City of Delray Beach

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



Regular Commission Meeting Organizational Meeting/Regular Meeting at 6:00 PM

Thursday, March 30, 2017

Public Hearings 7:00 p.m.

Commission Chambers Delray Beach City Hall

City Commission

Mayor Cary Glickstein
Commissioner Shelly Petrolia
Commissioner Jim Chard
Commissioner Mitchell Katz
Commissioner Shirley Ervin Johnson

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.

ORGANIZATIONAL MEETING

1. Call to Order / Commission Roll Call

Sponsors: City Clerk Department

2. Pledge of Allegiance to the Flag

Sponsors: City Clerk Department

- Oath of Office administered to Newly-Elected City Commission Members:
 - A. Commissioner James R. Chard
 - B. Commissioner Shirley Earvin Johnson

Sponsors: City Clerk Department

4. Roll Call Newly Sworn-in Commission

Sponsors: City Clerk Department

5. Selection of Vice-Mayor (for the term March 30, 2017 through March 29, 2018)

Sponsors: City Clerk Department

Selection of Deputy Vice-Mayor (for the term March 30, 2017 through March 29, 2018)

Sponsors: City Clerk Department

7. REVIEW AND ACCEPTANCE OF REGULARLY SCHEDULED CITY COMMISSION MEETING DATES FOR THE PERIOD OF APRIL 2017 THROUGH MARCH 2018

Recommendation: Motion to Approve the regularly scheduled City Commisson Meeting

dates for the period of April 2017 through March 2018.

Sponsors: City Clerk Department

<u>Attachments:</u> Agenda Prep and City Commission Meeting Dates 2017-2018

April 2017 - March 2018 Calendar

ESTABLISH A DATE FOR THE 2018 GOAL SETTING SESSION

Recommendation: Provide direction regarding scheduling a date for Commission Goal

Setting for 2018.

9. REVIEW AND ADOPTION OF RULES OF PROCEDURE-DELRAY BEACH CITY COMMISSION (LOCAL RULES)

Recommendation: Motion to Approve and Adopt the Rules of Procedure for the City

Commission

Sponsors: City Attorney Department

<u>Attachments:</u> City Commission Local Rules - Strikethrough Version - March 30 2017

Final - City Commission Local Rules - March 30 2017

10. AMENDMENT TO THE RULES AND PROCEDURES FOR QUASI-JUDICIAL

HEARINGS

Recommendation: Motion to Approve the amended Rules and Procedures for Quasi

Judicial Hearings.

<u>Sponsors:</u> City Attorney Department and Inglese
<u>Attachments:</u> Quasi-Judicial Hearing Introduction

City of Delray Beach Procedures for Quasi-Judicial Hearings - Updated march 3

REGULAR MEETING

- 1. ROLL CALL
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG
- 3. AGENDA APPROVAL
- 4. PRESENTATIONS:
- 4.A. PRESENTATION OF SPONSORSHIP TROPHY FOR ATP DELRAY BEACH OPEN -MARK BARON

Sponsors: City Clerk Department

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

- 5.A. City Manager's response to prior public comments and inquiries
- 5.B. From the Public
- 6. CONSENT AGENDA: City Manager Recommends Approval
- **6.A.** APPROVAL OF MINUTES

Recommendation: Motion to Approve City Commission Meeting Minutes

Sponsors: City Clerk Department

<u>Attachments:</u> 03-16-17 DRAFT Special Meeting Minutes

6.B. FINAL SUBDIVISION PLAT FOR SEAGLASS COTTAGES ON ANDREWS AVENUE

(104 ANDREWS AVENUE)

Recommendation: Motion to Approve and certify the Final Plat for SEAGLASS

COTTAGES, 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), Section 3.2.3, and Section 3.1.1 of the Land Development Regulations.

<u>Sponsors:</u> Planning & Zoning Department

<u>Attachments:</u> <u>SEAGLASS COTTAGES PLAT</u>

Seaglass Cottages Plat PZB Staff Report w/Attachments
Seaglass Cottages SPRAB Cover Sheet and Plans

6.C. ACCEPTANCE OF UTILITY EASEMENT AND AGREEMENT / TKC CLXXVIII, LLC./ DELRAY SQUARE REDEVELOPMENT

Recommendation: Motion to Accept Utility Easement and Agreement with TKC CLXXVII,

LLC for Delray Square Redevelopment.

