

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000 - Fax: (561) 243-3774

www.mydelraybeach.com



Minutes - Draft

Tuesday, January 16, 2018

6:00 PM

Regular Meeting at 6:00 PM

Delray Beach City Hall

City Commission

1. ROLL CALL

Mayor Glickstein called to order a Regular City Commission Meeting at 6:00 p.m.

The following were in attendance:

Mayor Cary Glickstein
Vice Mayor Chard
Deputy Vice Mayor Shirley Ervin Johnson
Commissioner Shelly Petrolia
Commissioner Mitch Katz

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

Mr. Lauzier, City Manager, asked to pull Item 6.K. for consideration at the next meeting. They will reschedule for the February 6th Commission meeting.

Vice Mayor Chard requested the following items be pulled for discussion: 6.B., 6.B. will become 7.A.A. and 6.F. which will become 7.F.F. and 7.H. will become 7.C.C.

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

4. PRESENTATIONS:

- 4.A. [17-971](#) PRESENTATION & PROCLAMATION FOR JACKSON DESTINE, JR. WHO WAS HONORED FOR WINNING THE 2017 WENDY'S HIGH SCHOOL HEISMAN SCHOLARSHIP.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Memo](#)
[Proclamation for Jackson Destine, Jr.](#)

continued

- 4.B. [18-024](#) PRESENTATION AND PROCLAMATION FOR ATLANTIC HIGH SCHOOL'S FOOTBALL TEAM AND COACHES FOR THEIR CHAMPIONSHIP SEASON.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Memo](#)
[Atlantic High School Football Team & Coaches](#)

Presentation and Proclamation for Atlantic High School's Football Team. Mayor Glickstein read the proclamation and congratulated the team and coaches for all their hard work. Principal Tara said a few words regarding the team's dedication both academically and athletically.

Coach Alex Maline, Defensive Line Coach and Head Coach T.J. Jackson was there to accept the proclamation.

Michael Coleman, Community Improvement Director, gave a few words about the football program and the sponsors.

approved

- 4.C. [17-912](#) PRESENTATION - EDUCATION MASTER PLAN

Sponsors: Community Improvement

Attachments: [Agenda Cover Memo](#)
[Education Presentation FINAL-1-8-17](#)
[School Summaries-FINAL-1-8-17](#)

Janet Meeks, the Education Coordinator, for the city gave a powerpoint presentation. She was present to discuss the Education Master Plan and acknowledged the Education Board members who were present.

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

Steve Blum was concerned because the benches were removed after the new pavillion was built. He spoke to Mr. deJesus the Interim City Manager

and the benches reappeared, now they disappeared again. He would also like to see tables in the pavillion for chess, etc.

Alexander Simon of 220 Macfarland Drive is concerned with all the building going on, single family residences are being bought by investors and they are turning them into four-plex condominiums.

Mattie Blair of 2215 NE 3rd Avenue received a \$100 penalty for not renewing her alarm system with the city.

Allie Kaufman of 100 Gleason Street is in support of the Education Board.

Allan Schlossberg of 200 MacFarland Drive sent the Commission a letter regarding \$5 million dollars that was requested by Chief deJesus for a Fire Training facility and also the over inflated eight lifeguard towers to total a cost of \$1,164,000.

Erwin Nesi of 561 NW 48th Avenue was concerned with having programs for their youth in the community. Mr. Coleman spoke to him about how he can help.

Maura Plante from Living Hungry, our group feeds the children less fortunate in the community along with the Delray Task Force.

Clair Johnson of 46 Marine Way is concerned with the flooding on his street.

Joe Gilley of 407 N. Swinton Avenue is in favor of the Education Master Plan. He had several comments and recommendations.

Hearing no further comments from the public, Mayor Glickstein closed the public portion of the meeting.

6. CONSENT AGENDA: City Manager Recommends Approval

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

6.A. [18-025](#) APPROVAL OF MINUTES

Recommendation: Motion to approve meeting minutes as listed below:

Sponsors: City Clerk Department

Attachments: [Agenda Cover Memo - Meeting Minutes 09-19-17](#)
[September 19, 2017 Budget Workshop](#)

approved

- 6.B.** [18-017](#) CONSIDERATION OF A FINAL SUBDIVISION PLAT FOR PALM TRAN SOUTH COUNTY FACILITY LOCATED ON THE WEST SIDE OF CONGRESS AVE. APPROXIMATELY 0.2 MILES NORTH OF ATLANTIC AVE.

