

# **City of Delray Beach**

*100 NW 1st Avenue - Delray Beach, Florida 33444*

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

*[www.mydelraybeach.com](http://www.mydelraybeach.com)*



## **Minutes - Final**

**Tuesday, January 24, 2017**

**6:00 PM**

**Regular Meeting at 6:00 PM**

**Delray Beach City Hall**

**City Commission**

## 1. ROLL CALL

The Regular Meeting of the City Commission of the City of Delray Beach, Florida was called to order by Mayor Cary Glickstein in the Commission Chambers at City Hall at 6:00 p.m. on Tuesday, January 24, 2017.

Roll call showed  
Commissioner Shelly Petrolia  
Vice Mayor Jordana Jarjura  
Deputy Vice Mayor Mitchell Katz  
Mayor Cary D. Glickstein

Absent:  
None

Also present were:  
Neal de Jesus, Interim City Manager  
R. Max Lohman, City Attorney  
Chevelle D. Nubin, City Clerk

**Present:** 2 - Mayor Cary Glickstein, and Commissioner Mitchell Katz

## 2. PLEDGE OF ALLEGIANCE TO THE FLAG

## 3. AGENDA APPROVAL

Mr. Lohman requested that Item 7.C. be removed from the agenda. He stated for Item 7.D. there is a request for postponement.

Commissioner Petrolia requested that Items 6.K. and 6.G. be moved to the regular agenda. The Mayor stated that Item 6.K. will become Item 7AA and Item 6.J. will become Item 7BB.  
**approved as amended**

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

## 4. PRESENTATIONS:

### 4.A. [17-081](#) RETIREMENT PRESENTATION AND CELEBRATION OF 100TH BIRTHDAY - FRED SERGIO

**Recommendation:** Motion to recognize Fred Sergio for his service to the City of Delray Beach Parks and Recreation department for 55 years and to congratulate him on his 100th birthday.

**Sponsors:** Parks & Recreation Department

**Attachments:** [FredSergiobaseballnight2016collage](#)  
[Fred Sergio resignation](#)

Ms. Suzanne Fisher, Parks and Recreation Director, introduced this item.

Mayor Glickstein gave comments recognizing Mr. Sergio for his birthday and his service to the City. He presented Mr. Sergio with a plaque. Mr. Sergio gave comments.

**4.B.     [17-046](#)     SPOTLIGHT ON EDUCATION - TOUSSAINT L'OVERTURE HIGH SCHOOL**

**Sponsors:** Community Improvement

Ms. Diane Allerdycce, Principal of Toussaint L'Ouverture conducted a PowerPoint presentation regarding the school, its programs and participation. She briefly discussed space needs and stated they are reaching out to city. One of the teachers briefly spoke regarding the school.

Mayor Glickstein gave comments regarding the school and wished the school the best of luck.

**4.C.     [17-062](#)     TEAM OF THE MONTH FOR JANUARY 2017**

**Recommendation:** Present employees in Environmental Services with Team of the Month for January 2017.

**Sponsors:** Human Resources Department

**Attachments:** [ESD TEAM OF THE MONTH](#)

Ms. Tennille DeCoste introduced this item and the employees.

Mr. John Morgan provided an overview for the Team of the Month.

Mayor Glickstein commended staff for how they work late at night to restore the city after these events.

**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**

Mr. de Jesus spoke regarding Mr. James Quillien's comments at the last city commission meeting regarding trash cans, provided an update and a recommendation.

**5.B. From the Public**

**Public Comments:**

1. Ms. Marjorie Waldo spoke regarding Carver Middle School and the basketball coach.

Mayor Glickstein stated he has heard from some of the parents of the children and they are happy with how the coach is assisting the children.

2. Mr. Jervonte Edmonds spoke regarding the Suits for Seniors program.

3. Ms. Margo Vena (sp) thanked the City Commission for a job well done.

4. Mr. Ari Whiteman thanked the City Commission for all of their efforts regarding Atlantic Crossing and asked the City Commission to vote for the agreement.

