

# City of Delray Beach

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[www.mydelraybeach.com](http://www.mydelraybeach.com)



## Regular Commission Meeting

**Tuesday, April 19, 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. PRESENTATIONS:****3.A. PRESENTATION FROM THE FLORIDA GREEN BUILDING COALITION  
CERTIFYING THE CITY OF DELRAY BEACH AS A GREEN LOCAL GOVERNMENT  
AT THE SILVER LEVEL**

**Sponsors:** Environmental Services Department

**3.B. SPOTLIGHT ON EDUCATION - ORCHARD VIEW ELEMENTARY**

**Sponsors:** Community Improvement

**3.C. "NATIONAL NIGHT OUT" OUTSTANDING PARTICIPATION AWARD**

**Recommendation:**

**Sponsors:** Police Department

**3.D. EMPLOYEE OF THE MONTH - MARCH**

**Recommendation:** Motion to Approve Jamael Stewart as employee of the month.

**Sponsors:** Human Resources Department

**Attachments:** [Recognition Program](#)

**4. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM  
THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:****5. AGENDA APPROVAL****6. CONSENT AGENDA: City Manager Recommends Approval****6.A APPROVAL OF MINUTES**

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

January 5, 2016 Regular Meeting  
February 2, 2016 Regular Meeting  
March 8, 2016 Workshop Meeting  
March 29, 2016 Special Meeting (Closed Attorney/Client Session)  
March 29, 2016 Special Meeting  
March 29, 2016 Annual Organizational Meeting  
April 12, 2016 Joint Session with CRA/Workshop Meeting

April 21, 2015 Regular Meeting  
May 5, 2015 Regular Meeting

## May 20, 2015 Regular Meeting

**Attachments:**      [01-05-2016 Regular Meeting](#)  
                              [02-02-2016 Regular Meeting](#)  
                              [03-08-2016 Workshop Meeting](#)  
                              [03-29-2016 Special Meeting \(Closed Attorney/Client Session\)](#)  
                              [03-29-2016 Special Meeting](#)  
                              [03-29-2016 Annual Organizational Meeting](#)  
                              [04-12-2016 Joint Session/Workshop Meeting](#)  
                              [04-21-2015 Regular Meeting](#)  
                              [04-21-15 Board Order Item 9.B](#)  
                              [04-21-15 Board Order Item 9.C](#)  
                              [04-21-15 Board Order Item 9.D](#)  
                              [05-05-2015 Regular Meeting](#)  
                              [05-20-2015 Regular Meeting](#)  
                              [05-20-15 Board Order Item 9.A](#)  
                              [05-20-15 Board Order Item 9.B](#)

**6.B. RESOLUTION NO. 08-16 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 No. 08-16 Sidewalk Policy](#)  
                              [City of Delray Beach Sidewalk Policy DRAFT 3.21.16 FINAL](#)

**6.C. SERVICE AUTHORIZATION NO. 12-22 WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE WARRANT STUDY LOCATED AT THE INTERSECTION OF: (1) S.W. 4TH STREET AND S.W. 7TH AVENUE AND (2) S.W. 9TH STREET AND S.W. 2ND AVENUE**

**Recommendation:** Motion to approve Service Authorization No. 12-22 to Kimley-Horn and Associates, Inc. in the amount not to exceed \$8,000 for professional design services to conduct a warrant study located at the intersection of: (1) SW 4th Street and SW 7th Avenue and SW 9th Street and SW 2nd Avenue (Project #16-087).

**Sponsors:** Environmental Services Department

**Attachments:**      [Service Authorization No. 12-22](#)  
                              [Consultant Service Agreement Spreadsheet](#)  
                              [Location Maps](#)

**6.D. HOUSING REHABILITATION GRANT AWARD FOR 117 N.W. 11th Avenue (QUOTE 2016-066)**

**Recommendation:** Motion to Approve acquisitions of services in the amount of \$26,372.20

from Cordoba Construction Co. for work being conducted at 117 N.W. 11th Avenue. This acquisition is in compliance with the Code of Ordinances Chapter 36, Section 36.03(B), "Multiple Acquisitions From Vendor exceeding Twenty-Five Thousand Dollars (\$25,000.00) In any Fiscal Year".

