



City of Delray Beach

Regular Commission Meeting

City Commission

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Mayor Shelly Petrolia
Vice Mayor Shirley Ervin Johnson
Deputy Vice Mayor Adam Frankel
Commissioner Juli Casale
Commissioner Ryan Boylston

Tuesday, March 8, 2022,

4:00 PM

Delray Beach City Hall or Watch on YouTube:

https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/videos?view=2&live_view=501

Regular Meeting at 4:00 PM

1. ROLL CALL

The Regular City Commission Meeting was called to order at 4:11 p.m.

The roll call was taken by Katerri Johnson, City Clerk, and the following were present:

Present: Mayor Shelly Petrolia, Vice Mayor Shirley Ervin Johnson, Deputy Vice Mayor Adam Frankel, Commissioner Ryan Boylston, Commissioner Juli Casale

Others present were:

Terrence Moore - City Manager

Lynn Gelin - City Attorney

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

3. A. Additions, Deletions, Substitutions

Commissioner Casale requested Item No. 6.C.1. be pulled from the Consent Agenda for discussion. Consent Item No. 6.C.1. became Item No. 7. A.A. on the Regular Agenda.

Commissioner Boylston motioned to approve the agenda as amended. Commissioner Casale seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

APPROVED

4. PRESENTATIONS:

4. A. WATER UTILITY RATE STUDY CONSIDERATIONS AND APPLICABLE CAPITAL PROGRAM

Sponsors: Utilities Department and Finance Department

Attachments: [Agenda Cover Report](#)

Mr. Daryll Parker, the Principal Consultant with Willdan Financial Services Inc., located at 200 South Orange Avenue, Orlando, delivered an updated presentation of his firm's water and sewer rate study analysis. He noted the significant capital expenditure driving the financial plan is the Water Treatment Plant Project. Mr. Parker provided a slide presentation highlighting the three financial metrics proposed and their impact on future funding. He stressed that status quo financial metrics were not an option. Mr. Parker said the monthly projected increase in residential wastewater bills was based on the average household's usage of 6,000 gallons at the current rate of \$57.85.

Scenario 1

The projected rate increase to \$80.70 by 2026 would yield 360 days of cash on hand.

Scenario 2

The projected rate increase to \$75.66 by 2026 would yield 300 days of cash on hand.

Scenario 3

The projected rate increase to \$72.36 by 2026 would yield 250 days of cash on hand.

Mr. Moore noted the new water and sewer rates would take effect on July 1, 2022.

Mr. Jay Glover, Managing Director of PFM Financial and the city's external financial advisor, located at 200 South Orange Avenue, Orlando, advised that his firm was crafting a financial plan for the city to achieve the most robust credit rating. He stated that the firm's recommendation was Scenario 2.

Mayor Petrolia discussed possibly securing a government grant.

The Commission favored adopting Scenario 2.

4.B. PRESENTATION REGARDING SOLID WASTE COLLECTION SERVICES

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)

Mr. Sam Walthour, Neighborhood and Community Services Director, discussed the city's current agreement with Waste Management, Inc. of Florida, which is due to expire on September 30, 2022.

Ms. Ilyse Triestman, Purchasing Director, said that on January 25, 2022, the Purchasing Department advertised a Request for Information (RFI) to gather information from providers for waste collection and recycling services. Ms. Triestman stated five bids were received.

The following firms responded to the RFI:

1. Coastal Waste & Recycling of Florida, Inc.
2. Goode Companies, Inc.
3. Panzarella Waste & Recycling Services
4. Waste Management, Inc. of Florida
5. Waste Pro of Florida, Inc.

Mr. Moore said more work needed to be done with contract considerations. He mentioned that Waste Management expressed an interest in a 5-year renewal.

Commissioner Boylston recused himself due to a conflict of interest during the discussion.

Mr. Moore acknowledged there was merit in engaging in an RFP.

Vice Mayor Johnson expressed her concern that there wasn't enough time for an RFP and thought the city should continue with Waste Management.

