

CITY OF GREENACRES

OFFICIAL MINUTES TRACKING

Council/Board: city Council
Meeting Date: 1-19-16
Transcribed by: [signature] No. of Pages: 15 Transcription Time: 7.5

REVIEW OF MINUTES

Reviewed By:

Name/Initials	Date	Revisions	
<u>DMC</u>	<u>2-16-16</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: 2-22-16

Motion By: Duga Seconded By: Rivera

Check One: Approved Tabled Denied Vote: 5/0

Changes requested by Council or Board? Yes No

If yes, note changes: _____

Date Scanned and Filed: _____ By: _____



OFFICIAL MINUTES

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

**CITY COUNCIL MEETING
Tuesday, January 19, 2016- 7:00 PM**

1. Call To Order and Roll Call.

Mayor Ferreri called the City Council Meeting of Tuesday, January 19, 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:

Thomas Lanahan, Acting City Manager
James D. Stokes, City Attorney
Denise McGrew, City Clerk/Admin. Services Director
Michael Grimm, Director/Building
Thomas Hughes, Director/Finance
Michele Thompson, Director/Leisure Services
Mike Porath, Director/Public Safety
Carlos Cedeño, Director/Public Works
Melody Larson, Assistant to the City Clerk
Sean Murray, Captain/PBSO

Attendees from Public: 14
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: Councilman Noble made a motion to approve the Agenda. Councilwoman Dugo 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.** None.

6. **Consent Agenda.**

A. Mayor Ferreri asked Council if they wished to pull any of the two (2) Consent Agenda items; hearing none, he called for a motion.

1. **Official Minutes:** City Council Meeting of December 21, 2015 – Denise McGrew, City Clerk.
2. **Resolution No. 2016-01:** Satisfying certain liens imposed against residential property, pursuant to Section 15-32, City of Greenacres Code; pursuant to Staff Memo – Thomas Hughes, Finance Director.

MOTION: Councilwoman Dugo made a motion to approve the two (2) Consent Agenda items. 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.

7. **Regular Agenda:**

A. **Resolution No. 2016-07:** Ratifying the Memorandum of Understanding (attached hereto as Exhibit "A") between the City of Greenacres and the Palm Beach County Police Benevolent Association; and authorizing the appropriate City Officials to effectuate the terms of the Agreement; pursuant to Staff Memo – Thomas J. Lanahan, Acting City Manager.

Denise McGrew, City Clerk, read Resolution No. 2016-07 into the record.

Acting City Manager Thomas J. Lanahan reported that due to the PBSO contract to provide law enforcement services, City law enforcement employees will be transferring to PBSO. As part of that transfer the City must address the

implications of the contract. Mr. Lanahan noted that both sworn and non-sworn City law enforcement personnel are represented by the Police Benevolent Association (PBA) and the Memorandum of Understanding (MOU) addresses the retirement plan changes for union employees and is a product of collective bargaining. Mr. Lanahan noted that there were four options available to the City:

- 1) Terminate the City's Pension Plan and use the funds together with City funds to purchase annuities to replace the retirement benefits. This option was not explored due to the prohibitive costs involved.
- 2) Freeze the Pension Plan - This would apply only to those current employees at the time of transition, but their benefits would not increase or accrue and would be paid out at time of retirement. The employees would be required to join the Florida Retirement System (FRS).
- 3) Close the Plan to new members leaving it 'as is' for current employees. The Plan would continue and benefits would continue to accrue while the employee is working and the City would continue to receive the allocation of insurance premium tax proceeds (Chapter 185 funds) with a large share of those funds being placed into the employees' share accounts.
- 4) Close the Pension Plan (while keeping it open to current members) with modifications. The City's Pension Plan would continue for law enforcement participants and their benefits would continue to accrue with modifications to the operation of the Plan.

Mr. Lanahan noted that the Memorandum of Understanding relates to the 4th option; keeping the Plan available for current members with changes to the Plan. Two key changes are the allocation of the Chapter 185 funds directing more funds towards supporting the operation of the Plan, and the second change is providing a 6-month standstill period for employees who retire out of the City's Pension Plan and start employment with PBSO.

