

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

Regular Meeting at 6:00 PM

Tuesday, August 21, 2018

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Shelly Petrolia

Vice Mayor Adam Frankel

Deputy Vice Mayor Shirley Ervin Johnson

Commissioner Bill Bathurst

Commissioner Ryan Boylston

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. AGENDA APPROVAL****4. PRESENTATIONS:****4.A. RESOLUTION NO. 78-18 RECOGNIZING CLAYTON GILBERT FOR 30 YEARS OF SERVICE**

Recommendation: Motion to approve resolution No. 78-18 honoring Clayton Gilbert for 30 years of service.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[78.18 Resolution Clayton Gilbert 8.21.18.doc](#)

4.B. PRESENTING JUAN VAZQUEZ, ELECTRICIAN I, WITH EMPLOYEE OF THE MONTH FOR AUGUST 2018.

Recommendation: Motion to present Juan Vazquez, Electrician I, with Employee of the Month for August 2018.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Juan Vazquez Nomination Form.pdf](#)

4.C. SPOTLIGHT ON EDUCATION - DELRAY STUDENTS FIRST

Sponsors: Community Improvement

Attachments: [Agenda Cover Report](#)

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. MEETING MINUTES

Recommendation: Motion to approve meeting minutes as listed below:

January 16, 2018- Regular Meeting
May 15, 2018- Regular Meeting
June 5, 2018- Regular Meeting
June 12, 2018- Workshop Meeting
June 19, 2018- Regular Meeting
July 10, 2018- Special Meeting
July 10, 2018- Regular Meeting
July 17, 2018- Special Meeting
July 17, 2018- Regular Meeting

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Minutes- January 16, 2018- Regular Meeting](#)
[Minutes- May 15, 2018 - Regular Meeting](#)
[Minutes- June 5, 2018 - Regular Meeting](#)
[Minutes- June 12, 2018- Workshop Meeting](#)
[Minutes- June 19, 2018- Regular Meeting](#)
[Minutes- July 10, 2018- Special Meeting](#)
[Minutes- July 10, 2018- Regular Meeting](#)
[Minutes- July 17, 2018 - Special Meeting](#)
[Minutes- July 17, 2018 - Regular Meeting](#)

6.B. RATIFICATION OF SOUTH CENTRAL REGIONAL WASTEWATER TREATMENT & DISPOSAL BOARD ACTION OF MAY 21, 2018 AND APPROVAL OF THEIR 2018/2019 PROPOSED BUDGET.

Recommendation: Motion to Ratify actions approved by the South Central Regional Wastewater Treatment and Disposal Board (Board) at their Meeting of May 21, 2018.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[SCRWTP](#)

6.C. RESOLUTION NO. 28-18 NUISANCE ABATEMENT OF NINE (9) PROPERTIES THROUGHOUT THE CITY.

Recommendation: Motion to adopt Resolution No. 28-18 assessing costs for abatement action required to remove nuisances on nine (9) properties throughout the City.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Res No. 28-18 Nuisance Abatement](#)
[RES NO. 28-18 - Exhibit A](#)
[Invoices for Nuisance Abatements](#)

6.D. MINOR SUBDIVISION PLAT FOR HACKER OFFICE BUILDING, LOCATED AT 226 PALM COURT.

Recommendation: Motion to approve and certify the Minor Subdivision Plat for Hacker Office Building, by adopting the findings of fact and law, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations (LDR) Section 2.4.5(K), Minor Subdivisions, LDR Section 3.2.3, Standards for Site Plan and/or Plat Actions, and LDR Section 3.1.1, Required Findings for Land Use and Land Development Applications.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[HACKER OFFICE BUILDING PLAT](#)

6.E. RESOLUTION NO. 97-18 HISTORIC PROPERTY TAX EXEMPTION REQUEST FOR 49 PALM SQUARE

Recommendation: Motion to Approve Resolution No. 97-18 for a historic property tax exemption request for improvements to the contributing structure and property located at 49 Palm Square, based upon positive findings with respect to LDR Section 4.5.1(J).

