

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444
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Regular Commission Meeting

Tuesday, April 5, 2016

Public Hearings 7:00 p.m.

**Commission Chambers
Delray Beach City Hall**

City Commission

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

RULES FOR PUBLIC PARTICIPATION

PUBLIC COMMENT: City Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor, presiding officer or a consensus of the City Commission has discretion to adjust the amount of time allocated.

Public comment shall be allowed as follows:

- A.** Comments and Inquiries on Non-Agenda and Agenda Items (excluding public hearing or quasi-judicial hearing items) from the Public: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the City Manager to take action on requests or comments.
- B.** Public Hearings/Quasi-Judicial Hearings: Any citizen is entitled to speak on items under these sections at the time these items are heard by the Commission.
- C.** All persons desiring to do a presentation on agenda or non-agenda items that are on a portable flash drive device or a CD/DVD, must provide their media to the City Clerk no later than 12:00 p.m. one day prior to the meeting where they wish to present.

SIGN IN SHEET: Prior to the start of the Commission Meeting, individuals wishing to address the Commission should sign in on the sheet located on the right side of the dais. If you are not able to do so prior to the start of the meeting, you may still address the Commission. The primary purpose of the sign-in sheet is to assist staff with record keeping. Therefore, when you come up to the to speak, please complete the sign-in sheet if you have not already done so.

ADDRESSING THE COMMISSION: At the appropriate time, please step up to the lectern and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

APPELLATE PROCEDURES

Please be advised that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The City neither provides nor prepares such record.

1. ROLL CALL**2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. APPROVAL OF MINUTES:**

None

4. PRESENTATIONS:**4.A. LEGISLATIVE UPDATE - REPRESENTATIVE LOIS FRANKEL****4.B. PRESENTATION OF EMPLOYEE OF THE MONTH FEBRUARY 2016 - KAREN SCHELL**

Sponsors: Human Resources Department

Attachments: [February 2016 Employee of the Month](#)

5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:**6. AGENDA APPROVAL****7. CONSENT AGENDA: City Manager Recommends Approval****7.A. ACCEPTANCE OF A RIGHT OF WAY DEED FOR TWO FEET OF ALLEYWAY LOCATED AT 102 N.E. 1st AVENUE**

Recommendation: Motion to Approve and accept a Right of Way Deed for 2' of alleyway at 102 NE 1st Ave.

Sponsors: Environmental Services Department

Attachments: [Right of Way Deed Agreement](#)
["Exhibit A" Sketch Description for 102 N.E. 1st Avenue](#)
[Sunbiz](#)
[PAPA Page](#)

7.B. ACCEPTANCE OF A 2 FOOT RIGHT-OF-WAY DEDICATION FOR S.W. 2ND TERRACE

Recommendation: Motion to accept a 2' Right-of-Way Dedication from the abutting lots North and South of SW 2nd Terrace.

Sponsors: Environmental Services Department

Attachments: [RW Deed Lots 16-20, 21, 22, 24, 25](#)
[RW Deed Lot 23](#)

7.C. ACCEPTANCE OF A SIDEWALK EASEMENT DEED AND A RIGHT OF WAY DEED FOR AN ALLEY DEDICATION LOCATED AT 227 N.W. 1ST AVENUE

Recommendation: Motion to Approve acceptance of a 5' Sidewalk Easement Deed and a Right-of-Way Deed for a 2'6" alley dedication for the property located at 227 N.W. 1st Avenue.

Sponsors: Planning & Zoning Department

Attachments: [First Federal Bank Subordination Agreement](#)
[Location Map](#)
[Easement Deed for 227 NW 1st Avenue](#)
[Right of Way Deed for 227 NW 1st Avenue](#)

7.D. ACCEPT A LANDSCAPE MAINTENANCE AGREEMENT AND HOLD HARMLESS AGREEMENT FOR PLANTINGS PROPOSED IN THE STATE RIGHT-OF-WAY OF NORTH FEDERAL HIGHWAY ASSOCIATED WITH DELRAY PRESERVE, LOCATED ON THE EAST SIDE OF NORTH FEDERAL HIGHWAY, SOUTH OF GULFSTREAM BOULEVARD

Recommendation: Motion to accept the Landscape Maintenance and Hold Harmless Agreement to allow landscaping in the State Right-of-Way of North Federal Highway.

