

# **City of Delray Beach**

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## **Minutes - Final**

**Tuesday, May 3, 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. [16-344](#) LEGISLATIVE UPDATE - REPRESENTATIVE LOIS FRANKEL**

Representative Lois Frankel spoke regarding sober homes. She commented regarding the tour taken on yesterday and stated they had a meeting with over seventy stakeholders from different cities. She commended city staff for doing a phenomenal job. She stated there is a heroin crisis and this is putting a lot of strain on public resources. She referenced laws that prevent regulation of sober homes. She commented regarding the health and safety of neighborhoods and referenced a joint opinion that will be coming forth from the state. Mayor Glickstein commended Congresswoman Frankel and her staff.

He also thanked city staff for helping with coordination of the tour.

**3.B. [16-433](#) PALM BEACH COUNTY SUPERINTENDENT IAN SALTZMAN PRESENTATION**

**Sponsors:** City Clerk Department

Dr. Ian B. Saltzman, Palm Beach County School District South Region Superintendent, spoke regarding regional offices and stated there will be three area superintendents. He stated Dr. Glenda Sheffield will head the Delray Area schools. He referenced Ms. Maria Bishop and Jamie Wyatt who will also head certain areas. He stated he has the best team and will keep the great work going in the community.

**3.C. [16-454](#) PALM BEACH COUNTY PROPERTY APPRAISER PRESENTATION**

Mr. Jack Warner, Chief Financial Officer, introduced Ms. Dorothy Jacks, Deputy Chief Property Appraiser, who conducted a presentation pertinent to Delray Beach. She provided 2015 highlights regarding Delray Beach and stated the 2016 numbers will be provided in June. Ms. Jacks stated they are still working on the Atlantic Avenue valuation due to increases in sales of property in the area and are also watching the Congress Avenue area.

**3.D. [16-372](#) HEALTHY WEIGHT FLORIDA COMMUNITY CHAMPION RECOGNITION**

**Recommendation:**

**Sponsors:** City Clerk Department

Dr. Alina Alonso, Director of the Florida Department of Health in Palm

Beach County, recognized the City of the Delray Beach as a Healthy Weight Community Champion.

**3.E. [16-396](#) PRESENTATION BY HEALTHIER DELRAY BEACH & MENTAL HEALTH AWARENESS MONTH PROCLAMATION**

**Recommendation:**

**Sponsors:** Community Improvement

**Attachments:** [Mental Health Awareness Proclamation](#)

Dr. Lauren Zuchman, Project Director Healthier Delray Beach, thanked the city for the Mental Health Awareness month proclamation. She commented that they are a volunteer board and highlighted what the board does and stated their objectives are awareness, acceptance and access. Dr. Zuchman stated they just completed their strategic plan and discussed upcoming training.

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

Mr. Donald B. Cooper, City Manager, provided comments regarding the April 5, 2016 and April 19, 2016 Regular City Commission meetings.

**Public Comments:**

Ms. Andrea Rutherford spoke regarding National Safe Boating Week.

Ms. Gail Lee McDermott spoke regarding the eastward alley portion of a parking lot coming into their neighborhood.

Mr. Jervonte Edmonds thanked the city for being supportive of the Suits for Seniors program.

Mr. Michael Crobstein (sp) spoke regarding sober homes.

Mr. Charles Hans, representing the Fairways neighborhood, passed around pictures of his patio and spoke regarding parking on the west side of the golf course (off of Homewood Boulevard).

Ms. Carol Anderson, on behalf of S.A.F.E., stated they are asking for amendments to the Land Development Regulations (LDR).

Ms. Linda Mottner spoke regarding kratuum issues and sales. She thanked the city and Representative Frankel for the support regarding recovery communities.

Mayor Glickstein thanked Ms. Mottner for their advocacy.

Vice Mayor Jacquet spoke regarding a meeting he had with the Mayor of Boynton Beach and commented regarding the nuances of different communities. He asked what are the proper terms to use.

Dr. Victor Kirson spoke regarding dogs on the beach and asked that the City Commission allow the public to speak at next week's workshop. He also commented regarding the arrests of drug dealers.

