

City of Delray Beach

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Minutes - Draft

Tuesday, February 21, 2017

6:00 PM

Regular Meeting at 6:00 PM

Delray Beach City Hall

City Commission

Mayor Cary Glickstein
Vice Mayor Jordana Jarjura
Deputy Vice Mayor Mitchell Katz
Commissioner Shelly Petrolia

1. ROLL CALL

Mayor Glickstein called the meeting to order at 6:00 p.m.

City Commission members in attendance were:

Ms. Petrolia
Mr. Katz
Ms. Jarjura
Mayor Glickstein

Also in attendance were:

City Manager Lauzier
City Attorney Lohman
Acting City Clerk Wynn

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

Mayor Glickstein asked if there were any staff recommended changes to the agenda.

Mr. Neal De Jesus, Interim City Manager requested to pull Item 7F-nomination for appointment to the General Employees Retirement Committee.

Commissioner Petrolia requested to speak on Item 6.J. It became item 7A.A on the Regular Agenda.

Commissioner Petrolia made a motion to approve the consent agenda as amended. It was seconded by Vice Mayor Jarjura. A roll call vote was taken and the motion carried 4-0.

4. PRESENTATIONS:

4.A. [17-166](#)

Sponsors: City Clerk Department

Attachments: [211 Awareness 2017](#)
[211- 2017 PBC Presentation-Sharon](#)

Mrs. Sharon L'Herrou, CEO and Executive Director of 2-1-1, presented a PowerPoint that discussed the available resources to the residents of Palm Beach County.

Commissioner Petrolia asked Mrs. L'Herrou if the recent Open House

Event was an annual event. She also asked her if they received a backup generator for the office. Mrs. L'Herrou stated that the agency had just received a grant for a generator and a \$150,000 grant for computers and phones.
approved

4.B. [17-174](#) PRESENTATION FROM PALM BEACH COUNTY SCHOOL DISTRICT REGARDING THE REFERENDUM PROJECT LIST

Recommendation: Hear the presentation.

Attachments: [School Board Referendum Project list](#)

Mike Burke, Chief Financial Officer with the Palm Beach County School District gave a presentation. He discussed the needs of the penny tax that was recently implemented . He described what the tax committee would do do and how the funds would be distributed throughout the schools in Delray Beach. He also explained what the impact would be county-wide. He went over his Power Point presentation. He stated there is a website that citizens can track progress of each project. The money is specific to capital improvement -- not teacher salary increases.

Mayor Glickstein asked what is timing on the projects for Pine Grove and Plumosa. He advised that he did not have these dates readily available, but this information is revisited each year. He would follow up with Ms. Meeks.

Deputy Vice Mayor Katz commented about Pine Grove's timeline and priorities with construction.

Mayor Glickstein talked about the revenue and deferred maintenance.

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

City Manager had no comments.

5.B. From the Public

Ms. Pauline Moody of 609 S.W. 8th Avenue had concerns with Pine Grove School and how run down it had become.

Timothy Taylor made comments regarding the \$800,000 cost of the Christmas tree, and the \$200,000 to keep it up.

Jackie Johns of PO Box 1797, Tallahassee, Florida is not in support of purchasing the Christmas tree.

Christina Morrison of 2809 Florida Boulevard is concerned with sober homes in the community and, she stated she is on the task force regarding this issue.

Larry Wyman of Washington Road, would like the Commission to make a decision tonight on the tree because it takes six (6) months to fabricate it.

There being no further public comments, the public comment section was closed.

6. CONSENT AGENDA: City Manager Recommends Approval

Commissioner Petrolia made a motion to approve the consent agenda as amended. It was seconded by Deputy Vice Mayor Katz. A roll call vote was taken and all were in favor. The motion carried 4-0.

6.A. [17-165](#) ACCEPTANCE OF A HOLD HARMLESS AGREEMENT FOR 900 S. OCEAN BOULEVARD

Recommendation: Motion to approve and accept a Hold Harmless Agreement for 900 S. Ocean Boulevard.

Sponsors: Environmental Services Department

Attachments: [Location Map for 900 S. Ocean Blvd..pdf](#)
[FDOT Utility Permit](#)
[Hold Harmless Agreement for 900 S. Ocean Blvd](#)
[Ledges Annual Filing #723052.pdf](#)

approved

6.B. [17-047](#) ACCEPTANCE OF A 5' RIGHT OF WAY DEDICATION ALONG SE 7TH AVENUE, FOR THE PROPERTY LOCATED AT 55 SE 7TH AVENUE

Recommendation: Motion to Approve the acceptance of a 5' Right-of-Way Dedication for the property located at 55 SE 7th Avenue.

