



# CITY OF GREENACRES, FLORIDA

## AGENDA

### City Council Meeting

Monday, December 18, 2017 – 7:00 p.m.

City Hall Council Chambers  
5800 Melaleuca Lane

#### Mayor and City Council

Joel Flores, Mayor  
Paula Bousquet, Deputy Mayor

John Tharp, Council Member	District I
Peter A. Noble, Council Member	District II
Judith Dugo, Council Member	District III
Anderson Thelusme, Council Member	District IV

#### Administration

Andrea McCue, City Manager  
James Stokes, City Attorney  
Joanna Cunningham, City Clerk

**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 (large print) upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting City Clerk Joanna Cunningham 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.

**Attention All Lobbyists:** Palm Beach County Code of Ordinances, Article VIII, entitled "Lobbyist Registration" requires the registration of all lobbyists prior to engaging in any lobbying activity with the City Council, any City Board or Committee, or any employee as defined in the aforementioned Palm Beach County Ordinance. Copies of the Palm Beach County Ordinance are available upon request in the City Clerk's Office.

Web Site: <http://www.greenacresfl.gov>

**Agenda**  
**City Council Meeting**  
**City Hall Council Chambers**  
**5800 Melaleuca Lane**  
**Monday, December 18, 2017 - 7:00 p.m.**

**Notice:** 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 F.S. 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.

1. **Call To Order and Roll Call.**
2. **Pledge of Allegiance to the Flag.**
3. **Comments From the Public for Agenda Items Only.**
4. **Agenda Approval.**
  - A. Additions, deletions, or substitutions to the agenda.
  - B. Motion to approve and adopt entire agenda as set.
5. **Special Business**
  - A. **Presentation:** Florida League of Cities Certificate of Completion to Mayor Joel Flores.- Paula Bousquet, Deputy Mayor
  - B. **Presentation:** Honoring Estelle Friedman for over twenty years of volunteer service to the City.– Joel Flores, Mayor
6. **Consent Agenda.**
  - A. Motion to Approve Consent Agenda.
    1. **Official Minutes:** City Council Meeting December 4, 2017 – Joanna Cunningham, City Clerk.
7. **Regular Agenda.**
  - A. **PUBLIC HEARING** **Ordinance No. 2017-31:** Second Reading; Amending Chapter 11, Streets, Sidewalks, and Other Public Places, in order to modify and clarify the regulations that govern the use of the City's streets, swales, rights-of-way, and public places and to provide for regulations governing the collocation of small wireless facilities or micro wireless facilities on existing utility poles or the installation of new utility poles to support the collocation of small wireless facilities or micro wireless facilities in City-owned rights-of-way and amending the definitions to be consistent with

Section 337.401, Florida Statutes; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in Code; and providing for an effective date; pursuant to Staff Memo – Kara Irwin Ferris, Planning & Engineering Director.

- B. PUBLIC HEARING Ordinance No. 2017-35:** Second Reading; Amending Chapter 5 of the City of Greenacres Code entitled, “Fire Prevention and Protection,” Section 5-2 to update the name of the Department; Section 5-3 to adopt the Florida Fire Prevention Code 6th Edition, together with the local amendments thereto as conformed to the City’s operational standards; Sections 5-6 and 5-10 to update the name of the Department; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in Code; and providing for an effective date; pursuant to Staff Memo. – Mark Pure, Fire Chief.
- C. PUBLIC HEARING Ordinance No. 2017-36:** Second Reading; Providing for a temporary ban on medical marijuana dispensaries which extends the moratorium previously adopted by the City Council; providing for further extensions if necessary; providing for geographic boundaries of applicability; providing provisions for early termination; providing for conflicts; providing for severability; and providing an effective date; pursuant to Staff Memo. – Andrea McCue, City Manager and James Stokes City Attorney.
- D. PUBLIC HEARING Ordinance No. 2017-37:** :Second Reading; Amending Chapter 7 “Health, Sanitation and Nuisances” Article II “Property Maintenance” Section 7-27 “Nuisances Declared”, to declare the collection of textiles for recycling purposes from stationary vehicles to be a nuisance and to allow for the placement of unattended drop-off bins through a franchise agreement with the City; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in Code; and providing for an effective date; pursuant to Staff Memo – Michael Grimm, Building Director.
- E. Ordinance No. 2017-20:** First Reading; Annexing one parcel of land totaling approximately 5.4249 acres, located approximately 500 feet south of the southwest corner of Lake Worth Road and South Military Trail at 4215 South Military Trail, 4101 South Military Trail, and the adjacent Lake Worth Drainage District Drainage Right-of-Way, as requested by the Planning and Engineering Department in accordance with Chapter 171.0413 of the Florida Statutes; 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; pursuant to Staff Memo and Staff Report. – Kara Ferris, Planning & Engineering Director.
- F. Ordinance No. 2017 27:** First 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 5.4249 acres, located approximately 500 feet south of the southwest corner of Lake Worth Road and South Military Trail at 4215 South Military Trail, 4101 South Military Trail, and the adjacent Lake Worth Drainage District Drainage Right-of-Way, from a Palm Beach County Designation of Urban Infill (PBC UI) to a City of Greenacres designation of Commercial (CM) and Public Institutional (PI), 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 and Staff Report.– Kara Ferris, Planning & Engineering Director.

