

# City of Delray Beach

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## Minutes - Draft

Tuesday, January 19, 2016

6:00 PM

Delray Beach City Hall

## City Commission

*Mayor Cary Glickstein*

*Vice-Mayor Shelly Petrolia*

*Deputy Vice Mayor Al Jacquet*

*Commissioner Jordana Jarjura*

*Commissioner Mitchell Katz*

**1. ROLL CALL**

A Regular Meeting of the City Commission of the City of Delray Beach, Florida, was called to order by Mayor Cary Glickstein in the Commission Chambers at City Hall at 6:00 p.m., Tuesday, January 19, 2016.

Prior to the Roll Call, Mayor Glickstein thanked all of the organizers of the Martin Luther King, Jr. events throughout the weekend and Monday, January 18, 2016.

Roll Call:

**Present:** 4 - Mayor Cary Glickstein, Vice-Mayor Shelly Petrolia, Deputy Vice Mayor Al Jacquet, and Commissioner Jordana Jarjura

**Absent:** 1 - Commissioner Mitchell Katz

**2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. APPROVAL OF MINUTES:**

A motion was made by Commissioner Jarjura, seconded by Vice-Mayor Petrolia, that this be approved. The motion carried by the following vote:

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

**3.A. [16-096](#) APPROVAL OF MINUTES****4. PRESENTATIONS:**

**4.A. [16-041](#) SPOTLIGHT ON EDUCATION - PLUMOSA SCHOOL OF THE ARTS. CATHY REYNOLDS, PRINCIPAL, WILL PRESENT ACCOMPLISHMENTS FROM THIS SCHOOL YEAR AND OUR PARTNERSHIP ON FAMILY ENGAGEMENT**

Ms. Cathy Reynolds, Principal, Plumosa School of The Arts, introduced students from Plumosa School of the Arts who performed a song. Principal Reynolds shared a video showcasing the school and discussed the different programs offered.

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

Mr. Cooper spoke regarding the Suits for Seniors Program discussed at last week's meeting.

Public Comments:

1. Alice First spoke regarding the Lake Worth Drainage District (LWDD) E-3 canal and the tax district. Ms. First read a statement into record.

2. Pauline Moody spoke regarding the presentation on the budget at the last meeting and stated she did not get to speak at that meeting. She discussed employee insubordination. Ms. Moody asked which garbage company is the city using now and commented regarding a broken light pole.

3. Jules Gagliardi spoke regarding fashion week and stated there are still three events going on. She spoke regarding the number of people who have attended some of the events.

Commissioner Jarjura stated she attended some of the Fashion Week events and they were well done.

4. Victor Kirson spoke regarding last week's budget presentation and suggested an additional source of revenue.

5. Jim Knight spoke about the combination of advisory boards and the criteria for being a member of one of the boards. He stated it is important that the City Commission support the local businesses. He discussed board meeting attendance.

6. Jason Dollard stated he has been on the Code Enforcement Board for the last two years and served as chair of the board for the past year. He discussed his involvement on the board and his attendance and asked Commission to look into this for future appointments. Mr. Dollard spoke regarding the arts garage.

Mayor Glickstein stated the City Commission appreciates any volunteers who serve on the advisory boards.

## **6. AGENDA APPROVAL**

There were no staff requested agenda changes.

Vice Mayor Petrolia stated she would like to pull Items 7.C. and 7.D., those items became Items 8.A.A. and 8.B.B., respectively.

There was some discussion regarding the pulling of agenda items.

**A motion was made by Vice-Mayor Petrolia, seconded by Commissioner Jarjura,**

that this be approved as amended. The motion carried by the following vote:

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

## **7. CONSENT AGENDA: City Manager Recommends Approval**

A motion was made by Vice-Mayor Petrolia, seconded by Commissioner Jarjura, that this be approved as amended. The motion carried by the following vote:

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

- 7.A.**     [16-064](#)     APPROVAL OF A FINAL SUBDIVISION PLAT FOR TROPIC CAY 2, LOCATED SOUTH OF AVENUE "F", BETWEEN FREDERICK BOULEVARD AND FLORIDA BOULEVARD

This Request was approved.

- 7.B.**     [16-060](#)     APPROVAL OF THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING OF TROLLEY SERVICE (DOWNTOWN ROUNDABOUT)

This Request was approved.

