

# **City of Delray Beach**

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## **Minutes - Final**

**Tuesday, June 20, 2017**

**6:00 PM**

**Regular Meeting at 6:00 PM**

**Delray Beach City Hall**

**City Commission**

**1. ROLL CALL**

Mayor Glickstein called the Regular City Commission meeting to order at 6:04 p.m.

City Commission members in attendance were:

Commissioner Petrolia  
Vice Mayor Chard  
Deputy Vice Mayor Johnson  
Mayor Glickstein

Also in attendance were:

Interim City Manager, Neal deJesus  
City Attorney, R. Max Lohman  
City Clerk, Katerri Johnson

**2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. AGENDA APPROVAL**

Mayor Glickstein reported that Delray Beach has won it's third "All American City" award, no other Florida city has accomplished that. The award is the oldest most prestigious award given by the National Civic League. The award came about by a national call to action we embarked on a city-wide collaborative effort to improve reading efficiency for our at risk youth. He gave an overview of the program.

Mr. deJesus asked that they remove Item 6.M., we will place it on the next meeting's agenda.

Vice Mayor Chard requested to pull item for discussion, the item 6.X. will become 7A.A. on the regular agenda.

Commissioner Petrolia would like to move 6.C.C.3, the item will become 7B.B.

Deputy Vice Mayor Johnson would like to move 6.C.C.5, the item will become 7.C.C.

Commissioner Katz made a motion to approve the agenda as amended, seconded by Vice Mayor Chard. A Roll Call vote was taken. All in favor.

The motion carried 5-0.

#### 4. PRESENTATIONS:

DDA Vice Chairperson Ryan Boyle made opening comments before Executive Director Laura Simon presented the DDA Safety Ambassador Pilot Program.

##### 4.A. [17-547](#) DOWNTOWN SAFETY AMBASSADOR PILOT PROGRAM REVIEW

**Attachments:** [Downtown Safety Ambassador Program Memo Overview 6.20.17](#)  
[Downtown Safety Ambassador Program June 20th CC Meeting Information](#)  
[Downtown Safety Ambassador Survey results as of 6.9](#)  
[quality of life issues](#)  
[recommended changes question](#)  
[Weekly Status Report 2-13 2-19](#)  
[Weekly Status Report 3-6 3-12](#)  
[Weekly Status Report 4-03 4-09](#)  
[Weekly Status Report 5-01 5-07](#)  
[112HRS FULL PROPOSAL](#)

Ryan Boylston, Chairman of the Downtown Development Authority gave an overview on the Safety Ambassador Pilot program. Laura Simon gave the presentation and thanked the Police Department and Fire Department for all their help.

Commissioner Katz stated that more money should be contributed by the Downtown Development Authority, Commissioner Petrolia agreed. Vice Mayor Chard expressed he is in favor of the program.

Mayor Glickstein opened the meeting up for public comment.

Pauline Moody, I am now homeless, and I am not in favor of the Ambassador program.

Juanita Bryant Goode, Director of Engagement for the Caring Kitchen. She thanked the Commission for renewing their lease, they are in the process of finding a new location.

Bennet and Laura Lesman of 32 SE 2nd Avenue, she is in favor of the Ambassador program and would like it to continue.

Dorothy Ellington, President of the Housing Authority thanked the Commission for coming to their ribbon cutting ceremony at their new location at 82 NW 5th Avenue. She is in favor of the Ambassador program.

Maresca DelGatto, Director of Operations of the Cornell Art Museum is in favor of the Safety Ambassador program.

Alice Fence 707 Place Chalfont, she stated that when an ordinance of the city is spending money the neighborhood should be notified.

Mavis Benson, Co-chair of the downtown merchants, she is in favor of the Ambassador program.

Angie Gray of 219 SW 9th Street, she concerned with neighbors installing fences that are closer to the sidewalk than are allowed. Libby Wesley Park has drug use and sales.

Rich Pollock congratulated the Commission on the award the city received.

Mitzie Kates concerned with the building at Aloft and that it is an eyesore. She would like to see a moratorium on future building.

Joe Gilley, former President and CEO of Old School Square thanked several people for winning the award for the "All American City". He is concerned that the funding continue in the future for this program.

Oswald Baldwin, class of '64 at Carver High School congratulated Ms. Johnson on her position as Commissioner.

Allen Costello of Big Al's Steaks on the Avenue, member of the Downtown Development Authority is in favor of the Ambassador program.

Dr. Victor Kurson is in favor of the Ambassador program. He would like to know when the Atlantic Dunes pavillion will be completed.

Mayor Glickstein closed the public portion of the meeting.

Vice Mayor Johnson made a motion to approve the Consent agenda as amended, seconded by Commissioner Petrolia. A Roll Call vote was taken. All in favor. The motion carried 5-0.

## **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

## 6. CONSENT AGENDA: City Manager Recommends Approval

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

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

**6.A.**     [17-472](#)     ACCEPTANCE OF A 5' WIDE X 20.44' LONG RIGHT-OF-WAY DEDICATION ALONG GEORGE BUSH BOULEVARD, FOR THE PROPERTY LOCATED AT 226 PALM COURT

**Recommendation:** Motion to Approve the acceptance of a 5' wide x 20.44' long Right-of-Way Dedication for the property located at 226 Palm Court.

**Sponsors:** Planning & Zoning Department

**Attachments:**   [226 Palm Court ROW Dedication](#)  
                         [Legal Review Checklist 226 Palm Court Deed](#)  
                         [10-1-2015 DSMG Minutes-DRAFT](#)

**approved**

**6.B.**     [17-510](#)     INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE TREASURE COAST REGIONAL PLANNING COUNCIL TO PERFORM THE PLANNING SERVICES FOR THE SOUTH FLORIDA TRANSIT-ORIENTED DEVELOPMENT GRANT AWARDED FOR THE TRI-RAIL COASTAL LINK STATION AREA MASTER PLAN

**Recommendation:** Motion to Approve the Interlocal Agreement between the City of Delray Beach and the Treasure Coast Regional Planning Council.

**Sponsors:** Planning & Zoning Department

**Attachments:**   [SFTOD Grant Agreement with Exhibit Scope final](#)  
                         [Tri-Rail Coastal Link Station](#)  
                         [Tri-Rail Coastal Link Station Area Development Activity 11x17](#)  
                         [CAO checklist ILA with TCRPC for tri-rail station planning](#)

**approved**

**6.C.**     [17-378](#)     RESOLUTION NO. 37-17 ENDORSING THE FLORIDA DEPARTMENT OF TRANSPORTATION'S DESIGN AND CONSTRUCTION OF SIDEWALK AND BICYCLE FACILITIES ON SWINTON AVENUE

**Recommendation:** Motion to Approve Resolution No. 37-17 endorsing the Florida Department of Transportation's design and construction of sidewalk and bicycle facilities on Swinton Avenue.

**Sponsors:** Environmental Services Department

**Attachments:** [Swinton Avenue Bike Lanes and Sidewalks - Local Initiative](#)  
[Resolution 37-17 FDOT Swinton Avenue Project](#)

approved

- 6.D. [17-474](#) SERVICE AUTHORIZATION NO. 12-32 WITH BAXTER & WOODMAN COMPANY DBA MATHEWS CONSULTING IN AN AMOUNT NOT-TO-EXCEED \$42,530 FOR CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES FOR INSTALLATION OF THE 100' ALUMINUM HOLIDAY TREE

**Recommendation:** Motion to Approve Service Authorization No. 12-32 to Baxter & Woodman Company d/b/a Mathews Consulting in the amount not-to-exceed \$42,530 for the CEI services related to the installation of the 100' aluminum holiday tree (Project No. 17-062).

