

City of Delray Beach

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Minutes - Draft

Tuesday, December 6, 2016

6:00 PM

Regular Meeting at 6:00 PM

Delray Beach City Hall

City Commission

1. ROLL CALL

The 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. on Tuesday, December 6, 2016.

Roll call showed
Commissioner Shelly Petrolia
Deputy Vice Mayor Jordana Jarjura
Commissioner Mitchell Katz
Mayor Cary D. Glickstein

Absent:
None

Also present were:
Donald Cooper, City Manager
R. Max Lohman, City Attorney
Chevelle D. Nubin, City Clerk

2. PLEDGE OF ALLEGIANCE TO THE FLAG**3. PRESENTATIONS:**

Mayor Glickstein gave comments. He recognized and congratulated Coach T. J. Jackson and the Atlantic Community High School. He thanked various organizations for the tree lighting event and commended the Empty Bowls Delray event which raised monies for the Palm Beach County Food Bank. He also recognized and commended Delores and Gabby Rangel for their efforts with Project Holiday.

Mayor Glickstein read a letter into record from Delray Beach Police Officer Rob Adeo.

Commissioner Shelly Petrolia recognized S.D. Spady Montessori for being asked to come to Carnegie Hall.

3.A. None

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

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

Mr. Donald B. Cooper spoke

4.B. From the Public

Public Comment:

Steve Blum spoke regarding Federal Highway, signage and foliage.

Marjorie Waldo, Executive Director of the Arts Garage, provided a report of what the Arts Garage did last month.

Patrick Halliday spoke regarding the bicycle club's proposal for a pedicab.

Pauline Moody spoke about the appointment to the City Commission and garbage cans.

Winnie Edwards spoke regarding the non profit funding item and thanked the City Commission. She also thanked Mr. Cooper and the city for working so hard on their patio.

Anthony Whitman spoke about a parking lot and issues near NE 3rd.

Angeleta Gray spoke about the appointment to the City Commission.

Ann Stacey Wright spoke regarding the appointment to the City Commission.

Morris K (?) spoke about the appointment to the City Commission.

Jim Chard spoke about the appointment to the City Commission, the process and elections. He also spoke regarding seagrapes and trimming of trees.

Reginald Cox spoke regarding the appointment to the City Commission.

Greta Britt spoke about the appointment to the City Commission.

Chuck Ridley spoke regarding the appointment to the City Commission and the election cycle.

Shirley Johnson spoke regarding the appointment to the City Commission and read a statement into record.

Andrea Bruton spoke regarding the appointment to the City Commission.

Fran Marincola spoke regarding the meters item on the agenda tonight.

Kevin Warner asked the City Commission to fill the seat tonight and stated he is on the PMAB board and commented regarding meters and the

parking management program.

Prince Arafat spoke regarding the appointment to the City Commission.

Emmanuel Dupree Jackson, Jr. spoke regarding the appointment to the City Commission.

Patrick Glover spoke regarding the appointment to the City Commission.

Neil Schiller spoke regarding Item 7.C. and Item 7.F.

Patricia Wright spoke regarding the appointment to the City Commission.

Dewayne Randolph spoke regarding the appointment to the City Commission and read a statement into record.

Andy Katz, Beach Property Owners Association (BPOA) spoke regarding the Zimmerman Tree Trimming contract.

Bruce Gimmy spoke regarding T2 and the management company. He stated the purchasing department was very professional and commended Ryan Lingholm. He stated it was a lot of work and he is happy with the results.

Tom MacMurrian stated Ocean Properties is a privately owned company. He stated is here to speak about the dunes and the tree trimming of the seagrasses.

Donald Robinson spoke regarding the plan for the seagrasses and some things occurring in the thicket.

5. AGENDA APPROVAL

The City Attorney asked that Item 7.L. be added to the agenda.

Commissioner Petrolia asked that Item 6.F. be moved to the Regular Agenda as Item 7.B.B. and that Item 6.J (Delray Place South) be moved to the a regular meeting agenda as Item 7.C.C.

