

City of Delray Beach

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Minutes - Final

Tuesday, May 15, 2018

6:00 PM

Regular Meeting at 6:00 PM

Delray Beach City Hall

City Commission

*Mayor Shelly Petrolia
Vice Mayor Adam Frankel
Deputy Vice Mayor Shirley Ervin Johnson
Commissioner Bill Bathurst
Commissioner Ryan Boylston*

1. ROLL CALL

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

The following were in attendance:

Mayor Shelly Petrolia
Vice Mayor Adam Frankel
Deputy Vice Mayor Shirley Ervin Johnson
Commissioner Bill Bathurst
Commissioner Ryan Boylston

Others present were:

Mark R. Lauzier, City Manager
R. Max Lohman, City Attorney
Katerri Johnson, City Clerk

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

Deputy Vice Mayor Johnson requested to pull item 6.D. on the regular agenda for discussion. That item will become item 7.A.A. and item 6.F., that item will become 7.B.B.

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

4. PRESENTATIONS:

4.A. [18-212](#) PRESENTATION OF SPONSORSHIP TROPHY FOR ATP DELRAY BEACH OPEN - MARK BARON

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

Suzanne Fisher, Director of Parks and Recreation introduced Mr. Mark Baron who is the Tournament Director of the Delray Beach Open. He introduced Mr. John Butler the Executive Director who thanked several of the City staff for all their hard work. Mr. Butler presented the City Commission with an ATP sponsorship trophy. This was the biggest event

in their twenty-six year history. There were over 65,000 people in attendance and it was televised in over 125 countries all over the world.

Vice Mayor Frankel recognized the following attendees in the audience, Adam and Ivan Baron, Marlena Hall, George Linley, head of the Palm Beach County Sports Commission and our local representative Marjorie Walden.

4.B. [18-210](#) ANNUAL PRESENTATION OF THE DELRAY BEACH SPORTS DESTINATION COMMITTEE

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Sports City Commission 2018](#)

Margie Walden, Palm Beach County Sports Commission Board Member, Chair of Palm Beach Sports Gives, and Chair of the Delray Beach Sports Destination Committee of 61 Caladium Road gave a presentation and several recommendations.

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

Peter Arts of 1746 Fern Forest Place, Chair of the Downtown Development Authority thanked Mr. Lauzier, the City Manager, for his open door policy regarding parking.

Ms. Pauline Moody, temporary homeless, reported that Brandon Flowers, a professional football player also came from Delray Beach. She had several other comments.

Kay Johnson of 1801 N. Swinton Avenue, Development Director of the public Library, gave a report of several reading programs for kids out of school for the summer.

Clair Johnson of 46 Marine Way received a letter from the City Manager regarding the seawall on his street. He had several comments regarding this issue.

Matt Shipley of 1210 Vista Del Mar, co-founder of Community Greening which is a local environmental non-profit, reported he had received two grants from TD Bank to plant trees.

Willy Potts, Jr. of 135 N.W. 7th Avenue is with Florida Heat Youth Foundation, a 501c3 non-profit organization and is looking for donations from the City.

Mora Plante founder of Living Hungry reported that there are one hundred and forty-three students that are homeless in Delray Beach currently. Her organization has been feeding all of them with the help from other organizations and volunteers.

Patricia Wright of 255 N.W. 14th Avenue thanked the City for allowing them to have the Frog Alley Caribbean Festival.

Jeff Costello, Executive Director of the CRA thanked several people involved in the Frog Alley Caribbean Festival.

Daniel Rose of 323 N.E. 6th Avenue stated that there should be zero tolerance towards racism in the city.

Alexander Petrolia of 2002 N.W. 4th Avenue and Emily Spears of 615 Hillcrest Road, Boynton Beach spoke on behalf of Wise Tribe, the Mindfulness Club at Atlantic High School they invited all to attend a mass meditation session at Old School Square on May 26, 2018 from 5:30-7:30 pm.

Mark Denkler of 320 NW 9th Street, former Parking Committee Chair had comments regarding the parking ordinance and several recommendations.

Christina Morrison of 2809 Florida Boulevard had several comments regarding the parking ordinance and that cameras should be installed in the parking garage.

Laura Simon, Director of the Downtown Development Authority reported that the downtown Ambassador's program has officially started.