At the time of transition, all law enforcement services personnel in the City's Pension Plan will need to choose between remaining in the Public Safety Officers/Firefighters' Retirement Plan (PSO/FF) or choosing the Florida Retirement System (FRS). The MOU allows participants who remain in the City's Pension Plan to continue to receive their retirement benefits they would have received if the merger had not occurred. Additionally, the MOU provides non-law enforcement employees who are part of the Bargaining Unit, e.g. Dispatchers, will have their Defined Contribution Plan fully vested on January 31, 2016 regardless of the number of years of employment. Those must join FRS when they merge with PBSO.

Mr. Lanahan stated that this MOU was a result of extensive negotiations with PBA and although it is more expensive in the long term to freeze the Plan; it is less than the annuity option or keeping the Plan as is. This MOU was ratified by PBA on January 15, 2016 and staff recommends approval of Resolution No. 2016-07.

Mayor Ferreri called on Councilmembers for comments.

Councilwoman Dugo asked Labor Attorney Paul Ryder how many law enforcement personnel chose to stay with the City's Pension Plan.

Mr. Ryder explained that he only received notice that the PBA had ratified the MOU; there would be a separate election and Council would be notified by PBSO.

Councilwoman Bousquet noted that Mr. Ryder had advised Council that the best option for taxpayers would be to freeze the City's Pension Plan. She did not understand why that option was not considered or negotiated and believed that Option 4 was a terrible deal for taxpayers and would not be the best option for the remaining employees either. It would hurt employees for years to come.

Mr. Ryder noted that the freeze option was presented but rejected by the PBA. It was the City's position until better terms could be reached.

Councilman Noble also believed the freeze was a better alternative for taxpayers since Option 4 entails long term obligations with liabilities for the life of current law enforcement personnel and their spouses. He too believed it was not a good deal for the City or its employees.

Councilwoman Dugo emphasized that Council's intent was to freeze the Plan until they realized that the Chapter 185 funds would be made available which alleviated the tax burden.

Deputy Mayor Pearce pointed out that had the City froze the Plan; the City was still obligated to pay out the pension. It was later learned that other cities that had merged with PBSO and their employees had since retired, those cities still received their 185 monies. Additionally, a sinking fund exists in the Pension whereby an additional \$2 million will be conceded to law enforcement officers that would traditionally be contributed to their 401k accounts. This was the right way to go since PBA was against the freeze. In this way, there won't be any obligation down the road. The 185 monies have increased and will continue.

Councilwoman Bousquet pointed out that the City should not be obligated to pay out pensions to former employees. The City will continue to pay contributions for the former employees, that includes future salary increases paid by PBSO. We should therefore freeze their pension at the time they merge with PBSO. No other employees who leave a job continue to receive contributions toward their pension by their previous employer. It was her belief that the City would have been better off freezing the Pension without the 185 monies.

Mayor Ferreri asked Mr. Ryder if the MOU had been reviewed by the City's pension attorney.

Mr. Ryder confirmed that the MOU had been reviewed by Mr. Linn.

Councilwoman Rivera asked Mr. Ryder to explain why Option 4 was "significantly better" than other options.

Mr. Ryder explained that as the Chapter 185 funds grow, the Union agreed to keep the funds coming to the City. He explained there is expected continued growth and PBA has agreed that anything beyond \$231,600 will stay in the City's Plan either in a contingency fund or usable if the City's Plan needs assistance.

Councilman Noble explained that Chapter 185 funds are collected through auto insurance premiums paid by citizens and reimbursed by the State to the City and is used to help fund municipal pension funds for cities with active working law enforcement personnel. The PBA has gained an exclusion from the Florida Division of Retirement whereby they will continue to receive Chapter 185 monies even though they may no longer be entitled to receive such funds. The City relies on those funds coming in but the laws change, the City is still responsible for any liability. Law enforcement personnel that are merging with PBSO do not want to go with PBSO's pension plan, they want to stay with the City's pension plan. He believed it was unfair to the City and its citizens to have a 30-year obligation to former City employees who will be working for PBSO.

Councilwoman Dugo asked Mr. Ryder what was PBSO's share of contributions.

