave time to supplement their workers' compensation benefit.

## **Section 4**

Nothing in Article 21 shall prevent the City from placing an employee into another job/position within the City in lieu of termination. However, the City will have no obligation to do so, and any placement will be in the sole discretion of the City Manager. In the event this type of placement is made, the employee will no longer be a bargaining unit member, unless placed in a bargaining unit position, and will be placed at the appropriate wage and benefit level for the new position.

## **Section 5.** Communicable Diseases

Fire Rescue shall designate an Infectious Disease Coordinator to manage this program.

Immunizations: The City shall provide a one-time immunization during the life of this Agreement for all employees who want to be immunized, as follows:

- Tetanus
- Hepatitis (Type A and B)
- Rubella (for females of childbearing ability)

Said immunizations may be provided through the City's insurance policy.

## **ARTICLE 22 RESIDENCY**

Employees who are authorized to have a take-home vehicle must have and maintain residency in Palm Beach County as a condition of assignment and continued use of that vehicle unless approved by the Fire Chief.



## ARTICLE 23 EDUCATION

The City is committed to advancing the education of its Fire Rescue employees.

Subject to employee application and approval by the City, the City will reimburse regular, full-time employees' tuition and education costs for approved coursework relating to their job duties or leading to a degree relating to their job based on academic performance with a passing grade.

Employees receiving a grade of "D" or below will not be eligible to receive tuition or educational reimbursement. The City will not reimburse employees for courses which the employee receives a grade of "PASS" or "FAIL," unless no other grade option is available for the course and the course is approved by the City Manager or designee. In those instances, employees enrolled in classes offering only "Pass/Fail" will be reimbursed 100% for achieving a passing grade.

The total annual amount a regular, full-time employee may receive per fiscal year from the City for tuition and educational reimbursement may not exceed \$3,500.00. Employees who are eligible for tuition and educational benefits under any other tuition refund or incentive program, policy, or agreement, are not eligible for tuition and educational benefits from the City. The City agrees that \$14,000.00 shall be budgeted and made available in each of the three fiscal years of this Agreement for tuition reimbursement to the members of this bargaining unit, which shall be the same budgeted money established pursuant to the Rank and File agreement and not an additional \$14,000.00. This money must be used consistent with this article, but the parties also agree that the above noted amount shall be available only for use during each fiscal year of the term of this Agreement.

To be eligible to participate in the program, employees must: be full-time non-probationary employees; be in good standing without having received any suspensions during the last twelve (12) months, and have a current performance evaluation that reflects an overall rating of satisfactory or above if applicable; be in a paid status; pursue job related undergraduate and graduate level courses taken for academic credit leading to Associate's, Bachelor's, Master's, or Doctoral Degrees through accredited colleges and universities accredited by organizations recognized by the U.S. Department of Education and verified at <http://ope.ed.gov/accreditation/Search.asp>. Employees working through a probationary period due to promotion and not new hire, are eligible for this benefit. The exclusion of probationary employees only applies to newly hired employees that are working through their new hire probationary period.

Employees interested in participating in the City's Tuition and Educational Reimbursement Program should submit a copy of the "Application for Tuition and Education Refund" to the Fire Chief for review and consideration prior to registration for the coursework. The Fire Chief will review and complete the form. The Fire Chief (or designee) will coordinate any further review and processing of the application.

All approved applicants must resubmit the original application form, along with original receipts for tuition books, and original grade report the Fire Chief for reimbursement, no later than 30 days from receipt of the grade(s). As appropriate, the City Manager will authorize payment under the

Program. Employees who are candidates for certificates or degrees must also submit a statement from their Academic Department representative, or other acceptable documentation as determined by the Fire Chief, indicating the title of the degree or certificate sought and the field of specialization.

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

Leave the City's Service Within 1 Year of Tuition and Educational Reimbursement: 100% Refunded to the City

Leave the City's Service Between 1 Year and 2 Years of Tuition and Educational Reimbursement: 80 % Refunded to the City

Leave the City's Service Between 2 Years and 3 Years of Tuition and Educational Reimbursement: 70% Refunded to the City

Employee utilizing this benefit shall use the form provided in the City's Personnel Policies Handbook.

## ARTICLE 24 STAFFING AND OVERTIME

### **Section 1: Overtime**

If a vacancy occurs within 12 hours of shift change, the employee in the seat where the vacancy occurred will be offered overtime first. If the overtime is not filled, it then shall be offered first by hours worked then by seniority in the following order:

1. Employees who are on duty and in the same position;
2. Employees who are off duty,
3. Employees who are qualified

Qualified is defined as being in the same rank as, or on the current promotional roster for, the position in which the vacancy occurs.

Mandatory overtime shall be filled by seniority with the least senior qualified employee first. Once an employee is mandatoried they shall receive an occurrence and be placed on the bottom of the Mandatory OT list.

All other overtime shall continue to be awarded in the same manner as in place at the time of the making of this agreement.

## **ARTICLE 25**

### **EXERCISE EQUIPMENT**

The City shall designate and equip a fitness area for use by unit members, off-duty or during down-time at all Fire Rescue Stations. Injuries occurring while engaged in recreational activities, including gym workouts under this article, will not be considered within the scope of employment for purposes of compensability under workers' compensation. The Labor Relations committee is going to create a schedule/matrix of exercise equipment and develop a schedule for purchase or replacement of exercise equipment during the fiscal year budget process based on years in service, condition, and other relevant purchase and replacement factors.

The City and the employees will share responsibility to maintain the equipment on a day-to-day basis, with the City having the responsibility for routine repairs.

## **ARTICLE 26**

### **DONATION OF TIME**

#### **Section 1**

Bargaining Unit personnel shall be able to donate vacation or sick time above 480 accumulated hours to other employees that are out of work due to sickness or injury. Non-probationary employees who have less than 480 hours of accumulated sick time may donate up to 48 hours in a 12-month period. Such donations shall be submitted to a Union Representative, who shall provide the City, on an approved form, with the names of donors and number of hours donated, and the name of the person to whom the hours have been donated. Donations shall be entirely voluntary and no undue influence shall be exerted by anyone to require that unit members donate time.

#### **Section 2**

A Bargaining Unit member may not use donations of time unless and until his or her available leave balances (vacation, sick) and compensatory time have been exhausted. The total of all donated hours to an eligible employee shall not exceed 1,152 hours in a 12 month period from the date of signing the donation form.

#### **Section 3**

Donations shall be on an hour for hour basis, notwithstanding rates of pay.

#### **Section 4**

Bargaining unit personnel shall not accrue any vacation leave, sick leave, or other personal and paid time off while using donated time.

## **ARTICLE 27 HEALTH AND SAFETY**

### **Section 1**

The parties agree to comply with all applicable requirements of Federal, State, County and City laws, rules and regulations pertaining to safety and health, protective clothing and emergency apparatus.

### **Section 2**

The parties agree to form and maintain a Fire-Rescue Department Safety Committee to consider safety and health related issues. The committee shall adopt its own operational rules of procedures. The committee shall consist of six members: three (3) appointed by the Union President and three (3) by the Fire-Rescue Department. Meetings shall be called at least once each quarter during the calendar year.

### **Section 3**

1. The Safety Committee will be responsible for:
2. Reviewing and analyzing reports of accidents, deaths, injuries and illnesses, and recommending rules and procedures for the promotion of health and safety among firefighters.
3. The committee will make periodic inspections of Fire-Rescue Department facilities on a quarterly basis or by special request.
4. The committee will keep minutes of each meeting and a written report of accidents, injuries and illnesses. These reports will be maintained by the Fire-Rescue Department and shall be made available to all committee members.

### **Section 4**

The issues covered by the committee shall, after resolution by the committee, be forwarded to the Fire Chief. The committee's recommendation shall be advisory only. Final action on the committee's recommendation shall remain in the sole discretion of the City.

### **Section 5.**

The City shall provide a biannual physical compliant with NFPA 1582 starting October 1, 2024 with the following stipulations:

1. The provider of both the physical/medical screening and fit testing shall be mutually agreed upon by the Union President and City Manager or designee;
2. That the screening and testing will be completed while the employee is off duty;
3. That employees will be paid three (3) hours of pay at their overtime rate after completion of the testing and screening;

4. That the screening, testing and completion of the associated OSHA questionnaire will be mandatory for all employees;
5. That the only information provided back to the City will be confirmation of the completion of the testing and the associated OSHA questionnaire;
6. That the results of, and all records or other information pertaining to, any screening will remain between the employee and the provider, unless voluntarily disclosed by the employee;
7. The testing and screening dates will be determined by mutual agreement between the Fire Chief and President of the Union;
8. That employees who do not, for whatever reason, attend the scheduled testing and screening, will be responsible for completion of at least the testing portion at another facility no earlier than the month before and no later than the month after;
9. That if the City does not receive confirmation of the completion of the testing and related OSHA questionnaire by the agreed upon time frame, the affected employee will be placed in a light duty status, if such an assignment is available, until such time as confirmation of completion of the testing and related OSHA questionnaire is received by the City; and
10. That if an employee refuses to complete the testing and related OSHA questionnaire, that employee shall be subject to disciplinary action up to and including termination of employment depending on the circumstances and just cause.
11. This section may be modified by mutual agreement between the Fire Chief and President of the Union.

## **ARTICLE 28**

### **LABOR RELATIONS COMMITTEE**

#### **Section 1**

The parties agree to form and maintain a Labor-Management Committee that will be composed of up to three (3) members appointed by the City Manager or his/her designee, which will include the City Manager (or designee), and up to three (3) members of the bargaining unit designated by the Union President. The committee will meet upon the request of either party within fourteen (14) days, unless otherwise mutually agreed upon, at a place established by the City Manager.

#### **Sections 2**

The purpose of the Labor-Management Committee is to facilitate communications between management and members of the union and to provide a forum to discuss Fire-Rescue Department related activities. It is agreed that the Labor-Management Committee is not to be used as a substitute for the collective bargaining process or as a forum to discuss issues that should be discussed through the collective bargaining process. Neither the Fire-Rescue Department or the City shall be bound by the results of any discussions, studies or reports generated by this committee, but will give consideration to suggested improvements or programs determined by the committee to be potentially beneficial to the morale, performance and financial management of the Fire-Rescue Department.



## **ARTICLE 29**

### **SECONDARY EMPLOYMENT**

All bargaining unit members must adhere to the General Order of the Fire Department as it relates to second jobs not with the City. However, it is agreed that in the event a bargaining unit member is not reporting to work due to a workers' compensation claim/injury, due to temporary disability, or other medical issue, that bargaining unit member cannot perform any job functions for any employer while on said leave without the written approval of the City, and any approved secondary employment must adhere to any and all physical and medical restrictions imposed by the employee's medical provider.

Additionally, in times of a state of emergency (regardless of type of emergency) as declared by federal, state or local officials, the City has the ultimate discretion and authority to temporarily suspend any secondary employment during a declared state of emergency.

**ARTICLE 30**  
**DURATION OF AGREEMENT AND SIGNATURES**

Except as otherwise provided herein, this Agreement shall be effective October 1, 2023 and shall continue in force and effect until its expiration date of September 30, 2026.

IN WITNESS THEREOF, the parties have caused this Agreement to be signed by their duly authorized representatives on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

FOR THE CITY:

FOR THE UNION:

Andrea McCue

Angelo Dariano

City Manager

Treasurer

Quintella Moorer

Tyler Wallwork

City Clerk

District Vice President

October 1, 2023 Payscale	
Step	Salary
0	\$ 111,450.68
1	\$ 114,794.20
2	\$ 118,238.02
3	\$ 121,785.16
4	\$ 125,438.71
5	\$ 129,201.88
6	\$ 133,077.93
7	\$ 137,070.28
8	\$ 141,182.38

October 1, 2024 Payscale	
Step	Salary
0	\$ 115,908.70
1	\$ 119,385.97
2	\$ 122,967.54
3	\$ 126,656.57
4	\$ 130,456.26
5	\$ 134,369.96
6	\$ 138,401.05
7	\$ 142,553.09
8	\$ 146,829.68

October 1, 2025 Payscale	
Step	Salary
0	\$ 119,385.96
1	\$ 122,967.55
2	\$ 126,656.57
3	\$ 130,456.27
4	\$ 134,369.95
5	\$ 138,401.05
6	\$ 142,553.08
7	\$ 146,829.68
8	\$ 151,234.57



## ITEM SUMMARY

**MEETING DATE:** September 18, 2023  
**FROM:** Teri Lea Beiriger, Director of Finance  
**SUBJECT:** Res No. 2023-42 Public Emergency Medical Transportation (PEMT) Supplemental Payment Program

### BACKGROUND

The City of Greenacres Fire Rescue transports over 3,500 patients annually to local hospital emergency rooms, which includes transports of Medicaid patients. In 2016, the State of Florida authorized the creation of a Public Emergency Medical Transportation (PEMT) Certified Public Expenditure (CPE) program to provide supplemental payments to public emergency medical transportation providers for Medicaid fee-for-service patients transported to hospitals. The PEMT CPE program helps to close the gap between actual costs incurred and revenue received for each emergency medical transport.

### ANALYSIS

In 2019, Florida's Legislature authorized the expansion of the PEMT program to include Medicaid Managed Care patients. In order to leverage the approximate 60% Federal share, qualifying government owned ambulance providers are to provide the approximate 40% State share through intergovernmental transfers (ITGs). The revenue from this program is expected to be received through the various Medicaid Managed Care providers for their covered patients who are transported to a hospital. The Florida Medicaid Managed Care Supplemental Payment Program (MCO) will allow qualifying government-owned ambulance providers to receive supplemental payments for emergency transports of Medicaid Managed Care patients. In order to guarantee Federal share funding, ITGs from PEMT providers are required to cover the State's share of the MCO program. It is anticipated that based on the requested intergovernmental transfer of \$141,626.85, the City will receive \$195,259.10 net new Federal funding in return.

### FINANCIAL INFORMATION

The proposed resolution required and ITG of \$141,626.85 which has been included in the City's FY 2024 budget.

### LEGAL

The agreement has been reviewed by the City Attorney for legal sufficiency and meets all legal requirements.

### STAFF RECOMMENDATION

Approval of Resolution 2023-42.

**RESOLUTION NO. 2023-42**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AUTHORIZING PARTICIPATION IN THE PUBLIC EMERGENCY MEDICAL TRANSPORTATION (PEMT) SUPPLEMENTAL PAYMENT PROGRAM FOR MEDICAID MANAGED CARE PATIENTS; DELEGATING AUTHORITY TO EXECUTE LETTER(S) OF AGREEMENT WITH THE STATE OF FLORIDA RELATING TO INTERGOVERNMENTAL TRANSFERS TO THE STATE; DELEGATING AUTHORITY TO EXECUTE OTHER DOCUMENTS NECESSARY TO PARTICIPATE IN THE PROGRAM; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the State of Florida has created a supplemental payment program for Medicaid Managed Care patients who are transported to the hospital by public emergency medical transportation (PEMT) providers and has appropriated approximately \$55 million for this program; and

**WHEREAS**, the City of Greenacres Fire Rescue transports a large percentage of Medicaid Managed Care patients annually to hospitals and receives approximately \$190.00 per patient for this service; and

**WHEREAS**, by participating in this supplemental payment program for Medicaid Managed Care patients, the City of Greenacres Fire Rescue can substantially increase its Medicaid Managed Care patient transport revenue and provide better services to the community; and

**WHEREAS**, this Medicaid Managed Care supplemental payment program provides for a State share funding mechanism through intergovernmental transfers to the State from PEMT providers, with State and Federal share dollars to later be disbursed through managed care plans back to PEMT providers; and

**WHEREAS**, to participate in this supplemental payment program, PEMT providers are required to enter into a Letter of Agreement (LOA) with the State of Florida Agency for Health Care Administration before October 1, 2023, and make an intergovernmental transfer to the

State to support the supplemental payment program; and subsequently enter into agreements with the managed health care organizations to receive the supplemental payments; and

**WHEREAS**, the Greenacres City Council (Council) desires for the City, through its Fire Rescue Department, to participate in this supplemental payment program, and to delegate authority to enter into a LOA(s) with the State and provide for the required intergovernmental transfer to the State.

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

**SECTION 1.** The WHEREAS clauses above are hereby affirmed and incorporated herein.

**SECTION 2.** Greenacres Fire Rescue, through the City Manager, is hereby authorized to participate in the PEMT supplemental payment program for Medicaid Managed Care patients; and the City Manager, or designee, is hereby authorized to execute LOA(s) with the State of Florida relating to the intergovernmental transfers to the State for this program, provided that: (1) the LOA(s) is a form substantially similar to that attached hereto as Exhibit A; (2) the amount of the intergovernmental transfer(s) to the State provided for in the LOA(s) does not exceed the amount budgeted by the City for said intergovernmental transfers for the applicable fiscal year; and (3) the LOA(s) is approved by the City Attorney's Office

**SECTION 3.** The City Manager, or designee is hereby authorized to execute other documents necessary for Greenacres Fire Rescue to participate in the PEMT supplemental payment program for Medicaid Managed Care patients, provided that such documents are substantially consistent with the terms of the duly approved LOA(s).

**SECTION 4.** The listed amount in the agreement is subject to minor changes by the state Medicaid agency, the Agency for Health Care Administration (AHCA), upon finalization of the distribution model. Due to the likelihood of minor adjustments to the listed amount, approval dollar amount of 10% above or below the listed amount is being requested.

**SECTION 5.** This Resolution shall become effective upon adoption.

**RESOLVED AND ADOPTED this 18th of day of September 2023.**

\_\_\_\_\_  
**Joel Flores**, Mayor

**Attest:**

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

\_\_\_\_\_  
*Voted:*  
**Peter Noble**, Deputy Mayor

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

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

\_\_\_\_\_  
*Voted:*  
**Susy Diaz**, Council Member, *District IV*

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

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

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney





## ITEM SUMMARY

**MEETING DATE:** September 18, 2023

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

**SUBJECT:** FY 2024 Budget Resolutions

### BACKGROUND

Following completion of the City Council's approval of the mandated millage and budget ordinances required by F.S. 200.065 (Truth-in-Millage), the City Council passes a series of standard resolutions necessary to implement the successful closeout of the prior year's budget (FY 2023) and the start of the new fiscal year's budget (FY 2024).

### ANALYSIS

There are four standard resolutions, and the purpose of each resolution is as follows:

1. **Resolution 2023-43:** When the City Council appropriates the annual expenditure budget, it does so by Department in the General Fund and Youth Programs Special Revenue Fund, and at the Fund level in the other Special Revenue Funds, and the Debt Service and Capital Projects Funds. During the year, consistent with guidance in the City Code and Council Policies (in particular, Council Policy #6), staff manages the budget execution at a lower level of line items and cost centers. Due to varying conditions, a Department, Debt Service Fund, or Capital Projects Fund appropriation may be exceeded at the end of the year. This resolution affirms the above and authorizes budget adjustments required to eliminate any budget deficiencies at the Cost Center or Departmental level in the General and Youth Programs Funds, or at the Fund level in all other funds.
2. **Resolution 2023-44:** The City's Comprehensive Plan provides for the creation of a five-year capital planning process in order to establish goals for forecasting future public improvements and facilities needed in the City. As part of the annual budget approval process, City staff updates this capital forecast over a six-year period, beginning with the upcoming budget execution year and a five-year capital planning period. The plan identifies capital needs for new and renovated parks, public buildings, infrastructure, and major equipment purchases by the City over the six-year planning horizon. This resolution authorizes the implementation of the FY 2024 Capital Improvements Program (CIP) and adoption of the CIP for fiscal years 2025-2029.
3. **Resolution 2023-45:** The Government Accounting Standards Board (GASB) provides recommendations on how to handle open encumbrances at year end. These open encumbrances are essentially contracts and purchase orders that have been placed where some or all of the goods and services ordered have not yet been delivered by fiscal year end.

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The City of Greenacres has historically chosen to honor its open contracts and purchase orders by moving the open encumbrance and the related prior year budget to the following year as a budget adjustment to the subsequent year's budget. During fiscal year 2024, a number of capital projects were partially encumbered with purchase orders and will be carried over to complete the commitment(s).

4. **Resolution 2023-46:** Pursuant to the approval of Ordinances 2023-11 and 2023-12, this resolution authorizes the City Purchasing Agent to implement procurement actions to acquire commodities, services, and products included in the FY 2024 budget.

