

# **City of Delray Beach**

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## **Minutes - Draft**

**Tuesday, May 2, 2017**

**6:00 PM**

**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***

**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., Tuesday, May 2, 2017.

Roll call showed:

Present:

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

Absent:

None

Also present were:

Neal deJesus, Interim City Manager  
R. Max Lohman, City Attorney  
Kimberly Wynn, Acting City Clerk

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

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

Interim City Manager deJesus requested that Item 6.E.4. be removed from this evening's agenda.

Deputy Vice Mayor Johnson requested that item 6.E.1. be removed for discussion. Mayor Glickstein noted that this would become item 7.A.A.

**4. PRESENTATIONS:**

**4.A. [17-369](#)** MAY 2017 MENTAL HEALTH AWARENESS AND TRAUMA INFORMED CARE MONTH

**Recommendation:** Proclamation to recognize May 2017 as Mental Health Awareness and Trauma Informed Care Month

**Sponsors:** Community Improvement

**Attachments:** [CC 050217 May 2017 Mental Health Awareness Month Proclamation - 3-13-2017](#)

Lauren Zuchman discussed a proclamation that she received and

discussed a PowerPoint presentation. Commission gave comments.

**4.B. [17-395](#) 2017 WE ♥ SMALL BIZ MONTH AND PARTNERSHIPS PRESENTATION AND PROCLAMATION**

Sponsors: Economic Development Department

Attachments: [2017 #SmallBizDelray FINAL \(2\)](#)

[2017 We Love Small Biz Month Proclamation](#)

Ms. Joan Goodrich gave a PowerPoint presentation. She thanked the community and the Commissioners for their work. Mayor Glickstein gave comments.

**4.C. [17-385](#)**

Presenting janet meeks, education coordinator, with Employee of the Month for may 2017.

Recommendation: Motion to Approve Janet Meeks as Employee of the Month for May 2017.

Sponsors: Human Resources Department

Attachments: [Janet Meeks- Nomination Form](#)

Mr. Duane D'Andrea and Mr. Michael Coleman introduced this item. He discussed the reading initiative and how Ms. Meeks was nominated for employee of the month. Ms. Janet Meeks gave comments and thanked staff and the community for their support.

**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

5.B. From the Public

1. Ms. Cynthia Ridley shared her displeasure about how she was treated in an unprofessional manner by a city employee in Parks and Recreations.

2. Mr. Alex Beakley discussed the generalization that all sober homes were being maligned in HB 807.

3. Ms. Alice Finst discussed the security ambassador program that is currently downtown. Ms. Finst said that she supported continuation of the program.

4. Mr. Michael Kostin discussed the tourism industry and the transient

homes which were evolving in the community.

Mayor Glickstein made comments at this point.

5. Ms. Mitzi Katz discussed the Delray Beach Golf Course and the conditions of the course. She read her letter into record.

6. Mr. Douglas Katz discussed the Delray Beach Golf Course and conditions of the course. He talked about the course being a jewel and offered their support.

7. Mr. Danny King expressed concern about some areas experiencing drug activity, trafficking and prostitution and sober homes. Mr. King suggested that cameras be installed to monitor activities in these areas.

8. A resident discussed the solutions to all of the issues near the La France Hotel (CRA Building).

9. Mr. Michael Wind discussed the need for love and kindness to help drug addicts.

10. Morris Carstephen talked about the downtown security area and discussed an experience he had. He talked about the golf course and cost difference. He discussed rehabilitation of houses.

There being no further comments, public comments were closed.