Sponsors: Planning & Zoning Department

Attachments: [55 SE 7th Avenue ROW Deed](#)

approved

6.C. [17-085](#) SERVICE AUTHORIZATION NO. 12-20.1 WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR THE DESIGN OF WATER MAIN UPGRADES FOR NW 1ST AVENUE AND NW 2ND AVENUE (Project No. 16-033)

Recommendation: Motion to Approve Service Authorization 12-20.1 to Kimley-Horn and Associates, Inc. in the amount not-to-exceed \$9,236.46 for professional engineering design services relating to water main upgrades along NW 1st Avenue and NW 2nd Avenue, from NW 3rd Street to NW 3rd Court.

Sponsors: Environmental Services Department

Attachments: [Service Authorization 12-20.1](#)
[NW 1st Avenue/ NW 2nd Avenue Location Map](#)
[Amendment No. 3 Kimley Horn Associates](#)
[Kimley Horn Associates Contract Extension](#)

approved

- 6.D. [17-124](#) SERVICE AUTHORIZATION NO. 12-16 WITH WANTMAN GROUP, INC. IN AN AMOUNT NOT-TO-EXCEED \$183,110 FOR THE NE 2ND AVENUE/SEACREST BEAUTIFICATION PROJECT PHASE III

Recommendation: Motion to Approve Service Authorization No. 12-16 with Wantman Group, Inc. for design services for the N.E. 2nd Avenue / Seacrest Beautification Project Phase III (Project No. 17-010) in the amount not-to-exceed \$183,110.

Sponsors: Environmental Services Department

Attachments: [Location Map](#)
[WGI NE 2nd Avenue LAP Phase III](#)
[Gen Engineering Svcs Amendment No. 4, Wantman CAO rev](#)
[Engineering Agreement, Wantman](#)

approved

- 6.E. [17-164](#) SERVICE AUTHORIZATION NO. 12-27 TO BAXTER AND WOODMAN COMPANY FOR PROFESSIONAL SERVICES TO EVALUTE THE PUBLIC UTILITIES TELEMETRY SYSTEM

Recommendation: Motion to Approve Service Authorization No. 12-27 to Baxter and Woodman Company d/b/a Mathews Consulting, in an amount not-to-exceed \$38,855.00, for professional services in a not-to-exceed amount of 40,000.

Sponsors: Environmental Services Department

Attachments: [Service Authorization No.12-27 to Mathews Consulting for Telemetry \(SCADA\) System Evaluation](#)
[Engineering Agreement, Mathews](#)
[Gen Engineering Svcs Amendment No. 4 Baxter \(Mathews\) CAO rev](#)

approved

- 6.F. [17-161](#) SERVICE AUTHORIZATION NO. 12-22 TO KIMLEY-HORN AND ASSOCIATES, INC. IN THE NOT TO EXCEED AMOUNT OF \$4,000 FOR A STOP CONTROL WARRANT ANALYSIS

Recommendation: Motion to Approve Service Authorization No. 12-22 to Kimley-Horn and Associates, in an amount not-to-exceed \$4,000.00, for engineering consulting services to conduct a stop control warrant analysis.

Sponsors: Environmental Services Department

Attachments: [Service Authorization 12-22 Stop Control Warrant Analyses](#)

approved

- 6.G. [17-106](#) SERVICE AUTHORIZATION NO. 12-26 WITH KIMLEY-HORN AND ASSOCIATES, INC. TO INSPECT THE STRUCTURAL CONDITION OF THE 100' STEEL CHRISTMAS TREE DURING DISASSEMBLY IN A NOT-TO-EXCEED AMOUNT OF \$3,800

Recommendation: Motion to Approve Service Authorization No. 12-26 with Kimley-Horn and Associates, Inc. (KHA) in the amount not-to-exceed \$3,800 for professional engineering services to inspect the City's 100' Christmas Tree steel frame during disassembly and provide recommendations with respect to assembly of the tree for the 2017 holiday season.

Sponsors: Environmental Services Department

Attachments: [Service Authorization No. 12-26](#)
[2015 Christmas Tree Evaluation - Kimley Horn and Associates](#)
[2015 Supplemental Report - Kimley-Horn](#)
[Kimley Horn and Associates Contract Extension](#)
[Amendment No. 3 Kimley Horn and Associates](#)
[Engineering Agreement - Kimley](#)

approved

- 6.H. [17-130](#) ACQUISITION OF A NEW 100' ALUMINUM CHRISTMAS TREE AND GENERAL CONTRACTOR SERVICES FOR THE CONSTRUCTION OF THE TREE CONCRETE FOUNDATION AND ELECTRICAL SERVICE, ASSEMBLY/DISASSEMBLY, MAINTENANCE, AND STORAGE/TRANSPORTATION OF THE TREE AND THE NORTH POLE VILLAGE STRUCTURES TO THE EVENT SITE AT OLD SCHOOL SQUARE

Recommendation: Motion to Approve expediting the acquisition of a new 100' Aluminum Christmas Tree and General Contractor Services for the construction of the tree foundation and electrical service, the annual assembly and disassembly of the tree, tree maintenance, and the storage and transportation of the Christmas Tree and North Pole Village Structures to the event site at Old School Square (Project No. 17-062).