Mr. Ryder reported that PBSO is obligated to pay the same amount the City pays in FRS contributions.

Deputy Mayor Pearce emphasized that the City is still obligated to pay pensions for the next 30 years regardless of whether or not it is frozen. He asked Mr. Ryder to confirm that even if the City froze the Pension Plan, the City would still be obligated to pay.

Mr. Ryder explained that even with a freeze the City would still be liable for the portion of the benefits that were frozen going forward.

MOTION: Councilwoman Dugo made a motion to approve Resolution No. 2016-07 as presented. Councilwoman Rivera seconded the motion.

Discussion on the Motion:

Mayor Ferreri noted that this has been a contentious issue and there are sides to every story. There is more risk to the City by not freezing the Pension Plan. Option 4 is a good deal as long as the Chapter 185 monies are available and the union members conceded to pool their money. Since receiving the 185 funds, the City has paid several million into the Plan. He called for a vote on the motion.

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

Motion carried: 3 - 2.

- B. **Ordinance No. 2016-08:** First Reading; Amending Chapter 10, Personnel, Article IV, Retirement, Pensions and Other Employee Benefit Programs, Division 3, Retirement Systems Authorized, Sec. 10-148 entitled "Public Safety Officers and Firefighters Retirement Plan and Trust"; Amending the Defined Benefit Plan and Trust Adoption Agreement contained in Exhibit "B-3"; providing for repeal of conflicting ordinances; providing for inclusion in the code; providing for severability; and providing for an effective date; pursuant to Staff Memo – Thomas J. Lanahan, Acting City Manager.

Denise McGrew, City Clerk, read Ordinance No. 2016-08 into the record on first reading.

Mr. Lanahan reported that this is another step in the transition to change the City's Defined Benefit Plan and Trust Adoption Agreement Plan by Ordinance pursuant to the Memorandum of Understanding dated January 19, 2016. He stated staff recommends approval of Ordinance No. 2016-08.

Mayor Ferreri called on Councilmembers for comments.

MOTION: Deputy Mayor Pearce made a motion to approve Ordinance No. 2016-08 on first reading. Councilwoman Rivera seconded the motion.

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

Motion carried: 3 - 2.

- C. **Ordinance No. 2016-09:** First Reading; Amending Chapter 10, Personnel, Article IV, Retirement, Pensions and other Employee Benefit Programs, Division 3, Retirement Systems Authorized, Sec. 10-149 entitled "General Employees Retirement Plan And Trust"; amending the Defined Contribution Plan and Trust Adoption Agreement contained in Exhibit "B-1a"; providing for repeal of conflicting ordinances; providing for inclusion in the code; providing for severability; and providing for an effective date; pursuant to Staff Memo – Thomas J. Lanahan, Acting City Manager.

Denise McGrew, City Clerk, read Ordinance No. 2016-09 into the record on first reading.

Mr. Lanahan reported that this amendment is needed to change the vesting requirements for the Defined Contribution Plan and Trust for employees not part of the law enforcement pension plan. This change is also for non-union employees affected by the contract for services with PBSO. It allows the City's contributions to be fully vested as of January 31, 2016. Staff recommends approval of Ordinance No. 2016-09.

Mayor Ferreri called on Councilmembers for comments. He asked if the City's

obligations were already part of the Plan and if a former employee's contributions would rollback. In essence, it is not a new City obligation and has already been budgeted. He also asked if the 401a was portable.

Mr. Lanahan confirmed that was correct. The funds are available with one (1) paycheck more to go. There is no new money or expenditures. As for the 401a, employees could choose to move the funds or leave them invested. He suggested that employees with little in contributions consider moving their funds due to service fees.

Mayor Ferreri called for a motion.

MOTION : Councilwoman Dugo made a motion to Ordinance No. 2016-09 on first reading. 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.

- D. **PUBLIC HEARING:** **Ordinance No. 2016-06:** Second Reading; Amending Chapter 4 of the City of Greenacres Code entitled "Buildings and Building Regulations", Article II entitled "Burglar Alarm Systems" to delete Sections 4-20 through 4-26 and add a reference to the Palm Beach County Burglar Alarm Regulations; pursuant to Staff Memo – Michael L. Porath, Public Safety Director.