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[97-18-Resolution Tax Exemption-49 Palm Square](#)
[2018-07-18-Tax Exemption HPB SR-49 Palm Square](#)
[2018-08-21-Final Attachments-49 Palm Square](#)

6.F. RESOLUTION NO. 98-18 HISTORIC PROPERTY TAX EXEMPTION REQUEST FOR 109 DIXIE BOULEVARD

Recommendation: Motion to Adopt Resolution No. 98-18; approving a historic property tax exemption request for improvements to the contributing structure and property located at 109 Dixie Boulevard, based upon positive findings with respect to LDR Section 4.5.1(J).

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[98-18-Resolution Tax Exemption-109 Dixie Blvd](#)
[2018-07-18-Tax Exemption HPB SR-109 North Dixie Boulevard](#)
[2018-08-21-Final Attachments-109 Dixie Boulevard](#)

6.G. RESOLUTION NO. 99-18 REVOCATION OF AN AD VALOREM PROPERTY TAX EXEMPTION REQUEST FOR 212 SEABREEZE AVENUE

Recommendation: Motion to Approve Resolution No. 99-18 for the Revocation of an Ad Valorem Property Tax Exemption associated with the removal of additions and improvements to the contributing structure and property located at 212 Seabreeze Avenue, based upon positive findings with respect to LDR Section 4.5.1(J).

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Res-99-18-SeabreezeHistoricTaxExemptRevoke](#)
[2018-07-18-COA HPB SR-212 Seabreeze Avenue](#)
[2009-12-22-PBC Covenant-Recorded](#)

6.H. RESOLUTION NO. 102-18 HISTORIC PROPERTY TAX EXEMPTION REQUEST FOR 702 SE 1ST STREET

Recommendation: Motion to Approve Resolution No. 102-18 for a historic property tax exemption request for improvements to the contributing structure and property located at 702 SE 1st Street, based upon positive findings with respect to LDR Section 4.5.1(J).

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[102-18-Resolution Tax Exemption-702 SE 1st Street](#)
[2018-01-08-Tax Exemption HPB SR-702 SE 1st Street](#)
[2018-08-21-Photo Attachments](#)
[2018-08-21-Final Attachments-702 SE 1st Street](#)

6.I. ACCEPTANCE OF LANDSCAPE MAINTENANCE AND HOLD HARMLESS AGREEMENTS WITH EDWARDS ATLANTIC AVENUE, LLC, FOR ATLANTIC CROSSING CLASS V SITE PLAN APPROVAL.

Recommendation: Motion to Accept the Landscape Maintenance and Hold Harmless Agreements with Edwards Atlantic Avenue, LLC, to install landscaping materials, construct landscape areas, and perform work in the FDOT right-of-way of East Atlantic Avenue and SE 6th Avenue.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Mid-Block Access Plan copy \(2\)](#)
[Revised Site Plan \(February 9, 2016\)](#)
[AC Landscape 5-10-17](#)
[Federal Highway Hold Harmless Agreement](#)
[federal highway landscape maintenance agreement](#)
[north side of Atlantic Avenue hold harmless agreement](#)
[north side of Atlantic Avenue landscape maintenance agreement](#)
[south side of Atlantic Avenue hold harmless agreement](#)
[south side of Atlantic Avenue landscape maintenance agreement](#)

6.J. INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE CRA - FUNDING FOR PLANNING SERVICES ASSOCIATED WITH UPDATES TO THE OSCEOLA PARK REDEVELOPMENT PLAN

Recommendation: Motion to Approve the interlocal agreement between the City and CRA for the CRA to provide funding for planning services associated with updates to the Osceola Park Redevelopment Plan in an amount not to exceed \$65,000.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Interlocal Agreement CRA - Osceola Plan Update 08.03.18](#)
[Legal Review Checklist - Interlocal Osceola](#)
[Keith and Schnars Delray Beach Osceola Park Redevelopment Plan Update 6/18/18](#)

6.K. ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 344 PALM TRAIL.

