

# **City of Delray Beach**

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## **Minutes - Final**

**Tuesday, June 19, 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**

Vice Mayor Frankel made a motion to approve the 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.

**4. PRESENTATIONS:**

4.A. None

**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

Ms. Pauline Moody, temporarily homeless, took pictures of a powerline that is down on Congress Avenue. She reported on several issues at the construction site on Military Trail.

Jim Knight of 10 SE 1st Avenue received a parking ticket that was given by mistake.

Mitzey Katz of NE 8th Avenue stated that Old School Square needs benches, shade trees, etc. She also reported that the golf course needs a

lot of work.

Tavarius Jackson, Atlantic High's Head Football Coach and Jane Swanko-Suede from Gulfstream was present. They are looking for donations for football uniforms for the students.

Ernestine Holiday of 40 NW 9th Street doesn't think the land on West Atlantic Avenue should be sold too cheap.

Jackie Goddard of 242 SW 15th Avenue, there is drug dealing going on.

Alice Pullum of SW 5th Avenue was in favor of developing West Atlantic Avenue.

Price Patton of 1020 Tamarind Road not in favor of electronic signs in Old School Square in the Historic District.

Reggie Cox of 715 Martin Luther King Drive discussed "The Set Plan" and it's future.

Welsey of 618 NW 2nd Street is in favor of the "The Set Plan".

Morris Kastarfis of 609 SW 7th Avenue was a former CRA board member, he stated that the Commission should go out for an RFP/RFQ for that property.

Patrick Halladay of 1071 Delray Lakes Drive, he keeps receiving letters from Code Enforcement about his home based business.

Claudia Willis of 160 Marine Way had a question regarding Item 9.a. and the Land Development Regulations.

Alice Finst of 707 Place Tavant is not in favor of Ordinance No.10-18, that allows digital or electronic signs on historic sites.

Alexis Burns of 2578 Lake Ida Road was wondering what the status was of "The Set Plan".

Hearing no further comments from the public, Mayor Petrolia closed the public portion of the meeting.

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

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

**6.A.     [18-370](#)     MEETING MINUTES**

**Recommendation:** Motion to approve meeting minutes as listed below.

March 29, 2018 Organization Meeting  
April 3, 2018 Regular Meeting  
April 10, 2018 Workshop Meeting

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Minutes- March 29, 2018 Organization Meeting](#)  
[Minutes- April 3, 2018 Regular Meeting](#)  
[Minutes- April 10, 2018 Workshop Meeting](#)

**approved**

**6.B.     [18-352](#)     FOURTH & FIFTH DELRAY (IPIC) DEVELOPMENT-RIGHT OF WAY DEDICATION EAST/WEST ALLEY**

**Recommendation:** Motion to approve the attached Right-of-Way Deed for the east-west alley right-of-way dedication associated with the Fourth & Fifth (iPic) Development Project.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Right-of-Way Deed](#)

**approved**

**6.C.     [18-325](#)     ACCEPTANCE OF A WATER EASEMENT FOR DELRAY HEALTH & WELLNESS AT 2702 NORTH FEDERAL HIGHWAY**

**Recommendation:** Motion to Approve and accept Water Easement Agreement for Delray Health & Wellness at 2702 North Federal Highway

**Sponsors:** Public Works Department - Programs & Project Management

**Attachments:** [Agenda Cover Report](#)  
[1 Water Easement Agreement](#)  
[2 Exhibit A Sketch and Legal Description of 2702 N Federal Highway](#)  
[3 Exhibit B Utility Plan](#)  
[4 PAPA Page](#)  
[5 PAPA Map Location](#)

**approved**

**6.D.**     [18-330](#)     ACCEPTANCE OF A WATER EASEMENT FOR 355 CONGRESS LLC  
AT 355 NORTH CONGRESS AVENUE

**Recommendation:** Motion to approve and accept Water Easement Agreement for 355 Congress LLC at 355 North Congress Avenue

**Sponsors:** Public Works Department - Programs & Project Management

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

[1 Water Easement Agreement 05-14-2018](#)

