

# **City of Delray Beach**

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## **Minutes - Final**

**Tuesday, July 10, 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 6:05 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 Bathurst 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. Vice Mayor Frankel was absent for the vote. The motion carried 4-0.

## 4. PRESENTATIONS:

### 4.A. [18-406](#) NEXT GENERATION INITIATIVES

**Recommendation:** Motion to proclaim July 10th, 2018 as Next Generation Initiatives Day in the City of Delray Beach.

**Sponsors:** City Manager Department, Human Resources Department, Community Improvement and Economic Development Department

**Attachments:** [Agenda Cover Report](#)  
[Next Generation Initiatives Day Proclamation](#)  
[Next Generation Initiatives 20180610](#)

Mayor Petrolia read the proclamation into the record.

A presentation regarding the Next Generation Initiatives Day Proclamation was given by India Adams, Assistant to the City Manager, Janet Meeks, Director of Public Affairs, and Sharon Liebowitz, Human Resources Director.

- 4.B. [18-388](#) PRESENTING NORA EMMANUEL, PUBLIC INFORMATION COORDINATOR, WITH EMPLOYEE OF THE MONTH FOR JULY 2018.

**Recommendation:** Motion to present Nora Emmanuel, Public Information Coordinator, with Employee of the Month for July 2018.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Nora Emmanuel July 2018.pdf](#)

Sharon Liebowitz, Human Resources Director, stated this item is a presentation recognizing Nora Emmanuel, Public Information Coordinator.

India Adams, Assistant to the City Manager introduced Nora Emmanuel, Public Information Coordinator as Employee of the Month for July 2018.

Ms. Liebowitz came forward to present Nora Emmanuel with a plaque and eight (8) hours of vacation time off.

- 4.C. [18-428](#) FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) PRESENTATION ON THE CONSTRUCTION OF INTERCHANGE IMPROVEMENTS INCLUDING TURBO LANES AT I-95 AND ATLANTIC AVENUE AND AT I-95 AND LINTON BOULEVARD.

**Recommendation:** Receive presentation from Thuc Le, P.E., project manager with the Florida Department of Transportation (FDOT) concerning the interchange improvements including turbo lanes at I-95 and Atlantic Avenue at I-95 and Linton Boulevard.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[I-95 Atlantic NTP Letter](#)  
[SR806 Public Mtg Delray Final](#)

Susan Globel-Canning, Director of Public Works, introduced the Project Manager, Thuc Le, P.E.

Thuc Le, P.E., Project Manager, gave a brief presentation of the Florida Department of Transportation (FDOT) construction of the interchange improvements including turbo lanes at I-95 and Atlantic Avenue. Also, there will be improvements on Congress Avenue and at I-95 and Linton Boulevard. In addition, Mr. Le addressed the bicycle and pedestrian needs

for this project.

## **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**

Mark R. Lauzier, City Manager, stated at the last City Commission meeting there was a discussion about the applications to the Transportation Planning Agency (TPA) and the fact that if the Commission decided to defer the Congress Avenue Project, the city could in essence be skipped a year for the funding. For clarification, Mr. Lauzier stated that was the information the Commission had at the time; however, that is not the case and it was an error. Mr. Lauzier explained that the city's point score gets reduced by five points out of 100 so the city is starting in the process with a 95 perfect score and staff anticipates being able to continue to provide applications for Metropolitan Planning Organization (MPO) dollars, at the staff level and technical advisory level, and at the policy level with the Mayor.

Mayor Petrolia made a few brief comments.

### **5.B. From the Public**

Pauline Moody, 707 N. Congress Avenue, Delray Beach (temporary address/bus stop), expressed concern over the condition of Congress Avenue and urged the Commission to address the current problems (i.e power lines down and power poles that need replacement) in this area before starting construction on another project.