**Sponsors:** Environmental Services Department

**Attachments:** [Mathews SA 12-32](#)  
[Zone 1 Tree 3D](#)  
[OSS Lease Agreement](#)  
[Letter - Extension request Mathews Consulting, 11-22-16](#)  
[Amendment No. 4 to General Consulting Services Agreement - Baxter & Wood...](#)  
[Mathews Engr Executed Agmt](#)

approved

- 6.E. [17-497](#) SERVICE AUTHORIZATION NO. 12-23 WITH WANTMAN GROUP, INC. IN AN AMOUNT NOT-TO-EXCEED \$106,100 FOR THE ARCHITECTURAL AND ENGINEERING SERVICES ASSOCIATED WITH THE HURRICANE HARDENING OF THE GOLF CLUBHOUSE TO BE UTILIZED AS A TEMPORARY EMERGENCY OPERATIONS CENTER

**Recommendation:** Motion to Approve Service Authorization No. 12-23 to Wantman Group, Inc. (WGI) in the amount not-to-exceed \$106,100 for the professional architectural and engineering services related to the design of Hardening of the City's Golf Clubhouse to be utilized as a temporary Emergency Operations Center (Project No. 17-060).

**Sponsors:** Environmental Services Department

**Attachments:** [Delray Temp EOC HH Proposal-05-25-17](#)  
[Golf Club House EOC Delray-Report](#)

approved

- 6.F. [17-498](#) SERVICE AUTHORIZATION NO. 12-17.1 TO MATHEWS CONSULTING INC. DBA BAXTER AND WOODMAN COMPANY IN THE AMOUNT NOT-TO-EXCEED \$49,546 FOR PROFESSIONAL ENGINEERING DESIGN SERVICES RELATED TO THE DELRAY SHORES WATER MAIN REPLACEMENT PROJECT PHASE 3 & 4 (PROJECT NO. 15-054/055).

**Recommendation:** Motion to Approve Service Authorization No. 12-17.1 with Mathews Consulting, Inc. in the amount not-to-exceed \$49,546 for design services related to the inclusion of Phase 4 scope (Project No. 15-055) in the Phase 3 construction documents for the Delray Shores Water Main Replacement Project Phase 3, Project No. 15-054.

**Sponsors:** Environmental Services Department

**Attachments:** [Service Authorization No. 12-17.1 with Mathews Consulting Letter - Extension request Mathews Consulting, 11-22-16](#)  
[Amendment No. 4 to General Consulting Services Agreement - Baxter & Wood...](#)  
[Mathews Engr Executed Agmt](#)

approved

- 6.G. [17-499](#) SERVICE AUTHORIZATION NO. 12-31 TO MATHEWS CONSULTING DBA BAXTER AND WOODMAN COMPANY IN THE AMOUNT NOT-TO-EXCEED \$21,214 FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR REPLACEMENT OF AN AGING AIR RELEASE VALVE ON A 30-INCH FORCE MAIN ON LAKE IDA ROAD.

**Recommendation:** Motion to Approve Service Authorization No. 12-31 with Mathews Consulting dba Baxter and Woodman Company in the amount not-to-exceed \$21,214 for professional engineering services related to the replacement of an air release valve on the 30-inch influent sewage force main to the waste water treatment plant on Lake Ida Road at Depot Road.

**Sponsors:** Environmental Services Department

**Attachments:** [Service Authorization No. 12-31 with Mathews Consulting Letter - Extension request Mathews Consulting, 11-22-16](#)  
[Amendment No. 4 to General Consulting Services Agreement - Baxter & Wood...](#)  
[Mathews Engr Executed Agmt](#)

approved

- 6.H. [17-506](#) SERVICE AUTHORIZATION NO. 12-24 WITH WANTMAN GROUP, INC. IN AN AMOUNT NOT-TO-EXCEED \$35,998.50 FOR THE ENGINEERING DESIGN & CONSTRUCTION ADMINISTRATION SERVICES ASSOCIATED WITH THE HVAC SYSTEM IMPROVEMENTS FOR THE OLD SCHOOL SQUARE: GYMNASIUM, CREST THEATER, AND CORNELL MUSEUM.

**Recommendation:** Motion to Approve Service Authorization No. 12-24 to Wantman Group, Inc. (WGI) in the amount not-to-exceed \$35,998.50 for the professional engineering, public outreach, and construction administration services related to the HVAC improvements to the Old School Square: Gymnasium, Crest Theater, and Cornell Museum. (Project No. 17-092).

**Sponsors:** Environmental Services Department

**Attachments:** [2017-06-16 Old School Square SA1.pdf](#)

approved

- 6.I. [17-518](#) SERVICE AUTHORIZATION NO. 12-35 TO MATHEWS CONSULTING DBA BAXTER AND WOODMAN COMPANY IN THE AMOUNT NOT-TO-EXCEED \$11,381 FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO A TANK INSPECTION AND CLEANING REQUIRED BY FLORIDA ADMINISTRATIVE CODE.

**Recommendation:** Motion to Approve Service Authorization No. 12-35 with Mathews Consulting dba Baxter and Woodman Company in the amount not-to-exceed \$11,381 for professional engineering services related to performing an inspection on a 1 million gallon above ground prestressed concrete potable water storage tank to satisfy a Florida Administrative Code regulatory requirement for a finished drinking water storage tank.

**Sponsors:** Environmental Services Department

**Attachments:** [Service Authorization No.12-35 with Mathews Consulting](#)  
[Amendment No. 4 to General Consulting Services Agreement - Baxter & Wood...](#)  
[Letter - Extension request Mathews Consulting, 11-22-16](#)  
[Mathews Engr Executed Agmt](#)

approved

- 6.J. [17-520](#) RATIFICATION OF THE EMERGENCY ACQUISITION FOR THE REPAIR OF THE 12-INCH SUBAQUEOUS WATER MAIN CROSSING THE INTRACOASTAL WATERWAY AT SE 8TH STREET IN THE



AMOUNT OF \$80,000 TO COMMERCIAL DIVER SERVICES, INC.

**Recommendation:** Motion to Approve the ratification of the emergency acquisition for the repair of the 12-inch subaqueous water main crossing the Intracoastal Waterway at SE 8th Street/Bauhinia Road in the amount of \$80,000.00 to Commercial Diver Services, Inc.

**Sponsors:** Environmental Services Department

**Attachments:** [Emergency Acquisition APPRVD Water Main Repair ICWW 20170522.pdf](#)  
[Invoice from Commercial Diver Services of Florida LLC](#)

approved

- 6.K. [17-519](#) SERVICE AUTHORIZATION NO. 12-34 TO MATHEWS CONSULTING DBA BAXTER AND WOODMAN COMPANY IN THE AMOUNT NOT-TO-EXCEED \$152,304 FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR REPLACEMENT OF THREE (3) POTABLE WATER MAINS CROSSING UNDER THE INTRACOASTAL WATERWAY.

**Recommendation:** Motion to Approve Service Authorization No. 12-34 with Mathews Consulting dba Baxter and Woodman Company in the amount not-to-exceed \$152,304 for professional engineering design services related to the replacement of three (3) subaqueous potable water mains crossing under the intracoastal waterway (ICWW) at Dogwood Drive, SE 8th Street / Bauhinia Road, and NE 4th Street / Beach Drive.

