



## OFFICIAL MINUTES

**CITY OF GREENACRES  
5800 Melaleuca Lane  
Greenacres, FL 33463**

**CITY COUNCIL MEETING  
Monday, April 4, 2016- 7:00 PM**

### 1. **Call To Order and Roll Call.**

Mayor Ferreri called the City Council Meeting of Monday, April 4, 2016 to order at 7:00 p.m. Denise McGrew, City Clerk/Administrative Services Director, called the roll.

#### **ROLL CALL:**

##### Council Present:

Samuel J. Ferreri, Mayor  
Jonathan G. Pearce, Deputy Mayor  
Lisa Rivera, Councilwoman  
Peter A. Noble, Councilman  
Judith Dugo, Councilwoman  
Paula Bousquet, Councilwoman

##### Staff Present:

Andrea McCue, City Manager  
Thomas Lanahan, Asst. City Manager/P&E Director  
James D. Stokes, City Attorney  
Denise McGrew, City Clerk/Admin. Services Director  
Michael Grimm, Director/Building  
Thomas Hughes, Director/Finance  
Mark Pure, Fire Chief/Fire Rescue  
Michele Thompson, Director/Leisure Services  
Melody Larson, Assistant to the City Clerk

Attendees from Public: 20  
Press: 1

### 2. **Pledge of Allegiance to the Flag.**

Mayor Samuel J. Ferreri led the Pledge of Allegiance.

### 3. **Comments From the Public for Agenda Items Only.**

Mayor Ferreri asked if there were comments from the public; hearing none, he continued with the Agenda.

### 4. **Agenda Approval.**

- A. Additions, deletions, or substitutions to the Agenda.
- B. Motion to approve and adopt entire agenda as set.

Mayor Ferreri inquired if there were any additions, deletions or substitutions to the Agenda; hearing none, he called for a motion.

**MOTION:** Councilwoman Bousquet made a motion to approve the Agenda. Councilwoman Rivera seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Deputy Mayor Pearce, Councilwoman Rivera, Councilman Noble, Councilwoman Dugo, and Councilwoman Bousquet.

**Motion carried: 5 - 0.**

**5. Special Business.**

**A. PBSO Monthly Report – Captain Sean Murray**

Capt. Sean Murray reported that 10 officers are receiving extensive training to meet PBSO standards. PBSO began spot checking 22 sex offenders for compliance. During one of those checks, information was obtained that lead to the arrest of a delinquent from Missouri who was wanted since 2009. All pending open homicide cases were turned over to the Cold Case Squad. The Street Team is working with the Narcotics and Gang Teams. The Community Policing Initiative is aimed at engaging officers in the community to identify community leaders and learn about key issues of concern. Capt. Murray reported that detectives are currently attending countywide meetings to share what is going on in Greenacres. He reported that last month there were numerous vehicle burglaries; 61% were due to unlocked cars. He urged citizens to secure their valuables and lock their cars. Other vehicle vandalism incidents were due to smashing car windows. The areas most affected were Dillman Farms, Chalet IV and The Pines.

Mayor Ferreri called on Councilmembers for comments.

Councilwoman Rivera raised the issue of speeding on Swain Boulevard.

Capt. Murray reported that over 800 speeding citations were issued in March and was focused on day enforcement. With the death last week in the Original Section, the focus will be more on traffic enforcement during the evening hours.

Councilwoman Rivera noted that she would be asking for dates to hold a District I workshop and hoped Capt. Murray would be in attendance since law enforcement will be a key part of the discussions.

Councilwoman Dugo asked if the City's park cameras are adequate.

Capt. Murray reported that some are down but coverage was adequate. Officers are seeing live feeds while on their shifts.

Councilwoman Bousquet asked if there was a decline in the number of accidents.

Capt. Murray reported that he had not run those numbers; however, 3,500 tickets had been issued to date.

Deputy Mayor Pearce stated that his focus in District 4 has been executing Traffic Control Jurisdiction Agreements (TCJA) and installing traffic control devices, e.g. speed bumps, speed limit signs, etc. He asked for PBSO's help in monitoring speeding within communities.

Mayor Ferreri asked how PBSO is identifying community leaders.

