

City of Delray Beach

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Minutes - Draft

Tuesday, November 1, 2016

6:00 PM

Regular Meeting at 6:00 PM

Delray Beach City Hall

City Commission

1. ROLL CALL

The Regular Meeting of the City Commission of the City of Delray Beach, Florida was called to order by Mayor Cary Glickstein in the Commission Chambers at City Hall at 6:00 p.m. on Tuesday, November 1, 2016.

Roll call showed
Commissioner Shelly Petrolia
Vice Mayor Alson Jacquet
Deputy Vice Mayor Jordana Jarjura
Commissioner Mitchell Katz
Mayor Cary D. Glickstein

Absent:
None

Also present were:
Donald Cooper, City Manager
Janice Rustin, Interim City Attorney
Chevelle D. Nubin, City Clerk

Present: 2 - Mayor Cary Glickstein, and Vice-Mayor Al Jacquet

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. PRESENTATIONS:

3.A. [16-1076](#) RECOGNIZING VICE MAYOR ALSON JACQUET FOR HIS YEARS OF SERVICE AND PRESENTING HIM WITH A FAREWELL PLAQUE

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

4.A. City Manager's response to prior public comments and inquiries

4.B. From the Public

Mayor Glickstein presented a plaque to Vice Mayor Alson Jacquet for his years of service and provided comments. Vice Mayor Jacquet thanked the City Commission for the plaque and gave comments.

Public Comments:

1. Ms. Carole Anderson spoke regarding items on the agenda: complete streets, the alley abandonment for Swinton Commons, capital improvement element and a barrier for the railroad tracks on Atlantic Avenue.

2. Dr. Victor Kirson thanked Vice Mayor Jacquet for the last several years and congratulated him on his victory.
3. Ms. Pauline Moody congratulated Vice Mayor Jacquet and spoke regarding legal issues and the hiring of a new city attorney.
4. Mr. Emmanuel Jackson stated he founded an empowerment program and provided his background on what he has been doing in the community.
5. Ms. Linda Manning spoke regarding iPic and the approval of projects.
6. Mr. Jim Chard spoke regarding the complete streets policy, the abandonment of the alley and iPic.
7. Mr. Gabriel Lewis spoke regarding his company and stated he wanted to introduce himself and thanked Rosanne for making him aware of the City Commission Meeting.
8. Mr. Kevin Warner spoke regarding Vice Mayor Jacquet's visit to a mentoring group that he is a part of and wished him good luck.
9. Mr. Rick ? representing Ocean Properties stated they are here to support iPic.
10. Ms. Sarah Crane thanked the City Commission for all that they do for the city and stated she is here representing the non-profits who are in support of iPic.
11. Mr. Ari Whiteman stated the City Commission should move forward with iPic and spoke regarding the alley abandonment for the Swinton Commons project.
12. Mr. Ryan Boylston, DDA Chair, spoke regarding iPic on behalf of the Downtown Development Authority.
13. Mr. Jeff Dash spoke regarding iPic.
14. Ms. Iris McDonald spoke regarding iPic.
15. Ms. Karen Granger, Delray Beach Chamber of Commerce, spoke regarding iPic.
16. Mrs. Yvonne Odom congratulated Vice Mayor Jacquet and invited the community to the comprehensive plan meeting that will be held on Thursday.

17. Mr. Peter Humanik spoke regarding iPic and the alley abandonment.

18. Ms. Christina Morrison stated she and Vice Mayor Jacquet were in Tallahassee earlier this year and asked that others get involved. She asked the City Commission to approve iPic.

5. AGENDA APPROVAL

Mr. Cooper stated the applicant has requested that Item 7.E. be removed from the agenda and staff has requested that Item 7.H.2 be removed from the agenda.

Commissioner Petrolia requested that Item 6.D. become regular agenda item 7.A.A.

Commissioner Katz requested that Item 6.E. become agenda item 7.B.B.
approved as amended

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

6. CONSENT AGENDA: City Manager Recommends Approval

approved as amended

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

6.A. [16-1071](#) APPROVAL OF MINUTES

Recommendation: Motion to Approve the various sets of minutes as listed below:

September 20, 2016 Special Meeting (Closed Attorney/Client Session Match Point, Inc.)