Jack Warner of 256 Venetian Drive is in favor of the proposed parking ordinance. He stated it would relieve some of the burden off the taxpayers.

Herman Stevens of 75 SW 5th Avenue, former member of the CRA and DDA had several comments.

Hearing no further comments from the public, Mayor Petrolia closed the

public portion of the meeting.

6. CONSENT AGENDA: City Manager Recommends Approval

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

6.A. [18-310](#) APPROVAL OF MINUTES

Recommendation: Motion to approve meeting minutes as listed below:

February 7, 2017- Special Meeting
February 21, 2017- Special Meeting
April 18, 2017- Workshop Meeting
April 24, 2017- Joint Session w/CRA
August 30, 2017- Joint Session w/CRA
October 3, 2017- Regular Meeting
October 10, 2017- Workshop Meeting
October 17, 2017- Regular Meeting
November 7, 2017- Regular Meeting
January 23, 2018- Regular Meeting
January 29, 2018- Joint Session w/CRA
February 13, 2018- Workshop Meeting
April 26, 2018- Special Meeting
April 27, 2018- Special Meeting

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Minutes 2-7-17 Draft](#)
[Minutes 2-21-17 Draft](#)
[Minutes 4-18-17 Draft](#)
[Minutes 4-24-17 Draft](#)
[Minutes 8-30-17 Draft](#)
[Minutes 10-3-17 Draft](#)
[Minutes 10-10-17 Draft](#)
[Minutes 10-17-17 Draft](#)
[Minutes 11-7-17 Draft](#)
[Minutes 1-23-18 Draft](#)
[Minutes 1-29-18 Draft](#)
[Minutes 2-13-18 Draft](#)
[Minutes 4-26-18 Draft](#)
[Minutes 4-27-18 Draft](#)

approved

- 6.B.** [18-253](#) RESOLUTION NO. 56-18: REVOCABLE LICENSE AGREEMENT THE VOLLEN CENTER TO PROVIDE CONGREGATE MEALS FOR SENIOR CITIZENS AT POMPEY PARK RECREATION CENTER

Recommendation: Motion to approve Resolution No. 56-18 approving a revocable license agreement with the Vollen Center to provide congregate meals for senior citizens at Pompey Park Recreation Center for a three year period and authorizing license renewal designation to the City Manager for three additional one year terms.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Vollen Center food service resolution 56-18](#)
[Vollen Center contract](#)
[Legal Review Checklist Mae Vollen Pompey Park](#)

approved

- 6.C.** [18-250](#) RESOLUTION NO. 32-18: UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR DESIGN AND CONSTRUCTION OF UTILITIES RELOCATIONS RELATED TO THE FDOT'S US-1/FEDERAL HIGHWAY FROM NORTH OF GEORGE BUSH BOULEVARD TO C-16 CANAL, (CITY PROJECT NO. 18-001) FOR A LUMP SUM \$6,496.

Recommendation: Motion to approve a Utility Work by Highway Contractor Agreement (UWHCA) with the Florida Department of Transportation (FDOT) for performing design and construction services to relocate and adjust water utilities relating to the FDOT's US-1/ Federal Highway from north of George Bush Boulevard to the C-16 Canal, FDOT Financial Project ID No. 434722-1-56-02 (City Project No. 18-001) for a lump sum of \$6,496.

Sponsors: Public Works Department - Programs & Project Management and Utilities Department

Indexes: Capital Improvement Projects - City Wide

Attachments: [Agenda Cover Report](#)
[Utility Work by Highway Contractor Agreement FDOT](#)
[Resolution FDOT UWHCA 3.15.18](#)
[Legal Review Checklist UWHCA with FDOT](#)

approved

- 6.D. [18-275](#) APPROVAL OF AMENDMENT NO. 1 WITH CDM SMITH INC. FOR CITY-WIDE PROJECT MANAGEMENT SERVICES TO RENEW THE ANNUAL AGREEMENT THROUGH JUNE 5, 2019

Recommendation: Motion to approve the first one-year renewal option (Year 2) and Amendment No. 1 to the agreement with CDM Smith Inc. for annual city-wide project management services through June 5, 2019.

Sponsors: Utilities Department, Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Amd #1 CDM](#)
[Fully Executed Agreement with CDM SMITH INC.](#)
[2016-111C Amendment No. 1, Vendor Executed](#)

Deputy Vice Mayor Johnson asked if item 6.D. could be pulled for discussion.

