

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444
Phone: (561) 243-7000 - Fax: (561) 243-3774
www.mydelraybeach.com



Minutes - Draft

Tuesday, August 16, 2016

6:00 PM

Regular Meeting at 6:00 PM

Delray Beach City Hall

City Commission

Mayor Cary Glickstein
Vice Mayor Al Jacquet
Deputy Vice Mayor Jordana Jarjura
Commissioner Mitchell Katz
Commissioner Shelly Petrolia

1. ROLL CALL

A Regular Meeting of the City Commission of the City of Delray Beach, Florida, was called to order by Mayor Cary Glickstein in the Commission Chambers at City Hall at 6:00 p.m., on Tuesday, August 16, 2016.

Roll call showed:

Present -

Commissioner Shelly Petrolia
Vice Mayor Alson Jacquet
Commissioner Mitchell Katz
Deputy Vice Mayor Jordana Jarjura
Mayor Cary Glickstein

Absent -

None

Also present were -

Donald B. Cooper, City Manager
Janice Rustin, Interim City Attorney
Chevelle D. Nubin, City Clerk

Present: 5 - Mayor Cary Glickstein, Vice-Mayor Shelly Petrolia, Deputy Vice Mayor Al Jacquet, Commissioner Jordana Jarjura, and Commissioner Mitchell Katz

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. PRESENTATIONS:

3.A. [16-715](#) COMMISSION ON ETHICS

Mr. Mark Bannon, Executive Director, Palm Beach County Commission on Ethics, spoke regarding the Palm Beach County Commission on Ethics and what the organization does. He introduced Mr. Anthony Bennett, Chief Investigator, who is the City's Liaison.

Brief discussion ensued regarding advisory opinions.

3.B. [16-767](#) SPOTLIGHT ON EDUCATION - ALEXIS FISHER, STUDENT AT ATLANTIC COMMUNITY HIGH SCHOOL

Alexis Fisher and Carolina Jimenez, students from Atlantic Community

High School (ACHS), discussed the Girls State program they participated in Tallahassee, Florida. The American Legion Auxiliary Unit of Delray Beach sponsored the two students.

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

Donald B. Cooper, City Manager, spoke regarding comments from the July 12, 2016 meeting i.e. sidewalks being cleaned and the park being scheduled for cleaning.

Public Comments:

Steve Blum spoke regarding the old pavilion in regards to the elderly population and others having somewhere to sit.

Patrick Halliday spoke regarding an incident that happened by the railroad tracks.

Carol Anderson spoke in regards to Item 9.B.

Jervonte Edmonds commended the ACHS students for speaking. He provided an update to the City Commission on the Suits for Seniors Program.

Both Vice Mayor Jacquet and Deputy Vice Mayor Jarjura gave comments regarding the program.

Andrew Ferrin stated he is on tour speaking to various cities regarding the water crisis.

Commissioner Petrolia and Commissioner Katz both gave comments regarding this issue.

Ronnie Dunayer spoke regarding her program at the golf course and stated she has been supported by the JCD Sports Group.

Lisa Colon Heron stated she represents Blake's Towing and Transport and stated she is speaking in regards to Item 7.E. and is here to express concern.

Andy Katz spoke on behalf of the Board of Trustees of the Beach Property Owner's Association (BPOA) regarding the east coast greenway.

Todd L'Herrou stated the Chamber of Commerce is opposed to the two ordinances regarding board composition.

Aaron Cocuzzo spoke regarding the towing item on the agenda.

Neil Schiller, representing Westway Towing, spoke regarding the RFP and staff's recommendation.

? representing Beck's Towing spoke regarding timeliness of the bid protest and issues he feels may arise.

Mr. Cooper stated Beck's Towing did not provide a timely protest and also spoke regarding Blake's towing.

Jim Chard spoke regarding the east coast greenway and the board composition ordinances.

Peter Humanik spoke regarding parking and board composition.

Victor Kirson spoke regarding the Planning and Zoning Board Meeting held on last night. He mentioned the Planning and Zoning and Site Plan Review and Appearance Boards being combined.