September 20, 2016 Special Meeting (Closed Attorney/Client Session Edwards CDS, LLC.)

September 29, 2016 Special Meeting

October 13, 2016 Workshop Meeting

October 18, 2016 Special Meeting

Attachments: [September 20, 2016 Special Meeting Minutes re Matchpoint](#)
[September 20, 2016 Special Meeting Minutes re Edwards CDS, LLC.](#)
[September 29, 2016 Special Meeting Minutes](#)
[October 13, 2016 Workshop Meeting Minutes](#)
[October 18, 2016 Special Meeting Minutes](#)

6.B. [16-1055](#) RATIFICATION OF SOUTH CENTRAL REGIONAL WASTEWATER TREATMENT AND DISPOSAL BOARD (SCRWTDB) ACTIONS

Recommendation: Motion to Ratify actions approved by the South Central Regional

Wastewater Treatment and Disposal Board (SCRWTDB) at their Meeting of August 25, 2016.

Sponsors: City Clerk Department

Attachments: [SCRWTDB Board Actions](#)
[8th Amendment to the Interlocal Agreement](#)

6.C. [16-1043](#) ACCEPTANCE OF A LANDSCAPE MAINTENANCE AND HOLD HARMLESS AGREEMENT FOR 215 MACFARLANE CLASS V SITE PLAN APPROVAL

Recommendation: Motion to Accept a landscape maintenance and hold harmless agreement for **215 MacFarlane**, located at 215 MacFarlane Drive.

Sponsors: Planning and Zoning Board

Attachments: [Landscape Maintenance Agreement](#)
[SPRAB Staff Report](#)
[Excerpt of Minutes for 215 MacFarlane from the September 14, 2016 Meeting](#)

6.F. [16-1037](#) CHANGE ORDER NO. 1 TO THE AGREEMENT WITH CJ CONTRACTING LLC FOR HOUSING REHABILITATION AT 38 N.W. 11TH AVENUE

Recommendation: Motion to Approve Change Order No. 1 to the Agreement with CJ Contracting, LLC in the amount of \$1,700.00 to complete a housing rehabilitation project for the property located at 38 N.W. 11th Avenue, Delray Beach, Florida.

Sponsors: Community Improvement

Attachments: [Change Order No. 1](#)
[Bid Information Sheet - Change Order](#)
[Memo from March 1, 2016 City Commission Meeting](#)

6.G. [16-974](#) INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR FUNDING CITY DEMOLITIONS OF BLIGHTED AND UNSAFE STRUCTURES

Recommendation: Motion to Approve an Interlocal Agreement between the City of Delray Beach and the Community Redevelopment Agency (CRA) in the amount of \$50,000.00 for funding City demolitions of blighted and unsafe structures located in the CRA District for Fiscal Year 2016-2017.

Sponsors: Community Improvement

Attachments: [Interlocal Agreement](#)

6.H. PROCLAMATIONS:

6.H.1 [16-1038](#) DELRAY READS DAY! PROCLAMATION

Recommendation: Proclamation for Delray Reads Day November 17, 2016.

Sponsors: Community Improvement

Attachments: [Delray Reads Day! Proclamation](#)

6.I. [16-1032](#) REPORT OF APPEALABLE LAND USE ITEMS SEPTEMBER 19, 2016 THROUGH OCTOBER 7, 2016

Recommendation: Motion to Receive and file this report.

Sponsors: Planning and Zoning Board

Attachments: [The Chloe Building Appealable Report](#)
[Old School Square Appealable Report](#)

6.J. AWARD OF BIDS AND CONTRACTS:

6.J.1 None

7. REGULAR AGENDA:

7.A.A. [16-1030](#) RESOLUTION NO. 54-16 FOR A COMPLETE STREETS POLICY FOR THE CITY OF DELRAY BEACH

Recommendation: Motion to Adopt Resolution No. 54-16 approving a Complete Streets Policy for the City of Delray Beach.