Mayor Glickstein noted that Item 6.J. (Delray Place South) actually involves six (6) items: 2 denials from SPRAB, four (4) approvals from SPRAB, two

(2) waivers, and a landscape plan & elevation and Commissioner Petrolia is appealing the four (4) approvals because the applicant has already appealed the two (2) denials.

Commissioner Katz requested that Item 7.B. be moved to before the other items so that it is the first item on the regular agenda as Item 7.A.A.

It was noted that Item 7.A., Routine Business on the Regular Agenda will become Item 7.B. and the rest of the agenda will be in sequential order.
approved as amended

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

6. CONSENT AGENDA: City Manager Recommends Approval

6.A. [16-1031](#) INTERLOCAL AGREEMENT WITH THE COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR CODE ENFORCEMENT SERVICES

Recommendation: Motion to Approve the Interlocal Agreement between the City and the CRA for the one hundred percent (100%) contribution of funding for the Code Enforcement Officer position not to exceed forty-two thousand dollars (\$42,000).

Sponsors: Community Improvement

Attachments: [Interlocal Agreement with the CRA for Code Enforcement Services](#)

6.B. [16-1089](#) RENEWAL OF THE AGREEMENT WITH ELEV8 SPORTS INSTITUTE, INC.

Recommendation: Motion to Approve renewal of the Agreement with Elev8 Sports Institute, Inc. for landscape maintenance at the Seacrest Soccer Complex Hilltopper Stadium at an annual not-to-exceed amount of \$75,000.

Sponsors: Purchasing Department

Attachments: [2014-45 - Agreement Amendment-Renewal](#)
[Agreement for Seacrest Landscape Maintenance](#)
[Seacrest Hilltopper 2015-2016 Extension](#)
[2016-2017 Renewal Letter](#)
[10-20-2015 Regular Meeting Agenda Results](#)

6.C. [16-1104](#) AMENDMENT TO EXTEND THE AGREEMENT WITH AMERISTAR PARKING SOLUTIONS, LLC IN A NOT-TO-EXCEED AMOUNT OF \$40,000

Recommendation: Motion to Approve an amendment to extend the Agreement with Ameristar Parking Solutions, LLC for parking facility management in a not to exceed amount of \$40,000.

Sponsors: Purchasing Department

Attachments: [Parking Facility Management Amendment No. 2, Supplier Executed](#)

- 6.D.** [16-1115](#) REJECT ALL PROPOSALS FOR RFQ NO. 2016-139 NE
2nd-SEACREST BEAUTIFICATION CONSTRUCTION ENGINEERING
AND INSPECTION SERVICES

Recommendation: Motion to Reject all proposals received in response to RFQ No. 2016-139 for the Construction Engineering and Inspection Services Seacrest Beautification, Project #2014-071.

Sponsors: Purchasing Department

- 6.E.** [16-1138](#) AUTHORIZATION TO SOLICIT PROPOSALS TO PERFORM DESIGN
AND CONSTRUCTION SERVICES FOR THE REPLACEMENT OF THE
PAVILION AT ATLANTIC DUNES PARK IN AN AMOUNT NOT TO
EXCEED \$200,000

Recommendation: Motion to Approve solicitation for a firm or team of firms to design and construct the replacement of the Pavilion at Atlantic Dunes Park in an amount not to exceed \$200,000.

Sponsors: Environmental Services Department

Attachments: [Atlantic Dunes Pavilion Replacement](#)

- 6.F.** [16-1121](#) AGREEMENT FOR TREE-TRIMMING AND PRUNING SERVICES WITH
ZIMMERMAN TREE SERVICES UTILIZING THE TOWN OF PALM
BEACH CONTRACT

Recommendation: Motion to Approve an Agreement with Zimmerman Tree Services for Tree Trimming and Pruning Services using a Town of Palm Beach contract in a not-to-exceed amount of \$75,000.

Sponsors: Environmental Services Department

Attachments: [Bid No. 2015-08 - Tree Trimming and Pruning Services - Final](#)
[Bid No. 2015-08 - Tree Trimming and Pruning Services - Add No. 1 with Attach](#)
[Bid No. 2015-08 - Tree Trimming and Pruning Services - Tabulation](#)
[Resolution 42-2016 - Tree Trim & Pruning](#)
[Zimmerman Best Price Letter](#)

Commissioner Petrolia stated she has a concern and stated she cannot support the item.