5. AGENDA APPROVAL

Mr. Cooper introduced Dale Sugerman and stated he will begin work at the city as an Assistant City Manager on Monday. Mr. Sugerman gave brief comments.

Mr. Cooper noted that staff has requested that Items 7.B.1. and 7.B.11. be removed from the agenda.

Janice Rustin, Interim City Attorney, had no requested agenda changes.

Commissioner Petrolia requested to move Item 6.H. Item 6.H. became Item 7.A.A. on the Regular Agenda.

Deputy Vice Mayor Jarjura stated she would like to pull for appeal the Swinton Social Item (6.V.). Mayor Glickstein stated this item will be heard at the next City Commission Meeting.

A motion was made by Vice-Mayor Petrolia, seconded by Commissioner Jarjura, that this Agenda be approved as amended. The motion carried by the following vote:

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Commissioner Jarjura, seconded by Vice-Mayor Petrolia, that this Consent Agenda be approved as amended. The motion carried by the following vote:

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

- 6.A.** [16-798](#) APPROVAL OF MINUTES
- 6.B.** [16-744](#) CONSIDERATION OF A FINAL SUBDIVISION PLAT FOR SEAGATE VILLAS LOCATED AT THE NORTHWEST CORNER OF BUCIDA ROAD AND VENETIAN DRIVE
- 6.C.** [16-692](#) CONTRACT CLOSEOUT (CHANGE ORDER NO. 1/FINAL) WITH FOSTER MARINE CONTRACTORS INC. FOR THE INSTALLATION OF SIDEWALKS ON SE 4TH STREET
- 6.D.** [16-691](#) CONTRACT CLOSEOUT (CHANGE ORDER NO. 1/FINAL) WITH MAN CON INCORPORATED FOR LAKE IDA DRAINAGE IMPROVEMENTS
- 6.E.** [16-688](#) CONTRACT CLOSEOUT (CHANGE ORDER NO. 1/FINAL) WITH SHENANDOAH GENERAL CONSTRUCTION CO. FOR THE LWDD L-33 CULVERT CLEANING & REPORT
- 6.F.** [16-747](#) SERVICE AUTHORIZATION NO. 12-03.2 TO WANTMAN GROUP, INC. IN THE AMOUNT OF \$9,173.24 FOR ADDITIONAL ENGINEERING SERVICES RELATED TO THE DESIGN OF SANITARY SEWER SYSTEM 58A AND 87 FORCE MAIN REPLACEMENT PROJECT (PROJECT NO. 14-039).
- 6.G.** [16-721](#) SERVICE AUTHORIZATION NO. 12-04 WITH WALTERS ZACKRIA & ASSOCIATES PLLC. FOR CONCEPTUAL BUILDING AND SITE PLAN DESIGN SERVICES FOR THE FIRE STATION NO.3 REPLACEMENT PROJECT.
- 6.H.** [16-696](#) SERVICE AUTHORIZATION NO. 12-03 WITH WALTERS ZACKRIA & ASSOCIATES, PLLC FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE VETERANS PARK COMMUNITY CENTER RENOVATION PROJECT.

Commissioner Petrolia stated she feels this item may be ahead of the game and stated this is a lot of money to put into this so far ahead.

John Morgan, Environmental Services Director, presented this item.

Mayor Glickstein asked if this is for vertical improvements to Veterans Park.

Discussion ensued between staff and the City Commission.

Suzanne Fisher, Parks & Recreation Director, stated this is an update to a 2010 Master Plan and highlighted what is included regarding Veterans' Park.

Commission Katz referenced what the monies could be used for i.e. canopies.

This item was pulled and will come back at a later date.