Sponsors: Environmental Services Department

Attachments: [Resolution No. 54-16](#)
[Complete Streets Policy](#)

Commissioner Petrolia voiced her concerns regarding the complete streets policy.

City Manager Cooper stated staff can tweak the policy as they move through it.

Deputy Vice Mayor Jarjura provided comments regarding the language in paragraph 7 and the exhibits.
approved with conditions

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

7.B.B. [16-1056](#) RESOLUTION NO. 55-16; IN SUPPORT OF EFFORTS BY FEDERAL

AGENCIES TO REDUCE OPIOID MISUSE, ADDICTION AND OVERDOSE

Recommendation: Motion to Adopt Resolution No. 55-16; supporting the recent efforts by federal agencies, including the Department of Justice (DOJ) and the Center for Disease Control (CDC), to help reduce opioid misuse, addiction, and overdose, and directing City officials and City staff to take any and all actions necessary to effectuate the intent of this Resolution.

Sponsors: City Attorney Department

Attachments: [Resolution No. 55-16](#)
[Department of Justice Releases Strategy Memo to Address Prescription Opioid and Heroin Epidemic](#) OP
[Letter from AG Lynch to Governor Scott to reduce Opioid misuse](#)

Mayor Glickstein provided comments.

Deputy Vice Mayor Jarjura thanked the Mayor for placing this item on the agenda.

Commissioner Petrolia spoke regarding a personal situation and obtaining medications.

Vice Mayor Jacquet thanked the Mayor for his leadership on this and thanked Commissioner Katz for pulling this item for the City Commission to vote on and provided comments.

adopted

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

7.A. [16-1041](#) REQUEST FOR IN-LIEU FOR PARKING FEE AGREEMENT FOR CUT 432 RESTAURANT (QUASI-JUDICIAL HEARING)

Recommendation: Motion to Approve In-Lieu for Parking Fee request in the amount of \$165,620.00 for 7 parking spaces associated with the use conversion of a retail space to restaurant, subject to the condition that the in-lieu fee be paid in full upon issuance of a building permit, 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 the criteria set forth in Section 4.6.9(E) of the Land Development Regulations for the property at 428 East Atlantic Avenue (located adjacent and immediately west of the existing Cut 432 Restaurant).

Attachments: [P&Z Board Agenda](#)
[PMAB MINUTES - DRAFT.pdf](#)
[Cut 432 Bar](#)
[5.Cut 432 Bar A1.pdf](#)
[6.Cut 432 Bar A2.pdf](#)
[7.Cut 432 Bar A3.pdf](#)
[Board Order](#)

Mayor Glickstein read the quasi judicial rules into the record. The City Clerk swore in those individuals who wished to speak on this item.

The City Commission members had no ex parte communications to disclose.

Tim Stillings, Director of the Planning, Zoning and Building Department entered project file 2016-236 into the record and gave a few brief comments. Mr. Stillings stated this was approved by the Parking Management Advisory Board (PMAB) and staff recommends approval as well.

The applicant was not present.

There was no cross examination or rebuttal.

There was no public comment.

Commissioner Petrolia stated she supports; however, noted the city is losing retail in the downtown and gaining more eating establishments and bars.

Mayor Glickstein spoke regarding rents.

Deputy Vice Mayor Jarjura stated the DDA is updating their market study.

Vice Mayor Jacquet stated he has never been a fan of in lieu parking but stated he will support this because it is limited and asked that when the city receives those funds the city get the best ROI for them. He commented about the west side of town.

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

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

7.B. [16-1068](#) TRI-PARTY AGREEMENT BY AND AMONG THE CITY OF DELRAY BEACH, FLORIDA, CITY OF DELRAY BEACH COMMUNITY

REDEVELOPMENT AGENCY, AND DELRAY BEACH HOLDINGS, LLC

Recommendation: Motion to Approve the Tri-Party Agreement By and Among the City of Delray Beach Florida, Delray Beach Community Redevelopment Agency, and Delray Beach Holdings LLC.

Sponsors: City Attorney Department and Inglese

Attachments: [Tri-Party Agreement By and Among City of Delray Beach Florida Delray Beach CRA and Delray Beach Holdings LLC](#)

Janice Rustin presented this item and discussed the agreements.