Sponsors: Environmental Services Department

Attachments: [100' Christmas Tree Presentation](#)
[100' Christmas Tree Specifications](#)
[Scope of Work - General Contractor for Christmas Tree Services](#)
[2015 Christmas Tree Evaluation](#)
[2015 Christmas Tree Evaluation Supplemental Report](#)
[Zone 1 Tree - 2d](#)
[Zone 1 Tree - 3d](#)
[Old School Square Core Committee Meeting Report](#)

approved

- 6.I. [17-181](#) AMENDMENT TO EXTEND THE AGREEMENT WITH AMERISTAR PARKING SOLUTIONS, LLC IN A NOT-TO-EXCEED AMOUNT OF \$169,600

Recommendation: Motion to Approve Amendment No. 3 to extend the Agreement with Ameristar Parking Solutions, LLC through May 29, 2017 for parking facility management in a not to exceed amount of \$169,600.

Sponsors: Environmental Services Department

Attachments: [Parking Facility Management Agreement](#)
[Parking Facility Management Amendment No. 1](#)
[Parking Facility Management Amendment No. 2](#)
[Ameristar Agreement Amendment No. 3 rev JR](#)

approved

- 6.J. [17-039](#) CONTRACT RENEWAL WITH DB ECOLOGICAL SERVICES, INC. FOR MARINE TURTLE MONITORING SERVICES DURING NESTING SEASON

Recommendation: Motion to renew the marine turtle monitoring services contract with DB Ecological Services, Inc. in the amount of \$40,081 for the 2017 Marine Turtle Monitoring Services during Nesting Season (Project No. 2012-070).

Sponsors: Environmental Services Department

Attachments: [Amendment No. 1 with DB Ecological Services, Inc](#)
[Sea Turtle Monitoring Contract DB Ecological Original 4.15.15](#)
[DB Ecological Purchase Order for 2015](#)
[1st Renewal for DBI Ecological Services, Inc. for 2016](#)
[Bid Award by City Commission](#)

Commissioner Petrolia asked to pull the item because she was concerned with the trimming of the Seagrapes. He assured her that the company is doing light readings every day during the nesting season of the turtles.

Commissioner Petrolia made a motion to approve Item 6.J., seconded by Vice Mayor Katz. A Roll Call vote was taken, all in favor. Motion carried 4-0.
approved

- 6.K.** [17-159](#) FIRST AMENDMENT TO THE THE INTERLOCAL AGREEMENT WITH THE CITY AND THE COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR FUNDING CONSTRUCTION AND PROFESSIONAL SERVICES FOR FY 2016-2017

Recommendation: Motion to Approve the First Amendment to the Interlocal Agreement (ILA) between the City and the Community Redevelopment Agency (CRA) for funding of construction and professional services to revise the funding amounts for projects approved in the CRA's final FY 2016-2017 Budget Amendment.

Sponsors: Environmental Services Department

Attachments: [FIRST AMENDMENT TO THE THE INTERLOCAL AGREEMENT WITH THE CITY AND THE COMMUNITY REDEVELOPMENT AGENCY \(CRA\) FOR FUNDING CONSTRUCTION AND PROFESSIONAL SERVICES FOR FY 2016-2017](#)
[CRA-City FY2016-17 Project status Map](#)

approved

- 6.L.** [17-061](#) PROPOSED GRANT APPLICATIONS TO THE PALM BEACH METROPOLITAN PLANNING ORGANIZATION (MPO) FOR THE 2017 LOCAL INITIATIVE (LI) AND TRANSPORTATION ALTERNATIVE PROGRAM (TAP)

Recommendation: Motion to Approve the submittal of grant applications for the 2017 Local Initiative and Transportation Alternative Program to the Palm Beach Metropolitan Planning Organization.

Sponsors: Environmental Services Department

Attachments: [Local Initiatives Application Form](#)
[Transportation Alternative Program Application Form](#)
[Cost Estimate Barwick 02-07-2017](#)
[Cost Estimate Lindell 02-07-2017](#)
[Cost Estimate Linton 02-07-2017](#)
[Cost Estimate Loop 02-03-2017](#)

approved

- 6.M. [17-011](#) APPROVAL OF A PURCHASE AWARD FROM MUSCO SPORTS LIGHTING, LLC. UTILIZING THE CLAY COUNTY CONTRACT NO. 13/14-8

Recommendation: Motion to Approve a purchase award from Musco Sports Lighting, LLC for Merritt Park lighting in the amount of \$181,950 using the Board of County Commissioners of Clay County Contract No.13/14-8.

