

City of Delray Beach

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Minutes - Draft

Tuesday, December 4, 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

Mayor Petrolia called the Regular City Commission Meeting to order at 6:00 p.m.

The roll call was taken by the City Clerk.

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
William Bennett, Assistant City Attorney
Katerri Johnson, City Clerk

approved

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

The City Manager requested that Item 7.A., Resolution No. 126-18, Award of Five Year Agreement with Oceanside Beach Services, Inc. be deferred to the January 15, 2019 Regular City Commission Meeting.

Mayor Petrolia requested to move Item 6.H.1.E. to the regular agenda as Item 7.A.A.

Commissioner Boylston made a motion to approve the agenda as amended. It was seconded by Commissioner Bathurst. A roll call vote was taken and all were in favor. The motion carried 5-0.

approved

4. PRESENTATIONS:

4.A. [18-804](#) LIVE FRESH SHOWER TRUCK

Recommendation: Motion to approve the Live Fresh Shower Truck ("Truck") to be located on the St. Matthews Episcopal Church site for a six-month pilot program.

Sponsors: Community Improvement

Attachments: [Agenda Cover Report](#)
[Live Fresh Shower Truck PowerPoint Presentation](#)

Janet Meeks, Neighborhood and Community Services Division and a member of the Homeless Task Force, gave a brief presentation regarding a six-month pilot program for a mobile live fresh shower truck to be located at St. Matthews Episcopal Church to serve approximately 30 out of 100 homeless people who are currently served lunch at the church on Friday's.

The City Commission gave a few brief comments.

4.B. HOME RULE EDUCATIONAL VIDEO

Deputy Vice Mayor Johnson presented the Home Rule Educational video.

The City Commission gave a few brief comments.

4.C. Internal Auditor's Report

4.C.1. None

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

None.

5.B. From the Public

Pauline Moody, P.O. Box 8196, Delray Beach, stated she does not support the Live Fresh Shower Truck.

Bruce Leish, 335 S.E. 6th Avenue, #302, Delray Beach, President of the Meridian Delray Condominium Association, Landscape Architect and City Planner, expressed concern over the road widening project on Swinton Avenue for bike lanes and he feels that taking down the trees would destroy the character of the street. Mr. Leish stated other alternatives would be to widen the existing sidewalks. Secondly, Mr. Leish stated the City has done a good job on Federal Highway with cleaning and maintaining the islands/medians. However, he pointed out that there are some palm trees near the Meridian that need to be replaced.

Yvonne Odom, 3905 Lowson Boulevard, Delray Beach, expressed concern over the City Commission making decisions under the Commission comments section of the agenda with no public comment. She commented about a report given to the City Commission about the 2018 Election and

she would like to know whether or not something was wrong with the mail-in vote and if something is wrong that it be corrected by 2020.

Ann Stacey-Wright, 225 S.W. 7th Avenue, Delray Beach, expressed that the City Commission taking over the CRA Board was a power grab. She stated the independent board The Set in partnership with the West Atlantic Avenue Redevelopment Coalition (WARC) started to change how decisions were being made. Ms. Stacey-Wright stated the Set is comprised of WARC, the Northwest/Southwest neighborhood, the Elders, Visions of Peace, the Dog Pound, concerned citizens of the Set, Roots Cultural Festival, and the neighbors living in the Set.

Ernestine Holiday, 40 N.E. 4th Avenue, Delray Beach, stated signs were turned down that The Set made and she feels that the City Commission is trying to discredit the current and former members of the West Atlantic Avenue Coalition (WARC) and expressed concern over important issues such as residents who cannot get their roofs repaired because of the eligibility criteria that the City has in place. In her opinion, Ms. Holiday stated some of the non-profits that are doing good work are being ignored and she feels that the community is being disrespected.

Alfred Straghn, 26 S.W. 5th Avenue, Delray Beach, commented about the signs that The Set made for the northwest/southwest section of the community was turned down.