Recommendation: Motion to Approve and accept a five-foot sidewalk easement on NE 4th St. and a 10-foot sidewalk easement on Palm Trail located at 344 Palm Trail.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Perpetual Sidewalk Easement Agreement 344 Palm Trail](#)
[Exhibit A Sketch and Legal.pdf](#)
[344 Palm Trail Survey.PDF](#)
[PAPA Maps 344 Palm Trail.pdf](#)
[PAPA Page 344 Palm Trail.pdf](#)

6.L. ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 23 SW 14th AVE.

Recommendation: Motion to approve and accept a five-foot sidewalk easement located at 23 SW 14th Ave.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Perpetual Sidewalk Easement Agreement 23 SW 14th Ave..pdf](#)
[Exhibit A Sketch and Legal Description 23 SW 14th Ave..pdf](#)
[Survey 23 SW 14th Ave. \(2\).pdf](#)
[PAPA Maps 23 SW 14th Ave..pdf](#)
[PAPA Page 23 SW 14th Ave..pdf](#)
[Sunbiz Page.pdf](#)

6.M. ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 27 SW 14th AVE.

Recommendation: Motion to approve and accept a five-foot sidewalk easement located at 27 SW 14th Ave.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Perpetual Sidewalk Easement Agreement 27 SW 14th Ave..pdf](#)
[Exhibit A Sketch and Legal Description 27 SW 14th Ave..pdf](#)
[Survey 27 SW 14th Ave..pdf](#)
[PAPA Map 27 SW 14th Ave..pdf](#)
[PAPA Page 27 SW 14th Ave..pdf](#)
[Sunbiz Page.pdf](#)

6.N. ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 102 NW 16th St.

Recommendation: Motion to approve and accept a five-foot sidewalk easement located at 102 NW 16th St.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Perpetual Sidewalk Easement Agreement 102 NW 16th St](#)
[Exhibit A Sketch and Legal Description.pdf](#)
[Survey 102 NW 16th St..pdf](#)
[PAPA Map 102 NW 16th St..pdf](#)
[PAPA Page 102 NW 16th St..pdf](#)
[Sunbiz Page 102 NW 16th St..pdf](#)

6.O. ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 1011 NW 3RD AVE.

Recommendation: Motion to Approve and accept a five-foot sidewalk easement on NW 3rd Ave. located at 1011 NW 3rd Ave.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Perpetual Sidewalk Easement Agreement 1011 NW 3rd Ave.](#)
[Exhibit A Sketch and Legal Description.pdf](#)
[Survey 1011 NW 3rd Ave..pdf](#)
[PAPA Map Location 1011 NW 3rd Ave..pdf](#)
[PAPA Page 1011 NW 3rd Ave.pdf](#)

6.P. ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 801 NE 5TH ST.

Recommendation: Motion to approve and accept a five-foot sidewalk easement located at 801 NE 5th St.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Perpetual Sidewalk Easement Agreement 801 NE 5th St](#)
[Exhibit A Sketch and Description.pdf](#)
[Survey 801 NE 5th St..pdf](#)
[PAPA Map Location 801 NE 5th St..pdf](#)
[PAPA Page 801 NE 5th St.](#)
[Sunbiz Page 801 NE 5th St..pdf](#)

6.Q. ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 1508 PINE LANE

Recommendation: Motion to approve and accept a five-foot sidewalk easement located at 1508 Pine Lane.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Perpetual Sidewalk Easement Agreement 1508 Pine Lane](#)
[Exhibit A Sketch and Description.pdf](#)
[Survey 1508 Pine Lane.pdf](#)
[Map Location 1508 Pine Lane.pdf](#)
[PAPA Page 1508 Pine Lane.pdf](#)

6.R. ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT AGREEMENT FOR 515 NW 1st AVE.

Recommendation: Motion to approve and accept a five-foot sidewalk easement located at 515 NW 1st Ave.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Perpetual Sidewalk Easement Agreement.pdf](#)
[Exhibit A Sketch and Description.pdf](#)
[Survey 515 NW 1st Ave..PDF](#)
[PAPA Map Location.pdf](#)
[PAPA Page 515 NW 1st Ave..pdf](#)

6.S. ACCEPTANCE OF A RIGHT OF WAY DEED FOR 515 NW 1st AVE.