Mayor Glickstein gave comments regarding language in the agreement.

Steve Rubin spoke regarding the city's performance bond.

Commissioner Katz asked what happens if the headquarters is not moved here and referenced the surety bond.

Commissioner Petrolia discussed the garage. She referenced having a more in depth understanding of what the city is saying "yes" to and provided further comments regarding the agreements.

Deputy Vice Mayor Jarjura spoke regarding the agreements and thanked Ms. Rustin and Mr. Rubin for their work on the agreements. She commented about what types of businesses the city wants to attract. She stated she supports the agreements as is.

Commissioner Petrolia reiterated her concerns about what the city is agreeing to.

Further discussion ensued between the City Commission and staff regarding the agreements.

Gary Dunay, Attorney representing the Developer, thanked Ms. Rustin and city staff. He spoke regarding the project.

Commissioner Katz asked about the square footage for the office space.

Maria Bolivar, Development Director, iPic Entertainment, spoke regarding the square footage.

Mayor Glicsktein asked if the company is committing to the iPic headquarters being here for five years. Ms. Bolivar replied yes.

Jeff Costello, Community Redevelopment Agency Executive Director, spoke regarding the alleyway and the assignment.

Discussion ensued regarding construction and the structure.

Commissioner Petrolia asked about offsite parking during construction.

Ms. Rustin discussed the motions regarding the agreement.

Commissioner Katz thanked staff (Ms. Rustin and Planning and Zoning) and Mr. Rubin for working on this. He also discussed an email that was sent out last week. He referenced penalties.

Mayor Glickstein reiterated that staff has worked very hard on this project.

Ms. Rustin discussed section 6 being stricken with the assignment being handled separately between the CRA and the city. She stated Item 7.D. will not be voted upon tonight due to a change.

approved with conditions

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

No: 1 - Petrolia

7.C. [16-1069](#) PARKING FACILITY EASEMENT AGREEMENT AND PROJECT COVENANT BETWEEN THE CITY OF DELRAY BEACH AND DELRAY BEACH HOLDINGS LLC

Recommendation: Motion to Approve the Parking Facility Easement Agreement and Project Covenant between the City of Delray Beach and Delray Beach Holdings LLC.

Sponsors: City Attorney Department and Inglese

Attachments: [Parking Facility Easement Agreement and Project Covenant](#)

approved as amended

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

No: 2 - Petrolia, and Katz

7.D. [16-1070](#) DECLARATION OF RESERVED RIGHTS AND AGREEMENT NOT TO ENCUMBER THE ABANDONED ALLEY

Recommendation: Motion to Approve Declaration of Reserved Rights and Agreement Not to Encumber the Abandoned Alley.

Sponsors: City Attorney Department and Inglese

Attachments: [Declaration of Reserved Rights and Agreement Not to Encumber the Abandoned Alley](#)

This item was not voted upon.

- 7.E. [16-968](#) ABANDONMENT OF THE ALLEY IN BLOCK 61, TOWN OF LINTON, ASSOCIATED WITH THE PROPOSED SWINTON COMMONS DEVELOPMENT, LOCATED ON THE SOUTH SIDE OF WEST ATLANTIC AVENUE BETWEEN SOUTH SWINTON AVENUE AND SW 1ST AVENUE

Recommendation: Motion to Approve the request to abandon the alley right-of-way within Block 61 of the Town of Linton Plat, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(M)(5) of the Land Development Regulations, subject to the following conditions:

1. That a Unity of Title for Block 61 be recorded and a certified copy be submitted to the Planning, Zoning, and Building Director within 60 days of this action;
2. That a Pedestrian Easement for the north/south portion of the alley right-of-way within Block 61 be accepted by the City Commission prior to site plan certification; and,
3. That a Vehicular Easement for the east/west portion of the alley right-of-way within Block 61 be accepted by the City Commission prior to site plan certification.

