City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444
Phone: (561) 243-7000 - Fax: (561) 243-3774
www.mydelraybeach.com

Minutes - Final

Tuesday, June 7, 2016

6:00 PM

Regular Meeting at 6:00 PM

Delray Beach City Hall

City Commission

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. PRESENTATIONS:

3.A. 16-448 SPOTLIGHT ON EDUCATION- S.D. SPADY ELEMENTARY

Sponsors: City Clerk Department

Ms. Rona Tata, Principal of S.D. Spady, introduced this item. Mr. Mazen Salah, Assistant Principal, spoke regarding some of the school' initiatives and events. Ms. Raiko Knight, Guidance Counselor, spoke regarding Literacy Programs. Angela Lord, Magnet Coordinator, stated they had a successful year and discussed the several themes they celebrated throughout the year. She stated they will be celebrating 110 years.

Mayor Glickstein provided comments.

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

Mr. Cooper had no responses from the previous meeting.

Public Comments:
1. Jim Smith spoke regarding the sidewalk policy.
2. Darlene Staten spoke regarding noise issues at the LaFrance Apartment Complex.
3. Pauline Moody spoke regarding Ms. Davis and Human Resources.
4. Bill Morris spoke regarding the property owners from Mallory Square south to S.E. 10th.
5. Ingrid Kennemer spoke regarding the Central Business District for that area spoken about by Mr. Morris.
6. Jim Chard spoke in support of the sidewalk policy and thanked Mr. Stivers for his work on the policy.
7. Karen Granger, Delray Beach Chamber of Commerce, spoke regarding special events.

Mayor Glickstein gave comments.

8. Rob Steele, Executive Director OSS, spoke regarding Old School Square.
9. Jervonte Edmonds spoke regarding the suits for seniors program.

Vice Mayor Jacquet gave comments.
Deputy Vice Mayor Jarjura gave comments.

10. Scott Porten spoke regarding special events.
11. Victor Kirson spoke regarding Old School Square park.

5. AGENDA APPROVAL

Mr. Cooper and Mr. Pfeffer had no changes.

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

6. CONSENT AGENDA: City Manager Recommends Approval

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

6.A. 16-568 APPROVAL OF MINUTES

Recommendation: Motion to approve various sets of City Commission Meeting Minutes as listed below:

June 2, 2015 Regular Meeting
June 16, 2015 Regular Meeting
July 7, 2015 Regular Meeting
July 14, 2015 Regular Meeting
August 11, 2015 Regular Meeting
September 3, 2015 Regular Meeting

Attachments: 06-02-15 Meeting Minutes
06-16-15 Meeting Minutes
06-16-15 Board Order Item 8.A.
06-16-15 Board Order Item 8.B.
06-16-15 Board Order Item 8.C.
06-16-15 Board Order Item 8.D.
06-16-15 Board Order Item 8.E.
06-16-15 Board Order Item 8.F.
06-16-15 Board Order Item 8.G.
07-07-15 Meeting Minutes
07-14-15 Meeting Minutes
07-14-15 Board Order Item 8.A
07-14-15 Board Order Item 8.B.
08-11-15 Meeting Minutes
08-11-15 Board Order Item 8.A.
08-11-15 Board Order Item 8.B.
09-03-15 Meeting Minutes
09-03-15 Board Order Item 8.A.
09-03-15 Board Order Item 8.B.

6.B. 16-398 REVOCABLE LICENSE AGREEMENTS/FAITH-HOPE-LOVE CHARITY, INC.,LEGAL AID SOCIETY OF PALM BEACH COUNTY, INC., THE URBAN LEAGUE OF PALM BEACH COUNTY, INC., CHRISTIANS REACHING OUT TO SOCIETY, INC., (C.R.O.S. MINISTRIES)

Recommendation: Motion to

1. Retroactively approve the Revocable License Agreement between the City of Delray Beach and Faith-Hope-Love Charity, Inc.

2. Retroactively approve the Revocable License Agreement between the City of Delray Beach and Legal Aid Society of Palm Beach County, Inc.

3. Retroactively approve the Revocable License Agreement between the City of Delray Beach and The Urban League of Palm beach County, Inc.

4. Approve the Revocable License Agreement between the City of Delray Beach and Christians Reaching out to Society, Inc.

Sponsors: Community Improvement

Attachments: Faith Hope Love License Agreement 16-17
Legal Aid Society of Palm Beach County License Agreement 16-17
Urban League License Agreement 16-18
CROS License Agreement 16-17

6.C. 16-477 CONTRACT CLOSEOUT (CHANGE ORDER NO. 1 AND FINAL PAYMENT) WITH AKA SERVICES INC. FOR THE MARINE WAY W/S IMPROVEMENT PROJECT NO. 2016-061

Recommendation: Motion to approve Contract Closeout Change Order No. 1 to AKA Services Inc., and final payment in the amount of $18,740.46 for the completion of the Marine Way W/S Improvements Project No. 2016-061.

