

# **City of Delray Beach**

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## **Minutes - Draft**

**Wednesday, March 1, 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:

Acting City Manager DeJesus  
City Attorney Lohman  
Acting City Clerk Wynn

## 2. PLEDGE OF ALLEGIANCE TO THE FLAG

## 3. AGENDA APPROVAL

The Mayor asked if anyone had any changes to the agenda. Mr. DeJesus did not, however, Mr. Lohman would like to add a settlement agreement with Leslie Santana vs. Delray Beach. Please add Resolution 17-17 as the Commission needs to take a vote on it. Also move Item 7-A becomes 7-C on the agenda.

Commissioner Petrolia would like to move 6.P. It became item 7.D. on the regular agenda.

The Mayor asked for a motion to approve the agenda as amended. Deputy Vice Mayor Jarjura made a motion to approve the agenda, seconded by Commissioner Petrolia. A Roll Call vote was taken, all in favor. The motion carried 4-0.

## 4. PRESENTATIONS:

### 4.A. [17-169](#) SPOTLIGHT ON EDUCATION - ORCHARD VIEW ELEMENTARY SCHOOL

Sponsors: City Manager Department

Lisa Leed, Principal of Orchard View Elementary School gave a presentation. She has a plan to get the school back to an A rating from a D rating.

Mr. Lohman would like the Commission to extend the agreement of the

Tennis Center to June 30, 2018.

Vice Mayor Jarjura made a motion to add this item to the Consent agenda, seconded by Commissioner Petrolia. A Roll Call vote was taken, all in favor. The motion carried 4-0.

- 4.B.**     [17-216](#)     Presenting ferline mesidort, neighborhood services administrator, with Employee of the Month for march 2017.

**Sponsors:** Human Resources Department

**Attachments:** [Ferline Mesidort Employee of the Month Nomination Form](#)

Ferline Mesidort went out of her way to help an elderly man with repairs to his house. They partnered with Habitat for Humanity and decreased the cost of the construction from \$80,000 to \$51,000. She also thanked her team Neighborhood Services and the Department of Community Improvement for all their support! The Commission presented her with a plaque and eight hours off with pay.

- 4.C.**     [17-222](#)     RECOGNIZING VICE MAYOR JORDANA JARJURA FOR HER YEARS OF SERVICE AND PRESENTING HER WITH A FAREWELL PLAQUE

**Sponsors:** City Clerk Department

The Mayor thanked Vice Mayor Jarjura for years of service on the Planning and Zoning Board and the last three years on the Commission. Commissioner Petrolia also thanked Vice Mayor Jarjura and wished her the best on her future endeavours. Deputy Vice Mayor Katz also thanked her and wished her well.

Vice Mayor Jarjura thanked everyone and asked the public to get involved in government.

## **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

Public comments:

Ms. Pauline Moody of 609 S.W. 8th Avenue wished Ms. Jarjura well in the

future and congratulated Ferline Mesidort on being "Employee of the Month".

Kevin Warner of Venetian Drive wished Vice Mayor Jarjura the best of luck.

Karen Grainger from the Delray Beach Chamber of Commerce thanked the community who attended the candidates forum last evening and also thanked the candidates. She reported that the Chamber is doing a partnership with Lynn University for the MBA program at night and the web site is [Lynn.edu/DelrayMBA](http://Lynn.edu/DelrayMBA).

Ari Whiteman thanked Vice Mayor Jarjura for her time served as Commissioner. He also asked the Commission to spell out all the conditions of the project Atlantic Crossings.

Carol Anderson 1441 E. Bexley Park Drive had comments regarding the Atlantic Crossing Settlement agreement.

Sandy Zeller of N.W. 12th Street thanked Vice Mayor Jarjura for her years of service and thanked the rest of the Commission for listening to the residents on the Atlantic Crossing project.

Dan Sloan of 106 S.E. 10th Avenue, President of the Marina Historic District Homeowners Association, thanked the Mayor and Sandy for working on the traffic calming issue.

Anita Goldstein of 302 N.E. 7th Avenue thanked the Mayor and Commissioners on the Atlantic Crossing project and stated that if the developer does not finish the entire project that the property will go back to the city.

Jill Shiperly of 321 Palm Trail, President of the Palm Trail Homeowners Association had concerns regarding the Atlantic Crossing Settlement agreement and the traffic calming procedures that will follow.

