

City of Delray Beach

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Minutes - Final

Tuesday, June 5, 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

Commissioner Boylston asked to pull Item 73-18, which is the CRA appointment to discuss the number of board members that are needed.

Mr. Lauzier asked that Item 7.E. be stricken from the agenda as the applicant withdrew their request. He also requested to remove 7.H. Mayor Petrolia requested they start with 9.A.

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

4. PRESENTATIONS:

- 4.A. [18-278](#) PRESENTING MIGLENA TUTOVA-HOOKS, TECHNICAL SUPPORT ANALYST I, WITH EMPLOYEE OF THE MONTH FOR JUNE 2018.

Recommendation: Motion to approve Miglena Tutova-Hooks as Employee of the Month for June 2018.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Miglena Tutova-Hooks nomination form.pdf](#)

Sharon Liebowitz, Human Resources Director, presented Miglena Tutova-Hooks, a technical support analyst 1, with the "Employee of the Month" and eight hours paid time off. Mickey Baker, IT Director, expressed his appreciation to Miglena who had started through the City's Internship Program.

approved

4.B. [18-148](#) ANNUAL PRESENTATION OF THE PUBLIC ART ADVISORY BOARD

Recommendation: Motion to approve the 2018-2019 Public Art Advisory Board work plan, as presented.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[PAAB June2018\(1\) Commission Presentation and Work Plan](#)

Suzanne Fisher, Director of Parks and Recreation introduced the members of the Public Art Advisory Board and gave a presentation and some of the history of the board.

On February 1, 2005, the Delray Beach City Commission adopted a public art ordinance, establishing the Public Art Advisory Program and setting aside 1.5% of Delray Beach capital construction projects over \$200,000. for public art.

The seven-member board recommends, initiates, and oversees public art projects; establishes the direction for selection of artwork; and advises the City Commission as to policies regarding visual arts. Board members are appointed by the City Commission. Projects include temporary, permanent, and educational site-specific installations in from individuals or collaborators.

Three seats on the Board must be filled by persons who are either an artist, architect, landscape architect, or engineer. Lay persons of knowledge, experience, and judgment who have an interest in public art make up the balance of the Board.

approved

4.C. [18-341](#) PRESENTATION BY BALLARD PARTNERS ON LOBBYIST EFFORTS ON BEHALF OF THE CITY OF DELRAY BEACH

Recommendation:

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[State Legislative Session Summary 2018 Updated 5.22.18](#)
[Delray Legislative Presentation 6.5.18 - updated](#)

The City of Delray Beach entered into an agreement with Ballard Partners on October 6, 2015 for State Legislative Lobbyist Services in an amount not to exceed \$45,000. Amendment No. 1 to the agreement established a term until October 5, 2018 with the option of three one-year renewals.

Matthew Forest has been the City of Delray's contact who is located at the Ballard Partners West Palm Beach office. City staff had requested that Mr. Forest provide a presentation on who Ballard Partners are and what occurred in the last State Legislative Session.

Mayor Petrolia thanked Mr. Forest for his work.
approved

- 4.D.** [18-323](#) FLORIDA DEPARTMENT OF TRANSPORTATION PRESENTATION CONCERNING I-95 MANAGED LANES MASTER PLAN IN PALM BEACH COUNTY AND I-95 INTERCHANGE IMPROVEMENTS AT ATLANTIC AVENUE AND AT LINTON BOULEVARD.

Recommendation: Receive informational presentation from Florida Department of Transportation (FDOT) representatives concerning the I-95 Managed Lanes Master Plan in Palm Beach County and on I-95 interchange improvements to be implemented at Atlantic Avenue and at Linton Boulevard.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Fact-Sheet_2018-03-31](#)

Caesar Martinez with the Florida Department of Transportation Planning Development Office and David Moreno is also present from the project team. They gave a presentation regarding the I-95 Managed Lanes Master Plan and improvements at Atlantic Avenue and Linton Boulevard.

Commissioner Bathurst had concerns about the students walking from Atlantic High School. He asked if Florida Department of Transportation could come back and give another presentation on the "Turbo Lanes" that are planned for the near future and they agreed.

5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:

- 5.A. City Manager's response to prior public comments and inquiries

Mr. Lauzier reported on a program for students who graduated with their MPA. He reported that there are a Fellow's program through the ICMA for graduates wanting a career in local government. He introduced Vince Roberts, who just started the program this week. His experience is in emergency management, economic development, analytics, public works and utilities.

