

# **City of Delray Beach**

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## **Minutes - Draft**

**Tuesday, May 1, 2018**

**6:00 PM**

**Regular Meeting at 6:00 PM**

**Delray Beach City Hall**

## **City Commission**

*Mayor Shelly Petrolia  
Vice Mayor Adam Frankel  
Deputy Vice Mayor Shirley Ervin Johnson  
Commissioner Bill Bathurst  
Commissioner Ryan Boylston*

## 1. ROLL CALL

The Regular Commission meeting was called to order at 6:00 p.m.

The following were in attendance:

Mayor Shelly Petrolia  
Vice Mayor Adam Frankel  
Deputy Vice Mayor Shirley Ervin Johnson  
Commissioner Bill Bathurst  
Commissioner Ryan Boylston

Others present were:

Mark R. Lauzier, City Manager  
R. Max Lohman, City Attorney  
Katerri Johnson, City Clerk

## 2. PLEDGE OF ALLEGIANCE TO THE FLAG

## 3. AGENDA APPROVAL

Mark Lauzier, City Manager, requested that item 9.A. be deferred to the May 15, 2018 Regular meeting.

## 4. PRESENTATIONS:

### 4.A. [18-251](#) PRESENTING ERIC GRAU AND ANTHONY MARIANO WITH EMPLOYEE OF THE MONTH FOR MAY 2018

**Recommendation:** Motion to Present Eric Grau and Anthony Marino both Firefighter/Paramedics with Employee of the Month for May 2018.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Eric Grau and Anthony Mariano nomination form.pdf](#)

Sharon Liebowitz, Human Resource Director, presented Eric Grau and Anthony Mariano with the "Employees of the Month" award for the month of May. Both gentlemen will receive 8 hours paid time off. Chief deJesus gave a presentation on their exemplary work ethics. The Chief also presented them with a Chief's "Award of Excellence" for going above and beyond their call of duty.

**4.B.     [18-272](#)     PRESENTATION AND PROCLAMATION - 2018 WE ♥ SMALL BIZ  
MONTH AND PARTNERSHIPS**

**Sponsors:** Economic Development Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation- Small Business](#)

Joan Goodrich, Economic Development Director for the City and CRA gave a presentation and proclamation regarding May is Small Biz Month.  
approved

**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

No report.

5.B. From the Public

Alice First of 707 Place Tavant was concerned that the Commission does not transmit their meetings on the radio anymore.

Ms. Pauline Moody, currently homeless, is happy it is Mental Health month.

Allan Schlossberg of 200 McFarland Drive had comments regarding the Brightline train system. He reported that a total of six people have died in the past few months that were hit by their train.

Tamira Gunn from the KOP Mentoring Network gave an update of their activities for last month.

Raiko Knight of 204 NW 13th Avenue has concerns that there are not enough youth programs in the city.

Daniel Rose of 323 NE 6th Avenue, former member of the CRA board had several comments.

Debra Schwartz of 115 N.E. 12th Street concerned about the safety and lack of lighting on Second Avenue.

Karen Campbell of 4875 Sherwood Forest Drive of the Delray Greenspace Alliance, noted that the Sherwood Forest Golf Course closed last week. The group is in favor of keeping the land as greenspace and not allow the building of one hundred and fifty townhomes.

Stephen Gianolis of 305 NE 7th Avenue had concerns with the cost of the

new lifeguard towers which is \$131,250 each.

Yvonne L. Odom of 3905 Lowson Boulevard is in favor of a separation of the CRA Board and the Commission.

Annette Gray of 3624 Avenue Dejean, former member of the CRA Board had several comments.

There being no further comments from the public, Mayor Petrolia closed the public portion of the meeting.

