

# **City of Delray Beach**

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## **Minutes - Final**

**Tuesday, September 26, 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 6:00 p.m.

City Commission members in attendance were:

Commissioner Petrolia  
Vice Mayor Chard  
Commissioner Katz  
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**

The Mayor asked for any changes to the agenda. Vice Mayor Chard wanted to move 6.G. and 6.H.5. off the consent agenda. Commissioner Petrolia wanted to move 6.H.7. for comment. Deputy Vice Mayor Johnson wanted to move 6.H.8 for discussion

6.G. will become 7.A.A.  
6.H.5. will become 7.B.B.  
6.H.7. will become 7.C.C.  
6.H.8. will become 7.E.D.

Mayor Glickstein would like to postpone 7.H. for the appointment to the Employees General Retirement committee to the October 17, 2017 meeting.

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

**4. PRESENTATIONS:**

- 4.A.**     [17-685](#)     PRESENTING JESSICA HARTEL, INFORMATION SECURITY ANALYST,  
WITH EMPLOYEE OF THE MONTH FOR SEPTEMBER 2017

**Recommendation:** Motion to Approve Jessica Hartel as Employee of the month for September 2017.

**Sponsors:** Human Resources Department

**Attachments:** [Jessica Hartel September 2017 Employee of the Month](#)

Mickey Baker, Information Technology Director gave a presentation for Jessica Hartel, Information Security Analyst as "Employee of the Month" for September 2017. She will also receive eight hours of time off with pay.

**4.B. [17-707](#) PRESENTATION ON KOPMN SUMMER ENRICHMENT ACADEMY**

**Sponsors:** City Clerk Department

**Attachments:** [KOPMN A Snapshop](#)

Mr. Allen, of KOPMN Mentoring Network gave a presentation on a quest for happiness, a summer enrichment program for students.

**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

Veronica Bouleg, noted that he grandson attended Village Academy. It has been a wonderful experience for him.

Dr. Kirshenberg of Terra Verdi would like to see the tree debris picked up like the other residences.

Mark Cassini of 3384 Lakeview Boulevard started a non-profit called Community Greening with Mat Shipley, we have an alliance with a group called "Community Trees" and are involved with the Arbor Day Foundation. They have been planting several fruit trees with grant money. He would like permission for a volunteer day to help plant more trees. The Mayor and Commission was in favor of the volunteer work that they are doing.

Bruce Sacala of 300 Captains Walk is in an association and would like the trees and other vegetation picked up.

Ray Roselaz told about his camping trip.

Welsey Shuler 618 N.W. 2nd Street is the owner of a landscape company and is interested in picking up the debris after the hurricane.

James Klein of Osceola Park he believes that Code Enforcement should

still patrol the alley ways with regards to maintenance.

A discussion ensued.

Mitzie Kates, President of the Delray Beach Ladies Golf Association had questions about the budget.

Dominique Halloran spoke highly of the summer enrichment program.

Andrew Brouton also commented on the summer enrichment program.

Lauren Lyle reported on a Merchants meeting this Friday at 8:30 am at the Chamber of Commerce.

No further comments from the public Mayor Glickstein closed the public portion of the meeting.

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

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

### **6.A. [17-720](#)**

FINAL SUBDIVISION PLAT FOR TEN TWENTY LANGER LOCATED ON THE SOUTH SIDE OF LANGER WAY, 240.46 FEET EAST OF VENETIAN DRIVE.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Ten Twenty Langer Plat.pdf](#)  
[1020 Langer - SPRAB report \(cover and report\).docx](#)  
[1020 Langer- SPRAB Minutes.docx](#)

Mr. Stillings gave a presentation on the final subdivision plat for 1020 Langer located on the south side of Langer Way, 240.46 feet east of Venetian Drive. A discussion ensued.

Commissioner Katz made a motion to approve Item 6.G., now 7.A.A., seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken. All in favor. The motion carried 5-0.

### **6.B. [17-728](#) APPROVAL OF A HISTORIC PRESERVATION SMALL MATCHING**

GRANT AWARD AGREEMENT FOR \$50,000 AND PRESERVATION AGREEMENT FOR THE SEABOARD AIR LINE RAILWAY STATION AT 80 DEPOT AVENUE.

