

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, November 3, 2015

6:00 PM

Delray Beach City Hall

City Commission

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

1. ROLL CALL**Present:**

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

Absent:

Commissioner Jordana Jarjura

Also Present: Donald B. Cooper, City Manager, Noel Pfeffer, City Attorney,
and Chevelle D. Nubin, City Clerk.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

- A. [15-208](#) ATLANTIC COMMUNITY HIGH SCHOOL CRIMINAL JUSTICE ACADEMY
HONOR GUARD PRESENTATION OF COLORS

3. APPROVAL OF MINUTES:

- A. [15-175](#) MOTION TO APPROVE MINUTES

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

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

Absent: 1 - Commissioner Jarjura

4. PRESENTATIONS:

- A. [15-128](#) SPOTLIGHT ON EDUCATION PRESENTATION- PINE GROVE
ELEMENTARY SCHOOL

Principal Joe Peccia spoke regarding Pine Grove Elementary School. He stated that Mr. Bill Fay is a legend in education. He stated that Pine Grove had a great year in 2014 and they are continuing to raise proficiency in terms of the FSA. He stated they will continue working as hard as they can in this area. Principal Peccia spoke regarding the safety patrol trip to Washington, D.C. and he also referenced the aftercare and summer camp programs at Pine Grove Elementary. He thanked Commission for this time tonight.

- B. [15-153](#) RECOGNIZING AND COMMENDING BILL FAY

Mayor Glickstein read the proclamation and presented it to Principal Bill Fay. Mr. Fay discussed the reasons for his retirement. He also commented regarding his experiences in Delray Beach, as well as with the City Commission, the Education Board, the Fire-Rescue and Police Departments, City Engineers, the Chamber of Commerce and the support of so many.

C. [15-166](#)

RECOGNIZING SISTER CITIES STUDENT AMBASSADORS AND CHAPERONES FROM MIYAZU, JAPAN

Mayor read proclamation and presented the proclamation to the students. He also thanked their chaperones and Tony Durante and David Schmidt for their efforts in making this all possible.

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

City Manager's responses to prior public comments and inquiries:
Mr. Cooper spoke regarding Mr. Eric Wagner's comment regarding Marina Parking and rental cars.

Public Comment:

1. Jim Smith spoke regarding waivers, parking spaces, TDM initiatives, Land Development Regulations (LDR) revisions and traffic congestion. He read a statement into record.

2. Jim Knight spoke regarding the changes with the online agenda and stated it is a little bit confusing. He also asked if the public can receive the backup for the other boards online as well. Mr. Knight stated support is needed for the upcoming Atlantic Community High School football game and encouraged attendance.

3. Alice Finst spoke regarding the online agenda. She stated it is not a useful new system. She also spoke regarding the Site Plan Review and Appearance Board (SPRAB) video presentations and City Commission Meeting presentations. She stated they are not visible online and offered suggestions.

4. Graham Hutchinson spoke on behalf of his clients regarding the permitting process within the city of Delray Beach for a water line.

5. Gary Eliopoulos spoke regarding the rules and stated they keep changing regarding permitting, sidewalks and right of ways. He discussed the personnel and getting questions answered. He asked Commission to think about some of these policies. Mr. Eliopoulos also referenced the Delray Beach Community Land Trust and asked the City Manager to check

into the policy regarding parking spots in front setbacks.

Discussion ensued between the Commission and Mr. Eliopoulos.

6. Ricky Grau, Professional Fire Fighters of Palm Beach County, spoke regarding the issue of moving the city's Fire-Rescue to Palm Beach County. He commented about a suppression unit being out of service at Station 5. Mr. Grau provided suggestions regarding personnel and staffing, apparatus, salaries, etc.

7. Ron Nobili read a statement into record regarding Marina District parking.

8. Randolph Belli spoke regarding parking at Marine Way. He discussed email and internet service and the charges by Comcast. He also referenced an article in the Sun Sentinel today regarding boat slips and mentioned that there are coconuts and Royal Palms that are being neglected.

9. Peter Humanik thanked the City Manager for enforcing the rules and thanked the Commission that the tables are off of the side streets on Atlantic Avenue. He stated the parking permits are working out well and stated there should be another level of parking. He provided suggestions regarding parking. He commented regarding meters and stated maybe permits can be put in to allow for three hours.

10. Gigi Basilio, on behalf of the residents of Tropic Palm, stated they are trying to make improvements. She commented regarding signage and stated their biggest challenge is the maintenance. She commented regarding Sabal Palms that have been neglected for years and asked the city to support them in regards to maintenance.