Capt. Murray reported officers are meeting with homeowner association presidents, or flagging them while traveling within their communities.

Capt. Murray announced he had six (6) volunteer names for the C.O.P. Program. A minimum of 15 are required to initiate the program. While attending community meetings many residents had shown an interest; however, the program requires more volunteers.

## 6. Consent Agenda.

- A. Mayor Ferreri asked Council if they wished to pull any of the seven (7) Consent Agenda items. He asked to pull Item No. 4 and called for a motion.
1. **Official Minutes:** City Council Meeting of February 22, 2016 – Denise McGrew, City Clerk.
  2. **Official Minutes:** City Council Meeting of March 7, 2016 – Denise McGrew, City Clerk.
  3. **Proclamation:** “Arbor Day” for April 29, 2016 – Samuel J. Ferreri, Mayor.
  5. **Proclamation:** “National Volunteer Week” for April 10-16, 2016 – Samuel J. Ferreri, Mayor.
  6. **Resolution No. 2016-12:** Authorizing the submittal of a contribution request to Publix Super Markets Charities for the Leisure Services Department, Youth Programs Division for additional program funds for Fiscal Year 2016 for the Hot Spot Program; and authorizing the appropriate City Officials to execute all necessary documents; pursuant to Staff Memo – Michele Thompson, Leisure Services Director.
  7. **Resolution No. 2016-13:** Supporting Palm Beach County and the School District of Palm Beach County's Plan to enact a one-cent sales tax to pay for needed improvements to public infrastructure, parks, public safety initiatives and economic development, and to place a referendum on the November 8, 2016, ballot for voter approval of such sales tax; providing for an effective date; and for other purposes; pursuant to Staff Memo – Andrea McCue, City Manager.

**MOTION:** Councilwoman Dugo made a motion to approve Consent Agenda Items 1-3 and 5-7, pulling Item 4. Councilwoman Rivera seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Deputy Mayor Pearce, Councilwoman Rivera, Councilman Noble, Councilwoman Dugo, and Councilwoman Bousquet.

**Motion carried: 5 - 0.**

4. **Proclamation:** "Safe Digging Month" for April 2016 – Samuel J. Ferreri, Mayor.

City Clerk Denise McGrew read the proclamation into the record.

Mayor Ferreri called for a motion.

**MOTION:** Councilwoman Bousquet made a motion to approve the "Safe Digging Month". Councilman Noble seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Deputy Mayor Pearce, Councilwoman Rivera, Councilman Noble, Councilwoman Dugo, and Councilwoman Bousquet.

**Motion carried: 5 - 0.**

John Segovia, the South Florida Damage Prevention liaison for Sunshine 8-1-1, thanked the Mayor and Council for the opportunity of raising community awareness about the dangers of digging and underground utility lines; it can be costly and dangerous. It is their mission to educate contractors and the public to call 8-1-1 before digging and it is a free service.

Mayor Ferreri presented Mr. Segovia with the proclamation.

7. **Regular Agenda:**

- A. **Designation of Deputy Mayor:** Samuel J. Ferreri, Mayor.

Mayor Ferreri presented his memo and reminded Council that his recommendation is based on seniority and those who have not served. He called for a motion.

**1<sup>st</sup> MOTION:** Councilman Noble made a motion to approve the designation of Councilwoman Bousquet as the Deputy Mayor. Councilwoman Bousquet seconded the motion.

Discussion on the Motion:

Councilwoman Dugo did not see why Deputy Mayor Pearce could not continue serving as Deputy Mayor.

Councilwoman Rivera read Art. II, Section 2 of the City Charter and agreed with Councilwoman Dugo.

Councilman Noble pointed out that the current procedure has served the City well and is based on seniority. Customarily a Councilmember does not serve as Deputy Mayor two times consecutively; it is passed on to the next qualified Councilmember with seniority.

Deputy Mayor Pearce argued that Councilman Noble in fact served as Deputy Mayor two years consecutively.

Mayor Ferreri clarified that there has always been an unwritten policy for rotating appointment and the reason Councilman Noble served as Deputy Mayor two years consecutively was due to other Councilmembers who had not served on the Council for at least one year which was the policy at the time; and one Councilmember that was recommended for appointment did not want to serve. He called for a vote on the motion.

