

# City of Delray Beach

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## Minutes - Draft

Thursday, March 30, 2017

6:00 PM

Organizational Meeting/Regular Meeting at 6:00 PM

Delray Beach City Hall

## City Commission

*Mayor Cary Glickstein*  
*Vice Mayor Jim Chard*  
*Deputy Vice Mayor Shirley Ervin Johnson*  
*Commissioner Shelly Petrolia*  
*Commissioner Mitchell Katz*

**ORGANIZATIONAL MEETING**

**Present:** 5 - Mayor Cary Glickstein, Vice-Mayor James Chard, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Shelly Petrolia, and Commissioner Mitchell Katz

1. [17-306](#) Call to Order / Commission Roll Call

**Sponsors:** City Clerk Department

2. [17-311](#) Pledge of Allegiance to the Flag

**Sponsors:** City Clerk Department

3. [17-312](#) Oath of Office administered to Newly-Elected City Commission Members:

- A. Commissioner James R. Chard
- B. Commissioner Shirley Earvin Johnson

**Sponsors:** City Clerk Department

Commissioner Johnson thanked her husband for his support, family and friends. She commented on unity.

Commissioner Chard thanked the voters, friends and he discussed the increase in voter turnout.

Commissioner Petrolia and Commissioner Katz commented.

4. [17-313](#) Roll Call Newly Sworn-in Commission

**Sponsors:** City Clerk Department

5. [17-314](#) Selection of Vice-Mayor (for the term March 30, 2017 through March 29, 2018)

**Sponsors:** City Clerk Department

Mayor Glickstein passed the gavel and moved to appoint Commissioner Jim Chard as Vice-Mayor of the City of Delray Beach for the term March 30, 2017 through March 28, 2018.

**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

6. [17-315](#) Selection of Deputy Vice-Mayor (for the term March 30, 2017 through March 29, 2018)

**Sponsors:** City Clerk Department

Commissioner Chard moved to appoint Commissioner Johnson as Deputy Vice-Mayor of the City of Delray Beach for the term March 30, 2017

through March 28, 2018.

**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

7. [17-310](#) REVIEW AND ACCEPTANCE OF REGULARLY SCHEDULED CITY COMMISSION MEETING DATES FOR THE PERIOD OF APRIL 2017 THROUGH MARCH 2018

**Recommendation:** Motion to Approve the regularly scheduled City Commission Meeting dates for the period of April 2017 through March 2018.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Prep and City Commission Meeting Dates 2017-2018](#)  
[April 2017 - March 2018 Calendar](#)

Commission discussion ensued regarding the meeting dates. It was the consensus of the Commission to cancel the April 11, 2017 workshop meeting because of Passover.

The Commissioners also requested to bypass the workshop meeting that was scheduled on July 11, 2017. Vice Mayor Chard stated that workshops are important and that he did not support eliminating a workshop meeting.

Mr. Lohman requested that the meeting scheduled on September 7, 2017, be moved to Wednesday, September 6, 2017 because of a conflict with his schedule.

Mayor Glickstein called for a motion, seeing none he passed the gavel.  
**approved as amended**

**Yes:** 4 - Mayor Glickstein, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

**No:** 1 - Vice-Mayor Chard

8. [17-308](#) ESTABLISH A DATE FOR THE 2018 GOAL SETTING SESSION

**Recommendation:** Provide direction regarding scheduling a date for Commission Goal Setting for 2018.

Discussion ensued regarding the Goal Setting Session. Mr. de Jesus asked that the goal setting meetings be held in several sessions to make them more productive meetings. He suggested to have Senior Staff to provide updates at a Regular meeting periodically based on what feedback is being requested then take directive from the meeting. Vice Mayor Chard advised that a lot of staff time was expended with the presentations which left minimal time for the Commission to exchange ideas. He discussed the format of the meetings and if meetings were held

on serial bases, little time would be left to prioritize.

Deputy Vice Mayor Johnson advised that she looked forward to the goal setting. Mayor Glickstein advised he is not against the meeting but that he was against the format. Mayor Glickstein suggested a three (3) day time-span to do the goal setting meetings instead of one day.

The Commission discussed the goal setting meeting be held during the week of May 9th. The second meeting would be held during the last week of May when there would be no Regular meeting. Mr. Chard questioned if this meeting should coincide with the budget cycle.

Mr. de Jesus requested that this be brought back to staff to provide input to schedule these sessions. He also clarified the format that the Commissioners requested to have for these sessions.

It was the consensus of the Commission that Mr. de Jesus would bring this back to Commission after he provided dates and a format to be used.