**Recommendation:** Motion to Approve the Historic Preservation Small Matching Grant Award Agreement for \$50,000 and Preservation Agreement for the Seaboard Air Line Railway Station at 80 Depot Avenue.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Delray Beach Seaboard Air Line Railway Station Draft Grant Award Agreement 2017](#)  
[Preservation Agreement- Seaboard Airline Railway Station](#)  
[Small Matching Grant Application](#)  
[Grant Agreement Legal Checklist CC 091719](#)

6.C. [17-724](#) RESOLUTION NO. 68-17, HISTORIC PROPERTY AD VALOREM TAX EXEMPTION REQUEST FOR 55 SE 7th AVENUE.

**Recommendation:** Motion to Adopt Resolution No. 68-17; approving a historic property ad valorem tax exemption request for improvements to the contributing structure and property located at 55 SE 7th Avenue, based upon positive findings with respect to LDR Section 4.5.1(J).

**Sponsors:** Planning & Zoning Department

**Attachments:** [HPB Tax Exemption Staff Report 55 SE 7th Avenue](#)  
[Resolution Tax Exemption 55 SE 7th Avenue](#)  
[Attachments 55 SE 7th Ave Tax Exemption](#)

6.D. [17-688](#) FLORIDA MUNICIPAL INSURANCE TRUST (FMIT) FOR RENEWAL OF PROPERTY INSURANCE POLICY

**Recommendation:** Staff is requesting approval for purchase of Property Excess Liability and Excess Workers' Compensation Insurance from the Florida Municipal Trust Fund (FMIT) for \$998,258 for the coverage period 10/1/2017 through 9/30/2018.

**Sponsors:** Finance Department

**Attachments:** [10.1.17 Quote Comparison](#)  
[Market Summary](#)  
[Premium Summary](#)

approved

6.E. [17-702](#) RESOLUTION NO. 64-17 TWO DECORATIVE LIGHTS AND STAMPED ASPHALT CROSSWALKS W/ FDOT

**Recommendation:** Motion for City Commission to approve a resolution 64/17 and for the Mayor to execute a Locally Funded Agreement (LFA) with FDOT for SR-806/Atlantic

Avenue at - SW/NW 12TH AVE. improvements.

**Sponsors:** Environmental Services Department

**Attachments:** [FDOT resolution on LFA 64-17.doc](#)  
[Three Party Escrow Agreement for approval and execution.pdf](#)  
[Complete LFA for approval and execution.pdf](#)  
[Legal Review Checklist FDOT Locally funded agreement and escrow agreement.pdf](#)

approved

## 6.F. PROCLAMATIONS:

### 6.F.1. [17-741](#) PROCLAMATION FOR IVY TOWNSEND MARTIN

**Sponsors:** City Clerk Department

**Attachments:** [Proclamation for Ivy Townsend Martin](#)

### 6.G. [17-721](#) REPORT OF APPEALABLE LAND USE ITEMS FROM AUGUST 14, 2017 THROUGH AUGUST 25, 2017

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

**Sponsors:** Planning and Zoning Board

**Attachments:** [Location Map](#)  
[Delray Square](#)  
[116 Marine Way](#)  
[Mercedes-Benz](#)

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

### 6.H.1. [17-731](#) CONTRACT AGREEMENT WITH THE STANDARD LIFE INSURANCE COMPANY

**Recommendation:** Motion to Award and enter into an agreement for Employee Basic Life, Supplemental, Spouse and Dependent Life Insurance, Employee Accidental Death and Dismemberment Insurance and Retiree Life with The Standard effective October 1, 2017.

**Sponsors:** Human Resources Department

**Attachments:** [2014 Minnesota Life Contract Agreement](#)  
[2016 The Standard Life Insurance agreement memo](#)  
[City Administration request to sign agreement with The Standard Insurance memo](#)  
[Policy](#)  
[Signature Page](#)  
[Legal Review Checklist Standard Life Insurance Agreement](#)

approved

**6.H.2. [17-732](#)** AGREEMENT WITH WESCO TURF, INC. UTILIZING THE STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES CONTRACT NO. 211000000-15-1 FOR THE PURCHASE OF LAWN EQUIPMENT.