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

Commissioner Boylston made a motion to approve the Consent agenda. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

### **6.A. [18-267](#) APPROVAL OF MINUTES**

**Recommendation:** Motion to approve meeting minutes as listed below:

June 6, 2017 Regular Meeting  
June 13, 2017 Special Commission & Workshop Meeting  
June 20, 2017 Regular Meeting  
August 2, 2017 Regular Meeting  
August 15, 2017 Regular Meeting  
September 26, 2017 Workshop Meeting  
September 26, 2017 Regular Meeting

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Minutes 06-06-17 Regular-Draft](#)  
[Minutes 06-13-17 Spec & Workshop- Draft](#)  
[Minutes 06-20-17 Regular- Draft](#)  
[Minutes 08-02-17 Regular- Draft](#)  
[Minutes 08-15-17 Regular- Draft](#)  
[Minutes 09-26-17 Regular- Draft](#)  
[Minutes 09-26-17 Workshop- Draft](#)

**approved**

**6.B.**     [18-142](#)     ACCEPTANCE OF A WATER EASEMENT AGREEMENT FOR PROTON  
TEMPORARY RADIATION THERAPY AT 5130 LINTON BOULEVARD

**Recommendation:** Motion to Approve and accept Water Easement Agreement for Proton  
Temporary Radiation Therapy at 5130 Linton Boulevard.

**Sponsors:** Public Works Department

**Attachments:**   [Agenda Cover Report](#)  
                          [1 Water Easement Agreement 04-19-2018](#)  
                          [2 Exhibit A - Sketch and Legal Description](#)  
                          [3 Exhibit B - Utility Plan](#)  
                          [4 PAPA Page](#)  
                          [5 PAPA Map Location](#)

approved

**6.C.**     [18-208](#)     ACCEPTANCE OF A SEWER EASEMENT AGREEMENT FOR  
PROTON TEMPORARY RADIATION THERAPY AT 5130 LINTON  
BOULEVARD

**Recommendation:** Motion to Approve and accept Sewer Easement Agreement for Proton  
Temporary Radiation Therapy at 5130 Linton Boulevard.

**Sponsors:** Public Works Department

**Attachments:**   [Agenda Cover Report](#)  
                          [1 Sewer Easement Agreement 04-19-2018](#)  
                          [2 Exhibit A - Sketch and Legal Description](#)  
                          [3 Exhibit B - Utility Plan](#)  
                          [4 PAPA Page](#)  
                          [5 PAPA Map Location](#)

approved

**6.D.**     [18-240](#)     RESOLUTION NO. 47-18 TO APPROVE FLORIDA DEPARTMENT OF  
TRANSPORTATION (FDOT) LOCAL AGENCY PROGRAM (LAP)  
SUPPLEMENTAL AGREEMENT NO. 4 (TIME EXTENSION REQUEST)  
FOR THE NE 2ND AVE. / SEACREST BEAUTIFICATION PROJECT  
PHASE 0.

**Recommendation:** Motion to approve Resolution No. 47-18 to approve FDOT LAP  
Supplemental Agreement No. 4 for a time extension to the completion date  
of the original LAP agreement for NE 2nd Ave / Seacrest Beautification  
project Phase 0 (PN 11-067).

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No 47-18](#)  
[Location Map](#)  
[Legal Review Checklist form v. 4 FDOT LPA supplement agreement for Seacrest Beautification Phase 0](#)  
[SA 4 Time Extension](#)

approved

**6.E. [18-258](#)** PROPOSAL FOR SETTLEMENT IN THE CASE OF PATRICIA DUNCAN  
V. CITY OF DELRAY BEACH

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

**Sponsors:** City Attorney Department

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

approved

**6.F. PROCLAMATIONS:**

**6.F.1. [18-151](#)** MAY 2018 MENTAL HEALTH AWARENESS AND TRAUMA INFORMED CARE

**Recommendation:** Motion to proclaim May 2018 as Mental Health Awareness and Trauma Informed Care month.

**Sponsors:** Community Improvement

**Attachments:** [Mental Health Awareness Cover Memo](#)  
[Mental Health Awareness Month](#)

approved

**6.F.2. [18-266](#)** RIDE OF SILENCE DAY PROCLAMATION - MAY 16, 2018

**Recommendation:** Motion to proclaim the Ride of Silence Day.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Ride of Silence 2018](#)

approved

**6.G. [18-242](#)** REPORT OF APPEALABLE LAND USE ITEMS FROM MARCH 12, 2018

THROUGH MARCH 30, 2018

**Recommendation:** By motion, receive and file this report.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Agenda Cover Report](#)  
[Map of Appealable Items 05-01-18.pdf](#)  
[A - Palm Tran South County Facility .pdf](#)  
[B - 7 on 7th .pdf](#)  
[C - Bodega Delray .pdf](#)  
[D - 430 & 440 NE 5th Ave. .pdf](#)  
[E - Delray Beach Plaza .pdf](#)