Sponsors: Environmental Services Department

Attachments: Change Order No. 1 Final

6.D. 16-481 RATIFICATION OF AN AWARD TO FOSTER MARINE CONTRACTORS, INC. FOR THE REPAIR OF A SANITARY SEWER MAIN AT 1595 SW 4TH AVENUE IN THE AMOUNT OF $14,972, AUTHORIZED BY THE CITY MANAGER AS AN EMERGENCY ACQUISITION.

Recommendation: Motion to Ratify an emergency action awarding Foster Marine Contractors, Inc. in the amount of $14,972 for the repair of a sanitary sewer main at 1595 SW 4th Avenue. The recommendation complies with the Code of Ordinances, Chapter 36, Section 36.02(C)(5), "Emergency Acquisitions".

Attachments: Approval for Emergency Acquisition to Foster Marine Contractor for Repair
Quote from Foster Marine Contractors
Quote from Mancon Inc.
Quote from DP Development of Treasure Coast LLC

6.E. 16-503 ACCEPTANCE OF A RIGHT-OF-WAY DEED FOR A 4' ALLEY DEDICATION ALONG THE REAR OF THE PROPERTY LOCATED AT 600 SE 5TH AVENUE.

Recommendation: Motion to Accept the right-of-way deed agreement for the alley dedication.

Sponsors: Planning & Zoning Department

Attachments: R.O.W. DEED AGREEMENT - RETAIL BUILDING
Exhibit A - 4 ft row dedication area - Retail Bldg
Retail Bldg - SPRAB Report - 10-28-15
ZNT PAAP - 600 RETAIL BLDG - 10-28-15 SPRAB-APPROVED MINUTES
Consent Agenda Acknowledgement Form - ZNT PAAP - Signed

6.F. 16-507 RATIFICATION OF CITY MANAGER DECISION FOR EMERGENCY

PURCHASE OF LIABILITY INSURANCE

Recommendation: Motion to Ratify the City Manager's emergency acquisition in the amount of $27,500.00 to Landmark American Insurance Company.

Attachments: Memo to CM 5.17.16

6.G. 16-508 APPROVAL OF FISCAL YEAR 2016 SPENDING GREATER THAN $25,000 WITH PEOPLE'S CHOICE PRESSURE CLEANING

Recommendation: Motion to Approve a spending limit increase for fiscal year 2016 with People's Choice Pressure Cleaning, in an amount not to exceed [$45,000].

Sponsors: Purchasing Department

Attachments: 11182015- Memorandum- Sidewalk Pressure Cleaning Bid #2015-023

Est_3531_from_PEOPLES_CHOICE_PRESSURE_CLEANING_INC._148288

Purchasing Checklist People's Choice

BID No. 2016-023 Tab & Signin Sheet

6.H. 16-509 PURCHASE AWARD TO HD SUPPLY WATERWORKS, LTD. IN THE AMOUNT OF $7,571.70 FOR THE N.W. 9TH AVENUE WATER MAIN IMPROVEMENTS PROJECT (2015-053)

Recommendation: Motion to Award Quote No. Q2016-1025C to HD Supply Waterworks, LTD. in the amount of $7,571.70 for water main materials that will be installed by the City's in-house construction crew for the Northwest 9th Avenue Water Main Replacement Project No.15-053.

Sponsors: Environmental Services Department

Attachments: Bid Tab

Location Map

RFP Q2016-1025C

6.I. 16-512 PRIOR APPROVAL OF FISCAL YEAR 2016 SPENDING GREATER THAN $25,000 WITH JADE COMMUNICATIONS, INC.

Recommendation: Motion to Approve multiple acquisitions of IT related equipment, from Jade Communications, Inc., in a total not-to-exceed amount of $75,000.00 for Fiscal Year 2016.

Sponsors: Purchasing Department

Attachments: Purchasing Checklist

Surveillance Control Room Proposal

6.J. 16-516 CONTRACT AWARD TO ZAMBELLI FIREWORKS MFG, CO. FOR 4th OF JULY FIREWORKS IN THE AMOUNT OF $35,000

Recommendation: Motion to Approve the selection committee's ranking and award an Agreement to Zambelli Fireworks Mfg. Co. for 4th of July fireworks display in the amount of $35,000.

Sponsors: Purchasing Department

Attachments: Purchasing Checklist Fireworks

RFP 2016-101 Final Raking

6.K. 16-518 PRIOR APPROVAL OF FISCAL YEAR 2016 SPENDING GREATER THAN $25,000 WITH PRECISION CONTRACTING SERVICES, INC.

Recommendation: Motion to Approve multiple acquisitions of IT related equipment, from Precision Contracting Services, Inc., in a total not-to-exceed amount of $50,000.00 for fiscal year 2016.