Sponsors: Planning & Zoning Department

Attachments: [Landscape Maintenance Agreement](#)
[Hold Harmless Agreement](#)

7.E. SERVICE AUTHORIZATION NO. 2/CB&I ENVIRONMENTAL & INFRASTRUCTURE, INC. FOR THE CITY'S BEACH MANAGEMENT PROGRAM (PROJECT NO.12-070)

Recommendation: Motion to approve Service Authorization No. 2 with CB&I Environmental & Infrastructure, Incorporated regarding the City's Beach Management Program in an amount not to exceed \$78,483 for performing professional services.

Sponsors: Environmental Services Department

Attachments: [Service Authorization No. 2](#)

7.F. SERVICE AUTHORIZATION NO. 12-21 TO MATHEWS CONSULTING, INC. IN THE AMOUNT OF \$5,380 FOR PROFESSIONAL SERVICES TO ASSIST IN PREPARING THE FY2017 GRANT APPLICATION FOR ALTERNATIVE WATER SUPPLY FUNDING FROM THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT TO EXPAND THE CITY'S RECLAIMED WATER SYSTEM

Recommendation: Motion to approve Service Authorization #12-21 to Mathews Consulting, Inc. in the amount not to exceed \$5,380.00 for professional engineering services to prepare the FY2017 grant application for Alternative Water Supply funding from the South Florida Water Management District to expand the City's reclaimed water system.

Sponsors: Environmental Services Department

Attachments: [Consulting Service Authorization No. 12-21](#)

- 7.G.** RATIFICATION OF CHANGE ORDER NO. 1 TO OVIVO USA, LLC. IN THE AMOUNT OF \$41,000 FOR ADDITIONAL WORK IN THE REPAIR OF THE EASTERN VACUUM FILTER UNIT AT THE WATER TREATMENT PLANT, AUTHORIZED BY THE CITY MANAGER AS A CHANGE ORDER DEFINED BY CITY CODE SECTION 36.06(A) (2).

Recommendation: A motion to ratify a Change Order approved to Ovivo USA, LLC. in the amount of \$41,000 for additional work required in the repair of the eastern vacuum filter unit at the Water Treatment Plant. The recommendation complies with the Code of Ordinance, Section 36.06 (A) (2), "Change Orders, Within the Scope of Work".

Sponsors: Environmental Services Department

Attachments: [Acquisition Approval- Water Treatmt Plant East Vacuum Filter Rebuild- Approva](#)
[Ovivo Proposal 20160118 Additional Work B.PDF](#)

- 7.H.** PURCHASE AWARD TO SUNSHINE GOLF CAR FOR ONE STAR-EV ELECTRIC GOLF CAR

Recommendation: Motion to approve a purchase from Sunshine Golf Car, utilizing Palm Beach County School Board Contract 14C-46A, for one Star-EV electric golf car, in the amount of \$9,999.95.

Sponsors: Purchasing Department

Attachments: [Best Price Statement](#)
[PBC 14C-46A Contract](#)
[Purchasing Checklist](#)
[Quote](#)
[Specs](#)

- 7.I.** LICENSE AGREEMENT EXTENSION - DELRAY STUDENTS FIRST

Recommendation: Motion to approve the extension of the use agreement between the City of Delray Beach and Delray Students First for one (1) year (April 8, 2016 - April 7, 2017), as per the original agreement, for the purpose of offering a youth education and mentoring program at Catherine Strong Park.

Sponsors: Parks & Recreation Department

Attachments: [2016 Delray Students First Renewal Letter](#)
[2015 Agreement Delray Students First](#)

- 7.J.** SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY FOR FIBER TRANSPORTATION

Recommendation: Motion to Approve the modification to the Interlocal Agreement between the City of Delray Beach and Palm Beach County which allows Palm Beach County to provide, and the City of Delray Beach to use, leased Multi-Protocol Label Switching (MPLS) and transport fiber between the City of Delray Beach and the City of Delray Beach's Disaster Recovery site in Jacksonville, Florida.