Sponsors: Environmental Services Department

<u>Attachments:</u> Delray Square Blanket Utility Easement partially executed

location map

6.D. BEST INTEREST RESOLUTION NO. 16-17 FOR WAIVER OF THE CITY CODE OF ORDINANCES, SECTION 36.02 AND EXTEND THE AGREEMENT WITH UNIVERSAL BEACH SERVICE CORP. FOR BEACH CLEANING MAINTENANCE AND BEAUTIFICATION SERVICES

Recommendation: Motion to Approve Best Interest Resolution No. 16-17 for waiver of the

City Code of Ordinances, Section 36.02, Methods of Acquisition, and retroactively extend the Agreement with Universal Beach Service Corp. for a one-year period from March 3, 2017 through March 3, 2018 for Beach Cleaning Maintenance and Beautification services in a

not-to-exceed amount of \$79,000.

Sponsors: Parks & Recreation Department

<u>Attachments:</u> 2013-12 Signed Renewal Letter thru 3-3-17

Executed Contract-Bid 2013-12

1 year Extension Request, signed

Amendment No. 2 thru 03-03-18

Res No. 16-17

6.E. SERVICE AUTHORIZATION NO. 12-19 WITH WANTMAN GROUP, INC. IN AN AMOUNT NOT-TO-EXCEED \$48,918 FOR THE CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES (CEI) ASSOCIATED WITH THE ATLANTIC AVENUE / VENETIAN DRIVE & GLEASON STREET CROSSWALK IMPROVEMENTS.

Recommendation: Motion to Approve Service Authorization No. 12-19 to Wantman Group,

Inc. (WGI) in the amount not-to-exceed \$48,918 for the CEI services related to the Atlantic Avenue / Venetian Drive & Gleason Street

Crosswalk Improvements (Project No. 14-008).

Sponsors: Environmental Services Department

Attachments: Wantman Group SA 12-19

6.F. SERVICE AUTHORIZATION NO. 12-27 WITH KIMLEY-HORN AND ASSOCIATES IN THE AMOUNT NOT TO EXCEED \$9,900 TO PROVIDE GEOTECHNICAL & SITE ENGINEERING SERVICES, AND ELECTRICAL ENGINEERING DESIGN SERVICES FOR THE 100' ALUMINUM CHRISTMAS TREE

Recommendation: Motion to Approve Service Authorization No. 12-27 with Kimley-Horn

and Associates (KHA) in the amount not to exceed \$9,900 for the geotechnical investigation (if required), site design and electrical engineering design services for the 100' Christmas Tree (Project No.

17-062).

Sponsors: Environmental Services Department

Attachments: KHA Foundation Site Preparation and Electrical SA 12-27

OSS Lease Agreement

Zone 1 Tree - 3d

6.G. SERVICE AUTHORIZATION NO. 12-28 TO BAXTER AND WOODMAN COMPANY FOR PROFESSIONAL ENGINEERING SERVICES FOR THE SE 2ND AVENUE DRAINAGE IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$24,936

Recommendation: Motion to Approve Service Authorization No. 12-28 to Baxter and

Woodman Company d/b/a Mathews Consulting, in an amount

not-to-exceed \$24,936 for professional engineering services for SE 2nd

Avenue Drainage Improvements (Project No. 17-042).

Sponsors: Environmental Services Department

Attachments: Mathews SA 12-28 022817

6.H. SERVICE AUTHORIZATION NO. 12-29 TO KIMLEY-HORN AND ASSOCIATES, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$129,550 FOR ENGINEERING SERVICES FOR RECONSTRUCTION DESIGN FOR SE 5TH STREET FROM SE 6TH AVENUE TO SE 7TH AVENUE; SE 7TH AVENUE FROM SE 5TH STREET TO SE 4TH STREET; AND SE 7TH STREET FROM SE 6TH AVENUE TO STREET END

Recommendation: Motion to approve Service Authorization No. 12-29 in the not-to-exceed

amount of \$129,550 for engineering design services related to the reconstruction of the following streets: SE 5th Street from SE 6th Avenue to SE 7th Avenue; SE 7th Avenue from SE 5th Street to SE 4th

Street; and SE 7th Street from SE 6th Avenue to Street end.