Recommendation: Motion to Approve and accept a 15' Right of Way Deed located at 515 NW 1st Ave.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Right of Way Deed.pdf](#)
[Exhibit A Sketch and Description](#)
[Survey 515 NW 1st Ave..PDF](#)
[PAPA Map Location.pdf](#)
[PAPA Page 515 NW 1st Ave..pdf](#)

6.T. APPROVE RESOLUTION NO. 83-18 AUTHORIZING A GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF \$299,729 FOR MANAGEMENT OF THE CITY OF DELRAY BEACH'S (CITY) SHORE PROTECTION PROJECT (PROJECT NO.17-081)

Recommendation: Motion to approve Resolution No. 83-18 authorizing a Grant Agreement with the Florida Department of Environmental Protection (FDEP) for assistance with funding the City's Shore Protection Project (Project No. 17-018) in amount of \$299,729.

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Report](#)
[Res FDEP Grant Agreement 6.25.18](#)
[19PB4 - Delray Beach Shore Protection Project w. Addtl Signature 7.9.18](#)
[Legal Review Checklist FDEP grant](#)
[Beach Cost Share 7.18.18](#)
[1992 USACE Agreement](#)

6.U. RESOLUTION NO. 85-18: SANITATION RATES FOR FY2019

Recommendation: A resolution to implement a schedule of sanitation rates and fees in accordance with the City Code of Ordinances, Chapter 51, "Garbage and Trash", Section 51.70, "Regular Charges Levied", and to authorize the City of Delray Beach to collect the residential and commercial sanitation rates on the tax roll for Fiscal Year 2019.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution 85-18 FY19 Solid Waste Charges and Fees](#)
[Sanitation Rates FY19 Backup](#)

6.V. GRANT APPLICATION/EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

Recommendation: Motion to Approve application for the 2018 Edward Byrne Memorial Justice Assistance Grant in the amount of \$30,487.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Program Narrative - JAG 2018](#)
[Project Abstract - JAG 2018 - DBPD](#)
[Review Narrative - JAG 2018 - DBPD](#)
[Applicant Disclosure of Pending Applications - JAG 2018 - DBPD](#)
[Budget Detail Worksheet and Budget Narrative - JAG 2018 - DBPD](#)
[FY17JAG_LOCAL_CEO_RevAug18](#)
[FY17JAG_CLO_1373Cert_RevAug18](#)

6.W. RESOLUTION 95-18 DELEGATING SCRWTDB AUTHORITY TO OBTAIN BANK LOAN FOR CAPITAL IMPROVEMENTS TO FACILITY

Recommendation: Motion to approve Resolution 95-18.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Reso 95-18](#)

6.X. PROCLAMATIONS:

6.X.1. None

6.Y. REPORT OF APPEALABLE LAND USE ITEMS FROM JUNE 18, 2018 THROUGH JULY 20, 2018.

Recommendation: By motion, receive and file this report.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Appealable Items Map](#)
[A. 202 NE 5th Terrace Appealable Report with Attachments](#)
[B. 212 Seabreeze Avenue Appealable Report with Attachments](#)
[C. 115 North Dixie Boulevard Appealable Report with Attachments](#)
[D. 228 North Dixie Boulevard Appealable Report with Attachments](#)
[E. 227 NE 1st Avenue Appealable Report with Attachments](#)
[F. 705 Bond Way](#)
[G. 950 SE 5th Avenue](#)
[H. 290 E. Atlantic Avenue](#)
[I. Juice Buzz - 2 & 6 NE 5TH Avenue](#)
[J. Delray Shopping Center - 3001 S Federal Highway](#)
[K. Wineroom - 411 E Atlantic Avenue](#)
[L. Calvary Chapel - 200 Sterling Avenue](#)
[M. Chick-Fil-A - 4823 W Atlantic Avenue](#)

6.Z. AWARD OF BIDS AND CONTRACTS:

6.Z.1. APPROVAL OF VEHICLE PURCHASES FROM VARIOUS CAR DEALERSHIPS IN AN AMOUNT NOT-TO-EXCEED \$680,000 UTILIZING THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT NOS. FSA17-VEH15.0 AND FSA17-VEL25.0 AND THE NATIONAL JOINT POWERS ALLIANCE CONTRACT NO. 120716-NAF

Recommendation: Motion to approve vehicle purchases from Alan Jay Nissan, Inc., Alan Jay Ford Lincoln Mercury, Inc, Duval Ford, LLC, and Prestige Ford, Inc. for the purchase of twenty-one new vehicles in an amount not-to-exceed \$680,000 utilizing the Florida Sheriff's Association Contract Nos. FSA17-VEH15.0 and FSA17-VEL25.0 and the National Joint Powers Alliance Contract No. 120716-NAF.