Sponsors: Parks & Recreation Department

Attachments: [Clay County Agreement-piggyback](#)
[Musco Best Price Letter](#)
[Clay County FL RFP for Various Equipment and Amenties for Parks and Playgrounds](#)
[Clay County RFP Award Document](#)
[Clay County Approval Minutes](#)
[Musco - Clay County Submission](#)
[Merritt Park Quote](#)
[Musco Agreement 2017](#)

approved

- 6.N. [17-128](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH B & M MARINE CONSTRUCTION, INC.

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to B & M Marine Construction, Inc. for various marine-related construction work in a total not-to-exceed amount of \$55,000 for Fiscal Year 2017.

Sponsors: Purchasing Department

approved

- 6.O. [17-131](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH A ONE FIRE EQUIPMENT, INC.

Recommendation: Motion to approve multiple acquisitions of less than \$25,000 each to A One

Fire Equipment, Inc. for Fire Trucks, Ambulances and Heavy Equipment parts in a total not-to-exceed amount of \$35,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

approved

- 6.P. [17-132](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH TOTAL TRUCK PARTS, INC.

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to Total Truck Parts, Inc. for truck, ambulance and heavy equipment parts in a total not-to-exceed amount of \$40,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

approved

- 6.Q. [17-133](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH ALLOY WELDING & FABRICATION, INC.

Recommendation: Motion to approve multiple acquisitions of less than \$25,000 each to Alloy Welding & Fabrication, Inc. for alloy welding and specialty parts fabrication services in a total not-to-exceed amount of \$40,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

approved

- 6.R. [17-134](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH STEWART & STENENSON FDDA LLC.

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to Stewart & Stenenson FDDA LLC for air compressors, pumping, control systems, engines, generators, rig systems and other parts and services in a total not-to-exceed amount of \$40,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

approved

- 6.S. [17-135](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH SOUTHERN SEWER EQUIPMENT SALES AND SERVICE, INC.

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to Southern Sewer Equipment Sales and Service, Inc. for parts and services for VAC-Con Industrial Vacuum, Sweepers, Way Trucks, and Jet Eye

Camera Systems in a total not-to-exceed amount of \$50,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

approved

- 6.T. [17-136](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH REV RTC, INC. DBA HALL-MARK RTC.

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to REV RTC, Inc. DBA Hall-Mark RTC for vehicle parts and services in a total not-to-exceed amount of \$60,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

approved

- 6.U. [17-138](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH RECHTIEN INTERNATIONAL TRUCKS, INC.

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to Rechten International Trucks, Inc. for International truck parts and services in a total not-to-exceed amount of \$75,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

approved

- 6.V. [17-140](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH LOU BACHRODT CHEVROLET, INC.

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to Lou Bachrodt Chevrolet, Inc. for GM /Chevrolet parts and services in a total not-to-exceed amount of \$75,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

approved

- 6.W [17-137](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH BOCA RATON SMALL ENGINES, INC.

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to Boca Raton Small Engines, Inc. for outdoor power equipment and portable power parts and services in a total not-to-exceed amount of \$50,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department and Parks & Recreation Department

approved

- 6.X. [17-145](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH CHRISTENSEN ENTERPRISES, INC. D/B/A ACTION GATOR TIRE

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to Christensen Enterprises, Inc., D/B/A Action Gator Tire for Commercial Tires, Wheel Refurbishing and other vehicle services in a total not-to-exceed amount of \$60,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

approved

- 6.Y. [17-146](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING LIMIT GREATER THAN \$25,000 WITH JCA VENTURES, INC. D/B/A ADVANCE TIRE SERVICES

Recommendation: Motion to Approve multiple acquisitions of less than \$25,000 each to JCA Ventures, Inc. D/B/A Advance Tire Services for Commercial Tires, Wheel Refurbishing and other vehicle services in a total not-to-exceed amount of \$35,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

Attachments: [Addendum 1-15.17-07](#)

approved

- 6.Z. [17-154](#) PNC COMMERICAL PURCHASING CARD PROGRAM AUTHORIZATION AND AGREEMENT

Recommendation: Motion to Authorize the Mayor to sign the Commercial Purchasing Card Program with PNC Bank.