Recommendation: Move approval for the Final Plat for Palm Tran South County Facility, by adopting the findings of fact and law contained in the staff report and finding that the request and approval thereof is consistent with the criteria set forth in Section 2.4.5(K)(Minor Subdivisions) of the Land Development Regulations.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[location map](#)
[PLAT Final.pdf](#)

Vice Mayor Chard had several questions for the Planning and Zoning Director, Tim Stillings. Mr. Stillings explained the items.

Commissioner Petrolia made a motion to approve the consideration of a final subdivision plat for Palm Tran South County. It was seconded by Vice Mayor Chard. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

approved

- 6.C.** [18-010](#) ACCEPTANCE OF A 5 FEET WIDE BY 18.8 FEET LONG PEDESTRIAN CLEAR ZONE EASEMENT AT 181 NE 2ND AVENUE

Recommendation: Motion to approve the pedestrian clear zone easement located at 181 NE 2nd Avenue.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[181 NE 2nd Avenue_ pedestrian easement with attachments](#)

approved

- 6.E.** [17-958](#) ACCEPTANCE OF A 5' RIGHT OF WAY DEDICATION ALONG NE 3RD AVENUE AND A 2' RIGHT OF WAY DEDICATION ALONG THE ALLEY, FOR THE PROPERTY LOCATED AT 324 NE 3RD AVENUE

Recommendation: Motion to approve the acceptance of a 5' Right-of-Way dedication along NE 3rd Avenue and 2' Right-of-Way dedication along the rear alley for the property located at 324 NE 3rd Avenue.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[324 NE 3rd Avenue ROW Deeds](#)

approved

- 6.F. [17-960](#) SERVICE AUTHORIZATION NO. 17-01 WITH EDSA, INC. FOR DESIGN AND ENGINEERING SERVICES FOR THE BEACH PROMENADE LIGHTING AND INTERSECTION IMPROVEMENTS PROJECT IN A NOT-TO-EXCEED AMOUNT OF \$148,635.

Recommendation: Motion to Approve Service Authorization No. 17-01 with EDSA, Inc. for professional design and engineering services for the Beach Promenade Lighting and Intersection Improvements (Phase 2 of the Beach Master Plan) in a not-to-exceed amount of \$148,635 (Project No. 15-008).

Sponsors: Public Works Department

Attachments: [Agenda Cover Memo](#)
[Beach Mater Plan Phase 2 EDSA SA 17-01](#)
[EDSA Master Agreement](#)

Vice Mayor Chard had questions regarding this item. Missie Barletto, Deputy Director of Project Management for the Public Works Department was present to answer his questions. She explained that there are two phases of the Beach Master Plan.

Vice Mayor Chard made a motion to approve this item. 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

- 6.G. [18-004](#) FOURTH AMENDMENT TO 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 Fourth Amendment to the Interlocal Agreement (ILA) between the City of Delray Beach (City) and the Community Redevelopment Agency (CRA) to provide for changes in the amount to 2016-2017 projects listed in Exhibit 'A' to the Original ILA.

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Memo](#)
[Legal Review Checklist form v. 4 ILA with CRA for Funding](#)
[Construction-Professional Services](#)
[CRA-Fourth amendment to the Interlocal agreement between the City](#)
[and th.. \(002\) lg rev](#)
[Table 1 -- Exhibit A\(1\).pdf](#)

approved

- 6.H. [18-019](#) AGREEMENT WITH VERONA WOODS HOMEOWNERS ASSOCIATION, INC. (ASSOCIATION) ALLOWING THE ASSOCIATION TO REPLACE EXISTING STREET NAME SIGNS OWNED AND MAINTAINED BY THE CITY OF DELRAY BEACH (CITY) AND TO ASSUME ALL RESPONSIBILITY FOR INSTALLATION AND MAINTENANCE OF THE NEW SIGNS WITHIN THE SUBDIVISION BOUNDARY.

Recommendation: Motion to approve the installation and maintenance agreement with Verona Woods Homeowners Association, Inc. allowing the Association to replace City-owned street signs within the subdivision boundary with new street signs providing for the Association to assume all responsibility for installation and maintenance of new street signs and to protect the City and the public from liability.

