

CITY OF GREENACRES, FLORIDA

AGENDA

City Council Meeting

Monday, August 7, 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
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

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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, August 7, 2017 - 7:00 p.m.

<u>Notice:</u> 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. <u>Call To Order and Roll Call.</u>
- 2. <u>Pledge of Allegiance to the Flag.</u>
- 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. <u>Presentation</u>: Palm Beach Vet Center Ed Tague, Veteran Outreach Program Specialist.
 - B. **Proclamation:** Firefighter Appreciation Month Joel Flores, Mayor.
- 6. Consent Agenda.
 - A. Motion to Approve Consent Agenda.
 - Official Minutes: City Council Meeting of July 17, 2017 Joanna Cunningham, City Clerk.
 - 2. Re-Plat of Greenacres Target: Approval of the re-plat of the Greenacres Target, located at 5900 Lake Worth Road at the northwest and northeast corners of the existing Target site; pursuant to Staff Memo Kara Irwin-Ferris, Planning and Engineering Director.
 - 3. <u>Forfeiture Funds Expenditure:</u> Requesting authorization for the use of funds for the qualifying purchase of a 2017 Polaris Ranger Crew 570. This will be used as a support vehicle to patrol all City parks and City functions, which include but are not limited to holiday events, Food Truck Invasions, summer camps, and hurricanes. The cost of the vehicle is \$11,896.76, and the cost to reimburse PBSO for parts

and installation of emergency equipment is \$2,152.55. The estimated amount of \$14,049.31 will be taken from the Forfeiture Fund; pursuant to Staff Memo– James McInnis, Finance Director.

- 4. Award of RFP No. 17-007 Annual Contract for Custodial Services: Award RFP No. 17-007 for Custodial Services to The Cleaner Team Corp and authorization to execute a one-year agreement with the option for three additional one year renewals; pursuant to Staff Memo James McInnis, Finance Director.
 - 5. <u>Board Appointment:</u> Appointment of Ms. Hanny Garcia to Full Member on the Planning Commission pursuant to Staff Memo Joel Flores, Mayor.

7. Regular Agenda.

- A. PUBLIC HEARING Ordinance No. 2017-11: Second Reading; Amending the City of Greenacres Code of Ordinances, Chapter 4, Building Regulations, Article III, Floodplain Management; to update the date of the Flood Insurance Study and Flood Insurance Rate Maps; 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.
- **PUBLIC HEARING** Ordinance No. 2017-15: Second Reading; Amending Article III, "Business Taxes" of the Code of Ordinances, by providing for the repeal of a business tax receipt for any provider engaging in the practice of conversion therapy on minors; providing for conflicts, providing for severability, codification and an effective date James Stokes City Attorney.
- C. <u>City Council Policy No. 24 Communication Towers</u>: Update to City Council Policy No. 24; Pursuant to Staff Memo. James McInnis, Finance Director.
- D. PBC Petition ABN-PDD-CA-2017-00983 & LGA 2017-014 Atlantis Reserve (aka Rorabeck's) located 0.6 miles north of Lantana Road on Military Trail directly west of the City of Atlantis: Request authorization for staff to send an objection letter and present the City's objection to the proposed development at the Board of County Commissioners Hearing; pursuant to Staff Memo Kara L. Irwin-Ferris, Planning & Engineering Director.

8. <u>Comments from the Public.</u>

9. Discussion Items:

A. <u>Medical Marijuana Follow-up Discussion</u>: – James Stokes, City Attorney.

10. Staff Comments.

- A. <u>City Manager's Report.</u>
- B. <u>City Attorney's Report.</u>
- 11. <u>Mayor and City Council Reports.</u>
- 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.

August 2017 - Calendar of Meetings and Events

08-16-17	Planning Commission Meeting	7:00 p.m.
08-21-17	City Council Meeting	Canceled
08-23-17	Special Magistrate	3:00 p.m.
08-28-17	Zoning Board of Adjustments and Appeals	Tentative
08-30-17	Food Truck Invasion	5:20 p m
	Samuel J. Ferreri Community Park	5:30 p.m.

September 2017 - Calendar of Meetings and Events

09-04-17	Labor Day Observance - City Offices Closed		
09-04-16	City Council Meeting	Canceled	
09-06-16	Planning Commission Meeting	Canceled	
09-07-17	City Council & FY 2018 Budget Hearing	7:00 p.m.	
09-19-17	City Council & FY 2018 Budget Hearing	7:00 p.m.	
09-20-17	Planning Commission Meeting	7:00 p.m.	
09-27-17	Food Truck Invasion	5:20 n m	
	Samuel J. Ferreri Community Park	5:30 p.m.	
09-25-17	Zoning Board of Adjustments and Appeals	Tentative	

Readjustment Counseling Service Vet Center Service Mission

Michael W. Fisher, MSW Chief Officer, 10RCS







Vet Center Mission Statement



To welcome home and honor those who served, those still serving, and their families by reaching out to them, engaging their communities, and providing them with quality readjustment counseling and timely referral.



Readjustment Counseling Service Vet Center Services



Readjustment counseling is a wide range of services offered to eligible Veterans and their families in the effort to make a successful transition from military to civilian life. Services offered at Vet Centers nationwide include:

- Individual and group Counseling for eligible Veterans and Servicemembers
- Family counseling for military related issues
- Bereavement counseling
- Counseling and referral for those that experience a military sexual trauma
- Outreach
- Substance abuse assessment and referral
- Employment referral
- Referral to other VA services
- Community education





Vet Center Eligibility

Any Veteran or active-duty Servicemember, to include federallyactivated members of the National Guard and Reserve components, is eligible Vet Center services who:

- Has served on active military duty in any combat theater or area of hostility.
- Experienced a military sexual trauma while serving on active military duty or inactive training status.
- Provided direct emergent medical care or mortuary services, while serving on active military duty, to the casualties of war.
- Served as a member of an unmanned aerial vehicle crew that provided direct support to operations in a combat zone or area of hostility.





Vet Center Eligibility Cont.

- All readjustment counseling services available at Vet Centers are at no charge to the eligible individual or their family and are also available without time limitation.
- Service members and Veterans are not required to enroll in the VA health care system or have received a service connection for conditions caused by military service.
- These services are also provided regardless of the nature of the Veteran's discharge. This includes service provision to those individuals with problematic discharges.





Vet Center Effectiveness

What works:

- Veteran to Veteran Services
- Confidentiality
- Veteran Focused Services
- Eligibility to See Families
- Listen to Veterans/Families and adjust services
- Adaptive / Flexible
- Culturally Competent Services



Vet Center Footprint Today





Vet Centers300Mobile Vet Centers80Vet Center Outstations19





Vet Center Community Access PointsWeekly Services401Twice Monthly Services189Monthly Services152





In FY15 the Vet Center sites above provided 219,599 Veterans, Service Members, and their Families 1,663,011 readjustment counseling visits.







Vet Center Staff Demographics

- Over 71% of Vet Center Staff are Veterans, a majority of which served in a combat theater.
- Over 1/3 of all Vet Center staff served in Afghanistan, Iraq, or both.
- Over 60% of Vet Center direct service staff are VHA qualified mental health professionals (Licensed Psychologists, Social Workers, Licensed Professional Counselors, Licensed Marriage and Family Therapists).
- Over 42% of all Vet Center staff are women.



More than Outreach: Reaching Out



- Face to Face connection
- Veteran and Family Centered
- Building Trust
- Welcoming home returning Veterans back into their communities





Mobile Vet Centers

- Fleet of 70 Vehicles
- Provides outreach and services to Veterans and families geographically distant from existing VA services.
- Provides early access to Vet Center services to Veterans newly returning from war via outreach to demobilization active military bases, National Guard, and Reserve locations nationally.

 Each Mobile Vet Center is equipped with a state of the art satellite communications package that includes fully encrypted tele-conferencing equipment, access to all VA systems and connectivity to emergency response

systems.





877-WAR-VETS {927-8387} 24/7 Vet Center Call Center



- Vet Center Combat Call Center is an around the clock confidential call center where those who served in war and their families can call to talk about their military experience or any other issue they are facing in their readjustment.
- Product of VA leveraging technology to condense a national system of toll free numbers into a single modern center located in Denver, CO.
- The staff is comprised of combat Veterans from several eras as well as families members of combat Veterans.
- Warm handoff capacity has been established with all Vet Centers, VA Crisis Hotline, and National Caregiver Hotline.

Collaboration with VA: Medical Centers and CBOCs



- Bi-directional referral process
- Participation in VA Medical Centers Mental Health Councils
- Joint Participation in VA and Community Events

Medical Centers provide to Vet Centers:

- External clinical supervision at a majority of Vet Centers
- Clinical Liaisons who coordinate the care for complex cases and shared Veterans and provide quality reviews of Veteran suicide and other critical events
- Administrative Liaisons to support fiscal, human resource, procurement, and engineering service functions



Extending Vet Center Services to Distant Communities



- Focused Outreach to that Community
 - Creation of outreach opportunities for Vet Center staff and/ or a Mobile Vet Centers to participate
 - Informing local stakeholders about available readjustment counseling services with the goal of providing access to these services
 - Educating community partners of available services to aid in the creation of referral processes
- Piloting Direct Readjustment Counseling Services in that Community
 - Having Vet Center clinical staff travel to this community and provide services on a regular schedule basis (example: once a week)
- Assessing Demonstrated Demand
 - How many Veterans, Servicemembers, are accessing counseling services?
 - Can the need be met through a Vet Center Community Access Point or Outstation?
 - Initiating the appropriate approval processes to ensure the correct resources remain in place or are brought to this community





Getting Connected

Website: www.vetcenter.va.gov

• Email: Vetcenteroutreach@va.gov

Hotline: 877- WAR-VETS (927-8387)

QUESTIONS?

*Ded

VET CENTERS

Below are the Combat Ribbons Establishing Eligibility for Vet Center Services – "Serving Those who Served"





PROCLAMATION



OF THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA PROCLAIMING, "FIREFIGHTER APPRECIATION MONTH" FOR SEPTEMBER, 2017.

Whereas, fighting fires is one of the most hazardous professions, requiring physical strength, stamina, extensive training, courage, and selfless concern for the welfare of our citizens; and

Whereas, in addition to their daily service to our communities, Firefighters throughout the state and across the nation have joined the Muscular Dystrophy Association for the past 62 years in the fight against neuromuscular disease; and

Whereas, Florida Firefighters collected over \$1.4 million in over 300 communities with their 2016 "Fill the Boot" campaign for the Muscular Dystrophy Association, again making them the largest source of funding for this organization; and

Whereas, the funds collected by the Greenacres Firefighters assist the Muscular Dystrophy Association in providing medical services at local clinics, summer camp, research grants, support groups, and public education seminars at no cost to local children and families; and

Whereas, in honor of the efforts of the Greenacres Firefighters, the Muscular Dystrophy Association is sponsoring the "Greenacres Firefighters Appreciation Month".

NOW, THEREFORE, I, Joel Flores, Mayor, of the City of Greenacres, Florida, do hereby proclaim "Firefighter Appreciation Month" for September, 2017, and commend all of the Firefighters of Greenacres Fire Rescue for their efforts on behalf of the Muscular Dystrophy Association.

Given under my Hand and Seal of the City of Greenacres, Florida, this 7 th day of August, 2017.
Joel Flores, Mayor
Attest:
Joanna Cunningham, City Clerk



OFFICIAL MINUTES

CITY OF GREENACRES 5800 Melaleuca Lane Greenacres, FL 33463

CITY COUNCIL MEETING Monday, July 17, 2017 - 7:00 P.M.

1. <u>Call To Order and Roll Call.</u>

Mayor Flores called the City Council Meeting of Monday, July 17, 2017 to order at 7:00 p.m. Melody Larson, Assistant to the City Clerk called the roll.

ROLL CALL:

Council Present:

Joel Flores, Mayor Paula Bousquet, Deputy Mayor Peter A. Noble, Council Member Judith Dugo, Council Member Anderson Thelusme, Council Member

Attendees from Public: 34

Press: 2

Staff Present:

Andrea McCue, City Manager
James D. Stokes, City Attorney
Michael Grimm, Director/Building
Jim McInnis, Director/Finance
Mark Pure, Fire Chief/Fire Rescue Department
Suzanne Skidmore, Director/Human Resources
Michele Thompson, Director/Leisure Services
Kara L. Irwin-Ferris, Director/Plng. & Eng.
Carlos Cedeño, Director/Public Works
Teri Beiriger, Budget Analyst/Finance
Melody Larson, Assistant to the City Clerk
Major Mattino/PBSO
Sgt. Scott Spirn/PBSO

2. Pledge of Allegiance to the Flag.

Mayor Joel Flores led the Pledge of Allegiance.

3. Comments From the Public for Agenda Items Only.

Mayor Flores 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 Flores inquired if there were any additions, deletions or substitutions to the Agenda.

1st Council Member Noble made a motion to remove Regular

MOTION: Agenda Items 7.C and 7.E from the Agenda. No one seconded

the motion.

Motion died for lack of a second.

Council Member Dugo suggested acting on the two agenda items separately.

2ND Council Member Noble made a motion to remove Regular Agenda

MOTION: Item 7.C, Ordinance 2017-15 from the Agenda.

Motion died for lack of a second.

3rd Council Member Noble made a motion to remove Regular Agenda

MOTION: Item 7.E, Resolution 2017-32 from the Agenda. Council Member

Dugo seconded the motion.

VOTE ON In Favor: Deputy Mayor Bousquet, Council Member Noble,

THE MOTION: Council Member Dugo, and Council Member Thelusme.

Motion carried: 3 - 1. (Deputy Mayor Bousquet dissented)

Mayor Flores announced the removal of Consent Agenda Item 6.A.7, the replat of the Greenacres Target requested by staff. He called for a motion to approve the Agenda as amended.

MOTION: Council Member Dugo made a motion to approve the Agenda as

amended. Council Member Noble seconded the motion.

VOTE ON In Favor: Deputy Mayor Bousquet, Council Member Noble,

THE MOTION: Council Member Dugo, and Council Member Thelusme.

Motion carried: 4 - 0.

5. Special Business.

A. <u>Interviews and Temporary Appointment of District I Council Member</u>: – James Stokes, City Attorney.

City Attorney James Stokes explained that based on the suspension of Council Member Lisa Rivera by Governor Rick Scott, a temporary vacancy on the Council was created. Pursuant to the City Charter, Council shall appoint a temporary

replacement within 30 days of such vacancy. The vacancy was advertised and three (3) applications were received.

Mayor Flores addressed the applicants and explained that they would be called upon individually to provide a statement, followed by questions from Council Members and himself. The first applicant called was Carole Portilla.

Applicant Carole Portilla

Ms. Portilla, a Greenacres resident since 1979, attended Greenacres Elementary and is a graduate of John I. Leonard High School. She completed a Master's degree in Organizational Leadership at Palm Beach Atlantic University. She stated that her work experience in government accounting, procurement and grant writing and her education uniquely qualify her for the position.

Mayor Flores called on Council Members for comments.

- Q: Deputy Mayor Bousquet asked Ms. Portilla her definition of the role of a Council Member and asked what type of community service has she been involved in.
- A: Ms. Portilla responded that from attending previous Council meetings, she noticed that Council Members decide what's best for the community. With regard to community service, she currently serves as the Community Outreach Co-Chair for the Palm Beach County Quilters Guild. She meets with leaders of many local organizations to donate quilts. She also served as a Budget Coach for Christ Fellowship in Royal Palm Beach teaching families on how to establish a budget and stay financially responsible. Other volunteer projects include Project Thanksgiving and internships with United Cerebral Palsy and Palm Beach County Senior Services. As an avid volunteer, she recommended that everyone volunteer.
- Q: Council Member Dugo noted that with her extensive financial background and volunteer services, had she served on any Greenacres boards.
- A: Ms. Portilla said she had not; however, regardless of her appointment or not, she would pursue serving on a Greenacres board.
- Q: Mayor Flores asked Ms. Portilla what her three (3) top priorities would be for Greenacres if selected.
- A: Ms. Portilla stated she would first focus on improving the relationship between law enforcement and the community. With the recent merger with PBSO, she suggested holding more community events like Bicycle Safety Day, picnics, etc. Secondly, she would like to see the City's entryway signs beautifully landscaped. Thirdly, she would like to see more evening classes offered at the Community Center for the working person. It would also provide an additional revenue source.