5. Mr. Alan Schlossberg spoke regarding Uptown Atlantic on West Atlantic Avenue.

6. Ms. Jill Schifferley spoke regarding Palm Trail and celebrating Fred Sergio. She also spoke regarding Atlantic Crossing and thanked the City Commission for their hard work. She commented regarding commitments made to their neighborhood.

7. Ms. Benita Goldstein commented regarding the developer's agreement and asked that funds be set aside for traffic mitigation. She acknowledged Commissioner Petrolia and Deputy Vice Mayor Katz for their work on this.

8. Mr. Ed McCall spoke regarding the golf course agreement extension and stated he would like to see something in the agreement regarding performance/benchmarks.

9. Ms. Joy Howell asked if there is a development agreement that goes with the project.

10. Ms. Kelly Barrette read a statement into record regarding the Atlantic Crossing project.

11. Mr. Dan Sloan, President of the Marina Historic District Association, spoke in regards to Atlantic Crossing and discussed their two areas of concern.

12. Mr. Sandy Zeller stated Bruce Leiner, President of Harbor House Association, has asked him to read a letter into record.

13. Ms. Rita Rona (sp) thanked the City Commission for all of their hard

work and stated they are all looking for their quality of life. She finished reading Bruce Leiner's letter.

14. Ms. Mitzi Kaitz commented regarding the golf course and the contract. She stated she does not understand why it cannot be made to look better.

15. Mr. Charles Dortch spoke regarding Atlantic Crossing.

16. Ms. Ann Marie Nesoreau (sp) spoke regarding sober homes. Mayor Glickstein informed her that is scheduled for a public hearing.

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

### **6.A. [17-113](#) APPROVAL OF MINUTES**

**Recommendation:** Motion to approve various sets of minutes as listed below:

January 17, 2017 Joint Session with the City Commission and the  
Community Redevelopment Agency (CRA)  
January 17, 2017 Workshop/Special Meeting

**Attachments:** [January 17, 2017 Joint Session Workshop Meeting Minutes.pdf](#)  
[January 17, 2017 Workshop and Special Meeting Minutes Draft.pdf](#)

### **6.B. [17-093](#) LEASE RENEWAL FOR THE PINEAPPLE GROVE PROFESSIONAL CENTER FOR THE EMPLOYEE HEALTH AND WELLNESS CENTER**

**Recommendation:** Motion to Approve the lease renewal for the Pineapple Grove Professional Center for the Employee Health and Wellness Center.

**Sponsors:** Human Resources Department

**Attachments:** [MEMO Lease Renewal Pineapple Grove WC](#)  
[Amendment No.1 To the Lease Agreement Between The City of Delray Beach and Pineapple Grove WC](#)  
[Pineapple Grove Professional Center Lease WC](#)  
[Area Facility Lease Costs January 2017](#)  
[Current Cost](#)

### **6.C. [17-008](#) EXECUTION OF THE FEMA FEDERALLY FUNDED PUBLIC ASSISTANCE FUNDING AGREEMENT FOR THE CITY OF DELRAY BEACH, FLORIDA**

**Recommendation:** Motion to Approve the execution of the FEMA Federally Funded Public Assistance Funding Agreement as the Subgrantee/Subrecipient and authorize the Mayor to sign the agreement.

**Sponsors:** Finance Department

**Attachments:** [Memorandum to Cooper EXECUTE FLPA AGREEMENT - HURRICANE MATTHEW FEMA PA Agreement - Matthew Draft 2016](#)

- 6.D. [17-014](#) AWARD OF AN AGREEMENT TO GARLAND/DBS, INC. IN THE AMOUNT OF \$1,205,703 FOR THE REPAIRS OF THE ROOFS AND EXTERIOR WALLS AT CITY HALL AND THE COMMUNITY CENTER BUILDINGS

**Recommendation:** Motion to Award an Agreement to Garland/DBS, Inc. for the replacement of the roofs at City Hall and the Community Center utilizing the U.S. Communities Governmental Purchasing Alliance Cooperative Contract Number 14-5903 for a guaranteed maximum not-to-exceed price of \$1,205,703 (Project No. 16-097).