Peter Umanik thanked Vice Mayor Jarjura for years as Commissioner. Also reiterated the need for Delray residents to apply to sit on the boards in town not just people that own businesses here.

No further comments from the public. The Mayor closed the public session.

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

The Mayor asked for a motion to approve the Consent agenda as amended. Deputy Vice Mayor Katz made a motion, seconded by Vice Mayor Jarjura. A Roll Call vote was taken, all in favor. The motion carried 4-0.

**6.A.**     [17-171](#)     ACCEPTANCE OF A SIDEWALK EASEMENT DEED FOR A 1.5-FOOT OF RIGHT-OF-WAY DEDICATION FOR 73 PALM SQUARE

**Recommendation:** Motion to Approve acceptance of a 1.5-foot sidewalk easement deed for property located at 73 Palm Square.

**Sponsors:** Environmental Services Department

**Attachments:**   [73 Palm Square Location Map](#)  
                          [73 Palm Square New Sidewalk Easement Deed](#)  
                          [73 Palm Square Warranty Deed 2016-09-26](#)  
                          [73 Palm Square Old Sidewalk Easement Deed](#)

Acting City Clerk Wynn swore in all those who would be testifying regarding the Atlantic Crossing waivers.

Tim Stillings from the Planning Department gave a presentation on the four waivers on this property, File #216.36.

Mayor Glickstein opened the public comment portion of the meeting, hearing none, the Mayor closed the public session.

Mr. Lohman read the Board Order.

Commissioner Petrolia made a motion to approve the waivers as amended, seconded by Deputy Vice Mayor Katz. A Roll Call vote was taken, all in favor. The motion carried 4-0.  
**approved**

**6.B.**     [17-107](#)     APPROVAL OF SERVICE AUTHORIZATION NO. 16-02.1 WITH CALVIN, GIORDANO & ASSOCIATES, INC. FOR PROFESSIONAL SERVICES TO SUPPORT THE ENGINEERING REVIEW OF APPLICATIONS FOR DEVELOPMENT AND BUILDING PERMITS

**Recommendation:** Motion to Approve Service Authorization No. 16-02.1 with Calvin, Giordano & Associates, Inc. in the amount not-to-exceed \$50,000.00 for professional services to support the engineering review of applications for development and building permits processed by the Planning, Zoning, and Building Department.

**Sponsors:** Environmental Services Department

**Attachments:** [CGA SA 16-02.1](#)[Letter - Extension request Calvin Giordano. 11.22.16](#)[Amendment 3 Calvin Giordano](#)[CGA Amendment 4](#)

The Commissioners had comments and concerns regarding this project. City Attorney Lohman explained the waivers and that they can be voted on as one item. The Mayor asked for a motion. Commissioner Petrolia made a motion, seconded by Vice Mayor Jarjura. A Roll Call vote was taken, all in favor. The motion carried 4-0.

The attorney explained the Atlantic Crossing Settlement agreement. The Mayor made changes to the agreement with the advice of the City attorney. Vice Mayor Janjura spoke of the cost of this project and the loss of funding for Veterans Park. Commissioner Petrolia wants the best for both parties. Vice Mayor Janjura read the traffic report. Deputy Vice Mayor Katz had many concerns.

The Mayor remarked that the Code of the City was outdated and needed to be revised. Commissioner Petrolia was concerned with the time frame to start this project, the Engineer advised that it would take seventy-five to ninety days.

**approved**

- 6.C.**     [17-200](#)     GRANT UTILITY EASEMENT TO FLORIDA POWER AND LIGHT TO REPLACE AND EXISTING POWER POLE WITH A PAD MOUNTED TRANSFORMER AND BURIED POWER LINE

**Recommendation:** Motion to grant a utility easement to Florida Power and Light to replace and existing power pole with a pad mounted transformer and buried power line located in the alley just south of the 505 Teen Center and adjacent to the "Downtown Delray Professional Centre".

**Sponsors:** Environmental Services Department

**Attachments:** [Location Map Downtown Delray Professional Centre](#)

[Downtown Delray Professional Centre](#)[Application and Legal Description Package](#)[FPL Letter](#)

**approved**

- 6.D.**     [17-025](#)     APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH GOVDEALS, INC. ONLINE AUCTION SERVICE

**Recommendation:** Motion to Approve a Memorandum of Understanding with GovDeals, Inc. for the disposal of the City's surplus non-real property via an online auction service.