Sponsors: Purchasing Department

Attachments: [Second Amendment to the Interlocal Agreement](#)
[Palm Beach County Agenda Item for City of Delray R2014-1963 12-16-14](#)

7.K. CONTRACT CLOSEOUT (CHANGE ORDER NO. 1/FINAL) WITH AKA SERVICES, INC. FOR THE TROPIC PALMS WATER MAIN REPLACEMENT PROJECT.

Recommendation: 1) Motion to approve Contract Closeout (Change Order No. 1/Final) to AKA Services, Inc., in the net contract deduct amount of (\$153,844.91) and 2) Motion to approve a final payment, in the amount of \$20,506.03, to AKA Services, Inc., for completion of the Phase I Tropic Palms Water Main Replacement Project No.14-061.

Sponsors: Environmental Services Department

Attachments: [CO No. 1 Final Tropic Palms](#)
[Location Map for Tropic Palms](#)

7.L. PURCHASE FROM MUNICIPAL EQUIPMENT COMPANY, LLC FOR 15 SETS OF FIRE BUNKER GEAR

Recommendation: Motion to approve a purchase from Municipal Equipment Company, LLC, utilizing Lake County Contract 12-0806M, for 15 sets of fire bunker gear, at a cost not to exceed \$34,190.25.

Sponsors: Purchasing Department

Attachments: [Purchasing Checklist](#)
[Contract](#)
[Quote](#)
[Renewal](#)
[Best Price Letter](#)

7.M. PROCLAMATIONS:

7.M.1. WATER CONSERVATION MONTH - APRIL 2016

Sponsors: City Clerk Department

Attachments: [Water Conservation Month 2016](#)

7.M.2. EARTH DAY IN DELRAY BEACH PROCLAMATION - APRIL 23, 2016

Sponsors: Environmental Services Department

Attachments: [Earth Day Proclamation](#)

7.M.3. ADMINISTRATIVE PROFESSIONALS WEEK - APRIL 24-30, 2016

Sponsors: City Clerk Department

Attachments: [Administrative Professionals Week 2016](#)

7.M.4. RIDE OF SILENCE DAY PROCLAMATION - MAY 18, 2016

Sponsors: City Clerk Department

Attachments: [Ride of Silence 2016](#)

**7.N. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS FOR ITEMS
FEBRUARY 22, 2016 THROUGH MARCH 18, 2016**

Recommendation:

Motion to Accept the actions and decisions made by the Land Development Boards for the period February 22, 2016 through March 18, 2016

Sponsors: Planning and Zoning Board

Attachments: [Location Map](#)

[799 N.E. 2nd Avenue](#)

[226 Palm Court](#)

[One 10 Building](#)

[Purlife Fitness Center](#)

[Delray Beach Boxing](#)

[Bahia Delray](#)

[Lake Ida Plaza](#)

[Performance Fitness Juice Bar](#)

[Palm Beach Auto Group](#)

[Downtown Delray Professional Center](#)

[Buddha Sky Bar](#)

[Resource Point of Sale](#)

[Oceanview Townhomes](#)

[The Flossy Building](#)

7.O. AWARD OF BIDS AND CONTRACTS:

**7.O.1. BID AWARD TO WEST CONSTRUCTION, INC. FOR MERRITT PARK
IMPROVEMENTS (PROJECT NO. 14-052)**

Recommendation: Motion to approve Bid No. 2016-044 for the Merritt Park Improvements Project (Project No. 14-052) to the lowest responsive bidder, West Construction Incorporated, in the amount of \$411,711.

Sponsors: Environmental Services Department

Attachments: [Bid Tabulation Sheet Merritt Park](#)

[Location Map](#)

[Interlocal Agreement with the CRA 2015 - 2016](#)

**7.O.2. BID AWARD NO. Q2016-1129L TO SHENANDOAH GENERAL CONSTRUCTION
COMPANY FOR THE STORMWATER LINING LOCATED AT 945 ALLAMANDA
DRIVE**

Recommendation: Motion to Award Bid No. Q2016-1129L (Project No. 16-083) to Shenandoah General Construction Company for the stormwater pipe

lining located at 945 Allamanda Drive in the amount of \$12,500.