**Recommendation:** Motion to Approve a one-year Agreement with Wesco Turf, Inc. for the purchase of Lawn Equipment in a not-to-exceed amount of \$75,678.58 utilizing the State of Florida, Department of Management Services Contract No. 211000000-15-1.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Legal Review Checklist form v. 3 \(Wesco Turf\)](#)  
[Amendment #1 - State of Florida, Department of Management Services Contract No. 21100000-15-1](#)  
[Certification of Contract - State of Florida, Department of Management Services and Wesco Turf](#)  
[Contract No. 21100000-15-1 - State of Florida, Department of Management Services and Wesco Turf](#)  
[Wesco Turf Agreement with City of Delray Beach - Wesco Turf Signed](#)

approved

**6.H.3. [17-675](#)** AWARD OF A FOUR YEAR AGREEMENT WITH HOME DEPOT U.S.A., INC., FOR MAINTENANCE, REPAIR, OPERATING SUPPLIES, AND SERVICES IN A NOT TO EXCEED ANNUAL AMOUNT OF \$200,000.

**Recommendation:** Motion to Approve the award of a four year agreement, with 5 one-year renewal options, with Home Depot U.S.A., Inc., for maintenance, repair, operating supplies, and related services utilizing the U.S. Communities Governmental Purchasing Alliance Cooperative Contract Serial 16154 (Solicitation 16154-RFP) in a not-to-exceed annual amount of \$200,000.

**Sponsors:** Environmental Services Department

**Attachments:** [AUTHORIZING STATE STATUTES](#)  
[16154 Packet for Bid](#)  
[16154-Contract -Home Depot](#)  
[Award](#)  
[MICPA Agreement](#)  
[City of Delray Beach FL USC Contract - THD Executed1](#)  
[Legal Review Checklist form v. 3 Master Contractor services agreement Home Depot Inc](#)

**approved**

- 6.H.4. [17-734](#)** PURCHASE AWARDS TO DUVAL FORD, LLC AND HUB CITY FORD-MERCURY, INC., FOR THE PURCHASE OF 2 NEW VEHICLES FOR A TOTAL AMOUNT OF \$68,514.

**Recommendation:** Motion to Approve purchase awards to Duval Ford, LLC and Hub City Ford-Mercury, Inc., for the purchase of 2 additional vehicles for a total of \$68,514, utilizing Florida Sheriff's Association Contract #FSA16-VEL24.0.

**Sponsors:** Purchasing Department

**Attachments:** [F-250 Quote-Duval 8-10-17](#)  
[Interceptor Quote-Hub City 8-10-17](#)  
[Florida Sheriffs Contract FSA16-VEL24.0](#)  
[Best Price Letter Duval Ford](#)

**approved**

- 6.H.5. [17-684](#)** AWARD OF AN AGREEMENT TO FLORIDA CDI, LLC FOR THE 100' CHRISTMAS TREE AND NORTH POLES VILLAGES ASSEMBLY AND DISASSEMBLY IN AN ANNUAL NOT-TO-EXCEED AMOUNT OF \$121,700.

**Recommendation:** Motion to Award a five-year agreement to Florida CDI, LLC for the 100' Christmas Tree and North Poles Villages Assembly and Disassembly in an annual not-to-exceed amount of \$121,700 (Project No. 17-062) and authorize City Manager to exercise any and renewal options.

**Sponsors:** Purchasing Department



**Attachments:** [ITB 2017-058 - Final](#)  
[Florida CDI LLC Christmas Designers - ITB 2017-058](#)  
[ITB 2017-058 Tabulation Sheet](#)  
[Final Agreement - Florida CDI LLC](#)  
[Exhibits 1-11](#)  
[Addendum 1 \(Rev 1\) Final](#)  
[Addendum 2](#)

Vice Mayor Chard made a motion to postpone this Resolution to the October 3rd meeting, seconded by Commissioner Katz. A Roll Call vote was taken. All were in favor. The motion carried 5-0.  
**withdrawn**

**6.H.6. [17-743](#)**

AWARD OF AN AGREEMENT TO BAXTER & WOODMAN, INC. DBA MATHEWS CONSULTING, A BAXTER & WOODMAN COMPANY FOR ENGINEERING DESIGN SERVICES FOR DELRAY BEACH SW 4th STREET, SW 6TH STREET, AND SW 7TH AVENUE IN A NOT-TO-EXCEED AMOUNT OF \$579,257.

**Recommendation:** Motion to Award an Agreement to Baxter & Woodman, Inc. DBA Mathews Consulting, a Baxter & Woodman Company for Engineering Design Services for Delray Beach SW 4th Street, SW 6th Street, and SW 7th Avenue in a not-to-exceed amount of \$579,257.