Applicant Lori Ross

Ms. Ross, a 15-year resident, Director of Human Resources, and former employee of the City, talked about her work experience and the importance of good customer service and the importance of looking at all angles of an issue before making decisions that could affect many. As a Council Member these traits are necessary when making difficult decisions. Her career experience has allowed her to serve as the liaison between employees and management. Her volunteer services included mentoring students and teachers. As a District I Council Member, she welcomed the opportunity to bring local government to the constituents.

Mayor Flores called on Council Members for comments.

- Q: Council Member Dugo questioned the length of Ms. Ross' City employment and as a former employee, explained that she would not qualify to serve as a Council Member. She asked if any Council Member had urged her to resign.
- A: Ms. Ross explained she was employed by the City for three (3) years. She confirmed that no one on the Council had urged her to resign and that her resignation was due to a desire to return to a managerial position.
- Q: Mayor Flores asked Ms. Ross what her three (3) top priorities would be for Greenacres if selected.
- A: Ms. Ross stated that the budget and the bargaining unit negotiations would be her first priority and she would like to see a larger unassigned reserve for emergencies. Secondly, she agreed with focusing on economic development and utilizing the Community Center more effectively. Lastly, a review of the Code of Ordinances to ensure that business owners are not being impacted by unnecessary regulation.

Applicant John Tharp

Mr. Tharp described his former Council service from 2011 through 2015 and his Planning Commission experience from 2006 serving as Vice Chairman for two years. He believed that his prior elected official experience would be an asset to the Council.

Mayor Flores called on Council Members for comments.

Deputy Mayor Bousquet noted the difficulty in questioning his credentials since he had served on the Council and she was familiar with his abilities.

Mr. Tharp thanked the Deputy Mayor for her kind words. He explained he was originally appointed in 2011 replacing a very long-time serving Council Member Richard Radcliffe who had taken the prestigious position as Executive Director for the PBC League of Cities. He believed that his appointment brought stability to the official body and allowed government to continue. During his tenure, property taxes were not increased and the City's levels of service were maintained.

Q: Council Member Dugo asked what changes had Mr. Tharp noticed in his district since 2015 and what would he like to see changed in District I.

- A: Mr. Tharp acknowledged the many accomplishments of former Council Member Rivera during her service representing District I, although he may not have agreed with some of her methodology. His approach is more long-term. The changes that have been initiated would continue through completion.
- Q: Mayor Flores asked Mr. Tharp what his three (3) top priorities would be for Greenacres if selected.
- A: Mr. Tharp stated that he would focus on the budget. He would like to see more patrolling by PBSO and have more PBSO participation. Employee retention is also important.
- Q: Council Member Thelusme asked, as a former Council Member, what do you see as the most important issue facing the City?
- A: Mr. Tharp replied, "the budget". He had noticed there is a budget deficit of \$300,000+. Taxpayer's money should be spent wisely.

Mayor Flores thanked all three (3) applicants for their interest in serving on the City Council.

Council Member Noble urged the applicants to consider serving on a City board.

MOTION:

Deputy Mayor Bousquet made a motion to appoint John Tharp as Council Member for District I. Council Member Dugo seconded the motion.

Discussion on the Motion:

Council Members discussed the selection process; ballots being used in the past; using a ballot method of selection would make it a public record; using a ranking system to narrow down Council's selection.

Council Members believed the appointment of Mr. Tharp would provide for a smooth transition especially with his past Council experience and knowledge of the budget process.

Mayor Flores determined that a ranking system would not be used and reminded Council that a motion was on the floor. He called for a vote on the motion.

VOTE ON THE MOTION:

In Favor Deputy Mayor Bousquet, Council Member Noble, Council Member Dugo, and Council Member Thelusme.

Motion carried: 4 - 0.

B. Oath of Office of District I Council Member: – James Stokes, City Attorney.

City Attorney Stokes administered the oath of office to John Tharp as Council Member for District I.

Council Member Noble pointed out that because Council Member Tharp may not be familiar with all the items included in tonight's agenda, he has the ability to abstain from voting. City Attorney Stokes agreed.

C. <u>Presentation</u>: GFOA Distinguished Budget Award – James McInnis, Finance Director.

Ed Fry, Finance Director for the City of Port St. Lucie and state representative for the Government Finance Officers Association (GFOA), explained that the GFOA is a national association that promotes excellence in state and local government financial management. The Distinguished Budget Award was established in 1984 and consists of 4 categories: the budget serves as a policy document, a financial plan, an operations guide, and as a communications device. Greenacres has received this award for the past 23 consecutive years; a true testament to the City's commitment to budget excellence. For FY 2016-FY 2017, the City is being presented this award for its 24th consecutive year. Finance Director Jim McInnis gave a special thanks to Budget Analyst Teri Beiriger for her assistance in preparing the City's budget.

D. <u>Presentation:</u> Building Heights – Kara Irwin-Ferris, Planning and Engineering Director.

Planning and Engineering Director Kara Ferris reported that during the Council Workshop of October 24, 2016, Council Members identified the need for economic development opportunities for professional offices, employment centers, Adult Congregate Living Facilities (ACLF's) and retail uses.

The Planning Commission reviewed ZTA-16-05 on February 1, 2017 and was in support of proper buffering and setbacks for the proposed additional height requirements and had concerns about the changes not matching the existing character of the City, creating irregular building heights, proposed gradual height increases and recommended holding a visioning workshop.

The following height limitations for each zoning district were proposed:

Zoning District	Max Height	Limits per Code	Proposed Changes
Residential High(RH)	35'.		Max 4 stories (44')
Office, Professional Institutional (OPI)	35'	2 stories	No changes
Commercial General (CG)	35'		No changes
Commercial Intensive (CI)	35'		Permitted as a Special Exception. Max 6 stories in Lake Worth Road Corridor Overlay.

Mixed Use Development-Office (MXD-O)	35'	3 stories	Permitted as a Special Exception with a max 4 stories.
Mixed Use Development-Original Section (MXD-OS)	35'	2 stories	No changes.
Government Use (GU)	35'		No changes.
CI within Lake Worth Rd Corridor Overlay	60' - 75'		Requires Special Exception with limitations.

Director Ferris noted that the City currently does not have industrial or light industrial districts. Some parcels in the MXD-O district along South Jog Road will be allowed up to 4 stories. The Lake Worth Road Corridor (LWRC) consists of 600 ft. in depth on the north and south sides and is the busiest in the City. The proposed amendment would include professional offices, medical and dental offices/clinics, Planned Unit Development (PUD's), financial institutions and hotels. Increased setbacks for adjacent residential uses arealso being proposed.

The City will be seeking approval by the Business Development Board (BDB) and the Central Palm Beach County Chamber of Commerce (CPBCCC) certifying that this amendment will promote economic development and provide jobs in the community.

For non-residential uses, for every foot of additional building height, an additional foot of setback will be required. The depth of the lot will dictate the height of the building.

For residential uses, 5 ft. will be added to the front, side and rear setbacks, for each story in excess of 2 stories.

Issues to be addressed are the impact on the Fire Rescue Department for additional equipment to meet level of service (LOS) demands caused by higher buildings and Floor to Area Ratio (F.A.R.) limits in the City's Comp Plan, and preserving land use patterns and types of uses that characterize the City.

Director Ferris noted that a review of similar bedroom communities was conducted consisting of corridors that have successfully integrated taller buildings adjacent to residential while maintaining property values. This was accomplished by incorporating increased landscaped buffers and providing access corridors.

Case ZTA-16-05 is scheduled for review by the Planning Commission on August 16, 2017. The first reading of Ordinance 2017-03 is scheduled for a September Council meeting with a second reading in October.

Mayor Flores called on Council Members for comments.

Council Member Dugo congratulated Director Ferris on a great presentation and inquired about addressing the impact of lighting on adjacent residential buildings. She agreed that the Comp Plan requires revisions.

Council Member Noble asked how the Nissan garage structure received approval. Additionally, regarding fires in taller buildings, what are City Codes regarding sprinkler systems.

Director Ferris pointed out that Nissan's garage met the City's setback requirements. She explained that Nissan originally proposed increasing the height for the garage however, it was withdrawn due to objections by neighboring property owners. Regarding sprinkler systems, 3-story buildings and higher are required to provide sprinkler systems.

6. Consent Agenda.

- **A.** Mayor Flores asked Council if they wished to pull any of the remaining six (6) Consent Agenda items; hearing none, he called for a motion.
 - 1. <u>Official Minutes:</u> City Council Meeting of June 19, 2017 Joanna Cunningham, City Clerk.
 - 2. Official Minutes: City Council Budget Workshop of June 26, 2017 Joanna Cunningham, City Clerk.
 - 3. <u>Bid Award 17-009</u>: Award of Bid No. 17-009 for Soccer League Services Provider to Lake Worth Sharks as the responsive and responsible bidder; pursuant to Staff Memo James McInnis, Finance Director.
 - 4. Resolution No. 2017-30: Satisfying certain liens imposed against residential property, pursuant to Section 15-32, City of Greenacres Code; pursuant to Staff Memo James McInnis, Finance Director.
 - 5. Florida League of Cities (FLC) Annual Conference Voting Delegate:
 Designation of the Voting Delegate for the 91st Annual FLC Conference to be held in Orlando, FL on August 17-19, 2017; pursuant to Staff Memo Andrea McCue, City Manager.
 - 6. **Board Appointment and Re-Appointment:** Appointment of Ms. Claudia Bennis to Full Member on the Planning Commission; and re-appointment of Mr. James Paglialungo to the Zoning Board of Adjustments and Appeals pursuant to Staff Memo Joel Flores, Mayor.

REMOVED FROM THE AGENDA

7. Re-Plat of Greenacres Target: Approval of the re-plat of the Greenacres Target, located at 5900 Lake Worth Road at the northwest and northeast corners of the existing Target site; pursuant to Staff Memo - Kara Irwin-Ferris, Planning and Engineering Director.

MOTION:

Deputy Mayor Bousquet made a motion to approve the six (6) Consent Agenda items as amended. Council Member Thelusme seconded the motion.

VOTE ON THE MOTION:

In Favor: Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, Council Member Dugo, and Council Member Thelusme.

Motion carried: 5 - 0.

7. Regular Agenda:

A. FY 2018 Budget - Proposed Millage Rate and Announcement of the Public Hearing Dates: Approving the setting of the proposed millage rate and setting the public hearing dates for September 7, 2017 and September 19, 2017; pursuant to Staff Memo – Andrea McCue, City Manager and James McInnis, Finance Director.

Finance Director Jim McInnis explained that the statutory Truth in Millage Rate (TRIM) process begins with the receipt of the certified taxable values from the Palm Beach County Property Appraiser's Office (PAPA) that were received on June 28, 2017. Upon receipt of the certified taxable values, Council is required to set the proposed millage rate, schedule the TRIM hearing dates, and notify the Property Appraiser no later than August 2, 2017.

The certified taxable values for FY 17 is \$1,683,539,009 which is \$159,612,184, or 10.5% more than last year's final gross taxable values of \$1,523,926,825. The 10.5% increase is due to an increase in property values and new construction.

Staff recommends maintaining 6.0854 mils for FY 18. This will result in a budget deficit of \$408,000 for FY 18 and will be managed by using unassigned fund balance reserves while maintaining a minimum unassigned fund balance in excess of 25% of FY 18 operating expenditures as required by Council Policy 18.

Director McInnis emphasized that by maintaining the current millage rate of 6.0854, this will generate \$905,378 in additional ad valorem revenues over FY 17. This is 8.5% higher than the roll back rate and would generate \$799,849 in revenue.

F.S. 200.0651 requires the City to calculate a roll back millage rate that would generate the same property tax revenue as levied in FY 17. (*There was an online error in the millage rate that was discovered and will be corrected with the County*). The actual roll back rate of 5.6103 mils would generate \$9,445,159 before discounting property tax revenues. Using the roll back rate in FY 18, would increase the projected budget deficit by \$799,849, increasing the deficit from \$408,000 to \$1.2 million. Once the proposed millage rate is advertised, the rate can be lowered, but not raised. Staff proposes scheduling the TRIM hearing dates for September 7th and 19th, 2017 and maintaining the millage rate of 6.0854 for FY 18. The proposed TRIM hearing dates cannot and do not conflict with the Board of County Commissioners or the School Board's hearing dates.

Mayor Flores called on Council Members for comments.

City Manager Andrea McCue noted that since the last Budget Workshop, some personnel costs and an interfund transfer to the 304 Fund from the General Fund

were reduced. These items can be discussed at the August 3, 2017 Budget Workshop.

She noted that staff is recommending to maintain the current millage rate of 6.0854 mils and reminded Council that once the millage rate is set it can only be lowered, not raised. Council can tentatively raise the millage to 6.6794 mils which would increase the revenues by \$1 million, or to 6.9764 mils increasing revenues by \$1.5 million. She reminded Council that the millage could be lowered prior to adopting a millage rate. The City is committed to continually improving services and the costs are reflective of the increase in expenditures. Projected deficits are anticipated in future years and staff is looking at new ways of generating revenue.

MOTION: Council Member Noble made a motion to approve the

millage rate of 6.0854 mils and set the T.R.I.M. hearing dates for September 7th and 19th, 2017 as proposed by staff.

Council Member Dugo seconded the motion.

VOTE ON THE MOTION:

In Favor: Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, Council Member Dugo,

and Council Member Thelusme.

Motion carried: 5 - 0.

B. Ordinance No. 2017-11: First Reading; Amending the City of Greenacres Code of Ordinances, Chapter 4, Building Regulations, Article III, Floodplain Management; to update the date of the Flood Insurance Study and Flood Insurance Rate Maps; 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.

Melody Larson, Assistant to the City Clerk, read Ordinance No. 2017-11 into the record on first reading.

Director Grimm reported that in August 2016, the City Council adopted new model flood plain regulations that allow the City to continue participation in the National Flood Insurance Program (NFIP) wherein residents and businesses can obtain flood insurance coverage. At the time of adoption, the City was located in FEMA Map Zone X, which was not part of a special flood zone area. Soon after, FEMA began remapping all of Palm Beach County. The City actively participated by approving LYDAR mapping and some of the City's affected areas were removed.

Director Grimm reported that new FEMA maps will take effect October 5, 2017, and several areas of the City now fall within special flood zones. Staff recommended approval of Ordinance 2017-11 on first reading.

Mayor Flores called on Council Members for comments.

Council Member Dugo asked how does the City inform residents o f the change.

Director Grimm explained through City Link; the County is also conducting extensive advertising. He confirmed receiving calls from residents wanting to know if their property is located in a flood zone. Property owners with Freddie Mac or Fannie Mae mortgages will be required to obtain flood insurance.

Council Member Dugo asked if the FEMA maps could be placed on the Web.

Director Grimm explained that digital maps have been received; however, the City is waiting for the County to provide the maps in GIS format for subsequent placement on the City's website.

Council Member Tharp asked what sections of the City are affected.

Director Grimm explained that properties south of Lake Worth Road are not affected; the main areas are the Original Section and some properties north of Lake Worth Road. An estimated 1,000-3,000 City properties will be affected. Until the actual GIS maps are made available it is difficult to pinpoint properties with accuracy.

Council Member Tharp wanted residents to be well informed.

Director Grimm added that residents would receive a City mailing informing residents of the changes.

MOTION: Council Member Dugo made a motion to approve

Ordinance 2017-11 as presented by staff. Council

Member Thelusme seconded the motion.

VOTE ON THE MOTION:

In Favor: Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, Council Member Dugo,

and Council Member Thelusme.

Motion carried: 5 - 0.

C. Ordinance No. 2017-15: First Reading; Amending Article III, "Business Taxes" of the Code of Ordinances, by providing for the repeal of a business tax receipt for any provider engaging in the practice of conversion therapy on minors; providing for conflicts, severability, codification and an effective date. – James Stokes City Attorney.

Melody Larson, Assistant to the City Clerk, read Ordinance No. 2017-15 into the record on first reading.

City Attorney Stokes noted that at the last Council meeting he was directed to prepare an ordinance repealing business licenses for conversion therapists in the City. In his 20 years of local government experience, he has had difficulty in proposing legislation restricting state licensed businesses. He therefore took the approach of focusing on what local government can regulate i.e. City business tax receipts. Any therapist that engages in conversion therapy as defined, their City

license will be revoked for a period of 6 months. This sends the message that the City does not want conversion therapists practicing in the City. Similar ordinances simply fine the therapists, whereas the language in Ordinance 2017-15 states the business would be temporarily closed.