Mr. Lauzier reported that he received some inquiries regarding the lifeguard stands and is looking into the matter. He also reported that some of the sidewalks on Causerina had to be redone. Atlantic Dunes Pavilion's pilings are in and eighty-five percent of the decking has been completed.

He reported that the Commission needs to appoint a voting delegate to the League of Cities conference in August.

Vice Mayor Frankel made a motion to appoint Deputy Vice Mayor Johnson as the delegate. It was seconded by Commissioner Bathurst. A roll call vote was taken and all were in favor. The motion carried 5-0.

Vice Mayor Frankel made a motion to appoint the remaining Commission members as alternates. It was seconded by Commissioner Bathurst. A roll call vote was taken and all were in favor. The motion carried 5-0.

5.B. From the Public

Patrick Halladay of 1071 Delray Lakes Drive runs a bicycle tourist business. He originally came before the Commission for a Pedicab license. He keeps receiving letters from Code Enforcement regarding this issue. He stated that he is a tour operator and had also received a tour operator's permit from Palm Beach County.

Pastor Kelsey Brooks, Sr. of 206 SW 13th Avenue thanked the City Commission and welcomed them to attend this week's reading initiative. He thanked the Police Chief for all his support over the years.

Greta Brit, founder of United Believers of Delray Beach is a member of a group of pastors and lay people who are concerned about our community. She would like to see an open process when the city hires a new Police Chief next year.

James Quinlan of 925 SE 2nd Avenue had sent a letter to the City Manager regarding three issues he would like to see addressed. The one problem that still exists is that young kids are riding illegal vehicles on the streets. The Mayor asked that the Police look into this matter.

Irwin Nesi of 561 NW 48th Avenue thanked the Mayor, Commissioners and several staff members for helping him with the situation with his HOA Association at Rainberry Woods.

Glen Erhardt of Roadsville Avenue wants to have underground utilities on his street but is having trouble meeting with staff and Florida Power and Light.

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

6.A. [18-342](#) APPROVAL OF MINUTES

Recommendation: Motion to approve meeting minutes as listed below:

Regular Meeting Minutes- February 6, 2018
Workshop Meeting Minutes- February 13, 2018
Regular Meeting Minutes- February 20, 2018
Regular Meeting Minutes- March 6, 2018

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Minutes-February 6, 2018](#)
[Minutes- February 13, 2018](#)
[Minutes- February 20, 2018](#)
[Minutes- March 6, 2018](#)

approved

6.B. [18-292](#) APPROVAL OF AMENDMENT NO. 2 WITH CHEMRITE, INC. FOR THE SUPPLY AND DELIVERY OF POLYPHOSPHATE IN A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$95,000 THROUGH JULY 6, 2019

Recommendation: Motion to approve Amendment No. 2 with Chemrite, Inc. for the supply and delivery of polyphosphate in a total agreement value not-to-exceed \$95,000 through July 6, 2019.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[F2 Industries LLC Original Agreement](#)
[2015-41 Amendment No. 1, Executed](#)
[2015-41 Amendment No. 2, Vendor Executed](#)
[Legal Review Checklist Amd. No 2 to polyphosphate agreement](#)
[Chemrite Acquisition of F2 Industries Letter](#)

approved

6.C. PROCLAMATIONS:

6.C.1. None

6.D. [18-333](#) REPORT OF APPEALABLE LAND USE ITEMS FROM APRIL 16, 2018 THROUGH MAY 4, 2018

Recommendation: By motion, receive and file this report.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[Appealable Items Map.pdf](#)
[A- Delray Square](#)

6.E. AWARD OF BIDS AND CONTRACTS:

6.E.1. [18-307](#) APPROVE RESOLUTION NO. 36-18 TO AWARD A CITY STANDARD AGREEMENT WITH BADGER METER INC. DBA NATIONAL METER AND AUTOMATION FOR BADGER METER, INC. BRAND WATER METERING TECHNOLOGY PRODUCTS IN A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$692,000 THROUGH MARCH 8, 2020

Recommendation: Motion to approve Resolution No. 36-18 to award a city standard agreement with Badger Meter Inc. DBA National Meter and Automation (Agreement) for the purchase of Badger Meter, Inc. brand water metering technology products in a total Agreement value not-to-exceed \$692,000 through March 8, 2020.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)[Badger Meter Products City Standard Approval - Through March 2020](#)[Resolution No. 36-18 for CS2018-001 Badger Meter](#)[CS2018-001 Agreement, Vendor Executed](#)[Legal Review Checklist Badger Meter](#)

approved

6.E.2. [18-316](#)