9. [17-301](#) REVIEW AND ADOPTION OF RULES OF PROCEDURE-DELRAY BEACH CITY COMMISSION (LOCAL RULES)

**Recommendation:** Motion to Approve and Adopt the Rules of Procedure for the City Commission

**Sponsors:** City Attorney Department

**Attachments:** [City Commission Local Rules - Strikethrough Version - March 30 2017](#)  
[Final - City Commission Local Rules - March 30 2017](#)

Mr. Lohman presented this item. He did a brief overview of the proposed changes. He stated that the revised rules discussed the format of the agenda as far as the clean up language and conduct the annual review of the City Attorney and City Manager. He discussed the proposed changes. Mr. Lohman advised that in the proposed rules the Commission Workshops would be held as needed or decided by the Commission. Also he stated that there is a change being proposed which would allow Public Hearings to start at any point during the meeting instead of.

Vice Mayor Chard questioned the clarity of Item 4.E. Should public comments be held on potential items that are quasi. City Attorney advised of freedom of speech. He discussed the workshops. Mayor Glickstein advised that workshops are open but would like to have the flexibility of scheduling workshops.

Commissioner Katz advised that workshops should be held in the community where the input involved the stakeholders. The workshops in the

current format is antiquated.

Deputy Vice Mayor Johnson asked how would the changes be disseminated to the public.

Commissioner Petrolia had a concern with the City Manager and City Attorney annual reviews. She discussed the actions of the past City Attorney and she felt that it does not have to be publicly handled, but it should be done annually.

It was the consensus of the Commission to have the annual City Attorney and City Manager reviews in June. The review would be held privately, however, the salary review would be public.

Commissioner Katz made a motion to adopt the proposed changes to the Local Rules and Procedures as discussed; seconded by Vice Mayor Chard. Upon roll call the Commission voted as follows: Mayor Glickstein - Yes; Commissioner Petrolia - Yes; Vice Mayor Chard - Yes; Commissioner Katz - Yes; Deputy Vice Mayor Johnson - Yes.

**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

**10.**     [17-302](#)     AMENDMENT TO THE RULES AND PROCEDURES FOR QUASI-JUDICIAL HEARINGS

**Recommendation:** Motion to Approve the amended Rules and Procedures for Quasi Judicial Hearings.

**Sponsors:** City Attorney Department and Inglesse

**Attachments:** [Quasi-Judicial Hearing Introduction](#)  
[City of Delray Beach Procedures for Quasi-Judicial Hearings - Updated march 30 2017](#)

Mr. Lohman discussed this item. He talked about the proposed changes to the Quasi- Judicial Hearing. He changed the procedure where the applicant would present their case first, then staff.

There being no further business, Mayor Glickstein adjourned the annual Organization Meeting at 6:52 p.m..

At this time Mayor Glickstein called a recess to the meeting at 6:53 p.m.

Mayor Glickstein reconvened the meeting at 6:54 p.m.  
**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson,  
Commissioner Petrolia, and Commissioner Katz

### **REGULAR MEETING**

The 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 6:55 p.m. on Thursday, March 30, 2017.

## **1. ROLL CALL**

Roll call showed:

Commissioner Shelly Petrolia

Vice Mayor James Chard

Commissioner Mitchell Katz

Deputy Vice Mayor Shirley Ervin Johnson

Mayor Cary D. Glickstein

Absent:

None

Also present were:

Neal de Jesus, Interim City Manager

R. Max Lohman, City Attorney

Kimberly Wynn, Acting City Clerk

## **2. PLEDGE OF ALLEGIANCE TO THE FLAG**

## **3. AGENDA APPROVAL**

Mr. Max Lohman, City Attorney, requested that items 8.A., Ordinance No. 05-17: To Individually Designate "The Clint Moore House" At 1420 North Swinton Avenue on the Local Register of Historic Places; 8.B., Ordinance No. 10-17: Amending Chapter 118, "Solicitors and Peddlers and Distribution of Handbills"; and Item 8.C., Ordinance No. 11-17: Amending Chapter 31, "City Officials and Employees," Section 31.17, "Indemnification" be postponed to the April 4, 2017 Regular Meeting.  
**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson,  
Commissioner Petrolia, and Commissioner Katz

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson,  
Commissioner Petrolia, and Commissioner Katz

## **4. PRESENTATIONS:**

### **4.A. [17-278](#) PRESENTATION OF SPONSORSHIP TROPHY FOR ATP DELRAY**

## BEACH OPEN - MARK BARON

Sponsors: City Clerk Department

Mr. John Butler, Executive Director at Match Point, Inc., showed a video of Delray Open and gave a brief overview of the event. He introduced Ms. Hall, Director of Sports Marketing, who assisted him as he presented plaques to the following staff members: Ms. Suzanne Fisher, Director of Parks and Recreation, Mr. Steven Hynes, Director of Emergency Management, Mr. Jeffrey Goldman, Chief of Police; Mr. Keith Tomey, Interim Fire Chief; Mr. Joseph Frantz, Deputy Director of Public Works; Mr. Al Doctor, Information Technology; Mr. Timothy Stillings, Director of Planning, Zoning and Building; and Ms. Sharon Painter, CEO at JCD Sports Group.