Deputy Mayor Bousquet asked if the ordinance specifically focuses on minors.

Attorney Stokes confirmed that the same definitions, prohibitions and exemptions of other municipal ordinances were included as provided by the Human Rights Council.

Council Member Dugo asked how does the City know that this practice is not being conducted.

Attorney Stokes explained that all cities have the same problem and there is only so much a local government can do. Only patients can report such activity. By restraining trade and shutting businesses down permanently, it could make the City vulnerable to legal attack.

Dr. Rachel Needle, a licensed and certified sex therapist, explained that being gay, lesbian, bi-sexual, or transgender is not a mental disorder or defect that must be cured. Efforts to cure an LGBTQ person are based on theories of questionable scientific validity. The American Psychological Association has stated, no conversion therapist has produced any scientific studies to support their claims of a cure. Efforts to change a person's gender identity or sexual orientation lead to a number of mental health issues for a minor such as shame, guilt, depression, decreased self-esteem, self-hatred, anger, betrayal, hostility, self-harm, substance abuse and more. Attempting to change a person's gender or sexual orientation can have a devastating effect on a minor. Passing Ordinance 2017-15 will send an important message and protect LGBTQ youth in Greenacres.

Mayor Flores called on Council Members for comments.

Council Member Noble noted that the City is two miles wide by four miles long. By passing this ordinance, a therapist could easily open an office right outside the City's boundaries; therefore, it was his belief this ordinance would be ineffective.

Council Member Dugo hoped the City could stop these professionals from operating anywhere.

Deputy Mayor Bousquet noted that Greenacres is a City that focuses on its youth and this is very important to protect our children.

MOTION: Deputy Mayor Bousquet made a motion to approve

Ordinance 2017-15 on first reading. Council Member Dugo

seconded the motion.

VOTE ON THE MOTION:

In Favor: Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, Council Member Dugo, and Council Member Thelusme.

Motion carried: 5 - 0.

D. Resolution No. 2017-31: Supporting the Countywide Office of Inspector General, and further supporting the funding of said office through County ad valorem tax dollars; providing for an effective date; and for other purposes. – Andrea McCue, City Manager.

Melody Larson, Assistant to the City Clerk, read Resolution No. 2017-31 into the record.

City Manager McCue informed the Mayor and Council that on July 19th, a joint meeting will be held between the Board of County Commissioners (BCC) and the Palm Beach County League of Cities (PBCLoC). Although the PBCLoC has not yet taken a position on this issue, the PBC City Management Association (PBCCMA) met to discuss the matter. Municipalities support the creation and existence of the Office. On December 21, 2016, the 4th District Court of Appeals issued an opinion stating that the County's efforts to force municipalities to pay for the IG Program were in violation of the doctrine of municipal sovereignty. The budget and staffing of the program is controlled by the BCC, making the service a County one, not a municipal service. Municipal taxpayers pay for 75% of the County's ad valorem taxes and represent 56% of the population. City taxpayers should not have to pay additional for the IG Program. She stated staff recommends approval of Resolution 2017-31.

Mayor Flores called on Council Members for comments; hearing none, he called for a motion.

MOTION: Deputy Mayor Bousquet made a motion to approve

Resolution 2017-31 as presented. Council Member Tharp

seconded the motion.

VOTE ON THE MOTION:

In Favor: Deputy Mayor Bousquet, Council Tharp, Council Member Noble, Council Member Dugo, and

Council Member Thelusme.

Motion carried: 5 - 0.

Resolution No. 2017-32: A Resolution to protect and enhance the quality of life for all those who live, learn, work and play in our community; and in support of the goal of the Paris Agreement; and authorizing joining the Climate Mayors Network; and participation in monthly coordination calls to share progress and best practices; and providing for an effective date - Andrea McCue, City Manager.

E.

F. YMCA Letter of Endorsement – Andrea McCue, City Manager.

City Manager McCue recapped the YMCA presentation at the June 19th City Council Meeting and their request for support for the expansion of the 18-acre Edwin W. Brown Branch facility in Palm Springs. As part of the revitalization efforts a world-class skate park would serve as a regional training and qualifying facility for the U.S. Olympic skate team. Council directed staff to prepare a letter of endorsement for approval.

MOTION: Council Member Noble made a motion to approve the

YMCA letter of endorsement as presented by staff.

Council Member Thelusme seconded the motion.

VOTE ON THE MOTION:

In Favor: Deputy Mayor Bousquet, Council Member Tharp, Council Member Noble, Council Member Dugo,

and Council Member Thelusme.

Motion carried: 5 - 0.

8. Comments from the Public. None.

9. Discussion Items:

A. **PACE Program Discussion**: – Michael Grimm, Building Director.

Kate Wesner of YGreen Energy Fund, a PACE provider, explained the acronym for PACE - Program Assessed Clean Energy (PACE), a state authorized non-ad valorem assessment financing program established in 2010, designed to help property owners finance improvements such as window replacements, reroofs, A/C replacements and solar panels, any type of improvement that saves or creates energy or protects their property. Improvements can be made to all building types, commercial, churches, and residential units. Ms. Wesner reported that over 50% of the state participates in PACE. Palm Beach County adopted the PACE program at their June meeting allowing all 39 cities to participate. There are 4 local PACE providers. She explained there is no action needed by the City and PACE would work directly with the Building Department.

Mayor Flores called on Council Members for comments.

Council Member Dugo inquired on the finance rates and were they competitive with commercial or credit union financing.

Ms. Wesner reported interest rates run between 5-8% and are not based on credit scores but on the length of the assessment 5, 10, 15 and 20 years, the lower the term, the lower the interest rate.

Council Member Noble asked what are the contractual agreements if any, and what about liability.

Ms. Wesner explained the City is not required to enter into any agreement with PACE since it is a County program and there is no liability. Residents can begin participation following the execution of the agreements with the County and the local providers scheduled for August 15th.

Ms. Wesner explained that the City can adopt an ordinance to opt out of the program or to establish its own stipulations. Cities can participate without taking any action. The cities of West Palm Beach, Delray Beach, Lake Worth, Lake Clark Shores adopted ordinances prior to the County taking action.

Council Member Dugo asked how the program was being marketed.

Ms. Wesner explained that PACE and the local providers would work with the City to schedule meetings with homeowner associations and hold community center meetings to inform residents of the program. This program would assist with addressing code violations. Payments would be escrowed through property assessments.

B. <u>Charter Review Committee Recommendations Discussion:</u> - James Stokes, City Attorney.

City Attorney Stokes recapped the CRC presentation of June 19th, during which Council desired further discussion and was considering holding a joint meeting with the CRC. Council discussed reviewing this item tonight or holding a roundtable. He reported that these recommendations would be placed on the March 2018 ballot. An ordinance will be required and final language would be ready sometime in late December or early January.

Mayor Flores called for a consensus on holding a joint Council/CRC workshop:

Deputy Mayor Bousquet	Yes
Council Member Tharp	Yes
Council Member Noble	Yes
Council Member Dugo	Yes
Council Member Thelusme	Yes

City Attorney Stokes offered to meet with the City Manager and City Clerk to set a date.

C. <u>Wage Discrimination Discussion</u>: – Paula Bousquet, Deputy Mayor.

Deputy Mayor Bousquet announced her desire to remove prior wage information from the City's job applications and used the hiring of the City Manager as an example. It perpetuates wage discrimination against women and minorities.

Mayor Flores called on Council Members for comment.

Council Member Dugo believed that to date no one had been discriminated against. When negotiating contracts for City Manager or City Attorney, these are long-term contracts and include other benefits not offered to staff. She believed it was more of an HR practice. What do other city applications ask for?

Deputy Mayor Bousquet disagreed and believed it was a policy issue. Just the knowledge of prior positions can affect the decision-making.

Mayor Flores asked the City Attorney if there is a Council Policy that prohibits Council from interfering due to the existence of the Civil Service Board (CSB).

Attorney Stokes reported that he and the HR Director have been tasked with rewriting the City's 20-year old personnel manual. As it currently stands, revisions require CSB approval prior to Council adoption; however, the CSB is currently inactive. A Council Policy could be written independent of the CSB, if needed, or approval could be deferred to staff. He had an idea on how to accomplish that before the Charter amendments are placed on the ballot.

Deputy Mayor Bousquet suggested postponing this item until the CSB is addressed.

10. Staff Comments:

A. City Manager's Report.

• LED Lighting

City Manager McCue reported participating in a conference call with the Public Works Director and FPL representatives to discuss an LED lighting conversion program being offered to municipalities. FPL is currently working with the County converting lighting along County roads. Staff will gather additional information.

Surtax Funding

The PBC League of Cities Surtax Oversight Committee met last week to review the FY 17 and FY 18 projects submitted by the 15 participating municipalities. The City received authorization to move forward with all of the Council-approved projects.

City Events

July 26th: Food Truck Invasion at Samuel J. Ferreri Community Park at 5:30 p.m.

Aug. 5th: Back-to-School Block Party with a DJ, games, and food at the Community Center Gym from 10:00 am to 1:00 pm.

B. City Attorney's Report.

Medical Marijuana

City Council Meeting July 17, 2017

City Attorney Stokes reported that with the passage of the constitutional amendment on the sale of medical marijuana, the State was directed to draft legislation granting local government the authority to ban or allow dispensaries. Dispensaries could be restricted to commercially zoned districts. He noted that the one state restriction is that medical marijuana cannot be sold within 500 feet of a school.

The challenge is that marijuana is still a Schedule 1 drug under federal law, meaning it is a crime to smoke, grow, own, or sell it. Many cities are banning the dispensaries based on that provision and are refusing to create zoning classifications for a business that is a federal crime. He asked for Council direction in drafting an ordinance. He opined that because it is federally prohibited he recommended banning dispensaries in the City. The map provided to Council identifies the zoning districts where dispensaries could be allowed.

Mayor Flores called on Council Members for comments.

Council Members questioned how other states are taking advantage of these assets if they are prohibited by law; allowing dispensaries in specific zoning districts; how does law enforcement determine if a person is permitted or not to use medical cannabis; the PBC League of Cities discussing this issue; problems with making bank deposits in other states; charging dispensaries an impact fee; the state legislature discouraging, more than promoting, dispensaries.

Attorney Stokes reminded Council that the moratorium ends in September and offered to add this as a discussion item at the August 7th City Council Meeting.

The Mayor and Council agreed.

11. Mayor and City Council Reports.

Council Member Thelusme

Council Member Thelusme asked Public Works Director Cedeño why there is no parking available at Burrowing Owl Park on Sherwood Forest Boulevard. During a recent visit he noticed people were parking on the streets with children and ongoing traffic posing a safety concern.

Public Works Director Cedeño explained that Burrowing Owl Park was created as a neighborhood park within walking distance of surrounding residential development. There are signs indicating that parking is available at the WIC building and PBSO often responds to calls about parking at the park.

Council Member Dugo

Council Member Dugo asked how can Council review the Comprehensive Plan.

City Council Meeting July 17, 2017

City Manager McCue explained there are annual updates. She reported that staff recently conducted a parks assessment with and without amenities that will be presented at the August $3^{\rm rd}$ budget workshop.

City Council Meeting July 17, 2017

Council Member Tharp

Council Member Tharp thanked Council Members for their trust and for his recent re-appointment to the City Council.

Council Member Noble

Council Member Noble recognized members of the Charter Review Committee and the work they performed on the Charter amendments and urged them to consider themselves as candidates for Council.

Mayor Flores

Mayor Flores welcomed Council Member Tharp to the dais and was looking forward to working with him. He acknowledged the recent ribbon cutting ceremony of the new C.A.R.E.S. playground and encouraged everyone to visit the City's Facebook page.

Mayor Flores wanted Council to focus on the road ahead. He looked forward to working with this dynamic team of professionals.

12. Adjournment.

Council Member Dugo moved to adjourn the meeting, seconded by Deputy Mayor Bousquet. The meeting adjourned at 9:03 p.m.

CITY COUNCIL	Respectfully submitted,		
Joel Flores Mayor	Joanna Cunningham, MMC City Clerk		
	Date Approved:		
/mel			

CITY OF GREENACRES

Council Agenda Memo 2017.07KF3.001

TO: Mayor and City Council

THROUGH: Andrea McCue, City Manager

FROM: Kara L. Irwin-Ferris, Planning and Engineering Director

SUBJECT: Greenacres Target Replat

City Council Agenda Item for 08-07-17

DATE: July 31, 2017

COPIES: James D. Stokes, City Attorney

Joanna Cunningham, City Clerk

File: SP-96-01C

Background:

On April 3, 2017 a site and development plan amendment was approved to construct a 3,847 square foot fast food restaurant with a drive-thru and a 7,373 square foot tire store. The site is located at 5900 Lake Worth Road at the northwest and northeast corners of the existing Target site. In order to provide for the subdivision of the site into 3 parcels and provide for the revised boundaries of the approved outparcels, the applicant is proposing a Replat.

Analysis:

The review indicates that the attached plat accurately reflects the Site Plan and complies with the City's Code Requirements.

Financial:

There is no negative financial impact. All required impact fees and tree dedication fees will be paid prior to issuance of building permits for the building.

Legal:

The plat has been reviewed in accordance with the requirements of Chapter 12 of the City Code and Chapter 177, Florida Statutes.

Staff Recommendation:

Approval of the Greenacres Target Replat.

Kara L. Irwin-Ferris, AICP Planning and Engineering Director

Attachments:

1. Plat



Sanford, FL 32771

Ph: 407.322.6841

A Full Service A & E Firm Offices In: M/E/P Puerto Rico Planners Connecticut Environmental Surveyors Maryland Texas www.cphcorp.com Landscape Architects Traffic/Transportation

> THIS INSTRUMENT WAS PREPARED BY PAUL J. KATREK

CPH. INC. LB# 7143 500 WEST FULTON STREET SANFORD, FLORIDA 32771 - (407)322-6841

DEDICATION AND RESERVATION - TRACTS & EASEMENTS

KNOW ALL MEN BY THESE PRESENTS THAT TARGET CORPORATION, A MINNESOTA CORPORATION, OWNER OF THE LAND SHOWN HEREON AS GREENACRES TARGET REPLAT, BEING A REPLAT OF GREENACRES TARGET, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 79, PAGES 156 AND 157 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 26, TOWNSHIP 44 SOUTH, RANGE 42 EAST, CITY OF GREENACRES, PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF GREENACRES TARGET ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 79, PAGES 156 AND 157, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

1. WATER MANAGEMENT TRACT:

WATER MANAGEMENT TRACT, AS SHOWN HEREON, IS HEREBY RESERVED FOR THE TARGET CORPORATION, A MINNESOTA CORPORATION, ITS SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT AND DRAINAGE PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID CORPORATION, ITS SUCCESSORS AND ASSIGNS. WITHOUT RECOURSE TO THE CITY OF GREENACRES OR PALM BEACH COUNTY

2. DRAINAGE EASEMENTS:

THE DRAINAGE EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED IN PERPETUITY FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE TARGET CORPORATION, A MINNESOTA CORPORATION ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF GREENACRES OR PALM BEACH COUNTY.

3. UTILITY AND WATER EASEMENTS:

THE UTILITY EASEMENTS AND WATER EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED TO THE PUBLIC IN PERPETUITY FOR THE CONSTRUCTION AND MAINTENANCE OF UTILITY FACILITIES, INCLUDING CABLE TELEVISION SYSTEMS. THE INSTALLATION OF ANY SUCH UTILITIES AND FACILITIES SHALL NOT INTERFERE WITH THE CONSTRUCTION AND MAINTENANCE OF OTHER UTILITIES.

4. ACCESS EASEMENTS:

THE ACCESS EASEMENTS AS SHOWN HEREON ARE HEREBY RESERVED FOR THE TARGET CORPORATION. A MINNESOTA CORPORATION ___, ITS SUCCESSORS AND ASSIGNS, FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID CORPORATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF GREENACRES OR PALM BEACH COUNTY.

IN WITNESS WHEREOF, THE ABOVE—NAMED CORPORATION HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS	
	_, AND ITS
CORPORATE SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY DIRECTORS, THIS DAY OF, 20	OF ITS BOARD OF
A A	TARGET CORPORATION, MINNESOTA CORPORATION (ADDRESS)
WITNESS: BY:PRINTED NAME: PRINT	TED NAME:
WITHECC.	