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#### **FINANCIAL INFORMATION**

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The financial impact is described above.

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#### **LEGAL**

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City Attorney has reviewed the item and all supporting documents for legal sufficiency and compliance.

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#### **STAFF RECOMMENDATION**

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Approval of Resolutions 2023-43, 2023-44, 2023-45 and 2023-46.

**RESOLUTION NO. 2023-43****A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AUTHORIZING BUDGET ADJUSTMENTS WITHIN THE FY 2023 TOTAL OPERATING BUDGET.**

**WHEREAS**, Council Policy No. 6 requires City Council action to authorize budget adjustments between cost centers, departments and funds; and

**WHEREAS**, operations of the City during fiscal year 2023 will be within the total budgeted funds, but adjustments will be required to eliminate cost center, department and fund deficiencies.

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

**SECTION 1.** The Director of Finance is hereby authorized to make the adjustments necessary to eliminate any cost center, department, and fund deficiencies.

**SECTION 2.** The City manager is hereby directed to review the adjustments authorized in Section 1 to assure that they are within the total appropriations for the fiscal year.

**Resolution No. 2023-43 | Authorizing Budget Adjustments within the FY 2023 Total Operating**

Budget

Page No. 2

**RESOLVED AND ADOPTED this 18th day of September 2023.**

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**Joel Flores**, Mayor**Attest:**

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**Quintella Moorer**, City Clerk

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*Voted:***Peter Noble**, Deputy Mayor

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

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

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

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*Voted:***Paula Bousquet**, Council Member, *District V***Approved as to Form and Legal Sufficiency:**

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**Glen J. Torcivia**, City Attorney



## ITEM SUMMARY

**MEETING DATE:** September 18, 2023

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

**SUBJECT:** FY 2024 Budget Resolutions

### BACKGROUND

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### ANALYSIS

There are four standard resolutions, and the purpose of each resolution is as follows:

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The City of Greenacres has historically chosen to honor its open contracts and purchase orders by moving the open encumbrance and the related prior year budget to the following year as a budget adjustment to the subsequent year's budget. During fiscal year 2024, a number of capital projects were partially encumbered with purchase orders and will be carried over to complete the commitment(s).

4. **Resolution 2023-46:** Pursuant to the approval of Ordinances 2023-11 and 2023-12, this resolution authorizes the City Purchasing Agent to implement procurement actions to acquire commodities, services, and products included in the FY 2024 budget.

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#### FINANCIAL INFORMATION

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The financial impact is described above.

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#### LEGAL

---

City Attorney has reviewed the item and all supporting documents for legal sufficiency and compliance.

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#### STAFF RECOMMENDATION

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Approval of Resolutions 2023-43, 2023-44, 2023-45 and 2023-46.

**RESOLUTION NO. 2023-44****A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, ADOPTING A CAPITAL IMPROVEMENTS PROGRAM FOR FISCAL YEARS 2024-2029.**

**WHEREAS**, the City of Greenacres Capital Improvements Program has as one of its goals the forecasting of future public improvements and facilities needed in the City, and providing data concerning need, costs, and timing; and

**WHEREAS**, the Capital Improvements Program will allow elected and appointed officials the greatest opportunity to make effective decisions and to utilize City resources to the greatest benefit of the present and future citizens of the City of Greenacres; and

**WHEREAS**, the City Manager has prepared and transmitted to the City Council a proposed Capital Improvements Program for fiscal years 2024 through 2029; and

**WHEREAS**, the City Council wishes to adopt the fiscal year 2024 through 2029 Capital Improvements Program, the summary of which is Exhibit "A" hereto, as a work plan for fiscal year 2024, and as a planning document for fiscal years 2024 through 2029.

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

**SECTION 1.** The Capital Improvements Program as recommended by the City Manager is hereby adopted for six (6) fiscal years beginning October 1, 2023 and ending September 30, 2029.

**SECTION 2.** The City Manager is hereby directed to begin implementation of the fiscal year 2023 portion of the Capital Improvements Program, attached herewith and identified as Exhibit "A" and to bring before the City Council, at appropriate times, the ordinances, resolutions, and other information as may be necessary to fund and implement the fiscal year 2024 Capital Improvements Program, as hereby adopted.

**Resolution No. 2023-44 | Adopting a Capital Improvements Program for Fiscal Years 2024**  
2029

Page No. 2

**SECTION 3.** The City Manager is hereby directed to update the Capital Improvements Program on an annual basis to take into account changing conditions, priorities, and financial capabilities.

**SECTION 4.** Copies of the aforementioned Capital Improvement Program shall be placed on file in the office of the City Clerk for public inspection.



**RESOLVED AND ADOPTED this 18<sup>th</sup> day of September 2023.**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**Peter Noble**, Deputy Mayor

**Attest:**

*Voted:*

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

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

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

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

*Voted:*

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

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

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney

# Resolution No. 2023-44 | Adopting a Capital Improvements Program for Fiscal Years 2024-2029

Page No. 4

## EXHIBIT "A"

### CAPITAL IMPROVEMENT PROGRAM

FY 2024-2029 - COST BY FUND

PRJ# DESCRIPTION	BUDGET FY 2023	AMENDED BUDGET	PROPOSED FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
<b>NEW GROWTH - FUND 301</b>								
094 Tyler Energov	34,940	126,502	170,810	0	0	0	0	0
192 Bowman Street Improvement	0	28,088	0	0	0	0	0	0
212 Fire Rescue Equipment	83,657	83,658	20,000	0	0	0	0	0
235 Complete Street	0	0	0	1,950,000	2,000,000	0	0	0
238 Emergency Operations Center	3,020,000	3,074,980	750,000	0	0	0	0	0
239 Safe Streets for All	0	200,000	200,000	0	0	0	0	0
<b>TOTAL NEW GROWTH</b>	<b>\$ 3,138,597</b>	<b>\$ 3,513,228</b>	<b>\$ 1,140,810</b>	<b>\$ 1,950,000</b>	<b>\$ 2,000,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>PARKS &amp; RECREATION - FUND 303</b>								
032 City Parks Improv	443,000	466,678	187,200	131,000	170,900	126,200	116,000	770,000
048 Parks Court Resurfacing	0	0	50,000	60,000	50,000	60,000	50,000	50,000
160 Parks/Building Parking Resurf	0	0	0	75,000	0	30,000	0	0
186 Public Grounds Rejuvenation	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
190 Lighting Enhancements	125,000	125,000	150,000	0	0	0	0	0
198 Community Center Renovation	57,000	57,000	108,947	0	0	0	0	0
<b>TOTAL PARKS &amp; RECREATION</b>	<b>\$ 635,000</b>	<b>\$ 658,678</b>	<b>\$ 506,147</b>	<b>\$ 276,000</b>	<b>\$ 230,900</b>	<b>\$ 226,200</b>	<b>\$ 176,000</b>	<b>\$ 830,000</b>
<b>RECONSTRUCTION &amp; MAINTENANCE - FUND 304</b>								
049 Equipment Replacement	43,100	43,100	24,300	204,600	64,400	403,400	529,700	85,800
069 Copier Replacement	0	15,000	44,000	10,000	46,000	43,000	13,000	28,000
073 JAG Law Enrl Eq	11,013	11,013	12,156	0	0	0	0	0
088 Vehicle Replacement	134,260	134,260	40,000	888,400	874,600	2,808,000	309,000	163,600
091 Computer Hardware Replacement	30,000	30,000	0	0	0	0	0	0
150 Roof Replacement	10,000	10,000	845,000	35,000	10,000	305,000	10,000	10,000
151 Exterior/Interior Painting	88,500	88,500	22,000	21,200	46,000	31,000	40,000	10,000
152 Stormwater Pipe	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
161 Road Resurfacing & Striping	270,000	274,900	145,000	270,000	100,000	100,000	100,000	0
161 HVAC Replacement Program	0	0	148,000	141,500	81,500	80,750	30,000	30,000
191 Fire Rescue Station Renovations	150,000	150,000	0	230,000	0	0	0	0
215 Fire Rescue / EMS Equipment	84,000	86,999	110,800	263,000	253,800	330,100	170,800	227,000
220 Public Right of Way Landscape	10,000	10,000	0	10,000	10,000	10,000	10,000	10,000
229 Flooring Replacement	24,000	24,000	0	82,000	47,000	67,000	17,000	0
<b>TOTAL RECONSTRUCTION &amp; MAINTENANCE</b>	<b>\$ 884,873</b>	<b>\$ 907,772</b>	<b>\$ 1,421,256</b>	<b>\$ 2,185,700</b>	<b>\$ 1,563,300</b>	<b>\$ 4,208,250</b>	<b>\$ 1,259,500</b>	<b>\$ 594,400</b>
<b>INFRASTRUCTURE SURTAX - FUND 305</b>								
032 City Parks Improv	420,000	435,946	216,500	0	0	0	0	0
088 Vehicle Replacement	1,552,000	1,552,000	2,300,000	0	0	0	0	0
106 City Sidewalks	0	508,233	0	0	0	0	0	0
150 Roof Replacement	400,000	400,000	0	0	0	0	0	0
163 AC Replacement	184,000	216,331	0	0	0	0	0	0
169 FR96 Standby Generator	0	0	175,000	0	0	0	0	0
191 Fire Rescue Station Renovations	0	39,376	0	0	0	0	0	0
193 Original Section Drainage Improv (CDBG)	1,000,000	1,001,393	1,120,000	1,075,000	0	0	0	0
210 Median Landscaping Rejuvenation	0	100,250	0	0	0	0	0	0
222 City Entryway Monuments	50,000	114,642	0	0	0	0	0	0
226 Gladiator Lake Enhancement	1,822,589	1,845,952	2,863,655	0	0	0	0	0
231 Septic to Sewer	1,540,000	1,951,416	1,890,000	1,590,000	1,590,000	0	0	0
232 Dillman Trail	0	787,990	0	0	0	0	0	0
233 Chickasaw Rd Improvements	2,059,276	2,077,323	0	0	0	0	0	0
234 Municipal Complex	30,000	36,507	0	0	0	0	0	0
<b>TOTAL INFRASTRUCTURE SURTAX</b>	<b>\$ 9,057,865</b>	<b>\$ 11,067,359</b>	<b>\$ 8,565,155</b>	<b>\$ 2,665,000</b>	<b>\$ 1,590,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>AMERICAN RESCUE PLAN - FUND 306</b>								
236 Youth Building	7,500,000	7,806,340	7,684,685	0	0	0	0	0
237 Fire Station	1,000,000	1,000,000	1,000,000	7,000,000	0	0	0	0
<b>TOTAL AMERICAN RESCUE PLAN</b>	<b>\$ 8,500,000</b>	<b>\$ 8,806,340</b>	<b>\$ 8,684,685</b>	<b>\$ 7,000,000</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>TOTAL CAPITAL IMPROVEMENT PROGRAM</b>	<b>\$ 22,216,335</b>	<b>\$ 24,953,377</b>	<b>\$ 20,318,053</b>	<b>\$ 14,076,700</b>	<b>\$ 5,384,200</b>	<b>\$ 4,434,450</b>	<b>\$ 1,435,500</b>	<b>\$ 1,424,400</b>



## ITEM SUMMARY

**MEETING DATE:** September 18, 2023

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

**SUBJECT:** FY 2024 Budget Resolutions

### BACKGROUND

Following completion of the City Council's approval of the mandated millage and budget ordinances required by F.S. 200.065 (Truth-in-Millage), the City Council passes a series of standard resolutions necessary to implement the successful closeout of the prior year's budget (FY 2023) and the start of the new fiscal year's budget (FY 2024).

### ANALYSIS

There are four standard resolutions, and the purpose of each resolution is as follows:

1. **Resolution 2023-43:** When the City Council appropriates the annual expenditure budget, it does so by Department in the General Fund and Youth Programs Special Revenue Fund, and at the Fund level in the other Special Revenue Funds, and the Debt Service and Capital Projects Funds. During the year, consistent with guidance in the City Code and Council Policies (in particular, Council Policy #6), staff manages the budget execution at a lower level of line items and cost centers. Due to varying conditions, a Department, Debt Service Fund, or Capital Projects Fund appropriation may be exceeded at the end of the year. This resolution affirms the above and authorizes budget adjustments required to eliminate any budget deficiencies at the Cost Center or Departmental level in the General and Youth Programs Funds, or at the Fund level in all other funds.
2. **Resolution 2023-44:** The City's Comprehensive Plan provides for the creation of a five-year capital planning process in order to establish goals for forecasting future public improvements and facilities needed in the City. As part of the annual budget approval process, City staff updates this capital forecast over a six-year period, beginning with the upcoming budget execution year and a five-year capital planning period. The plan identifies capital needs for new and renovated parks, public buildings, infrastructure, and major equipment purchases by the City over the six-year planning horizon. This resolution authorizes the implementation of the FY 2024 Capital Improvements Program (CIP) and adoption of the CIP for fiscal years 2025-2029.
3. **Resolution 2023-45:** The Government Accounting Standards Board (GASB) provides recommendations on how to handle open encumbrances at year end. These open encumbrances are essentially contracts and purchase orders that have been placed where some or all of the goods and services ordered have not yet been delivered by fiscal year end.

The City of Greenacres has historically chosen to honor its open contracts and purchase orders by moving the open encumbrance and the related prior year budget to the following year as a budget adjustment to the subsequent year's budget. During fiscal year 2024, a number of capital projects were partially encumbered with purchase orders and will be carried over to complete the commitment(s).

4. **Resolution 2023-46:** Pursuant to the approval of Ordinances 2023-11 and 2023-12, this resolution authorizes the City Purchasing Agent to implement procurement actions to acquire commodities, services, and products included in the FY 2024 budget.

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### FINANCIAL INFORMATION

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The financial impact is described above.

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### LEGAL

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City Attorney has reviewed the item and all supporting documents for legal sufficiency and compliance.

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### STAFF RECOMMENDATION

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Approval of Resolutions 2023-43, 2023-44, 2023-45 and 2023-46.

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, PROVIDING FOR AUTOMATIC AMENDMENT OF THE FISCAL YEAR 2024 BUDGET TO REFLECT OUTSTANDING ENCUMBERED ORDERS OF FISCAL YEAR 2023; PROVIDING THAT THE COST OF THOSE EXPENDITURES ARE TO BE PAID FROM FUNDS CARRIED FORWARD FROM FISCAL YEAR 2023.**

**WHEREAS**, at the end of each fiscal year, there are always expenditure items for goods or services which were budgeted for that fiscal year, and which have been requisitioned, ordered, or contracted for and are specifically shown as encumbered line items in that year's accounting records; and

**WHEREAS**, those specific items will not have been paid for or accrued by the end of that fiscal year, notwithstanding the fact that funds have been allocated in the budget for those items in that fiscal year; and

**WHEREAS**, the subsequent year's appropriations should provide authority to complete those transactions.

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

**SECTION 1.** Encumbrances for unpaid outstanding expenditures for goods and services at the end of fiscal year 2023 and the funds allocated therefore shall, in the annual audit, be disclosed in the footnotes and said funds shall be classified as assigned fund balances.

**SECTION 2.** The fiscal year 2024 budget shall automatically re-appropriate encumbered assigned fund balances and shall automatically include those previously encumbered expenditures for goods and services, allocating those expenditure items in the same budget classification as established in the fiscal year 2023 budget.

**SECTION 3.** Since the revenue necessary for these expenditure items was provided for in the prior year's budget and will be reflected in the annual audit as funds designated for fiscal year 2023 encumbrances, and since these items of income and expenditures shall balance,

**Resolution No. 2023-45** | Automatic Amendment of the Fiscal Year 2024 Budget to Reflect Outstanding Encumbered Orders of Fiscal Year 2023  
Page No. 2

neither need be shown in the fiscal year 2024 published and adopted budget, they will be treated as authorized amendments to the fiscal year 2024 expenditure budget.

**SECTION 4.** The City of Greenacres has historically chosen to honor its open contracts and purchase orders by moving the open encumbrance and the related prior year budget to the following year as a budget adjustment to the subsequent year's budget. During fiscal year 2023, twenty-seven (27) capital projects were partially encumbered with purchase orders. The projects are:

Account Number	CIP Project
301-26-26-64-91	CIP-094 Tyler Energov
301-50-55-62-26	CIP-238 EOC
303-40-46-63-42	CIP-186 Grounds Landscaping
303-40-46-63-91	CIP-032 City Park Improvements
303-60-65-62-58	CIP-198 Comm Ctr Expansion
304-40-42-63-17	CIP-161 Road Striping/Marking
304-40-42-64-20	CIP-049 Equip Replacement
304-40-43-64-13	CIP-088 Vehicle Replacement Program
304-40-44-62-111	CIP-151 Exterior Painting
304-40-46-63-28	CIP-152 Stormwater Pipe
304-50-51-62-21	CIP-191 Fire Rescue Station Renovations
304-50-53-64-94	CIP-073 Justice Asst. Grt
304-50-55-64-49	CIP-215 F/R Equipment Replacement
305-30-31-63-161	CIP-232 Dillman Trail
305-30-31-63-22	CIP-193 Septic to Sewer North (Original Section)
305-30-31-63-25	CIP-226 Lake Drainage Improvements
305-30-31-63-44	CIP-210 Median Landscaping Rejuvenation
305-30-31-63-64	CIP-222 City Information Signs Upgrade
305-40-41-63-65	CIP-234 Municipal Complex Enhancements
305-40-42-63-12	CIP-233 Chickasaw Road Improvements
305-40-42-63-20	CIP-106 City Sidewalks
305-40-43-64-13	CIP-088 Vehicle Replacement Program
305-40-44-62-66	CIP-163 AC Replacement
305-40-46-63-26	CIP-231 Septic to Sewer South
305-50-55-62-21	CIP-191 Fire Rescue Station Renovations
306-50-55-62-25	CIP-237 New Fire Station
306-60-64-62-43	CIP-236 Youth Building

The above is accomplished though Resolution 2023-45.

**Resolution No. 2023-45 | Automatic Amendment of the Fiscal Year 2024 Budget to Reflect Outstanding Encumbered Orders of Fiscal Year 2023**  
Page No. 3

**RESOLVED AND ADOPTED this 18<sup>th</sup> day of September 2023.**

\_\_\_\_\_  
**Joel Flores**, Mayor

**Attest:**

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

\_\_\_\_\_  
*Voted:*  
**Peter Noble**, Deputy Mayor

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

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

\_\_\_\_\_  
*Voted:*  
**Susy Diaz**, Council Member, *District IV*

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

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

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney



## ITEM SUMMARY

**MEETING DATE:** September 18, 2023

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

**SUBJECT:** FY 2024 Budget Resolutions

### BACKGROUND

Following completion of the City Council's approval of the mandated millage and budget ordinances required by F.S. 200.065 (Truth-in-Millage), the City Council passes a series of standard resolutions necessary to implement the successful closeout of the prior year's budget (FY 2023) and the start of the new fiscal year's budget (FY 2024).

### ANALYSIS

There are four standard resolutions, and the purpose of each resolution is as follows:

1. **Resolution 2023-43:** When the City Council appropriates the annual expenditure budget, it does so by Department in the General Fund and Youth Programs Special Revenue Fund, and at the Fund level in the other Special Revenue Funds, and the Debt Service and Capital Projects Funds. During the year, consistent with guidance in the City Code and Council Policies (in particular, Council Policy #6), staff manages the budget execution at a lower level of line items and cost centers. Due to varying conditions, a Department, Debt Service Fund, or Capital Projects Fund appropriation may be exceeded at the end of the year. This resolution affirms the above and authorizes budget adjustments required to eliminate any budget deficiencies at the Cost Center or Departmental level in the General and Youth Programs Funds, or at the Fund level in all other funds.
2. **Resolution 2023-44:** The City's Comprehensive Plan provides for the creation of a five-year capital planning process in order to establish goals for forecasting future public improvements and facilities needed in the City. As part of the annual budget approval process, City staff updates this capital forecast over a six-year period, beginning with the upcoming budget execution year and a five-year capital planning period. The plan identifies capital needs for new and renovated parks, public buildings, infrastructure, and major equipment purchases by the City over the six-year planning horizon. This resolution authorizes the implementation of the FY 2024 Capital Improvements Program (CIP) and adoption of the CIP for fiscal years 2025-2029.
3. **Resolution 2023-45:** The Government Accounting Standards Board (GASB) provides recommendations on how to handle open encumbrances at year end. These open encumbrances are essentially contracts and purchase orders that have been placed where some or all of the goods and services ordered have not yet been delivered by fiscal year end.