**VOTE ON THE MOTION:**      **In Favor:** Councilman Noble and Councilwoman Bousquet.  
**Opposed:** Deputy Mayor Pearce, Councilwoman Rivera, and Councilwoman Dugo.

**Motion failed: 2 - 3.**

**2<sup>nd</sup> MOTION:** Councilwoman Dugo made a motion to reappoint Councilman Pearce as Deputy Mayor. Councilwoman Rivera seconded the motion.

**VOTE ON THE MOTION:**      **In Favor:** Deputy Mayor Pearce, Councilwoman Dugo and Councilwoman Rivera.  
**Opposed:** Councilman Noble and Councilwoman Bousquet.

**Motion carried: 3 - 2.**

Councilwoman Rivera asked the City Attorney to place Council Policy No. 12 on the April 18, 2016 City Council Agenda.

- B. **PUBLIC HEARING: Ordinance No. 2016-10:** Second Reading; Amending the Capital Improvement Element of the City's Comprehensive Plan to reflect recent changes, as requested by the Planning and Engineering Department; providing for repeal of conflicting ordinances; providing for severability; providing for

transmittal to the Division of Community Development; providing for inclusion in the Comprehensive Plan; and providing for an effective date; pursuant to Staff Memo, Staff Report and Exhibit "B" - Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director.

Denise McGrew, City Clerk, read Ordinance No. 2016-10 into the record on second reading.

Assistant City Manager Thomas J. Lanahan presented the update to the CIE Element of the City's Comprehensive Plan that reflects the adopted FY 16 budget. He explained that the Capital Improvement Element is a key document that is necessary to manage new growth and provides excerpts from the City's CIP, the Palm Beach County 5-Year Road Plan, the Palm Beach County Water Utilities Department's Water Supply Plan and the School District of Palm Beach County's 5-Year CIP Plan. He stated the proposal is consistent with the Treasure Coast Regional Planning Council's Strategic Regional Policy Plan (SRPP) and Chapter 163, F.S. Therefore, staff recommends approval of CPA-16-01 through the adoption of Ordinance No. 2016-10.

Mayor Ferreri called on Councilmembers for comments. He noted receiving an e-mail from County Commissioner Paulette Burdick relating to the reuse water line extension from their wastewater plant north of South Jog Road that would allow homeowner associations the ability to hook up for irrigation purposes. He asked Mr. Lanahan if he had received anything further on this matter.

Mr. Lanahan stated he had not heard anything new nor was anything included in the CIE update for such a project. He reported that Greenacres is located too far from the wastewater plant.

Mayor Ferreri called on Councilmembers for comments; hearing none, he opened the meeting to the public. He asked if anyone was in favor of, or opposed to, Ordinance No. 2016-10 to come forward. Seeing no one come forward, he closed the meeting to the public and called for a motion.

**MOTION:** Deputy Mayor Pearce made a motion to approve Ordinance No. 2016-10 on second reading. Councilwoman Bousquet seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Deputy Mayor Pearce, Councilwoman Rivera, Councilman Noble, Councilwoman Dugo, and Councilwoman Bousquet.

**Motion carried: 5 - 0.**

- C. **Site Plan Approval No. 15-04:** Site Plan approval for two one-story office buildings and 29 two-story residential units located on the northwest corner of South Jog Road and Jog Park Drive; pursuant to Staff Memo and Staff Report - Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director.

Assistant City Manager Thomas J. Lanahan described the proposed request for site plan approval to construct 29, 2-story residential townhome units and 2 professional office buildings on South Jog Road and Jog Park Drive. The project has 1 entrance point off of South Jog Road and each professional office building consists of over 7,000 sq. ft. with 29, 2-story townhomes in the rear; a step down and transition in intensity from South Jog Road developments.

Mr. Lanahan noted that the 3 & 4 bedroom residential units are fee simple lots and feature a 2-car garage, a community pool, a 6 ft. buffer wall along the west property line and perimeter landscaping. Each unit offers California mission-style architecture with red tile roofs, shutters and a front and rear yard. Office buildings front South Jog Road and offer rear parking spaces. The landscape plan provides perimeter and internal buffering and meets or exceeds the landscape Code requirements.

