



CITY COUNCIL FY 2022 BUDGET HEARING

City of Greenacres, Florida

Wednesday, September 22, 2021 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

Jonathan G. Pearce, Councilmember, District IV

Paula Bousquet, Councilmember, District V

Administration

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

CALL TO ORDER AND ROLL CALL

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

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

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

COMMENTS FROM THE PUBLIC FOR AGENDA ITEMS ONLY – None.

Second Hearing - Fiscal Year 2022 Proposed Budget

- 1. PUBLIC HEARING: Ordinance 2021-12:** Second Reading; Establishing a taxable valuation and levying an ad valorem tax property located within the corporate limits of Greenacres, Florida, as of the year ending December 31, 2021; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date.
- Andrea McCue, City Manager and Teri Beiriger, Finance Director.

City Clerk Moorer read Ordinance 2021-12 by title.

Ms. Beiriger, Director of Finance stated there was change to Ordinance 2021-12; since the First Reading, the change was due to an added \$67,000 to the Information Technology budget for GPS vehicle software.

Ms. Beiriger read the required Florida State Statute 200.065 Method of fixing millage into the record.

Ms. Beiriger noted the First Reading took place on September 8, 2021. She reviewed the Revenue and Expenditure summary, which included increases from property taxes and

construction. Ms. Beiriger also mentioned the millage rate was set at 6.400. Staff recommended approval.

Motion made by Councilmember Bousquet, Seconded by Councilmember Pearce to adopt Ordinance 2021-12 on Second Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Pearce, and Councilmember Bousquet.

- 2. PUBLIC HEARING: Ordinance 2021-13:** Second Reading; Adopting an operating budget for the Fiscal Year beginning October 1, 2021 and ending September 30, 2022; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Andrea McCue, City Manager and Teri Beiriger, Finance Director.

City Clerk Moorero read Ordinance 2021-13 by title.

Ms. McCue stated the City was expected to end the year with an expected \$1,984,403 in excess revenue. She also mentioned the 2022 Budget revenue over expenditures were \$317,872. Staff recommended approval of Ordinance 2021-13.

Motion made by Councilmember Pearce, Seconded by Deputy Mayor Tharp to adopt Ordinance 2021-13 on Second Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Pearce, and Councilmember Bousquet.

SPECIAL BUSINESS - None.

CONSENT AGENDA

- 3. Official Minutes:** City Council FY 2022 Budget Hearing Meeting Minutes, September 8, 2021. - Quintella Moorero, City Clerk.
- 4. Resolution 2021-44:** Approving Addendum Eight (8) to the Law Enforcement Services Agreement (LESA) within Palm Beach County Sheriff's Office (PBSO); providing for an effective date. - Andrea McCue, City Manager.
- 5. Resolution 2021-45:** Authorizing budget adjustments within the Fiscal Year 2021 total Operating Budget and setting an effective date. - Teri Beiriger, Director of Finance.
- 6. Resolution 2021-46:** Adopting a Capital Improvements Program for Fiscal Years 2022-2027 and setting an effective date. - Teri Beiriger, Director of Finance.
- 7. Resolution 2021-47:** Providing for automatic amendment of the Fiscal Year 2022 Budget to reflect outstanding encumbered orders of Fiscal Year 2021; providing that the cost of those expenditures are to be paid from funds carried forward from Fiscal Year 2021; and setting effective date. - Teri Beiriger, Director of Finance.
- 8. Resolution 2021-48:** Authorizing Staff actions to procure those items approved in the Fiscal Year 2022 Budget and setting an effective date. - Teri Beiriger, Director of Finance.
- 9. Proclamation:** National Cyber Security Awareness Month - Georges Bayard, Information Technology Director.

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

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

REGULAR AGENDA

10. PUBLIC HEARING: Ordinance 2021-07: Second Reading; Amending the future land use map of the future land use element of the City's Comprehensive Plan, to change the future land use designation of one parcel of land totaling approximately 0.2986 acres, located on the west side of Martin Avenue approximately 80 feet north of 10th Avenue north, from a designation of Mixed Use (MU) to a designation of Residential-Low Density (RS-LD), as requested by the petitioner, Managed Land Entitlements, Agent for the Owner, Turk Investments, LLC; providing for repeal of conflicting ordinances; providing for severability; providing for transmittal to the Department of Economic Opportunity; providing for inclusion in the Comprehensive Plan; and providing for an effective date. - Kara Ferris-Irwin, Building, Planning & Engineering Director

City Clerk Moorer ready Ordinance 2021-07 by title.