Marjorie Craig, Utilities Director, gave an explanation regarding item 6.D. A discussion ensued.

Commissioner Bathurst made a motion to approve item 6.D. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

approved

6.E. [18-274](#) **RESOLUTION NO. 54-18: INTERLOCAL AGREEMENT BETWEEN CITY OF DELRAY BEACH AND SOLID WASTE AUTHORITY OF PALM BEACH COUNTY (SWA) FOR BLIGHTED AND DISTRESSED PROPERTY CLEAN-UP AND BEAUTIFICATION GRANT FY2018**

Recommendation: Motion to Approve Interlocal Agreement between the City of Delray Beach and Solid Waste Authority of Palm Beach County (SWA) in the amount of \$135,150 for assistance in the cleanup and beautification of distressed, blighted or otherwise impacted public properties within incorporated areas of the City of Delray Beach.

Sponsors: Community Improvement

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist](#)
[Blighted Grant ILA-2018](#)
[Resolution 54-18](#)

approved

6.F. [18-276](#) **RESOLUTION 29-18: APPROVAL OF AMENDMENT NO. 1 TO RENEW CONTRACT FOR SCHOOL CROSSING GUARD SERVICES WITH ACTION LABOR OF FLORIDA, LLC DBA STAFFING CONNECTION**

Recommendation: Motion to approve Resolution 29-18 approving Amendment No. 1 to renew contract for school crossing guard services with Action Labor of Florida, LLC, dba Staffing Connection in the amount not to exceed \$334,000.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[2015-60 Amendment](#)
[29-18 Resolution Award of Agreement \(CA rev 3-12-18\) Crossing Guard](#)
[Legal Review Checklist 18-276](#)

Item 6.F was pulled for discussion. Kristina Maricic, Administrative Assistant of the Police Department was present to answer any questions that the Commission had and explained the need for this resolution.

Commissioner Boylston made a motion to approve Resolution 29-18. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

approved

- 6.G.** [18-285](#) RESOLUTION 67-18: APPROVAL OF AMENDMENT NO. 1 TO RENEW CONTRACT FOR UNDERCOVER VEHICLE LEASES WITH DELRAY AUTO MALL, INC.

Recommendation: Motion to approve Resolution 67-18 approving Amendment No. 1 to renew contract for undercover vehicles lease with Delray Auto Mall, Inc. in the amount not to exceed \$65,000.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[67-18 Resolution Award of Agreement - Delray Auto Mall](#)
[Legal Review Checklist 18-285](#)
[Agreement - Delray Auto Mall](#)

approved

6.H. PROCLAMATIONS:

- 6.H.1.** [18-319](#) GUN VIOLENCE AWARENESS DAY PROCLAMATION

Recommendation: Motion to declares the first Friday in June to be National Gun Violence Awareness Day in the City of Delray Beach

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Gun Violence Awareness Day Proclamation Template 2018](#)

approved

- 6.H.2.** [18-286](#) RECOGNITION OF MATTIE LEE BROWN FOR CELEBRATING HER 100TH YEAR BIRTHDAY.

Recommendation: Recognition of Mattie Lee Brown for 100 year birthday.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Proclamation of Mattie Brown \(003\)](#)

approved

- 6.H.3.** [18-314](#) SISTER CITIES STUDENT AMBASSADORS 2018

Recommendation: Motion to recognize seven (7) Student Ambassadors representing the City of Delray Beach as they travel to Miyazu, Japan.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Student Ambassadors - Miyazu 2018](#)

Mayor Petrolia read the proclamation for Sister Cities Student Ambassadors 2018. Tony Durante is one of the student's chaperone and he is also the pastor at Our Savior Lutheran Church in Plantation.
approved

6.H.4. [18-302](#) PROCLAMATION TO DESIGNATE MAY 14-18 AS FLORIDA WATER REUSE WEEK

Recommendation: Motion to proclaim May 14-18 as Florida Water Reuse Week

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[proclamation_reuseweek](#)

approved

6.H.5. [18-321](#) INFRASTRUCTURE WEEK PROCLAMATION

Recommendation: Motion to proclaim May 14, 2018 - May 21, 2018 as National Infrastructure Week

