

# City of Delray Beach

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[www.delraybeachfl.gov](http://www.delraybeachfl.gov)



## Minutes - Draft

**Tuesday, August 15, 2023**

**4:00 PM**

**Regular Meeting at 4:00 PM**

**Delray Beach City Hall or Watch on YouTube:**

**<https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/s>**  
**treams**

## **City Commission**

*Mayor Shelly Petrolia*

*Vice Mayor Ryan Boylston*

*Deputy Vice Mayor Rob Long*

*Commissioner Adam Frankel*

*Commissioner Angela Burns*

**1. ROLL CALL**

The August 15, 2023, Regular City Commission Meeting was called to order at 4:00 p.m. Katerri Johnson, City Clerk, called the roll, and the following were present:

Terrence Moore - City Manager  
Lynn Gelin - City Attorney

**2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. AGENDA APPROVAL**

This was approved.

3.A. Additions, Deletions, Substitutions

**4. PRESENTATIONS:****4.A. PRESENTATION REGARDING THE LOCATION OF THE 35TH ANNUAL DOWNTOWN DELRAY BEACH FESTIVAL OF THE ARTS PRESENTATION**

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Festival of the Arts Special Events Application](#)  
[Festival of the Arts Proposed Map](#)

Helaine Stillings was present to represent Howard Alan Events, producer of the Downtown Delray Beach Festival of the Arts. Ms. Stillings proposed an alternative location based on the Commission's directive to keep the Atlantic Avenue Bridge open to traffic during an event. She suggested relocating the event to West Atlantic Avenue between NW 5th Avenue and Swinton Avenue.

The Commission engaged in a discussion primarily focusing on having adequate parking for the event.

Mr. Moore remarked that further conversations would be had with the Special Event Technical Advisory Committee.

**5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:**

5.A. City Manager's response to prior public comments and inquiries

Mr. Moore acknowledged the "Walk through Permits" implemented by the

Development Services Department. He stated this program allows quick, responsive approvals for air-conditioning, water heaters, and roofing permits.

5.B. From the Public

Bob Cantwell, 1007 E. Heritage Club, Delray Beach  
Recognized IT Director, Jay Stacy, and Public Information Officer, Gina Carter, for the "My Delray Beach " application.

Ann Stacey-Wright, 225 SW 7th Avenue, Delray Beach  
Was present on behalf of the Set Community to thank the Delray Beach Historical Community for hosting the "Spill the Tea Event."

Cynthia Ridley, 210 NW 2nd Avenue, Delray Beach  
Requested that the City work with a diverse group of childcare centers.

Adam Welsch, 2900 SW 22nd Circle, Delray Beach  
Discussed a problem with a neighbor's permit for a new floor that didn't meet the building code requirements.

Pame Williams, 245 NW 8th Avenue, Delray Beach  
Expressed concerns about not being allowed to return to work for the City part-time after serving 35 years.

Christina Morrison, 1000 Lowery Street, Delray Beach  
Discussed alternative parking solutions for city events.

Seeing no one else present, Mayor Petrolia closed public comments.

## 6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this be approved. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

### 6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)  
[July 18, 2023 Workshop Meeting Minutes - DRAFT](#)

The Minutes were approved.

### 6.B. APPROVAL OF ROADWAY BANNER SIGN AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE DOWNTOWN

## DEVELOPMENT AUTHORITY

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[City - DDA Banner agreement FINAL](#)  
[Downtown Banner Management Area](#)

**This Request was approved.**

**6.C.** RESOLUTION NO. 156-23 AMENDING THE FISCAL YEAR 2022-23  
BUDGET ADOPTED BY RESOLUTION NO.157-22 ON SEPTEMBER 19,  
2022

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 156-23 Budget Amendment](#)  
[Exhibit A - FY 2023-24 Amendment 8.15.2023](#)  
[Simple Legal Review Resolution 156-23](#)

**This Resolution was approved.**

**6.D.** APPROVAL OF AMENDMENT NO.4: AGREEMENT WITH SUNSHINE  
CLEANING SYSTEMS, LLC. AMENDMENT NO. 4 TO 2019-003 FOR  
CITY WIDE JANITORIAL SERVICES TO INCREASE CONTRACT VALUE  
IN THE AMOUNT OF \$83,873.88 PER YEAR AND TO INCLUDE  
ADDITIONAL SERVICES AND LOCATION