Ms. Ferris-Irwin stated Ordinance 2021-07; approved on First Reading, September 7, 2021 and since that reading, no changes had occurred. Staff recommended approval of Ordinance 2021-07.

Motion made by Councilmember Pearce, Seconded by Deputy Mayor Tharp to adopt Ordinance 2021-07 on Second Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Pearce, and Councilmember Bousquet.

11. PUBLIC HEARING: Ordinance 2021-08: Second Reading; Approving a zoning change for one parcel of land totaling approximately 0.2986 acres, located on the west side of Martin Avenue approximately 80 feet North of 10th Avenue North, from a designation of Mixed Development-Original Section (MXD-OS) to a designation of Residential Low-3 (RL-3), as requested by the petitioner, Managed Land Entitlements, Agent for the Owner, Turk Investments, LLC; providing for changes to the Official Zoning Map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Kara Ferris-Irwin, Building, Planning & Engineering Director.

City Clerk Moorer read Ordinance 2021-08 by title.

Ms. Ferris-Irwin stated Ordinance 2021-08; approved on First Reading, September 7, 2021 and since that reading, no changes have occurred.

Motion made by Councilmember Pearce, Seconded by Councilmember Noble to adopt Ordinance 2021-08 on Second Reading. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Pearce, and Councilmember Bousquet.

12. Resolution 2021-39: Amending the Greenacres Property Enhancement Grant Program for assistance with improvements to residential and commercial properties within the City limits; designating guidelines and procedures for the program; amending the Selection Committee and providing for an effective date. - Carlos Cedeno, Director of Public Works and Aileen Hernandez, Administrative Secretary.

Ms. Hernandez stated no changes were made to the Property Enhancement Grant Program guidelines, since it was last issued.

Councilmember Pearce suggested adding guidelines such as, applicants must live in the property, must own the property for two years; if not, funds granted must be returned to the City and only exterior improvements would be awarded. Ms. Hernandez stated

exterior improvements were only granted per the existing guidelines. Deputy Mayor Tharp was excited the program would resume. Ms. Hernandez explained the criteria and point system as it related to Homeowners Association (HOA). She also mentioned that Mill Run's HOA was awarded last year and made a great impact on the City. Councilmember Pearce was concerned about price inflation.

Ms. McCue reiterated that the current program guidelines allow HOA's and rentals.

Councilmember Noble stated he would not support HOA funding.

Councilmember Bousquet stated the point of the program was too beautify the City and she supported the program guidelines as proposed by Staff.

Ms. Christy Goddeau read a statement into the record from Councilmember Dugo stating the line item of \$100,000 should be used for residential homeowners in need and she was opposed to funds being allocated to commercial and/or rental income properties.

Mayor Flores said the City wanted to beautify the City, which included resident's homes, he felt the investment was a great impact to the City. Mayor Flores felt HOA's should be included in the grant program and he liked the program as is.

Ms. Goddeau mentioned the City had to consider enforcement such as creating a property lien for owners whom would not complete the two or one year time frame for the grant program, enforcement would be a challenge if liens were not paid timely which could also create attorney cost.

Councilmember Bousquet and Deputy Mayor Tharp did not agree with enforcing fees.

Motion made by Councilmember Pearce, Seconded by Councilmember Noble to approve Resolution 2021-39, to include that property owners must occupy the home, the owner must not sell the home 1-2 years after the grant was awarded and if so, owner must reimburse the City and only allow exterior improvements to qualify for the grant.

Alternative Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to approve Resolution 2021-39, as presented by Staff.

The alternative motion prevailed.

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to approve Resolution 2021-39 as presented by Staff.

Voting Yea: Mayor Flores, Deputy Mayor Tharp, and Councilmember Bousquet.

