

# CITY OF GREENACRES

## OFFICIAL MINUTES TRACKING

Council/Board: city Council Meeting

Meeting Date: 8-1-16

Transcribed by: muf No. of Pages: 14 Transcription Time: 7.5

### REVIEW OF MINUTES

Reviewed By:

Name/Initials	Date	Revisions	
<u>Dmc</u>	<u>8-19-16</u>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>JLC</u>	<u>8-22-16</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

### APPROVAL OF MINUTES

Meeting Date: 9-8-16

Motion By: Dugo Seconded By: Noble

Check One: ☒ Approved ☐ Tabled ☐ Denied Vote: 5/0

Changes requested by Council or Board? ☐ Yes ☒ No

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

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





## **OFFICIAL MINUTES**

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

**CITY COUNCIL MEETING  
Monday, August 1, 2016– 7:00 PM**

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

Mayor Ferreri called the City Council Meeting of Monday, August 1, 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  
Jim McInnis, Acting Director/Finance  
Mark Jakubek, Fire Division Chief/Fire Rescue  
Michele Thompson, Director/Leisure Services  
Carlos Cedeño, Director/Public Works  
Melody Larson, Assistant to the City Clerk  
Capt. Sean Murray/PBSO  
Major Martino/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.

Based on the City Manager's contract and providing the same courtesy to the City Attorney, Council discussed meeting with both the City Manager and City Attorney individually, holding further discussion on the evaluation forms and moving Regular Agenda Items 7.F, 7.G and 7.H to the August 15, 2016 agenda.

**MOTION:** Councilwoman Bousquet made a motion to move Regular Agenda Items 7.F, 7.G to Discussion Items, and move 7.H to the August 15, 2016 agenda for action. 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.**

- A. **Presentation:** Palm Beach County Property Appraiser's Office – Dorothy Jacks, Chief Deputy.

Mayor Ferreri introduced Chief Deputy Dorothy Jacks of the Property Appraiser's Office noting the timeliness of her presentation for Council members and the public on how assessments are made and how the City receives its revenue.

Chief Deputy Dorothy Jacks discussed the Property Appraiser's efforts to provide individualized outreach, discussed the market value of Greenacres being the 13<sup>th</sup> most valuable at \$2.4 billion above Juno Beach, Tequesta, Lake Worth and Palm Springs. She reported on the City's taxable value in 2016 of \$1.5 billion; a 9% increase from 2015. Ms. Jacks noted that Greenacres has the 9th largest parcel count in the County with 14,976 parcels (from condos to vacant land). Ms. Jacks discussed "differentials" (discounts based on state laws) and exemptions. She reported that the taxable value range for Greenacres is 61.1% – 83.3% after differentials and exemptions.

Ms. Jacks reported that Greenacres is a mid-range community with affordable prices excellent for the current market for working families. Sales of residential condo units are in the double digits with a 15%-20% appreciation which reflects potential for growth. New projects will be added to the new tax roll after January 1, 2017.

Mayor Ferreri called on Council members for comments.

Deputy Mayor Pearce asked Ms. Jacks how to obtain the number of property owners who don't pay taxes in Greenacres.

Ms. Jacks suggested having the Finance Director contact the Property Appraiser's Office and request that information.

Mayor Ferreri discussed the City's initial undertaking by a developer (not a professional planner), in the 1970's of assigning land use designations; to City property required by the State. By assigning high densities, it was thought it would make the City grow faster when in fact it created land use for multi-family for the entire City. In the 1990's, with the proliferation of multi-family units and families moving out, the City made a concerted effort in 1986 to change the land use plan and down-zone properties to encourage construction of single-family residential units. The majority of Greenacres' tax base is single-family housing which carries the load of property taxes. Multi-family units are more desirable for developers to turn a profit. With a boom in the economy, people move to larger homes. Mayor Ferreri thanked Ms. Jacks for attending.