- 6.I.** [16-722](#) INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE SCHOOL BOARD OF PALM BEACH COUNTY FOR CITY INSTALLATION OF ANTENNA EQUIPMENT ON SCHOOL BOARD COMMUNICATION TOWERS

- 6.J.** [16-686](#) RESOLUTION NO. 30-16 BEACH RENOURISHMENT PROJECT

- 6.K.** [16-716](#) AWARD OF AN AGREEMENT TO FLORIDA ATLANTIC UNIVERSITY FOR PROVIDING A CUSTOMIZED ON-SITE SPECIALTY EDUCATION SERVICE FOR CITY STAFF TO RECEIVE PROJECT MANAGEMENT TRAINING

- 6.L.** [16-683](#) HOUSING REHABILITATION GRANT AWARD FOR 308 NW 1ST STREET TO COSUGAS, LLC. IN THE AMOUNT OF \$32,839.58

- 6.M.** [16-717](#) PALM BEACH COUNTY LAW ENFORCEMENT AGENCIES AGREEMENT

- 6.N.** [16-736](#) PRIOR APPROVAL OF FISCAL YEAR 2016 SPENDING GREATER THAN \$25,000 WITH PALM BEACH STATE COLLEGE

- 6.O.** [16-680](#) APPROVAL OF TERMINATION OF THE AGREEMENT WITH MACMILLAN OIL FOR FUEL

- 6.P.** [16-765](#) RULES OF PROCEDURE FOR THE GREEN IMPLEMENTATION ADVANCEMENT BOARD

- 6.Q.** [16-760](#) PALM BEACH COUNTY AND CITY OF DELRAY BEACH INTERLOCAL AGREEMENT FOR UTILIZATION OF COUNTY'S S-7 RECEIVER NETWORK AND MICROWAVE SYSTEM.

- 6.R.** [16-775](#) RETENTION OF SPECIAL COUNSEL TO AMEND THE PROCEDURE TO REQUEST ACCOMMODATIONS TO THE CITY'S LAND DEVELOPMENT REGULATIONS

- 6.S.** [16-768](#) AMENDMENT 4 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND PALM BEACH COUNTY

- 6.T. [16-769](#) APPROVAL AND EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND COMMUNITY CHILD CARE CENTER OF DELRAY BEACH, Inc. FOR FUNDING OF THE JOURNEY'S SUMMER READING PROGRAM AT ORCHARD VIEW ELEMENTARY

6.U. PROCLAMATIONS:

- 6.U.1. [16-801](#) NATIONAL OVERDOSE AWARENESS DAY - PROCLAMATION

6.V. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:

- [16-746](#) REPORT OF APPEALABLE LAND USE ITEMS JUNE 27, 2016 THROUGH JULY 22, 2016

The Swinton Social item was pulled for appeal.

6.W. AWARD OF BIDS AND CONTRACTS:

- 6.W.1. [16-733](#) APPROVAL OF A PURCHASE ORDER TO ALAN JAY NISSAN, INC. FOR A 2016 NISSAN FRONTIER IN AN AMOUNT NOT TO EXCEED \$19,934.25

7. REGULAR AGENDA:

- 7.A. [16-741](#) APPEAL OF THE SITE PLAN REVIEW AND APPEARANCE BOARD (SPRAB) APPROVAL OF THE CLASS II SITE PLAN MODIFICATION FOR THE WELLNESS RESOURCE CENTER LOCATED AT 2870 FLORIDA BOULEVARD (QUASI-JUDICIAL HEARING)

Mayor Glickstein read the City of Delray Beach Quasi-Judicial rules into the record for Item 7.A.

Chevelle D. Nubin, City Clerk, swore in those individuals who wished to give testimony on this item.

Mayor Glickstein asked the Commission to disclose their ex parte communications. Vice Mayor Jacquet, Commissioner Petrolia, Deputy Vice Mayor Jarjura and Mayor Glickstein stated they had no ex parte communications. Commissioner Katz stated he met with staff and the Interim City Attorney Ms. Rustin.

Mayor Glickstein stated if anyone from the public would like to speak in favor or in opposition of the appeal, to come forward at this time. There being no one from the public who wished to speak on this item, the public comment was closed.

There was no rebuttal or cross-examination from staff or the applicant.