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The City of Greenacres has historically chosen to honor its open contracts and purchase orders by moving the open encumbrance and the related prior year budget to the following year as a budget adjustment to the subsequent year's budget. During fiscal year 2024, a number of capital projects were partially encumbered with purchase orders and will be carried over to complete the commitment(s).

4. **Resolution 2023-46:** Pursuant to the approval of Ordinances 2023-11 and 2023-12, this resolution authorizes the City Purchasing Agent to implement procurement actions to acquire commodities, services, and products included in the FY 2024 budget.

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#### FINANCIAL INFORMATION

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The financial impact is described above.

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#### LEGAL

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City Attorney has reviewed the item and all supporting documents for legal sufficiency and compliance.

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#### STAFF RECOMMENDATION

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Approval of Resolutions 2023-43, 2023-44, 2023-45 and 2023-46.

**RESOLUTION NO. 2023-46****A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AUTHORIZING STAFF ACTIONS TO PROCURE THOSE ITEMS APPROVED IN THE FISCAL YEAR 2024 BUDGET.**

**WHEREAS**, The City Council has approved the operating and Capital Improvement Program budgets for fiscal year 2024; and

**WHEREAS**, those approved budgets included specifically defined commodities, services, or products; and

**WHEREAS**, it is deemed appropriate to implement procurement actions to acquire those commodities, products, and services.

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

**SECTION 1.** The Purchasing Agent is hereby authorized to procure those items included in the approved budget.

**SECTION 2.** Procurement procedures will be in accordance with the City Code requirements for purchases and contracts.

**RESOLVED AND ADOPTED this 18th day of September 2023.**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

\_\_\_\_\_  
**Peter Noble**, Deputy Mayor

**Attest:**

*Voted:*

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

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

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

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

*Voted:*

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

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

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney



## ITEM SUMMARY

**MEETING DATE:** September 18, 2023

**FROM:** Andrea McCue, City Manager, Administration

**SUBJECT:** Amendment to City Attorney Agreement

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### BACKGROUND

On October 15, 2018, the City of Greenacres and Torcivia, Donlon, Goddeau & Rubin, P.A., entered into an agreement for contracted City Attorney services. The hourly rate established in 2018 has not been increased. In 2021 the Council did approve an increase for the City Attorney, but it was not included in any subsequent City budgets.

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### ANALYSIS

To provide for an adjustment to the rate to make it consistent with all the City Attorneys contracted clients, an adjustment of 5% is proposed for FY2024, and beginning on October 1, 2024. The City Attorney's hourly rate shall be increased by an amount equal to the cost of living increase provided to City employees.

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### FINANCIAL INFORMATION

Costs associated with the cost of living increase to the City Attorney's hourly rate will be included in the City budget.

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### LEGAL

The City Attorney has reviewed the item and all supporting documents for legal sufficiency and compliance.

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### STAFF RECOMMENDATION

Staff is recommending approval of Resolution 2023-47.

**RESOLUTION NO. 2023-47****A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AUTHORIZING AN AMENDMENT TO THE CITY ATTORNEY AGREEMENT BETWEEN THE CITY OF GREENACRES AND TORCIVIA, DONLON, GODDEAU & RUBIN, P.A.; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on October 15, 2018, the City of Greenacres and Torcivia, Donlon, Goddeau & Rubin, P.A., entered into an agreement for contracted City Attorney services (“Agreement”); and

**WHEREAS**, the hourly rate set forth in the 2018 Agreement has not been adjusted; and

**WHEREAS**, on July 19, 2021, the City Council authorized an increase to the hourly rate; and

**WHEREAS**, the 2021 approved increase was not added to the 2018 approved hourly rate and was not included in subsequent City budgets; and

**WHEREAS**, the parties have decided to amend said Agreement and find that doing so serves a valid public purpose.

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

**SECTION 1.** Section 2 of the City of Greenacres City Attorney Agreement is amended to adjust Torcivia, Donlon, Goddeau & Rubin, P.A.’s hour rate as follows: effective October 1, 2023, the hourly rate shall be adjusted by 5% from \$210.00 to \$220.50 per hour. Thereafter, the firm’s fee shall be increased by an amount equal to the cost of living increase provided to the employees of the City annually, each October 1<sup>st</sup>, commencing October 1, 2024.

**SECTION 2.** In all other respects the provisions of the Agreement shall remain in full force and effect.

**SECTION 3.** This Resolution shall become effective upon adoption.

**Resolution No. 2023-47 | City Attorney Agreement Amendment**

Page No. 2

**RESOLVED AND ADOPTED this 18<sup>th</sup> day of September 2023.**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

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

**Attest:**

*Voted:*

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

\_\_\_\_\_  
**Peter Noble**, Deputy Mayor

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

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

*Voted:*

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

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

**Resolution No. 2023-47 | City Attorney Agreement Amendment**  
Page No. 3

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**Glen J. Torcivia**, City Attorney



## ITEM SUMMARY

**MEETING DATE:** September 18, 2023

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

**SUBJECT:** **Resolution 2023-16, SE-21-03**

River Bridge Center Drive-in/Fast-Food Restaurant Special Exception

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### BACKGROUND

The applicant is requesting special exception approval for a drive-through/fast food restaurant use in the Commercial Intensive (CI) zoning district. In the Commercial Intensive (CI) Zoning District, a drive-through is permitted subject to special exception approval. The current petition being processed for River Bridge Centre is to construct a 4,680 square foot fast-food restaurant (Chick Fil-A) with a drive-through facility. The proposed restaurant will have access only through the River Bridge Shopping Center.

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### ANALYSIS

The approximately 27.48-acre site was voluntarily annexed into the City on October 8, 1973. On January 20, 1986, the City Council granted site plan approval to petition SP-85-12, River Bridge Centre. The majority of the site was then developed with a shopping center including a movie theater, a grocery store, a drug store and professional office space. Since that time, there have been 12 site plan approvals and 24 modifications related to River Bridge Centre. The uses have remained the same within that time with the exception of the movie theater converting into a gym in accordance with SP-85-12(X).

The Development Review Committee 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 May 11, 2023. On the June 5, 2023 City Council meeting the applicant requested to postpone the Special Exception to a later date to be concurrent with the site plan application request. The City Council continued Special Exception SE-21-03 through Resolution 2023-16 to the September 5, 2023 City Council Meeting. The City Council continued Special Exception SE-21-03 through Resolution 2023-16 to the September 18, 2023 City Council Meeting

The proposal has satisfied the Special Exception criteria and findings of fact as indicated in the staff report with six (6) conditions of approval. Specifically, the proposed use will not create a nuisance factor detrimental to the adjacent and nearby properties since it will provide enhanced landscaping, it is compatible with the existing character of this commercial area, the use has been reviewed by staff for automobile, pedestrian, and fire safety, and the proposed use meets all applicable Code requirements and maintains safe and efficient traffic at this site, as reviewed by the City's Traffic Consultant.



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**FINANCIAL INFORMATION**

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N/A

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**LEGAL**

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Resolution 2023-16 was prepared in accordance with all applicable State statutes and City Code requirements.

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**STAFF RECOMMENDATION**

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*Approval* of SE-21-03 through the adoption of Resolution 2023-16.

**RESOLUTION NO. 2023-16**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING THE PETITION FOR A SPECIAL EXCEPTION TO ALLOW A FAST-FOOD DRIVE THROUGH RESTAURANT IN A COMMERCIAL INTENSIVE (CI) ZONING DISTRICT, LOCATED WITHIN THE RIVER BRIDGE CENTRE ON THE SOUTHWEST CORNER OF FOREST HILL BOULEVARD AND SOUTH JOG ROAD, AS REQUESTED BY THE PETITIONER, ANDREW SAVAGE, AGENT FOR THE OWNER, PUBLIX; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Andrew Savage, Bohler Engineering, hereafter “Petitioner”, as agent for the owner, REAL SUB, LLC has submitted a petition for a Special Exception approval to allow a fast-food drive through restaurant to be located within a Commercial Intensive (CI) zoning district, located at 6714 Forest Hill Blvd, pursuant to Section 16-499, Commercial Intensive (CI) regulations of the Zoning Code; and

**WHEREAS**, the Petitioner presented this matter to the Development Review Committee of the City of Greenacres which provided comments to the Development and Neighborhood Department which, in turn, recommended approval of the Special Exception to allow for a Fast-Food Drive Through Restaurant within a Commercial Intensive (CI) zoning district, with the conditions identified in the Development Review Committee Staff Report and Recommendation, Exhibit “A” dated May 4, 2023, as revised; and

**WHEREAS**, the Planning and Zoning Board of Appeals reviewed the petition in a public hearing on May 11, 2023, for compliance with the Special Exception Criteria as indicated by the Findings of Fact contained in the Development Review Committee Staff Report and Recommendation and has found that the project is in compliance with said criteria; and

**WHEREAS**, the Planning and Zoning Board of Appeals made a recommendation on the petition to the City Council for approval; and

**WHEREAS**, this matter has been presented to the City Council for final approval, and the Council has voted to approve the Special Exception to allow for a Fast-Food Drive Through Restaurant within a Commercial Intensive (CI) zoning district subject to the conditions stipulated in the Development Review Committee Report.

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

**SECTION 1.** The Petition, (SE-21-03), a Special Exception to allow for a Fast-Food Restaurant within a Commercial Intensive (CI) zoning district, is hereby approved. The special exception approval is for the Chick Fil-A Drive-in/Fast Food Restaurant franchise. Any applicants, successors or assigns shall require a new special exception application for review and approval by the City if the franchise vacates the location. New users shall be required to address the criteria for the special exception.

**SECTION 2.** The approval of Petition SE-21-03 is subject to all conditions contained in the Development Review Committee Staff Report and Recommendation, Exhibit "A", dated May 4, 2023, as revised (attached).

**SECTION 3.** All resolutions in conflict herewith are hereby repealed.

**SECTION 4.** This resolution shall be effective upon its adoption subject to the conditions of Petition SE 21-03 and SP 85-12RR.

**RESOLVED AND ADOPTED this 18<sup>th</sup> of day of September, 2023**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

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

**Attest:**

*Voted:*

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

\_\_\_\_\_  
**Peter Noble**, Deputy Mayor

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

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

*Voted:*

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

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

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney



SE-21-03 (Res 2023-16)

Exhibit "A"

May 4, 2023

Revised 05/11/2023

08/21/2023

09/05/2023



## DEVELOPMENT REVIEW COMMITTEE REPORT AND RECOMMENDATION

### Subject/Agenda Item:

#### **Resolution 2023-16: SE-21-03 Special Exception for Drive-Thru at River Bridge Center**

**Consideration of Approval:** A request from Andrew Savage, PE Bohler Engineering, agent for REAL SUB, LLC, for Special Exception approval for a fast-food restaurant with drive thru facilities within the River Bridge Master Site Plan located at 6714 Forest Hill Boulevard.

[x] Recommendation to APPROVE

[ ] Recommendation to DENY

[x] Quasi-Judicial

[ ] Legislative

[x] Public Hearing

<b>Originating Department: Planning &amp; Engineering</b>  Project Manager  _____ Kara Irwin-Ferris, AICP	<b>Reviewed By:</b>  Director of Development & Neighborhood Services  _____ Denise Malone
<b>Approved By:</b>  City Manager  _____ Andrea McCue	<b>Public Notice:</b> [ X ] Required                      [ ] Not Required Date: 4/27/23, 5/25/23, 8/10/23 Paper: Lake Worth Herald  <b>Mailing</b> [X ] Required                      [ ] Not Required

<b>Attachments:</b>  Aerial Resolution 2023-16	<b>City Council Action:</b> [ ] Approval [ ] Approve with conditions. [ ] Denial [ ] Continued to: _____
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## **I. Executive Summary**

The applicant is requesting special exception approval for a drive-in/fast food restaurant use in the Commercial Intensive (CI) zoning district. In the Commercial Intensive (CI) Zoning District, a drive-through is permitted subject to special exception approval. The current petition being processed for River Bridge Centre is to construct a 4,997 square foot fast-food restaurant (Chick Fil-A) with a drive-through facility. The fast-food restaurant is a permitted use, while the drive-thru requires a special exception. The proposed restaurant will have access only through the River Bridge Shopping Center.

## **II. Site Data:**

<b>Existing Use:</b>	Commercial Shopping Center
<b>Proposed Use:</b>	Commercial Shopping Center
<b>Parcel Control Numbers :</b>	18-42-44-10-13-000-0010
<b>Parcel Size:</b>	1,197,034.2 square feet (27.48 acres)
<b>Existing Future Land Use Designation:</b>	Commercial (CM)
<b>Existing Zoning District:</b>	Commercial Intensive (CI)

<b>Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:</b>			
<b>Direction</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>	<b>Zoning District</b>
<i>North</i>	Olive Tree PUD (Fairway Isle)/Woodbridge Plaza	Residential (RS-MD)/ Commercial (CM)	Residential Medium-2 (RM-2)/ Commercial Intensive (CI)
<i>South</i>	River Bridge PUD	Residential Medium (RS-MD)	Residential Medium – 2 (RM-2)
<i>East</i>	The Pines PUD and Trafalgar Square	Residential-High Density (RS-HD) and Commercial (CM)	Residential High (RH) and Commercial Intensive (CI)
<i>West</i>	River Bridge PUD	Residential-Medium Density (RS-MD)	Residential Medium-2 (RM-2)

## **III. Annexation/Zoning History:**

The approximately 27.48-acre site was voluntarily annexed into the City on October 8, 1973. On January 20, 1986, the City Council granted site plan approval to petition SP-85-12, River Bridge Centre. The majority of the site was then developed with a shopping center including a movie theater, a grocery store, a drug store and professional office space. Since that time, there have been 12 site plan approvals and 24 modifications related to River Bridge Centre. The uses have remained the same within that time with the exception of the movie theater converting into a gym in accord with SP-85-12(X). The current petition being processed for River Bridge Centre is to construct a 4,997 square foot fast-food restaurant with a drive through facility. In the Commercial Intensive (CI) Zoning District, a drive-through is permitted subject to special

exception approval. The proposed Chick-Fil-A restaurant will have access only through the River Bridge Shopping Center.

#### **IV. Applicable Code Provisions:**

Sec. 16-171 through 178 pertaining to Special Exception  
 Sec. 16-496 through 16-506 pertaining to the CI zoning district.  
 Sec. 16-1266 through 16-1312 pertaining to landscaping.  
 Sec. 16-1331 through 16-1340 pertaining to off-street parking.

#### **V. Summary Of Proposed Development Concept Plan Details:**

Plan Details: The petitioner's Conceptual Site Layout Plan (stamp-dated June 20, 2023) depicts the following:

1. Total land area of 1,197,034.2 sq. ft. (27.48 acres) for the plaza.
2. The removal of 93 parking spaces and four terminal landscape islands.
3. A total existing building floor area of 227,272 sq. ft. for the inline shopping center and an additional 4,680 square foot fast food restaurant with a drive-thru located at the north portion of the site. The project will include 19 new parking spaces.
4. A total of 1345 parking spaces and 43 handicapped spaces. A total of 490 parking spaces for the Outparcels and 19 handicapped parking spaces. Overall, the parking for the plaza will be reduced by seventy-four (74) spaces, but the parcel is still overparked by 185 spaces.
5. One vehicular ingress/ egress access points to Forest Hill Blvd, two access points to Jog Road, and one access to River Bridge Boulevard. The Chick Fil-A restaurant will only have access via the internal accessways within the plaza.
6. Dumpster and recycling area with masonry wall enclosure and opaque gates.
7. Conceptual Engineering Plan.
8. Boundary Survey.

<b>Table 2: Proposed Site Data:</b>			
<b>Area:</b>	<b>Square Footage:</b>	<b>Acreage:</b>	<b>Percentage:</b>
Existing Building Floor Area	227,272 sq. ft.	5.22	18.99 %
Proposed Expansion	4,680 sq. ft.	0.107	0.0039 %
Existing Site Landscape Area	164,897 sq. ft.	3.78	13.77 %
<i>Total Proposed Landscape Area</i>	170,771 sq. ft.	3.92	14.27 %
<i>Total Proposed Building Floor Area</i>	231,952 sq. ft.	5.327	0.194 FAR

#### **V. Staff Analysis:**

*Background:*

The approximately 27.47-acre site was voluntarily annexed into the City on October 8, 1973. On



January 20, 1986, the City Council granted site plan approval to petition SP-85-12, River Bridge Centre. The majority of the site was then developed with a shopping center including a movie theater, a grocery store, a drug store, and professional office space. Since that time, there have been twelve site plan approvals and twenty-four modifications related to River Bridge Centre. The uses have remained the same within that time with the exception of the movie theater converting into a gym in accordance with SP-85-12(X).

The current petition being processed for River Bridge Centre is to construct a 4,680 square foot fast-food restaurant with a drive through facility. In the Commercial Intensive (CI) Zoning District, a drive-through is permitted subject to special exception approval. The proposed Chick-Fil-A restaurant will have access only through the River Bridge Shopping Center.

The Development Review Committee on October 13 and 20, 2022 reviewed the special exception request.

#### **Development Review Committee Comments:**

<b>Traffic/Engineering:</b>	Incorporated into the staff report.
<b>Building Division:</b>	No comments.
<b>Planning Division:</b>	Incorporated into the staff report.
<b>PBSO District 16.:</b>	No comments.
<b>Public Works Dept.:</b>	No comments
<b>Fire Department:</b>	Incorporated into the staff report
<b>CRS Department:</b>	No comments

#### **VI. Special Exception Criteria And Findings Of Fact:**

##### **1. The proposed use complies with all relevant Elements of the Comprehensive Plan;**

***Finding:*** The proposed fast-food restaurant with drive through window complies with the Future Land Use, Infrastructure, Intergovernmental and Transportation relevant Elements of the City of Greenacres' Comprehensive Plan. The request complies with the objectives and policies of the City of Greenacres Comprehensive Plan directing growth and development to appropriate areas. A fast-food restaurant is a permitted use in the Commercial Intensive Zoning District and the drive through facility is subject to special exception approval to address and mitigate any impacts from the use of the drive-thru.

##### **2. Ingress and egress to the property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe will not be adversely affected by the proposed special exception;**

***Finding:*** Ingress/egress, for two-way traffic, to the site will be provided from the interior of the River Bridge Shopping Center. The plans have been reviewed by staff for automobile, pedestrian and fire safety and they meet all Code requirements. The City's traffic consultant has reviewed the traffic flow and control of the site for compliance with

City Code and has determined that it meets all necessary requirements to ensure safe and efficient vehicular movements. The applicant will be required to maintain a traffic management plan to address service hour queuing and ensure queuing will not block any access points of ingress or egress for the plaza, and address planning for emergency events.

**3. Off-street parking and loading is provided where required, with particular attention to the items in (2) above will not adversely affect public health and safety;**

**Finding:** Provided off-street parking meets or exceeds the City's code requirements. Since this site is not an outparcel but part of the River Bridge main shopping area, parking spaces are available and accounted for within the shopping center itself. The applicant has designated parking spaces outside their parcel which will be dedicated to the Chick-Fil-A use. A defined loading area has been provided in the front of the store and will only be used during non-operational hours.

**4. Refuse and service areas provided with particular reference to items (2) & (3) above will not adversely affect public health and safety;**

**Finding:** Waste Management will serve the site for all refuse collection. The recycling and refuse area will be east of the proposed building. The refuse area meets the City code requirements.

**5. The proposed use will not create a nuisance factor detrimental to adjacent and nearby properties and the City as a whole;**

**Finding:** The proposed development has commercial uses to the north, east, and west. The proposed development is in keeping with the commercial approval for the River Bridge Center. The property will be landscaped along the site's perimeter as well as provided interior landscaping in accordance with code requirements. Any noise generated will not be outside the realm of the commercial shopping center. The proposed use is in keeping with the overall intensive commercial character of the area and will not create any nuisance factors detrimental to adjacent properties. A fast-food restaurant is a permitted use. The drive-through traffic and flow has been evaluated by the City traffic engineer consultant and will not create a nuisance detrimental to the plaza or nearby properties.