[2 Exhibit A Sketch and Legal 355 North Congress Avenue](#)

[3 Exhibit B Utility Plan](#)

[4 PAPA Page](#)

[5 PAPA Map Location](#)

**approved**

**6.E.**     [18-331](#)     ACCEPTANCE OF A WATER AND SEWER EASEMENT FOR FIRST  
PRESBYTERIAN CHURCH OF DELRAY BEACH AT 33 GLEASON  
STREET

**Recommendation:** Motion to Approve and accept Water Easement Agreement for First Presbyterian Church of Delray Beach at 33 Gleason Street

**Sponsors:** Public Works Department - Programs & Project Management

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

[1 Water and Sewer Easement Agreement 05-1-2018](#)

[2 Exhibit A - Sketch and Legal Description](#)

[3 Exhibit B Utility Plan](#)

[4 PAPA Page](#)

[5 PAPA Map Location](#)

**approved**

**6.F.**     [18-334](#)     INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH  
AND THE COUNTY OF PALM BEACH FOR THE STAFFING OF  
EMERGENCY SHELTERS BY DELRAY BEACH FIRE-RESCUE  
DEPARTMENT.

**Recommendation:** Motion to approve the Interlocal Agreement between the City of Delray Beach and Palm Beach County.

**Sponsors:** Fire Rescue Department

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

[Legal Review Checklist form v. 3 ILA staffing to emergency shelters.pdf](#)  
[EMS Agreement for Shelters Delray Beach.pdf](#)

approved

- 6.G. [18-344](#) RETROACTIVE APPROVAL OF AMOUNT FOR THE PURCHASE OF INFORMATION TECHNOLOGY EQUIPMENT THROUGH PIGGYBACK OF THE STATE OF FLORIDA CONTRACTS IN THE AMOUNT OF \$8,385.

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

Retroactive approval of disk drives purchase, in the amount of \$8,395 and laptop purchase, in the amount of \$64,990 that have cumulatively exceeded the City of Delray Beach (City) Manager's approval authority of \$65,000.

**Sponsors:** IT Department

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

[Dell Laptops - Memo12.5.2017](#)  
[Dell Hard Drives and Accessories Quote](#)  
[Dell Marketing Master Agreement](#)  
[Dell florida-participating-addendum](#)

approved

- 6.H. [18-315](#) SERVICE AUTHORIZATION NO. 17-04 WITH CARNAHAN PROCTOR AND CROSS, INC. FOR THE CONCEPTUAL DESIGN AND NEEDS ANALYSIS FOR THE CITY OF DELRAY BEACH CITY HALL AND COMMUNITY CENTER IN A NOT-TO- EXCEED AMOUNT OF \$140,530.

**Recommendation:** Motion to Approve Service Authorization No. 17-04 with Carnahan Proctor and Cross, Inc. (CPC) in a not-to-exceed amount of \$140,530 for the City of Delray Beach (City) For City Hall and Community Center Needs Assessment Study (Project No. 18-005).

**Sponsors:** Public Works Department - Programs & Project Management

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

[City Hall Community Center Proposal CPC 20180425](#)  
[Agreement For Professional Services \(CCNA\)](#)  
[Amendment No. 1 to Agreement No. 2017-048](#)

approved

**6.I. PROCLAMATIONS:****6.I.1. [18-371](#) SMOKING AWARENESS PROCLAMATION**

**Recommendation:** Motion to proclaim The New Symbol as a “A NO SMOKING WITH LOVE SIGN”.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[No Smoking Proclamation](#)  
[2x1.6 sticker](#)  
[revised 4x6 sticker](#)

approved

**6.J. [18-355](#) REPORT OF APPEALABLE LAND USE ITEMS FROM MAY 7, 2018 THROUGH MAY 18, 2018**

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

**Sponsors:** Planning & Zoning Department

**Attachments:** [Agenda Cover Report](#)  
[Appealable Items Map](#)  
[A - Delray Beach Plaza](#)  
[B - Delray Collision Center](#)