Sponsors: Planning & Zoning Department

Attachments: [Resolution No 53-16 Block 61 Abandonment](#)
[Swinton Commons Block 61 Alley Abandonment -10/17/16 PZB Staff Report](#)
[Block 61 Application and Attachments](#)
[Block 61 Survey](#)
[Vehicular Easement Deed Draft](#)
[Pedestrian Ingress and Egress Easement Deed Draft](#)

This item was removed.

- 7.F. [16-1065](#) 2016 CIVIL SERVICE EMPLOYEE SALARY SURVEY RESULTS

Recommendation: Motion to Approve the implementation of the pay study results of the City's civil service employees' pay plan that was conducted by Evergreen Solutions, Inc.

Attachments: [2016 CIVIL SERVICE EMPLOYEE SALARY SURVEY SUMMARY Final](#)
[Pay Plan Information from Evergreen Solutions](#)
[2016 Civil Service Employee Salary Survey PPT Final IT Copy](#)

Ms. Tennille Decoste presented this item.

Nancy Berkley, Evergreen Solutions, spoke regarding the proposed pay plan.

Commissioner Katz asked about capped out employees.

Ms. Decoste stated Evergreen Solutions did compare the City of Delray Beach to other cities.

Mayor Glickstein asked what has changed culturally on the front end and asked about accountability. He asked who will monitor this. He asked how are employees being awarded who are providing suggestions to save the city money.

Commissioner Petrolia asked where are these funds coming from.

Mr. Cooper stated he detailed for the City Commission where the funds would come from.

Commissioner Petrolia asked when was the last time a raise was given to civil service employees.

Ms. Decoste stated employees were given a 3% raise in 2013.

Discussion ensued regarding some of the agencies Evergreen Solutions used for comparison and to collect data. In addition, data regarding turnover, mid level managers, retirements and resignations were also discussed.

Vice Mayor Jacquet discussed the raise given in 2013 and employees.

Deputy Vice Mayor Jarjura asked about the number of hours being worked in regards to overtime. She also discussed compression in terms of morale and stated she would like the information referenced by Commissioner Petrolia regarding the 2013 raise. She asked Mr. Cooper if he is supporting this.

Mr. Cooper provided brief comments regarding the data and what the increases will be. He referenced his discussions with employees.
approved

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

7.G. [16-1049](#) AWARD OF AN AGREEMENT TO LOHMAN LAW GROUP P.A. FOR CITY ATTORNEY LEGAL SERVICES IN A NOT-TO-EXCEED ANNUAL AMOUNT OF \$300,000

Recommendation: Motion to Award an Agreement to Lohman Law Group P.A. in an annual not to exceed amount of \$300,000 for city attorney legal services.

Sponsors: Purchasing Department and Webb

Attachments: [City Manager Memo and Attachments 10262016 - Engagement Letter for City Attorney Services Lohman Law Group RFP 2016-128](#)
[Final Ranking](#)

Theresa Webb, Chief Purchasing Officer, presented this item to the City Commission and stated staff recommends awarding the agreement to Lohman Law Group, P.A. for city attorney legal services not to exceed an annual amount of \$436,800.00.

Mr. Cooper provided comments regarding the total amount for legal services.

Mayor Glickstein asked what is the difference between the revised engagement letters that they have received.

Deputy Vice Mayor Jarjura commented regarding the rates.

Discussion ensued regarding the rates and the agreement.

The City Commission asked that there be an evaluation of what the city needs and for Mr. Lohman to return to the City Commission at the end of February after his assessment. It was noted that Mr. Lohman will be on an hourly rate/fee agreement as proposed until the end of February. Mr. Cooper stated he will ask Mr. Lohman to make the modifications to his engagement letter and prepare for the Mayor's signature.

Mr. Cooper stated that Janice Rustin has a scheduled vacation and asked the City Commission to discuss the start date. Mr. Lohman stated he will be at the City Attorney's Office next week beginning November 7, 2016 and his first City Commission Meeting will be November 15, 2016.
approved

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

7.H. [16-1075](#) 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).