Brief discussion by the City Commission and staff ensued.

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

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

7.B. [16-700](#)

The City Commission pulled Items 7.B.2, 7.B.3. and 7.B.4.; all other items under Routine Business were approved.

A motion was made by Commissioner Jarjura, seconded by Vice-Mayor Petrolia, that the remaining Routine Business Items be approved. The motion carried by the following vote:

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

7.B.1. [16-431](#)

APPROVE SERVICE AUTHORIZATION NO. 12-09 WITH CALVIN GIORDANO AND ASSOCIATES, INC. FOR DESIGN SERVICES FOR THE S.W. NEIGHBORHOOD ALLEY PROJECT

7.B.2. [16-645](#)

MANAGEMENT SERVICES FOR THE DELRAY BEACH GOLF CLUB AND LAKEVIEW GOLF CLUB

Theresa Webb, Purchasing Director, presented this item.

Commissioner Petrolia asked why the letter was not included in the agenda backup.

Deputy Vice Mayor Jarjura asked why the other company was not deemed responsive.

A motion was made by Commissioner Katz, seconded by Vice-Mayor Petrolia, that this Purchasing item be approved. The motion carried by the following vote:

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

7.B.3. [16-757](#)

CHANGE ORDER NO. 1 TO INNOVATIVE METERING SOLUTIONS, INC. (WATER METERING EQUIPMENT SUPPLIER) IN THE AMOUNT OF \$300,000 FOR THE PURCHASE OF ADDITIONAL WATER METERS FOR THE WATER METER REPLACEMENT AND ADVANCED METERING INFRASTRUCTURE PROJECT (PROJECT NO. 2012-013).

Commissioner Petrolia asked questions regarding the meters.

Mr. John Morgan discussed retrofitting and the current meters. He also discussed the labor for the installation of the new meters.

Vice Mayor Jacquet asked about the meters and the money that has been spent.

Discussion continued regarding the item.

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

Yes: 4 - Mayor Glickstein, Vice-Mayor Petrolia, Commissioner Jarjura, and Commissioner Katz

No: 1 - Deputy Vice Mayor Jacquet

- 7.B.4. [16-766](#)** CHANGE ORDER NO. 2 TO MATCHPOINT INC., IN THE AMOUNT OF \$400,000 FOR ADDITIONAL LABOR RELATED TO THE REPLACEMENT AND INSTALLATION OF WATER METERS AS PART OF THE WATER METER REPLACEMENT AND ADVANCED METERING INFRASTRUCTURE PROJECT (PROJECT NO. 2012-013).

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

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

- 7.B.5. [16-725](#)** AWARD OF A PURCHASE ORDER TO CDW GOVERNMENT, INC. FOR IN-VEHICLE ARBITRATOR CAMERAS

- 7.B.6. [16-735](#)** APPROVAL OF RANKING AND AUTHORIZATION TO ENTER INTO NEGOTIATIONS FOR A TIME AND ATTENDANCE SOLUTION

- 7.B.7. [16-749](#)** AWARD OF A PURCHASE ORDER TO THE JASPER GROUP INTERNATIONAL, INC. FOR DATA STORAGE UNITS AND SUPPORT MAINTENANCE

- 7.B.8. [16-755](#)** APPROVAL OF RANKING OF FIRMS FOR EMPLOYEE HEALTH AND WELLNESS CLINIC PROVIDER AND AUTHORIZATION TO NEGOTIATE WITH THE HIGHEST RANKED FIRM

- 7.B.9. [16-756](#)** AWARD OF BID #2016-082C TO WEST CONSTRUCTION, INC., IN THE AMOUNT OF \$248,470 FOR IMPROVEMENT OF SWALES IN THE LAKE FOREST SOUTH, SUNFLOWER-DELRAY, AND LAKEVIEW NEIGHBORHOODS (PROJECT NO. 2015-034)