**Sponsors:** Purchasing Department and Environmental Services Department

**Attachments:** [Mathews Consulting, a Baxter and Woodman Company Submittal](#)  
[RFQ 2017-032 - Eng. Design Services, SW 4th St, SW 6th St, and SW 7th Ave \(R3\) per Addendum No. 5](#)  
[2017-032 Scoring Summary](#)  
[Agreement RFQ 2017-032](#)  
[Legal Review Checklist RFQ 2017-32 Baxter Woodman](#)

Deputy Vice Mayor Johnson had questions regarding this agreement. Missy Barletto with the Public Works Department stated that they had the Master Plan study done more than ten years ago.

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

**6.H.7. [17-762](#)**

AWARD OF AN AGREEMENT TO WANTMAN GROUP. INC FOR DESIGN AND ENGINEERING SERVICES FOR MARINE WAY SEAWALL AND DOCK IN A NOT-TO-EXCEED AMOUNT OF \$284,773.

**Recommendation:** Motion to award an Agreement to Wantman Group, Inc. for design and engineering services for Marine Way Seawall and Dock in a total

not-to-exceed amount of \$284,773.

**Sponsors:** Environmental Services Department

**Attachments:** [Legal Review Checklist form RFQ 2017-030 Wantman Group seawall](#)  
[Exhibit A Marine Way Scope and Schedule 20170705](#)  
[WGI City of Delray Beach Marine Way RFQ 2017-030](#)

Commissioner Petrolia had a question about the rankings which weren't included in their packets. Commissioner Petrolia made a motion to approve the Resolution, seconded by Commissioner Katz. A Roll Call vote was taken. All were in favor. The motion carried 5-0.  
**approved**

- 6.H.8. [17-763](#)** AWARD OF AN AGREEMENT WITH BAXTER & WOODMAN, INC. DBA MATHEWS CONSULTING, A BAXTER & WOODMAN COMPANY FOR THE DESIGN OF OSCEOLA PARK NEIGHBORHOOD IMPROVEMENTS IN A NOT-TO-EXCEED AMOUNT OF \$815,531.00

**Recommendation:** Motion to award an Agreement with Baxter & Woodman, Inc. DBA Mathews Consulting, a Baxter & Woodman Company for the design of Osceola Park Neighborhood improvements in a total not to exceed amount of \$815,531.00 for the Agreement term.

**Sponsors:** Environmental Services Department

**Attachments:** [Baxter & Woodman, Inc. DBA Matthews Consulting Proposal](#)  
[RFQ 2017-035 Agreement \(Consultant Executed\)](#)  
[Legal Review Checklist form v. 3 matthews 9-7-17](#)  
[2017-035 Complete](#)  
[2017-035 Addendum No. 1](#)  
[2017-035 Addendum No. 2](#)  
[2017-035 Addendum No. 3](#)  
[2017-035 Addendum No. 4](#)  
[2017-035 Scoring Summary, Final Evals FINALIZED](#)

**approved**

## **7. REGULAR AGENDA:**

- 7.A. [17-620](#)** REQUEST FOR A MODIFICATION OF the STANDARDS FOR APPROVAL FOR LDR SECTION 7.9.11 BOAT LIFTS, TO PERMIT A SECOND BOAT LIFT FOR A SINGLE FAMILY RESIDENCE located at 744 seasage drive. (quasi-judicial HEARING)

**Recommendation:** Motion to Approve the modification of the standards for approval for LDR Section 7.9.11, to permit a second boat lift, based upon a positive

recommendation from the Building Official per LDR Section 7.9.4.

**Sponsors:** Planning & Zoning Department

**Attachments:** [744 Seasage - Applicant Request and Support Docs.pdf](#)

[744 Seasage - Building Official Letter PDF.pdf](#)

[744 Seasage - Board Order.docx](#)

The Clerk swore in the applicants for 7.A.,B. or C. Mr. Stillings gave an overview of the request. Resolution 17-620 request for a modification of the standards for approval for Land Development Regulations Section 7.9.11 Boat lifts, to permit a second boat lift for a single family residence located at 744 Seasage Drive.

Greg Kino, attorney for the applicant of Sickler, Lubitz and O'Connell Law firm of West Palm Beach, the applicants are Mr. & Mrs. Long.

Mayor Glickstein opened the meeting to the public, hearing none, he closed the meeting.

Mr. Lohman read the Board Order.