**Sponsors:** Environmental Services Department

**Attachments:** [Service Authorization 12-34 with Mathews Consulting](#)  
[Amendment No. 4 to General Consulting Services Agreement - Baxter & Wood...](#)  
[Letter - Extension request Mathews Consulting, 11-22-16](#)  
[Mathews Engr Executed Agmt](#)

approved

- 6.L. [17-521](#) SERVICE AUTHORIZATION NO.12-21 WITH WANTMAN GROUP, INC. IN THE AMOUNT OF \$7,814.00 FOR GEOTECHNICAL EVALUATION SERVICES FOR BOONE DRIVE.

**Recommendation:** Motion to Approve Service Authorization No.12-21 with Wantman Group, Inc. in the amount not to exceed of \$7,814.00 to provide a geotechnical evaluation of the pavement section, roadway base and sub-base conditions of Boone Drive from Dogwood Drive to Evergreen Drive.

**Sponsors:** Environmental Services Department

**Attachments:** [Boon Drive SA.pdf](#)

approved

- 6.M.**     [17-494](#)     AMENDED EXHIBIT A (REDUCING THE SCOPE OF WORK) TO WEST ARCHITECTURE & DESIGN, LLC. FOR ARCHITECTURAL CONSULTING SERVICES FOR THE HISTORIC DELRAY BEACH RAILWAY STATION IN AN AMOUNT NOT TO EXCEED \$14,500.00

**Recommendation:** Motion to Approve Amended Exhibit A to West Architecture & Design, LLC in an amount not to exceed \$14,500 for architectural consulting services for the Historic Delray Beach Railway Station (Project #17-007).

**Sponsors:** Environmental Services Department

**Attachments:** [West Architecture PO](#)  
[Historic Railway Station Amended Exhibit A 053117](#)  
[West Architecture Contract Old Train Depot Signed Contract](#)  
[West Architecture Contract Old Train Depot Pay1](#)

approved

- 6.N.**     [17-522](#)     APPROVAL OF THE LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT NO. 2 (TIME EXTENSION REQUEST) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR NE 2ND AVENUE / SEACREST BOULEVARD BEAUTIFICATION PROJECT PHASE 0

**Recommendation:** Motion to Approve the Florida Department of Transportation (FDOT) Local Agency Program (LAP) Supplemental Agreement No. 2 for an extension to the construction completion date of the original LAP agreement for NE 2nd Avenue / Seacrest Boulevard Beautification Project Phase 0.

**Sponsors:** Environmental Services Department

**Attachments:** [LAP Supplemental Agt #2](#)  
[Checklist Amendment to FDOT LAP Agreement NE 2nd avenue](#)  
[Location Map](#)  
[LAP AGREEMENT](#)

approved

- 6.O.**     [17-479](#)     EXTENSION OF THE AGREEMENTS WITH AVIROM & ASSOCIATES, INC., CAULFIELD & WHEELER, INC., DENNIS J. LEAVY & ASSOCIATES, INC AND WANTMAN GROUP, INC FOR SURVEYING SERVICES

**Recommendation:** Motion to Approve extensions of the agreements with Avirom & Associates, Inc., Caulfield & Wheeler, Inc., Dennis J. Leavy & Associates, Inc. and Wantman Group, Inc. for continuing surveying services through September 30, 2017.

**Sponsors:** Environmental Services Department

**Attachments:** [Checklist Land Survey Consulting Services Caulfield](#)  
[Checklist Land Survey Consulting Services Dennis Leavy](#)  
[Checklist Land Survey Consulting Services Wantman](#)  
[Checklist Land Survey Consulting Services Avirom](#)  
[Extension letter - Caulfield & Wheeler](#)  
[Extension letter - Dennis J. Leavy & Assoc.](#)  
[Extension letter - Wantman Group](#)  
[Extension letter - Avirom & Associates](#)  
[Surveying Services Agreement, Avirom](#)  
[Surveying Services Agreement, Caulfield](#)  
[Surveying Services Agreement, Dennis Leavy](#)  
[Surveying Services Agreement, Wantman](#)  
[Amendment No. 5 - Avirom & Associates](#)  
[Amendment No. 5 - Caulfield & Wheeler](#)  
[Amendment No. 5 - Dennis J. Leavy & Associates](#)  
[Amendment No. 5 - Wantman Group](#)

approved

**6.P.     [17-495](#)**     REQUEST FOR SUBORDINATION OF SECOND MORTGAGE FOR 102 SW 8th Street

**Recommendation:** Motion to Approve a request for the City of Delray Beach ("City") to subordinate its second mortgage position in the amount of \$30,440.57 for the property located at 102 SW 8th Street Delray Beach, FL 33444.

**Sponsors:** Community Improvement

**Attachments:** [Checklist Subordination Agreement Carnegie](#)  
[Subordination Agreement - Carnegie Final](#)  
[Subordination Policy](#)  
[Subordination Backup Carnegie](#)

approved

**6.Q.     [17-500](#)**     TRAFFIC ENFORCEMENT AGREEMENT BETWEEN THE DELRAY BEACH POLICE DEPARTMENT AND VILLAS OF RAINBERRY

## HOMEOWNER'S ASSOCIATION

**Recommendation:** Motion to Approve a Traffic Enforcement Agreement between the Delray Beach Police Department and Villas of Rainberry Homeowner's Association to allow the Delray Beach Police Department to enforce state and local traffic laws on the private roads of Villas of Rainberry Homeowner's Association.

**Sponsors:** Police Department

**Attachments:** [Villas of Rainberry Legal Review Checklist](#)  
[Villas of Rainberry HOA Agreement 2017](#)

approved

**6.R.**     [17-502](#)     TRAFFIC ENFORCEMENT AGREEMENT BETWEEN THE DELRAY BEACH POLICE DEPARTMENT AND RAINBERRY LAKE HOMEOWNER'S ASSOCIATION

**Recommendation:** Motion to Approve a Traffic Enforcement Agreement between the Delray Beach Police Department and Rainberry Lake Homeowner's Association to allow the Delray Beach Police Department to enforce state and local traffic laws on the private roads of Rainberry Lake Homeowner's Association.

**Sponsors:** Police Department

**Attachments:** [Rainberry Lake HOA Agreement 2017](#)  
[Legal Review Checklist](#)

approved

**6.S.**     [17-501](#)     INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE SCHOOL BOARD OF PALM BEACH COUNTY FOR THE MUTUAL USE OF RECREATIONAL FACILITIES

**Recommendation:** Motion to Approve the Interlocal Agreement between the City of Delray Beach and the School Board of Palm Beach County for the mutual use of recreational facilities.

**Sponsors:** Parks & Recreation Department

**Attachments:** [CA checklist--ILA Mutual Use DB](#)  
[ILA Mutual Use with Delray Beach SD Draft May 4 2017-Ig rev 5-23-17](#)  
[SD5-24-17 \(2\)](#)  
[Inter-Local Agreement.2012](#)

approved

- 6.T. [17-504](#) AUTHORIZATION TO APPLY FOR NRPA/DISNEY MEET ME AT THE PARK GRANT IN AN AMOUNT NOT TO EXCEED \$50,000 FOR IMPROVEMENTS TO THE PLAY STRUCTURES AT CATHERINE STRONG PARK

**Recommendation:** Motion to Approve the submission of City of Delray Beach Parks and Recreation grant application to National Recreation and Park Association Meet Me at the Park in an amount not to exceed \$50,000.