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 July 18, 2016 – Denise McGrew, City Clerk.
  2. **Resolution No. 2016-19:** Authorizing the Third Addendum to renew the Agreement between the City of Greenacres and Lake Worth Sharks, Inc. for the organization, management and operation of the City's Co-Ed Recreational Youth Soccer League and use of the City's soccer fields and facilities; and authorizing the Mayor to sign the agreement and City Officials to effectuate implementation of the terms of the Agreement; pursuant to Staff Memo – Michele Thompson, Leisure Services Director.
  3. **Resolution No. 2016-27:** Approving Contract Number W1020 between the Florida Department of Corrections and the City of Greenacres for the purpose of providing work squad(s) to the City during Fiscal Year 2017; authorizing the appropriate City Officials to execute Contract Number W1020 Amendment #1; providing for transmittal to the Department of Corrections; and providing for an effective date; pursuant to Staff Memo – Carlos Cedeño, Public Works Director.
  4. **Resolution No. 2016-28:** Repealing Resolution Number 2009-22; and establishing a new schedule of building permit fees pursuant to Section 4-2 of the Greenacres Code; and providing for an effective date; pursuant to Staff Memo – Michael Grimm, Building Director.
  5. **Resolution No. 2016-29:** To implement performance measures to achieve eligibility for Community Rating System; and providing for an effective date; pursuant to Staff Memo – Michael Grimm, Building Director.
  6. **Resolution No. 2016-32:** Authorizing the submittal of FY 2016 Justice Assistance Grant (JAG) Program application to the U.S. Department of

Justice, Office of Justice Programs, Bureau of Justice Assistance and authorizing the City Manager to sign all grant documents and accept award of the grant, and authorizing the City Manager with signature authority responsible for implementing the grant for the procurement of law enforcement equipment and technology to be used by law enforcement; and providing for an effective date; pursuant to Staff Memo – James McInnis, Acting Finance Director.

**MOTION:** Councilwoman Bousquet made a motion to approve the six (6) 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. **PUBLIC HEARING: Ordinance No. 2016-14:** Second Reading; Amending the City of Greenacres Code of Ordinances to repeal Chapter 4, Building Regulations, Article I, In General, Section 4-3, Flood Damage Prevention and Floodplain Management Regulations; to adopt a new Chapter 4, Building Regulations, Article III, Floodplain Management; to adopt flood hazard maps; to designate a Floodplain Administrator, to adopt procedures and criteria for development in flood hazard areas and for other purposes; and to adopt local technical amendments to the Florida Building Code; providing for a fiscal impact statement; providing for applicability; providing for repeal of conflicting ordinances; providing for severability; providing for inclusion in the Code; and providing for an effective date; pursuant to Staff Memo – Michael Grimm, Building Director.

City Clerk Denise McGrew read Ordinance No. 2016-14 into the record on second reading.

Building Director Michael Grimm described the National Insurance Flood Program (NFIP) and its requirements of adopting ordinances to obtain low cost flood insurance in order to reduce the risks of flooding. The Florida Department of Emergency Management coordinates and assists the NFIP in monitoring local floodplain management and assists communities with qualifying for a NFIP Community Rating System Program (CRS), a program that provides discounts on flood insurance rates of 5% for each point scored below a 10.

Mr. Grimm reported that Ordinance No 2016-14 repeals the previous floodplain management regulations, adopts the new FDEM model and revises the City's local amendments to the Florida Building Code. He stated there will be no cost to the City but expects an increased workload and related costs once the new FEMA flood maps go into effect. He noted that residents should save substantially due

to a favorable CRS score. Therefore, staff recommends approval of Ordinance No. 2016-14.

Mayor Ferreri called on Council members for comments; hearing none, he opened the meeting to the public. He asked if anyone was in favor of, or opposed to, Ordinance No. 2016-14 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 2016-14 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.**

- B. **Ordinance No. 2016-18:** First Reading; Annexing one parcel of land totaling approximately 0.895 acres, located at the northeast corner of Lake Worth Road and Scott Road at 6239 Lake Worth Road, as requested by the petitioner, Fernando Prieto, Agent for the Owner, Soma Lake Worth Investor, LLC; 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 – Thomas J. Lanahan, Assistant City Manager/Planning & Engineering Director.

City Clerk Denise McGrew read Ordinance No. 2016-18 into the record on first reading.

Zoning Administrator Kara Irwin-Ferris described the voluntary annexation of 0.895 acres of land located 1,400 ft. east of South Jog Road at 6239 Lake Worth Road. The vacant parcel was the former site of a Checkers fast-food restaurant built in 1983 and demolished in 2008; the infrastructure still exists. Mrs. Ferris reported that access to the site will be via Scott Road. She stated that the site is contiguous to City boundaries on the east and north sides of the subject site; annexing this parcel will reduce an existing pocket area, and the proposal meets the six (6) annexation criteria. The Planning Commission recommended approval on July 20, 2016 by a vote of 5-0; the Palm Beach County Planning Division sent a Letter of No Objections; therefore, staff recommends approval of ANX-16-01 through the adoption of Ordinance No. 2016-18.