**6. The location, availability, and compatibility of utilities for the requested use will not adversely affect public health and safety;**

**Finding:** All utilities will be provided underground. The site will be served by Palm Beach County Water Utilities. All other utilities will also be provided to the site. Utility easements shall be provided, as necessary.

**7. The screening and buffering of the requested use are consistent with the applicable zoning requirements relative to type, dimension, and character;**

**Finding:** The proposed site plan provides a three (3) foot landscape buffer to the east and west side of the property, and eleven-point five (11.5) foot landscape buffer on the north side of the property, respectively. A landscape buffer is not required on the south side since the parcel fronts the inner roadway of the shopping center. Interior landscaping will also be provided. The buffering will consist of trees, hedges, and ground cover. Air conditioning units will also be screened from view of adjacent properties.

The existing landscape buffer along Forest Hill Boulevard is a non-conforming buffer that was installed after the original approval in 1987. The current requirement would be 25 feet in width, but since the applicant is actually adding width and materials to the buffer, thus reducing the non-conformity, the non-conformity does not require a variance.

**8. Signs and proposed exterior lighting is provided with reference to glare, traffic safety and economic effect, and compatibility and harmony with properties in the district;**

**Finding:** The proposed signs will meet the requirements of the City's Zoning Code. All exterior lighting shall meet City code requirements for limiting spills onto adjacent roadways and the interior of the shopping center.

**9. The requested use appears to meet the required yards and other open space;**

**Findings:** The project complies with interior and perimeter landscaping, and open space requirements. Since the site is not an outparcel but a part of the overall shopping center, the addition of the site does not result in the yard or open space requirements of the overall shopping center being in violation of code. The Chick-Fil-A building will be fifty feet from the front property line, twenty-nine feet from the west property line and 130 feet from the east property line, all which meet or exceeds the setback requirements within a Commercial Intensive zoning district.

**10. Proposed general use is compatibility with adjoining properties and other property in the district;**

**Finding:** The proposed commercial land use (fast food restaurant) is compatible with the existing commercial nature of the River Bridge shopping center and adjacent uses. There are existing fast food restaurants with drive-thrus within the site. The use will not adversely impact any residential use to the south because of the significant distances between the uses, as well as existing buildings. The property is zoned Commercial Intensive (CI) which permits a fast-food restaurant as a permitted use and a drive-through facility as a special exception use.

**11. The change suggested is not out-of-scale with the needs of the neighborhood or the City;**

**Finding:** The proposed drive through fast food restaurant is in scale with the

surrounding commercial uses. In the River Bridge Center there are existing restaurants on outparcels and several in-line restaurants and many of them include drive-thru lanes. The use also provides service to the surrounding River Bridge PUD residents.

**12. The requested use and structure is consistent with any special requirements set out in the Schedule of District Regulations for the particular use and structure involved;**

***Finding:*** Special requirements for a drive-through facility are that each drive-in stacking lane be clearly defined and designed so as not to conflict or interfere with other traffic utilizing the site. The drive-thru includes two lanes, one of which will be a by-pass lane, as required by Code. According to the documentation submitted, the need of a by-pass lane is minimal during the day and when the restaurant use is heavy, the petitioner shall utilize employees to take orders and move cars along if necessary. An emergency plan has been provided.

**VII. Staff Recommendation:**

***Approval*** of SE 21-03 through the adoption of Resolution 2023-16, with the following conditions:

1. The most stringent requirements of Exhibit "A" Development Review Committee Staff Report and Recommendations dated May 4, 2023, and Exhibit "B" Conceptual Site Plan, stamp-dated April 12, 2023, as hereafter defined shall apply. (Planning & Zoning)
2. Site and development plan approval shall be required prior to issuance of development permits. (Planning and Zoning)
3. The Special Exception is limited to a 4,680 square foot Drive-In/Fast Food Restaurant. Any modifications to the use or size of the building or change in ownership will require a new or amended Special Exception. (Planning and Zoning)
4. Hours of operation for the Drive-In/Fast Food Restaurant shall be limited to 6:30am to 10:00 pm Monday through Saturday, Closed Sundays. (Planning and Zoning)
5. The applicant shall have a management plan in place for the utilization of the by-pass lane as a drive-thru lane during peak hours. Staff shall be utilized to manage the traffic in the drive-thru when the by-pass lane is in use for drive-thru. (Planning & Zoning)
6. The special exception approval is for the Chick Fil-A Drive-in/Fast Food Restaurant franchise. Any applicants, successors or assigns shall require a new special exception application for review and approval by the City if the franchise vacates the location. New users shall be required to address the criteria for the special exception. (Planning & Zoning)

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**PLANNING AND ZONING BOARD OF APPEALS RECOMMENDATION  
May 11, 2023**

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The Planning and Zoning Board of Appeals on a motion made by Board Member Fitzgerald and seconded by Board Member Hayes, by a vote of five (5) to zero (0) ***recommended approval*** of Special Exception for approval of a Standalone Car Wash ***SE-21-03 (Chick-Fil-A)*** as presented by staff.

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**GREENACRES CITY COUNCIL ACTION – June 5, 2023**

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On June 5, 2023 the applicant requested to postpone the Special Exception from the City Council meeting to a later date.

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**GREENACRES CITY COUNCIL ACTION – August 21, 2023**

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The City Council on a motion made by Council Member Tharp and seconded by Council Member Bousquet, voting five (5) to zero (0), ***continued*** Special Exception SE-21-03 as presented by staff through Resolution ***2023-16 to the September 5, 2023 City Council Meeting***.

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**GREENACRES CITY COUNCIL ACTION – September 5, 2023**

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The City Council on a motion made by Council Member Tharp and seconded by Council Member Bousquet, voting five (5) to zero (0), ***continued*** Special Exception SE-21-03 as presented by staff through Resolution ***2023-16 to the September 18, 2023 City Council Meeting***.

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**GREENACRES CITY COUNCIL ACTION – September 18, 2023**

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## ITEM SUMMARY

**MEETING DATE:** September 18, 2023

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

**SUBJECT:** **Resolution 2023-17, SP-85-12RR**  
River Bridge Center Drive-in/Fast-Food Restaurant Site Plan

### BACKGROUND

A request from Andrew Savage, PE of Bohler Engineering, agent for REAL SUB, LLC, for approval of the proposed fast-food restaurant with drive-thru. The site is located within the River Bridge Centre on the southwest corner of the intersection of South Jog Road and Forest Hill Boulevard.

The applicant is requesting approval for a 4,680 square foot fast-food restaurant with drive-thru (Chick Fil-A) on the 27.48-acre River Bridge Centre master site. The development is located adjacent to Forest Hill Boulevard between the developed outparcels for International House of Pancakes and Applebee's Restaurant, and egress and ingress is provided from the River Bridge access points along Forest Hill Boulevard and South Jog Road

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 July 13, 2023. The City Council continued Site Plan SP-85-12RR through Resolution 2023-17 to the September 5, 2023 City Council Meeting. The City Council continued Site Plan SP-85-12RR through Resolution 2023-17 to the September 18, 2023 City Council Meeting.

### ANALYSIS

The proposed site and development plan is for a fast-food restaurant with drive-thru facilities. In the Commercial Intensive (CI) Zoning District, a fast-food restaurant is a permitted use and a drive thru is permitted subject to special exception approval. The proposed Chick-Fil-A restaurant will have access only through the River Bridge Shopping center. The restaurant will have one drive-thru lane and a by-pass lane that will be utilized to provide service during peak hour demand.

### FINANCIAL INFORMATION

The project shall be required to pay the City's impact fees of \$2.80 per square foot of buildable area per Section 16-201. The amount of **\$13,104** shall be paid at the time of issuance of building construction permits. (PLANNING)

The project shall be required to pay the City's Arts in Public Places (AIPP) public art fee if the

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construction value is two hundred fifty thousand dollars (\$250,000) or greater per Section 16-661. If applicable, the public art fee shall be equal to one (1) percent of construction value of the project. Thirty (30) percent or (.03) of the one (1) percent of the public art fee would be due at time of building permit issuance and seventy (70) percent or (.07) of the one (1) percent prior to and as a condition of issuance of the certificate of occupancy that includes the public art. (PLANNING)

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#### **LEGAL**

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Resolution 2023-17 was prepared in accordance with all applicable State statutes and City Code requirements.

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#### **STAFF RECOMMENDATION**

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*Approval of SP-85-12 RR through the adoption of Resolution 2023-17.*

**RESOLUTION NO. 2023-17**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING THE APPLICATION FOR SITE PLAN APPROVAL TO CONSTRUCT A CHICK-FIL-A FAST FOOD RESTAURANT WITH DRIVE THROUGH IN A COMMERCIAL INTENSIVE (CI) ZONING DISTRICT, LOCATED WITHIN THE RIVER BRIDGE CENTER AT THE SOUTHWEST CORNER OF SOUTH JOG ROAD AND FOREST HILL BOULEVARD, AS REQUESTED BY THE PETITIONER, ANDREW SAVAGE, AGENT FOR THE OWNER, REAL SUB, LLC; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Andrew Savage., hereinafter "Petitioner", as agent for the owner, REAL SUB LLC, has made an application for Site Plan approval for construction of a Chick-Fil-A fast food drive through restaurant within a Commercial Intensive (CI) zoning district, located within the River Bridge Center at the Southwest corner of South Jog Road and Forest Hill Boulevard; and

**WHEREAS**, the petitioner presented this matter to the Development Review Committee of the City of Greenacres which provided comments to the Planning and Engineering Division which, in turn, recommended approval of the Site Plan to allow for construction of a Chick-Fil-A fast food drive through restaurant within the River Bridge Centre with the conditions identified herein; and

**WHEREAS**, the Planning and Zoning Board of Appeals held a public hearing on July 13, 2023, 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 Chick-Fil-A fast food drive through restaurant within a Commercial Intensive (CI) zoning district located within the River Bridge Center, subject to the conditions of approval and staff recommendation at the August 21, 2023 Public Hearing.



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

**SECTION 1.** The Petition, SP-85-12RR, a Site Plan is hereby APPROVED for construction of a Chick-Fil-A fast food drive through restaurant with drive through within a Commercial Intensive (CI) zoning district located within the River Bridge Center at the Southwest corner of South Jog Road and Forest Hill Boulevard, 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: 18-42-44-10-13-000-0010 and 18-42-44-10-13-000-0030**

Parcel 1, River Bridge Centre, according to the plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida recorded in Plat Book 53, Page 186, said lands situate, lying and being in Palm Beach County, Florida

AND

Parcel 3, River Bridge Centre, according to the plat thereof on file in the office of the Clerk of the Circuit Courts in and for Palm Beach County, Florida recorded in Plat Book 53, Page 186, said lands situate, lying and being in Palm Beach County, Florida

**SECTION 2.** This approval is subject to the following conditions, which shall be the responsibility of and binding upon the Applicant, its successors, or assigns:

1. The most stringent requirements of Exhibit "A" Development Review Committee Report and Recommendation dated July 7, 2023, and Exhibit "B" Site and Development Plans date stamped June 20, 2023, including the following shall apply:
  - a. Overall Site Plan prepared by Bohler and dated May 24, 2023 (Sheet C-4).

**Resolution No. 2023-17 | SP-85-12RR Chick-Fil-A**

Page No. 3

- b. Landscaping Plans prepared by Bohler and dated May 1, 2023 (C-701 through C-709)
  - c. Architectural Plans prepared by Chick-fil-A and dated March 31, 2023 and May 10, 2023 (A-201 (May 10, 2023) and A-301 (March 31, 2023))
  - d. Paving, Grading and Drainage Plans prepared by Bohler and dated May 1, 2023 (C-401 through C-402, C-501, C- 601, C-602, and C-901 through C-913)
  - e. Site Layout Plans and Photometric prepared by Bohler and dated May 1, 2023 (C-101 through C-103, C-201, C-301 through C-303)
  - f. Survey prepared by Brown and Phillips, Inc. and dated January 14, 2021 (Sheets 1 and 2)
2. The site shall be developed in accordance with the approved Special Exception (SE 21-03) (PLANNING)
  3. Permits from the South Florida Water Management District and Lake Worth Drainage District for the stormwater management system must be obtained prior to the issuance of building permits (ENGINEERING)
  4. Permits from the Health Department for the water and sewer system must be obtained prior to the issuance of building permits if the shopping center's water and sewer systems were not designed to accommodate the outparcel. (ENGINEERING)
  5. Complete drainage calculations addressing water quality and quantity in accordance with the requirements of the S.F.W.M.D. must be submitted for review along with complete paving, drainage, water, and sewer construction plans prior to the issuance of building permits. (ENGINEERING)
  6. All utilities shall be provided underground. (ENGINEERING)
  7. The project shall participate in the City Tree Dedication Program; one (1) tree to be donated per 1,000 sq. ft. of building area or a fraction thereof, therefore **five (5)** 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)
  8. The project shall be required to pay the City's impact fees of \$2.80 per square foot of buildable area per Section 16-201. The amount of **\$13,104** shall be paid at the time of issuance of building construction permits. (PLANNING)
  9. The building shall be required to be protected with automatic fire detection and alarm systems in accordance with standard seventy-two of the NFPA. The systems shall be monitored by an approved central station. (FIRE)
  10. All utilities and services to the site shall be provided by entities holding valid franchise agreements with the City. (PLANNING)

11. A bicycle rack accommodating a minimum of 5 bikes is required on site. Current site plan has it located on the south side of the building. (PLANNING)
12. A site clearing and tree removal permit shall be required prior to any clearing activities on site. This permit shall demonstrate the protection of existing trees to remain. Additions to the landscaping plan may be necessary to meet Code requirements if the existing material to remain is unsuitable for buffer purposes. (PLANNING)
13. Other than the approved menu board speaker at the Drive-In/Fast Food Restaurant drive-thru, no outdoor speakers shall be permitted. (PLANNING)
14. Outdoor storage of materials and equipment (i.e., merchandise, pallets, etc....) is prohibited. (PLANNING)
15. All existing trees shown to remain on the approved landscape plans shall be maintained in perpetuity. In the event they should die, they shall be replaced with like species of a size and quantity in accord with the tree credits in table 16-1271 of the City of Greenacres Code. (PLANNING)
16. 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, 2024 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)
17. All roof top mechanical equipment shall be screened on all four sides consistent with the architecture of the building; no equipment shall be taller than the proposed screening. All ground mounted equipment (air conditioning, backflow preventor, etc....) shall be screened on all four sides; no equipment shall be taller than the proposed screening. (PLANNING)
18. 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)
19. If required, the site plan shall be revised to reflect all conditions of approval and re-submitted prior to the issuance of building permits. (PLANNING)
20. A Certificate of Occupancy shall be issued only after compliance with all conditions of approval. (BUILDING)
21. Non-compliance with any of the conditions of approval will result in withholding of the issuance of building permits or the certificate of occupancy. (PLANNING)
22. The applicant shall be required to maintain a traffic management plan to address peak service hour queuing within the plaza site. Negative impacts to the plaza will need to be

addressed by the property management staff. Queuing shall not be permitted to block any access points of ingress or egress for the plaza. The management plan shall include planning for emergency events when the by-pass lane is being used for queuing. (PLANNING)

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

**[The remainder of this page intentionally left blank.]**

RESOLVED AND ADOPTED this 18<sup>th</sup> of day of September 2023

Voted:

\_\_\_\_\_  
**Joel Flores**, Mayor

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

Attest:

Voted:

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

\_\_\_\_\_  
**Peter Noble**, Deputy Mayor

Voted:

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

Voted:

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

Voted:

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

Approved as to Form and Legal Sufficiency:

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney

SP-85-12RR (Resolution 2023-17)  
 Exhibit "A"  
 Date: July 7, 2023

Revised: 07/13/2023  
08/21/2023  
09/05/2023



## LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

### **Subject/Agenda Item:**

#### **Resolution 2023-17: SP-85-12RR River Bridge Centre Fast Food Drive-Thru Restaurant**

**Consideration of Approval:** A request from Andrew Savage, PE of Bohler Engineering, agent for REAL SUB, LLC, for approval of the proposed fast-food restaurant with drive-thru. The project consists of 4,680 square foot restaurant (Chick Fil-A) with one drive-thru lane and a by-pass lane that will be utilized to provide service during peak hour demand. The site is located within the River Bridge Centre on the southwest corner of the intersection of South Jog Road and Forest Hill Boulevard.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☐ Legislative

☐ Public Hearing

#### **Originating Department:**

##### **Planning & Engineering**

Project Manager

\_\_\_\_\_  
 Denise Malone, AICP, Director DNS

#### **Reviewed By:**

Director of Development and Neighborhood Services

\_\_\_\_\_  
 Denise Malone, AICP, Director DNS

#### **Approved By:**

##### **City Manager**

\_\_\_\_\_  
 Andrea McCue

#### **Public Notice:**

☐ Required

☒ Not Required

Dates:

Paper:

Mailing

☐ Required

☒ Not Required

Notice Distance:

#### **Attachments:**

- Survey
- Development and Site Plans
- Aerial Map
- Resolution 2023-17

#### **City Council Action:**

☐ Approval

☐ Approve with Conditions

☐ Denial

☐ Continued to: \_\_\_\_\_

## **I. Executive Summary**

The applicant is requesting approval for a 4,680 square foot Chick Fil-A restaurant with drive-thru on the 27.48-acre River Bridge Centre master site. The development is located adjacent to Forest Hill Boulevard between the developed outparcels for International House of Pancakes and Applebee's Restaurant, and egress and ingress is provided from the River Bridge access points along Forest Hill Boulevard and South Jog Road. A concurrent petition for a Special Exception (SE-21-03) for a drive-thru is being processed.

## **II. Site Data:**

<b>Existing Land Use:</b>	Vacant
<b>Proposed Land Use:</b>	Fast-food restaurant with drive through facilities
<b>Parcel Id:</b>	18-42-44-10-13-000-0010
<b>Parcel Size:</b>	1,197,034.2 square feet (27.48 acres)
<b>Future Land Use Designation:</b>	Commercial (CM)
<b>Existing Zoning:</b>	Commercial Intensive (CI)

<b>Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:</b>			
<b>Direction</b>	<b>Existing Land Use</b>	<b>Future Land Use</b>	<b>Zoning District</b>
<i>North</i>	Olive Tree PUD Woodlakes Plaza	Residential(RS-MD) Commercial (CM)	Residential Medium (RM-2) Commercial Intensive (CI)
<i>South</i>	River Bridge Center	Commercial (CM)	Commercial Intensive (CI)
<i>East</i>	Applebee's Grill and Bar	Commercial (CM)	Commercial Intensive (CI)
<i>West</i>	IHOP	Commercial (CM)	Commercial Intensive (CI)

## **III. Annexation/Zoning History:**

The approximately 27.48-acre site was voluntarily annexed into the City on October 8, 1973. On January 20, 1986, the City Council granted site plan approval to petition SP-85-12, River Bridge Centre. Most of the site was then developed with a shopping center including a movie theater, a grocery store, a drug store, and professional office space. Since that time, there have been 12 site plan approvals and 24 modifications related to River Bridge Centre. The uses have remained the same within that time except for the movie theater converting into a gym in accordance with SP-85-12(X). The current petition being processed for River Bridge Centre is to construct a 4,680 square foot fast-food restaurant with a drive through facility. In the Commercial Intensive (CI) Zoning District, a fast-food restaurant is a permitted use and a drive-thru is permitted subject to special exception approval. The proposed Chick-Fil-A restaurant will have access only through

the River Bridge Shopping Center.

#### **IV. Applicable City Code Provisions:**

Sec. 16-196 through 16-202 pertaining to site and development plans.

Sec. 16-496 through 16-520 pertaining to the CI District.

Sec. 16-1241 through 16-1330 pertaining to landscaping.

Sec. 16-1331 through 16-1335 pertaining to off-street parking.

Sec. 16-698 pertaining to access for commercial uses.