Sponsors: Environmental Services Department

Attachments: [945 Allamanda Drive Bid](#)
[Location Map](#)

7.O.3. BID AWARD TO LOW BIDDER, STO LANDSCAPE SERVICES, INC. FOR BALLFIELD MAINTENANCE AT POMPEY PARK - AWARD BID #2016-071

Recommendation: Motion to award bid number 2016-071 to STO Landscape Services Inc., in an amount not to exceed \$38,160, for the provision of ballfield maintenance at Pompey Park.

Sponsors: Parks & Recreation Department

Attachments: [BID #2015-47 Tab Sign-in Sheet](#)

7.O.4. BID AWARD TO AIR-REF CO., INC. FOR THE REPLACEMENT OF ONE CITY HALL AIR CONDITIONING UNIT (2016-074L)

Recommendation: Motion to award Bid No. 2016-074L to Air-Ref Co., Inc. in the amount of \$42,900.00 for the replacement of one City Hall air conditioning unit.

Sponsors: Purchasing Department

Attachments: [Purchasing Checklist](#)
[2016-074L Tab Sheet](#)
[2016-074L Complete](#)

8. REGULAR AGENDA:

8.A. APPLICANT APPEAL OF THE SITE PLAN REVIEW AND APPEARANCE BOARD (SPRAB) DENIAL OF THE CLASS II SITE PLAN MODIFICATION FOR A ONE-LANE SURFACE DRIVE THAT CONNECTS N.E. 6TH AVENUE AND N.E. 7TH AVENUE ASSOCIATED WITH THE ATLANTIC CROSSING PROJECT (QUASI-JUDICIAL HEARING)

Recommendation: Move approval of the Class II site plan modification and landscape plan as revised and dated February 9, 2016 for Atlantic Crossing for a one-lane surface drive that provides a connection between NE 6th Avenue and NE 7th Avenue, subject to the following conditions:

1. That the applicant agrees that the valet queue drop-off shall not be permitted to backup onto NE 7th Avenue and impede traffic flow. In the event that the valet queue backups onto NE 7th Avenue at any time, the operator agrees that it must immediately close the valet drop-off queue and direct incoming vehicles to self-parking until the backup ends.
2. That a valet operation plan satisfactory to the City be submitted and approved by the City Manager or her/his designee in the event the City determines there exists a chronic issue with stacking onto NE 7th Avenue. A chronic stacking issue onto NE 7th Avenue is evidenced, among other things, by stacking on more than one

occasion in a one hour period for more than 5 minutes as documented by City personnel.

3. That a wayfinding sign package satisfactory to the City be submitted as part of a building permit and approved by the Planning and Zoning Department.
4. That all plans such as the sub-grade parking facility and landscaping are revised to be consistent with the modification to the valet queue and surface drive as approved by the City Commission.
5. That a flag person is on-site during to coordinate traffic flow during all loading operations.

Sponsors: Planning & Zoning Department

Attachments: [Appeal Letter](#)
[Original Approved Site Plan \(January 21, 2014\)](#)
[Denied Class II Site Plan \(January 27, 2016\)](#)
[Revised site plan \(February 9, 2016\)](#)
[Atlantic Crossing Location Map](#)
[Greenman-Pedersen, Inc. Memo dated January 22, 2016](#)
[Greenman-Pedersen, Inc. Memo dated February 12, 2016](#)
[Atlantic Crossing SPRAB Class II Staff Report dated January 27, 2016](#)
[DRAFT SPRAB Minutes of the January 27, 2016](#)
[SPRAB Staff Report dated March 7, 2016](#)
[DRAFT 03-07-16 SPRAB Minutes Special Meeting](#)
[Atlantic Crossing Title Certificate](#)

8.B. REQUEST FOR A WAIVER OF LDR SECTION 4.6.7(E)(7) TO ALLOW TWO FLAT WALL SIGNS NOT FACING A DEDICATED STREET FRONTAGE FOR A BURGER KING RESTAURANT LOCATED AT 1820 SOUTH FEDERAL HIGHWAY (QUASI-JUDICIAL HEARING)

Recommendation: Motion to Approve a request for a waiver to LDR Section 4.6.7(E)(7) to allow two flat wall signs not facing a dedicated street frontage for a Burger King restaurant located at 1820 S. Federal Hwy.