Sponsors: Purchasing Department

Attachments: Purchasing Checklist

IT Professional Services CM Memo

6.L. 16-519 CHANGE ORDER AND PRIOR APPROVAL OF FISCAL YEAR 2016 SPENDING GREATER THAN $25,000 WITH TROXELL COMMUNICATIONS, INC.

Recommendation: Motion to Approve a change order to Troxell Communications, Inc., in the amount of $1,306.35, increasing the project total to $60,201.35; and a motion to approve multiple acquisitions of IT related equipment, from Troxell Communications, Inc., for a total not-to-exceed amount of $86,000.00 for fiscal year 2016.

Sponsors: Purchasing Department

Attachments: Purchasing Checklist

Q2016-1142L Response

6.M. 16-523 RESOLUTION NO. 24-16: NUISANCE ABATEMENT OF FIVE (5) PROPERTIES THROUGH OUT THE CITY.

Recommendation: Motion to Approve Resolution No. 24-16 assessing costs for abatement action required to remove nuisances on five (5) properties through out the City.

Sponsors: City Clerk Department

Attachments: Resolution No 24-16

Exhibit "A"

N. PROCLAMATIONS:

O. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:

16-490 REPORT OF APPEALABLE LAND USE ITEMS APRIL 25, 2016

THROUGH MAY 20, 2016

Recommendation: By motion, receive and file this report.

Sponsors: Planning and Zoning Board

Attachments: Location Map.pdf

Seagate Villas.pdf

Delray Health and Wellness.pdf

AWARD OF BIDS AND CONTRACTS:

7. REGULAR AGENDA:

7.A. 16-453 CITY COMMISSION APPEAL OF THE MARCH 21, 2016 PLANNING & ZONING BOARD SIMILARITY OF USE DETERMINATION FOR TATTOO ESTABLISHMENTS (QUASI-JUDICIAL HEARING)

Recommendation: Consideration of appeal of the March 21, 2016 Planning & Zoning Board Similarity of Use Determination for Tattoo Establishments.

Sponsors: Planning & Zoning Department

Attachments: Planning & Zoning Board Staff Report

March 21, 2016 Tattoo

Letter to Tim Stillings re Adminin Similarity of Use Determination. Stamped. Feb 8 2016

Letter to Tim Stillings and Mark McDonnell re Tatoo Studio 3.4.16

Letter to Tim Stillings re Presentation to City Commission 4.27.16

Article re Tattoo Artists - Provided by Agent

Letter with Transcript 5.5.16

Mayor Glickstein read the Quasi Judicial Rules into the record for this item and any subsequent items. The City Clerk swore in those individuals who wished to speak on this item.

Mayor Glickstein asked the City Commission to disclose their ex-parte communications: all members verbally discussed ex parte communications. Mayor Glickstein stated he had none.

Tim Stillings, Planning and Zoning Director, entered file #2016-113 into the record and presented this item and discussed staff recommendations-options.

Michael Weiner, attorney who is representing Traditions Tattoo, spoke regarding this item.

Public Comment:

1. Dr. Gina Ironman (sp), mother of Rebecca Loveless, who is the owner of

Traditions Tattoo, spoke regarding this item.
2. Carl Dickey (sp) spoke regarding this item.
3. Lauren Donald spoke regarding this item.
4. Ally Kaufman spoke regarding this item.
5. Keith Machad (sp) spoke regarding this item.
6. Mike Leasey (sp) spoke regarding this item.
7. Brandon Clark spoke regarding this item.
8. Victor Kirson spoke regarding this item.

There was no cross-examination from city staff or Mr. Weiner.

Rebuttal:
Tim Stillings gave comments.
Mr. Weiner gave comments.

Commissioner Petrolia stated she spoke to Kelli Freeman regarding this item and Deputy Vice Mayor Jarjura stated she spoke to Chuck Halberg and Victor Kirson regarding this item.

Deputy Vice Mayor Jarjura spoke regarding the city's code and this item. She stated she will support a motion to deny the appeal and declare a zoning in progress.

Mayor Glickstein asked if there were any conditions to this application.

Mr. Noel Pfeffer, City Attorney, referenced Mr. Weiner's comments.

Ms. Rebecca Loveless, owner of Tradition Tattoo, spoke regarding her hours.

Mr. Weiner spoke on behalf of the applicant.

Discussion ensued regarding conditions.

Mr. Pfeffer spoke regarding signage.

Mr. Weiner spoke regarding signage.

Commissioner Katz thanked everyone for coming out tonight and asked that in the future the city attorney provided better advice to the City Commission. He stated he would like for the client to have her previous use.

Commissioner Petrolia spoke regarding this item and stated the City Commission did not previously have needed information.

Vice Mayor Jacquet stated he spoke to Victor Kirson regarding this item. He stated that under the city's ordinance she is allowed to operate. He thanked her for choosing the city to do business.

Mayor Glickstein gave remarks and referenced zoning in progress.