Mayor Ferreri called on Council members for comments. He asked Mrs. Ferris if Scott Road is considered a legal road and whether it was a public or private road.

Mrs. Ferreri reported that the City verified that the owner has legal access to Scott Road.

Council discussed law enforcement services, signage, advertising and lighting.

Mayor Ferreri called for a motion.

**MOTION:** Councilwoman Bousquet made a motion to approve Ordinance 2016-18 on first reading. 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.**

- C. **Ordinance No. 2016-19:** 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 0.895 acres, located at the northeast corner of Lake Worth Road and Scott Road at 6239 Lake Worth Road, from a Palm Beach County designation of Commercial High with an underlying 5 units per acre (PBC CH 5) to a City of Greenacres designation of Commercial (CM), as requested by the petitioner, Fernando Prieto, agent for the owner, Soma Lake Worth Investor, LLC; 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.

City Clerk Denise McGrew read Ordinance No. 2016-19 into the record on first reading.

Mrs. Ferris described the companion small-scale future land use amendment to the annexation just approved on first reading. The proposal is to change the future land use designation of one 0.895-acre parcel of land from PBC CH 5 to City CM. She stated the proposal is consistent with Chapter 163, F.S.; it is compatible with adjacent properties; it meets concurrency and is consistent with the goals, objectives and policies of the City's Comprehensive Plan and the Treasure Coast Regional Planning Council's Strategic Regional Planning Policy (SRPP). Therefore, staff recommends approval of CPA-16-02 through the adoption of Ordinance No. 2016-19.

Mayor Ferreri called on Council members for comments.

Councilman Noble asked who owns Scott Road, the County or City.

Mrs. Ferris explained that Scott Road is neither; it is simply an access road that the owner has the right to use. It was originally designed to provide access to the adjacent Taco Bell and in-line parcel to the rear. It was not intended as a throughway.

Councilwoman Bousquet pointed out that Scott Road also provides access to the shopping plaza behind Taco Bell.

Deputy Mayor Pearce questioned if the plaza owner was required to maintain Scott Road.

Mrs. Ferris reported that as part of the development order, the City will require the owner to make some improvements to Scott Road within the boundaries of their property; however, the City cannot require the applicant to fully maintain Scott Road.

Mayor Ferreri called for a motion.

**MOTION:** Councilwoman Rivera made a motion to approve Ordinance 2016-18 on first 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.**

- D. **Ordinance No. 2016-20:** First Reading; Approving the application for a zoning change for one parcel of land totaling approximately 0.895 acres, located at the northeast corner of Lake Worth Road and Scott Road at 6239 Lake Worth Road, from a Palm Beach County zoning designation of Commercial General (PBC CG) to a City of Greenacres zoning designation of Commercial General (CG), as requested by the petitioner, Fernando Prieto, agent for the owner, Soma Lake Worth Investor, LLC; 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.

City Clerk Denise McGrew read Ordinance No. 2016-20 into the record on first reading.

Mrs. Ferris presented the companion zoning change to the annexation and future land use amendment just approved on first reading. The proposal is to change the zoning designation from PBC CG to City CG, consistent with the surrounding land use pattern. She stated the subject site is surrounded on three sides by commercial land uses and concurrency has been satisfied. The concept plan shows a 5,438 sq. ft., 1-story medical office building with 26 parking spaces and 2 handicapped spaces. Ingress/egress will be from Lake Worth Road and Scott Road. Mrs. Ferris noted that the proposal meets the ten (10) zoning change criteria, therefore, staff recommends approval of ZC-16-01 through the adoption of Ordinance No. 2016-20.

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



**MOTION:** Deputy Mayor Pearce made a motion to approve Ordinance 2016-20 on first reading. Councilwoman Rivera seconded the motion.

Discussion on the Motion:

Mayor Ferreri questioned how the proposed building relates to the building to the east with respect to visibility. He was concerned with massing and being in line with the adjacent building.

Mrs. Ferris explained that the proposal meets Code for side setback requirements.

Mayor Ferreri called for a vote on the motion.