- 7.C.**     [15-366](#)     ANNUAL PERFORMANCE PAYMENT - JCD SPORTS GROUP, INC.

Vice Mayor Petrolia stated she has an issue with the performance standards. She discussed the criteria and asked who reduced the standards.

Ms. Fisher discussed the new Request for Proposals (RFP) and the standards that will be utilized as part of that process. She stated this contract expires at the end of September 2016.

Vice Mayor Petrolia asked who made the decision to change the standards. Ms. Fisher stated she made the decision and discussed the condition of the golf course. She also asked how does the city know if it has received complete results from the survey.

Mayor Glickstein asked about the RFP and suggested that staff look outside as well for best practices.

A motion was made by Vice-Mayor Petrolia, seconded by Deputy Vice Mayor Jacquet, that this Request be approved. The motion carried by the following vote:

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

**7.D. [15-369](#)** FY15-16 PROPOSED PERFORMANCE MEASURES FOR THE TENNIS FACILITIES, LAKEVIEW GOLF COURSE AND THE MUNICIPAL GOLF COURSE

Vice Mayor Petrolia stated she had some of the same questions for this item and asked why are the standards being lowered.

Ms. Fisher discussed the condition of the clay courts.

Vice Mayor Petrolia commented regarding the expenses and asked why is the city requesting a difference in revenues. She stated the standard should remain set.

**A motion was made by Vice-Mayor Petrolia, seconded by Commissioner Jarjura, that this Request be approved as amended. The motion carried by the following vote:**

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

**7.E [16-055](#)** HOUSING REHABILITATION GRANT AWARD FOR 516 NW 48TH AVENUE

**This Request was approved.**

**7.F. PROCLAMATIONS:**

**7.F.1. [16-115](#)**

Mayor Glickstein read the proclamation for Black History Month into the record.

**7.G. AWARD OF BIDS AND CONTRACTS:**

**7.G.1 [16-090](#)** BID AWARD TO MULTIPLE VENDORS FOR SAFETY SHOES FOR CITY EMPLOYEES (BID 2016-030)

**This item was approved.**

**7.G.2 [16-091](#)** PURCHASE OF FIRE BUNKER GEAR FROM MUNICIPAL EQUIPMENT COMPANY, LLC

**This item was approved.**

**7.G.3**     [16-121](#)     ANALOG ENCODER UPGRADE FOR GRANICUS, INC. FOR VIDEO/  
AUDIO STREAMING

This item was approved.

**8 REGULAR AGENDA:**

**8.A.**     [16-106](#)     WAIVER REQUEST FOR 1040 SOUTH OCEAN BOULEVARD  
REGARDING LOT FRONTAGE (***QUASI-JUDICIAL HEARING***)

Mayor Glickstein read the City of Delray Beach Quasi-Judicial rules into the record for this item.

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. The City Commission members stated they had no ex parte communications to disclose.

Mr. Stillings entered the project file #2015-251-WAI-CCA into record and presented this item. He stated staff believes positive findings can be made regarding this request and recommends approval of the waiver request.

Mr. Louis Carbone, on behalf of the applicant, spoke regarding the project and conducted a presentation.

Mayor Glickstein stated if anyone from the public would like to speak in favor or in opposition of the request, to come forward at this time. There being no one from the public who wished to address the Commission, the public comment was closed.

There was no cross-examination or rebuttal from city staff or the applicant.

Commissioner Jarjura thanked the applicant for a thorough presentation. She stated she is in support of the waiver.

Vice Mayor Petrolia stated the city is constantly making exceptions to the rules and stated this was two lots in the beginning. She commented regarding the lots and stated because the lots were maintained she will support it. She asked why would there be a 75 foot minimum frontage.

Deputy Vice Mayor Jacquet asked about the lot frontage and commented regarding the other lots.

Mayor Glickstein asked how does the staff distinguish this from anyone else and where does staff draw the line as far as what is acceptable.

Mr. Stillings spoke regarding lots of record and combination of lots. He highlighted the Land Development Regulations (LDR) that addresses the combination of lots.

Mayor Glickstein spoke regarding the board order (Letter D).

Discussion ensued between staff and the City Commission regarding the lot size, frontage and width.