Mr. Pfeffer spoke regarding zoning in progress.

Mayor Glickstein provided comments. He stated he will support a motion to deny the appeal and declare a zoning in progress.

7.B. 16-563 ADOPTION OF RESOLUTION NO. 26-16 ZONING IN PROGRESS WITH RESPECT TO THE ZONING AND LOCATION OF TATTOO STUDIOS

Recommendation: Motion to Approve Resolution No. 26-16

Sponsors: City Attorney Department and Inglese

Attachments: Reso 26-16 Zoning in Progress ResolutionTattooStudio

7.C. 16-492 CERTIFICATION OF THE FINAL PLAT FOR THE METROPOLITAN (QUASI-JUDICIAL HEARING)

Recommendation: Approve certification of the final plat for The Metropolitan, 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 Land Development Regulations Section 2.4.5(J)(Major Subdivisions), Section 3.2.3 (Standards for Plat Actions) and Section 3.1.1 (Required Findings).

Sponsors: Planning & Zoning Department

Attachments: Metropolitan - Final Plat - 4-18-16 Staff Report - 12MB
Consent Agenda Acknowledgement Form - Metropolitan Plat
Metropolitan Plat - Board Order - 06-07-16

Mr. Stillings presented this item.

Public Comment:

1. Mr. Jim Smith read a statement into record regarding this item.

No cross examination or rebuttal.

Commissioner Katz thanked Mr. Smith.

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

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.D. 16-500 CONSIDERATION OF AN 18 MONTH EXTENSION FOR THE CONDITIONAL USE FOR DEPOT SQUARE APARTMENTS, LOCATED BETWEEN THE CSX RAILROAD AND INTERSTATE 95 RIGHTS-OF-WAY, SOUTH OF LAKE IDA ROAD. (QUASI-JUDICIAL HEARING)

Recommendation: Motion to Approve the request for an extension of the Conditional Use approval to allow a multiple family residential development in the Mixed Industrial and Commercial zoning district with a density of 23.99 dwelling units per acre (284 dwelling units) for Depot Square Apartments, by adopting the findings of fact and law contained in the staff report, and finding that the request, and approval thereof, meets criteria set forth in Section 2.4.4(F)(1) & (3) of the Land Development Regulations, with said approval to be valid until December 3, 2017.

Attachments: Depot Square Apartments location map

Depot Square Apartments Aerial Location Map

Applicant's Conditional Use Extension Request

City Commission Minutes 06-03-14

P&Z Board Staff Report - April 21, 2014

P&Z Board minutes - February 25, 2014

April 21, 2014-Depot Square Apartment

Mr. Stillings presented this item.

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.E. 16-418 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)

Sponsors: City Clerk Department

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.E.1. 16-345 SERVICE AUTHORIZATION NO. 12-22 WITH MATHEWS CONSULTING, INC. FOR GENERAL CONSTRUCTION

ADMINISTRATION AND INSPECTION SERVICES RELATED TO THE AREA 12B RECLAIMED WATER EXPANSION PROJECT

Recommendation: Motion to approve Service Authorization No. 12-22 with Mathews Consulting, Incorporated in the amount not to exceed $115,685 for construction administration support services, specialty inspection services, and part-time inspection services for the Area 12B Reclaimed Water Expansion Project for a construction duration of 300 days. (Project No. 2012-009).

Sponsors: Environmental Services Department

Attachments: Service Authorization 12-22

Current Consultant Agreements

Location Map

7.E.2. 16-483 AWARD TO ODYSSEY MANUFACTURING COMPANY FOR SODIUM HYPOCHLORITE FOR THE WATER TREATMENT PLANT OPERATIONS UTILIZING THE CITY OF SANIBEL, FLORIDA CONTRACT

Recommendation: Motion for Award to Odyssey Manufacturing Company (Odyssey) for the purchase and delivery of sodium hypochlorite for use at the Water Treatment Plant in the production of potable water, in an annual not to exceed amount of $350,000, utilizing the City of Sanibel, Florida contract, subject to annual renewals by the City of Sanibel, and subject to future annual divisional operating budget appropriations.

Attachments: City of Sanibel, Advertisement for Sodium Hypochlorite Services

Odyssey Manufacturing Bid Proposal to Sanibel Island

City of Sanibel Staff Memorandum for award

City of Sanibel Commission Agenda 20160503.pdf

Odyssey Manufacturing lowest pricing letter

7.E.3. 16-497 PURCHASE AWARD TO DUVAL FORD, LLC, DON REID FORD, INC., ALAN JAY NISSAN, INC., STINGRAY CHEVROLET, LLC, AND HUB CITY FORD-MERCURY, INC. FOR THE PURCHASE OF 20 NEW VEHICLES

Recommendation: Motion to Approve awards to Duval Ford, LLC, Don Reid Ford, Inc., Alan Jay Nissan, Inc., Stingray Chevrolet, LLC, and Hub City Ford-Mercury, Inc., for the purchase of 20 vehicle for a total of $572,679.25, utilizing Florida Sheriff's Association Contract #15-23-0904.