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Infrastructure Week](#)

approved

6.H.6. [18-303](#) KIDS TO PARKS DAY - MAY 19, 2018 - PROCLAMATION

Recommendation: Motion to proclaim May 19, 2018 as KIDS TO PARKS DAY.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Kids to Park Day](#)

approved

6.H.7. [18-257](#) NATIONAL SAFE BOATING WEEK PROCLAMATION

Recommendation: Approval of a proclamation for National Safe Boating Week.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Safe Boating Week Proclamation 2018](#)

approved

6.H.8. [18-320](#) ELDER LAW MONTH PROCLAMATION

Recommendation: Motion to proclaim the month of May as Elderly Law Month.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[NATIONAL ELDER LAW MONTH](#)

approved

6.H.9. [18-324](#) RECOGNITION AND REMEMBRANCE OF SERGEANT REVEREND MATTHEW "Bump" MITCHELL

Recommendation: RECOGNITION AND REMEMBRANCE OF SERGEANT REVEREND MATTHEW "Bump" MITCHELL

Sponsors: Community Improvement and Quinlan

Attachments: [Agenda Cover Report](#)
[Recognition of Sgt Matthew Mitchell](#)

Mayor Petrolia read a proclamation in recognition and remembrance of Sergeant Reverend Matthew "Bump" Mitchell and gave his family and friends the community's sincerest condolences on his passing.

Reverend Prince Arafat of 813 S.W. 4th Street accepted the proclamation on behalf of his family.

approved

6.I. [18-283](#) REPORT OF APPEALABLE LAND USE ITEMS FROM APRIL 2, 2018 THROUGH APRIL 13, 2018

Recommendation: By motion, receive and file this report.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Appealable Items Map 05-15-18.pdf](#)
[A- 8 E Atlantic Avenue.pdf](#)
[B- 238 NE 1st Street.pdf](#)
[C- 1125 Wallace Dr.pdf](#)
[D- Sherwood Honda .pdf](#)
[E- Autonation.pdf](#)

6.J. AWARD OF BIDS AND CONTRACTS:

- 6.J.1. [18-215](#)** APPROVE RESOLUTION 20-18 AND AWARD OF A CONSTRUCTION AGREEMENT WITH MARVI BUILDERS, LLC FOR THE OLD SCHOOL SQUARE HVAC & ELECTRICAL UPGRADES IN AN AMOUNT NOT TO EXCEED \$372,574

Recommendation: Motion to approve Resolution 20-18 and award a Construction Agreement with Marvi Builders, LLC for the Old School Square HVAC & Electrical Upgrades in a total not to exceed amount of \$372,574 (Project Number: 17-092).

Sponsors: Public Works Department - Programs & Project Management and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Marvi builders \(RFP 2018-007\)](#)
[Resolution 20-18 OSS HVAC 2018-007 CAO Approved](#)
[ITB 2018-007 Agreement CAO Approved](#)
[Tabulation Sheet ITB 2018-007](#)

approved

- 6.J.2. [18-256](#)** RESOLUTION NO. 34-18 AWARD OF AN AGREEMENT WITH UNITED STATES SERVICE INDUSTRIES (USSI) FOR JANITORIAL SERVICES: DELRAY BEACH MUNICIPAL GOLF CLUB IN A NOT-TO-EXCEED AMOUNT OF \$48,615 ANNUALLY

Recommendation: Motion to award a three (3) year Agreement with United States Services Industries (USSI) for Janitorial Services at the Delray Beach Municipal Golf Club in a total amount not to exceed \$48,615 and authorize the City Manager to exercise any and all renewal options.

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist form v. 4 Janitorial Services at Golf Club US
Service Industries
Resolution No. 34-18](#)

[2018-024 Eval. Scoring Summary](#)

[USSI RESPONSE_CD_RFP 2018-024, Janitorial Services- Delray
Beach Municipal Golf Club_Due 02-06-2018
2018-024 Agreement](#)

approved

6.J.3. [18-262](#)

RESOLUTION NO. 55-18: A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING AN AGREEMENT WITH COMCAST CORPORATION AND THE SUBSIDIARIES AND AFFILIATES FOR ENTERPRISE ETHERNET SERVICES THROUGH A PIGGYBACK CONTRACT, GSA CONTRACT GS-35F-184BA; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; AND FOR OTHER PURPOSES.

