

City of Delray Beach

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Minutes - Draft

Tuesday, June 6, 2017

6:00 PM

Regular Meeting at 6:00 PM

Delray Beach City Hall

City Commission

Mayor Cary Glickstein

Vice Mayor James Chard

Deputy Vice Mayor Shirley Ervin Johnson

Commissioner Mitchell Katz

Commissioner Shelly Petrolia

1. ROLL CALL

Mayor Glickstein called the Regular City Commission meeting to order at 6:00 p.m.

City Commission members in attendance were:

Commissioner Shelly Petrolia
Vice Mayor Jim Chard
Deputy Vice Mayor Johnson
Mayor Glickstein

Absent: Commissioner Mitch Katz

Also in attendance were:

Neal DeJesus, Acting City Manager
R. Max Lohman, City Attorney
Katerri Johnson, City Clerk

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

Mayor Glickstein welcomed the new City Clerk, Katerri Johnson and wished her much success in her new position.

Mr. deJesus had changes to the agenda. He requested to pull 4.B. and 6.B. to be scheduled for a later date.

Vice Mayor Chard wanted several items pulled off the agenda for discussion, 6.A., 6.E., 6.K., 6.I. and 6.P.

Mayor Glickstein stated that 6.A. will become 7.A.A., 6.E will become 7.B.B., 6.I. will become 7.C.C., 6.K. will become 7.D.D., 6.P. will become 7.E.E on the regular agenda.

Commissioner Petrolia requested to move 6.C. for discussion, it will become 7.F.F. on the regular agenda.

Deputy Vice Mayor Johnson wished the Mayor a happy birthday!

Deputy Vice Mayor Johnson made a motion to approve the agenda as amended. It was seconded by Commissioner Petrolia. A Roll Call vote was

taken, all were in favor. The motion carried 4-0.

4. PRESENTATIONS:

- 4.A. [17-456](#) Presenting Matthew Reynolds, LIFEGUARD, with Employee of the Month for June 2017.

Recommendation: Motion to Approve Matthew Reynolds as Employee of the Month for June 2017.

Sponsors: Human Resources Department

Attachments: [Matthew Reynolds EOM Nomination Form](#)

Duane DeAndre, Assistant Human Resources Director, gave a presentation along with other members of the Parks and Recreation Department to Matthew Reynolds for Employee of the Month.

- 4.B. [17-489](#) SISTER CITIES' PRESENTATION

Sponsors: City Clerk Department

- 4.C. [17-453](#) FY 2016 COMPREHENSIVE ANNUAL FINANCIAL REPORT - CALER, DONTEN, LEVINE, PORTER & VEIL, P.A.

Attachments: [City of Delray Beach 2016 CAFR](#)

Scott Porter of Caler, Donten, Levine, Porter & Veil, P.A. gave a presentation of the FY 2016 Comprehensive Annual Report.

The Commissioners had several questions regarding the audit.

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

Mayor Glickstein opened the meeting up for public comment.

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

- 5.B. From the Public

Ms. Pauline Moody, who is temporarily homeless had several comments

regarding the audit.

Sheila Townsend asked the Commission to help her clear up matters on the house she is trying to purchase through the Workforce Housing program.

Ed Wellin started the first federated garden club in Delray. He would like to have a spot dedicated to the service men and women, which is called a Blue Star memorial.

Barbara Covell mentioned that there was a Blue Star memorial here years ago, but it was stolen and has never been replaced.

Bruce Bastian of 645 Infield Court, Chairman of the Green Board, stated that Florida is the most dangerous state to ride a bike. He spoke about the Complete Street grants that are available.

Ryan Boylston of 2 N.W. 24 Street, Chairman of the Downtown Development Authority is interested in the Blue Star memorial and would like to meet with the committee. The Downtown Development Authority hired Robert Gibbs an expert to do a retail study. Also interested in shared biking and/or pedicabs in downtown.

Laura Simon, Director of the Downtown Development Authority, thanked Ryan Boylston and Albert Wagen for their years of service on the board.