**Sponsors:** Environmental Services Department

**Attachments:** [USC Proposal - City of Delray Beach Community Center City Hall \(2017 Pricing\) \(Final Including Specs Addenda\)](#)  
[Garland-DBS Inc. - City of Delray Beach Guaranteed Price Letter](#)  
[Master Intergovernmental Cooperative](#)  
[Master Agreement Garland](#)  
[Contract Amendments Garland](#)  
[ITB Garland](#)  
[Addendum 1 Garland](#)  
[Addendum 2 Garland](#)  
[Roofing Postings Garland](#)  
[Attachment B Garland](#)  
[US Communities Agreement Garland](#)

- 6.E. [17-017](#) CONTRACT CLOSEOUT (CHANGE ORDER NO. 1/FINAL) WITH FOSTER MARINE CONTRACTORS FOR THE SW 10TH/9TH AVENUE IMPROVEMENTS AND SW 2ND TERRACE IMPROVEMENTS PROJECT

**Recommendation:** Motion to Approve Contract Closeout (Change Order No. 1/Final) to Foster Marine Contractors Inc., in the net contract reduction amount of (\$46,254.00) and approve final payment in the amount of \$15,094.30 for the SW 10th/9th Avenue Improvements and SW 2nd Terrace Improvements Project; No.'s 2014-023 & 2014-024.

**Sponsors:** Environmental Services Department

**Attachments:** [CO 1 Final](#)

**6.F.**     [17-035](#)     CONTRACT CLOSEOUT (CHANGE ORDER NO. 1/FINAL) WITH DP DEVELOPMENT OF THE TREASURE COAST, LLC FOR THE BLOCK 32 ALLEY IMPROVEMENT PROJECT

**Recommendation:** Motion to Approve the Contract Closeout (Change Order No. 1/Final) with DP Development of the Treasure Coast, LLC in the net contract reduction amount of (\$70,107.08), by motion to approve a final payment in the amount of \$18,923.87 to DP Development for completion of the Block 32 Alley Improvements Project; P/N No. 2011-009.

**Sponsors:** Environmental Services Department

**Attachments:** [Change Order No.1 Final](#)

**6.G.**     [17-068](#)     SERVICE AUTHORIZATION NO. 12-27 WITH KIMLEY-HORN AND ASSOCIATES IN THE AMOUNT NOT TO EXCEED \$16,000 TO DESIGN THE STRUCTURAL CONCRETE FOUNDATION AND ELECTRICAL SERVICE FOR THE CITY 100' CHRISTMAS TREE

**Recommendation:** Motion to Approve Service Authorization No. 12-27 with Kimley-Horn and Associates (KHA) in the amount not to exceed \$16,000 for the professional engineering services related to the structural foundation design and electrical service for the City's 100' Christmas Tree (Project No. 17-062).

**Sponsors:** Environmental Services Department

**Attachments:** [KHA SA 12-27](#)

[EXHIBIT A](#)

[DDA Supplemental report 02192015](#)

[DDA Christmas Tree Evaluation 02022015](#)

[OSS Lease Agreement](#)

[Breakeven Analysis](#)

[Christmas Tree Location Map](#)

John Morgan presented this item.

Commissioner Petrolia discussed her reasons for pulling this item for discussion.

Chief Neal deJesus, Interim City Manager, gave comments regarding Old School Square and the tree. He stated Finance will bring back options to the City Commission regarding funding and staff needs direction from the City Commission in terms of moving forward.

City Commission asked that the cost to construct be included in the numbers and the lifespan of the tree and additional maintenance.