**Sponsors:** Parks & Recreation Department

**Attachments:** [DisneyApplicationPDFFinal](#)  
[DisneyPlayspacesFAQ](#)

approved

- 6.U. [17-511](#) RETROACTIVE APPROVAL OF AMENDMENT NO. 1 WITH EARTHLY DESIGNS & RESOURCES, INC. D/B/A MOBILE LAWN SERVICE FOR LANDSCAPE MAINTENANCE SERVICES

**Recommendation:** Motion to Retroactively Approve Amendment No. 1 to renew the Agreement with Earthly Designs & Resources, Inc. d/b/a Mobile Lawn Service through April 13, 2018 in an annual not-to-exceed amount of \$58,200.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Amendment #1 to Solicitation No. 2015-28 - Earthly Designs CAO final - vendor signed.1](#)  
[Earthly Designs - bid number 2015-28](#)  
[Legal Review Checklist Amendment #1](#)

approved

- 6.V. [17-512](#) INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE SCHOOL DISTRICT OF PALM BEACH COUNTY CONCERNING STUDENT INFORMATION

**Recommendation:** Motion to Approve the Interlocal Agreement between the School Board of Palm Beach County and the City of Delray Beach concerning student information.

**Sponsors:** Community Improvement

**Attachments:** [CA Checklist--ILA Student Data CC 062017](#)  
[ILA with School Board Concerning Student Information 2017 5-22-17 rev](#)

approved

- 6.W. [17-493](#) AMENDMENT NO. 1 TO REVOCABLE LICENSE AGREEMENT - KNIGHTS OF PYTHAGORAS MENTORING NETWORK, INC.

**Recommendation:** Motion to Approve Amendment No. 1 to Revocable License Agreement with Knights of Pythagoras (KOP) Mentoring Network, Inc. for use of classroom No.5 at Catherine Strong Park for purpose of tutoring and mentoring students aged 7 to 17 and for staff preparation in support of such programs.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Request to extend KOP for 1 year 2017](#)  
[Amendment 1 to revocable license agreement KOP](#)  
[Legal Review Checklist - completed](#)  
[2016 KOP revocable license agreement](#)

approved

- 6.X. [17-513](#) SERVICE AUTHORIZATION NO. 12-08 WITH CURRIE SOWARDS AGUILA ARCHITECTS, INC. FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR THE SKID MOUNTED LIFEGUARD TOWERS

**Recommendation:** Motion to Approve Service Authorization No.12-08 with Currie Sowards Aguila Architects, Incorporated for professional architectural services for the new skid mounted lifeguard towers (Project #17-093) in an amount not-to-exceed \$24,500.00.

**Sponsors:** Environmental Services Department

**Attachments:** [SA 12-08](#)

Vice Mayor Chard pulled this item to discuss. Karen Gardner Young, Assistant City Manager was available for questions regarding Item 6.X. for the skid mounted lifeguard towers. She said they would rather not have to do another RFP. Commissioner Petrolia was not in favor of creating the look of Miami Beach with our lifeguard towers. The new towners should last 5-10 years. A discussion ensued.

Commissioner Katz made a motion to approve, seconded by Commissioner Petrolia. A Roll Call vote was taken. All in favor. The Motion carried 5-0.

approved

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

- 6.Y.**     [17-516](#)     APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT WITH M & M ASPHALT MAINTENANCE, INC. D/B/A ALL COUNTY PAVING, INC. FOR ROAD RESTORATION SERVICES UTILIZING THE CITY OF SUNRISE CONTRACT C15-33-05-MS

**Recommendation:** Motion to Approve Amendment No. 1 to renew the agreement with M & M Asphalt Maintenance, Inc. d/b/a All County Paving, Inc. in an annual amount not-to-exceed \$55,000 utilizing the City of Sunrise, Florida Contract C15-33-05-MS for roadway restoration services.

**Sponsors:** Environmental Services Department

**Attachments:** [Agreement - M&M Asphalt dba All County Paving Inc.](#)  
[Amendment #1 - M & M Asphalt dba All County Paving](#)  
[Legal review checklist](#)  
[Best Price Letter](#)

approved

- 6.Z.**     [17-543](#)     APPROVAL OF LEASE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND CHRISTIANS REACHING OUT TO SOCIETY, INC. FOR THE PROPERTY LOCATED AT 196 NW 8TH AVENUE, DELRAY BEACH, FL (CARING KITCHEN)

**Recommendation:** Motion to Approve the lease agreement between the City of Delray Beach ("City") and Christians Reaching Out to Society Inc. for the property located at 196 NW 8th Avenue, Delray Beach, Florida and to authorize the Mayor and City Attorney to execute the agreement.

**Sponsors:** City Manager Department

**Attachments:** [Caring Kitchen Lease](#)  
[Checklist Caring Kitchen](#)

approved

## **6.AA. PROCLAMATIONS:**

- 6.AA.1**   [17-566](#)     Carver High School Reunion Proclamation

.

**Sponsors:** City Clerk Department

**Attachments:** [Carver High School](#)

**6.BB. [17-523](#)**

REPORT OF APPEALABLE LAND USE ITEMS FROM MAY 8, 2017 THROUGH MAY 26, 2017

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

**Sponsors:** Planning and Zoning Board

**Attachments:** [City Commission Map 6-20-17](#)

[Plaza at Delray Bath & Body Works.pdf](#)

[Delray Medical Center.pdf](#)

[Delray Plaza.pdf](#)

[Gunther Volvo.pdf](#)

[Coastal Veterinary Clinic Color Change.pdf](#)

[Coastal Veterinary Clinic Class II.pdf](#)

[Delray Oasis Business Center.pdf](#)

[Atlantic Crossing.pdf](#)

[CVS Bed Bath & Beyond Plaza.pdf](#)

[2710 W Atlantic Avenue.pdf](#)

[Space of Mind - Modern Schoolhouse.pdf](#)

approved

**6.CC. AWARD OF BIDS AND CONTRACTS:**

**6.CC.1 [17-088](#)**

AWARD OF AN AGREEMENT TO DUBIN & ASSOCIATES INC. FOR MUNICIPAL TENNIS CENTER AND DELRAY SWIM AND TENNIS CLUB MANAGEMENT SERVICES

**Recommendation:** Motion to Award a two-year Agreement to Dubin & Associates Inc., for an annual amount of \$70,000 for management services for a not-to-exceed amount of \$140,000 for the term of the Agreement with all approved expenses paid by the City, for the Municipal Tennis Center and Delray Swim and Tennis Club Management Services.

**Sponsors:** Parks & Recreation Department

**Attachments:** [2016-86-2- Agreement \(tennis\) CAO final](#)

[Checklist Management Agreement for Tennis Center JCD Updated](#)

approved



**6.CC.2** [17-515](#) PURCHASE AWARD TO WESCO TURF, INC. FOR TORO MOWERS AND UTILITY VEHICLES FOR A TOTAL AMOUNT OF \$178,258.46.

**Recommendation:** Motion to Approve purchase award to Wesco Turf, Inc., for the purchase of seven Tower Mowers and three Toro Utility Vehicles for a total of \$178,258.46, utilizing State of Florida Contract #21100000-15-1.