Sponsors: Environmental Services Department

<u>Attachments:</u> Kimley Horn- Service Authorization 12-29

6.I. SERVICE AUTHORIZATION NO. 12-18 TO WANTMAN GROUP, INC. IN THE NOT-TO-EXCEED AMOUNT OF \$198,052.19 FOR ENGINEERING SERVICES FOR RECONSTRUCTION DESIGN FOR DAVIS ROAD FROM POINSETTIA BOULEVARD TO DORSON WAY; POINSETTIA BOULEVARD FROM DAVIES ROAD TO ROSS DRIVE; AND DORSON WAY FROM DAVIS ROAD TO DOLPHIN DRIVE (PROJECT NO. 17-004)

Recommendation: Motion to Approve Service Authorization No. 12-18 in the not-to-exceed

amount of \$198,052.19 for engineering design services related to the reconstruction of the following streets: Davis Road from Poinsettia Boulevard to Dorson Way; Poinsettia Boulevard from Davis Road to Ross Drive; and Dorson Way from Davis Road to Dolphin Drive (Project

No. 17-004).

Sponsors: Environmental Services Department

<u>Attachments:</u> Wantman Group- Service Authorization 12-18

6.J. AMENDMENT NO. 1 WITH UNITED STATES SERVICE INDUSTRIES, INC. FOR JANITORIAL SERVICES

<u>Recommendation:</u> Motion to Approve Amendment No. 1 with United States Service

Industries, Inc. in an annual not-to-exceed amount of \$250,000 for

janitorial services at City buildings.

Sponsors: Environmental Services Department

Attachments: Renewal Letter, USSI

USSI Contract

USSI Pricing 3-14-2017
USSI Day Porter Quote

2015-07 Amendment No. 1 USSI (3-20-17)

6.K. CHANGE ORDER NO.1 WITH FOSTER MARINE CONTRACTORS, INC. FOR THE SE 2ND STREET AND SE 2ND AVENUE STREETSCAPE IMPROVEMENTS PROJECT IN THE AMOUNT OF \$252,643.50 (DEDUCTIVE CHANGE ORDER)

Recommendation: Motion to Approve Change Order No. 1 with Foster Marine Contractors,

Inc. for the SE 2nd Street and SE 2nd Avenue Streetscape

Improvements Project in the amount of \$252,643.50 (Deductive Change

Order).

Sponsors: Environmental Services Department

<u>Attachments:</u> Change Order to Commission

Location Map

6.L. SERVICE AUTHORIZATION NO. 12-20 WITH WANTMAN GROUP, INC. IN A NOT-TO-EXCEED AMOUNT OF \$45,143.00 FOR DESIGN AND PERMITTING SERVICES FOR THE REPLACEMENT OF THE PAVILION AT ATLANTIC DUNES PARK

Recommendation: Motion to Approve Service Authorization 12-20 with Wantman Group,

Inc. to provide design and permitting services for the replacement of the

Pavilion at Atlantic Dunes Park.

Sponsors: Environmental Services Department

<u>Attachments:</u> <u>Atlantic Dunes Pavilion Replacement 11-03-16</u>

Atlantic Dunes signed SA

6.M. HOUSING REHABILITATION GRANT AWARD TO ONEL CONSTRUCTION, LLC. FOR 702 NW 1ST STREET IN THE AMOUNT OF \$34,913.95

Recommendation: Motion to Approve a housing rehabilitation grant in the amount of

\$34,913.95 to Onel Construction, LLC. for housing rehabilitation for the property located at 702 NW 1st Street, Delray Beach, FL and authorize

the City Manager to execute the agreement and all ancillary documents.

<u>Sponsors:</u> Community Improvement

Attachments: Invitation to Quote No. Q2017-02

Q2017-02 Tabsheet

Thaddies John Bid Information Sheet

Contract

<u>Lien Agreement - NS</u> Lien Agreement - RCMP

Exhibit A Scope of Services - Contractor Bid Proposal

Memorandum of Understanding

Notice To Proceed

Subordination Policy

Warranty Documents

6.N. HOUSING REHABILITATION GRANT AWARD TO ROI CONSTRUCTION LLC FOR 124 SW 8th AVENUE IN THE AMOUNT OF \$40,090.45

Recommendation: Motion to Approve a housing rehabilitation grant in the amount of

\$40,090.45 to ROI Construction, LLC funded under the Community Development Block Grant (CDBG) Program for the property located at

124 SW 8th Avenue Delray Beach, FL.

Sponsors: Community Improvement

Attachments: Bid 2016-132 Owens

2016-132 Bid Tabulation Sheet 1

Contract

Lien Agreement

Exhibit A Scope of Services - Contractor Bid Proposal

Memorandum of Understanding

Notice To Proceed

Subordination Agreement for Closing

Warranty Docs

6.0. FY16-17 CDBG SUB-RECIPIENT FUNDING AGREEMENT/MILAGRO FOUNDATION, INC. D/B/A MILAGRO CENTER

Recommendation: Motion to Approve and execute the attached agreement, in order that

funding in the amount of Thirty Thousand Dollars and 00/100 (\$30,000)

to Milagro Foundation, Inc. dba Milagro Center may proceed in

accordance with the Commission approved Action Plan for fiscal year

2016-2017.