At this point in the meeting due to it being 7:00 p.m., the City Commission went to the Public Hearing portion of the agenda.

Public Comment was reopened after Public Hearings at 7:04 p.m.:

11. Alan Schlossberg spoke regarding the Fire Rescue services going to Palm Beach County. He stated this should not be negotiated out. It is an essential service. He suggested the city work out a plan regarding pension obligations.

12. Susan Ruby spoke regarding fire negotiations and asked Commission to consider the points raised by Mr. Schlossberg and stated local government is closest to the people and so is fire service. She stated they

care about the community and stated these are vital services.

13. Yvonne Odom stated the city's resources are the people and the services provided. She stated the city has its own Fire and Police Departments, parks, etc. She stated her children moved back home to raise their own children here because of their experiences in Delray Beach. Ms. Odom urged the Commission to not lose what the city has built.

14. Joy Howell spoke regarding the Fire Rescue Department services going to Palm Beach County.

6. AGENDA APPROVAL

The City Manager had no staff requested agenda changes. The City Attorney had no requested agenda changes.

Vice Mayor Petrolia asked that Item 11.A.1, Update on Fire Rescue Consolidation, be moved up in the agenda. It was moved to Item 8.A.A. on the Regular Agenda.

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

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

Absent: 1 - Commissioner Jarjura

7. CONSENT AGENDA: City Manager Recommends Approval

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

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

Absent: 1 - Commissioner Jarjura

A. [15-186](#) ACCEPTANCE OF A RIGHT-OF-WAY DEED FOR ALLEYWAY AT 210 NORTH SWINTON AVENUE

This Request was approved.

B. [15-185](#) ACCEPTANCE OF A RIGHT-OF-WAY DEED FOR ALLEYWAY AT 214 NORTH SWINTON AVENUE

This Request was approved.

- C. [15-156](#) PURCHASE AWARD WITH DON REID FORD UTILIZING THE FLORIDA SHERIFF'S ASSOCIATION (FSA) CONTRACT NO. 15-23-0904

This Purchase Award was approved.

D. PROCLAMATIONS:

- D.1. [15-127](#) DELRAY READS DAY! - NOVEMBER 12, 2015

This Proclamation was approved.

- E. [15-174](#) REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS FOR THE PERIOD OCTOBER 5, 2015 THROUGH OCTOBER 16, 2015

This Item was approved.

F. AWARD OF BIDS AND CONTRACTS:

- F.1. [15-131](#) BID AWARD 2015-77: MULTIPLE VENDORS FOR ELECTRIC PUMP REPAIRS

This Bid Award was approved.

- F.2. [15-132](#) BID AWARD 2015-73 FOR ADMINISTRATION OF POLICE OFF-DUTY DETAILS TO HART HALSEY, LLC.

This Bid Award was approved.

8. REGULAR AGENDA:

- A. [15-11](#) CONDITIONAL USE REQUEST TO ALLOW A VETERINARY CLINIC FOR MOBILEVET2U, 4997 WEST ATLANTIC AVENUE (QUASI-JUDICIAL HEARING)

Mayor Glickstein read the City of Delray Beach Quasi-Judicial rules into the record for this item and all subsequent Quasi-Judicial Items.

Chevelle D. Nubin, City Clerk, swore in those individuals who wished to give testimony on this item and all subsequent Quasi-Judicial Hearing items.

Mayor Glickstein asked the Commission members to disclose their ex parte communications. All members of the Commission stated they had no ex parte communications to disclose.

Mr. Tim Stillings, Planning and Zoning Department Director, entered Project File #2015-200 USE-CCA into record and presented this item. Staff recommendation is approval. The applicant was present for questions.

Mayor Glickstein asked if anyone from the public would like to speak in favor or in opposition of Item 8.A. to come forward at this time. There being no one from the public who wished to address the Commission regarding Item 8.A., the public comment was closed.

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

The City Attorney reviewed the board order with the City Commission.

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

Yes: 3 - Mayor Glickstein, Vice-Mayor Petrolia, and Commissioner Katz

No: 1 - Deputy Vice Mayor Jacquet

Absent: 1 - Commissioner Jarjura

B. [15-170](#)

REQUEST FOR IN-LIEU PARKING FEE FOR UPTOWN ATLANTIC (QUASI-JUDICIAL HEARING)

Mayor Glickstein asked the Commission to disclose their ex parte communications. Deputy Vice Mayor Jacquet stated he had no ex parte communications to disclose. Mayor Glickstein, Vice Mayor Petrolia and Commissioner Katz stated there were no additional ex parte communications since the last time the project came before the City Commission.