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

**approved**

- 7.B.**     [17-746](#)     A WAIVER REQUEST TO LDR SECTION 4.3.4(K) DEVELOPMENT STANDARD MATRIX TO REDUCE THE SIDE INTERIOR FOR THE THIRD FLOOR FROM 30' TO 20' IN THE RM (MULTIPLE FAMILY RESIDENTIAL) ZONING DISTRICT FOR 917 BUCIDA ROAD. (QUASI-JUDICIAL HEARING)

**Recommended Action:**

**Recommendation:** Motion to Approve the waiver request to LDR Section 4.3.4(K) Development Standard Matrix to reduce the third floor side interior setback from 30' to 20' in the RM (Multiple Family Residential) zoning district for 917 Bucida Road.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Justification letter - 917 Bucida Rd](#)

[Site plan - 917 Bucida Rd](#)

[Third Floor - 917 Bucida Rd](#)

[917 Bucida Rd](#)

[917 Bucida Rd Board Order](#)

Mr. Stillings gave an overview of a waiver request for Resolution 17-746 to the Land Development Regulations Section 4.3.4 (K) development standard matrix to reduce the side interior for the third floor from 30' to 20' in the Zoning District for 917 Bucida Road.

Richard Jones, Architect gave a presentation on the project. A discussion ensued.

Mr. Lohman read the Board Order.

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

**approved**

- 7.C. [17-751](#) A WAIVER REQUEST TO LDR SECTION 4.6.7(H)(10)(a)(3), TEMPORARY NON-COMMERCIAL SIGNS, TO ALLOW SIGNAGE TO BE PLACED ON THE SCREENING FENCE ON THE NORTHWEST CORNER OF ATLANTIC AVENUE AND NW 8TH AVENUE, AT 805 W. ATLANTIC AVENUE. (QUASI-JUDICIAL HEARING)

**Recommendation:** Motion to Approve the waiver request to LDR Section 4.6.7(H)(10)(a)(3), Temporary Non-Commercial Signs, to allow signage to be placed on the screening fence on the corner of Atlantic and NW 8th Avenue, at 805 W. Atlantic Avenue.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Waiver Justification Statement](#)

[The Set - Proposed Signs at 805 W. Atlantic](#)

[The Set Signage Presentation - 805 W. Atlantic](#)

[805 W. Atlantic Ave Board Order \(The Set Sign Waiver\)](#)

Mr. Stillings gave an overview of a waiver request Resolution 17-751 to the Land Development Regulations Section 4.6.7(H)(10)(a)(3), temporary non-commercial signs, to allow signage to be placed on the screening

fence on the northwest corner of Atlantic Avenue and NW 8th Avenue, at 805 W. Atlantic Avenue. A discussion ensued.

Mayor Glickstein opened the meeting to the public, hearing none, he closed the public comment period.

Mr. Lohman read the Board Order.

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

approved

- 7.D. [17-752](#) PARKING MANAGEMENT PRESENTATION ON EXPECTED RETURN ON INVESTMENT AS REQUESTED BY COMMISSION DURING AUGUST 15, 2017 MEETING.

**Recommendation:** Receive information provided by staff concerning the details and expected Return on Investment resulting from the parking plan receiving consensus of the Commission during the August 15, 2017 City of Delray Beach (City) City Commission meeting.

**Sponsors:** Environmental Services Department

**Attachments:** [Commission 8-15 ROI.pdf](#)  
[Beach-Barrier Island ROI.pdf](#)

Caryn Gardner-Young, Assistant City Manager and Missie Barletto of the Public Works Department gave a presentation on expected return on investment as requested by Commisison during the August 15, 2017 meeting.

Mr. Alarcon, Parking Manager, was present to answer any questions the Commission had. A discussion ensued.

- 7.E. [17-748](#) RECOMMENDATION FOR APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY BOARD

**Recommendation:** Motion to Recommend for appointment one (1) regular member to serve on the Delray Beach Housing Authority Board for an unexpired term ending July 14, 2018.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)[Delray Beach Housing Authority Board Member List](#)[Delray Beach Housing Authority Board Attendance List](#)

Deputy Vice Mayor Johnson nominated Ivan Gomez, seconded by Commissioner Petrolia. A Roll Call vote was taken. All were in favor. The motion carried 5-0.