Sponsors: Finance Department

Attachments: [PNC Agreement](#)
[PNC Commercial Card Terms and Conditions](#)

approved

- 6.AA. [17-155](#) GRANT APPLICATION/FDOT/SPEED/AGGRESSIVE DRIVING ENFORCEMENT PROGRAM

Recommendation: Motion to Approve application for the Florida Department of Transportation (FDOT) FY 17/18 Speed/Aggressive Driving Enforcement program. If awarded, the FDOT reserves the right to award any amount up to the

requested total of \$100,000.

Sponsors: Police Department

Attachments: [Speed Aggressive Driving Enforcement Program Concept Paper](#)

approved

6.BB. [17-156](#) APPROVAL OF GRANT APPLICATION/FDOT/OCCUPANT PROTECTION/CHILD PASSENGER SAFETY

Recommendation: Motion to Approve application for the Florida Department of Transportation (FDOT) FY 17/18 Occupant Protection/Child Passenger Safety program. If awarded, the FDOT reserves the right to award any amount up to the requested total of \$50,000.

Sponsors: Police Department

Attachments: [Occupant Protection Child Passenger Safety Program Concept Paper](#)

approved

6.CC. [17-157](#) GRANT APPLICATION/FDOT/AGING ROAD USERS PROGRAM

Recommendation: Motion to Approve application for the Florida Department of Transportation (FDOT) FY 17/18 Aging Road Users program. If awarded, the FDOT reserves the right to award any amount up to the requested total of \$50,000.

Sponsors: Police Department

Attachments: [Aging Road Users Program Concept Paper](#)

approved

6.DD. [17-167](#) TRAFFIC ENFORCEMENT AGREEMENT BETWEEN THE DELRAY BEACH POLICE DEPARTMENT AND CLEARBROOK HOMEOWNER'S ASSOCIATION

Recommendation: Motion to Approve a Traffic Enforcement Agreement between the Delray Beach Police Department and Clearbrook Homeowner's Association to allow the Delray Beach Police Department to enforce state and local traffic laws on the private roads of Clearbrook Homeowner's Association.

Sponsors: Police Department

Attachments: [Clearbrook HOA Traffic Enforcement Agreement](#)

approved

- 6.EE. [17-183](#) APPROVAL OF A SPEND INCREASE WITH FLORIDA BULLET, INC. FOR MISCELLANEOUS EQUIPMENT AND SUPPLIES FOR POLICE DEPARTMENT

Recommendation: Motion to Approve an increase in spending with Florida Bullet, Inc. for equipment, general operating supplies, parts, and similar items in a total not-to-exceed amount of \$160,000 for Fiscal Year 2017.

Sponsors: Police Department

approved

- 6.FF. [17-186](#) RATIFICATION OF APPOINTMENT TO THE BOARD OF TRUSTEES FOR THE POLICE OFFICERS' RETIREMENT SYSTEM.

Recommendation: Motion to Ratify the appointed member to the Board of Trustees for the Police Officers' Retirement System.

Sponsors: City Clerk Department

approved

- 6.GG. [17-213](#) RESOLUTION 10-17

Recommendation:

Motion to to approve Resolution 10-17 regarding the March 14, 2017 First Non-Partisan Election.

Sponsors: City Attorney Department

Attachments: [Res 10-17 Calling for Election 03142017](#)

approved

- 6.HH. [17-180](#) PROPOSED OFFER OF SETTLEMENT IN THE CASE OF LORI NOLAN V. CITY OF DELRAY BEACH

Recommendation: Motion to deny the settlement offer for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

Sponsors: City Attorney Department

approved

- 6.II. [17-178](#)

PROPOSED OFFER OF SETTLEMENT IN THE CASE OF NANCY DARRINGER V. CITY OF DELRAY BEACH

Recommendation: Motion to deny the settlement offer for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

Sponsors: City Attorney Department

Commissioner Petrolia made a motion to approve the Regular agenda, seconded by Deputy Vice Mayor Katz.
Roll call vote. Motion carries 4-0.

approved

6.JJ. PROCLAMATIONS:

6.JJ.1. None

6.KK. [17-185](#)

REPORT OF APPEALABLE LAND USE ITEMS JANUARY 23, 2017 THROUGH JANUARY 27, 2017.

Recommendation: By motion, receive and file this report.

Sponsors: Planning & Zoning Department

Attachments: [Location Map.pdf](#)

[100 NE 5th Avenue.pdf](#)

[Downtown Delray Professional Building.pdf](#)

[Our Boat House \(2\).pdf](#)

[MD Now 201701300901.pdf](#)

[Craft Chocolates.pdf](#)

[First Presbyterian Church.doc](#)

[First Presbyterian Church staff report 201701251610.pdf](#)

[Hometown Pest Control 201701300902.pdf](#)

[1125 Wallace Drive \(2\).pdf](#)

approved

6.LL. AWARD OF BIDS AND CONTRACTS:

6.LL.1. [17-115](#)

AWARD OF AN AGREEMENT TO WEST ARCHITECTURE + DESIGN, LLC FOR ARCHITECTURAL CONSULTING SERVICES FOR DELRAY BEACH RAILWAY STATION IN A NOT-TO-EXCEED AMOUNT OF \$148,690

Recommendation: Motion to Award an Agreement to West Architecture + Design, LLC for Architectural Consulting Services for Delray Beach Railway Station in a

not-to-exceed amount of \$148,690.

