



# **CITY COUNCIL SPECIAL/BUDGET MEETING**

## **City of Greenacres, Florida**

Wednesday, September 14, 2022, at 6:00 PM

City Hall Council Chambers | 5800 Melaleuca Lane

### **MINUTES**

#### **Mayor and City Council**

Joel Flores, Mayor

John Tharp, Deputy Mayor

Peter A. Noble, Councilmember, District II

Judith Dugo, Councilmember District III

Susy Diaz, Councilmember, District IV

Paula Bousquet, Councilmember, District V

#### **Administration**

Andrea McCue, City Manager

Glen J. Torcivia, City Attorney

Quintella Moorer, City Clerk

#### **CALL TO ORDER AND ROLL CALL**

Mayor Flores called the meeting to order at 6pm and City Clerk Moorer called the roll. Councilmember Dugo was absent.

#### **PLEDGE OF ALLEGIANCE**

#### **AGENDA APPROVAL**

Ms. McCue stated Councilmember Dugo requested to postpone items 25 and 27 due to her absence at the meeting. The Council disagreed.

Motion made by Councilmember Noble, Seconded by Councilmember Bousquet to move forward with the agenda without modifications.

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

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

Mr. Brent Brown, Greenacres Historical Society, President, asked if he should stay for discussion item 27.

#### **First Budget Hearing - Fiscal Year 2023 Proposed Budget.**

1. Fiscal Year 2023 Proposed Budget Presentation. - Teri Beiriger, Director of Finance.

Ms. Beiriger read the required Florida State Statute 200.065 Method of fixing millage into the record. She stated tonight was the first of two required Public Hearings to adopt the proposed FY 2023 Budget and tentative millage rate.

Ms. Beiriger highlighted the proposed budget. Ms. Beiriger explained the adopting process of the Ordinances and some budgeted figures. She stated all advertisement requirements had been met.

- 2. PUBLIC HEARING: Ordinance 2022-31: 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, 2022; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date. - Teri Beiriger, Director of Finance.

Ms. Moorer read the ordinance by title.

Ms. Beiriger proposed a millage rate of 6.3 for FY 2023.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Noble to approve Ordinance 2022-31 on First Reading.

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

- 3. PUBLIC HEARING: Ordinance: 2022-32: First Reading:** Adopting an operating budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023; 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. Beiriger reviewed the proposed budget and indicated a few changes to the forecast. She stated the total of all funds was projected to be \$73,013.015 for FY 2023.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Noble to approve Ordinance 2022-32 on First Reading.

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

## SPECIAL BUSINESS

- 4. Proclamation:** National I.T. Professionals Day, September 20, 2022, and National Cybersecurity Awareness Month. - Georges Bayard, Director of I.T.

Ms. Moorer read the proclamation by title.

Mr. Bayard recognized his IT Department Team for their hard work and thanked the Council for their support.

Photos were taken.

- 5. Proclamation:** National Hispanic Heritage Month, October 2022. - Maria Antuna, CEO of the Hispanic Chamber of Commerce.

Ms. Moorer read the proclamation by title.

Ms. Antuna thanked the Council for their support and recognition.

Photos were taken.

- 6. Proclamation:** Firefighter Appreciation Month, September 2022. - Brian Fuller, Fire Rescue Chief.

Ms. Moorer read the proclamation by title.

The Fire Rescue Department was present. The Mayor thanked the Fire Rescue team for their continued assistance and hard work.

Photos were taken.

- 7. Proclamation:** Hunger Action Month. - Stuart Haniff, MHA, Vice President of Philanthropy, Feeding South Florida.

Ms. Moorer read the proclamation by title.

Mr. Haniff stated hunger remains a challenge for citizens and thanked the Council for their recognition.

Photos were taken.

- 8. Presentation:** Comprehensive Plan Update. - Caryn Gardner-Young, Zoning Administrator.

Ms. Gardner-Young explained the Comprehensive Plan (Comp Plan) was a public guide to making decisions and accessing the City's needs. The Comp Plan required updates which included collaboration, timelines, and work in progress. She highlighted the Comp Plan web page with helpful notices and meeting information. She stated two meetings have taken place recently with a variety of stakeholders.