Recommendation: **Recommended Action:**

Motion to Approve Resolution No. 55-18 approving an agreement with Comcast Corporation (Comcast) and the subsidiaries and affiliates for monthly enterprise ethernet over fiber optic service and telephone trunk utilities. GSA Contract GS-35F-184BA.

Sponsors: IT Department

Attachments: [Agenda Cover Report](#)

[Ethernet Network Service ENS Technical Description](#)

[GSA Price list for GS-35F-184BA COMCAST](#)

[Comcast Subsidiaries](#)

[Enterprise TCs 13](#)

[SunBiz - Comcast affiliates](#)

[CITY OF DELRAY BEACH MSA-COUNTERSIGNED041718](#)

[CITYOFDELRAYBEACH-SOA-COUNTERSIGNED-041718](#)

[Legal Review Checklist Comcast Enterprise services](#)

[Resolution No 55-18 for Comcast CAO review](#)

approved

7. REGULAR AGENDA:**7.A. [18-298](#)**

CONSIDERATION OF THE PROPOSED ARCHITECTURAL ELEVATIONS FOR BUILDINGS 1, 2 AND 3 FRONTING ATLANTIC AVENUE AND SWINTON AVENUE OF THE MIDTOWN DELRAY PROJECT (QUASI-JUDICIAL).

Recommendation: **Elevations:**

Motion to approve the architectural elevations and associated design elements of Buildings 1, 2 and 3 for Midtown Delray, based on positive findings with respect to LDR Section 4.6.18 and Section 2.4.5(l)(5), subject to the condition that the primary wall color of the Art Deco portion of the building be changed to white.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)

[1800515_MidtownDelray_CityCommissionPresentation](#)

[180424_MidtownElevations_Buildings1-3_North REVISED](#)

[180424_MidtownElevations_Buildings1-3_East \(REVISED\)](#)

[A0.20 \(REVISED\)](#)

[A1.02 \(REVISED\)](#)

[A2.01 \(REVISED\)](#)

[A2.02A \(REVISED\)](#)

[A2.02C \(REVISED\)](#)

[A0.20 \(Previous\)](#)

[A1.02 \(Previous\)](#)

[A2.01 \(Previous\)](#)

[A2.02A \(Previous\)](#)

[A2.02C \(Previous\)](#)

[cc order on reconsideration of Architectural Elevations Midtown](#)

Mayor Petrolia read Item 7.A. The Clerk swore in the applicants. (Quasi-Judicial) Tim Stillings, Planning & Zoning Director read the changes to this application. Mr. Neil Schiller of 515 North Flagler Drive of Saul Ewing, Arnstein and Lehr presented the changes of elevations and conditions, etc.

Mayor Petrolia opened the meeting up for public comment.

Andrea Harden of 516 N. Swinton Avenue is not in favor of the revisions to the plan.

Joann Peart of 107 NW Stine Street, President of the Historic Preservation Trust stated that all the eighteen requests should be made before they vote on the project.

Jim Smith of 1225 S. Ocean Boulevard is in favor of the project.

Bonnie Elrod of 302 SW 1st Avenue, member of the SW community is in favor of the project.

Joy Howell of 1 NW 25th Street is in favor of the project.

Angelina Gray of 219 SW 9th Street is in favor of the project.

Mayor Petrolia is not in favor of the project and stated for future projects there should be safeguards put into place. The Commissioners all had comments about the project.

Mr. Lohman read the Board Order into the record. All in favor.

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

approved

7.B. [18-297](#) RESOLUTION NO. 65-18 - AWARD OF A FIVE YEAR AGREEMENT WITH UNDER BLUE WATERS FOR SURF CAMP IN A NOT-TO-EXCEED AMOUNT OF \$74,500 REVENUE

Recommendation: Motion to award a five (5) year Agreement with Under Blue Waters for Surf Camp Instruction and Surf Camp facilitation in the not-to-exceed amount of \$74,500 revenue and to authorize the City Manager to exercise any and all options to renew.

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Surf camp instructor](#)
[Under Blue Waters Proposal](#)
[2018-039 - ITB Due Diligence](#)
[ITB 2018-039 Surf Camp Instructor \(1\)](#)
[2018-039 Agreement](#)
[65-18- Resolution for Contracts CAO review](#)

Suzanne Fisher, Director of Parks and Recreation, explained Item 7.B. in greater detail.

Mr. Lohman read Resolution No. 65-18 into the record.