## 5. AGENDA APPROVAL

There were no staff requested agenda 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. [16-441](#) APPROVAL OF A REVISED FINAL SUBDIVISION PLAT FOR TROPIC CAY 2 LOCATED SOUTH OF AVENUE "F", BETWEEN FREDERICK BOULEVARD AND FLORIDA BOULEVARD.

**Recommendation:**

Motion to Approve the revisions to the Final Plat for **Tropic Cay 2**, as the proposed changes are consistent with the findings of fact and law contained in the original staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(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.

**Sponsors:** Planning and Zoning Board

**Attachments:** [Revised Final Plat.pdf](#)  
[City Commission Staff Report - January 19, 2016 Meeting.doc](#)  
[P&Z Board Staff Report - November 16, 2015.pdf](#)  
[Consent Agenda Acknowledgement.pdf](#)

### 6.B. [16-352](#) ACCEPTANCE OF A HOLD HARMLESS AGREEMENT FOR AN AWNING ENCROACHMENT INTO THE PUBLIC RIGHT OF WAY FOR PERFORMANCE FITNESS JUICE BAR AT 403 S.E. 1ST STREET

**Recommendation:** Motion to Approve a Hold Harmless Agreement to allow the encroachment into the public right-of-way at 403 SE 1st Street.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Hold Harmless Agreement - Performance](#)  
[Exhibit A Site Plan](#)  
[Legal Description](#)  
[Aerial Map](#)  
[SPRAB Report - Performance Juice](#)

## C. PROCLAMATIONS:

### C.1. [16-408](#) BETTER HEARING MONTH - MAY 2016

**Sponsors:** City Clerk Department

**Attachments:** [Better Hearing Month](#)

### C.2. [16-379](#) MUNICIPAL CLERKS WEEK MAY 1 - MAY 7, 2016

**Sponsors:** City Clerk Department

**Attachments:** [Municipal Clerks Week 2016](#)

### C.3. [16-434](#) NATIONAL SAFE BOATING WEEK - MAY 21 - 27, 2016

**Sponsors:** City Clerk Department

**Attachments:** [National Safe Boating Week](#)

## D. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:

## E. AWARD OF BIDS AND CONTRACTS:

## 7. REGULAR AGENDA:

### 7.A. [16-259](#) APPEAL OF HISTORIC PRESERVATION BOARD DENIAL OF THE CERTIFICATE OF APPROPRIATENESS AND THE CLASS V SITE PLAN FOR 226 PALM COURT, DEL-IDA PARK HISTORIC DISTRICT INCLUDING A LANDSCAPE PLAN, ARCHITECTURAL ELEVATIONS, AND A WAIVER REQUEST (QUASI-JUDICIAL HEARING)

**Recommendation:** Motion to Consider recommendations presented to the HPB for the four requests associated with the new construction of a three-story, mixed-use building are provided below:

#### **Waiver**

Approve the waiver request to LDR Section 4.4.17(H)(3), to permit parking between the building and right of way, based upon positive findings with respect to LDR Section 2.4.7(B)(5).

#### **COA and Site Plan**

Approve the Certificate of Appropriateness and Class V Site Plan (2015-169) for 226 Palm Court, Del-Ida Park Historic District, 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 the criteria set forth in LDR Sections 2.4.5(F)(5) and 2.4.6(H)(5), subject to the following conditions:

1. That a five foot right of way dedication for the portion adjacent to George Bush Boulevard be approved by the City Commission prior to issuance of a building permit; and,
2. That a Plat be recorded prior to the issuance of a Certificate of Occupancy for the development.

### **Landscape Plan**

Approve the Landscape Plan (2015-169) for 226 Palm Court, Del-Ida Park Historic District, 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 the criteria set forth in LDR Section 4.6.16.

### **Architectural Elevations**

Approve the Architectural Elevation (2015-169) for 226 Palm Court, Del-Ida Park Historic District, 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 the criteria set forth in LDR Section 4.5.1(E)(8).