#### **V. Summary Of Proposed Site and Development Plan Details:**

**Plan Details:** The petitioner's site and development plan (stamp-dated June 20, 2023) depict the following:

1. Total land area of 1,197,034.2 sq. ft. (27.48 acres) for the plaza.
2. The removal of 93 parking spaces and two terminal landscape islands.
3. A total proposed building floor area of 231,952 sq. ft. (including 4,680 sq. fast food restaurant expansion)
4. A total of 1345 parking spaces and 43 handicapped spaces. A total of 490 parking spaces for the Outparcels and 19 handicapped parking spaces. Overall, the parking for the plaza will be reduced by seventy-four (74) spaces, but the parcel is still overparked by 185 spaces.
5. One vehicular ingress/ egress access points to Forest Hill Blvd, two access points to Jog Road, and one access to River Bridge Boulevard. The Chick Fil-A restaurant will only have access via the internal accessways within the plaza.
6. Dumpster and recycling area with masonry wall enclosure and opaque gates.
7. Landscaping Plan.
8. Conceptual Engineering Plan.
9. Building Plans and Elevations.
10. Boundary Survey.

<b>Table 2: Proposed Site Data:</b>			
<b>Area:</b>	<b>Square Footage:</b>	<b>Acreage:</b>	<b>Percentage:</b>
Existing Building Floor Area	227,272 sq. ft.	5.22	18.99 %
Proposed Expansion	4,680 sq. ft.	0.107	0.0039 %
Existing Site Landscape Area	164,897 sq. ft.	3.78	13.77 %
<i>Total Proposed Landscape Area</i>	<i>170,771 sq. ft.</i>	<i>3.92</i>	<i>14.27 %</i>
<i>Total Proposed Building Floor Area</i>	<i>231,952 sq. ft.</i>	<i>5.327</i>	<i>0.194 FAR</i>

#### **VI. Staff Analysis:**

The proposed site and development plan is for a Chick-Fil-A fast food restaurant with drive-thru facilities. In the Commercial Intensive (CI) Zoning District, a drive thru is permitted subject to special exception approval. The proposed Chick-Fil-A restaurant will have access only through



the River Bridge Shopping center. The Development Review Committee reviewed the Site and Development Plans on October 13 and 20, 2022.

**Development Review Committee Comments:**

<b>Fire Department:</b>	Incorporated into the staff report.
<b>Building Division:</b>	No comments.
<b>Planning Division:</b>	Incorporated into the staff report.
<b>PBSO District 16.:</b>	No comments.
<b>Public Works Dept.:</b>	No comments
<b>CRS Department:</b>	No comments
<b>Traffic/Engineering:</b>	Incorporated into the staff report

**Outside Agencies**

<b>PBC Traffic Div.:</b>	Project's traffic is vested from original approval.
<b>PBC Water Utilities:</b>	Water and sewer available.
<b>LWDD:</b>	Project will be permitted to discharge into its system.
<b>Palm Tram:</b>	Project will have no adverse affect.

**Standards And Staff Findings**

- |    |                               |   |
|----|-------------------------------|---|
| 1. | Minimum Lot Requirements:     | Site area of 27.479 acres meets the minimum site area of 2 acres minimum Lot width of <b>1,666.639</b> feet exceeds the minimum width of <b>200</b> feet.   |
| 2. | Maximum Lot Coverage:         | Building coverage of <b>18.99%</b> does not exceed the maximum of <b>30%</b> .  |
| 3. | Minimum Yard Requirements:    | Building setbacks <b>meet</b> all yard requirements of 50' front, 25' side corner, 20' side interior and 30' rear.  |
| 4. | Height Restrictions:          | The 1-story building height of <b>20'4.5"</b> does not exceed the allowable <b>35'</b> .  |
| 5. | Off-Street Parking & Loading: | The 1345 parking spaces for the master site, including 43 handicapped parking spaces exceeds the 1160 required parking spaces. The proposed Chick Fil-A will remove 93 spaces and add 19 parking spaces near the restaurant including two (2) handicapped parking spaces. |
| 6. | Landscaping:                  | The landscaping plan <b>complies</b> with the landscape code requirements.  |

7. Sign Regulations: Signage requirements will be reviewed during Building Permits process.
8. Utilities: The proposed water, sanitary, sewer and drainage systems **will meet** code requirements subject to final permitting.
9. Concurrency Considerations: Project traffic **meets** traffic concurrency per the Palm Beach County traffic concurrency letter and City traffic consultant analysis. Water and Sewer service and capacities are available to serve the site.
10. Comp Plan Considerations: The proposed development is **consistent** with the land use classification of Commercial (CM).
11. Color Scheme: The colors of the building shall be white, brushed pewter, and mineral deposit, which are shades of white and gray. The roof metal coping shall be mineral deposit and the storefront shall be clear anodized aluminum.

## **VII. Issues:**

### **Site Circulation and Queuing**

The applicant has requested a concurrent application for the special exception approval (SE-21-03) of a drive-thru facility for the proposed fast-food restaurant. The code requires a by-pass lane for one-way traffic flow patterns. The site is proposing a one-way drive pattern, so the drive-thru includes a by-pass lane. The applicant is proposing to utilize the by-pass land for additional car queuing during peak service hours in order to provide additional storage on site. The code does not require a management plan for drive-thru facilities, but the proposed user does consistently manage the demand for their products effectively on other sites throughout the County and State, and has agreed to do the same for this site.

The applicant's proposed development has been reviewed by and granted traffic concurrency by Palm Beach County Traffic division. The City's Traffic Consultant has reviewed the request for concurrency and the impacts on local roads as well. The applicant has addressed the concerns of the City's Traffic Engineer relative to the signalized intersection at River Bridge Boulevard and possible impacts.

In addition, the applicant has studied the car storage demand from other sites in the area during peak demand hours and has provided the data to the City for review. The applicant has provided 16 queuing storage spaces in the drive-thru lanes from the entrance to the take-out window, which is more spaces than is required to meet the demand studied at other locations in the County. The site is located interior to the plaza and additional queuing can utilize internal drive aisles and will

not impact the ingress/egress points in the plaza or adjacent roadways. Staff has included conditions of approval requiring the applicant to address problems with the management of the demand, as well as addressing issues that arise from utilization of the by-pass lane during peak demand. The applicant has agreed to the conditions of approval.

### **VIII. Staff Recommendation:**

Based on the preceding analysis, the Development Review Committee recommends approval of SP-85-12RR for a Chick-Fil-A fast food restaurant with drive-thru facilities with the following conditions:

1. The most stringent requirements of Exhibit "A" Development Review Committee Report and Recommendation dated July 6, 2023, and Exhibit "B" Site and Development Plans including the following shall apply:
  - a. Landscaping Plans prepared by Bohler and stamp-dated May 1, 2023 (C-701-C-709)
  - b. Architectural Plans prepared by Chick-fil-A and stamp-dated September 19, 2022 (A-201 and A-301)
  - c. Paving, Grading and Drainage Plans prepared by Bohler and stamp-dated June 20, 2023 (C-401)
  - d. Site Plan prepared by Bohler and stamp-dated June 20, 2023 (C-101-C-103, C-201, C-301-C-303,
  - e. Survey prepared by Brown and Phillips, Inc. and stamp dated September 19, 2022 (PLANNING-ZONING)
2. The site shall be developed in accordance with the approved Special Exception (SE 21-03) (PLANNING)
3. Permits from the South Florida Water Management District and Lake Worth Drainage District for the stormwater management system must be obtained prior to the issuance of building permits (ENGINEERING)
4. Permits from the Health Department for the water and sewer system must be obtained prior to the issuance of building permits if the shopping center's water and sewer systems were not designed to accommodate the outparcel. (ENGINEERING)
5. Complete drainage calculations addressing water quality and quantity in accordance with the requirements of the S.F.W.M.D. must be submitted for review along with complete paving, drainage, water, and sewer construction plans prior to the issuance of building permits. (ENGINEERING)
6. All utilities shall be provided underground. (ENGINEERING)
7. The project shall participate in the City Tree Dedication Program; one (1) tree to be donated per 1,000 sq. ft. of building area or a fraction thereof, therefore **five (5)** 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)

8. The project shall be required to pay the City's impact fees of \$2.80 per square foot of buildable area per Section 16-201. The amount of **\$13,104** shall be paid at the time of issuance of building construction permits. (PLANNING)
9. The project shall be required to pay the City's Arts in Public Places (AIPP) public art fee if the construction value is two hundred fifty thousand dollars (\$250,000) or greater per Section 16-661. If applicable, the public art fee shall be equal to one (1) percent of construction value of the project. Thirty (30) percent or (.03) of the one (1) percent of the public art fee would be due at time of building permit issuance and seventy (70) percent or (.07) of the one (1) percent prior to and as a condition of issuance of the certificate of occupancy that includes the public art. (PLANNING)
10. The building shall be required to be protected with automatic fire detection and alarm systems in accordance with standard 72 of the NFPA. The systems shall be monitored by an approved central station. (FIRE)
11. All utilities and services to the site shall be provided by entities holding valid franchise agreements with the City. (PLANNING)
12. A bicycle rack accommodating a minimum of 5 bikes is required on site. Current site plan has it located on the south side of the building. (PLANNING)
13. 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)
14. Other than the approved menu board speaker at the Drive-In/Fast Food Restaurant drive-thru, no outdoor speakers shall be permitted. (PLANNING)
15. Outdoor storage of materials and equipment (i.e., merchandise, pallets, etc....) is prohibited. (PLANNING)
16. All existing trees shown to remain on the approved landscape plans shall be maintained in perpetuity. In the event they should die, they shall be replaced with like species of a size and quantity in accord with the tree credits in table 16-1271 of the City of Greenacres Code. (PLANNING)
17. 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, 2024 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)

18. All roof top mechanical equipment shall be screened on all four sides consistent with the architecture of the building; no equipment shall be taller than the proposed screening. All ground mounted equipment (air conditioning, backflow preventor, etc....) shall be screened on all four sides; no equipment shall be taller than the proposed screening. (PLANNING)
19. 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)
20. The site plan shall be revised to reflect all conditions of approval and re-submitted prior to the issuance of building permits. (PLANNING)
21. A Certificate of Occupancy shall be issued only after compliance with all conditions of approval. (BUILDING)
22. Non-compliance with any of the conditions of approvals will result in withholding of the issuance of building permits or the certificate of occupancy. (PLANNING)
23. The applicant shall be required to maintain a traffic management plan to address peak service hour queuing within the plaza site. Negative impacts to the plaza will need to be addressed by the property management staff. Queuing shall not be permitted to block any access points of ingress or egress for the plaza. The management plan shall include planning for emergency events when the by-pass lane is being used for queuing. (PLANNING)

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## PLANNING AND ZONING BOARD OF APPEALS RECOMMENDATION – July 13, 2023

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The Planning and Zoning Board of Appeals on a motion made by Board Member Edmundson and seconded by Board Member Litowsky, voting five (5) to zero (0), ***recommended approval*** of Site Plan ***SP-85-12RR***, as presented by staff.

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## GREENACRES CITY COUNCIL ACTION – August 21, 2023

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The City Council on a motion made by Council Member Tharp and seconded by Council Member Bousquet, voting five (5) to zero (0), ***continued*** Site Plan SP-85-12RR as presented by staff through Resolution ***2023-17 to the September 5, 2023 City Council Meeting***.

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## GREENACRES CITY COUNCIL ACTION – September 5, 2023

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The City Council on a motion made by Council Member Tharp and seconded by Council Member Bousquet, voting five (5) to zero (0), ***continued*** Site Plan SP-85-12RR as presented by staff through Resolution ***2023-17 to the September 18, 2023 City Council Meeting***.

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## GREENACRES CITY COUNCIL ACTION – September 18, 2023

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**RESOLUTION NO. 2023-31**

**A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, APPROVING THE ESTABLISHMENT OF AN EDUCATION ADVISORY COMMITTEE; PROVIDING FOR A PURPOSE, COMPOSITION, QUALIFICATIONS, DUTIES, AND MEETINGS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council is committed to promoting and supporting excellence in the education of the children who reside within the City and those that attend schools located within the City's boundaries; and

**WHEREAS**, in order to maintain the quality of education in the City, it is important to exchange information with the Palm Beach County School District and all public, private and charter schools to ensure that the City's residents and children attending schools in the City receive the best education possible; and

**WHEREAS**, the City Council believes that the establishment of an Education Advisory Committee will contribute toward maintaining quality education in the City and is in the best interest of the City's residents and those students that attend City schools.

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

**SECTION 1.** This Resolution establishes the City's Education Advisory Committee and sets forth rules and procedures that such Committee hereinafter shall follow. The Committee shall be advisory only, and may be abolished or disbanded at any time, or reorganized at any time by the City Council.

**SECTION 2. Purpose.** The purpose and mission of the Education Advisory Committee is to: (a) serve as a liaison group between the City of Greenacres, The Palm Beach County School District, and all public, private and charter schools located within the City and those where City resident students are zoned to attend in order to improve and enhance

**Resolution No. 2023-31 | Education Advisory Committee**

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communication between all parties; (b) to promote and provide public awareness for programs, opportunities, and initiatives of public, private and charter schools located within the City and those where City resident students are zoned to attend; (c) to recognize and promote the accomplishments of students, educators, public, private, and charter schools located within the City and those where City resident students are zoned to attend; and (d) to monitor school activities and report on those impacting the City as needed.

**SECTION 3. Composition: Appointments, Term and Vacancy.** The Education Advisory Committee shall consist of nine (9) members. Initially, five (5) members shall be appointed for a period of three (3) years, and four (4) members shall be appointed for a period of two (2) years. Thereafter, all appointments shall be for a two (2) year period. The City Council shall make appointments at their first regular meeting in August after initial appointments are made. All members shall serve without compensation and at the pleasure of the City Council. The City Council retains the right to remove Committee members becoming ineligible to serve due to failure to maintain all necessary qualifications as set forth in Section 4 below.

One (1) Councilmember shall serve as liaison but shall have no voting power. A student from John I Leonard High School and a middle school student from the City's Youth Programs may serve as student liaisons but shall have no voting power. The Community and Recreation Services Department's Community Services Coordinator will serve as the Committee coordinator but shall have no voting power. The liaisons and coordinator are not members of the Committee and shall not be counted in determining if a quorum is present.

Vacancies on the Committee shall be filled by the City Council in the same manner as original appointments. Vacancies shall occur on account of a Committee members passing, resignation, removal, disability, or failure to maintain qualifications as set forth in Section 4 below. Any member appointed to serve in lieu of a member on account of a vacancy shall serve



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only for the unexpired term of such member but shall thereafter be eligible for reappointment.

**SECTION 4. Qualifications.** Committee members shall meet the following qualifications at the time of their appointment and throughout the course of their service to be eligible to serve:

1. Committee members shall be City residents.
2. Committee members shall have a background in education and/or experience in the field of education; be a member of a parent teacher organization, parent teacher association, school advisory council, or any other similar organization with the Palm Beach County School District, public, private or charter school within the City's zoned attendance area; or be a parent/legal guardian of a child currently enrolled in a City public, private or charter school or school where the resident student is zoned to attend.

The following City residents shall not be eligible to serve on the Committee as regular or alternate members:

1. An employee of the Palm Beach County School District, private or charter school located within the City or school where City resident students are zoned to attend.
2. An employee of an organization funded by the District.
3. An employee of a charter management organization or charter education management organization.

Should a Committee member fail to maintain these qualifications for service at any time, then the Committee member shall be disqualified from serving and shall either resign immediately or be subject to removal. Additionally, Committee members shall not use Committee meetings or their titles as Committee members to promote, advocate for, or advertise their outside employer or personal business.

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**SECTION 5. Duties.** The duties of the Education Advisory Committee shall be limited to the following:

1. **Scholarships:** Oversee and conduct interviews and recommend up to ten (10) educational scholarship awards each year to high school and/or college eligible students who reside in the City. The number of scholarships to be awarded shall be determined by the City Council each year during the budget approval process.
2. **School Showcases:** Facilitate and oversee school showcases and informational sessions for public, private and charter schools within the City and those where City resident students are zoned to attend. Showcases and informational sessions are an opportunity for Board members to interact with schools, their staff, and their students. Showcases and informational sessions also provide public awareness for programs, opportunities, and initiatives. The Committee shall have the opportunity to invite school officials and staff to attend such showcases and informational sessions.
3. **School Liaison:** Each Committee member shall serve as a liaison for up to two (2) of the seventeen (17) public, private and charter schools located within the City and those where City resident students are zoned to attend. Liaison duties shall include interacting with the selected school on a regular basis to determine needs, new programs and initiatives, and any other information impacting the City and City residents and reporting such information back to the Committee as needed.
4. **Chair's Initiative:** Each year the Chair shall introduce a Chair's Initiative. The Chair's Initiative shall be designed to provide the City Council and residents with additional information about issues that impact public, private and charter schools located within the City and those where City resident students are zoned to attend. Such additional

**Resolution No. 2023-31 | Education Advisory Committee**

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information may be presented to the Committee through presentations, guest speakers, or other communications.

5. Other Duties: The Committee shall perform such other duties as may be assigned by the City Council from time to time.

**SECTION 6. Meetings, Organization and Procedures.**

1. Meetings. All meetings of the Committee shall be open to the public. Meetings of the Committee shall be attended by the City Council member appointed as liaison to the Committee.
2. Officers. Each year, the Committee shall elect a Chair and Vice-Chair. The Council liaison shall present Committee reports and informational updates to the City Council on an as needed basis.
3. Quorum and Voting. A quorum shall consist of five (5) members present for the transaction of business. The Committee may not conduct business other than to adjourn absent a quorum. Each voting member shall have one (1) vote on every issue submitted to a vote of the Committee. The decision of a majority of the voting members in attendance at a meeting at which a quorum is present shall constitute the official action of the Committee.
4. Rules of Procedure. All meetings of the Committee shall be conducted substantially in conformance with Robert's Rules of Order. The Committee is further subject to such rules of procedure and public participation adopted by the City Council and made applicable to the Board. Committee members are subject to the Sunshine Law, Public Records Law and all State and Palm Beach County Ethics requirements.

**Resolution No. 2023-31 | Education Advisory Committee**

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**RESOLVED AND ADOPTED this 21<sup>st</sup> day of August 2023**

*Voted:*

\_\_\_\_\_  
**Joel Flores**, Mayor

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

**Attest:**

*Voted:*

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

\_\_\_\_\_  
**Peter Noble**, Deputy Mayor

*Voted:*

\_\_\_\_\_  
**Judith Dugo**, Council Member, *District III*

*Voted:*

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

*Voted:*

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

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

\_\_\_\_\_  
**Glen J. Torcivia**, City Attorney



## ITEM SUMMARY

**MEETING DATE:** September 18, 2023

**FROM:** Andrea McCue, City Manager, Administration

**SUBJECT:** Council Liaison Appointment to the Education Advisory Committee

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### BACKGROUND

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On August 21, 2023, the City Council approved Resolution 2023-31 establishing an Education Advisory Committee.

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### ANALYSIS

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One Councilmember shall serve as liaison to the Committee but has no voting power.

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### FINANCIAL INFORMATION

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N/A

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### LEGAL

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The City Attorney reviewed the Resolution and all supporting documents for legal sufficiency and compliance.

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### STAFF RECOMMENDATION

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Staff is recommending appointment of one member from the City Council to serve as the Council liaison to the Education Advisory Committee.