Water and sewer will overflow into the South Jog Road system subject to Palm Beach County restrictions. The sewer system will be connected via an easement to the Palm Beach County Water Utilities Department (PBCWUD) lift station located in Park Pointe upon obtaining the proper permits. Mr. Lanahan noted that previous discussions with PBCWUD confirm that the lift station in Park Pointe was designed to handle impacts from additional development from 10<sup>th</sup> Avenue North to Chickasaw Road. Water connection will be via a main on South Jog Road.

Mr. Lanahan reported that the Planning Commission recommended approval on March 16, 2016; therefore, staff recommended approval of SP-15-04 (Santa Catalina) subject to staff's forty-three (43) conditions of approval.

Mayor Ferreri called on Councilmembers for comments and asked the applicant if he accepted staff's conditions of approval.

John Reichard, a general contractor since 1992 and owner of the Santa Catalina project, stated he was excited to be working in Greenacres and was in agreement with staff's forty-three (43) conditions of approval.

Mayor Ferreri asked if the west side wall would provide additional landscaping to what already exists and asked who owns it.

Mr. Lanahan explained it is the developer's intent to install the wall on the Santa Catalina property line.

Councilman Noble pointed out that water appears to accumulate from some sort of a spring and asked how water overflow will be handled.

Mr. Lanahan explained the proposal provides a dry retention area that will help alleviate the problem. If there is excessive overflow, it will drain into the South Jog Road drainage system.

Councilwoman Rivera wanted clarification on who is responsible for maintaining the wall as she was concerned with graffiti or damages.

Mr. Reichard explained the homeowner association would be responsible for its maintenance.

Deputy Mayor Pearce asked about landscaping on the Park Pointe side of Santa Catalina's wall. He asked Mr. Reichard if he had addressed this with Park Pointe residents.

Mr. Lanahan noted that oleanders exist on Park Pointe's property line. He explained that communication between both homeowner associations (HOA) will be needed to maintain the landscaping of both sites.

Mr. Reichard reported that Santa Catalina's HOA will maintain both sides of the separation wall. Park Pointe wanted a concrete wall and he accepted.

Councilman Noble pointed out that his experience with HOA's is that it is hard to get people to serve on boards and ensure that homeowners pay their maintenance fees. How do Park Pointe residents know what condition the HOA will be in when it comes to maintaining the wall? Residents are also concerned about having kids from Santa Catalina creating a pathway through the pliable fencing on the north and south walls to get to and from school. He suggested that the developer provide a concrete wall on the north, south, and west sides of the project and was aware it could be costly; however, it would secure Park Pointe.

Mayor Ferreri opened the floor to the public.

Chuck Willey, board member of Park Pointe HOA, asked if a traffic study was conducted.

Mr. Lanahan reported that the applicant prepared a traffic study to predict the number of trips, direction, and number of turns. That study was submitted to the PBC Traffic Engineering Department for further review and compliance. The study was also reviewed by the City's traffic engineering consultant for onsite traffic circulation, capacity, and access. The result was the applicant is required to modify the median in front of the subject site.

Mayor Ferreri called for further comments from the public; hearing none, he continued with Council comments. He asked about future interconnections to Jog Park Drive or the fruit stand to the north.

Mr. Lanahan clarified that only to the north. Jog Park Drive is a private road. He noted that the developer did approach Park Pointe regarding access; however, Park Pointe was not interested so there is no planned connection.

Mayor Ferreri pointed out that in order to get a traffic light approved for Jog Park Drive more trips would be needed. He urged Councilman Noble to ask Park Pointe residents to consider the possibility.

Councilman Noble asked about the median. Vehicles will exit right, cut across three (3) lanes of traffic to make a U-turn to head north.

Mr. Lanahan explained that nothing can be done to the median to prevent drivers from doing so. The property has a right to access. Modifications will prevent a left out because the configuration would not be safe. Of greater concern is northbound traffic trying to turn left into the site. That is the reason for the proposed triangular piece. City and County staff reviewed numerous options. It was determined that the volume was not sufficient and the County designed the best device possible.