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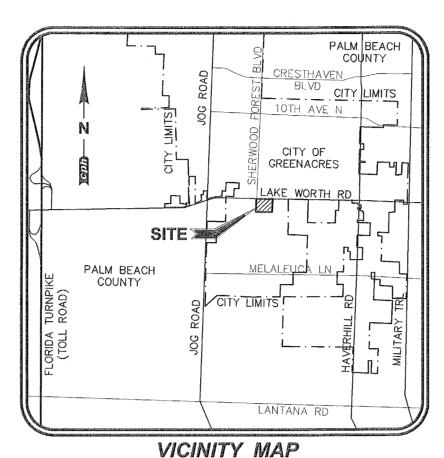
PRINT NAME:

PRINTED NAME:

STATE OF MINNESOTA COUNTY OF HENNEPIN THE FOREGOING DEDICATION WAS ACKNOWLEDGED BEFORE ME THIS ______ DAY OF ____ 2017 BY _____, _____ WHO IS PERSONALLY KNOWN TO ME OR WHO HAS PRODUCED______ AS IDENTIFICATION. NOTARY PUBLIC

GREENACRES TARGET REPLAT

BEING A REPLAT OF GREENACRES TARGET, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 79, PAGES 156 AND 157 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 26, TOWNSHIP 44 SOUTH, RANGE 42 EAST, CITY OF GREENACRES, PALM BEACH COUNTY, FLORIDA



NOT TO SCALE

SURVEY NOTES:

- BEARINGS SHOWN HEREON ARE RELATIVE TO THE WEST LINE OF GREENACRES TARGET, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 79, PAGES 156 THROUGH 157, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS BEING N 00°51'44" E.
- 2. DENOTES A SET PERMANENT REFERENCE MONUMENT, A 4 INCH BY 4 INCH CONCRETE MONUMENT WITH "LB 7143 P.R.M." CAP UNLESS OTHERWISE NOTED.
- 3. O DENOTES A SET A NAIL AND DISC, OR A 5/8" IRON ROD WITH A CAP, INSCRIBED "LB 7143" IDENTIFIED AS SHOWN HEREON.
- 4. M DENOTES A FOUND PERMANENT REFERENCE MONUMENT, A 4 INCH BY 4 INCH CONCRETE MONUMENT IDENTIFIED AS SHOWN HEREON UNLESS OTHERWISE NOTED
- ALL LINES ARE NON-RADIAL UNLESS OTHERWISE DENOTED AS (RAD).
- ALL DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
- ERROR OF CLOSURE DOES NOT EXCEED 1 FOOT IN 10,000 FEET.
- THE FOLLOWING INSTRUMENTS CONTAIN EASEMENTS OR AGREEMENTS THAT AFFECT THIS PROPERTY AND ARE BLANKET IN NATURE OR NOT PLOTTABLE.
 - A) OFFICIAL RECORD BOOK 09776, PAGE 965.
 - OFFICIAL RECORD BOOK 10242, PAGE 1147 (APPLIES ONLY TO SOUTH LINE OF TRACT 1 AND WATER MANAGEMENT TRACT)
- THE FOLLOWING INSTRUMENTS CONTAIN EASEMENT AGREEMENTS THAT AFFECT THIS PROPERTY AND ARE SHOWN HEREON.
 - A) OFFICIAL RECORD BOOK 09911, PAGE 1983
- THE FOLLOWING INSTRUMENTS CONTAIN EASEMENT AGREEMENTS THAT HAVE BEEN RELEASED AND/OR ABANDONED:
 - A) DEED BOOK 627 PAGE 307, OFFICIAL RECORD BOOK 03418, PAGE 906, OFFICIAL
 - RECORD BOOK 3272, PAGE 755. B) OFFICIAL RECORD BOOK 1765, PAGE 548.
- BUILDING SETBACK LINES SHALL BE AS REQUIRED BY CURRENT CITY OF GREENACRES ZONING REQUIREMENTS.
- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.

CERTIFICATION OF TITLE

STATE OF FLORIDA COUNTY OF PALM BEACH

DATED:

WE, FIRST AMERICAN TITLE INSURANCE COMPANY, A TITLE INSURANCE COMPANY, AS DULY LICENSED IN THE STATE OF FLORIDA, DO HEREBY CERTIFY:

- 1. THAT THE LANDS AS DESCRIBED AND SHOWN ON THE PLAT ARE IN THE NAME, AND APPARENT RECORD—TITLE IS HELD BY TARGET CORPORATION, A MINNESOTA CORPORATION;
- 2. THAT ALL TAXES HAVE BEEN PAID ON SAID LANDS AS REQUIRED BY 197.051, FLORIDA STATUTES, AS AMENDED; AND;
- 3. THAT THERE ARE NO MORTGAGES OF RECORD. THE TITLE CERTIFICATION IS A CERTIFICATION OF FIRST AMERICAN TITLE INSURANCE COMPANY, A TITLE INSURANCE COMPANY LICENSED IN FLORIDA.

-	
	PRINTED NAME: (ATTORNEY AT LAW LICENSED IN FLORIDA) LICENSE NUMBER

AREA TABLE

TABULAR DATA	SQ FT	ACRES
TRACT 1	484,870	11.131
TRACT 2	47,923	1.100
TRACT 3	77,055	1.769
WATER MANAGEMENT TRACT	54,099	1.242
TOTAL AREA THIS PLAT	663,947	15.242

LAND USE: COMMERCIAL

CITY OF GREENACRES APPROVAL:

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CITY COUNCIL GREENACRES, FLORIDA	
THIS PLAT IS HEREBY APPROVED FOR RECORD THIS DAY OF	
BY:	
BY: ANDREA McCUE, CITY MANAGER	

ATTEST:

CITY

JOANNA CUNNINGHAM, CITY CLERK

PATRICK J. GIBNEY, CITY ENGINEER

CERTIFICATE OF REVIEWING SURVEYOR

IT IS HEREBY CERTIFIED THAT THE UNDERSIGNED PROFESSIONAL SURVEYOR FOR THE CITY OF GREENACRES AND DULY LICENSED IN THE STATE OF FLORIDA HAS REVIEWED THE PLAT FOR CONFORMITY WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.

DATE:	BY	
DOUGLAS M. DAVIE PROFFESSIONAL SURVEYOR STATE OF FLORIDA NO. 43		

NOTICE

THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

NOTICE

LANDS DESCRIBED IN THIS PLAT MAY BE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE, WATER AND SEWER FACILITIES BEING ACCEPTED FOR MAINTENANCE BY PALM BEACH COUNTY. ANY PURCHASER OF A TRACT IN THIS SUBDIVISION IS ADVISED TO DETERMINE WHETHER THE TRACT MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE, OR IMPROVEMENT OF ROADS, DRAINAGE, WATER AND SEWER FACILITIES.

NOTICE

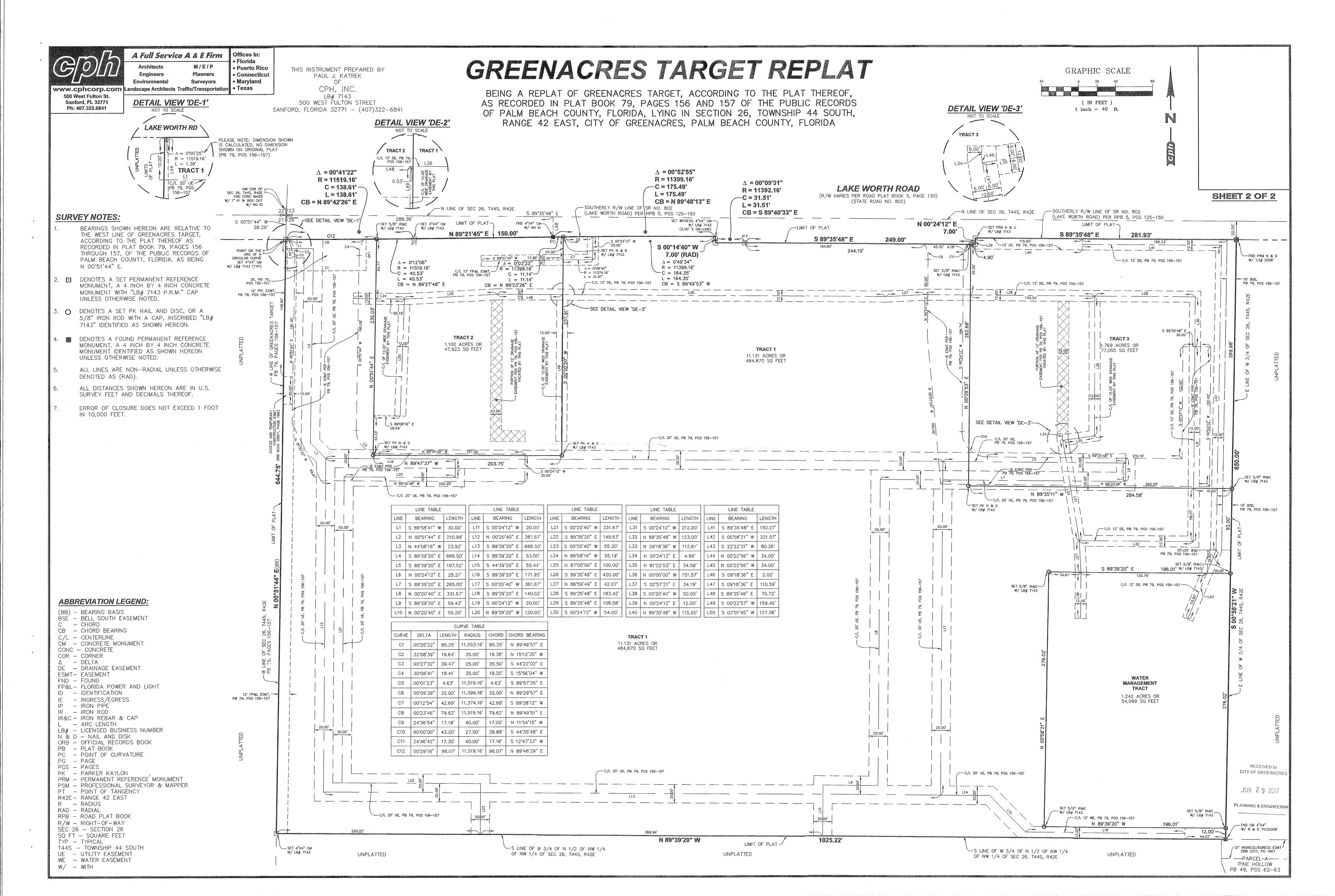
ALL PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS. OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION.

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("PRM'S"), AND MONUMENTS ACCORDING TO SEC. 177.091(9), F.S., HAVE BEEN PLACED AS REQUIRED BY LAW: AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, PART I FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF GREENACRES, FLORIDA.

ATED:	BY	RECEIVED by CITY OF GREENACRES
	PAUL J. KATREK PROFESSIONAL SURVEYOR AND MAPPER STATE OF FLORIDA NO. 6233	JUN 2 9 2017
	CPH, INC., LICENSED BUSINESS NO. 7143 500 WEST FULTON ST	PLANNING & ENGINEERIN
	SANFORD, FL 32771	

NOTARY	TARGET CORPORATION	CITY OF GREENACRES	CITY ENGINEER	REVIEWING SURVEYOR	SURVEYOR



CITY OF GREENACRES

INTEROFFICE MEMORANDUM 2017.07RW2.02

TO: Andrea McCue, City Manger

FROM: James McInnis, Finance Director

SUBJECT: Approval of Expenditure from Forfeiture Fund

DATE: July 10, 2017

Background:

The Florida Contraband Forfeiture Act provides law enforcement agencies the means to deter and prevent the continued use of contraband for criminal purposes as well as authorizing agencies to use proceeds collected under this act as supplemental funding for authorized purposes.

Seized funds shall be used for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or for other law enforcement purposes, which include defraying the cost of protracted or complex investigations, providing additional equipment or expertise, purchasing automated external defibrillators for use in law enforcement vehicles, and providing matching funds to obtain federal grants. These funds may not be used to meet normal operating expenses of the law enforcement agency.

In accordance with F.S.S. 932.7055 of the Florida Contraband Forfeiture Act, City Council approval is required for all expenditures out of the City's established Forfeiture Fund. On behalf of the Palm Beach County Sheriff's Office (PBSO), the City is requesting approval of the expenditure of \$14,049.31 from that fund for the qualifying purchase.

Analysis:

The City is proposing to purchase a 2017 Polaris Ranger Crew 570. This will be used as a support vehicle to patrol all City parks and City functions, which include but not limited to holiday events, Food Truck Invasions, summer camps, and hurricanes. The cost of the vehicle is \$11,896.76, and the cost to reimburse PBSO for parts and installation of emergency equipment is \$2,152.55.

2017.07RW2.02 Page 2 of 2

Financial:

The estimated amount of \$14,049.31 will be taken from the Forfeiture Fund.

Legal:

The request is in accordance with applicable regulations.

Staff Recommendation:

Approval of requested expenditure from the Forfeiture Fund.

James McInnis Director of Finance

JSM/rlw

Attachments:

Polaris Sales, Inc. Quote PBSO Quote



Polaris Sales Inc

2100 Hwy 55, Medina (Hamel), MN 55340

Phone: 866-468-7783 Fax: 763-847-8288

Name: Randi Whitcomb

Contact Email: rwhitcomb@greenacresfl.gov Information:

Phone: 561-642-2013 Ext:

Fax:

Bill To:

City of Greenacres

5800 Melaleuca Lane

Greenacres, FL 33463

QUOTE

government.sales@polarisind.com

www.polarisdefense.com

www.polarisindustries.com

Quote Number: QUO-35414-CDY5

Revision #: 0

Date: 6/15/2017 **Quote Expires:** 7/15/2017

Contract Name: NJPA

Contract #: 090512-PSI Expiration Date: 10/16/2017

3FP69 Cage:

Duns#: 123399383 Tax ID#: 41-1921490

Freight	Delivery Terms	Payment Terms	Payment Methods
FOB Destination US Continental (CONUS) Only	Within 60 days	Net 30	Visa Mastercard Wire Check

Item #	QTY	Description	MSRP	Discount Price	Extended
R17RNA57A1	1	RANGER Crew 570-4 Sage Green	\$10,799.00	\$10,442.54	\$10,442.54
2879960	1	Mid-Size General Purpose Poly Windshield	\$349.99	\$299.74	\$299.74
2879953	1	Mid-Size Crew Poly Sport Roof	\$519.99	\$445.33	\$445.33
2880929	1	Crew 570-4 Battery Connection Cable	\$39.99	\$34.25	\$34.25
2881669	1	Mid-Size / Full-Size Polaris HD 3500 LB Winch	\$449.99	\$385.38	\$385.38
2875320	1	2" Receiver Draw Bar (req. Hitch Ball)	\$39.99	\$34.25	\$34.25

Quote: QUO-35414-CDY5 Page 1 of 3



2100 Hwy 55, Medina (Hamel), MN 55340

Phone: 866-468-7783 Fax: 763-847-8288

QUOTE

government.sales@polarisind.com www.polarisdefense.com www.polarisindustries.com

		Freight	Delivery Terms	Payment Terms	Payment Methods
	US	FOB Destination Continental (CONUS) Only	Within 60 days	Net 30	Visa Mastercard Wire Check
Item #	QTY	Description	MSRP	Discount Price	Extended
2877603	1	2" Trailer Ball	\$11.99	\$10.27	\$10.27
Comments:				SUBTOTAL	\$11,651.76
				INSTALL*	\$245.00
				FREIGHT	\$0.00
				TAX	\$0.00
*Installation Price	ing is Op	en Market		TOTAL	\$11,896.76

Quote: QUO-35414-CDY5 Page 2 of 3



Wire Payment: US Bank

602 2nd Ave South

2100 Hwy 55, Medina (Hamel), MN 55340

Phone: 866-468-7783 Fax: 763-847-8288

QUOTE

government.sales@polarisind.com www.polarisdefense.com www.polarisindustries.com

Acceptance and Payment Information

Phone: 1-888-799-4737

Acct#: 1 702 2513 9170

ABA#: 091 000 022

Minneapolis, MN 55402	Ref: NJPA RANGI PO#:	ER Crew 570-4 Sage Green
Ship To Address:		Billing Address:
Name: Address: Address: Address: Address: City, State & ZIP: Contact Name: Phone:		Name: Address: Address: Address: City, State & ZIP: Contact Name: Phone:
Credit Card Holder: Credit Card Type: Card Number: Expiration Date:	/ Mastercard	
To accept this quotation, sign here a		

