



CITY COUNCIL MEETING

City of Greenacres, Florida

Monday, August 15, 2022 at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

MINUTES

Mayor and City Council

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

Deputy Mayor Tharp called the meeting to order at 6PM and Ms. Moorer called the roll. Mayor Flores was absent. Ms. Christy Goddeau, City Attorney was present.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Deputy Mayor Tharp suggested removing items 11 and 12 pertaining to City Manager and City Attorney evaluations since Mayor Flores was absent.

Councilmember Bousquet said she would like to discontinue the practice of open forum evaluations for the City Manager and the City Attorney she felt it was unnecessary and inappropriate. She moved to completely discontinue the practice.

After discussion with Ms. Christy Goddeau, City Attorney, and Council the decision was made to remove the evaluation items until further notice and add a discussion item on the next agenda to discuss the practice of evaluations.

Motion made by Councilmember Bousquet, Seconded by Councilmember Dugo to remove items 11 and 12 from the agenda. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY

None.

SPECIAL BUSINESS

None.

CONSENT AGENDA

- 1. Official Minutes:** City Council Special Meeting Minutes, July 18, 2022 and City Council Meeting Minutes, August 1, 2022.
- 2. Resolution 2022-36:** Approving four (4) Professional Service Agreements between the City of Greenacres and Calvin, Giordano & Associates, Inc., the Corradino Group, Inc., Kimley-Horn and Associates, Inc., and WGI, Inc., to provide general professional planning consultant services; authorizing the appropriate City Officials to execute the agreement; providing for an effective date. - Monica Powery, Director of Purchasing.
- 3. Resolution 2022-39:** Satisfying certain liens imposed against residential property, pursuant to Section 15-31, City of Greenacres Code. - Teri Beiriger, Director of Finance.

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

REGULAR AGENDA

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

Ms. Moorer read the ordinance by title.

Ms. Irwin-Ferris stated this was the Second Reading for the ISBA agreement which was required by Florida Statutes. She said the agreement would be transferred to Palm Beach County for two Public Hearings. Once adopted Staff would return to Council for approval of the annexation. Staff recommended approval of the ordinance.

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

- 5. PUBLIC HEARING: Ordinance 2022-19: Second Reading:** Amending Chapter 12, Subdivisions and Land Development Regulations, Article 1, in general, by adding Section 12-12, Engineering Permits, providing for repeal of conflicting ordinances, severability, inclusion in code, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated this was the Second Reading of the ordinance to create a engineering permit process to make the process user friendly and clarify the content. No changes have been made since the First Reading. Staff recommended approval.

Motion made by Councilmember Diaz, Seconded by Councilmember Bousquet to approve Ordinance 2022-19 on Second Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

- 6. PUBLIC HEARING: Ordinance 2022-24: Second Reading:** Amending Chapter 10, "Personnel", Article 10, "In General", to create a new Section 10-1 to be entitled, "State and National Criminal History checks for certain Municipal Employees"; to codify requirements for Criminal History records checks for personnel in the Department of Fire Rescue which the governing body of the municipality finds are critical to security or safety; to codify the requirement for Criminal History records checks for certain municipal employees and appointees which the City Council of Greenacres, Florida, finds is critical to security or safety; providing for severability, codification, repeal of conflicting ordinances, and an effective date. - Suzanne Skidmore, Director of Human Resources.

Ms. Moorer read the ordinance by title.

Ms. McCue stated usually the City conducted Fire Rescue personnel background checks. Recently the City had been notified by the Federal Bureau of Investigation that the City could no longer use the current Originating Agency Identification for those background checks. The City was now required to create a separate Originating Agency Identification to continue to perform background checks. Staff recommended approval.

Motion made by Councilmember Dugo, Seconded by Councilmember Dugo to approve Ordinance 2022-24 on Second Reading.

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

- 7. PUBLIC HEARING: Ordinance 2022-15: First Reading:** Amending Chapter 16 "Zoning Regulations," Article 2 "Administration," by deleting in its entirety current Division 11 "Adult Entertainment establishments" and adopting a new Division 11, entitled "Adult Entertainment establishment," which shall formally incorporate Palm Beach County's Adult Entertainment Code, and setting forth those specific opt-out provisions from the County's Adult Entertainment Code; providing for severability, preservation, conflicts, codification and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated the Adult Entertainment ordinance was overdue for an update. She received assistance from Mr. Aleksandr Boksner, Attorney to address some of the updates and requirements. Mr. Boksner stated he reviewed the existing ordinance which was missing some frame work. He also reviewed Palm Beach County's (County) ordinance which controlled the nearby cities. Mr. Boksner felt it was vital to adopt the County's code. Mr. Boksner stated a few changes included no alcohol and/or nudity was allowed on the premises and a separation clause. Staff recommended approval.