**Sponsors:** Planning & Zoning Department

**Attachments:** [226 Palm Court Appeal Letter](#)  
[226 Palm Court Class V HPB Staff Report](#)  
[March 2, 2016 DRAFT Meeting Minutes](#)  
[Board Order](#)

Mayor Glickstein read the City of Delray Beach Quasi-Judicial rules into the record for Item 7.A. and Item 7.B.1.

Ms. Chevelle D. Nubin, City Clerk, swore in those individuals who wished to give testimony on this item.

Mayor Glickstein asked the Commission to disclose their ex parte communications. Commissioner Katz stated he met with the applicant via telephone, had a site visit and spoke with members of the Historic Preservation Board (HPB),

City Attorney Noel Pfeffer informed the City Commission that the applicant had requested an additional five (5) minutes for their presentation.

A motion was made by Commissioner Katz and seconded by Deputy Vice Mayor Jarjura to allow the additional time as requested. Said motion was approved 5-0.

Mr. Stillings entered project file 2015-169 into the record and presented this item. He stated staff recommends approval.

Dr. Steve Hacker, owner of property, and Gary Eliopoulos, Architect, conducted a presentation. He discussed the guidance provided by the Historic Preservation Board.

Mayor Glickstein stated if anyone from the public would to speak in favor or in opposition of the appeal, to come forward at this time.

Ms. Carol Anderson spoke regarding this item and stated there are a number of non conforming buildings in the area and there is also a vacant lot.

There being no one else from the public who wished to speak on this item, the public comment was closed.

There was no cross examination from staff or the applicant.

There was no rebuttal from staff. Mr. Gary Eliopoulos and Dr. Hacker provided rebuttal.

Mayor Glickstein asked Ms. Amy Alvarez if the rendering in the agenda package reflects the most recent changes to the building. He asked if the applicant is in compliance with the code.

Deputy Vice Mayor Jarjura asked about the floors, stated her perception regarding the 35 feet, the uses and setback.

Commissioner Katz commented regarding the setback and specifications. He stated because of the balcony it does not have the appearance of being setback.

Discussion ensued regarding the setback and in-lieu parking.

Commissioner Petrolia stated she has reservations and stated the HPB has made a recommendation based on historic neighborhoods. She stated she will not support this.

Vice Mayor Jacquet stated he would like to hear more discussion on this.

Deputy Vice Mayor Jarjura spoke regarding the height limitations. She discussed what she likes about the project. She stated she will support the project this evening.

Mayor Glickstein stated he supports the project.

Discussion continued between the City Commission, applicant and staff.

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

**Yes:** 2 - Mayor Glickstein, and Jarjura

**No:** 2 - Petrolia, and Katz

**Absent:** 1 - Vice-Mayor Jacquet

- 7.B**     [16-401](#)     CITY COMMISSION APPEAL OF THE SITE PLAN REVIEW AND APPEARANCE BOARD (SPRAB) APPROVAL OF FEBRUARY 24, 2016 OF THE CLASS III SITE PLAN MODIFICATION, LANDSCAPE PLAN, ARCHITECTURAL ELEVATIONS, AND A RECOMMENDATION OF APPROVAL FOR A WAIVER FOR THE ONE 10 BUILDING LOCATED AT 110 EAST ATLANTIC AVENUE (QUASI-JUDICIAL HEARING)

**Recommendation:** Deny the appeal and uphold the February 24, 2016 Site Plan Review and Appearance Board (SPRAB) Class III Site Plan Modification approval with conditions, including the landscape plan and architectural elevations, and the SPRAB recommendation of approval for the waiver for the One 10 Building.

**Sponsors:** Planning & Zoning Department

**Attachments:** [ONE 10 BLDG - STAFF REPORT - 02-24-16](#)  
[02-24-16 SPRAB Minutes VI. A One 10 Building - Draft](#)  
[One 10 Bldg - CC Order - 05-03-16](#)  
[Email To Mayor - Meeting Request](#)  
[K. Bennett - SPRAB APPEAL REQUEST - 110 E Atlantic Ave](#)  
[K. Bennett - loading issues email](#)  
[K. Bennett - Loading Issues Pictures](#)  
[Stevens Letter To Bennett](#)  
[Stevens Letter To Tim Stillings](#)

The City Commission disclosed their ex parte communications.