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Memo](#)
[Complete signed VW agreement.pdf](#)
[Legal Review Checklist Verona Woods sign installation.pdf](#)

Vice Mayor Chard had questions regarding this item. He was concerned that the Verona Woods Homeowners Association were going to be changing the names of their streets. Missie Barletto, Deputy Director of Project Management of Public Works explained what was needed.

Vice Mayor Chard made a motion to approve this item. It was seconded by Commissioner Katz. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

approved

- 6.I. [18-018](#) APPROVE RESOLUTION NO. 04-18 ENDORSING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DELIVERY FOR THE RECONSTRUCTION OF THE BRANT BRIDGE AND INSTALLATION OF A SHARED MULTI-MODAL TRANSPORTATION PATH FROM OREGON LANE TO AVOCET ROAD.

Recommendation: Motion to approve Resolution No. 04-18 endorsing the FDOT delivery of funding for the reconstruction of the Brant Bridge and installation of a

shared multi-modal transportation path from Oregon Lane to Avocet Road and authorization of the Mayor or City Manager to execute all necessary documents.

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Memo](#)
[Res 04-18 Brant Bridge w Exhibit A.pdf](#)

APPROVE RESOLUTION NO. 04-18 ENDORSING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DELIVERY FOR THE RECONSTRUCTION OF THE BRANT BRIDGE AND INSTALLATION OF A SHARED MULTI-MODAL TRANSPORTATION PATH FROM OREGON LANE TO AVOCET ROAD.

approved

- 6.J. [17-901](#) APPROVE RESOLUTION 06-18 ENDORSING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) DELIVERY FOR THE CONSTRUCTION OF SIDEWALK AND BICYCLE FACILITIES ON HOMEWOOD BOULEVARD AND GEORGE BUSH BOULEVARD.

Recommendation: Motion to Approve Resolution 06-18 endorsing the FDOT delivery of funding for the construction of sidewalk and bicycle facilities on Homewood Boulevard and George Bush Boulevard, and authorization of the Mayor or City Manager to execute all necessary documents.

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Memo](#)
[Res 06-18 for Homewood, George Bush.docx](#)
[2018-2022 TIP Draft.pdf](#)

approved

- 6.K. [17-930](#) RESOLUTION NO. 07-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING RESOLUTION NO. 50-12 AND APPROVING THE ATTACHED UPDATED RULES AND REGULATIONS FOR THE DELRAY BEACH MEMORIAL GARDENS MUNICIPAL CEMETERY.

Recommendation: Motion to approve Resolution No. 07-18 and the attached updated Rules and Regulations for the Delray Beach Memorial Gardens Municipal Cemetery.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Memo](#)
[Res 07-18 Adopting Updated Cemetery Rules Regulations and Fees](#)
[Cemetery Rules and Regulations 2017-Draft Ig rev](#)
[Administrative Policies & Procedures - Cemetery](#)

approved

- 6.L. [17-954](#) RETROACTIVE APPROVAL OF AMENDMENT NO. 1 BETWEEN THE CITY OF DELRAY BEACH AND IMAGE JANITORIAL SERVICES FOR JANITORIAL SERVICES AT THE DELRAY BEACH GOLF CLUB TO EXTEND THE AGREEMENT UNTIL JUNE 17, 2018.

Recommendation: Motion to retroactively approve Amendment No. 1 between the City of Delray Beach and Image Janitorial Services, Inc. to extend the Agreement from June 18, 2017 through June 17, 2018 for janitorial services in an amount not-to-exceed \$32,640.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Memo](#)
[Agenda Cover - 17-954 Image Janitorial](#)
[Janitorial Services](#)
[Legal Review Checklist Amd #1 to Agt for Janitorial services \(2015-13\)](#)

approved

- 6.M. [18-023](#) RETROACTIVE APPROVAL OF AMENDMENT NO. 1 BETWEEN THE CITY OF DELRAY BEACH AND ALSICO, INC. FOR LINEN SERVICES AT THE DELRAY BEACH GOLF CLUB TO EXTEND THE AGREEMENT UNTIL JULY 9, 2018