Quote: QUO-35414-CDY5 Page 3 of 3 $\,$

Cost of Emergency Equipment to be installed on Polaris Ranger Crew 570

DESCRIPTION	MANUFACTURER	PART NUMBER	UN	IT COST	QUANTITY	TOTA	AL COST
MISC. WIRING AND CONNECTORS	IN HOUSE	MISC.	\$	100.00	1	\$	100.00
M/C SIREN AMP	WHELEN	WS321	\$	310.30	1	\$	310.30
PA MICROPHONE	WHELEN	WSMIC321	\$	99.00	1	\$	99.00
SIREN AMP WIRING HARNESS	IN HOUSE	70177-97	\$	308.02	1	\$	308.02
SIREN DRIVER	WHELEN	SA315P	\$	140.93	1	\$	140.93
SIREN BRACKET UNIVERSAL	FEDERAL	SAK1	\$	14.00	1	\$	14.00
VERTEX BLUE	WHELEN	VTX609B	\$	53.95	4	\$	215.80
VERTEX RED	WHELEN	VTX609R	\$	53.95	4	\$	215.80
VERTEX FLANGE BLACK	WHELEN	VTXFB	\$	6.74	8	\$	53.92
RELAY 12V	TESSCO	376039	\$	3.06	1	\$	3.06
TOGGLE SWITCH FOR TRUNK ALARM	TESSCO	471535	\$	3.59	2	\$	7.18
BOOT, TOGGLE	TESSCO	62679	\$	2.25	2	\$	4.50
HHL FUSEHOLDER	TESSCO	HHL	\$	1.31	2	\$	2.62
ATM 10 FUSE	TESSCO	ATM10	\$	0.21	2	\$	0.42
LED DASH SLIMLIGHTER	WHELEN	SLPMMRB	\$	193.00	3	\$	579.00
BLUE/CLEAR TIR 3 SERIES LED	WHELEN	RSB032CR	\$	49.00	2	\$	98.00

\$2,152.55

Note: PBSO has all of the above parts in their warehouse; City to reimburse PBSO for cost of parts and installation

CITY OF GREENACRES

Council Agenda Memo 2017.08.MP2.01

TO: Mayor and City Council

THRU: Andrea McCue, City Manager

THRU: James McInnis, Director of Finance

FROM: Monica Powery, Purchasing Administrator

SUBJECT: Award of RFP No. 17-007 - Annual Contract for Custodial Services

DATE: July 30, 2017

COPIES: Carlos Cedeño, Director of Public Works

Background:

The Public Works Department administers an agreement for custodial services for ten (10) City facilities. The City's current agreement with Honor Cleaning LLC expires on August 29, 2017 and has no additional renewals. The RFP was advertised by the City's Purchasing Division on May 23, 2017. A Mandatory Pre-Proposal Conference was held on June 1, 2017 with City representatives available to answer questions and provide site visits.

Analysis:

The Proposals were opened on June 21, 2017 with six (6) proposers responding. The attached tabulation sheet summarizes the responses received from the companies.

The Selection Committee was comprised of staff from various City Departments including Public Works, Fire Rescue, Leisure Services, Finance and Palm Beach County Sheriff's Office. The Selection Committee had their first meeting on July 12, 2017 at 9:00 a.m. to review and discuss the initial proposals. At this meeting, the Selection Committee developed a short list consisting of the following proposals.

- Image Janitorial Services, Inc
- Palm Beach Habilitation Center
- The Cleaner Team Corp

These vendors were invited to give the Selection Committee a presentation. This gave the companies the opportunity to further explain their proposals and speak about their

companies. It also allowed the Selection Committee to ask questions for further clarification.

The Selection Committee had their final meeting on July 27, 2017 at 1:30 p.m. where they conducted a final evaluation of the proposals shortlisted. The Selection Committee evaluated The Cleaner Team Corp with the highest points.

Financial Information:

Sufficient money is budgeted in Account 001-40-44-34-4 Other Contractual Services to provide for award in the amount of \$89,705.04.

Legal:

The recommendation for award is in accordance with the requirements of City policies and procedures.

Staff Recommendation:

Award of RFP No. 17-007 for Custodial Services to The Cleaner Team Corp and authorization to execute a one-year agreement with the option for three additional one-year renewals.

Monica Powery, CPPB Purchasing Administrator

Attachments:

- 1. Agreement
- 2. Tabulation responses
- 3. Tabulation to determine shortlist
- 4. Tabulation to determine final ranking

AGREEMENT

Between

CITY OF GREENACRES

And

THE CLEANER TEAM CORP

For

CUSTODIAL SERVICES RFP NO. 17-007

This is an Agreement between the CITY OF GREENACRES, a municipal corporation of the State of Florida, (hereinafter the "CITY"), through its City Council; AND

The Cleaner Team Corp successors and assigns, (hereinafter "CONTRACTOR"). This Agreement is dated _______, 2017.

WITNESSETH, in consideration of the mutual terms and conditions, promises, covenants and payments hereinafter set forth, CITY and CONTRACTOR agree as follows:

ARTICLE I SCOPE OF SERVICES

CONTRACTOR agrees to vending services as identified in City of Greenacres' RFP No. 17-007, titled Custodial Services (hereinafter "RFP Documents"), and CONTRACTOR'S proposal response dated June 21, 2017 attached hereto as Exhibit "A" (hereinafter "RFP") and by this reference made a part hereof. CONTRACTOR shall be solely responsible for the placement of machines at locations designated by the CITY on City property. The CONTRACTOR shall be responsible for keeping all equipment in a clean and sanitary condition.

ARTICLE II TERM

The term of this Agreement shall be for one (1) year beginning on August 30, 2017. In accordance with RFP No. 17-007, at the end of the one (1) year period, this Agreement may be extended for up to three (3) additional one (1) year terms upon mutual written consent of both parties.

ARTICLE III COMPENSATION AND METHOD OF PAYMENT

The CITY shall issue a Purchase Order, citing this RFP and agreement as authority. The compensation to be paid to the CONTRACTOR by the CITY for the custodial services rendered hereunder shall be \$89,705.04 per annum with a monthly cost of \$7,475.42. Payments shall be made by the CITY on a monthly basis upon completion of monthly custodial services. CITY shall remit payment within thirty (30) days upon receipt of a proper invoice from CONTRACTOR. Monthly invoices shall identify each building and monthly cost for each site. Additional payment for project services, if any, shall be based on actual amounts incurred monthly.

Pricing may be adjusted at the CITY'S discretion upon each annual renewal based on the percent change in the Consumer Price Index, All Urban Consumers, for the Miami-Fort Lauderdale Region from June to June of each prior and renewal year, as published by the United States Department of Labor. Request for price adjustment shall be submitted to the City Contract Coordinator for approval at least sixty (60) calendar days prior to implementation of the new contract period.

ARTICLE IV CONTRACTOR RESPONSIBILITIES

CONTRACTOR shall perform the custodial duties at the ten (10) building locations identified in RFP Documents. The extent of the services to be rendered and frequency of performance shall be as stated in these bid documents. CONTRACTOR shall provide competent labor as required to perform these services. CONTRACTOR shall respond to correct any deficiencies in performance of the services as identified by the CITY Contract Coordinator. Deficiencies shall be corrected within the time limits stated therein unless the CITY Contract Coordinator allows additional time based on the complexity of the corrective action.

ARTICLE V MODIFICATION OF AGREEMENT TERMS

The terms of this Agreement may be modified by mutual consent to increase or decrease the scope of work, adjust prices in subsequent Agreement periods, or for such other purposes as shall become necessary during the conduct of the Agreement period. Such amendments shall be accomplished in writing as an addendum to the Agreement.

ARTICLE VI MISCELLANEOUS

6.1 <u>TERMINATION</u>

This Agreement may be terminated by either party for cause, or by CITY for convenience, upon thirty (30) days written notice from the terminating party to other party. In the event of such termination, CONTRACTOR shall be paid its compensation for services performed to termination date. In the event that CONTRACTOR abandons this Agreement or causes it to be terminated by CITY,

CONTRACTOR shall indemnify CITY against any loss pertaining to this termination.

For purposes of this Agreement, termination by CITY for cause includes, but is not limited to, the following:

- 1. CONTRACTOR'S failure to keep, perform and observe each and every provision of this Agreement and such failure continues for a period of more than seven (7) days after delivery to CONTRACTOR of a written notice of such breach or default; and/or
- 2. CONTRACTOR'S abandonment of the work for a period of seven (7) days or more during the course of a year. Such days need not be consecutive; and/or
- 3. Any material misrepresentation, written or oral, made by the CONTRACTOR to the CITY; and/or
- 4. Failure by the CONTRACTOR to timely perform and/or observe any or all of the covenants, rules, regulations, guidelines or terms and conditions of this Agreement; and/or
- 5. Insolvency, bankruptcy, and/or suggestion of bankruptcy on the part of the CONTRACTOR or the assignment of assets for the benefit of creditors by the CONTRACTOR.

CONTRACTOR recognizes and agrees that in the event of the termination or expiration of this Agreement, it will be necessary to assist CITY and/or a selected successor to CONTRACTOR with an orderly transition of work. CONTRACTOR shall be paid in accordance with Article III for all services rendered through the date of termination. All CITY artwork, materials, and supplies provided to CONTRACTOR during the course of the work shall be returned in good condition (except for normal wear and tear) upon termination.

6.2 <u>EQUAL OPPORTUNITY EMPLOYMENT</u>

CONTRACTOR agrees that it will not discriminate against any employee or applicant for employment for work under this Agreement because of race, color, religion, sex, age, national origin, or disability and will take affirmative steps to ensure that applicants are employed and employees are treated during employment without regard to race, color, religion, sex, age, national origin or disability. This provision shall include, but not be limited to, the following: employment upgrading, demotion or transfer; recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeships.

6.3 PUBLIC ENTITY CRIMES ACT

In accordance with Section 287.133, Florida Statutes, CONTRACTOR through execution of this Agreement, certifies that it is not listed on the convicted vendors list maintained by the State of Florida, Department of General Services.

6.4 ASSIGNMENT

This Agreement, or any interest herein, shall not be assigned, transferred or otherwise encumbered by CONTRACTOR, under any circumstances, without the prior written consent of CITY.

6.5 INDEMNIFICATION OF CITY

- 6.5.1 CONTRACTOR shall at all times hereafter, indemnify, hold harmless and defend CITY, its agents, and employees from and against any claim, demand or cause of action of any kind or nature arising out of error, omission or negligent act of CONTRACTOR, its agents, or employees in the performance of services under this Agreement.
- 6.5.2 CONTRACTOR further agrees, at all times hereafter, to indemnify, hold harmless and defend CITY, its agents, and employees from and against any claim, demand or cause of action of any kind or nature arising out of any conduct or misconduct of CONTRACTOR resulting from the performance of services under this Agreement for which CITY, its agents, or employees are alleged to be liable.
- 6.5.3 CONTRACTOR acknowledges and agrees that CITY would not enter into this Agreement without this indemnification of CITY by CONTRACTOR, and that CITY'S entering into this Agreement shall constitute good and sufficient consideration for this indemnification. These provisions shall survive the expiration or earlier termination of this Agreement. Nothing in this Agreement shall be construed to affect in any way the CITY'S rights, privileges, and immunities as set forth in Florida Statutes 768.28.

6.6 <u>INSURANCE</u>

6.6.1 CONTRACTOR shall provide, pay for, and maintain in force at all times during the services to be performed, insurance, to include Workers' Compensation Insurance, Comprehensive General Liability Insurance, and Automobile Liability Insurance with minimum coverage of at least one million dollars (\$1,000,000.00).

Such policy or policies shall be issued by United States Treasury approved companies authorized to do business in the State of Florida and having agents upon whom service of process may be made in the State of Florida. CONTRACTOR shall specifically protect CITY by naming the CITY as an additional insured under the Product Liability Insurance Policy or certificate.

Notice of Cancellation and/or Restriction: The policy(ies) must be endorsed to provide CITY with thirty (30) days notice of cancellation and/or restriction.

- 6.6.2 <u>Worker's Compensation Insurance</u> to apply for all employees in compliance with the Workers Compensation Law of the State of Florida and such state where work is performed and all applicable federal laws.
- 6.6.3 Comprehensive General Liability Insurance with minimum limits of one million dollars (\$1,000,000.00) per occurrence combined single limit for bodily injury liability and property damage liability. Coverage must be afforded on a form no more restrictive than the latest edition of the Comprehensive General Liability Policy, without restrictive endorsements, as filed by the Insurance Services Office, and must include:
 - Premises and/or Operations.
 - Independent Contractors.
 - Broad Form Property Damage.
 - Broad Form Contractual Coverage applicable to this specific Agreement.
 - Personal Injury Coverage with employee and contractual exclusions removed with minimum limits of coverage equal to those required for Bodily Injury Liability and Property Damage Liability.

The CITY is to be named as additional insured with CONTRACTOR liability arising out of operations performed for CITY by or on behalf of CONTRACTOR or acts or omissions of CONTRACTOR in connection with such operation.

Notice of Cancellation and/or Restriction: The policy(ies) must be endorsed to provide CITY with thirty (30) days notice of cancellation and/or restriction.

- 6.6.4 <u>Business Automobile Liability Insurance</u> with minimum limits of one million dollars (\$1,000,000.00) per occurrence combined single limit for bodily injury liability and property damage liability. Coverage must be afforded on a form no more restrictive than the latest edition of the Business Automobile Liability Policy, without restrictive endorsement, as filed by the Insurance Services Office and must include:
 - Owned vehicles.
 - Hired and non-owned vehicles.
 - Employers' non-ownership.

If no automobiles are owned by the CONTRACTOR, a statement to that extent will be provided to the CITY. Notice of Cancellation and/or Restriction: The policy(ies) must be endorsed to provide CITY with thirty (30) days notice of cancellation and/or restriction.

6.6.5 CONTRACTOR shall provide to CITY prior to the effective date of this Agreement a Certificate of Insurance or a copy of all insurance policies

required by Section 6 including any subsection thereunder. CITY reserves the right to require a certified copy of such policies upon request. All endorsements and certificates shall state that CITY shall be given thirty (30) days notice prior to expiration or cancellation of the policy.

6.6.6 CONTRACTOR hereby acknowledges and agrees that any and all risk of loss regarding the goods and services purchased hereunder shall be solely borne by CONTRACTOR until delivery and acceptance by CITY of the goods and services.

6.7 PERFORMANCE OF WORK BY CONTRACTOR/SUBCONTRACTORS

- 6.7.1 It is expressly agreed that CONTRACTOR is and shall be in the performance of all work, services, and activities under this Agreement an independent contractor and not an employee, agent, or servant of the CITY. All persons engaged in any work, service or activity performed pursuant to this Agreement shall at all times and in all places be subject to CONTRACTOR'S sole direction, supervision and control. CONTRACTOR shall exercise control over the means and manner in which it and its employees perform and work, and in all manner in which it and its employees perform the work, and in all respects CONTRACTOR'S relationship and the relationship of its employees to the CITY shall be that of an independent contractor and not as employees or agents of the CITY.
- In the event CONTRACTOR, during the term of this Agreement, requires the services of any subcontractors or other professional associates in connection with services covered under this Agreement, CONTRACTOR must secure the prior written approval of CITY'S Purchasing Agent. Any subcontractor authorized to perform under this Agreement shall be required to possess the same insurance coverages as enumerated in Paragraph 6.6 herein.

6.8 LAWS AND REGULATIONS

It is further understood by the parties that CONTRACTOR will, in carrying out its duties and responsibilities under this Agreement, abide by all federal, state and local laws.

6.9 CONTRACT COORDINATOR

The CITY'S Contract Coordinator during the performance of services pursuant to this Agreement shall be Monica Powery, Purchasing Administrator.

6.10 NO CONTINGENT FEE

CONTRACTOR warrants that it has not employed or retained any company or person, other than a bona fide employee or sales representative working solely for CONTRACTOR to solicit or secure this Agreement and that it has not paid or

agreed to pay any person, company, corporation, individual, or firm, other than a bona fide employee or sales representative working solely for CONTRACTOR any fee, commission, percentage, gift, or any other consideration contingent upon or resulting from the award or making of this Agreement.

6.11 GOVERNING LAW AND VENUE

The Agreement shall be governed by the laws of the State of Florida. Any and all legal action necessary to enforce the Agreement will be held in Palm Beach County and the Agreement will be interpreted according to the laws of Florida. No remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party or any right, power, or remedy hereunder shall preclude any other or further exercise thereof.