Sponsors: Public Works Department - Fleet Division and Purchasing Department

Attachments: [Agenda Cover Report](#)
[FSA17-VEH15.0 & FSA17-VEL25.0 Terms and Conditions](#)
[FSA17-VEL25.0 F-150 Pricing](#)
[FSA17-VEL25.0 F-250 Pricing](#)
[FSA17-VEL25.0 F-350 Pricing](#)
[FSA17-VEL25.0 Ford Transit Pricing](#)
[FSA17-VEL25.0 Police Interceptor Pricing](#)
[F-150 Pickup Quote-Duval Ford 6-28-18](#)
[F-250 Utility Quote-Duval Ford 7-25-18](#)
[F-350 Utility with Crane-Duval Ford 6-28-18](#)
[Police Interceptor Quote-Alan Jay 7-24-18](#)
[T-350 15 Passenger Van-Prestige Ford 6-15-18](#)
[NJPA RFP and Addendum-120716 Cars and Trucks](#)
[NJPA 120716-NAF Pricing](#)
[Frontier Pickup Quote-NJPA-Alan Jay 7-26-18](#)
[2018 Replacement Vehicles Phase 2 7-26-18](#)

7. REGULAR AGENDA:

7.A. PRESENTATION OF CITY OF DELRAY BEACH ROADWAY PROJECTS RECEIVING GRANTS THROUGH THE PALM BEACH COUNTY TRANSPORTATION PLANNING AGENCY.

Recommendation: Presentation of grant funding, project description and timing of design and construction for City of Delray Beach (City) roadway projects receiving grant funding through the Palm Beach County Transportation Planning Agency.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Grants - Barwick Road Complete Street](#)
[Grants - Brant Bridge Connector](#)
[Grants - Brant Bridge over C-15 Canal](#)
[Grants - Congress Avenue Complete Street](#)
[Grants - George Bush Boulevard](#)
[Grants - Greenway E4 Canal](#)
[Grants - Homewood Boulevard](#)
[Grants - Lindell Boulevard Complete Street](#)
[Grants - Lawson Congress to 6th Avenue](#)
[Grants - Lawson Military to Congress](#)
[Grants - Swinton Avenue](#)

7.B. PRESENTATION OF OPTIONS FOR THE REPLACEMENT OF CURRENT STREET LIGHTING ON FLORIDA POWER AND LIGHT (FPL) OWNED POLES ON A1A FROM CASUARINA ROAD TO GEORGE BUSH BOULEVARD.

Recommendation: Motion to recommend replacement of City of Delray Beach (City) owned turtle light fixtures with FPL standard lighting.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

7.C. REQUEST FOR A CONDITIONAL USE TO ESTABLISH A COMMUNITY RESIDENCE AT 602 SE 3RD AVENUE ("STEPPING STONES"). (QUASI-JUDICIAL HEARING)

Recommendation: Motion to approve the Conditional Use for a community residence at 602 SE 3rd Avenue for Stepping Stones by adopting the findings of fact and law contained in the staff report and the finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in Sections 2.4.5(E)(5), 4.3.3(I)(3), 4.3.3(I)(4) and Chapter 3 of the Land Development Regulations with the following conditions:

1. Provide an updated floor plan of the residence that includes the dimensions of each bedroom.
2. Provide a parking plan for the site to illustrate 4 required parking spaces.