<b>VOTE ON THE MOTION:</b>	<b>In Favor:</b> Deputy Mayor Pearce, Councilwoman Rivera, Councilman Noble, Councilwoman Dugo, and Councilwoman Bousquet.
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**Motion carried: 5 - 0.**

Discussion between Councilwoman Dugo, Councilman Noble and Mayor Ferreri followed regarding the maximum height for commercial buildings in the City's commercial corridor and adding building height requirements as a workshop item.

**E. Ordinance No. 2016-21:** Presentation of Objections and Reconsideration—Andrea McCue, City Manager.

City Manager Andrea McCue reported that at the July 18, 2016 City Council meeting, Council passed Ordinance No. 2016-21 by a vote of 3/2. The Mayor exercised veto authority pursuant to Art. VI, Section 6, and submitted his written objections which were received on July 21, 2016. Based on the Charter, this Ordinance must be heard by the second Council meeting following the Mayor's receipt of the ordinance and must pass by a two-thirds vote of the entire Council.

Mayor Ferreri asked City Attorney James Stokes to elaborate.

Mr. Stokes explained that this Ordinance has been returned for reconsideration by Council pursuant to the Charter. It can be discussed before a motion is made or called into question. The Ordinance must pass by a 2/3 majority. With 5 voting members, 4 votes are required.

Mayor Ferreri stated that his objection was based on GSG's report and their cost breakdown which wasn't based on calls but rather on property type. The other reason was the City was dividing the fire services by ad valorem in part and non-ad valorem in part, which is confusing for the public to understand. "If it had been in a purer form with an assessment for the entire Fire Department and was removed from the tax base, fine; but when those costs are comingled, it is difficult to understand where the money is going."

Councilwoman Dugo stated it was her understanding that EMS services could not

be funded by the assessment.

Mayor Ferreri explained that the City did not lower taxes and make it a pure assessment; the Council created the assessment and added more money to the assessment and left the ad valorem the same.

Councilwoman Dugo proposed that based on the Mayor's veto and not being able to implement the assessment in FY 17, if the Mayor would reconsider implementing a different assessment fee for FY 18. She wanted to present this again for FY 18.

Mayor Ferreri pointed out that in his 28 years of serving as Mayor, this was the second time he vetoed an ordinance and his veto had to do with the assessment not being a fair and equitable tax. It had nothing to do with providing fire services. As it was presented, he believed it placed an unfair burden on taxpayers having to pay higher taxes.

Councilwoman Dugo argued that other cities have successfully done this.

Mayor Ferreri pointed out that they use it to pay for their fire services and don't use ad valorem monies to pay for fire services; that's the difference, similar to how the County does their MSTU, "but the ordinance basically increased taxes by placing an ad valorem that doesn't get as noticed as other tax increases where much more public notice is required."

Councilwoman Dugo recalled that the Fire Department needed extrication equipment that was not budgeted and for which this assessment would have provided.

Mayor Ferreri stated that the purchase of extrication equipment was being sought through eligible grant funding. The other equipment discussed has been placed in the City's CIP budget to replace ambulances and fire trucks, and even with the anticipated assessment monies, the funding would not have been sufficient for another two years to cover those items.

Councilman Noble emphasized that Council is willing to provide the needs of the Fire Department and through taxes this will be made possible.

Mayor Ferreri further explained that when Council set the millage rate, he recommended a couple of options: 1) take from fund reserves to make up the shortfall, or 2) raise property taxes by ½ mill that would have raised the \$1 million needed. He was not in favor of taking money from the fire assessment and ad valorem which makes it hard for the public to track the money. He reminded Council that the fee study was valid for four (4) more years.

Councilwoman Dugo asked, "What is the City's deficit?"

Mrs. McCue replied, "following the budget workshop, a little over \$1 million."

Mayor Ferreri called for further discussion or a change in the vote; hearing none, he continued with the Agenda.

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

9. **Discussion Item:**

E. **City Attorney Performance Evaluation.**

Councilwoman Dugo reported that after spending a great deal of time on this, she could not complete a large part of the evaluation. There were many questions she could not answer and she knows why. She distributed a copy of rescinded Council Policy No. 19 to the Mayor and Council and explained as a Council member she has no way of knowing if the City Attorney is complying with providing information in a timely manner. Council currently does not have the City Manager prioritizing the City Attorney's workload. She suggested that Council Policy No. 19 be reinstated. "Council is not responsible for the day-to-day operations, that is the responsibility of the City Manager."