Deputy Vice Mayor Katz stated he sent an email this morning and asked to see the permit regarding this.

Mr. John Morgan spoke regarding the permit and the services. He also

commented regarding visibility and rights of way.

Mr. Bannon spoke regarding requirements for the permits. He also spoke regarding seagrapes.

Vice Mayor Jarjura stated she will follow the direction of the consultant hired by the city and the staff.

Commissioner Katz asked about the sections.

Mayor Glickstein stated this same question regarding seagrapes was asked of John Englander during the town hall lecture series.

continued

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

- 6.G.** [16-1137](#) AWARD OF AN AGREEMENT TO COASTAL INDUSTRIES USA, LLC, D/B/A RUST WIZARD TO PROVIDE ANTI-RUST CHEMICALS AND PUMP MAINTENANCE FOR CITY IRRIGATION SYSTEM

Recommendation: Motion to Award an agreement to Coastal Industries USA, LLC d/b/a Rust Wizard for Anti-Rust Chemicals and Pump Maintenance in a total annual not- to-exceed amount of \$43,000.

Sponsors: Purchasing Department

Attachments: [Agreement Anti-Rust Chemical](#)
 [2017-005 Tab Sheet](#)

- 6.H.** [16-660](#) SERVICE AUTHORIZATION NO. 12-02.2 (AMENDMENT NO. 2) WITH CALVIN, GIORDANO AND ASSOCIATES, INC. IN THE AMOUNT OF \$98,622.77 FOR CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES (CEI) FOR THE S.E. 2ND STREET AND S.E. 2ND AVENUE STREETScape IMPROVEMENTS PROJECT

Recommendation: Motion to Approve Service Authorization 12-02.2 (Amendment No. 2) to Calvin, Giordano and Associates, Inc. in the amount of \$98,622.77 to provide Construction, Engineering, and Inspection (CEI) services for the construction of the S.E. 2nd Street and S.E. 2nd Avenue Streetscape Improvements Project (Project No. 2013-020).

Sponsors: Environmental Services Department

Attachments: [Service Authorization No. 12.02.2](#)

6.I. PROCLAMATIONS:

6.I.1. None

6.J. [16-1128](#) REPORT OF APPEALABLE LAND USE ITEMS OCTOBER 24, 2016
THROUGH NOVEMBER 4, 2016

Recommendation: Motion to Receive and File this report.

Sponsors: Planning and Zoning Board

Attachments: [Location Map](#)

[Delray Beach Boxing - Appealable](#)

[Shaner Project - Appealable](#)

[Delray Place South - Appealable](#)

[Delray Place South - Staff Report SPRAB Meeting 10-26-16 with All Exhibits](#)

Motion to appeal all four Delray Place items.
approved as amended

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

6.K. AWARD OF BIDS AND CONTRACTS:

6.K.1. None

7. REGULAR AGENDA:

7.A. [16-1176](#) 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)

All routine business items were approved.
approved

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

7.A.1 [16-1091](#) APPROVE A GRANT AGREEMENT WITH THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF
WATER RESTORATION, FOR PROVIDING SUPPLEMENTARY
FUNDING FOR THE AREA 12C RECLAIMED WATER SYSTEM
EXPANSION PROJECT, PROJECT NO. 2016-024, IN THE AMOUNT OF
\$300,000

Recommendation: Motion to Approve and execute a grant agreement with the State of Florida
Department of Environmental Protection (FDEP), Division of Water
Restoration, for providing supplementary funding for the Area 12C
Reclaimed Water System expansion project in the amount of \$300,000,
Project No. 2016-024.

Sponsors: Environmental Services Department

Attachments: [FDEP Grant Agreement No. LP50201 for Area 12C Reclaimed Water Project](#)
[Location Map for Reclaimed Area 12C](#)

7.A.2. [16-1108](#) RENEWAL OF A PURCHASE AWARD TO LHOIST NORTH AMERICA OF ALABAMA, LLC FOR QUICKLIME FOR WATER TREATMENT

Recommendation: Motion to Approve the renewal of the purchase award to LHoist North America of Alabama, LLC for bulk quicklime in a not-to-exceed amount of \$920,000.00 for fiscal year 2017 utilizing the Boynton Beach, Delray Beach, Lake Worth Cooperative Purchase Bid No. 009-2821-13/JMA.