**Sponsors:** Environmental Services Department

**Attachments:** [MOU with GovDeals, Inc.](#)

approved

- 6.E. [17-188](#) AMENDMENT NO. 1 TO THE AGREEMENT WITH HAWKINS, INC. DBA THE DUMONT COMPANY, FOR SODIUM HYPOCHLORITE IN A NOT TO EXCEED \$52,000

**Recommendation:** Motion to Approve Amendment No. 1 to the Agreement with Hawkins, Inc. d/b/a The Dumont Company to renew the agreement for purchase and delivery of sodium hypochlorite in a not-to-exceed amount of \$52,000. This recommendation complies with the City Code of Ordinances, Chapter 36, Section

**Sponsors:** Environmental Services Department

**Attachments:** [Amendment No. 1, Renewal 2017-2018](#)

[Executed Agreement & Bid No 2014-24, Dumont - Sodium Hypochlorite](#)  
[Agenda Item 04-14-2014 Memorandum - Sodium Hypochlorite Agreement - The Dumont Company](#)  
[1st Renewal letter](#)

approved

- 6.F. [17-129](#) REJECT ALL PROPOSALS FOR BEACH CLEANING, MAINTENANCE AND BEAUTIFICATION (RFP 2017-014)

**Recommendation:** Motion to Reject all proposals received in response to RFP 2017-014 for the Beach Cleaning, Maintenance and Beautification.

**Sponsors:** Parks & Recreation Department

approved

- 6.G. [17-203](#) TERMINATION OF THE AGREEMENT FOR PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF THE COMPREHENSIVE PLAN WITH CALVIN GIORDANO & ASSOCIATES

**Recommendation:** Authorize Interim City Manager to terminate the Agreement for Comprehensive Plan Consulting Services with Calvin Giordano & Associates effective on March 14, 2017.

(NOTE: 30 day advance notice must be provided prior to termination date).

**Sponsors:** Planning & Zoning Department

**Attachments:** [Contract SIGNED](#)

approved

- 6.H     [17-176](#)     APPROVAL OF AN AWARD TO SELECTRON TECHNOLOGIES, INC. FOR AN UPGRADE TO THE CITY'S INTERACTIVE VOICE RESPONSE SYTEM AND WEB PAYMENTS SYSTEM

**Recommendation:** Motion to Award an upgrade of the City's interactive voice response system and web payments system from Selectron Technologies, Inc. in an amount of \$15,100.00.

**Sponsors:** IT Department

**Attachments:** [Selectron Update Quote](#)

approved

- 6.I.     [17-206](#)     REJECT ALL RESPONSES FOR TIME AND ATTENDANCE SOLUTION

**Recommendation:** Motion to reject all responses received for a Time and Attendance Solution.

**Sponsors:** IT Department and Purchasing Department

approved

- 6.J.     [17-187](#)     BEST INTEREST RESOLUTION NO. 09-17 AND WAIVER OF THE CITY CODE OF ORDINANCES, CHAPTER 36, SECTION 36.02(C)(7) AND AWARD OF AN AGREEMENT TO TRANE US INC. FOR REPLACEMENT OF THE HVAC SYSTEM AT FIRE STATION 114 IN A NOT-TO-EXCEED MAXIMUM AMOUNT OF \$205,000.

**Recommendation:** Motion to approve Best Interest Resolution No. 09-17 for waiver of the City Code of Ordinances, Chapter 36, Section 36.02(C)(7) and to award an agreement to Trane U.S., Inc. utilizing the U.S. Communities Governmental Purchasing Alliance Cooperative Contract 15-JLP-023 for the replacement of the HVAC System at Fire Station 114 in a not-to-exceed maximum amount of \$205,000. This request is to allow and declaring by a four-fifths affirmative vote that use of the sealed competitive method or written quotations method by any governmental entity with the State of Florida or the United States government for the purchase is not in the best interest of the City.

