

# CITY OF GREENACRES

## OFFICIAL MINUTES TRACKING

Council/Board: city Council

Meeting Date: 3-16-15

Transcribed by: mf No. of Pages: 9 Transcription Time: 4.5

### REVIEW OF MINUTES

Reviewed By:

Name/Initials	Date	Revisions	
<u>Dmc</u>	<u>3-24-15</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No
		<input type="checkbox"/> Yes	<input type="checkbox"/> No

### APPROVAL OF MINUTES

Meeting Date: 4-20-15

Motion By: Bouquet Seconded By: Noble

Check One:  Approved  Tabled  Denied Vote: 5/0

Changes requested by Council or Board?  Yes  No

If yes, note changes: \_\_\_\_\_

NOTE: ATTACHMENTS WERE REQUESTED BY THE CITY CLERK BUT WERE NOT PROVIDED.

Date Scanned and Filed: \_\_\_\_\_ By: \_\_\_\_\_



## OFFICIAL MINUTES

CITY OF GREENACRES  
5800 Melaleuca Lane  
Greenacres, FL 33463

CITY COUNCIL MEETING  
Monday, March 16, 2015- 7:00 PM

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

Mayor Ferreri called the City Council Meeting of Monday, March 16, 2015 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  
Lisa M. Rivera, Councilwoman  
Peter A. Noble, Councilman  
Judith Dugo, Councilwoman  
Jonathan G. Pearce, Councilman  
Paula Bousquet, Councilwoman

##### Staff Present:

Wadie Atallah, City Manager  
Pamela S. Terranova, City Attorney  
Thomas Lanahan, Asst. City Manager/P&E Director  
Denise McGrew, City Clerk/Admin. Services Director  
Michael Grimm, Director/Building  
Thomas Hughes, Director/Finance  
Michele Thompson, Director/Leisure Services  
Dominic Fusca, Police Captain/Public Safety  
Carlos Cedeño, Director/Public Works  
Jim McInnis, Asst. Director/Finance  
Melody Larson, Assistant to the City Clerk

Attendees from Public: 48  
Press: 2

### 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. Councilman Pearce seconded the motion.

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

**Motion carried: 5 - 0.**

**5. Special Business.**

A. **Announcement of 2015 Election Results and Oaths of Office:** – Denise McGrew, City Clerk.

Office of the Mayor	Samuel J. Ferreri
Council District I	Lisa Rivera
Council District V	Paula Bousquet

Denise McGrew, City Clerk, announced the results of the 2015 Municipal Election with 471 votes cast for incumbent John Tharp (45.33%) and 568 votes cast for challenger Lisa Rivera (54.67%). Mrs. McGrew congratulated the newly elected Council members and administered their oaths.

B. **Presentation:** 2014 President's Volunteer Service Award Winners; pursuant to Staff Memo - Samuel J. Ferreri, Mayor.

The Mayor announced the names of each of the 11 recipients of the 2014 President's Volunteer Service Awards and provided each one with an award packet in honor and recognition of their service. The total number of hours contributed is 1,816.50.

C. **Presentation:** In Appreciation of the City of Greenacres Support – Nam Knights of Palm Beach County.

Anthony John Schebell, President of the Palm Beach County Chapter of the Nam Knights, an organization that helps homeless veterans, announced with bittersweet sadness that 2014 was the last year the Nam Knights would be participating in the City's annual Rock 'n Roll Sunday event due to financial reasons. The Nam Knights have worked with the City for the past 16 years. Mr. Schebell presented the Mayor and City Council with a plaque honoring their continued support and patriotism in helping homeless veterans and fallen police officers in the line of duty.

Mr. Schebell explained the reason for their departure was due to their organization's recent move to the German-American Club where a small entrance fee can be charged for events to help offset costs.

Mayor Ferreri acknowledged that the relationship with the Nam Knights has been one of the longest standing the City has had with any organization. Their cause is a noble one and he was hopeful of their return to the City.

**6. Consent Agenda.**

A. Mayor Ferreri asked Council if they wished to pull any of the six (6) Consent Agenda items; hearing none, he called for a motion.

1. **Official Minutes:** City Council Meeting of March 2, 2015 – Denise McGrew, City Clerk.
2. **Board Reappointments:** Board reappointments of Leo Zornow and Bert Molow to the Code Enforcement Board, and John Robarts and Wilneeda Emmanuel to the Planning Commission; pursuant to Staff Memo – Samuel J. Ferreri, Mayor.
3. **Board Appointments:** Appointments of Marcia Grobman and Arlene Spagna to the Scholarship Committee; pursuant to Staff Memo – Samuel J. Ferreri, Mayor.
4. **Proclamation:** “Safe Digging Month” for April 2015 – Samuel J. Ferreri, Mayor.
5. **Proclamation:** “Water Conservation Month” for April 2015 – Samuel J. Ferreri, Mayor.
6. **Resolution No. 2015-06:** Authorizing the submittal of an application to the Palm Beach County Department of Economic Sustainability for Community Development Block Grant Funding for FY 2015-2016, for Phase 2 of the Stormwater Drainage Enhancement Project in the Original Section; and authorizing the appropriate City Officials to execute all necessary documents; pursuant to Staff Memo – Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director.