- G. Ordinance No. 2017-28:** First Reading; Approving the application for a zoning change for one parcel of land totaling approximately 5.4249 acres, located approximately 500 feet south of the southwest corner of Lake Worth Road and South Military Trail at 4215 South Military Trail, 4101 South Military Trail, and the adjacent Lake Worth Drainage District Drainage Right-of-Way, from a Palm Beach County Zoning Designation of Urban Infill (PBC UI) to a City of Greenacres Zoning Designation of Commercial Intensive (CI) and Government Use (GU), as requested by the Planning and Engineering Department; providing for changes to the Official Zoning Map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date; pursuant to Staff Memo and Staff Report. – Kara Ferris, Planning & Engineering Director.
- H. Ordinance No. 2017-29:** First 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 0.16 acres, located on the south side of Lake Worth Road approximately 515 feet west of South Military Trail at 4644 Lake Worth Road, from a Palm Beach County Designation of Urban Infill (PBC UI) to a City of Greenacres designation of Commercial (CM), 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 and Staff Report.-Kara Ferris, Planning & Engineering Director.
- I. Ordinance No. 2017-30:** First Reading; Approving the application for a Zoning Change for one parcel of land totaling approximately 0.16 acres, located on the south side of Lake Worth Road approximately 515 feet west of South Military Trail at 4644 Lake Worth Road, from a Palm Beach County Zoning Designation of Urban Infill (PBC UI) to a City of Greenacres Zoning Designation of Commercial Intensive (CI), as requested by the Planning and Engineering Department; providing for changes to the Official Zoning Map; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date; pursuant to Staff Memo.- Kara Ferris, Planning & Engineering Director.

- J. **Ordinance No. 2017-32:** First Reading; Annexing three (3) parcels of land totaling approximately 2.14 acres, located at the northwest corner of Chickasaw Road and South Jog Road, as requested by the petitioner, Dunay, Miskel and Backman, LLP, agent for the owners, Morris W. Sperber Trust, Roslyn L. Emerson and Craig B. Morris; 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; pursuant to Staff Memo and Staff Report. -Kara Ferris, Planning & Engineering Director.
- K. **Ordinance No. 2017-33:** First 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 four parcels of land totaling approximately 3.201 acres, located at the northwest corner of Chickasaw Road and South Jog Road, from a Palm Beach County Designation of Low Residential 3 units per acre (RL-3) in part and from City Mixed Use (MU) to a City of Greenacres Designation of Commercial (CM) located on the west side of South Jog Road and north of Chickasaw Road as requested by the petitioner, Dunay, Miskel and Backman, LLP, agent for the owners, Morris W. Sperber Trust, Roslyn L. Emerson, Craig B. Morris and Shahveer Dhatigara; 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 and Staff Report. - Kara Ferris, Planning & Engineering Director.
- L. **Ordinance No. 2017-34:**First Reading; Approving the application for a zoning change for four (4) parcels of land totaling approximately 3.201 acres, located at the northwest corner of Chickasaw Road and South Jog Road, from a Palm Beach County Zoning Designation of Agricultural (AR) in part and City Mixed Use Development Office Zoning (MXD-O) to a City of Greenacres Zoning Designation of Commercial Neighborhood (CN), as requested by the petitioner, Dunay, Miskel and Backman, LLP, agent for the owners, Morris W. Sperber Trust, Roslyn L. Emerson, Craig B. Morris and Shahveer Dhatigara; providing for repeal of conflicting ordinances; providing for severability; and providing for an effective date; pursuant to Staff Memo and Staff Report.- Kara Ferris, Planning & Engineering Director.
- M. **Ordinance No. 2017-39:** First Reading; Amending Chapter 4, entitled Buildings and Building Regulations, of the City of Greenacres Code, to include the Florida Building Code 6th Edition, together with all amendments thereto, as recommended by the Building Code Advisory Board of Palm Beach County, Florida and as conformed to the City's Operational Standards; providing for repeal of conflicting ordinances; providing for severability; providing for an effective date; pursuant to Staff Memo. – Michael Grimm, Building Director.