**Sponsors:** Environmental Services Department



**Attachments:** [Best Interest Resolution 09-17](#)  
[Fire Station #4 Recommendation Letter Budget.pdf](#)  
[ITB Trane](#)  
[Trane Posting](#)  
[Trane Addendum 1](#)  
[Trane Addendum 2](#)  
[Trane Addendum 3](#)  
[US Communities Master Intergovernmental Cooperative Agreement.pdf](#)  
[US Communities Agreement Trane-Final](#)

approved

- 6.K. [17-194](#) APPROVAL OF FISCAL YEAR 2017 SPENDING GREATER THAN \$25,000 WITH ISLAND AIR, LLC

**Recommendation:** Motion to Approve air conditioning equipment and services, from Island Air, LLC in a total not-to-exceed amount of \$75,000 for Fiscal Year 2017.

**Sponsors:** Environmental Services Department

approved

- 6.L. [17-196](#) APPROVE SPENDING LIMIT INCREASE WITH MOWREY ELEVATOR COMPANY OF FLORIDA, INC.

**Recommendation:** Motion to Approve an Amendment to increase spending limit with Mowrey Elevator Company of Florida, Inc. to a not-to-exceed amount of \$140,000 for multiple acquisitions of elevator parts, repairs, and services for the period of December 31, 2016 through December 30, 2017.

**Sponsors:** Environmental Services Department

**Attachments:** [2014-35 Mowrey Contract](#)  
[Mowrey Elevator, 12-02-14 Regular Meeting Agenda, item 9.E](#)  
[Quote Mowrey - Hilltopper Elevator](#)

approved

- 6.M [17-214](#) INTERLOCAL AGREEMENT BETWEEN CITY OF DELRAY BEACH AND SOLID WASTE AUTHORITY OF PALM BEACH COUNTY (SWA) FOR BLIGHTED AND DISTRESSED PROPERTY CLEAN-UP AND BEAUTIFICATION GRANT FY2017

**Recommendation:** Motion to Approve acceptance of an Interlocal Agreement between the City of Delray Beach and Solid Waste Authority of Palm Beach County (SWA)

in the amount of \$60,000 for assistance in the cleanup and beautification of distressed, blighted or otherwise impacted public properties within incorporated areas of Delray Beach.

**Sponsors:** Community Improvement

**Attachments:** [Blighted Grant ILA-2017-City of Delray Beach](#)  
[City of Delray Beach Blighted Property Grant Application FINAL 121216](#)

approved

- 6.N. [17-201](#) PRIOR APPROVAL OF FISCAL YEAR 2017 SPENDING GREATER THAN \$25,000 WITH SRT SUPPLY, INC.

**Recommendation:** Motion to approve multiple small purchases of less than \$25,000 each for police related equipment from SRT Supply, Inc. in an additional not-to-exceed amount of \$40,000 for Fiscal Year 2017.

**Sponsors:** Police Department

approved

- 6.O. [17-208](#) ADOPTION OF RESOLUTION NO. 11-17 REPEALING RESOLUTION NO. 51-15-SERVICE OF PROCESS

**Recommendation:** Motion to Approve Resolution No. 11-17.

**Sponsors:** City Attorney Department

**Attachments:** [Resolution 11-17 Service of Process Designees](#)

approved

- 6.P. [17-223](#) Resolution No. 15-17: Schedule fees for Fire Safety Inspections

**Recommendation:** Motion to approve Resolution No. 15-17 as presented.

**Sponsors:** Fire Rescue Department

**Attachments:** [Resolution No 15-17](#)  
[Exhibit A](#)

Commissioner Petrolia asked to remove Resolution 15-17: Schedule fees for Fire Safety inspections. She had concerns and questions regarding the revenue coming in and the costs going out.

The Mayor called for a motion. Vice Mayor Jarjura made a motion, seconded by Deputy Vice Mayor Katz. A Roll Call vote was taken, all in favor. The motion carried 4-0.

approved

- 6.Q. [17-217](#) APPROVAL FOR STAFF TO SEEK GRANT FUNDING FROM THE SOUTH FLORIDA REGIONAL TRANSIT AUTHORITY GRANT PROGRAM FOR THE STUDY OF A NEW TRANSIT RAIL STATION IN THE CITY OF DELRAY BEACH

**Recommendation:** Approve staff to apply for a grant from the South Florida Regional Transit Authority for grant under the South Florida Regional Transit Oriented Development Grant Program to seek funding to prepare a study for the potential location for a new transit rail station within the City of Defray Beach.