7.H.1 [16-1066](#) REJECT ALL BIDS FOR ITBC 2016-137 BEACH MASTER PLAN

Recommendation: Motion to Reject all bids received in response to ITBC 2016-137 for the Beach Master Plan

Sponsors: Purchasing Department and Webb
approved

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

7.H.2 [16-966](#) RESOLUTION NO. 52-16; MASTER LEASE PURCHASE AGREEMENT WITH PNC BANK EQUIPMENT FINANCE

Recommendation: Motion to Adopt Resolution No. 52-16; approving the form and authorizing the execution and delivery of a Master Lease Purchase Agreement with PNC Equipment Finance in an aggregate principal amount not to exceed \$2,650,000.

Sponsors: Finance Department

Attachments: [Resolution No. 52-16](#)
[Memo from February 2, 2016 Regular Meeting](#)
[Lease Financing Comparisons Ladder & Golf Carts dated December 2016](#)
[PNC - Master Lease Purchase Agreement dated December 2016](#)
[PNC-Florida Master Lease Addendum dated December 2016](#)
[PNC - Golf Carts Financing Documents dated December 2016](#)
[PNC Ladder Truck-Escrow Agreement](#)
[PNC Ladder Truck-Escrow Rider](#)
[PNC Ladder Truck-Lease Schedule Number](#)
[PNC Ladder Truck-Payment Schedule A](#)
[PNC Ladder Truck-Vehicle Schedule Addendum](#)

8. PUBLIC HEARINGS:

8.A. [16-1024](#) ORDINANCE NO. 33-16: AN AMENDMENT TO THE CITY'S LAND DEVELOPMENT REGULATIONS FOR TATTOO ESTABLISHMENTS AS A SPECIFIC USE WITHIN CERTAIN COMMERCIAL DISTRICTS (FIRST READING / FIRST PUBLIC HEARING)

Recommendation: Motion to Approve Ordinance No. 33-16 regarding tattoo establishments as a specific use within General Commercial, Central Business District, Old School Square Historic Arts District, and Planned Commercial zoning districts on first reading.

Sponsors: Planning & Zoning Department

Attachments: [Ordinance No. 33-16](#)
[Findings and Exhibits](#)
[Planning and Zoning Board Report on October 17, 2016](#)
[Schools and Churches 800 Scale](#)
[Proposed Ordinance Regulating the Location of Tatoo Parlors](#)

Janice Rustin, Interim City Attorney, read the caption of the ordinance and stated Lynn Gelin is the representative for the City Attorney's Office tonight.

Tim Stillings presented this item and stated staff recommends approval.

Jeff Kozan spoke regarding the ordinance and stated he hopes the Commission will approve this.

Al Martel stated he is a little concerned that it seems some of the businesses will be excluded.

Victor Kirson stated he appreciates all of the research and detail the Planning and Zoning staff put into this and stated he would prefer that staff sticks to the original draft.

Mr. Stillings discussed what the ordinance restricts and would not restrict. He stated he will have to go back to the original plan to find out why the restriction would stop at 3rd.

Mayor Glickstein asked Mr. Stillings if there are any additional requirements for storefronts for this use.

Commissioner Petrolia asked why the city would not combine requirements regarding the uses.

Al Martel stated he is withdrawing his concern.

Mayor Glickstein asked about the 40% percent threshold.

Discussion ensued regarding the percentage for accessory use. There was consensus that it be lowered to 20% prior to the second reading.

Commissioner Katz thanked staff for their work on the ordinance.

Mayor Glickstein commented on why the city is doing this.

Commissioner Jarjura requested that the reference to "churches and/or religious facilities" be changed to "places of worship" so that it is consistent with the City Code. She thanked the businesses and city staff

regarding the ordinance.

approved as amended

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

- 8.B.** [16-1052](#) ORDINANCE NO. 30-16: CITY-INITIATED AMENDMENT TO THE FUTURE LAND USE MAP FROM TRN (TRANSITIONAL) TO GC (GENERAL COMMERCIAL) AND REZONING FROM NC (NEIGHBORHOOD COMMERCIAL) TO GC (GENERAL COMMERCIAL) FOR THE PROPERTIES LOCATED AT 4591 AND 4561 WEST ATLANTIC AVENUE. (SECOND READING AND PUBLIC HEARING)

Recommendation: Motion to Approve on Second Reading, Ordinance No. 30-16, a City-initiated Future Land Use Map amendment from TRN to GC and rezoning from NC to GC for the properties located at 4591 and 4561 West Atlantic Avenue, 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 the criteria set forth in Sections 2.4.5(D) (5), 3.1.1 and 3.2.2 of the Land Development Regulations.