Recommendation: Motion to retroactively approve Amendment No. 1 between the City of Delray Beach and Alsico, Inc. to extend the Agreement from July 9, 2017 through July 9, 2018 for linen services in an amount not-to-exceed \$25,000.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Memo](#)
[Legal Review Checklist form v. 3 Linen Rental Services Agreement](#)
[2015-014 Agreement](#)

- 6.N. [17-959](#) Approval to accept the FY 2017 Domestic Preparedness Grant # EMW-2017-SS-XXXXX-XXX in the amount of \$43,317 from the State Homeland Security Grant Program

Recommendation: Staff recommends the approval to accept grant funding from the FY 2017 State Homeland Security Grant Program.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Memo](#)
[FY17 Legal Checklist](#)
[2017 HSGP SubGrant Agreement-Delray Beach FR LEGAL APPROVED](#)
[SHSGP FY17 Budget Detail](#)

approved

- 6.O. [17-962](#) APPROVAL OF AN AGREEMENT BETWEEN VMWARE AND THE CITY OF DELRAY BEACH FOR SOFTWARE LICENSES AND MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$120,000

Recommendation: **Recommended Action:**
Motion to approve purchase of VMware licenses and support for a three (3) year period through Dell ASAP Software via NASPO contract in an amount not to exceed \$120,000.

Sponsors: IT Department

Attachments: [Agenda Cover Memo](#)
[City of Delray Beach VMware Rnwl-signed](#)
[City of Delray Beach vSphere Upg-signed](#)
[Dell_Marketing_Master_Agreement](#)
[Dell florida-participating-addendum](#)
[1510266470_VMWare - Fulfillment Partners 11-2017](#)
[1502472004_VMware - Summary Document 8-2017](#)
[1510091905_VMware - Price Catalog 11-2017](#)

approved

- 6.P. [18-029](#) SETTLEMENT IN THE CASE OF SHEILA DAME V. CITY OF DELRAY BEACH

Recommendation: Motion to deny proposal for settlement in the case of Sheila Dame v. City of Delray Beach for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Memo](#)

approved

6.Q. PROCLAMATIONS:**6.Q.1. [18-046](#) MARTIN LUTHER KING, JR. DAY PROCLAMATION**

Sponsors: City Clerk Department

Attachments: [Agenda Cover Memo](#)
[MARTIN LUTHER KING JR. DAY 2018](#)

approved

6.R. [18-012](#) REPORT OF APPEALABLE LAND USE ITEMS FROM NOVEMBER 6, 2017 THROUGH DECEMBER 20, 2017

Recommendation: By motion, receive and file this report.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[City Commission Map 01-16-18\(1\).pdf](#)
[A. Studio 404 .pdf](#)
[B. 917 Bucida Rd.pdf](#)
[C. 207 E. Atlantic Ave .pdf](#)
[D. Delray Place.pdf](#)
[E. Abbey Delray .pdf](#)
[F. Ramen at Hilo.pdf](#)
[G. Delray 7 Townhomes .pdf](#)
[H. 2 E. Atlantic Ave...pdf](#)
[I. 55 SE 7th Avenue .pdf](#)
[J. Midtown Delray.pdf](#)

6.S. AWARD OF BIDS AND CONTRACTS:**6.S.1. [17-910](#) APPROVAL OF A TWO YEAR AGREEMENT WITH UNIVERSAL ELECTRIC OF FLORIDA, INC. FOR ELECTRICAL REPAIR SERVICES UTILIZING PALM BEACH COUNTY CONTRACT NO. 17-044/CC**

Recommendation: Motion to approve a two (2) year agreement with Universal Electric of Florida, Inc. for electrical repair services in an amount not-to-exceed \$60,000 annually utilizing Palm Beach County Contract No. 17-044/CC.

Sponsors: Public Works Department

Attachments: [Agenda Cover Memo](#)
[Contractor Signed Agreement with Universal Electric for Electrical Services](#)
[Legal Review Checklist form v. 3 universal electric](#)
[17-044 Bid Document](#)
[17-044 Universal Electric Response](#)
[17-044 Award Letter](#)

approved

- 6.S.2. [17-963](#)** APPROVAL OF AN AGREEMENT WITH DEAN MITCHELL GROUP FOR INDOOR AIR QUALITY AND INFECTIOUS DISEASE SERVICES IN A NOT TO EXCEED AMOUNT OF \$100,000.