Robert Covell would like to see plantings on the median extend down Atlantic Avenue to Military Trail.

Alice Feast of 707 Place Chalfont read an article from Sun Sentinel about the closing of stores in Delray.

Christina Morrison of 2809 Florida Boulevard, had questions regarding the status of Congress Avenue, it's development and growth plan. She had several questions regarding the Water Management Plan and the Water Treatment Plant.

6. CONSENT AGENDA: City Manager Recommends Approval

Vice Mayor Chard made a motion to approve the Consent agenda as amended. It was seconded by Commissioner Petrolia. A Roll Call vote was taken and all were in favor. The motion carried 4-0.

Recommendation: Motion to approve various sets of minutes

Sponsors: City Clerk Department

Attachments: [05-16-17 Minutes](#)
[05-16-17 Item 7.A](#)

approved

6.B. [17-526](#) THIRD ADDENDUM TO THE EMPLOYMENT AGREEMENT DATED NOVEMBER 22, 2016 WITH NEAL DE JESUS

Recommendation: Motion to Approve the Third Addendum to the Employment Agreement dated November 22, 2016 with Neal de Jesus.

Sponsors: City Attorney Department

Attachments: [3rd Addendum to Employment Agt with Chief de Jesus-Final](#)

approved

6.C. [17-482](#) ATLANTIC CROSSING FINAL SUBDIVISION PLAT

Recommendation: Motion to Approve the Final Subdivision Plat for **Atlantic Crossing**, 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, together with recording of the public access easement as approved by the City Attorney simultaneously with the recording of the final plat.

Sponsors: Planning & Zoning Department

Attachments: [Atlantic Crossing Location Map](#)
[Plat 4-21-17](#)
[atlantic crossing plat report 201705051012-1](#)
[AC Survey](#)
[Ingress -Egress Easement and legal](#)

Mr. Lohman explained the Atlantic Crossing final subdivision plat.

Commissioner Petrolia made a motion to approve Item 6.C. It was seconded by Vice Mayor Chard. A Roll Call vote was taken and all were in favor. The motion carried 4-0.

approved

6.D. [17-430](#) LANDSCAPE MAINTENANCE AGREEMENT FOR 912 PALM TRAIL.

Recommendation: Recommended Action:

Motion to Accept a Landscape Maintenance Agreement for proposed landscaping at 912 Palm Trail.

Sponsors: Planning & Zoning Department

Attachments: [Palm Trail LMA CAO final](#)
[Legal review checklist 912 Palm Trail LMA](#)

Vice Mayor Chard pulled Item 6 .D. and 6.G. He made a motion to pull them for discussion, Deputy Vice Mayor Johnson seconded the motion. A Roll Call vote was taken and all were in favor. The motion carried 4-0.

approved

- 6.E. [17-377](#) AMENDMENT TO REAL ESTATE LEASE FILE #317-3-1 BETWEEN FLAGLER STATION II LLC AND THE CITY OF DELRAY BEACH CONCERNING THE CITY'S CONTINUED USE OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY

Recommendation: Motion to Approve an amendment to Real Estate Lease File #317-3-1 between Flagler Station II LLC and the City of Delray Beach concerning the City's continued use of the Florida East Coast Railway right-of-way.

Sponsors: Environmental Services Department

Attachments: [Checklist Reinstatement and amendment to Real Estate Lease \(FEC\)](#)
[City of Delray Beach 317-3-1; Cover Ltr and Amendment](#)
[FEC Lease Termination and Proposed Amendment](#)
[Real estate lease FEC railway 2006](#)
[Roadway and Traffic Details](#)

approved

- 6.F. [17-394](#) RESOLUTION NO. 41-17 NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM FOURTH CYCLE INTERLOCAL AGREEMENT

Recommendation: Motion to Approve Resolution No. 41-17 authorizing an Interlocal Agreement with Northern Palm Beach County Improvement District regarding the National Pollutant Discharge Elimination System Fourth Cycle Permit.