Sponsors: Community Improvement

<u>Attachments:</u> <u>Milagro Center 2016-2017 Partially Executed Agreement</u>

Attachment D Project Budget

Attachment E FY16-17 Grantee Performance Report

6.P. REJECT ALL BIDS FOR ITB 2017-008, NEIGHBORHOOD SERVICES

DEPARTMENT HOUSING REHABILITATION PROGRAM 16-523

Recommendation: Motion to Reject all bids received in response to ITB 2017-008 for

Neighborhood Services Department Housing Rehabilitation Program

16-523

Sponsors: Purchasing Department and Webb

6.Q. INTERLOCAL AGREEMENT WITH THE PALM BEACH COUNTY SCHOOL

DISTRICT FOR SCHOOL COORDINATED PLANNING

Recommendation: Motion to Authorize the Interim City Manager to sign and execute the

Interlocal Agreement (Exhibit A Participation Agreement) with Palm Beach County School District to participate in the County's School

Concurrency system.

Sponsors: Planning & Zoning Department

<u>Attachments:</u> <u>EXHIBIT A Participation Agreement</u>

ILA.SDPBC.Approved on Aug 19 2015

6.R. APPROVAL TO ACCEPT A 2017 EMS GRANT THROUGH PALM BEACH COUNTY FOR THE PURCHASE OF A HAL S3000 TRAINING MANIKIN FOR FIRE-RESCUE

Recommendation: Motion to Approve the acceptance of the 2017 EMS Grant through Palm

Beach County in the amount of \$25,000 and approval of a sole source purchase award to Gaumard Scientific Company, Inc. in the

not-to-exceed amount of \$25,000.

Sponsors: Fire Rescue Department

Attachments: Gaumard Quotation

Gaumard Sole Source
Gaumard Agreement

Gaumard Product Information

Guamard Sales Terms

Manikin Functionality

6.S. APPROVAL TO ACCEPT A DOMESTIC PREPAREDNESS GRANT FROM THE STATE HOMELAND SECURITY GRANT PROGRAM

Recommendation: Motion to Approve acceptance of the FY 2016 Domestic Preparedness

Grant (Federal Grant # EMW-2016-SS-00092-S01) in the amount of \$52,722 from the State Homeland Security Grant Program for the

Fire-Rescue Department.

Sponsors: Fire Rescue Department

<u>Attachments:</u> <u>Domestic Preparednes Grant Agreement</u>

6.T. RESOLUTION NO. 22-17

Recommendation: Motion to Approve Resolution No. 22-17 authorizing the City to

participate in the Lake Okeechobee Regional Compact.

Sponsors: City Attorney Department

Attachments: Resolution No. 22-17 Support of Lake Okeechobee

6.U. RESOLUTION NO. 21-17

Recommendation: Motion to Approve Resolution No. 21-17 asserting opposition to HB 17

and SB 1158.

Sponsors: City Attorney Department

Attachments: Res 21-17 opposing hb 17 and sb 1158

<u>HB 17</u> SB 1158

6.V. PROCLAMATIONS:

6.V.1. PROCLAMATION - AMERICAN RED CROSS MONTH 2017

Sponsors: City Clerk Department

Attachments: American Red Cross Month 2017

6.V.2. ALL PEOPLE'S DAY 2017 PROCLAMATION

Sponsors: City Clerk Department

<u>Attachments:</u> <u>Delray All People's Day Proclamation 2017</u>

6.V.3. WATER CONSERVATION MONTH - APRIL 2017 - PROCLAMATION

<u>Sponsors:</u> Environmental Services Department

<u>Attachments:</u> <u>Water Conservation Proclamation</u>

6.W. REPORT OF APPEALABLE LAND USE ITEMS FEBRUARY 13, 2017 THROUGH

MARCH 10, 2017

Recommendation: By motion, receive and file this report.