**Sponsors:** Community Improvement

**Attachments:** [Barr Information Sheet](#)  
[Packet for Bid 2016-066](#)  
[Contract - Barr](#)  
[Lien Agreement \(CDBG\)](#)  
[Lien Agreement-\(RCMP\)](#)  
[Memorandum of Understanding](#)  
[Notice to Proceed](#)

**6.E. INTERLOCAL AGREEMENT BETWEEN CITY OF DELRAY BEACH AND DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR FUNDING HOUSING STUDY**

**Recommendation:** Motion to Approve an Interlocal Agreement between the City of Delray Beach and Delray Beach Community Redevelopment Agency (CRA) in the amount not to exceed \$15,000 for current housing stock review and analysis within the CRA District and the City limits (incorporated areas) of Delray Beach.

**Sponsors:** Community Improvement

**Attachments:** [Interlocal Agreement CRA & City for Housing Study](#)  
[03-24-16 Interlocal Agreement - Housing Study CRA Board Summary](#)

**6.F. ACCEPTANCE OF A 10-FOOT DRAINAGE EASEMENT DEED FOR 617 PALM TRAIL**

**Recommendation:** Motion to Approve and accept a 10-foot drainage easement deed at 617 Palm Trail.

**Sponsors:** Environmental Services Department

**Attachments:** [Easement Deed](#)  
[Exhibit A - Sketch of Description](#)  
[Map Location](#)  
[PAPA](#)  
[Sunbiz Owner Azure Palm Trail Preserve LLC.](#)  
[Survey](#)  
[Azure Registered Agent](#)

**6.G. ACCEPT A LANDSCAPE MAINTENANCE AGREEMENT AND HOLD HARMLESS AGREEMENT FOR PLANTINGS PROPOSED IN THE STATE RIGHT-OF-WAY OF ATLANTIC AVENUE AND CITY RIGHT-OF-WAY OF NW 6TH AVENUE, NW 7TH AVENUE, NW 8TH AVENUE, AND NW 9TH AVENUE IN ASSOCIATION WITH THE**

## UPTOWN ATLANTIC PROJECT

**Recommendation:** Motion to accept the Landscape Maintenance and Hold Harmless Agreements to allow landscaping in the State Right-of-Way of Atlantic Avenue and City Right-of-Way of NW 6th Avenue, NW 7th Avenue, NW 8th Avenue, and NW 9th Avenue.

**Sponsors:** Planning & Zoning Department

**Attachments:** [UptownAtlantic memo\\_4-6-16.pdf](#)  
[Uptown Atlantic Hold Harmless.pdf](#)  
[Uptown Atlantic signed LMA.pdf](#)  
[Uptown Atlantic Ex B.pdf](#)  
[Uptown Atlantic Ex A.pdf](#)

**6.H. APPROVE SELECTION COMMITTEE'S RANKING AND ENTER INTO CONTRACT NEGOTIATIONS WITH EDSA, INC. FOR DESIGN SERVICES AND CONSTRUCTION ADMINISTRATION FOR THE BEACH AREA MASTER PLAN (RFQ 2016-56)**

**Recommendation:** Motion to Approve the Selection Committee's ranking of responses for RFQ 2016-056 for Design Services and Construction Administration for the Beach Area Master Plan and to authorize staff to enter into contract negotiations with the top ranked firm, EDSA, Inc. (Project No. 2015-008)