The conditional use is not effective until Florida Association of Recovery Residences (FARR) certification is achieved and submitted to the city.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Location Map- 500 scale](#)
[Conditional Use Board Order](#)
[Stepping Stone Conditional Use - PZB Report final](#)
[PAPA 602 SE 3rd](#)
[Public Email Correspondence](#)
[Floor Plan](#)
[Survey](#)

7.D. REQUEST FOR A WAIVER TO LDR SECTION 4.6.7(E)(7) TO ALLOW A FLAT WALL SIGN ON THE SOUTH ELEVATION WHICH DOES NOT FACE A DEDICATED STREET FRONTAGE FOR DELRAY HEALTH & WELLNESS INC.(BASIS MEDICAL AND BASIS FITNESS) WHICH IS A TENANT OF THE BUILDING LOCATED AT 2702 N. FEDERAL HWY. (QUASI-JUDICIAL HEARING)

Recommendation: Motion to approve the waiver request to LDR Section 4.6.7(E)(7) for Delray Health & Wellness Inc. (Basis Medical and Basis Fitness) which is a tenant of the building located at 2702 N. Federal Hwy, as presented.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Basis Fitness Board Order.docx](#)
[justification letter.pdf](#)
[sign elevation.pdf](#)
[site plan.jpg](#)

- 7.E.** APPROVAL OF RESOLUTION NO. 25-18 FOR AN AGREEMENT WITH WITH DP DEVELOPMENT OF THE TREASURE COAST, LLC. FOR CONSTRUCTION AND REPAIR TO SW NEIGHBORHOOD ALLEYS, PROJECT NO. 17-103 IN AN AMOUNT NOT TO EXCEED \$803,595.

Recommendation: Motion to adopt Resolution No. 25-18 and award an Agreement to DP Development of the Treasure Coast, LLC for construction and repairs to SW Neighborhood Alleys, Project No. 17-103 in a total not to exceed amount of \$803,595 for the Agreement term of 180 days after Notice to Proceed has been issued and authorizing the City Manager to exercise any and all renewal options.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist form v. 5 ITBC 2018-009 SW Neighborhood Alleys](#)
[ITBC 2018-009 SW Neighborhood Alleys Agreement CA rev](#)
[Tabulation Sheet ITB 2018-009](#)
[Resolution](#)
[AGREEMENT](#)
[West Non Responsible Letter \(4\)](#)

- 7.F.** APPROVAL OF VEHICLE PURCHASES FROM VARIOUS DEALERSHIPS IN AN AMOUNT NOT TO EXCEED \$447,399 UTILIZING THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT NO. FSA17-VEL25.0

Recommendation: Motion to approve purchase of one Caterpillar forklift, three Ford F-550 4x2 F5G pick-up trucks, one Ford F-150 4x2 pick-up truck, and one Oilmen's fuel tanker in an amount not-to-exceed \$447,399 utilizing the Florida Sheriff's Association Contract No. FSA17-VEL25.0.

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[FSA17-VEH15.0 & FSA17-VEL25.0 Terms and Conditions](#)
[F-550 Quote-Duval 5-22-18](#)
[Caterpillar Forklift-Kelly Tractor 8-8-18](#)
[Fuel Truck Quote-Lou Bachrodt 5-22-18 \(2\)](#)
[F-150 Quote-Duval 8-8-18](#)

7.G. NOMINATIONS FOR APPOINTMENT TO THE EDUCATION BOARD

Recommendation: Motion to approve nominations for appointment for three (3) regular members and one (1) student member to serve on the Education Board for unexpired terms ending July 31, 2020 and One (1) regular member to serve an unexpired term ending July 31, 2019.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Education Board Member List](#)
[Education Board Attendance List](#)
[Education Board Applications](#)

7.H. NOMINATIONS FOR APPOINTMENT TO THE CODE ENFORCEMENT BOARD

Recommendation: Motion to approve nominations for appointment for two (2) alternate members to serve on the Code Enforcement Board for unexpired terms ending January 14, 2022.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Code Enforcement Board Member List](#)
[Code Enforcement Board Attendance List](#)
[Code Enforcement Board Applications](#)

7.I. NOMINATION FOR APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD

Recommendation: Motion to approve nomination for appointment for one (1) regular member to serve on the Site Plan Review and Appearance Board for a two (2) year term ending August 31, 2020.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Site Plan Review and Appearance Board Member List](#)
[Site Plan Review and Appearance Board Attendance List](#)
[SPRAB Applications](#)