- N. **Resolution No. 2017-51:** Approving an Agreement between the City of Greenacres and Palm Beach County Tax Collector for services related to the collection of Non-Ad Valorem Assessments, authorizing the appropriate city officials to execute the Agreement, and providing for an effective date; pursuant to Staff memo. – James McInnis, Finance Director.
- O. **Resolution No. 2017-52:** Approving an Agreement between the City of Greenacres and Palm Beach County Property Appraiser for services related to the collection of Non-Ad Valorem Assessments, and providing for an effective date; pursuant to Staff Memo. – James McInnis, Finance Director.
- P. **Resolution No. 2017-53:** Authorizing the execution of the Fiscal Year 2017-2018 Community Development Block Grant (CDBG) Agreement for Phase 4 of the Stormwater Drainage Enhancement in the Original Section; and providing for an effective date; pursuant to Staff Memo.- Kara Ferris, Planning & Engineering Director.
- Q. **Board Appointments:** Appoint one member to the Alternate 1 position on the Planning and Zoning Commission from the two applications received, and appoint one member to the Zoning Board of Adjustments and Appeals; pursuant to Staff Memo. – Joel Flores, Mayor.
- 8. **Comments from the Public.**
- 9. **Discussion Items:**
  - A. **Legal Fee Discussion** –Paula Bousquet, Deputy Mayor
  - B. **Property Acquisition Discussion** – James Stokes, City Attorney.
  - C. **Textile Bin Options and Locations** – Andrea McCue, City Manager and James Stokes, City Attorney.
  - D. **Legislative Priorities Review** – Andrea McCue, City Manager.
  - E. **Ordinance Presentation Procedure** – Judy Dugo, Council Member
- 10. **Staff Comments.**
  - A. **City Manager's Report.**
  - B. **City Attorney's Report.**
- 11. **Mayor and City Council Reports.**
- 12. **Adjournment.**

### 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 on the second and fourth Mondays of the month, or whenever necessary. Council Agendas are posted on the City's website on the Friday prior to each Council meeting. A public copy of the complete agenda is also available for review in the City Clerk's Office at City Hall. Questions regarding the agenda should be directed to the City Clerk at 642-2006.

### December 2017 - Calendar of Meetings and Events

12-19-17	<b>Candidate Qualifying Ends</b>	12:00 pm
12-20-17	Planning Commission Meeting (Tentative)	7:00 pm
12-25-17	Christmas Holiday – <b>City Offices Closed</b>	
12-26-17	Christmas Holiday – <b>City Offices Closed</b>	

### January 2018 - Calendar of Meetings and Events

01-01-18	City Council Meeting	<b>Cancelled</b>
01-01-18	New Year's Day - <b>City Offices Closed</b>	
01-03-18	Planning Commission Meeting (Tentative)	7:00 pm
01-15-18	Martin Luther King Day- <b>City Offices Closed</b>	
01-15-18	City Council Meeting	<b>Cancelled</b>
01-16-18	City Council Workshop	6:30 pm
01-17-18	Planning Commission Meeting (Tentative)	7:00 pm
01-22-18	City Council Meeting	7:00 pm