**Attachments:** [Location Map - Beach Area Master Plan](#)

**6.I. PROCLAMATIONS:****6.I.1 WE ♥ SMALL BIZ MONTH PROCLAMATION**

**Recommendation:** Proclaim May 2016 as "We ♥ Small Biz" Month in Delray Beach, Florida

**Sponsors:** Economic Development Department

**Attachments:** [Proclamation - 2016 We Heart Small Biz Month](#)  
[We Heart Small Biz Month Flyer](#)

**6.I.2. KIDS TO PARK DAY - MAY 21, 2016**

**Recommendation:** Proclamation for Kids to Park Day

**Sponsors:** City Clerk Department

**Attachments:** [Kids To Parks Day](#)

**6.J. REPORT OF APPEALABLE LAND USE ITEMS MARCH 21, 2016 THROUGH APRIL 1, 2016**

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

**Sponsors:** Planning and Zoning Board and Allen

**Attachments:**     [Location Map](#)  
[Tattoo Establishment- Similarity of Use Determination](#)  
[Patio Beach Delray](#)  
[Purlife Fitness Center](#)  
[Brighton Beach Bagel & Bakery Sign](#)  
[Brighton Beach Bagel & Bakery Awning](#)  
[Banyan Restaurant](#)  
[Delray Square II](#)  
[Cut 432](#)  
[198 NE 6th Avenue](#)

## **6.K. AWARD OF BIDS AND CONTRACTS:**

- 6.K.1.** PURCHASE AWARD TO ALAN JAY FOR ONE (1) 2016 NISSAN FRONTIER, UTILIZING FLORIDA SHERIFF'S ASSOCIATION BID # 15-23-0904, IN AN AMOUNT NOT TO EXCEED \$19,934.25.

**Recommendation:** Motion to award a purchase to Alan Jay for one (1) 2016 Nissan Frontier, utilizing Florida Sheriff's Association Bid # 15-23-0904, in an amount not to exceed \$19.934.25.

**Sponsors:** Purchasing Department

**Attachments:**     [Purchasing Checklist](#)  
[Best Price Letter](#)  
[Alan Jay Quote-Nissan Frontier 3-31-16](#)  
[Bid Award Announcement 15-23-0904](#)

## **7. REGULAR AGENDA:**

- 7.A.** 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.A.1.** PURCHASE AWARD TO EMERGENCY VEHICLES INC. FOR ONE (1) MOBILE COMMAND CENTER VEHICLE

**Recommendation:** Motion to Award a purchase to Emergency Vehicles, Inc. in the amount of \$581,334 for one (1) Mobile Command Center vehicle utilizing General Services Administration (GSA) Disaster Purchasing Program contract #GS-30F-0005R in accordance with Code of Ordinances, Chapter 36, Section 36.02(C)(7)(a), "Utilization of Other Governmental Entities' Contracts".

**Sponsors:** Purchasing Department

**Attachments:**     [Purchasing Checklist](#)  
                              [GSA Terms and Conditions](#)  
                              [Best Price Letter](#)  
                              [Proposal](#)  
                              [Quotation Drawings](#)

**7.A.2. CONTRACT AWARD TO ACCOUNTS RECEIVABLES, INC. DBA ARI FOR COLLECTION OF THE CITY'S CONSUMER DEBT (2016-040)**

**Recommendation:** Motion to Approve the Selection Committee's ranking and award a contract for RFP NO. 2016-040 to Accounts Receivables, Inc. d/b/a ARI, for collection of the City's past due consumer debt, for a two year term with two additional one year renewal options.

**Sponsors:**        Purchasing Department

**Attachments:**     [Purchasing Checklist](#)  
                              [2016-040 Score Card](#)  
                              [2016-040 Scoring Sheets](#)  
                              [Accounts Receivables](#)  
                              [2016-040 RFP with Addendums](#)  
                              [2016-040 Tab Sheet](#)

**7.A.3. RENEWAL OF CONTINUING CONTRACTS FOR SURVEYING CONSULTING SERVICES WITH MULTIPLE VENDORS FOR SURVEYING SERVICES FOR PROJECTS INCLUDED IN THE APPROVED FIVE YEAR CAPITAL IMPROVEMENTS PLAN**