## **6. CONSENT AGENDA: City Manager Recommends Approval**

**approved**

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

### **6.A. 17-390 APPROVAL OF MINUTES**

**Recommendation:** Motion to Approve various set of minutes as listed below.

**Sponsors:** City Clerk Department

**Attachments:** [04-19-2016 Regular Meeting Minutes](#)

[05-17-16 Regular Meeting Minutes](#)

[02-07-17 Regular Meeting Minutes](#)

[04-04-17 Special Meeting Minutes](#)

[04-04-17 Special Meeting Minutes Atlantic Crossing](#)

[04-04-17 Regular Meeting Minutes](#)

[04-12-17 Special Meeting Minutes](#)

approved

**6.B. 17-123** PERFORMANCE PAYMENT FOR FY15/16 TO JCD SPORTS GROUP, INC.

**Recommendation:** Motion to Approve the performance fee to JCD Sports Group for golf and tennis operations as recommended by staff for FY 15-16.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Management Agrt for Golf Courses](#)

[Management Agrt for Tennis and Swim and Tennis \(3\)](#)

[Staff recommendation for 2015 - 2016 Final Performance Measures](#)

approved

**6.C. 17-359** AMENDMENT NO. 1 TO THE AGREEMENT FOR SERVICE WITH THE MELLGREN PLANNING GROUP (SOLICITATION NO. 2016-067) TO AMEND THE CONTRACT TERMS AND TO INCREASE THE SPENDING LIMIT OF THIS AGREEMENT TO SUPPORT THE DEVELOPMENT OF AN UPDATED COMPREHENSIVE PLAN.

**Recommendation:** Motion to Approve Amendment #1 to the General Planning Services Agreement for Mellgren Planning Group ("Agreement") to extend the Agreement to July 11, 2018, and to increase the spending limit not to exceed \$270,000 to support the update of the Comprehensive Plan for the City of Delray Beach.

**Sponsors:** Planning & Zoning Department

**Attachments:** [1stAmend-2016-067-PlanningServices lg rev 4-1-17 TMPG Signed](#)

[General Planning Agreement](#)

[MPG Scope and Fee - Comprehensive Plan](#)

approved

## **6.D. PROCLAMATIONS:**

**6.D.1. 17-374** RIDE OF SILENCE DAY PROCLAMATION - MAY 17, 2017

**Recommendation:** Proclaim May 17, 2017 as Ride of Silence Day.

**Sponsors:** City Clerk Department

**Attachments:** [Proclamation - Ride of Silence 2017](#)

**6.D.2. 17-404 Proclamation - 48th Annual Municipal Clerks Week - May 7-13, 2017**

Recommendation: Proclaim May 7-13, 2017 as Municipal Clerks Week

Sponsors: City Clerk Department

Attachments: [Municipal Clerks Week 2017](#)

**6.E. AWARD OF BIDS AND CONTRACTS:****6.E.1. 17-089 AWARD OF AN AGREEMENT TO BJCE, INC. FOR MUNCIPAL GOLF CLUB AND LAKEVIEW GOLF CLUB MANAGEMENT IN A NOT-TO-EXCEED AMOUNT OF \$280,000**

Recommendation: Motion to Award a two-year Agreement to BJCE, Inc. d/b/a JCD Sports Company in an amount not to exceed amount of \$280,000 for Municipal Golf Club and Lakeview Golf Club Management Services for the term of May 1, 2017 through April 30, 2019.

Sponsors: Parks & Recreation Department

Attachments: [RFP 2016-079](#)

[RFP 2016-079 DBGC-LGC](#)

[2016-079 Agreement \(CA reviewed\), signed](#)

Ms. Suzanne Fisher presented this item.

Mr. Chard discussed the reports that were attached to the item. He talked about the breakdown of the records and the frequency of the upkeep.

A brief discussion ensued.

Ms. Fisher advised that a segmented plan that would address long term and short term needs would be brought back in June.

Mr. de Jesus discussed the needs and how they would be addressed by staff.

Further discussion ensued.

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

**approved**

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

**6.E.2. 17-371 PURCHASE AWARD TO ALAN JAY CHEVROLET CADILLAC, INC. DBA**

ALAN JAY CHEVROLET BUICK GMC CADILLAC FOR THE PURCHASE OF ONE 2017 CHEVY EXPRESS CARGO VAN IN A TOTAL AMOUNT OF \$26,140.25.

**Recommendation:** Motion to Approve a purchase award to Alan Jay Chevrolet Cadillac, Inc. DBA Alan Jay Chevrolet Buick GMC Cadillac for the purchase of one 2017 Chevy Express Cargo Van (specification #37) for the Parks and Recreation Department in the amount of \$26,140.25 utilizing the Florida Sheriff's Association Contract #FSA16-VEL24.0.