## Department Report

**MEETING DATE:** September 18, 2023  
**FROM:** Michele Thompson, Director, Community & Recreation Services  
**SUBJECT:** Community & Recreation Services Dept. – *August Report*

### ADMINISTRATION

PERFORMANCE MEASUREMENT	THIS PERIOD	FY2023 TO DATE	FY 2023 BUDGET
No. of Contracts Executed/Renewed	1	2	2
No. of Collaborative Partnerships	2	23	25
No. of Vendor/Independent Contractor Agreements	-	29	21
No. of Educational Scholarship Applications R'cd	-	21	15
No. of Community Events Coordinated	0	9	9
No. of Event Participants	8,050	35,246	31,500
No. of Little Free Libraries (LFL)*/Story Walk	1	32/2	32/2
No. of Business Sponsorships	2	22	20

### FACILITY RENTALS

FACILITY RENTALS	THIS PERIOD	FY2023 TO DATE	FY 2023 BUDGET
Fields/Concession Stands	82	638	875
Pavilions	46	454	400
Center Facility	55 <sup>1</sup>	836 <sup>1</sup>	800
Monthly Center Attendance	3,511	39,034	-

<sup>1</sup> 146 Additional Free Rentals: **94** Gym: YP/Adult & Teen Open Gym/Skill Development BB Program/Tai Chi, **5** Banquet Room: PBSO/Aleeh's Lemonade/School District, **1** Room 1: PBSO, **3** Room 2: Spotlighters/School District, **25** Room 3: Senior Social/School District, **5** Room 4: AARP/FR/School District, **13** Community Park: PB Square Dance

**REVENUE**

<b>FACILITY RENTALS REVENUE</b>	<b>THIS PERIOD</b>	<b>FY2023 TO DATE</b>	<b>FY2023 PROJECTED</b>
Rental Revenue Generated	\$14,543.16	\$119,181.01	\$132,799

**ATHLETICS**

<b>YOUTH ATHLETICS</b>	<b>THIS PERIOD</b>	<b>FY2023 TO DATE</b>	<b>FY2023 PROJECTED</b>
FY24 Co-ed Fall Soccer (10/6/23-12/8/23) • Registration Period 7/31/23 – 10/6/23	83	94	200
FY23 Co-ed Fall Soccer (9/26/22-12/16/22) • Registration Period 8/1/22 – 9/26/22	-	199	180
FY23 Co-ed Spring Soccer (3/6/23-5/19/23) • Registration Period 1/9/23 – 3/3/23	-	257	220
FY23 Co-ed Winter Basketball (12/5/22-3/9/23) • Registration Period 9/6/22 – 11/2/22	-	120	120
FY23 Spring Skill Development Basketball Program (Monthly Attendance)	43	215	-
Co-ed Summer Basketball Skills Camp	-	40	40

**Athletic Sponsors: Renaissance Charter School, Greenacres Nissan, & MyAccounting**

**COMMUNITY SERVICES**

<b>CROS MINISTRIES FOOD PANTRY DATES</b>	<b>NO. OF HOUSEHOLDS</b>	<b>NO. OF INDIVIDUALS</b>
June 8 <sup>th</sup> & 22 <sup>nd</sup>	50/32	106/64
July 13 <sup>th</sup> & 27 <sup>th</sup>	49 / 29	102 / 69
August 10 <sup>th</sup> & 24 <sup>th</sup>	48 / 33	123 / 67
TOTAL YTD	832	1,767

**SENIOR PROGRAMS**

<b>SENIOR SOCIAL</b>	<b>SPONSORS</b>	<b>NO. OF PARTICIPANTS YTD</b>
Games/Bingo/Special Events Mon - Fri. (5x12)	Prominence; Dedicated Senior; PBSO; Youth Programs, Conviva	330

## FY23 EVENTS &amp; SPONSORSHIPS

EVENTS	SPONSORS/PARTNERS	FY2023 EXPENSE	FY2023 ATTENDEES
Holiday in the Park (12/3/22)	\$7,500: Greenacres Nissan; Waste Management; Humana; Sunshine Health; FPL; State Farm; Cayuga Centers; Renaissance Charter School (Wellington); Rosenthal/Levy/S/S; Forest Hill Orthodontics	\$14,845	5,200
Fiesta de Pueblo (1/7/23)	Co-Sponsored w/ Fiesta de Pueblo, Inc.	\$1,058	10,000
Artzy Eve. at City Hall (1/21/23)	\$2,500: Renaissance Charter; Nissan; Waste Management	\$4,800	1,500
Daddy Daughter Dance (2/18/23)	\$1,000: Humana; Waste Mgmt.	\$3,875	66
Egg'stravaganza (4/8/23)	\$9,500: Waste Mgmt; Nissan; State Farm; Ed's; Tapatia; Dedicated Sr. Medical Ctr.; Renaissance Charter School at Wellington; Renaissance Charter School (Summit); Rosenthal, Levy, Simon & Sosa	\$11,229	4,800
Rock-n-Roll Sunday/FR Chili Cook-Off (5/21/23)	\$2,000: Nissan; Florida Blue Co-Sponsored Event	\$6,447	4,300
Ignite the Night (7/4/23)	\$12,500: FPL; State Farm, Waste Mgmt; Nissan; Renaissance Charter School (Summit); Zambelli (in-kind); Renaissance Charter School at Wellington; Wawa (In-kind)	\$53,546	8,000
<i>Back2School</i> Supply Distribution (7/28/23)	\$6,700: Humana; Waste Management, Ed's Food and Deli, Tapatia, Greenacres Nissan, Big Smile Dentistry, National Council of Jewish Women, Steigner, Greene & Feiner, Aleeh's Lemonade Stand, Carol Glasser & Family	\$6,700	9 Public; 1 Private School





## Department Report

**MEETING DATE:** August 21, 2023

**FROM:** Denise Malone, AICP, Development & Neighborhood Services Director

**SUBJECT:** August 1, 2023 through August 31, 2023

### Development & Neighborhood Services

#### Planning & Engineering Division

##### NEW CASES

None.

##### CURRENT PLANNING CASES

#### Bethesda Tabernacle

A request by the owner for a site and development plan approval (SP-99-04C) 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 at 4901 Lake Worth Road. (Awaiting response to sufficiency review).

#### CPA-23-01

A Comprehensive Plan Text Amendment to create a new Multiple Land Use (MLU) Future Land Use Designation providing for a mixture of high density residential with tiered workforce housing density bonus provisions if criteria are met and non-residential uses. (PZBA meeting on May 11, 2023 and City Council first reading on June 5, 2023. State reviewed as part of the State Expedited Review process for Comprehensive Plan Text amendments. Public hearing is required to take place within 180 days in order to adopt the amendments.)

#### 3130 Perry Avenue

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 10<sup>th</sup> Avenue South. (Awaiting receipt of DRC comments response and outside agency approvals).

#### ANX-08-01

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

**CPA-22-01**

A City-initiated request for comprehensive plan text and map amendments as required by the State Evaluation and Appraisal Review (EAR) due to be transmitted to the State in September. Staff is finalizing the draft Goals, Objective, and Policies (GOPs) and supporting Data and Analysis (D&A). (City Council update presentation will be on October 2, 2023 Council meeting and Transmittal 1<sup>st</sup> Reading October 16, 2023 Council meeting).

**Church of God 7<sup>th</sup> Day of Palm Beach**

A request by the applicant for a site plan amendment (SP-08-01C) to change the metal roof to asphalt shingle due to cost constraints. The site is located at 3535 S. Jog Road. DRC meetings April 14 and April 21, 2022. City Council on May 2, 2022. The City Council postponed until applicant is ready for certificate of occupancy. (Applicant responded to Code Enforcement requests for site Maintenance).

**Chick Fil A Greenacres**

A request by the owner for: 1) a site and development plan (SP-85-12RR) approval to construct a 4,646 fast food restaurant with a drive-thru window; and 2) a special exception (SE-21-03) request to allow a fast food/drive thru restaurant in a commercial intensive zoning district. The site is located at 6714 Forest Hill Blvd in the River Bridge Centre on the southwest corner of Forest Hill Blvd and S. Jog Road. PZBA recommended approval at their meeting on May 11, 2023. Resubmittal for the site plan received on June 20, 2023. The special exception scheduled for City Council on June 5, 2023 was withdrawn and rescheduled to coincide with the Site Plan review. The site plan was approved at the PZBA meeting on July 13, 2023. The special exception and site plan will be scheduled for the City Council meeting on August 21, 2023, City Council action taken to postpone to September 5, 2023 meeting.

**Garden Square**

A request by the owner for a site plan (SP-23-03) approval to construct 4 - five-unit townhomes and 6 - four unit townhomes (total of 44 units). The site is located at 6645 Chickasaw Road. (Awaiting receipt of items requested in the Sufficiency Letter dated August 23, 2023 )

**Iglesia Bautista Libre Emmanuel – 5083 Lake Worth Rd**

A request by the property owner for a major site plan amendment (SP-22-05A) and a special exception request (SE-22-04) to allow a house of worship within an existing building located within a Commercial Intensive zoning district and a variance request (BA-22-01) to allow for a reduction in the front and rear landscape buffers. The site is located at 5083 Lake Worth Road. (DRC reviewed on October 13, 2022. The applicant requested a postponement for the variance petition from the PZBA meeting on December 8, 2022, application revised to include adjacent property (previous Pawn Shop) Staff/applicant meeting on June 15, 2023. Awaiting sufficiency response from Applicant).

**Interlocal Annexation 2022**

Annexation (ANX-22-02) of sixteen enclaves located on Chickasaw and Wry Road into the City through an Interlocal Agreement with Palm Beach County.

**Mesocore**

A request by Aaron Taylor, representative of the property owner, Joseph Esposito, for Site Plan (SP-23-02) approval of a .73 acre site into a four single family unit development on the east side of Haverhill Road at 4970 Canal 14 Road). (Request by applicant to withdrawn petition on August 24, 2023)

**Orchid Cove**

A request by Aaron Taylor, representative of the property owner, US Nursing Group Florida, LLC, for Site Plan (SP-23-01) approval of a twelve duplex unit development on the west side of Jog Road at 1105 S Jog Road. (Awaiting receipt of DRC comments response of April 26, 2023)

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## SITE PLAN AMENDMENTS

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**Astro Skating Center**

A request by the owner for a minor site plan amendment (SP-75-02A-B) to change the color scheme of the exterior building, signage, and to modify their landscape plan. The site is located at 3100 S Jog Road. Approvals issued. Grand Opening took place. (Re-striping of the parking lot required to met City code).

**Potentia Academy Site Plan Amendment**

The petitioner is requesting a minor site plan amendment (SP-11-01D)\_to add a portable 1,269 sq. ft. classroom. The site is located at 4784 Melaleuca Lane. (Time extension granted until May 3, 2023, May 26, 2023 meeting with applicant. Awaiting receipt of remaining fees for Major Site plan amendment and applicant response)

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## RESIDENTIAL PERMITS

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**Catalina Estates**

Plat application received on May 16, 2019. Comments letter sent to applicant on July 17, 2019, resubmittal received on August 25, 2019 and approved by City Council on October 7, 2019. Project being built. Zoning, landscape and building inspections are being conducted when requested. Final inspections have been completed. Ready for closeout. Maintenance bond received.

**Ranchette Road Townhomes**

Plat Application received on March 23, 2021. Comments letter sent to applicant on May 17, 2021, resubmittal received on June 1, 2021. Final plat received and utility permit reviewed by City's engineer. Plat approved by City Council on October 4, 2021. Utilities permit approved by City's consulting engineer on 10/1/2021. Pre-construction meeting held on November 19, 2021 On September 16, 2022 final walk through was completed TCJA approved.

**Blossom Trail (Nash Trail)**

Plat application received on July 8, 2022. Complete submittal of application received. (Plat Revisions. Waiting on applicant to provide requested revised Plat and associated documents to proceed with Council Final Plat approval).

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**NON RESIDENTIAL PERMITS**


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

The building permit and engineering permit are both issued for the development. Stop work order was issued by Building Official on September 28, 2018. Subsequent meetings have been held with Building Official and Consultant Engineer as well as DNS staff. Code enforcement provided a time certain of July 19th to bring the exterior code maintenance items into compliance. (Code and Building Divisions are addressing outstanding site items).

**Palm Beach Christian Academy**

Revision to building permit received on November 1, 2021 comments sent to applicant on November 17, 2021, waiting on outside agency permits and resubmittal to address City's engineer comments. Utility permit approved August 4, 2022. Property is for sale. The City has received several inquiries regarding possible development options for the property.

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**GIS**


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**BTR/Fire/Finance Fees Map/Database**

Map all active/inactive BTR licenses to 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.

**Hurricane Map Preparation**

Updated maps and roadway atlas with new streets and city boundary data.

**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-2023-1997 – El Festival Familiar – In Process**

A request for Temporary Use Permit approval for a free cultural event to unite the Hispanic community sponsored by Hispanos Unidos to be held on Saturday, September 9, 2023 from 12 noon to 6:00 pm to be held at Samuel J. Ferrari park, 2905 S. Jog Road. The event will have Live Entertainment, Food trucks, Merchandise Vendors and Amusement games/rides.

### **TU-2023-2214 –Hoffmans Chocolate Christmas Tree**

A temporary use permit for Hoffmans Chocolate located at 5190 Lake Worth Road. The permit is for a 40' Christmas Tree with light, set up on November 20, 2023 and being on display from 11/24/2023 through 12/31/2023. The tree lighting ceremony will be on the 24<sup>th</sup>, there is no food trucks, signs or photo booths and will not be blocking any part of the parking lot.

### **TU-2023-2363 –McDonalds**

A temporary use permit request from McDonalds for their Grand Reopening Event 9/6/23 to 9/16/23 for a balloon arch, blow up of Ronald on the roof, raffles, tents and music at 6581 Forest Hill Blvd.

### **TU-2023-2627 – Not So Scary, Trunk or Treat**

A temporary use permit request from Palm Beach County Sheriff's Office for Not So Scary, Trunk or Treat event to include food, candy, bounce house, face painter to be held at 501 Swain Blvd., on October 19, 2023 from 5:00 pm to 8:00 pm

### **TU-2023-2616 – National Night Out Against Crime 2023**

A temporary use permit request from Palm Beach County Sheriff's Office for National Night Out Against Crime to be held on Friday, October 20, 2023 from 5:00 pm to 8:00 pm at Samuel J. Ferrari Community Park.

### **TU-2023-2216 – Homecoming Parade**

A temporary use permit request from John I. Leonard HS for their homecoming parade on October 12, 2023 from 1:00 pm to 3:00 pm.

### **TU-2023-2444 – Walmart Holiday Trailers**

A temporary use permit request for holiday trailers to be located at Walmart through February 15, 2024. The site is located at 6294 Forest Hill Blvd.

### **TU-2023-2542 – Sol Y Vida**

A temporary use permit request for a Open House Event for September 29, 2023 from 9:00 am to 1:00 pm for Sol Y Vida located at 6440 Lake Worth Road.

### FY 2023 Data:

Case	Current Period	FY 2023 to Date	FY 2023 Budget
Annexation	0	1	2
Comprehensive Plan Amendment	0	3	5
Zoning Changes	0	4	3
Special Exceptions	0	3	5
Site Plans	0	3	5
Site Plan Amendments	0	10	14
Variances	0	2	4
Zoning Text Amendments	0	5	5

Inspection Type	Current Period	FY 2023 to Date	FY 2023 Budget
Landscaping	8	105	131
Zoning	6	51	121
Engineering	1	21	100

## Building Division

### Building Department Report (August 1, 2023 – August 31, 2023)

#### 1) ADMINISTRATION:

- a) Researched and completed seventy-eight (78) lien searches providing open and/or expired permit information.
- b) Researched and completed forty-four (44) records requests for historical permits.

#### 2) PERMITS/INSPECTIONS:

PERMITS/INSPECTIONS	DURING THIS PERIOD		FYTD 2023
New Applications Received / Permits Created	196		2430
Applications Approved	134		1044
Applications Canceled	8		55
Applications Denied	1		27
Applications Reopened	1		31
Permits Issued	214		2227
Permits Completed	260		2313
Permits Canceled	5		73
Permits Reopened	82		534
Permits Expired	43		132
Inspections Performed	569		7616
Construction Value of Permits Issued	\$1,962,924.52		\$29,492,022.62
Construction Reinspection Fees	\$800.00		\$8,550
Extension/Renewal Fees	\$3,306.76		\$41,181.07
CO's Issued	9		100
CC's Issued	0		2
Temporary CO's Issued	2		3

**3) BUSINESS AND CONTRACTOR REGISTRATION:**

(See Attached Summary Reports)

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

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT#
El Car Wash	6200 Lake Worth Rd	3724	Construct Car Wash	2023-2487
Dunkin Donut	6097 Lake Worth Rd	1292	Interior Remodel	2023-2464
Lisa Dance Studio	3963 S Jog Rd		Interior Remodel	2023-2248
Certified Spine	6415 Lake Worth Rd #307	1598	Tennant Improvement	2023-2290
Carlyle Therapy	6685 Forest Hill #204		Interior Remodel	2023-2212
WSS	6358 Forest Hill	10,168	Interior Remodel	2023-2182
Planet Fitness	6488 Lake Worth Rd		Interior Remodel	2023-2140
Gyro GR	6852 Forest Hill	1682	Interior Remodel	2023-1965
Ice Cream Shop	4509 Lake Worth Rd	1,066	Interior Remodel Change	2023-0373

**5) PROJECTS IN PROGRESS – PRINCIPAL REMODELING/RENOVATION:**

PROJECT	ADDRESS	SIZE	DESCRIPTION	PERMIT #
Smoothie King	3899 S Jog	1,000	Interior Buildout	2023-1731
Fire Station	2905 S Jog		Interior Remodel	2023-1733
McDonalds	6581 Forest Hill Blvd		Interior Remodel	2023-0639
Salon	3951 S Jog Rd	5,165	Interior Renovation – Convert Mercantile to Business Occupancy	2023-0425
Publix	6790 Forest Hill Blvd		Interior Remodel – Interior Décor Scheme & Layout Changes	2022-3630

Taco Bell	6265 Lake Worth Rd	4,235	Interior & Exterior Remodel, by-pass lane, walk-up window	2023-0329
Public Storage	6351 Lake Worth Rd		Interior Remodel	2022-2283
Palm Beach Christian Academy	5208 S Haverhill Rd	4,250	Sitework – Utilities, Paving, Excavation	2021-3295
Convenience Store/Laundry	5470 10 <sup>th</sup> Ave N	1,604 sq.ft.	Interior Remodel – Add Coin Laundry to Convenience Store	2021-1191
Ministries in Bethel	3950 S 57 <sup>th</sup> Ave	6,939 sq.ft.	House of Workshop	2021-0365
Church of God 7 <sup>th</sup> Day	3535 S Jog Rd	11,500 sq. ft.	New Church	2016-2382

## 6) PROJECTS IN PROGRESS – PRINCIPAL NEW CONSTRUCTION:

PROJECT	ADDRESS/LOCATION	UNITS OR SQ. FT. APPROVED	UNITS C.O.'D
Single Family	310 Walker Ave	1 S/F	0
Single Family	344 Fleming Ave	1 S/F	0
Single Family	240 Walker Ave	1 S/F	0
Single Family	236 Walker Ave	1/SF	0
Blossom Trail	5595 S Haverhill Rd/Common Area	76 S/F 154 T/H	0
Ranchette Townhomes	1093 Ranchette Rd / Common Area	74 T/H	0
Catalina Estates	4500 Catalina Way / Common Area	20 S/F	15



## Code Enforcement Division

### Code Division Report (August 1, 2023 – August 31, 2023)

CODE ENFORCEMENT	DURING THIS PERIOD	FYTD 2023
Inspections Related to Active Code Cases	137	1736
New Cases Started	43	456
Cases Complied	34	475
Current Open Cases	200	2015
Notices Sent	68	1422
Illegal Signs Removed from right-of-way	153	1784
Inspections Not Related to Active Code Cases	291	2362
Complaints Received and Investigated	41	226
Warning Tickets	173	1885

## Code Enforcement - STATS

	NOTICES		WRITTEN	
	<u>MAILED</u>	<u>SIGNS</u>	<u>COMPLAINTS</u>	<u>WARNINGS</u>
OCTOBER 2022	152	145	16	221
NOVEMBER 2022	161	135	15	217
DECEMBER 2022	107	321	12	194
JANUARY 2023	161	269	10	263
FEBRUARY 2023	175	200	16	131
MARCH 2023	196	263	24	194
APRIL 2023	94	82	12	129
MAY 2023	156	113	24	146
JUNE 2023	108	92	32	117
JULY 2023	68	153	41	173
AUGUST 2023				
SEPTEMBER 2023				



# License Activity Report

Activity Date Range 08/03/22 - 08/31/23  
Summary Listing

License Type	Category	Application Received	Application Denied	Application Approved	New License Issued	License Renewed	License Revoked	License Canceled
Amusement - Amusement & Entertainment	Business	1	0	0	3	31	0	0
Cont Office - Contractor Office	Business	5	0	0	7	17	0	0
Exemptions - Exemptions / Non-Profit	Business	8	0	0	8	62	0	0
Food Service - Food Service / Bar / Lounge	Business	15	0	0	18	145	0	0
General Retail - General Retail	Business	27	0	0	27	192	0	0
General Service - General Service	Business	103	0	0	113	541	0	0
Home - Home Based Business	Business	62	0	0	62	474	0	0
Industrial - Industrial	Business	3	0	0	2	5	0	0
Professional - Professional	Business	90	0	0	93	342	0	0
Rental Office - Rental Office	Business	0	0	0	0	14	0	0
Rental Unit - Rental Unit	Business	143	0	0	146	1811	0	0
Storage/WH Units - Storage / Warehouse Units	Business	1	0	0	1	8	0	0
Wholesale - Wholesale	Business	1	0	0	1	0	0	0
Grand Totals		459	0	0	481	3642	0	0