Voting Nay: Councilmember Noble, Councilmember Pearce.

13. Resolution 2021-40: Repealing Resolution 2018-13 and establishing a Fire Prevention Schedule of Fees for services and functions performed pursuant to Chapter 5 Fire Prevention and Protection of the City of Greenacres Code of Ordinances and providing for conflicts and an effective date. - Brian Fuller, Fire Chief, Fire Rescue.

City Clerk Moorer read Resolution 2021-40 by title.

Chief Fuller introduced Fire Marshall Miguel Aleman to the Council. Chief Fuller mentioned fire prevention fees were being re-established and new fees were being added. Inspections are now being performed in businesses and the newly annexed mobile home area of the City. Chief Fuller showed pictures of fire hazard at mobile home properties. Chief Fuller stated the fees increased mildly to round up. Staff recommended approval of Resolution 2021-40.

Councilmember Pearce asked what was the violation process and how did Code and Fire coincide.

Mr. Aleman stated the Fire and Building departments worked together closely as a team to report violations. He stated their main goal were to educate and assist the owners.

Mayor Flores suggested creating an educational program for the residents.

Motion made by Councilmember Pearce, Seconded by Deputy Mayor Tharp to approve Resolution 2021-40. Voting Yea: Deputy Mayor Tharp, Councilmember Noble, Councilmember Pearce, and Councilmember Bousquet.

DISCUSSION ITEM

14. Code Compliance Policy decision for an improved process. - Christy Goddeau, City Attorney.

Ms. Goddeau reviewed the City's current Code compliance process. She stated it was a traditional process. Ms. Goddeau proposed the City revise the Code process similar to Palm Beach County Magistrate. She said they used the same traditional process, however, once a First Magistrate Hearing was issued, there was language added to the order that stated that if the owner disagrees to the order the owner may challenge which then provides an option to a Second Hearing, which must be requested; no guaranteed Second Hearings were granted. The process would speed up the timeframe and reduce the length of the Magistrate Hearings; therefore, if the owner does not request the Second Hearing the First Hearing fines automatically reverted to a lien.

Ms. Goddeau mentioned policy direction was needed from Council regarding what happens once a lien was imposed. She said Council could leave the Code as it was, which provides Magistrate full discretion. Ms. Goddeau mentioned that if the Code process remain the same, Staff should not make recommendations.

Ms. Goddeau highlighted options for Council to consider.

Councilmember Pearce was concerned with the astonishing code violation fees and wanted to get the matter under control.

After further discussion, Ms. Goddeau stated the Code Compliance process would be revise for Council's approval.

Council made a consensus to recover Administrative costs, reduce fees based on repair cost and a ten-percentage fee reduction added to Code violations. Ms. Goddeau also recommended adding an account for fees and an amnesty period, Council agreed.

15. Palm Beach State College Presidential Presentation. - Mayor Joel Flores.

The Council agreed to allow President Parker to make a 10-15 minute presentation at an upcoming Council Meeting.

16. Art at Gladiator Park Wall (Melaleuca and Haverhill). - Andrea McCue, City Manager.

Majority of Council agreed to a vibrant abstract wall. They also decided to invite other artists to make recommendations for a design and bid on the project.

COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS – None.

CITY MANAGER'S REPORT

17. August Department Reports.

Ms. McCue stated a proposal would be drafted to allow Florida Atlantic University (FAU) to redistrict the City. The Council agreed. Councilmember Bousquet mentioned reviewing the lay out of Nautica Isles.

Ms. McCue highlighted the upcoming Let's Talk event and encouraged everyone to participate.

Ms. McCue mentioned the Green Market project was slow, and after further discussion Council agreed to cancel the program.

Mayor Flores suggested finding programs geared towards the demographics.

CITY ATTORNEY'S REPORT**MAYOR AND CITY COUNCIL REPORT**

Councilmember Noble: He announced the upcoming November 9 Ethics Training in-person. Pinehurst Road was very narrow and no shoulder and unsafe. Ms. McCue said the County had been contacted regarding the road.

ADJOURNMENT - 8:32pm

Joel Flores
Mayor

Quintella Moorer, CMC
City Clerk

Date Approved: _____