**Recommendation:** Motion to Approve renewal of the agreements of (1) Wantman Group, Inc. and (2) Dennis J. Leavy & Associates, Inc. and to approve the amendments for retroactive nunc pro tunc renewal of (3) Avirom & Associates, Inc., and (4) Caulfield & Wheeler, Inc., for a period of one (1) year. 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:**      [Executed Agreement Avirom](#)  
[Avirom Renewal Ltr](#)  
[Executed Amendment 1 for Avirom](#)  
[Executed Amendment 2 for Avirom](#)  
[Caulfield Renewal Ltr](#)  
[Executed Agreement Caulfield Wheeler](#)  
[Executed Amendment 1 for Caulfield Wheeler](#)  
[Executed Amendment 2 for Caulfield Wheeler](#)  
[Dennis Levy Renewal Ltr](#)  
[Executed Agreement Dennis Leavy](#)  
[Executed Amendment 1 for Dennis Leavy](#)  
[Executed Amendment 2 for Dennis Leavy](#)  
[Wantman Renewal Ltr](#)  
[Executed Agreement Wantman Group](#)  
[Executed Amendment 1 for Wantman Group](#)  
[Executed Amendment 2 for Wantman](#)  
[Third Amendment to Agreement for Land Surveying Consulting Services Caulfi](#)  
[Third Amendment to Agreement for Land Surveying Consulting Services Avior](#)

**7.A.4. STATE HOUSING INITIATIVES PARTNERSHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP) FY2016-2019**

**Recommendation:** Motion to authorize and approve the Local Housing Assistance Plan (LHAP) for Fiscal Years 2016-2019, by adopting Resolution #13-16, pursuant to Title 67-37 of the Florida Administrative Code.

**Sponsors:** Community Improvement

**Attachments:**      [2016-2019 LHAP FINAL 040616](#)  
[Administrative Budget-Exhibit A](#)  
[Timeline Exhibit B](#)  
[Housing Delivery Goals Chart Exhibit C](#)  
[Certification Form - Exhibit D](#)  
[Resolution # 13-16 Exhibit E](#)  
[Subordination Policy Exhibit H](#)

**7.B. S.W. 2ND AVENUE ABANDONMENT - RESOLUTION NO. 17-16**

**Recommendation:** Motion to Approve Resolution No. 17-16 \*(Formerly Resolutuon No. 25-14) to abandon a portion of the road right-of-way of SW 2nd Avenue, and finding that the privately initiated request and approval is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(M)(5) of the Land Development Regulations.

**Sponsors:** Planning & Zoning Department

**Attachments:**     [Resolution No. 17-16](#)  
                              [Location Map](#)  
                              [Aerial Location Map](#)  
                              [Planning and Zoning Board Staff Report Dated May 19, 2014](#)  
                              [Memo from Suzane Fisher, Director of Parks and Recreation](#)  
                              [Regular City Commission Meeting Minutes of July 1, 2014](#)  
                              [Draft Planning and Zoning Board Minutes - May 19, 2014](#)

**7.C.     SALE OF (SURPLUS) MUNICIPAL PROPERTIES**

**Recommendation:** Motion to authorize the sale of properties listed March 29, 2016 in the City Manager's memorandum pursuant to recommended procedure in accordance with Section 36.12 (A) of municipal code.

**Sponsors:**         City Manager Department

**Attachments:**     [03292016 - Memo - Sale of \(Surplus\) Municipal Properties](#)

**7.D.     PALM BEACH COUNTY ILA INFRASTRUCTURE SURTAX**

**Recommendation:** Motion to Approve an Interlocal Agreement (ILA) with Palm Beach County regarding the Infrastructure Surtax.

**Attachments:**     [Interlocal Agreement ONE CENT 10](#)  
                              [04052016 Email](#)  
                              [03292016 - Initial Memo and backup - Palm Beach County ILA Infrastructure Su](#)

**7.E.     APPROVAL OF SELECTION COMMITTEE RANKINGS FOR AN ENTERPRISE RESOURCE PLANNING SOLUTION (RFP 2016-069L)**

**Recommendation:** Motion to Approve Selection Committee rankings of RFP No. 2016-069L and for staff to enter into negotiations for a contract which will be brought before the Commission for final approval.