## CITY OF GREENACRES

## Licensing Revenue Summary Report

## Licensing Revenue Summary Report - Summary

From Date: 08/03/2022 - To Date: 08/31/2023

Charge Code	No. of Billing Transactions	No. of Adjustment Transactions	Billed Amount	Adjustments	Net Billed
License Type: Amusement-Amusement & Entertainment					
Amusement Sq Ft-Amusement Square Feet	14	0	\$7,153.27	\$0.00	\$7,153.27
Vending Machine-Amuse/ Vending / Coin Operated	24	0	\$6,632.25	\$0.00	\$6,632.25
Food-Food Service	2	0	\$249.18	\$0.00	\$249.18
Food Per Seat-Food Per Seat	2	0	\$101.64	\$0.00	\$101.64
License Type Amusement-Amusement & Entertainment Totals	42	0	\$14,136.34	\$0.00	\$14,136.34
License Type: Cont Office-Contractor Office					
Cont Office-Contractor Office	22	0	\$2,516.16	\$0.00	\$2,516.16
Com Inspection-Commercial Inspection	6	0	\$414.00	\$0.00	\$414.00
Transfer-Transfer	1	0	\$11.62	\$0.00	\$11.62
License Type Cont Office-Contractor Office Totals	29	0	\$2,941.78	\$0.00	\$2,941.78
License Type: Exemptions-Exemptions / Non-Profit					
Com Inspection-Commercial Inspection	5	0	\$345.00	\$0.00	\$345.00
License Type Exemptions-Exemptions / Non-Profit Totals	5	0	\$345.00	\$0.00	\$345.00
License Type: Food Service-Food Service / Bar / Lounge					
Food-Food Service	144	0	\$17,644.19	\$0.00	\$17,644.19
Food Per Seat-Food Per Seat	118	0	\$30,873.08	\$0.00	\$30,873.08
Vending Machine-Amuse/ Vending / Coin Operated	7	0	\$2,148.87	\$0.00	\$2,148.87
Com Inspection-Commercial Inspection	15	0	\$1,035.00	\$0.00	\$1,035.00
Com Re-Inspect-Commercial Re-	1	0	\$29.00	\$0.00	\$29.00

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Inspection					
Transfer-Transfer	7	0	\$152.10	\$0.00	\$152.10
Collection Fee-Collection Fee	3	0	\$75.00	\$0.00	\$75.00
Delinquent > 150-Delinquent Over 150 Days	3	0	\$300.00	\$0.00	\$300.00
25% Penalty-25% Penalty	1	0	\$136.07	\$0.00	\$136.07
License Type Food Service-Food Service / Bar / Lounge Totals	299	0	\$52,393.31	\$0.00	\$52,393.31
License Type: General Retail-General Retail					
General Retail-General Retail Sq Feet	196	1	\$96,787.84	(\$325.78)	\$96,462.06
Vending Machine-Amuse/ Vending / Coin Operated	13	0	\$1,764.45	\$0.00	\$1,764.45
Com Inspection-Commercial	21	0	\$1,449.00	\$0.00	\$1,449.00
Transfer-Transfer	5	0	\$87.04	\$0.00	\$87.04
Collection Fee-Collection Fee	9	0	\$225.00	\$0.00	\$225.00
Delinquent >150-Delinquent Over 150 Days	9	0	\$900.00	\$0.00	\$900.00
25% Penalty-25% Penalty	1	0	\$40.72	\$0.00	\$40.72
General Service-General Service	15	1	\$1,710.12	(\$116.22)	\$1,593.90
Food Service-Food Service	4	0	\$498.36	\$0.00	\$498.36
Food Svc/Seating-Food Svc/Seating	1	0	\$52.08	\$0.00	\$52.08
License Type General Retail-General Retail Totals	274	2	\$103,514.61	(\$442.00)	\$103,072.61
License Type: General Service-General Service					
General Service-General Service	592	0	\$64,198.83	\$0.00	\$64,198.83
Vending Machine-Amuse/ Vending / Coin Operated	2	0	\$1,825.46	\$0.00	\$1,825.46
Com Inspection-Commercial	92	0	\$6,339.02	\$0.00	\$6,339.02
Transfer-Transfer	13	0	\$147.78	\$0.00	\$147.78
Collection Fee-Collection Fee	17	0	\$425.00	\$0.00	\$425.00
Delinquent > 150-Delinquent Over 150 Days	17	0	\$1,700.00	\$0.00	\$1,700.00
25% Penalty-25% Penalty	2	0	\$58.12	\$0.00	\$58.12
Cosmetology-Cosmetology / Barber	26	0	\$1,007.57	\$0.00	\$1,007.57
General Retail-General Retail Sq Feet	2	0	\$162.78	\$0.00	\$162.78
License Type General Service-General Service Totals	763	0	\$75,864.56	\$0.00	\$75,864.56
License Type: Home-Home Based Business					
Home-Home Based Business	520	3	\$39,537.45	(\$236.41)	\$39,301.04

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Com Inspection-Commercial Inspection	1	0	\$69.00	\$0.00	\$69.00
Transfer-Transfer	7	0	\$54.64	\$0.00	\$54.64
Collection Fee-Collection Fee	31	0	\$775.00	\$0.00	\$775.00
Delinquent >150-Delinquent Over 150 Days	30	0	\$3,000.00	\$0.00	\$3,000.00
License Type Home-Home Based Business Totals	589	3	\$43,436.09	(\$236.41)	\$43,199.68
License Type: Industrial-Industrial					
Industrial Sq Ft-Industrial Square Feet	5	0	\$651.57	\$0.00	\$651.57
Com Inspection-Commercial Inspection	2	0	\$138.00	\$0.00	\$138.00
License Type Industrial-Industrial Totals	7	0	\$789.57	\$0.00	\$789.57
License Type: Professional-Professional					
Professional-Professional	240	1	\$27,041.44	(\$116.22)	\$26,925.22
Cosmetology-Cosmetology / Barber	140	1	\$5,251.55	(\$40.61)	\$5,210.94
Real Estate-Real Estate Broker / Ins Agents	26	0	\$2,334.31	\$0.00	\$2,334.31
Com Inspection-Commercial Inspection	8	0	\$552.00	\$0.00	\$552.00
Transfer-Transfer	12	0	\$127.55	\$0.00	\$127.55
Collection Fee-Collection Fee	10	0	\$250.00	\$0.00	\$250.00
Delinquent > 150-Delinquent Over 150 Days	10	0	\$1,000.00	\$0.00	\$1,000.00
25% Penalty-25% Penalty	1	0	\$30.51	\$0.00	\$30.51
General Service-General Service	56	0	\$6,359.01	\$0.00	\$6,359.01
License Type Professional-Professional Totals	503	2	\$42,946.37	(\$156.83)	\$42,789.54
License Type: Rental Office-Rental Office					
Rental Office-Rental Office	12	0	\$1,908.12	\$0.00	\$1,908.12
Com Inspection-Commercial Inspection	1	0	\$69.00	\$0.00	\$69.00
Transfer-Transfer	1	0	\$15.51	\$0.00	\$15.51
Rental Unit -Rental Unit	1	0	\$38.68	\$0.00	\$38.68
License Type Rental Office-Rental Office Totals	15	0	\$2,031.31	\$0.00	\$2,031.31
License Type: Rental Unit-Rental Unit					
Rental Unit-Rental Unit	1705	3	\$91,558.80	(\$99.60)	\$91,459.20
Rental Insp-Rental Inspection	156	1	\$8,270.00	(\$50.00)	\$8,220.00
Rental Re-Insp-Rental Re-Inspection	2	0	\$50.00	\$0.00	\$50.00
Transfer-Transfer	2	0	\$7.74	\$0.00	\$7.74

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Collection Fee-Collection Fee	30	0	\$750.00	\$0.00	\$750.00
Delinquent >150-Delinquent Over 150 Days	31	0	\$3,084.98	\$0.00	\$3,084.98
25% Penalty-25% Penalty	1	0	\$9.67	\$0.00	\$9.67
License Type Rental Unit-Rental Unit Totals	1927	4	\$103,731.19	(\$149.60)	\$103,581.59
License Type: Storage/WH Units-Storage / Warehouse Units					
Storage/WH Units-Storage / Warehouse Units	7	0	\$5,451.05	\$0.00	\$5,451.05
Com Inspection-Commercial Inspection	1	0	\$69.00	\$0.00	\$69.00
License Type Storage/WH Units-Storage / Warehouse Units Totals	8	0	\$5,520.05	\$0.00	\$5,520.05
License Type: Wholesale-Wholesale					
Wholesale Sq Ft-Wholesale Square Feet	1	0	\$77.57	\$0.00	\$77.57
Com Inspection-Commercial Inspection	1	0	\$69.00	\$0.00	\$69.00
License Type Wholesale-Wholesale Totals	2	0	\$146.57	\$0.00	\$146.57



## Department Report

**MEETING DATE:** Month, DD, 202Y

**FROM:** Gigi Chazu, Director, Economic Development

**SUBJECT:** Monthly Report – Month of July

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### BACKGROUND

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The following report provides activity within the Department of Economic Development for the reporting period from August 1st through August 31st, 2023.

- Continued building relationships with local organizations to introduce the department and establish potential collaborations in different areas of economic development.
    - Business Development Board: Attended the Stake Holder Round Table, looking to have the City join as a member for 2024 fiscal year to have Greenacres included on their publications.
    - Meeting with developer's firm for potential public-private partnerships on multi-use development.
    - Small Business Development Center (SBDC) – Attended the Small Business Success Summit to keep updated on federal programs for small businesses.
    - Attended the International Council of Shopping Centers Conference: Identified 13 retailers that can fit Greenacres demographics; met with new retailer that leased the CVS store on Forrest Hill Blvd; introduced Greenacres to developers; met with Colliers Internationals and spoke of possible collaboration on development trends under current economic conditions.
    - Habitat for Humanity: Conversations on ways to engage residents on neighborhood improvement projects, Rock the Block event, relocation or redevelopment of their ReStore.
    - Palm Beach State College: Meeting with PBSC representatives and Mayor Flores on a Hispanic Heritage event at the College's facilities.
    - Legacy Church: Conversations on support for their 50<sup>th</sup> year anniversary
  - Continued creating content and for the department's web pages.
  - Constant collaborating with content for the City's LinkedIn page.
  - Continued population of new business lists.
  - Launched the Eat Greenacres initiative, first restaurant enlisted, currently creating video.
  - Completed initiatives and programs to support the Economic Development Element
    - Business attraction and retention campaign
    - Ribbon Cutting Program
  - Current projects:
    - Economic Development Plan Timeline
    - Business Improvement Program
    - Urban Land Institute Leadership Project Application
    - City's Centennial Celebration
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## Department Report

**MEETING DATE:** September 18, 2023

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

**SUBJECT:** Department of Finance Activity Report

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### BACKGROUND

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The following report provides activity within the Department of Finance for the reporting period from August 1 through August 31, 2023.

In brief, the Finance Department:

- Continued to collaborate with all City departments to prepare FY 2024 Budget.
- Continued to reconcile outstanding Miscellaneous Billing balances.
- Posted the Budget Manager and Assistant Finance Director positions.
- Grants:
  - Submitted application for 2023 JAG Grant - Cameras.

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

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## Department Report

**MEETING DATE:** September 18, 2023

**FROM:** Brian Fuller, Fire Chief

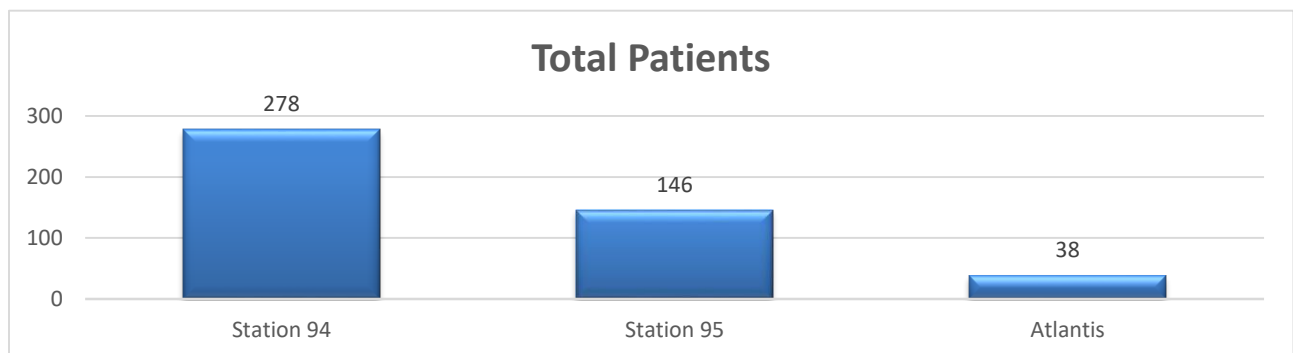
**SUBJECT:** Fire Rescue August Report

### FR CALLS

CALLS	MONTHLY TOTALS
Total Alarms dispatched in August	597
Average alarms per day	17.06
Total calls this fiscal year	6,577

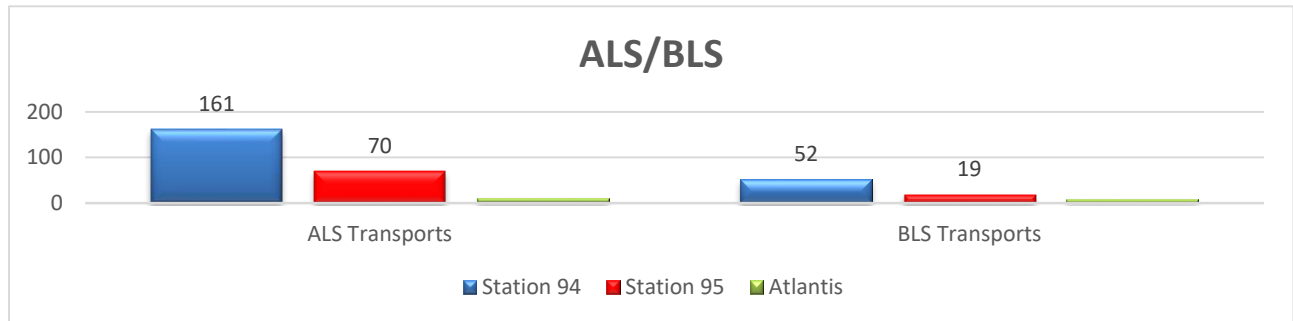
In August 2023, 424 patients were treated for Emergency Medical related services. Of those patients, 38 were in the City of Atlantis. These requests include a single unit responding to assist a person who has fallen to the floor, a cardiac arrest requiring multiple units and a combination of personnel, advanced skills, and equipment.

Service Calls, Cancels, and Public Assists totaled 86. 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.



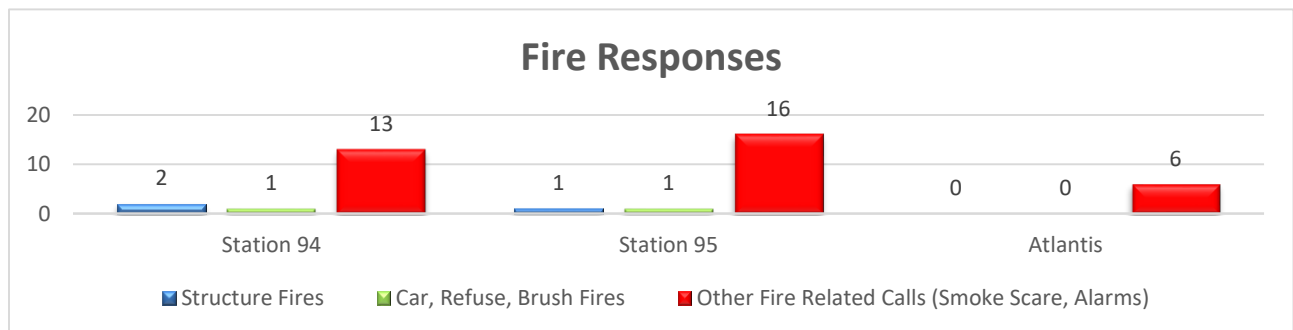
## ALS/BLS

Fire Rescue transported 302 patients to a hospital or 71% of the patients we were called to treat. The majority of those (231) 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.



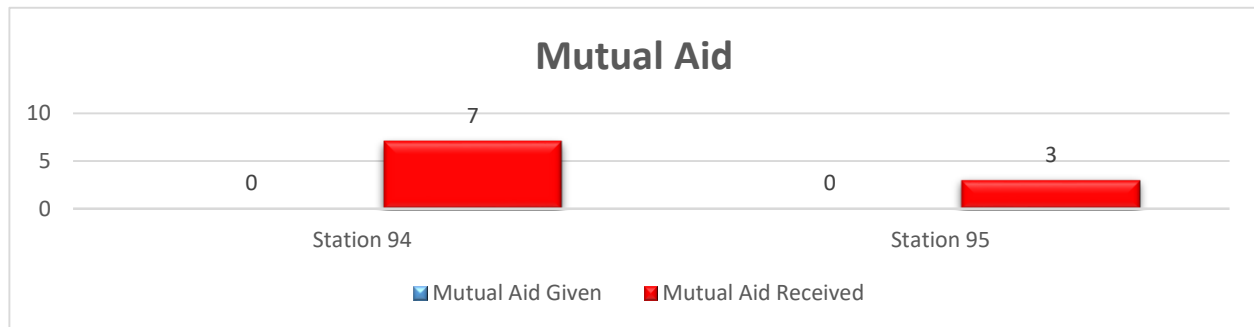
## FIRE RESPONSES

Fire Rescue responded to 29 calls for a fire or smoke related emergency. There were two (2) requiring an escalated response to a car, brush, or refuse fire; three (3) were in a residential or commercial structure.



## MUTUAL AID

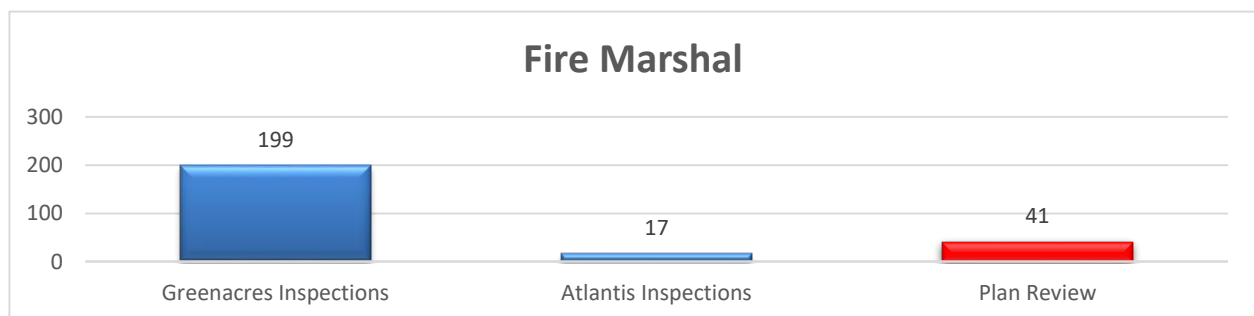
Mutual aid is the sending or receiving of emergency resources (apparatus, personnel) to or from another entity or agency upon request. No community has sufficient resources to handle every emergency of all sizes. Therefore, neighboring agencies work together through a system called Mutual Aid. That system 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	216
Plans Review	41
Dollar Loss due to fire	\$307,100



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**SPECIAL SERVICES**

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Blood Pressure Screenings	0
Presentations, Station Tours/Attendees	2/62
Persons Trained in CPR	0



## Department Report

**MEETING DATE:** August 18, 2023

**FROM:** Captain Tristram Moore, PBSO District 16

**SUBJECT:** PBSO District 16 August 2023 Report

### CAD CALLS

CAD CALLS	MONTHLY TOTALS
Business / Residence Checks (Self-Initiated)	1,385
Traffic Stops (Self-Initiated)	551
Calls for Service	2,001
<b>All CAD Calls - Total</b>	<b>3,937</b>
<b>Total Calls for Service – FY 2022</b> (October 2022 – September 2023)	<b>42,177</b>

Data Source: CADS/Premier 1

\*Omit Miscellaneous Calls

*Note: P1 is a dynamic system. Meaning that #'s can change from what was previously reported in the event there is a location or call type re-classification/modification.*

### SUMMARY

During the month, there were 3,937 generated calls within the District and 49% of these calls were self-initiated.