**Sponsors:** Environmental Services Department

**Attachments:** [Pricing Quotes](#)  
[Best Price Letter](#)  
[Pricing List - Wesco Turf](#)

approved

**6.CC.3** [17-527](#) AWARD OF A CONSTRUCTION AGREEMENT TO CALLAWAY MARINE TECHNOLOGIES, INC. FOR VETERANS PARK SEAWALL REPAIR AND DOCK REPLACEMENT IN A NOT-TO-EXCEED AMOUNT OF \$585,178.80

**Recommendation:** Motion to Award a construction Agreement to Callaway Marine Technologies, Inc. for the Veterans Park seawall repair and dock replacement in a total amount not-to-exceed amount of \$585,178.80.

**Sponsors:** Environmental Services Department

**Attachments:** [2017-044 Agreement with Exhibits, Executed by Contractor](#)  
[Checklist veterans park seawall doc repair construction](#)  
[CALLAWAY MARINE TECHNOLOGIES, INC. RESPONSE](#)  
[2017-044 Veterans Park Seawall Repair and Dock Replacement Complete](#)  
[2017-044 Addendum No. 1](#)  
[2017-044 Addendum No. 2](#)  
[2017-044 Addendum No. 3](#)

Commissioner Petrolia recommended pulling this resolution so the residents are aware of the proactive measures the Commission are taking to reinforce the seawall. She wanted to make sure the walls are loadbearing to handle extensions of the wall in the future. Commissioner Katz stated that the homeowners along the intercoastal should be aware that the city is installing the seawalls.

Commissioner Petrolia made a motion to approve, seconded by Vice Mayor Chard. A Roll Call vote was taken. All in favor. The motion carried 5-0.

approved

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

**6.CC.4** [17-465](#) PURCHASE AWARD TO AMERICAS GENERATORS, INC. FOR FIXED AND PORTABLE GENERATORS FOR PUBLIC UTILITIES

**Recommendation:** Motion to Approve a Purchase Award to Americas Generators, Inc. for Fixed and Portable Generators for Public Utilities in an amount of \$213,629.68.

**Sponsors:** Environmental Services Department

**Attachments:** [ITB 2017-043 with Addenda](#)

[Tabulation Sheet - ITB 2017-043](#)

[Bid - Americas Generators, Inc.](#)

[Final Purchase Agreement - Americas Generators, Inc.](#)

[CAO checklist Purchase agreement w Americas Generators](#)

**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

**6.CC.5** [17-505](#) PURCHASE AWARDS TO DUVAL FORD, LLC, ALAN JAY NISSAN, INC., ALAN JAY CHEVROLET CADILLAC, INC. DBA ALAN JAY CHEVROLET BUICK GMC CADILLAC, AND HUB CITY FORD-MERCURY, INC., FOR THE PURCHASE OF 27 NEW VEHICLES FOR A TOTAL AMOUNT OF \$774,919.

**Recommendation:** Motion to Approve purchase awards to Duval Ford, LLC, Alan Jay Nissan, Inc., Alan Jay Chevrolet Cadillac, Inc. DBA Alan Jay Chevrolet Buick GMC Cadillac, and Hub City Ford-Mercury, Inc., for the purchase of 27 vehicles for a total of \$774,919, utilizing Florida Sheriff's Association Contract #FSA16-VEL24.0.

**Sponsors:** Environmental Services Department

**Attachments:** [Vehicle Pricing List](#)  
[Florida Sheriffs Association Contract FSA16-VEL24.0](#)  
[Frontier Quote - Alan Jay](#)  
[Alan Jay - Best Price Letter](#)  
[Duval Ford - Best Price Letter](#)  
[Hub City - Best Price Letter](#)  
[Chevy 2500 Cargo Van Quote - Alan Jay](#)  
[Ford Interceptor Quote - Hub City](#)  
[F-350 Quote-Duval Ford](#)  
[F-150 X-Cab Quote-Hub City](#)  
[F-150 Quote-Hub City](#)  
[Expedition Quote-Hub City](#)  
[Fusion Hybrid Quote-Hub City](#)  
[Ford Escape Quote - Hub City](#)

Deputy Vice Mayor Johnsonn had a question regarding this item. Mr. deJesus explained that the city did a piggyback off the state contract with the Sheriifs Department to save money with fleet bulk rates.

Commissioner Katz made a mortion to approve, seconded by Commissioner Petrolia. A Roll Call vote was taken. All in favor. The motion carried 5-0.  
**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

**6.CC.6** [17-508](#)

AWARD OF AN AGREEMENT TO KEITH AND SCHNARS, P.A. FOR CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES FOR PHASE 1 OF SEACREST BEAUTIFICATION PROJECT

**Recommendation:** Motion to Award an Agreement to Keith and Schnars, P.A. for construction, engineering, and inspection services for phase 1 of Seacrest Beautification in a total amount not-to-exceed \$181,000 for the Agreement term.

**Sponsors:** Environmental Services Department

**Attachments:** [2016-139-2 Agreement \(rev 2\) with Exhibit E CONSULTANT EXECUTED](#)  
[Keith & Schnars, P.A. Response](#)  
[2016-139-2 RFQ Complete](#)  
[Addendum No. 1](#)  
[CA Legal Review Keith and Schnars](#)

approved

**6.CC.7** [17-514](#)

APPROVAL OF AN AGREEMENT WITH MUNICIPAL CODE CORPORATION IN A NOT TO EXCEED ANNUAL AMOUNT OF \$137,000 UTILIZING THE CITY OF ORMOND BEACH CONTRACT, RESOLUTION 2014-148

**Recommendation:** Motion to Approve an Agreement with Municipal Code Corporation Inc. in an annual not-to-exceed amount \$137,000 for utility bill printing and mailing process services utilizing the City of Ormond Beach Contract/Resolution 2014-148.

**Sponsors:** Finance Department

**Attachments:** [Agreement with Municipal Code Corporation - vendor signed - CAO final](#)  
[Municipal Code Corporation agreement with City of Ormond Beach](#)  
[Legal review checklist CAO final](#)  
[Best Price Letter - Municipal Code Corporation](#)

approved

**7. REGULAR AGENDA:**

**7.A.** [17-529](#)

NOMINATIONS FOR APPOINTMENT TO THE CIVIL SERVICE BOARD

**Recommendation:** Motion to Approve nominations for appointment for one (1) regular member and one (1) alternate member to serve on the Civil Service Board for unexpired terms ending July 1, 2018.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)  
[Civil Service Board Member List](#)  
[Civil Service Board Attendance List](#)

Vice Mayor Chard nominated Eric Camacho to the Civil Service Board, seconded by Commissioner Petrolia. A Roll Call vote was taken. All in favor. The motion carried 5-0.

Commissioner Katz nominated Yoko Migolis to the Civil Service Board as an alternate member, seconded by Vice Mayor Chard. A Roll Call vote was

taken. All in favor. The motion carried 5-0.

approved

**7.B. [17-530](#) NOMINATIONS FOR APPOINTMENT TO THE CODE ENFORCEMENT BOARD**

**Recommendation:** Motion to Approve nominations for appointment for one (1) regular member to serve on the Code Enforcement Board for an unexpired term ending January 14, 2018 and for two (2) alternate members to serve unexpired terms ending January 14, 2019.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)  
[Code Enforcement Board Member List](#)  
[Code Enforcement Board Attendance List](#)

The Mayor nominated Scott Hyman to the Code Enforcement Board, seconded by Commissioner Katz. A Roll Call vote was taken. All in favor. The motion carried 5-0.

Commissioner Petrolia nominated Nicholas Coppola to the Code Enforcement Board, seconded by Commissioner Katz. A Roll Call vote was taken. All in favor. The motion carried 5-0.