**approved**

**7.F.     [17-727](#)     NOMINATIONS FOR APPOINTMENT TO THE KIDS AND COPS COMMITTEE**

**Recommendation:** Motion to recommend nominations for appointment for one (1) Citizen-At-Large Representative and two (2) At-Large Representative members to serve on the Kids and Cops Committee for two years term ending July 31, 2019.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)[Kids & Cops Committee Member List](#)[Kids and Cops Committee Attendance List](#)

Commissioner Petrolia nominated Jennifer Accrery. It was seconded by Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Vice Mayor Chard nominated Nathaniel Garner. It was seconded by Commissioner Petrolia. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Commissioner Katz made a motion to postpone his nomination. It was seconded by Commissioner Petrolia. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

**approved**

**7.G.     [17-733](#)     NOMINATION FOR APPOINTMENT TO THE EDUCATION BOARD**

**Recommendation:** Motion to recommend nomination for an appointment for one (1) student member to serve on the Education Board for a one (1) year term ending July 31, 2018.

**Sponsors:** City Clerk Department

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

Commissioner Petrolia nominated Serina Martin. It was seconded by Vice Mayor Chard. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

approved

7.H. [17-756](#)

**Recommendation:** Motion to approve a nomination for appointment for one (1) regular member to serve on the General Employees Retirement Fund Committee for an indefinite term.

**Sponsors:** City Clerk Department

**Attachments:** [Exhibit A](#)  
[General Employees Retirement Fund Committee Board Member List](#)  
[General Employees Retirement Committee Attendance List](#)

Postponed to the meeting in October.

continued

8. PUBLIC HEARINGS:

8.A. [17-717](#) RESOLUTION NO. 60-17 FINAL MILLAGE LEVY

**Recommendation:** Recommend approval of Resolution No. 60-17 Final Millage Levy for FY 2017.

**Sponsors:** Finance Department

**Attachments:** [Res 60-17 Millage Levy FY 2018](#)

Mr. Lohman read Resolution 60-17 for final millage levy. Mayor Glickstein opened the meeting for public comment. Seeing none, he closed the comment period to the public.

Vice Mayor Chard made a motion to approve. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken. Mayor Glickstein- yes Commissioner Petrolia- no Vice Mayor Chard- yes Commissioner Katz- no

Deputy Vice Mayor Johnson-yes The motion carried 3-2.

approved

8.B. [17-718](#) RESOLUTION NO. 61-17 FINAL MILLAGE LEVY DDA

**Recommendation:** Recommend approval of Resolution No. 61-17 Final Millage Levy DDA.

**Sponsors:** Finance Department

**Attachments:** [Res 61-17 Tax Levy DDA FY 2018](#)  
[DDA 2017\\_18 Approved Budget for City Commission 9.7.17](#)  
[Topline FY 17-18 Initiative Memo](#)  
[Delray Beach DDA FY17-18 Millage Approval Memo 9.7.17](#)  
[Prioritizing Initiatives DDA V2 SUMMARY 170602 \(3\)](#)

Mr. Lohman read Resolution 61-17. Mayor Glickstein opened the meeting for public comment, seeing none he closed the public portion of the meeting.

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

**8.C.**     [17-719](#)     RESOLUTION NO. 62-17 BUDGET ADOPTION FOR FY 2018

**Recommendation:** Recommend approval of Resolution No. 62-17 Final Budget Adoption for FY 2018.

**Sponsors:** Finance Department

**Attachments:** [Res 62-17](#)

Mayor Glickstein opened the comments period up to the public to speak on the adoption of the budget.

From the public:

Christina Morrison of 2809 Florida Boulevard had a concern regarding the Fire Inspection fees. She was also concerned that there was not money in the budget for the Water Plant.

Mayor Glickstein closed the public portion of the meeting.

Mr. Lohman read Resolution 62-17. A discussion ensued.

Commissioner Katz made a motion to approve the budget. It was seconded by Deputy Vice Mayor Johnson.  
A Roll Call vote was taken. Commissioner Petrolia- no Vice Mayor Chard- no Deputy Vice Mayor Johnson- yes Mayor Glickstein- yes The motion carried 3-2.

**approved**

**8.D.**     [17-738](#)     ORDINANCE NO. 22-17: AMENDING CHAPTER 10 OF THE LAND DEVELOPMENT REGULATIONS TO UPDATE THE FLOOD INSURANCE STUDY DATE AND FLOOD INSURANCE RATE MAPS. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance No. 22-17, amending Chapter 10 of the Land Development Regulations, "Flood Damage Control Districts and Coastal



Construction" Section 10.1.2, "Applicability"; Paragraph (C), "Basis for Establishing Flood Hazard Areas", to update the Flood Insurance Study Date and Flood Insurance Rate Maps.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Ordinance No. 22-17 amending Flood Hazard Areas of the LDRs](#)  
[PZ Staff Report Ord 22-17 Flood Hazard Areas](#)

Mr. Lohman read Ordinance 22-17. It is the second reading and public hearing. Mr. Stillings of the Planning Department stated that this ordinance is updating the flood insurance rate maps.