Denise McGrew, City Clerk, read Ordinance No. 2016-06 into the record on second reading.

Public Safety Director Michael Porath reported that in 2008, the County adopted an alarm ordinance effective for all unincorporated areas and PBSO contracted municipalities. In 2009, the City adopted its own Burglar Alarm Ordinance No. 2009-12 that was administered by the Public Safety Department. With the PBSO merger, the transition would leave no one to administer the City's burglar alarm ordinance. Chief Porath stated this can be remedied by amending Chapter 4 of the City Code and referencing Palm Beach County Code of Ordinances Chapter 16, Art. III, Sections 16-51 through 16-64. He stated staff recommends approval of Ordinance No. 2016-06.

Mayor Ferreri called on Councilmembers for comments.

Deputy Mayor Pearce asked about the City's alarm fee structure.

Chief Porath reported that the first three (3) responses are waived; the 4th 5th and 6th responses are charged \$50 each, with \$500 fines for every false alarm response thereafter.

Mayor Ferreri remembered the City burglar alarm ordinance fee structure mirrored the County's with one difference where the City did not charge a \$25 registration fee. He emphasized that the taxpayers will now be charged the registration fee.

Deputy Mayor Pearce asked if a resident has an alarm system that has been turned off; they are not required to pay the \$25 registration fee under the County alarm ordinance, correct? The homeowner has the option to turn the alarm system off and not pay the fee.

Chief Porath explained that if the alarm system is turned off and the owner needs a response, PBSO will not respond to the alarm call unless the \$25 registration is paid.

Mayor Ferreri noted receiving a call from someone who lives in his neighborhood about homeowner associations charging maintenance fees that include alarm monitoring. PBSO's explanation was those homeowners residing in subdivisions that pay for alarm monitoring would still be obligated to pay the \$25 registration fee; they don't have the choice to opt out. It's not as easy as saying "just turn it off", because it's not that simple for some residents.

Councilwoman Dugo pointed out that homeowner associations (HOA's) can amend their budget and those homeowners who are obligated to pay the \$25 registration fee need to address that with their HOA. Because homeowners are paying their HOA for alarm monitoring, the HOA should be issuing homeowners a credit on their maintenance fees. The \$25 registration fee is not being paid by the taxpayers; it's those individuals who want their alarm system to be responded to by PBSO, so it's not every taxpayer.

Mayor Ferreri pointed out that the gentleman caller said the management company explained there were four (4) more years left on the bulk contract and that the contract was unbreakable, so the 208 homeowners would be obligated to pay the \$25 registration fee for the next four years.

Mayor Ferreri opened the meeting to the public. He asked if anyone was in favor of, or opposed to Ordinance No. 2016-06 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. 2016-06 on second reading. Councilwoman Dugo 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.

E. **Ordinance No. 2016-01:** 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 0.746 acres, located at 609 Jackson Avenue, from Residential-Medium Density (RS-MD) to Mixed Use (MU), as requested by the owners, G.P. and Louise C. Suggs; 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, Acting City Manager.

Denise McGrew, City Clerk, read Ordinance No. 2016-01 into the record on first reading.

Mr. Lanahan described the request to change the future land use designation of a 0.746 acre parcel on 10th Avenue North on the west side of Jackson Avenue located at 609 Jackson Avenue from Residential-Medium Density (RS-MD) to Mixed Use (MU). Mr. Lanahan stated the proposal is compatible with the mixed uses to the south, west and southeast and the property currently consists of an existing single family home. If approved, the Mixed Use Development-Original Section (MXD-OS) zoning was designed for the area and supports a mix of residential and commercial uses. He stated that concurrency had been met; the proposal is consistent with the City's Comprehensive Plan and helps infill development activity keeping with the City's vision of the 2001 Joint Planning Charrette for the 10th Avenue North Corridor. The Local Planning Agency recommended approval on January 6, 2016; therefore, staff recommends approval of Ordinance No. 2016-01.

Mayor Ferreri called on Councilmembers for comments. He questioned the subject parcel not appearing in the Mixed Use Overlay District and the uneven depth of the District.