Marjorie Waldo, 8058 Tumblestone Court, Delray Beach, briefly spoke about the Arts Garage Camp presentation and Spotlight on Delray in the Grassroots Gallery which is a showcase of art by city employees. In addition, Ms. Waldo stated the Arts Garage is in collaboration with the Spady Cultural Heritage Museum on a gospel project this month.

Ms. Waldo (speaking as an Education Board member), gave a few brief comments about some exciting things happening on the Education Board.

Jim Chard, 401 S.E. 4th Avenue, Delray Beach, stated Human Powered Delray (HPD) has been involved in FDOT's project of the interchange improvements including the turbo lanes at Atlantic Avenue/Congress Avenue and Linton Boulevard/Congress Avenue. Mr. Chard stated FDOT has submitted reports since 2014 and there is not one recommendation that has been accepted. Mr. Chard expressed concern that this is the second most dangerous intersection in Delray Beach and will be potentially even more dangerous with this project. Also, Mr. Chard stated this project

will further separate and bifurcate our city between east and west, and noted that the bike lanes are really not bike lanes but are sheros going over the railroad tracks and into the middle of the lane for the cars. Mr. Chard explained that there is no continuity between what FDOT is doing on Linton Boulevard and Atlantic Avenue. Mr. Chard urged the Commission to go directly to the head of FDOT and appeal this.

Irene Revelas, 331 E. Atlantic Avenue, #204, Delray Beach (14 year tenant who resides at the Bank Atlantic building which is a 100 year old historic zero lot line building), stated the first floor is commercial and second floor has 11 efficiencies and small one-bedroom units. Ms. Revelas stated she attended the June 21, 2018 meeting with the DDA and the City about the introduction of metered parking. In addition, Ms. Revelas commented about the use of the railroad lot and stated residential tenants, business owners, and their employees utilize this lot downtown. She stated over the last two years there has been an excessive amount of time where there has been real issues about the use of that lot. Ms. Revelas expressed concern that many decisions about the parking plan are being made with no data and urged the Commission to collect more data before making any decisions.

Robert F. Brewer, 339 E. Atlantic Avenue, Delray Beach, stated when he bought the building they had parking in the back; however, when they wanted to expand the sidewalks behind the building initially they were going to give their parking space back to them. Mr. Brewer stated this was a loading zone used for all the deliveries which they still need. Mr. Brewer urged the Commission to grant them a permit which would allow them to park.(i.e. 24/7 sticker that would be placed on car).

Lauren Lyall, Operations Manager for the Downtown Development Authority, introduced Kellie Ames, Project Coordinator and Richalyn Miller, Marketing Coordinator, and announced that Dine-Out Downtown Delray Restaurant Week is August 1-7, 2018.

Kellie Ames, Project Coordinator, gave a brief explanation of the Dine-Out deals and culinary events.

Richalyn Miller, Marketing Coordinator, gave a few brief comments about the participating restaurants for the Dine-Out Downtown Delray Week and the marketing collaborative. In addition, Ms. Miller stated the DDA has partnered with their media team to produce ten 30 second and 60 second videos of the first ten restaurants that signed up. Ms. Miller stated those videos will be available on television with Comcast running through the actual program. Also, there is digital signage in the Fort Lauderdale Airport and Palm Beach International Airport; she explained that those

videos are for use for the restaurants and online through the DDA's social media.

Sarah O'Kelly, 328 N. Lake Drive, Lantana, gave a brief explanation of her website called "Skippers Review" for local marine service providers/boaters to review marine businesses and they have a blog that is oriented towards the environment. Ms. O'Kelly suggested putting up signs and leaving buckets at the beach (i.e. at the lifeguard stands) all the time not just for organized clean-ups.