6.12 ATTORNEY'S FEES

In any action brought by either party for the enforcement of the obligations of the other party, the prevailing party shall be entitled to recover reasonable attorney's fees and costs.

6.13 <u>AUTHORITY TO ENGAGE IN BUSINESS</u>

CONTRACTOR hereby represents and warrants that it has and will continue to maintain all licenses and approvals required to conduct its business, and that it will at all times conduct its business activities in a reputable manner. Proof of such licenses and approvals shall be submitted to the CITY'S Contract Coordinators upon request.

6.14 ALL PRIOR AGREEMENTS SUPERSEDED

This document incorporates and includes all prior negotiations, correspondence, conversations, agreements or understandings applicable to the matters contained herein; and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, the parties agree that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

It is further agreed that no modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document.

6.15 <u>SEVERABILITY</u>

The invalidity, illegality, or unenforceability of any provision of this Agreement, or the occurrence of any event rendering any portion or provision of this Agreement void, shall in no way affect the validity or enforceability of any other portion or provision of the Agreement. Any void provision shall be deemed severed from the Agreement and the balance of the Agreement shall be construed and enforced as if the Agreement did not contain the particular portion or provision held to be void. The parties further agree to reform the Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision.

The provisions of this section shall not prevent the entire Agreement from being void should a provision which is of the essence of the Agreement be determined to be void.

6.16 NOTICES

Whenever either party desires to give notice unto the other, such notice must be in writing, sent by certified United States mail, return receipt requested, addressed to the party for whom it is intended at the place last specified; and the place for giving of notice shall remain such until it shall have been changed by written notice in compliance with the provisions of this paragraph. For the present, the parties designate the following as the respective places for giving of notice:

FOR CITY:

PURCHASING AGENT CITY OF GREENACRES 5800 MELALEUCA LANE GREENACRES, FL 33463

FOR CONTRACTOR:

MARYLEYDYS GARCIA THE CLEANER TEAM CORP 523 5TH LANE GREENACRES, FL 33463

seals this day of	parties hereto have set their hands and offic , 2017.
ATTEST: Joanna Cunningham, City Clerk ENDORSED AS TO FORM & LEGALITY: James D. Stokes, City Attorney	CITY OF GREENACRES, A municipal corporation of the State of Florida BY: Joel Flores, Mayor
(CORPORATE SEAL)	FIRM:
WITNESSES:	BY:Signature
	Typed Name
	Title
SWORN TO and SUBSCRIBED before m	e this, 2017.
	Notary Pub
	Commission Expirati

Proposal Closing: June 21, 2017 3:00 P.M.

Proposals Received for RFP NO 17-007 Custodial Services

	COMPANY	CONTACT PERSON	ADDRESS	CITY	STATE	ZIP CODE	TELEPHONE
-	Cleaning Systems, Inc.	James Fischer	4620 N. Hiatus Road	Sunrise	FL	33351	(954) 341-0000
7	Honor Cleaning, LLC	Daniel Fioramonti	14704 75th Lane N.	Loxahatchee	FL	33470	(561) 502-6037
က	Image Janitorial Services, Inc.	Timothy Wilson	814 14th Street	Lake Park	FL	33403	(561) 844-8778
4	Palm Beach Habilitation Center	Tina Phillips	4522 South Congress Avenue	Lake Worth	FL	33461	(561) 965-8500
5	Stockton Maintenance Group, Inc.	Douglas Riordan	1975 Sansburys Way, Ste. 115	West Palm Beach	FL	33411	(561) 684-8922
9	The Cleaner Team Corp	Maryleydys Garcia	523 5th Lane	Greenacres	FL	33463	(561) 843-3449

Opened by:

Monica Powery Purchasing Administrator

Witnessed by:

Randi Whitcomb Finance/Purchasing Assistant

City of Greenacres
RFP Selection Committee Tabulation:
To Determine Shortlist
RFP No.17-007 Custodial Services
Meeting Date: July 12, 2017 at 9:00 a.m.

	Committee Member Danielle C	Committee Member Tristram M	Committee Member Leslie N	Committee Member William P	Committee Member Mark P	Total
VENDOR	Score	Score	Score	Score	Score	Score
Cleaning Systems, Inc.	71	68	65	67	83	375
Honor Cleaning, LLC	63	64	30	20	92	272
Image Janitorial Services, Inc.	84	96	80	98	98	449
Palm Beach Habilitation Center	88	80	85	81	83	417
Stockton Maintenance Group, Inc.	75	81	70	27	85	388
The Cleaner Team Corp	92	91	80	82	92	437

Firms Shortlisted for Further Consideration: Image Janitorial Services, Inc., Palm Beach Habilitation Center, and The Cleaner Team Corp

City of Greenacres
RFP Selection Committee Tabulation:
Final Evaluation
RFP No.17-007 Custodial Services
Meeting Date: July 27, 2017 at 1:30 p.m.

VENDOR	Committee Member Danielle C Score	Committee Member Tristram M Score	Committee Member Leslie N Score	Committee Member William P Score	Committee Member Mark P Score	Total
Image Janitorial Services, Inc.	63	92	82	80	92	442
Palm Beach Habilitation Center	93	96	85	9/	100	450
The Cleaner Team Corp	92	86	06	06	100	473

CITY OF GREENACRES

Council Agenda Memorandum 2017.08JC1.009

TO: Members of City Council

FROM: Joel Flores, Mayor

RE: Commission Appointments

DATE: August 2, 2017

Planning Commission

There is currently one full member vacancy on the Planning Commission to fulfill the unexpired term of John Robarts through April 2018.

Staff has recently received an unsolicited application to serve on the Planning Commission from Hanny Garcia. A copy has been attached for your review and consideration.

Therefore, I recommend the appointment of Hanny Garcia as a full member of the Planning Commission.

Joel Flores

Joel The

Mayor



CITY OF GREENACRES

'17 AUG 1 PM4:50

BOARD AND COMMITTEE SERVICE APPLICATION

NAME: Hanny Garcia PHONE: (56) 603 0991	
ADDRESS: 4105 Dahl DR	
CITY, STATE & ZIP: Gleenacres FC 33463	
EMAIL ADDRESS: hanny 91@ gmail.com	
OCCUPATION: Owner	
EMPLOYER NAME: 3 Vida Inc.	
Please provide a brief description of your education and experience, and describe your interest for serving with the City. (Please attach a copy of your resume.) I would love to help our beautiful City of Breenacres grow. As a resident of the City, it is now best interest to see the city in great condition. I believe by doing so, it will attrack more residents and businesses which will	
Soo the city in great condition. I believe by doing so,	
it will attrack more residents and businesses which will	
Contribute in the financial expansion of Greenacus and help it	
become more profitable.	
Please see ettached resume.	
Trease see allowing to seems.	
Are you employed with the City? Do you currently hold any office? Do you own a business within the City? Do you currently serve on a City Board or Committee? If yes, which one?	
Which Board or Committee are you interested in?	
Board of Trustees – Public Safety Officers & Firefighters Retirement Plan Building Board of Adjustments & Appeals Civil Service Board Code Enforcement Board Planning Commission Scholarship Committee Zening Beard of Adjustments & Appeals	
Signature 08/01/2017 Date	d 8-1-12

4105 Dahl Dr. Greenacres, FL 33463

Hanny Garcia

(561) 603-0991 Hanny91(legman):65in² 17 AUG 1 pw4:50

Objective: Create value in our community by bringing my entrepreneurship experience accompanied by my passion to help others and my desire to give back to this wonderful city and its people.

WORK EXPERIENCE

2015-present

Owner, S Vida Inc. (Management Company for a Wellness Center)—PBG, FL

- Making day to day decision to run the wellness effectively.
- Donating time to the community by providing educational "Lunch and Learn" to schools, churches, public and private organizations.
- Conducting budget reviews to allocate funds productively.
- Coordinating events by contacting local institution to donate our time.

03/2013-present

Real Estate Investor/agent, Highlight Realty Corp. Lake Worth, FL

- Helping clients find their dream home.
- Negotiating the best prices and conditions for the benefit of the party that I
 am representing in a fair and honest manner.
- Analyzing and conducting study of the real estate market in order to make decision on investment properties.

09/2013-2015

State Licensed Representative, Primerica Life Ins. Company, Office in Lake Worth FL

- State Licensed with Health, Life/Annuity and mutual funds.
- Comparing families' current financial situation to provide them with a guide to help them meet their economic goals.
- Educating family to make better financial decision by teaching them how to become debt free, create an emergency fund and plan for retirement resulting in financial independence.

07/2010-09/2013

Teller, PNC BANK, Palm Springs, FL

- Recognized by the branch manager and regional manager for exceptional customer service provided to our clients.
- Responsible for servicing the ATM machine and the drive-thru cash dispenser which made me accountable for a large sum of cash.

EDUCATIONAL BACKGROUND

01/2016-Present

Florida Atlantic University, Boca Raton, FL

 Currently working on obtaining my Bachelor's degree in Business Administration.

08/2011-06/2014

Associates in Arts, Palm Beach State College, Lake Worth, FL

GPA: 3.04

• Participated in the Student learning center by helping to tutor classmates.

CITY OF GREENACRES

Council Agenda Memo #2017.08B7.01

TO: Mayor and City Council

THROUGH: Andrea McCue, City Manager

FROM: Michael Grimm, Director/CBO, Building Department

SUBJECT: Ordinance No. 2017-11 Amending Model Floodplain Management

Regulations, City Council Agenda Item for 08-07-2017 2nd Reading

DATE: July 25, 2017

COPIES: James D. Stokes, City Attorney

Joanna Cunningham, City Clerk

Background:

The National Flood Insurance Program (NFIP) was established in 1968 when Congress passed the National Flood Insurance Act and is coordinated by the Federal Emergency Management Agency (FEMA). The NFIP offers flood insurance to homeowners, renters, and business owners if their community participates in the NFIP. Participating communities agree to adopt and enforce ordinances that meet or exceed FEMA requirements to reduce the risk of flooding.

The Florida Department of Emergency Management (DEM) is the state coordinating agency for the NFIP. The DEM State Floodplain Management Office assists and monitors local community floodplain management and ensures compliance with the national program.

The City Council approved this Ordinance on first reading July 17, 2017 by a vote of 5-0

Analysis:

The City of Greenacres has never had a special flood hazard area but has participated in the NFIP since August 26, 1977 and has approximately 450 flood insurance policies currently issued within the City limits. In order to maintain participation in the NFIP, the City adopted the (DEM) Model Floodplain Management Regulations through Ordinance No. 2016-14 in August of 2016. FEMA has recently finished re-mapping all of Palm Beach County and now several areas within the City are designated as type AE Special Flood Hazard Areas. A letter of final determination has established October 5, 2017 as the

Memo: #2017.07B7.01 Page 2 of 2

effective date for the revised Flood Insurance Study and Flood Insurance Rate Maps for Palm Beach County, Florida and Incorporated Areas.

Ordinance 2017-11 amends the City of Greenacres Floodplain Management Regulations to recognize the updated Flood Insurance Study and Flood Insurance Rate Maps issued by FEMA and their effective date of October 5, 2017.

Financial:

There will be no current costs to the City but staff expects increased workload and costs with the new FEMA Flood Maps going into effect.

Legal:

The proposed ordinance has been reviewed by the State Floodplain Management Office and found to comply with NFIP requirements.

Staff Recommendation:

Staff recommends approval of Ordinance 2017-11

Michael Grimm CBO

Director Building Department

Attachments:

1. Ordinance No. 2017-11

ORDINANCE NO. 2017-11

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING THE CITY OF GREENACRES CODE OF ORDINANCES, CHAPTER 4, BUILDING REGULATIONS, ARTICLE III, FLOODPLAIN MANAGEMENT; TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS; the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS; the City of Greenacres participates in the National Flood Insurance program and the City Council of the City of Greenacres desires to continue to meet the requirements of title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS; the Federal Emergency Management Agency has revised and reissued the Flood Insurance Study for Palm Beach County, Florida and Incorporated Areas, with an effective date of October 5, 2017; and

WHEREAS; the City Council of the City of Greenacres has determined that it is in the public interest to amend Chapter 4, Article III Floodplain Management to identify the effective date of the revised Flood Insurance Study and Flood Insurance Rate Maps.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA, THAT THE FOLLOWING AMENDMENT IS HEREBY ADOPTED:

Section 1. Amend.

Chapter 4, Building Regulations, Article III Floodplain Management, Sec. 4-41.3 Basis for establishing flood hazard areas is hereby amended as follows:

Sec.4-41.3 Basis for establishing flood hazard areas.

The Flood Insurance Study and Wave Height Analysis for Palm Beach County, Florida and Unincorporated Incorporated Areas dated April 15, 1982 October 5, 2017, and the Flood Insurance Study for Palm Beach County, Florida Unincorporated Areas dated August 1978, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Office of the City Clerk.

Section 2. Applicability.

For the purposes of jurisdictional applicability, this ordinance shall apply within the City of Greenacres. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

Section 3. Repeal of Conflicting Ordinances.

All ordinances or parts thereof or parts of the code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. Severability.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if part of parts had not

been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 5. Inclusion in Code.

It is the intent of the City Council that the provisions of this ordinance shall become and be made a part of the City of Greenacres' Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Effective Date.

The provisions of this Ordinance shall become effective October 5, 2017.

Passed on the first reading this 17th day of July, 2017.

PASSED AND ADOPTED on the second reading this 7th day of August,

2	0	1	7	

V	O.	fρ	h

Joel Flores Mayor	Paula Bousquet Deputy Mayor, District V
Attest:	
Joanna Cunningham City Clerk	() John Tharp Councilman, District I
	Peter Noble Councilman, District II
	() Judith Dugo Councilwoman, District III
	Anderson Thelusme Councilman, District IV
Approved as to Form and Legal Suf	fficiency:
James D. Stokes City Attorney	

ORDINANCE NO. 2017-15

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING ARTICLE III, "BUSINESS TAXES" OF THE CODE OF ORDINANCES, BY PROVIDING FOR THE REPEAL OF A BUSINESS TAX RECEIPT FOR ANY PROVIDER ENGAGING IN THE PRACTICE OF CONVERSION THERAPY ON MINORS; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, Section 2(b), Article VIII of the State Constitution and Section 166.021, Florida Statutes, provides that a municipality has governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services and, as such, may exercise any power for municipal purposes, except when expressly prohibited by law.

WHEREAS, the City Council of the City of Greenacres has made the determination that conversion therapy on minors by licensed therapists is a business that should not exist within the City of Greenacres, as it is opposed to the community standards to which Greenacres aspires.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AS FOLLOWS:

<u>Section 1</u>. That Article III, entitled "Business Taxes" of the Code of Ordinances of the City of Greenacres is hereby amended, adding the following provision:

Sec. 8-74: Conversion Therapy Prohibited.

(a) Any Provider who engages in the practice of conversion therapy on any individual who is a minor, regardless of whether the Provider receives monetary compensation in exchange for services, shall have his or her Business Tax Receipt revoked and shall thereafter be ineligible for a Business Tax Receipt in the same field of business within the City of Greenacres for a period of six (6) months.

- (b) Any Provider alleged to be in violation of this Section shall be entitled to a hearing before the City's Special Magistrate. A finding that the Provider is in violation must be established by competent substantial evidence from a direct source and cannot be based solely upon hearsay evidence.
- (c) In the event a Provider whose Business Tax Receipt has been revoked and continues to operate his or her practice within the city limits, the City may seek an injunction from a court of competent jurisdiction to close the Provider's business.
 - (d) Definitions. As used in the section, the following definitions apply:
 - 1. "Provider" means any person who is licensed by the State of Florida to provide professional counseling, or who performs counseling as part of his or her professional training under Chapters 456, 458, 459, 490, or 491 of the Florida Statutes, as such chapters may be amended, including but limited to, medical practitioners, osteopathic practitioners, psychologists, psychotherapists, social workers, marriage and family therapists, and licensed counselors. A Provider does not include members of clergy who are acting in their roles as clergy or 1 pastoral counselors and providing religious counseling to congregants, as long 2 as they do not hold themselves as operating pursuant to any of the 3 aforementioned Florida statutory licenses.