**MOTION:** Councilwoman Dugo made a motion to approve the six (6) Consent Agenda items. Councilwoman Bousquet seconded the motion.

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

**Motion carried: 5 - 0.**

**7. Regular Agenda:**

- A. **Receive and File:** Presentation of FY 2014 Comprehensive Annual Financial Report (CAFR) by Auditing Firm of Marcum LLP – Thomas Hughes, Finance Director.

Thomas Hughes, Finance Director, explained that pursuant to State Statutes, the City is audited annually. For the past five years, accounting firm, Marcum, LLP, has conducted the audit of the City's FY 2014 financial records which is presented in the form of a CAFR.

Beila Sherman, a Marcum, LLP representative, noted that the City has received the "Certificate of Financial Excellence" award for the past 21 years and would be receiving it again in 2015. Ms. Sherman reported that a clean opinion (unmodified) with no findings has been issued and commended the Mayor and Council on the helpful cooperation the auditors received from staff.

The report indicates revenues minus expenditures equal \$63,000 in the black. Ms. Sherman noted that the new GASB 67 standards went into effect in this report. She referred the Mayor and Council to Page 4, "Management Discussion and Analysis", which highlights the activity for FY 2014.

Mayor Ferreri called for comments. He commented on the difference in the reporting format from previous years and was pleased to see how well the City had performed taking into account the limited resources available.

Ms. Sherman pointed out that on Pg. 4 it shows the City's assets exceeding its liabilities and deferred inflow of \$39.3 mil. This is information important for citizens and lenders to know. Net position which equals assets minus liabilities (deferred inflow), increased by \$698,000. At the close of FY 2014, governmental funds totaled a combined fund balance of \$22.8 million.

A noteworthy change from FY 2013 is the Pension Disclosure. GASB standards required cities to show pension liability based on certain criteria; see "Notes to Financials". The rate of return used for the Public Safety Plan, including inflation rate, and discount rate, shows an asset of \$5.4 million, based on financial reporting, which is in actuality a small liability. The breakdown of the Plan is \$14.7 million minus \$20 million equals a net asset of \$5.4 million.

Mayor Ferreri called on Council members for comments; hearing none he called for motion to Receive and File.

**MOTION:** Councilwoman Bousquet made a motion to Receive and File the FY 2014 CAFR. Councilman Pearce seconded the motion.

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

**Motion carried: 5 - 0.**

- B. **Ordinance No. 2015-03:** 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 two parcels of land totaling approximately 0.271 acres, located at 549 and 547 Fleming Avenue, from Mixed Use (MU) to Residential-Low Density (RS-LD), as requested by the owners, Daniel Hernandez and Francisco and Alejandrina Fraga; 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 - Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director.

Denise McGrew, City Clerk, read Ordinance No. 2015-03 into the record on first reading.

Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director, noted that the next four (4) cases for Fleming Avenue were related.

Mr. Lanahan described the proposal to change the future land use designation of 2 parcels of land from Mixed Use (MU) to Residential-Low Density (RS-LD) located at 549-547 Fleming Avenue, south of Greenacres Food Mart. He reported that the northern lot consists of a newly constructed single-family home and the southern lot is vacant. This proposal is consistent with the City's Comprehensive Plan; it meets concurrency, and is compatible with the surrounding future land use designations. The Local Planning Agency recommended approval of this proposal; therefore, staff recommends approval of CPA-15-01 through the adoption of Ordinance No. 2015-03.

Mayor Ferreri called on Council members for comments; hearing none, he called for a motion.

**MOTION:** Councilman Pearce made a motion to approve Ordinance No. 2015-03 on first reading. Councilwoman Dugo seconded the motion.

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

**Motion carried: 5 - 0.**

- C. **Ordinance No. 2015-04:** First Reading; Approving the application for a zoning change for two parcels of land totaling approximately 0.271 acres, located at 549 and 547 Fleming Avenue, from Mixed Use Development-Original Section (MXD-OS) to Residential Low-3 (RL-3), as requested by the owners, Daniel Hernandez and Francisco and Alejandrina Fraga; 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 - Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director.

Denise McGrew, City Clerk, read Ordinance No. 2015-04 into the record on first reading.

Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director, described the companion item to the land use amendment just heard. He stated this request proposes to rezone the same two parcels of land from an MXD-OS to an RL-3 zoning designation. RL-3 zoning allows construction of single-family homes on a 50 ft. wide lot. Mr. Lanahan stated the Planning Commission recommended approval of ZC-15-01; therefore, staff recommends approval of ZC-15-01 through the adoption of Ordinance No. 2015-04.

Mayor Ferreri called on Council members for comments; hearing none, he called for a motion.

**MOTION:** Councilman Pearce made a motion to approve Ordinance No. 2015-04 on first reading. Councilwoman Bousquet seconded the motion.

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

**Motion carried: 5 - 0.**

- D. **Ordinance No. 2015-05:** 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 0.1357 acres, located at 545 Fleming Avenue, from Mixed Use (MU) to Residential-Low Density (RS-LD), 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 - Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director.