- 7.B.10. [16-737](#)** RATIFY AN EMERGENCY ACQUISITION AND APPROVE A PURCHASE AWARD TO MANSFIELD OIL COMPANY OF GAINESVILLE, INC. FOR BULK GASOLINE AND DIESEL FUEL

- 7.B.11. [16-759](#) AWARD OF AN AGREEMENT WITH ANDERSON & CARR, INC. FOR COMMERCIAL REAL ESTATE BROKER
- 7.B.12. [16-670](#) APPROVAL OF RANKING AND AUTHORIZATION TO ENTER INTO NEGOTIATIONS WITH THE TOP RANKED FIRM, WEST ARCHITECTURE AND DESIGN, LLC, FOR ARCHITECTURAL CONSULTING SERVICES DELRAY BEACH RAILWAY STATION, PROJECT NO. 16-080
- 7.B.13. [16-772](#) SOLE SOURCE PURCHASE AWARD TO MORPHO TRAK A SUBSIDIARY OF MORPHO (SAFRAN) FOR PURCHASE OF LATENT EXPERT WORKSTATION
- 7.B.14. [16-771](#) AWARD OF AN AGREEMENT FOR A MICROSOFT VOLUME LICENSING WITH SHI INTERNATIONAL, INC.
- 7.B.15. [16-761](#) AWARD OF A PURCHASE ORDER TO L-3 COMMUNICATIONS MOBILE-VISION FOR PURCHASE OF LICENSE PLATE RECOGNITION CAMERAS

7.C. [16-740](#) COMMISSION DISCUSSION OF FY2017 PROPOSED BUDGET

Jack Warner, Chief Financial Officer, introduced this item.

City Manager Donald B. Cooper provided an overview of the budget. He referenced the City Commission's goals and objectives and discussed staffing, etc.

Jeff Snyder, Assistant Chief Financial Officer, spoke regarding the operating budget and stated the City Manager is recommending a one tenth millage reduction. He discussed taxable value and millage rate history. He referenced non-safety and safety employees and staff recommendations.

Mr. Warner discussed the Capital Improvement budget. He provided an overview of capital spending and funding of the capital programs.

Mr. Cooper stated the city needs to effectively spend this money.

Mr. Warner referenced parking revenues and next steps.

Police Chief Jeffrey Goldman spoke regarding the Police Department's Level of Service increases for FY 2016-2017.

Discussion ensued between the City Commission and staff regarding the

Community Redevelopment Agency (CRA) area and Clean and Safe. Deputy Vice Mayor Jarjura asked that data be provided to the City Commission regarding the Clean and Safe area.

Vice Mayor Jacquet asked if the staff has looked to see if the city qualifies for any grants for the body cameras.

Fire Rescue Chief Neal DeJesus discussed the fire stations, rescues, engines, ladder trucks, special operations unit, battalion chief, ems supervisor and current response modes.

Chief DeJesus also discussed the new response mode that they are asking for per year for the next three years and the expected return on investment (ROI).

Commissioner Katz thanked Chief DeJesus for the ROI information. He commended Chief DeJesus.

Deputy Vice Mayor Jarjura commended Chief DeJesus and stated she appreciates his commitment to the city.

Mayor Glickstein asked that Chief DeJesus provide data regarding the number of calls received in the CRA area and the number of calls received in general and the demographic group of the calls.

Deputy Vice Mayor Jarjura asked about calls regarding overtax and call data related to overdoses. She also asked about narcan.

Chief DeJesus stated the men and women of the Fire Rescue Department are doing a phenomenal job.

Michael Coleman, Community Improvement Director, discussed the Community Improvement Department Level of Service increases for Fiscal Year 2016-2017.

Mr. Cooper commended Mr. Coleman regarding the cleanup in the Gateway Feature area (west of I-95).

Mayor Glickstein commented regarding transient rentals in terms of obtaining the Business Tax Receipts (BTR) information. He asked Mr. Coleman to work with the Finance Department on the city receiving its revenue. Mayor Glickstein commended Mr. Coleman and the Community Improvement Department. He stated he appreciates everything that the department is doing.