Vice Mayor Chard nominated Sara Lucas to the Code Enforcement Board, seconded by Commissioner Petrolia. A Roll Call vote was taken. All in favor. The motion carried 5-0.

approved

**7.C. [17-531](#) NOMINATIONS FOR APPOINTMENT TO THE EDUCATION BOARD**

**Recommendation:** Motion to Approve nominations for appointment for six (6) regular members to serve two (2) year terms ending July 31, 2019. Please note that there are no student applicants at this time.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)  
[Education Board Member List](#)  
[Education Board Attendance List](#)

Mayor Glickstein nominated Barbara Stark to the Education Board, seconded by Vice Mayor Chard. A Roll Call vote was taken. All in favor. The motion carried 5-0.

Commissioner Petrolia nominated Marjorie Waldo to the Education Board,

seconded by Vice Mayor Chard. A Roll Call vote was taken. All in favor. The motion carried 5-0.

Vice Mayor Chard nominated Brian Boylston to the Education Board, seconded by Commissioner Katz. A Roll Call vote was taken. 4-Yes 1-No Petrolia The motion carried 4-0.

Commissioner Katz reappoint Brian Webber to the Education Board, seconded by Commisisoner Petrolia. A Roll Call vote was taken. All in favor. The motion carried 5-0.

Deputy Vice Mayor Johnson rnominate Edward Whalen to the Education Board, seconded by Commisisoner Petrolia. A Roll Call vote was taken. All in favor. The motion carried 5-0.

approved

**7.D. [17-532](#) NOMINATIONS FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD**

**Recommendation:** Motion to Approve nominations for appointment for two (2) regular members and two (2) alternate members to serve on the Green Implementation Advancement Board for two (2) year terms ending July 31, 2019.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)  
[Green Implementation Advancement Board Member List](#)  
[Green Implementation Advancement Board](#)

Deputy Vice Mayor Johnson nominated Susan LaBruin to the Green Implementation Advancement Board, seconded by Vice Mayor Chard. A Roll Call vote was taken. All in favor. The motion carried 5-0.

Mayor Glickstein nominated Walter Shipley to the Green Implementation Advancement Board, seconded by Commissioner Petrolia. A Roll Call vote was taken. All in favor. The motion carried 5-0.

Commisisoner Petrolia nominated Howard Stern to the Green Implementation Advancement Board, seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken. All in favor. The motion carried 5-0.  
approved

**7.E. [17-544](#) NOMINATIONS FOR APPOINTMENT TO THE BOARD OF ADJUSTMENT**

**Recommendation:** Motion to Approve nominations for appointment for two (2) alternate

members to serve on the Board of Adjustment for unexpired terms ending August 31, 2019.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)

[Board of Adjustment Member List](#)

[Board of Adjustment Attendance List](#)

Commissioner Petrolia nominated Byrce Sartery to the Board of Adjustment, seconded by Vice Mayor Chard. A Roll Call vote was taken. All in favor. The motion carried 5-0.

**approved**

**7.F.     [17-545](#)     NOMINATION FOR APPOINTMENT TO THE DOWNTOWN  
DEVELOPMENT AUTHORITY BOARD**

**Recommendation:** Motion to Approve nomination for appointment for one (1) regular member to serve on the Downtown Development Authority Board for a three (3) year term ending July 1, 2020.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)

[Downtown Development Authority Board Member List](#)

[Downtown Development Authority Attendance List](#)

[Downtown Development Authority Map](#)

Commissioner Chard nominated Mavis Benson to the Downtown Development Committee, seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken. All in favor. The motion carried 5-0.

**approved**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

**7.G.     [17-546](#)     NOMINATIONS FOR APPOINTMENT TO THE COMMUNITY  
REDEVELOPMENT AGENCY BOARD**

**Recommendation:** Motion to Approve nominations for appointment for two (2) regular members to serve on the Community Redevelopment Agency Board for four (4) year terms ending July 1, 2021.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)[Community Redevelopment Agency Board Member List](#)[Community Redevelopment Agency Board Attendance List](#)

Commissioner Katz nominated Annette Gray to the Community Redevelopment Board, seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken. 4-yes Glickstein-no. The motion carried 4-0.

Commissioner Petrolia nominated Allen Sandy Zeller to the Community Redevelopment Board, seconded by Commissioner Katz. A Roll Call vote was taken. All in favor. The motion carried 5-0.

approved

7.H. [17-564](#) **RESOLUTION NO. 47-17 TO APPROVE THE ISSUANCE OF NOT-TO-EXCEED \$31,500,000 CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2017.**

**Recommendation:** Motion to approve Resolution No. R-47-17 to amend the Authorizing Resolution No. R-76-99 and authorizing the issuance of a not-to-exceed \$31,500,000 capital improvement revenue bonds, series 2017 to finance the cost of certain infrastructure projects in the City.

**Sponsors:** Purchasing Department

**Attachments:** [Res 76-99](#)

[Delray Beach Supplemental Resolution \(2017 Sales Tax Loan\)](#)[Delray Beach Capital Improvement Revenue Bond \(2017\)](#)[Recommendation Memo - Capital Improvement Revenue Bond, Series 2017](#)[Capital Projects List - Capital Improvement Revenue Bonds](#)

Mr. Lohman read the resolution. Bond Attorney, Skip Miller of Greensten Marter was present, he stated that there were eight proposals the city received. The staff recommended the Bank of America funding corporation with a fixed rate of 1.96% for nine and one half years.

Commissioner Katz made a motion to approve this resolution, seconded by Commissioner Petrolia. A Roll Call vote was taken. All in favor. The motion carried 5-0.

approved

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

7.I. [17-571](#) **7 SUGGESTIONS FOR CONTINUED SUPPORT OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA)**

**Recommendation:** Motion to Approve recommending that the Community Redevelopment



Agency (CRA) adopts the 7 suggestions included in the attached letter.

**Sponsors:** City Clerk Department

**Attachments:** [CRA Ltr 5.2017](#)

Commissioner Petrolia said she thought that Mayor Glickstein made a great recommendation in his recent letter to the Community Redevelopment Agency. She noted that the majority of the matters were budget-related items. Commissioner Petrolia said it was important to address these matters as the City's budget and the CRA's budget were presently under consideration. Deputy Vice Mayor Ervin Johnson said that she favored having an independent CRA Board. Vice Mayor Ervin Johnson also said that the essence of the Mayor's letter made it appear that the Delray Beach Community Redevelopment Agency was a City department reporting to the interim City Manager, rather than being an independent agency. Vice Mayor Chard said that the CRA Board should remain an independent entity. Deputy Vice Mayor Ervin Johnson suggested that the newly formed board be given an opportunity to show how they could carry out their duties and responsibilities to the community. Commissioner Katz said that he would not have sent a letter to the CRA Board.

Mayor Glickstein noted that the letter to the CRA Board was solely from himself, instead of the entire City Commission. Mayor Glickstein said that he never said all of the CRA Board members would be changed. He listened to all of members of the City Commission. He stated that none of the City Commission said anything other than to stay the course. Mayor Glickstein said he was explaining his letter to the CRA Board. He also noted that CRA Boards were independent entities, separate from municipalities.

Commissioner Petrolia noted that she had asked this item to come before the City Commission. Commissioner Petrolia said it would behoove the Commission to have this list of seven suggestions considered and agreed to by the Community Redevelopment Agency Board of Directors.