Patrick Halliday, 1071 Delray Lakes Drive, Delray Beach, stated Swinton Avenue Road Improvement Project was not a Human Powered Delray (HPD) project, but was John Morgan's and some former staff. Mr. Halliday stated that the project allows for the road resurfacing that is needed on Swinton Avenue regardless of the bike paths. He suggested as a solution for the project is to get rid of the plan for the bicycles on the side of the road and make it a multi-path bicycle walking lane where the sidewalk is now which will create a buffer with the swale and the trees so no trees have to be taken down. He stated this way they can preserve the road usage and get the resurfacing done without having to go back to all new drawings. Mr. Halliday commented about pedi-cabs and urged the City Commission to revisit the pedi-cabs.

Timothy Boykin Taylor, urged the City Commission to listen to the voice of the people who live in different areas of the community.

Reggie Cox, 715 Dr. Martin Luther King Jr. Drive, Delray Beach, stated the community has to be part of the formulation and decision making process that will ultimately impact the quality of their lives.

Phyllis Gunn, 131 N.W. 6th Avenue, Delray Beach, stated the City will not help her put a new roof on her home because she does not have insurance and she urged the City Commission to help her and other senior citizens in the community.

Clifford H. Durden, 702 Chatelaine Boulevard, Delray Beach, stated in the past there were some problems in the city, however, they were able to resolve those problems because people worked together. Mr. Durden stated he feels we are leaning towards a situation that is detrimental to the All America City and he believes in unity.

Alice Finst, 707 Place Tavant, Delray Beach, expressed concern over approval of Item 6.I.1., Resolution No. 127-18 for \$260,000.00 for a parking count and guidance system in Old School Square Garage and she urged the City Commission to look at whether a special company is necessary or if they can do this with city employees to help save on the cost.

George Long, 46 N. Swinton Avenue, Delray Beach, expressed concern over the increased traffic throughout the city.

Gayle Clark, 124 N.E. 7th Avenue, Delray Beach, urged the City Commission to help the Palm Trail Association save a Banyan tree on her street. Ms. Clark spoke briefly about Tree Ordinance No. 19-17 and other Banyan trees throughout the city that are now gone.

Annette Annchild, 300 N. Swinton Avenue, Delray Beach, thanked the City Commission for what they do. Secondly, Ms. Annchild expressed concern over the narrowing of Swinton Avenue and the potential removal of trees and stated this street holds the character of the town.

Mayor Petrolia stated the City Commission is also trying to evaluate to see how this project got to this point without the vetting that needed to be done prior to asking for the grant. She stated everyone agrees that the road needs to be resurfaced and maybe that is what prompted this to go forward and in order to get this grant there had to be something to do with bike paths. Mayor Petrolia stated she will be requesting a Workshop Meeting to discuss this issue.

Claudia Willis, 160 Marine Way, Delray Beach, supports historic preservation and stated the Secretary of Interior Standards is against the widening of roads. Secondly, Ms. Willis thanked the City Commission for providing the live fresh shower truck/mobile shower for the homeless. Lastly, she commented about the intent of the tree ordinance and suggested that the ordinance be recrafted.

Jason Hersh, 319 N.W. 2nd Avenue, Delray Beach, member and homeowner of The Set for 14 years, thanked the City Commission for taking over the Community Redevelopment Agency (CRA) and cleaning up the issues. Secondly, Mr. Hersh stated he understands the need for paving; however, he feels that if there is no need for bike lanes that the City should make the Florida Department of Transportation (FDOT) justify why they want to put in bike lanes.

There being no one else who wished to address the City Commission, Mayor Petrolia closed the public comment.

6. CONSENT AGENDA: City Manager Recommends Approval

The City Commission moved to Item 7.A.A.

Mayor Petrolia made a correction that Item 6.H.1.G. (142 NE 7th Avenue) should be moved to the regular agenda as Item 7.A.A. not Item 6.H.1.E.

Vice Mayor Frankel made a motion to approve the consent agenda as amended. It was seconded by Commissioner Boylston. A roll call vote was taken and all were in favor. The motion carried 5-0.