Sponsors: Planning & Zoning Department

Attachments: [SPRAB Report 21016](#)
[Applicant Justification Letter](#)
[Sign Elevations](#)
[Site Location Map](#)
[Draft SPRAB Minutes from 02-10-16 Meeting](#)
[Board Order](#)

8.C. APPOINTMENT OF ASSISTANT CITY ATTORNEY/POLICE LEGAL ADVISOR

Recommendation: Motion to Approve appointment of Assistant City Attorney/Police Legal Advisor

Sponsors: City Attorney Department and Police Department

Attachments: [1ed4defb-31ce-4f67-9d8d-71579ef48502](#)

8.D. FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN CITY OF DELRAY BEACH FLORIDA AND CREATIVE CITY COLLABORATIVE OF DELRAY BEACH, INC. FOR OLD SCHOOL SQUARE PARKING GARAGE PROPERTY

Recommendation: Motion to Approve First Amendment to Lease Agreement Between City of Delray Beach, Florida and Creative City Collaborative of Delray Beach, Inc. ("CCC") for Old School Square Parking Garage Property

Sponsors: City Attorney Department

Attachments: [First Amendment to Lease Agreement](#)

[Letter Dated March 14 2016 from CCC](#)

8.E. 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)

8.E.1. APPROVAL OF FISCAL YEAR 2016 SPENDING GREATER THAN \$25,000 WITH GREENMAN-PEDERSON, INC. OF TAMPA FOR TRAFFIC ENGINEERING SERVICES RELATED TO ATLANTIC CROSSING

Recommendation: Motion to approve a supplemental scope of services with Greenman-Pederson, Inc. of Tampa for traffic engineering services related to the Atlantic Crossing Site Plan Modification in an amount not to exceed an additional \$10,000.00 for fiscal year 2016, including expenses.

Sponsors: Planning & Zoning Department

Attachments: [GPI Supplemental SOW](#)

[Agreement between Greenman-Pedersen](#)

8.E.2. CONTRACT AWARD TO MAXIS360 FOR A VOICE OVER INTERNET PROTOCOL (VoIP) TELEPHONE SYSTEM (RFP 2016-049)

Recommendation: Motion to Award a contract for RFP 2016-049 to Maxis360 in an amount not to exceed \$408,764.00 for Voice over Internet Protocol (VoIP) telephone system, for the installation and project management of a new Intelligence CIC Enterprise Phone System and Contact Center.

Sponsors: Purchasing Department

Attachments: [EXHIBIT TO CONTRACT Scope of Services EXHIBIT A Maxis360](#)

[FINAL INTERACTIVE LICENSE AGREEMENT for Maxis360](#)

[FINAL VERSION MAXIS 360 VOIP Agreement](#)

[FINAL FINAL Maxis360 Exhibit B List Of Equipment](#)

8.E.3. SERVICE AUTHORIZATION NO. 12-20 TO MATHEWS CONSULTING, INC. FOR PROFESSIONAL SERVICES IN DESIGN OF THE NEXT PHASE OF THE RECLAIMED WATER SYSTEM EXPANSION, AREA 12C (PROJECT NO. 2016-073)

Recommendation: Motion to Approve Service Authorization No. 12-20 to Mathews Consulting, Inc. in the amount of \$199,972.00 for professional engineering services in the design of the next phase of the Reclaimed Water System Expansion, Area 12C (Project No. 2016-073).