**Sponsors:** Parks & Recreation Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Sunshine Cleaning Amendment 7.28.23](#)  
[Sunshine Cleaning 2019-003 Amend No.4](#)  
[Vendor Signed Amendment-4](#)

**This Request was approved.**

**6.E.** GRANT APPLICATION/EDWARD BYRNE MEMORIAL JUSTICE  
ASSISTANCE GRANT (JAG)

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[JAG Local Solicitation FY 2023-2024 - O-BJA-2023-171790](#)  
[disclosure JAG 2023-2024](#)  
[fy-23-local-jag-ce-certification](#)  
[standardassurances](#)  
[certifications regarding lobbying suspension and other matters work comp](#)  
[Legal Review Form JAG LW 23](#)

**This Request was approved.**

- 6.F.** APPROVAL OF SUBMISSION OF THE GRANT APPLICATION TO RESILIENT FLORIDA INFRASTRUCTURE GRANT PROGRAM WITHIN THE OFFICE OF RESILIENCE AND COASTAL PROTECTION (ORCP) TO DEMOLISH AND REBUILD FIRE STATION NO. 112.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)

**This Request was approved.**

- 6.G.** APPROVAL TO INCREASE THE CONTRACT VALUE OF RFQ NO. 2020-020 WITH BAXTER & WOODMAN, INC. FOR ADDITIONAL CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE LOWSON BOULEVARD/SW 10TH STREET FROM DOVER ROAD TO SOUTHEAST 5TH AVENUE (US-1/FEDERAL HIGHWAY) PROJECT IN THE AMOUNT OF \$319,227.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Fully Executed Agreement - Baxter & Woodman CEI for Lowson](#)  
[Resolution 98-21](#)  
[Proposal for Increase of CEI Services - Lowson Blvd](#)

**This Request was approved.**

- 6.H.** APPROVAL TO INCREASE THE CONTRACT VALUE OF P2022-029 WITH SIEMENS INDUSTRY, INC. FOR HVAC SYSTEMS AND RELATED SERVICES, IN THE AMOUNT OF \$270,000, FOR A REVISED CONTRACT TOTAL OF \$939,230.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Sourcewell RFP #070121](#)  
[Legal Review Checklist - P2022-029](#)  
[P2022-029](#)  
[Resolution No. 65-22](#)

**This Request was approved.**

- 6.I.** APPROVE AMENDMENT 1 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING CONSTRUCTION/PROFESSIONAL SERVICES - FY 2022-2023

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[PE - First Amend. ILA City for Funding Construction Professional FY 22-23 \(7.25.23\)](#)  
[Simple Legal Review Approval- Amendment to Interlocal Agreement with CRA](#)

**This Request was approved.**

## **6.J. PROCLAMATIONS:**

- 6.J.1.** OBSERVANCE OF LABOR DAY PROCLAMATION

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[National Labor Day](#)

**This Proclamation was approved.**

## **6.K. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**

- 6.K.1.** REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM JULY 17, 2023 THROUGH AUGUST 2, 2023.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB \(7-17\) 8.B 4593 133rd Rd South](#)  
[PAAB \(7-25\) 7.A 342 NE 3rd Avenue](#)  
[SPRAB \(7-26\) 8.A Delray Colonial](#)  
[SPRAB \(7-26\) 8.B Taco Bell](#)  
[SPRAB \(7-26\) 8.C Ocean Place Condominium](#)  
[SPRAB \(7-26\) 8.D 439 East Atlantic Avenue](#)  
[SPRAB \(7-26\) 9.A Cason United Methodist Church](#)  
[SPRAB \(7-26\) 9.B Cason Court](#)  
[SPRAB \(7-26\) 9.C Delray Beach FS 113](#)  
[SPRAB \(7-26\) 9.D Galaxy Marble](#)  
[HPB \(8-2\) 8.A 209 NE 5th Street](#)

**This Request was approved.**

## **6.L. AWARD OF BIDS AND CONTRACTS:**

- 6.L.1.** RESOLUTION 98-23 APPROVING AGREEMENT WITH MOTOROLA SOLUTIONS, INC. FOR PUBLIC SAFETY COMMUNICATIONS PRODUCTS, SERVICES, AND SOLUTIONS UTILIZING NATIONAL ASSOCIATION OF STATE PROCUREMENT OFFICIALS (NASPO) MASTER AGREEMENT # 00318 - \$90,000