**6.K. AWARD OF BIDS AND CONTRACTS:****6.K.1. [18-359](#) RESOLUTION 17-18: APPROVAL OF BUYOUT OF POLICE LAPTOPS AT THE END OF THE LEASE WITH CIT FINANCE, LLC**

**Recommendation:** Motion to approve Resolution 17-18 authorizing buyout of Police laptops at the end of the lease with CIT Finance, LLC in the amount of \$139,231.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[CIT Finance LLC Police Laptops Lease](#)  
[CIT Finance LLC Police Laptops Buy Out Invoice](#)  
[Resolution 17-18 Police Laptops Buy Out](#)

approved

**6.K.2. [18-284](#) APPROVAL OF RESOLUTION NO. 61-18 TO AWARD AN AGREEMENT WITH R & D PAVING, LLC FOR VENETIAN DRIVE AND GLEASON**

STREET INTERSECTION IMPROVEMENTS ALONG ATLANTIC AVENUE IN A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$329,359.

**Recommendation:** Motion to approve Resolution No. 61-18 to award an Agreement with R & D Paving, LLC for Venetian Drive and Gleason Street Intersection Improvements along Atlantic Avenue (Project No. 14-008) in a total agreement value not-to-exceed \$329,359.

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

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 61-18 for 2018-025 Agreement CA rev](#)  
[2018-025 Agreement, Vendor Executed](#)  
[Legal Review Checklist form v. 5 R&D Paving Agreement](#)  
[ITBC 2018-025 - Venetian Drive and Gleason Street Intersection Improvements \(rev 2\)](#)  
[2018-025 Addendum No. 1](#)  
[2018-025 Addendum No. 2](#)  
[2018-025 Addendum No. 3](#)  
[2018-025 Bid Tabulation](#)

approved

**6.K.3. [18-356](#)** APPROVAL OF RESOLUTION NO. 71-18 TO AWARD AN AGREEMENT WITH AUSTIN TUPLER TRUCKING, INC. FOR ROAD CONSTRUCTION MATERIALS IN A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$140,000 THROUGH THE INITIAL TWO-YEAR AGREEMENT TERM

**Recommendation:** Motion to approve Resolution No. 71-18 to award an agreement with Austin Tupler Trucking, Inc. for road construction materials in a total agreement value not-to-exceed \$140,000 through the initial two-year agreement term.

**Sponsors:** Utilities Department, Public Works Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[2018-038 Resolution No. 71-18](#)  
[2018-038 Agreement, Vendor Executed](#)  
[Legal Review Checklist Austin Tupler ITB 2018-038 \(rev 1\)](#)  
[2018-038 Purchase of Road Construction Materials \(rev 1\)](#)  
[2018-038 Addendum No. 1](#)  
[2018-038 Addendum No. 2](#)  
[2018-038 Bid Tabulation](#)



approved

## 7. REGULAR AGENDA:

- 7.A. [18-343](#) APPROVAL OF PURCHASE OF INFORMATION TECHNOLOGY EQUIPMENT THROUGH PIGGYBACK OF THE STATE OF FLORIDA CONTRACTS AND AGREEMENTS IN THE AMOUNT OF \$2,000,000 THROUGH SEPTEMBER 2020

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

Motion to Approve purchases in the amount of \$2,000,000 from State of Florida Contracts and Agreements at the approved rates from various approved vendors that provide equipment and services at the best prices through September 2020.

**Sponsors:** IT Department

**Attachments:** [Agenda Cover Report](#)  
[GSA 70 Florida Vendors 2-26-18](#)  
[Order Sheet 2016](#)  
[Order Sheet 2017](#)

Mr. Lauzier, City Manager, gave an introduction of Items 7.a., 7.b., and 7.c. Mickey Baker, IT Director, gave a presentation on ERP which stands for Enterprise Resource Planning by a company called Gardner.

Mayor Petrolia and Commissioners had several questions regarding this software.

Mr. Lohman, City Attorney, said that the company Tyler has a Performance Bond he will be reviewing.