Commissioner Bathurst made a motion to approve Resolution No. 65-18. It

was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.
approved

7.C. [18-308](#) RATIFICATION OF APPOINTMENT TO THE KIDS AND COPS COMMITTEE

Recommendation: Motion to approve and ratify the appointed member to the Kids and Cops Committee for an unexpired term ending November 30, 2019.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
 [Kids & Cops Committee Member List](#)
 [Kids and Cops Committee Attendance List](#)
 [Kids and Cops Committee Application](#)

Vice Mayor Frankel made a motion to approve the nomination to the Kids and Cops Committee. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.
approved

8. PUBLIC HEARINGS:

8.A. [18-306](#) ORDINANCE NO. 04-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 35, "EMPLOYEE POLICIES AND BENEFITS", SECTIONS 35.001 THROUGH 35.014 AND READOPTING SAME, AS REVISED, IN ORDER TO ADOPT A PERSONNEL POLICY AND PROCEDURES MANUAL, PROVIDING FOR ITS ADMINISTRATIVE AMENDMENT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (SECOND READING).

Recommendation: Motion to approve Ordinance 04-18 amending Chapter 35 to authorize the City Manager to implement the Personnel Policies and Procedures Manual.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
 [Ordinance No. 04-18 rev Sec 35 civil service](#)
 [Ord 04-18 civil service ord exhibit a](#)
 [Personnel Policies Manual FINAL lg rev 04-10-18](#)
 [Memo - Revised Personnel Policies and Procedures Manual](#)

Mr. Lohman, City Attorney, read Ordinance No. 04-18 on Second Reading into the record. Deputy Vice Mayor Johnson asked to discuss this

ordinance. Sharon Leibowitz, Human Resource Director, explained the Ordinance in greater detail, she stated that it was voted on by the residents on the ballot in 2016. A discussion ensued.

Mayor Petrolia opened the meeting for public comment.

Hearing none, Mayor Petrolia closed the public portion of the meeting.

Commissioner Boylston made a motion to approve Ordinance No. 04-18 on Second Reading. It was seconded by Commissioner Bathurst. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

adopted

**8.B. [18-260](#) RESOLUTION 62-18, CONTRACT FOR SALE AND PURCHASE
BETWEEN LEA USA INVESTMENT GROUP INC AND THE CITY**

Recommendation: Motion to approve Resolution 62-18.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
 [Resolution 62-18 \(2\)](#)
 [Maps](#)

Mr. Lohman, City Attorney, read Resolution No. 62-18 into the record for a contract for sale and purchase between Lea USA Investment Group Inc. and the City of Delray Beach.

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

Commissioner Bathurst made a motion to approve Resolution No. 62-18. It was seconded by Commissioner Boylston. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

approved

9. FIRST READINGS:

**9.A. [18-305](#) ORDINANCE NO. 07-18: AN ORDINANCE OF THE CITY COMMISSION
OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE
OF ORDINANCES CHAPTER 71, "PARKING REGULATIONS", BY
AMENDING SECTION 71.005, "ENFORCEMENT BY POLICE
DEPARTMENT" TO ALLOW ENFORCEMENT BY DESIGNEE; BY
AMENDING SECTION 71.018, "PARKING IN ALLEYS" AND SECTION
71.025, "OBSTRUCTION OF TRAFFIC" TO INCREASE AVAILABLE
WIDTH FROM TEN FEET TO TWELVE FEET; BY AMENDING SECTION**