Mayor Petrolia welcomed Assistant City Attorney William Bennett who is filling in this evening for Lynn Gelin, Interim City Attorney.

Mayor Petrolia commented about the removal of the banyan trees throughout the city.

A brief discussion by the City Commission ensued regarding a very large banyan tree.

The City Manager stated during the Planning and Zoning approval process there was extensive discussion about the tree and an investigation associated with the tree's viability and the relocation.

Tim Stillings, Development Services Director, stated the 2017 tree preservation ordinance strives to preserve trees in place, the second best option is to relocate it on the same site, relocate it to another site, and mitigation. Mr. Stillings stated the City was able to increase the dollar amount for that mitigation and if the property owner wants to eliminate that tree, the City receives more funds to replace that tree with the overall intent the net change to the canopy is in the positive. Mr. Stillings stated the Arborist estimated that thirty percent of the tree is visibly diseased. He stated the property owner initially proposed to replace the banyan tree with eight cathedral oaks at 20 feet tall placed within the public right-of-way and the owner has enhanced the overall landscaping within the property beyond

what the code requires. Staff is looking at options to relocate the tree and the cost could range anywhere from \$4,500-\$10,000.

A brief discussion between Mayor Petrolia and Mr. Stillings ensued.

Commissioner Boylston made a motion to approve Item 7.A.A. (formerly Item 6.H.1.G.). It was seconded by Vice Mayor Frankel. A roll call vote was taken and all were in favor. The motion carried 5-0.
approved

6.A. [18-800](#) MEETING MINUTES

Recommendation: Motion to approve meeting minutes as listed below.

November 06, 2018 City Commission Regular Meeting Minutes
November 13, 2018 City Commission Special Meeting Minutes

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[11-06-18 City Commission Regular Meeting Minutes](#)
[11-13-18 City Commission Special Meeting Minutes](#)

approved

6.B. [18-717](#) FINAL (MAJOR) SUBDIVISION REPLAT AND ASSOCIATED
LANDSCAPE MAINTAINENCE AGREEMENT FOR LOTS 101 AND 102,
TROPIC ISLE, PLAT BOOK 24, PAGE 235, ALSO KNOWN AS
DELRAY 7 TOWNHOMES.

Recommendation: Move approval for the Final (Major) Plat for Delray 7 Townhomes 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(J), Major Subdivision, of the Land Development Regulations along with approval of a Landscape Maintenance Agreement pursuant to Sec. 4.4.16 of the LDRs.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Location Map-CC](#)
[Plat 1](#)
[Plat 2](#)
[A-1SITE PLAN](#)
[LMA- Applicant signed](#)
[PZB 101518 Delray 7 Staff Report Final](#)
[Legal Review Form-LandscapeMA-Delray7Townhomes-10-16-18](#)

approved

6.C. [18-732](#)

GRANT AWARD / FLORIDA DEPARTMENT OF HEALTH / EMERGENCY
OPIOID ANTAGONISTS

Recommendation: Motion to accept an award of emergency opioid antagonists through the Helping Emergency Responders Obtain Support (HEROS) Program from Florida Department of Health.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[DBFR MMCAP Agreement Executed.pdf](#)
[DBFR HEROS Narcan Program Acceptance Letter.pdf](#)
[DBPD Fully Executed ODMAP Agreement.pdf](#)
[Legal Review Form LW.pdf](#)

approved

6.D. [18-729](#)

CHENEY BROTHERS: FOOD PRODUCTS FOR RE-SALE AT THE
DELRAY BEACH GOLF CLUB

Recommendation: Motion to approve an increase in the amount of \$50,000 for the purchase of food products for resale at Delray Beach Golf Club bringing the total amount to \$110,000.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

approved

6.E. [18-695](#)

APPROVAL OF RESOLUTION NO. 124-18 FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION FUNDING OF \$300,000 THROUGH A
LEGISLATIVE APPROPRIATION FOR THE ATLANTIC DUNES PARK
PROJECT PHASE 1 (CITY PROJECT NO 17-096)