Mr. Mark Baron, Tournament Director and President, presented the City of Delray Beach with a trophy.

## **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. de Jesus stated that he had no comments at this time.

At this point Commissioner Katz commented about the PACE Setter Award. A brief discussion ensued about the award and how the City of Delray Beach ranked with other finalists. It was mentioned that the City of Delray Beach was the only city in Florida at this point. Florida had other Counties to participate, but not a City.

### 5.B. From the Public

1. Ms. Marjorie Waldo congratulated the new Commissioners and talked about gave a brief update on the status of the Art Garage and some of the programs that would be off offered.

2. Ms. Pauline Moody talked about the organizational meeting being to long. She advised that it was too much information for the new Commissioners to digest.

3. Marcy Hall advised that Commission was sent a link to support the LGBT. She talked about the different municipalities where the Ordinance had been enacted such as Wilton Manor, Riviera Beach and Palm Beach County.

4. Ms. Alice First discussed the Beach Bench Plaque and enter a handout

into record. She ask

5. Veda Shearer, talked about the tennis tournament presentation. She congratulated the new Commissioners and discussed the preservation and restoration of Atlantic Avenue. She asked that the beach be opened.

6. Patrick Ross talked about the appreciation for their service.

There being no further discussion, Mayor Glickstein closed the public comments..

## 6. CONSENT AGENDA: City Manager Recommends Approval

approved

**Present:** 5 - Mayor Cary Glickstein, Vice-Mayor James Chard, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Shelly Petrolia, and Commissioner Mitchell Katz

### 6.A. [17-300](#) APPROVAL OF MINUTES

**Recommendation:** Motion to Approve City Commission Meeting Minutes

**Sponsors:** City Clerk Department

**Attachments:** [03-16-17 DRAFT Special Meeting Minutes](#)

### 6.B. [17-275](#) FINAL SUBDIVISION PLAT FOR SEAGLASS COTTAGES ON ANDREWS AVENUE (104 ANDREWS AVENUE)

**Recommendation:** Motion to Approve and certify the Final Plat for **SEAGLASS COTTAGES**, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(J), Section 3.2.3, and Section 3.1.1 of the Land Development Regulations.

**Sponsors:** Planning & Zoning Department

**Attachments:** [SEAGLASS COTTAGES PLAT](#)  
[Seaglass Cottages Plat PZB Staff Report w/Attachments](#)  
[Seaglass Cottages SPRAB Cover Sheet and Plans](#)

### 6.C. [17-283](#) ACCEPTANCE OF UTILITY EASEMENT AND AGREEMENT / TKC CLXXVIII, LLC./ DELRAY SQUARE REDEVELOPMENT

**Recommendation:** Motion to Accept Utility Easement and Agreement with TKC CLXXVII, LLC for Delray Square Redevelopment.

**Sponsors:** Environmental Services Department

**Attachments:** [Delray Square Blanket Utility Easement partially executed location map](#)

- 6.D.**     [17-219](#)     BEST INTEREST RESOLUTION NO. 16-17 FOR WAIVER OF THE CITY CODE OF ORDINANCES, SECTION 36.02 AND EXTEND THE AGREEMENT WITH UNIVERSAL BEACH SERVICE CORP. FOR BEACH CLEANING MAINTENANCE AND BEAUTIFICATION SERVICES

**Recommendation:** Motion to Approve Best Interest Resolution No. 16-17 for waiver of the City Code of Ordinances, Section 36.02, Methods of Acquisition, and retroactively extend the Agreement with Universal Beach Service Corp. for a one-year period from March 3, 2017 through March 3, 2018 for Beach Cleaning Maintenance and Beautification services in a not-to-exceed amount of \$79,000.

**Sponsors:** Parks & Recreation Department

**Attachments:** [2013-12 Signed Renewal Letter thru 3-3-17](#)  
[Executed Contract-Bid 2013-12](#)  
[1 year Extension Request, signed](#)  
[Amendment No. 2 thru 03-03-18](#)  
[Res No. 16-17](#)

- 6.E.**     [17-224](#)     SERVICE AUTHORIZATION NO. 12-19 WITH WANTMAN GROUP, INC. IN AN AMOUNT NOT-TO-EXCEED \$48,918 FOR THE CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES (CEI) ASSOCIATED WITH THE ATLANTIC AVENUE / VENETIAN DRIVE & GLEASON STREET CROSSWALK IMPROVEMENTS.