Sponsors: Planning and Zoning Board

Attachments: [Ordinance No. 30-16](#)
 [Planning and Zoning Board Staff Report](#)
 [Planning and Zoning Board Minutes, September 26, 2016](#)

Janice Rustin read the caption of the ordinance.

Tim Stillings presented this ordinance.

There were no public comments.

Commissioner Katz spoke regarding the ordinance, storage and what is being stored there.

approved

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

9. FIRST READINGS:

- 9.A.** [16-1022](#) ORDINANCE NO. 31-16: UPDATE TO THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE PLAN TO INCORPORATE THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN ADOPTED BY THE CITY COMMISSION (FIRST READING)

Recommendation: Motion to Approve the Planning and Zoning Board's finding of

Consistency of the 5-Year Capital Improvement Plan for FY 2016-17 through FY 2020-21, and FY 2016-17 Capital Improvement Budget, and approve on first reading Ordinance No. 31-16, and Table CI-CIP, to update the Capital Improvement Element of the Comprehensive Plan.

Sponsors: Planning and Zoning Board

Attachments: [Ordinance No. 31-16](#)
[Capital Improvement Plan](#)
[Planning and Zoning Board Staff Report](#)
[Planning and Zoning Board Draft Minutes from September 26, 2016](#)

The City Manager read the caption of the ordinance.

Tim Stillings presented this item.
approved

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

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

10.A.1 [16-1074](#) CITY MANAGER REPORT

Attachments: [10182016 - Budget Offset \(Fungibility\) for Certain Not-for-Profits \(NFP\) as Resulting from CRA Funding](#)

Mr. Cooper stated he is seeking direction regarding budget offset for certain non-profits.

Mr. Alan Kornblau, Library Director, spoke regarding the funding.

Discussion ensued by the City Commission regarding the function of the library and funding.

There was consensus to fund the Library the \$110,000.

B. City Attorney

Janice Rustin thanked everyone for their support of her and complimented her staff.

Mayor Glickstein commended Ms. Rustin for her work.

C. City Commission

Commissioner Katz congratulated the LGPA on the event this weekend. He stated he went over to the Set's unveiling of the banners. He asked if he can skype into the November 9, 2016 workshop meeting. He thanked Ms. Rustin for her honesty and straightfowardness and the work she has put in.

Deputy Vice Mayor Jarjura thanked Ms. Rustin and her office for their work and loyalty to the city. She congratulated Vice Mayor Jacquet in his new role and stated she echoes the sentiments of Kevin Warner. She stated alot of concentration has been given to the iPic project and stated there is another project and provided comments and stated it is important that the city receives what was promised.

Commissioner Petrolia stated she would like to get a copy of the Developer's agreement with Equity and any information that was provided to Deputy Vice Mayor Jarjura.

Deputy Vice Mayor Jarjura asked that Ms. Rustin provide the information to the entire Commission.

Commissioner Petrolia stated Margie Walden is the new executive director for the Arts Garage. She thanked Ms. Rustin for her work and congratulated Vice Mayor Jacquet on his new endeavors.

Vice Mayor Jacquet thanked staff for their work. He referenced office space and stated he is interested in this. He reminded everyone that Palm Beach County Days are March 7-8, 2017. He asked that a there be a representative from the city there.

Mayor Glickstein stated staff plans on workshopping an agenda item for the railroad tracks in January 2017. He commented and stated that Carver Middle School received a \$2 million grant. He commended Shelly Zacks for the children's garden, the Chamber of Commerce on their gala, Historical Society for the Auburn Harvest Event and he thanked staff for getting the final paving done prior to the event. He also thanked ESD for the work being finished up on NE 2nd and thanked staff for the good job they did in Goal Setting. He also thanked the City Commission regarding iPic and their comments.

There being no further business, Mayor Glicksein adjourned the meeting at 11:17 p.m.