Vice Mayor Jacquet commended Mr. Coleman on who he has hired since he has been in the position of Community Improvement Director.

Gwendolyn Spencer, Chief Information Technology Officer, stated the city's infrastructure needs to be improved. She discussed what was budgeted and what will happen in FY 2016-2017. She stated fifteen (15) months from now the technology that will be implemented will improve efficiency in city departments. The City Commission asked that staff focus on what the ROI is when providing information.

7.D. [16-745](#)

RESOLUTION NO. 32-16: RESCINDING THE INTERLOCAL SERVICE BOUNDARY AGREEMENT (ISBA) - INITIATING RESOLUTION 43-15 AS REQUIRED BY CHAPTER 171, PART II, FLORIDA STATUTES; FOR THE NORTH BARWICK ROAD AREA

Tim Stillings presented this item.

A motion was made by Commissioner Katz, seconded by Commissioner Jarjura, that this Resolution be approved. The motion carried by the following vote:

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

7.E. [16-743](#)

AWARD OF AN AGREEMENT FOR VEHICLE TOWING AND STORAGE SERVICES

Theresa Webb, Purchasing Director, presented this item.

Commissioner Katz commented regarding the process and feedback from employees in the field. He stated he is ready to move forward with choosing a company.

Vice Mayor Jacquet discussed feedback from the field and asked about the bid protest and prior bidding process.

Mr. Cooper discussed the previous process and the City Commission's direction to staff to rebid. He also discussed the bid protest process.

Discussion continued between staff and the City Commission regarding the process and protest procedures.

Commissioner Petrolia commented regarding predatory practices and asked what is better economically in terms of the number of towing companies to have. She stated she supports having one towing company.

Deputy Vice Mayor Jarjura stated she will support having one company.

Mayor Glickstein stated with such a low number the city should have one

company. He asked for clarification if one company would be sufficient.

A motion was made by Commissioner Katz, seconded by Commissioner Jarjura, that this award be approved. The motion carried by the following vote:

Yes: 4 - Mayor Glickstein, Vice-Mayor Petrolia, Commissioner Jarjura, and Commissioner Katz

No: 1 - Deputy Vice Mayor Jacquet

7.F. [16-644](#)

DISCUSSION AND RECONSIDERATION OF RESOLUTION NO. 71-15 REGARDING THE EAST COAST GREENWAY TRAIL SYSTEM

John Morgan presented this item. He provided an overview regarding the greenway. He stated this is before the City Commission to either rescind or reaffirm the resolution.

Mayor Glickstein stated these are sidewalks not trails.

Mr. Morgan stated a sign would be added to recognize areas as a greenway. He stated they have reached out to surrounding cities and learned that there has been little to no impact in those cities.

It was the consensus of the City Commission that the current adopted resolution stands.

7.G. [16-720](#)

NOMINATION FOR APPOINTMENT TO THE POLICE ADVISORY BOARD

A motion was made by Vice-Mayor Petrolia, seconded by Commissioner Jarjura, that this Appointment be recommended for approval. The motion carried by the following vote:

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

7.H. [16-718](#)

NOMINATION FOR APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD

Commissioner Petrolia deferred this appointment.

8. PUBLIC HEARINGS:

8.A. [16-485](#)

ORDINANCE NO. 15-16: AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING SECTION 4.3.3, SPECIAL REQUIREMENTS FOR SPECIFIC USES, SUBSECTION (A), SELF-SERVICE STORAGE FACILITIES, TO REVISE THE ASSOCIATED SPECIAL REQUIREMENTS; AMEND SECTION 4.4.26 LIGHT INDUSTRIAL (LI) DISTRICT, SUBSECTION (B), PRINCIPAL USES AND STRUCTURES PERMITTED, TO LIST SELF-SERVICE STORAGE FACILITIES AS A PERMITTED USE; AND SUBSECTION (D), CONDITIONAL USES AND STRUCTURES ALLOWED, TO REMOVE

SELF-SERVICE STORAGE FACILITIES AS A CONDITIONAL USE.
(SECOND READING)

Janice Rustin, Interim City Attorney, read the caption of the ordinance.