Vice Mayor Frankel made a motion to approve Item 7.a. 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. [18-296](#) RESOLUTION NO. 66-18: A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING A TWO YEAR AGREEMENT WITH BLACK & VEATCH CORPORATION, IN AN AMOUNT NOT TO EXCEED \$527,334 AND A THREE YEAR AGREEMENT WITH AZTECA SYSTEMS, LLC., IN AN AMOUNT NOT TO EXCEED \$205,000 FOR PURCHASE AND IMPLEMENTATION OF CITYWORKS ASSET MANAGEMENT AND WORK MANAGEMENT SOLUTIONS; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE AGREEMENTS; AND FOR OTHER PURPOSES.

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

Motion to Approve Resolution No. 66-18 approving agreements with Black & Veatch Corporation (B&V) in an amount not to exceed \$527,334 for two years, and Azteca Systems, LLC. in an amount not to exceed \$205,000 for three years, for purchase and implementation of Cityworks Asset Management and Work Management Solutions.

**Sponsors:** IT Department

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

[Cityworks Bid Waiver](#)

[Legal Review Checklist form v. 5 Black & Veatch](#)

[Legal Review Checklist form v. 5 Cityworks](#)

[Resolution No 66-18 for Black Veatch and Cityworks \(002\) CA rev](#)

[Black & Veatch signed Agreement](#)

[B&V Attachment B - Compensation\\_06082018](#)

[Cityworks - City of Del Ray Beach, FL License Agreement\\_8\\_1  
Start signed](#)

Commissioner Bathurst made a motion to approve Item 7.b. 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.     [18-353](#)**

RESOLUTION NO. 75-18: A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING AN AGREEMENT FOR SIXTY (60) MONTHS WITH SUPERION LLC FOR PROCUREMENT OF PUBLIC ADMINISTRATION SOFTWARE IN THE SUPERION CLOUD THROUGH CITY STANDARD IN AN AMOUNT NOT TO EXCEED \$460,000; 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. 75-18 approving a sixty (60) month agreement with Superion LLC (Superion) for procurement of Public Administration Software, ASP in an amount not-to-exceed \$460,000.

**Sponsors:** IT Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No 75-18 for Superion](#)  
[Legal Review Checklist form v. 5 Superion](#)  
[Delray Beach, FL 180028-1 ASP SST & Order Form Superion signed 06.12.18](#)  
[SunGard Contract 2015](#)  
[Superion Formation Letter \(SunGard Public Sector to Superion\)](#)  
[Superion - City of Delray Beach Inv 201254](#)  
[Superion City Standard Memo](#)

Commissioner Boylston made a motion to approve Item 7.c. 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.**     [18-337](#)     APPROVAL OF CHANGE ORDER NO.3 TO THE AGREEMENT WITH WEST CONSTRUCTION INC. IN A NOT-TO-EXCEED AMOUNT OF \$25,729.40 WITH SEVENTY-FIVE (75) ADDITIONAL CALENDAR DAYS FOR THE NE 2ND AVENUE / SEACREST BEAUTIFICATION PHASE 1 PROJECT.

**Recommendation:** Motion to approve Change Order No. 3 to the Agreement with West Construction Inc. (WCI) in an amount not-to-exceed \$25,729.40 with forty-one (41) additional calendar days due to constructability issues along with thirty-one (31) days for weather delays along with three (3) approved holidays; for the NE 2nd Ave. / Seacrest Beautification Phase 1, Project No. 14-071.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[CO3 West Construction NE 2nd Ave. 053018](#)  
[CO1 West Construction NE 2nd Ave. 053018](#)  
[CO2 West Construction NE 2nd Ave. 053018](#)  
[West Construction Agreement and NTP](#)

Susan Goebel-Canning, Director of Public Works, discussed Change Order No. 3.

Vice Mayor Frankel made a motion to approve Item 7.d. It was seconded by Commissioner Bathurst. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved**

- 7.E.**     [18-347](#)     APPROVAL OF CHANGE ORDER NO.1 TO THE AGREEMENT WITH HARTZELL CONSTRUCTION, INC. IN A NOT-TO-EXCEED AMOUNT OF \$19,217.70 WITH TWO HUNDRED AND THIRTY-SEVEN (237)

ADDITIONAL CALENDAR DAYS FOR THE CITY LIFEGUARD TOWERS PROJECT.