Sponsors: Purchasing Department

Attachments: [Annual Supply of Quicklime 2012 Final](#)
[Delray Beach 2016-2017 Renewal Letter](#)
[Quicklime Agenda Item Request 12-04-12](#)
[Revised Boynton Beach Renewal Letter 10-14-16](#)
[City of Boynton Beach Renewal](#)

7.A.3. [16-1109](#) RATIFICATION OF EMERGENCY PURCHASE WITH ATLANTIC REFRIGERATION, CORP. AND APPROVAL OF AN INCREASE IN ANNUAL SPEND

Recommendation: Motion to Ratify the emergency purchase with Atlantic Refrigeration, Corp. to replace the ballroom air condition at Delray Beach Golf Club and approval of an increase of \$65,000 in annual spend.

Sponsors: Purchasing Department

Attachments: [City Commission Memo from 11-03-2015 - Renewal - 2nd](#)
[Contract #2014-10 Atlantic Refrigeration](#)
[01-07-14 Regular Meeting](#)
[Acquisition Approval-Atlantic Refrig. Golf Club Air Conditioner](#)
[Atlantic Refrigeration Invoice](#)

7.A.4. [16-1118](#) AWARD OF AN AGREEMENT TO THE DRS GROUP OF FLORIDA, INC. FOR DOCUMENT IMAGING, INDEXING AND SHREDDING SERVICES IN A NOT TO EXCEED AMOUNT OF \$200,000

Recommendation: Motion to Award an agreement to The DRS Group of Florida, Inc. through October 1, 2018 for document imaging, indexing and shredding services in a not to exceed amount of \$200,000 utilizing the City of Parkland Contract No. 2013-06.

Sponsors: Purchasing Department

Attachments: [2013-105 Bid Award DRS Imaging Group of Fla ref. RFP No. 2013_6](#)
[DRS Gov Contract Agreement](#)
[DRS Best Price](#)

7.B. [16-1157](#) APPOINTMENT OF PERSON TO FILL UNEXPIRED TERM FOR SEAT #2

Recommendation: Motion to Appoint a person to fill the unexpired term for Seat #2 until the March 30, 2017 Organizational Meeting.

Sponsors: City Clerk Department

Attachments: [Delray Beach Charter Article III Section 3.08](#)
[Procedures for Selecting a New Commissioner](#)
[Ballot for CITY COMMISSION SEAT 2](#)

Mr. Max Lohman, City Attorney, presented this item.

Mayor Glickstein spoke regarding the contract with the Supervisor of Elections.

Mr. Lohman stated this is a deliberation for the City Commission.

City Commission discussion ensued regarding Ms. Yvonne Odom and Mr. Josh Smith, Jr. and it remained the same as the previous meeting. There was no formal vote at this meeting.

7.C. [16-1140](#) TERMINATION OF THE AGREEMENTS FOR WRECKER, TOWING AND STORAGE SERVICES WITH BECKS TOWING AND RECOVERY, INC., PRIORITY TOWING, INC., AND WESTWAY TOWING, INC.

Recommendation: Motion to Terminate the Agreements for wrecker, towing and storage with Becks Towing and Recovery, Inc., Priority Towing, Inc. and Westway Towing, Inc. effective on December 9, 2016.

Sponsors: Purchasing Department

Attachments: [Towing Contract Termination Notices](#)
[Towing Contract Termination Extension Notices](#)

Ms. Theresa Webb presented this item and stated the motion should state December 10th instead of December 9th.
approved as amended

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

7.D. [16-1150](#) FUNDING AGREEMENTS PER COMMISSION DIRECTIVE FOR SERVICE PROVIDERS ESTABLISHING REPORTING AND PERFORMANCE STANDARDS

Recommendation: Motion to Approve funding agreements for the following Service Providers:

Community Child Care Center of Delray Beach, The Friends of Sandoway House Nature Center, Inc., EPOCH, Inc., Boys and Girls Club of Palm Beach County, Inc., and Delray Beach Historical Society, Inc.