Discussion ensued regarding the task force, the location of the tree and the safety of the tree.

denied

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

- 6.H.**     [17-024](#)     RATIFY AMENDMENT NO. 1 AND APPROVAL OF AMENDMENT NO. 2 WITH IMPERIAL ELECTRICAL, INC. AND UNIVERSAL ELECTRIC, INC. FOR ELECTRICAL SERVICES AND REPAIRS

**Recommendation:** Motion to Approve Amendments No. 1 with Imperial Electrical, Inc. and Universal Electric, Inc. and Approve Amendments No. 2 with Imperial Electrical, Inc. and Universal Electric, Inc. in an amount not-to-exceed \$25,000 for each firm.

**Sponsors:** Purchasing Department

**Attachments:**   [Agreement, Imperial](#)  
                         [Agreement, Universal](#)  
                         [City Manager Approval 12-14-14](#)  
                         [Letter - Notice of Administrative Error, Universal](#)  
                         [Amendment No. 1 Imperial 1st Renewal FINAL](#)  
                         [Amendment No. 2 Imperial 2nd Renewal FINAL](#)  
                         [Amendment No. 1 Universal 1st Renewal FINAL](#)  
                         [Amendment No. 2 Universal 2nd Renewal FINAL](#)

- 6.I.**     [17-098](#)     AMENDMENT TO EXTEND THE AGREEMENT WITH BJCE, INC. FOR MUNICIPAL GOLF CLUB AND LAKEVIEW GOLF CLUB MANAGEMENT

**Recommendation:** Motion to Approve an amendment to extend the Agreement with BJCE, Inc. for Municipal Golf Club and Lakeview Golf Club Management Agreement for ninety days through April 30, 2017.

**Sponsors:** Purchasing Department

**Attachments:**   [Agreement for Management Services - Lakeview Golf Club](#)  
                         [BJCE entesnion Memo - January 2017](#)  
                         [Agreement Amendment No 5 - BJCE INC FINAL](#)

- 6.J.**     [17-101](#)     PURCHASE AWARDS TO STINGRAY CHEVROLET, LLC, DUVAL FORD, LLC, AND HUB CITY FORD-MERCURY, INC. FOR THE PURCHASE OF TWO CHEVY TAHOE PPV UTILITY VEHICLES, ONE FORD T-250 CARGO VAN, TWO FORD UTILITY INTERCEPTOR VEHICLES AND ONE FORD TRANSIT CONNECT 7 PASSENGER VAN IN A TOTAL AMOUNT OF \$192,189.



**Recommendation:** Motion to approve purchase awards to Stingray Chevrolet, LLC for two 2017 Chevy Tahoe PPV Utility vehicles (specification #8), to Duval Ford, LLC for one 017 Ford T-250 Transit Cargo Van (specification #37), and to Hub City Ford-Mercury, Inc. for two 2017 Ford Utility Interceptor Vehicles (specification #6) and one Ford Connect passenger van (specification #38) for the Fire-Rescue Department in the amount of \$192,189 utilizing the Florida Sheriff's Association Contract #FSA16-VEH24.0.

**Sponsors:** Purchasing Department

**Attachments:** [Chevy Tahoe PPV Quote-Stingray 12-28-16](#)  
[Transit Connect Quote-Hub City 12-28-16](#)  
[FD Interceptor Quote 12-29-17](#)  
[T-250 Cargo Van Quote-Duval 12-29-16](#)  
[FSA 2017 Vehicle Bid Award System - Light Bid Award Summary](#)  
[FSA16-VEH24.0 Spec 38](#)  
[FSA16-VEH24.0 Spec 8](#)  
[FSA16-VEH24.0 Spec 37](#)  
[FSA16-VEH24.0 Spec 6](#)  
[FSA16-VEL24.0 Bid Document 9-30-162](#)  
[Vehicles Pricing Table](#)