7.J. NOMINATION FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD

Recommendation: Motion to approve nomination for appointment for one (1) regular member to serve on the Historic Preservation Board for a two (2) year term ending August 21, 2020.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Historic Preservation Board Member List](#)
[Historic Preservation Board Attendance List](#)
[HPB Applications](#)

7.K. NOMINATIONS FOR APPOINTMENT TO THE BOARD OF ADJUSTMENT

Recommendation: Motion to approve nomination 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: [Agenda Cover Report](#)
[Exhibit A](#)
[Board of Adjustment Member List](#)
[Board of Adjustment Attendance List](#)
[Board of Adjustment Applications](#)

7.L. RECOMMENDATION FOR APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY BOARD.

Recommendation: Motion to recommend for appointment one (1) regular member to serve on the Delray Beach Housing Authority Board for an unexpired term ending March 6, 2022.

Sponsors: City Clerk Department

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

7.M. NOMINATION FOR APPOINTMENT TO THE BOARD OF TRUSTEES FOR THE FIREFIGHTERS' RETIREMENT SYSTEM BOARD

Recommendation: Motion to approve nomination for appointment for one (1) regular member to serve on the Board of Trustees for the Firefighters' Retirement System Board for an unexpired term ending October 4, 2020.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Board of Trustees for the Firefighters' Retirement System Member List](#)

[Board of Trustees for the Firefighters' Retirement System Board Attendance Lis](#)

[Board of Trustees for the Firefighters' Retirement System Board Applications](#)

7.N. NOMINATION FOR APPOINTMENT TO THE GENERAL EMPLOYEES RETIREMENT FUND COMMITTEE

Recommendation: Motion to approve nomination for appointment for one (1) regular member to serve on the General Employees Retirement Fund Committee for an indefinite term.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[General Employees Retirement Fund Committee Member List](#)

[General Employees Retirement Committee Attendance List](#)

[General Employees Retirement Fund Committee Applications](#)

8. PUBLIC HEARINGS:

8.A. ORDINANCE NO. 16-18 AMENDING CHAPTER 110 OF THE CODES OF ORDINANCES, LOCAL BUSINESS TAX SCHEDULE (SECOND READING)

Recommendation: Motion to Approve Ordinance No. 16-18 on second reading amending Chapter 110 of the Code of Ordinances to provide for an increase in the local business tax schedule.

Sponsors: Community Improvement

Attachments: [Agenda Cover Report](#)

[Ord 16-18 Business Tax Schedule Increase](#)

- 8.B.** ORDINANCE NO. 11-18: A CITY-INITIATED AMENDMENT TO MODIFY TABLE L-6 WITHIN THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN TO ADD AN "X" TO THE TABLE TO INCLUDE OLD SCHOOL SQUARE HISTORIC ARTS DISTRICT AS A ZONING DISTRICT THAT IS COMPATIBLE WITH THE COMMUNITY FACILITIES (CF) FUTURE LAND USE MAP DESIGNATION, PURSUANT TO LAND DEVELOPMENT REGULATION SECTION 2.2.2(E)(6)(A). (FIRST READING/1ST PUBLIC HEARING)

Recommendation: Motion to Adopt Ordinance No. 11-18, a City-initiated amendment to the Future Land Use Element of the Comprehensive Plan, modifying Table L-6 to add an "X" to the table to include the OSSHAD zoning district as a zoning district that is compatible with the CF FLUM designation, by finding that the request is consistent with the requirements of Florida Statutes.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[2018-07-16-PZB Staff Report Ordinance No 11-18 with attachments](#)
[Ord 11-18-CF-FLUM-OSSHADzoneDist-Table6-Update](#)

- 8.C.** ORDINANCE NO. 08-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA ADOPTING A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT DESIGNATING A PARCEL OF LAND APPROXIMATELY 0.137 ACRE IN SIZE FROM LOW DENSITY RESIDENTIAL 0-5 DU/ACRE (LD) TO COMMERCIAL CORE (CC), PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, FOR THE PROPERTY LOCATED ON THE WEST SIDE OF SE 3RD AVENUE, APPROXIMATELY 137 FEET SOUTH OF SE 2ND STREET (206 SE 3RD AVENUE), AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE. (SECOND READING)