Sponsors: City Manager Department

Attachments: [Community Child Care Center of Delray Beach](#)
[The Friends of Sandoway House Nature Center](#)
[Expanding and Preserving Our Cultural Heritage](#)
[Boys and Girls Club of Palm Beach County](#)
[Delray Beach Historical Society](#)
[Summary of Service Provider Agreements](#)

Mr. Cooper presented this item.

Vice Mayor Jarjura asked about the non profits and funding.

Further discussion ensued regarding the funding agreements and quasi governmental functions.

Mayor Glickstein asked the non profits who were present if they are clear on the agreements.

approved

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

7.E. [16-1120](#) AWARD OF AN AGREEMENT TO T2 SYSTEMS, INC. FOR MULTI-SPACE SMART PARKING METERS IN A NOT-TO-EXCEED AMOUNT OF \$600,000

Recommendation: Motion to Award a two-year Agreement to T2 Systems, Inc. in an amount not-to-exceed \$600,000 for Multi-Space Smart Parking Meters.

Sponsors: Purchasing Department

Attachments: [Cost Summary for Agreement](#)
[2016-057L Summary of Findings](#)
[Contract Negotiation Documents, Parkeon](#)
[Contract Negotiation Documents, T2](#)
[Multi-space Smart Parking Meters Agreement \(r4\)](#)

Ms Theresa Webb and John Morgan presented this item.

Mayor Glickstein asked where the 58 meters will be placed.

Mr. Morgan discussed the placement of meters.

Vice Mayor Jarjura commended staff and stated she is really proud of this

team.

Commissioner Petrolia spoke regarding the meters and stated the issue is the city has not established what kind of income is being received and costs regarding the meters.

Vice Mayor Jarjura asked about the investment and what number does that equate to.

Jorge Alcaron spoke regarding the project and different payment options for persons to comply.

Commissioner Katz asked what is the increase per space. He also inquired about the current income per space.

Mayor Glickstein asked what is the projected net revenue gain.

Further discussion ensued regarding the meters.

approved

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

**7.F. [16-1127](#) APPROVAL OF RANKING AND AUTHORIZATION TO ENTER INTO
NEGOTIATIONS FOR AN AGREEMENT FOR COMPREHENSIVE
PARKING MANAGEMENT SERVICES**

Recommendation: Motion to Approve the ranking of proposal responses and authorize staff to enter into negotiations for an agreement for Comprehensive Parking Management Services.

Sponsors: Purchasing Department

Attachments: [2016-107 Scoring Summary - Final Evaluations, Signed](#)
[2016-107 RFP \(Final\)](#)
[2016-107 Addendum 3 \(r1\)](#)
[2016-107 Addendum 2](#)
[2016-107 Addendum 1](#)
[Lanier Parking Solutions, Inc.](#)

Ms. Theresa Webb presented this item.

Commissioner Petrolia stated she is not understanding the forms for the rankings.

Ms. Webb explained the ranking forms.

Deputy Vice Mayor Katz commented regarding proprietary companies regarding parking and predatory practices.

Commissioner Petrolia asked about negotiations.

Mayor Glickstein stated previous financial analyses were incomplete and ambiguous.

Commissioner Petrolia stated there is an issue with parking garages where valets are using the garages as their lots.

Mr. Morgan stated that has been a problem and staff is keeping a check on this.

Mayor Glickstein stated valets are taking liberty with blocking traffic and stated he has been receiving photos regarding this issue.
approved

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

7.G. [16-1125](#)

AWARD OF AN AGREEMENT TO FIDUCIARY FIRST, LLC FOR INVESTMENT MANAGEMENT SERVICES

Recommendation: Motion to Award (RFP No. 2017-01) to Fiduciary First, LLC to provide fiduciary and investment management services for the City's Employees' Deferred Compensation Plan (IRC 457(b)) and the City's Defined Contribution Retirement Plans (IRC 401(a)). The annual \$39,000 cost of services will be paid by the plans at no cost to the City.