Councilwoman Bousquet agreed.

Deputy Mayor Pearce referred Ms. Dugo to the Charter where he explained that the Attorney's duties and responsibilities are clearly spelled out. He stated, we cannot sit down with department directors and inquire about the City Attorney.

Councilwoman Bousquet disagreed, pointing out that someone needs to prioritize and manage the flow of work. Mr. Stokes only works 2 days a week, he has had a large workflow and there have been problems. She believed the City Manager should manage the City Attorney's workload.

Councilwoman Rivera stated she had no problem completing either evaluation. When something did not apply as in the case of Mrs. McCue's evaluation, she wrote N/A. If Council wants to know what is happening with the City, she urged Council members to contact the City Manager or City Attorney. She stated she does so at least three times a week. She stated that she is aware of the time it takes Mr. Stokes to return phone calls or provide a response. Many of the questions for the City Manager did not apply to Mrs. McCue at this time due to the short amount of time she has been with the City.

Councilwoman Bousquet pointed out that Council was not to complete the City Manager's evaluation; it was a self-evaluation and was to be done privately.

Deputy Mayor Pearce reminded Council members that Mr. Stokes made it clear from the beginning that the legal department and the City Manager's office were separate entities.

Mayor Ferreri agreed with Councilwoman Dugo's comments and explained that the City Attorney's responsibilities are two-fold: 1) he works for the Mayor and Council and 2) assists staff with the legal requirements. Without that direction/prioritization, things that need to get done are not getting done. He believed that things were not getting done at the level they should be.

Councilwoman Dugo suggested including a section in the City Attorney evaluation for staff input as well.

Councilwoman Bousquet disagreed. She believed Council Policy No. 19 should be reinstated and the City Manager should direct his/her workload.

Mr. Stokes pointed out that this is not an uncommon situation. One thing that he noticed was that there was no workload tracking system like City Law. This program tracks incoming/outgoing workload. This expense would not be necessary since he was the only attorney and he could create an Excel spreadsheet for that purpose. He reported that he is in daily communication with the City Manager by phone, email or texting.

Councilwoman Dugo pointed out that this is not about Mr. Stokes, it is about a position that does not answer to anyone on a day-to-day basis operation. She used the contract with the City of Atlantis for fire rescue services as an example of something the City Manager might not be aware of.

Councilwoman Bousquet clarified that the City Attorney workload should be coordinated through the City Manager.

Mr. Stokes stated he doesn't have a problem dealing with department heads who report directly to the City Manager.

Councilwoman Bousquet suggested that the City Manager and City Attorney work out a system that's best for them.

Deputy Mayor Pearce reminded Council that the City Manager and City Attorney are their employees; "it is Council's responsibility to know what they are doing".

Councilwoman Rivera agreed with Ms. Bousquet's suggestion. She has inquired about items the City Attorney is working on and has contacted Mrs. McCue to inquire on the status of those projects. She agreed that a report would be nice.

Mayor Ferreri agreed that a report would be more effective than contacting the City Manager or City Attorney and speak with them for an hour. He explained that when Council Policy No. 19 was created, the City had gone from using a legal firm to having a part-time on-staff attorney; this was due to exorbitant legal fees that were out of control. The purpose of this policy was to serve as a filter and require the attorney to communicate with the City Manager on his/her workflow. A reporting mechanism is needed.

#### Love on the Lawn Event – FY 17 Budget

Councilwoman Dugo asked Leisure Services Director Michele Thompson if she would consider changing the date, changing the name, or use the funds for another event that would generate a better turnout.

Councilman Noble pointed out that the City has to advertise for City events. The seniors like the event and he did not want to see "Love on Lawn" cancelled.

Councilwoman Bousquet believed that by continually changing events, the City is not giving them a chance to succeed. We cannot expect to try events for one or two years and expect them to take hold.

G. **City Manager Performance Evaluation.**

City Manager Evaluation

Mayor Ferreri recalled that Council agreed to meet with her individually.

Deputy Mayor Pearce reminded Council that although Mrs. McCue has been on the job for five months, in her contract she is entitled to the Cost of Living Adjustment (COLA). If she is to receive any bonus or merit pay, Council must authorize such increases. He raised this issue to be fair and consistent with the City Attorney.