Deputy Vice Mayor Johnson said that she favored having an independent CRA Board. Deputy Vice Mayor Johnson said she believed that the CRA Board would have to come to the City Manager for most matters. Vice Mayor Chard said that he concurred with Deputy Vice Mayor Johnson's observations.

Commissioner Katz said that he would not have sent the letter to the CRA Board.

Mayor Glickstein said that the letter was from him, and not from the City Commissioners. Mayor Glickstein said he had made a list of suggestions

to the CRA Board. The Mayor said that he merely suggested that the Board was going to be changed. He also noted that the City Commission's relationship with the CRA Board was a very important one. Commissioner Petrolia said that keeping the line of communications was very important on an ongoing basis.

Mayor Glickstein suggested that draft RFP's be distributed to the Mayor and City Commissioners. Deputy Vice Mayor Johnson said that there had been a lack of communication and confusion about this matter. Vice Mayor Chard said that in the past there had been a member of the City Commission as a representative to the CRA Board.

Commissioner Katz said the City Commission said their earlier vote had caused disruption which was good in many respects. Mayor Glickstein had been told by the CRA Board Chair and Executive Director that a reply was forthcoming. Mayor Glickstein said that this was a fair response. He said that there had been significant management and communications breakdowns. Mayor Glickstein said that his letter was a roadmap of suggestions for the CRA Board. Commissioner Petrolia said it was important to keep the lines of communications open between the CRA Board, City Commission and applicable City and CRA staff. Mayor Glickstein said he had suggested that the CRA staff provide draft RFPs to the City Commission. Mayor Glickstein said his letter was merely one person's suggestions. Deputy Vice Mayor Ervin Johnson said earlier that there appeared that the two boards did not meet as often as before, nor was there as much reciprocal representation at CRA Board meetings and City Commission meetings. Vice Mayor Chard said he thought a City Commission member could attend CRA Board meetings. Commissioner Katz said that it was okay to "blow things up" in order to make things better. Mayor Glickstein said that he would be pleased to provide the City Commission with a copy of the response letter from the CRA Board when he received one.

## 8. PUBLIC HEARINGS:

- 8.A. [17-540](#) ORDINANCE NO. 16-17 ADOPTING A NEW OFFICIAL ZONING MAP PURSUANT TO SECTION 4.1.2 OF THE CITY OF DELRAY BEACH LAND DEVELOPMENT REGULATIONS (SECOND READING)

**Recommendation:** Motion to Approve Ordinance No. 16-17, as presented on second reading.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Ordinance No. 16-17-Official Zoning Map](#)  
[DRAFT Official Zoning Map 5.19.17](#)  
[PZB Report Ord 16-17 Official Zoning Map Adoption](#)

Mr. Lohman explained the ordinance. Vice Mayor Chard made a motion to approve the ordinance on first reading, seconded by Commissioner Katz. A Roll Call vote was taken. All in favor. The motion carried 5-0.  
**approved on first reading**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

## **9. FIRST READINGS:**

### **9.A. [17-548](#) ORDINANCE NO. 23-17 AMENDING THE CITY'S WORKFORCE HOUSING ORDINANCE (FIRST READING)**

**Recommendation:** Motion to approve Ordinance No. 23-17 on first reading.

**Attachments:** [Ord 23-17 amending Sec 4.7.7 workforce housing](#)  
[workforce housing ord 23-17 backup.pdf](#)  
**approved on first reading**

**Yes:** 5 - Mayor Glickstein, Vice-Mayor Chard, Deputy Vice Mayor Ervin Johnson, Commissioner Petrolia, and Commissioner Katz

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

Nothing from Mr. deJesus.

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

None.

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

None.

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

Commissioner Katz:

Congratulated Parks and Recreation staff for coordinating a wonderful father/daughter dance event.

Noted that he had attended two other excellent events in the Osceola Park neighborhood: Juneteenth and the Mango Swap.

Thanked Mayor Glickstein, Joe Gilley, Janet Meek and others for accepting the City's All-America City Award.  
He noted that an award had been awarded for helping children achieve

through education and reading.

Stated that he had spoken to the City Attorney about the referenda about hiring an Internal Auditor.

Mr. Lohman said the language in the ordinance had been passed in the election by a wide margin.

Commissioner Katz requested that the item be included on a future Commission agenda to consider funding for possibly hiring an Internal Auditor.

Deputy Vice Mayor Johnson:

Noted that she had attended the Alliance of Delray Beach breakfast recently.

Stated that she had recently met with Ms. Rosemary Nixon of the south County Chapter of Encore.

Noted that she had also met with Teen Delray representatives.

Deputy Vice Mayor Johnson also stated she had attended the Delray Beach Homeless Task Force initiative meeting.

She said they were doing a tremendous job, with \$50,000 to fund free lunches for children for the summer.

Deputy Vice Mayor Johnson stated there had been a \$900,000 anonymous donation to the Cornell Museum.

Deputy Vice Mayor Johnson also stated she had taken a wonderful tour of the City's Fire Station #111.

She noted that "Daylight Light" was conducted between Noon and 1:00 p.m. on June 16th.

She wished a belated Happy Father's Day to all fathers.

She also stated that the City Commission would be hosting the next Palm Beach County League of Cities luncheon on June 28th at 11:30 a.m.

Finally, she noted that the Delray Beach Medical Center would be holding its ribbon cutting between 4:00 p.m. and 6:00 p.m. on June 29th.

Commissioner Petrolia:

Said it was important for the City to have the pension plans audited by the City's auditor, including new State Law requirements, on an annual basis.

She also noted the importance of looking at what was happening with the City's present auditor.

Inquired about the time frame for the Atlantic Dunes Pavilion.

Mr. de Jesus replied that the project would be put out to bid in mid-July, with no date certain for completion.

Also inquired about a completion date for the seawall update. Mr. de Jesus stated this update would be provided in the near future.

Commissioner Petrolia requested an update regarding the City's telephone system.

Mr. de Jesus replied that the City had entered into an agreement with a third-party vendor to address system difficulties.

Assistant City Manager Caryn Gardner-Young said that the City had been in touch with the manufacturer, contractor, and an independent contractor and they are working as quickly as possible.

Commissioner Petrolia asked City Commission to move forward on alleyways. She noted that cleaning up alleyways should be handled by the City.

Vice Mayor Chard inquired who would handle this maintenance. Mr. de Jesus said this would be handled by a private contractor. Vice Mayor Chard stated there were approximately thirty miles of alleyways in the City. He also commented that the City needed to understand the total expense for taking over this maintenance.

Commissioner Katz said that keeping the alleyways clean on a consistent basis would be beneficial to all City residents.

Mr. de Jesus stated that ownership of alleyways was very fragmented between property owners, the City, and portions that were abandoned. There was consensus of the Commission for staff to return with a specific program recommendation.

Noted that there would be some forthcoming challenges with non-profits

and audit-related reporting requirements.

Suggested the possibility of having a safety ambassador work with a volunteer, as a means of achieving savings compared to current practices.

Congratulated everyone involved with the City's attainment of a third All-America City Award. She noted how much she enjoyed the opportunity to read to children.

Vice Mayor Chard:

Stated that he had spoken with the City Manager about a status for the RFP for the Depot, Golf Course Rehab, Bikeshare, etc. He said that the status report could be brief, but just informational to keep the City Commission apprised of the status of major projects. Mr. de Jesus stated Ms. Gardner-Young and he were working on a status report on a bi-weekly or monthly basis.