Sponsors: Purchasing Department

Attachments: [Agreement](#)
[2017-001 Evaluation Scoring Form](#)

Jeff Snyder, Chief Financial Officer, presented this item.

Commissioner Petrolia asked for an explanation of the item and asked what is going on right now with the DROP plan.

Mr. Snyder explained the scope of services.

Commissioner Petrolia asked if the pension board is responsible for this right now.

approved

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

7.H. [16-966](#) RESOLUTION NO. 52-16; MASTER LEASE PURCHASE AGREEMENT WITH PNC BANK EQUIPMENT FINANCE

Recommendation: Motion to Adopt Resolution No. 52-16; approving the form and authorizing the execution and delivery of a Master Lease Purchase Agreement with PNC Equipment Finance in an aggregate principal amount not to exceed \$2,650,000.

Sponsors: Finance Department

Attachments: [Resolution No. 52-16](#)

[Memo from February 2, 2016 Regular Meeting](#)

[Lease Financing Comparisons Ladder & Golf Carts dated December 2016](#)

[PNC - Master Lease Purchase Agreement dated December 2016](#)

[PNC-Florida Master Lease Addendum dated December 2016](#)

[PNC - Golf Carts Financing Documents dated December 2016](#)

[PNC Ladder Truck-Escrow Agreement](#)

[PNC Ladder Truck-Escrow Rider](#)

[PNC Ladder Truck-Lease Schedule Number](#)

[PNC Ladder Truck-Payment Schedule A](#)

[PNC Ladder Truck-Vehicle Schedule Addendum](#)

Mr. Snyder presented this item.

adopted

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

7.I. [16-1130](#) NOMINATION FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD

Recommendation: Recommend nomination for appointment for one (1) regular member to serve on the Green Implementation Advancement Board for an unexpired term ending July 31, 2017.

Sponsors: City Clerk Department

Attachments: [Green Implementation Advancement Board Member List](#)

[Green Implementation Advancement Board Attendance List](#)

Walker Shipley

approved

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

7.J. [16-1131](#) NOMINATION FOR APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD

Recommendation: Recommend nomination for appointment for one (1) regular member to serve on the Public Art Advisory Board for an unexpired term ending July

31, 2018.

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)
[Public Art Advisory Board Member List](#)
[Public Art Advisory Board Attendance List](#)

Bearerro (sp)
approved

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

7.K. [16-1132](#) NOMINATION FOR APPOINTMENT TO THE POLICE ADVISORY BOARD

Recommendation: Recommend nomination for appointment for one (1) regular member to serve on the Police Advisory Board for an unexpired term ending July 31, 2017.

Sponsors: City Clerk Department

Attachments: [Police Advisory Board Member List](#)
[Police Advisory Board Attendance List](#)

Nancy Chan (sp)
approved

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

7.L. [16-998](#) NOMINATION FOR APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD

Recommendation: Recommend 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, 2018.

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)
[Site Plan Review and Appearance Board Member List](#)
[Site Plan Review and Appearance Board Attendance List](#)

Laura Sullivan
approved

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

8. PUBLIC HEARINGS:

8.A. [16-1154](#) LEASE WITH OLD SCHOOL SQUARE CENTER FOR THE ARTS, INC.

Recommendation: Motion to Approve execution of a 10-year lease with Old School Square

Center for the Arts, Inc. **(STAFF HAS REQUESTED THAT THIS ITEM BE DEFERRED TO A DATE CERTAIN OF DECEMBER 13, 2016 AT 7:00 PM)**

Sponsors: City Attorney Department

Mayor Glickstein opened the public hearing.
continued

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

- 8.B.** [16-1156](#) RESOLUTION NO. 56-16, CONTRACT FOR SALE AND PURCHASE BETWEEN MIC VENTURES, LLC AND THE CITY OF DELRAY BEACH

Recommendation: Motion to Approve Resolution No. 56-16.

Attachments: [Resolution No. 56-16](#)
 [Contract for Sale and Purchase](#)
 [Quit Claim Deed for Wallace Drive](#)

Mr. Donald B . Cooper, City Manager, presented this item.

Mayor Glickstein declared the public hearing open.