**6.K. [17-108](#)** RATIFICATION OF APPOINTMENT TO THE BOARD OF TRUSTEES FOR THE POLICE OFFICERS' RETIREMENT SYSTEM.

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

**Sponsors:** City Clerk Department

Commissioner Petrolia commented regarding backup for this item.  
removed

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

**6.L. PROCLAMATIONS:**

**6.L.1. [17-097](#)** BLACK HISTORY MONTH PROCLAMATION

**Sponsors:** City Clerk Department

**Attachments:** [Black History Month Feb 2017](#)

**6.M. [17-090](#)** REPORT OF APPEALABLE LAND USE ITEMS DECEMBER 12, 2016 THROUGH DECEMBER 30, 2016

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

**Sponsors:** Planning and Zoning Board

**Attachments:** [Location Map.pdf](#)  
[Caliber Collison.pdf](#)  
[801-815 George Bush Boulevard.pdf](#)  
[Downtown Delray Professional Center.pdf](#)  
[1020 Langer Way.pdf](#)

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

6.N.1. None

## 7. REGULAR AGENDA:

### 7.A. [17-092](#) ATLANTIC CROSSING WAIVERS (QUASI-JUDICIAL HEARING)

- 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).

**Attachments:** [Atlantic Crossing location map](#)  
[Mid-Block Access Plan](#)  
[Waiver request letter](#)  
[waiver board order for City Commission](#)

Mayor Glickstein read the quasi judicial rules into record for this item.

Chevelle D. Nubin, City Clerk, swore in individuals who wished to speak on this item.

Mayor Glickstein asked the City Commission to disclose their exparte communications. Deputy Vice Mayor Katz stated he spoke with various persons, Commissioner Petrolia stated she spoke with various persons and emails are on the city server. Mayor Glickstein stated he had no other communications other than emails on the server and Vice Mayor Jarjura stated she spoke with several persons and emails/text are on the city server.

Tim Stillings, Director of Planning, Zoning and Building, presented the waivers.

Henry Handler, representing the applicant, stated they are present for questions.

Kristine de Haseth, Coalition for Historic Preservation, asked the City Commission to look at the waivers to the Land Development Regulations (LDR) very carefully.

There was no cross examination or rebuttal from staff or the applicant.

City Attorney Lohman discussed the waivers and referenced the settlement agreement.

Commissioner Petrolia asked about the road and asked additional questions.

Vice Mayor Jarjura asked about the conditions of site plan approval.

Jamie Cole, Weiss Serota, discussed conditions from 2013 and 2014 and what was agreed to in mediation.

Discussion ensued regarding the agreement.

Vice Mayor Jarjura asked if the item can be deferred until the City Commission can speak with Special Counsel.

City Attorney Lohman stated the applicant has a concern with timing.

Mayor Glickstein stated what is driving this is the quality of information. He gave further comments regarding timing, logistical problems, what was

requested and discussed in 2014.

Deputy Vice Mayor Katz asked about the donation regarding Veterans Park.

tabled

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

**7.B.**     [17-110](#)     ATLANTIC CROSSING SETTLEMENT AGREEMENT - EDWARDS CDS, LLC VS. THE CITY OF DELRAY BEACH

**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 and Inglesse

**Attachments:** [Settlement Agreement signed by Edwards](#)

tabled

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

**7.C.**     [17-064](#)     APPEAL OF THE OCTOBER 26, 2016, SITE PLAN REVIEW AND APPEARANCE BOARD (SPRAB) ACTIONS ASSOCIATED WITH DELRAY PLACE SOUTH, LOCATED AT 1911 SOUTH FEDERAL HIGHWAY, SPECIFICALLY THE CLASS III SITE PLAN MODIFICATION, SPECIAL ACTION PARKING REDUCTION REQUEST, LANDSCAPE PLAN WITH LANDSCAPE ISLAND SHADE TREE WAIVER AND SPECIAL LANDSCAPE AREA WAIVER, AND ARCHITECTURAL ELEVATIONS (QUASI-JUDICIAL HEARING)