APPROVAL OF RESOLUTION NO. 76-18 TO AWARD AN AGREEMENT WITH PVS TECHNOLOGIES, INC. FOR FERRIC CHLORIDE SUPPLY SERVICES UTILIZING TAMPA BAY WATER'S CONTRACT NO. 2018-007 FOR A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$87,500 THROUGH SEPTEMBER 30, 2018

Recommendation: Motion to approve Resolution No. 76-18 to award an agreement with PVS Technologies, Inc. to supply ferric chloride utilizing Tampa Bay Water's Contract No. 2018-007 for a total agreement value not-to-exceed \$87,500 through September 30, 2018.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)[Resolution No. 76-18 for Ferric Chloride Agreement rev](#)[P2018-022 Agreement, Vendor Executed](#)[Legal Review Checklist form v. 5 ferric chloride PVS Technologies](#)[Tampa Bay Water Contract 2018-007](#)

approved

7. REGULAR AGENDA:**7.A. [18-339](#)**

WAIVER REQUEST TO REDUCE THE MINIMUM REQUIRED FLOOR AREA OF 6,000 SQUARE FEET FOR PARCEL C, NEW CENTURY COMMONS PLAT, LOCATED AT 500 WEST LINTON BOULEVARD (QUASI-JUDICIAL HEARING)

Recommendation: Motion to approve the waiver request to reduce the minimum floor area for Building C on Parcel C from 6,000 square feet to 3,340 square feet, by adopting the findings of fact and law contained in the Staff Report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations Section 2.4.7(B)(5).

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[New Century Commons Waiver Request Agenda Cover Report](#)
[New Century Commons Waiver Request](#)
[New Century Commons Survey \(Existing Site Conditions\)](#)
[New Century Commons Plat \(Proposed\)](#)
[New Century Commons Waiver Staff Presentation 060518](#)
[New Century Commons Waiver Board Order 060518](#)
[Presentation - New Century Commons \(Applicant\)](#)

The Clerk was asked to swear in the applicants.

Tim Stillings, Planning and Zoning Director read Item No. 2017-071 into the record. He introduced Michael Winer of 6111 Broken Sound Parkway, Boca Raton who gave a presentation on a waiver request to reduce the minimum required floor area of 6,000 sq.ft. for Parcel C, New Century Commons plat, located at 500 West Linton Boulevard.

No rebuttal.

Commissioner Bathurst had questions regarding parking.

Mayor Petrolia opened the meeting up for public comment, hearing none, she closed the public portion.

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

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

7.B. [18-264](#) FINAL SUBDIVISION PLAT FOR NEW CENTURY COMMONS, LOCATED AT 500 WEST LINTON BOULEVARD.

Recommendation: Motion to approve and certify the Final Subdivision Plat for New Century Commons, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in Land Development Regulations (LDR) Section 2.4.5(K), Minor Subdivisions, LDR Section 3.2.3, Standards for Site Plan and/or Plat Actions, and LDR Section 3.1.1, Required Findings for Land Use and Land Development Applications.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[New Century Commons Plat Agenda Cover Report](#)
[New Century Commons Plat](#)
[New Century Commons PZB Staff Report 041618](#)
[Declaration of Restrictions & Rights recorded](#)
[New Century Commons Plat Staff Presentation 060518](#)

Final subdivision plat for New Century Commons.

Vice Mayor made a motion to approve the plat for the New Century Commons. 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. [18-202](#) A WAIVER REQUEST TO LDR SECTION 4.4.3(F)(2)(D), DEVELOPMENT STANDARDS, TO REDUCE THE MINIMUM FRONT SETBACK FROM 25 FEET TO 15 FEET 1 INCH AND THE MINIMUM REAR SETBACK FROM 15 FEET TO 10 FEET FOR A MULTI-STORY SINGLE-FAMILY ADDITION IN THE SINGLE FAMILY RESIDENTIAL (R-1-AA) ZONING DISTRICT WITHIN THE LAKE IDA NEIGHBORHOOD OVERLAY DISTRICT. (QUASI-JUDICIAL HEARING)