Ms. Gardner-Young highlighted some progress made such as approval from the State and proposed goals, objectives and policies. She listed upcoming meetings were forthcoming and alerts would be placed on social media outlets.

After discussion with Christy Goddeau, City Attorney, and the Council the decision was to plan a workshop regarding the outcome regarding the Comp Plan. The Council stated some of them may attend some of the Comp Plan meetings to listen.

Councilmember Diaz wanted to ensure the Visioning of the City was included and attached to the webpage as a reference.

## CONSENT AGENDA

- 9. Official Meeting Minutes:** City Council Meeting Minutes, August 15, 2022, and City Council Special Meeting Minutes, August 15, 2022. - Quintella Moorer, City Clerk.

- 10. Resolution 2022-41:** Approving the Professional Service Agreement between the City of Greenacres and Nowlen, Holt & Miner, P.A. to provide annual auditing services; authorizing the appropriate City Officials to execute the agreement; providing for an effective date. - Monica Powery, Director of Purchasing.

- 11. Resolution 2022-42:** Approving the Fiscal Year 2023 Community Based Agency Contract with the Palm Beach County Youth Services Department; authorizing execution; and providing an effective date. - Jowie Mohammed, Director of Youth Programs.

- 12. Resolution 2022-43:** 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 Beiriger, Director of Finance.

**13. Resolution 2022-44:** Approving Amendment Two (2) to the Interlocal Agreement for fire protection and emergency medical services by and between the City of Greenacres and the City of Atlantis, providing for an effective date. - Andrea McCue, City Manager.

**14. Resolution 2022-45:** Authorizing the submittal of the Fiscal Year 2021 Department of Homeland Security Grant application for assistance to Firefighters in the amount of \$57,870.27 for the purpose of covering the overtime cost associated with training and or backfill personnel who are training using front-line apparatus and equipment providing the most real-life experience. - Teri Beiriger, Director of Finance.

**15. Resolution 2022-46:** Authorizing the execution of the Fiscal Year 2022-2023 Community Development Block Grant (CDBG) amended Agreement for Phase 1 Lift Station Original Section Sewer Project; and providing for an effective date. - Andrea McCue, City Manager.

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

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

## REGULAR AGENDA

**16. PUBLIC HEARING: Ordinance 2022-02: Second Reading:** Annexing one parcel of land totaling approximately 20.1183 acres, located at the southeast corner of Lake Worth Road and South Jog Road at 4180 South Jog Road, as requested by the petitioner, Matthew Scott of Dunay, Miskel, Backman, LLP, agent for the owner, LW Jog SC Ltd.; providing for redefining the boundary lines of the City of Greenacres to include the subject property in the City's official boundary map; 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 the ordinance was a volunteer annexation. She said the annexation was helpful to the City. Ms. Irwin-Ferris said the County Commission adopted the ISBA which allowed the City to move forward with the annexation.

Staff recommended approval.

Motion made by Councilmember Noble, Seconded by Councilmember Diaz to approve Ordinance 2022-02 on Second Reading.

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

**17. PUBLIC HEARING: Ordinance 2022-15: Second 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 intent of the ordinance was to comply with the County's requirement.

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

Motion made by Councilmember Bousquet, Seconded by Deputy Mayor Tharp to approve Ordinance 2022-15 on Second Reading.

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

**18. Ordinance 2022-20: First Reading:** Amending Chapter 8, Licenses and Business Regulations, Article 3, Business Taxes, Sections 8-46 through 8-72, to clarify Business Tax Receipt requirement for home businesses and amending the fees to obtain a Business Tax Receipt, 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 said the ordinance was needed to bring the City into compliance and help clarify certain requirements for home businesses. She also stated Staff was recommending a five percent increase in the fee, which was regulated by the State, the last increase took place in 2018. Ms. Gardner-Young said the ordinance only effects home inspections.

Mayor Flores asked what was the total revenue expected. Ms. Gardner-Young said she would provide by Second reading.