## **6.H. AWARD OF BIDS AND CONTRACTS:**

**6.H.1. [18-231](#)** APPROVAL OF RESOLUTION NO. 42-18 TO AWARD AN AGREEMENT WITH BAXTER & WOODMAN, INC. DBA MATHEWS CONSULTING, A BAXTER & WOODMAN COMPANY FOR CONSTRUCTION, ENGINEERING, AND INSPECTION (CEI) SERVICES FOR THE PHASE 2 SEACREST BEAUTIFICATION PROJECT IN AN AGREEMENT VALUE NOT-TO-EXCEED \$225,000

**Recommendation:** Motion to approve Resolution No. 42-18 to award an Agreement with Baxter & Woodman, Inc. dba Mathews Consulting, a Baxter & Woodman Company for construction, engineering, and inspection services for the Phase 2 Seacrest Beautification project in an agreement value not-to-exceed \$225,000.

**Sponsors:** Public Works Department - Programs & Project Management and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[2018-003 Agreement, Vendor Executed](#)  
[2018-003 Resolution No. 42-18](#)  
[Legal Review Checklist form v. 5 CEI services Phase 2 Seacrest Beautification](#)  
[RFQ 2018-003 CEI Services for Phase 2 of Seacrest Beautification-Final](#)  
[Addendum No. 1 - RFQ 2018-003](#)  
[Addendum No. 2 - RFQ 2018-003](#)  
[Addendum No. 3 - RFQ 2018-003](#)  
[Addendum No. 4 - RFQ 2018-003](#)

approved

- 6.H.2. [18-236](#)** APPROVAL OF RESOLUTION NO. 26-18 TO AWARD AN AGREEMENT WITH MAN-CON, INCORPORATED FOR PHASE 2 CONSTRUCTION OF THE SEACREST BEAUTIFICATION PROJECT IN A NOT-TO-EXCEED AMOUNT OF \$1,611,777

**Recommendation:** Motion to approve Resolution No. 26-18 to award an Agreement with Man-Con, Incorporated for Phase 2 construction of the Seacrest Beautification Project in a total amount not-to-exceed \$1,611,777.

**Sponsors:** Public Works Department - Programs & Project Management and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist seacrest beautification \(2018-018\)](#)  
[2018-018 Agreement, Vendor Executed](#)  
[Anthony Mancini Authorized Agent Documentation](#)  
[2018-018 Resolution No. 26-18 CAO Approved](#)  
[2018-018 ITBC Document FINAL with Exhibits](#)  
[2018-018 Addendum No. 1](#)  
[2018-018 Addendum No. 2](#)  
[2018-018 Addendum No. 3](#)  
[2018-018 Addendum No. 4](#)  
[2018-018 Addendum No. 5](#)  
[2018-018 Addendum No. 6](#)

approved

- 6.H.3. [18-238](#)** APPROVAL OF RESOLUTION NO. 44-18 TO AWARD AN AGREEMENT WITH BOUND TREE MEDICAL, LLC FOR THE PURCHASE OF MEDICAL SUPPLIES IN A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$160,000 THROUGH APRIL 30, 2019 UTILIZING THE FAIRFAX COUNTY SOLICITATION NO. IFB2000001082

**Recommendation:** Motion to approve Resolution No. 44-18 to award an Agreement with Bound Tree Medical, LLC for the purchase of medical supplies in a total agreement value not-to-exceed \$160,000 through April 30, 2019 utilizing the Fairfax County Solicitation No. IFB2000001082.