**Sponsors:** Environmental Services Department

**Attachments:** [Best Price Letter](#)

[FSA16-VEL24.0 Bid Award](#)

[FSA16-VEL24.0 Extension through 09-30-2017](#)

[Alan Jay Chevy Van Quote 3-30-17](#)

approved

**6.E.3. [17-142](#)** APPROVAL OF A PURCHASE AGREEMENT TO SYNOVIA SOLUTIONS, LLC. FOR VEHICLE DIAGNOSTICS, ASSET TRACKING AND OTHER TECHNOLOGY SERVICES

**Recommendation:** Motion to Approve a purchase agreement to Synovia Solutions, LLC for vehicle diagnostics, asset tracking and other technology services in a total not-to-exceed amount of \$40,000 for Fiscal Year 2017.

**Sponsors:** Environmental Services Department

**Attachments:** [Synovia Pricing](#)

[Synovia Response](#)

[Agreement 4-19-17 \(Review CAO\)](#)

approved

**6.E.4. [17-320](#)** AWARD OF A PURCHASE AGREEMENT TO BEACH ENVIRONMENTAL EXTERMINATING, INC. FOR TERMITE INSPECTION, TESTING, EVALUATION, & TREATMENT FOR OLD SCHOOL SQUARE AND COMMUNITY CENTER BUILDINGS, PROJECT NO. 16-004

**Recommendation:** Motion to Award a Purchase Agreement to Beach Environmental Exterminating, Inc. for Termite Inspection, Testing, Evaluation, & Treatment for Old School Square and Community Center Buildings, Project #16-004 in an amount not-to-exceed of \$64,000.

**Sponsors:** Environmental Services Department

Attachments: [2017-034 - Termite Insp., Test., Eval., & Treatm. for OSS and Comm.](#)  
[C. Bldg Complete](#)  
[Tabulation Sheet 2017-034](#)  
[Beach Environmental Bid](#)  
[Agreement 4-19-17](#)

Interim City Manager deJesus requested that Item 6.E.4. be removed from this evening's agenda.

**6.E.5. [17-322](#)** AWARD OF A PURCHASE AGREEMENT TO KOLDAIRE, INC. TO PROVIDE AND INSTALL AIR CONDITIONING UNITS AT POLICE STATION

Recommendation: Motion to Award a Purchase Agreement to Koldaire, Inc. to provide and install air conditioning units at Police Department in an amount not-to-exceed of \$168,853.

Sponsors: Environmental Services Department

Attachments: [Tabulation Sheet 2017-013](#)  
[BID FORM - CHAPTERS 1-5](#)  
[ITB 2017-013 Police Dept AC FINAL](#)  
[Award Recommendation](#)  
[Agreement \(CAO reviewed\)](#)

approved

**6.E.6. [17-329](#)** AWARD OF AN AGREEMENT WITH A-EXCELLENT SERVICE, INC. IN THE AMOUNT NOT TO EXCEED OF \$250,000 UTILIZING THE CITY OF DEERFIELD BEACH CONTRACT

Recommendation: Motion to Approve an Agreement with A-Excellent Service, Inc. utilizing the City of Deerfield Beach, Contract RFP #2013-14/16, in an amount not-to-exceed \$250,000 for HVAC Maintenance and Repair Services.

Sponsors: Environmental Services Department

Attachments: [1416 Contract Renewal 1st of 2](#)  
[1416 RFP](#)  
[1416 Resolution for Award](#)  
[1416 Contract Fully executed - expires 5-31-17 2-1yr renewals \(1\)](#)  
[1416 Tabulation](#)  
[A-Excellent AC piggy back CAO comments](#)

approved

**6.E.7 [17-309](#)** AWARD OF AGREEMENTS FOR CONTINUING GENERAL ARCHITECTURAL CONSULTING SERVICES TO CURRIE SOWARDS AGUILA ARCHITECTS, INC; WALTER ZACKRIA ASSOCIATES, PLLC; SONG & ASSOCIATES, INC; AND BEA ARCHITECTS INC.