**Sponsors:** Planning & Zoning Department

**Attachments:** [CC Authorization letter 3.1.17 - DRAFT](#)  
[Coastal Link Station Area Opportunities](#)

approved

## 6.R. PROCLAMATIONS:

- 6.R.1. [17-221](#) MULTIPLE MYELOMA AWARENESS MONTH 2017 - PROCLAMATION

**Sponsors:** City Clerk Department

**Attachments:** [Multiple Myeloma Proclamation 2017](#)

- 6.R.2 [17-205](#)

**Sponsors:** City Clerk Department

**Attachments:** [Armenian Genocide Proclamation 2017](#)

- 6.S. [17-211](#)

REPORT OF APPEALABLE LAND USE ITEMS JANUARY 30, 2017 THROUGH FEBRUARY 10, 2017.

**Recommendation:**

By motion, receive and file this report.

**Sponsors:** Planning and Zoning Board

**Attachments:** [Location Map](#)  
[Delray Workplace](#)  
[Harbor Freight](#)  
[Brighton Bagel](#)  
[20 Lake Court](#)

approved

## 6.T. AWARD OF BIDS AND CONTRACTS:

- 6.T.1. [17-141](#) AWARD OF A TWO-YEAR AGREEMENT TO TIRESOLES OF BROWARD, INC. FOR A NOT-TO-EXCEED AMOUNT OF \$190,000 FOR TIRES AND SERVICES

**Recommendation:** Motion to Award a two-year agreement with Tiresoles of Broward, Inc. for retreading, tires, wheel refurbishing and other goods and services utilizing the Florida Sheriff's Association contract Bid No. 15/17-07-0220 in a total not-to-exceed amount of \$190,000.

**Sponsors:** Environmental Services Department

**Attachments:** [Bid Award Memo](#)  
[Addendum Extension Document](#)  
[Bid Tire Specifications and Price List](#)  
[Tiresoles Piggyback Agreement with FSA](#)

approved

- 6.T.2 [17-202](#) APPROVE SEGWAY SE-3 PATROLLERS AS A CITY STANDARD AND APPROVE A PURCHASE OF TWO (2) SEGWAY SE-3 PATROLLER VEHICLES IN THE AMOUNT NOT-TO-EXCEED \$28,000

**Recommendation:** Motion to Approve Segway SE-3 Patrollers as a City Standard and to approve a purchase of two (2) Segway SE-3 Patroller vehicles from Segway, Inc. in the amount not-to-exceed \$28,000

**Sponsors:** Police Department

**Attachments:** [Sole Source 2017](#)  
[Segway Quote](#)

approved

- 6.U. [17-229](#) AMENDMENT TO EXTEND THE AGREEMENT WITH DUBIN & ASSOCIATES, INC. FOR DELRAY BEACH MUNICIPAL TENNIS CENTER AND DELRAY SWIM AND TENNIS CLUB MANAGEMENT (ADDENDUM)

**Recommendation:** Motion to Approve an amendment to extend the Agreement with Dubin & Associates, Inc. for Delray Beach Municipal Tennis Center and Delray Swim and Tennis Club Management Agreement until award of a new Agreement or June 30, 2017, whichever occurs first.

**Sponsors:** Purchasing Department

approved

## 7. REGULAR AGENDA:

- 7.A. [17-195](#) IN LIEU OF PARKING FEE REQUEST AND IN LIEU OF PARKING AGREEMENT FOR THE LISA BUILDING AT 47 S.E. 5TH AVENUE (QUASI-JUDICIAL HEARING)

**Recommendation:** Approve the In Lieu of Parking Fee request in the amount of \$94,640.00 for 4 parking spaces associated with the new construction of a one-story commercial building, subject to the condition that the In Lieu of Parking Fee Agreement be recorded, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in Section 4.6.9(E) of the Land Development Regulations for the property at 47 SE 5th Avenue (located adjacent and immediately south of a municipal parking lot) and authorize the Mayor to sign the Agreement for In Lieu of Parking Fee.

**Sponsors:** Planning & Zoning Department

**Attachments:** [In Lieu Parking Agreement Lisa Building](#)  
[Lisa Bldg CLV - Site Floor Elevations](#)  
[Board Order](#)

Ms. Wynn swore in the applicant.