Sponsors: Purchasing Department

Attachments: 15-23-0904 Bid Award Document

2016 Replacement Vehicles 5-4-16

Purchasing Checklist

Stingray Letter 12-16-15

Transit Connect Quote-Duval 4-28-16

Utility Interceptor Quote-Duval 4-12-16

Alan Jay Letter 10-27-15

Chevy Express Van Quote-Stingray 4-8-16

Don Reid Letter 4-16-16

Duval Ford Letter 3-31-16

F-150 Quote-Hub City 4-11-16

F-250 Quote-Duval 4-12-16

Fusion Hybrid Quote-Duval 4-7-16

Hub City Ford Letter

Nissan Frontier Quote-Alan Jay 3-31-16

7.E.4. 16-513 CONTRACT AWARD TO MOTOROLA SOLUTIONS INC. FOR THE PURCHASE OF PORTABLE AND MOBILE PUBLIC SAFETY GRADE TWO-WAY RADIOS

Recommendation: Motion to Approve a contract award to Motorola Solutions, Inc., for the purchase of portable and mobile public safety grade two-way radios, utilizing State of Florida Commodity Contract #725-500-12-1, in the amount of $1,025,425.75, which will increase the total fiscal year 2016 not to exceed amount to $1,142,273.47.

Sponsors: Purchasing Department

Attachments: 725-500-12-1 Complete Contract

APX_6500_Spec_Sheet

KVL_4000_Specification_Sheet

Interlocal Agreement

F052316 P25 Subscribers Proposal w Spec Sheets Final B

APX7500Consolette Control Station

7.F. 16-229 CITY OF DELRAY BEACH SIDEWALK POLICY

Recommendation: Motion to Approve Resolution No. 08-16 establishing the Delray Beach Sidewalk Policy.

Sponsors: Planning & Zoning Department

Attachments: Resolution 08-16 Sidewalk Policy CAO FINAL

Sidewalk Policy - FINAL

Mr. Stillings presented this item.

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.G. 16-446 PROPOSED TRAFFIC PATTERN MODIFICATION DURING CONSTRUCTION FOR THE UPTOWN ATLANTIC PROJECT (GENERALLY LOCATED WITHIN THE 600, 700, 800 BLOCK OF WEST ATLANTIC AVENUE)

Recommendation: Motion to Approve a temporary modification of the traffic pattern and road closures for the construction activity associated with the Uptown Atlantic Project, for a time period not to exceed 18 months.

Sponsors: Environmental Services Department

Attachments: Risk Mitigation of Road Closure Request for Uptown Atlantic

Mr. Morgan presented this item.

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.H. 16-559 REQUEST FOR IN-KIND CONTRIBUTION & OUT-OF-POCKET EXPENSE FOR 2016 DAVIS CUP SEMI FINALS BID

Recommendation: Motion to approve in-kind and out-of-pocket expense for the 2016 Davis Cup Semi Finals bid and to support the bid submission by the Palm Beach Sports Commission.

Sponsors: Parks & Recreation Department

Attachments: Palm Beach Sports Commission 2016 Davis Cup Presentation

Mr. Cooper stated he has comments on this item.

Mr. George Linley spoke regarding the Davis Cup bid and provided a handout to the City Commission.

Mr. Cooper stated he has spoken to Mr. Jeff Costello, Community Redevelopment Agency (CRA) Executive Director, regarding this bid and discussed the in-kind and out of pocket expenses. He stated if approved the CRA will cover the out of pocket expenses with the city of Delray Beach to provide in-kind services to the operational expenses.

Vice Mayor Jacquet provided comments regarding this item and stated he encourages the CRA to move forward on this item.

Commissioner Petrolia asked what happens with the bid if the USA does not prevail against Croatia.

Mr. Linley explained the process regarding the bid submission.

Commissioner Petrolia asked how many seats are in the stadium and stated this type of event is needed in Delray Beach. She referenced the number of room nights and what this means to Delray Beach in terms of economic impact.

Mr. Linley discussed the impact regarding room nights.

Deputy Vice Mayor Jarjura spoke regarding this item and referenced budget and city obligations. She commended Mr. Cooper and Mr. Costello coming together to figure out solution.

Commissioner Katz stated initially he had alot of concerns and discussed the slowest month for hotels. He also discussed other revenues coming into the city from commercials being filmed at the tennis stadium and the bid.

Mayor Glickstein asked if the Downtown Development Authority (DDA), the Economic Development Director, the CRA or the Palm Beach County Sports Commission reach out to other benefactors for contributions for this event. He stated he does not support this in terms of the money the city would be spending.

Mr. Linley provided further information regarding contributions.

Further discussion ensued regarding the bid.