Sponsors: Environmental Services Department

Attachments: [Mathews Consulting Service Authorization No. 12-20](#)
[Location Map for Reclaimed Area 12C](#)

8.E.4. SERVICE AUTHORIZATION NO. 12-10 WITH WANTMAN GROUP, INC. FOR THE N.E. 2ND AVENUE/SEACREST BEAUTIFICATION PROJECT PHASE II

Recommendation: Motion to Approve Service Authorization No. 12-10 with Wantman Group, Inc. for design services for the N.E. 2nd Avenue / Seacrest Beautification Project Phase II (Project No. 16-032) in the amount not to exceed \$169,004.50.

Attachments: [Location Map](#)
[S.A. No. 12-10 - NE 2nd Avenue Seacrest Phase II](#)

8.E.5. BID AWARD TO DP DEVELOPMENT OF THE TREASURE COAST, LLC FOR BLOCK 32 ALLEY IMPROVEMENTS (BID NO. 2016-054)

Recommendation: Motion to award a contract for Bid No. 2016-054 to DP Development of the Treasure Coast, LLC. in the amount of \$448,584 for the for Block 32 Alley Improvements (Project No. 11-009).

Attachments: [Bid Tab](#)
[Location Map ALLEY 2011-009](#)
[Sun Up Enterprises letter](#)

8.E.6. AWARD BID TO FOSTER MARINE CONTRACTORS, INC. FOR THE SW 10TH/9TH AVENUE IMPROVEMENTS AND SW 2ND TERRACE IMPROVEMENTS PROJECT

Recommendation: Motion to award Bid No. 2016-016 to Foster Marine Contractors, Inc. in the amount of \$333,890 for the SW 10th/9th Avenue Improvements (Project No. 14-023) and SW 2nd Terrace Improvements Project (Project No. 14-024).

Sponsors: Environmental Services Department

Attachments: [Bid Tab](#)
[SW 2nd Terrace Location Map](#)
[SW 10th/9th Avenue Location Map](#)

8.E.7. BID AWARD TO FOSTER MARINE CONTRACTORS, INC. FOR THE INSTALLATION OF SIDEWALKS ON SE 4TH STREET PROJECT (BID NO. 2016-059C)

Recommendation: Motion to award Bid No. 2016-059C to Foster Marine Contractors, Inc. in the amount of \$219,224 for the installation of sidewalks on SE 4th Street (Project No. 15-002).

Sponsors: Environmental Services Department

Attachments: [Bid Tab](#)
 [Location Map](#)
 [Interlocal Agreement with the CRA 2015 - 2016](#)

8.E.8. CONTRACT AWARD TO AQUIFER MAINTENANCE & PERFORMANCE SYSTEMS, INC. TO REPLACE FLOW METERS FOR ALL CITY RAW WATER WELLS

Recommendation: Motion to approve an award to Aquifer Maintenance & Performance Systems, Inc. (AMPS), utilizing Martin County Contract #2012-2540, for replacement of flow meters for all City raw water wells, at a cost not to exceed \$108,200.00.

Sponsors: Purchasing Department

Attachments: [2012 Agreement](#)
 [2015 2016 Agreement Renewal](#)
 [2012 Bid Sheet](#)
 [Quote](#)
 [Specs](#)
 [Best Price Letter](#)
 [Purchasing Checklist](#)

8.E.9. RETROACTIVE APPROVAL OF THE AGREEMENT FOR USE OF TENNIS CENTER AND STADIUM FOR FILM PRODUCTION BY SUPERPRIME

Recommendation: Motion to retroactively approve an agreement with Superprime for use of Tennis Center on March 4, 2016 for the purpose of filming a television commercial.

Sponsors: Parks & Recreation Department

Attachments: [Contract Superprime March 2016](#)
 [Permit No. 16-070 - Superprime](#)
 [Authorized Signature Letter](#)

8.E.10 RATIFICATION OF EMERGENCY ACTION PURSUANT TO CITY CODE SECTION 36.02 (C) (5) TO AWARD THE REPAIR OF THE SANITARY SEWER MAIN ON SE 5TH AVENUE AT SE 5TH STREET IN THE AMOUNT OF \$320,487 TO FOSTER MARINE CONTRACTORS, INC., AUTHORIZED BY THE CITY MANAGER AS AN EMERGENCY ACQUISITION PURSUANT TO CITY CODE SECTION 36.01(B)

Recommendation: A motion to ratify an emergency action awarding Foster Marine Contractors, Inc. in the amount of \$320,487 for the repair of the sanitary sewer main connecting to Lift Station 1. The recommendation complies with the Code of Ordinance, Section 36.02 (C) (5), "Emergency Acquisitions".