- "Minor" is defined as any person under the age of eighteen
 years.
- 3. "Conversion therapy" is defined as any counseling, practice or treatment performed with the goal of changing an individual's sexual orientation or gender identity, including, but not limited to, efforts to change behaviors, gender identity, or gender expression, or to eliminate or reduce sexual or romantic attractions or feelings toward individuals of the same gender or sex. Conversion therapy does not include counseling that provides support and assistance to a person undergoing gender transition or counseling that provides acceptance, support, and understanding of a person or facilitates a person's coping, social support, and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices, as long as such counseling does not seek to change sexual orientation or gender identity.

Section 2. Repeal Upon Determination of Preemption.

This ordinance shall be automatically repealed should the Legislature or any court of competent jurisdiction makes a determination that regulation of conversion therapy is preempted by the State of Florida.

<u>Section 3</u>. Repeal of Conflicting Ordinances.

All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. Severability.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group or persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 5. Inclusion in Code.

It is the intention of the City Council that the provisions of this Ordinance shall become and be made part of the Code of Laws and Ordinances of the City of Greenacres; that the section(s) of this Ordinance may be renumbered or re-letttered to accomplish such intention, and that the word "ordinance" may be changed to "section", "article" or another word.

Section 6. Effective Date.

This ordinance shall take effect upon passage of this Ordinance.

Passed on the first reading this <u>17th</u> day of <u>July</u>, 2017.

PASSED AND ADOPTED on the second reading this 7th day of August, 2017.

	Voted
Joel Flores Mayor	Paula Bousquet Deputy Mayor
Attest:	
Joanna Cunningham City Clerk	John Tharp Council Member, District I
	Peter Noble Council Member, District II
	Judith Dugo Council Member, District III
	Anderson Thelusme Council Member, District IV
Approved as to Form and Legal Suffic	ciency:
James D. Stokes City Attorney	

CITY OF GREENACRES

Council Agenda Memo 2017.08RW2.01

TO: Mayor and City Council

THROUGH: Andrea McCue, City Manager

FROM: James McInnis, Director of Finance

SUBJECT: Revision to Council Policy No. 24

Use of Cellular Tower Rental Proceeds

DATE: August 7, 2017

COPIES: James D. Stokes, City Attorney

Joanna Cunningham, City Clerk

BACKGROUND:

Council Policy 24, Use of Cellular Tower Rental Proceeds, was written in 1998 to the establish guidelines for the use of revenues generated by leasing City owned property to telecommunication providers. At the time of its adoption, the decision was made to credit the receipts "to the Capital Improvement Funds appropriate to the Department where the cellular phone tower will be located. All Administrative, Public Works, and Public Safety sites shall be deposited in the New Growth Fund (301). All park site revenues shall be deposited in the Parks and Recreation Fund (303)."

ANALYSIS:

The decision to record the revenues in the New Growth Fund (301) and The Parks and Recreation Fund (303) was significant in that it limited the use of cell tower revenues to capital spending only for specific departments and projects. As part of its efforts to manage revenues, expenditures, and reserves in the capital projects funds, staff is recommending a change to Council Policy 24 that will allow staff to make the determination each year during the budget process into what capital projects fund the cell tower revenues will be deposited.

FINANCIAL:

This change will have no financial impact on overall capital projects spending, but it will have a specific positive impact in the Reconstruction & Maintenance Fund (304), where there are

2017.08RW2.01 Page 2 of 2

substantial restrictions on a primary revenue source in that fund, approximately \$140,000 of 2nd Local Option Gas Taxes revenue annually. The restrictions limit the City's ability to make full use of those revenues, so the revenues accumulate in the fund's restricted fund balance. The ability to direct cell tower revenues into that fund will allow the City to make use of additional resources that will help mitigate the need for general fund transfers. The City will continue to supplement capital projects in all capital projects funds using transfers from the general fund when necessary.

LEGAL:

Changes to the policy require City Council Authorization.

STAFF RECOMMENDATION:

James Mclanis

Approval of Council Policy No. 24 Cellular Tower Proceeds, as revised.

James McInnis Director of Finance

JM/rw

Attachment: Council Policy No. 24 Cellular Tower Proceeds



Policy No.: 24 Issued: 01-28-98 Revised: 08-07-17

SUBJECT: USE OF CELLULAR TOWER RENTAL PROCEEDS

REFERENCE: Article III, Section 2, City Charter

Article XI, Section 4, City Charter

PURPOSE: It is the purpose of this policy to establish guidelines for the use of revenues

generated by leasing City owned property to telecommunication providers.

POLICY:

1. All revenue derived from the lease agreements entered into between the City and a telecommunication provider shall be used to supplement the Capital Improvement Projects of the City. The projects to be supplemented shall be determined each year during the capital improvements budget process and shall be deposited to the appropriate Capital Projects Fund.

- 2. Once the revenue is deposited in the appropriate fund, the following restrictions shall apply:
 - a. The funds can only be used for capital improvement enhancements that directly benefit the public. No funds shall be used for those purchases that are administrative in nature.
 - b. The funds shall not be used to purchase equipment that is replaced on a reoccurring basis.
 - c. The funds may be used to mitigate the negative effect or lack of use of the property where the cellular phone tower is located.
 - d. If appropriate, the money may be used in conjunction with other City funds to meet the goals described in 2c.

EFFECTIVE DATE:

This policy shall become effective immediately upon its adoption by the City Council.

COUNCIL POLICY NO. 24 Page 1 of 2

ADOPTED ON THIS 7th DAY OF AUGUST, 2017.

		VOTED	
Joel Flores Mayor	Paula Bousquet Deputy Mayor)
Attest:			
Joanna Cunningham City Clerk	John Tharp Council Member, District I	()
	Peter Noble Council Member, District II	(_)
	Judith Dugo Council Member, District III	()
	Anderson Thelusme Council Member, District IV	(
Approved as to Form and Legal Sufficiency	:		
James D. Stokes City Attorney			

COUNCIL POLICY NO. 24 PAGE 2 OF 2

CITY OF GREENACRES

Council Agenda Memo 2017.08KF03.001

TO: Mayor and City Council

THROUGH: Andrea McCue, City Manager

FROM: Kara L. Irwin-Ferris, Planning and Engineering Director

SUBJECT: Atlantis Reserve (aka Rorabeck's)

Palm Beach County Land Use Change and Zoning Petitions

City Council Agenda Item for August 7, 2017

DATE: August 1, 2017

COPIES: James Stokes, City Attorney

Joanna Cunningham, City Clerk

File: PCN-2017-921 & ABD-PDD-CA-2017-00983

Background:

In June of 2004, a charrette (intensive citizen's community planning effort) was held to plan for an area that was under development and multi-jurisdictional. The charrette boundaries were the Lake Worth Drainage District (LWDD) L-14 to the north, Lantana Road to the south, Military Trail to the east, and Cadillac Drive / E-3 Canal to the west and included properties within the jurisdictions of Greenacres and unincorporated Palm Beach County, as well as being adjacent to Atlantis. All of the area was within Greenacres' Future Annexation Area. The need for the charrette was triggered by high density residential development projects and new commercial future land use designations being approved by Palm Beach County contrary to Greenacres' plans for the area and contrary to the neighborhood's wishes.

The charrette was sponsored by Palm Beach County, Greenacres, and Atlantis and included significant participation by residents of the affected area. The organization of the charrette was guided by a Steering Committee comprised of representatives of each affected group and the cost was paid for by the County, Greenacres, and Atlantis. As part of the Charrette Final Report and Master Plan (issued February 2005), plans were created for each quadrant of the Master Plan area. A copy of the northeast quadrant plan is enclosed.

A development plan for a 240 unit Apartment complex and a 121 unit Congregate Care Facility, located 0.6 miles north of Lantana Road on Military Trail directly across from the City of Atlantis, is currently under review by Palm Beach County. The project requires a Future Land Use Map amendment (from Low Residential, 3 unit per acre (LR-3) and Medium Residential, 5 (MR-5) to High Residential, 8 units per acre (HR-8) and High

Residential, 12 units per acre (HR-12)), a Rezoning from Agricultural Residential (AR) to Planned Unit Development (PUD) Zoning District to allow a Type III Congregate Living Facility (CLF) and to allow Workforce Housing Density Bonus greater than 30 percent. Public hearings on these cases begin in September 2017.

Analysis:

The proposed development is contrary to the Charrette Master Plan in a number of key respects:

- 1. The use is very intense. The proposed number of units is double the maximum development potential, and with the potential maximum workforce housing bonus it can be even more intense. The current and planned intersection at Country Club Drive becomes a dead-end without the possibility of a connection to Haverhill Road, nor is it utilized for safe traffic access to and from the site. The surrounding development to the east and the west is residential low development and the existing area is not heavily commercialized.
- 2. The use is not primarily neighborhood serving. The greater intensity use does not provide service to the adjacent neighborhood through the location of a residential serving commercial neighborhood node at the existing intersection. The use generates additional traffic concerns without utilizing methods to reduce the impacts of the proposed traffic increase, such as the utilization of an existing signalized intersection or a connector road to another roadway.
- 3. The proposal is a single use and not mixed use (retail, office and residential) as called for in the Master Plan.
- 4. Roadway Connection the Charrette Plan provides for a connector roadway (Corbett Drive extension) from Haverhill Road to Military Trail. The proposed plan does plan for a future connection that can be more efficient and safe by lining up with the existing signalized intersection at Country Club Drive and Military Trail
- 5. The three (3) and two (2) story large apartment buildings have no connection with the character of the surrounding area. The existing single-family homes are surrounded by multi-family buildings with a minimal buffer area.
- 6. Roadway dedication to nowhere The plan provides for a right-of-way dedication that lines up with Country Club Drive, but the future extension of the roadway is blocked by the proposed development on the plan.
- 7. Unsafe Traffic Concerns The multiple driveways onto Military Trail depicted on the plan do not line up with any existing driveways, and the roadway to access the development drives through parking lots creating unsafe ingress/egress and circulations for the site.

In summary, the effort put into the charrette by Greenacres, Atlantis, Palm Beach County, and the residents of the surrounding neighborhoods should be respected by utilizing the recommendations of the charrette. The proposed plan does not do that.

Financial:

N/A

Legal:

N/A

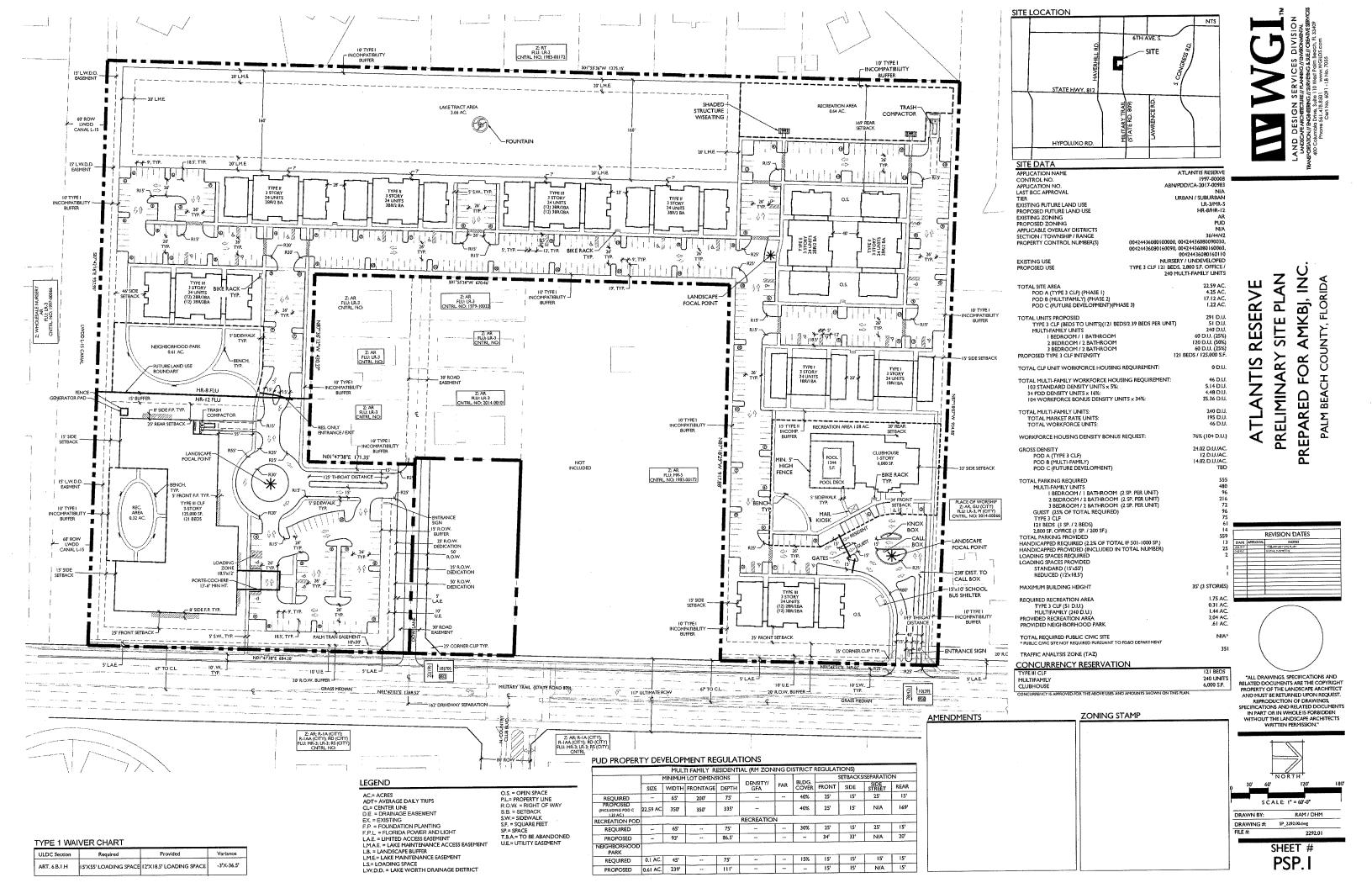
Staff Recommendation:

Authorize City staff to send an objection letter to Palm Beach County's Planning Division and Zoning Division, to speak at the Board of County Commissioners hearings, and to take any other necessary actions to express the City's objection to the proposed development.

Kara L. Irwin-Ferris, AICP
Planning and Engineering Director

Attachments:

- 1. Proposed Site Plan
- 2. Charrette Master Plan for the Northeast Quadrant

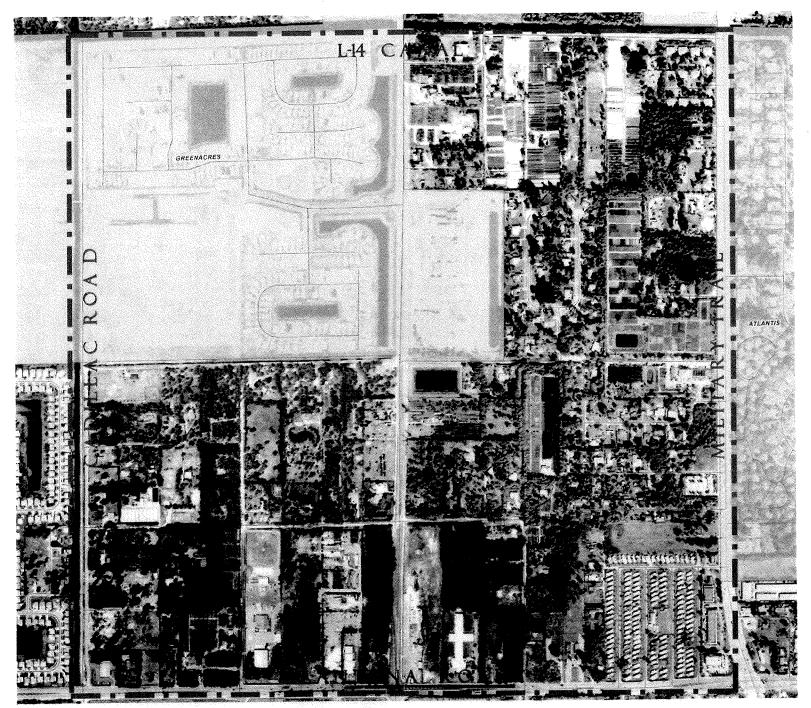


THE GREENACRES, ATLANTIS, AND PALM BEACH COUNTY CHARRETTE REPORT

A CITIZENS' MASTER PLAN

prepared by:

TREASURE COAST REGIONAL PLANNING COUNCIL FEBRUARY 2005





Entrance to Nautica Isles



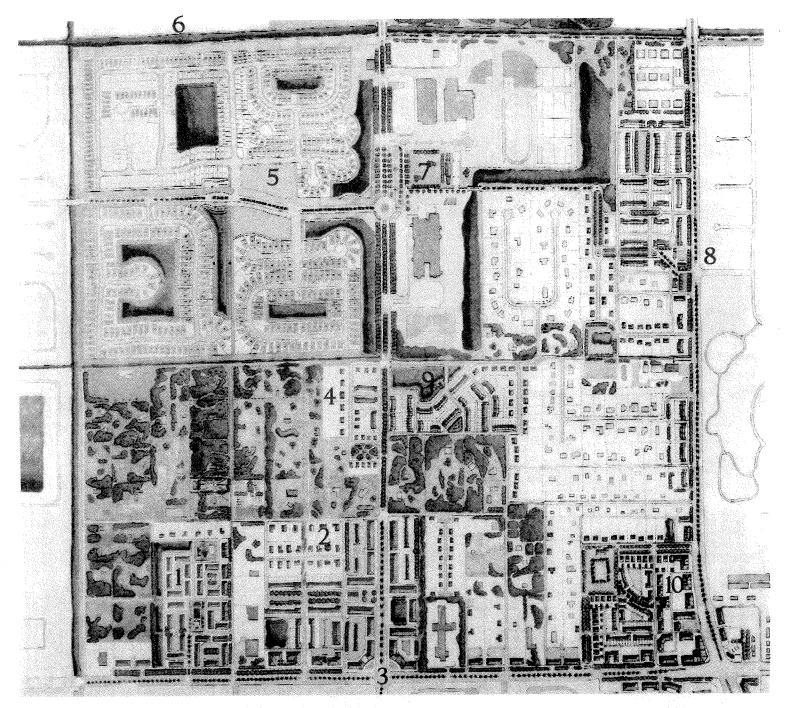
Existing commercial buildings on Military Trail

Greenacres, Atlantis, and Palm Beach County

The charrette study area had the following boundries: The L-14 canal to the north, Lantana Road to the south, Military Trail to the east, and Cadillac Road to the west. This area is very diverse in its landscape, in its uses, and in its people. Large sections of the study area remain generally rural, while other sections have evolved into large housing developments or into public school grounds. There is pressure to both preserve the land, and to develop it. The challenge was to find an acceptable balance.