**Sponsors:**         Purchasing Department

**Attachments:**     [2016-069L ERP Packet](#)  
                              [2016-069L Addendum 1](#)  
                              [Purchasing Checklist](#)  
                              [Quintel](#)  
                              [Tyler \(2\) - New World Response](#)  
                              [New World Schedule of Pricing](#)  
                              [Quintel Schedule of Pricing](#)  
                              [Phase 3 Score Cards](#)  
                              [2016-069L Corrected Phase 2 Score Cards](#)  
                              [2016-069L Phase 2 Evaluations](#)  
                              [Phase 3 Summary](#)

**7.F.     CONTRACT AWARD TO TROXELL COMMUNICATIONS, INC. TO UPGRADE THE TECHNOLOGY IN THE COMMISSION CHAMBERS AND CONFERENCE ROOM**

**Recommendation:** Motion to approve an award to Troxell Communications, Inc., utilizing Lee County School District Contract R127035JM, for technology upgrades in the Commission Chambers and Conference Room of City Hall, at a cost not to exceed \$58,895.00.

**Sponsors:** Purchasing Department

**Attachments:** [Chambers Update](#)  
[Purchasing Checklist](#)  
[Quote](#)  
[Bid](#)  
[Renewal](#)  
[Tab Sheet](#)  
[Best Price Statement](#)  
[Bid Award](#)

**7.G. NOMINATION FOR APPOINTMENT TO THE CODE ENFORCEMENT BOARD**

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)  
[Code Enforcement Board Members List](#)  
[Code Enforcement Attendance List](#)

**7.H. AWARD BID (2016-004) TO WEST CONSTRUCTION, INC. FOR THE N.W. 12TH AVENUE IMPROVEMENTS PROJECT AND N.W. 2ND STREET (MLK DRIVE) PHASE II IMPROVEMENTS PROJECT**

**Recommendation:** Motion to Award Bid No. 2016-004 to West Construction, Inc. in the amount of \$1,450,956.96 for the N.W. 12th Avenue Improvements Project (Project No. 10-041) and N.W. 2nd Street (MLK Drive) Phase II Improvements Project (Project No. 15-004).

**Sponsors:** Environmental Services Department

**Attachments:** [Bid Tabulation](#)  
[MLK Location Map](#)  
[N.W. 12th Avenue Location Map](#)

**7.I. CONTRACT AWARD/TASER INTERNATIONAL INC./BODY-WORN CAMERAS & TASERS**

**Recommendation:** Motion to Approve TASER, Axon Equipment and Evidence.com under Section 36.03(C)(6)(b) as a City Standard and to approve the first phase of the body camera program with the initial purchase of 20 body-worn cameras and Tasers in the amount of \$34,260 from Taser International, Inc. in accordance Section 36.02 (A)(6)(a), "Sole Source".

**Sponsors:** Purchasing Department

**Attachments:**     [Purchasing Checklist TaserBody Camera](#)  
[Delray Sole Source Letter](#)  
[Delray Beach PD - OSP FY](#)  
[Delray Beach MSPA \(Final\) 2016-04-08](#)

**7.J. ATLANTIC CROSSING PROJECT**

**Recommendation:** WITH RESPECT TO THE ATLANTIC CROSSING PROJECT; MOTION TO EXERCISE THE CITY'S RECONVEYANCE RIGHTS PURSUANT TO THE "DECLARATION OF RESERVED RIGHTS AND AGREEMENT NOT TO ENCUMBER THE ABANDONED ALLEY", BY APPROVING THE EXECUTION OF THE "RELOCATED 7TH AVENUE EASEMENT TERMINATION CERTIFICATE" TERMINATING THE RELOCATED 7TH AVENUE EASEMENT, AND AUTHORIZING THE CITY MANAGER TO SEND THE REQUIRED NOTICE TO DEMAND THE RELEASE OF THE ALLEY DEED, AND MOTION TO AUTHORIZE THE FILING OF COUNTERCLAIMS FOR DECLARATORY RELIEF DECLARING THE CITY IS ENTITLED TO OWNERSHIP OF THE ALLEYWAYS AND TO AUTHORIZE THE CITY ATTORNEY AND SPECIAL COUNSEL TO TAKE SUCH FURTHER ACTIONS AS MAY BE NECESSARY AND APPROPRIATE WITH RESPECT TO THESE ISSUES.