Sponsors: Environmental Services Department

Attachments: [Resolution 41-17 NPDES Fourth Cycle Permit Interlocal Agreement Delray Beach](#)
[NPDES Fourth Cycle Permit Interlocal Agreement Delray Beach](#)
[NPDES Fourth Cycle Permit Interlocal Agreement Delray Beach Invoice FY 17-18](#)
[NPDES Third Term Permit Interlocal Agreement Delray Beach](#)
[Checklist MS4 NPDES Fourth Cycle Permit Interlocal Agreement](#)

approved

- 6.G.** [17-444](#) SERVICE AUTHORIZATION NO.12-29 WITH MATHEWS CONSULTING DBA BAXTER & WOODMAN, INC. IN THE AMOUNT NOT TO EXCEED \$33,608.11 FOR UPGRADES AND IMPROVEMENTS TO THE WATER TREATMENT PLANT

Recommendation: Motion to Approve Service Authorization No.12-29 with Mathews Consulting dba Baxter & Woodman, Inc. for professional engineering services for Water Treatment Plant Upgrades and Improvements (Project No. 2017-038) in a not-to-exceed amount of \$33,608.11.

Sponsors: Environmental Services Department

Attachments: [Service Authorization No. 12-29 to Mathews Consulting Amendment No. 4 to General Consulting Services Agreement - Baxter & Wood... Letter - Extension request Mathews Consulting, 11-22-16 Mathews Engr Executed Agmt](#)

approved

- 6.H.** [17-468](#) SERVICE AUTHORIZATION NO. 3 WITH CB&I ENVIRONMENTAL & INFRASTRUCTURE, INC. FOR COAST ENGINEERING SERVICES FOR THE CITY'S BEACH MANAGEMENT PROGRAM

Recommendation: Motion to Approve Service Authorization No.3 with CB&I Environmental & Infrastructure, Incorporated for coastal engineering consulting services for the Beach Management Program (Project #17-081) in an amount not-to-exceed \$78,482.60.

Sponsors: Environmental Services Department

Attachments: [Service Authorization No.3 CAO for CB&I Environmental & Infrastructure, Inc](#)

approved

- 6.I.** [17-233](#) SERVICE AUTHORIZATION NO.12-29 TO KIMLEY HORN AND

ASSOCIATES, INC. IN THE AMOUNT NOT TO EXCEED \$88,786 FOR ENGINEERING SERVICES RELATED TO FLORIDA DEPARTMENT OF TRANSPORTATION'S I-95 AND ATLANTIC AVENUE ENHANCEMENT PROJECT (CITY PROJECT NO. 14-075)

Recommendation: Motion to Approve Service Authorization No.12-29 in the amount not to exceed \$88,786.00 for professional engineering services for design of utility relocations related to Florida Department of Transportation's (FDOT) I-95 and Atlantic Avenue enhancements, FDOT Financial Project Number 434722-1-52-01 (City Project No. 2014-075).

Sponsors: Environmental Services Department

Attachments: [Service Authorization No. 12-29 with Kimley Horn Associates](#)
[FDOT PN 4347221501 Plan Sheets Abreviated](#)
[Kimley-Horn Executed Agmt](#)
[Letter - Extension request Kimely-Horn Associates Inc. 11-22-16](#)

approved

- 6.J. [17-415](#) SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE CITY AND THE COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR FUNDING CONSTRUCTION AND PROFESSIONAL SERVICES FOR FY 2016-2017

Recommendation: Motion to Approve the Second Amendment to the Interlocal Agreement (ILA) between the City and the Community Redevelopment Agency (CRA) for funding of construction and professional services to revise the funding amounts for projects approved in the CRA's final FY 2016-2017 Budget Amendment.

Sponsors: Environmental Services Department

Attachments: [Amendment #2 - ILA Funding Construction Professional Services FY 2016-17](#)

approved

- 6.K. [17-461](#) REJECT ALL RESPONSES TO RFP NO. 2017-003 BICYCLE SHARING PROGRAM

Recommendation: Motion to Reject all proposals received in response to RFP No. 2017-003 Bicycle Sharing Program.