**Recommendation:** Motion to Approve Service Authorization No. 12-19 to Wantman Group, Inc. (WGI) in the amount not-to-exceed \$48,918 for the CEI services related to the Atlantic Avenue / Venetian Drive & Gleason Street Crosswalk Improvements (Project No. 14-008).

**Sponsors:** Environmental Services Department

**Attachments:** [Wantman Group SA 12-19](#)

- 6.F.**     [17-226](#)     SERVICE AUTHORIZATION NO. 12-27 WITH KIMLEY-HORN AND ASSOCIATES IN THE AMOUNT NOT TO EXCEED \$9,900 TO PROVIDE GEOTECHNICAL & SITE ENGINEERING SERVICES, AND ELECTRICAL ENGINEERING DESIGN SERVICES FOR THE 100' ALUMINUM CHRISTMAS TREE

**Recommendation:** Motion to Approve Service Authorization No. 12-27 with Kimley-Horn and Associates (KHA) in the amount not to exceed \$9,900 for the geotechnical investigation (if required), site design and electrical engineering design services for the 100' Christmas Tree (Project No. 17-062).

**Sponsors:** Environmental Services Department

**Attachments:** [KHA Foundation Site Preparation and Electrical SA 12-27](#)  
[OSS Lease Agreement](#)  
[Zone 1 Tree - 3d](#)

- 6.G.**     [17-236](#)     SERVICE AUTHORIZATION NO. 12-28 TO BAXTER AND WOODMAN COMPANY FOR PROFESSIONAL ENGINEERING SERVICES FOR THE SE 2ND AVENUE DRAINAGE IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$24,936

**Recommendation:** Motion to Approve Service Authorization No. 12-28 to Baxter and Woodman Company d/b/a Mathews Consulting, in an amount not-to-exceed \$24,936 for professional engineering services for SE 2nd Avenue Drainage Improvements (Project No. 17-042).

**Sponsors:** Environmental Services Department

**Attachments:** [Mathews SA 12-28 022817](#)

- 6.H.**     [17-255](#)     SERVICE AUTHORIZATION NO. 12-29 TO KIMLEY-HORN AND ASSOCIATES, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$129,550 FOR ENGINEERING SERVICES FOR RECONSTRUCTION DESIGN FOR SE 5TH STREET FROM SE 6TH AVENUE TO SE 7TH AVENUE; SE 7TH AVENUE FROM SE 5TH STREET TO SE 4TH STREET; AND SE 7TH STREET FROM SE 6TH AVENUE TO STREET END

**Recommendation:** Motion to approve Service Authorization No. 12-29 in the not-to-exceed amount of \$129,550 for engineering design services related to the reconstruction of the following streets: SE 5th Street from SE 6th Avenue to SE 7th Avenue; SE 7th Avenue from SE 5th Street to SE 4th Street; and SE 7th Street from SE 6th Avenue to Street end.

**Sponsors:** Environmental Services Department

**Attachments:** [Kimley Horn- Service Authorization 12-29](#)

- 6.I.**     [17-256](#)     SERVICE AUTHORIZATION NO. 12-18 TO WANTMAN GROUP, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$198,052.19 FOR ENGINEERING SERVICES FOR RECONSTRUCTION DESIGN FOR DAVIS ROAD FROM POINSETTIA BOULEVARD TO DORSON WAY; POINSETTIA BOULEVARD FROM DAVIES ROAD TO ROSS DRIVE; AND DORSON WAY FROM DAVIS ROAD TO DOLPHIN DRIVE (PROJECT NO. 17-004)

**Recommendation:** Motion to Approve Service Authorization No. 12-18 in the not-to-exceed amount of \$198,052.19 for engineering design services related to the reconstruction of the following streets: Davis Road from Poinsettia Boulevard to Dorson Way; Poinsettia Boulevard from Davis Road to Ross Drive; and Dorson Way from Davis Road to Dolphin Drive (Project No. 17-004).

**Sponsors:** Environmental Services Department

**Attachments:** [Wantman Group- Service Authorization 12-18](#)

- 6.J.**     [17-264](#)     AMENDMENT NO. 1 WITH UNITED STATES SERVICE INDUSTRIES, INC. FOR JANITORIAL SERVICES

**Recommendation:** Motion to Approve Amendment No. 1 with United States Service Industries, Inc. in an annual not-to-exceed amount of \$250,000 for janitorial services at City buildings.