Denise McGrew, City Clerk, read Ordinance No. 2015-05 into the record on first reading.

Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director, described the City-initiated request to change the future land use designation of one parcel of land from MXD-OS to RL-3. The vacant site is located immediately south of the previous two parcels. Mr. Lanahan noted that this request was necessary to avoid creating an isolated pocket. He noted that the proposal meets the goals and objectives of the City's Comprehensive Plan, it meets concurrency, and is compatible with the surrounding future land use designations to the north, east and south. On March 4, 2015, the Local Planning Agency recommended approval of this item; therefore, staff recommends approval of CPA-15-02 through the adoption of Ordinance No. 2015-05.

Mayor Ferreri called on Council members for comments; hearing none, he asked if the property owners had been notified.

Mr. Lanahan confirmed proper notification was mailed to the property owner who was invited to participate.

**MOTION:** Councilman Pearce made a motion to approve Ordinance No. 2015-05 on first reading. Councilwoman Bousquet seconded the motion.

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

**Motion carried: 5 - 0.**

- E. **Ordinance No. 2015-06:** First Reading; Approving the application for a zoning change for one parcel of land totaling approximately 0.1357 acres, located at 545 Fleming Avenue, from Mixed Use Development-Original Section (MXD-OS) to Residential Low-3 (RL-3), 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 - Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director.

Denise McGrew, City Clerk, read Ordinance No. 2015-06 into the record on first reading.

Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director, described the City-initiated request to rezone the same vacant parcel from MXD-OS to an RL-3 zoning designation. Mr. Lanahan stated the proposal is consistent with the existing development potential of the 50 ft.-wide lot, it is consistent with the proposed residential low density land use and would eliminate an isolated pocket. The Planning Commission recommended approval on March 4, 2015; therefore, staff recommends approval of ZC-15-02 through the adoption of Ordinance No. 2015-06.

Mayor Ferreri called on Council members for comments; hearing none, he called for a motion.

**MOTION:** Councilman Pearce made a motion to approve Ordinance No. 2015-06 on first reading. Councilwoman Bousquet seconded the motion.

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



**Motion carried: 5 - 0.**

8. **Comments from the Public.** None.
9. **Discussion Items:** None.
10. **Staff Comments:**
  - A. **City Manager's Report.** None.
  - B. **City Attorney's Report.** None.
11. **Mayor and City Council Reports.**

City Attorney Retirement

In light of the City Attorney's recent retirement announcement, Mayor Ferreri instructed staff to add replacement procedures on the April 20, 2015 City Council agenda as a discussion item. He suggested including criteria such as the type of attorney or legal firm, the interview process and advertising requirements, as well as budgetary ramifications. He instructed staff to prepare background information and devise a list of duties for advertising purposes. The Mayor reminded Council members that it is part of their job to hire and/or fire the City Attorney and City Manager and cautioned that many cities have complained about the high costs they pay to retain legal services. He noted that Ms. Terranova has served as the City's legal counsel for the past 21 years.

National League of Cities Conference (NLC)

Mayor Ferreri reported that while attending the recent NLC Finance Committee and Board of Directors meetings, it was gratifying to read Marcum, LLP's audit report. He reported learning a great deal of information about when grant money is received and how it is dispersed, and with the new government reporting standards, the City's CAFR was much easier to understand. He reported having the pleasure and honor of meeting President Barack Obama at the conference where the President talked about assisting cities with the help of Congress.

The Cloisters

Councilwoman Dugo reported receiving a certified letter from The Cloisters Homeowner Association (attached), regarding the repair of drainage pipes in their community. She noted that the City Manager is working to resolve this matter.

Medians

Councilwoman Dugo disclosed that she had received an email from Mrs. Janice Laruto concerning the City's denigrating appearance and panhandlers in the medians. (Attached)

Council Policy No. 14 – City Council Communication with Staff Members

Councilwoman Dugo requested that the abolishment of this policy be placed on the next agenda.

Mayor Ferreri instructed staff to add this as a second discussion item of the agenda.

Council Policy No. 12 – Deputy Mayor Appointment

Councilman Pearce asked to delete the following sentence from the policy: "Any nominee for Deputy Mayor must have served one (1) full term as a Council member prior to being eligible for nomination."

Mayor Ferreri reminded Council that the designation of Deputy Mayor is scheduled for the April 20, 2015 agenda. He asked Councilman Pearce if this was to be another discussion item for the next agenda.

Councilman Pearce said he wanted Council Policy Nos. 12 and 14 to be added as items to be voted on.

Mayor Ferreri stated that could be done; however, the procedure to designate a Deputy Mayor occurs at the beginning of the meeting, with discussion items at the end of the meeting.

Councilman Pearce said that was fine.

**12. Adjournment.**

Mayor Ferreri inquired if there were any additional comments; hearing none, Councilwoman Rivera adjourned the meeting at 7:49 p.m.

**CITY COUNCIL**

Respectfully submitted,

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

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



Date Approved: 4-20-15

/mel

Attachments