Sponsors: Environmental Services Department

Commissioner Petrolia made a motion to approve Item 6.K. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 4-0.

approved

- 6.L. [17-462](#) APPROVAL TO INCREASE APPROVED SPENDING LIMIT WITH TESCO SOUTH, INCORPORATED DBA HECTOR TURF IN AN AMOUNT NOT-TO-EXCEED \$40,000 FOR FISCAL YEAR 2017

Recommendation: Motion to Approve a spending limit increase for Fiscal Year 2017 with Tesco South, Incorporated DBA Hector Turf for purchases of turf equipment and replacement parts in an amount not-to-exceed \$40,000 for fiscal year 2017.

Sponsors: Parks & Recreation Department

approved

- 6.M. [17-463](#) APPROVAL TO INCREASE APPROVED SPENDING LIMIT WITH ODUMS SOD, INC. IN AN AMOUNT NOT-TO-EXCEED \$45,000 FOR FISCAL YEAR 2017

Recommendation: Motion to Approve a spending limit increase for Fiscal Year 2017 with Odums Sod, Inc. for purchases of sod and sod related items in an amount not-to-exceed \$45,000 for fiscal year 2017.

Sponsors: Parks & Recreation Department

approved

- 6.N. [17-397](#) GRANT APPLICATION/DEPARTMENT OF JUSTICE BULLETPROOF VEST PARTNERSHIP

Recommendation: Motion to Approve application to the Department of Justice's Bulletproof Vest Partnership program. If approved, this initiative would provide for the 50% of the cost of the bulletproof vest purchased for our Police officers, up to the requested amount of \$17,640.00.

Attachments: [BVP 2017 Application Printout](#)

approved

6.O. PROCLAMATIONS:

- 6.O.1 [17-496](#)

Sponsors: City Clerk Department

Attachments: [Trauma Awareness Month Proclamation 2017](#)

6.P. [17-466](#)

REPORT OF APPEALABLE LAND USE ITEMS FROM APRIL 24, 2017 THROUGH MAY 5, 2017.

Recommendation:

By motion, receive and file this report.

Sponsors: Planning and Zoning Board

Attachments: [Location Map.pdf](#)
[Dumpster Art Enclosure.pdf](#)
[McDonalds.pdf](#)
[Abbey Delray.pdf](#)
[Lisa Building.pdf](#)
[51 N Swinton Avenue.pdf](#)
[127 SE 7th Avenue.pdf](#)
[799 NE 2nd Avenue.pdf](#)
[219 SE 7th Avenue.pdf](#)

6.Q. AWARD OF BIDS AND CONTRACTS:

6.Q.1. [17-442](#)

AWARD OF A PURCHASE AGREEMENT TO SHADE SYSTEMS, INC. FOR THE PURCHASE OF A SHADE SYSTEM AT ROBERT P. MILLER PARK

Recommendation: Motion to Award a purchase agreement to Shade Systems, Inc. to design, manufacturer, deliver and install a shade system at Robert P. Miller Park in the not-to-exceed amount of \$44,500.

Sponsors: Parks & Recreation Department

Attachments: [2017-049 Tabsheet](#)
[Shade Systems Proposal](#)
[Packet for Bid 2017-049](#)
[Checklist Miller Park Shade ITB 2017-049](#)
[2017-049- Agreement ITB Purchase Agreement \(Rev 2 CA 5-8-17\) \(002\)](#)

approved

6.Q.2. [17-449](#)

AWARD OF A PURCHASE AGREEMENT TO ARI PHOENIX, INC. FOR VEHICLES LIFTS AND EQUIPMENT IN AN ANNUAL NOT-TO-EXCEED AMOUNT OF \$36,375.00

Recommendation: Motion to Award a Purchase Agreement to ARI Phoenix, Inc. for Vehicles Lifts and Equipment in an annual amount not-to-exceed of \$36,375.