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.I. 16-514 APPROVE RANKING AND AUTHORIZATION TO NEGOTIATE WITH CALVIN GIORDANO & ASSOCIATES, INC. FOR COMPREHENSIVE PLAN CONSULTANT

Recommendation: Motion to Approve the ranking for RFQ 2016-062 to Calvin Giordano & Associates, Inc. and for staff to enter into negotiations for a contract which will be brought before the Commission for final approval.

Sponsors: Planning & Zoning Department

Attachments: Purchasing Checklist RFQ 2016-062

RFP 2016-062 Tab

RFP 2016-062 Final Ranking

CGA - Comp Plan

Theresa Webb, Purchasing Director, presented this item.

Commissioner Petrolia stated she is shocked at the difference between the two bids that were received. She commented regarding the costs and the points.

Ms. Webb referenced the calculations and the hours.

Deputy Vice Mayor Jarjura also commented regarding the bid and the costs.

Mr. Stillings spoke regarding the comprehensive plan and work hours.

Mayor Glickstein asked why were there only two bids; one legitimate bid.

Discussion ensued regarding comprehensive plan work.

Deputy Vice Mayor Jarjura stated she was surprised at the lack of respondents to the bid. She referenced that the city received only one qualified bidder.

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.J. 16-542 EXTEND LEASE AGREEMENT TERMS FOR PARKING LOT PREMISES WITH LEASER, FIRST PRESBYTERIAN CHURCH OF DELRAY BEACH

Recommendation: Motion to Approve renewal of the agreement with the First Presbyterian Church of Delray for a period of five (5) years. This recommendation is in compliance with the Code of Ordinances, Chapter 36, Section 36.07(A)(3), “City Commission Approved Contracts, Renewal”.

Sponsors: Environmental Services Department

Attachments: Gleason Parking Lot Lease Original Agreement

Gleason Parking Lot Amendment 1

Gleason Parking Lot Amendment 2

Mr. Morgan presented this item.

Commissioner Petrolia asked about cost.
approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.L. 16-531 REQUEST TO CHANGE REGULAR CITY COMMISSION MEETING SCHEDULED FOR SEPTEMBER 6, 2016 TO SEPTEMBER 8, 2016

Recommendation: Motion to Approve changing the September 6, 2016 Regular City Commission meeting to September 8, 2016 due to Palm Beach County Budget Hearings.

Sponsors: City Clerk Department

The City Clerk presented this item.
approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.K. 16-553 REPAIR WORK OLD SCHOOL SQUARE (OSS)

Recommendation: Motion to Delegate authority to the City Manager to approve contracts for the repairs to OSS, as outlined, not to exceed 1.1 million dollars in total cost. This will allow for the expediting of the necessary inter-local agreements with the CRA to provide the additional funding required and to require the City Manager to provide to the City Commission a written report within five days of authorizing work to commence, detailing the work to be done, cost and contract requirements.

Sponsors: City Manager Department

Attachments: Repair Work Old Schoo Square (OSS)

Mr. Cooper presented this item.

Mayor Glickstein provided comments and asked where the CRA stood regarding this.

Mr. Cooper stated the CRA will practically cover the entire cost; and that this deals with the building remedial costs only.

Mayor Glickstein commented regarding the length of time it has taken to get this done.

Commissioner Petrolia asked about the age of the roof and asked how the city missed these things in terms of how to budget for certain items.

Mayor Glickstein asked who is responsible for these types of things. He stated there has to be a point of responsibility.

Further discussion ensued about holding persons accountable.

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.M. 16-529 NOMINATION FOR APPOINTMENT TO THE COMMUNITY REDEVELOPMENT AGENCY BOARD.

Recommendation: Recommend nomination for appointment for one (1) regular member to serve on the Community Redevelopment Agency Board for a four (4) year term ending July 1, 2020.

Sponsors: City Clerk Department

Attachments: Exhibit A
Community Redevelopment Agency Board Member List
Community Redevelopment Agency Attendance List

Mr. Jacquet recommended Dedrick Straughn.

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

7.N. 16-474 NOMINATION FOR APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD

Sponsors: City Clerk Department

Attachments: 05172016 Exhibit A
Site Plan Review and Appearance Board Member List
Site Plan Review and Appearance Board Member Attendance List

Mrs. Petrolia recommended Cynthia Freeburn. This was denied by a 3-2 vote. Mrs. Petrolia then recommended Shannon Dawson who was approved by a 5-0 vote.

approved

8. PUBLIC HEARINGS:

8.A. 16-521 APPROVAL OF RESOLUTION NO. 25-16 CONVEYING THE NORTHERN 15 FEET OF THE LOT LOCATED AT 606 SE 4TH STREET IN EXCHANGE FOR AN EXCLUSIVE EASEMENT OVER 606 SE 4TH STREET (SECOND READING/SECOND PUBLIC HEARING)

Recommendation: Motion to Approve Resolution No. 25-16 conveying the northern 15 feet of the lot located at 606 SE 4th Street in exchange for an exclusive easement over same.