Mr. Tim Stillings, Planning and Zoning Director, entered Project File #2015-013-INL into the record and presented this item.

Mr. Bob Currie, Currie Sowards Aguila Architects, spoke on behalf of the applicant regarding the project and the number of spaces total.

Mayor Glickstein asked if anyone from the public would like to speak in favor or in opposition of Item 8.B. to come forward at this time.

Public Comment:

Peter Humanik spoke regarding parking.

There being no one else from the public who wished to address the Commission regarding Item 8.B., the public comment was closed.

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

Mr. Currie stated they have plenty of parking due to the new rule.

Mayor Glickstein asked Mr. Stillings to address Deputy Vice Mayor Jacquet's comments regarding inclusion. Mr. Stillings addressed the parking spaces and the credit.

Deputy Vice Mayor Jacquet asked for clarification regarding the credit for parking spaces.

Vice Mayor Petrolia asked if we know how many parking spaces are in that area. She stated her biggest concern is that with where this is we do not have the same parking problems as in the downtown area. She also commented regarding the overflow into neighborhoods.

Mr. Stillings discussed the difference between the on-site parking spaces and the on-street parking spaces. He stated there is sufficient parking in the project area regarding the number of on-street parking spaces.

Vice Mayor Petrolia stated due to her concerns about parking she cannot support this request.

Deputy Vice Mayor Jacquet further commented about parking in this particular area and stated he does not support this request.

Commissioner Katz stated he concurs with Vice Mayor Petrolia and Deputy Vice Mayor Jacquet regarding this request. He stated he has a hard time giving up parking. He stated his biggest concern is that the city has to have parking and other modes of transportation have to be encouraged. He stated this may set a precedent in the future and commented about the incentives that have been given for this project. Commissioner Katz stated they have to figure out a way to put the forty-two (42) spaces in the project.

Mayor Glickstein what is the maximum number of in-lieu parking spaces that have been allowed.

Mr. Stillings discussed rates and parking ratios regarding in-lieu parking. He stated they are generally based on Urban Land Institute studies

regarding parking.

Mayor Glickstein asked what leads Mr. Stillings to believe the parking is adequate.

Deputy Vice Mayor Jacquet asked Mr. Stillings if we have a program for shared parking in the city. Mr. Stillings stated if an adjacent project has excess spaces available shared parking can be applied.

Mr. Stillings stated the city is looking ahead to the future generations as far as what the city's population will need in terms of designing areas for the people versus vehicles.

Mayor Glickstein stated this comes back to planning and asked if anyone has looked at developable CBD properties in the West Atlantic area. He stated the city needs to figure out how to support development in this area. Mayor Glickstein commented that the number before them for approval tonight is a big number. He asked what exists today in regards to parking on Atlantic now-what amount of parking is being added to the West Atlantic area independent of what is being built.

Discussion continued between the City Commission and staff.

Mayor Glickstein asked if the West Atlantic Redevelopment Coalition (WARC) has reviewed this. Mr. Stillings responded that WARC had reviewed this.

Mr. Chuck Ridley, Vice-Chair of WARC, was sworn in by the City Clerk and spoke regarding the project. He stated WARC has had considerable conversations regarding this project and they support it.

Mayor Glickstein asked if WARC has discussed the possibility of future projects and future parking coming into this area.

Deputy Vice Mayor Jacquet stated although he feels the project should go forward he is tasked with seeing the long term.

Commissioner Katz asked about meeting the parking requirements without altering the number of townhomes or other parts of the project.

Mr. Currie stated the community did not want a parking structure. He stated he has been to over thirty (30) meetings and the community is in support of this project.

Discussion ensued regarding the project and the conditional use and

whether or not the City Commission knew the in-lieu request was coming.

Commissioner Katz stated he wants to know from staff and legal if the City Commission approves this are they setting a precedent.

Mr. Noel Pfeffer, City Attorney, stated each property is unique.

Mayor Glickstein stated he understands the concerns and discussed the market and the community.

Commissioner Katz stated he attended one of the work session meetings and the community was supportive of this project.