**Sponsors:** Environmental Services Department

**Attachments:** [Renewal Letter, USSI](#)

[USSI Contract](#)

[USSI Pricing 3-14-2017](#)

[USSI Day Porter Quote](#)

[2015-07 Amendment No. 1 USSI \(3-20-17\)](#)

- 6.K.**     [17-269](#)     CHANGE ORDER NO.1 WITH FOSTER MARINE CONTRACTORS, INC. FOR THE SE 2ND STREET AND SE 2ND AVENUE STREETScape IMPROVEMENTS PROJECT IN THE AMOUNT OF \$252,643.50 (DEDUCTIVE CHANGE ORDER)

**Recommendation:** Motion to Approve Change Order No. 1 with Foster Marine Contractors, Inc. for the SE 2nd Street and SE 2nd Avenue Streetscape Improvements Project in the amount of \$252,643.50 (Deductive Change Order).

**Sponsors:** Environmental Services Department

**Attachments:** [Change Order to Commission](#)

[Location Map](#)

- 6.L.**     [17-285](#)     SERVICE AUTHORIZATION NO. 12-20 WITH WANTMAN GROUP, INC. IN A NOT-TO-EXCEED AMOUNT OF \$45,143.00 FOR DESIGN AND PERMITTING SERVICES FOR THE REPLACEMENT OF THE PAVILION AT ATLANTIC DUNES PARK

**Recommendation:** Motion to Approve Service Authorization 12-20 with Wantman Group, Inc. to provide design and permitting services for the replacement of the Pavilion at Atlantic Dunes Park.

**Sponsors:** Environmental Services Department

**Attachments:** [Atlantic Dunes Pavilion Replacement 11-03-16](#)

[Atlantic Dunes signed SA](#)

- 6.M.**     [17-268](#)     HOUSING REHABILITATION GRANT AWARD TO ONEL CONSTRUCTION, LLC. FOR 702 NW 1ST STREET IN THE AMOUNT OF \$34,913.95

**Recommendation:** Motion to Approve a housing rehabilitation grant in the amount of

\$34,913.95 to Onel Construction, LLC. for housing rehabilitation for the property located at 702 NW 1st Street, Delray Beach, FL and authorize the City Manager to execute the agreement and all ancillary documents.

**Sponsors:** Community Improvement

**Attachments:** [Invitation to Quote No. Q2017-02](#)  
[Q2017-02 Tabsheet](#)  
[Thaddies John Bid Information Sheet](#)  
[Contract](#)  
[Lien Agreement - NS](#)  
[Lien Agreement - RCMP](#)  
[Exhibit A Scope of Services - Contractor Bid Proposal](#)  
[Memorandum of Understanding](#)  
[Notice To Proceed](#)  
[Subordination Policy](#)  
[Warranty Documents](#)

**6.N.**     [17-248](#)     HOUSING REHABILITATION GRANT AWARD TO ROI CONSTRUCTION LLC FOR 124 SW 8th AVENUE IN THE AMOUNT OF \$40,090.45

**Recommendation:** Motion to Approve a housing rehabilitation grant in the amount of \$40,090.45 to ROI Construction, LLC funded under the Community Development Block Grant (CDBG) Program for the property located at 124 SW 8th Avenue Delray Beach, FL.

**Sponsors:** Community Improvement

**Attachments:** [Bid 2016-132 Owens](#)  
[2016-132 Bid Tabulation Sheet 1](#)  
[Contract](#)  
[Lien Agreement](#)  
[Exhibit A Scope of Services - Contractor Bid Proposal](#)  
[Memorandum of Understanding](#)  
[Notice To Proceed](#)  
[Subordination Agreement for Closing](#)  
[Warranty Docs](#)

**6.O.**     [17-245](#)     FY16-17 CDBG SUB-RECIPIENT FUNDING AGREEMENT/MILAGRO FOUNDATION, INC. D/B/A MILAGRO CENTER

**Recommendation:** Motion to Approve and execute the attached agreement, in order that funding in the amount of Thirty Thousand Dollars and 00/100 (\$30,000) to Milagro Foundation, Inc. dba Milagro Center may proceed in accordance with the Commission approved Action Plan for fiscal year 2016-2017.

**Sponsors:** Community Improvement

**Attachments:** [Milagro Center 2016-2017 Partially Executed Agreement](#)  
[Attachment D Project Budget](#)  
[Attachment E FY16-17 Grantee Performance Report](#)

**6.P.**     [17-292](#)     REJECT ALL BIDS FOR ITB 2017-008, NEIGHBORHOOD SERVICES DEPARTMENT HOUSING REHABILITATION PROGRAM 16-523

**Recommendation:** Motion to Reject all bids received in response to ITB 2017-008 for Neighborhood Services Department Housing Rehabilitation Program 16-523

**Sponsors:** Purchasing Department and Webb

**6.Q.**     [17-240](#)     INTERLOCAL AGREEMENT WITH THE PALM BEACH COUNTY SCHOOL DISTRICT FOR SCHOOL COORDINATED PLANNING

**Recommendation:** Motion to Authorize the Interim City Manager to sign and execute the Interlocal Agreement (Exhibit A Participation Agreement) with Palm Beach County School District to participate in the County's School Concurrency system.