Recommendation: Motion to approve City of Delray Beach (City) Resolution No. 124-18 authorizing and directing the City Manager to request and accept funding from a Legislative Appropriation for the Atlantic Dunes Park Project (City Project #17-096) through the State of Florida Department of Environmental Protection

Sponsors: Public Works Department - Programs & Project Management

Indexes: Capital Improvement Projects - City Wide

Attachments: [Agenda Cover Report](#)
[FDEP Atlantic Dunes Park Resolution 11.19.18](#)
[Delray Beach Atlantic Dunes Park Phase 1 - Grant Agreement 11.19.18](#)
[Atlantic Dunes Legal Review Approval](#)
[Pages 251-252 from HB5001 FY18-19](#)
[Delray Beach Atlantic Dunes Project Information Package 10.3.18](#)

approved

- 6.F.** [18-773](#) APPROVAL OF A RESOLUTION NO. 145-18 TO AWARD A SERVICE AUTHORIZATION AGREEMENT NO. 5 TO APTIM ENVIRONMENTAL & INFRASTRUCTURE, INC. IN THE AMOUNT NOT-TO-EXCEED \$989,428 FOR COASTAL ENGINEERING CONSULTING SERVICES INCLUDING A SAND SEARCH INVESTIGATION, ENGINEERING, PERMITTING AND MONITORING FOR THE CITY OF DELRAY BEACH'S BEACH NOURISHMENT PROGRAM (PROJECT NO.17-081)

Recommendation: Approval of a Resolution No. 145-18 to award Service Authorization No.5 with Aptim Environmental & Infrastructure, Inc. in the amount not-to-exceed \$989,428 for Coastal Engineering Consulting Services including a sand search investigation, engineering, permitting and monitoring for the City of Delray Beach's Nourishment Program. (Project No. 17-081)

Sponsors: Public Works Department - Programs & Project Management

Indexes: Capital Improvement Projects - City Wide

Attachments: [Agenda Cover Report](#)
[Resolution Aptim Sand Search 11.6.18Legal](#)
[Legal Review Checklist Coastal Eng Aptim](#)
[SA_2018-19 Coastal Engineering ServicesREV](#)

approved

6.G. PROCLAMATIONS:

6.G.1. None

approved

6.H. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:

approved

6.H.1. [18-793](#) REPORT OF APPEALABLE LAND USE ITEMS FROM OCTOBER 22, 2018 THROUGH NOVEMBER 4, 2018.

Recommendation: By motion, receive and file this report.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Appealable Items Map -11.07.18](#)

[A - Alta Congress Apartments](#)

[B - Best Florida Detox](#)

[C - Brook Haven Condos](#)

[D - AT&T](#)

[E - 701 SW 2nd CT](#)

[F - Delray City Market](#)

[G - 142 NE 7th Ave](#)

[H - Delray Chevrolet](#)

Item 6.H.1.G. was moved to the regular agenda as Item 7.A.A.
approved

6.I. AWARD OF BIDS AND CONTRACTS:

approved

6.I.1. [18-787](#) APPROVAL OF RESOLUTION NO. 127-18 TO AWARD AN AGREEMENT WITH PARK ASSIST, LLC FOR A PARKING COUNT AND GUIDANCE SYSTEM IN THE OLD SCHOOL SQUARE PARKING GARAGE IN A NOT-TO-EXCEED AMOUNT OF \$260,000

Recommendation: Motion to approve Resolution No. 127-18 to award an agreement with Park Assist, LLC for a parking count and guidance system in the Old School Square Parking Garage in a total amount not-to-exceed \$260,000.