Recommendation: Motion to approve the waiver request to LDR Section 4.4.3(F)(2)(d), Development Standards, to reduce the minimum front setback from 25 feet to 15 feet 1 inch and the minimum rear setback from 15 feet to 10 feet for a multi-story single-family addition in the Single Family Residential (R-1-AA) zoning district within the Lake Ida Neighborhood Overlay District.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)
[515 NW 1st Ave Waiver- Site Plan, Elevations, Survey](#)
[515 NW 1st Ave Waiver - Justification Statement from Applicant](#)
[515 NW 1st Ave Waiver - Board Order.docx](#)

Waiver request to LDR Section 4.4.3. (F)(2)(D), Development Standards, to reduce the minimum front setback from 25 feet to 15 feet 1 inch and the minimum rear setback from 15 feet to 10 feet for a multi-story single-family addition.

Tim Stillings, Planning and Zoning Director read File #2018-035 into the record. The address of this waiver is 515 NW 1st Avenue. He reported that staff recommended approval of this item.

Mayor Petrolia opened the meeting for public comment, hearing none she closed the public portion.

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

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

approved

7.D. [18-309](#) Resolution No. 63-18, Budget Amendment

Recommendation: Motion to approve Resolution No. 63-18 amending the budget for Fiscal Year 2017/18 adopted September 26, 2017.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 63-18](#)
[narrative](#)
[Master Lease and Fund Balance Memo](#)

Mr. Lohman, City Attorney, read Resolution No. 63-18 Budget Amendment. Kim Ferrell, Finance Director, and Lisa Herrmann, Budget Manager, and Faye Henry, Treasury Manager.

Mayor Petrolia had several questions regarding this budget amendment. A discussion ensued.

Vice Mayor Frankel made a motion to approve Resolution No. 63-18. 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.E. [18-346](#) REQUEST FROM OLD SCHOOL SQUARE FOR CITY OF DELRAY BEACH SUPPORT FOR OPERATIONAL COSTS IN THE AMOUNT OF \$240,000 BY JUNE 1, 2018 AND APPROVAL OF A BUDGET AMENDMENT FROM UNRESTRICTED GENERAL FUND RESERVE FOR THE REQUESTED AMOUNT

Recommendation: Approval of funding request from Old School Square for operational costs in the amount of \$240,000 by June 1, 2018 and approval of a budget amendment from the City's unrestricted General Fund reserve for the requested amount.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[OSS Funding Request](#)
[OSS Cash flow forecast and Funding Requirements](#)
[Attachment 1-PB Cultural Council Economic Impact FY 15 - DELRAY BEACH CENTER FOR THE ARTS \(OSS\)](#)
[Attachment 2-OSS - City Presentation for 240k funding](#)

approved

7.F. [18-211](#) RESOLUTION NO. 70-18: CHRIS EVERT PRO-CELEBRITY TENNIS CLASSIC REQUEST

Recommendation: Motion to approve Resolution Number 70-18 an Agreement with Chris Evert Charities, Inc. to permit and fund the Chris Evert Pro-Celebrity Tennis Classic for 2018 - 2022 at the Delray Beach Tennis Center, as funds are available within the City of Delray Beach annual budget.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Attachment 1 - Legal Review Checklist Chris Evert Tennis tournament](#)
[Attachment 2 - Resolution 70-18 Chris Evert Charities Tennis tournament](#)
[Attachment 3 - Signed AGREEMENT Chris Evert Charities 2018-2022](#)
[Attachment 4 - Ounce of Prevention matching contribution 5-8-18](#)
[Attachment 5 - REVISED FINAL 2017 CEC Media schedule](#)
[Attachment 6 - 2016 Media Schedule](#)
[Attachment 7 - 2015 Media Schedule](#)
[Attachment 8 - 2014 MEDIA SCHEDULE](#)
[Attachment 9 - 2013 MEDIA SCHEDULE](#)
[Attachment 10 - Contract ChrisEvert 2013](#)
[Attachment 11 - Room Night Back Up - Palm Beach Sports Commission](#)
[Attachment 12 - 2017 city expense report - Evert event](#)
[Attachment 13 - 2016 city expense report- Evert event](#)
[Attachment 14 - Evert Event - Financial Analysis - Compiled by ParkRecreation - May 2018](#)

Suzanne Fisher, Parks and Recreation Director, presented the Chris Evert Pro-Celebrity Tennis Classic request. She is requesting \$61,000 which will be a one to one match, with a slight increase over the years.