Alan Schlossberg, 200 MacFarlane Drive, Delray Beach, strongly opposes the implementation of additional parking meters at this time because of the cost and considering most of the public including the store owners have been against it. Mr. Schlossberg stated these meters are going to be another tax and suggested that the city give some leeway to full-time residents and disabled people so that they can reasonably park. He stated the city should have addressed the outstanding parking tickets first so that money could be put into the meters if necessary. Mr. Schlossberg stated as of April 2017, there are 1.2 million outstanding parking tickets over 120 days delinquent with a penalty of \$78.00 per parking ticket; the outstanding parking tickets that go from August 2017 through January 2018 is 364,281. Lastly, Mr. Schlossberg expressed concern over the unlicensed people driving in Delray Beach.

Mayor Petrolia asked the City Manager for clarification with regard to the figures and whether or not this is millions of tickets or millions of dollars. The City Manager stated he would presume it is dollars and noted that staff did a review of the collections recently and he stated he can get more data for the City Commission.

There being no one else from the public who wished to address the Commission, the public comment was closed.

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

Vice Mayor Frankel 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.  
**approved**

### **6.A. [18-419](#) MEETING MINUTES**

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

April 17, 2018 - Regular Meeting  
May 1, 2018 - Regular Meeting  
May 8, 2018 - Workshop Meeting

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Minutes- April 17, 2018](#)  
[Minutes- May 1-2018](#)  
[Minutes- May 8, 2018](#)

April 17, 2018 - Regular Meeting  
May 1, 2018 - Regular Meeting  
May 8, 2018 - Workshop Meeting

**approved**

**6.B.     [18-387](#)     CONSIDERATION OF A FINAL PLAT FOR 1107 WALLACE DRIVE**

**Recommendation:** Motion to Approve the Final Plat for 1107 Wallace Drive, by adopting the findings of fact and law contained in the staff report and finding that the request and approval thereof is consistent with the criteria set forth in Section 2.4.5(J), Major Subdivision of the Land Development Regulations.

**Sponsors:** Planning & Zoning Department

**Attachments:** [Agenda Cover Report](#)  
[Aerial Location Map](#)  
[1107 Wallace Drive Final Plat & Engineering Plans](#)  
[Planning and Zoning Board Staff Report](#)

**approved**

**6.C.     [18-351](#)     APPROVAL OF THE CHANGE ORDER NO. 2 TO RFQ NO. 2017-032 TO BAXTER & WOODMAN, INC. DBA MATHEWS CONSULTING, A BAXTER & WOODMAN COMPANY, FOR ENGINEERING DESIGN SERVICES FOR DELRAY BEACH SW 4th STREET, SW 6TH STREET, AND SW 7TH AVENUE IN A NOT-TO-EXCEED AMOUNT OF \$39,306.00**

**Recommendation:** Motion to approve the Change order No. 2 to RFQ No. 2017-032 to Baxter & Woodman, Inc. DBA Mathews Consulting, a Baxter & Woodman Company, for Engineering Design Services for SW 4th Street, SW 6th Street, and SW 7th Avenue in a not-to-exceed amount of \$39,306.00.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[RE Review for Amendment NO 2 for Project SW 4th Street SW 6th Street and SW 7th Ave Project 17-108.msg](#)  
[SW4TH CHANGE ORDER2 LANDSCPE LIGHTING 2018-04-27.pdf](#)

approved

**6.D.**     [18-397](#)     RESOLUTION NO. 49-18 BEACH RENOURISHMENT PROGRAM

**Recommendation:** Motion to Approve Resolution No. 49-18 in support of the City of Delray Beach Renourishment Program. This resolution supports the beach and coastal management programs of the Florida Department of Environmental Protection (FDEP), advising the State of Florida that the City of Delray Beach (City) will consider participation and will provide the local funding share necessary to implement any State beach and coastal management program approved by the City Commission for participation.