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Report](#)
[2018-033 Agreement for Parking Count and Guidance System, vendor executed](#)
[Resolution No. 127-18 with Park Assist CA rev](#)
[Legal Review Checklist form v. 5 Park Assist agreement](#)
[2018-033 Parking Count and Guidance System \(rev 2\)](#)
[2018-033 Addendum No. 1](#)
[2018-033 Addendum No. 2](#)
[2018-033 Addendum No. 3](#)
[2018-033 Addendum No. 4](#)
[2018-033 Addendum No. 5](#)
[Park Assist](#)
[2018-033 RFP Scoring Summary After Final Evaluations](#)

approved

7. REGULAR AGENDA:

The City Manager requested the Item 7.A., Resolution No. 126-16 be moved to the Regular City Commission Meeting of January 15, 2019.

Mayor Petrolia requested that Item 6.H.1.E., 701 S.W. 2nd Court, be moved to the regular agenda as Item 7.A.A.

Commissioner Boylston made a motion to approve the agenda as amended. It was seconded by Commissioner Bathurst. A roll call vote was taken and all were in favor. The motion carried 5-0.
approved

- 7.A. [18-673](#) RESOLUTION NO. 126-18 OF AWARD OF A FIVE-YEAR AGREEMENT WITH OCEANSIDE BEACH SERVICES, INC. FOR BEACH EQUIPMENT RENTAL CONCESSIONS IN A CONTRACT AMOUNT NOT-TO-EXCEED AMOUNT OF \$2,055,000 (REVENUE).

Recommendation: Motion to award a five (5) year revenue Agreement with Oceanside Beach Services, Inc. for Beach Equipment Rental Concessions in the amount of \$2,055,000 (revenue).

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[ATTACHMENT 1: RFP 2018-046 Final](#)
[ATTACHMENT 2: Oceanside Beach Service Proposal](#)
[ATTACHMENT 3: RFP 2018-046 Tab Sheet](#)
[ATTACHMENT 4: RFP2018-046 - Scoring Summary](#)
[ATTACHMENT 5: Legal Review Checklist Beach Equipment Rental Concessions - Oceanside Beach Services](#)
[ATTACHMENT 6: OBS Res126-18](#)
[ATTACHMENT 7: OBS Agreement](#)
[ATTACHMENT 8: Oceanside Beach Service equipment](#)

The City Manager requested that Item 7.A., Resolution No. 126-18 be postponed to a date certain of January 15, 2019.

- 7.B.** [18-726](#) A WAIVER REQUEST TO LDR SECTION 4.6.7(F)(i)(1), TEMPORARY IDENTIFICATION SIGNS, TO ALLOW SIGNAGE TO BE PLACED ON THE SCREENING FENCE LOCATED ON THE SE 4TH AVENUE AND SE 5TH AVENUE ON THE 4TH AND 5TH DELRAY (AKA IPIC). (QUASI-JUDICIAL HEARING)

Recommendation: Motion to Approve the waiver to Land Development Regulation Section 4.6.7(F)(i)(1), Temporary Identification Signs, to allow signage to be placed on the screenig fence along sections of SE 5th Avenue and SE 4th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Justification Letter](#)
[Existing Conditions](#)
[Site Plans](#)
[Proposed signage](#)
[Fourth and Fifth Board Order](#)

Mayor Petrolia read the Quasi-Judicial rules for the City of Delray Beach into the record.

Commissioner Boylston left the dais briefly.

The City Clerk swore in those individuals who wished to give testimony on Item 7.B. and/or Item 7.C.

Mayor Petrolia asked the City Commission to disclose any ex parte communications.

Vice Mayor Frankel stated he had no exparte communications to disclose for Item 7.B., however, for Item 7.C., stated he had a couple of emails on

the City server. Commissioner Bathurst stated he had no exparte communications to disclose for Item 7.B., however, he stated for Item 7.C. that he spoke to the applicant. Deputy Vice Mayor Johnson stated she had no exparte communications to disclose. Mayor Petrolia stated she had no exparte communications for Item 7.B., however, she stated for Item 7.C. that she had email on the City server.

Tim Stillings, Development Services Director, entered the project file #2018-012 into the record and stated this is a request for a waiver regarding the allowable signage for a screening fence.