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

**A motion was made by Commissioner Jarjura, seconded by Vice-Mayor Petrolia, that this Request be approved. The motion carried by the following vote:**

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

**8.B**     [16-128](#)

All items under routine business approved with the exception of Items 8.B.3. and 8.B.4 which were discussed a separate items.

**A motion was made by Commissioner Jarjura, seconded by Vice-Mayor Petrolia, that this Request be approved. The motion carried by the following vote:**

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

**8.B.1**     [16-098](#)

**AMENDMENT TO SHI FOR MICROSOFT OFFICE 365 LICENSES**

**This item was approved.**

**8.B.2**     [16-048](#)

**INTERLOCAL AGREEMENT - CRA - CO-TITLE TENNIS TOURNAMENT SPONSORSHIP**

**This Agreement was approved.**

**8.B.3**     [15-368](#)

**PROPOSED INCREASE TO MARINA RENTAL RATES - REVISED**

Mayor Glickstein stated he wanted to better understand some of the distinguishing characteristics of the matrix. He stated when he looked at the comparisons the closest to his thinking was Las Olas and stated there is a dramatic difference between where Delray Beach is and Las Olas. Mayor Glickstein also inquired about the amenities.

Ms. Fisher discussed the rates and those of surrounding cities.

Mayor Glickstein stated the city's rates seem very low. He discussed revenue.

Vice Mayor Petrolia stated she would like to see the rates higher.

Mayor Glickstein stated his suggestion would be \$26.

Commissioner Jarjura stated she supports the higher rate as well. She asked about private marinas and metering.

Discussion ensued regarding the rates and there was consensus amongst the City Commission to have the live-aboard rate at \$27 and non live-aboard rate at \$28.

**A motion was made by Commissioner Jarjura, seconded by Vice-Mayor Petrolia, that this Request be approved. The motion carried by the following vote:**

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

**8.B.4.** [16-095](#)

BID 2016-051 TO D.A.K. SECURITY AGENCY, INC. FOR PRIVATE SECURITY FOR THE TENNIS TOURNAMENT ATP CHAMPIONS/ DELRAY BEACH OPEN

The City Attorney stated this is provided per the contract.

**A motion was made by Vice-Mayor Petrolia, seconded by Deputy Vice Mayor Jacquet, that this Request be approved. The motion carried by the following vote:**

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

**8.C.** [16-003](#)

BID AWARD TO MULTIPLE VENDORS FOR STORAGE AREA NETWORK ARRAY COMPONENTS (BID 2016-048)

Mr. Steven Chapman, Interim Purchasing Director, presented this item and discussed the responses of the bid.

Ms. Gwendolyn Spencer, Chief Innovation Technology Officer, conducted a PowerPoint presentation.

Commissioner Jarjura stated she appreciates Ms. Spencer meeting with her earlier and stated what stood out to her was that there was only one responder to the bid. She asked what is needed regarding terabytes and asked about the amount and pricing. Commissioner Jarjura also inquired about other governmental agencies.



Mr. Jack Warner, Chief Financial Officer, spoke regarding the budget for this project. He stated this project will be financed. He commented regarding the list of benefits.

Commissioner Jarjura asked about the life span and network upgrades. She asked about the remaining Request for Proposals (RFP) that will come out in the future and asked that Purchasing include those as part of the agenda backup.

Vice Mayor Petrolia asked about maintenance and support fees. Ms. Spencer stated staff has negotiated five (5) years. Vice Mayor Petrolia stated she appreciates how thorough Ms. Spencer is in her presentation and how she has explained what is needed.

Deputy Vice Mayor Jacquet thanked Ms. Spencer and stated that the fix that is being proposed will address the city's issues. He asked will there be any issues with storage and if any research will be done with how other cities manage their storage.

Mayor Glickstein asked if there is a statute of limitations on how long we keep police department video data and about purging in terms of capacity. Ms. Spencer explained the number of days the video is kept (60 days) and the storage and backup of video data.

Mayor Glickstein asked about smart meters and asked if there are examples of cities out there who have been very aggressive regarding their IT products and services being monetized. He stated he concurs with his colleagues regarding the presentation and asked if this positions us further than where the city would have been.

Mr. Cooper and Mr. Warner responded regarding SAN. Mr. Warner stated he was impressed with Ms. Spencer's ten year projection.

Ms. Spencer discussed infrastructure and applications.