**Sponsors:** Police Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 98-23 -Motorola](#)  
[Motorola Master Contractor Services Agreement - vendor executed](#)  
[Legal Review Checklist Motorola 8.2.23](#)  
[1641483982\\_00318 NVP-MA Motorola-Executed - PD](#)  
[1648039828 Public Safety Communications Products Services and Solutions Motorola Solutions Florida-PD](#)  
[1681859251 Motorola Solutions NASPO Price List Updated 041023-v4 - PD](#)

**This Resolution was approved.**

- 6.L.2.** APPROVAL OF RESOLUTION NO. 122-23 TO AWARD AN AGREEMENT WITH HAWKINS WATER TREATMENT GROUP, INC. (HAWKINS, INC.) FOR PURCHASE AND DELIVERY OF HYDROFLUOSILICIC ACID UTILIZING TOHOPEAKALIGA (TOHO) WATER AUTHORITY SOLICITATION NO. IFB 23-083 IN A TOTAL AMOUNT NOT-TO-EXCEED \$472,000.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 122-23\\_lw rev.pdf](#)  
[Legal Review Checklist Hawkins Water Treatment.pdf](#)  
[Vendor Executed.pdf](#)

**This Resolution was approved.**

- 6.L.3.** APPROVAL OF RESOLUTION NO. 125-23 TO AWARD AN AGREEMENT WITH TPH HOLDINGS, LLC D/B/A THE PARTS HOUSE, FOR THE PURCHASE OF AUTOMOTIVE PARTS AND SUPPLIES UTILIZING THE SEMINOLE COUNTY RFP NO. RFP-604381-22/LNF IN THE AMOUNT OF \$240,000.

**Sponsors:** Public Works Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Automotive Parts and Supplies](#)  
[P2023-009 Automotive Parts and Supplies](#)  
[RFP-604381-22 The Parts House](#)  
[Vendor Signed P2023-009 Autop Parts and Supplies](#)  
[Resolution No 125-23 Word lg rev 8-2-23](#)

**This Resolution was approved.**

- 6.L.4.** APPROVAL OF RESOLUTION NO. 150-23 TO AWARD AN AGREEMENT WITH HAVERLAND AG INNOVATIONS INC. FOR SPORTS TURF MAINTENANCE OF THE SEACREST SOCCER COMPLEX AND HILLTOPPER STADIUM FOR A THREE YEAR-TERM PLUS RENEWALS FOR A TOTAL OF \$827,470 (\$165,494 PER YEAR)

**Sponsors:** Parks & Recreation Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[ITB2023-065 Legal Review Haverland 2023](#)  
[Haverland ITB 2023-065 agreement 2023](#)  
[EXHIBIT B ITB2023-065 Seacrest-Hilltopper 2023](#)  
[Vendor Signed Agreement](#)  
[Resolution No. 150-23 lg rev 8-2-23 \(002\)](#)  
[EXHIBIT A ITB2023-065 Seacrest Hilltopper Stadium](#)

**This Resolution was approved.**

## **7. REGULAR AGENDA:**

- 7.A.** CONSIDERATION OF CITY MANAGERS MERIT INCREASE PURSUANT TO CONTRACT



**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[City Manager 2023 Eval Form.](#)

The Commission acknowledged Mr. Moore's leadership skills aided him with a merit increase of 4.1 percent.

**A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this Request be approved. The motion carried by the following vote:**

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

**7.B. FISCAL YEAR 2023-2024 PROPOSED CAPITAL IMPROVEMENT PLAN (CIP) DISCUSSION**

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)

Director of Public Works, Missie Barletto, discussed the 2023-24 Capital Improvement Plan Budget. She highlighted the changes since the July 11, 2023, Budget Workshop.

Director of Parks and Recreation, Sam Metott, shared the updated fees that would aid in furnishing new pavilions, playground equipment, and portable bathrooms. He also discussed the Municipal Golf Courses Improvement Fees.

Director of Public Utilities, Hassan Hadjimiry, provided the costs to replace parts for the aged equipment on the existing Water Treatment Plant.

The Commission engaged in a discussion on the presentation.

Vice Mayor Boylston mentioned partnering with other City partners for future renovations.

Commissioner Burns remarked she was happy Fire Station 113 would be rebuilt.

Commissioner Frankel inquired about the bathroom at the Tennis Center.

Deputy Vice Mayor Long stated he hoped other Fire Stations would be updated.