Councilman Noble emphasized that as proposed; drivers exiting the site who want to travel north will turn onto Jog Park Drive (a private road) and drive through Park Pointe to reach 10<sup>th</sup> Avenue North. He asked how that amount of traffic will be prevented. How would drivers be prevented from turning into Park Pointe? He again emphasized the need to build a concrete wall surrounding the project in spite of the cost.

Councilwoman Rivera asked if a perimeter wall was being proposed.

Mr. Reichard explained that he is currently proposing a concrete wall for the west side of the project only. He explained that this was based on a request by Park Pointe residents who wanted a concrete separation wall.

Councilwoman Rivera agreed with Councilman Noble that a perimeter concrete wall would be preferred.

The Mayor and Councilmembers discussed the prohibitive cost per linear foot (\$80/linear ft.) for a perimeter concrete wall, the adjoining properties to the north and south of the proposed site, the fruit and vegetable market and the gas station do not have walls, the type of fencing being proposed for the north and south sides, consider rear access to the site by Park Pointe residents to reach the professional offices, and wall maintenance.

Councilwoman Dugo asked Mr. Reichard if he would be willing to build concrete corners together with the proposed fencing for extra support.

Mr. Reichard stated he would agree to provide concrete corners.

**MOTION :** Councilwoman Dugo made a motion to approve SP-15-04 (Santa Catalina) including the 43 conditions of approval and the wall modifications as discussed. Councilwoman Bousquet seconded the motion.

**VOTE ON THE MOTION:** **In Favor:** Deputy Mayor Pearce, Councilwoman Rivera, Councilwoman Dugo, and Councilwoman Bousquet.  
**Opposed:** Councilman Noble.

**Motion carried: 4 - 1.**

**8. Comments from the Public.**

Atlanta Braves – John Prince Park

Mark Easton, owner of the Lake Worth Herald, requested the City's support together with neighboring communities to contact the Board of County Commissioners and urge them to build a stadium at John Prince Park for the Atlanta Braves' spring training. He believed it would be a huge boost to the area and the Atlanta Braves want to be here.

9. Discussion Item: None.

10. **Staff Comments:**

A. **City Manager's Report:**

- City Boards/Committees

Mrs. McCue announced that the nomination period is now open for the Building Board of Adjustments and Appeals, Civil Service Board, Code Enforcement Board and the Scholarship Committee and runs through April 8<sup>th</sup>. Board appointments will be placed back on the April 18<sup>th</sup> Council Agenda.

- Charter Review Committee

At the March 21, 2016 Council Meeting, discussion about forming a Charter Review Committee was considered. Mrs. McCue suggested following Council Policy No. 29 wherein each Councilmember nominates 2 individuals from their respective districts and the Mayor nominates 2 individuals at-large. A memo outlining the process together with an application for the Charter Review Committee is forthcoming.

- The City's 90<sup>th</sup> Anniversary Celebration

Mrs. McCue reported that staff has secured a number of gold and silver-level sponsors and invited everyone to attend.

- Special Council Workshop

Mrs. McCue reported that several attempts have been made to schedule a Special Workshop for Charter review, procedures, etc. She proposed any day during the week of April 11<sup>th</sup> afternoon or evening, and asked Council to confirm their acceptance.

Discussions followed, calendars were reviewed, and Passover was considered. Council decided on April 18<sup>th</sup> following the City Council Meeting.

B. **City Attorney's Report.** None.

11. **Mayor and City Council Reports.**

Councilwoman Rivera

- Department Head Meetings

Councilwoman Rivera requested the attendance of City Attorney James Stokes at the weekly Department Head meetings held on Tuesday mornings and asked if he would consider working 3-4 days a week.

City Attorney James Stokes explained that most places where he has worked the City Manager decides whether he should be present or not. He said he did not have a problem with doing so and would consider further discussion on the matter. He reported discussing this with the City Manager weeks earlier and proposed adding time to his contract but work out of his other office.

- Council Policy No. 12 – Deputy Mayor Appointment

Councilwoman Rivera instructed Mr. Stokes to prepare Council Policy No. 12 for the April 18, 2016 City Council Agenda.

- District I Workshop

Councilwoman Rivera wanted to discuss workshop dates for District I.