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

**Indexes:** Capital Improvement Projects - City Wide

**Attachments:** [Agenda Cover Report](#)  
[Beach Nourishment Resolution 6.15.18CF CAO rev](#)  
[Legal Ok Email](#)

approved

**6.E.**     [18-263](#)     RESOLUTION NO. 64-18: APPROVAL OF AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE TOWN OF HIGHLAND BEACH FOR POLICE DISPATCH AND COMMUNICATIONS SERVICES

**Recommendation:** Motion to approve Resolution No. 64-18 approving agreement between the City of Delray Beach and the Town of Highland Beach for police dispatch and communications services

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist - Contract between the City of Delray Beach and the Town of Highland Beach for police dispatch and communications services](#)  
[Partially Executed Contract between the City of Delray Beach and the Town of Highland Beach for police dispatch and communications services](#)  
[Resolution 64-18 - Town of Highland Beach police dispatch and communications services](#)

approved

**6.F.**     [18-417](#)     AMENDMENT NO. 2 TO AT&T LEASE AGREEMENT

**Recommendation:** Motion to approve Amendment No. 2 to AT&T Lease Agreement.

**Sponsors:** City Attorney Department



**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist form v. 5 Amend to ATT Police Tower Lease Agreement](#)  
[Amendment No. 2 to ATT Lease Agreement](#)  
[First Amendment to Lease Agreement](#)  
[Lease Agreement with AT&T](#)

approved

- 6.G.**     [18-416](#)     MOTION TO APPROVE RESOLUTION NO. 79-18 TO ESTABLISH SETTLEMENT AUTHORITY LIMITS FOR ALL PROPERTY DAMAGE, BODILY INJURY AND OTHER CLAIMS AND LITIGATION AND APPROVE SPECIAL COUNSEL TO BE RESPONSIBLE FOR LEGAL MATTERS RELATED TO WORKERS' COMPENSATION CLAIMS

**Recommendation:** Motion to approve Resolution 79-18.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Res 79-18 Settlement Authority and Workers Comp Attorneys](#)  
[Administrative Policies and Procedures Manual RM-2, Rev. 3](#)  
[Rate Sheet 1](#)  
[Rate Sheet 2](#)

approved

- 6.H.**     [18-430](#)     PROPOSED SETTLEMENT OFFER IN THE CASE OF JANET GOLDSTEIN V. CITY OF DELRAY BEACH

**Recommendation:** Motion to deny the settlement offer for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

**Sponsors:** City Attorney Department

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

approved

- 6.I.**     [18-431](#)     PROPOSED SETTLEMENT OFFER IN THE CASE OF PATRICIA KELLY-HECHT V. CITY OF DELRAY BEACH ET AL

**Recommendation:** Motion to deny the settlement offer for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

**Sponsors:** City Attorney Department

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

approved

## 6.J. PROCLAMATIONS:

### 6.J.1. [18-289](#) PARKS AND RECREATION MONTH PROCLAMATION - JULY 2018

**Recommendation:** Motion to recognize July as Parks and Recreation Month in Delray Beach, Florida.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Park & Recreation Month](#)  
[july 2018calendar](#)

approved

### 6.K. [18-405](#) REPORT OF APPEALABLE LAND USE ITEMS FROM MAY 21, 2018 THROUGH JUNE 8, 2018

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

**Sponsors:** Planning & Zoning Department

**Attachments:** [Agenda Cover Report](#)  
[Appealable Items Map](#)  
[A - Delray Estuary, 1550 Estuary Trail](#)  
[B - 110 Building, 110 E. Atlantic Ave](#)  
[C - Delray Verana, 1495 Spring Harbor Dr.](#)  
[D- 105 NE 1st Street](#)

approved

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

### 6.L.1. [18-363](#) APPROVAL OF RESOLUTION NO. 16-18 TO AWARD A THREE (3) YEAR AGREEMENT WITH TWO ONE YEAR EXTENSION WITH SELECTRON TECHNOLOGIES INC. FOR THE PROCUREMENT OF BUILDING DEPARTMENT PERMIT AND UTILITY BILLING MANAGED SERVICES IN THE SELECTRON CLOUD ENVIRONMENT FOR BILLING AND INSPECTIONS IN AN AMOUNT NOT-TO-EXCEED \$390,000

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

Motion to approve Resolution No. 16-18 to award a three (3) year with two one year extension agreement with Selectron Technologies Inc. (Selectron) for the procurement of Building Department Permit and Utility Billing Managed Services in the Selectron Cloud Environment for billing and

inspections in an amount not-to-exceed \$390,000.

