

City of Delray Beach

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Minutes - Final

Thursday, March 28, 2019

3:30 PM

Workshop Meeting

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

Pursuant to Section 3.12 of the Charter of the City of Delray Beach the Mayor has instructed me to announce a Workshop Meeting of the City Commission to be held for the following purposes:

Mayor Petrolia called the Workshop Meeting to order at 3:30 p.m.

The roll call was taken by the City Clerk.

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:

Neal de Jesus, Interim City Manager
Lynn Gelin, City Attorney
Katerri Johnson, City Clerk

W.S.1. [19-256](#) DOWNTOWN NIGHTLIFE AND NIGHTTIME ECONOMY

Recommendation: Provide direction regarding downtown nightlife and nighttime economy.

Attachments: [Agenda Cover Report](#)
[DDA 2017 Perception of Safety Survey](#)
[DDA Safety Ambassadors](#)
[CleanSafe Program_rev](#)
[CS Level Of Service](#)
[DDA Updated 6.23.15Nighttime Economy Oct. 27, 2014 Workshop Next Steps](#)
[Stand Alone Bars Only 36x48](#)
[Outside Uses - Draft LDR Amendments](#)
[City Commission - Downtown Nightlife - Workshop 03.28.19 revised 03.26.19 PDF](#)

Tim Stillings, Development Services Director, gave a brief presentation regarding the downtown nightlife/nighttime economy, programs/initiatives, immediate issues, and policy direction/options. Mr. Stillings reviewed the nightlife/nighttime issues with some of the establishments with respect to the occupancy (over capacity) and creating changing the table layout particularly for restaurants to create dance floors or open areas which are currently not permitted. He explained the definitions of "Bona fide Restaurant" and "Standalone Bars". Mr. Stillings stated staff is seeking policy direction with what has been happening in the downtown with some

of the uses which is: (1) maintaining the existing rules the city currently has and working with the establishments to comply, (2) come up with a modification of the rule that would allow for that transition at a certain time to allow the restaurants to become something else (a bar/dance floor) at a certain hour, and (3) allow bars to have outside use areas. He stated in order for the city to allow for that transition at a certain hour or not, they would have to come up with a safety plan which would still provide a maximum occupancy load that would need to be maintained. None of the proposed changes impact or change the noise rules or the sidewalk cafe rules and these would need to be addressed as well.

Mr. Stillings showed a short video of two restaurants in the downtown.

Joseph Cafone, Fire and Safety with the Fire-Rescue Department, explained that the two videos shown this evening were highlighting the difficulties when these particular facilities are changed from restaurants to bars. Moving tables and chairs makes the flow of egress difficult when you have extra capacity that those buildings and life safety plans were not designed to have.

A brief discussion between Mr. Cafone and Mayor Petrolia ensued.

Commissioner Frankel suggested that the City Commission work with the Downtown Development Authority (DDA) and discuss a policy about how to proceed forward.

Interim City Manager de Jesus stated the City served notice to some establishments that the City will start requiring these establishments to hire fire inspectors; some establishments will be required to have 2 fire inspectors and some will be required to have 3-4 fire inspectors depending on how many entrances and exits they have.

Interim City Manager de Jesus stated the City Code provides that the establishment(s) be shut down. He stated this is a life safety issue and the penalty would be whatever the establishment could calculate from the time they are shut down, to the time they would have made staying in business, and then repeat that cycle until the City determines that they are a habitual offender.

At that point, he stated then the city would move forward to revoke their license which the city is trying to avoid at all costs. However, Interim City Manager de Jesus emphasized that these establishments must comply within the rules.

Commissioner Bathurst stated Delray Beach is a known economic cycle of a destination location and noted it needs to be managed away from decline.

Commissioner Boylston stated this is a partnership and everyone needs to be safe, clean, and vibrant.

A brief discussion between the City Commission and Interim City Manager de Jesus ensued.

Interim City Manager de Jesus stated because the city has not had full compliance, staff will implement the City's Code authority to do so and he is hopeful that it is short-term. The fire inspectors will stay as long as necessary, and once they vacate these establishments and it goes back to the way it was, then the City will start moving for more permanent closures.

The City Commission concurred with comments expressed by Interim City Manager de Jesus.

W.S.2 [19-341](#)

DELRAY BEACH COMPETITIVE ASSESSMENT AND CLUSTER STRATEGIES STUDY PRESENTATION

Sponsors: Economic Development Department

Attachments: [Agenda Cover Report](#)

[Delray Beach Cluster and Competitive Study 2019-3-21](#)

Joan Goodridge, Economic Development Director, gave a few brief comments.

Kevin T. Greiner, Florida International Metropolitan Center, thanked the City Commission for their insight with respect to the development of the study. Mr. Greiner stated he would like to do an extended session and also suggested that the City Commission contact him if they would like to talk about the study. Mr. Greiner gave a brief presentation on the Delray Beach Competitive Assessment and Cluster Strategies.

Ms. Goodridge stated there are details in this study under the recommendations that have some of the solutions which are being suggested to them. Ms. Goodridge stated from a policy development perspective, this will be some of the future conversations they will have with the City Commission.

W.S.3 COMMISSION COMMENTS

The City Commission had no comments.

There being no further business to discuss, Mayor Petrolia adjourned the meeting at 4:34 p.m.




City Clerk

ATTEST:



MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the Workshop Meeting held on March 28, 2019, which Minutes were formally approved and adopted by the City Commission on April 16, 2019.



City Clerk

NOTE TO READER:

If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval which may involve some amendments, additions or deletions as set forth above.