### TRAFFIC ACTIVITY

DISTRICT 16 PERSONNEL	
Total Citations	Total Warnings
211	356

Data Source: D16 Office Staff/Monthly Report

PBSO MOTORS UNIT	
Total Citations	Total Warnings
215	140

Data Source: Motor/Traffic Unit

### COMMUNITY POLICING EVENTS

- 08/02/23: Meeting with the Department of Agriculture at the Greenacres Community Center
- 08/03/23: Backpack Pick-Up Event

- 08/03/23: Back to School Backpack Giveaway at Treetop Motel and local neighborhoods
- 08/08/23: Backpack Giveaway at Colonial Lakes Housing Development
- 08/10/23: Pop with a Cop Back to School Event
- 08/12/23: Diaper Giveaway at City Hall
- 08/16/23: Meeting with PBSO Media Relations in reference to Anti-Bullying and Mentorship Programs (upcoming school year)
- 08/17/23: Conversation with a Deputy Event at the Villa Madonna Community
- 08/17/23: Texas Roadhouse Kids Bash Event
- 08/21/23: Meeting with City of Greenacres Code Enforcement in reference to homeless camp behind Walgreens located at 6591 Forest Hill Boulevard
- 08/30/23: Problem Solving Meeting with the Principal of Okeeheelee Middle School in reference to the students of the school fighting after school
- 08/31/23: Took part in the WAWA Grand Opening where there was a sandwich making competition of Law Enforcement (PBSO) versus Palm Beach County Fire Rescue

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### **STREET CRIMES UNIT**

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- The District 16 Street Crimes Unit responded to a call reference the possible sighting of a missing person who also had outstanding warrants. Contact was attempted on an individual matching the description. The suspect fled on foot after verbal commands were made. The suspect was apprehended and charged accordingly.
- District 16 Street Crimes Unit assisted with two residential search warrants where stolen Property was recovered from the residence. Probable cause was developed to arrest the suspect for incidents related to multiple vehicle burglaries The suspect was arrested and ~~was~~ charged accordingly.
- The District 16 Street Crimes Unit conducted a traffic stop where probable cause to search the vehicle was established. The driver was arrested for possession of a controlled substance without a prescription.

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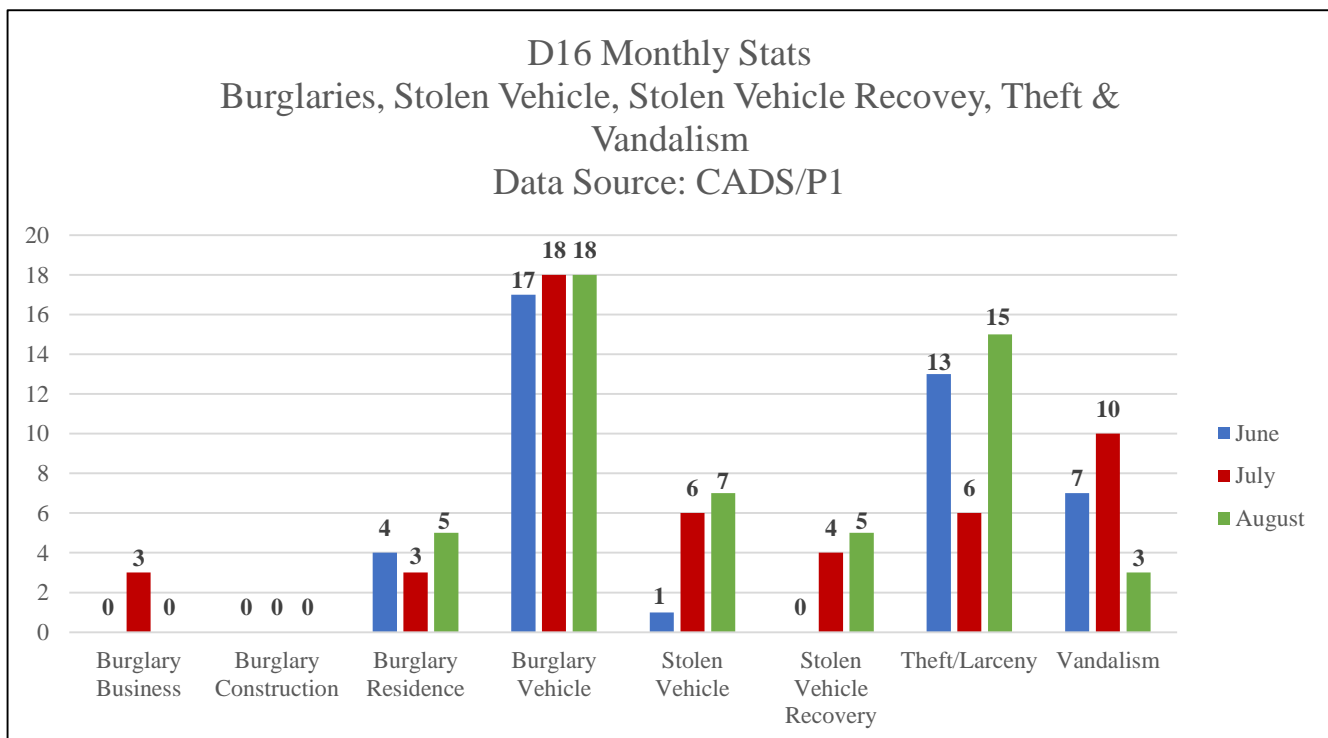
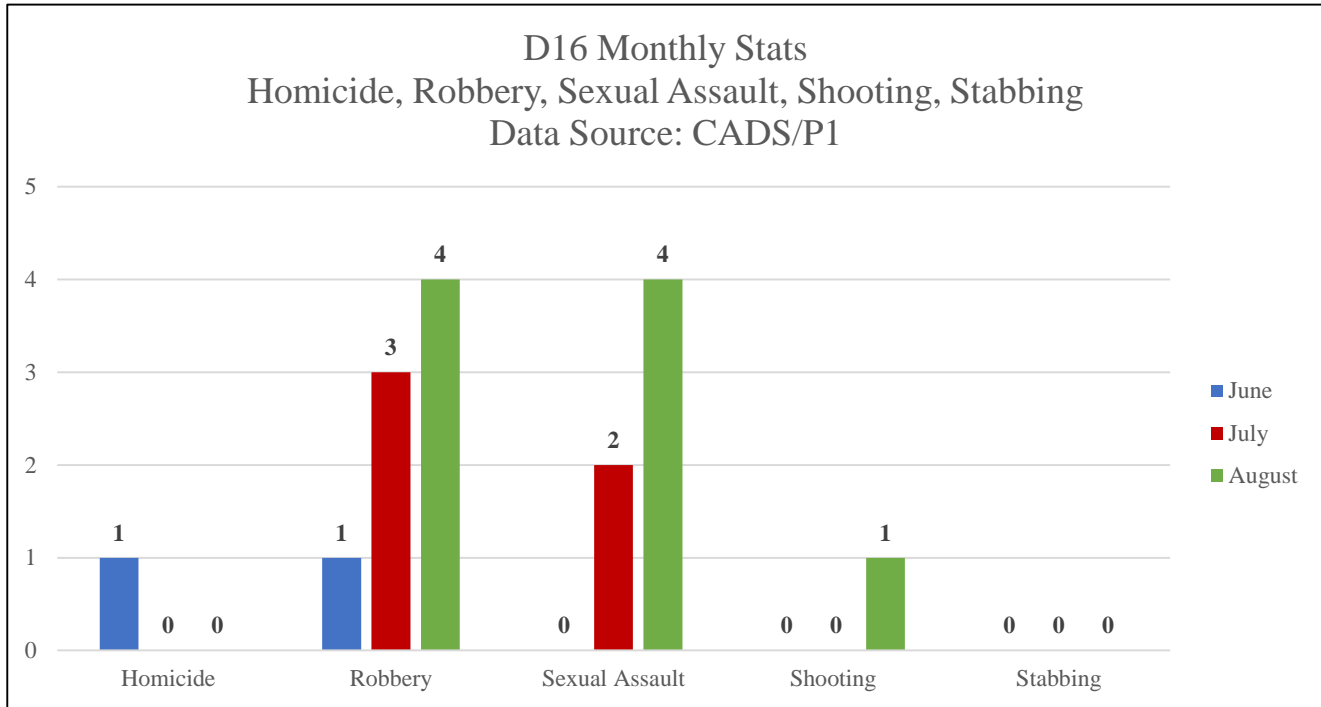
### **PROPERTY DETECTIVES**

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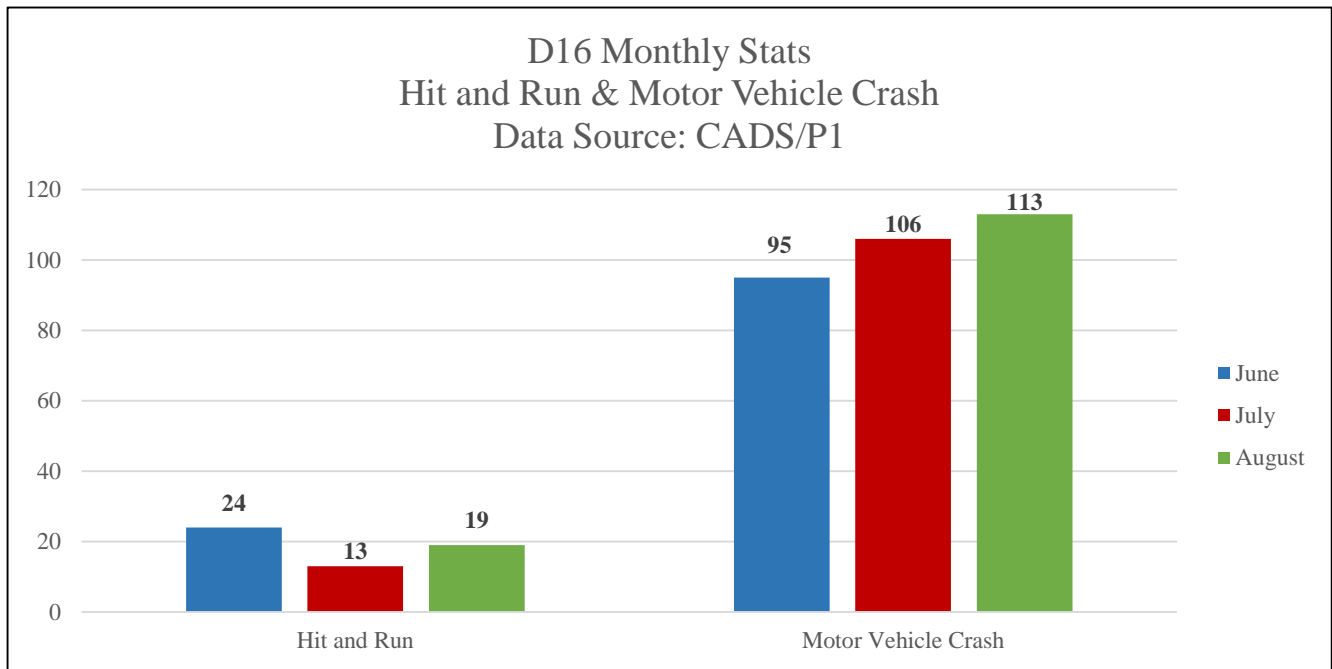
- A victim reported their vehicle burglarized and wallet stolen. The credit cards were used at several locations and the suspect was identified. Detectives learned the suspect was apprehended just a few minutes' prior after bailing out of a stolen vehicle. The suspect's clothes and several items related to the fraudulent transactions were located in the stolen vehicle. This case was cleared by arrest.
- Detectives investigated several vehicle burglaries in a Greenacres community. A suspect vehicle was developed and was linked to multiple burglaries throughout the county. The South Florida Task Force recovered the vehicle and made three arrests. The suspect was arrested for these two burglaries.
- A suspect was developed in the vehicle burglaries that have been occurring in plazas in the city. A residential search warrant was obtained and stolen items from these cases were located in the suspect's residence. DNA was collected from the suspect and a cell site warrant for the suspect's phone were also obtained to connect the suspect to additional burglaries. The suspect was arrested for these two burglaries.

## 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 AUGUST 2023 - CASE NUMBER INCIDENTS

LOCATION	CASE NUMBER COUNT
Forest Hill Boulevard / S Jog Road	14
Lake Worth Road / S Jog Road	10
10th Avenue N / S Haverhill Road	6
S Jog Road / 10th Avenue N	4
S Jog Road / Purdy Lane	4
Spring Meadow Drive / S Jog Road	4



## Department Report

**MEETING DATE:** September 18, 2023

**FROM:** Carlos Cedeño, Public Works Director

**SUBJECT:** Public Works Department Report

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### DEPARTMENT HIGHLIGHTS

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Listed below is a brief summary of the activities undertaken by the Public Works Department during the period of August 1, 2023 through August 31, 2023.

#### 1. ADMINISTRATION:

- Staff attended a pre-construction meeting for the Fire Rescue 94 bunk room lounge area renovation.
- Staff met with vendor to discuss equipment options for the replacement of the play structure at Gladiator Park in Fiscal Year 2024.

#### 2. ROADS AND DRAINAGE MAINTENANCE

- Trip hazard on several sidewalk sections on Empire Way in Palm Beach Villas were repaired.
- Traffic stripping was completed on Dahl Drive, Park Point Circle and South 57<sup>th</sup> Avenue.
- New hardware and showcase banners were installed along Lake Worth Road, Jog Road and 10<sup>th</sup> Avenue North.
- Landscape was placed around the new monument sign at the corner of Melaleuca Lane and Military Trail.

#### 3. VEHICLE MAINTENANCE

- Supervisor participated in RFP 24-003 for the selection of an HVAC and Ice Machine services vendor.
- Supervisor attended Neo Gov training.

#### 4. BUILDING SERVICES

- Coordinated the installation of new LED lighting for the playgrounds at Rambo and SJF Community Parks.
  - Completed the installation of a new washer, dryer and hot water line at 301 Swain Blvd in preparation for the temporary Fire Rescue Station 96.
  - Staff conducted quarterly inspections of all City facilities.
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**5. PARKS MAINTENANCE**

- Staff conducted City-wide exterior lighting inspections of all City parks and properties.
  - Coordinated the replacement of 70,000 sq. ft. of sports turf at Freedom Park soccer fields.
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## Department Report

**MEETING DATE:** September 18, 2023

**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 August 1 through August 31.

- a. 23-002 Gladiator Lake Drainage Enhancements – This bid was advertised on November 22, 2022 and opened on February 1, 2023 with one (1) bid received. Under staff review.
- b. 23-008 Landscape Maintenance of Canals & Medians – This bid was advertised on May 24, 2023 and opened on June 28, 2023 with six (6) bids received. Under staff review.
- c. 23-010 Banking Services – This RFP was advertised on June 18, 2023 and closed on August 3, 2023 with two (2) proposals received. BankUnited NA was the only responsive and responsible proposer, therefore, staff is recommending award to them at the meeting held on October 2, 2023.
- d. 24-001 Landscape Maintenance Services for Facilities & Parks – This bid was advertised on July 2, 2023 and opened on August 7, 2023 with ten (10) bid received. City staff has evaluated the proposal and recommends award to L.V. Superior Landscaping, Inc. as the lowest responsive and responsible bidder. To go before Council for approval at the meeting to be held on September 5, 2023.
- e. 24-002 Pressure Cleaning Services – This bid was advertised on July 2, 2023 and opened on August 2, 2023 with eight (8) bids received. City staff has evaluated the proposal and recommends award to The Pressure Cleaning Man, Inc. as the lowest responsive and responsible bidder. To go before Council for approval at the meeting to be held on September 5, 2023.
- f. 24-003 HVAC and Ice Machine Services – This RFP was advertised on July 16, 2023 and closed on August 16, 2023 with three (3) proposals received. The Selection Committee met on August 25 2023 to review and evaluate the proposals. The Selection Committee recommends award to Hyvac Mechanical Services, Inc. To go before Council for approval at the meeting to be held on September 5, 2023.
- g. 24-004 Medical Supplies – This bid was advertised on August 16, 2023 and opens on September 14, 2023.
- h. Mortgage Foreclosure Registration – City Staff is currently researching possible contract piggyback options.

- i. Request for Quotes – Developed, administered and assisted with the RFQ for Manual Transfer Switch at 301 Swain.
- j. Solicitations In Progress – Credit Card Services; Solid Waste Collection Services; Chickasaw Road Reconstruction and L-11 Canal Piping; Aquatic Plant Management Services; and Printing of City Stationery.

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### DEPARTMENT ACTIVITY

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ACTIVITY	CURRENT PERIOD	FY 2023 YTD
Purchase Orders Issued	50	701
Purchase Order Amounts	\$ 501,548.40	\$38,545,944.94
Solicitations Issued	2	26
Solicitations in Progress	5	-
Central Store Requests	3	54
Contracts Managed	77	77
Purchasing Card Purchases	261	2,880
Purchasing Card Transactions	\$41,962.30	\$ 438,757.79
No. of Training Sessions Conducted	0	9
Towing Revenue	\$3,819.00	\$ 37,922.00



## Youth Programs Department Monthly Report

**MEETING DATE:** September 18th, 2023

**FROM:** Jowie Mohammed, Director of Youth Programs

**SUBJECT:** August 2023 Department Report

### PROGRAMMING

- Started 2023-2024 school year after-school pick-up and programming on Thursday August 10, 2023.
- Sixteen (16) days of after-school provided and transportation from six (6) schools within City limits.
- Four (4) Summer Camp Full Day of programming from 7:30 a.m.-5:30 p.m.

### PERFORMANCE MEASUREMENTS

PERFORMANCE MEASUREMENT	AVERAGE THIS PERIOD	FY 2023 TO DATE	FY 2023 BUDGET
# of Participants	65	96	150
# of Participants in Sierra Club ICO	0	10	25
# of Licenses Coordinated	0	1	1
# of MOU's Coordinated	1	2	6
# of Part.'s in Teen Advisory Council (TAC)	5	5	7
# of Part.'s in TOP Program	30	40	15
# of Part.'s in Garden Club	0	19	20
# of Presidential Volunteer Service Hours	821	9,457	8,000

### FINANCIAL INFORMATION

GRANTS COORDINATED	AVERAGE THIS PERIOD	FY 2023 TO DATE	FY 2023 BUDGET
Early Learning Coalition	\$16,419.66	\$198,875.13	\$316,817
Parent & Registration Fees	\$10,305.80	\$78,826.52	\$185,419
Youth Services Department SEL Grant	\$7,700.80	\$61,605.92	\$77,000
Textile Funds	\$0.00	\$4,865.00	\$18,000
Community Foundation Grant (Summer)	\$0.00	\$33,525.00	-

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## C.A.R.E.S REPORT

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- To wrap up Summer Camp the CARES Program was able to distribute backpacks to all its enrolled participants and siblings of its participants. The backpacks were donated by Cros Ministries and were filled with school supplies.
- To begin the school year the CARES Program was able to max out its enrollment. And daily attendance is consistently high.

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## TEEN PROGRAMS REPORT

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- Summer Camp finished with the Teens helping pack and handing out over 70 bookbags with school supplies to their peers. The teens were a huge help this summer as they helped in many areas, no questions asked and helped encourage their younger peers in classroom activities and field trips. Their willingness to participate helped make this one of the best summers in Youth Programs history.
- The school year began on August 10th, and since the beginning of the school year, we have had an average of 18 high school students and 15 middle school students. Many of our high school participants are from John I. Leonard, and our middle school youth come from L. C. Swain and Okeeheelee Middle.
- T.O.P. began on August 22nd, with a second meeting on August 28th. This year would mark our 5th year working with the Teen Outreach Program. Students made sure to have their packets ready and were rewarded with incentive gifts, such as mobile chargers, candy, and other accessories.