Vice Mayor Frankel made a motion to approve Resolution No. 70-18. It was seconded by Commissioner Boylston. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

approved

7.G. [18-340](#) APPROVAL OF RESOLUTIONS:

A) 72-18

B) 73-18

Recommendation: Motion to approve Resolution 72-18 appointing a Chair and Vice-Chair to the Community Redevelopment Agency of the City of Delray Beach and Resolution 73-18 appointing two additional persons to act as members of the Community Redevelopment Agency.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

[Res 72-18 Commission to Appoint Chair and Vice Chair to CRA](#)

[Res 73-18 Commission to Appoint 2 members to CRA](#)

Mr. Lohman, City Attorney, read Resolution No. 72-18 to appoint two more members to the CRA Board. A discussion ensued.

Commissioner Boylston made a motion to appoint Conner Lynch. Commissioner Bathurst seconded the motion. A Roll Call vote was taken. Commissioner Bathurst- yes Commissioner Boylston- yes Deputy Vice Mayor Johnson- no Mayor Petrolia- no Vice Mayor Frankel- no. The motion failed 3-2.

Deputy Vice Mayor Johnson made a motion to appoint Angie Gray to the CRA Board for a four-year term. It was seconded by Vice Mayor Frankel. A Roll Call vote was taken: Commissioner Boylston- no Deputy Mayor Johnson- yes Mayor Petrolia- yes Vice Mayor Frankel- yes Commissioner Bathurst- yes. The motion carried 4-1.

Vice Mayor Frankel made a motion to appoint Pamela Brinson to the CRA Board for a two-year term. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken: Commissioner Boylston- no Mayor Petrolia- yes Vice Mayor Frankel- yes Commissioner Bathurst- no. The motion carried 4-1.

Mr. Lohman read Resolution No. 73-18 into the record to appoint a Chair and Vice-Chair to the CRA Board. Commissioner Boylston made a motion to appoint Commissioner Bathurst as Chair to the CRA Board. There was no second. Motion failed.

Vice Mayor Frankel made a motion to appoint Mayor Petrolia as Chair of the CRA Board. Deputy Vice Mayor Johnson seconded the motion. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Vice Mayor Frankel made a motion to appoint Deputy Vice Mayor Johnson as Vice-Chair of the CRA Board. It was seconded by Commissioner

Boylston. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

7.H. [18-322](#) RECOMMENDATIONS FOR APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY BOARD

Recommendation: Motion to recommend for appointment three (3) regular members to serve on the Delray Beach Housing Authority Board for four (4) year terms ending July 14, 2022.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Delray Beach Housing Authority Board Member List](#)
[Delray Beach Housing Authority Attendance List](#)
[Delray Beach Housing Authority Board Applications](#)

Deputy Vice Mayor Johnson nominated Allen Castillo to the Downtown Development Board. Commissioner Boylston seconded the motion. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Mayor Petrolia deferred her nomination to the next meeting.
approved

7.I. [18-317](#) NOMINATIONS FOR APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD

Recommendation: Motion to approve nominations for appointment for two (2) regular members to serve on the Downtown Development Authority Board for three (3) year terms ending July 1, 2021.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Downtown Development Authority Board Member List](#)
[Downtown Development Authority Attendance List](#)
[Downtown Development Authority Board Applications](#)

Deputy Vice Mayor nominated Allan Castillo to the Downtown Development Authority. Commissioner Boylston seconded the motion. A roll call vote was taken and all were in favor. The motion carried 5-0.

Mayor Petrolia will defer her nomination to the next meeting.
approved

7.J. [18-327](#) NOMINATIONS FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD

Recommendation: Motion to approve nominations for appointment for three (3) regular members to serve on the Green Implementation Advancement Board for two (2) year terms ending July 31, 2020.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Green Implementation Advancement Board Member List](#)
[Green Implementation Advancement Board](#)
[Green Implementation Advancement Board Applications](#)

Deputy Vice Mayor Johnson nominated Sandy Trento to the Green Implementation Advancement Board. It was seconded by Vice Mayor Frankel. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Mayor Petrolia nominated Lisa Shaheen to the Downtown Development Board. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Vice Mayor Frankel nominated Hal Stern from Alternate to Regular Member of the Green Implementation Board. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Commissioner Boylston nominated Eric Camacho to the Education Board. It was seconded by Commissioner Bathurst. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Deputy Vice Mayor Johnson deferred her appointment to the next meeting. Mayor Petrolia is also deferring her appointment to the next meeting.