Sponsors: Environmental Services Department

Attachments: Resolution No 25-16

Quit Claim Deed

Notice of Intent to Sell Real Property

Aerial of 606 SE 4th Street

Mr. Pfeffer, City Attorney, read the caption of this ordinance.

John Morgan, Environmental Services Director, presented this item.

approved

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

8.B. 16-484 ORDINANCE 14-16, AMENDING SECTION 4.4.29 “MIXED RESIDENTIAL, OFFICE AND COMMERCIAL (MROC) DISTRICT” TO AMEND THE PURPOSE TO EMPHASIZE TRANSIT-ORIENTED DEVELOPMENT PATTERNS; TO REMOVE THE REQUIREMENT FOR A MASTER DEVELOPMENT PLAN FOR PARCELS UNDER THREE ACRES; TO REDUCE THE LANDSCAPE BUFFER REQUIREMENT FOR CERTAIN PROPERTIES; TO REDUCE THE FRONT SETBACKS FROM CONGRESS AVENUE; TO INCREASE THE REAR SETBACK REQUIREMENTS FOR PROPERTIES ADJACENT TO THE CSX RAILWAY; TO INCLUDE SELF-SERVICE STORAGE FACILITIES AS A PERMITTED USE WITH SPECIFIC FLOOR AREA RATIO, BUILDING HEIGHT, FLOOR HEIGHT, SETBACK AND OTHER DESIGN REQUIREMENTS; TO INITIATE A BONUS PROGRAM FOR SELF SERVICE STORAGE FACILITIES TO ALLOW THESE FACILITIES MORE SQUARE. FOOTAGE IN EXCHANGE FOR THE PROVISION OF CERTAIN COMMUNITY BENEFITS; DELETING OUTDATED LANGUAGE, CORRECTING REFERENCES AND MAKING OTHER TECHNICAL CHANGES. (SECOND HEARING)

Recommendation: Motion to Approve Ordinance No. 14-16 on Second Reading for the amendment to Land Development Regulation Section 4.4.29, Mixed Residential, Office and Commercial (MROC) District, as presented.

Sponsors: Planning & Zoning Department

Attachments: Ordinance 14-16 MROC Self Service Storage Facilities

Planning and Zoning Staff Report

Congress Avenue Map MROC

Mr. Pfeffer read the caption of this ordinance.

Mr. Stillings provided additional information to the City Commission and presented this item.

Bonnie Miskel, representing the applicant, spoke regarding this item.

Mr. Kaufman, Kaufman Lynn Construction, Inc., spoke regarding this item.

Public Comment:
1. Jim Chard spoke regarding this item.
2. Mark Curlew spoke regarding this item.

Commissioner Petrolia referenced the "review by others" section of the memo and gave comments regarding the ordinance.

Commissioner Katz thanked the applicant for bringing this forward and asked staff how was the applicant informed regarding this process. He gave comments regarding the ordinance.

Deputy Vice Mayor Jarjura spoke regarding the Congress Avenue Task Force and spoke regarding the ordinance. She also commended staff for their work on this.

Vice Mayor Jacquet referenced previous Commission discussions and stated he is excited to see this come to Delray Beach.

Commissioner Petrolia inquired about setbacks.

Discussion ensued regarding this ordinance.

Mayor Glickstein referenced the greenway on the back and bonuses in the ordinance in terms of scoring. He gave further comments regarding the ordinance.

Mr. Stillings commended Amy Alvarez for her work on this.

Ms. Miskel commended staff for their work on this.

Commissioner Katz provided further comments on this project.

approved on first reading

Yes: 4 - Mayor Glickstein, Vice-Mayor Jacquet, Jarjura, and Katz

No: 1 - Petrolia

8.C. 16-501 ORDINANCE NO. 11-16; A PRIVATELY-INITATED AMENDMENT TO THE LDR SECTION 4.5.6, FENCES, WALLS, AND HEDGES, TO PERMIT AND PROVIDE REGULATIONS FOR ELECTRIFIED FENCES. (SECOND READING)

Recommendation: Motion to Approve the amendment to Land Development regulations (LDR) Section4.6.5, to permit electrified fences and provide regulation regarding their installation and review, by adopting the findings of fact and law contained in the staff report, and finsing that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).

Sponsors: Planning & Zoning Department

Attachments: Ordinance 11-16
Staff Report
Feb 3rd Formal Request Letter
Feb 3rd Letter McLellan
Justification Statement

Mr. Pfeffer read the caption of this ordinance.

Mr. Stillings presented this item.

Vice Mayor Jacquet asked whether or not there is currently an ordinance regarding electric fences. He asked if the electric fence is potentially deadly.

Mr. Stillings provided a response.