Motion made by Councilmember Noble, Seconded by Deputy Mayor Tharp to approve Ordinance 2022-20 on First Reading.

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

**19. PUBLIC HEARING: Ordinance 2022-21: Second 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 Statute which stated no need for a permit or City approval for single family detached dwelling units for tree removal with the proper correspondence. Staff recommended approval.

Motion made by Councilmember Noble, Seconded by Councilmember Bousquet to approve Ordinance 2022-21 on Second Reading.

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

**20. PUBLIC HEARING: Ordinance 2022-25: First Reading:** Amending Chapter 16 "Zoning Regulations" by deleting Article 6, "Sign Regulations," in its entirety and adopting a new Article 6, "Sign Regulations," providing for severability, conflicts, codification, and an effective date. - Caryn Gardner-Young, Zoning Administrator.

Ms. Moorer read the ordinance by title.

Ms. Gardner-Young and Ms. Susan Garrett, Esq. presented. Ms. Gardner-Young stated the ordinance was an amendment to the Sign Regulations Article. She said the old version would be deleted and a brand new one would be adopted.

Ms. Garrett reviewed the Sign Regulation Article highlighting they reorganized the Code, made it more user friendly, and brought it up to regulation.

Ms. Garrett continued to discuss the statement of purpose and intent and added language such as the severability clause. She also mentioned updates to the temporary signs such as election timeframe.

Staff recommended approval.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2022-25 on First Reading.

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

**21. Ordinance 2022-26: First Reading:** Amending Chapter 10, Personnel, Article IV, Retirement, Pensions and other Employee Benefit Programs, Division 3, Retirement Systems authorized, Section 10-148 entitled "Public Safety Officers and Firefighters Retirement Plan and Trust:" amending the Florida Municipal Pension Trust Fund Defined Benefit Plan and Trust Adoption Agreement to provide for a Deferred Retirement Trust Option Plan for those Public Safety Officers who continued to remain members of the City's retirement plan after becoming PBSO employees; providing for repeal of conflicting Ordinances, inclusion in the Code, severability and an effective date. - Andrea McCue, City Manager.

Ms. Moorer read the ordinance by title.

Ms. McCue stated the City agreed to adopt a Defined Pension plan for public safety officers who continued to remain members of the City's retirement plan after becoming a Palm Beach Sheriff's Office employee. Staff recommended approval.

Motion made by Councilmember Noble, Seconded by Councilmember Bousquet to approve Ordinance 2022-26 on First Reading.

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

**22. PUBLIC HEARING: Ordinance 2022-27: Second 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 the ordinance was adopted on First reading to approve an additional \$5,000 Homestead exemption for persons 65 years and older and no changes had been made since the last reading. Staff recommended approval.

Mr. Brown asked when did the City adopt Homestead exemption. Ms. McCue stated that was handled on State level. Ms. Goddeau confirmed the state level process of homestead.

Motion made by Councilmember Diaz, Seconded by Deputy Mayor Tharp to approve Ordinance 2022-27 on Second Reading.

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

**23. Ordinance 2022-28: First Reading:** Amending Chapter 4 "Buildings and Building Regulations," Article 3 "Floodplain Management" to provide for accessory structures in flood hazard areas; to specify elevation of manufactured homes in flood hazard areas; to address market value and for other purposes; providing for applicability, conflicts, severability, and an effective date. - Scott H. Wood, Building Official.

Ms. Moorer read the ordinance by title.

Mr. Wood stated the floodplain ordinance was mandated by the State's Floodplain. He said the City's saved funds on their insurance due to the City's status. He said the last update took place in 2016. Staff recommended approval of the minor updates to the ordinance.

Motion made by Councilmember Noble, Seconded by Deputy Mayor Tharp to approve Ordinance 2022-28 on First Reading.

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

**24. Ordinance 2022-30: First Reading:** Amending Chapter 11, Streets, Sidewalks, and other Places, Article 4, City Parks, by creating a new Section 11-76 to be entitled, "Smoking and Vaping prohibited in Parks;" providing for repeal of conflicting ordinances, severability, inclusion in the Code, and an effective date. - Andrea McCue, City Manager.