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

Commissioner Katz made a motion to approve Ordinance 22-17. It was seconded by Vice Mayor Chard. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved**

**8.E. [17-737](#)**

ORDINANCE NO. 34-17: AMENDING THE LAND DEVELOPMENT REGULATIONS AT SECTION 4.3.3, SUBSECTION (G), PROHIBITING MEDICAL MARIJUANA TREATMENT CENTER - DISPENSING FACILITIES IN ALL ZONING DISTRICTS IN THE CITY OF DELRAY BEACH; AND AMENDING APPENDIX A "DEFINITIONS" TO PROVIDE DEFINITIONS FOR "MARIJUANA" AND "MEDICAL MARIJUANA TREATMENT CENTER - DISPENSING FACILITY". (SECOND READING/SECOND PUBLIC HEARING)

**Recommendation:** **Recommended Action:**

Motion to Approve Ordinance No. 34-17 amending Section 4.3.3(G) prohibiting Medical Marijuana Treatment Centers - Dispensing Facilities and Appendix A Definitions, by adopting the findings of fact and law contained in the Staff Report, and finding that the text amendment and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in LDR Section 2.4.5(M).

**Sponsors:** Planning & Zoning Department

**Attachments:** [Ordinance 34-17 Medical Marijuana Treatment Center Prohibition 08.18.17 - Revised](#)  
[PZB Staff Report - MMTC Prohibition 08.10.17 Final](#)  
[SB8-A Medical Marijuana Treatment Centers](#)

Mr. Lohman read Ordinance 34-17 amending the Land Development Ordinances at Section 4.3.3, subsection (G), prohibiting medical marijuana treatment center-dispensing facilities in all zoning districts in the city of Delray Beach; and amending appendix.

Mr. Stillings stated that this came to us because of Senate Bill 8A that has passed.

Mayor Glickstein opened the meeting up for public comment.

Eric Stevens of 6891 Bay Drive, Miami Beach is in favor of a marijuana dispensary.

Mayor Glickstein closed the public comments period.

Police Chief Goldman is not in favor of a marijuana dispensary.

Keith Komniak, Acting Fire Chief, concurs with Chief Goldman.

Mr. Loman stated that there are dispensaries in Boynton Beach and Lake Worth.

Commissioner Katz made a motion to approve the Ordinance but with a clause stating that it should be revisited in one year. It was seconded by Commissioner Petrolia. A Roll Call vote was taken. All were in favor. The motion carried 5-0.

**approved**

**8.F.     [17-739](#)     ORDINANCE NO. 29-17: SANITATION RATES FOR FY2018 (SECOND READING)**

**Recommendation:** Motion to consider an amendment to the City Code of Ordinances, Chapter 51, "GARBAGE AND TRASH", Section 51.70, "REGULAR CHARGES LEVIED", to provide for new residential and commercial collection service rates for fiscal year 2018.

**Sponsors:** Finance Department

**Attachments:** [SWS Delray Franchise Agreement FINAL-2-20-15 \(3\)](#)  
[Assignment of Exclusive Franchise Agreement 12-14-15](#)  
[WM Acknowledgement Letter for Delray Beach 10-01-17 A](#)  
[FINAL City of Delray Beach CPI Adj to Waste Collection Eff October 2017](#)  
[Ord 29-17 Solid Waste Collection Fees - CityAtty Rev](#)  
[Res 65-17 Solid Waste Charges and Fees](#)

Mr. Lohman read Ordinance 29-17 on second reading and public hearing on sanitation rates for FY2018. Mayor Glickstein opened the meeting up for public comment. Hearing none, the public portion of the meeting was closed.