Deputy Vice Mayor Frankel agreed there wasn't enough time for an RFP. He asked Mr. Moore for his recommendations.

Mr. Moore favored conducting an RFP but acknowledged the time constraints.

Mayor Petrolia expressed her concern regarding entering a 5-year renewal with Waste Management.

Ms. Gelin, City Attorney, suggested Mr. Moore negotiate a short-term contract with Waste Management to allow time to issue an RFP.

Further discussion ensued.

Mr. Moore said he would meet with Waste Management to determine the level of service they

could provide. He suggested extending their existing contract would give them more time to proceed with an RFP. Mr. Moore said he would share his findings at the City Commission meeting on April 5 or 19, 2022.

Commissioner Boylston returned to the dais at the conclusion of the discussion.

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 requested Ms. Missie Barletto, Director of Public Works, to provide an update on the city's bridges.

Ms. Barletto, Director of Public Works, reported that the George Bush Boulevard Bridge would be out of service for 3 to 4 weeks. She shared that she had been communicating with the Department of Transportation about partnering with them to help repair the city's bridges. She noted that the Special Events Task Force helps create alternative routes to divert traffic when a bridge is closed.

Mr. Moore shared that he visited Delray Beach schools, which are part of the Palm Beach County School District.

Ms. Janet Meeks, the Education Coordinator, was present to seek permission to allow the city to speak at the next School Board meeting to voice concerns regarding the plans for the Delray Beach Full Service Center and possible partnerships with funding streams to support the project to ensure its success.

Mr. Moore mentioned he would be attending a School Board meeting with Ms. Meeks on March 23, 2022. Ms. Meeks noted that a meeting was scheduled on April 4, 2022, to discuss plans for the Delray Beach Full Service Center.

Commissioner Boylston and Mayor Petrolia mentioned they would be happy to attend the School Board meeting on March 23, 2022.

Mr. Moore reminded everyone that Saturday, March 12, 2022, the Atlantic Avenue Bridge would be closed between 8:00 a.m. and 4:00 p.m.

5.A.1. Fire Operations 2022

Fire Chief Keith Tomey presented a brief video from the Fire Operations 2022 Training with city leaders on February 11, 2022. Everyone who participated in the training commended the Fire Department for their hard work and dedication.

5. B. From the Public

Steve Blum, residing at 115 Venetian Drive, Delray Beach, expressed his displeasure with the traffic and road closings throughout the city.

Ed McCall, residing at 36 Palm Square, Delray Beach, discussed the poor condition of the golf carts.

Mr. Moore directed the comment to Mr. Sam Metott, Director of Parks and Recreation.

Mr. Metott advised that the new golf carts would be arriving shortly.

George Long, residing at 46 North Swinton Avenue, Delray Beach, complimented the presentation at the last City Commission meeting concerning the intersection at Atlantic Avenue and Federal Highway.

Mayor Petrolia closed public comments.

6. CONSENT AGENDA: City Manager Recommends Approval

6.A. None

6.B. PROCLAMATIONS:

6.B.1. None

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

6.C.1. REPORT OF APPEALABLE LAND USE ITEMS FROM FEBRUARY 14, THROUGH MARCH 4, 2022.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Appealable Items Map](#)

[A - Churchill Condo](#)

[B - Silver Terrace Office](#)

[C - Bar 25 Gastro Pub](#)

[D - Lamrini Retail Store](#)

[E - 394 SE 5th Avenue](#)

[F - Emmanuel Catholic Church](#)

[G - Atlantic Grove](#)

[H- Sundry Village](#)

Commissioner Casale requested to pull Item No. 6.C.1. from the Consent Agenda for discussion. Consent Item No. 6.C.1. became Item No. 7. A.A. on the Regular Agenda.

Commissioner Casale requested an update on Sundry Village.