Ms. Chevelle Nubin, City Clerk, swore in those individuals wishing to speak on this item.

Mr. Stillings entered project file 2014-244 into the record and presented



this item.

Attorney ? for the applicant spoke and stated they agree with the staff report as presented and they feel all conditions have been satisfied. He stated the tenant's lease will be honored through its term. He asked the City Commission to deny the appeal. He referenced letters that he sent to Mr. Stillings and stated Mr. Richard Jones, Architect, will comment regarding the designs of the building.

**Public Comment:**

Mr. Borak, owner of Cafe LaFrance, provided a handout to the City Commission. He discussed the project, awnings and pavers. He discussed what he does not agree with the project.

There was no cross examination.

There was no staff rebuttal.

Mr. Stevens gave rebuttal.

Mayor Glickstein asked how the appeal is being separated from the waiver.

Commissioner Petrolia inquired about the changes and how they will affect the current business.

Discussion ensued regarding the appeal and waiver.

Deputy Vice Mayor Jarjura inquired about the changes i.e. the porch, shade trees, underground parking garage and ramp.

Richard Jones discussed the landscaping according to the code for the downtown area.

Deputy Vice Mayor Jarjura stated she will uphold SPRAB's approval.

Commissioner Katz asked about the construction work being done without permits.

Commissioner Petrolia asked about the west elevation and where the trees will be located.

Mayor Glickstein asked for clarification of the board order.

The motion was to deny the appeal upholding SPRAB's decision with condition that the landscape trees are changed to oaks based on the city arborist decision

**approved**

**7.B.1. [16-373](#)**

APPROVAL OF A WAIVER TO LDR SECTION 4.4.13(E)(4)(A) TO ALLOW A REDUCTION OF THE MINIMUM 8' PORCH DEPTH ALONG S.E. 1ST AVENUE FOR THE ONE 10 BUILDING (QUASI-JUDICIAL HEARING)

**Recommendation:** Motion to approve the waiver to LDR Section 4.4.13(E)(4)(a) for the One 10 Building to allow a reduction to a 5' porch depth along S.E. 1st Avenue, based on positive findings identified in the staff report and consistency with LDR Sections 4.4.13(K)(8) and 2.4.7(B)(5).

**Sponsors:** Planning & Zoning Department

**Attachments:** [ONE 10 BLDG - STAFF REPORT](#)  
[ONE 10 BLDG - BOARD ORDER - WAIVER - CC - 05-03-16](#)  
[02-24-16 SPRAB Minutes VI. A One 10 Building - Draft](#)

Mr. Stillings presented this item. He stated it is the same file (2015-244) for the record.

Mr. Stevens discussed the project improvements.

Public Comments:

Mr. Borak spoke about the length of time for the approval.

There was no cross examination or rebuttal.

The City Attorney went through the board order with Commission.  
**approved**

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

**Absent:** 1 - Vice-Mayor Jacquet

**7.C. [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:** 4 - Mayor Glickstein, Petrolia, Jarjura, and Katz

**No:** 1 - Vice-Mayor Jacquet

**7.C.1. [16-381](#)** AWARD CONTRACT TO WATER TREATMENT AND CONTROLS COMPANY FOR THE REPLACEMENT OF A LIME SLAKER UNIT AT THE WATER TREATMENT PLANT

**Recommendation:** Motion to Award the purchase and replacement of a Lime Slaking Unit for the Water Treatment Plant to Water Treatment & Controls Company in the amount of \$193,558.00. The method of acquisition is in accordance with Section 36.02(C)(6)(a), "Sole Source."