**Sponsors:** Fire Rescue Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[P2018-014 Agreement, Vendor Executed](#)  
[Legal Review Checklist form v. 5 Medical Supplies Agreement](#)  
[P2018-014 Resolution No. 44-18 lg rev](#)  
[Fairfax Notice of Award](#)  
[Fairfax Invitation to Bid](#)



approved

## 7. REGULAR AGENDA:

Commissioner Boylston made a motion to approve the Regular agenda as amended. It was seconded by deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

### 7.A. [18-268](#) NOMINATION FOR APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD

**Recommendation:** Motion to approve nomination for appointment for one (1) regular member to serve an unexpired term ending July 31, 2019.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Public Art Advisory Board Member List](#)  
[Public Art Advisory Board Attendance List](#)  
[Public Art Advisory Board Applications](#)

Deputy Vice Mayor Johnson nominated Tonya Akins to the Public Art Advisory Board. Vice Mayor Frankel seconded the motion. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
approved

### 7.B. [18-269](#) NOMINATION FOR APPOINTMENT TO THE EDUCATION BOARD

**Recommendation:** Motion to approve Education Board nomination for appointment of one (1) regular member to serve an unexpired term ending July 31, 2019.

**Sponsors:** City Clerk Department

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

Commissioner Bathurst nominated Butler Schellinger for the Education Board. It was seconded by Commissioner Boylston. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
approved

### 7.C. [18-270](#) NOMINATION FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD

**Recommendation:** Motion to approve Historica Preservation Board nomination for appointment of one (1) regular member to serve an unexpired term ending August 31, 2019.

**Sponsors:** City Clerk Department

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

Vice Mayor Frankel nominated Bright Reeve to the Historic Preservation Board. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved**

## 8. PUBLIC HEARINGS:

8.A. [18-277](#) ORDINANCE NO. 05-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH AT CHAPTER 8, "SPECIAL IMPLEMENTATION PROGRAMS" BY REPEALING ARTICLE 8.1, "THE COMMUNITY REDEVELOPMENT AGENCY" IN ITS ENTIRETY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

**Recommendation:** Motion to approve Ordinance 05-18, repealing Article 8.1 "the Community Redevelopment Agency" of the City's Land Development Regulations.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 05-18 Repealing LDR Sec 8.1 community redevelopment agency-Final for second reading](#)

Mr. Lohman, City Attorney, read Ordinance No. 05-18 on Second Reading, amending the Land Development Regulations of Chapter 8, "Special Implementation Programs" by repealing article 8.1. the Community Redevelopment Agency in its entirety.

Mayor Petrolia opened the meeting up for public comment. Hearing none, she closed the public portion.

Commissioner Boylston made a motion to approve Ordinance No. 05-18. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

adopted

- 8.B. [18-279](#) ORDINANCE NO. 06-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS, AND COMMISSIONS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY ADOPTING SECTION 32.02, "THE COMMUNITY REDEVELOPMENT AGENCY" DECLARING AND ESTABLISHING THE CITY COMMISSION OF THE CITY OF DELRAY BEACH AS THE COMMUNITY REDEVELOPMENT AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommendation:** Motion to approve Ordinance 06-18 amending the rules governing the Community Redevelopment Agency.

**Sponsors:** City Attorney Department

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

[Ord 06-18 Adopting Community redevelopment agency-for second reading](#)

Mr. Lohman, City Attorney, read Ordinance No. 06-18 on (Second Reading). An Ordinance amending Chapter 32, Departments, Boards, and Commissions", by adopting Section 32.0.

Mayor Petrolia opened the meeting up for public comment. Hearing none, she closed the public portion.

Commissioner Bathurst made a motion to approve Ordinance No. 06-18 on Second Reading. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

adopted

- 8.C. [18-282](#) RESOLUTION NO. 57-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, DECLARING THE CITY COMMISSION TO BE THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DELRAY BEACH IN ACCORDANCE WITH SECTION 163.357, FLORIDA STATUTES, REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommendation:** Motion to approve Resolution 57-18 declaring the City Commission as the Community Redevelopment Agency.

**Sponsors:** City Attorney Department

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

[Res 57-18 Amended Commission as CRA Board-Final for second reading](#)

Mr. Lohman, City Attorney, read Resolution No. 57-08. Mayor Petrolia opened the meeting up for public comment.