Mr. Lanahan explained that one of the steps the City took to encourage redevelopment was to waive the application fees. There were some developed sites the City did not amend their land use or zoning designations of which this proposal is one. That decision was made at the time because the properties abut 10th Avenue North.

Mayor Ferreri pointed out that the subject site abuts low density property.

Mr. Lanahan explained the land use pattern is somewhat mixed with multi-family and detached single-family homes. When these properties were annexed in 1999, the area was patterned to accommodate the existing uses and tried to use site design to mitigate factors.

Mayor Ferreri stated that he has supported the changes to this area since 1999 when these parcels were originally annexed. He asked if courtesy notices were mailed to surrounding property owners notifying them of tonight's public hearing.

Mr. Lanahan noted that Ordinance No. 2016-06 is first reading and the 300' courtesy notice would be mailed prior to the second reading. He reported that one property owner did appear at the Planning Commission Meeting.

MOTION : Deputy Mayor Pearce made a motion to approve Ordinance No. 2016-01 on first reading. Councilwoman Dugo 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.

- F. **Ordinance No. 2016-02:** First Reading; Approving the application for a zoning change for one parcel of land totaling approximately 0.746 acres, located at 609 Jackson Avenue, from Residential Medium-1 (Rm-1) to Mixed Use Development-Original Section (MXD-OS), as requested by the owners, G.P. and Louise C. Suggs; 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, Acting City Manager.

Denise McGrew, City Clerk, read Ordinance No. 2016-02 into the record on first reading.

Mr. Lanahan described the companion item to the land use amendment just approved on first reading. He stated that the proposal is to rezone a 0.746 acre parcel from Residential Medium-1 (RM-1) to Mixed Use Development-Original Section (MXD-OS). Mr. Lanahan noted that the concept plan shows an 8,687 sq. ft. retail building on a 1.6 acre site (proposed Family Dollar) with access on Jackson and Walker Avenues. The proposal meets the goals of the MXD-OS District which is designed to encourage the assembly of lots into larger development sites and encourage development activity. He stated the proposal meets the ten (10) zoning change criteria and the Planning Commission recommended approval on January 6, 2016; therefore, staff recommends approval of Ordinance No. 2016-02.

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

MOTION : Councilwoman Bousquet made a motion to approve Ordinance No. 2016-02 on first reading. Councilwoman Rivera seconded the motion.

Discussion on the Motion:

Mayor Ferreri questioned the 10th Avenue North cut-out on the survey and asked if it was road right-of-way.

Mr. Lanahan confirmed that on the northwest corner of Jackson Avenue and 10th Avenue North there is a 20 ft. deep x 130 ft. wide remainder of a 50 ft. lot that was acquired by the County when 10th Avenue North was built. He explained there were originally four (4) similar strips and the City was successful in transferring 3 of the 4 strips. However, the County chose to maintain ownership of this piece for future road widening purposes at 10th Avenue North and South Haverhill Road. The City landscaped the right-of-way with trees and shrubs and the City is required to maintain the landscaping which will later be transferred to Family Dollar.

Mayor Ferreri asked about the rear of the building and architectural treatments along Walker Avenue.

Mr. Lanahan confirmed that Family Dollar has a prototype with a strong front, sides and not much in the rear. The City and developer discussed providing architectural features on all four elevations. The mechanical equipment will be installed on the north side.

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

Motion carried: 5 - 0.

8. **Comments from the Public.** None.

9. **Discussion Item:**

A. Empire Way Sidewalks; pursuant to Staff Memo – Thomas J. Lanahan, Acting City Manager.

Acting City Manager Thomas J. Lanahan reported that the Empire Way neighborhood aka Palm Beach Villas II was built in 1975. Mr. Lanahan noted that at that time, City Code required the installation of sidewalks as each lot was developed. Sidewalks were not required on lots that did not front a street which created gaps in the development. Of significance is the lack of sidewalk access to Empire Park. Some streets such as Gladiator Circle consist of sidewalks on the north side only. The estimated cost to provide a full sidewalk network is \$105,000. Mr. Lanahan noted there is no funding in the FY 16 budget and no staff available to implement the project. If Council wishes to proceed, staff recommended including this project in the FY 17 budget review process.