**Attachments:** [Sole-source Letter for WTC, March 30, 2106](#)  
[Slaker replacement quote, dated March 14, 2016](#)

**7.C.2. [16-416](#)** PRIOR APPROVAL OF FISCAL YEAR 2016 SPENDING GREATER THAN \$25,000 WITH SHI

**Recommendation:** Motion to approve multiple acquisitions of IT related equipment, from SHI, for an additional \$100,000.00, and a total amount not to exceed \$1,265,400.80 for fiscal year 2016.

**Sponsors:** Purchasing Department

**Attachments:** [Purchasing Checklist](#)

**7.C.3 [16-428](#)** CONTRACT AWARD TO R.J. BEHAR & COMPANY, INC. FOR CONSTRUCTION ENGINEERING AND INSPECTION (CEI) SERVICES FOR THE N.E. 2ND AVENUE/SEACREST BOULEVARD BEAUTIFICATION PROJECT

**Recommendation:** Motion to Approve a General Consulting Services Agreement with R.J. Behar & Company, Inc. for Construction Engineering and Inspection Services (CEI) for the NE 2nd Avenue / Seacrest Boulevard Beautification Project in the amount of \$191,567.00. (Project No. 11-067).

**Attachments:** [FINAL AGREEMENT.pdf](#)

**7.D. [16-424](#)** RESOLUTION NO. 15-16, BUDGET AMENDMENT

**Recommendation:** Motion to Approve Resolution No. 15-16

**Sponsors:** Finance Department

**Attachments:** [Resolution No 15-16](#)  
[Narrative](#)

Mr. Warner presented this item. He discussed the variances and changes to the budget per this amendment.

Commissioner Katz asked about the bathrooms for Little Fenway.

Commissioner Petrolia asked Mr. Warner to explain his comment regarding the FY 2017 budget year being awkward.

Mr. Cooper clarified what will occur for Little Fenway with this budget amendment.

Ms. Herrmann stated there will be enough to complete the Little Fenway project with this budget amendment.

Mayor Glickstein stated there may be a public/private partnership that will pay for the changes for Little Fenway.

**approved**

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

**Absent:** 1 - Vice-Mayor Jacquet

- 7.E.**     [16-451](#)     CONTRACT AWARD TO EDSA, INC. FOR PROFESSIONAL DESIGN ENGINEERING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE BEACH MASTER PLAN (RFQ 2016-056) IN A NOT TO EXCEED AMOUNT OF \$464,350.

**Recommendation:** Motion to Approve an Agreement between the City of Delray Beach and EDSA, Inc. for professional design engineering and construction administration services for the Beach Master Plan in an amount not to exceed \$464,350 (Project No. 2015-008).

**Sponsors:** Environmental Services Department

**Attachments:**   [Beach Area Master Plan](#)  
                             [EDSA Contract](#)

Mr. John Morgan, Environmental Services Director, presented this item.

Mayor Glickstein inquired about change orders and what premium is being paid regarding this project.

Mr. Kovner stated there should be no change orders from the consultant.

Mr. Cooper stated the costs are fixed.

The City Attorney stated a suggestion would be to have the contract come back to the City Commission for approval on May 17, 2016.

Deputy Vice Mayor Jarjura asked that a timeline be provided regarding permitting.

? representative from ESDA spoke regarding the project. Christie Bush from Moffit and Nichol stated they are coastal engineers and environmental specialists and they will be working with staff and ESDA regarding the permitting process. She stated the schedule is challenging.

Deputy Vice Mayor asked if the permitting timeline is feasible. She encouraged the consultant to review the workshop meeting where the beach plan was discussed.

Motion to authorize staff to negotiate an agreement with ESDA and to bring the contract back to the City Commission for approval on May 17, 2016.  
**approved**

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

**Absent:** 1 - Vice-Mayor Jacquet

**7.F.**     [16-430](#)     RESOLUTION NO. 23-16- BEST INTEREST RESOLUTION; AWARD TO MEGGITT TRAINING SYSTEMS, INC. FOR INDOOR SHOOTING RANGE UPGRADE

**Recommendation:** Motion to Award a purchase to Meggitt Training Systems, Inc. in the amount of \$85,419.27 to upgrade the existing indoor shooting range in accordance with the Code of Ordinances, Chapter 36, Section 36.02(C) (11), "Best Interest Acquisitions".