H. **Council Policy No. 14 – Council Communication with Staff:** James D. Stokes, City Attorney.

Mr. Stokes reminded the Mayor and Council of his request to defer this item for two weeks.

Mayor Ferreri suggested giving this to the Charter Review Committee (CRC) to review. He reiterated that the reason for the policy was only because it was not in the City Charter like other municipalities. Council will expect to see this on the August 15, 2016 Agenda.

10. **Staff Comments:**

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

City Board Vacancies

Mrs. McCue reported on an upcoming open period for board members due to 15 full member and 4 alternate vacancies. A memo will be sent out providing the timeframes for Council members to provide names of volunteers.

Charter Review Committee

Mrs. McCue reported that the 1-month open period to provide names had passed and we are still in need of four (4) names.

1 Cent Infrastructure Surtax

Mrs. McCue reported that the proposed surtax will be on the November referendum. The City received notification from the Palm Beach County League of Cities (PBCLoC) reminding municipalities that if the referendum passes, each municipality will be required to form a "Citizen Oversight Committee" to review the expenditures of surtax proceeds or, the City can participate in a Citizen Oversight Committee created by the PBCLoC. Section 5 of the Interlocal Agreement provides that the Citizen Oversight Committee must be created as soon as the



referendum passes and no later than the date surtax funds are to be expended. She reported that the PBCLoC is gathering information on best practices for forming a citizen oversight committee. She urged Council members to decide on how they wish to proceed.

Councilman Noble questioned if Council should not be discussing the type of individuals that would qualify (professionals with proper backgrounds) and if the committee could be made up of existing board members.

Mayor Ferreri believed the City should watch and see what criteria the PBCLoC establishes. He noted that the PBC School District had a Construction Oversight Committee overseeing the construction bonds on which a Greenacres resident served. As an architect, his firm had to go before that committee to report on how the funds were being expended. The committee consisted of accountants, engineers and professionals in the know.

Serving on the PBCLoC Board of Directors, Councilman Noble asked if the PBCLoC committee members would have an interest in what Greenacres is doing. He urged Council members to consider creating their own committee made up of Greenacres professionals.

#### **City Attorney's Report.**

Mr. Stokes reported attending the Municipal Attorney's Conference.

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

##### **Budget Workshops**

Councilwoman Rivera requested holding another budget workshop to review the deficit, rethink the "Love on the Lawn" event, and asked the status on the City's web design.

Mrs. McCue reported that the City has received 4 proposals for web design and the first Selection Committee Meeting is scheduled for August 10, 2016.

Mayor Ferreri called for a consensus on holding another budget workshop:

Councilman Noble: No.

Councilwoman Bousquet: No.

Councilwoman Dugo: (No answer)

Deputy Mayor Pearce: Yes.

Mayor Ferreri asked the reason for holding another budget workshop.

Councilwoman Rivera explained she may have acted hastily with voting against the second Maintenance Worker I (6-mos) position and suggested staggering the position into FY 18.

Discussion followed on holding budget workshops. Council decided to hold a budget workshop of August 10, 2016 at 7:00 pm – 9:00 pm.

Citizens On Patrol (COP) Program

Councilwoman Rivera asked Capt. Murray if the COP Program would be based out of the Greenacres Historical Society building.

Capt. Murray reported that a decision had not yet been made.

Councilwoman Rivera suggested that PBSO pay for a sign with a PBSO/COP logo.

Council Communications

Councilwoman Rivera suggested having one designated person overseeing calls, emails, etc. for Council and suggested the City Manager's assistant.

Deputy Mayor Pearce stated that that issue can be discussed at the next budget workshop.

COLA for Council

Councilman Noble reiterated that in his 18 years as a Council member, Council salaries have not changed and suggested that the Charter Review Committee discuss COLA increases for Council.

Building Height Requirements

Councilwoman Dugo suggested adding this topic to an upcoming Council agenda following the adoption of the budget.


Sober Homes

Mayor Ferreri announced an upcoming meeting with Congresswoman Lois Frankel to discuss sober homes.

**12. Adjournment.**

Mayor Ferreri inquired if there were any additional comments; hearing none, he adjourned the meeting at 8:49 p.m.

**CITY COUNCIL**

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

Respectfully submitted,

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

Date Approved: 9/8/16



/mel