A motion was made by Vice-Mayor Petrolia, seconded by Commissioner Katz, that the Request for In-Lieu Parking Fee be approved. The motion failed by the following vote:

Yes: 2 - Mayor Glickstein, and Commissioner Katz

No: 2 - Vice-Mayor Petrolia, and Deputy Vice Mayor Jacquet

Absent: 1 - Commissioner Jarjura

C. ROUTINE BUSINESS (ALL ITEMS UNDER THIS SUBSECTION TO BE APPROVED BY ONE MOTION. ANY ITEM UNDER ROUTINE BUSINESS MAY BE MOVED BY COMMISSION FOR SEPARATE CONSIDERATION)

Vice Mayor Petrolia stepped away from the dais at this time.

Deputy Vice Mayor Jacquet stated he would like to receive a year to date report of what has been spent this last fiscal year with Mathews Consulting, Inc.

Mr. Randal Krejcarek, Environmental Services Director, stated he will provide the report to the City Commission.

A motion was made by Commissioner Katz, seconded by Deputy Vice Mayor Jacquet, that all items under Routine Business be approved. The motion carried by the following vote:

Yes: 3 - Mayor Glickstein, Deputy Vice Mayor Jacquet, and Commissioner Katz

Absent: 2 - Vice-Mayor Petrolia, and Commissioner Jarjura

C.1. [15-102](#)

SERVICE AUTHORIZATION NO. 12-18 TO MATHEWS CONSULTING, INC. FOR PROFESSIONAL SERVICES IN CONDUCTING AN UPDATE TO THE RECLAIMED WATER MASTER PLAN (P/N 2016-025)

This Request was approved.

- C.2. [15-106](#) SERVICE AUTHORIZATION NO. 12-19 TO MATHEWS CONSULTING INC. FOR THE LIFT STATION #1 UPGRADE STUDY

This Request was approved.

- C.3. [15-193](#) PRIOR APPROVAL OF FY 2016 SPENDING GREATER THAN \$25,000/ MULTIPLE VENDORS

This Item was approved.

- D. [15-098](#) PROPOSED INCREASE TO MARINA RENTAL RATES

Ms. Suzanne Fisher, Parks and Recreation Director, presented this item regarding the proposed increase.

Mayor Glickstein commented regarding the memo and asked where does the city stand in regards to market rates. He asked how far below is the city in regards to rates. Ms. Fisher stated the city is approximately 10% below other cities and provided further clarification regarding rates.

Vice Mayor Petrolia commented regarding other marinas and locations. She stated she has analyzed that our electric is not being included in our current rates. She stated we are way low on rates and stated Delray Beach is a unique spot. She commented that the city should conduct a study and see if the city should be having live-a-boards. Vice Mayor Petrolia also commented about metered rates and if the city is compliant at this time.

Commissioner Katz commented regarding rates and marinas.

Ms. Fisher stated she will bring additional information back to the City Commission regarding rates.

- E. [15-119](#) NOMINATION FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVISORY BOARD

A motion was made by Mayor Glickstein, seconded by Commissioner Katz, that the nomination to appoint Sandy Trento as an alternate to the Green Implementation Advisory Board to serve an unexpired term ending July 31, 2017 be approved. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jarjura

- F. [15-199](#) NOMINATION FOR APPOINTMENT TO THE CIVIL SERVICE BOARD

Mayor Glickstein stated it was brought to his attention that the applicant may have a potential conflict of interest. The City Attorney stated the applicant can be appointed if the potential conflict of interest is addressed. The appointment was deferred until the applicant addresses the potential conflict of interest and/or additional applicants are received.

9. PUBLIC HEARINGS:

A. [15-213](#) ORDINANCE NO. 26-15 (SECOND READING)

Delray Beach Police Chief Jeffrey Goldman introduced this item and stated Jeff Kadel is present. He stated the Police Department supports this.

Jonah Fishcer, President of Teen CIA/Student, read a statement into the record supporting this ordinance.

A motion was made by Commissioner Katz, seconded by Deputy Vice Mayor Jacquet, that Ordinance No. 26-15 be adopted on second and final reading. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jarjura

10. FIRST READINGS:

A. [15-137](#)

ORDINANCE NO. 22-15 (FIRST READING): AMENDMENTS TO LAND DEVELOPMENT REGULATIONS (LDR), SECTION 4.6.19 TO PROMOTE TREE PRESERVATION AND PROTECTION.

Mr. Stillings presented this item. He stated the amendments were prompted by several developments in regards to maintenance of certain trees and landscaping. He reviewed the highlights of the proposed ordinance. The Planning and Zoning board recommended approval.