Recommendation: Motion to approve an agreement with Dean Mitchell Group for Indoor Air Quality and Infectious Disease Services in a not-to-exceed amount of \$100,000 per year using The School District of Palm Beach County, Florida Contract 15C-006A through June 17, 2018.

Sponsors: Public Works Department

Attachments: [Agenda Cover Memo](#)
[Executed Agreement by Vendor](#)
[Legal Review Checklist form v. 3 Dean Mitchell Group Air Quality Services](#)
[Dean Mitchell](#)
[Dean Mitchell Cost Summary](#)
[Dean Mitchell-executed award letter](#)

approved

- 6.S.3. [17-977](#)** AWARD OF AN AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND EAGLE AUTO PARTS, INC. DBA NAPA FOR MAINTENANCE, REPAIR, AND OPERATION SUPPLIES IN A NOT-TO-EXCEED AMOUNT OF \$35,000 PER FISCAL YEAR

Recommendation: Motion to award a three-year Agreement with Eagle Auto Parts, Inc. dba NAPA for maintenance, repair, and operation supplies in an amount not-to-exceed of \$105,000 for the Agreement term and authorize the City Manager to exercise any and all renewal options.

Sponsors: Purchasing Department

Attachments: [Agenda Cover Memo](#)
[2017-053 Agreement Signed by Supplier](#)
[Legal Review Checklist form v. 3 Eagle Auto Parts ITB Agreement](#)
[2017-053 MRO Supplies \(rev 2\)](#)

approved

6.S.4. [17-978](#)

APPROVE A BID WAIVER TO AWARD A PURCHASE ORDER TO SPACE COAST HARLEY-DAVIDSON FOR FIVE (5) POLICE MOTORCYCLES IN A NOT-TO-EXCEED AMOUNT OF \$90,000

Recommendation: Motion to approve a Bid Waiver to award a purchase order to Space Coast Harley-Davidson for five (5) Police motorcycles in a not-to-exceed amount of \$90,000.

Attachments: [Agenda Cover Memo](#)
[Alligator Alley Harley Quote](#)
[Bruce Rossmeyers Harley Quote](#)
[Space Coast Harley Quote \(rev 1\)](#)

approved

6.S.5. [17-961](#)

APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND PROLIME CORPORATION FOR WET LIME SLUDGE HAULING FROM THE WATER TREATMENT PROCESS IN A NOT TO EXCEED AMOUNT OF \$310,000 ANNUALLY.

Recommendation: Motion to approve an agreement with Prolime Corporation for wet lime sludge hauling in a not-to-exceed amount of \$310,000 per year using Lee County contract ITB-160478/AB through February 28, 2021, subject to annual renewals by Lee County.

Sponsors: Utilities Department

Attachments: [Agenda Cover Memo](#)
[Executed Agreement by Prolime](#)
[Legal Review Checklist form v. 3 Prolime corp for Wet Lime Sludge Hauling](#)
[NOI](#)
[NTP and Executed Contract B160478](#)

approved

6.S.6. [17-966](#)

AWARD OF BID 2018-005 TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND STO LANDSCAPE SERVICES, INC. FOR SPORTS FIELD MAINTENANCE OF THE SEACREST SOCCER COMPLEX AND HILLTOPPER STADIUM

Recommendation: Motion to award Bid 2018-005 for an agreement between the City of Delray Beach and STO Landscape Services, Inc. for sports field

maintenance of the Seacrest Soccer Complex and Hilltopper Stadium in an amount not-to-exceed \$248,040 for the initial three-year agreement term, and to authorize the City Manager to exercise any and all options to renew.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Memo](#)
[2018-005 Tab Sheet](#)
[2018-005 Agreement](#)
[Legal Review Checklist form Landscape maintenance agt for Seacrest soccer complex with STO](#)

approved

- 6.S.7. [18-002](#)** AWARD OF AN AGREEMENT WITH L.V. SUPERIOR LANDSCAPING, INC. FOR LANDSCAPE MAINTENANCE OF WEST ATLANTIC AVENUE (CSX RAILROAD TO MILITARY TRAIL) IN A NOT-TO-EXCEED AMOUNT OF \$25,982 PER FISCAL YEAR