Mr. Stillings reported on the request in lieu of parking agreement for the Lisa Building located at 47 SE 5th Avenue.

Lewis Carbone is present for the applicant, 104-106 Delancy Realty.

The Mayor opened the meeting up to the public, no comments. The Mayor closed the public portion of the meeting. Commissioner Petrolia had concerns regarding the parking in the area. The Mayor also aired his concerns.

Mr. Lohman read the Board Order.

The Mayor asked for a motion. Commissioner Petrolia made the motion, seconded by Vice Mayor Jarjura. A Roll Call vote was taken, all in favor. The motion carried 4-0.

approved

- 7.B. [17-230](#) ATLANTIC CROSSING WAIVERS (QUASI-JUDICIAL HEARING)

*(ADDENDUM)***Recommendation:**

1. Move approval of a waiver to LDR Section 5.3.1(D)(2), which requires a minimum right-of-way width of 60 feet for the new east/west road between NE 6th Avenue and NE 7th Avenue, based on positive findings with LDR Section 2.4.7(B)(5) with the condition that a public roadway easement be dedicated for the roadway.
2. Move approval of a waiver to LDR Section 6.1.3(B)(1)(f), which requires an 8-foot wide sidewalk where 6 feet is proposed along the north side of the new east/west road between NE 6th Avenue and NE 7th Avenue, based on positive findings with LDR Section 2.4.7(B)(5).
3. Move approval of a waiver to LDR Section 4.4.13(F)(4), which requires minimum and maximum building setbacks for the buildings and frontage along the new east/west road between NE 6th Avenue and NE 7th Avenue, based on positive findings with LDR Section 2.4.7(B)(5).
4. Move approval of a waiver to LDR Section 4.6.18(B)(14)(iv)(2), which requires a minimum wall transparency on the ground floor of 75% where 37.5% is proposed for the building on the south side of the new east/west road between NE 6th Avenue and NE 7th Avenue, based on positive findings with LDR Section 2.4.7(B)(5).

**Sponsors:** Planning & Zoning Department

**Attachments:** [Atlantic Crossing location map](#)  
[Mid-Block Access Plan](#)  
[Waiver request letter](#)  
[3BG8622-Waivers Development Order](#)

Acting City Clerk Wynn swore in Mr. Stillings from the Planning Department.

Mr. Stillings gave an overview on the Atlantic Crossing waivers.

Mayor Glickstein opened the meeting up for Public comment on this item. Hearing none, he closed the public portion of the meeting.

Mr. Lohman read the Board Order.

Atlantic Crossing four (4) waivers: All in favor.

The Mayor asked for a motion to approve the Board Order. Commissioner Petrolia made a motion to approve the waivers as amended, seconded by Deputy Vice Mayor Katz. A Roll Call vote was taken, all in favor. The motion carried 4-0.

**approved**

**7.C.**     [17-231](#)     ATLANTIC CROSSING SETTLEMENT AGREEMENT - EDWARDS CDS, LLC VS. THE CITY OF DELRAY BEACH (*ADDENDUM*)

**Recommendation:** Motion to Approve the omnibus settlement agreement between Edwards CDS, LLC and the City of Delray Beach related to the Atlantic Crossing development.

**Sponsors:** City Attorney Department

**Attachments:** [3BH2453-Settlement Agreement March 1 Meeting](#)  
[2011 Development Agreement](#)  
[Site Plan Approval Letter with Conditions](#)

Mayor Glickstein gave an overview of the traffic calming study. A discussion ensued regarding the Developer's fees and agreement.

Vice Mayor Jarjura reported on the expenses that this project cost the taxpayers. The Mayor asked if the Commission would not discuss what was discussed in the shade meeting.

A discussion ensued regarding the two lane road and the traffic it would generate at that location.

**approved**

**8. PUBLIC HEARINGS:**

8.A. None.