Sponsors: Environmental Services Department and Purchasing Department

Attachments: [2016-081C - Addendum 1](#)
[2016-081C - Consulting Services Delray Beach Railroad Station](#)
[Addendum 2 with Plans](#)
[Agreement for Train Depot Consulting Services \(r1\)](#)

approved

6.LL.2. [17-163](#) AWARD OF AN AGREEMENT TO CJ CONTRACTING, LLC FOR ROOF MAINTENANCE AND REPAIR SERVICES FOR IN ANNUAL AMOUNT NOT-TO-EXCEED OF \$315,000.

Recommendation: Motion to Approve the award of a two-year Agreement for Roof Maintenance and Repair services to CJ Contracting, LLC in the annual amount not-to-exceed of \$315,000.

Sponsors: Purchasing Department

Attachments: [Memo-Award Recommendation](#)
[Tabulation Sheet - ITB 2017-022](#)
[CJ Contracting, LLC \(CD\)](#)
[ITB 2017-022 Roof Maint and Repairs Complete, per Add No. 4](#)
[Agreement Roof Repairs & Maint](#)

approved

6.LL.3. [17-150](#) AWARD OF AN AGREEMENT WITH STROBES-R-US, INC. USING BROWARD COUNTY SHERIFF'S OFFICE CONTRACT NO. 13104030 FOR EMERGENCY EQUIPMENT FOR LAW ENFORCEMENT VEHICLES.

Recommendation: Motion to Award an Agreement with Strobes-R-U's, Inc. for multiple purchases of emergency lights, flasher modules, lightbars and other vehicle equipment and services utilizing Broward County Sheriff's Office's Contract No. 13104030 in a total not-to-exceed amount of \$100,000 for Fiscal Year 2017.

Sponsors: Environmental Services Department

Attachments: [BSO BID - ITB# 13104030 - Emergency Equipment for Law Enforcement](#)
[Award Letter 8.12.13](#)
[Strobes R Us](#)
[BSO RENEWAL CONFORMATION 8-10-16](#)
[BID 13104030 TAB SHEETS](#)
[Strobes-R-U's Agreement](#)

approved

6.LL.4. [17-190](#) AWARD OF AN AGREEMENT TO GEOGRAPHIC TECHNOLOGIES GROUP, INC. FOR DATA CONVERSION SERVICES

Recommendation: Motion to Award a one-year Agreement to Geographic Technologies Group, Inc. for data conversion services in the not-to-exceed amount of \$45,000.

Sponsors: IT Department

Attachments: [ITB 2017-016 Complete](#)
[2017-016 Addendum 1](#)
[2017-016 Addendum 2](#)
[2017-016 Addendum 3](#)
[Geographic Technologies Group](#)
[Data Conversion Services Agreement \(r1\) CAO rev](#)

approved

7. REGULAR AGENDA:

7.A. [17-126](#) REQUEST FOR A WAIVER TO LDR SECTION 4.6.7(J)(3) TO ALLOW THREE ABOVE THE ROOF SIGNS ON THE APPROVED HVAC SCREENING FACING I-95 AT 1425-1585 S. CONGRESS AVENUE. (QUASI-JUDICIAL HEARING)

Recommendation: On January 11, 2017, the Site Plan Review And Appearance Board approved with (5-1 with Linda Pardo dissenting and Fred Kaub absent) the recommendation to the City Commission regarding the waiver request to LDR section 4.6.7(J)(3), Prohibited Signs, to allow three above the roof signs on the approved HVAC screening facing I-95 at 1425-1585 S. Congress Avenue with conditions. Staff's position is motion to deny the waiver request to LDR section 4.6.7(J)(3).

Sponsors: Planning & Zoning Department

Attachments: [Linton Square Sign Waiver \(above roofline\)](#)
[Waiver of Sign Code Justification Letter - Linton Square](#)
[Linton - Boundary Survey](#)
[Linton Signage Package Client Approval Set 11-5-16 AutoZone Sheet A-3](#)
[Linton Signage Package Client Approval Set 11-5-16 Harbor Freight Sheet A-1](#)
[Linton Signage Package Client Approval Set 11-5-16 Rainbow Sheet A-2](#)
[Linton Square Board Order](#)

Mayor Glickstein read the City of Delray Beach Quasi-Judicial rules into the record for this item and all subsequent Quasi-Judicial items. Ms. Wynn, Acting 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. Mr. Timothy Stillings, Planning, Zoning and Building Director, introduced this item. The applicant requested a waiver to LDR Section 4.6.7(J)(3) for the property located 1425-1585 South Congress Avenue. He talked about staff recommendations and noted why denial was suggested.