**Recommendation:** Motion to Approve the Class III Site Plan Modification, Special Action Parking Reduction, Landscape Plan with Landscape Island Shade Tree Waiver and Special Landscape Buffer Waiver, and Architectural Elevations with conditions for Delray Place South, located at 1911 South Federal Highway, as presented.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Staff Report-Delray Place South-SPRAB Meeting 10-26-16 with All Exhibits](#)  
[Board Order by SPRAB from 10-26-16 SPRAB Hearing of Delray Place South](#)  
[10-26-16 SPRAB Minutes - APPROVED](#)  
[Delray Place South - SPRAB APPROVAL LETTER - 10-26-16 - LETTERHEAD](#)  
[Delray Place South - Appeal Letter 11.4.16](#)  
[Delray Place South Appeal Board Order](#)

Applicant asked that this item be postponed to February 21, 2017.  
**tabled**

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

- 7.D.**     [17-075](#)     APPEAL OF THE HISTORIC PRESERVATION BOARD (HPB) DENIAL OF THE CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A CONTRIBUTING STRUCTURE A 218 NE 5TH COURT, WITHIN THE DEL-IDA PARK HISTORIC DISTRICT (QUASI-JUDICIAL HEARING)

**Recommendation:** Motion to Deny the Certificate of Appropriateness for the demolition of the contributing structure located at 218 NE 5th Court.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Appeal Request Letter](#)  
[HPB Staff Report 120716](#)  
[Letter from McCarty re: Structural Soundness](#)  
[Plan Review Comments for Additions](#)  
[218 NE 5th Court Demolition Appeal Board Order 012417](#)

Applicant requested this item be postponed to February 21, 2017.  
**tabled**

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

## **8. PUBLIC HEARINGS:**

- 8.A.**     [17-095](#)     ORDINANCE NO. 02-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING APPENDIX "A", "DEFINITIONS", TO PROVIDE UPDATED DEFINITIONS FOR "MEDICAL OFFICE", "NON-RESIDENTIAL LICENSED SERVICE PROVIDER", "RESIDENTIAL LICENSED SERVICE PROVIDER", AND DELETING THE OBSOLETE DEFINITION OF "SUBSTANCE ABUSE"; PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance No. 02-17 on Second Reading, as presented.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Ordinance No. 02-17](#)  
[PZB staff report Dec 19 2016 - Definitions Update](#)

Max Lohman, City Attorney, read the caption of the ordinance.

Tim Stillings, Director of Planning, Zoning and Building, presented this item and introduced Terrill Pyburn.

Mayor Glickstein declared the public hearing open.

Ann Marie Nesoreau (sp) spoke regarding this ordinance.

There being no one else from the public who wished to address the Commission, the public hearing was closed.

**approved**

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

- 8.B.**     [17-096](#)     ORDINANCE NO. 03-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING SECTION 2.4.7(G), "REQUESTS FOR ACCOMMODATION"; SUBSECTIONS (1), "PURPOSE", (5), "NOTICE OF PROPOSED DECISION", (6), "APPEAL", AND (8), "REQUEST FORM FOR REASONABLE ACCOMMODATION", TO UPDATE AND CLARIFY SAME; ENACTING A NEW SUBSECTION 2.4.7(G)(10), "RECERTIFICATION" TO PROVIDE FOR ANNUAL RECERTIFICATION OF REASONABLE ACCOMMODATIONS; ENACTING A NEW SUBSECTION 2.4.7(G)(11), "SEVERABILITY" TO PROVIDE FOR SEVERABILITY; PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance No. 03-17 on Second Reading, as presented.

**Sponsors:** Planning & Zoning Department

**Attachments:**     [Ord 03-17 re Reasonable Accommodation Request Process 1.11.17](#)  
                             [Reasonable Accommodation Request Form-revised with owners consent 12.20.16](#)  
                             [RAR Plan Zoning Brd staff report Dec 2016 Final 12-9](#)

City Attorney Lohman read the caption of this ordinance.

Tim Stillings presented this item.

Mayor Glickstein declared the public hearing open. There being no one from the public who wished to address the Commission, the public hearing was closed.