**Sponsors:** IT Department

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

[Resolution No 16-18 for Selectron cao review](#)

[2018 Delray Beach STI Master Services and Hosting Agreement,  
Vendor Executed](#)

[Legal Review Checklist Selectron](#)

[City Standard Approval - Selectron](#)

[Delray Beach FL Managed Services Quote EE5442](#)

[Support and Maintenance Agreement - Executed 2004](#)

[Delray Beach Letter of Understanding 2005](#)

**approved**

**6.L.2. [18-386](#)**

AWARD OF AN AGREEMENT TO KIMLEY-HORN AND ASSOCIATES, INC. FOR CONTINUING ENGINEERING AND LANDSCAPING ARCHITECTURE CONSULTING SERVICES AND AUTHORIZE THE CITY MANAGER TO EXECUTE RELATED SERVICE AUTHORIZATIONS FOR CAPITAL IMPROVEMENT PROJECTS PREVIOUSLY APPROVED BY THE CITY COMMISSION THROUGH THE BUDGET APPROVAL PROCESS

**Recommendation:** Motion to award an agreement to Kimley-Horn and Associates, Inc. for continuing engineering and landscaping architecture consulting services and authorize the City Manager to execute related Service Authorizations for Capital Improvement Projects previously approved by the City Commission through the budget approval process.

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

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

[2017-048 Agreement with Kimley-Horn, Vendor Executed](#)

[Legal Review Checklist Agreement with Kimley Horn 2017-048](#)

[2017-048 Scoring Summary](#)

[RFQ 2017-048 Final](#)

[Addendum No. 1 - RFQ 2017-048](#)

[Addendum No. 2 - RFQ 2017-048](#)

[Addendum No. 3 - RFQ 2017-048](#)

[Addendum No. 4 - RFQ 2017-048](#)

[Addendum No. 5 - RFQ 2017-048](#)

[Addendum No. 6 - RFQ 2017-048](#)

[Addendum No. 7 - RFQ 2017-048 Final](#)

[Addendum No. 8 - Sample Agreement](#)

approved

## 7. REGULAR AGENDA:

- 7.A. [18-367](#) WAIVER REQUEST TO REDUCE THE MINIMUM REQUIRED FLOOR AREA OF 6,000 SQUARE FEET FOR TRACT C, LINTON OAKS SQUARE PLAT, LOCATED AT 16000 SOUTH MILITARY TRAIL. (QUASI-JUDICIAL HEARING)

**Recommendation:** Motion to approve the waiver request to reduce the minimum floor area for a gasoline station with convenience mart on Tract C from 6,000 square feet to 2,538 square feet by 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](#)  
[16000 S Military Tr - Location](#)  
[16000 S. Military Trail Waiver Request](#)  
[16000 S. Military Trail Survey \(Existing Conditions\)](#)  
[16000 S. Military Trail Site Plan](#)  
[16000 S. Military Trail Waiver Board Order 071018](#)

Scott Pape, Planner, entered the Planning and Zoning Board file #2018-071 into the record and stated this is a waiver request to reduce the building size from 6,000 square feet to 2,538 square feet.

Mayor Petrolia read the City of Delray Beach Quasi-Judicial rules into the record.

The City Clerk swore in those individuals who wished to speak on this item.

The City Commission had no ex parte communications to disclose.

The applicant gave a brief presentation.

There was no rebuttal.

Mayor Petrolia declared the public comment open. There being no one from the public who wished to address the Commission on this item, the public comment was closed.

A brief discussion by the Commission followed and the City Attorney read the Board Order.