Motion made by Councilmember Bousquet, Seconded by Councilmember Diaz to approve Ordinance 2022-15 on First Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

- 8. Ordinance 2022-21: First Reading:** Amending Chapter 16, Zoning Regulations, Article 7, Landscaping, Section 16-1249(b)(6); to clarify when tree removal permits are not required for single family detached dwelling units in accordance with recently adopted State Statutes; providing for repeal of conflicting ordinances; providing for severability providing for inclusion in code; and providing for an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young stated the ordinance was required by State Statutes. It was in reference to the City's tree removal permit and had been effective since July 1, 2022. The ordinance covered tree removal without permits which only applied to single family detached dwellings. She stated it was for endangerment of persons. Staff recommended approval.

Motion made by Councilmember Dugo, Seconded by Councilmember Diaz to approve Ordinance 2022-21 on First Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

- 9. Ordinance 2022-27: First Reading:** Adopting Chapter 13 "Taxation," Article 4 "Additional Homestead Exemption for Persons 65 and older, "to provide for an additional \$5,000.00 Homestead exemption for qualifying persons 65 years of age and older; providing for severability, conflicts, codification, delivery, and an effective date. - Andrea McCue, City Manager.

Ms. Moorer read the ordinance by title.

Ms. McCue stated there were currently over 500 properties in the City eligible for the exemption, she said the impact to the City was \$17,056. Staff recommended approval of the ordinance as presented.

Motion made by Councilmember Noble, Seconded by Councilmember Bousquet to approve Ordinance 2022-27 on First Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Dugo, Councilmember Diaz, and Councilmember Bousquet.

- 10. Resolution 2022-30:** Repealing Resolution 2021-57 and adopting a Schedule of Filing Fees for matters pertaining to Chapter 12, Subdivision and Land Development Regulations and engineering and right-of-way permits; providing for repeal of conflicting resolutions; and providing for an effective date. - Caryn Gardner-Young, Zoning Regulations.

Ms. Moorer read the resolution by title.

Ms. Gardner-Young said the resolution was a request to amend the fee schedule. She said the updates were due to housing keeping, adding new fees and to allow increases due to cost of living. Staff recommended approval.

Motion made by Councilmember Dugo, Seconded by Councilmember Diaz to approval Resolution 2022-30. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Dugo, Councilmember Diaz, ad Councilmember Bousquet.

11. City Manager Andrea McCue Annual Evaluation. - Joel Flores, Mayor.

Item was removed from the agenda.

12. City Attorney, Glen Torcivia Annual Evaluation. - Joel Flores, Mayor.

Item was removed from the agenda.

DISCUSSION ITEM - None.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS

None.

CITY MANAGER'S REPORT

13. Community & Recreation Services Department Report.
14. Development and Neighborhood Services Department Report.
15. Finance Department Report.
16. Fire Rescue Department Report.
17. Information Technology Department Report.
18. Palm Beach County Sheriff's Office District 16 Report.
19. Purchasing Department Report.
20. Public Works Department Report.
21. Youth Programs Department Report.

Ms. McCue stated due to the notice of funding regarding Youth Program the agreement was placed on the dais for execution ahead of the final approval. The Council agreed.

She reminded Council about the upcoming Let's Talk series on August 31 and September 14 at 6:30pm at the Community Center and the September 11, Street Fair.

CITY ATTORNEY'S REPORT

No report.

MAYOR AND CITY COUNCIL REPORT

Councilmember Diaz congratulated the City and the Aleah Lemonade Stand on a great event.

Councilmember Dugo, requested the return of the discussion item relating to a possible Campaign Free Zone in the Council Chambers. The last discussion she was not present and wanted to add more input. She also requested to return the Community Development District (CDD) item to gain more information regarding the pros and cons. She also asked the status of the Historical Society.

Councilmember Noble stated there were issues with the Staff of the Historical Society in the past. He also felt there was no need to bring the CDD discussion back as majority of Council disagreed.

After discussion amongst the Council most of Council agreed to bring back the Campaign Free Zone discussion item. (Noble and Tharp disagreed).

Deputy Mayor Tharp congratulated the Backpack event with Aleah and felt she was an amazing young woman.

ADJOURNMENT

6:50PM

Joel Flores
Mayor

Quintella Moorer, CMC
City Clerk

Date Approved: _____