Vice Mayor Jacquet stated he has a concern regarding electric fences and referenced the voltage.

adopted

Yes: 4 - Mayor Glickstein, Petrolia, Jarjura, and Katz

No: 1 - Vice-Mayor Jacquet

8.D. 16-471 ORDINANCE NO. 13-16, AMENDMENT TO LDR SECTION 4.4.13(B), FIGURE 4.4.13-5, “CENTRAL CORE & BEACH SUB-DISTRICTS REGULATING PLAN TO CORRECT AN OMISSION WITH RESPECT TO PRIMARY STREET DESIGNATIONS (SECOND READING)

Recommendation: Motion to Approve of the amendment to the Land Development Regulations Section 4.4.13, by adopting the findings of fact and law contained in the staff report, and finding that the amendments and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).

Attachments: Ordinance 13-16, CBD Regulating Plan
PZB Staff Report 041816

Mr. Pfeffer read the caption of this ordinance.

Mr. Stillings presented this item.
adopted

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz

9. FIRST READINGS:

9.A. 16-527 ORDINANCE NO. 16-16: BUSINESS TAX RECEIPTS (SECOND READING).

Recommendation: Motion to Approve on second reading Ordinance No. 16-16 amending Section 110.15, "Local Business Tax Schedule" of the Code of Ordinances to add new business classifications and to provide for 5% increase in the local business tax schedule.

Sponsors: Community Improvement

Attachments: Ordinace 16-16 Business Tax Schedule Increase_revJR
Business Tax Receipt Survey 2016

Mr. Katz left the dais prior to this item.

Mr. Coleman presented this item.
approved on first reading

Yes: 4 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, and Jarjura

Absent: 1 - Katz

9.B. 16-557 ORDINANCE NO. 17-16 AMENDING THE CITY'S POLICE AND FIREFIGHTERS RETIREMENT PENSION SYSTEM (SECOND READING)

Recommendation: Motion to approve Ordinance No.17-16 amending the City's Police and Firefighters Retirement Pension System.

Sponsors: City Attorney Department

Attachments: Ordinance No. 17-16

Mr. Pfeffer read the caption of the ordinance and presented this item.

Discussion ensued regarding this ordinance.

Deputy Vice Mayor Jarjura asked who will be handling this with Mr. Pfeffer leaving and who will be advising the board members.

Commissioner Petrolia commented regarding this ordinance and stated the city has not done what it needs to do.
approved on first reading

Yes: 3 - Mayor Glickstein, Vice-Mayor Jacquet, and Jarjura

No: 1 - Petrolia

Absent: 1 - Katz

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

Mr. Cooper commented regarding special events.

B. City Attorney

The City Attorney had no comments.

C. City Commission

Deputy Vice Mayor Jarjura commented regarding special events and stated a letter went out from the city regarding fees. She wished Mayor Glickstein a happy birthday and commented regarding a cluster study. She also commented regarding beautification and a CBD expansion regarding Federal Highway. Commissioner Jarjura commented regarding the feedback she received about the website. She also commented regarding SPRAB and asked that the city clerk send out email blasts and advertise now for the positions on the board that are becoming vacant so that the city can receive applications. Mayor Glickstein asked that staff work with Planning and Zoning regarding the appointments.

Commissioner Petrolia commented regarding special events/festivals. She also commented regarding docks at veterans park and asked that the city manager look at having some help from the CRA for this. She commented regarding the city's website and stated there are some issues and stated the city has to work on this. She asked that the city commission have the majority of city residents only on the board and possibly two outside persons. She asked that the rules be amended regarding boards to allow for this. Commissioner Petrolia discussed a subpoena she received and discussed ensued.

Vice Mayor Jacquet commended the city clerk on being sworn in as

President of the Florida Association of City Clerks on yesterday.

Mayor Glickstein commented regarding the website. He also commented regarding the new press box and a conference regarding the Air-BNB regulations. He also asked about the sign ordinance and if it is being incorporated into our LDRs i.e. Reed vs. Gilbert. He stated he supports a workshop regarding Federal Highway and CBD. Mayor Glickstein commented regarding special events. He stated businesses want clarity. He also commented about persons in the lobby.

8.D. 16-471 ORDINANCE NO. 13-16, AMENDMENT TO LDR SECTION 4.4.13(B), FIGURE 4.4.13-5, "CENTRAL CORE & BEACH SUB-DISTRICTS REGULATING PLAN TO CORRECT AN OMISSION WITH RESPECT TO PRIMARY STREET DESIGNATIONS (SECOND READING)

Recommendation: Motion to Approve of the amendment to the Land Development Regulations Section 4.4.13, by adopting the findings of fact and law contained in the staff report, and finding that the amendments and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).

Attachments: Ordinance 13-16, CBD Regulating Plan

PZB Staff Report 041816

adopted

Yes: 5 - Mayor Glickstein, Petrolia, Vice-Mayor Jacquet, Jarjura, and Katz