Tim Stillings, Planning, Zoning and Building Director, presented this item.

Bradley Miller, Miller Land Planning, stated he is representing Jim Zengage of Southern Development. He spoke regarding the project and conducted a Powerpoint presentation.

Bob Franklin addressed the City Commission regarding storage.

Public Comments:

Doug Kay (sp) stated he owns property in this area and discussed the subject property.

Christina Morrison stated she represents the unit owners that own property to the west of this site.

Stacia Goldman Morris discussed needs of small business owners and storage.

Dan Detrick (sp) spoke regarding this item and stated there are always space issues and discussed his inventory.

Mayor Glickstein asked about the 750 foot radius restriction.

Deputy Vice Mayor Jarjura asked about the distance in terms of the Light Industrial area.

Mayor Glickstein asked if there is an acreage restriction.

Commissioner Petrolia discussed changing the city's zoning for one person's interest. She asked why this was not brought through as a conditional use.

Mr. Stillings discussed the Light Industrial Zoning.

Discussion ensued between staff and the City Commission.

Commissioner Katz thanked the applicant for meeting with him and stated he is pleased that the separation has been added back into it and stated he will support this. He provided comments regarding conditional use.

Vice Mayor Jacquet spoke regarding his concerns and taking a comprehensive approach. He commented regarding what will be included in terms of the area. He stated he cannot vote for this at this time.

Deputy Vice Mayor Jarjura discussed additional feet and height. She stated this type of use is consistent with the Light Industrial Zoning. She asked that notice is sent to the residents of this area prior to second reading.

Mayor Glickstein spoke about the privately initiated rezoning. He stated he will be supportive of this but asked for guidance regarding zoning.

Discussed continued on this item.

A motion was made by Commissioner Jarjura, seconded by Commissioner Katz, that this Ordinance be approved as amended. The motion carried by the following vote:

Yes: 4 - Mayor Glickstein, Vice-Mayor Petrolia, Commissioner Jarjura, and Commissioner Katz

No: 1 - Deputy Vice Mayor Jacquet

9. FIRST READINGS:

9.A. [16-777](#) ORDINANCE 23-16, AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS, AND COMMISSIONS" OF THE CODE OF ORDINANCES BY AMENDING SECTION 32.07, "MEMBERSHIP QUALIFICATIONS/ REQUIREMENTS"; SECTION 32.28, "QUALIFICATIONS OF MEMBERS"; AND AMENDING CHAPTER 135 "ABATEMENT OF NUISANCES", SECTION 135.20(A) "NUISANCE ABATEMENT BOARD; ORGANIZATION", TO REQUIRE MEMBERS SERVING ON ADVISORY BOARDS AND COMMITTEES BE ELECTORS OF THE CITY; PROVIDING A GENERAL REPEALER CLAUSE, A SAVING CLAUSE AND AN EFFECTIVE DATE

Ms. Rustin read the caption of both ordinances and presented the ordinances. She stated at the Planning and Zoning Board meeting last night the board recommended approval with a condition regarding a "non-elector".

Discussion ensued between staff and the City Commission.

Commissioner Katz made a motion to waive the ten (10) day rule for appointments for the next 45 days; seconded by Deputy Vice-Mayor Jajura. The City Commission approved the motion.

A motion was made by Deputy Vice Mayor Jacquet, seconded by Commissioner Katz, that this Ordinance be postponed indefinitely. The motion carried by the following vote:

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

- 9.B.** [16-776](#) ORDINANCE NO. 26-16, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH, BY AMENDING ARTICLE 2.2, "ESTABLISHMENT OF BOARDS HAVING RESPONSIBILITIES FOR LAND DEVELOPMENT REGULATIONS", SECTION 2.2.1, "GENERAL PROVISIONS", SUBSECTION (A), "QUALIFICATIONS"; SECTION 2.2.2, "THE PLANNING AND ZONING BOARD", SUBSECTION (C), "COMPOSITION"; SECTION 2.2.3, "THE SITE PLAN REVIEW AND APPEARANCE BOARD", SUBSECTION "B", "COMPOSITION AND SPECIAL QUALIFICATIONS"; SECTION 2.2.4, "THE BOARD OF ADJUSTMENT", SUBSECTION "B", "COMPOSITION"; AND SECTION 2.2.6, "THE HISTORIC PRESERVATION BOARD", SUBSECTION "B", "COMPOSITION AND SPECIAL QUALIFICATIONS", TO PROVIDE THAT MEMBERS OF BOARDS BE ELECTORS OF THE CITY, PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE AND AN EFFECTIVE DATE.

A motion was made by Deputy Vice Mayor Jacquet, seconded by Commissioner Katz, that this Ordinance be postponed indefinitely. The motion carried by the following vote:

Yes: 5 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, Commissioner Jarjura, and Commissioner Katz

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

Mayor Glickstein asked for a motion to extend the meeting past 11:00 p.m. Motion made by Deputy Vice Mayor Jarjura; seconded by Vice Mayor Jacquet. The motion was approved 3-2; Commissioner Petrolia and Commissioner Katz dissenting.

Regarding the City Manager's report, Mr. Cooper stated Items 10.A.1. and 10.A.2. was for information purposes only. He stated there is an issue associated with OSS regarding the tile for the Cornell Musuem and asked the City Commission to authorize the increase in the cost since that is outside of his authority to do so. It was the consensus of the City Commission to approve as stated by the City Manager.

- 10.A.1.** [16-762](#) REPORT ON EXPENDITURE OF FUNDS FOR OSS (THOMPSON & YONGROSS TO EVALUATE THE HVAC SYSTEMS)
- 10.A.2.** [16-763](#) REPORT ON EXPENDITURE OF FUNDS FOR OSS (WALTERS ZACKRIA ARCHITECTURAL & CONSTRUCTION ADMINISTRATION)
- 10.A.3.** [16-764](#) RECOMMENDATION FOR REPAIR OF A ROOF & BUILDING

EXTERIOR OF CITY HALL & COMMUNITY CENTER

B. City Attorney

Ms. Rustin requested a shade meeting and asked for direction regarding the replacement for Seat #2.

It was the consensus of the City Commission to proceed with advertising and the process for the replacement of Vice Mayor Jacquet's seat. The City Commission gave direction regarding the language for the advertisement.

C. City Commission

Commissioner Katz commented about the upcoming Tennis Tournament in February and the sponsorships. He asked if the City Commission would agree to allow the Delray Beach Marketing Cooperative (DBMC) and the Chamber of Commerce to market the platinum and emerald sponsorships. It was the consensus of the City Commission to allow this and authorized the City Manager to negotiate.

Mayor Glickstein stated he has received a lot of comments regarding the Beach Master Plan and asked when construction will start and how can it be expedited. Mr. Cooper gave a report. There was consensus of the City Commission to proceed.

Mayor Glickstein commented regarding the tragedy at the railroad tracks. He commented regarding a meeting he attended with Congresswoman Lois Frankel present. Mayor Glickstein stated the city needs to take a position regarding All Aboard Florida.

Mayor Glickstein commented regarding the CRA and the three options that were discussed. He thanked the Delray Beach Chamber of Commerce for the Celebration of Education breakfast recognizing teachers and thanked Office Depot for the backpacks for the schools. He mentioned the August 18, 2016 FDOT meeting. In addition, Mayor Glickstein asked that the microphone system be tested. He stated Comcast is offering a \$9.00/per month high-speed home internet package for low income families. He stated he would like for Information Technology to place this information on the city's website. Discussion ensued regarding this topic.

Commissioner Katz stated he received an email from Exhilaride. Brief discussion ensued regarding zoning. Mr. Stillings briefly commented regarding golf carts.

There being no further business, Mayor Glickstein declared the meeting adjourned at 11:40 p.m.

Note