Vice Mayor Frankel nominated Alison Ealono. It was seconded by Commissioner Boylston. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Commissioner Bathurst nominated Rako Knight. It was seconded by Vice Mayor Frankel. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Commissioner Boylston nominated Miss Laurent as a student volunteer. It was seconded by Commissioner Bathurst. A Roll Call vote was taken and

all were in favor. The motion carried 5-0.
approved

7.K. [18-328](#) NOMINATIONS FOR APPOINTMENT TO THE EDUCATION BOARD

Recommendation: Motion to approve nominations for appointment for five (5) regular members to serve on the Education Board for two (2) year terms ending July 31, 2020 and one (1) student to serve an unexpired term ending July 31, 2019. Please note that there is only one (1) student applicant at this time.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Education Board Member List](#)
[Education Board Attendance List](#)
[Education Board Applications](#)

approved

8. PUBLIC HEARINGS:

- 8.A. [18-345](#) 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 (SECOND READING).

Recommendation: Recommend approval of Ordinance No. 07-18 on Second 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 second reading clean](#)

[ROI 112017](#)

[ROI 052018](#)

[Parking Ordinance may 2018](#)

Mr. Lohman, City Attorney, read Ordinance No. 07-18 into the record .

Susan Goeble-Canning, Director of Public Works, gave a presentation.

Mayor Petrolia opened the meeting up for public comment.

Roy Simon of 201 NW 11th Street operated a business downtown for seventy-one years but had to relocate his office due to the parking issues.

Peter Umanik is not in favor of the metered parking and stated that there should be a parking permit for residents.

Anthony Brown of 9025 Paragon Way, Boynton Beach, is not in favor of the parking meters.

Mitch Katz of 1618 West Classical Boulevard gave an overview of the original parking ordinance.

Peter Arts of 1746 Fern Forest Place, Chairman of the Downtown Development Authority, asked that they delay the adoption of this ordinance. He had several recommendations for the Commission.

Dr. Allan Costello of Big Al's Steaks located at 450 E. Atlantic Avenue received a parking ticket.

Bruce Geme of 439 E. Atlantic Avenue went out of business due to parking and congestion.

Loranda Dankler of 320 NW 9th Street and she owns two businesses on Atlantic Avenue was wondering if there was a plan to roll this out and the metrics that were involved. She has never seen an employee parking plan nor a resident parking plan.

Mark Dankler of 320 NW 9th Street had several questions regarding the charges people will incur.

Vice Mayor Frankel had several comments.

Commissioner Bathurst also had comments and suggestions such as wayfinding signs.

Commissioner Boylston said that we need to get a plan in place, and had several suggestions.

Deputy Vice Mayor Johnson had several suggestions.

Mayor Petrolia is not in favor of having different zone's for parking. She stated that the city still needs to look at employee parking and resident parking.

Mr. Lauzier, City Manager, reported that parking in the garage is still free before 4:00 pm, the surface lots were increased to 9 hours, they are basically the employee lots. We haven't addressed the residents parking permits yet. He reported that parking downtown would be in one zone, not different zones. He did not realize that the beach parking was reduced to \$1.50 per hour from \$1.75.

Commissioner Boylston had several ideas regarding customizing the parking ticket that other cities have done in the past.

Commissioner Bathurst reviewed the issues of this parking plan.

Mr. Lauzier, City Manager, stated the changes that have been requested, such as:

Rates would start at noon.

One parking zone downtown.

Resident/Senior plan within ninety days.

Commissioner Bathurst made a motion to approve Resolution No. 59-18, as amended. It was seconded by Vice Mayor Frankel. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

adopted

- 8.A.1. [18-357](#)** RESOLUTION 59-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CREATING PARKING ZONES WITHIN THE CITY; PROVIDING MAXIMUM TIME LIMITS WITHIN EACH AREA; AND DIRECTING AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE SAME; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Recommendation: Motion to adopt Resolution 58-18 to create new time-limited parking zones in the City of Delray Beach (City).

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Res 59-18 Parking Meter Zones and Time Limited Parking zones for adoption 6-5-18 ver2](#)

approved

- 8.A.2. [18-358](#)** RESOLUTION 60-18: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CREATING A FEE SCHEDULE FOR PARKING WITHIN THE CITY; DESCRIBING FEES FOR PARKING IN PARKING METER ZONES, FEES FOR PARKING PERMITS, AND FEES FOR PARKING PENALTIES; DIRECTING AND AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE SAME; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Recommendation: Motion to adopt Resolution 60-18 to create a fee schedule for parking

related matters in the City of Delray Beach (City).