Sponsors: Environmental Services Department

Attachments: [ITB 2017-050 \(Final\)](#)
[Submittal - ARI Phoenix, Inc.](#)
[RFP 2017-050 Tabulation Sheet](#)
[Award Recommendation Memo from JM](#)
[Final Agreement ARI Phoenix, Inc.](#)
[Checklist purchase agreement vehicle lifts](#)

approved

6.Q.3. [17-459](#) AWARD OF AN AGREEMENT WITH CDM SMITH FOR CITY-WIDE PROJECT MANAGEMENT SERVICES

Recommendation: Motion to Award a one year Agreement with CDM Smith, Inc. in an annual not-to-exceed amount of \$250,000 for city-wide project management services.

Sponsors: Environmental Services Department

Attachments: [2016-111C - Agreement approved CAO](#)
[Project List](#)
[CDM Smith RFQ No. 2016-111C City of Delray City-wide Project Management](#)

approved

6.Q.4. [17-467](#) AWARD OF A PURCHASE AGREEMENT TO INTERLINE BRANDS, INC. DBA SUPPLYWORKS FOR PURCHASE OF JANITORIAL SUPPLIES

Recommendation: Motion to Award a purchase agreement to Interline Brands, Inc. DBA Supplyworks for janitorial supplies in the not-to-exceed amount of \$175,000 per Fiscal Year.

Sponsors: Purchasing Department

Attachments: [2017-052 Janitorial Supplies \(Rev 1\)](#)
[2017-052 Addendum No. 1](#)
[Supplyworks - Bid Package](#)
[Janitorial Services Agreement CAO final SUPPLIER EXECUTED](#)
[Checklist for Janitorial supplies](#)

approved

- 6.Q.5. [17-469](#) AWARD OF THREE-YEAR AGREEMENTS TO MACMILLAN OIL COMPANY, INC. IN AN ANNUAL NOT-TO-EXCEED AMOUNT OF \$760,000 AND PETROLEUM TRADERS CORPORATION IN AN ANNUAL NOT-TO-EXCEED AMOUNT OF \$240,000 FOR GASOLINE AND DIESEL FUEL

Recommendation: Motion to Award three-year Agreements for routine and emergency deliveries of gasoline and diesel fuel to Macmillan Oil Company, Inc. as the primary supplier in an amount annual not-to-exceed \$760,000 and Petroleum Traders Corporation as the secondary supplier in an amount not-to-exceed \$240,000 annually.

Sponsors: Environmental Services Department

Attachments: [2017-047 Complete](#)
[MACMILLAN OIL COMPANY RESPONSE](#)
[PETROLEUM TRADERS CORPORATION RESPONSE](#)
[2017-047 Addendum No. 1](#)
[2017-047 Addendum No. 2](#)
[2017-047 Addendum No. 3](#)
[2017-047 Addendum No. 4](#)
[Checklist MACMILLAN for bulk fuel](#)
[Checklist PETROLEUM TRADERS CORPORATION for bulk fuel](#)
[2017-047 Macmillan Agreement, CONTRACTOR EXECUTED](#)
[2017-047 Bid Tabulation, summary](#)
[2017-047 Petroleum Traders Agreement, CONTRACTOR EXECUTED](#)

approved

7. REGULAR AGENDA:

- 7.A. [17-429](#) REQUEST FOR A WAIVER OF LDR SECTION 4.6.14(B)(6) TO REDUCE THE SIGHT VISIBILITY TRIANGLE FROM 40' X 40' ON THE SOUTH PARCEL OF PALM TRAIL AND MCKEE LANE AND THE NORTH PARCEL OF PALM TRAIL AND WITHERSPOON LANE TO 25' X 25'. (QUASI-JUDICIAL HEARING)

Recommended Action:

Recommendation: Motion to Approve the waiver request to LDR Section 4.6.14(B)(6) to reduce the sight visibility triangle from 40' x 40' on the south parcel of Palm Trail and McKee Lane and the north parcel of Palm Trail and Witherspoon Lane to 25' x 25'.