**Sponsors:** Purchasing Department

**Attachments:** [Purchasing Checklist Meggit Training System](#)  
[Price Letter](#)  
[Sole Source Letter - Delray Bch PD](#)  
[Resolution No. 23-16](#)

Chief Goldman presented this item.

Commissioner Petrolia asked about the ammunition and what is the difference in the types of ammunition regarding taxpayer dollars.

Commissioner Katz asked if this could be done at the city's range.

**approved**

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

**Absent:** 1 - Vice-Mayor Jacquet

**7.G.**     [16-465](#)     APPOINTMENT OF ASSISTANT CITY ATTORNEY

**Recommendation:** Motion to approve appointment of Assistant City Attorney.

**Sponsors:** City Attorney Department and Inglesse

Mr. Pfeffer presented this item.

Commissioner Katz commented regarding the city hiring the City Attorney in the next few months and stated he thought that person would have a say in the Assistant City Attorney position.

Discussion continued regarding the City Attorney's office staffing.

**approved**

**Yes:** 3 - Mayor Glickstein, Jarjura, and Katz

**No:** 1 - Petrolia

**Absent:** 1 - Vice-Mayor Jacquet

**7.H.**     [16-467](#)     DISCUSSION OF SECOND ALTERNATE APPOINTMENT TO THE  
PALM BEACH COUNTY METROPOLITAN PLANNING ORGANIZATION  
(MPO).

**Recommendation:** Discussion regarding the appointment of Deputy Vice Mayor Jordana Jarjura as the city's second alternate to the Palm Beach County Metropolitan Planning Organization.

**Sponsors:** City Clerk Department

Mayor Glickstein discussed this item and stated this was a request by Deputy Vice Mayor Jarjura regarding the MPO.

Discussion ensued regarding this appointment.

**approved**

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

**Absent:** 1 - Vice-Mayor Jacquet

**7.I.**     [16-380](#)     NOMINATION FOR APPOINTMENT TO THE CODE ENFORCEMENT  
BOARD

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)

[Code Enforcement Board Members List](#)

[Code Enforcement Attendance List](#)

Mayor Glickstein nominated Mr. Jason Dollard.  
**approved**

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

**Absent:** 1 - Vice-Mayor Jacquet

## 8. PUBLIC HEARINGS:

- 8.A. [16-342](#) 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. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance No. 10-16 on Second 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-Annexation-DRAFT](#)

Mr. Noel Pfeffer, City Attorney, read the caption of the ordinance and Mr. Tim Stillings presented the item.

**adopted**

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

**Absent:** 1 - Vice-Mayor Jacquet

## 9. FIRST READINGS:

- 9.A. [16-410](#) ORDINANCE NO. 11-16; A PRIVATELY-INITIATED AMENDMENT TO LDR SECTION 4.5.6, FENCES, WALLS, AND HEDGES, TO PERMIT AND PROVIDE REGULATIONS FOR ELECTRIFIED FENCES. (SECOND READING) (THE APPLICANT HAS REQUESTED THAT THIS ITEM BE POSTPONED TO THE JUNE 7, 2016 REGULAR MEETING)

**Sponsors:** Planning & Zoning Department

Mr. Stillings presented this item.

Ms. Cindy Williams spoke regarding the electric fence and stated they are across the country and the state of Florida. She stated she is happy to answer any questions.

Commissioner Petrolia stated it is concerning to her that the City Commission is now approving this. She asked if this could be applied on a case by case basis versus just blanketing this.

Mr. Stillings stated this is a Special Activities District (SAD).

Discussion ensued regarding industrial zonings and uses. The City Commission asked if the ordinance can be adjusted regarding industrial uses (Section H.1)

**approved as amended**

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

**Absent:** 1 - Vice-Mayor Jacquet

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

### **A. City Manager**

Mr. Cooper stated he is conducting an investigation into the conduct of several city employees which has been referred to the Palm Beach County Commission on Ethics and he will provide a report to the Commission at the conclusion of the investigation.