Councilwoman Rivera noted observing the kids daily exiting school buses and seeing wheelchair-bound residents riding on Chariot Circle due to the lack of sidewalks on their side of the street. She would like to see sidewalks implemented in 2 stages in FY 16 and FY 17 due to safety concerns. To avoid a potential lawsuit, she proposed using a portion of the City's Contingency Funds.

Mayor Ferreri explained as a Discussion Item a recommendation to bring this item back as a Regular Agenda Item is needed.

Deputy Mayor Pearce asked why not do it all at once.

Councilwoman Rivera explained she is willing to compromise. Although she disagrees with the assessment of a lack of funds, and because this is a safety issue, Councilwoman Rivera stated she would like to see it done as soon as possible.

Councilwoman Bousquet asked if a specific section could be done to alleviate the handicap residents.

Councilwoman Rivera pointed out that another large problem is cars parked on sidewalks.

Mr. Lanahan asked on what streets are the students being dropped off by the school buses.

Councilwoman Rivera stated Empire Way and Gladiator Circle.

Mr. Lanahan noted that there are distinct segments. There is no implementation advantage to doing the entire project. To address the missing sidewalks on Chariot Circle east of Empire Way would cost approximately \$17,000 and would address most concerns. He explained that there is currently an access path now, but may not be the most desirable. Regarding students walking in the street, further research is needed.

Councilwoman Dugo noted that this is an example of how the City is growing and commended Councilwoman Rivera for addressing concerns in her district. She noted that other neighborhoods with similar growth concerns should also be addressed. She asked Finance Director Tom Hughes when the City's audit would be complete. She wanted to know what the City's surplus was.

Mayor Ferreri pointed out that there are other neighborhoods without sidewalks. He urged staff to identify the gaps and present Council with a plan for every neighborhood and street in all districts. Older building codes created the current gaps and this is a City-wide issue. He suggested contacting the School District regarding the bus drop-offs.

Mr. Hughes reported that staff was currently waiting for additional information prior to finalizing the audit and noted that the audit was expected to be completed by February 15th.

Councilwoman Rivera asked for an estimate.

Mr. Hughes reported an estimated City-wide surplus of \$170,505.00.

Mayor Ferreri instructed staff to look at filling the sidewalk gaps in all neighborhoods and address those of greater concern first looking at the ADA requirements. He suggested looking at piggybacking onto County contracts. Perhaps some of the work could be done in FY 16 and other contracts could be awarded by October 1st. He wanted to know the full ramifications.

Deputy Mayor Pearce pointed out that for the year ending September 30, 2015, the City's surplus was \$869,457.00.

Mr. Hughes reported that that figure had changed. The General Fund at this point is \$755,927.00.

Deputy Mayor Pearce emphasized that \$105,000 is available from the General Fund surplus if Council desired to do the entire project.

Mr. Lanahan cautioned that a budget adjustment would be required to move the money from the General Fund into the FY 16 budget.

Deputy Mayor Pearce asked if all this went into the Unassigned Reserve pursuant to Council Policy No. 18.

Mr. Hughes did not have the unassigned figures with him to confirm. He explained that some restricted went up: subsequent year expenditures are restricted, accounted for, and cannot be spent and noted that a large portion of the \$755,927.00 will be placed in the Unassigned Reserve.

Deputy Mayor Pearce asked if Council has the option of taking that money and paying for this project in FY 16.

Mr. Hughes stated it would require a budget adjustment and one is scheduled for March 2016.

Mayor Ferreri reiterated there are many other neighborhoods with the same problem. The City should be fair and equal and should therefore have Public Works identify the areas to be addressed and present a plan. He also suggested obtaining approval from Lake Worth Drainage District (LWDD).

Councilwoman Rivera was concerned over safety and someone filing a lawsuit.

Mr. Lanahan pointed out that the implementation is straight forward, the grading is suitable and the right-of-ways are identifiable. There are some neighborhoods that have grading issues where trees were planted where sidewalks should be, etc. He asked for time to prepare a cost analysis.

Councilwoman Rivera asked how much time was needed. She did not want to see this project still being discussed in May.