At this time, the Mayor asked the Applicant if he wanted to present.

The applicant discussed his presentation, which he provided a copy of to the Mayor and Commissioners. He discussed the waiver and their proposal as discussed with Site Plan Review and Appearance Board (SPRAB). He talked about the renderings given by SPRAB. The applicant read a the current LDR Section 4.6.7(A) into record.

Mayor Glickstein opened the floor for public comment.

Ms. Christina Morrison spoke against this project.

There being no further public comment, public comment was closed.

Mayor Glickstein asked if there was any rebuttal; there being no rebuttal it was closed.

Commissioner Petrolia commented on the sign pollution and stated that she was neutral with her decision.

Vice Mayor Jarjura stated that she supports the application.

Deputy Vice Mayor Katz stated his support of the waivers and encouraged staff to look into encouraging use of the crosswalk or pedestrian walk.

Commissioner Petrolia stated she supports the application.

Mayor Glickstein stated he supports the application.

Mr. Lohman read the Board Order: All in favor

Commissioner Petolia made a motion to approve the Board Order,
seconded by Vice Mayor Jarjura

A Roll Call vote was taken, all in favor. The motion carried 4-0.
approved

7.B. [17-184](#)

CONSIDERATION OF a WAIVER REQUEST FROM LDR section 4.4.19(h)(3), to allow overhead doors to face a public right-of-way for hometown pest control, LOCATED AT 1201 georgia street (QUASI-JUDICIAL Hearing)

Recommendation: Motion to Approve the waiver request to LDR Section 4.4.19(H)(3) to allow overhead doors to face a public right-of-way for the development proposal located at 1201 Georgia Street, based upon positive findings with LDR Section 2.4.7(B)(5).

Sponsors: Planning & Zoning Department

Attachments: [Hometown Plans](#)
[Color Rendering.pdf](#)
[SPRAB Report 1.25.17.pdf](#)
[Approval letter \(with conditions\).pdf](#)
[Board Order. City Commission.docx](#)

Kristina Maricic presented this item. The Commission had a few questions regarding the location.

Mayor Glickstein opened the hearing for public comment. There were no comments from the public.

The City Attorney reviewed the Board Order with the City Commission.

Vice Mayor Jarjura made a motion to approve the Board Order, it was seconded by Commissioner Petrolia.

A Roll Call vote was taken, all in favor. The motion carried 4-0.

approved

7.C. [17-191](#)

APPEAL OF THE JANUARY 11, 2017 SITE PLAN REVIEW AND APPEARANCE BOARD (SPRAB) APPROVAL FOR THE SITE PLAN, LANDSCAPE PLAN, AND ARCHITECTURAL ELEVATIONS ASSOCIATED WITH WITH PATIO DELRAY

LOCATED AT 303 GLEASON STREET (QUASI-JUDICIAL).

Recommendation: Motion to Approve the Class III Site Plan, Landscape Plan and Architectural Elevations for Patio Delray located at 303 Gleason Street as requested.

Sponsors: Planning & Zoning Department

Attachments: [City Commission Board Order](#)

[15074 PatioBeach SP.2 site details 11.11.16](#)

[15074 PatioBeach A.2 elevations 11.10.16](#)

[15074 PatioBeach A.1 floor plans 11.10.16](#)

[SurveyPatioBeach](#)

[Patio Delray L01-LAND 11-9-2016](#)

[15074 PatioBeach SP.1 site plan 11.10.16](#)

[Patio Beach Delray - 01-11-17 - SPRAB - Report](#)

Mr. Tim Stillings presented this item.

Rebecca (Applicant) spoke on this item. She discussed the history of the item and the vision of the project.

There was no rebuttal.

Commissioner Petrolia explained that she is in favor of the original application as submitted, but would agree with whichever one the Commission decides on.

Commissioner Petrolia made a motion to approve Item 7.C, seconded by Vice Mayor Jarjura.