#### **10.A.1. [16-468](#)**

**SE SECOND AVENUE/OSCEOLA ALLEY WAY PROJECT**

**Sponsors:** City Clerk Department

**Attachments:** [04272016 City Manager Report](#)  
[City Manager Backup](#)

Mr. Cooper stated he would like to know what to bid regarding the alleyway.

Mayor Glickstein asked what is the difference between the west leg of the "T" or the west leg of the parking lot.

Mayor Glickstein asked engineering what makes the most sense regarding the alleyway.



Discussion continued regarding the plans and the "T" alley; and the bid.

Commissioner Katz discussed the feedback he has received regarding this alley. He stated the citizens are asking for a minor change to not direct the traffic into their neighborhood.

## **B. City Attorney**

### **City Attorney:**

Mr. Pfeffer had no comments.

### **Commission Comments:**

Deputy Vice Mayor Katz commented on Mr. Warner's lack of professionalism. He commended the Police Department on a successful award ceremony. He discussed the comments on social media about a meeting with Representative Lois Frankel. He also discussed the communication breakdown.

Mayor Glickstein advised that the meeting was announced in the newspaper and that it was hosted by Congresswoman Lois Frankel.

Discussion ensued regarding representation at the different meetings.

Commissioner Jarjura discussed the signage and unobstructed sidewalks. She also discussed the piece of parcel that has created a nuisance.

Mayor Glickstein commented on the dog park workshop. He suggested that the Commission decide whether to allow public comments.

Deputy Vice Mayor Katz recommended a limited number of public comments.

It was the consensus of the Commission to open the Workshop Meeting regarding the dog park to public comment and limit the speaking time to one minute.

At this point, Mayor Glickstein adjourned the meeting at 10:28 p.m.

## **C. City Commission**

Commissioner Katz welcomed Ms. DiSanti and stated that he had a

concern with her not having the land use and contract experience and stated he hopes she will come up to speed quickly. He discussed sarcastic comments coming from the CFO. He also stated the city hosted the largest event ever for the Pitch, Hit and Run event at Miller Park attended by over 100 plus people. He thanked the Police Department for the Policemen's Ball and stated the morale is high within the Police Department. Kudos to the Chief, Senior Staff and administrators there. He thanked the Mayor for working with Congresswoman Frankel to put the tour together yesterday. He stated this is a communication issue. He stated he would rather get information from the city.

Mayor Glickstein commented regarding the meeting held on yesterday. He stated the meeting was choreographed by Congresswoman Frankel's office.

Deputy Vice Mayor Jarjura commented regarding the meeting and stated she had spoken to Delores a few weeks ago. She stated a few residents did ask her about the meeting. She thanked the Mayor for his work on this issue.

Commissioner Petrolia stated she was really surprised regarding the meeting yesterday as well. She asked that in the future for anything that would affect everyone that it be communicated to them. She stated it is up to the City Manager to communicate to them.

There being no further business, Mayor Glickstein adjourned the meeting at 11:28 p.m.

Deputy Vice Mayor Jarjura spoke regarding the consolidation of signage and fixtures. She stated the area is cluttered. She asked that someone reach out to the owner of the ALoft property and stated the area needs to be cleaned up.

Commissioner Petrolia welcomed the new Assistant City Attorney and commented regarding the new screens and microphones.

Commissioner Katz commented regarding Deputy Vice Mayor Jarjura's comment about being collegial and he stated if there are any ideas on how to improve this he would be interested.

Mayor Glickstein stated he does not know if other Commissioners received the email from Arlen Dominick regarding computers. He passed the email to Mr. Cooper for follow up.

Mayor Glickstein asked about the public speaking on the dog beach issue at next week's workshop meeting. The consensus is to allow a one minute per speaker. Mayor Glickstein stated there is a growing issue of uber stopping wherever they want to stop. He asked staff to look into this. He discussed positions and parking issues that have been brought to his attention. He commented regarding improving communication with and on the City Commission.

There being no further business to discuss, Mayor Glickstein adjourned the meeting at 11:28 p.m.