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Res 60-18 Fees for meters permits and penalties for adoption 06-05](#)

approved

9. FIRST READINGS:

- 9.A. [18-332](#) ORDINANCE NO. 15-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING SECTION 4.3.4 "BASE DISTRICT DEVELOPMENT STANDARDS", BY AMENDING PARAGRAPH 4.3.4(J)(2) "BASIS FOR MEASUREMENT", TO AMEND THE BASIS FOR BUILDING HEIGHT MEASUREMENT FOR THOSE PROPERTIES LOCATED FEMA "V" FLOOD ZONE IN COMPLIANCE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), THE FLORIDA BUILDING CODE, AND THE COASTAL CONSTRUCTION CONTROL LINE (CCCL); AND AMENDING APPENDIX "DEFINITIONS" OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES TO AMEND THE DEFINITION OF "GRADE"; AND PROVIDING A SAVINGS CLAUSE, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Approve Ordinance No. 15-18 on First Reading.

Sponsors: Planning & Zoning Department

Attachments: [Agenda Cover Report](#)

[Ordinance Height 15-18 05.09.18 FINAL](#)

[Ord 15-18 Height FEMA draft PZB staff report 05.06.18 FINAL](#)

[Letter to Timothy Stillings - request for consideration of Text](#)

[Amendmen...](#)

[Current code Study Section-diagram](#)

[Proposed code Study Section-diagram](#)

Mr. Lohman, City Attorney read Ordinance No. 15-18 into the record.

Mr. Stillings read into the record: File #2018-086 is an amendment for height measurement. Mr. Thomas Carney is present on behalf of the applicant. He gave a powerpoint presentation and explained the need for the amendment to the ordinance.

Commissioner Boylston made a motion to approve Ordinance No. 15-18 on First Reading. It was seconded by Vice Mayor Frankel. 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. Lauzier, City Manager, will make a report at the next meeting due to the late night hour.

10.A.1. Website Update- Short Presentation

10.A.2. CC Selection of FL. League of Cities Voting Delegation and Alternate

Vice Mayor Frankel made a motion to appoint Deputy Vice Mayor Johnson to the Florida League of Cities Voting Delegation and all remaining Commissioners as Alternates. It was seconded by Commissioner Bathurst. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

10.B. City Attorney

Mr. Lohman reported that he will be meeting with outside counsel regarding Match Point and requested a Shade Meeting in the near future.

10.C. City Commission

Commissioner Bathurst thanked the Mayor for the tribute on Memorial Day. He also thanked Fire Chief deJesus as well for his service to the city.

Vice Mayor Frankel is happy the Ambassador program is back in operation.

Deputy Vice Mayor Johnson thanked her fellow Commissioners for their support on her appointment to the Board of the League of Cities. She reported that there is a summer reading program that is kicking off this Saturday, June 9th at the Library. She sent condolences to Officer Scott and his family, who lost his wife recently.

Commissioner Boylston said the Memorial Day tribute was great. He attended the "Taste of Recovery Event" and said it was successful. He stated that the parking garage needs to be cleaned and painted and more lighting installed. He asked Mr. Lauzier to get involved in the Roads Villa Avenue issue. He complained about kids riding dirt bikes

with no helmets and no license plates driving about seventy miles down his street. He suggested having different discussions at the Workshop meetings instead of at the Regular Commission meeting.

Commissioner Bathurst made a motion to extend the meeting. It was seconded by Commissioner Boylston. A roll call vote was taken. The motion carried 4-1 with Vice Mayor Frankel dissenting.

Mayor Petrolia stated that "Quiet Zones" for the trains have started. She reported that Officers from the Police Department saved children that were out on a ledge at their home. She also stated that work needs to be done on the greens at the Municipal Golf Course. She also suggested meeting as the CRA during the same week as the Workshop meetings. She tasked Mr. Lauzier to look at the Land Development Regulations and see if there is a need for updating. She thanked Dolores Rangel and everyone that was responsible for the Memorial Day remembrance. She is also happy that the Ambassador program is up and running again. She reported that Community Greening along with TD Bank planted some trees at Spady Museum. She would also get more clarification regarding the different events in town and the cost per person for these events.

There being no further business to discuss, Mayor Petrolia adjourned the meeting at 11:05 p.m.