Sponsors: Environmental Services Department

Attachments: [Acquisition Approval Memo 20160311](#)
 [Foster Marine Contractors Quote](#)
 [Instituform Technologies Quote](#)
 [Location Map](#)

8.E.11 PRIOR APPROVAL OF FISCAL YEAR 2016 SPENDING GREATER THAN \$25,000 WITH PIPELINE PLUMBING SERVICES OF BROWARD

Recommendation: Motion to approve multiple acquisitions of pipeline services and repairs, to Pipeline Plumbing Services of Broward, in an amount not to exceed \$70,000.00 for fiscal year 2016.

Sponsors: Purchasing Department

Attachments: [City Manager Approval for Plumbing Contract](#)
 [Specs #2014-07 Plumbing Services](#)
 [Acquisition Approval- Second Term Contract Renewal for Bid No. 2014-07 Plumb](#)

8.E.12 CONTRACT CLOSEOUT (CHANGE ORDER NO. 7/FINAL) WITH SEALAND CONTRACTORS CORPORATION FOR THE FEDERAL HIGHWAY BEAUTIFICATION PROJECT (PROJECT NO. 2009-009)

Recommendation: Motion to approve Contract Closeout (Change Order No. 7/Final) Payment to Sealand Contractors Corporation., in the net contract deduction amount of (\$349,039.29). Motion to approve final payment, in the amount of \$187,456.26., to Sealand Contractors Corporation., for completion of the Federal Highway Beautification Project (Project No. 2009-009).

Sponsors: Environmental Services Department

Attachments: [Change Order No. 7](#)
 [Schedule A](#)
 [Location Map for Project](#)

8.E.13 CONTRACT AWARD TO STROBES-R-US TO PROVIDE AND INSTALL EMERGENCY LIGHTS AND EQUIPMENT

Recommendation: Motion to approve an award to Strobes-R-Us, utilizing Broward County Sheriff's Office Contract # 13104030, for multiple purchases and installations of emergency lights and equipment, for an amount not to exceed \$188,000 for fiscal year 2016 and to accept Whelen products as a City Standard in accordance with Code of Ordinances Sections 36.02(C)(6)(B) "City Standard," 36.02(C)(7) "Utilization of Other Governmental Entities' Contracts," and 36.03(B) "Multiple Acquisitions From Vendor Exceeding Twenty-Five Thousand Dollars (\$25,000.00) in Any Fiscal Year."

Sponsors: Purchasing Department

Attachments: [BSO Bid](#)
 [BSO Contract 13104030 Renewal](#)
 [BSO Contract Award 13104030](#)
 [Best Price Statement](#)
 [Purchasing Checklist](#)

**8.E.14 PROPOSED OFFER OF SETTLEMENT IN THE CLAIM OF CHRISTOPHER SPOCK
V. CITY OF DELRAY BEACH**

Recommendation: Motion to approve a settlement offer for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

Sponsors: City Attorney Department and Inglese

**8.E.15 PROPOSED OFFER OF SETTLEMENT IN THE CASE OF LESLIE & JOEL
FENIGSTEIN V. CITY OF DELRAY BEACH**

Recommendation: Motion to approve a settlement offer for the reasons discussed in the confidential memorandum previously distributed to the City Commission

9. PUBLIC HEARINGS:

9.A. DEVELOPER'S AGREEMENT FOR UPTOWN ATLANTIC (FIRST PUBLIC HEARING)

Recommendation: Motion to Approve a Developer's Agreement for Uptown Atlantic

Sponsors: City Attorney Department

Attachments: [Development Agreement](#)
 [Agreements referenced in Development Agreement](#)
 [SPRAB Staff Report from December 9, 2015](#)

10. FIRST READINGS:

10.A. None

11. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

B. City Attorney

C. City Commission