Sponsors: Planning and Zoning Board

Attachments: Location Map

Classic Teleco Building
Alta Delray Station

10th and 10th Center

111 E. Atlantic Avenue

Hood Distribution

The Grove
Hessler Paint

Autonation Delray Beach

701 SE 1st Street

6.X. AWARD OF BIDS AND CONTRACTS:

6.X.1 AWARD OF A PURCHASE AGREEMENT TO BENNETT FIRE PRODUCTS COMPANY, INC. FOR PURCHASE OF FIREFIGHTER BUNKER GEAR

Recommendation: Motion to Award a purchase agreement to Bennett Fire Products

Company, Inc. for firefighter protective gear in the annual not-to-exceed

amount of \$100,000.

Sponsors: Fire Rescue Department

Attachments: MES, Non-Responsible Letter

Letter Non Responsive Kedyrolo LLC

Letter - Non Responsive SOS

Addendum 1

2017-007 ITB Bunker Gear (R2)

Memorandum Award Recommendation Approval

Bennett Fire ITB#2017-007

Bunker Gear Agreement, PO Award
Tabulation for Bid ITB No. 2017-007

6.X.2. AWARD OF A PURCHASE ORDER TO TORRES ELECTRICAL SUPPLY COMPANY, INC. FOR PURCHASE OF DECORATIVE LIGHTS (PROJECT NO. 17-006)

Recommendation: Motion to Award a purchase order to Torres Electrical Supply Company,

Inc. for the purchase of decorative lights in the not-to-exceed amount of

\$195,000 (Project No. 17-006).

Sponsors: Environmental Services Department

<u>Attachments:</u> TORRES ELECTRICAL SUPPLY COMPANY, INC.

2017-029 Atlantic Ave Decorative Lights
2017-029 Memorandum Award Approval

2017-029 Bid Tabulation

6.X.3. AWARD OF AN AGREEMENT TO GREEN TEAM PLUMBING, LLC D/B/A GREENTEAM SERVICE CORP. FOR PLUMBING MAINTENANCE AND REPAIR SERVICES

Recommendation: Motion to Award a two-year Agreement to Green Team Plumbing LLC

dba Greenteam Service Corp. for Plumbing Maintenance and Repair

Services in an annual amount not-to-exceed of \$75,000.

Sponsors: Environmental Services Department

<u>Attachments:</u> <u>GreenTeam Service Corp.</u>

RFP No. 2017-019 - Plumbing Service and Repairs, per Addendum No. 1

Final Scoring Summary, RFP 2017-019

RFP 2017-019 Cost Analysis

Agreement (R1)

6.X.4. PURCHASE AWARD TO FERGUSON ENTERPRISES, INC. FOR MATERIALS FOR WATER MAIN IMPROVEMENT PROJECTS: EL DORADO LANE AND SUNSHINE

DRIVE

Recommendation: Motion to Approve a purchase award to Ferguson Enterprises, Inc. in

the amount of \$55,000 to provide Materials for Water Main Improvement

Projects: El Dorado Lane and Sunshine Drive.

Sponsors: Environmental Services Department

Attachments: ITB 2017-026 - Water Main Improv, El Dorado - Sunshine, per Addendum No. 1

Memo - Award Recommendation - ITB 2017-026

2017-026 Forms
Additional Forms
Tabulation Sheet

7. REGULAR AGENDA:

7.A. None

8. PUBLIC HEARINGS:

8.A. ORDINANCE NO. 05-17: TO INDIVIDUALLY DESIGNATE "THE CLINT MOORE HOUSE" AT 1420 NORTH SWINTON AVENUE ON THE LOCAL REGISTER OF HISTORIC PLACES (SECOND READING)

To be in compliance with advertisement requirements, this ordinance will be heard at the next Regular City Commission Meeting.

Sponsors: Planning & Zoning Department

Attachments: Ordinance 05-17 Clint Moore House Designation

HPB Staff Report 080316

1420 N Swinton Avenue Designation Report

8.B. ORDINANCE NO. 10-17: AMENDING CHAPTER 118, "SOLICITORS AND PEDDLERS AND DISTRIBUTION OF HANDBILLS" (SECOND READING)

To be in compliance with advertisement requirements, this ordinance will be heard at the next Regular City Commission Meeting.

<u>Sponsors:</u> City Attorney Department

Attachments: Ord No. 10-17

8.C. ORDINANCE NO. 11-17: AMENDING CHAPTER 31, "CITY OFFICIALS AND EMPLOYEES," SECTION 31.17, "INDEMNIFICATION" (SECOND READING)

To be in compliance with advertisement requirements, this ordinance will be heard at the next Regular City Commission Meeting.

Sponsors: City Attorney Department

Attachments: Ord No. 11-17 amending Indemnification

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

- 10.A. City Manager
- 10.B. City Attorney
- 10.C. City Commission