Jim Zengage was presented for questions.

There being no one else from the public who wished to address the Commission, the public hearing was closed.
approved

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

- 8.C.** [16-1136](#) ORDINANCE NO. 31-16: UPDATE TO THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE PLAN TO INCORPORATE THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN ADOPTED BY THE CITY COMMISSION (SECOND READING)

Recommendation: Motion to Approve the Planning and Zoning Board's finding of Consistency of the 5-Year Capital Improvement Plan for FY 2016-17 through FY 2020-21, and FY 2016-17 Capital Improvement Budget, and approve Ordinance No. 31-16, and Table CI-CIP, to update the Capital Improvement Element of the Comprehensive Plan.

Sponsors: Planning and Zoning Board

Attachments: [Ordinance No. 31-16](#)
[Capital Improvement Plan](#)
[Planning and Zoning Board Staff Report](#)
[Planning and Zoning Board Draft Minutes from September 26, 2016](#)

City Attorney read the caption of the ordinance.

Mark McDonnell, presented this item and entered the project file into the record.

Mayor Glickstein declared the public hearing open. There being no one from the public who wished to address the Commission, the public hearing was closed.
adopted

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

- 8.D.** [16-1155](#) ORDINANCE NO. 32-16: AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, BY REPEALING SECTION 4.5.3, "FLOOD DAMAGE CONTROL DISTRICTS", RENUMBERING SECTION 4.5.4, "COASTAL CONSTRUCTION", AND ENACTING A NEW CHAPTER 10, "FLOOD DAMAGE CONTROL DISTRICTS AND COASTAL CONSTRUCTION" TO PROVIDE FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ARTICLE 10.4, "COASTAL CONSTRUCTION" (SECOND READING)

Recommendation: Consider an amendment to Land Development Regulation by repealing Section 4.5.3, "Flood Damage Control Districts", renumbering Section 4.5.4, "Coastal Construction", and enacting a new Chapter 10, "Flood Damage Control Districts and Coastal Construction".

Sponsors: Planning and Zoning Board

Attachments: [Ordinance No. 32-16](#)
[Planning and Zoning Board Staff Report](#)

City Attorney read the caption.

Mark McDonnell presented this item.

Mayor Glickstein declared the public hearing open. There being no one from the public who wished to address the Commission, the public hearing was closed.

adopted

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

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

10.A.1 [16-1170](#) CITY MANAGER'S REPORT

Sponsors: City Manager Department

Attachments: [Penny Surtax Oversight Committee Memo](#)

Mr. Cooper spoke regarding a Penny Surtax Committee and whether the city would like to establish its own or work with the Palm Beach County League of Cities.

Mr. Lohman also spoke regarding this.

B. City Attorney

Mr. Lohman spoke regarding procurement.

C. City Commission

Deputy Vice Mayor Katz spoke regarding the Empty Bowls event, a mailer, the appointment and the City Commission.

Vice Mayor Jarjura spoke regarding Deputy Vice Mayor Katz's comments, his apology to her and gave further comments.

Commissioner Petrolia stated she spoke with Mark Denkler with the DDA today and commented regarding uber downtown and the extension of taxi spaces to them. She also commented regarding meters and asked the City Commission to consider not placing meters in a very small section of Atlantic Avenue. She commented regarding street closures and owner of Vince Canning Shoes has received a great honor. Commissioner Petrolia spoke regarding garbage downtown and stated there are businesses who are not paying for garbage service and are using others dumpsters.

Mayor Glickstein stated code enforcement needs to make determinations and have those businesses pay for it.

Mr. Cooper stated staff will look into this.

Commissioner Petrolia stated Project Holiday was great. She commented on the mailer.

Mayor Glickstein stated he had a request from the Gulfstream Boy Scouts for surplus vehicles from the city and provided the contact information to the City Manager. He commented regarding an employee's comments who serves on the General Employees' Pension Board. He asked that the membership be reviewed. Mayor Glickstein spoke regarding Kaufman Lynne closing on their property and stated this news should be pushed out i.e. press releases.

There being no further business, Mayor Glickstein adjourned the meeting at 9:49 p.m.