**Recommendation:** Motion to Award three-year Agreements to Currie Sowards Aguila Architects, Inc., Walter Zackria Associates, PLLC, Song & Associates, Inc. and BEA Architects, Inc., for Continuing General Architectural Consulting Services.

**Sponsors:** Environmental Services Department

**Attachments:** [Rates, BEA Architects, Inc.](#)

[Rates, Currie Sowards Aguila Architects](#)

[Rates, Song & Associates, Inc.](#)

[Rates, Walters Zackria](#)

[Song & Associates, Inc. Delray RFQ 2017-010-S+A](#)

[Walters Zackria and Associates - RFQ NO. 2017-010 - DELRAY](#)

[BEACH CONTINUING GENERAL ARCH SERV - 12-08-16](#)

[BEA Architects,](#)

[Delray Beach Continuing General Architectural Consulting Services](#)

[Currie, Sowards, Aguila Architects - RFQ NO. 2017-010](#)

[RFQ 2017-010 - Scoring Summary](#)

[Exhibit A, Service Authorization](#)

[Final Agreement - Song & Associates, Inc.](#)

[Final Agreement - BEA Architects, Inc.](#)

[Final Agreement - Walters Zackria Associates, PLLC](#)

[Final Agreement - Currie Sowards Aguila Architects, Inc.](#)

approved

## 7. REGULAR AGENDA:

**7.A. [17-352](#)** BEST INTEREST RESOLUTION NO. 31-17 FOR WAIVER OF THE CITY CODE OF ORDINANCES, CHAPTER 36, SECTION 36.02 (C)(7) AND AWARD OF AN AGREEMENT TO KRONOS INCORPORATED FOR WORKFORCE MANAGEMENT SOFTWARE AND ON-GOING SUPPORT AND MAINTENANCE IN A NOT-TO-EXCEED AMOUNT OF \$87,500

**Recommendation:** Motion to Approve Best Interest Resolution No. 31-17 for waiver of the City Code of Ordinances, Chapter 36, Section 36.02 (C)(7) and to award a one-year agreement with options to renew to Kronos Incorporated for workforce management software and on-going support and maintenance in a not-to-exceed maximum amount of \$95,000. This request is to allow and

declaring by a four-fifths affirmative vote that use of the sealed competitive method or written quotations method is not in the best interest of the City.

Sponsors: Police Department

Attachments: [Contract 14-JLR-003](#)  
[KRO\\_Contract\\_Amendments](#)  
[Kronos\\_WFM\\_Renewal\\_1](#)  
[StatementofClarification\\_August-02-2016](#)  
[14-JLR-003\\_Workforce\\_Management\\_System\\_Posting](#)  
[Addendum 1](#)  
[RFP\\_14\\_JLR\\_003\\_Workforce\\_Management\\_System](#)  
[City of Delray PD - Telestaff Solution On-Premise solution](#)  
[Best Interest Resolution](#)  
[City of Delray- Kronos agreement FINAL KJ Executable 042417](#)

Chief Jeff Goldman presented this item.

Deputy Vice Mayor Johnson asked questions. Vice Mayor Chard inquired about the funding source.

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

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

**7.B. [17-410](#)** NOMINATION FOR APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD

Recommendation: Motion to Approve a nomination for appointment for one (1) regular member to serve on the Site Plan Review and Appearance Board.

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)  
[Site Plan Review and Appearance Board Member List](#)  
[Site Plan Review and Appearance Board Attendance List](#)

Deputy Vice Mayor Johnson nominated Mr. Jim Knight. Vice Mayor Chard seconded it.

The motion to appoint Mr. Knight was approved 3-2, with Mayor Glickstein and Commissioner Petrolia dissenting.  
**approved**

**Yes:** 3 - Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, and Commissioner Katz

**No:** 2 - Mayor Glickstein, and Commissioner Petrolia

## 8. PUBLIC HEARINGS:

### 8.A. [17-411](#) **RESOLUTION 39-17**

**Recommendation:** Motion to Approve Resolution 39-17 which authorizes the Contract for Sale of Vacant Land Located at 316 S.W. 4th Avenue.