**Sponsors:** Planning & Zoning Department

**Attachments:** [EXHIBIT A Participation Agreement](#)  
[ILA.SDPBC.Approved on Aug 19 2015](#)

**6.R.**     [17-227](#)     APPROVAL TO ACCEPT A 2017 EMS GRANT THROUGH PALM BEACH COUNTY FOR THE PURCHASE OF A HAL S3000 TRAINING MANIKIN FOR FIRE-RESCUE

**Recommendation:** Motion to Approve the acceptance of the 2017 EMS Grant through Palm Beach County in the amount of \$25,000 and approval of a sole source purchase award to Gaumard Scientific Company, Inc. in the not-to-exceed amount of \$25,000.

**Sponsors:** Fire Rescue Department

**Attachments:** [Gaumard Quotation](#)  
[Gaumard Sole Source](#)  
[Gaumard Agreement](#)  
[Gaumard Product Information](#)  
[Gaumard Sales Terms](#)  
[Manikin Functionality](#)

**6.S.**     [17-232](#)     APPROVAL TO ACCEPT A DOMESTIC PREPAREDNESS GRANT FROM THE STATE HOMELAND SECURITY GRANT PROGRAM

**Recommendation:** Motion to Approve acceptance of the FY 2016 Domestic Preparedness Grant (Federal Grant # EMW-2016-SS-00092-S01) in the amount of \$52,722 from the State Homeland Security Grant Program for the Fire-Rescue Department.

**Sponsors:** Fire Rescue Department

**Attachments:** [Domestic Preparednes Grant Agreement](#)

**6.T.**     [17-284](#)           RESOLUTION NO. 22-17

**Recommendation:** Motion to Approve Resolution No. 22-17 authorizing the City to participate in the Lake Okeechobee Regional Compact.

**Sponsors:** City Attorney Department

**Attachments:** [Resolution No. 22-17 Support of Lake Okeechobee](#)

**6.U.**     [17-291](#)           RESOLUTION NO. 21-17

**Recommendation:** Motion to Approve Resolution No. 21-17 asserting opposition to HB 17 and SB 1158.

**Sponsors:** City Attorney Department

**Attachments:** [Res 21-17 opposing hb 17 and sb 1158](#)

[HB 17](#)

[SB 1158](#)

**6.V. PROCLAMATIONS:**

**6.V.1.**   [17-282](#)           PROCLAMATION - AMERICAN RED CROSS MONTH 2017

**Sponsors:** City Clerk Department

**Attachments:** [American Red Cross Month 2017](#)

**6.V.2.**   [17-228](#)           ALL PEOPLE'S DAY 2017 PROCLAMATION

**Sponsors:** City Clerk Department

**Attachments:** [Delray All People's Day Proclamation 2017](#)

**6.V.3.**   [17-267](#)           WATER CONSERVATION MONTH - APRIL 2017 - PROCLAMATION

**Sponsors:** Environmental Services Department

**Attachments:** [Water Conservation Proclamation](#)

**6.W.**     [17-271](#)           REPORT OF APPEALABLE LAND USE ITEMS FEBRUARY 13, 2017 THROUGH MARCH 10, 2017

**Recommendation:** By motion, receive and file this report.

**Sponsors:** Planning and Zoning Board

**Attachments:** [Location Map](#)  
[Classic Teleco Building](#)  
[Alta Delray Station](#)  
[10th and 10th Center](#)  
[111 E. Atlantic Avenue](#)  
[Hood Distribution](#)  
[The Grove](#)  
[Hessler Paint](#)  
[Autonation Delray Beach](#)  
[701 SE 1st Street](#)

## 6.X. AWARD OF BIDS AND CONTRACTS:

6.X.1 [17-198](#) AWARD OF A PURCHASE AGREEMENT TO BENNETT FIRE PRODUCTS COMPANY, INC. FOR PURCHASE OF FIREFIGHTER BUNKER GEAR

**Recommendation:** Motion to Award a purchase agreement to Bennett Fire Products Company, Inc. for firefighter protective gear in the annual not-to-exceed amount of \$100,000.

**Sponsors:** Fire Rescue Department

**Attachments:** [MES, Non-Responsible Letter](#)  
[Letter Non Responsive Kedyrolo LLC](#)  
[Letter - Non Responsive SOS](#)  
[Addendum 1](#)  
[2017-007 ITB Bunker Gear \(R2\)](#)  
[Memorandum Award Recommendation Approval](#)  
[Bennett Fire ITB#2017-007](#)  
[Bunker Gear Agreement, PO Award](#)  
[Tabulation for Bid ITB No. 2017-007](#)

6.X.2. [17-234](#) AWARD OF A PURCHASE ORDER TO TORRES ELECTRICAL SUPPLY COMPANY, INC. FOR PURCHASE OF DECORATIVE LIGHTS (PROJECT NO. 17-006)

**Recommendation:** Motion to Award a purchase order to Torres Electrical Supply Company, Inc. for the purchase of decorative lights in the not-to-exceed amount of \$195,000 (Project No. 17-006).