Recommendation: Motion to award a one year agreement with L.V. Superior Landscaping, Inc. for Landscaping Maintenance West Atlantic Avenue (CSX Railroad to Military Trail) in an amount not-to-exceed \$25,982 per fiscal year and to authorize the City Manager to exercise any and all renewal options.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Memo](#)
[Legal Review Checklist LV Superior landscaping west Atlantic](#)
[2018-006 Agreement](#)

approved

7. REGULAR AGENDA:

- 7.A. [17-947](#)** WAIVER REQUESTS FROM LDR SECTION 4.6.9(D)(1)(e), DESIGN STANDARDS, AND LDR SECTIONS 4.6.9(D) (11) a.&c., MECHANICAL PARKING LIFTS, FOR NEW MONMOUTH ASSOCIATION, INC., LOCATED AT 36 S. OCEAN BLVD. (QUASI-JUDICIAL HEARING)

Recommendation: Motion to approve the requested waivers to LDR Section 4.6.9(D)(1)(e), which requires that mechanical parking lifts be integrated into the building they will serve with three walls and a roof, and to LDR Section 4.6.9(D) (11)a.&c., which requires the lifts be within a building with three walls and a roof to provide adequate screening and sound containment, that they be operated by an attendant during all hours of operation, and that the attendant move the vehicle to where it can be retrieved, based on positive

findings with LDR Section 2.4.7(B)(5), subject to the following conditions:

1. That a class II site plan application be approved by the Site Plan Review and Appearance Board (SPRAB) that:
 - a. Identifies the number of non-residential and residential parking spaces allowed to use the lifts and restricts the use of those spaces to the owner/employees or residents.
 - b. Confirms the screening vegetation along the west property line is fully contained on the subject property. If the vegetation is not on the subject property, screening vegetation must be provided.
 - c. Confirms and specifies the height of the north wall and that screening will be provided along the north property line.
 - d. Provide information regarding the decibel specifications of the lifts while operating.
2. Alternative screening, approved by the Planning, Zoning and Building Director, to block views from the south is required to be installed within 60 days in the event the wall on Boston's property (17 Salina Avenue) is removed.
3. The addition of mechanical parking shall not allow an increase in intensity and/or density of the subject property without separate approval of a site plan modification.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Board Order - New Monmouth](#)
[Delray Beach Parking Lift Demo](#)
[Parking Lot Spaces](#)
[Looking North #1](#)
[East Side Lift](#)
[View #1](#)
[ATL AVE #1](#)
[Ocean Ave View #1](#)

THREE WAIVER REQUESTS FROM LDR SECTION 4.6.9(D)(1)(e),
DESIGN STANDARDS, AND LDR SECTIONS 4.6.9(D) (11) a.&c.,
MECHANICAL PARKING LIFTS, FOR NEW MONMOUTH ASSOCIATION,
INC., LOCATED AT 36 S. OCEAN BLVD. (QUASI-JUDICIAL HEARING)

Tim Stillings, Planning and Zoning Director read File #2017-252 into the record. He reported that staff recommends approval with conditions.

Brian Thompson with the firm Day, Pitney, Chapin, Ballerano and Cheslack representing New Monmouth Association, Inc. gave a powerpoint presentation on the waiver requests.

Mayor Glickstein opened the meeting up for public comment.

Fran Marincola spoke about the history of the property and the ordinances that passed over the years affecting the property.

Van Stokes a designer and supplier of automated parking equipment offered his expertise to the Commission.

Bruce Geme of 439 E. Atlantic Avenue, former Parking Board member is in favor of these waivers, he believes this is a good idea considering all the parking problems.

Albert Richwagen of 251 NE 17th Street, former DDA and Parking Board member is in favor of these waivers for mechanical parking lifts.

Hearing no further comments from the public, Mayor Glickstein closed the public portion of the meeting.

No Rebuttal.

Deputy Vice Mayor Johnson had a few questions.

Commissioner Petrolia stated she had concerns about safety and other questions.

Vice Mayor Chard had questions regarding liability and are the lifts hurricane proof.

Mr. Stillings said the Building Official will make sure that they are properly anchored.

Mr. Lohman read the Board Order. The Commission voted and all were in favor of all three waivers.