Mr. Lanahan proposed February 22, 2016. With the budget adjustment discussed earlier, it will involve allocating additional funds in other department budgets. There will be other things drawing funds; the entire surplus will not be available to cover City-wide sidewalks. If Council desires staff to focus solely on sidewalks in FY 15 and FY 16, the sidewalks could be installed; however, with the Community Center expansion underway, the Fire Rescue renovations and other projects already slated, he recommended phasing sidewalks into the City's CIP budget.

Mayor Ferreri called for a consensus on staff presenting a cost analysis at the February 22, 2016 Regular City Council Meeting. All five (5) Councilmembers agreed.

10. Staff Comments:

A. City Manager's Report:

Special City Council Meeting

Mr. Lanahan announced that a Special City Council Meeting will be held on January 28, 2016 for the second reading of the two (2) retirement plan ordinances and the contract amendment regarding the gun range and records transition.

PBSO Swearing-In Ceremony

Mr. Lanahan announced that a swearing in ceremony for law enforcement personnel will be held on February 2, 2016 at 5:00 pm at the Community Center. PBC Sheriff Ric Bradshaw will be present and food will be served. Council will receive an invitation from PBSO.

Farewell to Chief Porath

Mr. Lanahan announced that this meeting will be Chief Porath's last appearance before his reassignment to PBSO District 6 at the south end of the County starting January 20, 2016. He thanked the Chief for his many, many years of dedicated service to the City.

B. City Attorney's Report. None.

11. Mayor and City Council Reports.

Fire Rescue Ladder Truck

Councilwoman Dugo asked Mr. Lanahan the status of the \$450,000 ladder truck budgeted for Fire Rescue.

Mr. Lanahan reported that a ladder truck was not budgeted for FY 16; however, there is a pumper replacement in one of the budget out-years. The ladder truck would exceed \$800,000-\$900,000 and would require significant study. He explained that each year the Vehicle Replacement Matrix is reviewed during budget preparations to decide when and what needs replacement; each year it changes. He reported meeting with Acting Fire Chief Mark Pure to discuss Fire Rescue's capital needs, specifically to address their immediate operational concerns.

Councilwoman Dugo requested a list of City leases for \$1/year similar to the lease for the American Legion.

Mr. Lanahan reported there were none. The lease for the old City Hall at 5985 10th Avenue North was leased at current market rate. There exists a partial lease with the Greenacres Historical Society.

Councilman Noble mentioned that once law enforcement personnel vacate Headquarters, Fire Rescue personnel will be exposed. He was concerned about their security and suggested looking into a private security service to maintain 24-hour vigilance. He asked if this had been discussed and wanted to bring this to Council's attention.

Mr. Lanahan stated he was unaware of this issue; however, staff has been looking at modifications to the building to create access separation and circulation separation between Fire Rescue and PBSO. He noted that the building poses a challenge since there are many shared areas to consider. Part of that renovation project is in the CIP Plan for FY 16. A security system had not been brought to his attention.

Chief Porath noted that Station 1 will be manned by PBSO. Day staffing and night shifts will remain unchanged. In the County when attending calls, they use remote clickers to close the doors and gates. They use a proximity card system, similar to other stations county-wide. There are also security cameras recording 24/7. He was unaware of any security concerns.

Mayor Ferreri asked with regard to the PBSO contract, who will be monitoring the City's security cameras on City buildings, PBSO or Fire Rescue Dispatch?

Chief Porath explained that the City's I.T. Division will maintain the cameras and PBSO will have access through a webserver. The system will be backed up on a server.

Deputy Mayor Pearce asked Chief Porath if a security service was needed at Headquarters.

Chief Porath did not believe it was needed and would be costly for the City. He added that he was unaware of other cities hiring separate security for their stations.

Councilwoman Rivera called for a budget workshop in April, immediately after the new City Manager starts to review the first quarter finances and CIP projects.

12. Adjournment.

Mayor Ferreri inquired if there were any additional comments; hearing none, he adjourned the meeting at 8:23 p.m.

CITY COUNCIL

Samuel J. Ferreri
Mayor

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Respectfully submitted,

Denise McGrew

Denise McGrew,
City Clerk/Administrative Services Director

Date Approved: 2-22-16