Sponsors: Planning & Zoning Department

Attachments: [912 Palm Trail SPRAB Staff Report](#)
[912 Palm Trail Location Map](#)
[rja-16-017 912 Palm Trail Waiver 01.13.17](#)
[rja-16-017 912 Palm Trail Site 04.20.17](#)
[912 Palm Trail Board Order](#)

The City Clerk Katerri Johnson swore in Scott Pape, Planner for the city. File #2017-001. He introduced the applicant who seeks a waiver of the Land Development Regulations to reduce the sight visibility triangle from 40 x 40 on the south parcel of Palm Trail and McKee Lane and the north parcel of Palm Trail and Witherspoon Lane to 25 x 25.

Staff recommends approval of this project.

Mayor Glickstein opened the meeting to public comment, hearing none he closed the public portion.

Mr. Lohman read the Board Order.

A vote was taken, all were in favor.

Commissioner Petrolia made a motion to approve the waiver. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 4-0.

approved

7.B. [17-475](#) NOMINATIONS FOR APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD

Recommendation: Motion to Approve nominations for appointment for four (4) regular members to serve on the Downtown Development Authority Board for three (3) year terms ending July 1, 2020.

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)
[Downtown Development Authority Board Member List](#)
[Downtown Development Authority Attendance List](#)
[Downtown Development Authority Map](#)

Mayor Glickstein nominated Frank Freone to the Downtown Development Board. It was seconded by Commissioner Petrolia. A Roll Call vote was

taken and all were in favor. The motion carried 4-0.

Commissioner Petrolia nominated Mark Denkler to the Downtown Development Board. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 4-0.

Vice Mayor Chard nominated Dr. John Condey to the Downtown Development Board. It was seconded by Commissioner Petrolia. A Roll Call vote was taken and all were in favor. The motion carried 4-0.

Deputy Vice Mayor Johnson nominated Annette Gray to the Downtown Development Board. It was seconded by Commissioner Petrolia. A Roll Call vote was taken. Commissioner Petrolia-yes Deputy Vice Mayor Johnson- yes Mayor Glickstein-no Vice Mayor Chard-no The motion failed 2-2.

Deputy Vice Mayor Johnson nominated Samuel Spears, Jr. to the Downtown Development Board. It was seconded by Commissioner Petrolia. A Roll Call vote was taken. Commissioner Petrolia-no Deputy Vice Mayor Johnson- yes Mayor Glickstein-yes Vice Mayor Chard-no The motion failed 2-2.

Vice Mayor Chard nominated Ryan Boylston to the Downtown Development Board. It was seconded by Mayor Glickstein. A Roll Call vote was taken. Commissioner Petrolia-no Deputy Vice Mayor Johnson- no Mayor Glickstein-yes Vice Mayor Chard-yes The nomination failed 2-2.

Vice Mayor Chard nominated Morris Kastarfin to the Downtown Development Board. It was seconded by Commissioner Petrolia. A Roll Call vote was taken and all were in favor. The motion carried 4-0.

Mayor Glickstein nominated Reggie Cox to the Downtown Development Board. It was seconded by Vice Mayor Chard. A Roll Call vote was taken. Commissioner Petrolia-no Deputy Vice Mayor Johnson- yes Mayor Glickstein-yes Vice Mayor Chard-yes The motion carried 3-0.

approved

7.C. [17-477](#)

NOMINATIONS FOR APPOINTMENT TO THE COMMUNITY REDEVELOPMENT AGENCY BOARD

Recommendation: Motion to Approve nominations for appointment for four (4) regular members to serve on the Community Redevelopment Agency Board for four (4) year terms ending July 1, 2021.

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)
[Community Redevelopment Agency Board Member List](#)
[Community Redevelopment Agency Board Attendance List](#)

Commissioner Petrolia nominated Allen Zeller, there was no second she would like to defer the vote.

denied

7.D. [17-478](#) NOMINATIONS FOR APPOINTMENT TO THE BOARD OF ADJUSTMENT

Recommendation: Motion to Approve nominations for appointment for two (2) alternate members to serve on the Board of Adjustment for unexpired terms ending August 31, 2019.