Commissioner Katz made a motion to approve the Board Order. It was seconded by Vice Mayor Chard. A roll call vote was taken and all were in favor. The motion carried 5-0.

approved

- 7.B. [18-001](#) CONDITIONAL USE REQUEST FOR EXPANSION OF THE PALM TRAN SOUTH COUNTY FACILITY LOCATED AT 100 NORTH CONGRESS AVENUE, A BUS TERMINAL/GOVERNMENTAL FACILITY, WITHIN THE COMMUNITY FACILITIES (CF) ZONING DISTRICT. (QUASI-JUDICIAL HEARING)

Recommendation: Motion to approve the Conditional Use modification request to allow the expansion of **Palm Tran South County Facilities**, a transportation facility/bus terminal, based upon positive findings with respect to Chapter 3 (Performance Standards) and Section 2.4.5(E)(5) (Conditional Use Findings) of the Land Development Regulations, and the Goals, Objectives and Policies of the Comprehensive Plan.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[CC - All Attachments](#)
[PZB Staff Report 11.27.17](#)
[CC Order](#)
[PZB Staff Report - Conditional Use 1994 CoTran Satellite Facility \(aka Palm Tran\)](#)

CONDITIONAL USE REQUEST FOR EXPANSION OF THE PALM TRAN SOUTH COUNTY.

Tim Stillings, Planning and Zoning Director, read File #2017-165 into the record.

Colleen Walter with Urban Design Studios in West Palm Beach gave a powerpoint presentation, with representatives from Palm Tran also present.

Mayor Glickstein opened the meeting up for public comment.

Christina Morrison of 2809 Florida Boulevard, former member of the Congress Avenue Task Force is in favor of this application. She stated that it would bring more employees, etc. and help beautify the area with no cost to taxpayers.

No Rebuttal.

Vice Mayor Chard had questions regarding the landscape plan.

Mr. Lohman read the Board Order into the record. The Commission voted all were in favor.

Commissioner Katz made a motion to approve the Board Order. Commissioner Petrolia seconded the motion. A roll call vote was taken and all were in favor. The motion carried 5-0.

approved

7.C. [18-011](#) RATIFICATION OF EMERGENCY DISASTER PURCHASE OF 23 GENERATORS FOR THE CITY OF DELRAY BEACH UTILITIES DEPARTMENT DURING HURRICANE IRMA

Recommendation: Motion to ratify emergency purchase awards to Pantropic Power Products, Inc. in the amount of \$1,500,000 and to Americas Generators, Inc. in the amount of \$674,477 for the City of Delray Beach (City) Utilities Department (Utilities) during Hurricane Irma for use in maintaining the operational status of the wastewater collection and raw water production systems during power outages.

Sponsors: Utilities Department

Attachments: [Agenda Cover Memo](#)
 [Signed Emergency PO E2017-001](#)
 [Signed Emergency PO E2017-002](#)

Marjorie Craig, Utilities Director, is present to ask the Commission to ratify the Emergency Disaster purchase of 23 generators for the City of Delray Beach during Hurricane Irma.

Commissioner Petrolia stated that generators from Pan Tropic cost was \$674,000 for 12 of them and \$1.5 million for 11 other generators.

Mayor Glickstein mentioned the City submitted the purchase to FEMA for reimbursement. A discussion ensued.

Mr. Lauzier, City Manager, suggested that this be brought up at Goal Setting, to discuss the preparation of the next storm.

Deputy Vice Mayor Johnson had questions regarding the need to purchase plugs for the generators at an additional cost to the taxpayers.

Commissioner Petrolia made a motion to approve Item 7.C. It was seconded by Commissioner Katz. A roll call vote was taken. The motion carried 3-2 with Deputy Vice Mayor Johnson and Vice Mayor Chard dissenting.

8. PUBLIC HEARINGS:

8.A. [18-015](#) RESOLUTION NO. 01-18: ABANDONMENT OF A PORTION OF NW 1ST STREET ASSOCIATED WITH THE PALM TRAN SOUTH COUNTY FACILITY AND CONVEYANCE TO PALM BEACH COUNTY (PUBLIC HEARING)

Recommendation: Move to approve Resolution No. 01-18 for the abandonment of a portion of the road right-of-way for NW 1st Street, east of the E-4 Canal, by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.6(M)(5) of the Land Development Regulations, and further providing for approval of the execution by the Mayor of a quit claim deed to convey to Palm Beach County portions of abandoned right-of-way owned by the City of Delray Beach.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Resolution 01-18 Palm Tran abandonment and conveyance.pdf](#)
[PZB Staff Report 11.27.17](#)
[Quit claim deed palm tran site.pdf](#)

Mayor Glickstein asked for a motion to move up Item No. 8.A. Commissioner Katz made a motion to move the Item. It was seconded by Commisisoner Petrolia. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Colleen Walter with Urban Design of 610 Clematis Street, West Palm Beach on behalf of Palm Tran discussed the conditional use request for expansion of the Palm Tran South County facility located at 100 North Congress Avenue, a bus terminal/governmental facility, within the community facilities (CF) Zoning District. (Quasi-Judicial).