**Recommendation:** Motion to approve Change Order No. 1 to the Agreement with Hartzell Construction, Inc. (HCI) in an amount not-to-exceed \$19,217.70 with two hundred and thirty-seven (237) additional calendar days for the City Lifeguard Towers, Project No. 17-093.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Item 1 ACQ Treatment Process](#)  
[Item 3 FDEP Permit](#)  
[Item 4 \(CO 1 Hartzell Lifeguard Towers\)](#)  
[Item 5 Roofing Material Costs Hartzell](#)  
[Item 6 Stainless Steel Investigation](#)  
[CO1 Hartzell Construction 061418](#)  
[Hartzell Contract Agreement](#)  
[316 Stainless Steel Report](#)

Susan Goebel-Canning, Director of Public Works, gave an explanation of why Change Order No. 1 was needed. The Mayor and Commissioners had several questions regarding the bolts that were installed in the lifeguard stands.

Commissioner Boylston made a motion to approve Item 7.e. It was seconded by Deputy Vice Mayor Johnson. A roll call vote was taken. The motion carried 4-1 with Mayor Petrolia dissenting.

**approved**

**7.F.**     [18-349](#)     NOMINATIONS FOR APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD

**Recommendation:** Motion to approve nominations for appointment for four (4) regular members to serve on the Public Art Advisory Board for two (2) year terms ending July 31, 2020.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Public Art Advisory Board Member List](#)  
[Public Art Advisory Board Attendance List](#)  
[Public Art Advisory Board Applications](#)

Mayor Petrolia nominated Peter Pereira to the Public Art Advisory Board.

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

Vice Mayor Frankel nominated Damian Fitzsimmons to the Public Art Advisory Board. It was seconded by Mayor Petrolia. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

Commissioner Bathurst nominated Anita Lovitt to the Public Art Advisory Board. 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 Lark Keeler to the Public Art Advisory Board. It was seconded by Vice Mayor Frankel. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved**

**7.G.     [18-381](#)     NOMINATIONS FOR APPOINTMENT TO THE EDUCATION BOARD**

**Recommendation:** Motion to approve nominations for appointment for two (2) regular members to serve on the Education Board for two (2) year terms ending July 31, 2020.

**Sponsors:** City Clerk Department

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

Deputy Vice Mayor Johnson nominated Patricia Nelson to the Education 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 Jessica Rosotto to the Education Board. It was seconded by Vice Mayor Frankel. A Roll Call vote was taken and all were in favor. The motion carried 5-0.  
**approved**

**7.H.     [18-382](#)     NOMINATION FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD**

**Recommendation:** Motion to approve nomination for appointment for one (1) alternate member to serve on the Green Implementation Advancement Board for an unexpired term ending July 31, 2019.

**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](#)

Commissioner Bathurst nominated Sara Lucas 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.

**approved**

**7.I.     [18-383](#)     NOMINATION FOR APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD**

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

Mayor Petrolia nominated Patricia Ramsey to the Downtown Development Authority. It was seconded by Vice Mayor Frankel. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

**approved**

**7.J.     [18-350](#)     NOMINATIONS FOR APPOINTMENT TO THE POLICE ADVISORY BOARD**

**Recommendation:** The term for regular members Mr. Michael Caruso, Ms. Susan Sikich, Ms. Ellen Major-Hanna, Ms. Patricia Westall, Mr. Anthony Rivera and Mr. Steven Mack will expire on July 31, 2018. Mr. Michael Caruso, Ms. Susan Sikich and Ms. Patricia Westall will have served one (1) full term, are eligible, and would like to be nominated for reappointment. Mr. Steven Mack will have served an unexpired term, is eligible and would like to be nominated for reappointment. Ms. Ellen Major-Hanna will have served two (2) full terms and is not eligible for reappointment. In addition, there is a vacancy due to the resignation of Mr. Anthony Rivera. Nominations for appointment are needed for six (6) regular members to serve two (2) year terms ending July 31, 2020. Please note that there are no student applicants at this time.