**Sponsors:** City Attorney Department

**Attachments:**     [Demand Letter](#)  
[Relocated 7th Avenue Easement Termination Certificate](#)  
[Declaration of Reserved Rights and Agreement Not to Encumber the Abandone](#)

**7.K. UPTOWN ATLANTIC (GENERALLY LOCATED WITHIN THE 600, 700, 800 BLOCK OF WEST ATLANTIC AVENUE) IN LIEU PARKING FEE REQUEST AND AGREEMENT (QUASI-JUDICIAL HEARING)**

**Recommendation:** Motion to Approve parking in-lieu fee request in the amount of \$87,400.00 for 19 parking spaces (including the 19-space credit for parallel spaces in the public rights-of-way) subject to the condition that the In-Lieu of Parking Fee Agreement be recorded and the first installment paid prior to 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 Uptown Atlantic located on the south side of West Atlantic Avenue, between S.W. 9th Avenue and S.W. 6th Avenue. (Quasi-Judicial Hearing)

**Sponsors:** Planning & Zoning Department

**Attachments:**     [Location Map](#)  
                              [Revised Uptown Atlantic Site Plan](#)  
                              [Uptown Atlantic Director Memo - Revised Proposal - 38 Spaces](#)  
                              [Tri-Party Agreement - In Lieu - 38 spaces](#)  
                              [First Amendment to In Lieu Parking Agreement](#)  
                              [City Commission Draft Minutes Nov 16 2015](#)  
                              [Uptown Atlantic PMAB Staff Report 07.18.15](#)  
                              [PMAB Minutes July 28 2015](#)

- 7.L.**     REQUEST FOR A WAIVER TO LDR SECTION 4.4.13(F)(4)(B)(2) TO ALLOW REDUCED SETBACKS FOR UPPER FLOORS ABOVE 37 FEET, AND A WAIVER TO LDR SECTION 4.4.13(F)(4)(C)(1) TO ALLOW SETBACKS GREATER THAN ALLOWED FOR LOWER LEVELS ALONG THE SIDE STREETS, FOR THE UPTOWN ATLANTIC MIXED USE DEVELOPMENT LOCATED ALONG THE SOUTH SIDE OF WEST ATLANTIC AVENUE, BETWEEN SW 6TH AND SW 9TH AVENUES. (QUASI-JUDICIAL HEARING)

**Recommendation:**   Motion to approve the waiver requests to LDR Section 4.4.13(F)(4)(B)(2) to allow reduced setbacks for upper floors above 37 feet, and to LDR Section 4.4.13(F)(4)(C)(1) to allow setbacks greater than allowed for lower levels along the side streets for Uptown Atlantic. (Quasi-Judicial Hearing)

**Sponsors:**           Planning & Zoning Department and McDonnell

**Attachments:**        [Location Map](#)  
                              [SPRAB Staff Report Dec 19 2015 - Uptown Atlantic](#)  
                              [SPRAB Minutes - December 19, 2015](#)  
                              [March 21, 2016 Uptown Atlantic](#)  
                              [Uptown Atlantic Waiver City Commission Board Order](#)

- 7.M.**     RESOLUTION NO. 14-16: ABANDONMENT OF TWO UNIMPROVED PUBLIC ALLEYS AND THE ASSOCIATED RIGHTS-OF-WAY ASSOCIATED WITH THE UPTOWN ATLANTIC MIXED-USE DEVELOPMENT

**Recommendation:**   Motion to approve Resolution No. 14-16 to abandon two public alleys and associated rights-of-way.

**Sponsors:**           Planning & Zoning Department

**Attachments:**        [Location Map](#)  
                              [Resolution No. 14-16](#)  
                              [EXHIBIT "A" Alley Legal descriptions](#)  
                              [Preliminary Plat for Alley Abandonment](#)  
                              [Uptown Atlantic Planning & Zoning Board Staff Report](#)

- 7.N.**     WORKFORCE HOUSING COVENANT FOR UPTOWN ATLANTIC

**Recommendation:**   Motion to Approve the Workforce Housing Covenant between the City of

Delray Beach and Equity Delray LLC., pursuant to the requirements under Section 4.7 of the Land Development Regulations, Section 4.4.13(1)(1), "Central Business District - West Atlantic Neighborhood".