Recommendation: Move to deny on Second Reading, Ordinance No. 08-18, a small-scale Future Land Use Map amendment from Low Density Residential 0-5du/ac (LD) to Commercial Core (CC) for the property located at 206 SE 3rd Avenue, by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in LDR Section 3.1.1, Required Findings.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Aerial Location Map](#)
[Ordinance No. 08-18](#)
[Detailed Aerial Location Map](#)
[Planning and Zoning Board Staff Report](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 09-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND RE-DESIGNATING LAND PRESENTLY ZONED SINGLE FAMILY RESIDENTIAL (R-1-A) DISTRICT TO CENTRAL BUSINESS (CBD) DISTRICT, LOCATED WITHIN THE RAILROAD CORRIDOR SUB-DISTRICT; SAID LAND IS LOCATED ON THE WEST SIDE OF SE 3RD AVENUE, 137 FEET SOUTH OF SE 2ND STREET (206 SE 3RD AVENUE), AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING "CITY OF DELRAY BEACH, ZONING MAP, JUNE 29, 2017"; PROVIDING A CONFLICTS CLAUSE; AND A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (FIRST READING)

Recommendation: Move to deny on First Reading, Ordinance No. 09-18, a privately-initiated rezoning from Single Family Residential (R-1-A) District to Central Business (CBD) District, within the Railroad Corridor Sub-District, for a parcel of land located on the west side of SE 3rd Avenue, 137 feet south of SE 2nd Street (206 SE 3rd Avenue), by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in LDR Sections 2.4.5(D)(5), Findings, and 3.2.2(D), Standards for Rezoning Actions.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Ord. No. 09-18](#)
[Location Map](#)
[Detailed Aerial Location Map](#)
[Planning and Zoning Board Staff Report](#)

- 9.B.** ORDINANCE NO. 14-18: COLLECTION OF EMERGENCY MEDICAL SERVICE FEES ORDINANCE AMENDMENT (FIRST READING)

Recommendation: Motion to update the ordinance "Collection of Emergency Medical Service Fees" and strike the below noted verbiage.

Any bill remaining unpaid for a period of ninety (90) days shall be considered delinquent. Any delinquent bill shall incur interest ~~at the rate of nine (9) percent per annum~~ at a rate determined by the City Manager. The notice of an interest charge shall be included on the initial bill mailed to the patient.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Ord 14-18 rev collection of EMS fees](#)

- 9.C.** ORDINANCE NO. 17-18: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING CHAPTER 33 "POLICE AND FIRE-RESCUE DEPARTMENTS" BY AMENDING PROVISIONS OF THE POLICE OFFICERS' RETIREMENT SYSTEM; AMENDING SECTION 33.65 "ADMINISTRATION"; AMENDING SECTION 33.67, "OTHER PROVISIONS"; CREATING A NEW SECTION 33.725, "SHARE PLAN"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Motion to approve Ordinance 17-18 in order to correct three items that were inadvertently left out of Ordinance 17-16.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Ord 17-18 Delray Beach Police Pension Ordinance Final for first reading](#)

- 9.D.** ORDINANCE NO. 18-18 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING CHAPTER 33 "POLICE AND FIRE-RESCUE DEPARTMENTS" BY AMENDING PROVISIONS OF THE FIREFIGHTERS' RETIREMENT SYSTEM; AMENDING SECTION 33.76, "BENEFIT AMOUNTS AND ELIGIBILITY"; AMENDING SECTION 33.79, ADMINISTRATION"; AMENDING SECTION 33.81, "OTHER PROVISIONS"; CREATING A NEW SECTION 33.92, "SHARE PLAN"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Motion to approve Ordinance 18-18 in order to correct three items that were inadvertently left out of Ordinance 17-16.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Ord 18-18 Delray Beach Fire Pension Ordinance Final for first reading](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

10.A. City Manager

- 10.A.1. City Commission & CRA Compensation & Training/Travel Stipends

10.B. City Attorney

10.C. City Commission