Vice Mayor Chard made a motion to approve the Ordinance. It was

seconded by Commissioner Petrolia. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved**

**8.F.1.**    [17-753](#)            RESOLUTION NO. 65-17: SANITATION RATES FOR FY2018

**Sponsors:** Finance Department

**Attachments:**    [Res 65-17 Solid Waste Charges and Fees](#)

Commissioner Katz made a motion to approve Resolution 65-17. It was seconded by Commissioner Petrolia. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved**

**8.G.**        [17-740](#)            ORDINANCE NO. 36-17: ESTABLISHING AND IMPOSING A TEMPORARY MORATORIUM WITHIN THE CITY OF DELRAY BEACH ON THE SUBMITTAL AND PROCESSING OF APPLICATIONS, AND ISSUANCE OF ANY PERMITS PERTAINING TO COLLOCATION ON EXISTING OR THE CREATION OF NEW UTILITY POLES IN THE RIGHT-OF-WAY TO SUPPORT SMALL WIRELESS FACILITIES OR MICRO WIRELESS FACILITIES UNTIL DECEMBER 31, 2017, TO ALLOW AN OPPORTUNITY TO DEVELOP REGULATIONS CONSISTENT WITH CHAPTER 2017-136, REGULATIONS LAWS OF FLORIDA. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance No. 36-17, as presented on second reading.

**Attachments:**    [HB 687 Wireless in ROW](#)

[Ord. 36-17 Wireless Infrastructure Deployment Ordinance MORATORIUM](#)

Mr. Lohman read Ordinance 36-17 upon second reading. An ordinance establishing and imposing a temporary moratorium within the city of Delray Beach on the submittal and processing of applications, and issuance of any permits pertaining to collocation on existing or the creation of new utilities.

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

Vice Mayor Chard made a motion to approve Ordinance 36-17. It was seconded by Commissioner Petrolia. A Roll Call vote was taken, and all were in favor. The motion carried 5-0.  
**approved**

**9. FIRST READINGS:**

- 9.A.**     [17-730](#)     ORDINANCE NO. 35-17: UPDATE OF THE CITY OF DELRAY BEACH CAPITAL IMPROVEMENT ELEMENT WITH THE ADOPTED FIVE-YEAR CAPITAL IMPROVEMENT PLAN (FIRST READING)

**Recommendation:** **Recommended Action:**

By motion approve Ordinance No. 35-17 updating Table CI-CIP to update the Capital Improvement Element of the Comprehensive Plan with the adopted five-year Capital Improvement Plan (CIP) and accepting the Planning and Zoning Board's finding of Consistency of the proposed 5-Year Capital Improvement Plan for FY 2017-18 through FY 2021-22, and FY 2017-18 Capital Improvement Budget with the City of Delray Beach Comprehensive Plan.

**Sponsors:** Planning and Zoning Board

**Attachments:**   [Ordinance No. 35-17 CIP FY17-18](#)  
                          [P&Z Board Staff Report with revised tables](#)  
                          [Complete CIP Summary](#)

Mr. Lohman read Ordinance 35-17 on first reading. It is an update of the city of Delray Beach capital improvement element with the adopted five-year Capital Improvement Plan.

Mr. Stillings explained the Planning Board recommended that the ordinance be consistent with the comprehensive plan.

Commissioner Petrolia made a motion to approve the ordinance. It was seconded by Vice Mayor Chard. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved on first reading**

**10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:****10.A. City Manager**

Mr. deJesus reported that the contractor that has the bid for picking up debris from hurricane Irma is a Delray Beach resident. He has an agreement for a rate increase on hauling and a minimum of fifteen trucks.

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

He recommended that an ordinance be brought before the Commission

to allow for debris removal on private property, such as Associations and HOAs.

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

He recognized and thanked Joe France, Deputy Director of Public Works, who was in charge of debris removal and has been working seven days a week.

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

No report.

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

Vice Mayor Chard had a question regarding an RFP for the historic train station. Mr. Lohman stated it should be ready by years end. Mr. Lohman recommended getting an appraisal for the property. Vice Mayor Chard wanted to know the status of the ordinances that the Historic Preservation Board had recommended.

Mr. Stillings reported that staff is reviewing the ordinances and that they would have to get approved by the Planning Board first.

Vice Mayor Chard recommended the use of underground utilities as part of the Comprehensive Plan. He also had concerns regarding the height of fences, etc.

Deputy Vice Mayor Johnson would like to see the new City Manager work with the City's Auditor. She is in favor of hiring a Special Magistrate for Code Enforcement issues.

Deputy Vice Mayor Johnson wanted to know if the Events Coordinators are paying the city for their events.

Mr. deJesus reported that the Finance Department generates the bills for events.

A discussion ensued.

Commissioner Katz commended the contractors that were picking up debris from the hurricane.

Mayor Glickstein reported that General Ely passed away, he was one hundred and five years old. He was the oldest living veteran in Palm Beach County.

There being no further business to discuss, Mayor Glickstein adjourned the meeting at 10:26 p.m.