Mayor Ferreri suggested that Councilwoman Rivera meet with the City Manager and the Planning and Engineering Director or meet with the department heads prior to holding a Council workshop so they can conduct research and provide costs for Council to consider.

Councilwoman Rivera insisted that there are issues she wanted discussed with each department head.

Deputy Mayor Pearce agreed. “This should have been done a long time ago. This district has more problems than any other district with gangs and drugs and constitutes the majority of our problems in the City. By bringing all the departments together we can brainstorm, coordinate, and resolve this problem once and for all.”

Councilwoman Rivera proposed April 6<sup>th</sup> - 8<sup>th</sup>, 13<sup>th</sup> -15<sup>th</sup>, or 20<sup>th</sup> – 22<sup>nd</sup>.

The Mayor and Council discussed various date options.

Mrs. McCue noted that May 2<sup>nd</sup> was the date she had originally proposed at the last Council meeting.

The Mayor and Council decided on May 2<sup>nd</sup> at 3:00 pm.

- Web Page Update

Councilwoman Rivera asked Mrs. McCue for an update on the City’s web page.

Mrs. McCue reported that preliminary funds in FY 17 will be available for a Request for Proposal before the budget cycle.

- Food Pantries on City Website

Councilwoman Rivera asked if the City has a web page that mentions the collection of non-perishable food items for the First Baptist Church of Greenacres.

Mayor Ferreri explained there are approximately four (4) local organizations and churches that serve as food pantries. Staff refers interested individuals to those organizations.

- Palm Beach County District 3

Councilwoman Rivera thanked Building Director Michael Grimm for providing her the information and was awaiting a call back on her acceptance. They will be looking at the Lake Worth Corridor.

Councilman Noble

Councilman Noble reminded the Mayor and Council of the Sunshine Law. Council members are not to discuss matters prior to voting on them. He could not help but perceive that discussions had taken place prior to voting on the designation of a Deputy Mayor.

Councilwoman Dugo

Councilwoman Dugo reported meeting with the City Attorney and based on their conversation, it appeared Council was taking up too much of his time in phone calls. Mrs. McCue has been here 8 weeks. I am not a proponent of meetings. She asked Mrs. McCue if she had met all the staff and asked about the duration of the weekly staff meetings.

Mrs. McCue reported meeting most of the staff. The staff meetings last an average of 1-2 hours. The meetings consist of reviewing agenda items, upcoming agenda items and issues regarding daily operations.

Councilwoman Dugo asked if there were any issues Mrs. McCue felt were overwhelming.

Mrs. McCue explained she is in the process of learning. Staff has been very helpful in keeping her informed of the issues and she did not believe there was any one issue that could not be addressed.

Deputy Mayor Pearce

Deputy Mayor Pearce inquired about the information on free movies at the Lake Worth Road Phoenix Movie Theater provided to Leisure Services Director Michele Thompson. He asked if parents must provide permission slips for children to attend.

Mrs. Thompson reported that the information was distributed to parents. For every activity, parental consent forms are needed.

Councilwoman Bousquet

Councilwoman Bousquet suggested that in the future Councilmembers should call and make appointments to meet with the City Manager or the City Attorney.

Mayor Ferreri

- Atlanta Braves Spring Training

Regarding the Atlanta Braves he announced that the Board of County Commissioner’s meeting would be held on April 5<sup>th</sup> at 1:30 pm. He reported meeting with the Braves’ CEO several weeks earlier and believed it was a good idea for the Lake Worth Corridor. It would be a gigantic economic boost for the County in spite of expected traffic tie-ups for 6-8 weeks out of the year. In speaking with the head of the Sports Commission, they discussed running camps for kids and tournaments. It would benefit local restaurants and stores. Commissioner Paulette Burdick is not in favor of the project. John Prince Park is a rough, but beautiful property and he urged Councilmembers to e-mail County Commissioners with their thoughts.

**12. Adjournment.**

Mayor Ferreri inquired if there were any additional comments; hearing none, he adjourned the meeting at 8:43 p.m.

**CITY COUNCIL**

Respectfully submitted,

\_\_\_\_\_  
 Samuel J. Ferreri  
 Mayor

\_\_\_\_\_  
 Denise McGrew,  
 City Clerk/Administrative Services Director

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

/mel