In order to qualify for appointment, a person shall be either a resident of, own property, own a business, or be an officer, director, or manager of a business located within the City of Delray Beach. Membership shall include a diverse cross section of the community; business owners, religious and faith based organizations, youth, school officials and local organizations, where feasible.

The following individuals have submitted applications and would like to be nominated for appointment:

(See Exhibit "A" attached)

A check for code violations and/or municipal liens was conducted. None were found. Voter registration verification was completed, and all are registered. Students are not registered to vote with the exception of Mr. Robert Safranski and Stacey Beaulieu-Fawcett.

Based on the rotation system, nominations for appointment will be made by Mayor Petrolia (Seat #5), Vice Mayor Frankel (Seat #1), Commissioner Bathurst (Seat #2), Commissioner Boylston (Seat #3), Deputy Vice Mayor Johnson (Seat #4) and Mayor Petrolia (Seat # 5) for six (6) regular members to serve two (2) year terms ending July 31, 2020.

**Sponsors:** City Clerk Department

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

[Exhibit A](#)

[Police Advisory Board Member List](#)

[Police Advisory Board Attendance List](#)

[Police Advisory Board Applications](#)

Mayor Petrolia nominated Patricia Westall to the Police Advisory Board. It was seconded by Vice Mayor Frankel. A roll call vote was taken and all were in favor. The motion carried 5-0.

Vice Mayor Frankel nominated Michael Caruso to the Police Advisory Board. It was seconded by Commissioner Bathurst. A roll call vote was taken and all were in favor. The motion carried 5-0.

Commissioner Bathurst nominated Susan Sikich to the Police Advisory Board. 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 Steven Mack to the Police Advisory Board. It was seconded by Vice Mayor Frankel. A roll call vote was taken

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

Deputy Vice Mayor Johnson deferred on her nomination.

Mayor Petrolia nominated Stacy Beaulieu-Fawcett to the Police Advisory Board. It was seconded by Vice Mayor Frankel. A roll call vote was taken and all were in favor. The motion carried 5-0.  
**approved**

## 8. PUBLIC HEARINGS:

- 8.A. [18-372](#) 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"; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF SECTION 4.4.3 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ENACTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Approve Ordinance No. 15-18 on Second Reading.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance 15-18 06.06.18](#)  
[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](#)  
[Height LDR 05.21.18 - Staff Presentation](#)

Mr. Lohman, City Attorney, read ORDINANCE NO. 15-18 into the record.

Mr. Stillings, Director of Planning and Zoning read file No. 2018-086 into the record, he gave an explanation of this ordinance. He stated that the Planning Board gave approval as well as staff.



Mr. Carney was present on behalf of the applicant.

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

Vice Mayor Frankel made a motion to approve Ordinance No. 15-18 on Second Reading. It was seconded by Deputy Vice Mayor Johnson. A Roll Call vote was taken and all were in favor. The motion carried 5-0.

**adopted**

## **9. FIRST READINGS:**

- 9.A.**     [18-362](#)     ORDINANCE NO. 10-18: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH; BY AMENDING ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS", SECTION 4.6.7, "SIGNS", SUBSECTION (F) "SIGNS REQUIRING PERMITS", SUBSECTION (3) "SPECIAL PURPOSE SIGNS AND SIGNING" TO ADOPT A NEW SECTION TO ALLOW DIGITAL OR ELECTRONIC MESSAGE CENTERS FOR NATIONALLY DESIGNATED HISTORIC SITES IN THE OLD SCHOOL SQUARE HISTORIC ARTS DISTRICT (OSSHAD) ZONING DISTRICT, PROVIDING THAT EACH AND EVERY OTHER SECTION OF 4.6.7 SHALL REMAIN IN FULL AND EFFECT AS PREVIOUSLY ENACTED, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

**Recommendation:** Motion to approve Ordinance No. 10-18 on First Reading for the amendments to Land Development Regulations, as presented.