Vice Mayor Frankel made a motion to approve the Board Order. It was seconded by Commissioner Bathurst. A roll call was taken and the motion carried a vote of 4 to 1 with Deputy Vice Mayor Johnson dissenting.

**7.B.**     [18-375](#)     PROPOSED MILLAGE RATE/DOWNTOWN DEVELOPMENT AUTHORITY (DDA)

**Recommendation:** Motion to approve staff's recommendation that the City Commission approve the DDA millage rate at 1.0000 for FY 2019.

**Sponsors:** City Manager Department

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

[Letter 2018 1 mill request 6.11.2018](#)

[2018-Preliminary-Tax-Roll July 1st](#)

[Copy of DDA 2017 18 MayBudg Rep](#)

[DDA Request](#)

[July 10 City Commission DDA Millage Presentation - V3pptx](#)

Dr. Alan Costilo, Vice-Chair of the Downtown Development Authority (DDA), read a statement into the record describing the goals of the DDA.

Laura Simon, Executive Director of the Downtown Development Authority (DDA), stated the DDA Board approved the proposed millage rate of 1.0000 for fiscal year 2019. The DDA current millage rate is 1.0000.

The Commission gave a few brief comments.

Commissioner Bathurst made a motion to approve the Downtown Development Authority (DDA) millage rate of 1.0000 mill for fiscal year 2019. It was seconded by Commissioner Boylston. A roll call vote was taken and all were in favor. The motion carried 5-0.

**7.C.**     [18-374](#)     FISCAL YEAR 2019 PROPOSED MILLAGE RATE

**Recommendation:** Motion to approve staff's recommendation that the City Commission set a total millage of X.XXXX for FY 2019 (X.XXXX for operating and 0.2108 for Debt Service).

**Sponsors:** City Manager Department

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

[City Comm July 10 2018 Millage Setting Item](#)

[Millage Rate Presentation Final 20180705](#)

The City Manager gave a brief presentation regarding the City's proposed millage rate for fiscal year 2019. The City Manager stated the City's current operating millage is 6.8611; debt service millage is 0.2289 and the total millage is 7.09. The roll back rate is 6.542. The City Manager stated

the proposed millage at a balanced budget is 6.7611 which is 0.1 mills lower than the current millage of 6.8611. The debt service will be reduced because the tax base increased by about 8.4% - 8.6%. The debt service millage will drop to 0.2108 from 0.2289.

A brief discussion by the Commission followed.

Vice Mayor Frankel made a motion to set the operating millage rate at 6.7611. It was seconded by Commissioner Bathurst. A roll call vote was taken and the motion carried a vote of 4-1 with Deputy Vice Mayor Johnson dissenting.

Vice Mayor Frankel made a motion to set the debt service at 0.2108. It was seconded by Commissioner Bathurst. A roll call was taken and all were in favor. The motion carried 5-0.

Vice Mayor Frankel made a motion to set the first public budget hearing for September 6, 2018 in the Commission Chambers at 6:00 p.m. It was seconded by Commissioner Bathurst. A roll call was taken and all were in favor. The motion carried 5-0.

The City Manager thanked staff, the budget office, and the City Manager's office and stated he appreciates their assistance in the budget preparation.

**7.D.     [18-379](#)     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](#)

Vice Mayor Frankel nominated Marcus Metcalf to the Delray Beach Housing Authority. 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 Ivan R. Gomez to the Delray Beach Housing Authority. It was seconded by Vice Mayor Frankel. A roll call

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

Commissioner Boylston nominated Krystina Buckley to the Delray Beach Housing Authority. It was seconded by Vice Mayor Frankel. A roll call vote was taken and all were in favor. The motion carried 5-0.

**7.E.     [18-395](#)     NOMINATION FOR APPOINTMENT TO THE CODE ENFORCEMENT BOARD**

**Recommendation:** Motion to approve nomination for appointment for one (1) regular member to serve on the Code Enforcement Board for an unexpired term ending January 14, 2022.