**9. FIRST READINGS:**

**9.A.**     [17-199](#)     ORDINANCE NO. 05-17: TO INDIVIDUALLY DESIGNATE "THE CLINT MOORE HOUSE" AT 1420 NORTH SWINTON AVENUE ON THE LOCAL REGISTER OF HISTORIC PLACES (FIRST READING)

**Recommendation:** Approve Ordinance No. 05-17 on First Reading for the Individual Designation of The Clint Moore House on the Local Register of Historic Places.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Ordinance 05-17 Clint Moore House Designation](#)  
[HPB Staff Report 080316](#)  
[1420 N Swinton Avenue Designation Report](#)

Mr. Stillings, Planning and Zoning Director read the historical information pertaining to the property. The former owner was known as the "Lima Bean King". The Commission spoke highly about the property.

Mr. Lohman read the First reading of Ordinance No. 05-17.

Mayor Glickstein asked for a motion to approve the first reading of Ordinance No. 05-17. Vice Mayor Jarjura made a motion, seconded by Commissioner Petrolia. A Roll Call vote was taken, all in favor. The motion carried 4-0.  
**approved**

- 9.B.**     [17-209](#)     ORDINANCE NO. 10-17: AMENDING CHAPTER 118, "SOLICITORS AND PEDDLERS AND DISTRIBUTION OF HANDBILLS" (FIRST READING)

**Recommendation:**

Motion to approve Ordinance 10-17 on first reading. If passed, a public hearing will be held on March 28, 2017.

**Sponsors:** City Attorney Department

**Attachments:** [Ord 10-17 hours of solicitation ordinance](#)

Mr. Lohman read the First reading of Ordinance No. 10-17. The Mayor Glickstein left the dais. Vice Mayor Jarjura asked for a motion to approve Ordinance No. 10-17. Commissioner Petrolia made a motion, seconded by Deputy Vice Mayor Katz. A Roll Call vote was taken, all in favor. The motion carried 3-0.  
**approved**

- 9.C.**     [17-210](#)     ORDINANCE NO. 11-17: AMENDING CHAPTER 31, "CITY OFFICIALS AND EMPLOYEES," SECTION 31.17, "INDEMNIFICATION" (FIRST READING)

**Recommendation:** Motion to Approve Ordinance No. 11-17 on first reading. If passed, a public hearing will be held on March 28, 2017.

**Sponsors:** City Attorney Department

**Attachments:** [Ord 11-17 amending Indemnification](#)

Mr. Lohman read Ordinance No. 11-17 on First Reading. Commissioner Petrolia was concerned with protecting former officials once they leave office. Mr. Lohman stated that they are protected from being held liable. He will look into whether or not a revision is needed to the ordinance.



Commissioner Petrolia made a motion to approve Ordinance No. 11-17 on First Reading, seconded by Vice Mayor Jarjura. A Roll Call vote was taken, all in favor. The motion carried 4-0.  
approved

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

### **10.A. City Manager**

Mr. de Jesus has nothing to report.

### **10.B. City Attorney**

Mr. Lohman reported on the City's surplus properties. There were two properties available but only one is buildable. We will need to bring this back at another meeting for a vote.

Deputy Vice Mayor Katz made a motion to reconsider, seconded by Commissioner Petrolia. A Roll Call vote was taken, all in favor. The motion carried 4-0.

Interim City Manager deJesus introduced the new Finance Director, Ms. Laura Thezine. The Commissioners welcomed Ms. Thezine.

### **10.C. City Commission**

Commissioner Petrolia would like an update on WAGS. She congratulated Dolores Rangel on her achievement of receiving the George Washington award for her eleven years for Project Holiday. She explained that the project packs and sends gifts to the service men and woman stationed there.

Vice Mayor Jarjura thanked Ms. Rangel and the City staff. She reported on the cutting back of Seagrapes and that it is part of the dune management program. She said the public should have been more aware of why the Seagrapes were being trimmed. She thanked the interim City Manager Neal deJesus for all his hard work. She wanted him to get a raise, but Mr. Lohman advised that it needs to be put on the next agenda.

The Mayor reported that he did not receive many negative comments regarding the trimming of the Seagrapes.

Deputy Vice Mayor Katz thanked Mr. deJesus and Mr. Lohman for all their work.

The Mayor requested that the attorney draft a resolution against House Bill #17 and Senate Bill #1158, restriction on Home Rule authority. He

will be sending a letter to the Senate president and the Speaker of the House, etc.

The Mayor asked that everyone get out and vote next week.

There being no further business to discuss, the Mayor adjourned the meeting at 10:35 p.m.