Annette Gray of 3624 Avenue Dejean is in favor of a separate CRA Board and had several comments.

Yvonne L. Odom of 3905 Lowson Boulevard was in favor of keeping the CRA Board a separate board.

Alice First of 707 Place Tavant would like clarification on when the CRA Board will be meeting.

Daniel Rose of 323 NE 6th Avenue had several comments.

Allan Schlossberg of 200 McFarland Drive stated that very little has been done to improve West Atlantic Avenue over the past twenty years.

With no further comments from the public, Mayor Petrolia closed the public portion of the meeting.

Deputy Vice Mayor Johnson would like to see two additional members be added to the CRA Board. A discussion ensued.

Vice Mayor Frankel made a motion to adopt Resolution No. 57-17, as amended. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved**

## **9. FIRST READINGS:**

- 9.A.**     [18-265](#)     ORDINANCE NO. 07-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES CHAPTER 71, "PARKING REGULATIONS", BY AMENDING SECTION 71.005, "ENFORCEMENT BY POLICE DEPARTMENT" TO ALLOW ENFORCEMENT BY DESIGNEE; BY AMENDING SECTION 71.018, "PARKING IN ALLEYS" AND SECTION 71.025, "OBSTRUCTION OF TRAFFIC" TO INCREASE AVAILABLE WIDTH FROM TEN FEET TO TWELVE FEET; BY AMENDING SECTION 71.024, "ALL-NIGHT PARKING" TO PROHIBIT ALL-NIGHT PARKING IN CITY GARAGES AND PARKING LOTS; BY AMENDING SECTION 71.022, "PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS" AND "SECTION 71.023, "LIMITING PARKING TIME ON CERTAIN STREETS" TO ALLOW TIMES TO BE SET BY RESOLUTION; AMENDING SUBCHAPTER "PARKING METERS" BY AMENDING SECTION 71.055, "DEFINITIONS", SECTION 71.056, "DESIGNATION OF SPACES; INSTALLATION OF METERS", SECTION

71.057, "OPERATION OF PARKING METERS", AND SECTION 71.058, "COST OF PARKING OR STANDING VEHICLE IN CERTAIN METERED SPACES" TO PROVIDE FOR THE USE OF PARKING METER TECHNOLOGY AND TO ALLOW TIMES AND FEES TO BE SET BY RESOLUTION; BY AMENDING SECTION 71.060, "PARKING METER PERMITS" TO PROVIDE FOR EMPLOYEE PARKING PERMITS; BY REPEALING SECTION 71.063. "LIMITED TIME PARKING ZONES" AND SECTION 71.064 "PARKING METER ZONES" TO MAKE CONSISTENT WITH AFOREMENTIONED CHANGES; BY AMENDING SECTION 71.091, "LIABILITY FOR PAYMENT OF PARKING TICKET VIOLATIONS" TO ALLOW THE CITY TO PROVIDE NOTIFICATIONS FOR UNPAID PARKING VIOLATIONS; BY AMENDING SECTION 71.999, "PENALTY" TO ALLOW PENALTIES TO BE SET BY RESOLUTION; REPEALING CHAPTER 73 IN ITS ENTIRETY; AMENDING SUBCHAPTER "IMPOUNDMENT" BY AMENDING SECTIONS 71.070 THROUGH 71.073 TO RELOCATE IMPOUNDMENT REGULATIONS FROM CHAPTER 73; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES (FIRST READING).

**Recommendation:** Recommend approval of Ordinance No. 07-18 on First Reading for the changes to Chapters 71 and 73 of the City of Delray Beach (City) Code of Ordinances as specified in attached Ordinance No. 07-18, as presented.