Mayor Glickstein asked about Section Four of the ordinance in regards to calipers and stated he would like to see that reduced to eight inches and stated the amounts are too far below. Mayor Glickstein commented regarding losing trees.

Mr. Stillings stated this will be a balance regarding keeping the trees and some trees being replaced or relocated.

Mayor Glickstein stated he does not feel this ordinance gets the city there in terms of keeping trees or relocating them. He asked what is the value of losing certain trees. He commented regarding specimen and stated an eight inch caliper should be used. He referenced Section 5D of the ordinance.

Mr. Stillings discussed the in-lieu payment and mitigation.

Vice Mayor Petrolia stated she wants to make sure that this ordinance prizes the city's trees. She asked that staff find out if there is a certain town that does have this as part of their ordinances. Mayor Glickstein suggested that staff contact the company, Tree Movers, and ask about the cost and criteria regarding relocation of trees.

Mayor Glickstein commented regarding projects.

Commissioner Katz asked how will this ordinance affect current development and how some developments have to fix problems with trees. He inquired if the ordinance is only for new development.

Mr. Stillings stated this ordinance is intended to be a stop gap measure for this time.

Discussion continued between staff and Commission regarding this ordinance.

Mayor Glickstein asked that the caliper size be changed to 8 inches and asked what would be a time certain for bringing this back to the City Commission and referenced June 1st as a date that staff will bring the ordinance back to Commission in reference to a comprehensive review.

Commissioner Katz asked if hardship language can be added for single attached and single detached. He also referenced Page 6 of the Ordinance.

A motion was made by Vice-Mayor Petrolia, seconded by Deputy Vice Mayor Jacquet, that Ordinance No. 22-15 be approved on first reading with changes as discussed. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jarjura

B. [15-181](#)

ORDINANCE NO. 29-15 (FIRST READING): AMENDMENT TO POLICE AND FIRE PENSION PLAN WITH REGARD TO REHIRE OF RETIRED EMPLOYEES

Mr. Noel Pfeffer, City Attorney, read the caption and presented this item. He stated this ordinance will allow under limited circumstances at the discretion of the city, the reemployment of city employees retired under the city's Police and Fire pension system. He reiterated the IRS rule and stated other cities have ordinances that provide a break in service. He

highlighted what he has proposed which is a thirty (30) day break in service. This ordinance was reviewed by the city's pension counsel. He stated the way this is written the employee can only come back on a part-time basis. Mr. Pfeffer stated this does not apply if that employee wants to work under the general pension.

A motion was made by Commissioner Katz, seconded by Deputy Vice Mayor Jacquet, that Ordinance No. 29-15 be approved on first reading. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jarjura

C. [15-180](#)

ORDINANCE NO. 30-15 (FIRST READING): AMENDMENT TO
GENERAL EMPLOYEE PENSION PLAN WITH REGARD TO REHIRE OF
RETIRED EMPLOYEES

Mr. Noel Pfeffer, City Attorney, read the caption and presented this item. He stated this ordinance is the identical form of Ordinance and it is for the General Employees.

Vice Mayor Petrolia asked a question regarding under what circumstances the general employees can come back.

A motion was made by Commissioner Katz, seconded by Vice-Mayor Petrolia, that Ordinance No. 30-15 be approved on first reading. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jarjura

D. [15-173](#)

ORDINANCE NO. 31-15 (FIRST READING): CALLING FOR A
REFERENDUM TO APPROVE A CHARTER AMENDMENT THAT
WOULD PROVIDE THE CITY COMMISSION WITH THE AUTHORITY TO
APPOINT AN INTERNAL AUDITOR

The City Attorney read the caption and discussed that this is a Charter amendment. He also referenced general duties of the internal auditor position. The position can be structured by the City Commission in a variety of ways.

Mayor Glickstein asked if this changes the Charter and if the City Commission will still have the ability to modify this position.

The City Attorney offered an explanation regarding modification of the position.

A motion was made by Vice-Mayor Petrolia, seconded by Commissioner Katz, that Ordinance No. 31-15 be approved on first reading. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jarjura

E. [15-167](#)

ORDINANCE NO. 32-15 (FIRST READING): CALLING FOR A REFERENDUM TO APPROVE THE REPEAL OF THE SPECIAL ACT THAT CREATED THE CITY'S CIVIL SERVICE CODE

The City Attorney read the caption and presented this item regarding the city's Civil Service Code. He provided an update regarding meetings held on the legislation.