**Sponsors:** City Attorney Department

**Attachments:** [Resolution 39-17](#)

Mr. Max Lohman, City Attorney, introduced this item.

Vice Mayor Chard asked whether the Community Land Trust would be interested in this property for affordable home use. There was further discussion about other City-owned surplus properties.

A motion was made by Commissioner Katz, seconded by Deputy Vice Mayor Ervin Johnson, that this Resolution be approved. The motion carried by the following vote:

**approved**

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

### 8.B. [17-403](#)

**ORDINANCE NO. 13-17: ESTABLISHING REQUIREMENTS FOR THE CITY OF DELRAY BEACH'S PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM PROVIDING FOR MULTIPLE, NON -EXCLUSIVE PACE PROGRAMS IN ORDER TO ALLOW FOR THIRD-PARTY ADMINISTRATORS, EITHER FOR-PROFIT OR NOT-FOR-PROFIT, TO ADMINISTER THE PACE PROGRAM WITHIN THE CITY (SECOND READING)**

**Recommendation:** Motion to Approve Ordinance No. 13-17 on second reading.

**Sponsors:** Environmental Services Department

**Attachments:** [Ordinance 13-17 PACE Program](#)  
[PACE Program Memorandum](#)

Assistant City Manager Dale Sugerman made a brief presentation. City Attorney Max Lohman read the Ordinance title into the meeting record.

A motion was made by Vice Mayor Chard, seconded by Commissioner Katz that this Ordinance be approved. The motion carried by the following

vote:

**approved**

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

**8.B.1. 17-252**

**RESOLUTION 18-17 APPROVING AND ADOPTING THE SECOND AMENDED AND RESTATED INTERLOCAL AGREEMENT ORIGINALLY EXECUTED BY THE TOWNS OF LANTANA AND MANGONIA PARK, WHICH PROVIDES FOR UPDATES TO THE BOARD OF SUPERVISORS' STRUCTURE, FOR MORE FLEXIBILITY IN OBTAINING A QUORUM OF THE BOARD AND A PROGRAM NAME CHANGE TO "RENEWPACE" AS IMPLEMENTED BY THE FLORIDA GREEN FINANCE AUTHORITY CONCERNING THE CONTINUATION OF THE "PACE" PROGRAM WITHIN THE CITY; SPECIFICALLY RESCINDING RESOLUTION NO. 24-12 ON "PACE" DUE TO THE RECENT CHANGES IN THE PROGRAM NAME AND AMENDMENTS TO ORIGINAL INTERLOCAL AGREEMENT**

**Recommendation:** Motion to Approve Resolution 18-17 approving and adopting the second amended and restated Interlocal Agreement originally executed by the Towns of Lantana and Mangonia Park, which provides for updates to the Board of Supervisors' Structure, for more flexibility in obtaining a quorum of the Board and a program name change to "RenewPACE" as implemented by the Florida Green Finance Authority concerning the continuation of the "PACE" Program within the City; specifically rescinding Resolution No. 24-12 on "PACE" due to the recent changes in the program name and amendments to the original Interlocal Agreement.

**Sponsors:** Environmental Services Department

**Attachments:** [Resolution 18-17 Expand Pace Approve 2nd Amended for Renew](#)  
[Original Interlocal Agreement -Florida Green Energy Works](#)  
[Second Amended and Restated Interlocal Agreement Full Recorded](#)  
[Delray Beach Party Membership Agreement and Resolution](#)

Mr. Lohman read this into record

Motion to approve Resolution 18-17 was made by Vice Mayor Chard and seconded by Commissioner Katz that this Resolution be adopted. The motion carried by the following vote:

**approved**

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

8.B.2. [17-360](#)

RESOLUTION NO. 19-17 CREATING AN ADDITIONAL PROPERTY ASSESSMENT CLEAN ENERGY (PACE) PROGRAM WITHIN THE CITY AND JOINING THE GREEN CORRIDOR PROPERTY ASSESSMENT CLEAN ENERGY (PACE) DISTRICT AS A NON-VOTING MEMBER; AUTHORIZING THE EXECUTION OF A NON-EXCLUSIVE MEMBERSHIP AGREEMENT WITH THE GREEN CORRIDOR PROPERTY ASSESSMENT CLEAN ENERGY (PACE) DISTRICT

**Recommendation:** Motion to Approve Resolution No. 19-17 creating an additional Property Assessed Clean Energy (PACE) Program within the City and joining the Green Corridor Property Assessment Clean Energy (PACE) District as a non-voting member; authorizing the execution of a non-exclusive membership agreement with the Green Corridor Property Assessment Clean Energy (PACE) District.