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)
[Board of Adjustment Member List](#)
[Board of Adjustment Attendance List](#)

Commissioner Petrolia nominated Allen Zeller, no one seconded the motion. She will defer the motion to a later date.

Commissioner Petrolia deferred the nomination. Vice Mayor Chard nominated Sara Lucas to the Zoning Board, no one seconded the motion. The nomination failed.

Mayor Glickstein nominated Scott Hyman, no one seconded the motion. The nomination failed.

denied

7.E. [17-476](#) RECOMMENDATION FOR APPOINTMENT TO THE DELRAY HOUSING AUTHORITY BOARD

Recommendation: Motion to Recommend for appointment one (1) regular member to serve on the Delray Beach Housing Authority Board for a four (4) year term ending July 14, 2021.

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)
[Delray Beach Housing Authority Board Member List](#)
[Delray Beach Housing Authority Attendance List](#)

Vice Mayor Chard nominated George Wickelman, Commissioner Petrolia seconded the motion. A Roll Call vote was taken, all were in favor. The motion carried 4-0.
approved

8. PUBLIC HEARINGS:

8.A. [17-485](#)

ORDINANCE NO. 17-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH ARTICLE 6.3 "USE AND WORK IN THE PUBLIC RIGHT OF WAY" BY AMENDING SECTION 6.3.3 "SIDEWALK CAFE" TO ELIMINATE REGULATIONS FOR SIDEWALK CAFES LOCATED ON PRIVATE PROPERTY; AMENDING SECTION 6.3.3 (A) "PERMIT AND FEES" TO ADD LEASING FEES; AMENDING SECTION 6.3.3 (F) "REGULATIONS GOVERNING THE USE, DESIGN, AND MAINTENANCE OF A SIDEWALK CAFE" TO CREATE TWO ZONES, PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Motion to Approve Ordinance No. 17-17 on Second Reading.

Sponsors: Planning and Zoning Board

Attachments: [Ordinance No. 17-17 Sidewalk Cafe](#)
[P & Z Staff Report with Ord No. 17-1](#)

Second reading and public hearing of Ordinance 17-17. Mayor Glickstein opened the meeting up to the public.

Mr. Marincola stated that he owned the first outdoor cafe in 1993. He was not in favor of the extra charges for the outdoor dining establishments.

The Commission postponed the second reading to the June 13, 2017 meeting at 5:00 p.m..

Commissioner Petrolia made a motion to table the motion. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor of tabling the item. Motion carried 4-0.
tabled

8.A.1. [17-480](#)

RESOLUTION NO. 46-17 ESTABLISHING A FEE SCHEDULE FOR

SIDEWALK CAFE PERMITS

Recommendation: Motion to Approve Resolution No. 46-17 adopting a fee schedule for the establishment and/or renewal of a Sidewalk Cafe Permit.

Sponsors: Planning & Zoning Department

Attachments: [Res 46-17-Fees-SidwalkCafeOrd2017 CA Approved](#)

approved

- 8.B.** [17-486](#) ORDINANCE NO. 21-17 REPEALING AND READOPTING CHAPTER 36, "ACQUISITION OF GOODS AND SERVICES AND DISPOSAL OF CITY PROPERTY" (SECOND READING)

Recommendation: Motion to approve Ordinance No. 21-17 on Second Reading.

Sponsors: City Attorney Department

Attachments: [Ordinance No. 21-17 Amending Chapter 36](#)
[Purchasing Policies and Procedures Manual - Final](#)

Second reading and public hearing of Ordinance #21-17. A discussion ensued regarding this ordinance.

Vice Mayor Chard made a motion to approve Ordinance #21-17 on second reading, seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken. Commissioner Petrolia-no Deputy Vice Mayor Johnson-yes Mayor Glickstein- yes Vice Mayor Chard- yes. The motion carried 3-0.
approved

- 8.C.** [17-448](#) ADOPTION OF RESOLUTION NO. 44-17 SALE OF 15' RIGHT OF WAY (602 ALLEN AVENUE) THROUGH QUIT CLAIM DEED

Recommendation: Motion to Approve Resolution No. 44-17.