Sarah Scheffel, Samuels & Associates, Inc., Developer and Owner of the 4th & 5th Delray Project also known as iPic, gave a brief overview of the site plan and stated she is applying for temporary marketing signage to go on the construction fence of the project for approximately two months and to help make their marketing efforts be more successful (i.e. retail space and office space on the 3rd floor).

Mr. Stillings stated this is a request for two separate signs; one sign along each frontage on 5th and 4th. Mr. Stillings stated similar waivers have been approved before and this meets all of the waiver standards with respect to the LDRs. Staff recommends approval.

Mayor Petrolia stated if anyone from the public would like to speak on this item, to step forward at this time. There being no one from the public who wished to speak on this item, the public comment was closed.

There was no cross-examination or rebuttal.

Commissioner Boylston stated this accomplishes the following: (1) aesthetically more pleasing than the green or blue fence that is put up, (2) an opportunity to market something coming to the city, and (3) it communicates what is there.

Commissioner Bathurst supports the request.

Deputy Vice Mayor Johnson stated she supports the request.

A brief discussion between Mayor Petrolia and Mr. Stillings followed.

Ms. Scheffel stated the panel will repeat about eight times on 5th Avenue and about six times on 6th Avenue.

The City Commission expressed concern that a continuation of the panels would be too repetitive.

Commissioner Boylston stated he would support alternating the panels so that there be a panel and then a blank/black panel.

A brief discussion by the City Commission took place regarding the duration and condition of the signs.

It was the consensus of the City Commission to support alternating the panels with a blank/black panel.

Ms. Scheffel stated the projected opening for the shell completion is the end of January and the opening of iPic is March 2019.

Since Commissioner Boylston stepped out of the room at the time the exparte communications were being disclosed. Assistant City Attorney William Bennett asked Commissioner Boylston if he had any ex parte communications on this item. Commissioner Boylston stated he had no ex parte communications on this item.

William Bennett, Assistant City Attorney, briefly reviewed the Board Order with the City Commission. The City Commission unanimously supported the Board Order approving the waiver request with the amendment as discussed.

Commissioner Boylston made a motion to approve the waiver request with the amendment of alternating the panels with a blank black panel that would match the color of the art of the existing panel throughout the project. It was seconded by Vice Mayor Frankel. A roll call vote was taken and all were in favor. The motion carried 5-0.

approved with conditions

- 7.C. [18-744](#) IN LIEU OF PARKING FEE REQUEST FOR 1 SPACE FOR HNM OFFICE LOCATED AT 143 SOUTH SWINTON AVENUE. (QUASI-JUDICIAL HEARING)

Recommendation: Motion to Approve the in lieu of parking fee request in the amount of \$10,140 for 1 parking space for HNM Office, located at 143 South Avenue, 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, subject to the condition that full payment be paid prior to issuance of a building permit and that applicant construct three additional on-street parking spaces adjacent to the subject property within the Swinton Avenue and SE 2nd Street rights-of-way.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[2018-12-04-CC-Board Order-In Lieu Parking-143 S Swinton Ave](#)

[Survey-143 South Swinton Avenue](#)

[SitePlan-143 South Swinton Avenue](#)

[Vicinity Map-143 South Swinton Avenue](#)

William Bennett, Assistant City Attorney asked Commissioner Boylston if he had any ex parte communications on Item 7.C. Commissioner Boylston stated he had a telephone conversation with Jaime Mayo from HNM Architecture about this property.

Tim Stillings, Development Services Director, entered the project file #2018-155 and is an in-lieu of parking request for one space.

Jaime O. Mayo, Principal of HNM Architecture, 3705 N. Federal Highway, Delray Beach, gave a brief presentation and reviewed the site plans. Mr. Mayo stated staff recommended approval and the Parking Management Advisory Board (PMAB) recommended approval of the one in-lieu of parking fee request for one space. However, Mr. Mayo stated the Historic Preservation Board (HPB) recommended denial because they felt the massing of the addition was too big.

Mr. Stillings gave a brief presentation and stated with the addition they are required to have eleven (11) spaces; 8 on-site; they are constructing 3 new on-site spaces, however, they only receive credit for half of those on-street spaces.