**approved**

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

**8.C.**     [17-070](#)     RESOLUTION NO. 03-17: CONTRACT FOR SALE AND PURCHASE  
BETWEEN GRAV INC AND THE CITY OF DELRAY BEACH

**Recommendation:** Motion to Approve Resolution No. 03-17.

**Sponsors:** Finance Department

**Attachments:** [Notice of Intent to Sell-1015 Mango Dr 12.28.17](#)  
[Quit Claim Deed for 1015 Mango Drive 12.28.16 rev JR](#)  
[Res No 03-17 - 1015 Mango Drive 01.04.17](#)  
[Vacant Land Contract- 1015 Mango Drive Grav Inc \(buyer executed\)](#)

Jeff Snyder stated staff and the real estate brokers are here for questions.

Mayor Glickstein declared the public hearing open. There being no one from the public who wished to address the Commission, the public hearing was closed.  
**approved**

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

**8.D.**     [17-079](#)     RESOLUTION NO. 04-17: CONTRACT FOR SALE AND PURCHASE  
BETWEEN MICHAEL KERN, OR NOMINEE AND THE CITY OF DELRAY  
BEACH

**Recommendation:** Motion to Approve Resolution No. 04-17.

**Sponsors:** Finance Department

**Attachments:** [Notice of Intent to Sell-NW Ninth Avenue 01.04.17 \(2\)](#)  
[Quit Claim Deed for NW Ninth Avenue 01.04.17 rev JR](#)  
[Res No 04-17 - NW Ninth Avenue 01.04.17](#)  
[Vacant Land Contract- NW 9th Ave- Michael Kern 01.06.17](#)

City Attorney Lohman read the caption of the resolution.  
**approved**

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

**9. FIRST READINGS:**

**9.A.**     [17-080](#)     ORDINANCE NO. 04-17: AN ORDINANCE OF THE CITY COMMISSION  
OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER  
96, "FIRE SAFETY AND EMERGENCY SERVICES", BY RENAMING  
AND AMENDING SECTION 96.02, "INSPECTIONS REQUIRED" TO  
PROVIDE A SCHEDULE FOR FIRE SAFETY INSPECTIONS AND  
RELATED FEES (FIRST READING)

**Recommendation:** Motion to Approve Ordinance No. 04-17 amending Chapter 96, "Fire Safety and Emergency Services", by renaming and amending section 96.02, "Inspections Required" to provide a schedule for Fire Safety Inspections and related fees.

**Sponsors:** Fire Rescue Department

**Attachments:** [fire safety ordinance](#)

Acting Fire Chief Keith Tomey presented this item.  
**approved**

**Yes:** 4 - Mayor Glickstein, Jarjura, Commissioner Katz, and Petrolia

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

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

Interim City Manager Chief deJesus spoke regarding the phone system. He also commented regarding managing expectations and responsiveness to inquiries. He referenced public record requests, expectations of staff and culture. He announced the resignation of the City Clerk. The City Commission gave comments.

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

The City Attorney commented regarding the Pets ordinance.

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

Deputy Vice Mayor Katz commented about the length of time for a project to get to a Site Plan Review and Appearance Board (SPRAB) meeting. He gave suggestions regarding how an item gets to the SPRAB.

The City Commission asked that Interim City Manager, Chief deJesus looked into this.

Vice Mayor Jarjura commented regarding the previous discussion of the City Commission regarding streamlining the process.

City Attorney Lohman commented regarding the consultant that has been hired to review and streamline the process.

Commissioner Katz commented about having permits online.

Chief deJesus provided brief comments regarding the ERP, time and attendance and the phone system.

Vice Mayor Jarjura had no further comments.



Mayor Glickstein recognized Rosanne Dechicchio on her retirement and commended her for her service. He also thanked everyone for their help with the swearing in ceremony and stated Delores Rangel has been nominated for a Freedom award. He read a letter into record from one of the recipients who received a Project Holiday box.

There being no further business, Mayor Glickstein adjourned the meeting at 9:02 p.m.