Vice Mayor Petrolia asked how important is this to have it on the March 15, 2016 Presidential Preference Primary election. She asked what will happen in those six (6) months.

The City Attorney provided further clarification and stated it is part of modernizing the code. The City Attorney stated he discussed this with the city's lobbyist, Mr. Ballard and they believe this will be successful.

A motion was made by Commissioner Katz, seconded by Vice-Mayor Petrolia, that Ordinance No. 32-15 be approved on first reading. The motion carried by the following vote:

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

Absent: 1 - Commissioner Jarjura

11. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

A.1. [15-103](#)

FIRST NIGHT 2015 UPDATE - SITE PLAN & TRAFFIC PLAN

Mr. Cooper, City Manager, provided an update to the City Commission regarding First Night.

Commissioner Katz asked are we going to have less people and commented that this is a hometown event. He spoke regarding the elimination of street closures.

Ms. Suzanne Fisher, Parks and Recreation Director, provided clarification regarding street closures. She stated the events will still be the same just shifted off of Atlantic Avenue.

Mr. Cooper stated hopefully this will minimize inconvenience and make it safer.

A.2. [15-217](#) UPDATE ON FIRE RESCUE CONSOLIDATION

Mr. Cooper, City Manager, provided an update regarding the fire rescue consolidation. Mayor Glickstein asked for clarification of the City Manager's comments.

Discussion ensued between the City Commission and the City Manager regarding Fire-Rescue services.

B. City Attorney

None

C. City Commission

Vice Mayor Petrolia commented regarding the Microenterprise Loan Program and stated someone has to figure this out. She also commented regarding the new parking times and stated the signage does not coincide with what was approved. She also commented regarding the cafe tables being cleared so that people can pass and stated this is great. She commented regarding other areas that are being impacted. Mayor Glickstein stated the topic of sidewalk cafes will be on the workshop agenda next week. Vice Mayor Petrolia asked if someone will look into the tree trimming situation in Tropic Palms.

Mayor Glickstein stated he stands by the Commission's decision regarding the hours but the implementation on the parking was abrupt and asked that the City Commission give the City Manager direction on how to handle this. He asked that the enforcement be held in abeyance until meters are installed.

Deputy Vice Mayor Jacquet commented regarding signage and installation of meters. He stated the City Commission had been discussing parking hours for a long time.

Commissioner Katz discussed signage at Sandoway Parking Lot. Mr. Cooper stated staff will address the signage issue. Commissioner Katz stated he would like to see this revisited by the City Commission on an agenda.

Mayor Glickstein discussed forgiveness of the tickets that have been issued.

Commissioner Katz stated there is a problem on Atlantic Avenue from 5th to the Bridge-the lights are out. He also discussed the accountability issue

brought up by Mr. Eliopoulos regarding staff doing their job. In addition, Commissioner Katz commented regarding morale improvement. Mr. Cooper stated he and Ms. DeCoste are working on this.

Deputy Vice Mayor Jacquet asked how much leeway do they have when they talk to staff. He reiterated that the City Attorney and City Manager are the City Commission's direct reports. He commented that the Commission should speak to Mr. Cooper if they need something from staff or are not satisfied. He also discussed why he did not support the in-lieu request and the Mobile Vet2U agenda items. He stated the community has already discussed what they wanted and he feels that should be followed. Deputy Vice Mayor Jacquet asked that staff get in touch with WARC regarding the study they conducted.

Mayor Glickstein commented regarding the agenda changes online. Mr. Cooper stated staff will put together instructions regarding the utilization.

Mayor Glickstein also commented regarding homelessness and other cities that have put programs into place i.e. Albuquerque, New Mexico, Raleigh Durham, North Carolina and Santa Monica, California. He asked that staff look into this. Mr. Cooper stated staff is already starting the process as a result of Goal Setting. Mayor Glickstein acknowledged Carver Middle School Principal, Ms. Kiwana Prophete, who is one of three finalists from across the state for the Leonard Miller Leadership Award.

The meeting was adjourned at 10:07 p.m. by Mayor Cary Glickstein. The next scheduled meeting of the Council is November 10, 2015.

City Clerk

ATTEST:

Mayor

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the Regular Meeting of the City Commission held on Tuesday, November 3, 2015, which Minutes were formally approved and adopted by the City Commission on November 17, 2015.

City Clerk

NOTE TO READER: If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval, which may involve amendments, additions or deletions to the Minutes as set forth above.