Mayor Glickstein opened the meeting up for public comment, hearing none he closed the public portion.

Commissioner Petrolia made a motion to approve. It was seconded by Deputy Vice Mayor Johnson. A roll call vote was taken and all were in favor. The motion carried 5-0.

8.B. [18-032](#) ADOPTION OF RESOLUTION NO. 05-18 (PUBLIC HEARING)

Recommendation: Motion to approve Resolution No. 05-18.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Memo](#)
[Resolution 05-18](#)
[MAP](#)

Resolution No. 05-18 (Public Hearing) Mr. Lohman explained the resolution.

Mayor Glickstein opened the meeting for public comment. Hearing none, Mayor Glickstein closed the public portion.

Vice Mayor Chard made a motion to approve Resolution No. 05-18. It was seconded by Commisisoner Katz. A Roll Call vote was taken and all were in favor. The motion carried 5-0.
approved

9. FIRST READINGS:

9.A. [18-013](#) ORDINANCE NO. 01-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, BY AMENDING SECTION 4.6.9 "OFF-STREET PARKING REGULATIONS", SUBSECTION (C)(2) "REQUIREMENTS FOR RESIDENTIAL USES", TO PERMIT ONE PARKING SPACE FOR SINGLE FAMILY DWELLING UNITS TO BE LOCATED WITHIN THE FRONT AND SIDE STREET SETBACK AREA FOR LOTS LESS THAN 60 FEET WIDE, 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 No. 01-18 amending Land Development Regulations Section 4.6.9(c)(2), as presented.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Memo](#)
[Ordinance No 01-18 Parking Setbacks 01.02.2017](#)
[PZB Report--ORD 40-17 Parking Setbacks Final](#)

Mr. Lohman, City Attorney, read Ordinance No. 01-18 into the record.

Tim Stillings, Director of Planning and Zoning stated that this was a minor code amendment and gave an explanation.

Commissioner Petrolia made a motion to approve Ordinance No. 01-18 on First Reading. It was seconded by Vice Mayor Chard. 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 stated that on January 29, 2018 there will be a joint CRA/City Workshop meeting. The topics discussed will be:

- *CRA legislation update
- *First Quarter report on CIP
- *CRA Projects
- *Pasadena Capital parcels issue
- *Set Transformation rebound issues

He also reported that April 13 and April 14, 2018 will be the Goal Setting Sessions, that would set off the strategic policy priorities.

10.B. City Attorney

No report.

10.C. City Commission

Commissioner Petrolia wanted an update on the budget. She was wondering where the valets are parking. She reported that the city should have Uber/Lyft pick up locations around the city.

Deputy Vice Mayor Johnson thanked everyone for all their hard work. She wished everyone a Happy New Year! She reported that the star fell off the Christmas tree and that it had been replaced.

Commissioner Katz was reappointed to the League of Cities National Development Committee and reappointed to the Treasure Coast Regional Planning Council. A discussion ensued about annexing property on Barwick Road and that they will need water and sewer from the City. The New Year's Eve fireworks were great! He wished a Happy New Year to everyone!

Vice Mayor Chard was given a tour of the Conservatory School in North Palm Beach. He is concerned about the development of Publix on West Atlantic Avenue. A discussion ensued regarding the CRA and Vice Mayor Chard mentioned other viable companies that are interested in that location.

Mayor Glickstein thanked the MLK celebration committee, Spady Museum and the Epot Board for all the events surrounding the Martin Luther King holiday. He stated he's receiving a lot of complaints with regards to the length of time that construction projects can keep their signs up. He also reported on the drop in the number of overdoses in Delray Beach.

There being no further business to discuss, Mayor Glickstein adjourned the meeting at 9:48 p.m.