Left: Aerial photograph of study area

TREASURE COAST REGIONAL PLANNING COUNCIL



"A CITIZENS' MASTER PLAN"

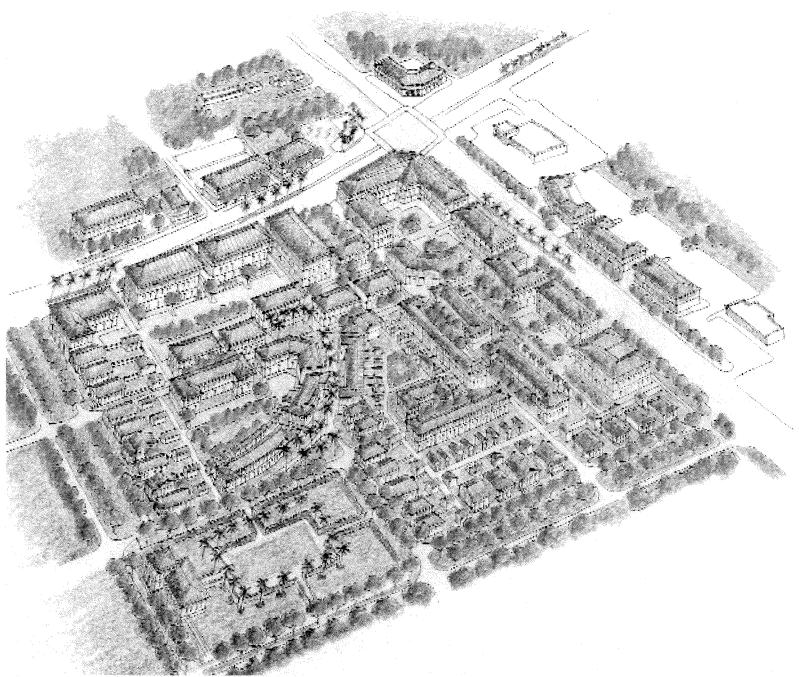
POINTS OF INTEREST

- 1. Proposed Revision to "Belmont at Greenacres."
- 2. Proposed Low-Density Infill Development.
- 3. Haverhill and Lantana Commercial Node.
- 4. Proposed Low-Density Infill Development.
- 5. Nautica Isles.
- 6. L-14 Canal.
- 7. New Road and Park Connecting Haverhill and Military Trail.
- 8. New Road Connection to Atlantis' Western Entry.
- 9. Proposed Revision to "Belmont at Haverhill."
- 10. Long-Term Redevelopment Scenario for Kokomo.

The Southeastern corner of the quadrant is the Kokomo trailer park. This is the largest single-owned piece of land in the entire study region. The Kokomo Park gained worldwide reputation when a few residents formed a singing group known as the Kokomo Cuties, and made it all the way to the Tonight Show starring Johnny Carson. The park is generally in good shape and has a certain "Old Florida" charm. It is not the recommendation of the design team to encourage the redevelopment of the park. Residents of the park have expressed certainty that the current owner of the park is not interested in selling the land. Hopefully that is true, however with such a large piece of land under single ownership, the possibility of redevelopment is too great to ignore. Therefore, a redevelopment plan for the future was designed. It is not to say that this plan should be promoted as an immediate necessity, but rather it is a plan that has been established for when the time is right for redevelopment. The proposal includes a mix of uses and a mix of housing types. The highest density is found on the corner of Lantana Road and Military Trail. As the neighborhood approaches its surroundings, the density gradually decreases. A transect of office/apartment to townhouse to singlefamily homes clearly exists. The edges of the development which, meet the existing housing in the study area thus are compatible. In fact, a large neighborhood park is located on the northwest corner of the property, providing even more open space adjacent to existing neighbors. The new neighborhood also calls for a clearly defined network of streets.

Northeast Quadrant

The proposed improvements to Military Trail should continue north through the extents of the Northeast quadrant. A traffic light is recommended at the intersection of Military Trail and the Western entrance to Atlantis. This would also be an opportunity to propose an East-West connection to Haverhill from Military Trail. A meandering tree-lined avenue is proposed connecting the two streets between the school properties in an eventual alignment with the Nautica Isles entrance. This East-West connection has the added importance of linking Atlantis to the Greenacres fire department station with whom Atlantis is currently under contract.

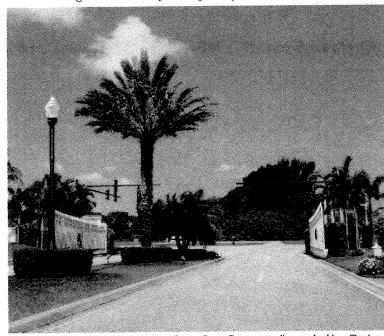


A future proposal for the Kokomo Trailer Park. This plan is not intended to be built any time soon, but a plan should be in place for when the time is right to redevelop.

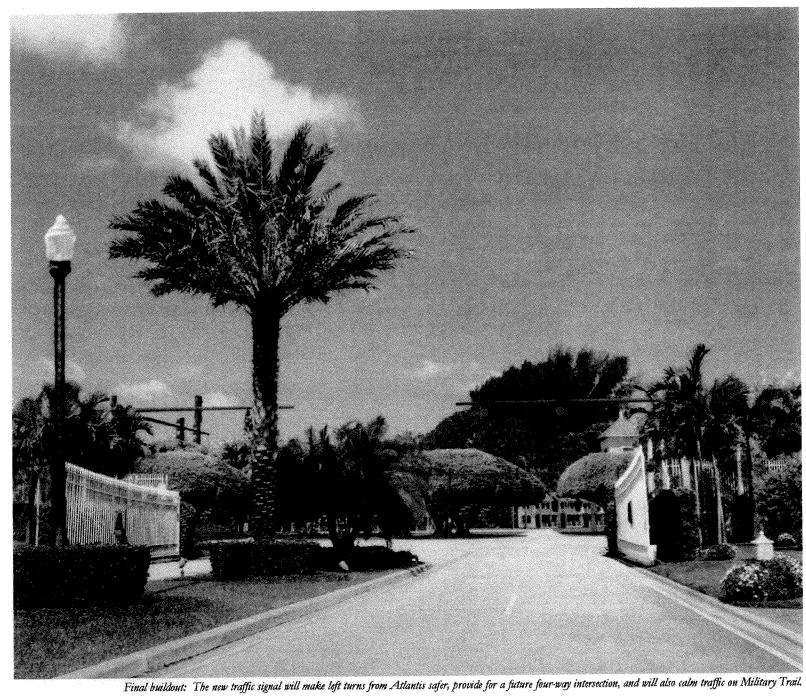
TREASURE COAST REGIONAL PLANNING COUNCIL



Existing condition: View of Military Trail from within western gate of Atlantis.



Phase One: Bury power lines and add traffic signal.



TREASURE COAST REGIONAL PLANNING COUNCIL INDIAN RIVER - ST. LUCIE - MARTIN - PALM BEACH



Existing Condition: Looking east towards Military Trail, the L-14 canal today is adjacent to a gravel road.



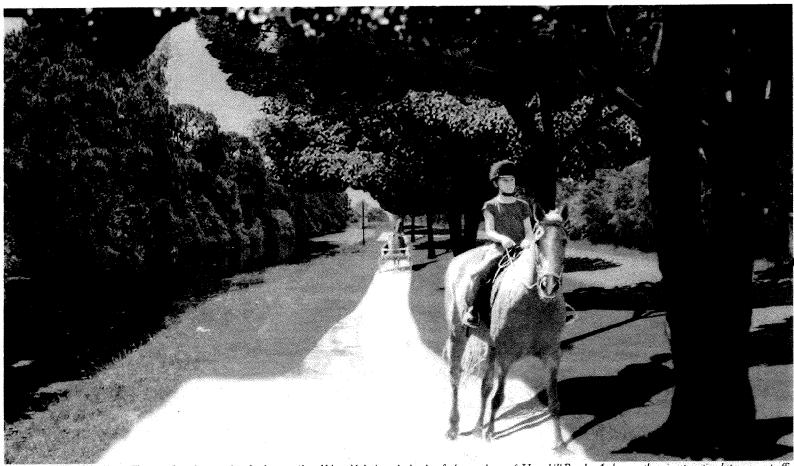
The Northeast Quadran

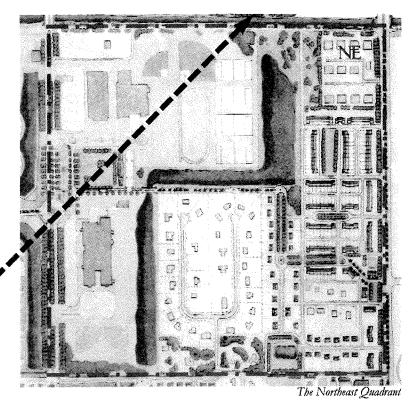
Aside from providing Atlantis with a much-sought after traffic light to make southbound turns, the signal would also help slow down traffic from Lantana Road. Atlantis police officers have indicated that they have repeatedly recorded speeds in excess of 100 miles per hour along this portion of Military Trail.

In addition to these improvements to Military, improvements should be made to increase connectivity between the school properties. The two neighboring schools, Diamond View Elementary and Tradewinds Middle together control approximately 50 percent of the land in the Northeast Quadrant yet they are not connected in any meaningful way. A neighborhood park with a community hall that can also be used for school sanctioned events is proposed on the single remaining parcel along Haverhill between the two

Left: Phase 1 of plan. Landscaping is added along the banks of the canal. The gravel road still exists, but is better maintained. It should be continuous between Haverhill Road and Military Trail.

TREASURE COAST REGIONAL PLANNING COUNCIL





L-14 Canal Final Buildout: The gravel road is paved and a horse trail could be added along the banks of the canal east of Haverhill Road. As long as there is separation between car traffic and horse traffic, the two can easily coexist. In this case the separation is made with a wide planting strip and a row of shade trees. These improvements not only provide a desireable place to ride, they also act as general beautification strategies that can be applied to the entire study area.

schools. This will help with connectivity, beautification and preservation of open-space. Just south of the park on Haverhill at the entrance to Nautica Lakes, a roundabout has been proposed. The roundabout substitutes for a traffic signal and serves as an important civic marker in the neighborhood. It also acts as an effective means of traffic-calming which is vital considering its proximity to the neighboring schools. This is especially important during school hours, when children will be around.

The L-14 and L-15 canals define the northern and southern bor-

ders of school properties and the quadrant itself. Simple interventions can be taken to improve these areas as well. A two lane road has been proposed along the Southern bank of the L-14 canal between Haverhill Road and Military Trail. This satisfies a desperate need for a straight East-West connection and could serve as another fire-rescue route to neighboring Atlantis. Beautification to the banks of the canal and the addition of a horse path along it are also desirable and beneficial to the overall impression of the neighborhood. These improvements to the L-14 canal must be coordinated with the Lake Worth Drainage District. This organization

manages and regulates water storage and drainage to the region through its canals. They also own the land where the road would be proposed. They have dimensional standards which must be respected. This should not however, preclude the possibility of a road being built, but it will require advanced planning. A similar road is proposed on the south side of the L-15 canal inside the property limits of "Belmont at Haverhill."

T R E A S U R E C O A S T R E G I O N A L P L A N N I N G C O U N C I L

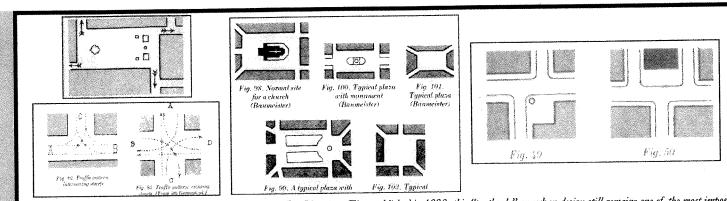
I N D I A N R I V E R - S T . L U C I E - M A R T I N - P A L M B E A C H



Existing condition: Nautica Isles entrance on Haverhill looking east toward school.



Phase 1: When improvements are made to Haverhill, take advatage of the timing and bury the power lines. It can make a big difference.

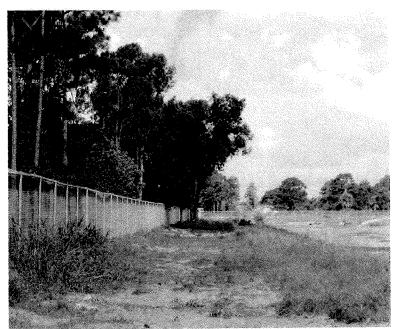


These diagrams are from Camillo Sitte's <u>The Birth of Modern City Planning</u>. First published in 1889, this "textbook" on urban design still remains one of the most important resources on beautiful city building ever written. Here we see many examples of how to resolve awkward intersections which should be tested for the intersection of Haverhill Road, Nautica Isles Boulevard, and the proposed new street. After nearly 120 years, these images are still relevant to modern traffic conditions.

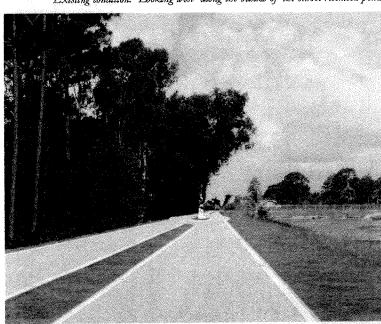


Final Phase: Eventually the traffic light should be removed and a round-about added in its place. The residents of Nautica Isles won't have to wait so long for a light to wait, and traffic will be forced to slow down on Haverhill in front of the schools. The Round-about should be designed as a civic monument and source of pride for the neighbohood.

T R E A S U R E C O A S T R E G I O N A L P L A N N I N G C O U N C I L I N D I A N R I V E R - S T . L U C I E - M A R T I N - P A L M B E A C H



Existing condition: Looking west along the banks of the school retention pond,





Phase 1: Maintain water front and pave a new road between the school properties. A median could be left for future landscaping. This roadway to be designed for local, low-speed trips.

A new road parallel to the school water retention lakes enhances the waterfront and creates another east-west connection in the study area. Pedestrian and vehicular access is accommodated and a great boulevard is created. These improvements could occur through creative collaboration with the school district and be done in such a way as to avoid creating any hardships to existing neighbors.