**Sponsors:** Environmental Services Department

**Attachments:** [Resolution 19-17 Agreement to join Green Corridor PACE District](#)

[YGrene Membership Agreement](#)

[Original YGreneCorridor Interlocal Agreement](#)

Vice Mayor Chard made a motion to approve Resolution 19-17. It was seconded by Commissioner Petrolia.

**approved**

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

8.C. [17-407](#)

ORDINANCE NO. 12-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH; AT ARTICLE 2.4, "GENERAL PROCEDURES", BY AMENDING SECTION 2.4.7, "PROCEDURES FOR OBTAINING RELIEF FROM COMPLIANCE WITH PORTIONS OF THE LAND DEVELOPMENT REGULATIONS", SUBSECTION (E), "APPEALS", TO CLARIFY AND UPDATE THE PROCEDURES FOR SAME, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance No. 12-17 on second reading to amend Section 2.4.7(E) of the LDRs to clarify and update the appeals procedures.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Ord 12-17 LDR 2.4.7 appeal revisions FINAL](#)

[PZB Report--ORD 12-17 Appeals 2.15.17 MES](#)

Motion to approve Ordinance 12-17 on second reading made by Commissioner Katz and seconded by Commissioner Petrolia.

**approved**

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

**8.D. 17-408** ORDINANCE NO. 15-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH; ARTICLE BY AMENDING SECTION 4.6.9, "OFF-STREET PARKING REGULATIONS", SUBSECTION 4.6.9(E)(3), "IN LIEU FEES" TO REVISE THE IN LIEU FEE AREAS TO MATCH THE CORRESPONDING MAP AND TO REMOVE THE FEES TO BE ADOPTED BY RESOLUTION; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance No. 15-17 on second reading to amend Section 4.6.9(E)(3) to revise the in lieu fee areas description to match the corresponding map and remove the fees which are proposed to be adopted by resolution.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Ord 15-17 In Lieu Area Descripton](#)  
[In Lieu Fee Areas-reduced](#)  
[PZB Report--ORD 15-17 In Lieu Parking](#)  
[Res 27-17 Est fee schedule for in lieu fees](#)

Max Lohman read the ordinance into record.

Discussion ensued regarding this item. Mayor Glickstein and Commissioner Petrolia agrees that this is an item that needs to be on a workshop in the future.

A motion was made by Commissioner Petrolia, seconded by Deputy Vice Mayor Ervin Johnson, that this Ordinance be adopted. The motion carried by the following vote:  
**approved**

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

**8.D.1. 17-399** RESOLUTION NO. 27-17: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ESTABLISHING A SCHEDULE OF IN LIEU FEES FOR PARKING, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH, FLORIDA SECTION 4.6.9, "OFF STREET PARKING REGULATIONS", SUBSECTION 4.6.9(E), "LOCATIONS OF PARKING SPACES", PARAGRAPH 3, "IN LIEU FEE"; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Recommendation: Motion to Approve Resolution No. 27-17 establishing a schedule of in lieu fees for parking pursuant to the Land Development Regulations Section 4.6.9(E)(3).

Sponsors: Planning & Zoning Department

Attachments: [Res 27-17 Est fee schedule for in lieu fees](#)

[In Lieu Fee Areas](#)

Discussion ensued about this item.

A motion was made by Commissioner Katz to approve Resolution 27-17. It was seconded by Vice-Mayor Chard. The motion carried by the following vote:  
**adopted**

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

**8.E. [17-409](#)**

ORDINANCE NO. 18-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 133, "OFFENSES AGAINST PERSONS", BY CREATING A NEW SECTION 133.02, "PROHIBITION OF CONVERSION THERAPY ON MINORS", PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 133 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Motion to Approve Ordinance No. 18-17 on second reading to ban the practice of Conversion Therapy on Minors in the City.