**Sponsors:** Community Improvement and Planning & Zoning Department

**Attachments:** [Workforce Housing Covenant](#)

**7.O. RESOLUTION NO. 16-16 - REQUEST FOR ABANDONMENT OF FOUR PUBLIC UTILITY EASEMENTS AND ONE SEWER EASEMENT**

**Recommendation:** Motion to approve Resolution No. 16-16 to abandon a five easements dedicated to the City via Easement Deeds recorded in Official Records Book 1162, Page 568; 1006/262; 1031/195; 23/72; and 8743/1125. of the Public Records of Palm Beach County, Florida, based upon findings that the abandonment requests and approval thereof are consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(N) (5), Abandonment of Public Easements, of the Land Development Regulations.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Location Map - Uptown Atlantic](#)  
[Resolution No. 16-16 Uptown Atlantic Easement Abandonment](#)  
[Uptown Atlantic Easement Sketch and Legals Exhibit "B"](#)

**7.P. FINAL PLAT APPROVAL FOR UPTOWN ATLANTIC (QUASI-JUDICIAL HEARING)**

**Recommendation:** Motion to approve the Final Plat for Uptown Atlantic by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(J) (Major Subdivisions), Section 3.2.3 (Standards for Site Plan and/or Plat Actions) and Section 3.1.1 (Required Findings for Land Use and Land Development Applications) of the Land Development Regulations. (Quasi-Judicial Hearing)

**Sponsors:** Planning & Zoning Department

**Attachments:** [Location map - Uptown Atlantic](#)  
[2016-1-25 Plat - Uptown Atlantic](#)  
[Uptown Atlantic Final Plat PZB Staff rpt 201603111421](#)  
[CIVIL 12-18-15 Uptown Atlantic](#)  
[Uptown Atlantic - Site Plan - 1-121108-SITE SHEETS COMPLETE](#)  
[Uptown Atlantic Plat Board Order](#)

**8. PUBLIC HEARINGS:**

**8.A. DEVELOPER'S AGREEMENT FOR UPTOWN ATLANTIC (SECOND PUBLIC HEARING)**

**Recommendation:** Motion to approve Developer's Agreement for Uptown Atlantic.

**Sponsors:** City Attorney Department

**Attachments:**      [Development Agreement - Equity Delray LLC](#)  
[CBA Compliance Support Letter](#)

## **9. FIRST READINGS:**

- 9.A.**    ORDINANCE NO. 10-16; PRIVATELY INITIATED VOLUNTARY ANNEXATION, FUTURE LAND USE MAP (SMALL-SCALE) AMENDMENT FROM COUNTY MR-5 (MEDIUM DENSITY 5-UNITS PER ACRE) TO CITY LD (LOW DENSITY RESIDENTIAL 0-5 DU/AC) AND INITIAL CITY ZONING OF R-1-AAA (SINGLE FAMILY RESIDENTIAL) FOR 14461 BARWICK ROAD. (FIRST READING)

**Recommendation:** Motion to Approve Ordinance No. 10-16 on First Reading, for the Annexation, Future Land Use Map Amendment (Small-Scale) from County MR-5 (Medium Density 5-units per acre) to City LD (Low Density Residential 0-5 du/ac) and initial City Zoning of R-1-AAA (Single Family Residential) for 14461 Barwick Road.

**Sponsors:**            Planning and Zoning Board

**Attachments:**        [Ordinance No. 10-16 - Annexation of 14461 Barwick Road](#)  
[Planning and Zoning Board Staff Report of March 21, 2016](#)  
[Planning and Zoning Board March 21, 2016 Minutes -14461 Barwick Road-Ann](#)

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

10.A. City Manager

### **10.A.1 SELECTION OF RECRUITMENT FIRM FOR CITY ATTORNEY - ADDENDUM**

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**Sponsors:**            City Clerk Department

**Attachments:**        [CM Acquisition Approval Request](#)

10.B. City Attorney

10.C. City Commission