Sponsors: City Attorney Department

Attachments: [Resolution No. 44-17](#)

Mr. Lohman explained the Resolution for the right of way.

Commissioner Petrolia made a motion to approve Resolution 44-17, seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken. All were in favor. The motion carried 4-0.
approved

- 8.D.** [17-452](#) ADOPTION OF RESOLUTION NO. 45-17 SALE OF 15' RIGHT OF WAY (604 ALLEN AVE) THROUGH QUIT CLAIM DEED

Recommendation: Motion to Approve Resolution No. 45-17.

Sponsors: City Attorney Department and Ingles

Attachments: [Resolution No. 45-17](#)

Mayor Glickstein opened the meeting to the public, hearing none. He closed the public portion of the meeting.

Commissioner Petrolia made a motion to approve Resolution 45-17. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 4-0.
approved

9. FIRST READINGS:

- 9.A. [17-454](#) ORDINANCE NO. 16-17 ADOPTING A NEW OFFICIAL ZONING MAP PURSUANT TO SECTION 4.1.2 OF THE CITY OF DELRAY BEACH LAND DEVELOPMENT REGULATIONS (FIRST READING)

Recommendation: Motion to Approve Ordinance No. 16-17 on First Reading, as presented.

Sponsors: Planning & Zoning Department and Stiversm

Attachments: [Ordinance No. 16-17-Official Zoning Map](#)
[DRAFT Official Zoning Map 5.19.17](#)
[PZB Report Ord 16-17 Official Zoning Map Adoption](#)

Mr. Lohman read Ordinance #16-17 on Introduction and First Reading. The purpose is to have a current zoning map to be used throughout the city.

Commissioner Petrolia made a motion to approve the ordinance, seconded by Deputy Vice Mayor Johnson.
A Roll Call vote was taken. All in favor. The motion carried 4-0.
approved

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

10.A. City Manager

Mr. deJesus reported that we have a lease for the Caring Kitchen with Cross Ministries. It is a month to month with 30 days notice. A discussion ensued.

He commented that he received an email regarding the "Complete Streets" grant for Linton Boulevard, moving forward but has to get approval from Palm Beach County because they want to donate the street to Delray Beach.

He stated that they sent a letter asking to install a fence along the train

tracks, but they will be sending a lease agreement first.

He needs a representative to be a voting delegate from Delray Beach for the League of Cities. Commissioner Petrolia nominated Commissioner Katz to represent the city.

He thanked Ms. Johnson for all her hard work.

They are moving forward with the search for a City Manager.

10.B. City Attorney

Mr. Lohman explained that he understood Ms. Townsend's frustration with the Community Land Trust and Fannie Mae. They will remove the deed restriction language.

He made a recommendation to go from a Code Enforcement Board to a Special Magistrate.

10.C. City Commission

Vice Mayor Chard thanked the Mayor Glickstein for his stance on the Paris climate accord. He thanked the City Manager also. He would like to have a meeting regarding the RFP that the CRA wants to issue and their contract. A discussion ensued regarding the CRA.

Deputy Vice Mayor Johnson reported on a ceremony for fallen Police Officers that she attended.

Met with the Downtown Development Authority and discussed the Ambassador's program.

She was concerned with the homeless standing at the on and off ramps of I-95.

Palm Beach County Housing summit was held at the Convention Center, it was well attended.

She attended a ribbon cutting ceremony at the Housing Authority.

Commissioner Petrolia stated that the Housing Authority just opened up their West Settlers location. She is concerned with the flooding in Miami and want us to be ready ahead of time. She wanted an update on the seawalls.

Mayor Glickstein congratulated the Housing Authority and the CRA.

There being no further business to discuss, Mayor Glickstein adjourned the meeting at 11:35 p.m.