Sponsors: City Attorney Department

Attachments: [Ord No. 18-17 creating new Sec 133.02 Prohibition of Conversion Therapy on Minors](#)  
[Conversion therapy legal opinion final](#)

Julie Hamilton expressed her concern about this proposal and that this ordinance was unnecessary. She discussed the psychological and physical abuse related to this agenda item. She discussed the violation of free speech.

Vice Mayor Chard moved, seconded by Commissioner Petrolia, to approve Ordinance 18-17 on second reading.  
**adopted**

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

**9. FIRST READINGS:**

9.A. None

**10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:****10.A. City Manager**

Mr. deJesus advised that a change has to be made on September 7, 2017 (Thursday).

Mr. deJesus discussed the Caring Kitchen and using County Property which is not available. He talked about some options and asked for direction from the Commission to be relocated to the rail depot, or doing an invitation to bid. Discussion ensued amongst the Commissioners.

He discussed the Facility Naming Policy. Mayor Glickstein gave his thoughts on this policy and the Community Redevelopment Agency (CRA) having a separate policy. Brief discussion ensued. Mr. Lohman suggested that the City Commissioners look at serving as the Community Redevelopment Board Agency (CRA) Board. Further discussion ensued amongst the City Commissioners.

Mr. Lohman advised that this would be a Resolution change. He would have to look into this further.

Mayor Glickstein talked about the alleyway improvement plan. Commission talked about the improvements (lack of) in the CRA Districts.

He gave an update on the iPIC closing which did not happen that past Friday. Mr. deJesus advised that all of the permits and agreements were not in order. No final bonds or building permits were completed as of Friday (April 29th).

Deputy Vice Mayor advised that she would like to hear from the public before she votes on a Resolution.

It was the consensus of the Commission to bring this back at the next meeting as a Resolution to have the City act as the Commission of the CRA.

The Comprehensive Annual Financial Report will be presented at the June 6, Regular Meeting.

**10.B. City Attorney****10.C. City Commission**

Commissioner Katz advised that he would be Skyping into the goal setting meeting on May 18th. He commended the DDA on their trial security initiative downtown, but felt this should be going through their budget, rather than City funds. Commissioner Katz talked about the workforce housing market in Delray Beach and the need to provide homes for families or individuals making between \$70,000 and \$100,000.00.

Deputy Vice Mayor Johnson asked about the Mae Volen Center (Congress and Lake Ida). She also commented about the following: the memorial service of Officer Christine Braswell, CRA and City Commission Meeting on April 24, 2017, the League of Cities and Earth Day, the Comprehensive Plan and its progress.

Commissioner Petrolia discussed removing members of boards and commissions "at the will of the commission". She discussed short-term vacation rentals in the community and its impact on existing City residents.

Vice Mayor Chard discussed quads and motorcycles racing up Swinton Avenue and talked about possible traffic calming. He discussed the parking meters on Atlantic Avenue which is supported by the DDA as a possible workshop item. Vice Mayor Chard asked about the status of the Bike Share program. Mr. Lohman gave an update on this item. (Possible workshop item for the Bike Share Program). He discussed the Comprehensive Plan and how it was not moving forward the way he felt. Mr. deJesus made some comments also. Mr. deJesus asked Mr. Stillings to give an update.

Mayor Glickstein thanked the CRA and DDA for their recent reports. He invited the public to the MPO Kickoff Study. He asked to post links on the website and social media websites. He thanked everyone that attended the service of Officer Braswell. He talked about Brightline forming and the Quiet Zones forming throughout the City. He discussed grant given to the City in the amount of \$150,000 for transit-oriented development. He discussed follow up on mechanical railing discussed by previous Commission. Mayor Glickstein noted that there continues to be safety concerns along rail corridors. Mayor Glickstein brought up the Evergreen study and asked where it was going. He also noted that "Air B&B" businesses were hurting the bricks and mortar hotels.

There being no further discussion, the Mayor adjourned the meeting at

10:42 pm.