Requested reconsideration of the City Commission's most recent discussion on pedicabs. He stated that he had done some research about potential liability and safety issues and this did not appear to be a major problem facing the City. He also stated that use of signage was one of the items necessary to make a pedicab program effective.

Mayor Glickstein commented that the presence of adequate right of way was necessary to have a successful pedicab program. He expressed his desire to end the City's current trolley service immediately and pay for a fleet of downtowner vehicles.

Finally, Mayor Glickstein said that he was not in favor of reconsidering the commencement of a pedicab program in the City.

Commissioner Katz said that he supported the introduction of a pedicab program on a trial basis. He stated that pedicabs might even be safer than the use of golf carts on area streets.

Commissioner Petrolia said she was watching the Boca Raton program to monitor its level of success. She suggested that the City Commission revisit this issue in the fall of this year.

Deputy Vice Mayor Ervin Johnson said she had recently witnessed a mother driving a golf cart, with a child, zipping in and out of various local streets and quickly went into a shopping center. She asked whether drivers of golf carts were licensed.

Vice Mayor Chard said that they could not be licensed.

Mr. Lohman said that reconsideration would require a motion from someone on the prevailing side of the motion.

Commissioner Katz said that this matter had only been considered at two workshop sessions. Consequently, there was no motion to reconsider.

Deputy Vice Mayor Ervin Johnson said she did not want to add anything to the City Commission's existing plate of issues.

Vice Mayor Chard stated that a number of not for profit organizations receiving City funding had expressed concerns about signing agreements under duress with more complex auditing and related requirements.

Vice Mayor Chard requested that these organizations be given a little more time to meet these requirements with a compilation report.

Mayor Glickstein said he disagree that were was any duress. He said that reducing the audit requirement for smaller organizations such as the Historic Society, Spady, etc. is a fair request.

Vice Mayor Chard said he was requesting a thirty day period for the City Manager's Office to review this matter for smaller organizations.

Mayor Glickstein agreed that this was a reasonable request.

Mr. de Jesus said that there is nothing to work out because staff was following the contract. He requested clarification about which organizations could submit a compilation report, rather than an audit.

Mayor Glickstein said this would apply to Sandoway, the Historical Society, and the Spady Museum. He commented that a compilation report was a diluted audit report.

Vice Mayor Chard inquired whether there was a final decision about plaques on benches along A1A.

Mayor Glickstein said he thought that there was consensus to remove the plaques in the ground.

Mr. de Jesus said that the matter of the plaques was not going away.

There was agreement to take up the matter of plaques along A1A at a future City Commission meeting.

Vice Mayor Chard noted that he sat on the MPO Board and the MPO was reconsidering road impact fees to possibly use them as a mobility fee, rather than only being spent on paving or building additional roads. He said that two cities were studying this matter in depth.

Commissioner Katz asked staff to bring the City Commission one or multiple options to conclude the best ways to address removing various types of plaques along A1A.

Stated that the State of Florida was possibly going to require cities to use Florida Retirement System mortality tables for their pension funds in the future.

Mayor Glickstein noted that the City did not participate in the Florida Retirement System.

Mayor Glickstein:

Noted that he had asked Mr. Lohman whether the City could do anything more to prohibit or lessen the impact of "bed and breakfasts" on existing residences. He said these were transient uses in single-family homes. Mr. Lohman said he would be pleased to look into regulations and work with Community Improvement staff relative to this matter. There was City Commission consensus to proceed in this manner.

Stated that Commissioner Petrolia had a very good idea about pairing volunteers with paid "ambassadors" throughout the downtown area. He inquired whether had been any conversation about utilizing the services of the volunteers at the Police Department to assist with the ambassador program. Ms. Fisher said that a similar program several years had proved unsuccessful due to a number of issues. Mayor Glickstein said that some volunteers would feel empowered by patrolling between early morning and 5:00 p.m. on weekdays.

Congratulated former City Clerk Chevelle Nubin for being recognized as Florida League of Cities "Home Rule Hero" for her outspoken support of defending the home rule of municipalities.

There being no further business to discuss, the Mayor adjourned the meeting at 9:49 p.m.

Note



## Note

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

**7.A.     [17-529](#)           NOMINATIONS FOR APPOINTMENT TO THE CIVIL SERVICE BOARD**

**Recommendation:** Motion to Approve nominations for appointment for one (1) regular member and one (1) alternate member to serve on the Civil Service Board for unexpired terms ending July 1, 2018.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)  
[Civil Service Board Member List](#)  
[Civil Service Board Attendance List](#)

**approved**

**7.D.     [17-532](#)           NOMINATIONS FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD**

**Recommendation:** Motion to Approve nominations for appointment for two (2) regular members and two (2) alternate members to serve on the Green Implementation Advancement Board for two (2) year terms ending July 31, 2019.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)  
[Green Implementation Advancement Board Member List](#)  
[Green Implementation Advancement Board](#)

**approved**

## Note

**5.B. Comments from the Public**

A member of the Carver Hill School Alumni Association thanked the Mayor and Commissioners for adopting a proclamation to honor members of the school's alumni.

She requested that all members of the Carver High School alumni association in attendance rise to be recognized.

Pauline Moody expressed concern that the Ambassador Pilot Program had been a waste of everyone's time.

Reverend Juanita Bryant-Goode expressed appreciation for the monthly extension of the Caring Kitchen's lease. She noted that efforts were in

process to identify a new location for the kitchen's facilities.

Laura Lessman said that she was very happy with PSC/Ambassador program. Ms. Lessman also noted that she walked her dog and her baby in the park near her home.

Dorothy Ellington, President of the Delray Housing Authority, said that the Ambassador program was a great one that had worked out very well and was a great idea.

She expressed hoped that funds could be found to continue the program.

Marusca Gatto, Director of the Cornell Museum, said that she supported the yellow shirts and the overall Ambassador Program, for their visibility at the Old School Square property.

Alice Fintz said that she would like to see a notice on the agenda for neighbors to have a heads up for expenditure of funds.

Mavis Benson, a Delray Beach resident and merchant, said that the Safety Ambassador Program had surpassed all of its goals. She expressed hope that the City Commission would elect to continue funding for the program.

Angie Gray noted same new area residents were not in compliance with certain land development regulations. She requested that Police monitor drug use and sales at Libby Wesley Park.

Rich Pollock said that education and economic development were tied to each other. He stated that the All America Award presented to the City was being awarded to everyone.

Mitzi Kaetz expressed concerns about the "eyesore" at A-Loft. She asked whether future building sites could be beautified. She inquired about the possibility of putting a moratorium

Joe Gilley, former President and CEO of Old School Square, said it had been his pleasure to join the City's representatives at the recent awards ceremony in Denver. He expressed hope that there would be some sort of community event to recognize the City for winning the 2017 All America City Award. Finally, he requested that the presentation panel be given the opportunity to make their "award winning" presentation to the Mayor and City Commissioners.

Oswald Baldwin, Carver High School 50th annual reunion spokesperson, said congratulations to all of his fellow class members, including Deputy

Vice Mayor Shirley Johnson.

Allan Costello said that he loved the Ambassador Program and expressed appreciation for presenting on this matter this evening.

Dr. Victor Kirson, said he drove for Uber when he was bored. Dr. Kirson requested that the City Commission provide continued financial support to the Ambassador Program.

He also requested that the City Manager be held accountable for the status of the Atlantic Dunes Pavilion project.

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