**A motion was made by Deputy Vice Mayor Jacquet, seconded by Commissioner Jarjura, that this Purchasing be approved. The motion carried by the following vote:**

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

## **9. PUBLIC HEARINGS:**

**9.A.**     [16-111](#)     ORDINANCE NO. 01-16 - 102 SW 12TH AVENUE, LOCAL REGISTER OF HISTORIC PLACES DESIGNATION (SECOND READING)

Mr. Noel Pfeffer, City Attorney, read the caption of the ordinance.

There were no public comments.

Later, Mr. Ridley spoke regarding Item 9.A.

**A motion was made by Commissioner Jarjura, seconded by Vice-Mayor Petrolia, that this Ordinance be adopted. The motion carried by the following vote:**

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

**9.B.**     [16-109](#)

ORDINANCE NO. 04-16: CONSIDERATION TO APPROVE AMENDING TITLE XI, "BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, BY CREATING CHAPTER 120, "OPERATION AND SALE OF FOOD FROM MOBILE FOOD TRUCKS (SECOND READING)

**Recommended Action:**

The City Attorney read the caption of the ordinance.

Mr. Michael Coleman presented this item. He highlighted the changes that were made.

**A motion was made by Commissioner Jarjura, seconded by Vice-Mayor Petrolia, that this Ordinance be adopted. The motion carried by the following vote:**

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

**9.C.**     [16-110](#)

ORDINANCE NO. 05-16 CONSIDERATION TO APPROVE AMENDING SECTION 37.45(Q), "SUPPLEMENTAL CODE ENFORCEMENT PROCEDURES", OF THE CODE OF ORDINANCES, TO INCLUDE ASSOCIATED CIVIL PENALTIES FOR VIOLATIONS OF ORDINANCE NO. 04-16, WHICH IF APPROVED, WILL ALLOW THE OPERATION AND SALE OF FOOD FROM A MOBILE FOOD TRUCK (SECOND READING)

**Recommended Action:**

The City Attorney read the caption of this ordinance.

**A motion was made by Vice-Mayor Petrolia, seconded by Commissioner Jarjura,**

that this Ordinance be adopted. The motion carried by the following vote:

**Yes:** 4 - Mayor Glickstein, Vice-Mayor Petrolia, Deputy Vice Mayor Jacquet, and Commissioner Jarjura

**Absent:** 1 - Commissioner Katz

## **10. FIRST READINGS:**

10.A NONE

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

### **A. City Manager**

#### **11.A.1 [16-127](#)**

Mr. Cooper stated he provided the City Commission with a status report regarding the arts garage.

### **B. City Attorney**

Mr. Pfeffer spoke about the Arts Garage regarding issues and next steps. He stated the City Commission should focus on the section of the lease regarding expiration.

Vice Mayor Petrolia asked about the bond and asked that staff has an understanding of what space like this would go for and stated there are also intrinsic items.

### **C. City Commission**

Commissioner Jarjura commented regarding the arts garage and referenced a list that she provided earlier. She spoke regarding Old School Square and stated she met with Mr. Fred Kent. She stated Mr. Jim Chard and Mr. Kent suggested a staff liaison. She stated she would like RFPs, staff reports regarding appealables and minutes as part of the backup.

Vice Mayor Petrolia stated she has received requests for an update regarding the beach master plan. Mr. Cooper discussed the RFQ and requirements regarding design.

Vice Mayor Petrolia commented regarding the Old School Square activity night and Ms. Finst's comments regarding the Lake Worth Drainage District and tax that she is paying.

Deputy Vice Mayor Jacquet stated he had an opportunity to travel to Tallahassee and stated he met with the city's lobbyists. He stated he attended some meetings. He referenced Ms. Morrison who attended

meetings in Tallahassee as well. She discussed the four main issues of the realtors association.

Vice Mayor Petrolia commented regarding dune fencing in terms of the beach master plan.

Mayor Glickstein thanked Ms. Spencer and her IT department. He stated he appreciates all of the work on the MLK events. He spoke regarding the arts garage and stated this Commission jumpstarted this conversation months ago. He stated he would like the financial analysis to address all non profits in terms of making them stronger and less reliant on tax payer funding; in addition, it should address address redundancies and economy of scale.

There being no further business, Mayor Glickstein adjourned the meeting at 8:51 p.m.