**Sponsors:** Environmental Services Department

**Attachments:** [TORRES ELECTRICAL SUPPLY COMPANY, INC.](#)  
[2017-029 Atlantic Ave Decorative Lights](#)  
[2017-029 Memorandum Award Approval](#)  
[2017-029 Bid Tabulation](#)

**6.X.3. [17-238](#)** AWARD OF AN AGREEMENT TO GREEN TEAM PLUMBING, LLC  
D/B/A GREENTEAM SERVICE CORP. FOR PLUMBING MAINTENANCE  
AND REPAIR SERVICES

**Recommendation:** Motion to Award a two-year Agreement to Green Team Plumbing LLC dba Greenteam Service Corp. for Plumbing Maintenance and Repair Services in an annual amount not-to-exceed of \$75,000.

**Sponsors:** Environmental Services Department

**Attachments:** [GreenTeam Service Corp.](#)  
[RFP No. 2017-019 - Plumbing Service and Repairs, per Addendum No. 1](#)  
[Final Scoring Summary, RFP 2017-019](#)  
[RFP 2017-019 Cost Analysis](#)  
[Agreement \(R1\)](#)

**6.X.4. [17-244](#)** PURCHASE AWARD TO FERGUSON ENTERPRISES, INC. FOR  
MATERIALS FOR WATER MAIN IMPROVEMENT PROJECTS: EL  
DORADO LANE AND SUNSHINE DRIVE

**Recommendation:** Motion to Approve a purchase award to Ferguson Enterprises, Inc. in the amount of \$55,000 to provide Materials for Water Main Improvement Projects: El Dorado Lane and Sunshine Drive.

**Sponsors:** Environmental Services Department

**Attachments:** [ITB 2017-026 - Water Main Improv, El Dorado - Sunshine, per Addendum No. 1](#)  
[Memo - Award Recommendation - ITB 2017-026](#)  
[2017-026 Forms](#)  
[Additional Forms](#)  
[Tabulation Sheet](#)

## 7. REGULAR AGENDA:

7.A. None

## 8. PUBLIC HEARINGS:

**8.A. [17-279](#)** ORDINANCE NO. 05-17: TO INDIVIDUALLY DESIGNATE "THE CLINT MOORE HOUSE" AT 1420 NORTH SWINTON AVENUE ON THE LOCAL REGISTER OF HISTORIC PLACES (SECOND READING)

To be in compliance with advertisement requirements, this ordinance will be heard at the next Regular City Commission Meeting.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Ordinance 05-17 Clint Moore House Designation](#)  
[HPB Staff Report 080316](#)  
[1420 N Swinton Avenue Designation Report](#)

- 8.B.**     [17-280](#)     ORDINANCE NO. 10-17: AMENDING CHAPTER 118, "SOLICITORS AND PEDDLERS AND DISTRIBUTION OF HANDBILLS" (SECOND READING)

To be in compliance with advertisement requirements, this ordinance will be heard at the next Regular City Commission Meeting.

**Sponsors:** City Attorney Department

**Attachments:** [Ord No. 10-17](#)

- 8.C.**     [17-281](#)     ORDINANCE NO. 11-17: AMENDING CHAPTER 31, "CITY OFFICIALS AND EMPLOYEES," SECTION 31.17, "INDEMNIFICATION" (SECOND READING)

To be in compliance with advertisement requirements, this ordinance will be heard at the next Regular City Commission Meeting.

**Sponsors:** City Attorney Department

**Attachments:** [Ord No. 11-17 amending Indemnification](#)

## **9. FIRST READINGS:**

9.A. None

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

### **10.A. City Manager**

Mr. de Jesus discussed the "fair share" that the Office of the Inspector General proposed and asked the Mayor and Commissioners to provide direction on what they considered was a fair share. Commissioner Petrolia asked what is the figure. Discussion ensued about the funding of the Office of the Inspector General Office.

Mr. de Jesus stated that he met with representatives of the Caring Kitchen (CROS Ministries) . He discussed the current state of the agreement. Commission discussion ensued about this matter. It was

the consensus of the Commission to put this on a future workshop.

Mr. de Jesus advised that he signed agreement for an outside Consultant to conduct an audit of the City's Information Technology infrastructure to ensure there was not a breach. He announced the resignation of Ms. Tennille Decoste, Director of Human Resources and provided her last day of service.