**Sponsors:** City Clerk Department

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

Commissioner Bathurst nominated Nicholas Coppola to the Code Enforcement Board. It was seconded by Vice Mayor Frankel. The roll call vote was taken and all were in favor. The motion carried 5-0.

**7.F.     [18-411](#)     NOMINATION FOR APPOINTMENT TO THE POLICE ADVISORY BOARD**

**Recommendation:** Motion to approve nomination for appointment for one (1) regular member to serve on the Police Advisory Board for a two (2) year term 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](#)

Deputy Vice Mayor Johnson nominated Michael Costin 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.

**8. PUBLIC HEARINGS:**

**8.A.     [18-433](#)     RESOLUTION 84-18: QUIT-CLAIM DEED TO TRANSFER A PORTION OF RIGHT-OF-WAY AT 998 PELICAN LANE TO DOUGLAS AND EMILY**

BOWRING IN EXCHANGE FOR A RIGHT-OF-WAY EASEMENT IN  
FAVOR OF THE TOWN OF GULFSTREAM (PUBLIC HEARING)

**Recommendation:** Motion to approve Resolution 84-18 authorizing the City to execute a quit claim deed to transfer a portion of right-of-way at 998 Pelican Lane to Douglas and Emily Bowring subject to the condition that the Town of Gulfstream accept a right-of-way easement over the same area.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 84-18](#)  
[BOWRING Quit Claim Deed for Pelican Lane final \(4\)](#)  
[Map of Area](#)  
[Easement in favor of the town of Gulstream](#)

The City Attorney read Resolution No. 84-18 into the record and briefly explained the intent of the resolution.

At this point, the City Attorney declared the public hearing open.

Doak Campbell, Attorney representing the owners of the property, gave a few brief comments.

There being no one else who wished to address the Commission regarding Resolution No. 84-18, the public hearing was closed.

Commissioner Bathurst made a motion to approve Resolution No. 84-18, It was seconded by Deputy Vice Mayor Johnson. A roll call vote was taken and all were in favor. The motion carried 5-0.

## **9. FIRST READINGS:**

9.A. None

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

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

#### **10.A.1. Davis Cup Sponsorship Package**

The City Manager gave a brief explanation about the Davis Cup Sponsorship package. The City Manager stated he was approached by the Executive Director of the Palm Beach County Sports Commission and the Delray Beach Sports Commission about the possibility of Delray Beach hosting the Davis Cup in November around the Thanksgiving Day Holiday weekend. The City Manager stated if the



city decides to make this application, it will cost the city several hundreds of dollars in in-kind services as well as the application package will commit the host community to a payment of \$400,000.00 which the Palm Beach County Sports Commission would work on most of that money; however, if the city decides to move forward and is accepted as the host community, the Delray Beach Sports Commission would be responsible to pay a \$100,000.00 sponsorship of the \$400,000.00 fee. The City Manager recommended that the Commission make a motion contingent on the city's successful bid. The City Manager stated the host country is one of the finalist and there is a slate of competitive countries to beat and considering the USA is one of the two countries in the final and the city can put the application through, he would like the Commission to authorize him to proceed in that direction. The City Manager stated the application is due in August and he believes it is upon award of the bid that the \$400,000.00 fee has to be paid.

A brief discussion followed between the City Manager and Mayor Petrolia. The City Manager stated if the city has to put the money upfront and lose it, then he would not suggest doing this.

After a brief discussion, Vice Mayor Frankel made a motion to approve the application with the conditions as set forth by the City Manager. It was seconded by Commissioner Boylston. A roll call vote was taken and all were in favor. The motion carried 5-0.

#### **10.A.2. Atlantic Community High School Football Program Support**

The City Manager stated the Atlantic Community High School football program raised \$6,000.00 of the \$12,000.00 and he recommended that the City Commission make a motion to provide the remaining \$6,000.00 match.

Commissioner Boylston stated all of coach TJ Jackson's players graduated with a 3.0 or higher which is a requirement to play for the team.