Mayor Petrolia expressed her concern over several items. They were the million dollars for parking technology, the Neighborhood Center, and future financing for the Water Meter Replacement System. She also raised concerns about installing artificial turf in all the City's ball fields.

The Commission thanked everyone for their presentations.

**This was a discussion item only.**

**7.C. APPROVAL OF RESOLUTION NO. 154-23 TO AWARD AN AGREEMENT WITH WESTWAY TOWING, INC., FOR VEHICLE TOWING AND STORAGE SERVICES - \$156,712.50 FOR THE INITIAL THREE-YEAR TERM**

**Sponsors:** Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Packet for Bid RFQ 2023-007 Final](#)  
[0. CITY OF DELRAY RFQ SUBMITTAL FINAL](#)  
[Resolution No. 154-23](#)  
[Agreement RFQ2023-007 Towing and Storage Services](#)  
[Vendor Signed CITY OF DELRAY CONTRACT](#)  
[Legal Review Checklist towing](#)  
[Updated COI](#)

Purchasing Manager, Peggy Cadeaux, stated Westway Towing was awarded Request for Proposal (RFP) No. 2023-007 based on the Committees ranking.

City Attorney, Lynn Gelin, shared that a Principal holder in Westway Towing had previously been involved in a criminal case and recommended the Commission to select the number two ranked candidate.

Commissioner Frankel motioned to deny Westway Towing as the responsive and responsible bidder and move to the 2nd responsive bidder on the list. If there is no success, they will move to the 3rd responsive and responsive bidder on the list.

**A motion was made by Commissioner Frankel, seconded by Vice-Mayor Boylston, that this Resolution be denied. The motion failed by the following vote:**

**No:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

**8. PUBLIC HEARINGS/SECOND READINGS:**

8.A. None

**9. FIRST READINGS:**

**9.A. ORDINANCE NO. 34 -23, AN ORDINANCE OF THE CITY**

COMMISSION OF THE CITY OF DELRAY BEACH,  
FLORIDA, CREATING AN ENTIRELY NEW TITLE 12,  
"TAXATION", OF THE CODE OF ORDINANCES BY  
ENACTING A NEW CHAPTER 122, "ADDITIONAL  
HOMESTEAD EXEMPTION FOR PERSONS 65 YEARS  
OR OLDER," AUTHORIZING AN ADDITIONAL \$25,000  
HOMESTEAD EXEMPTION FOR ELIGIBLE PERSONS,  
PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY  
CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN  
EFFECTIVE DATE AND FOR OTHER PURPOSES.  
(FIRST READING)

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[household income sworn statement\\_dr501sc](#)  
[Limited Income Senior Exemption for Persons 65 and Older](#)  
[Ord 34-23 creating new Title 12 Add'l homestead exemption - Finance](#)  
[Simple Legal Review Approval Ord 34-23](#)

Lynn Gelin entered Ordinance No. 34-23 into the record.

**A motion was made by Vice-Mayor Boylston, seconded by Commissioner Burns, that this Request be approved on first reading. The motion carried by the following vote:**

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

## **10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:**

### **A. City Manager**

Mr. Moore thanked the Commission for their feedback and merit increase.

### **B. City Attorney**

Attorney Gelin advised she would follow up with Mr. Welsch, who spoke during public comments.

### **C. City Commission**

#### **Commissioner Long:**

- Thanked Fire Chief Keith Tomey for the tour of the Fire Stations.

#### **Commissioner Frankel:**

- Thanked Ms. Odom's family for the reception they had in her honor.

**Commissioner Burns:**

- Thanked Police Chief Mager and his team for the Casual Conversations held at Pompey Park on August 2, 2023.
- Shared qualified residents could receive a free phone or tablet through a government grant which could be picked up from the Amazon Hub Store in Delray.
- Informed the Commission that she would be honored by the Alpha Fraternity with the C. Spencer Pompey Award for black educators.

**Vice Mayor Boylston:**

- Discussed the importance of getting the word out about “hot topics” to help eradicate misinformation.
- Discussed the public parking at Veterans Park during construction.
- Suggested modernizing the language for the upcoming noise ordinance.

**Mayor Petrolia:**

- Apologized for not attending Ms. Odom’s celebration.
- Addressed her concerns about the Parks, Water Plant, and the Parking Technology System. Staff was present to respond.

**11. ADJOURNMENT**

There being no further business to discuss, Mayor Petrolia adjourned the Regular City Commission Meeting at 6:18 p.m.