### **10.B. City Attorney**

Mr. Lohman announced a Client/Attorney Session in the First Floor Conference Room at 4:30 p.m. to discuss the Atlantic Crossings case. He stated an agreement was forwarded to the Commissioners earlier. He recommended a second Closed Attorney / Client Session at 5:00 pm on April 4, 2017 to discuss Match Point. He also requested that the Interim City Manager have the Settlement Agreement and the addendum associated also add the waivers tentatively be added to the April 4, 2017 Regular meeting.

Commissioner Katz announced at this time that he would not be in attendance on Tuesday, April 4, 2017, but, he would leave his comments with the Attorney.

Mr. Lohman discussed the LGBT ordinance. He advised that he could draft a resolution or an ordinance. He stated that conversion therapy is being looked at by the Legislature. He read the ordinance as presented and discussed "Conversion Therapy" . It was the consensus of the Commission to put this ordinance on the April 18, 2017 meeting agenda.

**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

### **10.C. City Commission**

Vice Mayor Chard talked about Economic Development, and how the task force has lagged since the Congress Avenue Corridor Project. The report has been filed but no milestones had been set by the Mayor and Commissioners. Commissioner Katz stated that he adopted the recommendations of the task force. Discussion ensued about the creating milestones for the City.

Mr. de Jesus advised that staff had made significant progress, but a project of this magnitude would require more resources than what is available at this time to make strides without failing in other areas. Vice

Mayor Chard discussed sober homes and the importance of the issue. He discussed how other cities addressed sober homes. Mr. Lohman advised that a great deal of work had been done to work with sober homes. He talked about the new proposed legislation and stated that an Ordinance would be brought forward in the near future. Further discussion ensued about sober homes.

Vice Mayor Chard talked about Project Trailblazer and how this can apply to all homes.

Mr. Lohman asked for patience with sorting this issue out and went into further discussion.

Mayor Glickstein advised that he would like to see something with this in the early summer. He discussed the goals of the Commission is to be methodical and not single out the sober houses.

Vice Mayor Chard talked about the arrests and the collaborative work. Mr. de Jesus discussed the Level of Service presentations of the Police and Fire. Commissioner Commissioner Katz talked about the efforts taken to get of the drug dealers that are infesting the areas. Mr. de Jesus advised that he could allocate funds from the reserves.

Deputy Vice Mayor Johnson talked about the urgency to address issues especially being off of the campaign trail. She talked about the completion of the Atlantic Avenue Corridor and how the community has been patient. Deputy Vice Mayor Johnson recognized the Acting City Clerk and former City Clerk on a smooth election process.

Commissioner Katz advised to have the plaques taken off of the benches and put on the new benches as a compromise. Mr. de Jesus advised that it was at the will of the Commission that staff would act.

Mayor Glickstein advised that he needs to see the policy about the plaques and benches.

Commission discussion continued to ensue regarding the plaques and benches.

Mr. de Jesus requested clarification about the removal and/or relocation of the plaques on the bench.

Commissioner Katz discussed an interview he did with media about the reimbursement of parking spaces. He talked about the Tri-Party agreement and addendum. He discussed how the Community

Redevelopment Agency (CRA) part in the agreement. Commissioner Petrolia talked about the additional agreement and asked for the opinion of the City Attorney. Commissioner Katz provided a handout to the to be entered into record. Commission discussion ensued about the Ipic Agreements, the Vehicle Operations Plan (VOP), the enforcement of clauses and Request for Proposals (RFP's).

Mayor Glickstein commended the event planner and staff for all of their work with the St. Patrick's Day Parade. He recognized several additional projects and events. He thanked the Beach Property Owners' Association (BPOA) for keeping the Beach Master Plan alive. He thanked supporters of the project. He talked about the Police Department volunteers that celebrated 25 years with their volunteer program. He talked about the incremental pay taxes and how Palm Beach Gardens and other cities are bonded through this program. Mayor Glickstein talked about the City doing a similar program. The funds would be for Capital Improvement Project (CIP) like roads, alleys and streets.

Further discussion ensued about the bond program. At this point a the Commissioners made a motion to move forward with Professional Services for the bond counsel.

Mayor Glickstein discussed the beach plan and parking limitations during construction.

Mayor Glickstein commented that the General Employees Retirement Board barely had a quorum because the new appointee was a no show. He stated that he wanted clarification on the composition of this board at the next meeting, so that it can be addressed if a nomination for appointment had to be made.

He discussed House Bill No. 17 being denounced and requested that other legislation be reviewed. He requested the resolutions be placed on an upcoming agenda.

It was the consensus of the Commission to put the pedicabs on a workshop agenda

Commissioner Katz stated that he would be in Tallahassee on April 13, 2017.

**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

There being no further business, Mayor Glickstein adjourned the meeting at 9:39 p.m.