**Sponsors:** Public Works Department

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

[Ord 07-18 amending parking regulations for first reading \(002\)](#)

[Ord 07-18 amending parking regulations redline for first reading](#)

[Res 59-18 Parking Meter zones and time limited parking zones with exhibits](#)

[Res 60-18 Fees for meters permits and penalties](#)

[Comparison Table](#)

[ROI 112017](#)

[ROI 052018](#)

Mr. Lohman, City Attorney, read Ordinance No. 07-18 into the record on First Reading. Vice Mayor Frankel made a motion to approve Ordinance No. 07-18. It was seconded by Commissioner Boylston. A Roll Call vote was in taken and all were in favor. The motion carried 5-0.  
**approved on first reading**

**9.B. [18-144](#)**

ORDINANCE NO. 04-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 35, "EMPLOYEE POLICIES AND BENEFITS", SECTIONS 35.001 THROUGH 35.014 AND

READOPTING SAME, AS REVISED, IN ORDER TO ADOPT A PERSONNEL POLICY AND PROCEDURES MANUAL, PROVIDING FOR ITS ADMINISTRATIVE AMENDMENT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (FIRST READING).

**Recommendation:** Motion to approve Ordinance 04-18 amending Chapter 35 to authorize the City Manager to implement the Personnel Policies and Procedures Manual.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 04-18 rev Sec 35 civil service](#)  
[Ord 04-18 civil service ord exhibit a](#)  
[Personnel Policies Manual FINAL lg rev 04-10-18](#)  
[Memo - Revised Personnel Policies and Procedures Manual](#)

Mr. Lohman, City Attorney, read Ordinance No. 04-18 into the record on First Reading. An Ordinance amending the Code of Ordinances by amending Chapter 35, "Employee Policies and Benefits", Sections 35.001 through 35.014 and readopting same.

Vice Mayor Frankel made a motion to approve the Ordinance No. 04-18 on First Reading. It was seconded by Commissioner Bolyston. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved on first reading**

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

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

Mr. Lauzier, City Manager, reported that the agreement with Lady Atlantic for dockage expires tomorrow. He would like the City Attorney to draft a month to month agreement while they prepare a RFP.

Vice Mayor Frankel made a motion to approve the agreement on a month to month basis. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Mr. Lauzier, City Manager, sent out the Workshop schedule, where he plans to discuss affordable housing opportunities. He also had a slide presentation about the 4th Street pocket park project and thanked staff for the great job!

**10.B. City Attorney**

No report.

**10.C. City Commission**

Commissioner Boylston reported that he attended a workshop by the Urban Land Institute where they discussed the Ambassador Program and the Bike Sharing Program. West Palm Beach saw a drop in vehicle traffic by 43% after instituting the Bike Sharing Program. He reported on a number of ways to make the city more pedestrian friendly. He also thanked the former CRA Board members for their service. He will make himself available to the public at the Capital Cafe on Wednesdays from 9-9:45 am.

Deputy Vice Mayor Johnson thanked the Commission for a positive meeting and stated that she enjoyed the Goal Setting meeting. She also attended the Green Market and commended everyone involved and stated it has grown tremendously. She suggested that the film "The Plastic Ocean" be viewed by the Commission at an upcoming workshop meeting. She has been elected as the Palm Beach County League of Cities, District Four representative. She thanked all the employees with 30 years of service to the community. She had questions regarding Florida Department of Transportation and the tolls that are going to be setup for the express lanes. She attended a ribbon cutting ceremony today by the Delray Beach Housing Authority. She is also concerned with the accidents on South Federal Highway. She took pictures of a broken fence on NW 4th Street.

Commissioner Bathurst thanked everyone that was involved in the Goal Setting program. He also is concerned with the planned express lanes on Route 95.

Vice Mayor Frankel thanked the former CRA Board members for all their work. He tasked Mr. Lauzier to get the answers for the questions that Pauline Moody had asked for.

Mayor Petrolia thanked the former members of the CRA Board. She mentioned the Seacreast beautification plan that needs lighting. She attended the ribbon cutting at the Courts for Village Square. She also mentioned the height restrictions on the beach and asked if the process could be speeded up for developers. She will be attending the Spring Harvest for the Historical Society tomorrow evening. She also attended the 21st anniversary of the Malagra Center. She also commended everyone on the successful Goal Setting Program. She reported that there may be funding of \$860,000. available through the

Transportation Planning Association for vehicles like the trolleys in 2020. She reported that there is also \$5,000,000. in funding to reduce the lanes on Congress Avenue for 2021.

There being no further business to discuss, Mayor Petrolia adjourned the meeting at 8:21 p.m.