**Sponsors:** Planning & Zoning Department

**Attachments:**   [Agenda Cover Report](#)  
                          [Ord 10-18 amending 4.6.7 digital Signs 06.07.18](#)  
                          [Staff Report Ordinance No 10-18\\_060418.docx](#)  
                          [Compilation of CEVMS studies](#)  
                          [fl al study trb 2017](#)  
                          [Signage Text Amendment - Commission](#)

Mr. Lohman, City Attorney, read Ordinance No. 10-18 into the record.

Mr. Stillings, Planning and Zoning Director, gave an explanation of Ordinance No. 10-18 and the specific provisions within the proposed code

change.

Commissioner Boylston had several comments regarding a digital display.

Mayor Petrolia had concerns with the size of the sign.

Commissioner Bathurst was not in favor of this ordinance.

Vice Mayor Frankel suggested that they refine the ordinance.

Deputy Vice Mayor Johnson is not in favor of neon signs in the Historic District.

Mayor Petrolia said the ordinance needs to go back to the Historic Preservation Board for their input.

Vice Mayor Frankel made a motion to approve Ordinance No. 10-18 on First Reading. It was seconded by Deputy Vice Mayor Johnson. A roll call vote was taken all were dissenting votes and the motion failed 5-0.

denied

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

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

Mr. Lauzier, City Manager, reported on the strategic policy priority goal setting plan. He asked Anna Pushkin-Shevlin to work in the City Manager's office with the Strategy Innovation and Budget Performance Team leader, India Adams. Ms. Pushkin-Shevlin will be attending staff meetings from now on, she will be working on making sustainability and resiliency a higher priority. He is planning on implementing the "Save the Straw Program". He reported that Anna has been working closely with the Green Implementation Advisory Board on an ordinance that straws will only be issued to customers upon their request. Mr. Lauzier would like Mr. Lohman to write an ordinance regarding this issue for the July meeting. He sent a list of Workshop Meeting topics that they will be discussing in October. He mentioned the Rising Waters Task Force study as a topic for a Workshop Meeting and also Textile Recycling.

Mayor Petrolia reported that there are grants and funding for being a sustainability city and that the City should move in that direction.

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

Mr. Lohman, City Attorney, reported on the cancellation of the Shade Meeting. He is requesting another meeting regarding Case No.

50216212016CA00280012 City of Delray Beach v. Matchpoint on July 10, 2018.

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

Vice Mayor Frankel thanked Mr. Aaronberg for allowing him to serve on the Sober House Task Force. He thanked former Commissioners and city staff.

Commissioner Boylston thanked the Parks and Recreation Department for the Father's Day barbeque. He is starting an entrepreneurial program for Atlantic High School students to pick up trash from small businesses a couple of times per week starting in July. He was wondering when "The Set Plan" will be discussed at a Workshop meeting. He recommended becoming a "Smoke Free" city and the Commission agreed.

Mr. Lauzier, City Manager, said he will be speaking to the CRA Executive Director tomorrow.

Deputy Vice Mayor Johnson is pleased that the sustainability flag will be flying over the city again. She thanked Mr. Lauzier, the City Manager, for all his hard work. She wished Mayor Petrolia well on her speech tomorrow at the Chamber of Commerce luncheon.

Commissioner Bathurst is in favor of the Sustainability Officer and happy about the initiative for the straws. He is receiving a lot of questions regarding the new parking restrictions and hopes the roll out will be successful.

Mayor Petrolia stated that Atlantic Dunes Park needs some updating. She received a request that parts of Delray could use mosquito spraying due to heavy rain recently. She said the municipal golf course needs work.

She would like if the city could help Atlantic High School with the purchase of uniforms for the football team. She also mentioned future discussions of "The Set Plan" and could possibly combine it with other plans the city has already. She would like to have a joint meeting with Old School Square. She reported that there is a Rising Tides meeting in Orlando, Florida next week. She also reported that she thoroughly enjoyed the Spirit barbeque that was held for the staff.

There being no further business to discuss, Mayor Petrolia adjourned the meeting at 8:45 p.m.