71.024, "ALL-NIGHT PARKING" TO PROHIBIT ALL-NIGHT PARKING IN CITY GARAGES AND PARKING LOTS; BY AMENDING SECTION 71.022, "PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS" AND "SECTION 71.023, "LIMITING PARKING TIME ON CERTAIN STREETS" TO ALLOW TIMES TO BE SET BY RESOLUTION; AMENDING SUBCHAPTER "PARKING METERS" BY AMENDING SECTION 71.055, "DEFINITIONS", SECTION 71.056, "DESIGNATION OF SPACES; INSTALLATION OF METERS", SECTION 71.057, "OPERATION OF PARKING METERS", AND SECTION 71.058, "COST OF PARKING OR STANDING VEHICLE IN CERTAIN METERED SPACES" TO PROVIDE FOR THE USE OF PARKING METER TECHNOLOGY AND TO ALLOW TIMES AND FEES TO BE SET BY RESOLUTION; BY AMENDING SECTION 71.060, "PARKING METER PERMITS" TO PROVIDE FOR EMPLOYEE PARKING PERMITS; BY REPEALING SECTION 71.063. "LIMITED TIME PARKING ZONES" AND SECTION 71.064 "PARKING METER ZONES" TO MAKE CONSISTENT WITH AFOREMENTIONED CHANGES; BY AMENDING SECTION 71.091, "LIABILITY FOR PAYMENT OF PARKING TICKET VIOLATIONS" TO ALLOW THE CITY TO PROVIDE NOTIFICATIONS FOR UNPAID PARKING VIOLATIONS; BY AMENDING SECTION 71.999, "PENALTY" TO ALLOW PENALTIES TO BE SET BY RESOLUTION; REPEALING CHAPTER 73 IN ITS ENTIRETY; AMENDING SUBCHAPTER "IMPOUNDMENT" BY AMENDING SECTIONS 71.070 THROUGH 71.073 TO RELOCATE IMPOUNDMENT REGULATIONS FROM CHAPTER 73; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES (FIRST READING).

Recommendation: Recommend approval of Ordinance No. 07-18 on First Reading for the changes to Chapters 71 and 73 of the City of Delray Beach (City) Code of Ordinances as specified in attached Ordinance No. 07-18, as presented.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Ord 07-18 amending parking regulations for first reading \(002\)](#)

[Ord 07-18 amending parking regulations redline for first reading](#)

[Res 59-18 Parking Meter zones and time limited parking zones with exhibits](#)

[Res 60-18 Fees for meters permits and penalties](#)

[ROI 112017](#)

[ROI 052018](#)

[Parking Ordinance may 2018](#)

Mr. Lohman, City Attorney, read Ordinance No. 07-18 on First Reading into the record regarding Parking regulations.

Mr. Lauzier, City Manager, gave a presentation along with Susan Goebel-Canning, Public Works Director.

A discussion ensued regarding the rules and regulations of this ordinance.

Vice Mayor Frankel made a motion to approve Ordinance No. 07-18 on First Reading as amended. It was seconded by Commissioner Bathurst. A Roll Call vote was taken and all were in favor. The motion carried 5-0.
approved

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

10.A. City Manager

Mr. Lauzier, City Manager, reported on the Quiet Zones application. He requested a motion by the Commission to approve the application.

Commissioner Boylston made a motion to support the Quiet Zones application. It was seconded by Vice Mayor Frankel. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

10.B. City Attorney

No report.

10.C. City Commission

Commissioner Bolyston reported on several items including the Ambassador program which is up and running. He also reported on his visit to the water treatment center. He was very impressed with the maintenance and cleanliness of the facility.

Deputy Vice Mayor Johnson had attended her fiftieth year anniversary from college. She mentioned a couple of classmates and how they had to deal with racism. She also stated that the Commission should pass a resolution against racism and antisemitism.

Vice Mayor Frankel asked if a policy for social media postings were in order after a vendor directed racist remarks to a Commissioner and also the antisemitic posts. He also reported that 32 East closed its doors yesterday and thanked the establisher, Butch Johnson, who was a pioneer on the Avenue and for his twenty-two years here in Delray.

Commissioner Bathurst attended the Police Awards Dinner and mentioned Chief Goldman's twenty-ninth year anniversary today. He also mentioned the 2017 Employee of the Year- Police Digital and

Public Records Specialist-Mike Garcia. 2017 Officer of the Year- Joseph Kratz. 2017 Rookie Officer of the Year- Stephanie Holtz. 2017 Supervisor of the Year- Sgt. Jeff Razor. Service Awards were given to the following for twenty plus years: Melissa Toby, Officer Mark Lucas, Lt. Russ Major and Lt. Michael Machetti.

Mayor Petrolia invited the Commissioners to attend Atlantic High School graduation ceremony on Saturday morning where her son will be graduating. She tasked the City Manager, Mr. Lauzier, to find out more about installing a water meter at Spady for the newly planted trees, and also asked about the construction on Marine Way. She reported that the Frog Alley Caribbean Festival was a huge success. She congratulated Chief Goldman on his twenty-nine years of service.

There being no further business to discuss, Mayor Petrolia adjourned the meeting at 9:56 p.m.