A brief discussion between Mayor Petrolia and Mr. Stillings ensued.

Mayor Petrolia stated if anyone from the public would like to speak on this item, to step forward at this time.

George Long, 46 N. Swinton Avenue, Delray Beach, stated he has been sworn in and supports the in-lieu parking request.

There being no one from the public who wished to speak on this item, Mayor Petrolia closed the public comment.

There was no cross-examination or rebuttal.

A brief discussion by the City Commission followed with respect to their support of this project.

William Bennett, Assistant City Attorney, reviewed the Board Order with the

City Commission.

Vice Mayor Frankel made a motion to approve the Board Order (approving Item 7.C.). 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

**7.D. [18-813](#) ALWAYS DELRAY COMPREHENSIVE PLAN UPDATE:
PRESENTATION OF THE HEALTHY COMMUNITY ELEMENT**

Recommendation: Provide comment and direction regarding the proposed Healthy Community Element of the Always Delray Comprehensive Plan.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[HCE-DIA 12-4-18](#)
[HCE GOP 12-4-18](#)
[MAP HCE1 Health Centers](#)
[MAP HCE2 Food Markets](#)

Tim Stillings, Development Services Director, presented the City Commission with the Always Delray Comprehensive Plan Update for the Healthy Community Element.

**7.E. [18-814](#) ALWAYS DELRAY COMPREHENSIVE PLAN UPDATE:
PRESENTATION OF THE EDUCATION ELEMENT**

Recommendation: Provide comment and direction regarding the proposed Education Element of the Always Delray Comprehensive Plan.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[EDU DIA CC 12042018](#)
[EDU GOP CC 120418](#)
[EPS Maps 041118](#)
[EDU 2018 Statutes Chart](#)

Tim Stillings, Development Services Director, presented the City Commission with the Always Delray Comprehensive Plan Update for the Education Element.

8. PUBLIC HEARINGS:

8.A. None

approved

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

approved

10.A. City Manager

10.A.1. City Beautification Project

The City Manager presented the City Commission with slides of the beautification efforts that the city is undertaking.

approved

10.B. City Attorney

William Bennett, Assistant City Attorney, stated he had no comments.

10.C. City Commission

Vice Mayor Frankel stated the last City Commission Meeting started at 4:00 p.m. and he feels it worked well. Therefore, Vice Mayor Frankel suggested that beginning January 2019, he would support a trial period to move the start time of the meetings to either 4:00 p.m. or 5:00 p.m.

Commissioner Boylston stated that beginning January 2019, he too supports a trial period for the City Commission Meetings to start at 4:00 p.m. or 5:00 p.m.

Commissioner Bathurst stated that beginning January 2019, he also supports a trial period for the City Commission Meetings to begin at 4:00 p.m.

Mayor Petrolia stated that beginning January 2019, she too supports a trial period for the City Commission Meetings to start at 4:00 p.m. and would like to have an open comment section at 5:00 p.m. or 5:30 p.m. for those individuals who arrive late.

Deputy Vice Mayor Johnson expressed concern over the City Commission Meetings starting at 4:00 p.m. and stated sometimes there are presentations that involve school-aged children and parents

may want to be present to see their children.

Mayor Petrolia suggested that these type of presentations be moved to 6:00 p.m. or at the end of the meeting to allow those parents who do work until 5:00 p.m., enough time to get off work and attend the meetings.

Deputy Vice Mayor Johnson stated she supports the meetings to start at 5:00 p.m.

It was the consensus of the City Commission (with the exception of Deputy Vice Mayor Johnson) that beginning January 2019, to support a trial period for the City Commission Meetings to start at 4:00 p.m.

There being no further business to discuss, Mayor Petrolia adjourned the meeting at 8:57 p.m.

City Clerk

ATTEST:

MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the _____ Meeting of the City Commission held on _____, which Minutes were formally approved and adopted by the City Commission on _____.

City Clerk

NOTE TO READER:

If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval which may involve some amendments, additions or deletions as set forth above.