Ms. Moorer read the ordinance by title.

Ms. McCue stated said effective July 1, 2022, the Florida legislature amended how City's prohibited smoking at local parks within the jurisdiction of the City. She said cigars were not prohibited and there was a minimum cost due to the adoption of the ordinance. Ms. McCue said the City was process with signage and education. Staff recommended approval.

Motion made by Deputy Mayor Tharp, Seconded by Councilmember Bousquet to approve Ordinance 2022-30 on First Reading.

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

**DISCUSSION ITEM**

## 25. Campaign Free Zone.- Judith Dugo, Councilmember.

Ms. Christy Goddeau clarified the City's Public Comment Policy. She mentioned the current policy allowed for limited forum regarding policy setting or agenda items.

Councilmember Bousquet did not see the point of the discussion as it was already resolved.

Ms. Goddeau furthered explained the details of the current Council Policy.

Mayor Flores did not desire to limit residents to policy setting and agenda item only topics during Public Comment. Deputy Mayor Tharp, Councilmember Bousquet and Councilmember Diaz agreed.

*Mayor Flores noted for the record that Councilmember Noble left the meeting at 7:36PM.*

The Council agreed to update the Council Policy relating to the Public Comment.

## 26. City Manager and City Attorney Evaluations. - Andrea McCue, City Manager.

Councilmember Bousquet stated she did not feel comfortable doing the City Manager's and City Attorney's Evaluations in a public forum.

Mayor Flores felt the process should remain or at least add to the agenda for any comment to be made if desired.

Ms. McCue clarified the language in the City Manager's contract.

Ms. Suzanne Skidmore, Director of Human Resources requested the Council provide what their desired merit would be for the City Manager.

Councilmember Diaz felt the documents were public record and she never understood why the City Attorney's were given an employee evaluation.

Mayor Flores suggested placing an agenda item annually for any comment for the City Manager and City Attorney, he felt no discussion was needed. The Council agreed.

Ms. McCue requested the Council rate her a meets expectation merit only and nothing further.

After discussion the Council provided City Manager McCue a 2.5 percent merit increase.

## 27. Greenacres Historical Museum. - Andrea McCue, City Manager.

Ms. McCue reviewed the items which were included in the agenda packet as she was not certain what the total conversation was going to be as Councilmember Dugo was absent.

Ms. McCue stated the lease agreement was a ten year agreement with automatic renewals, with the option to terminate. She also mentioned the required meetings.

Mr. Brett Brown, President of Historical Museum stated they were still a board and active. Mr. Brown stated more space was needed at the museum.

He asked to use more of the space in the building.

Mayor Flores agreed to pay the \$1.00 lease fee.

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

None.



**CITY MANAGER'S REPORT**

Ms. McCue stated the BTR increase was a \$15,000 increase per Ms. Gardner-Young. She stated the International Coastal Cleanup was September 17, 2022, at Community Recreational Center.

The Comp Plan workshops were scheduled for October.

The Charter Review Committee terms have expired, some members did not reply and one declined. She would bring the item before the Council for approval at a later meeting.

She suggested cancelling the October 3, 2022 Council Meeting.

**CITY ATTORNEY'S REPORT**

None.

**MAYOR AND CITY COUNCIL REPORT**

Deputy Mayor Tharp stated the far well for Atlantis Skateway was nice.

Mayor Flores apologized for missing meetings due to a family death and illness. He thanked Kara Irwin-Ferris for her hard-work and suggested recognizing her for her efforts. He would like to maintain Ms. Irwin- Ferris as an employee.

Mayor Flores said the Governor has removed officials and suggested reviewing what the body was doing and taking matters more seriously.

He mentioned he was looking for members to participate on the Citizen Advisory Board and Vision Zero Advisory Board members

He also brought up the Housing Bond issue and the cost-of-living rates in Palm Beach County.

**ADJOURNMENT**

8:37PM.

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

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

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