Commissioner Bathurst made a motion to approve the remaining \$6,000.00 match for the Atlantic Community High School varsity football program to be taken out of the City Manager's contingency fund. It was seconded by Commissioner Boylston. A roll call vote was taken and all were in favor. The motion carried 5-0.

#### **10.A.3. Parking Policy Update**

The City Manager gave a brief report updating the City Commission on

the parking policy.

A brief discussion by the Commission followed.

The City Manager suggested that the Commission support PMAB's recommendation that the City provide *downtown* residents parking to address apartment and condo units with no on-site parking that would be based upon reviewing the buildings within the downtown parking that actually have no parking, and allow residents to obtain a permit at the same \$96.30 annual permit rate as the beach parking permit that would allow for parking including overnight in public parking lots and garages west of the Intracoastal waterway, but not on the street.

The Commission concurred.

The City Manager stated at their meeting, the Downtown Development Authority (DDA) made a motion to approve a Delray Beach resident permit that will allow city-wide Delray Beach residents to park in metered spaces in the garages (time limits are still applicable) west of the Intracoastal for free from 12:00 pm. until 6:00 p.m. The City Manager stated the city would determine that they are residents by doing the resident pass program that is currently done in the City Clerk's office.

It was noted that the parking is free for everyone prior to 12:00 noon.

The City Manager stated he would recommend that the Commission modify the DDA's recommendation by excluding on the avenue parking because it is prime parking and that the maximum time limit to park between 12:00 p.m. until 6:00 p.m. be limited to a maximum of 3 hours.

The Commission concurred to support the DDA's recommendation subject to the City Manager's recommendation to exclude on the avenue parking and limit the parking between 12:00 p.m. until 6:00 p.m. to a maximum of 3 hours.

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

The City Attorney announced that Assistant City Attorney Janice Rustin is resigning from employment with the City of Delray Beach.

The City Attorney stated he is finalizing the ad to solicit for this position and his objective is to bring this item of hiring the Assistant City Attorney before the City Commission on August 21, 2018. If not, the City Attorney stated it would be September 6, 2018.

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

Vice Mayor Frankel thanked the Delray Beach Marketing Cooperative (DBMC) and the Marriott for a great 4th of July fireworks celebration.

Secondly, Mr. Frankel stated it was difficult to understand the speaker who spoke this evening regarding the FDOT project and asked for clarification and a better explanation of the project.

Deputy Vice Mayor Johnson stated she would like to see the City of Delray Beach to have more book clubs than any other city in the world and thanked everyone for a wonderful meeting.

Commissioner Boylston supports empowering Commissioner Bathurst to move forward with respect to the FDOT project and stated the Master Plan was adopted by the City Commission.

Secondly, Commissioner Boylston commented that there is a 7-Eleven coming into town and stated sometimes chains are local businesses too (i.e. 7-Eleven, Subway) and they have chosen to go the franchise way. He pointed out that it is still a local business and we are supporting that local business-just in a different way.

Commissioner Boylston stated the city has an ordinance regarding stand-alone bars that prohibits drinking a beverage outside on their own premises. He stated this affects a few local businesses and suggested that staff re-look at this ordinance.

Lastly, Commissioner Boylston stated he represented the city in a basketball tournament.

Mayor Petrolia commended Stephanie Immelman with the Delray Beach Marketing Cooperative (DBMC), Parks and Recreation, Police and Fire, for the sepctacular job with respect to the 4th of July firework celebration and she thanked the Marriott for hosting one of their rooms downstairs. Mayor Petrolia suggested for next year to move the food trucks from their current location so they do not block the beach area for those wishing to go down to the sand and move them to the other side of the street. Secondly, Mayor Petrolia pointed out that the fireworks appeared to be a little lower this year and stated it could have been where the barge was located or how they were doing the fireworks.

There being no further business to discuss, the meeting was adjoured at 9:20 p.m.