A Roll Call vote was taken and all were in favor. The motion carried 4-0.

approved

7.D. [17-170](#)

BEST INTEREST RESOLUTION NO. 08-17 AND WAIVER OF THE CITY CODE OF ORDINANCES, CHAPTER 36, SECTION 36.02(C)(7) FOR PURCHASES OF BODY ARMOR (PROTECTIVE VESTS)

Recommendation: Motion to Approve Best Interest Resolution No. 08-17 for purchases of body armor (protective vests) from Point Blank Enterprises for the Police

Department in a total not-to-exceed amount of \$50,000 for FY 16/17, by authorizing the use of the NASPO Master Agreement Number 2016-181 issued by the Colorado Department of Personnel & Administration State Purchasing Office as lead agency, and declaring by a four-fifths affirmative vote that the City's sealed competitive method or written quotations procurement Method is not in the best interest of the City.

Sponsors: Police Department

Attachments: [BEST INTEREST RESOLUTION NO 08-17 BODY ARMOR PROTECTIVE VESTS REV](#)
[Point Blank Enterprises Master Agreement executed 03.25.2016](#)
[Point Blank Proposal](#)
[Point Blank Product and Price List effective 10.01.2016](#)
[Point Blank Distributor List_01 10 2017](#)
[RFP NK 15-001 Colorado](#)
[Agreement, executed by Point Blank 2-9-17](#)

Commissioner Petrolia made a motion to approve Item 7.D., seconded by Deputy Vice Mayor Katz.

A Roll Call vote was taken, all in favor. Motion carried 4-0.

approved

7.E. [17-177](#) NOMINATION FOR APPOINTMENT TO THE PLANNING AND ZONING BOARD

Recommendation: Motion to Approve a nomination for appointment of one (1) regular member to serve on the Planning and Zoning Board for an unexpired term ending August 31, 2017.

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)
[Planning & Zoning Board Member List](#)
[Planning and Zoning Board Attendance List](#)

Deputy Vice Mayor Katz made a motion to appoint Neal Jones to the Planning and Zoning Board. It was seconded by Commissioner Petrolia. A roll call vote was taken and all were in favor. The motion carried 4-0.

approved

7.F. [17-204](#) NOMINATION FOR APPOINTMENT TO THE GENERAL EMPLOYEES RETIREMENT COMMITTEE

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

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)

[General Employees Retirement Committee Member List](#)

[General Employees Retirement Committee Attendance List](#)

Staff requested that Item 7.F., the nomination for appointment to the General Employees Retirement Committee be removed.

withdrawn

8. PUBLIC HEARINGS:

8.A. None

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

10.A. City Manager

Interim City Manager deJesus advised that he will defer the Caring Kitchen item to March 1st.

Police Department: Verizon tower wants to be credited. The Chief wants direction on whether he should extend rent 16 additional months or honor the company request to pay them their "fair share" from the hurricane damage. Mr. Lohman will be looking into this matter.

10.B. City Attorney

Mr. Lohman reported on conversion therapy and that additional research needs to be done.

Mr. Lohman reported on an agreement with Verizon that was never approved by the Commission. He will be looking into the details of that agreement.

He gave an update on his office. He reported on personnel policies, service processes, fire fees, peddler and solicitor fees, revisions to the

purchasing code that will be more uniform and efficient. Also will be looking into further regulations regarding sober homes.

Mr. Lohman discussed his fees and how he will have his fees charged going forward. He advised that he does not recommend a change at this time.

10.C. City Commission

Commissioner Petrolia asked about a billing breakdown. She wanted to know how much time is being spent on the different departments. Mr. Lohman advised that he has been working on procurement and contract review to streamline the process.

Mayor Glickstein thanked Mr. Lohman and Mr. deJesus for all their hard work.

Vice Mayor Jarjura commended the City Attorney on all his work with the city. Deputy Vice Mayor Katz concurred with Vice Mayor Jarjura and thanked Mr. Lohman and Mr. deJesus.

Commissioner Petrolia echoed their sentiments.

Commissioner Petrolia questioned the speed for boats near the George Bush Bouelvard bridge because of the manatees and the sea level rise. Mayor Glickstein advised that it is a request to the Florida Wildlife Commission to have a "No Wake Zone". She also discussed the body of water near Tierra Verde that has become filled in and swamplike. She received several complaints and would like Mr. deJesus to look into this issue. Commissioner Petrolia also expressed that she is looking forward to "Legislative Days" in Tallahassee.

Vice Mayor Janjura had several comments regarding patient brokering.

Mayor Glickstein asked about water bills and why are residents receiving a bill when they have automatic payments from their bank. Mayor asked about the facility assessment audit program of our buildings. Mayor Glickstein discussed an article from a Baltimore Newspaper regarding a no fee to be paid for a proprietary label for businesses to extend their reputation. He commented that he received a Resolution from 164 Florida municipalities and nineteen counties for a lake and Everglades regional compact. Mayor Glickstein discussed the issues regarding the Christmas Tree.

With no further business to discuss, Mayor Glickstein adjourned the meeting at 10:45 p.m.