Ms. Anthea Gianniotis, Development Services Director, provided an update on the appealable land use items for the Sundry Village Project. She reported that the Historic Preservation Board (HPB) and the Site Plan Review and Appearance Board (SPRAB) voted unanimously to approve the proposed updates. Ms. Gianniotis said a new building would be constructed west of Old Dixie Highway and Southwest 10th Avenue near the FEC building. She reported

the most significant change was that one building would be moved to a temporary holding position at the same time the new garage was being constructed, rather than the original four buildings scheduled to relocate temporarily. Ms. Gianniotis advised a shift across the elevations and the architecture. She mentioned a decrease in restaurant use but a significant increase in gross office space and restaurant use.

Ms. Gianniotis summarized that the project is moving forward, and the next item was ministerial.

Commissioner Casale motioned to approve Item No. 6.C.I. Commissioner Boylston seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

APPROVED

6.D. AWARD OF BIDS AND CONTRACTS:

6.D.1. None

7. REGULAR AGENDA:

7. A.CITY COMMISSION MEETING DATES FOR 2022-23

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[2022 - 2023 Commission Meeting Calendar Dates](#)

Mayor Petrolia requested to defer Item No. 7.A. until the Organizational meeting on April 5, 2022.

Deputy Vice Mayor Frankel made a motion to defer Item No. 7.A. until the Organizational meeting on April 5, 2022. Commissioner Boylston seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

APPROVED

7. B. PROPOSED PROCLAMATION LIST 2022

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Proclamation Guidelines rev 03-26-20](#)
[Proclamation List 2022](#)

Commissioner Boylston motioned to approve Item No. 7.B. Commissioner Casale seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

APPROVED

8. C.RATIFICATION OF EMERGENCY REGULATIONS RELATED TO COVID-19 ACTIVATED UNDER CHAPTER 95 OF THE DELRAY BEACH CODE OF ORDINANCES.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[103rd extension of state of emergency 3-02-2022 - signed](#)
[Res. No. 41-22](#)

Commissioner Boylston motioned to approve the Ratification of the 103rd Extension of the State of Emergency for COVID-19. Commissioner Casale seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

APPROVED

7.D. RESOLUTION NO. 40-22 - COVID 19

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Resolution 40-22 - Termination of Covid 19 state of emergency](#)

Vice Mayor Johnson motioned to approve Resolution No. 40-22. Deputy Vice Mayor Frankel seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

APPROVED

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. None

9. FIRST READINGS:

9. A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

- Nothing to report.

B. City Attorney

- Ms. Gelin requested a Shade Meeting to be held on April 5, 2022, at 3:00 p.m. to discuss the Sherwin-Williams American Legion Post 188 vs. the City of Delray Beach lawsuit.

Deputy Vice Mayor Frankel motioned to approve. Commissioner Boylston seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

APPROVED

C. City Commission

Commissioner Casale:

- Acknowledged all the employees for their hard work.
- Spoke with the Beach Property Owners Association (BPOA) concerning the height of new homes being built.

Ms. Gianniotis suggested that SPRAB adopt new guidelines to help control the height of new construction. She noted her department was already short-staffed and overburdened with work and could not take this on now.

Mayor Petrolia suggested reaching out to the BPOA to hire a consultant.

Commissioner Boylston was pleased that the BPOA mentioned initiating a P3 because it would help take the financial burden off the city.

Deputy Vice Mayor Frankel:

- Thanked County Commissioner Maria Sachs for renominating him to the Palm Beach County Tourism Development Council.

Vice Mayor Johnson:

- Said that better communication is needed with the Florida Department of Transportation.
- Expressed concern about the age of the city's bridges.

Commissioner Boylston:

- Requested an update on the Delray Beach Golf Club.

Ms. Gelin explained that the city was still in the cone of silence and couldn't provide any further details about the golf club for at least a few more months.

- Discussed the challenges facing affordable housing.

Mayor Petrolia:

- Wished everyone a Happy St. Patrick's Day.

11. ADJOURNMENT

There being no further business to discuss, Mayor Petrolia adjourned the Regular City Commission Meeting at 6:09 p.m.